

CITY COUNCIL MINUTES  
JULY 22, 2014

The Council of the City of Fulton, Missouri, met in regular session on Tuesday, July 22, 2014, 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; Carolyn L. Laswell, 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; Pace-Snook; Rehklau; Shiverdecker; Vaughn; and West. Absent was Councilman Moore. Also present were Les Hudson, Code Enforcement; Darrell Dunlap, Superintendent of Utilities; Kathy Holschlag, Chief Financial Officer; Greg Hayes, City Engineer; Dean Buffington, Fire Chief; Michelle Frazee, Human Resources Director; J. C. Miller, Solid Waste Manager; Clay Caswell, Parks and Recreation Director; Samantha Bedsworth, Purchasing Agent; Pastor Bruce Williamson; Steve Smith; Kelly Schwartz; Karen Pullen; Nicholas A. Pullen; Kim Barnes; Brittany Ruess, reporter for THE FULTON SUN; Mike Haldeman and Darin Wernig, Audio/Video.

**INVOCATION:**

Invocation was given by Pastor Bruce Williamson.

**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. There were none.

Mayor Benton said there was a need to amend this evening's agenda by adding under 8. New Business. d) Request from the Brick District and under 11. Ordinances (b) Bill No. 1406, Fixing the Tax Rate Levy for 2014.

Motion was offered by Councilman Cannell and seconded by Councilwoman Rehklau to amend the agenda as proposed by Mayor Benton. Motion carried with seven members of the council voting in favor and one member (Moore) absent.

**MINUTES:**

The council meeting minutes for June 24th, 2014 were presented for approval at this council meeting.

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Motion was offered by Councilman Chailland and seconded by Councilman Vaughn that council meeting minutes for June 24th, 2014 be approved as presented. Motion carried with seven members of the council voting in favor and one councilman (Moore) absent.

The council meeting minutes for July 8th, 2014 were presented for approval at this council meeting.

Motion was offered by Councilman Chailland and seconded by Councilman West that council meeting minutes for July 8<sup>th</sup>, 2014 be approved as presented. Motion carried with seven members of the council voting in favor and one councilmember (Moore) absent.

**FINANCIALS:**

Financials for June were presented for approval and Kathy Holschlag, Chief Financial Officer, was present to answer any questions from the council.

Kathy Holschlag reported that sales tax revenues are 8% ahead of the same period in 2013.

After some discussion and review, motion was offered by Councilman West and seconded by Councilwoman Rehklau to accept the Financial Statements for the month of June as presented. Motion carried with seven members of the council voting in favor and one councilmember (Moore) absent.

**DIRECTOR OF ADMINISTRATION REPORT FOR JUNE:**

The Director of Administration Report for June was presented to the council for review. Bill Johnson said he or any of the department heads at this meeting would answer any questions from the council.

Upon review, motion was offered by Councilman West and seconded by Councilman Chailland to accept the Director of Administration Report for June as presented. Motion carried with seven members of the council voting in favor and one councilmember (Moore) absent.

**NEW BUSINESS:**

- a) Review & Acceptance of the 201 Audit with Steve Smith,

Williams-Keepers of Columbia, MO.

Steve Smith reviewed the audit with the council and gave explanations accordingly.

After some discussion, motion was offered by Councilman West and seconded by Councilman Chailland to accept the 2013 Audit. Motion carried with seven members of the council voting in favor and one member (Moore) absent.

- b) Discussion & Permission needed on the request received from the Chairman of the Callaway CROP Hunger Walk, asking permission to hold the 44<sup>th</sup> Annual Walk on Sunday, October 12<sup>th</sup>, 2014 at 1:30 p.m. (no law enforcement assistance will be needed).

After some discussion, motion was offered by Councilman Chailland and seconded by Councilman Shiverdecker to approve this request as presented. Motion carried with seven members of the council voting in favor and one member (Moore) absent.

- c) Review the current Fireworks Ordinance.

Steve Myers, Police Chief and Dean Buffington, Fire Chief, said the current ordinance is working, as they have many less calls and complaints now than before, and think the City of Fulton is in the middle of the road as far as ordinances on fireworks working within their own community throughout the state.

- d) Discussion & Permission needed on the request received from the Brick District for September 11<sup>th</sup>, 2014.

The Brick District Board is planning an event on September 11<sup>th</sup> to welcome Westminster and William Woods students. They would like to close Court Street from 5<sup>th</sup> to 6<sup>th</sup> Streets from 2:00 p.m. - 8:30 p.m.

After some discussion, motion was offered by Councilman Chailland and seconded by Councilwoman Pace-Snook to approve this request as presented. Motion carried with seven members of the council voting in favor and one member (Moore) absent.

**UNFINISHED BUSINESS:**

a) Update on the Splash-pad.

Clay Caswell, Parks & Recreation Director, said the parts are scheduled to arrive by August 1<sup>st</sup>. Weather permitting, citizens should see a busy construction site in the next few weeks.

b) Update on the Animal Shelter.

Greg Hayes said the windows and doors are up and the side walls should be put in place within the next week.

c) Update on the new Warehouse Facility.

Greg Hayes said the scraper has been leased for one more month to finish the dirt work. Site plans are set to be sent to the engineers; advertizing for bid the end of July; the pre-bid conference is set for August 13th with the opening of the bids on September 11<sup>th</sup>.

d) Update on the 7<sup>th</sup> Street Bridge Project.

The constructions crews are currently working on the bridge. Greg said the current plan for the bridge is to be open for student traffic on August 12<sup>th</sup>.

e) Update on the Sewer Plant.

The city is in the thirty day waiting period for the variance and should have the contract to the council in August. The city is still on the fundable list for the State Revolving Loan.

Councilman Vaughn said the 5<sup>th</sup> Street business owners thought the city was going to send them a letter to set up a meeting time to discuss the storm water issue on 5<sup>th</sup> Street.

Councilman Vaughn also asked about the white lights in the downtown area and he was informed that this issue will be presented to the Utility Board for a recommendation to the council.

**RESOLUTIONS:**

Councilman Vaughn presented and read Resolution 3215.

- a) RESOLUTION 3215 - A Resolution to show support of the City Council of the City of Fulton, Missouri, for Governor Nixon's veto of Bills SB 584, SB 693, SB 662, SB 612, SB 829, SB 727 and HB 1455 which would have significantly diminished voter-approved Municipal Sales Tax Revenues, forcing cuts to essential local services for the residents of Fulton.

Motion was offered by Councilman Vaughn and seconded by Councilman Shiverdecker to adopt Resolution 3215 at tonight's council meeting.

Motion was offered by Councilman West and seconded by Councilman Chailland to Table Resolution 3215 at tonight's council meeting. Motion carried with five members of the council voting in favor, two councilmembers (Vaughn and Rehklaue) voting against, and one member (Moore) absent.

- b) RESOLUTION 3216 - A Resolution Authorizing the Mayor, on behalf of the City of Fulton, Missouri, to Execute a Commercial Lease Agreement with the Fulton Area Development Corporation, d/b/a Show Me Innovation Center, for the lease of a structure known as the Old Police Station, 510 Market Street, Fulton, Missouri, for a term of five years in the amount of One Dollar (\$1.00) per year, and establishing an effective date (Copy is included in the official Resolution Book).

Motion was offered by Councilman Vaughn and seconded by Councilman Chailland to adopt Resolution 3216 at tonight's council meeting. Motion carried with seven members of the council voting in favor and one member (Moore) absent.

Resolution 3217 was presented and read by Councilman Chailland.

- c) RESOLUTION 3217 - A Resolution Authorizing the Mayor, on behalf of the City of Fulton, Missouri, to Execute a Contract with APAC of Missouri, Inc., in the main bid amount of \$452,457.60 for the 2014 Asphalt Overlay Project (Copy is included in the official Resolution Book).

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Motion was offered by Councilman Chailland and seconded by Councilman Shiverdecker to adopt Resolution 3217 at tonight's council meeting. Motion carried with seven members of the council voting in favor and one member (Moore) absent.

**ORDINANCES:**

Councilwoman Pace-Snook presented Bill No. 1406 for First Reading.

- a) BILL NO. 1406 - An Ordinance Fixing the Tax Rate and Levying Taxes for the Calendar Year 2014 on all Taxable Property in the City of Fulton, Missouri, and establishing an effective date.

Motion was offered by Councilwoman Pace-Snook and seconded by Councilman West to place Bill No. 1406 for Second Reading at the next regularly scheduled council meeting. Motion carried with seven members of the council voting in favor and one member (Moore) absent.

Councilman Shiverdecker presented Bill No. 1405 for Third Reading.

- b) BILL NO. 1405 - An Ordinance Authorizing the Mayor, on behalf of the City of Fulton, to declare the Westminster Water Tower located in the City of Fulton, County of Callaway, State of Missouri, 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 Chailland to place Bill No. 1405 for final passage at tonight's council meeting. Motion carried with seven members of the council voting in favor and one member (Moore) absent.

Roll call vote of members of the council were as follows: Chailland, yes; Shiverdecker, yes; Pace-Snook, yes; Rehklau, yes; Vaughn, yes; West, yes; and Cannell, yes. Bill No. 1405 having received the affirmative vote of seven members of the council and one member (Moore) absent, was declared passed by the President of the Council.

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**APPOINTMENTS:**

Mayor Benton presented two re-appointments, Charlie James to the Utility Board and Crystal Braxton Morris to the Housing Authority, to the council for approval.

Motion was offered by Councilman Shiverdecker and seconded by Councilman Vaughn to approve these appointments as presented. Motion carried with seven members of the council voting in favor and one member (Moore) absent.

**ANNOUNCEMENTS:**

Mayor Benton said that Senators Kehoe's assistant will be in Fulton tomorrow morning at 11:00 a.m.

**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 Chailland and seconded by Councilman Shiverdecker to adjourn this meeting. Motion carried with seven members of the council voting in favor, one member (Moore) absent, and the meeting adjourned at 8:00 p.m.

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LeRoy D. Benton, Mayor

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Carolyn L. Laswell, CMC/MRCC  
City Clerk