

**CITY COUNCIL MINUTES
NOVEMBER 27, 2018**

The Council of the City of Fulton, Missouri, met in Regular Session on Tuesday, November 27, 2018 in the Council Chambers of City Hall located at 18 E. 4th Street. Present and presiding were: Mayor LeRoy D. Benton; 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 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, Stone, and Vaughn. 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; 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: Randy Stevens, Mary Ann Stevens, Laura Nichols, Dennis Luebbering, Shane McKinnon, Megan Sanchez, Debby March, Patrick Bonnot, and Mike West.

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.

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.

- a. Approval of the City Council meeting minutes of October 23, 2018.
- b. Approval of the City Council meeting minutes of November 13, 2018.
- c. Approval of the Director of Administration Report of October.
- d. Appointment of Frances Vaughn to the Historic Preservation Commission.
- e. Acknowledgement of the following Board and Commission Reports:
 - i. Human Rights Commission – September 24, 2018.

Motion was offered by Councilman Braun and seconded by Councilman Vaughn to approve the Consent Agenda, as presented. Motion carried with eight members of the council voting in favor.

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

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

Holschlag reported nine months of sales tax has been recorded, and figures are ahead by four percent (4%) in comparison to 2017. The city has recognized approximately \$710,000.00 in property tax receipts and \$38,000.00 for city stickers.

Following some review, motion was offered by Councilman Shiverdecker and seconded by Councilwoman Rehklau to accept the Financial Report for the month of October, as presented. Motion carried with eight members of the council voting in favor.

UNFINISHED BUSINESS:

- a. Recycling Program discussion.

Robert Boone, Assistant Director of Administration, reported the city has contacted multiple recycling agencies both locally and across the state. The City of Columbia utilizes a dual stream system, meaning recyclable goods are separated into two categories: dry, paper goods and goods that can hold or may contain liquid. Currently, the City of Fulton operates a single stream recycling system.

The city has approximately 738 recycling carts in use, and each household opting to have a recycling cart pays \$1.00 (per cart) monthly. Citizens may also place recyclables in clear plastic bags and leave them near their trash can for curbside recycling. At this time, curbside recycling is incorporated into citizen utility bills. Bill Johnson, Director of Administration, stated one option would be to have large recycling containers available for citizens to drop off their materials and to discontinue curbside pick-up.

Councilman Stone noted the city currently makes \$8,800.00 from the recycling cart charges and at the current rate, the city pays more than \$20,000.00 to dump the materials. Many councilmembers expressed concern with rate instability and would like Boone to provide additional information at the next regularly-scheduled meeting.

- b. Tanglewood Clubhouse discussion.

Johnson stated the city has put together an RFP that will be opened December 12, 2018, if the minimum number of proposals are received. Councilman Braun expressed concerns with turning these operations over to an independent contractor.

NEW BUSINESS:

- a. Patrick Bonnot of MIRMA presented an overview of the 2018 Grants awarded to the City of Fulton.

Bonnot, Loss Control & Member Services Director of MIRMA, thanked the council for the opportunity to speak and present the grants this evening. Bonnot stated the insurance company's primary goal is to limit the number of loss claims in municipalities annually, and part of that objective is to award grant monies to cities for safety-related purchases.

This year, the City of Fulton has been awarded a total of \$18,768.00 for various purchases including: car cameras, body cameras, sewer cameras, City Hall door security, confined space entry equipment, air

quality/gas detectors, and flame resistant bibs. These items will be purchased by the city and reimbursed in accordance with the rate schedule provided by MIRMA.

Bonnot also noted he will inspect the city's "black boxes" in January. These black boxes house safety forms, inspection reports, and other insurance and safety-related documents. Johnson stated, "Because of their inspections, it forces us to be safer and make improvements. If issues are not addressed, the city can be assessed additional costs annually".

Councilman Braun asked when the city employee policy handbook was last updated. Johnson stated the current edition was revised in 2015.

- b. Randy Stevens was present to request perpetual utility relief for the Fulton Soup Kitchen at their new location.

Stevens, Bishop of the local Church of Jesus Christ of Latter Day Saints, stated the Fulton Soup Kitchen began experiencing difficulty more than a year ago. Stevens reported the Soup Kitchen exited the John C. Harris Community Center in search of a facility that could better suit the organization's needs and would have fewer restrictions.

Recently, the Soup Kitchen petitioned Casey's General Stores for use of the vacant storefront on Fourth Street and has received word that the facility will be titled over and available for their use. Stevens stated the Soup Kitchen has \$4,000.00 in their coffers and are looking to renovate the property. Due to a lack of funding, the group is seeking waiver of city utility deposits and fees.

Stevens stated Fulton has many homeless individuals who do not have a place to go or a means of eating throughout the day. Stevens noted the historical monthly average for the building was \$1,640.00, although he anticipates the usage for the Soup Kitchen would be similar to that of a residence.

Johnson stated the City denies requests for waived utilities and deposits as the city's ordinances require deposits for all accounts. Johnson noted the city receives many requests from other nonprofit organizations who also do important and good work in the community for utility and deposit waivers, and the city's policy is to require all to pay equally. Johnson, along with many members of the council, expressed that the city does not want to be in the position of deciding which organizations and causes are worthy and which are not.

Stevens stated he believes the Soup Kitchen is far different from any other local organization and is working directly with the community to benefit those in need. Stevens continued by saying that if there is no utility relief, there will likely be no Soup Kitchen. Councilman Simmons asked if the homeless shelters in the community receive a break on utilities. Johnson stated they do not. Councilman Simmons assured Stevens that no one is questioning the worthiness of the Soup Kitchen and the various other organizations, and that the city appreciates their work in the community.

COUNCIL CONCERNS:

Councilman Moore stated he believes the council should make a decision for the Park Board and Parks & Recreation Director to move ahead with the community center and to remain within a \$3-4 million budget. Holschlag provided a sheet with various debt service projections and options.

Councilman Stone stated he is confused about what Councilman Moore is requesting as the council voted to pursue both projects at this time. City Clerk Courtney Crowson noted the council has voted to continue the contract with SFS Architects and to take both the community center and baseball/softball complex projects to the bidding stage. Crowson clarified that Councilman Moore is stating he would prefer the council choose one project to pursue at this time rather than bidding both out. Councilman Stone said he believes it is worthwhile to take both projects to bid in order to decide which would be better for the community. Some discussion followed.

Councilman Moore stated he doesn't believe either project will actually be built and that it is a waste of time to wait until May (when bids could likely be opened) just to argue about the topic again. Councilman Simmons said he believes it is beneficial to get the numbers before making a decision to drop one of the projects. Councilman Braun stated that once the city has the plans for both projects, the city can look at costs and what is financially possible at that time. Councilwoman Rehlau asked that the city consider FEMA storm shelter funding for the community center.

Councilman Braun asked for an update on the old city warehouse demolition. Kyle Bruemmer, interim City Engineer, stated the demolition is set to begin on December 10, 2018.

Councilman Stone asked if the city has regulations about street parking when the roads need to be plowed. Bruemmer stated that information is on the city's website, and he will check with the Public Information Officer to ensure people can easily locate the information.

Councilwoman Rehlau stated the council will gather at 3:00 p.m. the following day to decorate their group tree for the Festival of Lights celebration in Veteran's Park.

RESOLUTIONS:

Resolution No. 3322 was presented for consideration by Councilman Shiverdecker.

- a. Resolution No. 3322: A Resolution authorizing the Mayor, on behalf of the City of Fulton, Missouri, to sign all necessary documents in relation to the Proposal for Geotechnical Engineering Services with Terracon Consultants, Inc. of St. Louis, Missouri, in the amount of not-to-exceed Eleven Thousand Nine Hundred Dollars (\$11,900.00), and establishing an effective date.

Motion was offered by Councilman Shiverdecker and seconded by Councilman Vaughn to adopt Resolution No. 3322 at tonight's council meeting. Motion carried with eight members of the council voting in favor.

ORDINANCES:

SECOND READING

Bill No. 1519 was presented for Second 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 Councilman Shiverdecker to place Bill No. 1519 for Third Reading at tonight's council meeting. Motion carried with eight members of the council voting in favor.

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

Motion was offered by Councilman Moore and seconded by Councilman Shiverdecker to place Bill No. 1519 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: Chailland, YES; Moore, YES; Rehklau, YES; Shiverdecker, YES; Simmons, YES; Stone, YES; Vaughn, YES; Braun, YES. Bill No. 1519, having received the affirmative vote of eight members of the council, was declared passed by the President of the Council.

Bill No. 1520 was presented for Second 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 Third 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 Second 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 Third Reading at tonight's council meeting. Motion carried with eight members of the council voting in favor.

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

Motion was offered by Councilman Stone and seconded by Councilwoman Rehklau to place Bill No. 1521 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; Rehklau, YES; Shiverdecker, YES; Simmons, YES; Stone, YES; Vaughn, YES; Braun, YES; Chailland, YES. Bill No. 1521, having received the affirmative vote of eight members of the council, was declared passed by the President of the Council.

THIRD READING

Bill No. 1517 was presented for Third 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 Moore to place Bill No. 1517 for Final Passage at tonight's council meeting. Motion carried with seven members of the council voting in favor, and one member (Vaughn) opposed.

Roll call vote of the members of the council was as follows: Rehklau, YES; Shiverdecker, YES; Simmons, YES; Stone, YES; Vaughn, NO; Braun, YES; Chailland, YES; Moore, YES. Bill No. 1517, having received the affirmative vote of seven members of the council, was declared passed by the President of the Council.

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

- b. 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 Moore to place Bill No. 1522 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: Shiverdecker, YES; Simmons, YES; Stone, YES; Vaughn, YES; Braun, YES; Chailland, YES; Moore, YES; Rehklau, YES. Bill No. 1522, having received the affirmative vote of eight members of the council, was declared passed by the President of the Council.

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

- c. 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 Councilwoman Rehklau to place Bill No. 1523 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: Simmons, YES; Stone, YES; Vaughn, YES; Braun, YES; Chailland, YES; Moore, YES; Rehklau, YES; Shiverdecker, YES. Bill No. 1523, having received the affirmative vote of eight members of the council, was declared passed by the President of the Council.

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

- d. 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 Shiverdecker to place Bill No. 1524 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: Stone, YES; Vaughn, YES; Braun, YES; Chailland, YES; Moore, YES; Rehklau, YES; Shiverdecker, YES; Simmons, YES. Bill No. 1524, having received the affirmative vote of eight members of the council, was declared passed by the President of the Council.

ANNOUNCEMENTS:

- a. The final 2018 City Council meeting will be held December 18th at 6:30 p.m.
- 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:

Mayor Benton 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 Braun to adjourn this meeting. Motion carried with eight members of the council voting in favor. The meeting adjourned at 7:53 p.m.

LeRoy D. Benton
Mayor

Courtney L. Crowson, MRCC
City Clerk