

**CITY COUNCIL MINUTES  
MAY 10, 2016**

The Council of the City of Fulton, Missouri, met in Regular Session on Tuesday, May 10, 2016, in the Council Chambers of City Hall located at 18 E. 4th Street. Present and presiding were: LeRoy D. Benton, Mayor; William R. Johnson, Director of Administration; Courtney Crowson, City Clerk; and Steve Myers, Chief of Police. 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; Gray; Moore; Vaughn; and West. Absent were Councilmembers Rehklau and Shiverdecker. Also present were Kyle Bruemmer, Interim City Engineer; Les Hudson, Planning & Protective Services Director; Todd Farley, Fire Chief; Clay Caswell, Parks & Recreation Director; J.C. Miller, Solid Waste Manager; Rob Barnes, Assistant Director of Administration; Samantha Bedsworth, Purchasing Agent; Michelle Maupin, Human Resources Director; Pastor Bruce Williamson; Jenny Gray, Gerry Tritz, Reporter for THE FULTON SUN, Mike Haldeman and Darin Wernig, Audio/Video.

**INVOCATION:**

Invocation was given by Pastor Williamson.

**COMMENTS FROM VISITORS:**

Mayor Benton asked any attendees not listed on tonight's agenda, but whom wished to address the Council, to please come to the podium, state their name, address and area of concern, and to keep comments under five (5) minutes. There were none.

Mayor Benton asked Jenny Gray, the new editor for THE FULTON SUN, to come forward and introduce herself.

**PUBLIC HEARINGS:**

Mayor Benton said there would be two Public Hearing at tonight's council meeting.

- a. To consider the proposed annexation into the city limits of Fulton the following tract of land described as follows:
  - i. The West part of Lot Two (2) of Townsend's Subdivision of a part of the Southwest Quarter of Section Eighteen (18), Township Forty-seven (47) North, Range Nine (9) West, as recorded in the office of the Recorder of Callaway County in Plat Book No. 3 at page 46, described as follows: Beginning on the South line of Lot Two (2), 858.00 feet West of the Northeast corner of Lot Three (3); thence West along the South line of Lot Two (2) to the Southwest corner thereof; thence to the Northwest corner of said Lot Two (2); thence Northeasterly along Northerly line of said lot Two (2), 359.00 feet; thence South 479 feet to the point of beginning. EXCEPT Part of Lot Two (2) of Townsend's Subdivision of a part of the Southwest Quarter of Section Eighteen (18), Township Forty-seven (47) North, Range Nine (9) West, as recorded in the office of the Recorder of Callaway County in Plat Book No. 3 at page 46, described as follows: Commencing at the Southwest corner of said Lot 2; thence along the South line of said Lot 2, East 338 feet to a point; thence North 180 feet; thence West to the Westerly line of said Lot 2; thence Southeasterly along the West line of said Lot 2 to the point of beginning.

Mayor Benton declared this hearing open at 6:35 p.m. There were three calls for anyone wishing to speak in opposition of the matter being considered.

First Call: Is there anyone present who wishes to speak in opposition of this proposed matter? There were none.

Second Call: Is there anyone present who wishes to speak in opposition of this proposed matter? There were none.

Third and Final Call: Is there anyone present who wishes to speak in opposition of this proposed matter? There were none.

There were three calls for anyone wishing to speak in favor of the matter being considered.

First Call: Is there anyone present who wishes to speak in favor of this proposed matter? There were none.

Second Call: Is there anyone present who wishes to speak in favor of this proposed matter? There were none.

Third and Final Call: Is there anyone present who wishes to speak in favor of this proposed matter? There were none.

Mayor Benton declared this Public Hearing closed at 6:37 p.m.

- b. To consider the proposed annexation into the city limits of Fulton the following tract of land described as follows:
  - i. The Part of the following described tract of land lying within Section Three (3), Township 47 North, Range 9 West: The South Half of the Southwest Quarter of Section Three (3), and all that part of the Northwest Quarter of Section Ten (10) that lies North and Northwest of the Middle of the St. Louis Road, all in Township Forty-seven (47) North, Range Nine (9) West. \*Exceptions. \*Full legal description available for review from the City Clerk.

Mayor Benton declared this hearing open at 6:38 p.m. There were three calls for anyone wishing to speak in opposition of the matter being considered.

First Call: Is there anyone present who wishes to speak in opposition of this proposed matter? There were none.

Second Call: Is there anyone present who wishes to speak in opposition of this proposed matter? There were none.

Third and Final Call: Is there anyone present who wishes to speak in opposition of this proposed matter? There were none.

There were three calls for anyone wishing to speak in favor of the matter being considered.

First Call: Is there anyone present who wishes to speak in favor of this proposed matter? Rob Barnes, Assistant Director of Administration came forward. Barnes informed the Council of his intentions to purchase this piece of property to build a home in order to fulfill his position's requirement to live within the city limits. Barnes noted there is no expectation of road improvements leading to the property, and stated he will absorb the cost to run utilities to the property when the time arises for such a need. Much discussion followed.

Second Call: Is there anyone present who wishes to speak in favor of this proposed matter? There were none.

Third and Final Call: Is there anyone present who wishes to speak in favor of this proposed matter? There were none.

Mayor Benton declared this Public Hearing closed at 6:47 p.m.

**UNFINISHED BUSINESS:**

- a. Further discussion on the Whiskey Wild Building (516 Market St.)

Director of Administration, Bill Johnson, said there had been no further interest since the council's last discussion on the property.

Following some discussion by the council, motion was offered by Councilman Cannell and seconded by Councilman Chailland to have the property demolished. Motion carried with six members of the council voting in favor, and two members (Rehklau, Shiverdecker) absent.

Johnson noted the demolition would be bid out through the standard process. Councilman Vaughn said he would like to see discussion with the Callaway Chamber of Commerce to see what can be developed in the area following the demolition.

- b. Update on the Sewer Metering Project.

Interim City Engineer, Kyle Bruemmer, gave an overview of the current status of the Inflow & Infiltration Study. Graphs provided to the council show an instant inflow into the sanitary sewer system following a one inch (1") rainfall. Much discussion followed.

**NEW BUSINESS:**

- a. MoDOT STP Fund discussion.

Bruemmer stated that annually, the City of Fulton receives nearly \$40,000 from MoDOT to be used for roads, bridges, etc. MoDOT is currently in the process of reviewing this funding and is likely to discontinue its issuance in the future.

Johnson noted that this will be an “all or nothing” decision, meaning funding will either continue or discontinue completely. If a decision is reached by MoDOT to discontinue, funding will still be in place for two more years.

- b. Review of the Right of Way Permit application and guidelines.

Bruemmer gave a brief overview of the updated Right of Way permit application and guidelines. So that the council may have time to further review these documents, the approval of the permit and guidelines will be placed on the agenda for the next regularly scheduled meeting.

**COUNCIL CONCERNS:**

Mayor Benton stated he will recognize each member of the council in order to reduce multiple members speaking simultaneously.

Councilman Moore stated he would like to revise the ordinance on commercial parking lot guidelines and is concerned with speeding in the McDonalds parking lot. Mayor Benton asked Councilman Moore to address this topic at the next Traffic Commission meeting for further review.

Councilman Moore also expressed concerns regarding the lack of street lights at Cardinal Drive and William Woods Avenue.

Councilman West expressed a desire to bring all City street lights to LED in hopes to improve lighting and extend the life of the bulbs. Mayor Benton stated he would address this topic with the Public Utility Board.

**RESOLUTIONS:**

Resolution No. 3254 was presented by Councilman Vaughn.

- a. Resolution No. 3254: A Resolution authorizing the Mayor, on behalf of the City of Fulton, Missouri, to sign all necessary documents in relation to the Amendment to the Allied Waste Services Disposal Agreement.

Motion was offered by Councilman Vaughn and seconded by Councilman Moore to adopt Resolution No. 3254 as presented. Motion carried with six members of the council voting in favor, and two members (Rehklau, Shiverdecker) absent.

**ORDINANCES:**

Bill No. 1449 was presented for First Reading by Councilman Moore.

- a. Bill No. 1449: An Ordinance incorporating certain territory known as 4978 County Road 304 into the corporate limits of the City of Fulton, Missouri, establishing an initial zoning, and establishing an effective date.

Motion was offered by Councilman Moore and seconded by Councilman West to place Bill No. 1449 for Second Reading at the next regularly scheduled council meeting. Motion carried with six members of the

council voting in favor, and two members (Rehklau, Shiverdecker) absent.

Bill No. 1450 was presented for First Reading by Councilman Chailland.

- b. Bill No. 1450: An Ordinance incorporating certain territory, as requested by H.L.W. Builders Inc., into the corporate limits of the City of Fulton, Missouri, establishing an initial zoning, and establishing an effective date.

Motion was offered by Councilman Chailland and seconded by Councilman Vaughn to place Bill No. 1450 for Second Reading at the next regularly scheduled council meeting. Motion carried with six members of the council voting in favor, and two members (Rehklau, Shiverdecker) absent.

Bill No. 1448 was presented for Second Reading by Councilman Cannell.

- a. Bill No. 1448: An Ordinance providing for submission of a proposal to continue application and collection of the local sales tax on the titling of motor vehicles, trailers, boats, and outboard motors that were purchased from a source other than a licensed Missouri dealer to the qualified voters of the City for their Approval at the Primary Election to be held August 2, 2016.

Motion was offered by Councilman Cannell and seconded by Councilwoman Moore to place Bill No. 1448 for Third Reading at tonight's council meeting. Motion carried with six members of the council voting in favor, and two members (Rehklau, Shiverdecker) absent.

Bill No. 1448 was presented for Third Reading by Councilman Cannell.

Motion was offered by Councilman Cannell and seconded by Councilman West to place Bill No. 1448 for Final Passage at tonight's council meeting. Motion carried with six members of the council voting in favor, and two members (Rehklau, Shiverdecker) absent.

Roll call vote of the members of the council was as follows: Chailland, YES; Gray, YES; Moore, YES; Vaughn, YES; West, YES; Cannell, YES. Bill No. 1448, having received the affirmative vote of six members of the council, was declared passed by the President of the Council.

#### **APPOINTMENTS:**

Mayor Benton said he did not have any appointments to be presented at this council meeting.

#### **ANNOUNCEMENTS:**

- a. The 2016 MML Elected Officials Training Conference will be held in Columbia on June 9<sup>th</sup> & 10<sup>th</sup>. Councilmembers who wish to attend must notify the City Clerk by Tuesday, May 10<sup>th</sup>.
- b. The annual City Employee Picnic will be held Friday, May 13, 2016.
- c. The City of Moberly will host the next MML Central Division Meeting on Wednesday, June 1,

2016, at 6:00 p.m. Councilmembers who wish to attend must notify the City Clerk by Tuesday, May 24<sup>th</sup>.

Bill Johnson informed the council that a tour of the nuclear plant will be organized and presented a list of possible dates. Following some discussion, the council chose June 17, 2016. Further information will be sent to the council as it becomes available.

Johnson also noted the City Surplus Sale will be held on Saturday, June 11, 2016 at 9:00 a.m. at the old warehouse location (Red Barn).

**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 the meeting. Motion carried with six members of the council voting in favor, and two members (Rehklau, Shiverdecker) absent. The meeting adjourned at 7:43 p.m.

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LeRoy D. Benton  
Mayor

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Courtney Crowson  
City Clerk