

**CITY COUNCIL MINUTES
AUGUST 28, 2018**

The Council of the City of Fulton, Missouri, met in Regular Session on Tuesday, August 28, 2018 in the Council Chambers of City Hall located at 18 E. 4th Street. Present and presiding were: Steve Moore, Deputy 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 Deputy Mayor Moore at 6:30 p.m. Roll call was taken by the City Clerk, and members of the council present were: Braun, Chailland, Moore, Rehklau, Shiverdecker, Simmons, and Vaughn. Councilman Stone was present via videoconferencing. Also present were: Kathy Holschlag, Chief Financial Officer; 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; 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 visitors: Linda Rootes, Rebecca Dunger Peak, Bobby Mealy, Amanda Young, James McDonald, Mike Bell, and Steven Lucas.

Prior to the start of the meeting, City Clerk Courtney Crowson stated that Councilman Stone was present via videoconferencing, and pursuant to 610.015 was eligible to participate in the meeting and cast votes. Councilman Stone could both see and hear the members of the council and audience; likewise, the council and audience could see and hear Councilman Stone.

INVOCATION:

Invocation was given by Pastor Williamson.

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Pastor Williamson.

COMMENTS FROM VISITORS:

Deputy Mayor Moore 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 is not opposed to affordable housing, but is opposed to the proposed location of a 48 unit complex on Rice Road and believes there are better locations.

Mike Bell, 95 King Street, stated he is the owner of the property on Rice Road, and he is seeking a down-zoning from C-3 to C-2. Bell said he feels the focus has shifted from his request to have to land rezoned to the various proposed uses for the land.

PUBLIC HEARING:

- a. For the purpose of certifying the rate of levy for property taxes for the 2018 tax year within the City of Fulton.

Deputy Mayor Moore declared this hearing open at 6:37 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 matter?

There were none.

Second Call: Is there anyone present who wishes to speak in opposition of this matter?

There were none.

Third and Final Call: Is there anyone present who wishes to speak in opposition of this 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 matter?

There were none.

Second Call: Is there anyone present who wishes to speak in favor of this matter?

There were none.

Third and Final Call: Is there anyone present who wishes to speak in favor of this matter?

There were none.

Deputy Mayor Moore declared the public hearing closed at 6:39 p.m.

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. City Clerk, Courtney Crowson 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 the City Council meeting minutes of July 24, 2018.
- b. Approval of the City Council meeting minutes of August 14, 2018.
- c. Approval of the Director of Administration Report of July.
- d. Acceptance of the following Board and Commission Reports:
 - i. Historic Preservation Commission – July 17, 2018
 - ii. Planning & Zoning Commission – July 11, 2018
 - iii. Public Utility Board – July 23, 2018
- e. Approval of an event request from Vision Arts Eyecare for their Annual Fall BBQ Fundraiser and Silent Auction at Memorial Park, Friday, October 5, 2018, from 6:00 a.m. to 3:00 p.m.
 - i. This event request has been reviewed and approved by Clay Caswell and Chief Myers. The organization has paid for the reservation of the shelter and is requesting permission to sell BBQ, host a silent auction, host WWII-era music and cars, and some tents on the park grounds to raise funds for the Central Missouri Honor Flight Program.

- f. Approval of an event request from First Christian Church for their Annual Fall Festival on Saturday, September 22, 2018 from 8:00 a.m. to 4:00 p.m., and to allow for the closer of East Seventh Street from Market Street to Court Street.
 - i. This event request has been reviewed and approved by Chief Myers.
- g. Approval of Nancy Lewis & Dale Lewis' request to designate 910 Court Street as a "Fulton Historic Property".
 - i. This application has been reviewed by the Historic Preservation Commission and has received their recommendation of approval. If approved, the homeowners will be invited to receive their designation plaque at the September 11, 2018 council meeting.
- h. Approval of Obi E. Igbokwe's request to designate 410 East Eighth Street as a "Fulton Historic Property".
 - i. This application has been reviewed by the Historic Preservation Commission and has received their recommendation of approval. If approved, the homeowner will be invited to receive their designation plaque at the September 11, 2018 council meeting.

Councilman Braun requested to remove items C., G., and H.

Motion was offered by Councilman Vaughn and seconded by Councilman Simmons to approve the remaining items on the Consent Agenda, as presented. Motion carried with eight members of the council voting in favor (Councilman Stone participated via videoconferencing).

CONSENT AGENDA ITEMS FOR DISCUSSION (IF APPLICABLE):

- Item C - Approval of the Director of Administration Report of July.

Councilman Braun asked about the Planning & Protective Services report fees and how new structure fees could cost more than remodel fees. Dennis Houchins, Planning & Protective Services Director, stated there is an error in the report, and can provide a copy of the fee schedule. Bill Johnson, Director of Administration, stated the council chose to keep fees low to encourage new construction within the city.

Following some discussion, motion was offered by Councilman Braun and seconded by Councilman Shiverdecker to approve the Director of Administration Report of July, as presented. Motion carried with eight members of the council voting in favor (Councilman Stone participated via videoconferencing).

- Item G - Approval of Nancy Lewis & Dale Lewis' request to designate 910 Court Street as a "Fulton Historic Property".
- Item H – Approval of Obi. E. Igbokwe's request to designate 410 East Eighth Street as a "Fulton Historic Property".

Councilman Braun stated he would like to see the meeting minutes from the recent Historic Preservation Commission meeting prior to making a decision on these properties as one is in disrepair and he believes it

may end up on the city's demolition list. City Clerk, Courtney Crowson stated draft notes can be provided, but the council should bear in mind that until the board or commission meets again to approve the notes, they cannot be considered official minutes.

Johnson stated there are no regulations on a "Fulton Historic Property", and modifications can be made at any time. Johnson continued that the designation recognizes the homeowner's goals to maintain the home's historical significance, but does not limit the city from taking further action against a property that is found to be a nuisance or unsafe.

Motion was offered by Councilman Vaughn and seconded by Councilman Braun to place items G. and H. on the next agenda following review of the draft notes. Motion carried with eight members of the council voting in favor (Councilman Stone participated via videoconferencing).

PRESENTATION AND ACCEPTANCE OF THE FINANCIAL REPORT FOR THE MONTH OF JULY:

The Financial Report for the month of July 2018 was presented for acceptance, and Chief Financial Officer, Kathy Holschlag was present to answer any questions from the council.

Holschlag stated there have been six months of sales tax recorded, and figures are approximately 2% ahead of this period in 2017. Holschlag also provided an overview of capital expenditures, including the utility shed on the warehouse campus.

Following some review, motion was offered by Councilman Shiverdecker and seconded by Councilwoman Rehkla to accept the Financial Report for the month of July, as presented. Motion carried with eight members of the council voting in favor (Councilman Stone participated via videoconferencing).

UNFINISHED BUSINESS:

- a. Parks & Recreation facility and baseball/softball complex update.

Clay Caswell, Parks & Recreation Director, stated he has been in contact with representatives of the Missouri School for the Deaf and the State of Missouri. According to Caswell, the State has chosen not to provide tours of the property until it is placed for sale. There has been some progress with SFS Architects, and Caswell hopes to bring a 3D design for the council to review during the first meeting of October.

Councilman Braun stated he would like to see the baseball/softball complex go out for bid. Councilman Simmons questioned whether the city can afford both projects, moving forward. Johnson stated there will be two preliminary costs estimates at the first meeting in October for the council to review.

NEW BUSINESS:

Johnson stated the city has a street sweeper that is approximately eight years old, and repairs will cost more than \$10,000.00 in order to make the machine operational. Currently, the city is demoing a street sweeper with the same size hopper and there is an opportunity to buy this unit for \$150,000.00 rather than the usual cost of \$250,000.00. Johnson said there is an opportunity to recoup some money if the city pays to get the other unit operational. Holschlag has identified funds that could be used to purchase the demo unit.

Councilman Stone, via videoconferencing, asked if there is an option to lease a unit. Johnson stated that the lease option is likely more expensive.

COUNCIL CONCERNS:

Councilwoman Rehlau thanked crews for watering and looking after the trees in the downtown area.

Councilman Stone thanked Crowson, Johnson, and Darin Wernig, Public Information Officer, for assisting and accommodating him with videoconferencing for tonight ' s meeting.

Councilman Simmons stated he believes the historical designations seem to be a waste of time if there are no design restrictions. Crowson stated the Historic Preservation Commission has been working on revising their ordinance for more than three years, but all revisions must be sent through the state prior to passage by the city as Fulton has chosen to participate in the Certified Local Government Program. Deputy Mayor Moore noted that many people in the community were not interested in restrictions as they tend to be costly.

RESOLUTIONS:

There were no Resolutions for consideration at this meeting.

ORDINANCES:

FIRST READING

Bill No. 1513 was presented for First Reading by Councilman Vaughn.

- a. Bill No. 1513: An Ordinance fixing the tax rate and levying taxes for the calendar year of 2018 on all taxable property in the city of Fulton, Missouri, and establishing an effective date.

Motion was offered by Councilman Vaughn and seconded by Councilman Chailland to place Bill No. 1513 for Second Reading at tonight ' s council meeting. Motion carried with seven members of the council voting in favor (Councilman Stone participated via videoconferencing), and one member (Shiverdecker) opposed.

Johnson noted the tax levy must be set by the council annually and the numbers are provided by the state auditor ' s office. With the proposed increased levy, a home valued at \$100,000.00 would see an increase of \$1.18 next year.

Bill No. 1513 was presented for Second reading by Councilman Vaughn.

Motion was offered by Councilman Vaughn and seconded by Councilman Simmons to place Bill No. 1513 for Third Reading at the next regularly-scheduled council meeting. Motion carried with seven members of the council voting in favor (Councilman Stone participated via videoconferencing), and one member (Shiverdecker) opposed.

Deputy Mayor Moore called a brief recess of the council at 7:23 p.m. The council reconvened at 7:30 p.m.

SECOND READING

Bill No. 1512 was presented for Second Reading by Councilman Shiverdecker.

- a. Bill No. 1512: An Ordinance re-classifying, under the Zoning Ordinance, certain land in the City of Fulton, Missouri, known as 711 and 715 Nichols Street, and establishing an effective date.

Motion was offered by Councilman Shiverdecker and seconded by Councilman Stone to place Bill No. 1512 for Third Reading at the next regularly-scheduled council meeting. Motion carried with six members of the council voting in favor (Councilman Stone participated via videoconferencing), and two members (Braun, Vaughn) opposed.

THIRD READING

Bill No. 1510 was presented for Third Reading by Councilman Simmons.

- a. Bill No. 1510: An Ordinance re-classifying, under the Zoning Ordinance, certain land in the City of Fulton, Missouri, located at Rice Road and US 54 Business, and establishing an effective date.

Motion was offered by Councilman Simmons and seconded by Councilman Shiverdecker to place Bill No. 1510 for Final Passage at tonight's council meeting. Motion carried with six members of the council voting in favor (Councilman Stone participated via videoconferencing), and two members (Braun, Vaughn) opposed.

Roll call vote of the members of the council was as follows: Chailland, YES; Moore, YES; Rehklau, YES; Shiverdecker, YES; Simmons, YES; Stone (via videoconferencing), YES; Vaughn, NO; Braun, NO. Bill No. 1510, having received the affirmative vote of six members of the council, was declared passed by the Deputy Mayor.

ANNOUNCEMENTS:

- a. The Bow Hunter Permit Meeting will be held Tuesday, September 4, 2018 at 6:00 p.m. in the Council Chambers. Those who are interested in obtaining a permit to bow hunt within the city limits must attend this meeting. Additional information may be obtained from Missouri Department of Conservation Agent, Stephen Kistner at 573-239-8129.
- b. The Annual Mayor's Cup Golf Tournament will be held Friday, September 7, 2018 at Tanglewood Golf Course. For additional information, contact Parks & Recreation at 573-592-3190.
- c. The next meeting of the City Council will be held Tuesday, September 11, 2018 at 6:30 p.m. As a reminder, this will be the only meeting for the month of September.
- d. The Annual Town & Country Dinner will be held on Thursday, September 20, 2018, at 5:00 p.m. at Wise Bros. in Kingdom City. Councilmembers who wish to attend must RSVP with the City Clerk by August 28, 2018.

EXECUTIVE SESSION:

Deputy Mayor Moore said there was not a need for an Executive Session at tonight's meeting.

ADJOURNMENT:

There being no further business to come before the council, motion was offered by Councilman Shiverdecker and seconded by Councilman Vaughn to adjourn this meeting. Motion carried with eight members of the council voting in favor (Councilman Stone participated via videoconferencing). The meeting adjourned at 7:37 p.m.

LeRoy D. Benton
Mayor

Courtney L. Crowson, MRCC
City Clerk