

**CITY COUNCIL MINUTES
AUGUST 9, 2016**

The Council of the City of Fulton, Missouri, met in regular session on Tuesday, August 9, 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 6:45 p.m. Roll call was taken by the City Clerk, and members of the council present were: Chailland; Gray; Moore; Rehklau; Shiverdecker; and Vaughn. Absent were Councilmembers Cannell and West. Also present were: Kathy Holschlag, Chief Financial Officer; Darrell Dunlap, Superintendent of Utilities; 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; Michelle Maupin, Human Resources Director; Nikki Hartley, Sandy Corbet, Larry Doyle Jr., Glenn Price Jr., Debbie LaRue, Jenny Gray of THE FULTON SUN; Pastor Bruce Williamson; Mike Haldeman and Darin Wernig, Audio/Video.

INVOCATION:

Invocation was given by Pastor Williamson.

Councilman Cannell arrived at 6:34.

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. A digital timer was administered and monitored by the City Clerk.

There were none.

PUBLIC HEARING:

Mayor Benton noted there would be one Public Hearing at tonight's council meeting.

- a. For the purpose of certifying the rate of levy for property taxes for the 2016 tax year within the City of Fulton.

Mayor Benton declared this hearing open at 6:36 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 matter? There were none.

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

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

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

Third and Final Call: Is there anyone present who wishes to speak in favor of this matter? There were none. Mayor Benton declared this Public Hearing closed at 6:38 p.m.

UNFINISHED BUSINESS:

- a. Asphalt Overlay update.

Interim City Engineer, Kyle Bruemmer noted that Christensen Construction submitted the lowest bid, but was nearly \$85,000 over the city's budgeted amount. Bruemmer reviewed a modified overlay list with the council, and Bill Johnson, Director of Administration, noted Christensen agreed to honor their bid in spite of the reductions.

- b. Sewer Plant update.

Superintendent of Utilities, Darrell Dunlap reported a flood in the sewer plant due to the recent heavy rains. Dunlap stated there had been no damage and thanked the Fulton Fire Department for their assistance with the flooding issue. Dunlap also reported that rotor #1 had broken but has since been replaced, and a contractor meeting will take place tomorrow to discuss the project timeline. Dunlap estimated the contractor to be a month or more behind.

NEW BUSINESS:

- a. Debbie LaRue of the Brick District Board will be present to request permission for the "Brick Blast" event to be held on Thursday, September 8, 2016.

LaRue provided an overview of the event – aimed to welcome students from William Woods University and Westminster College back to Fulton. LaRue noted the event will take place from 4:00 p.m. to 7:00 p.m. and had discussed street closures with Chief Myers.

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

- b. Nikki Hartley of the Callaway County Humane Society was present to request permission for the "3rd Annual Dog Jog" on Saturday, September 17, 2016.

Hartley informed the council that the Dog Jog is an annual fundraiser for the Humane Society that assists with animal needs and costs throughout the year.

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

- c. Rob Barnes, Assistant Director of Administration, provided an update on the recent flooding and extra trash pick-up.

Barnes thanked each city department responsible for assisting with safety and cleanup during the recent heavy rainfall. Barnes noted there would be an extra bulk trash pick-up throughout the week of August 8-12th to provide citizens with an opportunity to discard unwanted or damaged property.

Barnes introduced Glenn Price of MIRMA. Price provided an update on the many insurance claims filed by citizens following the flooding. Price noted that all but one outstanding claim had been denied. Price further explained that MIRMA is tasked with evaluating whether the city has been negligent in the maintenance of its sanitary sewer and storm water systems. Price stated that the city has maintained its systems very well and has been non-negligent in its efforts.

COUNCIL CONCERNS:

Councilman Shiverdecker noted a recommendation from the Traffic Commission to prohibit parking on the west side of Hickman Avenue, and asked when it would be brought to the council for consideration. City Clerk, Courtney Crowson reported that both she and the Interim City Engineer, Kyle Bruemmer have been working on the ordinance specifications, and it should be ready for First Reading at the next council meeting.

Councilwoman Gray thanked the city employees who worked to ensure the roadways were clean and safe following the recent heavy rainfall. Gray also informed the council she attended the United Way benefit on Friday, August 5, 2016 and felt it was an important cause within our community.

Councilman Cannell thanked the city staff who worked on modifying the asphalt overlay list.

Councilwoman Rehklau expressed concerns regarding the speed limit on First Street. Rehklau noted that per city code, on any street without a posted speed limit, the speed limit is 30 miles per hour. She asked that police monitor both Addison and First Street following complaints she has received from residents in the area. Rehklau also asked the Traffic Commission to review the area and consider posting a lower speed limit.

RESOLUTIONS:

Resolution No. 3258 was presented by Councilman Shiverdecker.

- a. Resolution No. 3258: A Resolution authorizing the Mayor, on behalf of the City of Fulton, Missouri, to execute a contract with Christensen Construction Company of Kingdom City, Missouri, for the 2016 Asphalt Overlay Project at an estimated value of Four Hundred Fifty Thousand Dollars (\$450,000.00), and to sign all necessary documents in relation to said contract.

Motion was offered by Councilman Shiverdecker and seconded by Councilman Moore to adopt Resolution No. 3258 as presented. Motion carried with seven members of the council voting in favor, and one member

(West) absent.

Resolution No. 3259 was presented by Councilman Vaughn.

- b. Resolution No. 3259: A Resolution authorizing the Mayor, on behalf of the City of Fulton, Missouri, to execute a contract with HDR Engineering Inc. of Lee's Summit, Missouri, for the 2016 Stinson Creek TMDL Implementation Negotiations Project, and to sign all necessary documents in relation to said contract.

Interim City Engineer, Kyle Bruemmer noted this contract was in relation to studies regarding the health of the creek and to help determine the impact of the wastewater treatment plant on the creek. Motion was offered by Councilman Vaughn and seconded by Councilman Shiverdecker to adopt Resolution No. 3259 as presented. Motion carried with seven members of the council voting in favor, and one member (West) absent

Resolution No. 3260 was presented in its entirety by Councilman Cannell.

- c. Resolution No. 3260: A Resolution certifying the votes cast in the Primary Election held August 2, 2016.

Mayor Benton thanked the citizens for supporting the continuation measure. Motion was offered by Councilman Cannell and seconded by Councilman Vaughn to adopt Resolution No. 3260 was presented. Motion carried with seven members of the council voting in favor, and one member (West) absent.

ORDINANCES:

FIRST READING

Bill No. 1458 was presented for First Reading by Councilman Chailland.

- a. Bill No. 1458: An Ordinance fixing the tax rate and levying taxes for the calendar year of 2016, on all taxable property in the City of Fulton, Missouri, and establishing an effective date.

Motion was offered by Councilman Chailland and seconded by Councilman Shiverdecker to place Bill No. 1458 for Second Reading at the next regularly scheduled council meeting. Motion carried with seven members of the council voting in favor, and one member (West) absent.

SECOND READING

Bill No. 1456 was presented for First Reading by Councilwoman Rehkla.

- a. Bill No. 1456: An Ordinance repealing Chapter 90, Article II. Rummage Sales, Sections 90-28 and 90-29, Fulton City Code to remove the requirement for a rummage sale permit.

Motion was offered by Councilwoman Rehklau and seconded by Councilman Cannell to place Bill No. 1456 for Third Reading at tonight's council meeting. Motion carried with seven members of the council voting in favor, and one member (West) absent.

Bill No. 1456 was presented for Third Reading by Councilwoman Rehklau.

Motion was offered by Councilwoman Rehklau and seconded by Councilman Moore to place Bill No. 1456 for Final Passage at tonight's council meeting. Motion carried with seven members of the council voting in favor, and one member (West) absent.

Roll Call vote of the members of the council was as follows: Chailland, YES; Gray, YES; Moore, YES; Rehklau, YES; Shiverdecker, YES; Vaughn, YES; Cannell, YES. Bill No. 1456, having received the affirmative vote of seven members of the council, was declared passed by the President of the Council.

Bill No. 1457 was presented for Second Reading by Councilman Moore.

- b. Bill No. 1457: An Ordinance repealing ordinances numbered: 1373-14; 1383-15; 1390-15; 1394-15; and 1395-15, amending Chapter 110, Traffic & Vehicles to incorporate a new ordinance, and establish an effective date.

Motion was offered by Councilman Moore and seconded by Councilman Vaughn to place Bill No. 1457 for Third Reading at tonight's council meeting. Motion carried with seven members of the council voting in favor, and one member (West) absent.

Bill No. 1457 was presented for Third Reading by Councilman Moore.

Motion was offered by Councilman Moore and seconded by Councilman Shiverdecker to place Bill No. 1457 for Final Passage at tonight's council meeting. Motion carried with seven members of the council voting in favor, and one member (West) absent.

Roll Call vote of the members of the council was as follows: Gray, YES; Moore, YES; Rehklau, YES; Shiverdecker, YES; Vaughn, YES; Cannell, YES; Chailland, YES. Bill No. 1457, having received the affirmative vote of seven 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 MML Annual Conference will take place in St. Louis on September 11-14, 2016. Reservations have been confirmed, and a copy is in each councilmember packet.

Councilwoman Gray requested that the council discuss a proposal for an apartment complex at the Work

Session following the meeting given that there was not an established work session topic.

Mayor Benton also reminded the council of a meeting at the EOC Building on Monday, August 15, 2016 at 6:00 p.m. to discuss the upcoming dispatch contract renewal with the Callaway County Commission.

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 Shiverdecker and seconded by Councilwoman Rehklau to adjourn this meeting. Motion carried with seven members of the council voting in favor, and one member (West) absent. The meeting adjourned at 7:26 p.m.

LeRoy D. Benton
Mayor

Courtney Crowson
City Clerk