

MINUTES OF A REGULAR MEETING OF THE MARCELINE CITY COUNCIL
AMENDED
December 14, 2022

The Marceline City Council met in regular session on December 14, 2022, at 5:30 p.m. in the Council Chamber of Marceline City Hall, Mayor Sallie Buck presiding. Council members present were Josh Shoemaker, Gary Carlson, Brian Baker and Councilwoman-Select Sally Shelly Milford. Staff attending: City Attorney Robert Cowherd, City Manager Richard Hoon, City Clerk Lindsay Krumpelman, Street Superintendent Adam Lichtenberg, and Water / Wastewater Superintendent Matt Gibson, Police Officer Justin Abbott, and Police Officer Amelia Dunlap. Others Present: Dave Tavres (DM Ex. Dir), Richard Switzer (IDA Ex. Dir), Tracy Carlson, Kelly Beets (MIRMA), Lowell Schreiner, Ross Comber, and Joe Peck.

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:

City Clerk Krumpelman informed the Council that due to a meter rollover, an adjustment was made in the water billing system that posted in November at the beginning of this fiscal year instead of October, the month the rollover occurred, which is at the end of the previous fiscal year. She said this caused the water revenues to be a negative amount for water services for the month of November because of how the revenues are recognized in the Incode software system. City Clerk Krumpelman stated she will be contacting the auditor to determine the best way to do a journal entry / entries to fix the issue since it crosses budget years. She inquired if that would be satisfactory to Council or if they wanted to explore working with Incode and the auditors about changing how revenues are posted in Incode, which would affect the Utility Billing, Cash Collections and General Ledger sides of the software and probably incur fees. The Council provided a consensus to move forward with working with the auditors on the journal entry / entries, but not changing how revenues are posted in the Incode software.

Councilman G. Carlson moved to approve the minutes. Councilman Baker seconded the motion. The motion carried. Councilman Baker moved to approve the financial reports, noting the issue in the water fund financials as presented. Councilman G. Carlson seconded the motion. The motion carried.

OATH OF OFFICE:

Mayor Buck presented a plaque to former Councilman Tracy Carlson and thanked him for his service to the City of Marceline as a member of the Marceline City Council from April 2021 to December 2022.

Councilwoman-select Shelly Milford was administered her Oath of Office by the City Clerk to fill the seat vacated by former Councilman Tracy Carlson who resigned due to being elected as Linn County Prosecuting Attorney.

REPORTS OF COUNCIL, OFFICERS, BOARDS AND COMMITTEES:

Organizational Updates – DM & IDA: IDA Executive Director (IDA Ex. Dir) Richard Switzer presented his quarterly report to the Council. He reported the CoffeeTree had their grand opening with the Missouri State Governor present and currently has 12 employees hired with a goal of 50 employees. He stated Karv'd currently has 11 employees with more equipment to come in and Nature's Grace is in process of constructing their building. IDA Ex. Dir. Switzer informed the Council that Jackie Soptic retired from the Green Hills Regional Planning Commission (GHRPC) and he and City Manager Hoon met with her two (2) replacements. He stated that on the same day he attended the North Missouri Solid Waste Management District meeting, he attended the MoDOT Transportation Advisory Board meeting. IDA Ex. Dir. Switzer reported that he learned at that meeting the bids would be let out in January 2023 for the resurfacing of Highway 5 from Highway 36 to Bear Creek with the potential for it to be awarded in February. He stated the issue is that recent bids were running in excess of 40% over projected costs. IDA Ex. Dir Switzer stated the Great Northwest Days is on February 7th and 8th and Marceline is partnering with Brookfield for their booth again this year and will be utilizing the Disney display used in California by the Museum. He informed the Council that all the improvement grants awarded by the IDA are completed, except for two (2) and that for a \$10,000.00 investment by the IDA for the program, there were

\$48,000.00 in improvements completed. IDA Ex. Dir. Switzer concluded stating he received a scholarship to attend the Heartland Economic Development Course which is a step towards his certification.

Downtown Marceline Foundation Executive Director (DM Ex. Dir.) Dave Tavres informed the Council, Downtown Marceline has filed a “Doing Business As” to add ‘Foundation’ to their name to decrease the confusion of people thinking Downtown Marceline is a City entity. He stated several shops participated in ‘Shop Local – Small Business Saturday’ on the Saturday after Thanksgiving. He stated they are working on the First Annual Marceline Calendar along with starting a postcard program. DM Ex. Dir. Tavres reported they are currently working on updating the Dining, Shopping, and Lodging Guide. He informed the Council 90 kids participated in the “Elf on Shelf” event and there were 32 sponsors for the “Splash and Dash” event with 78 runners. DM Ex. Dir. Tavres stated the Board’s annual planning session(s) will begin next week. He reported he attended Missouri Main Street Connection new Director training recently. DM Ex. Dir. Tavres concluded stating the lighting of the Magnolia Building seems to be very popular.

City Clerk Update: City Clerk Krumpelman reported that they have received the Construction Bid documents for the multi-purpose shelter house in Ripley Park for the LWCF Grant. She stated once staff has reviewed the documents and requested any changes to be made to the engineers/architect it will be sent to the State for approval. She stated the final grant paperwork for the MDC is completed. City Clerk Krumpelman reported they received the \$30,000.00 reimbursement from the 2020 USDA SEARCH Grant. City Clerk Krumpelman stated staff is working to complete the Budget Document. She concluded stating she will be presenting records to be destroyed that are past their retention value on the State’s retention schedule.

City Manager Update: City Manager Hoon stated the substation structure is in progress and Kiowa / Storm Services should have the project completed early in the new year. He informed the Council he is working with NextEra and Nature’s Grace to determine the load required and start for the contract amendment for the load pull for Nature’s Grace. He stated the load pull most likely will not be until April. City Manager Hoon reported that Pioneer Nursing has put in their annexation request and there will be a public hearing at the January 11, 2023, Council meeting on the annexation request. He stated they want to annex to have the City police response. City Manager Hoon reported the holiday hours for the pool will be published by the end of the week. Police Officers Amy Dunlap and Justin Abbott provided an update on the ‘Christmas For Kids’ event to take place on December 17th, stating there are 400 signed up to participate. City Clerk Krumpelman provided an update on the Election filing stating Councilwoman Milford has filed for the one (1) year seat and Councilman Gary Carlson has filed for the three (3) year seat.

Council Update: Councilwoman Milford stated she is excited to be a member of the Council. Councilman Baker welcomed Councilwoman Milford and stated he believed she will be a real asset to the Council and the City. The other members concurred with Councilman Baker’s statement.

PRESENTATION – MIRMA:

MIRMA Representative Kelly Beets informed the Council of the MIRMA Risk Grant Program. He went over the MIRMA Risk Grants awarded to the City this year in the amount of approximately \$21,000.00.

CITIZENS PARTICIPATION:

Lowell Schreiner reported to the Council about an issue he has with his lines that he believed was caused by the City. He presented pictures and his invoices. Councilman Shoemaker stated it his opinion that if the plumbers put it in writing that the issue was caused by the City, the City should make it right. Water / Wastewater Superintendent Gibson reported the chain of events. He stated the City is responsible for the maintenance of the main line, but not the tap. City Manager Hoon stated the City dug the hole to expose the tap due to the other lines in the ground as a courtesy. The Council discussed the topic. City Attorney Robert Cowherd recommended the incident be submitted to MIRMA to investigate and make a determination on the incident. The Council agreed with his recommendation to submit it to MIRMA to be investigated and directed staff to do so.

UNFINISHED BUSINESS:

Local Union 42 (Police) MOU – Bill No. 35-2242: City Manager Hoon stated this was started a while ago and has gone through 14 revisions. He stated the agreement is a hybrid of the City’s Personnel Policy Manual and the Police Officer’s Bill of Rights. City Manager Hoon stated there is still one provision in the agreement that is an issue for the City Attorney. City Attorney Cowherd stated under Article 11 Dispute Resolutions and Grievance Procedure it gives the final decision authority over grievances to mediation. He stated he does not think this is acceptable and recommends the Council reject the agreement until it is removed. The Council discussed the topic, with Mayor Buck stating she believes the Council needs to follow City Attorney Cowherd’s recommendation. The Council provided a consensus to follow the City Attorney’s recommendation and send the agreement back for negotiations.

NEW BUSINESS:

Downtown Marceline Request – Ripley Park Alcohol Consumption: City Manager Hoon stated the Downtown Marceline Foundation has submitted a request to allow for the consumption of alcoholic beverages in Ripley Park. He provided a brief history of this topic. DM Ex. Dir. Tavres explained the request stating he wanted to replicate the rules for Disney Park. The Council discussed the topic, with Mayor Buck stating she does not see the necessity and had concerns about enforcing it. Councilman Carlson expressed concerns of a change harming local events already established in Ripley Park. There was a consensus of the Council to not move forward on making changes to the no-alcohol policy in Ripley Park.

Uptown Theatre – Historic Preservation – Resolution No. 22-04: City Manager Hoon stated Mr. Comber completed the National Register of Historic Places nomination from for the Uptown Theatre and sent it to the State Historic Preservation Office (SHPO), who then sent it to the City. The processes for National, State, or Local designation are different. The Historic Preservation Commission had a public hearing on Monday and recommend the City pass Resolution No. 22-04 to accept their recommendation of the Uptown Theatre’s nomination for the National Register of Historic Places. Councilman Shoemaker inquired if the designation opened the opportunity for grants. Mr. Comber responded it will for that property, but that all grants want the applicants to “have skin in the game”. Mr. Comber provided a brief history of the Uptown Theatre. The Council discussed the topic. Councilman Shoemaker moved Resolution No. 22-04 concerning the Uptown Theatre’s nomination to the National Registration of Historic Places be approved. Councilman Baker seconded the motion. The motion carried.

Electric Department Roof Bids: City Manager Hoon stated City Staff solicited for sealed bids for the Electric Plant Roof. He informed the Council the City budgeted \$45,000.00 for the project. City Manager Hoon went over the two bids received. One from Delta Innovative Services, Inc for \$161,623.00 and the other from J.D. Contracting for \$43,120.000. The Council discussed the bids received. Councilman Shoemaker moved to accept the bid from J.D. Contracting for \$43,120.00. Councilman Carlson seconded the motion. The motion carried.

Electric Consulting Services Agreement – Bill No. 35-2243: City Manager Hoon stated with Bob Harbour retiring, the City is losing both our Electrical Engineer Consultant and Wholesale Electric Supplier Consultant. He stated Bob Harbour is working with the City on the current electric rate amendment to our current NextEra contract required for Nature Grace’s load pull, but he is not able to make the drive to do the electrical engineering consulting work. City Manager Hoon stated Bob Harbour has worked with Jason Smith concerning the City’s electrical engineering needs recently. He stated Jason Smith is local and willing to take over the electrical engineering consulting services. After a brief discussion, Councilman Shoemaker moved Bill No. 35-2243 to authorize the Mayor to execute a consulting services agreement between the City and Jason Smith to provide for electrical engineering consulting services to the City be read twice by title only. Councilman Baker seconded the motion. The motion carried. City Clerk Krumpelman read Bill No. 35-2243 twice by title only. Councilman Shoemaker moved that Bill No. 35-2243 be passed. Councilman Baker seconded the motion. The following roll call vote carried motion: Councilman Shoemaker – aye, Councilman Baker – aye, Councilman Carlson – aye, Mayor Buck – aye, and Councilwoman Milford – aye. This Bill was assigned Ordinance Number 35.2242.

Transportation Sales Tax Ballot Issue – Bill No. 35-2244: City Clerk Krumpelman stated the current Transportation Sales Tax is set to expire (sunset) on September 30, 2023, unless the registered voters of the City of Marceline vote for it to continue. She stated that Bill No. 35-2244 places the continuation of the Transportation Sales Tax on the April 2023 ballot. City Clerk Krumpelman stated at the recommendation of the City Attorney, the sunset clause was removed, so if the continuation of the tax is approved it will continue without a sunset. The Council discussed the topic including the savings of election costs. Councilman Shoemaker moved that Bill No. 35-2244 for the continuation the Transportation Sales Tax without a sunset clause to be submitted to the qualified voters of the City of Marceline at the April 4, 2023, election be read twice by title only. Councilman Carlson seconded the motion. The motion carried. City Clerk Krumpelman read Bill No. 35-2244 twice by title only. Councilman Shoemaker moved that Bill No. 35-2244 be passed. Councilwoman Milford seconded the motion. The following roll call vote carried motion: Councilman Shoemaker – aye, Councilwoman Milford – aye, Councilman Baker – aye, Mayor Buck – aye, and Councilman Carlson – aye. This Bill was assigned Ordinance Number 35.2243.

Record Retention – Destruction of Records: City Clerk Krumpelman presented her list of records to be destroyed that have past their retention value according to the record retention schedule. She said 2019 was the last time a list of records to be destroyed was presented to Council. After a brief discussion, Councilman Shoemaker moved to approve the destruction of records as listed and to be attached to minutes. Mayor Buck seconded the motion. The motion carried.

At 7:30 pm, Councilman Baker moved to adjourn to Executive Session pursuant to RSMo 610.021 Paragraph (2) Real Estate and Paragraph (12) Contracts and to include guest Street Superintendent Adam Lichtenberg. Councilwoman Milford seconded the motion. The following roll call vote carried the motion: Councilman Baker – aye, Councilwoman Milford – aye, Councilman Carlson – aye, Mayor Buck – aye, and Councilman Shoemaker – aye.

Upon returning from Executive Session, with no further business, Councilman Baker moved to adjourn. Councilwoman Milford seconded the motion. The motion carried. The meeting adjourned at 8:07 pm.

Recorded by City Clerk Lindsay Krumpelman.
Approved by Marceline City Council on January 11, 2022