

**CITY COUNCIL AGENDA
DECEMBER 2, 2019
6:00 P.M.**

1. Roll Call
2. Adoption of Agenda
3. Approve or Correct Minutes of Regular Session of November 18, 2019
4. Business from the Audience – limited to 3 minutes per speaker. Any person, resident or non-resident, wishing to address the Council may approach the microphone and state their name, address and comments. Non-residents are invited to speak first, followed by residents of the city. Although we are readily available outside our formal meetings, this will be your only opportunity to offer your thoughts during this evening's meeting as comments from the floor will not be taken during the regular meeting. Although certainly welcome, you are not required to stay for the remainder of the meeting and may exit the Council Chambers in a quiet and respectful manner.
5. Committee Reports
 1. Community Development and Code Committee
 2. Public Relations and Public Safety Committee
 3. Municipal Services and Personnel Committee
 4. Property, Finance, Budget and Audit Committee
 5. City Administrator
 6. Mayor's Report
6. Presentation by Marshall Public School GATE Program
7. Police Personnel Board Recommendation
8. Discussion and Appropriate Follow Up
 1. Compost Area Tractor Bids
 2. Recycle Truck Cab, Chassis and Packer Bids
 3. Appointment to the Board of Public Works
9. Resolutions
 1. Authorize Purchase of Tractor for Use by Municipal Services
 2. Authorize Purchase of Rear Loading Recycling Packer for Use by Municipal Services
 3. Authorize Purchase of Single Axle Cab and Chassis Truck for Use by Municipal Services
10. Ordinances
 1. Establish Rules and Regulations Permitting the use of Golf Carts on Certain Streets and Alleys
 2. Ordinance to Authorize Contract with Marshall Saline Development Corporation
 3. Appropriation
11. Other Council Business
12. Adjourn to Executive Session, if Needed, Concerning Legal Actions, Causes of Actions 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)

**POSTED 11/27/2019
4:00 p.m.**

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF MARSHALL, MISSOURI, AUTHORIZING THE MAYOR AND DIRECTOR OF MUNICIPAL SERVICES TO ACCEPT THE BID OF ZIEGLER AG EQUIPMENT FOR THE PURCHASE OF A TRACTOR FOR USE BY THE MUNICIPAL SERVICES DEPARTMENT

WHEREAS, the City is now seeking to purchase a four-wheel drive tractor for use by the City's Municipal Services Department; and

WHEREAS, the Municipal Services Director recommends and requests the authorization to purchase said tractor from Ziegler Ag Equipment, located at 1815 W. Commerce Dr., Marshall, MO 65340.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Marshall, Missouri, as follows:

THAT the Mayor and the Director of the Municipal Services Department are hereby authorized to accept the bid of Ziegler Ag Equipment for the purchase of a 2020 Massey Ferguson Tractor bearing Model No. MF6713.

ADOPTED by the Council of the City of Marshall, Missouri, this ____ day of _____, 2019.

President

APPROVED by the Mayor this ____ day of _____, 2019.

Mayor

FILED this ____ day of _____, 2019.

City Clerk

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF MARSHALL, MISSOURI, AUTHORIZING THE MAYOR AND DIRECTOR OF MUNICIPAL SERVICES TO ACCEPT THE BID OF ARMOR EQUIPMENT FOR THE PURCHASE OF A REAR LOADING RECYCLING PACKER FOR USE BY THE MUNICIPAL SERVICES DEPARTMENT

WHEREAS, the City is now seeking to purchase a rear loading recycling packer for use by the City's Municipal Services Department; and

WHEREAS, the Municipal Services Director recommends and requests the authorization to purchase said truck from Armor Equipment, located at 1368 Lonedell Road, Arnold, MO 63010.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Marshall, Missouri, as follows:

THAT the Mayor and the Director of the Municipal Services Department are hereby authorized to accept the bid of Armor Equipment for the purchase of a Heil Rear Loading Recycling Packer bearing Model No. PT 1000.

ADOPTED by the Council of the City of Marshall, Missouri, this ____ day of _____, 2019.

President

APPROVED by the Mayor this ____ day of _____, 2019.

Mayor

FILED this ____ day of _____, 2019.

City Clerk

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF MARSHALL, MISSOURI, AUTHORIZING THE MAYOR AND DIRECTOR OF MUNICIPAL SERVICES TO ACCEPT THE BID OF KANSAS CITY FREIGHTLINER FOR THE PURCHASE OF A SINGLE AXEL CAB AND CHASSIS TRUCK FOR USE BY THE MUNICIPAL SERVICES DEPARTMENT

WHEREAS, the City is now seeking to purchase a single axle cab and chassis truck for use by the City's Municipal Services Department; and

WHEREAS, the Municipal Services Director recommends and requests the authorization to purchase said truck from Kansas City Freightliner, located at 7800 NE 38th Street, Kansas City, MO 64161.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Marshall, Missouri, as follows:

THAT the Mayor and the Director of the Municipal Services Department are hereby authorized to accept the bid of Kansas City Freightliner for the purchase of a 2021 Freightliner bearing Model No. M2 106.

ADOPTED by the Council of the City of Marshall, Missouri, this ____ day of _____, 2019.

President

APPROVED by the Mayor this ____ day of _____, 2019.

Mayor

FILED this ____ day of _____, 2019.

City Clerk

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF MARSHALL, MISSOURI, ESTABLISHING
RULES AND REGULATIONS PERMITTING THE USE OF GOLF CARTS ON
CERTAIN CITY STREETS AND ALLEYS.**

WHEREAS, the citizens of Marshall have expressed a desire to allow the use of golf carts on certain streets and alleys in the City of Marshall; and

WHEREAS, Section 304.034 of the Revised Statutes of Missouri, with certain limitations, authorizes municipalities to allow persons to operate golf carts upon any streets or highways under the municipality's jurisdiction.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Marshall as follows:

Section 1. Definitions. As used in this section:

- a. "City" shall mean the corporate limits of the City of Marshall, Missouri;
- b. "Golf cart" means any motorized vehicle designed for operation on golf courses, principally to carry golfers and golfing equipment, not capable of exceeding speeds of twenty (20) miles per hour;
- c. "Operator" means every person who operates or is in actual physical control of the operation of a golf cart; and
- d. "Streets or alleys" means roadways that have been accepted or platted by the City of Marshall, Missouri, as public street and alley ways.

Section 2. Golf Cart Equipment Requirements.

- a. Every golf cart operated on a public street or alley shall display a slow-moving emblem in conformity with Section 307.127, RSMo., and a bicycle safety flag which extends not less than seven (7) feet above the ground, attached to the rear of the golf cart; the flag shall be day-glow colored and shall be triangular shaped, with an area not less than thirty (30) square inches.
- b. Every golf cart operated on a public street or alley shall be equipped with:
 - i. a rearview mirror;
 - ii. headlights;
 - iii. taillights;
 - iv. brake lights;

- v. mechanical turn signals; and
- vi. if a golf cart has rear-facing seats, the golf cart shall be equipped with a rear safety grab bar usable by passengers occupying the rear-facing seats.

Headlights, taillights and brake lights must emit light visible at night under normal atmospheric conditions on a straight, level, unlighted roadway from a distance of five hundred feet (500').

Section 3. Registration and Inspection.

- a. Golf cars operating on public streets and alleys under the jurisdiction of the City shall be registered with the Chief of Police of the City of Marshall, or his or her designee.
- b. Each application for registration shall include:
 - 1. Basic identifying information for the golf cart (make, model, color, and such other identifying information as the Chief of Police deems advisable);
 - 2. The name and address of the owner of the golf cart;
 - 3. A copy of proof of financial responsibility for the golf cart; and
 - 4. A certification that the golf cart has passed the requirements of inspection as described in this Section.
- c. A proof of registration issued by the City of Marshall in the form of a receipt for registration and an identification sticker shall constitute all permits required from the City of Marshall. The proof of registration shall be kept in the golf cart at all times of operation on a public street or alley, and the current registration sticker shall be conspicuously displayed on the exterior of the golf cart. All registrations or renewals issued pursuant to this Section, shall be effective from (1) the date of issuance or (2) April 1, whichever is later, with said registrations or renewals being effective until March 31 of the following year. Registrations must be renewed annually on or before April 1.
- d. The City may charge a registration fee of twenty dollars (\$20.00) for each golf cart registration or renewal. Registration fees shall not be prorated.
- e. In order to apply for a new or renewal registration under this Section, golf carts shall pass an inspection conducted by the Chief of Police of the Marshall Police Department, or his or her duly authorized designees. The inspection will consist of the following:

- i. Confirming the existence of a slow-moving emblem that conforms with Section 307.127, RSMo.;
- ii. Confirming the existence of at least one rearview mirror on the golf cart;
- iii. Confirming that the headlights, taillights, brake lights, and mechanical turn signals are operational and meet the visibility requirements set forth in Section 2 above.

If the golf cart passes the inspection, the owner shall receive a Certificate of Satisfactory Inspection in a form satisfactory to the Chief of Police which shall list the golf cart inspection requirements as provided above.

Section 4. Golf Cart Operation.

- a. A golf cart may be operated only on public streets and alleys in the City only from thirty (30) minutes after sunrise to thirty (30) minutes before sunset where the posted speed limit is thirty-five (35) miles per hour or less. No golf cart shall cross any highway or street at an intersection where the highway or street being crossed has a posted speed limit equal to or more than forty-five (45) miles per hour unless electronic traffic-control signals are located and in use at such intersection.
- b. Any individual operating a golf cart upon a public street shall have a valid operator's license in their possession
- c. No person under eighteen (18) years of age shall operate a golf cart on any public streets or alleys.
- d. The operator of a golf cart, when operating on public streets or alleys, shall do so in conformance with all traffic and safety laws of the State of Missouri and the City of Marshall, specifically including, but not limited to, those laws pertaining to the possession and use of drugs and alcoholic beverages, and operating a motor vehicle under the influence thereof.
- e. No golf cart may be operated on any Federal or State highway, except to cross at the intersection of a City street or alley in accordance with traffic controls.
- f. No person shall operate a golf cart in a careless or imprudent manner, or in any negligent manner which endangers any person or property, or unreasonably obstructs, hinder, or impedes lawful course of travel of any other motor vehicle, or the lawful use by any pedestrian of public streets, sidewalks, paths, trails, walkways, or parks.

- g. No passengers shall ride in the utility bed or the bag well of a golf cart unless such areas are properly equipped with a permanently mounted seat specifically designed for the carrying of passengers.
- h. At no time shall golf carts be operated upon sidewalks or in other lawfully posted areas.

Section 5. Golf Cart Insurance Requirements. No owner of a golf cart shall operate or permit another person to operate such a golf cart, unless the owner maintains the financial responsibility which conforms to the requirements of the ordinances of the City and laws of Missouri as set forth in Missouri's Motor Vehicle Financial Responsibility Law, Section 303.010, *et seq.*, RSMo.. Furthermore, no person shall operate a golf cart owned by another with the knowledge that the owner has not maintained financial responsibility unless such person has financial responsibility which covers the person's operation of the other's golf cart. Proof of financial responsibility shall be carried in all golf carts operated in the City of Marshall. The operator of such golf cart shall exhibit said proof on the demand of any peace officer who lawfully stops the operator while that officer is engaged in the performance of the duties of his office.

Section 6. Penalty for Violation. Any person, firm, corporation, or individual violating any of the provisions of this Ordinance, shall be subject to fine and imprisonment as set forth in Chapter 1, Sec. 1-10 of the City's Code of Ordinance.

Section 7. This ordinance shall be effective April 1, 2020.

PASSED by the Council of the City of Marshall, Missouri, this ____ day of _____, 2019.

President

APPROVED by the Mayor this ____ day of _____, 2019.

Mayor

FILED this ____ day of _____, 2019.

City Clerk

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF MARSHALL, MISSOURI TO EXECUTE A CONTRACT BETWEEN THE CITY OF MARSHALL AND THE MARSHALL-SALINE DEVELOPMENT CORPORATION.

BE IT ORDAINED by the Council of the City of Marshall, Missouri as follows:

Section 1. That the Mayor of the City of Marshall, Missouri, is hereby authorized and directed to execute on behalf of said City a certain contract between the City of Marshall and the Marshall-Saline Development Corporation for the provision of economic development services for the contract price of Twenty-five Thousand and 00/100ths Dollars (\$25,000.00).

Section 2. This Ordinance shall be in full force and effect upon final passage and approval.

PASSED by the Council of the City of Marshall, Missouri, this ____ day of _____, 2019.

President

APPROVED by the Mayor this ____ day of _____, 2019.

Mayor

FILED this ____ day of _____, 2019.

City Clerk

ORDINANCE NO. _____

AN ORDINANCE MAKING THE APPROPRIATION FOR THE PAYMENT OF ACCOUNTS OUT OF THE DIFFERENT CITY FUNDS.

BE IT ORDAINED by the Council of the City of Marshall, Missouri, as follows:

SECTION I. There is hereby appropriated out of the different funds as follows:

GENERAL FUND	\$ 256,671.95
SANITATION FUND	36,510.85
LIBRARY FUND	10,272.69
BAND FUND	87.82
PARK FUND	30,444.89
SOUTH ODELL SEWER	-
STREET FUND	51,770.91
AIRPORT OPERATING FUND	3,482.24
TOURISM	3,043.00
MARTIN COMMUNITY CENTER	676.53
HAB CENTER FUND	-
EQUIPMENT REPLACEMENT	-

WATER OPERATING FUND	\$ 144,182.56
ELECTRIC OPERATING FUND	244,016.31
SEWER REVENUE FUND	64,191.48
INTERNET OPERATING FUND	22,519.65
NATURAL GAS OPERATING FUND	49.48
ELECTRIC CONSUMER DEPOSIT FUND	4,400.00
SEWER EQUIPMENT FUND	-
WATER SEGREGATED	-

SECTION II. The City Clerk is hereby instructed to make out warrants in favor of the respective parties set out in the hereto attached lists and when said warrants are properly signed to deliver them to the proper parties.

PASSED by the City Council of the City of Marshall, Missouri, this 2nd day of DECEMBER, 2019.

President of the City Council

APPROVED by the Mayor of the City of Marshall, Missouri, this 2nd day of DECEMBER, 2019.

Mayor

FILED this 2nd day of DECEMBER, 2019.

City Clerk