

CITY COUNCIL MINUTES  
APRIL 15, 2014

The Council of the City of Fulton, Missouri, met in regular session on Tuesday, April 15, 2014, in the Council Chambers of City Hall located at 18 E. 4th Street. Present and presiding were LeRoy D. Benton, Mayor; William Johnson, Director of Administration; Carolyn L. Laswell, City Clerk; and Roger Rice, Deputy Police Chief. The meeting was called to order by Mayor Benton at 6:30 p.m. Roll call was taken by the City Clerk and members of the council present were Cannell; Chailland; Moore; Pace; Rehklau; Shiverdecker; Vaughn; and West. Also present were Matt Harline, Assistant to the Director of Administration; Les Hudson, Code Enforcement Officer; Michelle Frazee, Human Resource Director; Kathy Holschlag, Chief Financial Officer; J. C. Miller, Solid Waste Manager; Darrell Dunlap, Superintendent of Utilities; Dean Buffington, Fire Chief; Greg Hayes, City Engineer; Samantha Bedsworth, Purchasing Agent; Clay Caswell, Parks & Recreation Director; Pastor Bruce Williamson; Laura Griggs; Linda Gubera; Richard Rehklau; Joan Berry Morris; Don Limper; Susan West; Dean Asher, Reporter, for THE FULTON SUN; Darin Wernig, Audio/Video.

**INVOCATION:**

Invocation was given by Pastor Bruce Williamson.

Mayor Benton addressed the audit request from a citizen requesting a state audit. According to the FULTON SUN, a petition is being circulated to residents which would require the Missouri State Auditor to perform an audit of the City of Fulton. He assured the citizens of Fulton that his administration will cooperate fully with the Auditor if enough signatures are obtained. However, he is very concerned about the cost of the audit. If any citizens have any concerns regarding this issue, please put them in a sealed envelope and leave with the City Clerk at City Hall, or mail them to the Mayor, or e-mail Mayor Benton at [mayor@fultonmo.org](mailto:mayor@fultonmo.org).

**COMMENTS FROM VISITORS:**

Mayor Benton asked if there was anyone present who wished to address the council that was not listed on tonight's agenda to please come to the podium and state their name, address and area of concern.

Joan Berry Morris, 802 Westover, said she was opposed to the Landlord being responsible for the Renter's utilities.

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Linda Gubera, Wentzville, Missouri, said she is a landlord in Fulton and voiced her concerns in protest of holding the Landlord responsible for the renter's utilities. She went on to tell how much money she has paid in taxes and utilities in the past twenty-five years and she didn't feel it was fair for her as a landlord to pay any more.

Don Limper, 5534 Red Creek Court, said it was immoral to hold an innocent party to pay for someone else's debt - completely irresponsible.

**MINUTES:**

The Council Meeting Minutes for March 25, 2014 were presented for approval.

Motion was offered by Councilman Cannell and seconded by Councilman Chailland that minutes for March 25, 2014 be approved as presented. Motion carried with all eight members of the council voting in favor.

**UNFINISHED BUSINESS:**

a) Landlord Utility Liability.

Mayor Benton thanked the visitors at this meeting for their comments on landlords vs. renter's delinquent utility bills. The city is still studying options and nothing has been decided upon but the issue of landlord's being responsible for the renter's delinquent bills will not be reviewed any further at this time.

**RESOLUTIONS:**

Resolution 3210 was presented and read by Councilman Chailland.

RESOLUTION 3210 - A Resolution certifying the votes cast in the Municipal Election held on April 8, 2014 (Copy is included in the official Resolution Book).

Motion was offered by Councilman Chailland and seconded by Councilman Vaughn to adopt Resolution 3210 at this council meeting. Motion carried with all eight members of the council voting in favor.

**ORDINANCES:**

Bill No. 1401 was presented for third reading by Councilman Shiverdecker.

BILL NO. 1401 - An Ordinance declaring City Property to be Surplus Property, authorizing its sale, and establishing an effective date (Copy is included in the official Ordinance Book).

Motion was offered by Councilman Shiverdecker and seconded by Councilman Moore to place Bill No. 1401 for final passage at this council meeting. Motion carried with all eight members of the council voting in favor.

Roll call vote of members of the council were as follows: Cannell, yes; Chailland, yes; Moore, yes; Pace, yes; Rehklau, yes; Shiverdecker, yes; Vaughn, yes; and West, yes. Bill No. 1401 having received the affirmative vote of all eight members of the council, was declared passed by the President of the Council.

Mayor Benton recessed the council at 7:06 p.m. and reconvened at 7:15 p.m.

Present Council and Newly Elected Council pictures were taken at this time.

**NEW COUNCIL**

**OATH OF OFFICE:**

The City Clerk issued the Oath of Office to the newly elected members of the council:

First Ward - Mike West  
Second Ward - Mary Rehklau  
Third Ward - Lindsey Pace  
Fourth Ward - Steve Moore

**RULES OF ORDER AND PROCEDURES:**

The council was presented the Council Rules of Order and Procedures for adoption at this council meeting.

Councilman Chailland and Councilman West asked to have the order of meeting changed in order to have the visitors requests earlier in the meeting. This way, they would not have to wait as long into the meeting before their request was heard by the council.

After much discussion, motion was offered by Councilman Cannel and seconded by Councilman Vaughn to table the adoption of the Council Rules of Order and Procedures at tonight's meeting. Motion carried with all eight members of the council voting in favor.

**ELECTION OF DEPUTY MAYOR:**

Mayor Benton called for nominations for the position of Deputy Mayor for the ensuing term.

The nomination of Councilman West was offered by Councilman Chailland and seconded by Councilman Cannell.

Motion was offered by Councilman Chailland and seconded by Councilman Cannell to close nominations for Deputy Mayor. Motion carried with all eight members of the council voting in favor.

Councilman West was elected Deputy Mayor by acclamation.

**NEW BUSINESS:**

a) Request received from Laura Griggs, Executive Director of Faith Maternity Care, asking permission to hold their Annual "Diaper Dash", 5k on the Stinson Trail at Memorial Park on Saturday, September 13<sup>th</sup>, 2014 at 8:00 a.m. to 12:00 Noon.

After some discussion, motion was offered by Councilman West and seconded by Councilwoman Rehklau to grant this request as presented. Motion carried with all eight members of the council voting in favor.

b) Discussion on Asphaltting County Road 304 by the Airport with the County.

Bill Johnson and Greg Hayes said the County plans on asphaltting County Road 304 only just past the entrance to the airport. They are asking the city if they might consider paving from the city limits to the airport, if the city splits the cost with them. The cost to the city

would be approximately \$42,000. Then, does the city want to lay asphalt from Route F on West to the city limits on County Road 304. The estimated cost to the city would be \$25,000. Mayor Benton and Mr. Johnson drove the entire road and other than a couple of soft spots that need patched, the road appears to be pretty good.

Greg Hayes, City Engineer, asked the council what was their pleasure on this issue.

After some discussion, motion was offered by Councilman Vaughn and seconded by Councilman Shiverdecker to decline the county's offer for assistance in asphaltting County Road 304. Motion carried with all eight members of the council voting in favor.

- c) Discussion on needing a motion to authorize the City to sign a Letter of Support to MoDot on the 7<sup>th</sup> Street Bridge.

Greg Hayes referred to the Letter of Recommendation from SKW for JC Industries, Jefferson City, Missouri, the low bidder and proposed contractor for the 7<sup>th</sup> Street Bridge project in the amount of \$647,776.76.

He asked for permission from the council to authorize a required letter to MoDot.

After some discussion, motion was offered by Councilman Chailland and seconded by Councilman Shiverdecker to authorize this letter to MoDot as requested. Motion carried with six members of the council voting in favor and two members (Rehklau and West) voting against.

- d) Splash-pad Discussion.

Clay Caswell, Parks & Recreation Director, said that Athco, Inc., has been very slow in responding to the city's requests for additional information. They were asked to have some information for this council packet. Hopefully, something will be received for the next regularly scheduled council packet.

It was suggested that Clay obtain some information from a second vendor, and then compare the costs and designs by the next meeting.

- e) City Employee Parks & Recreation City Discount.

Based upon employee requests, the Parks & Recreation Department proposed to offer discounts to the City of Fulton employees and their immediate family members.

Clay referred to a hand-out that was given to the councilmembers.

Much discussion followed with many suggestions and amendments. Mayor Benton said he would have Clay and Michelle (Human Resources) write a new policy with tonight's suggestions, to bring back to the council for further review.

f) Update on the New Warehouse.

Greg Hayes went over the Design Development Estimated Project Budget with the council which was included in the packet. He asked the council to review it and if they had any questions, check with Greg, Darrell or Bill Johnson.

g) Update on the new Animal Shelter.

Greg reported he has received the engineering plans, will start advertising for bids the second week in May, and commence construction within the next two-three weeks.

h) Update on the Hail Storm.

Matt Harline, Assistant to the Director of Administration, said the city has about thirty vehicles with hail damage, and seventeen buildings, 13 shelters, and thirty roofs (all city property). The city has a \$2500 deductible with MIRMA.

i) Update on City-wide Spring Clean-up.

On the city-wide Clean-Sweep, J. C. Miller, Solid Waste Manager, said the amount of re-cycling collected is at forty tons. Saturday City-wide Sweep for 2014 collected 2100 pounds of Trash; Household Hazardous Waste had seventy-six cars go through the fire station and five gallons of drugs were collected.

j) Update on the Smart Grid.

Darrell Dunlap, Superintendent of Utilities, on behalf of the City of

Fulton, accepted the RP3 Award in Oklahoma City. Fulton is the eighth municipality in Missouri to receive this award in a ten year period and Fulton has been recognized as one of the most reliable sources of electricity in the nation.

Darrell reported that beginning last week, the new electric meters are being installed by city crews and representatives from Tantalus.

**RESOLUTIONS:**

Resolution 3211 was presented and read by Councilman West.

RESOLUTION 3211 - a Resolution Authorizing the Mayor, on behalf of the City of Fulton, to enter into a Merchant's Agreement and sign all necessary documents for Professional Services in relation to a Debit/Credit Card System, with Central Bank, Jefferson City, Missouri, and establishing an effective date (Copy is included in the official Resolution Book).

Motion was offered by Councilman West and seconded by Councilwoman Rehklau to adopt Resolution 3211 at this council meeting. Motion carried with all eight members of the council voting in favor.

**ORDINANCES:**

Bill No. 1402 was presented for First Reading by Councilman Vaughn.

Bill No. 1402 - An Ordinance Authorizing the Mayor, on behalf of the City of Fulton, Missouri, to declare a tract of land commonly known as the Rock Barn and 7.96 Acres, located at State Road O, Fulton, Missouri, to be Surplus Property, authorizing its sale, and establishing an effective date.

Motion was offered by Councilman Vaughn and seconded by Councilman Moore to place Bill No. 1402 for second reading at the next regularly scheduled council meeting. Motion carried with all eight members of the council voting in favor.

**APPOINTMENTS:**

There were no appointments to be presented at this council meeting.

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**ANNOUNCEMENTS:**

A reminder was given of the Mayor's Prayer Breakfast on Thursday, May 1st at 6:30 a.m. in the Fulton Senior Center.

The MML Central Region Meeting will be held on Wednesday, May 28<sup>th</sup> in Centralia. If interested in attending, please contact Bill Johnson or the city clerk.

Councilman Shiverdecker reminded everyone of the Star Energy Green Sales Tax Free Sale on Saturday, April 25<sup>th</sup>.

Councilman Vaughn and Clay Caswell have been working on the 2014 Military Appreciation Events for National Military Appreciation Month at Tanglewood Golf Course. This is being held in honor for all active and former military personnel, who can golf for \$20 anytime during the month of May. Also being held is the Salute to our Serviceman Summer Deal, which consists of a round of golf, cart, free hot dog, chips and a drink for \$25. This event will be held every Tuesday in June, July and August for all active and former military personnel.

**EXECUTIVE SESSION:**

Mayor Benton said there was no need for an executive session at this council meeting.

**ADJOURNMENT:**

There being no further business to come before the council, motion was offered by Councilman West and seconded by Councilman Chailland to adjourn this meeting. Motion carried with all eight members of the council voting in favor and the meeting adjourned at 8:45 p.m.

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LeRoy D. Benton, Mayor

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Carolyn L. Laswell, CMC/MRCC  
City Clerk