

**CITY COUNCIL MINUTES
NOVEMBER 18, 2019
6:00 P.M.**

The Marshall City Council met in Regular Session at 6:00 p.m., Monday, November 18, 2019 in the Council Chamber 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, Kathy Vasquez and Dan Brandt; City Administrator David Haugland, City Counselor Josh Taylor and City Clerk Julie Lewis. Council Member Tom Hagedorn excused absent.

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

Council Member Brandt made a motion, seconded by Guthrey, to approve the Regular Session Minutes of November 4, 2019. A roll call vote was taken with Hendrix, Arends, Ott, Hines, Guthrey, Vasquez and Brandt voting aye; Hagedorn excused absent. Motion carried.

BUSINESS FROM THE AUDIENCE

Mayor Schwetz welcomed the students in attendance this evening.

COMMITTEE REPORTS

PROPERTY, FINANCE, BUDGET AND AUDIT COMMITTEE:

Council Member Arends reported the City is a month and a half into the fiscal year with 15.5% of budgeted revenues collected and 9.41% expended. Everything is trending in the right direction.

The annual audit will be conducted on Wednesday and Thursday of this week.

COMMUNITY DEVELOPMENT AND CODE COMMITTEE:

No report by Council Members Guthrey and Vasquez.

PUBLIC RELATIONS AND PUBLIC SAFETY COMMITTEE:

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

Traffic Stops: 316

Reasons: Moving Violations – 211; Equipment – 67; License Violation – 38

Results: Citations – 39; Warnings – 273; Arrests from Stops – 7

Municipal Court Warrants – 21

Officers Calls for Service – 2,416

Police Reports taken – 286

Arrests – 72

Offenses reported to NIBRS – 79

An estimated \$50,327 worth of property was stolen during the month of October.

Public Relations:

It's getting into the holiday seasons, please make sure your vehicles and homes are locked. Do not have items out in plain view in vehicle. If you buy or receive items in boxes, please cut them up and put them into the trash. Do not put the boxes out for people to see at the curb.

MUNICIPAL SERVICES AND PERSONNEL COMMITTEE:

Council Member Brandt reported the Airport had a good month with 226 total aircraft. The total was down about 120 from last month due to a decrease in agricultural activity. The total number of aircraft for the year is 4300, surpassing last year's total of 3766.

Solid waste is up from last month with a total of 784 tons.

Cardboard is at the largest volume ever.

CITY ADMINISTRATOR:

City Administrator Haugland reported on the following:

- Soil test results came back clean following the removal of the fuel storage tanks at Municipal Services on Odell.
- Bill Anderson is working on specifications for a new fuel system; will put out for bids in early 2020 with a spring completion.
- Will meet with our Airport Consultant tomorrow; working to set up a December meeting and will include airport users.
- Contacted Mr. Norm Lucas; there has been no award of CDBG funds at this time. We have contacted Representative Dean Dohrman for more information.
- AFLAC will be here tomorrow at 10 a.m.
- Sidewalk project is nearing completion. Working to backfill to Grant. Will need to add two handicap ramps and 30 feet of sidewalk. Mr. Anderson is working on plans to make the turn onto Miami Ave.
- Mr. Steven Colbert has been hired as the Assistant Property Maintenance Inspector and will begin working on December 2nd.

MAYOR'S REPORT:

Mayor Schwetz asked for clarification regarding the increase in jets and decrease in single engine aircraft.

Municipal Services Director Bill Anderson said the activity varies due to charter aircraft. Council Member Brandt indicated that some of the agricultural aircraft are designated as jets.

Mayor Schwetz said she has concerns regarding the safety factor of the former habilitation center including potential theft of materials. The Council will need to have more discussion and consider other options.

Municipal Services crews have been pulling materials out as time allows, however there are still some items that need to be removed.

Council Member Hines discussed the removal of hazardous materials and said our crews will need to be careful.

Mayor Schwetz said the Marshall Public Schools GATE Program will make a presentation to the Council at the December 2nd Council meeting regarding a plan for the old hospital site.

DISCUSSION AND APPROPRIATE FOLLOW UP

RELAY FOR LIFE ANNUAL EVENT DATE CHANGE:

The Saline County Relay for Life Committee had previously requested the use of the square area for their annual event on April 25, 2020, however they would now like to hold the event on April 18, 2020.

Council Member Guthrey made a motion, seconded by Vasquez, to approve the requested date change for the annual Saline County Relay for Life Event. A roll call vote was taken with Ott, Hines, Guthrey, Vasquez, Brandt, Hendrix and Arends voting aye; Hagedorn excused absent. Motion carried.

PROPOSED FIREWORKS ORDINANCE:

City Counselor Josh Taylor said a draft of the proposed fireworks ordinance was included in the Council packet. The proposed ordinance would allow for fireworks to be sold and discharged within the city limits. Missouri statutes regulate the sale and storage of fireworks. The State's detailed provisions and minimum standards are included in the proposed ordinance.

Council Members inquired about including New Year's Eve as one of the dates for the discharge of fireworks.

Mayor Schwetz asked if discharging of fireworks could be separated from the sale of fireworks.

Counselor Taylor said New Year's Eve could be included in the ordinance and it is possible to separate discharge and sale of fireworks.

ANNUAL CONTRACT WITH MARSHALL SALINE DEVELOPMENT CORPORATION:

Council Member Arends asked Mr. Haugland for an update from the last board meeting.

Mr. Haugland reported on the following:

- Mr. Scott Hartwig, Marshall Investor's Group Representative, will be leaving his position on the board.
- The Budget Committee is working on their budget for the coming year.
- The Director has submitted proposal for four projects

Mayor Schwetz inquired about Marshall Investor's Group selection process.

Marshall Saline Development Corporation Executive Director Sandy Allison verified the selection process is by member vote.

ORDINANCES

An ordinance entitled “AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF MARSHALL, MISSOURI, TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF MARSHALL, MISSOURI, AND THE MARSHALL MUNICIPAL BAND” was given its first reading by title only.

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

Ordinance No. 8512 entitled “AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF MARSHALL, MISSOURI, TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF MARSHALL, MISSOURI, AND THE MARSHALL MUNICIPAL BAND” was given its second reading by title only and put to its final passage and approval upon motion of Hendrix, seconded by Guthrey. A roll call vote was taken with Guthrey, Vasquez, Brandt, Hendrix, Arends, Ott and Hines voting aye; Hagedorn excused absent. 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 AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF MARSHALL, MISSOURI, TO EXECUTE A CONTRACT BETWEEN THE CITY OF MARSHALL AND THE MARSHALL COMMUNITY CHORUS FOR THE PROVISION OF CONCERTS IN THE CITY OF MARSHALL” was given its first reading by title only.

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

Ordinance No. 8513 entitled “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 COMMUNITY CHORUS FOR THE PROVISION OF CONCERTS IN THE CITY OF MARSHALL” was given its second reading by title only and put to its final passage and approval upon motion of Hines, seconded by Hendrix. A roll call vote was taken with Brandt, Hendrix, Arends, Ott, Hines, Guthrey and Vasquez voting aye; Hagedorn excused absent. 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 AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF MARSHALL, MISSOURI, TO EXECUTE A CONTRACT BETWEEN THE CITY OF MARSHALL AND THE MARSHALL PHILHARMONIC ORCHESTRA FOR THE PROVISION OF CONCERTS IN THE CITY OF MARSHALL” was given its first reading by title only.

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

Ordinance No. 8514 entitled “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 PHILHARMONIC ORCHESTRA FOR THE PROVISION OF CONCERTS IN THE CITY OF MARSHALL” was given its second reading by title only and put to its final passage and approval upon motion of Hendrix, seconded by Arends. A roll call vote was taken with Hendrix, Arends, Ott, Hines, Guthrey, Vasquez and Brandt voting aye; Hagedorn excused absent. 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 OF THE CITY OF MARSHALL, MISSOURI, ESTABLISHING RULES AND REGULATIONS PERMITTING THE USE OF THE GOLF CARTS ON CERTAIN CITY STREETS AND ALLEYS” was given its first reading by title only.

City Counselor Josh Taylor said the proposed ordinance to allow for the use of golf carts on certain city streets has been modified to include safety mechanisms for rear facing passengers and crossing a highway with a posted speed limit of 45 mph or more at an electronically controlled crossing.

Council Members Brandt and Hendrix said they appreciate all of the public input that has been received.

Council Member Brandt said he is opposed to the proposed ordinance because it could potentially be a big public safety issue; he has contacted Missouri Municipal League and the majority of towns that allow golf carts are smaller communities. It is very rare to see an ordinance of this type in larger cities.

Council Members discussed the safety issues associated with the proposed ordinance.

Mayor Schwetz encouraged citizens to contact their Council Members with any concerns they may have.

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

Ordinance No. 8515 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 and approval upon motion of Brandt, seconded by Vasquez. A roll call vote was taken with Guthrey, Vasquez, Brandt, Hendrix, Arends, Ott and Hines voting aye; Hagedorn 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

Mayor Schwetz explained the process of passing an ordinance to the students in attendance.

There being no other Council Business, Council Member Hendrix made a motion, seconded by Ott, 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 Vasquez, Brandt, Hendrix, Arends, Ott, Hines and Guthrey voting aye; Hagedorn excused absent. Motion carried and the meeting adjourned at 6:40 p.m.

Julie M. Schwetz, Mayor

ATTEST:

Julie A. Lewis, City Clerk