

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

1. Roll Call
2. Adoption of Agenda
3. Approve or Correct Minutes of Regular Council Meeting of August 5, 2019
4. Public Hearing to Hear Comments or Concerns Regarding the 2019-2020 Tax Levy
5. Business from the Audience ó 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.
6. Committee Reports
 1. Public Relations and Public Safety Committee
 2. Municipal Services and Personnel Committee
 1. Storm Water Management Plan Public Notice Statement
 3. Property, Finance, Budget and Audit Committee
 4. Community Development and Code Committee
 5. City Administrator
 6. Mayor's Report
7. Discussion and Appropriate Follow Up
 1. Appointments
 2. LAGERS Annual Meeting Employer Representative Election
8. Ordinances
 1. Establish Procedure to Disclose Potential Conflicts of Interest ó Second Reading
 2. Authorize the Mayor and Fire Chief to Enter into a Mutual Aid Agreement with the Fire Department of the City of Sedalia, MO ó Second Reading
 3. Set 2019-2020 Tax Levy
 4. Amend Zoning Ordinance No. 5757 Relating to Off Street Parking of Vehicles
 5. Appropriation
9. Other Council Business
10. Adjourn to Executive Session Concerning Legal Action, 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. RSMo. 610.021(1)

POSTED 08/15/2019
3:00 P.M.

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF MARSHALL, MISSOURI, TO ESTABLISH A
PROCEDURE TO DISCLOSE POTENTIAL CONFLICTS OF INTEREST AND
SUBSTANTIAL INTERESTS FOR CERTAIN OFFICIALS**

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

Section 1. Declaration of Policy. The proper operation of government requires that public officials and employees be independent, impartial and responsible to the people; that government decisions and policy be made in the proper channels of the governmental structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. In recognition of these goals, there is hereby established a procedure for disclosure by certain officials and employees of private financial or other interests in matters affecting the City.

Section 2. Conflicts of Interest.

- a. All elected and appointed officials, as well as employees of the City, must comply with conflict of interest statutes under Chapter 105 of the Missouri Revised Statutes as well as any other state law governing official conduct.
- b. Any member of the Council of the City who has a substantial personal or private interest in any measure, bill, order or ordinance proposed or pending before such governing body must disclose that interest to the Clerk of such body and such disclosure shall be recorded in the ethics disclosure journal of the City as established by the Clerk. Substantial personal or private interest is defined as ownership by the individual, the individual's spouse, or the individual's dependent children, whether singularly or collectively, directly or indirectly, of:
(1) ten percent (10%), or more, of any business entity; or (2) an interest having a value of Ten Thousand Dollars (\$10,000.00) or more; or (3) the receipt by the individual, the individual's spouse, or the individual's dependent children, whether singularly or collectively, of a salary, gratuity, or other compensation or remuneration of Five Thousand Dollars (\$5,000.00) or more, per year, from any individual, partnership, organization, or association within any calendar year.

Section 3. Disclosure Reports. Each elected official, candidate for elective office, the chief administrative officer, the chief purchasing officer, and the full-time general counsel, if any, shall disclose the following information by May 1, or by the appropriate deadline as referenced in Section 105.487, RSMo., if any such transactions occurred during the previous calendar year:

- a. For such person, and all persons within the first degree of consanguinity or affinity of such person, the date and the identities of the parties to each transaction with a total value in excess of Five Hundred Dollars (\$500.00), if any, that such person had with the City, other than compensation received as an employee or

payment of any tax, fee or penalty due to the City, and other than transfers for no consideration to the City.

- b.** The date and the identities of the parties to each transaction known to the person with a total value in excess of Five Hundred Dollars (\$500.00), if any, that any business entity in which such person had a substantial interest, had with the City, other than payment of any tax, fee or penalty due to the City or transactions involving payment for providing utility service to the City, and other than transfers for no consideration to the City.
- c.** The chief administrative officer and the chief purchasing officer for the City, and candidates or applicants for those offices, also shall disclose in writing, by May 1, or by the appropriate deadline as referenced in Section 105.487, RSMo., the following information for the previous calendar year:

 - 1.** The name and address of each of the employers of such person from whom income of One Thousand Dollars (\$1,000.00), or more, was received during the year covered by the statement;
 - 2.** The name and address of each sole proprietorship that he owned; the name, address and the general nature of the business conducted of each general partnership and joint venture in which he was a partner or participant; the name and address of each partner or co-participant for each partnership or joint venture unless such names and addresses are filed by the partnership or joint venture with the Secretary of State; the name, address and general nature of the business conducted of any closely-held corporation or limited partnership in which the person owned ten percent (10%), or more, of any class of the outstanding stock or limited partnership units; and the name of any publicly traded corporation or limited partnership that is listed on a regulated stock exchange or automated quotation system in which the person owned two percent (2%), or more, of any class of outstanding stock, limited partnership units or other equity interests; and
 - 3.** The name and address of each corporation for which such person served in the capacity of a director, officer or receiver.

Section 4. Filing of Reports.

- a.** The financial interest statements shall be filed at the following times, but no person is required to file more than one financial interest statement in any calendar year:

 - 1.** Every person required to file a financial interest statement shall file the statement annually, not later than May 1, and the statement shall cover the calendar year ending the immediately preceding December 31; provided

that any member of the City Council may supplement the financial interest statement to report additional interests acquired after December 31 of the covered year until the date of filing of the financial interest statement;

2. Each person appointed to office shall file the statement within thirty (30) days of such appointment or employment covering the calendar year ending the previous December 31; and
3. Every candidate required to file a personal financial disclosure statement shall file no later than fourteen (14) days after the close of filing at which the candidate seeks nomination or election or nomination by caucus. The time period of this statement shall cover the twelve (12) months prior to the closing date of filing for candidacy.

- b. Financial disclosure reports giving the financial information required in Section 3 shall be filed with the City and the Missouri Ethics Commission. The reports shall be available for public inspection and copying during normal business hours.

Section 5. Filing of Ordinance. A certified copy of this Ordinance, adopted prior to September 15, shall be sent within ten (10) days of its adoption to the Missouri Ethics Commission.

Section 6. Effect on Other Ordinances. That, in all other respects, the Code of Ordinances of the City of Marshall shall be and remain unchanged.

Section 7. Effective Date. This Ordinance shall be in full force and effect from and after the date of its passage and approval and shall remain in effect until amended or repealed by the City Council.

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, 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.

WHEREAS, the City of Marshall (öCityö) desires to enter into mutually beneficial agreements with other political subdivisions qualified under Missouri law to enter into mutual aid agreements and which can provide reciprocal services for the protection of life and property within the City;

WHEREAS, said agreements are designed in the spirit of cooperation to establish initial terms and conditions by which the City will undertake efforts with said political subdivisions; and

WHEREAS, Missouri laws authorize the City to enter into agreements with other Missouri political subdivisions for mutual aid for significant emergencies.

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

Section 1. The Mayor of the City of Marshall, Missouri, and the Chief of the Marshall Fire Department are hereby authorized to enter into a certain mutual aid agreement entitled Contract for Mutual Fire Service Assistance with the City of Sedalia, Missouri d/b/a Sedalia Fire Department and, from time to time, renew said mutual aid agreements.

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 PROVIDING FOR THE LEVYING OF TAXES ON ALL TAXABLE PROPERTY SUBJECT TO TAXATION IN THE CITY OF MARSHALL, MISSOURI FOR THE YEAR 2019.

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

SECTION 1. There is hereby levied on all property subject to taxation in the City of Marshall, Missouri, for the year 2019, the sum of sixty six eighty seven (.6687) cents on the one hundred dollar valuation thereof as returned by Assessor and the Board of Equalization for said year for General purposes.

SECTION 2. There is hereby levied on all property subject to taxation in the City of Marshall, Missouri, for the year 2019, the sum of twenty eight ninety two (.2892) cents on the one hundred dollar valuation thereof as returned by the Assessor and the Board of Equalization for said year for the purpose of creating a special fund to be known as the "Park Fund" to be used for the maintenance of free public parks.

SECTION 3. There is hereby levied on all property subject to taxation in the City of Marshall, Missouri, for the year 2019, the sum of four forty eight (.0448) cents on the one hundred dollar valuations thereof as returned by Assessor and Board of Equalization for said year for the purpose of creating a special fund to be known as the "Band Fund" to be used for the purposes as directed by the City Council. This levy is made under authorization by the vote of the people of Marshall, Missouri, on April 3, 1934, and reaffirmed in April, 1938.

SECTION 4. There is hereby levied on all property subject to taxation in the City of Marshall, Missouri for the year 2019, the sum of seventeen one eight (.1718) cents on the one hundred dollar valuation thereof as returned by the Assessor and Board of Equalization for said year for the purpose of creating a special fund to be known as the "Library Fund" to be used for the establishment and maintenance of a public library. This levy is made under authorization by the vote of the people of Marshall, Missouri, on April 3, 1934 and reaffirmed in April, 1938.

SECTION 5. The City Clerk is hereby directed to extend on the tax books of the City of Marshall, Missouri, for the year 2019, the taxes as in this ordinance provided, and when said taxes are so extended, said tax books shall be by the City Clerk delivered over to the County Collector for collection of the taxes herein provided and levied, and the County Collector shall by said City Clerk be charged with the respective amounts of such taxes shown by said tax books.

PASSED by the City Council of the City of Marshall, Missouri, this 19th day of August, 2019.

President, City Council

APPROVED by the Mayor of the City of Marshall, Missouri, this 19th day of August, 2019.

Mayor

FILED this 19th day of August, 2019

City Clerk

ORDINANCE NO. _____

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.

WHEREAS, Article VII, Section 31-120 of Zoning Ordinance No. 5757 of the Municipal Code of Ordinances of the City of Marshall, Missouri, contains provisions relating to the off-street parking of vehicles in the City; and

WHEREAS, the Council of the City of Marshall desires to modify said provisions of said ordinance.

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

SECTION 1. Article VII, Section 31-120, Subsection D., Paragraph 2. of Zoning Ordinance No. 5757 of the Municipal Code of Ordinances of the City of Marshall, Missouri, is hereby amended by deleting the current language and replacing it with the following:

2. In Zoning District C-2, the minimum number of required off-street parking spaces and the access driveways thereto in all newly developed off-street parking areas shall be paved.

SECTION 2. Article VII, Section 31-120, Subsection D., Paragraph 4. of Zoning Ordinance No. 5757 of the Municipal Code of Ordinances of the City of Marshall, Missouri, is hereby amended by deleting the current language and replacing it with the following:

4. All newly developed off-street parking areas, and the access driveways thereto, in Zoning Districts C-1, R-1, R-2, and R-3 shall be paved.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed. In all other respects, the Code of Ordinances of the City of Marshall, Missouri shall remain unchanged.

SECTION 4. This Ordinance shall be in full force and effect from and after its passage and approval.

SECTION 5. Should any section or provision of this ordinance be declared by a court of competent jurisdiction to be invalid, that decision shall not affect the validity of the ordinance as a whole or any part thereof, other than the part so declared to be invalid.

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	\$ 138,972.07
SANITATION FUND	58,174.65
LIBRARY FUND	9,881.60
BAND FUND	15,679.67
PARK FUND	83,198.87
POOL IMPROVEMENTS	
STREET FUND	43,212.09
AIRPORT OPERATING FUND	24,684.41
TOURISM	5,189.00
MARTIN COMMUNITY CENTER	1,248.39
HAB CENTER FUND	55.96

WATER OPERATING FUND	\$ 197,581.84
ELECTRIC OPERATING FUND	1,339,838.22
SEWER REVENUE FUND	203,491.39
INTERNET OPERATING FUND	60,990.07
NATURAL GAS OPERATING FUND	3,827.62
ELECTRIC CONSUMER DEPOSIT FUND	8,425.00
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 19th day of AUGUST, 2019.

President of the City Council

APPROVED by the Mayor of the City of Marshall, Missouri, this 19th day of AUGUST, 2019.

Mayor

FILED this 19th day of AUGUST, 2019.

City Clerk