

**CITY COUNCIL MINUTES
AUGUST 19, 2019
6:00 P.M.**

The Marshall City Council met in Regular Session at 6:00 p.m. on Monday, August 19, 2019, in the Council Chambers of the City Office Building, 214 N. Lafayette, Marshall, MO 65340, with the following members present: Mayor Julie M. Schwetz; Council Members Dewey Hendrix, Kirk Arends, Ron Ott, Chuck Hines, Charles Guthrey, Dan Brandt and Tom Hagedorn; City Administrator David Haugland, City Counselor Josh Taylor and City Clerk Julie Lewis. Council Member Kathy Vasquez excused absent.

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

Council Member Hagedorn made a motion, seconded by Hendrix, to approve the Regular Session minutes of August 5, 2019. A roll call vote was taken with Ott, Hines, Guthrey, Brandt, Hagedorn, Hendrix and Arends voting aye; Vasquez excused absent. Motion carried.

PUBLIC HEARING

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

Mayor Schwetz said the purpose of this Public Hearing is to hear comments or concerns regarding the proposed 2019-2020 tax levy.

Council Member Brandt asked if the levy was the same as last year.

City Administrator David Haugland said the rates were adjusted up slightly; that allows the dollar amounts collected to be similar to last year.

There were no comments from the audience.

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

BUSINESS FROM THE AUDIENCE

There was no business from the audience.

COMMITTEE REPORTS

PUBLIC RELATIONS AND PUBLIC SAFETY:

Council Member Hendrix gave the Police Department report for the month of July:

Traffic Stops: 372

Reasons: Moving Violation ó 221; Equipment ó 88; License Violation ó 63

Results: Citations ó 56; Warnings ó 317; Arrests ó 7

Municipal Court Warrants ó 6

Officer Calls for Service ó 2,488

Police Reports Taken ó 191

Arrests ó 45

Offenses Reported to NIBRS ó 88

Council Member Hendrix said it is time for school to start again, which means drivers need to slow down and look for students heading to school. This means watching for children of all ages, all the way up to college students. There will be more pedestrians on the streets and sidewalks during the day. Officers will be monitoring the school zones and enforcing the speed limits in these zones. Please do not hurry through or drive distracted through our school zones.

MUNICIPAL SERVICES AND PERSONNEL COMMITTEE:

Council Member Brandt reported solid waste for July was up slightly from last month and cardboard from ConAgra was really high.

The monthly aircraft total for July was 1,946 which is up from last year's total of 1,368; almost 600 additional planes or jets took off. The increase is mostly due to agricultural applications and those applications are being done by jet; the number of jets for July was 992. July was also a big month for aviation fuel sales.

Council Member Brandt said the City of Marshall has a Storm Water Management Plan and is required to put out the following public notice:

The City of Marshall is required under the Clean Water Act to maintain a municipal separate storm sewer system (MS4) permit through the Missouri Department of Natural Resources. This permit requires the development of a storm water management plan covering public education, public involvement, illicit discharge detection and elimination, construction site runoff control, post construction runoff control and good housekeeping in municipal operations. The goal of the plan implementation is to reduce nonpoint source pollution to the maximum extent practicable within the City's jurisdiction. The City is updating their plan based on the most recent reissuance of their permit and this plan is available for public review and comment until September 13th. Comments may be submitted to the Municipal Services Department or at the September 3rd City Council Meeting. A copy of the proposed Storm Water Management Plan (SWMP) is available online at www.marshall-mo.com.

PROPERTY, FINANCE, BUDGET AND AUDIT COMMITTEE:

Council Member Arends reported the committee has been meeting every Wednesday and are at a point of getting the rest of the Council involved with several tough decisions that need to be made. This will be discussed at a work session on Wednesday evening.

COMMUNITY DEVELOPMENT AND CODE COMMITTEE:

No report by Council Member Guthrey.

CITY ADMINISTRATOR:

City Administrator David Haugland reported that HDR, the Airport Engineers that were hired to update the Master Plan, have completed a funding application that will go into MoDOT. Once MoDOT has approved the application, an agreement will be brought to Council in September.

City Administrator Haugland reminded everyone the next regular Council Meeting will be on Tuesday, September 3rd due to Labor Day.

MAYOR'S REPORT:

Mayor Schwetz reported she held a monthly citizen meeting this evening prior to the Council meeting. Discussion centered around taking a proactive approach to cleaning up the town. Several ideas were presented regarding helping individuals who cannot do the work themselves or do not have resources to do the work and establishing a "Beautification Fund".

Mayor Schwetz said the Council is looking into a rental occupancy inspection process and one of the attendees provided a Section 8 checklist that will be useful in creating an ordinance to support rental occupancy inspections.

DISCUSSION AND APPROPRIATE FOLLOW UP**APPOINTMENTS:**

Mayor Schwetz stated she had submitted two appointments, for Council approval, as follows:

Police Personnel Board - Jay Gilhaus's Term Expires 01/01/2021

Council Member Hagedorn made a motion, seconded by Guthrey, to approve the appointment of Jay Gilhaus to the Police Personnel Board with the term expiring 01/01/2021. A roll call vote was taken with Brandt, Hagedorn, Hendrix, Arends, Ott, Hines and Guthrey voting aye; Vasquez excused absent. Motion carried.

Library Board's Jackie Guthrey's Term Expires 07/01/2022

Council Member Ott made a motion, seconded by Hines, to approve the appointment of Jackie Guthrey to the Library Board with the term expiring 07/01/2022. A roll call vote was taken with Hagedorn, Hendrix, Arends, Ott, Hines and Brandt voting aye; Guthrey abstain and Vasquez excused absent. Motion carried.

LAGERS ANNUAL MEETING EMPLOYER REPRESENTATIVE ELECTION:

Council Member Brandt said the Council appoints an Employer Representative to attend the annual LAGERS Conference. He explained the LAGERS pension plan for municipalities. Council Member Brandt has attended the conference for the last several years and has noticed other cities have been sending staff members and feels we should do the same. The conference offers education on plan administration and enrollment.

Council Member Brandt made a motion, seconded by Hagedorn, to elect City Clerk Julie Lewis as the LAGERS Employer Representative. A roll call vote was taken with Ott, Hines, Guthrey, Brandt, Hagedorn, Hendrix and Arends voting aye; Vasquez excused absent. Motion carried.

ORDINANCES

City Administrator David Haugland explained this ordinance is something we do every year; it is required by the Missouri Ethics Commission since our operating budget is over one million dollars. A certified copy of the ordinance must be sent to MEC prior to September 15th.

Ordinance No. 8490 entitled "AN ORDINANCE OF THE CITY OF MARSHALL, MISSOURI, TO ESTABLISH A PROCEDURE TO DISCLOSE POTENTIAL CONFLICTS OF INTEREST AND SUBSTANTIAL INTEREST FOR CERTAIN OFFICIALS" was given its second reading by title only and put to its final passage upon motion of Hendrix, seconded by Ott. A roll call vote was taken with Ott, Hines, Guthrey, Brandt, Hagedorn, Hendrix and Arends voting aye; Vasquez excused absent. The ordinance is thereupon declared passed and so endorsed by the President of the Council and approved by the Mayor.

Fire Chief Tony Day said the next ordinance will provide for mutual aid, at no cost, with the Sedalia Fire Department.

Ordinance No. 8491 entitled "AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF MARSHALL, MISSOURI, AND THE FIRE CHIEF OF THE MARSHALL FIRE DEPARTMENT TO ENTER INTO A CERTAIN MUTUAL AID AGREEMENT FOR THE RECIPROCAL PROVISION OF FIRE PROTECTION, RESCUE, AND EMERGENCY MEDICAL SERVICES WITH THE FIRE DEPARTMENT OF THE CITY OF SEDALIA, MISSOURI" was given its second reading by title only and put to its final passage upon motion of Hines, seconded by Guthrey. A roll call vote was taken with Guthrey, Brandt, Hagedorn, Hendrix, Arends, Ott and Hines voting aye; Vasquez excused absent. The ordinance is thereupon declared passed and so endorsed by the President of the Council and approved by the Mayor.

City Administrator Haugland explained the next ordinance will provide for the levying of taxes for 2019. The levy will be at \$1.1745 per \$100 assessed valuation.

An ordinance entitled "AN ORDINANCE PROVIDING FOR THE LEVYING OF TAXES ON ALL TAXABLE PROPERTY SUBJECT TO TAXATION IN THE CITY OF MARSHALL, MISSOURI FOR THE YEAR 2019" was given its first reading by title only.

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

Ordinance No. 8492 entitled "AN ORDINANCE PROVIDING FOR THE LEVYING OF TAXES ON ALL TAXABLE PROPERTY SUBJECT TO TAXATION IN THE CITY OF MARSHALL, MISSOURI FOR THE YEAR 2019" was given its second reading by title only and put to its final passage upon motion of Ott, seconded by Guthrey. A roll call vote was taken with Arends, Ott, Hines, Guthrey, Brandt, Hagedorn and Hendrix voting aye; Vasquez excused absent. The ordinance is thereupon declared passed and so endorsed by the President of the Council and approved by the Mayor.

Code Official Mike Morgan said the next ordinance will amend the Zoning ordinance relating to off-street parking. He wants to clarify the amendment does not tell people they cannot park in their yard. The amendment states "all newly developed parking areas shall be paved"

An ordinance entitled "AN ORDINANCE AMENDING ARTICLE VII, SECTION 31-120 OF ZONING ORDINANCE NO. 5757 OF THE MUNICIPAL CODE OF ORDINANCES OF THE CITY OF MARSHALL, MISSOURI" was given its first reading by title only.

Council Member Brandt made a motion, seconded by Arends, to approve the first reading. A roll call vote was taken with Hines, Guthrey, Brandt, Hagedorn, Hendrix, Arends and Ott voting aye; Vasquez excused absent. Motion carried.

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 Guthrey, to take the ordinance to a second reading. A roll call vote was taken with Guthrey, Brandt, Hagedorn, Hendrix, Arends, Ott and Hines voting aye; Vasquez excused absent. Motion carried.

Ordinance No. 8493 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 and put to its final passage upon motion of Brandt, seconded by Hendrix. A roll call vote was taken with Brandt, Hagedorn, Hendrix, Arends, Ott, Hines and Guthrey voting aye; Vasquez excused absent. 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 Brandt said the Council has received a draft of the annual operating budget for Marshall Municipal Utilities and was wondering when the Council will address that subject.

Marshall Municipal Utilities General Manager Jeff Bergstrom said their budget year begins on October 1st. The draft budget was taken to the Board of Public Works at their last meeting and will consider approval at their first meeting in September. Mr. Bergstrom said the draft budget will then be brought to Council. He said the draft was given to Council early so that Council will have ample time to review and address any questions they may have.

Mayor Schwetz said the multiple year projections are impressive.

Mr. Bergstrom said the utilities has infrastructure that is over one hundred years old; it is very important to have a long range plan and spend the money wisely. He complimented Controller Tony Bersano for doing a really good job on the draft as well as the Department Heads for their input.

Council Member Ott complimented Mr. Bergstrom and Mr. Bersano saying this was one of the most clear, concise projections of a budget that he's seen in a long time. The community should be proud of MMU.

Mr. Bergstrom said it is a team effort with everyone having the same goal in mind keeping the services on to the customers and doing it the best they can.

Council Member Brandt made a motion, seconded by Hagedorn, 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. RSMo. 610.021 (1)

A roll call vote was taken with Brandt, Hagedorn, Hendrix, Arends, Ott, Hines and Guthrey voting aye; Vasquez excused absent. Motion carried and the meeting adjourned at 6:28 p.m.

Julie M. Schwetz, Mayor

ATTEST:

Julie A. Lewis, City Clerk

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