

JULY 18, 2016

The City Council met in Regular Session at 6:00 p.m., Monday, July 18, 2016, in the Council Chamber of the City Office Building, 214 N. Lafayette, Marshall, Missouri, with the following members of the City Council present: Mayor Mark T. Gooden; Council Members Barbara Utlaut, Ron Ott, Gabe Ramsey, Dan Brandt, Charles Guthrey, Rudy Reyes and Tom Hagedorn; and City Clerk Julie Lewis. Council Member Kirk Arends and City Counselor Josh Taylor absent.

On motion of Hagedorn, seconded by Utlaut, the Agenda was adopted.

On motion of Utlaut, seconded by Hagedorn, the minutes of the Regular Council Meeting of July 5, 2016 were approved as written and recorded.

BUSINESS FROM THE AUDIENCE

Angie Roettgen and Shirley Schaefer of Angie's Bar & Grill spoke to the Council regarding Marshall Municipal Utilities electrical demand charge. They feel that it does not make sense that the demand charge is higher than the electric bill.

Council Member Ott explained this a very complicated issue and it is very confusing to the public. He advised them to make an appointment to speak with Marshall Municipal Utilities in order to get an explanation.

Ms. Roettgen said an MMU representative had been to their place of business to try to explain the charge. She said her electric bill is about \$200 and the demand charge is \$400.

Mr. Ott said he understands she is a small business just trying to keep the doors open.

Ms. Roettgen said she does not feel that it is fair that a discount on demand charges will be given to a grocery store that may be coming to town.

Mr. Ott explained that during their run for office, one of the biggest things the community wanted was a grocery store. When trying to attract new businesses to a community, unfortunately, it is common practice to incentivize a business. We went to the Board of Public Works to ask what they could do to help and this is what they did. The Board was concerned with what Ms. Roettgen is saying, but felt that getting a grocery store was important. The incentive has been presented to a grocer and we still don't know if they will come.

Council Member Guthrey said this was to make the store coming to Marshall economically possible. They will need to come in and totally renovate a building and possibly spend hundreds of thousands of dollars so this incentive will give them a little help during that period in the beginning. Once that period is over they will be in the regular rate structure.

Mr. Ott also explained no one is paying anything with that building empty so a grocery store with freezers, etc. will be paying into the City's electrical for many years.

Mr. David Kemm said he would like to commend Dan Brandt, Gabe Ramsey, Barbara Utlaut and Kirk Arends for being the only City Council members that are willing to help him as an individual. He feels all Council Members telephone numbers should be available so the public can get ahold of them.

Mr. Brian McCorkle told the Council he is here in regards to the detention facility that will be built across the road from his home. He has been to the Planning and Zoning Commission and spoken to Mike Morgan as well.

Mr. McCorkle explained the type of facility and why he and over one hundred other people who signed a petition do not want that facility in the planned location. He believes there may have been deals made under the table between someone and the current facility. The City is going to receive hundreds of acres so why couldn't they have kept two or three acres and built this facility at that location.

Mr. McCorkle explained the answer he was given at a previous Council meeting, "the government can do what they want", is not an answer. This is a democracy, people have rights and the City Council members are the representatives of the people of this town. He is asking for the Council's help and would like to know if anyone has reached out to the State to get answers.

Mayor Gooden said we have contacted the state and we are not getting any more information at this time.

Mr. Ott said he has called the State and they are aware of the concerns. He was told they are on schedule to build and he doesn't believe there is anything going to change it.

Mayor Gooden said the Council will continue to look into the issue.

Ms. Julie Schwetz of the Moving Marshall Forward group addressed the Council. Since the election, their group has been posting the good that is going on in this City. Upon watching people's reactions to these posts they have noticed people are sharing the bad that has been turned into good. After the election they sent a questionnaire to everyone on their mailing list asking what is most important to you as a citizen. The number one answer for everyone who responded was cleaning up this town.

Ms. Schwetz said back in November voters approved more money to be spent on that effort. She has been at every Council meeting patiently waiting for a plan, so she has two questions. The first question is what is the plan for how to spend that money and the second question is how can we help.

Mayor Gooden stated the money did not start coming in until June. We have received \$73,626 so far and that has gone into the General Fund to offset a \$600,000 deficit. We do have some

things coming up in the near future that people will be able to see. There is quite a process that we must go through before we can tear down a house or building.

Mr. Ott said we are trying to reorganize in the City, we do not have a City Administrator at this time, and we would like to get a top-notch City Administrator on board to help make some of these decisions and put some of these processes in place.

Council Member Hagedorn told the Council he is sorry to say this but part of the problem is our nuisance officer is writing tickets but the City's Municipal Court Judge is not dealing with those tickets the way they need to be dealt with so it's not doing any good to ticket them.

Council Member Brandt said there are some things going on that cannot be talked about right now but progress will be seen in the near future.

COMMITTEE REPORTS

PROPERTY, FINANCE, BUDGET & AUDIT COMMITTEE

Council Member Ron Ott reported budget worksheets have gone out to Department Heads and will be getting back to the Finance Department soon so that the budget can be put together. He and Mr. Ramsey will be meeting with the Finance Department to set expectations and make sure they get the information they need to approve a good budget.

COMMUNITY DEVELOPMENT AND CODE COMMITTEE

Council Member Guthrey reported 204 permits were issued for the month of June with a total construction value of \$1,811,251.00. Permit fees totaled \$14,470.10.

Council Member Reyes reported 24 nuisance violations for the month of June and 71 so far for the month of July; 67 citations were written for grass and weeds.

PUBLIC RELATIONS AND PUBLIC SAFETY COMMITTEE

No Report by Council Members Utlaut and Arends

MUNICIPAL SERVICES AND PERSONNEL COMMITTEE

curbside.

Council Member Brandt reported the Storm Water Tip of the Month encourages citizens to compost yard waste. Keep grass clippings out of ravines and waterways, where they will become unwanted fertilizer. We prefer that you compost it in your backyard but if you don't want to do that you can put it out

Mr. Brandt said at the Council meeting of June 6, 2016 the Council had tabled a bid from Forterra Pipe and Precast for a four foot by four foot precast box culvert. We are going to form and cast it ourselves.

On motion of Brandt, seconded by Hagedorn, the bid from Forterra Pipe and Precast was rejected.

Mr. Brandt reported Municipal Services had applied for a grant through West Central Missouri Solid Waste Management District's Region F grant program. We were awarded with a \$30,000 grant with the stipulation of a 15% price match, which amounts to \$4,500. We put that amount in our 2015-16 budget in case we were awarded the grant. The grant will provide funding for grinding large chunks of rock at the landfill into gravel or fill work for construction.

On motion of Brandt, seconded by Reyes, the stipulation of a 15% price match was accepted as a term for receiving grant funding through West Central Missouri Solid Waste Management District's Region F grant program.

MAYOR'S REPORT

Mayor Gooden reported the Council had received a recommendation for appointments submitted to him by the Library Board as follows:

Betty Stone (reappointment 3-year term) ó Term Expires 07/01/19

Allison Lucas (reappointment 3-year term) ó Term Expires 07/01/19

Lloyd Purdy (reappointment 3-year term) ó Term Expires 07/01/19

On motion of Brandt, seconded by Ramsey, the appointments were approved as recommended by the Library Board.

Mayor Gooden invited the public to attend a ribbon cutting ceremony and tour of the recently renovated terminal building at the Marshall Municipal Airport on Friday, July 22 at 10:00 a.m.

RECOMMENDATION OF THE PLANNING AND ZONING COMMISSION

Council Member Ramsey said the Planning and Zoning Commission conducted a meeting on Tuesday, July 12, 2016 regarding the following issue:

- A. To consider a request by Shirley Sumilang to amend Ordinance No. 7089 Planned Development 1997-2 Exhibit (A) Section (3) permitted use to include subsection (B) Day Care Center.
Property Description: Lot: Pt. of 2, Block: 35, Original Town Subdivision.
Also known as: 102 E. Washington Street, Marshall, Missouri.

Mayor Gooden indicated because of the time frame for advertising, the Council would need to set the hearing for August 15, 2015 at 6:00 p.m.

On motion of Ramsey, seconded by Brandt, the Council approved the date for the Public Hearing.

ORDINANCES

APPROPRIATION Ordinance No. 8309 entitled "AN ORDINANCE MAKING THE APPROPRIATION FOR THE PAYMENT OF ACCOUNTS OUT OF THE DIFFERENT CITY FUNDS" was read two times by title only and put to its final ayes and nays as follows: Hagedorn, Reyes, Ramsey, Ott, Utlaut, Guthrey and Brandt voting aye; Arends absent; the ordinance is thereupon declared passed and so endorsed by the President of the Council and approved by the Mayor.

Mayor Gooden asked if there was any other Council business, if not, he would entertain a motion to adjourn to Executive Session concerning legal actions, causes of action or litigation involving a public governmental body or its representatives and its attorneys; leasing, purchase or sale of real estate by a public governmental body. RSMo.610.021(1,)

Motion was made by Hagedorn, seconded by Reyes to adjourn to Executive Session. A roll call vote was taken with Brandt, Hagedorn, Reyes, Ramsey, Ott, Utlaut and Guthrey voting aye; Arends absent.

Motion carried and the meeting adjourned to Executive Session at 6:30 p.m.

Julie Lewis
City Clerk