

**CITY COUNCIL MINUTES  
MAY 8, 2018**

The Council of the City of Fulton, Missouri, met in Regular Session on Tuesday, May 8, 2018 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 L. Crowson, City Clerk; and Steve Myers, Chief of Police. The meeting was called to order by Mayor Benton at 7:00 p.m. Roll call was taken by the City Clerk, and members of the council present were: Braun, Moore, Rehklau, Shiverdecker, Simmons, Stone, and Vaughn. Absent was Councilman Chailland. Also present were: Darrell Dunlap, Superintendent of Utilities; Kyle Bruemmer, Interim City Engineer; Dennis Houchins, Planning & Protective Services Director; Kevin Coffelt, Fire Chief; Clay Caswell, Parks & Recreation Director; J.C. Miller, Solid Waste Manager; Robert Boone, Assistant Director of Administration; Michelle Maupin, Human Resources Director; Pastor Bruce Williamson; Jenny Gray of THE FULTON SUN; Mike Haldeman and Darin Wernig, Audio/Video; and visitor: Beverly Gray.

**INVOCATION:**

Invocation was given by Pastor Williamson.

**PLEDGE OF ALLEGIANCE:**

The Pledge of Allegiance was led 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.

Beverly Gray, 112 W. Oliver, expressed dissatisfaction with awarding the contract in Resolution No. 3305 to an out-of-town vendor, and said she feels the best bid should be the local bid. Ms. Gray also expressed concerns with the city supplying a match for the proposed application for an AARP grant, as outlined in Resolution 3306.

**APPROVAL OF THE CONSENT AGENDA:**

The following items were distributed to each member of the City Council for review and study as a part of their council packet. Mayor Benton presented each item and stated the council may choose to remove any item from the Consent Agenda for discussion at this time.

- a. Approval of an event request from Lin Diekamp for the annual Callaway County CROP Hunger Walk on Sunday, October 7, 2018 at 1:30 p.m.

Motion was offered by Councilman Moore and seconded by Councilman Stone to approve the Consent Agenda as presented. Motion carried with seven members of the council voting in favor, and one member (Chailland) absent.

**UNFINISHED BUSINESS:**

- a. Downtown Grant pre-authorization and discussion.

Director of Administration, Bill Johnson stated Burns & McDonnell, the engineering firm assisting with this application, will need to begin preliminary work as soon as possible in order to meet the July grant application deadline. If the council is in favor of proceeding with the grant application, a Resolution will be presented at the next regularly-scheduled council meeting.

Motion was offered by Councilman Shiverdecker and seconded by Councilman Vaughn to pre-authorize the work of Burns & McDonnell Engineering and to review a contract at the next regularly-scheduled council meeting. Motion carried with seven members of the council voting in favor, and one member (Chailland) absent.

**NEW BUSINESS:**

- a. Old Warehouse discussion.

Bruemmer stated his department is finalizing a project for the demolition of the old warehouse structure. The structure, already in poor condition, sustained wind and weather damage in 2017. Bruemmer stated there are likely soil issues on the site and advised that the city would leave the slab and foundation in place so as to not disturb the underlying soil.

Mayor Benton noted there is money in the 2018 budget for the demolition of the damaged structure.

Motion was offered by Councilman Vaughn and seconded by Councilman Moore to proceed with the demolition process. Motion carried with seven members of the council voting in favor, and one member (Chailland) absent.

- b. Traffic Calming Device discussion.

Bruemmer stated the Traffic Commission had recommended the purchase of a mobile traffic calming device and the implementation of the device on Wood Street to help slow traffic in the area. Johnson stated the device will likely be pole-mounted and placed on Wood Street for southbound traffic, and requested that \$5,000 from the council's special projects fund be authorized for the purchase of such a device.

Motion was offered by Councilman Shiverdecker and seconded by Councilman Moore to authorize up to \$5,000.00 from the council special projects fund for the purchase of a traffic monitoring/calming device. Motion carried with seven members of the council voting in favor, and one member (Chailland) absent.

- c. Solid Waste Truck discussion.

JC Miller, Solid Waste Manager noted that bids for a new rear-loading solid waste truck came in lower than expected. With the surplus of budgeted funds, Miller would like authorization to buy a new chassis for the 2012 Freightliner truck already owned by the city. The current chassis has recently become the subject of a class-action lawsuit around the country, and Miller stated he feels the city has an ideal opportunity to replace the old chassis and purchase a new truck while remaining on budget.

Motion was offered by Councilman Stone and seconded by Councilwoman Rehklau to authorize the purchase of both the new rear-loading truck and the new chassis. Motion carried with seven members of the council voting in favor, and one member (Chailland) absent.

**COUNCIL CONCERNS:**

Councilman Simmons thanked the Leadership Callaway Class of 2018 for their work to refurbish the basketball courts located in Veteran's Park.

Councilman Stone requested that the Park Board consider restrooms at the Dog Park and weeding around the sand volleyball courts at Veteran's Park.

Councilman Braun expressed concern with the number of derelict cars located at Southside Auto, across from Bartley Elementary School. Johnson stated the property is zoned commercial, and there have been repeated issued with tow/repair businesses obtaining titles for cars so that they may be properly removed and disposed of. Johnson also stated he has been in contact with state representatives to address this ongoing issue.

Councilman Vaughn asked when the Missouri Department of Transportation will begin its work on the Business 54 project. Bruemmer stated bids are due May 18, 2018, then it will likely take month for the state to award the bid. The project is due to be complete before the end of the year.

Councilman Vaughn also noted speeding issues on Parkridge through Herring subdivision, and he would like to see the speed limit lowered. Mayor Benton asked that this issue be taken to the Traffic Commission for review and recommendation.

Councilman Moore stated he has received complaints that Westminster Avenue is poorly lit at night and residents would like to see additional street lights in the area.

Councilman Moore also asked the Traffic Commission to review the removal of two parking spots on Westminster Avenue, north of its intersection with Fifth Street, as traffic on Fifth Street must pull into the roadway in order to assess if the path is clear.

Councilwoman Rehkla asked if the city handles salon/nail salon inspections. Courtney Crowson, City Clerk, stated the State Board of Cosmetology and Barbers handles the inspections, and these establishments are only subject to local fire/building inspections and health inspections if they prepare consumables.

#### **RESOLUTIONS:**

Resolution No. 3305 was presented by Councilwoman Rehkla.

- a. Resolution No. 3305: A Resolution authorizing the Mayor, on behalf of the City of Fulton, Missouri, to sign all necessary documents in relation to a Contract with Sound Mind Real Estate, LLC of Kansas City, Missouri, for the Scout Cabin Heating & Cooling Project, authorizing necessary funds, and establishing an effective date.

Motion was offered by Councilwoman Rehkla and seconded by Councilman Stone to adopt Resolution No. 3305 at tonight's meeting. Councilman Moore addressed Ms. Gray's concerns from earlier in the meeting by stating the city has a local buying policy in place.

Clay Caswell, Parks & Recreation Director stated there was a local vendor who also bid on the project, although both vendors bids came in above the budgeted amount and had different brands/models of units.

Motion carried with seven members of the council voting in favor, and one member (Chailland) absent.

Resolution No. 3306 was presented by Councilman Stone.

- b. Resolution No. 3306: A Resolution authorizing the Mayor, on behalf of the City of Fulton, Missouri, to apply for and sign all necessary documents in relation to the 2018 AARP Community Challenge grant for the installation of three (3) A.D.A. compliant fishing docks, and

contingent upon receiving said grant monies, approving the city's in-kind and monetary match.

Motion was offered by Councilman Stone and seconded by Councilman Shiverdecker to adopt Resolution No. 3306 at tonight's meeting. Caswell stated both Veteran's and Truman Lakes have docks that are falling off into the lake. If awarded, the grant will allow these docks to be replaced with floating docks along with a new floating dock at Morningside Lake. The grant will call for roughly \$13,000.00 in city funds and \$6,000.00 in labor.

Motion carried with seven members of the council voting in favor, and one member (Chailland) absent.

Resolution No. 3307 was presented by Councilman Simmons.

- c. Resolution No. 3307: A Resolution authorizing the Mayor, on behalf of the City of Fulton, Missouri, to apply for an sign all necessary documents in relation to the Firefighters Support Foundation grant for the purchase of two (2) rescue saws at an estimated value of Two Thousand Dollars (\$2,000.00) each.

Motion was offered by Councilman Simmons and seconded by Councilman Moore to adopt Resolution No. 3307 at tonight's meeting. Motion carried with seven members of the council voting in favor, and one member (Chailland) absent.

Resolution No. 3308 was presented by Councilman Braun.

- d. Resolution No. 3308: A Resolution authorizing the Mayor, on behalf of the City of Fulton, Missouri, to execute a Contract with SFS Architecture Inc. of Kansas City, Missouri, and to sign all necessary documents in relation to the Standard Form of Agreement between the City of Fulton and SFS Architecture, and establishing an effective date.

Motion was offered by Councilman Braun and seconded by Councilman Vaughn to adopt Resolution No. 3308 at tonight's meeting.

Councilman Braun requested clarification on the scope of the contract and whether or not it included both the baseball/softball complex and community center designs. Caswell stated this contract is for the community center design, and the Parks & Recreation and Engineering Departments have been working together on the baseball/softball complex design.

Caswell said he feels confident SFS Architecture can deliver a community center that is within the city's budget as they have engineered buildings with similar budgets in nearby communities. At this time, Caswell stated he believes the Park Board is unwilling to decide between the two projects and feels the city should move forward with both until it is deemed that one project should take precedent.

Councilman Simmons stated he feels the city will burn through the sales tax money without accomplishing either project and believes the city should proceed with one project over the other. Councilman Stone expressed concerns regarding the city's swimming pool and ongoing maintenance issues. Much discussion followed.

Some councilmembers expressed concern with authorizing the \$360,000.00 contract to later find the community center project is no longer feasible. Caswell noted that the contract can be stopped at any time, and the city will be responsible for any work the firm has done to that point. Caswell also noted that he will have continued contact with the firm to ensure progress is being made and will provide regular updates to the city council.

After much discussion, Councilman Shiverdecker stated the purpose of the contract will be to decide what the city can afford and what a community center could look like. Councilman Shiverdecker stated he believes the council needs to stay focused and on-topic, as much of the discussion was not pertinent to the scope of the contract.

Motion carried with seven members of the council voting in favor, and one member (Chailland) absent.

#### **ORDINANCES:**

#### **SECOND READING**

Bill No. 1500 was presented for Second Reading by Councilman Shiverdecker.

- a. Bill No. 1500: An Ordinance repealing Chapter 46, Environment, of the Code of the City of Fulton, Missouri, enacting a new Chapter in lieu thereof, and establishing an effective date.

Motion was offered by Councilman Shiverdecker and seconded by Councilman Moore to place Bill No. 1500 for Third Reading at the next regularly-scheduled council meeting. Motion carried with seven members of the council voting in favor, and one member (Chailland) absent.

#### **ANNOUNCEMENTS:**

- a. The next meeting of the City Council will be held Tuesday, May 22, 2018 at 6:30 p.m.
- b. The Annual MML Elected Officials Training will be held June 7 & 8, 2018 in Columbia, Missouri. Councilmembers who wish to attend must RSVP with the City Clerk no later than May 22, 2018.

Mayor Benton thanked everyone who assisted with the recent City Employee Appreciation Picnic and congratulated Carl Stassel on his selection as Employee of the Year.

#### **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 Moore to adjourn this meeting. Motion carried with seven members of the council voting in favor, and one member (Chailland) absent. The meeting adjourned at 8:22 p.m.

---

LeRoy D. Benton, Mayor

---

Courtney L. Crowson, City Clerk