

MINUTES OF A REGULAR MEETING OF THE MARCELINE CITY COUNCIL
September 15, 2020

The Marceline City Council met in regular session on September 15, 2020 at 5:30 p.m. in the Council Chambers of City Hall, Mayor Sallie Buck presiding. Council members present were Tyson Brammer and Gary Carlson. Councilman Jeri Holt and Councilwoman Lacey Meissen were absent. Staff attending: City Attorney William Devoy, City Manager Richard Hoon, City Clerk Lindsay Krumpelman, Water / Wastewater Roger Sullivan, Electric Superintendent Charlie Harrington, Street Superintendent Ed Ewigman, Police Chief Bob Donelson, and Water Plant Operator Brad Engelhard. Others Present: Reporter Angie Talken, Darrell Gardner, Toni Sportsman, Cary Sayre, and Linda Linebaugh.

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. Councilman Carlson seconded the motion. The motion carried unanimously. Councilman Brammer moved to approve the financial reports. Councilman Carlson seconded the motion. The motion carried unanimously.

REPORTS OF COUNCIL, OFFICERS, BOARDS AND COMMITTEES:

Organizational Quarterly Update: Downtown Marceline Executive Director (DM Ex.Dir.) Toni Sportsman reported the flag campaign was successful and they are still receiving orders. She informed those present that the landowner of the land south of the pharmacy is allowing them to set up their ‘Shop Local’ banner with the help of the City to drill the holes. DM Ex. Dir. Sportsman reported she is still waiting on a response on the TRIM Grant. She stated the Promotions Committee is currently working on a lodging and dining guide. DM Ex. Dir. Sportsman informed the assembly that the Wine Stroll was cancelled, but they are working on a sustainability plan. She concluded providing a report on the Zurcher Building, stating they are working on a capital campaign to assisting in paying for the loan to repair the building.

IDA Executive Director (IDA Ex. Dir.) Darrell Gardner stated the new 365 Leadership class has started with 16 participants year. He reported that the medical marijuana applicant is currently going through the appeals process and should know something soon. IDA Ex. Dir. Gardner stated a few of the IDA grant projects are completed and a few are in process. He reported only one declined the grant due to COVID-19. He informed the assembly the Sonic building has sold, and the new owner is planning on refurbishing it back into a drive thru. IDA Ex. Dir. Gardner Senator O’Laughlin is still pursuing the business complex as a VA Home and had a meeting concerning the deed conditions and was informed as long as it is not another hospital the use would not be contested. He stated she is also working on the brownfield status for the Chastain’s building. He concluded stating the County has allocated 2/3 of their CARES Act funding. Linda Linebaugh inquired about the medical marijuana licensing. IDA Ex. Dir. Gardner provided a synopsis for her.

Department Updates: Water/Wastewater Superintendent Roger Sullivan stated they are completing general cleaning and maintenance. He reported they raised a few meters and completed dirt work on the Fairview project. Water / Wastewater Superintendent Sullivan concluded stating they fixed a water leak at Pine and Truman.

Police Chief Bob Donelson reported it has been business as usual. He reported they are working around issues of indirect exposures and there are no COVID-19 positives in the department up to this point. Police Chief Donelson informed the Council the nuisance on North Kansas is rectified and the owner of the nuisance on S Kansas has stated it will be rectified within the adjusted deadline. He reported they are working on a plan for the “Xmas for Kids” event and that it may be scaled down from previous years. Police Chief Donelson stated the event is a donation driven event and they are a little hesitant to ask local business for assistance in this climate. He concluded stating the event is scheduled for December 12, 2020.

Street Superintendent Ed Ewigman reported with the recent rains, the grass is growing again, so they are mowing again. He reported they are moving dirt from the New Reservoir for the final grade, seed and mulch on the 100

block of West California Ave. Street Superintendent Ewigman stated they a good year with the Chip and Seal program. Thanks to the upgraded Oiler Truck they were able to do 67 blocks of chip and seal. He reported they used the street sweeper to sweep up the excess (about 20%) material to be re-used next year. Street Superintendent stated they moved the excess material away from Hurtt Fabricating. He concluded, stating his department is starting to work on storm drains to include one on South Kansas, the one in the alley south of Prenger Foods and to complete the new one by the Pharmacy. Mayor Buck stated the School provide a very nice thank you later concerning the Street Department and the City and their working relationship with the School.

City Manager Hoon introduced new Electric Superintendent Charlie Harrington. Electric Superintendent Harrington stated they turned the air handlers on at the business complex. He reported the generators were run and they replaced a few poles. Electric Superintendent Harrington reported the new scoreboard at the Center Ballfield is working and will wire the scoreboard that was moved to the East Ballfield tomorrow. He informed the assembly they have done some painting / upgrades at the Electric Plant. Electric Superintendent Harrington concluded stating they are planning to work on the upgrade at the substation this winter. City Manager Hoon reported the Electric Department will begin tree trimming this fall with assistance from the Street Department.

City Manager Hoon reported the dome will be installed on the pool next week with assistance from Moore Fans. City Manager Hoon stated they are very thankful to Moore Fans for their help each year as they would not be able to do it without them.

City Clerk Update: City Clerk Krumpelman reported she has spent the last month focused on budget preparation and researching the credit card options. She informed the Council she is working on clearing the older outstanding checks but is required to make an effort to send out letters to individuals with outstanding checks of \$50.00 or more before submitting them to Unclaimed Property. City Clerk Krumpelman reported she is attending the MML Virtual Conference and a virtual Master Academy this week.

City Manager Update: City Manager Hoon informed the Council there is a volunteer effort to clean the statutes at the Business Complex by the Boy Scout Troop #99. He reported the Regional Missouri Bank was issued their Certificate of Occupancy. City Manager Hoon informed the assembly that Dean Gauthier retired as the Electric Superintendent on September 7th and the City had a retirement luncheon on September 4th. City Manager Hoon reported that the demolition of 321 W Howell is complete, the 510 E Lake is in process, and the hazardous material testing is scheduled for 137 E Hauser and he is working on getting demolition bids for that address. City Manager Hoon stated he is receiving calls requesting to bring in sheds or tiny homes to live in and the zoning ordinances do not currently allow those types of housing. He reported he is working with that Board to research and discuss the issue. City Manager Hoon stated the home on Hauser is on hold because it has to be converted to be compliant. Councilman Carlson stated it would be nice to have an area for tiny homes as long as it is done correctly. City Manager Hoon stated he is working on the research on the topic.

CITIZENS PARTICIPATION: Linda Linebaugh inquired how long before the chip and seal project was completed. Street Superintendent responded it was completed. Linda Linebaugh stated she is excited to hear that Darrell Gardner is keeping in close contact with Senator O'Laughlin on the VA initiative. She inquired if an individual from each department has worked on cleaning the business complex. City Manager Hoon said they have not as the departments have higher priorities, but that it is being aired out and there is not a lot of clean-up. There was a discussion on the soundness of the structure. Linda Linebaugh stated she had a concerned parent that wanted her to know about the Recreation and Park Board giving helmets and bat bags and if the funds came out of city funds. Mayor Buck responded that the funds were City funds as the Recreation and Park Board funds are considered City funds. Councilman Carlson stated the helmets and bags were given in exchange of labor to be provided at a later date. Recreation and Park Board member Cary Sayre stated there is an agreement with the softball team to work the basketball tournament in exchange for the helmets and bags. There was discussion on the topic. Linda Linebaugh stated the parent was concerned with the state of city finances and wondered why the Board bought those things since most of the girls have their own. Councilman Brammer recommended her friend talk to the City Manager or the Recreation and Park Board about their concerns.

Council Update: Councilman Brammer stated Gene Burris has approached him about his issues he spoke on a few months ago. Councilman Brammer stated if it concerned him, he should seek legal counsel. Police Chief Donelson stated those items are in the hands of the Judge and that was explained to Gene Burris.

BOARD APPOINTMENT:

Planning Commission: City Clerk Krumpelman explained there are currently two (2) unexpired term seats to be filled. She reported one application was received from Robert Stuart and staff recommends he be appointed to the unexpired term to end on May 31, 2021, which will leave one (1) unexpired term seat open. Mayor Buck appointed Robert Stuart to an unexpired term to end on May 31, 2021 on the Planning Commission.

UNFINISHED BUSINESS:

Recreation and Park Board – Bill No. 20-08-008: Mayor Buck stated there were a few changes made to the proposed Ordinance based on the discussion from last month. City Manager Hoon stated they clarified the section concerning when the minutes are supposed to be submitted. He stated the other change was clarifying and outlining the purchasing procedures to be followed but does not require the Board to seek approval for the City Manager for purchases over \$2,500.00 but under \$10,000.00. City Manager Hoon stated the proposed Ordinance does state when approval for City Council is required. Councilman Carlson stated these are really to help protect the Board. Mayor Buck stated she hopes the proposed changes to the board provide clarity for both the Board and the Council. The Council discussed the topic. Councilman Brammer moved that Bill No. 20-08-008 repealing and replacing Title I, Chapter 145, Article I of the Marceline Municipal Code in its entirety relating to the Recreation and Parks Board be read twice by title only. Councilman Carlson seconded the motion. The motion carried. City Clerk Krumpelman read Bill No. 20-08-008 twice by title only. Councilman Brammer moved that Bill No. 20-08-008 be passed. Councilman Carlson seconded the motion. The following roll call vote carried the motion: Councilman Brammer – aye, Councilman Carlson – aye, and Mayor Buck – aye. This Bill was assigned Ordinance Number 20-09.07.

Recreation and Park Board member Cary Sayre stated he wanted to say something about the lights at the ball fields in case there was a misunderstanding. He stated they received a lighting bid from Musco for \$130,000.00 to \$150,000.00. Cary Sayre stated he laid out a plan for the ballfields at the request of the City a few years ago, which includes lighting. He stated there is a MLB grant out there the City could apply for but wanted to clarify that the Board is not asking the City to outlay funds. Cary Sayre stated he wanted to get started to catch this type of thing early before it becomes an emergency. City Manager Hoon reported that the lights at the fields are not dire, as we can still get bulbs. Cary Sayre stated he is looking at three (3) to five (5) years down the road. Mayor Buck thanked him for his comments. Mayor Buck stated she wants more communication between the City and the Board and reminded Cary Sayre that work orders need to be called in to City Hall. Cary Sayre concurred that all of us needed to communicate better and stated anyone can come to the Recreation and Park Board meetings. City Manager Hoon informed Cary Sayre that the fire barn is available for their meetings, if needed.

Golf Cart Driving Age – Bill No. 20-09-009: City Manager Hoon stated the Council discussed changing the driving age of a Golf Cart from 18 years of age to being a licensed driver to be consistent with ATVs and UTVs. Councilman Brammer inquired about making it consistent to have safety flags. City Attorney Devoy stated he believes the UTV falls under the farm equipment requirement for slow moving vehicles. There was discussion on the topic. Bard Engelhard inquired about those that drive golf carts and UTVs with babies without car seats. Police Chief Donelson stated he does not recall experiencing that issue. Councilman Carlson inquired about issues with kids under the age of 16 driving golf carts, ATVs, and UTVs. Police Chief Donelson stated they are trying to educate people and distributing flyers before issuing citations. City Attorney Devoy inquired if the Council would like him to research the car seat issue. They provided a consensus to do so. Councilman Brammer moved that Bill No. 20-09-009 repealing and replacing Title III, Chapter 340 Section 340.120 of the Marceline Code of Ordinances relating to Golf Carts on streets, alleyways, or highways within the City be read twice by title only. Councilman Carlson seconded the motion. The motion carried. City Clerk Krumpelman read Bill No. 20-09-009 twice by title only. Councilman Brammer moved that Bill No. 20-09-009 be passed. Councilman Carlson seconded the motion. The following roll call vote carried the motion: Councilman Brammer – aye, Councilman Carlson – aye, and Mayor Buck – aye. This Bill was assigned Ordinance Number 20-09.08.

Credit Card – Incode/Global Payments – Bill No. 35-2021, Bill No. 35-2022: City Clerk Krumpelman stated staff is satisfied to move forward with Tyler Technologies (Incode) / Global Payments (Open Edge) to offer online payments and credit card processing. There was discussion on the proposed contracts. City Attorney William Devoy stated he recommends additional verbiage be added to paragraph 11 of the Global Payments (Open Edge) agreement. City Clerk Krumpelman stated before the Council approves the proposed agreements with any changes, she would like the Council to decide how they wish to handle the online payment and credit card processing fees which are above the initial installation (\$800.00) and annual software maintenance (\$1,524.00) costs. She provided four (4) options for the Council to consider: (1) absorb the fees and budget the expense; (2) charge a set transaction rate to be passed directly onto the customer to cover partial or all costs; (3) add a tech charge to each utility bill to spread the cost to each customer as suggested by Incode and decide how to handle other transactions outside the utility system, or (4) charge a penalty fee for those who don't utilize the online payment option. She stated staff feels options one (1), two (2), or three (3) are viable, while option four (4) is not. The Council discussed the topic. Council requested examples of the scenarios be presented at their October meeting for consideration.

NEW BUSINESS:

Homecoming Parade Street Closure: City Manager Hoon stated they have received a street closure request for the Homecoming Parade with a modification at the request of the Health Department to spread the parade out a little more to allow for social distancing. He said the modified request is to close Main Street USA from Santa Fe Ave to Wells St. with a turnaround point at Wells St. to Chestnut to W Curtis and return to Main Street USA on Friday, October 2nd from 1:45pm to 3:15pm. Police Chief Donelson inquired on additional traffic control. City Manager stated more cones and barricades could be utilized and possibly ask the school for additional help. There was discussion on the topic. Councilman Brammer moved to close Main Street USA from Santa Fe Ave to Wells St. with a turnaround point at Wells St. to Chestnut to W Curtis and return to Main Street USA on Friday, October 2nd from 1:45pm to 3:15pm for the Homecoming Parade. Councilman Carlson seconded the motion. The motion carried.

Halloween Street Closure: City Manager Hoon stated they have not received the request form so no action can be taken at this time.

Planning Amendment – Bill No. 20-09-010: City Manager Hoon stated while it was determined that the current Manufacturing Zoning ordinance is sufficient, during a review of that ordinance it was pointed out that our public hearing requirements do not mirror current State Laws and it was recommended the ordinance be amended to do so. There was discussion on the topic. Councilman Brammer moved that Bill No. 20-09-010 amending Section XV, Item 15.50, Para 1. of Ordinance 6.404, the Zoning Ordinance relating to public hearing notification requirements and procedures be read twice by title only. Councilman Carlson seconded the motion. The motion carried. City Clerk Krumpelman read Bill No. 20-09-010 twice by title only. Councilman Brammer moved that Bill No. 20-09-010 be passed. Councilman Carlson seconded the motion. The following roll call vote carried the motion: Councilman Brammer – aye, Councilman Carlson – aye, and Mayor Buck – aye. This Bill was assigned Ordinance Number 20-09.09. City Manager Hoon stated this item was heard by the Planning Commission the day prior and they recommended Council approve the Bill.

Property Surplus – 321 W Howell – Bill No. 35-2023: City Manager Hoon reported that the property at 321 W Howell that was donated to the City was recently demolished. He stated due to its size (0.60 acres / 7.5 lots) staff is recommending the minimum purchase price be \$2,000.00. The Council discussed the topic and the minimum purchase price. Councilman Brammer moved to that Bill No. 35-2023 to declare 0.60 acres of City-Owned property known as 321 W Howell Avenue as surplus property and authorizing the sale thereof and providing for terms of sale be amended to increase the minimum purchase price to \$2,500.00 and be read twice by title only. Councilman Carlson seconded the motion. The motion carried. City Clerk Krumpelman read Bill No. 35-2023 twice by title only. Councilman Brammer moved that Bill No. 35-2023 be passed as amended. Councilman Carlson seconded the motion. The following roll call vote carried the motion: Councilman Brammer – aye, Councilman Carlson – aye, and Mayor Buck – aye. This Bill was assigned Ordinance Number 35.2021.

Property Maintenance Code Discussion: City Manager Hoon stated that in 2017 the City adopted an updated dangerous building ordinance and has demolished two building through that process. He stated in 2018 the City adopted the International Building Codes except for the Property Maintenance Code (PMC) which governs upkeep of properties as the City was not prepared to enforce that code at the time. City Manager Hoon reported he is researching and communicating with Jamie Stallo, Brookfield's Code Enforcement Officer on the process. City Manager Hoon went over the process, saying he does not want to burden people, but he does not want dilapidated properties to fall onto the City and taxpayers either. He pointed out that a Code Enforcement Official and a Board of Appeals would need to be appointed. Councilman Brammer stated that some people may not be able to afford those repairs and citation could compound the issue. City Manager Hoon responded that there are responsibilities with home ownership. Mayor Buck stated if the problems are not addressed, they would only get worse for both the property owner and the City. The Council discussed the Topic. There was consensus from the Council to move forward, but Council Brammer did express he has concerns with the PMC and its possible effect on citizens. Councilman Carlson stated if it moves forward the City would need to bend over backward to work with the citizens. Councilman Carlson requested Police Chief Donelson ensure officers are introducing themselves to the citizens whenever they have interactions with them.

At 7:48 pm Councilman Carlson moved to adjourn to Executive Session pursuant to RSMo 610.021 Paragraph (9) Employee Groups and to include guest Police Chief Bob Donelson. Councilman Brammer seconded the motion. The following roll call vote carried the motion: Councilman Carlson – aye, Councilman Brammer – aye, and Mayor Buck – aye.

Recorded by City Clerk Lindsay Krumpelman
Approved on October 20, 2020 by Marceline City Council.