

**CITY COUNCIL MINUTES
JUNE 18, 2018**

The City Council met in Regular Session at 6:00 p.m. on Monday, June 18, 2018 in the Council Chambers of the City Office Building, 214 N. Lafayette, Marshall, MO 65340, with the following members present: Mayor Mark T. Gooden; Council Members Dewey Hendrix, Kirk Arends, Ron Ott, Chuck Hines, Charles Guthrey, Rudy Reyes, Dan Brandt and Tom Hagedorn; City Administrator David Haugland, City Counselor Josh Taylor and City Clerk Julie Lewis.

Council Member Guthrey made a motion, seconded by Hagedorn, to adopt the agenda as written. A roll call vote was taken with Hendrix, Arends, Guthrey, Brandt, Hagedorn, Reyes, Hines and Ott voting aye. Motion carried.

Council Member Hagedorn made a motion, seconded by Reyes, to approve the Regular Session minutes of June 4, 2018. A roll call vote was taken with Arends, Guthrey, Brandt, Hagedorn, Reyes, Hines, Ott and Hendrix voting aye. Motion carried.

PUBLIC HEARING

Mayor Gooden said the purpose of the Public Hearing is to hear comments and concerns regarding a request by Jerry Hedrick representing the Georgia Brown Blosser Home for Women to amend the City of Marshall Zoning Ordinance number 5757 Section 31-74 District R-1 Single Family District Subsection (C)(10) to allow residence for senior women without cooking facilities by Special Use permit.

Council Member Guthrey made a motion, seconded by Hines, to open the Public Hearing. A roll call vote was taken with Ott, Hendrix, Arends, Guthrey, Brandt, Hagedorn, Reyes and Hines voting aye. Motion carried.

There were no comments or concerns from the audience and none were received prior to the Public Hearing.

Mr. Jerry Hedrick, representing the Georgia Brown Blosser Home for Women thanked the Council and Code Official Mike Morgan.

Council Member Hagedorn made a motion, seconded by Reyes, to close the Public Hearing. A roll call vote was taken with Hines, Ott, Hendrix, Arends, Guthrey, Brandt, Hagedorn and Reyes voting aye. Motion carried.

BUSINESS FROM THE AUDIENCE

There was no business from the audience.

COMMITTEE REPORTS

PUBLIC RELATIONS AND PUBLIC SAFETY COMMITTEE:

Council Member Hendrix gave the Marshall Police Department Report for May:

Traffic Stops: 219

Reasons: Moving Violation 114, Equipment 54, License Violation 51

Results: Citations 40, Warnings 179

Warrants: 25 issued by Municipal Court

Calls for Service 1,121

Reports Taken: 223

Reasons: accidents 24, assaults 13, stealing 46, burglary 10

Arrests: 50

Safety Tips for 4th of July:

Obey all local laws regarding the use of fireworks.

A responsible adult SHOULD supervise all firework activities. Never give fireworks to children.

Alcohol and fireworks do not mix. Save your alcohol for after the show.

Use fireworks OUTDOORS in a clear area; away from building and vehicles.

Never relight a dud firework. Wait 20 minutes and then soak it in a bucket of water.

Always have a bucket of water and charged water hose nearby.

Never carry fireworks in your POCKET or shoot them into METAL or GLASS containers.

Do not experiment with homemade fireworks.

Dispose of spent fireworks by wetting them down and place in a metal trash can away from any building or combustible materials until the next day.

Report illegal explosives, like M-80s and quarter sticks, to the fire or police department.

Pet Safety for the 4th of July

Don't bring your pets to a fireworks display, even a small one.

If fireworks are being used near your home, put your pet in a safe, interior room to avoid exposure to the sound.

Make sure your pet has an identification tag, in case it runs off during a fireworks display.

Never shoot fireworks of any kind (consumer fireworks, sparklers, fountains, etc.) near pets.

MUNICIPAL SERVICES AND PERSONNEL COMMITTEE:

Council Member Brandt reported Aircraft Activity is trending upward; activity typically peaks in June, July and into August.

The Solid Waste numbers are very similar to this time last year; sale of cardboard is up significantly to 319 tons.

Municipal Services has provided a cost estimate for the proposed sidewalk project on College Ave. A total of 2,862 feet of sidewalk measuring 6ø wide and 6ö deep, including 17 driveway approaches and 20 handicap approaches would be installed using 472 cubic yards of concrete. The estimated cost of materials is \$63,465.00; labor would be provided in house.

Council Member Reyes inquired if outside engineering would be needed for the project.

Municipal Services Director Bill Anderson said some engineering may be needed to verify a few rights-of way. There are construction specifications that will be met along with ADA requirements. The proposed timeline for the project would be to start in September with completion in 3 to 6 months.

Council Member Brandt said a proposal for lane striping was received at just under \$10,000.00. There is funding in the budget under traffic control for that purpose. There are some other areas that will be striped, including near the schools; all of the striping can be done for the budgeted amount.

Council Members discussed details of the project with Mr. Anderson.

Council Member Brandt said the slurry project was discussed at the last Council meeting and he feels the Municipal Services Department should obtain bids for the project.

Council Member Brandt made a motion, seconded by Reyes, to authorize Municipal Services Director Bill Anderson to obtain bids for the slurry project and striping project. A roll call vote was taken with Reyes, Hines, Ott, Hendrix, Arends, Guthrey, Brandt and Hagedorn voting aye. Motion carried.

Council Member Brandt said the Municipal Services Department currently has a 1980 model asphalt roller that is in bad condition. The item is not budgeted; however, Municipal Services has approximately \$19,900 from the sale of scrap metal and \$8,000 remaining in the capital outlay fund. The sale of the current model should bring approximately \$1,000 to \$3,000. There is a 2015 model currently up for bid.

Council Member Ott discussed the current budget in relation to bidding on the asphalt roller.

Council Member Arends noted that Municipal Services Director Bill Anderson has done a nice job recycling scrap metal to fund purchases that are not budgeted. The Council appreciates that and coming in under budget last year.

Council Member Ott made a motion, seconded by Arends, to authorize Municipal Services Director Bill Anderson to place a bid on an online auction for an asphalt roller in an amount not to exceed the funds in the scrap metal fund, sale of the old roller and the remaining funds in the capital outlay fund. A roll call vote was taken with Brandt, Hagedorn, Reyes, Hines, Ott, Hendrix, Arends and Guthrey voting aye. Motion carried.

PROPERTY, FINANCE, BUDGET AND AUDIT COMMITTEE:

Council Member Ott reported the City is about 75% of the way through the fiscal year. Budgeted revenue is \$11,229,000 with \$8,751,500 collected so far which is about 78% of the total revenue budgeted. Expenses were budgeted at \$11,193,300 and \$7,409,000 has been expended to date which equates to 66%. Everything is looking good at this point.

The City Administrator and Finance Director are currently working on the 2018-2019 budget. Department Heads are meeting with David and Melissa to prioritize capital requests. The Finance Committee will meet with David and Melissa to finalize the numbers before it is brought to Council for final approval in September.

COMMUNITY DEVELOPMENT AND CODE COMMITTEE:

Council Member Reyes gave the Nuisance Report for the month of May. A total of 109 complaints were received from City Offices; the Police Department received 14. Of the 109 complaints received from City Offices, 44 were not substantiated. Of the remaining 65 substantiated complaints, 11 remained non-compliant after notice was served. The 11 properties are mostly open lots or vacant residences.

CITY ADMINISTRATOR:

City Administrator David Haugland reported on the following:

2018-2019 Budget is currently being worked on.

Continuing to have discussion with Council Member Ott and Buxton regarding retail recruitment.

Drafting a Special Event Permit Application to bring to Council for review.

Will attend MPR Board meeting on Tuesday in Independence.

Missouri Municipal League Annual Conference will be held September 16-19 in Branson. If Council wishes to attend, please let us know.

Council Member Arends asked for a status update regarding the Habilitation Center mock-ups.

City Administrator Haugland said Marty will be here within two weeks to complete.

MAYOR'S REPORT:

Mayor Gooden presented the following appointments to the Council for approval:

Library Board

Marsha Williams ó Reappointment - 3 Year Term ó Term Expires 07/01/2021

Rosie Crisol ó Reappointment - 3 Year Term ó Term Expires 07/01/2021

Diane Swift ó Reappointment ó 3 Year Term ó Term Expires 07/01/2021

Council Member Brandt made a motion, seconded by Reyes, to table the Library Board Appointments until the July 2nd Council meeting. A roll call vote was taken with Guthrey, Brandt, Hagedorn, Reyes, Hines, Ott, Hendrix and Arends voting aye. Motion carried.

LIQUOR LICENSE

The following liquor license was presented to the Council for approval:

Budø Café, Inc., 157 S. Lafayette ó Angie Roettgen, Managing Officer (ownership change) ó 5% By Drink Wine

Assistant Chief of Police Todd Reeter said there is nothing to preclude the issuance of the liquor license.

Council Member Brandt made a motion, seconded by Ott, to approve the liquor license as presented. A roll call vote was taken with Reyes, Hines, Ott, Hendrix, Arends, Guthrey, Brandt and Hagedorn voting aye. Motion carried.

ORDINANCES

Marshall Municipal Utilities General Manager Kyle Gibbs explained the ordinance provides for replacing 100% of the roofs on the existing water plant buildings and 2 roofs at the waste water treatment plant. A total of four bids were received with the low bid of \$256,616 from Missouri Builderø Service, Inc.

An ordinance entitled "AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF MARSHALL, MISSOURI, TO EXECUTE A CONTRACT BETWEEN THE CITY OF MARSHALL, THE BOARD OF PUBLIC WORKS, AND THE MISSOURI BUILDERS SERVICE, INC." was given its first reading by title only.

Council Member Hagedorn made a motion, seconded by Ott, to take the ordinance to a second reading. A roll call vote was taken with Brandt, Hagedorn, Reyes, Hines, Ott, Hendrix, Arends and Guthrey voting aye. Motion carried.

Ordinance No. 8420 entitled "AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF MARSHALL, MISSOURI, TO EXECUTE A CONTRACT BETWEEN THE CITY OF MARSHALL, THE BOARD OF PUBLIC WORKS, AND THE MISSOURI BUILDERS SERVICE, INC." was given its second reading by title only upon motion of Guthrey, seconded by Hendrix. A roll call vote was taken with Hagedorn, Reyes, Hines, Ott, Hendrix, Arends, Guthrey and Brandt voting aye. The ordinance is thereupon declared passed and so endorsed by the President of the Council and approved by the Mayor.

An ordinance entitled "AN ORDINANCE AMENDING THE ZONING ORDINANCE NO. 5757 OF THE CITY OF MARSHALL, MISSOURI, BY ADDING A SPECIAL USE FOR

SENIOR WOMEN IN THE R-1 SINGLE FAMILY RESIDENTIAL DISTRICT was given its first reading by title only.

City Administrator David Haugland said no comments have been received regarding the proposed amendment.

Council Member Reyes made a motion, seconded by Guthrey, to take the ordinance to a second reading. A roll call vote was taken with Hendrix, Arends, Guthrey, Brandt, Hagedorn, Reyes, Hines and Ott voting aye. Motion carried.

Ordinance No. 8421 entitled AN ORDINANCE AMENDING THE ZONING ORDINANCE NO. 5757 OF THE CITY OF MARSHALL, MISSOURI, BY ADDING A SPECIAL USE FOR SENIOR WOMEN IN THE R-1 SINGLE FAMILY RESIDENTIAL DISTRICT was given its second reading by title only upon motion of Hendrix, seconded by Hines. A roll call vote was taken with Arends, Guthrey, Brandt, Hagedorn, Reyes, Hines, Ott and Hendrix voting aye. The ordinance is thereupon declared passed and so endorsed by the President of the Council and approved by the Mayor.

An ordinance entitled AN ORDINANCE MAKING THE APPROPRIATION FOR THE PAYMENT OF ACCOUNTS OUT OF THE DIFFERENT CITY FUNDS was given its first reading by title only.

Council Member Hines made a motion, seconded by Reyes, to take the ordinance to a second reading. A roll call vote was taken with Ott, Hendrix, Arends, Guthrey, Brandt, Hagedorn, Reyes and Hines voting aye. Motion carried.

Ordinance No. 8422 entitled AN ORDINANCE MAKING THE APPROPRIATION FOR THE PAYMENT OF ACCOUNTS OUT OF THE DIFFERENT CITY FUNDS was given its second reading by title only upon motion of Reyes, seconded by Hendrix. A roll call vote was taken with Hines, Ott, Hendrix, Arends, Guthrey, Brandt, Hagedorn and Reyes voting aye. The ordinance is thereupon declared passed and so endorsed by the President of the Council and approved by the Mayor.

OTHER COUNCIL BUSINESS

Council Member Hendrix informed the Council he will not be in attendance at the July 2nd Council Meeting.

Council Member Ott said the City is currently working on a solution to control the algae at the Habilitation Center Lake. A presentation by Tom McRoberts will be made at the next Council Meeting on July 2nd.

Council Member Reyes announced he has purchased a home outside of his ward and, per protocol, will be resigning as Ward 4 Council Member at the end of this month.

Council Member Reyes thanked the citizens of Ward 4 for their support. He has enjoyed his time on the Council and has grown as a person.

The Council congratulated Council Member Reyes on his new home and said it has been a pleasure working with him.

There being no other Council business, Council Member Brandt made a motion, seconded by Hendrix, to adjourn to Executive Session concerning legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys; leasing, purchase or sale of real estate by a public governmental body; hiring, firing, discipline or promotion of personnel. RSMo. 610.021 (1,2,3)

A roll call vote was taken with Guthrey, Brandt, Hagedorn, Reyes, Hines, Ott, Hendrix and Arends voting aye. Motion carried and the meeting adjourned at 6:40 p.m.

Mark T. Gooden, Mayor

ATTEST:

Julie A. Lewis, City Clerk