

**CITY COUNCIL MINUTES  
NOVEMBER 10, 2015**

The Council of the City of Fulton, Missouri, met in regular session on Tuesday, November 10, 2015, 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 7:30 p.m. Roll call was taken by the City Clerk, and members of the council present were: Chailland, Moore, Pace-Snook, Rehklau, Shiverdecker, Vaughn, West, and Cannell. Also present were Kathy Holschlag, Chief Financial Officer; Darrell Dunlap, Superintendent of Utilities; Kyle Bruemmer, Interim City Engineer; Les Hudson, Planning & Protective Services Director; Dean Buffington, Fire Chief; Clay Caswell, Parks & Recreation Director; J.C. Miller, Solid Waste Manager; Jerry Sorte, Assistant Director of Administration; Samantha Bedsworth, Purchasing Agent; Michelle Maupin, Human Resources Director; Mary & Tim Osburn, John & Tara Geldner, Caitlin McGrath, Martha McGrath, Kimberlie Johnson, Michael Scofield, DeShawn Stallworth, Irving Garbison, Mark Fuller, Todd Gray, Don & Barbara Stassel, Larry Doyle, Beverly Gray, Robert Sterner, Casey Clevenger, Virginia McCoskrie; Pastor Bruce Williamson; Jessica Stone, reporter for THE FULTON SUN; Mike Haldeman and Darin Wernig, Audio/Video.

**INVOCATION:**

Invocation was given by Pastor Williamson. Mayor Benton thanked Pastor Williamson for his continued service at council meetings. Mayor Benton also asked all Veterans to stand for recognition in honor of Veteran's Day.

Mayor Benton said there was a need to amend the agenda by moving Item 9, Appointments, to the beginning of the meeting to recognize Casey Clevenger's resignation as Prosecuting Attorney and the appointment of Robert Sterner to the position.

**APPOINTMENTS:**

- a. Casey Clevenger, Prosecuting Attorney, reported she had accepted the appointment of Drug Court Commissioner, and her resignation would take effect November 29, 2015. Councilmembers and Administration thanked Clevenger for her service to the City. Motion was made by Councilman West and seconded by Councilman Shiverdecker to accept the appointment of Robert R. Sterner to fulfill the vacancy of Prosecuting Attorney until the April 2017, General Election. Motion carried with eight members of the council voting in favor.
- b. Mayor Benton also presented the re-appointment of Cathy McGeorge to the Tourism Board and the appointment of Whit McCoskrie to the Public Utility Board. Motion was made by Councilman Chailland and seconded by Councilman Vaughn to accept the appointments as presented. Motion carried with eight members of the council voting in favor.

**PUBLIC HEARING:**

Mayor Benton noted there would be three Public Hearings at tonight's council meeting.

1. To consider vacating the recorded 50 foot street Right-of-Way of Castlewood Drive to be vacated as shown on the recorded plat of Helm's Subdivision, running North & South from the South Right-of-Way of Thrush Street to the North Right-of-Way of Helm Street approximately 385 feet. Also

running North & South from the South Right-of-Way of Helm Street to the South Line of said Subdivision 349.76 feet.

Mayor Benton declared this hearing open at 7:38 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 Right-of-Way change? There were none.

Second Call: Is there anyone present who wishes to speak in opposition of the proposed Right-of-Way change? There were none.

Third and Final Call: Is there anyone present who wishes to speak in opposition of this proposed Right-of-Way change? 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 the proposed Right-of-Way change? Landowner, Mary Osburn, came forward to speak in favor of the change and was willing to answer any questions from the council.

Second Call: Is there anyone present who wishes to speak in favor of the proposed Right-of Way change? There were none.

Third and Final Call: Is there anyone present who wishes to speak in favor of the proposed Right-of-Way change? There were none. Mayor Benton declared this Public Hearing closed at 7:41 p.m.

2. For the purpose of approving or denying a taxicab application for Kimberlie Johnson D/B/A K&M Transport.

Mayor Benton declared this hearing open at 7:42 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? Kimberlie Johnson, taxicab applicant, informed the council she was in favor of the business and hoped to provide a much-needed service to the community.

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 7:44 p.m.

3. To present for consideration the adoption of the proposed Fulton Budget for 2016 and the proposed Three Year Capital Program.

Mayor Benton declared this hearing open at 7:45 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 budget? There were none.

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

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

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

Third and Final Call: Is there anyone present who wishes to speak in favor of this proposed budget? There were none. Mayor Benton declared this Public Hearing closed at 7:47 p.m.

Mayor Benton asked Chief Financial Officer, Kathy Holschlag, to come forward. The Mayor presented Holschlag with a Certificate of Achievement for Excellence in Financial Reporting and congratulated her on the continued achievement.

Motion was made by Councilman West and seconded by Councilwoman Rehklau to amend the agenda in order to add discussion of the proposed taxicab service to New Business. Motion carried with eight councilmembers voting in favor.

**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. None came forward.

**UNFINISHED BUSINESS:**

- a. Update on the new Warehouse Facility.

Kyle Bruemmer reported the walkthrough of the Municipal Garage had been completed. A walkthrough of the Administration and Utility Buildings is scheduled for November 16<sup>th</sup>.

**NEW BUSINESS:**

- a. Martha McGrath and John Geldner of the Fulton Jaycees were present to request permission for the 67<sup>th</sup> Annual Christmas Parade to be held December 5, 2015, at 1:00 p.m.

Geldner noted that the parade would start on State Street near Missouri School for the Deaf due to continued construction at the Fulton State Hospital. The route would otherwise remain the same. Motion was made by Councilman Cannell and seconded by Councilman Shiverdecker to approve the event request as presented. Motion carried with eight members of the council voting in favor.

- b. Virginia McCoskrie of the Brick District Board was present to request permission for wagon rides to be held in conjunction with the Holiday Open House during the evening of November 13, 2015.

Motion was made by Councilman Chailland and seconded by Councilman West to approve the request as presented. Motion carried with eight members of the council voting in favor.

- c. Approval or Denial of K&M Transport taxicab application

Motion was made by Councilman Vaughn and seconded by Councilman West to approve the application for business as presented. Motion carried with eight members of the council voting in favor.

Councilman Chailland invited Fire Chief, Dean Buffington, to discuss fire truck repairs. Assistant Fire Chief, Kevin Coffelt, and Brian Schmidt of the Fulton Fire Department were also present. Buffington reported the ladder truck had not previously passed inspection due to parts in the fourth extension that must be replaced. Bids for the repair came in at roughly \$58,000. Buffington noted this price would include the manufacturer picking up the truck, making necessary repairs, and delivering the truck back to Fulton. The process was estimated to take a few months to complete. Much discussion followed.

Motion was made by Councilman West and seconded by Councilman Vaughn to approve the repairs for the ladder truck as presented. Motion carried with eight members of the council voting in favor.

**RESOLUTIONS:**

Resolution No. 3245 was presented by Councilman Cannell for approval.

Resolution No. 3245 – A Resolution authorizing the Mayor, on behalf of the City of Fulton, Missouri, to sign all necessary documents in relation to the Bartlett & West Water Tower Foundation Design Investigation Agreement with costs to the City not to exceed Four Thousand Dollars (\$4,000), and to establish an effective date.

Following much discussion, motion was made by Councilman Cannell and seconded by Councilman Shiverdecker to approve the Resolution as presented. Motion carried with eight members of the council voting in favor.

**ORDINANCES:**

**FIRST READING**

Bill No. 1437 was presented for First Reading by Councilman Moore.

Bill No. 1437 – An Ordinance vacating the recorded 50 foot street Right-of-Way of Castlewood Drive to be vacated as shown on the recorded plat of Helm’s Subdivision, running North & South from the South Right-of-Way of Thrush Street to the North Right-of-Way of Helm Street approximately 385 feet. Also running North & South from the South Right-of-Way of Helm Street to the South Line of said Subdivision 349.76 feet.

Motion was offered by Councilman Moore and seconded by Council Shiverdecker to place Bill No. 1437 for Second Reading at the next regularly scheduled council meeting. Motion carried with eight members of the council voting in favor.

Bill No. 1438 was presented for First Reading by Councilman West

Bill No. 1438 – An Ordinance adopting an official Budget and Capital Improvement Program and appropriating the funds of the City for the fiscal year beginning January 1, 2016, and ending December 31, 2016.

Motion was offered by Councilman West and seconded by Councilman Chailland to place Bill No. 1438 for Second Reading at the next regularly scheduled council meeting. Motion carried with eight members of the council voting in favor.

Bill No. 1439 was presented for First Reading by Councilman Shiverdecker.

Bill 1439 – An Ordinance amending Chapter 14, Animals, to amend the required Rabies Vaccinations to be administered every three (3) years, adoption fees as established by City Council, amending impounding fees as established by City Council, and establishing an effective date.

Motion was offered by Councilman Shiverdecker and seconded by Councilman Moore to place Bill No. 1439 for Second Reading at the next regularly scheduled council meeting. Motion carried with eight members of the council voting in favor.

## SECOND READING

Bill No. 1434 was presented for Second Reading by Councilman Vaughn.

Bill No. 1434 – An Ordinance repealing Ordinance No. 1218-08 establishing Electric Rates of the City of Fulton, Missouri, enacting a new ordinance, and establishing an effective date.

Motion was offered by Councilman Vaughn and seconded by Councilman Moore to place Bill No. 1434 for Third Reading at the next regularly scheduled council meeting. Motion carried with eight members of the council voting in favor.

Bill No. 1435 was presented for Second Reading by Councilwoman Pace-Snook.

Bill No. 1435 – An Ordinance authorizing the Mayor, on behalf of the City of Fulton, Missouri, to sign all necessary documents in relation to the Missouri Public Utility Alliance Mutual Aid Program Agreement between the City of Fulton, Missouri, and the M.P.U.A.

Motion was offered by Councilwoman Pace-Snook and seconded by Councilman Shiverdecker to place Bill No. 1435 for Third Reading at this council meeting. Motion carried with eight members of the council voting in favor.

Bill No. 1435 was presented for Third Reading by Councilwoman Pace-Snook.

Motion was offered by Councilwoman Pace-Snook and seconded by Councilman Moore to place Bill No. 1435 for Final Passage at this council meeting. Motion carried with eight members of the council voting in favor.

Roll call vote of the members of the council were as follows: Moore, YES; Pace-Snook, YES; Rehkla, YES; Shiverdecker, YES; Vaughn, YES; West, YES; Cannell, YES; Chailland, YES. Bill No. 1435, having received the affirmative vote of eight members of the council, was declared passed by the President of the Council.

Bill No. 1436 was presented for Second Reading by Councilman Vaughn.

Bill No. 1436 – An Ordinance authorizing the issuance of not to exceed \$13,000,000 Principal Amount of Sewerage System Revenue Bonds (State of Missouri – Direct Loan Program) Series 2015 of the City of Fulton, Missouri, for the purpose of extending and improving the City's Sewerage System; prescribing the form and details of the bonds and agreements made by the City to facilitate

and protect their payment and prescribing other related matters.

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Motion was offered by Councilman Vaughn and seconded by Councilman Moore to place Bill No. 1436 for Third Reading at this council meeting. Motion carried with eight members of the council voting in favor.

Bill No. 1436 was presented for Third Reading by Councilman Vaughn.

Motion was offered by Councilman Vaughn and seconded by Councilman Moore to place Bill No. 1436 for Final Passage at this council meeting. Motion carried with eight members of the council voting in favor.

Roll call vote of the members of the council were as follows: Pace-Snook, YES; Rehkla, YES; Shiverdecker, YES; Vaughn, YES; West, YES; Cannell, YES; Chailland, YES; Moore, YES. Bill No. 1436, having received the affirmative vote of eight members of the council, was declared passed by the President of the Council.

**ANNOUNCEMENTS:**

Councilman Moore requested citizens be permitted to burn leaves the weekend following Thanksgiving. Moore stated that allowing leaves to be burned would likely alleviate the sewer system blockages due to leaf build-up. Fire Chief, Dean Buffington, was asked to provide information on any possible hazards with this request. Buffington informed the council that the request could pose a possible fire hazard as burning leaves may be picked up by the wind and carried about and could also become a neighborhood nuisance situation. Planning & Protective Services Director, Les Hudson, noted that in Jefferson City and various nearby areas, citizens are permitted to burn leaves from November 1<sup>st</sup> through March 1<sup>st</sup>. Some discussion followed.

Councilman Moore noted that some lights were not working on Nichols Street. Bill Johnson stated Darrell Dunlap, Superintendent of Utilities, would look into the situation and noted that street light outages should be reported to the City so that they may be addressed.

**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 Vaughn and seconded by Councilman West to adjourn this meeting. Motion carried with eight members of the council voting in favor. The meeting adjourned at 8:49 p.m.

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LeRoy D. Benton  
Mayor

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Courtney Crowson

City Clerk