

**CITY COUNCIL MINUTES  
DECEMBER 15, 2015**

The Council of the City of Fulton, Missouri, met in regular session on Tuesday, December 15, 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 6:30 p.m. Roll call was taken by the City Clerk, and members of the council present were: Cannell, Chailland, Moore, Pace-Snook, Rehklau, Shiverdecker, and West. Absent was councilmember 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; Dean Buffington, Fire Chief; J.C. Miller, Solid Waste Manager; Samantha Bedsworth, Purchasing Agent; Michelle Maupin, Human Resources Director; Assistant Fire Chief, Kevin Coffelt; Tamara Fitzpatrick, Phyllis Rodecape, Freddy Jones, Carson Jones, Stephanie Davis, Kim Sessler, Stephen Bell, Todd Gray, and Mike Haldeman and Darin Wernig, Audio/Video.

**INVOCATION:**

Invocation was given by Pastor Williamson.

**PRESENTATION OF RETIREMENT PROCLAMATION**

A Proclamation was presented by Mayor Benton to Fire Chief, Dean Buffington, in honor of his dedicated service to the City of Fulton for over 32 years. Buffington thanked the Mayor, Administration, and City Council for their support during his employment.

**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.

**PRESENTATION AND APPROVAL OF MINUTES FOR NOVEMBER 24, 2015:**

The Council Meeting minutes for November 24, 2015, were presented for approval.

Motion was offered by Councilman Shiverdecker and seconded by Councilman West to approve the council meeting minutes for November 24, 2015, as presented. Motion carried with seven members of the council voting in favor, and one councilmember (Vaughn) absent.

**UNFINISHED BUSINESS:**

- a. Update on the new Warehouse Facility.

Kyle Bruemmer, Interim City Engineer, informed the council five of the buildings were "substantially complete with the ability to occupy".

- b. Proposed Storm Water ordinance changes.

Bruemmer provided the council with model ordinances. Bruemmer noted an agreement he had made earlier in the year with DNR to introduce these proposed changes and information to the council prior to the close of the calendar year. Bill Johnson noted these ordinance changes should not incur a great deal of cost and will primarily focus on public education.

- c. Discussion of vegetation burn allowance/permit.

Councilman Moore reported the newly-appointed committee had not yet met, but would schedule a meeting for January. There was no further discussion at this time.

**NEW BUSINESS:**

- a. Tamara Fitzpatrick, Executive Director of the Callaway Chamber of Commerce was present to discuss the proposed 2016 Agreement between the Chamber and the City of Fulton.

Fitzpatrick thanked the council for their continued support during the previous transitional period and gave a review of the previous six weeks. Fitzpatrick said the Chamber has developed a new logo, member and non-member trainings and educational workshops, has joined the Missouri Federation First Dollar Program, and discussed the upcoming Annual Banquet.

Fitzpatrick said the Show-Me Innovation Center and FADC would now be operating as one under the umbrella of the Chamber, and was available to discuss any questions concerning the Chamber or the proposed 2016 Agreement. Fitzpatrick also said the City of Fulton and its council were “instrumental” to the past success of the Chamber and their support will be critical to future success for the organization. Some discussion followed.

- b. Discussion of Out-Of-State Sales Tax continuation as a ballot measure for the April 5, 2016, General Election.

Bill Johnson informed the council this measure must be passed by voters no later than the November 2016 election in order to continue the application and collection of sales tax to motor vehicles, boats, etc., sold outside the state of Missouri. Johnson noted this is not a new tax, rather a continuation of the taxes already in place.

Councilman West shared his concerns of adding another tax measure to the April ballot. Mayor Benton noted this would be a matter of educating the public on both tax measures. Some councilmembers indicated a desire to place this measure on the November ballot. Johnson noted that since the November election would be a “special municipal election”, the City would incur special election fees of ten-to-twelve thousand dollars. Much discussion followed.

Mayor Benton called for a brief intermission at 7:32 p.m. The meeting reconvened at 7:41 p.m.

**RESOLUTIONS:**

Resolution No. 3246 was presented by Councilwoman Pace-Snook.

- a. Resolution No. 3246 – A Resolution authorizing the Mayor, on behalf of the City of Fulton, Missouri, to execute a contract with The Retail Coach, of Tupelo, Mississippi, with the City of Fulton’s share not to exceed Twenty Thousand Dollars (\$20,000) toward the first 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 Councilwoman Pace-Snook and seconded by Councilman Moore to approve the resolution as presented. Motion carried with seven members of the council voting in favor, and one councilmember (Vaughn) absent.

Resolution No. 3247 was presented by Councilman Cannell.

- b. Resolution No. 3247 – A Resolution authorizing the Mayor and City Clerk, on behalf of the City of Fulton, Missouri, to enter into an agreement with the Callaway Chamber of Commerce, Fulton, Missouri, for services to be rendered in 2016, and establishing an effective date.

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

#### **ORDINANCES:**

#### **FIRST READING**

Bill No. 1442 was presented for First Reading by Councilman Cannell.

- a. Bill No. 1442 – An Ordinance for the purpose of submitting to the qualified voters of the City of Fulton, Missouri, during the next General Municipal Election date of April 5, 2016, the question of whether to continue the application and collection of the local sales tax on the titling of motor vehicles, trailers, boats, and outboard motors which were purchased from a source other than a licensed Missouri dealer.

Motion was offered by Councilman Cannell and seconded by Councilwoman Pace-Snook to place Bill No. 1442 for Second Reading at the next regularly scheduled council meeting. Motion carried with seven members of the council voting in favor, and one councilmember (Vaughn) absent.

Bill No. 1443 was presented for First Reading by Councilman Shiverdecker.

- b. Bill No. 1443 – An Ordinance allowing the “Show Me Green Sales Tax Holiday to apply to the local sales taxes of the City of Fulton, Missouri, between April 19, 2016, and April 25, 2016.

Motion was offered by Councilman Shiverdecker and seconded by Councilman Moore to place Bill No. 1443 for Second Reading at the next regularly scheduled council meeting. Motion carried with seven members of the council voting in favor, and one councilmember (Vaughn) absent.

Bill No. 1444 was presented for First Reading by Councilman Chailland.

- c. Bill No. 1444 – An Ordinance allowing the “Back To School Sales Tax Holiday” to apply to the local sales taxes of the City of Fulton, Missouri, between August 5, 2016, and August 7, 2016.

Motion was offered by Councilman Chailland and seconded by Councilwoman Pace-Snook to place Bill No. 1444 for Second Reading at the next regularly scheduled council meeting. Motion carried with seven members of the council voting in favor, and one councilmember (Vaughn) absent.

### SECOND READING

Bill No. 1440 was presented for Second Reading by Councilwoman Rehklau.

- a. Bill No. 1440 – An Ordinance vacating the plotted street known as Laura Avenue running East to West from the Mokane Road to Ravine Street and located in Laura C. Whitlow Subdivision #1 and Whit-More Subdivision #1.

Motion was offered by Councilwoman Rehklau and seconded by Councilwoman Pace-Snook to place Bill No. 1440 for Third Reading at tonight’s council meeting. Motion carried with seven members of the council voting in favor, and one councilmember (Vaughn) absent.

Bill No. 1440 was presented for Third Reading by Councilwoman Rehklau.

Motion was offered by Councilwoman Rehklau and seconded by Councilman Moore to place Bill No. 1440 for Final Passage at tonight’s council meeting. Motion carried with seven members of the council voting in favor, and one councilmember (Vaughn) absent.

Roll call vote of the members of the council were as follows: Chailland, YES; Moore, YES; Pace-Snook, YES; Rehklau, YES; Shiverdecker, YES; West, YES; Cannell, YES. Bill No. 1440, having received the affirmative vote of seven members of the council, was declared passed by the President of the Council.

Bill No. 1441 was presented for Second Reading by Councilman Shiverdecker.

Bill No. 1441 – An Ordinance amending Chapter 38, Courts, by repealing Section 38-2 (A), Court Costs, Subsection One (1), and enacting costs of the court in accordance with the Missouri Municipal Division – Court Operating Rule 21.01, Section (A), Subsection Five (5), as revised, pursuant to Section 479.260, RSMo., and establishing an effective date.

Motion was offered by Councilman Shiverdecker and seconded by Councilman Moore to place Bill No. 1441 for Third Reading at tonight’s council meeting. Motion carried with seven members of the council voting in

favor, and one councilmember (Vaughn) absent.

Bill No. 1441 was presented for Third Reading by Councilman Shiverdecker.

Motion was offered by Councilman Shiverdecker and seconded by Councilman Moore to place Bill No. 1441 for Final Passage at tonight's council meeting. Motion carried with seven members of the council voting in favor, and one councilmember (Vaughn) absent.

Roll call vote of the members of the council were as follows: Moore, YES; Pace-Snook, YES; Rehklau, YES; Shiverdecker, YES; West, YES; Cannell, YES; Chailland, YES. Bill No. 1441, having received the affirmative vote of seven members of the council, was declared passed by the President of the Council.

### **THIRD READING**

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

- a. 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 Vaughn to place Bill No. 1438 for Final Passage at tonight's council meeting. Motion carried with seven members of the council voting in favor, and one councilmember (Vaughn) absent.

Roll call vote of the members of the council were as follows: Pace-Snook, YES; Rehklau, YES; Shiverdecker, YES; West, YES; Cannell, YES; Chailland, YES; Moore, YES. Bill No. 1438, having received the affirmative vote of seven members of the council, was declared passed by the President of the Council.

### **REPORT OF THE DIRECTOR OF ADMINISTRATION:**

The Director of Administration Report for November 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.

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

### **BOARD AND COMMISSION MEETING REPORTS:**

- a. The Human Rights Commission report was given by Councilman Moore. Councilman Moore reported the annual Celia Candlelight Ceremony would be held in front of the Court House on Monday, December 21, 2015, and encouraged everyone to attend.

**APPOINTMENTS:**

Mayor Benton said he did not have any appointments to be presented at this council meeting.

**ANNOUNCEMENTS:**

The City Clerk announced a retirement reception in honor of Fire Chief, Dean Buffington. The reception will be held Friday, December 18, 2015 from 3:00 p.m. to 4:00 p.m. in the Council Chambers. All citizens, employees of the City of Fulton, and councilmembers are welcome to attend.

The City Clerk also announced the Annual Chamber Banquet would be held Thursday, January 7, 2016. All councilmembers and department heads wishing to attend must notify the Clerk by December 28, 2015.

The City Clerk informed the council of the upcoming MML Central Division Meeting on Wednesday, January 27, 2016, hosted by the City of Fulton in the new Public Facilities Complex. All councilmember and department heads wishing to attend must notify the Clerk by January 20, 2016.

**EXECUTIVE SESSION:**

Benton said there was a need for an Executive Session at this council meeting for the purpose to discuss hiring, firing, disciplining or promotion of employee of a public governmental body.

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

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

The council entered Executive Session at 8:00 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 (Vaughn) absent.

The council exited Executive Session at 8:14 p.m.

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

**ADJOURNMENT:**

There being no further business to come before the council, motion was offered by Councilwoman Rehkla and seconded by Councilwoman Pace-Snook to adjourn this meeting. Motion carried with seven members of the council voting in favor, and one councilmember (Vaughn) absent. The meeting adjourned at 8:16 p.m.

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LeRoy D. Benton  
Mayor

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Courtney Crowson  
City Clerk