

**SPECIAL SESSION
MARCH 23, 2016**

The City Council met in Special Session at 6:00 p.m., Wednesday, March 23, 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, Sheila Cook, Vince Lutterbie, Gabe Ramsey, Dan Brandt, Charles Guthrey, Tom Hagedorn and Ron Duvall; City Administrator Connie Latimer; City Counselor Josh Taylor and City Clerk Janet French.

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

Mayor Gooden stated the first item on the Agenda was mowing bids by the City Administrator.

City Administrator Connie Latimer stated that bids were opened a couple weeks ago for mowing. One bid that was opened was the low bid, but they failed to include their insurance and have still not provided it; so we have decided to move forward without his bid. We received three bids with the low bid received from Mike Baker, Mike's Mobile Maintenance - \$0.05 sq. ft, Page Lawn Care - \$0.10 sq.ft. (with no minimum; and Cortes Lawn Care - \$.10 sq. ft. (\$45.00 minimum). She noted that this property is the lots around town that we mow that other property owners won't mow in order to keep things looking better. It is the recommendation to accept the bid from Page Lawn of \$0.10 sq. ft. (with no minimum).

On motion of Lutterbie, seconded by Duvall, the Council accepted the bid from Page Lawn of \$0.10 sq. ft. (with no minimum).

Mayor Gooden stated that the reason we called this Special Session is to discuss the conveyance of the Marshall Habilitation Property to the City of Marshall. We need to make a decision right away, and we are not trying to cram it down, because we worked on it for a year and a half. The Council assigned the City Administrator to do the labor, and she has done that, but she will be on vacation during the time that we have to make a decision, so we called a Special Session for tonight.

Council Member Hagedorn said he thought that we had discussed this thing to death. He thought we should vote on it tonight, and he would like to put that in the form of a motion.

Motion seconded by Council Member Brandt.

Mayor Gooden asked if the Council had any questions or comments.

Council Member Lutterbie said that he had too many. He thought this was a bad idea, because we still have a week and a half, so are we going to have Christmas early

too. It doesn't matter, because we are still going to be here on April 4th either way. It gives us more time to make a good decision, and this is way too premature. It may be the same decision probably, but we will have more information and possibly will have talked to Senator Pierce.

Council Member Hagedorn said that we have tried to talk to them, but they won't talk to us and they are not going to put anything in writing for us.

Council Member Lutterbie said he was not talking about Senator Pierce writing something down, but he would like to get some information from Jefferson City how this is going to work.

Council Member Cook said she thought that Ms. Latimer had already gotten this information.

Council Member Lutterbie asked what we had gotten that he has not seen anything.

Council Member Brandt said that she had been down there with a lot of other people and met several times with Senator Pierce. It's not like we haven't talked to him.

Council Member Lutterbie said it hasn't answered any of his questions.

Council Member Brandt said we had questions that were brought up here that were given to Ms. Latimer to ask him. She went down there, the School Board went down there and the MSDC went down there. We have been talking to them for a year and a half. It is not like we haven't done anything.

Mayor Gooden asked the Clerk to give a roll call vote.

Council Member Cook asked for a clarification of what we are voting on.

Mayor Gooden said it was the conveyance of Marshall Habilitation Property to the City of Marshall.

Council Member Hagedorn asked if we were voting whether to vote on it or for the conveyance of the property.

Council Member Brandt told Council Member Hagedorn that it was his motion.

Council Member Hagedorn said his motion is that we do vote on it, and got a second to that so that is what we are voting on.

City Counselor Josh Taylor said that we needed to be sure what the vote is on, not for the conveyance of the property but whether to vote on it.

Council Member Hagedorn reiterated that his motion and the second was whether to vote on the issue.

Mayor Gooden asked the Clerk to give a roll call vote.

A roll call vote was given with Cook, Utlaut, Guthrey, Brandt, Hagedorn, Duvall and Ramsey voting aye; Lutterbie nay. Motion carried.

Council Member Hagedorn asked if he needed to make another motion to accept the property.

City Counselor Taylor said there should be a motion on the table with the opportunity for discussion.

Motion was made by Council Member Hagedorn, seconded by Council Member Guthrey to accept the conveyance of Marshall Habilitation Property to the City of Marshall.

Mayor Gooden asked for questions or comments on the issue

Members of the audience questioned about reports from the Zimmer Group regarding the feasibility of repurposing some of the buildings. Discussion also followed with a comparison of a similar situation in Nevada, Missouri.

Mr. Dave Schmidt, Ward IV, expressed his concerns over the maintenance and expense if the property is conveyed to the City.

Council Member Guthrey said the City is wanting to develop and disburse the property to other entities, short term maintenance like mowing the grass, of course, but not for long-term maintenance. At the conferences with the State, they are willing to help us tear down some of the buildings, and that is the process that we are going to have to go through. If we don't do it now, it is not going to be available to us later on. Once we get it, we have the opportunity to develop it the way we want. If we give it up for bid, there will be a lot of interest in the property.

Ms. Julie Schwetz asked about the terms and conditions with the State if the property is conveyed to the City.

Ms. Latimer said they are waiting for two buildings to be built, one for their Administration Building and one for their Crisis Unit. We would not take possession of it until the end of the year, so they will continue to maintain it, pay utilities, mow the grass, etc. until that time. That is why they are wanting to move forward with the conveyance of it, so they will know where they are in terms of whether or not they need to market it before they vacate the campus. She pointed out that keeping those two buildings here saves a lot of jobs in our community and is a benefit as well.

There were questions from the audience regarding help from the State for demolition of buildings.

Ms. Latimer said she had correspondence today with the State Department of Economic today, since she is going to be gone for a few days. They said we would meet with the State on the property and get figures on the demolitions and what needs to be taken care of out there and submit in our report.

Mr. Mike Mills said he was on the School Board and he would like to speak regarding the Spainhower Building. He said if they were to build a school somewhere else like the Spainhower Building, it would cost \$22 to \$25 million dollars. The conveyance of this property to the City is worth \$25 million dollars to the School System. He was also at the meeting with the Office of Administration when they discussed tearing down some of the buildings. It has obviously changed now, because it is with the State Department of Economic Development. They asked when we brought our plan to them for some ideas of in-kind work the City could do, and the School System along with the State, could take to the Legislators to show we are very interested in making this a campus for different things, and not just a ball field. They are very interested, and if it doesn't happen, he will be surprised. He just wanted to convey this from the School Board that this is worth a lot to us. They are in it right now and paying rent on it. He guesses the State will vacate next May or June, because he does not think that they can get all that built by the end of the year. This will give the Zimmer Group time to come up with ideas for the rest of the campus. Some of the buildings out there need to be torn down, but some are very sound, and the group homes are handicap accessible. There are a lot of things that can be developed out there besides the old buildings.

Ms. Latimer asked Mr. Mills if it would be helpful if the City makes a decision so the School Board can move forward with their plans for next year.

Mr. Mills said that if they do not get an answer soon the School District is going to spend money on other buildings. We promised the citizens of Marshall that we were going to fix up what we have and get rid of the trailers, and this is the best way to do it, but not the only way, so we need to keep moving forward. This is our Number 1 Plan right here, but we know that we do not have any control over it. If it isn't that way, we are going to keep educating our children, but it would make it a lot better for us if this would happen.

Mayor Gooden noted that the main reason the City is considering the conveyance is because of the School System. We know what an asset it would be for the School District and for our community.

Mr. Mills said that historically the City of Marshall has kept control of a lot of things. We own our own Utilities that we should be proud of. A few years ago we started the fiber optic loop around town. You hear in Kansas City and Overland Park that they are welcoming google fiber into their area and begging them to come. We've got that in Marshall, but we did it ourselves. We have our own electrical distribution system.

We have our own gas main from Pan Handle Eastern to Marshall. We don't know how many people realize that, but we used to have problems with customers being kicked off because of low pressure, so we built our own pipeline in. What I am trying to say is that when you have control over things, you have control over it, so if you go ahead and get that property conveyed to the City of Marshall, you will have control over it. If somebody buys it, you won't have any control over it. It is a selfish thing on my part as far as the School Board is concerned, but as a taxpayer, I would rather have control over it, than have someone else have control over it.

Council Member Brandt asked how many students the School Board anticipated the Spainhower Building would hold.

School Board Member Kathy Green said it depends what classes we decide to put out there.

Mr. Mills said they have 400 students in trailers now, and they would hope to cut that down to 100, and maybe do away with the trailers completely.

Ms. Green said the School can't make any plans other than we will have to pay rent on it for another half a year. We have been told it would be vacated by November or December.

Mr. Mills said if it is not conveyed to the City, then we will continue to rent it until after it is vacated and sold. He thanked the Council and said it has worked great and has been a good addition to their buildings.

Mayor Gooden thanked Mr. Mills and said he appreciated his information. He asked if anyone had any further questions or comments.

Mr. Dave Schmidt asked if the Lakes would go with the conveyance to the City. He further stated that he did not come here against it, he came here to learn more, and after listening to Mr. Mills, I think it is a good deal for us.

Council Member Brandt said to clarify, the Lakes would be ours, but the Missouri Department of Soils and Conservation would maintain them. This is an agreement they have with the Habilitation Center now.

Mr. Schmidt said the Lakes were a great asset to the City.

Council Member Brandt agreed they were an asset, but to maintain them costs money, and we do not want that expense.

An unidentified individual in the audience said he understood there were three cemeteries on the property, and he wondered who was going to maintain them if the property is conveyed.

Ms. Latimer said the City would be paid to maintain those whether the property is conveyed or not. If the property is conveyed, she intends to ask the State for payment to maintain those, because that is the State's responsibility to maintain those cemeteries, and she plans to have them put that in the contract that we get paid to maintain those. She noted that we take care of the one across the highway by the Bowl and don't get paid. We just take care of it, because nobody else does, and it needs to be.

Council Member Lutterbie said he had heard several times that other people were interested in this, but I have been in the closed sessions to talk about real estate, and I haven't heard who these people are.

Ms. Latimer said the State did not give names, so she does not know who they are.

Mayor Gooden reiterated that the State did not give any names.

Mr. Ron Ott said he thought this was critical for the City to move forward and for the School District to be pro-active in utilizing the Spainhower Building. I think we all agree that we want to support our schools. I also agree with what Council Member Guthrey said on Monday night if we let it go by it could be a lot worse than we could imagine, and so I am personally supportive of this. I would like to ask one question. Now that we have gotten to the point that we are going to vote on it tonight, what plans or master plan is in place to figure out what we are going to do with it? Has that been put in place or will that be done after the conveyance?

Council Member Brandt stated that we are working with the Zimmer Group, they are a developer, and the School District.

Mr. Ott said he assumed that the Zimmer Group did not come up with a laundry list and say this is what you are going to do with it.

Ms. Latimer and Members of the Council indicated they did not.

Mr. Ott thought the community and the Council should do that.

Council Member Guthrey said they would also need input from the School System as to what their needs ten, fifteen, twenty years down the road might be.

Mr. Ott said if everyone comes together, communicates, and actually has a stake in this, it will work out.

Members of the Council agreed that it would work with community involvement and cooperation.

Mayor Gooden said that we had a motion and a second for acceptance of the conveyance of the property.

Council Member Brandt asked for a clarification of the motion.

Mayor Gooden said that we had a motion on the table from Council Member Hagedorn, seconded by Council Member Guthrey, to accept the conveyance of the Marshall Habilitation Property to the City of Marshall.

Mayor Gooden asked for a roll call vote on the issue.

A roll call vote was given with Hagedorn, Duvall, Utlaut, Cook, Brandt, Ramsey and Guthrey voting aye; Lutterbie nay. Motion carried.

Mayor Gooden said that Council Member Ramsey would like to make a statement.

Council Member Ramsey said that he would like to be quoted "I voted yes and the reason I did in favor of accepting the Habilitation Center is that every resident in my Ward that made contact with me was in favor of our City taking control of this project." and I wanted to be on record that I followed the regard of the residents in my Ward.

Mayor Gooden said if there were no further questions or comments, or any other Council Business, that he would entertain a motion to adjourn.

On motion of Utlaut, seconded by Cook, the meeting adjourned at 6:30 p.m.

Janet French
City Clerk

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