

CITY COUNCIL MINUTES
August 12, 2014

The Council of the City of Fulton, Missouri, met in regular session on Tuesday, August 12, 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; Laure Long, Deputy City Clerk; and Steve Myers, Chief of Police. The meeting was called to order by Mayor Benton at 7:30 p.m. Roll call was taken by the Deputy City Clerk and members of the council present were Cannell; Chailland; Moore; Rehkla; Shiverdecker; Vaughn; and West. Absent was council member Pace-Snook. Also present were Dean Buffington, Fire Chief; Michelle Frazee, Human Resources Director; Les Hudson, Planning & Protective Services; Kathy Holschlag, Chief Financial Officer; Samantha Bedsworth, Purchasing Agent; Darrell Dunlap, Superintendent of Utilities; Greg Hayes, City Engineer; Clay Caswell, Parks and Recreation Director; J.C. Miller, Solid Waste Manager; Pastor Bruce Williamson; Joe and Brandi Hassien; Wayne Bill; Jodi Paschal; Tanner Eliak; Brittany Ruess, reporter for The Fulton Sun; and 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.

PUBLIC HEARING:

Mayor Benton announced there was a Public Hearing at tonight's council meeting for the purpose of certifying the rate of levy for property taxes for the 2014 tax year within the City of Fulton.

Mayor Benton declared this hearing open at 7:34 p.m.

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

First call, was there anyone present who wished to speak in opposition of this proposed tax rate? There were none.

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Second call, was there anyone present who wished to speak in opposition of this proposed tax rate? There were none.

Third and final call, was there anyone present who wished to speak in opposition of this proposed tax rate? There were none.

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

First call, was there anyone present who wished to speak in favor of this proposed tax rate? There were none.

Second call, was there anyone present who wished to speak in favor of this proposed tax rate? There were none.

Third and final call, was there anyone present who wished to speak in favor of this proposed tax rate? There were none.

This Public Hearing was declared closed by Mayor Benton at 7:35 p.m.

UNFINISHED BUSINESS:

- a) Request received from Jodi Paschal, Friends of the National Churchill Museum, asking permission to host the "Churchill Color Run", on a proposed route, on Saturday, September 13th, 2014 at 9:00 a.m.

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

Councilman West asked if we could introduce a guest who had arrived. Tanner Eliak, Fulton Troop 50, stood and introduced himself, and explained he was attending tonight's meeting as he is working on his Eagle Scout Merit Badge.

- b) Update on the Splash-pad.

Clay Caswell, Parks and Recreation Director, said the subcontractors

started pouring concrete at the site, and over the next few days the concrete will be done. Then, to follow will be installation of the pumps, above ground features, and then testing. Clay Caswell announced the hopeful goal of September 1, 2014 to open the Splash-pad, and stated if we have a good September weather wise, we may try to keep it open until October.

c) Update on the Animal Shelter.

Greg Hayes, City Engineer, reported that T.S. Banze Construction wanted to show us their progress on the Animal Shelter. Mr. Hayes said we created a list for them to complete, and they did some of those things, but we still have a small list of items for them to complete. Mr. Hayes also reported they have done a good job.

d) Update on the new Warehouse Facility.

Greg Hayes, City Engineer, reviewed and discussed the New Public Work Facility Schedule and Contract Summary that was included in council packets.

e) Update on the 7th Street Bridge.

Greg Hayes, City Engineer, reported today was the scheduled day to open the bridge, and said they are very close to opening. Greg Hayes stated they still have to lay asphalt and pick up the job site. Mr. Hayes asked the council to stop by and check it out.

f) Update on the Sewer Plant.

Greg Hayes, City Engineer, said there weren't too many updates on the Sewer Plant. Mr. Hayes stated we are waiting on EPA to get back with us, and then DNR can approve the facility plan, and then approve the final decision.

g) Further Discussion on the Airport Manager Position.

Greg Hayes, City Engineer reported the negotiation with our prospective manager was terminated as it wasn't the right fit. Bill Johnson, Director of Administration, and Greg Hayes presented their idea in hiring an additional employee for the Engineering Department

and making their main priority the airport. Greg Hayes thinks it is a positive plan for the City and a good answer for the position. Motion was offered by Councilman Chailland and seconded by Councilman West to approve the discussion. Motion carried with seven members of the council voting in favor and one member (Pace-Snook) absent.

Councilman Vaughn spoke and apologized to Greg Hayes, City Engineer, for not showing up to the 5th Street Storm Sewer meeting, as he had a previous commitment. Greg Hayes gave a brief update on the meeting; stating it went well, and that we have a good formulation to control the water.

RESOLUTIONS:

Motion was offered by Councilman Vaughn and seconded by Councilman Chailland to remove Resolution 3215 AS AMENDED off the table for further discussion. Motion carried with seven members of the council voting in favor and one member (Pace-Snook) absent.

Resolution 3215 AS AMENDED was presented by Councilman Vaughn.

Resolution 3215 AS AMENDED - 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, SB662, SB 612, SB 829, SB 727 and HB1455 which would have significantly diminished voter-approved Municipal Sales Tax Revenue, forcing cuts to essential local services for the residents of Fulton (Copy is included in the official Resolution Book).

Motion was offered by Councilman Vaughn and seconded by Councilman Chailland to adopt Resolution 3215 AS AMENDED at tonight's council meeting. Motion carried with seven members of the council voting in favor and one member (Pace-Snook) absent.

Resolution 3218 was presented by Councilman Cannell.

Resolution 3218 - A Resolution Authorizing the Mayor, on behalf of the City of Fulton, Missouri, to Execute a Commercial Lease Agreement with the Veterans of Foreign Wars (VFW) Post #2654, for the Lease of a building located at 505 Churchill Drive, Fulton, Missouri, for a term of one (1) year in the amount of \$240.00 per year, and establishing an effective date (Copy is included in the official Resolution Book).

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Motion was offered by Councilman Cannell and seconded by Councilman Vaughn to adopt Resolution 3218 at tonight's council meeting.

Mayor Benton introduced Wayne Bill, VFW officer, and Mr. Bill thanked Councilman Vaughn, Bill Johnson, and Mayor Benton for putting this together and said he appreciates our consideration.
Motion carried with seven members of the council voting in favor and one member (Pace-Snook) absent.

Resolution 3219 was presented by Councilwoman Rehklau.

Resolution 3219 - A Resolution Authorizing the Mayor, on behalf of the City of Fulton, Missouri, to execute an Agreement with Insituform, Chesterfield, Missouri, for the 2014 Sanitary Sewer Main Lining Project, in the amount of \$348,959.98, and establishing an effective date (Copy is included in the official Resolution Book).

Motion was offered by Councilwoman Rehklau and seconded by Councilman West to adopt Resolution 3219 at tonight's council meeting.

Short discussion followed. Bill Johnson, Director of Administration, would like to continue negotiations with the contractor, but adopt the resolution tonight.

Motion was offered by Councilman West and seconded by Councilman Chailland to continue negotiations, but adopt Resolution 3219 at tonight's council meeting. Motion carried with seven members of the council voting in favor and one member (Pace-Snook) absent.

Resolution 3220 was presented by Councilman West.

Resolution 3220 - A Resolution Certifying the Votes cast in the Primary Election held on August 5th, 2014 (Copy is included in the official Resolution Book).

Motion was offered by Councilman West and seconded by Councilman Moore to adopt Resolution 3220 at tonight's council meeting. Motion carried with seven members of the council voting in favor and one member (Pace-Snook) absent.

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ORDINANCES :

Bill No. 1407 was presented for First Reading by Councilman Shiverdecker.

BILL NO. 1407 - An Ordinance Amending the Fulton City Code. Section 110-340 Parking in Certain Streets Prohibited, by Adding to State Street - No Parking on the East side of State Street from Second Street to Fifth Street, in the City of Fulton, Missouri, and establishing an effective date.

Motion was offered by Councilman Shiverdecker and seconded by Councilman Vaughn to place Bill No. 1407 for second reading at the next regularly scheduled council meeting. Motion carried with seven members of the council voting in favor and one member (Pace-Snook) absent.

Bill No. 1406 was presented for Second Reading by Councilman Vaughn in absence of Councilwoman Pace-Snook.

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 (Copy is included in the official Ordinance Book).

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

Bill No. 1406 was read for the third time by Councilman Vaughn.

Motion was offered by Councilman Vaughn and seconded by Councilwoman Rehklau to place Bill No. 1406 for final passage at tonight's council meeting. Motion carried with seven members of the council voting in favor and one member (Pace-Snook) absent.

Roll call vote of members of the council were as follows: Moore, yes; Rehklau, yes; Shiverdecker, yes; Vaughn, yes; West, yes; Cannell, yes; and Chailland, yes. Bill No. 1406 having received the affirmative vote

of seven members of the council; one member (Pace-Snook) absent; was declared passed by the President of the Council.

APPOINTMENTS:

Mayor Benton announced Virginia McCoskrie's appointment to the Historical Preservation Commission. Motion was offered by Councilman Chailland and seconded by Councilman Moore to approve of the appointment. Motion carried with seven members of the council voting in favor and one member (Pace-Snook) absent.

ANNOUNCEMENTS:

There were no announcements to be made at this meeting.

EXECUTIVE SESSION:

Mayor Benton said there was a need for an Executive Session at this council meeting for the purpose to discuss or deal with lease, purchase or sale of real estate.

Motion was offered by Councilman Moore and seconded by Councilman Vaughn to enter Executive Session. Motion carried with seven members of the council voting in favor and one member (Pace-Snook) absent.

Roll call vote of members of the council were as follows: Rehklau, yes; Shiverdecker, yes; Vaughn, yes; West, yes; Cannell, yes; Chailland, yes; Moore, yes; and one member (Pace-Snook) absent.

The council entered Executive Session at 8:42 p.m.

Motion was offered by Councilman West and seconded by Councilwoman Rehklau to exit Executive Session. Motion carried with seven members of the council voting in favor and one member (Pace-Snook) absent.

Roll call vote of members of the council were as follows: Shiverdecker, yes; Vaughn, yes; West, yes; Cannell, yes; Chailland, yes; Moore, yes; Rehklau, yes; and one member (Pace-Snook) absent.

The council exited Executive Session at 8:54 p.m.

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ADJOURNMENT:

There being no further business to come before the council, motion was offered by Councilman West and seconded by Councilwoman Rehklau to adjourn this meeting. Motion carried with seven members of the council voting in favor, one member (Pace-Snook) absent, and the meeting adjourned at 8:55 p.m.

LeRoy D. Benton, Mayor

Laure Long
Deputy City Clerk