

**CITY COUNCIL MINUTES  
JULY 10, 2018**

The Council of the City of Fulton, Missouri, met in Regular Session on Tuesday, July 10, 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: Chailland, Moore, Rehklau, Shiverdecker, Simmons, Stone, and Vaughn. Absent was Councilman Braun. Also present were: Kathy Holschlag, Chief Financial Officer; Darrell Dunlap, Superintendent of Utilities; Kyle Bruemmer, Interim City Engineer; Dennis Houchins, Planning & Protective Services Director; Russell Sing, Fire Training Officer; Robert Boone, Assistant Director of Administration; Michelle Maupin, Human Resources Director; Pastor Bruce Williamson; Jenny Gray of THE FULTON SUN; Jeremy Polston and Darin Wernig, Audio/Video; and visitors: Shelley Bryant, Taylor Bryant, Beverly Gray, and Charlie Anderson.

**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, stated she had previously requested a year to date cost overview of the Smart Grid system during a council meeting in October of 2017, but had not received the information. Mayor Benton noted he had received the information but forgot to relay it to Ms. Gray. Mayor Benton will forward this information along to Ms. Gray.

Donna Barger, Brookfield City Clerk and member of the Missouri City Clerks and Finance Officers Association State Public Relations Committee, presented Courtney Crowson, City Clerk with a certificate and proclamation commemorating her designation as a Missouri Registered City Clerk (MRCC). Barger congratulated Crowson on this achievement and commended the council for their recognition of Crowson's dedication to continued education and professional excellence.

**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. Appointment of Les Hudson to the Planning & Zoning Commission.
- b. Re-appointment of Charlie James to the Public Utility Board.

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 (Braun) absent.

**UNFINISHED BUSINESS:**

- a. Business 54/Fourth Street Improvements update.

Kyle Bruemmer, interim City Engineer, stated a pre-construction meeting with representatives from the city, Missouri Department of Transportation, and APLEX, the construction company awarded with the project. The project is set to begin near the roundabout and head north to Fourth Street, then to Sixth Street northward to Thirteenth Street.

Bruemmer noted the contractor has until December 1, 2018 to complete the project. Bruemmer also reported the city will repaid the straight sections of sidewalks that were torn up as a result of moving utilities underground.

Councilman Stone wants to ensure the city communicates the roadwork plans to the community and provides notification of any closed streets or areas to avoid. Councilwoman Rehklau suggested placing banners over the streets that highlight work being done on Business 54. Other suggestions also included providing information through the city's newsletter, the newspaper, and on the city's website and social media pages. Bruemmer will continue working on centralizing communications.

Bruemmer reported the bids for the Fourth Street project were opened on July 3, 2018. Bruemmer stated the apparent low bidder and presumed awardee came within the city's budget and is a local contractor. Once the city has awarded the bid, the contractor will have 120 days to begin and complete the project.

**NEW BUSINESS:**

- a. Shelley and Taylor Bryant were present to request the closure of Court Street in front of the Brick District Playhouse on Saturday, September 1, 2018, from 4:00 p.m. to midnight, and for open container privileges to apply for the event.

Taylor Bryant stated she will be getting married Saturday, September 1, 2018, and has reserved the Brick District Playhouse for her reception. In order to accommodate any overflow, Bryant is requesting the closure of Court Street in front of the venue, and asks for open container privileges for her guests during the event. Shelley Bryant stated the group would allow for the CVS (formerly Red Cross Pharmacy) drive through to remain open and would be responsible for the cleanup following the event, as well as the placement of barricades.

The council asked Police Chief Myers to come forward to address any concerns with the event request. Myers stated he could not recall the council previously granting permission for street closures for private events and feels it would set a precedent across the city for similar requests in the future. Myers also noted the exemption from the city's open container law has only been granted for community events.

Motion was offered by Councilman Moore and seconded by Councilman Shiverdecker authorize the street closure request as permitted and to deny the request to allow open containers outside the building. Motion carried with six members of the council voting in favor, one member (Stone) opposed, and one member (Braun) absent.

## **COUNCIL CONCERNS:**

Councilman Chailland expressed concerns with the timing of the traffic light at the intersection of St. Louis Avenue and Business 54. Bruemmer will look into this issue.

Councilman Simmons also expressed concerns with the timing of the traffic light at the intersection of Tenth Street and Business 54. Bruemmer noted there are some issues with this particular light due to the ongoing roadwork.

Councilwoman Rehkla stated there is a need for additional street lighting on Tennyson between Route C and Business 54 South.

Councilman Stone expressed concerns with the city's current fireworks ordinance. Councilman Stone stated he had received numerous complaints about citizens shooting fireworks outside the designated time frame and authorized hours. Myers stated the Fulton Police Department received 75-80 calls relating to fireworks, and echoed Councilman Stone's statement. Following some discussion, Chief Myers, Chief Coffelt, and the City Clerk will work to review the current ordinance and present a replacement in the future.

Councilman Vaughn requested an update on the baseball/softball complex and community center. Johnson stated an update will be provided at the next council meeting.

Councilman Vaughn requested an update regarding the house on Sixth Street that has been the source of many citizen complaints. Johnson stated the issue has not been through the court system yet.

## **RESOLUTIONS:**

Resolution No. 3312 was presented by Councilman Stone.

- a. Resolution No. 3312: A Resolution authorizing the Mayor, on behalf of the City of Fulton, Missouri, to sign all necessary documents in relation to the CFDA #20.933 National Infrastructure Investments Grant for the development of engineering plans, specifications, and estimates for the downtown Brick District area, and contingent upon the receipt of these grant monies, authorizing the city's in-kind and monetary match.

Motion was offered by Councilman Stone and seconded by Councilwoman Rehkla to adopt Resolution No. 3312 at tonight's council meeting. Motion carried with seven members of the council voting in favor, and one member (Braun) absent.

Resolution No. 3313 was presented by Councilman Shiverdecker.

- b. Resolution No. 3313: A Resolution authorizing the Mayor, on behalf of the City of Fulton, Missouri, to sign all necessary documents in relation to the Pole Attachment License Agreement with ExteNet Systems Inc., and establishing an effective date.

Motion was offered by Councilman Shiverdecker and seconded by Councilman Moore to adopt Resolution No. 3313 at tonight's council meeting.

Councilman Vaughn asked if the units proposed by this contract could be placed on the city's decorative

street poles. Johnson stated the company has been very cooperative in working with the city on the placement of the devices, and the city would not allow the placement on decorative poles.

Johnson also stated the company is asking for one pole at this time, but this agreement will allow for future placement of additional poles without the need of bringing each placement before the council. Darrell Dunlap, Superintendent of Utilities, noted this agreement is modeled after the City of Columbia's agreement for small cell towers, and he believes this proposal could become the statewide standard.

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

## ORDINANCES:

### FIRST READING

Bill No. 1509 was presented for First Reading by Councilman Moore

- a. Bill No. 1509: An Ordinance authorizing the Mayor, on behalf of the City of Fulton, Missouri, to execute an Agreement with the City of Holts Summit, Missouri, for animal shelter services, to sign all necessary documents in relation to said agreement, and establishing an effective date.

Motion was offered by Councilman Moore and seconded by Councilman Shiverdecker to place Bill No. 1509 for Second Reading at the next regularly-scheduled council meeting. Motion carried with seven members of the council voting in favor, and one member (Braun) absent.

### SECOND READING

Bill No. 1507 was presented for Second Reading by Councilwoman Rehkla.

- a. Bill No. 1507: An Ordinance authorizing the Mayor, on behalf of the City of Fulton, Missouri, to sign all necessary documents in relation to the Missouri Highways and Transportation Commission Road Relinquishment Agreement regarding the US Business 54 Highway Improvements Project, and establishing an effective date.

Motion was offered by Councilwoman Rehkla and seconded by Councilman Simmons to place Bill No. 1507 for Third Reading at tonight's council meeting. Motion carried with seven members of the council voting in favor, and one member (Braun) absent.

Bill No. 1507 was presented for Third Reading by Councilwoman Rehkla.

Motion was offered by Councilwoman Rehkla and seconded by Councilman Stone to place Bill No. 1507 for Final Passage at tonight's council meeting. Motion carried with seven members of the council voting in favor, and one member (Braun) absent.

Roll call vote of the members of the council was as follows: Moore, YES; Rehkla, YES; Shiverdecker, YES; Simmons, YES; Stone, YES; Vaughn, YES; Chailland, YES. Bill No. 1507, having received the affirmative vote of seven members of the council, was declared passed by the President of the Council.

Bill 1508 was presented for Second Reading by Councilman Vaughn.

- b. Bill No. 1508: An Ordinance amending Section 18-33, Amendments. Fulton City Code, by incorporating an additional exception to the 2015 International Building Code and establishing an effective date.

Motion was offered by Councilman Vaughn and seconded by Councilman Shiverdecker to place Bill No. 1508 for Third Reading at the next regularly-scheduled council meeting.

Councilman Simmons stated he felt there was a misleading comment at the last meeting stating there had been no previous tornadoes of the magnitude defined in the current building code.

Motion carried with five members of the council voting in favor, two members opposed (Rehklau, Simmons), and one member (Braun) absent.

**ANNOUNCEMENTS:**

- a. The next meeting of the City Council will be held Tuesday, July 24, 2018 at 6:30 p.m.
- b. Final MML Conference reservations for councilmembers are due to the City Clerk no later than July 24, 2018.

Crowson stated she wished to thank Donna Barger for attending tonight's meeting to present the MRCC designation. Crowson stated she is very proud of the work she has done to receive this designation and appreciates the recognition and support from the Missouri City Clerks and Finance Officers Association, City Council, and community.

**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 Councilwoman Rehklau to adjourn this meeting. Motion carried with seven members of the council voting in favor, and one member (Braun) absent. The meeting adjourned at 8:03 p.m.

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LeRoy D. Benton, Mayor

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Courtney L. Crowson, MRCC  
City Clerk