

**CITY COUNCIL MINUTES
NOVEMBER 13, 2018**

The Council of the City of Fulton, Missouri, met in Regular Session on Tuesday, November 13, 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, Chailland, Moore, Rehklau, Shiverdecker, Simmons, Stone, and Vaughn. Also present were: Kathy Holschlag, Chief Financial Officer; Darrell Dunlap, Superintendent of Utilities; 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: Tamara Tateosian, Shane Clines, Lowe Cannell, Mike West, and Marty Martin Foreman.

INVOCATION:

Invocation was given by Pastor Williamson.

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Pastor Williamson.

COMMENTS FROM VISITORS:

There were none.

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.

There were no Consent Agenda items for consideration at this meeting.

UNFINISHED BUSINESS:

- a. Parks and Recreation/Rice Hall tour video and discussion.

Mayor Benton presented a video that Darin Wernig, Public Information Officer, had created during the City Council tour of Rice Hall on November 1, 2018. Throughout the course of the video, Mayor Benton provided an overview of each room and area, and stated he didn't believe there to be any major structural issues, although the building will require some updating and renovation. The building houses many classrooms, a small gymnasium, a kitchen area, and some common areas.

One building of great interest to many members of the City Council was the Girl Scout Cabin located east of Rice Hall. This building has unique features that would be appealing to someone needing a medium-sized space for a wedding reception or event.

Councilman Braun stated the buildings still concern him, and he feels the state representatives who conducted the tour were not able to address many of the questions or unknowns about the buildings. Clay Caswell, Parks & Recreation Director, stated the layout of Rice Hall and the Missouri School for the Deaf campus would require additional staffing and security, as many of the wings are spread out and separate.

Mayor Benton stated he would like the council to consider Rice Hall as an alternative option to a new facility and to remember the building, like the current police station, could be renovated and made to suit the city's needs.

Councilman Vaughn asked if there is a timeline on when the building could be offered for sale or given to the city. Mayor Benton stated there is no known timeline at this time.

NEW BUSINESS:

- a. Tanglewood Clubhouse discussion.

Mayor Benton stated he, Councilman Moore, and Councilman Chailland have recently visited regarding concerns surrounding the annual loss of revenue at Tanglewood Golf Course. From those conversations, Councilman Moore reported that the course clubhouse was initially contracted out to a third party, and the group believed this option could relieve the loss and aid in capturing revenue.

Mayor Benton stated he is interested gaining support from the City Council to accept proposals from outside individuals or agencies to manage operations at the clubhouse. This would include staffing, sales, and daily operations within the clubhouse, but would exclude any course maintenance staff and operations.

Caswell estimates this proposed agreement could save the city approximately \$100,000.00 annually, but cautioned that this is a preliminary estimate as he was just made aware of the proposal late last week. Caswell expressed concern with turning the facility over to an independent contractor, and feels that any negative impact would reflect upon and cause damage to the city's reputation.

Councilman Vaughn stepped away from the meeting at 7:45 p.m. and returned at 7:47 p.m.

Mayor Benton stated he would like to go out for proposals to look for a restaurateur or current business owner who is interested in expanding their base. Much discussion followed.

Councilman Moore and Councilman Chailland expressed that the city should consider this option in order to benefit both the city and an outside contractor, and that the course has lost money for many years and now is the time to correct the situation.

Councilman Simmons stated he plays golf regularly and clubhouses do not necessarily translate to better courses. In some cases Councilman Simmons has seen, a course with a smaller, more basic clubhouse with excellent customer service was far superior to a course with a larger clubhouse and pro-shop. Caswell stated that he has been conducting interviews for a Clubhouse Manager, and candidates also express that the course and great customer service are the two factors that make a great golf course. Caswell stated he believes he has candidates who would do well in the Clubhouse Manager position, but is hesitant to hire anyone with the uncertainty regarding an outside contractor.

Mayor Benton asked for a motion to take a proposal through the city's bidding process in order to seek a third party contractor to take on clubhouse operations. Councilman Simmons stated he is hesitant to

proceed in this direction given that there has been little time to research and perfect what the proposal would look like.

Motion was offered by Councilman Stone and seconded by Councilwoman Rehklau to seek proposals for clubhouse operations from outside contractors, individuals, etc, and to review any gathered information in December. Motion carried with five members of the council voting in favor, and three members (Braun, Simmons, Vaughn) opposed.

Mayor Benton recessed the council for a break at 7:54 p.m. The council, with the exception of Councilman Stone, reconvened at 8:03 p.m.

Bill Johnson, Director of Administration, informed the council that the city's residential recycling charges from the city's recycling provider have recently increased significantly, causing concern as to the viability of the program. Johnson stated the city's price per ton of recycled materials was \$23.00 in January 2018, and the price has skyrocketed to \$120.00 in October 2018 with no guarantee the price will not continue to increase.

Councilman Stone returned at 8:05 p.m.

Johnson stated the city could take these items directly to the landfill for \$33.00/ton, a savings of roughly \$90.00/ton at the current rate. Johnson stated there is no market for recyclable material at this time due to rigorous standards placed and on what materials are recyclable and the margin of contamination that can be present.

Councilman Chailland stated the city should look at discontinuing the recycling program. This topic will be presented for consideration and discussion at the November 27, 2018 meeting.

COUNCIL CONCERNS:

Councilman Stone asked if the previous Kingdom Christmas Academy school zone near Rice Hall would remain in effect. City Clerk Courtney Crowson stated that she and Kyle Bruemmer, Interim City Engineer have discussed this, and the zone will remain in effect as it borders the Missouri School for the Deaf campus.

Councilman Simmons asked for an update on the proposed cell tower near Morningside Lake. Johnson stated there is no update at this time.

Councilman Braun asked if the Tanglewood Clubhouse topic should've gone to the Park Board prior to coming to the City Council for consideration and recommendation. Mayor Benton stated he believes the situation warranted expedition as he is under the gun to find a solution and the city is in the process of conducting interview for a Clubhouse Manager. Mayor Benton continued that the topic would've normally been reviewed by the Park Board first.

RESOLUTIONS:

Resolution No. 3319 was presented for adoption by Councilwoman Rehklau.

- a. Resolution No. 3319: A Resolution authorizing the Mayor, on behalf of the City of Fulton, Missouri, to enter into an agreement with the Callaway Chamber of Commerce of Fulton, Missouri, for services to be rendered in 2019, and establishing an effective date.

Motion was offered by Councilwoman Rehkla and seconded by Councilman Simmons to adopt Resolution No. 3319 at tonight's council meeting. Councilman Chailland asked if there was an increase in fees, and Johnson replied the fees have not increased. Motion carried with eight members of the council voting in favor.

Resolution No. 3320 was presented for adoption by Councilman Vaughn.

- b. Resolution No. 3320: 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 Callabyte Technology, LLC., and establishing an effective date.

Motion was offered by Councilman Vaughn and seconded by Councilman Stone to adopt Resolution No. 3320 at tonight's council meeting. Councilman Simmons asked if this will affect the North Business 54 pole removal plans. Johnson stated this will not create any issues with the current project. Motion carried with eight members of the council voting in favor.

Resolution No. 3321 was presented for adoption by Councilman Braun.

- c. Resolution No. 3321: A Resolution authorizing the Mayor, on behalf of the City of Fulton, Missouri, to sign all necessary documents in relation to an agreement with Kroll Farms of New Bloomfield, Missouri, to accept, transport, store, and dispose of the city's domestic wastewater sludge for the amount of eight thousand five hundred dollars (\$8,500.00) per annum, payable on a semi-annual basis, and establishing an effective date.

Motion was offered by Councilman Braun and seconded by Councilman Moore to adopt Resolution No. 3321 at tonight's council meeting. Motion carried with eight members of the council voting in favor.

ORDINANCES:

FIRST READING

Bill No. 1519 was presented for First Reading by Councilman Moore.

- a. Bill No. 1519: An Ordinance authorizing the Mayor, on behalf of the City of Fulton, Missouri, to declare certain tracts of land to be surplus property, authorizing their distribution, and establishing an effective date.

Motion was offered by Councilman Moore and seconded by Councilman Shiverdecker to place Bill No. 1519 for Second Reading at the next regularly-scheduled council meeting.

Councilman Braun asked if there will be a reserve placed on these properties when they go out for bid. Johnson stated there will be a vetting process to ensure the property will go to the bidder who the council deems has the best use proposal, unlike other situations where the property simply goes to the highest bidder. Johnson stated this will come back to the council prior to any sale. Motion carried with eight members of the council voting in favor.

Bill No. 1520 was presented for First Reading by Councilman Vaughn.

- b. Bill No. 1520: An Ordinance authorizing the conversion of city property, historically used as a means of access from Churchill Road, into a Right of Way for a private development, establishing a name for said Right of Way, and establishing an effective date.

Motion was offered by Councilman Vaughn and seconded by Councilman Braun to place Bill No. 1520 for Second Reading at the next regularly-scheduled council meeting. Motion carried with eight members of the council voting in favor.

Bill No. 1521 was presented for First Reading by Councilman Stone.

- c. Bill No. 1521: An Ordinance amending Section 18-83, Amendments. Fulton City Code., by incorporating an additional exception to the 2015 International Property Maintenance Code and establishing an effective date.

Motion was offered by Councilman Stone and seconded by Councilwoman Rehklau to place Bill No. 1521 for Second Reading at the next regularly-scheduled council meeting. Motion carried with eight members of the council voting in favor.

Bill No. 1522 was presented for First Reading by Councilman Shiverdecker.

- d. Bill No. 1522: 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, 2019, and April 25, 2019.

Motion was offered by Councilman Shiverdecker and seconded by Councilman Vaughn to place Bill No. 1522 for Second Reading at tonight's council meeting. Motion carried with eight members of the council voting in favor.

Bill No. 1522 was presented for Second Reading by Councilman Shiverdecker.

Motion was offered by Councilman Shiverdecker and seconded by Councilman Moore to place Bill No. 1522 for Third Reading at the next regularly-scheduled council meeting. Motion carried with eight members of the council voting in favor.

Bill No. 1523 was presented for First Reading by Councilman Simmons.

- e. Bill No. 1523: 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 2, 2019, and August 4, 2019.

Motion was offered by Councilman Simmons and seconded by Councilman Chailland to place Bill No. 1523 for Second Reading at tonight's council meeting. Motion carried with eight members of the council voting in favor.

Bill No. 1523 was presented for Second Reading by Councilman Simmons.

Motion was offered by Councilman Simmons and seconded by Councilman Chailland to place Bill No. 1523 for Third Reading at the next regularly-scheduled council meeting. Motion carried with eight members of the council voting in favor.

Bill No. 1524 was presented for First Reading by Councilwoman Rehklau.

- f. Bill No. 1524: An Ordinance authorizing the Mayor, on behalf of the City of Fulton, Missouri, to sign all necessary documents in relation to a change order for the Fourth Street Improvements Project with the Commission of Callaway County, Missouri, for reimbursement on all labor and materials to complete the Court Street and Fourth Street curb, gutter, and sidewalk improvements.

Motion was offered by Councilwoman Rehklau and seconded by Councilman Chailland to place Bill No. 1524 for Second Reading at tonight's council meeting.

Councilman Simmons asked if the city is authorizing an additional \$64,000.00 expenditure on behalf of the county. Johnson stated this bill will be paid by the county, but is a change-order on the city's current contract. Presiding Commissioner Jungermann has confirmed that the county will be moving forward and will issue an order to proceed. Additionally, the county may be required to pre-pay this portion, and work on the county's portion will not begin until the city's portion of the project is complete. Motion carried with eight members of the council voting in favor.

Bill No. 1524 was presented for Second Reading by Councilwoman Rehklau.

Motion was offered by Councilwoman Rehklau and seconded by Councilman Stone to place Bill No. 1524 for Third Reading at the next regularly-scheduled council meeting.

Councilman Braun asked if there will be an official document from Callaway County committing them to pay for the change order prior to the passage of this ordinance. Johnson stated he would contact Commissioner Jungermann to ensure a document is provided. Motion carried with eight members of the council voting in favor.

SECOND READING

Bill No. 1517 was presented for Second Reading by Councilman Braun.

- a. Bill No. 1517: An Ordinance adopting an official Budget and Capital Improvement Program and appropriating the funds of the city for the fiscal year beginning January 1, 2019 and ending December 31, 2019.

Motion was offered by Councilman Braun and seconded by Councilman Stone to place Bill No. 1517 for Third Reading at the next regularly-scheduled council meeting.

Johnson stated there have been a few updates made to the document since the last review the council had. Amongst those changes are an increase in health insurance costs from \$400.00 to \$425.00 per employee and a parking lot project that was removed in order to accommodate the purchase of a salt spreader and plow for a new truck in the Street Department budget.

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

Bill No. 1518 was presented for Second Reading by Councilwoman Rehkla.

- b. Bill No. 1518: An Ordinance authorizing the Mayor, on behalf of the City of Fulton, Missouri, to declare a tract of land located at 206 Ravine Street to be surplus property, authorizing its distribution, and establishing an effective date.

Motion was offered by Councilwoman Rehkla and seconded by Councilman Stone to place Bill No. 1518 for Third Reading at tonight's council meeting. Motion carried with eight members of the council voting in favor.

Bill No. 1518 was presented for Third Reading by Councilwoman Rehkla.

Motion was offered by Councilwoman Rehkla and seconded by Councilman Moore to place Bill No. 1518 for Final Passage at tonight's council meeting. Motion carried with eight members of the council voting in favor.

Roll call vote of the members of the council was as follows: Moore, YES; Rehkla, YES; Shiverdecker, YES; Simmons, YES; Stone, YES; Vaughn, YES; Braun, YES; Chailland, YES. Bill No. 1518, having received the affirmative vote of eight members of the council, was declared passed by the President of the Council.

ANNOUNCEMENTS:

- a. The remaining 2018 City Council meetings will be held November 27th and December 18th.
- b. Candidate packets for the offices of Mayor, City Attorney, and 1st – 4th Ward Councilmembers are available in the office of the City Clerk, M-F 8:00 a.m. to 5:00 p.m. Candidate filing opens December 11, 2018 at 8:00 a.m. and closes January 15, 2019 at 5:00

p.m. For additional information, contact the City Clerk at 573-592-3111.

EXECUTIVE SESSION & ADJOURNMENT:

Mayor Benton said there was a need to have an Executive Session to discuss matters dealing with hiring, firing, disciplining, or promotion of particular employees, pursuant to 610.021 RSMO.

Motion was offered by Councilman Shiverdecker and seconded by Councilman Chailland to adjourn this meeting and enter into Executive Session.

Roll call vote of the members of the council was as follows: Rehklau, YES; Shiverdecker, YES; Simmons, YES; Stone, YES; Vaughn, YES; Braun, YES; Chailland, YES; Moore, YES. Motion carried with eight members of the council voting in favor.

There being no further business during this Regular Session, the meeting adjourned at 8:52 p.m.

The Council exited to the Executive Conference Room and entered the Executive Session at 8:54 p.m.

The Council reentered the Council Chambers at 9:11 p.m. Motion was offered by Councilman Vaughn and seconded by Councilman Braun to exit Executive Session.

Roll call vote of the members of the council was as follows: Shiverdecker, YES; Simmons, YES; Stone, YES; Vaughn, YES; Braun, YES; Chailland, YES; Moore, YES; Rehklau, YES. Motion carried with eight members of the council voting in favor.

The Council exited Executive Session at 9:12 p.m.

LeRoy D. Benton, Mayor

Courtney L. Crowson, MRCC
City Clerk