

**CITY COUNCIL MINUTES
NOVEMBER 22, 2016**

The Council of the City of Fulton, Missouri, met in regular session on Tuesday, November 22, 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; Rehkla; Shiverdecker; and West. Absent were Councilmembers Moore and Vaughn. 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; Richard King, George Barkho, Josh Farris, Mark Gast, Alex Avery, Tanner Steffen, Brock Fisher, Nathaniel Quick, Haydon Windsor, Mason Gaines, Gabe Luebbert, George Yates, Donna Armstrong, Greg & Anna Luebbert, Bob & Cheryl Fisher, Jeffrey Stone, Brice Windsor, Cindy Windsor, Pastor Bruce Williamson; Helen Wilbers of 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. A digital timer was administered and monitored by the City Clerk.

George Barkho, residing on County Road 305, read a letter regarding his concerns over the Tanglewood fee increases budgeted for 2017. Barkho stated he would like to see previous pass holders grandfathered in at the current rate in place of an increase.

Mark Gast, residing on Richland Heights Rd., echoed concerns of increased fees at Tanglewood, and stated he believes the increase will cause the loss of a core group of pass holders. Gast expressed dissatisfaction with the organization of the course and lack of marketing.

PRESENTATION OF PROCLAMATION TO THE FULTON HIGH SCHOOL CROSS COUNTRY TEAM:

Mayor Benton thanked the group of parents, students, and coaches for attending the meeting and congratulated the team on a successful season and state finish.

Mayor Benton invited Coach George Yates to come forward to accept the proclamation on behalf of the group. Following the reading of the proclamation, Coach Yates thanked the students, faculty, and parents for their dedication to the team.

PRESENTATION AND APPROVAL OF COUNCIL MEETING MINUTES OF OCTOBER 25, 2016 AND NOVEMBER 8, 2016:

The council meeting minutes of October 25, 2016 were presented for approval.

Motion was offered by Councilman Cannell and seconded by Councilwoman Rehkla to approve the council meeting minutes of October 25, 2016 as presented. Motion carried with six members of the council voting in favor, and two members (Moore, Vaughn) absent.

The council meeting minutes of November 8, 2016 were presented for approval.

Motion was offered by Councilman Shiverdecker and seconded by Councilman West to approve the council meeting minutes of November 8, 2016 as presented. Motion carried with six members of the council voting in favor, and two members (Moore, Vaughn) absent.

PRESENTATION AND ACCEPTANCE OF THE FINANCE REPORT FOR THE MONTH OF OCTOBER:

The Financial Report for the month of October 2016 was presented for acceptance, and Kathy Holschlag, Chief Financial Officer, was present to answer any questions from the council.

Holschlag stated that, as in previous monthly reports, sales tax remains steady and comparable to 2015. Holschlag also noted that the recognition of property tax was posted during October, and the County Road and Bridge tax monies, approximately \$68,000.00, were accepted by the City of Fulton during the week prior to this meeting.

Following review, motion was offered by Councilman Cannell and seconded by Councilman West to accept the Financial Report for the month of October 2016 as presented. Motion carried with six members of the council voting in favor, and two members (Moore, Vaughn) absent.

UNFINISHED BUSINESS:

- a. Smart Grid Update.

Darrell Dunlap, Superintendent of Utilities, provided an overview of the current status with the city's Smart Grid. Dunlap stated that we continue to have issues with some meters, but regular calls with Tantalus have been beneficial.

- b. Work Session Placement.

Following the council's previous decision to place the Work Session at the end of meeting, many members believe it is time to move it back to the beginning. Following some discussion, City Clerk, Courtney Crowson, suggested moving the Work Session back to 6:30 p.m. and limiting the session to thirty minutes, allowing the Regular Session to commence at 7:00 p.m.

Motion was offered by Councilman Shiverdecker and seconded by Councilman West to place the Work Session at 6:30 p.m., with Regular Session to commence at 7:00 p.m. during the first meeting of the month. Motion carried with six members of the council voting in favor, and two members (Moore, Vaughn) absent. This schedule will take effect at the January 10, 2017 meeting.

NEW BUSINESS:

- a. J.C. Miller, Solid Waste Manager, was present to discuss the discontinuation of recycling services by Kingdom Projects, effective December 31, 2016.

Miller stated that the City was notified that Kingdom Projects will no longer accept recyclables as of December 31, 2016. Miller introduced Angie Giller, Executive Director of Missouri Recycling Association. Giller has agreed to assist the City of Fulton with a Request for Proposal to seek a new recycling agency.

Mayor Benton and Director of Administration, Bill Johnson stated the city is committed to curbside recycling for its citizens and will continue to provide a high level of service. During the interim, the city may choose to utilize Federal in Jefferson City for its recycling needs.

- b. The Retail Coach update and proposed continuation of contract.

Some members of the council question what The Retail Coach organization has accomplished for the City of Fulton. Mayor Benton stated he believes the demographics, contacts, communication with retailers, and identification of market lapses are important factors The Retail Coach is able to bring to the city.

Johnson stated that the company was the most affordable option, and our ability to share costs with Holts Summit is has been beneficial. Johnson also noted Holts Summit has indicated they will renew the contract for a second year. In the future, the council would like to see more from The Retail Coach along with more-frequent updates from Bruce Hackmann.

- c. Recommendation from the Traffic Commission to change the speed limit of Wood Street (Route Z to East Eighth Street) to 20 mph, Monday through Friday, from 7:30 a.m. to 4:30 p.m. A proposed ordinance will follow later in the meeting.

Kyle Bruemmer, Interim City Engineer, informed the council of the Traffic Commission's recommendation, and noted the commission would like the city to consider purchasing moveable radar signs in the future.

Bruemmer and Chief Myers explained that currently, a short section of Wood Street is 30 mph between the two school zones, causing confusion and inconsistency. Chief Myers stated that by allowing drivers to accelerate to 30 mph in such a short distance, the driver is not able to slow down in time before entering another school zone, and the proposed ordinance will provide consistency in the speed limits on the street.

Councilman West opposed the measure, stating he would prefer to see the 30 mph stretch marked clearly, and leaving both 20 mph school zones as they currently are.

COUNCIL CONCERNS:

Councilman West again expressed concerns regarding recycling and the pick-up schedule around holidays. Recycling will be discussed again at a future meeting or work session.

Councilwoman Rehkla expressed continued concerns regarding the intersection of Tennyson and Route C. Councilwoman Rehkla also noted a serious accident had taken place recently, and she plans to continue contacting MoDOT for a resolution.

RESOLUTIONS:

Resolution No. 3268 was presented by Councilman West.

- a. Resolution No. 3268: A Resolution authorizing the Mayor, on behalf of the City of Fulton, Missouri, to execute an agreement with the Callaway County Emergency Operations Center (EOC) for Public Emergency Communications Operations Services for the City of Fulton for the year 2017.

Mayor Benton noted that a revised contract was provided to council, and reviewed the proposed changes.

Motion was offered by Councilman West and seconded by Councilman Chailland to adopt Resolution No. 3268 at tonight's council meeting. Motion carried with six members of the council voting in favor, and two members (Moore, Vaughn) absent.

Resolution No. 3269 was presented by Councilman Chailland.

- b. Resolution No. 3269: A Resolution authorizing the Mayor, on behalf of the City of Fulton, Missouri, to extend the Contract with The Retail Coach of Tupelo, Mississippi, with the City of Fulton's share not to exceed Ten Thousand Dollars (\$10,000.00) toward the second year of the Retail Recruitment Strategy Plan for the City of Fulton and Holts Summit communities, and establishing an effective date.

Motion was offered by Councilman Chailland and seconded by Councilman West to adopt Resolution No. 3269 at tonight's council meeting. Motion carried with five members of the council voting in favor, one member (Gray) opposed, and two members (Moore, Vaughn) absent.

- c. Resolution No. 3270: A Resolution authorizing the Mayor, on behalf of the City of Fulton, Missouri, to execute a Contract with Sapp Design Associates of Springfield, Missouri, and to sign all necessary documents in relation to the "Phase I – Program Operational/Concept Design" of a City Community Center and Baseball/Softball Complex, with the City of Fulton's costs not to exceed Forty-Nine Thousand Nine Hundred Fifty Dollars (\$49,950.00), and establishing an effective date.

Johnson asked that Resolution No. 3270 not be read at tonight's council meeting due to a change in contract terms. An updated copy of the proposed contract with Sapp Design Associates was given to the council for review. This initiative will be placed on the agenda for the next council meeting.

Resolution No. 3271 was presented by Councilwoman Rehklau.

- d. Resolution No. 3271: A Resolution authorizing the Mayor, on behalf of the City of Fulton, Missouri, to execute a contract with Rhad Baker Construction of Fulton, Missouri, for the replacement and installation of ten (10) Scout Cabin windows, with the City of Fulton's costs not to exceed Seventeen Thousand Dollars (\$17,000.00), and establishing an effective date.

Motion was offered by Councilwoman Rehklau and seconded by Councilman West to adopt Resolution No. 3271 at tonight's council meeting. Motion carried with six members of the council voting in favor, and two members (Moore, Vaughn) absent.

ORDINANCES:

FIRST READING

Bill No. 1465 was presented for First Reading by Councilman Shiverdecker.

- a. Bill No. 1465: An Ordinance amending Chapter 110 Traffic & Vehicles, Sec. 110-248. Speed

Limits Paragraph (2) of the Code of the City of Fulton, Missouri, by changing the speed limit on Wood Street, from East Eighth Street north to Route Z. to 20 miles per hour, Monday through Friday, between the hours of 7:30 a.m. and 4:30 p.m., and establishing an effective date.

Motion was offered by Councilman Shiverdecker and seconded by Councilman Cannell to place Bill No. 1465 for Second Reading at the next regularly scheduled council meeting. Motion carried with five members of the council voting in favor, one member (West) opposed, and two members (Moore, Vaughn) absent.

SECOND READING

Bill No. 1464 was presented for Second Reading by Councilwoman Gray.

- a. Bill No. 1464: An Ordinance Amending Chapter 2, Administration. Article VI, Finances, Purchasing, and Bid Procedures. Fulton City Code. to incorporate Section 3-70, "Sale of Surplus Material", establishing the procedures of said section, and establishing an effective date.

Councilman West motioned to amend Bill No. 1464, Section 1, to stipulate that the fourth signer must be a council member. Motion was seconded by Councilman Cannell. Motion carried with six members of the council voting in favor, and two members (Moore, Vaughn) absent.

Motion was then offered by Councilwoman Gray and seconded by Councilman Cannell to place Bill No. 1464 AS AMENDED for Third Reading at tonight's council meeting. Motion carried with six members of the council voting in favor, and two members (Moore, Vaughn) absent.

Bill No. 1464 was presented for Third Reading by Councilwoman Gray.

Motion was offered by Councilwoman Gray and seconded by Councilman Shiverdecker to place Bill No. 1464, AS AMENDED for Final Passage at tonight's council meeting. Motion carried with six members of the council voting in favor, and two members (Moore, Vaughn) absent.

Roll call vote of the members of the council was as follows: Chailland, YES; Gray, YES; Rehklau, YES; Shiverdecker, YES; West, YES; Cannell, YES. Bill No. 1464, AS AMENDED, having received the affirmative vote of six members of the council, was declared passed by the President of the Council.

THIRD READING

Bill No. 1463 was presented for Third Reading by Councilman Cannell.

- b. Bill No. 1463: An Ordinance adopting an official budget and capital improvement program and appropriating the funds of the City for the fiscal year beginning January 1, 2017, and ending December 31, 2017.

Motion was offered by Councilman Cannell and seconded by Councilman Shiverdecker to place Bill No. 1463 for Final Passage at tonight's council meeting. Motion carried with five members of the council voting in favor, one member (Gray) opposed, and two members (Moore, Vaughn) absent.

Roll call vote of the members of the council was as follows: Gray, NO; Rehkla, YES; Shiverdecker, YES; West YES; Cannell, YES; Chailland, YES. Bill No. 1463, having received the affirmative vote of five members of the council, was declared passed by the President of the Council.

MONTHLY REPORT OF THE DIRECTOR OF ADMINISTRATION FOR OCTOBER:

The Director of Administration Report for October was presented to the council for review. Mayor Benton noted that any department heads at this meeting were available to answer questions from the council.

Following some discussion, motion was offered by Councilman Cannell and seconded by Councilman Shiverdecker to accept the Report of the Director of Administration for October as presented. Motion carried with six members of the council voting in favor, and two members (Moore, Vaughn) absent.

BOARD AND COMMISSION MEETING REPORTS:

Mayor Benton, an attendee of the Human Rights Commission meeting, provided an overview of the meeting held November 14, 2016.

APPOINTMENTS:

Mayor Benton had one appointment for consideration.

- a. Don Stassel was considered for re-appointment to the Human Rights Commission.

Motion was offered by Councilman Shiverdecker and seconded by Councilman West to approve the re-appointment of Don Stassel to the Human Rights Commission. Motion carried with six members of the council voting in favor, and two members (Moore, Vaughn) absent.

ANNOUNCEMENTS:

- a. The next meeting the City Council will be held Tuesday, December 20, 2016 at 6:30 p.m. in the Council Chambers.
- b. Candidate Packets for 1st – 4th Ward Councilmembers and City Attorney are available in the office of the City Clerk, M-F 8:00 a.m. to 5:00 p.m. Candidate filing opens December 13th at 8:00 a.m. and closes January 17th at 5:00 p.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 Shiverdecker and seconded by Councilman West to adjourn this meeting. Motion carried with six members of the council voting in favor, and two members (Moore, Vaughn) absent. The meeting adjourned at 8:46 p.m.

LeRoy D. Benton, Mayor

Courtney Crowson, City Clerk