

CITY COUNCIL WORK SESSION
MAY 6, 2019
5:00 P.M.

The members of the Marshall City Council met for a work session at 5:00 p.m., on Monday, May 6, 2019 in the Council Chambers of the City Office Building, 214 N. Lafayette, Marshall, MO 65340, with the following members present: Mayor Julie Schwetz; Council Members Dewey Hendrix, Kirk Arends, Ron Ott, Chuck Hines, Charles Guthrey, Kathy Vasquez, Dan Brandt and Tom Hagedorn; City Administrator David Haugland, City Counselor Josh Taylor, City Clerk Julie Lewis, Code Official Mike Morgan, Municipal Judge Matt Gass, City Attorney Mike Reneau, Administrative Assistant Sheerie Norman, Municipal Services Director Bill Anderson, Chief of Police Mike Donnell, Nuisance Officer Tim Davis and Fire Chief Tony Day.

Mayor Schwetz welcomed everyone and said the purpose of the meeting is to discuss policies and procedures in relation to nuisances and property maintenance.

Mayor Schwetz said she would like to see an ad-hoc committee established for the purpose of studying the property maintenance policies and procedures; the enforcement of those policies and their effectiveness. The committee will be made up of Council Members, City employees and citizens. She has spoken with Josh Taylor regarding the best way to go about setting up the committee.

Mayor Schwetz discussed the City's property maintenance and nuisance codes. The codes may need to be revised to make them stronger. She has been looking at other communities and what they have in place. Website addresses were provided for the Cities of Independence and Arnold, MO.

Mayor Schwetz discussed occupancy permits and how those permits can be utilized as a community development tool. Potential time limits on building permits issued for rehab projects could be helpful in ensuring that a project is being completed in a timely manner. We are not the only city facing these issues; we just need to look at our approach from a different view.

Mayor Schwetz listed the following nuisance categories:

Tall grass/weeds
Vehicles

Junk, Debris, Trash
Property

The Inspection Dept, Police, Municipal Services, Municipal Court, City Council and Committees, Planning and Zoning Commission and Code Enforcement Board are all involved in the enforcement of property maintenance/nuisance abatement procedures.

There is potential of citizens becoming involved as well, however there could be some liability that goes along with citizen involvement.

Mayor Schwetz said it is very important to her that the City's approach be proactive and positive such as recognizing when something is being cleaned up and having more than one clean up day per year.

Council Member Hagedorn spoke about the process of attaching mowing fees onto property tax bills.

City Administrator Haugland explained the process of placing liens and collecting fees through property tax bills; he said the City entered into a contract with the Saline County Collector and is currently attaching the charges to property tax bills.

City Inspector Mike Morgan explained the notification process getting a nuisance property mowed.

Mayor Schwetz said she has visited with City Counselor Josh Taylor regarding the basic structure of the City's ordinances and the lack of procedures to enforce them.

Mr. Morgan said the City has had the most success with nuisance vehicles.

Council Member Ott agreed that nuisance vehicles have been handled well.

Council Members discussed a particular nuisance vehicle in a residential area; many complaints have been made.

City Attorney Mike Reneau provided information about the fines and punishment process once a nuisance violation reaches the Municipal Court system. He also offered information about State laws that define how the situations are handled in the court process. There are limits regarding the amount of fines that can be placed upon an individual and civil liberties cannot be threatened with jail time. Community service can be an option in lieu of fines.

Council Members indicated the objective is to clean up the town, not to hand out fines.

Mayor Schwetz said the time frame is frustrating when trying to get a property cleaned up and offered suggestions including a dedicated sub-committee tasked with navigating and enforcing the codes.

Council Member Ott said an individual had offered to solicit donations for the purchase of mowers that volunteers could utilize to help with mowing various properties. Liability issues surrounding the use of volunteers were discussed.

Chief Donnell said the process can be a cat and mouse game; a ticket is issued and the individual appears in court, pays the fine, but does not remedy the nuisance.

Council Member Brandt inquired about occupancy permits for rental properties and the inspections that would be required for the permit to be issued.

City Inspector Mike Morgan said there would be a lot of inspections; it would keep one full time person very busy.

Council Members discussed occupancy permits and inspections. Permits issued after an inspection would mean the property is safe to occupy. Additional stipulations could be put into the policy regarding absentee landlords and property maintenance. A business license could be required of landlords as well.

Council Member Arends asked how many hours the dedicated nuisance officer spends locating the nuisances and speaking with residents.

Chief Donnell said the officer spends a minimum of 32 hours per week working nuisances.

Mayor Schwetz thanked everyone for their input and said this process takes time.

The members of the Marshall City Council made no decisions during the work session.

The work session ended at 5:53 p.m.

Julie M. Schwetz, Mayor

ATTEST:

Julie A. Lewis, City Clerk