

**MINUTES OF A REGULAR MEETING OF THE MARCELINE CITY COUNCIL**  
**January 19, 2021**

The Marceline City Council met in regular session on January 19, 2021 at 5:30 p.m. in the Public Safety Building Conference Room, 123 E Santa Fe Ave., Mayor Sallie Buck presiding. Council members present were Tyson Brammer, Jeri Holt and Gary Carlson. Councilwoman Lacey Brammer was absent. Staff attending: City Attorney Robert Cowherd, City Manager Richard Hoon, City Clerk Lindsay Krumpelman, Electric Superintendent Charlie Harrington, Street Superintendent Ed Ewigman, Water / Wastewater Superintendent Roger Sullivan, Pool Manager Gary Birdsong, Police Chief Bob Donelson, and Police Officer Jeffrey Johnson. Others Present: Ashley Thieme, Tracy Carlson, Gene Burris, Shiante McMahan, Renelda Billingsley, and Angie Talken.

Mayor Sallie Buck led the assembly in the Pledge of Allegiance and called the meeting to order at 5:30 pm.

**APPROVAL OF THE MINUTES, AND FINANCIAL REPORTS:**

Councilman Brammer moved to approve the minutes the financials as presented. Councilman Holt seconded the motion. The motion carried unanimously.

**REPORTS OF COUNCIL, OFFICERS, BOARDS AND COMMITTEES:**

Department Updates: Water / Wastewater Superintendent Roger Sullivan stated they have fixed water leaks and hauled sludge from both the wastewater and water plants. He reported they have jetted three or four sewers. Water / Wastewater Superintendent Sullivan concluded stating Eric Thurman has resigned to go work for Missouri Rural Water Association.

Pool Manager Gary Birdsong stated the holiday schedule was successful and they are noticing an increase in pool rentals and weekend attendance. He informed the Council they are now allowing patrons to walk laps around the pool at a reduced rate during lap swim. Councilman Carlson inquired if there were any other major expense expected in Repairs and Maintenance as a majority of that line item is already expensed. Pool Manager Birdsong said there is a little work to do on the heater yet as the thermometer settings are running hotter and causing issues.

Police Chief Donelson reported the Christmas for Kids event which was a drive-through event this year was successful. He reported he is working on problematic nuisances. Police Chief Donelson concluded stating he is working with the new municipal prosecutor to get up to date.

Street Superintendent Ed Ewigman stated it is business as usual with blading snow, but they have also dealt with a sleet and ice. He reported they have worked on cutting trees as well. Street Superintendent Ewigman reported the Council that they have sent out the Mini-Excavator bids and the City was informed recently about Sourcewell which is a cooperative bidding site, which if utilized the City could potentially save 5-6% on the purchase which equates to approximately \$2,500.00 not to include interest to be saved when the machine is financed. He stated other heavy equipment could also be purchased through Sourcewell. City Clerk Krumpelman and City Attorney Cowherd expanded on the topic stating that cooperative purchasing is an exception to the bidding requirements. Council provided a consensus to proceed with signing the membership agreement at their next meeting. Councilman Carlson inquired about the Cemetery Software status. Street Superintendent Ewigman stated all the cemetery records are on paper and have to be transferred into the system and is a lengthy process that includes recording the data from the headstones and inputting that information into the system as well.

Electric Superintendent Charlie Harrington reported they have put in several new services and are taking down the Christmas lights. He informed the Council they are working on the substation and getting it online is their priority. Electric Superintendent Harrington stated the EasyGen project is still in process and they are working with Bob Harbour on that project. He concluded stating they have also cut brush which helped to prevent outages during the ice storm. Councilman Carlson inquired about the cause of a recent blip. Electric Superintendent Harrington responded that they are unsure, but it was nothing severe. Councilman Holt inquired if additional help needs to be hired to finish the substation. Electric Superintendent Harrington responded they will need to sub out the replacement of the line between Pioneer and the substation at the water plant.

City Clerk Update: City Clerk Krumpelman reported election filing closed at 5:00 pm today and there are four (4) who filled, Perry Wiggins, Incumbent Sallie Buck, Tracy Carlson and Jeffrey Gulley. She reported she and Street Superintendent met with Allstate Consultants concerning the MDC CAP project and the initial draft of the project bid specifications and contracts were reviewed by the attorney and sent back with revisions. City Clerk Krumpelman reported they are working to make the conversion to MIRMA, and they recently met with the Loss Control Director. She concluded stating she expects the Auditor to be on-site in February.

City Manager Update: City Manager Hoon reported during the meeting with the MIRMA Loss Control Director with the Department Superintendents, MIRMA's program was reviewed and the City will need to adopt a new safety manual to include a safety committee, training, forms and documentation requirements. He stated they have a year to get the program going. City Manager Hoon stated the low bidder JT Holman is expected to begin demolition on the 137 E Hauser property next week. He informed the Council it was a long process between COVID, abatement and being put on the contractor's schedule.

Council Update: Councilman Carlson stated he would be unavailable until February 15<sup>th</sup>. Councilman Holt stated the Fire Department's mutual aid agreements need to be updated. City Attorney Cowherd stated they will need to carefully review those agreements to insure they have adequate insurance requirements. Councilman Holt reported that Yellow Creek District is being split.

#### **CITIZENS PARTICIPATION:**

Gene Burris (Marceline Resident) stated he was there to discuss the red lights that were used at a fire recently to block off a road and stated he felt that the public needed to be given notice of a street being closed especially on Highway 5. Police Chief Donelson went over their policies and procedures. Councilman / Fire Chief Holt stated he and the Police Chief would review their procedures.

Ashley Thieme (Linn County Resident) stated as a citizen of Linn County she wanted to know why crimes committed in the City of Marceline were run as municipal offenses and stated she had concerns with certain ordinances in the City Codes. City Attorney Cowherd informed Ms. Thieme that once a police officer has issued a ticket it goes to the City Prosecutor who decides how to file charges on the individual and whether to run it as a municipal charge or send it to the County Prosecutor. He stated every case is different and the municipal prosecutor will evaluate each case separately on its own merit and decide how to proceed. There was discussion on the topic.

Shiante McMahon (Linn County Prosecutor) expressed it is not very common across the state to have certain charges listed in the City of Marceline's Code of Ordinances and explained how some of them could be interpreted. City Attorney Cowherd stated there are two (2) separate questions, one does the City have the authority to have those ordinances which it does, and two whether the criminal codes are appropriate for the municipal code. Councilman Carlson stated it is still up to the municipal prosecutor whether to charge someone under those and if someone has a recommendation of changes, the Council would be open to consider them. City Attorney Cowherd stated they can review any changes. There was further discussion on the topic.

**UNFINISHED BUSINESS:** None

#### **NEW BUSINESS:**

COVID Vaccine Discussion: City Clerk Krumpelman reported that City Staff has inquired about whether the City will mandate COVID vaccines or not. The guidance the City has received through Missouri Rural Services (current work comp provider) and MIRMA (work comp provider effective April 1, 2021) is the City has authority to mandate vaccinations except for exceptions under ADA and religious exemptions. She stated the Governor has issued an Executive Order that presumes COVID-19 related absences and illness of Police, Fire and EMS are caused by employment and eligible for submission as a work comp claim for consideration. City Clerk Krumpelman stated neither Missouri Rural Services nor MIRMA has made an official recommendation, however MIRMA's board will be discussing the topic at their meeting at the end of January. City Attorney Cowherd stated at this time most Cities are making the vaccine voluntary. There was discussion on the topic. Council provided a consensus to not mandate

the COVID Vaccine for City employees at this time but is subject to change. City Manager Hoon stated his personal opinion is not in support of a mandating the vaccine. Mayor Buck stated the City should definitely consider MIRMA's recommendation when one is available. The City Clerk inquired how the Council wants her to vote if she sits in on the MIRMA board meeting and is asked as the City's representative to vote on the vaccine mandate recommendation. The Council provided a consensus to vote against a COVID vaccine mandate recommendation.

Residential Trash and Recycling Services: City Manager Hoon stated the current trash and recycling services contract expires on June 30, 2021 and staff is looking for guidance on certain aspects of the bid specifications before putting them out. He stated the items staff is seeking guidance on is (1) insurance requirements, (2) recycling options, and (3) bulk collection frequency. City Attorney Cowherd stated that a five (5) year contract is too long, and the City may consider going out for a three (3) year contract instead, but with an option for a five (5) year contract. City Manager Hoon stated the current insurance requirement is \$1 million and inquired if the Council want to lower that amount or not, as the only other bidder last time, stated they could not provide \$1 million in insurance. Councilman Brammer recommended lowering the insurance requirement so as not to exclude bidders. City Attorney Cowherd stated if the contractor cannot afford \$1 million in insurance coverage, the City may not want them anyway. City Manager Hoon stated MIRMA was satisfied with the \$1 million insurance coverage requirement. The Council discussed the topic along with the other items of consideration. Council provided a consensus to bid out for trash and recycling services with the (1) \$1 million insurance requirement with certain verbiage, (2) to include recycling, but as an optional add-on, (3) bid the bulk pick up twice per year and increased frequency as a optional add-on, and (4) a three (3) year contract, with an option price to be included if the term was five (5) years.

Employee Residency Requirement Discussion: City Manager Hoon stated during the review of the advertisement of a recent open position, the City Attorney made a recommendation to change the residency requirement for some departments from the school district to a x number of mile radius. City Attorney Cowherd said the reason for the recommendation is the radius would make it an even circumference around the city instead of following uneven borders as defined by the school district. The Council discussed the topic. The Council provided a consensus to move forward with a Bill to change the residency requirement from the school district to a x number of mile radius be brought back for their next meeting.

GO Bond Refinancing Discussion: City Clerk Krumpelman stated the City was approached by D. A. Davidson about refinancing the City's GO Bonds for the municipal pool and offered to run the numbers and provide an estimate of the City's possible savings. She reported their numbers state the City could have a net savings of \$69,056.43 over the life of the GO Bonds which be passed on to the taxpayers by decreasing the debt service levy. Councilman Brammer inquired if the payoff date would change. City Clerk Krumpelman responded it would not, and the City could put a minimum savings threshold requirement so if the savings do not reach a certain level, the refinancing would not go through. The Council discussed the topic and provided a consensus to pursue refinancing by requesting proposals.

Resolution 21-01 – Hazard Mitigation Plan: City Manager Hoon stated the Linn County Commission and Green Hills Planning Commission are working to update the County Multi-Jurisdictional Hazard Mitigation Plan. City Manager Hoon explained what the Hazard Mitigation Plan is and stated it is not a financial obligation document. He informed the Council any entity who chooses not to participate in the plan would not be eligible to apply for FEMA's Hazard Mitigation Assistance Grants. City Manager Hoon stated that Thresa Kussman with Green Hills Planning Commission believes the City of Marceline is ahead of other entities in contingency and hazard planning. The Council discussed the topic. Councilman Brammer moved to approve Resolution No. 20-01 to adopt the Linn County Hazard Mitigation Plan. Councilman Holt seconded the motion. The motion carried.

Resolution 21-02: City Clerk Krumpelman stated she is the current plan administrator / sponsor for the City's voluntary retirement plans through Security Benefit, however she has not found documentation stating where that was officially authorized by the Council. She stated with the nature of her position it makes sense for her to sign the employee paperwork when they make changes. City Clerk Krumpelman stated staff is requesting that Council approve Resolution No. 21-02 which would officially authorize the City Clerk and City Manager both as plan administrators / sponsors. The Council briefly discussed the topic. Councilman Holt moved to approve Resolution

No. 21-02 to assign the City Clerk and City Manager as Plan Administrators / Plan Sponsors for voluntary retirement plans. Councilman Brammer seconded the motion. The motion carried.

At 7:21 pm Councilman Holt moved to adjourn to Executive Session pursuant to RSMo 610.021 Paragraph (3) Personnel and Paragraph (12) Contracts. Councilman Brammer seconded the motion. The following roll call vote carried the motion: Councilman Holt – aye, Councilman Brammer – aye, Councilman Carlson – aye, and Mayor Buck – aye.

At 8:44 pm the Council returned to Open Session from Executive Session.

City Manager Agreement – Bill No. 35-2101: Councilman Brammer moved that Bill No. 35-2101 authorizing the Execution of an agreement between Richard Hoon and the City of Marceline, Missouri for the purpose of employing Richard Hoon as City Manager with the inclusion of allowing for Council approved COLA increases be read twice by title only. Councilman Holt seconded the motion. The motion carried. City Clerk Krumpelman read Bill No. 35-2101 twice by title only. Councilman Brammer moved that Bill No. 35-2101 be passed. Councilman Holt seconded the motion. The following roll call vote carried the motion: Councilman Brammer – aye, Councilman Holt – aye, Mayor Buck – aye, and Councilman Carlson – aye. This Bill was assigned Ordinance Number 35.2101.

With no further business, Councilman Brammer moved to adjourn the meeting. Councilman Holt seconded the motion. The motion carried. The meeting adjourned at 8:46 pm.

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Sallie Buck, Mayor

ATTEST:

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Lindsay Krumpelman, City Clerk