

**CITY COUNCIL MINUTES**  
**NOVEMBER 16, 2020**  
**6:00 P.M.**

The Marshall City Council met in Regular Session at 6:00 p.m., on Monday, November 16, 2020 in the Council Chambers of the City Office Building, 214 N. Lafayette, Marshall, MO 65340, with the following Council Members present: Mayor Julie M. Schwetz, Council Members Dewey Hendrix, Kirk Arends, Leon Thompson, Chuck Hines, Charles Guthrey, Craig Thompson, Dan Brandt and Tom Hagedorn; City Administrator David Haugland, City Counselor Josh Taylor and City Clerk Julie Lewis.

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

Council Member Hagedorn made a motion, seconded by Leon Thompson, to approve the Regular Session minutes of November 2, 2020. A roll call vote was taken with Hines, Guthrey, Craig Thompson, Brandt, Hagedorn, Hendrix, Arends and Leon Thompson voting aye. Motion carried.

**BUSINESS FROM THE AUDIENCE**

Ms. Cynthia Mickenberg of 890 S. Redman, requested Council Members to consider amending ordinances to allow backyard chickens. She explained the benefits of having chickens in addition to being fun and easy pets. Ms. Mickenberg handed out sample ordinances from other cities.

Ms. Rachel Leavitt of 315 E Porter, explained she is a neighbor of Ms. Mickenberg and she is in support of allowing residents to have backyard chickens. She gave detailed facts regarding backyard chickens and said she would love to be able to include chickens with her family.

Council Members discussed the proposal of backyard chickens.

**COMMITTEE REPORTS**

**PROPERTY, FINANCE, BUDGET AND AUDIT COMMITTEE:**

Council Member Arends reported the annual audit was conducted remotely on November 9<sup>th</sup> and 10<sup>th</sup>; it went well and we should receive the audit report in a couple of months.

Year-to-date sales tax figures are up approximately \$100,417 and year-to-date use tax figures are up approximately \$100,717. There is still one month of reporting left.

**COMMUNITY DEVELOPMENT AND CODE COMMITTEE:**

Council Member Guthrey reported a total of 40 building permits issued for the month of October with a total construction value of \$367,149; permit fees totaled \$1,093.00. The bulk of the construction is an addition at Cargill and the new McDonald's building.

**PUBLIC RELATIONS AND PUBLIC SAFETY COMMITTEE:**

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

Traffic Stops: 266

Warrants: 23

Officers Calls for Service: 2,066

Police Reports Taken: 123 Arrests: 47

Offenses Reported to NIBRS: 73

Public Relations:

With colder weather approaching, please take the time to completely de-ice the windows of your vehicle before driving.

Please remember to slow down as snow and ice appear. Vehicles do not stop as quickly on ice and snow.

**MUNICIPAL SERVICES AND PERSONNEL COMMITTEE:**

Council Member Brandt reported the Solid Waste Summary shows a total of 670 tons collected in October which was down from the previous month.

The last week for yard waste collection will be December 14<sup>th</sup> through 18<sup>th</sup>.

Airport Activity is slowing down with a total of 408 take-offs during October. Most of the activity is student training. The Airport had a big year with 4,638 total aircraft activities.

The Miami Street Sidewalk project is nearing completion. A large pour of about 15 yards will be done on Tuesday.

**CITY ADMINISTRATOR:**

City Administrator David Haugland reported payment was received from Rice Aviation and CMAS in the amount of \$6,000 for a flow charge since they bring in their own fuel. Rice Aviation also paid the City for each day they flew out of the airport totaling \$3,000.

The employees are participating in a Reverse Advent Calendar bringing in donations to benefit the Community Food Pantry. Council Members are welcome to participate, please contact Assistant City Clerk Diane Green for more details.

**MAYOR'S REPORT:**

Mayor Schwetz reported the City has received the final Transforming Neighborhoods report and will be reviewing the report and their recommendations.

Mayor Schwetz said Dr. Troy Nash is here to update the Council on the Hospital Project.

Arielle Nash thanked the Council for supporting this project and for allowing the application to be turned in on time. Ms. Nash spoke about the MHDC award process and said the final decision will be made in December.

Dr. Troy Nash spoke about the award process and the potential for asbestos removal to be an eligible cost although demolition is not. He will continue to work with Ron Ott on this project. MHDC will conduct an online Public Hearing on Tuesday, November 24, 2020 at 6:00 p.m. Instructions for participating can be found at MHDC.com under Special Notices.

Dr. Nash thanked the Council for their support of this project.

### **RESOLUTION**

A resolution entitled “A RESOLUTION OF THE CITY OF MARSHALL, MISSOURI, STATING AN INTENT TO SEEK FUNDING THROUGH THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AND AUTHORIZING THE MAYOR TO PURSUE ACTIVITIES IN AN ATTEMPT TO SECURE FUNDING” was read by title only.

City Administrator David Haugland said the application is for CDBG funds to help with demolition of buildings at the former Habilitation Center. The City has already completed a Needs Assessment document. The application requesting \$300,000 is being prepared by Pioneer Trails Regional Planning Commission and is due in December. The City’s portion would be approximately \$60,000.

Council Member Hagedorn made a motion, seconded by Hines, to approve the resolution. A roll call vote was taken with Guthrey, Craig Thompson, Brandt, Hagedorn, Hendrix, Arends, Leon Thompson and Hines voting aye. The Resolution is thereupon declared passed and so endorsed by the President of the Council, approved by the Mayor and numbered Resolution No. 2020-12

### **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 AND PARKING LOT MAINTENANCE, LLC, FOR MAINTENANCE WORK TO BE CONDUCTED AT THE MARSHALL MUNICIPAL AIRPORT” was given its first reading by title only.

City Administrator Haugland explained this is a contractor’s agreement for joint scaling and striping at the Airport. Council had previously accepted the bid and the company will start work tomorrow if this ordinance is passed this evening. A NOTAM was issued notifying airmen of the runway closure beginning tomorrow at 8:30 a.m.

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

Ordinance No. 8568 entitled “AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF MARSHALL, MISSOURI, TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF MARSHALL AND PARKING LOT MAINTENANCE, LLC, FOR MAINTENANCE WORK TO BE CONDUCTED AT THE MARSHALL MUNICIPAL AIRPORT” was given its second reading by title only and put to its final passage and approval upon motion of Brandt, seconded by Hagedorn. A roll call vote was taken with Brandt, Hagedorn, Hendrix, Arends, Leon Thompson, Hines, Guthrey and Craig Thompson 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 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.

City Administrator Haugland said this ordinance will provide for an agreement with the Marshall Municipal Band for free concerts throughout the summer. The Municipal Band receives funding through a tax that was passed many years ago. The following two ordinances are for contracts with the Community Chorus and Philharmonic Orchestra; they receive funding from the same source.

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

Ordinance No. 8569 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 Hagedorn. A roll call vote was taken with Hendrix, Arends, Leon Thompson, Hines, Guthrey, Craig Thompson, Brandt and Hagedorn 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 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 Hagedorn made a motion, seconded by Hines, to take the ordinance to a second reading. A roll call vote was taken with Arends, Leon Thompson, Hines, Guthrey, Craig Thompson, Brandt, Hagedorn and Hendrix voting aye. Motion carried.

Ordinance No. 8570 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 Arends. A roll call vote was taken with Leon Thompson, Hines, Guthrey, Craig Thompson, Brandt, Hagedorn, Hendrix and Arends 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 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 Hendrix made a motion, seconded by Brandt, to take the ordinance to a second reading. A roll call vote was taken with Hines, Guthrey, Craig Thompson, Brandt, Hagedorn, Hendrix, Arends and Leon Thompson voting aye. Motion carried.

Ordinance No. 8571 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 upon motion of Guthrey, seconded by Hagedorn. A roll call vote was taken with Guthrey, Craig Thompson, Brandt, Hagedorn, Hendrix, Arends, Leon Thompson and Hines 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 AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF MARSHALL, MISSOURI, TO EXECUTE A CONTRACT BETWEEN THE CITY OF MARSHALL AND THE MISSOURI STATE CORN HUSKING CHAMPIONSHIP FOR THE LEASE FOR FARMING PURPOSES OF CERTAIN AGRICULTURAL LAND OWNED BY THE CITY” was given its first reading by title only.

City Administrator Haugland said the lease will be for two years. The lease amount will be \$5,000 per year. The previous lease was for \$6,000 however, the acreage has been reduced.

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

Ordinance No. 8572 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 Hendrix, seconded by Arends. A roll call vote was taken with Hendrix, Arends, Leon Thompson, Hines, Guthrey, Craig Thompson, Brandt and Hagedorn 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 Hines inquired about the crew that was supposed to stripe the streets.

City Administrator Haugland explained the crew that was hired did not bring proper equipment or product that met specifications. They were asked to leave.

Council Member Brandt said he has spoken with Municipal Services Director Bill Anderson about the issue and Mr. Anderson did the right thing.

City crews are currently working to complete the striping project.

Council Member Arends asked when the parking lines on the square will be done.

Mr. Haugland said he will find out; crews have been short due to illness.

Council Member Leon Thompson asked what happened to the traffic light at Miami and College.

Mr. Haugland said it was a hit and run accident; he will look into insurance coverage.

Council Member Guthrey asked if all City facilities and buildings require masks.

Mr. Haugland said the Municipal Services Office, Police Department and Fire Department are closed to walk-ins. The Park Department does not have a mask requirement but there is not a lot of activity at this time of the year. City Hall does not have a mask requirement but members of the public are not allowed beyond the lobby.

Mayor Schwetz made the following statement:

As we approach the Thanksgiving Holiday I would like to take a moment to speak of what we can be thankful for as a Marshall citizen regardless of the pandemic and this tumultuous year.

We have a Council diligently working to provide needed services in the most fiscally responsible way possible. We have challenges and we work every day, although it may not always be seen, to tackle those challenges and keep pressing on, trying to overcome obstacles in our way. There are and will be disagreements, but we must always have what is in the best interests for the whole of Marshall in our sights. We have a staff committed to helping achieve our goals by taking pride in their departments and doing all they can to run them efficiently and effectively.

And, we have a community filled with those who are willing to lend a hand and by giving of time and talent to help grow and enhance the quality of life for all of us. Each of us might be celebrating Thanksgiving a bit differently this year, but I know I will give thanks for the blessing of family and friends and the sacrifice of those before me who fought for the freedoms we all have living in this great country of America. Happy Thanksgiving.

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

A roll call vote was taken with Arends, Leon Thompson, Hines, Guthrey, Craig Thompson, Brandt, Hagedorn and Hendrix voting aye. Motion carried and the meeting adjourned to Executive Session at 6:34 p.m.

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Julie M. Schwetz, Mayor

ATTEST:

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Julie A. Lewis, City Clerk