

**CITY COUNCIL MINUTES
MARCH 12, 2019**

The Council of the City of Fulton, Missouri, met in Regular Session on Tuesday, March 12, 2019 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; Laure Long, Deputy 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 Deputy City Clerk, and members of the council present were: Moore, Rehklau, Shiverdecker, Simmons, Stone, Vaughn, and Braun. Absent was Councilman Chailland. Also present were: Kathy Holschlag, Chief Financial Officer; 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; Mike Haldeman and Darin Wernig, Audio/Video; and visitors: Mike West, Patrick Payne, David McDaniel, Robert Childs, Janea Danuser, Carmen Brandt, Lowe Cannell, Carolyn Gaines, and Jenny Gray of the Fulton Sun.

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 Deputy City Clerk.

Patrick Payne, 4th Ward, said he would be attending the City Council meetings over the next six months to talk about Parks and Recreation. Mr. Payne said he's been observing for a long time now, but is now advocating and hopes to give information and direction to the Parks and Recreation Department that the Council will agree on. Mr. Payne presented a packet to all members of the Council containing history and photographs of various Parks and Recreation facilities and thanked the Council for their time.

PUBLIC HEARINGS (3)

Mayor Benton stated there would be three (3) public hearings at tonight's meeting, and read each excerpt prior to opening each hearing.

- a. To consider the proposed rezoning of tracts of land known as 205 Oak Street and 209 Oak Street in Fulton, Missouri from its current zoning of R-2 Residential to M-1 Manufacturing.

Mayor Benton declared this hearing open at 7:11 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?

Janea Danuser, Danuser Machine Company, said the company has been in operation for 109 years in Fulton, and gave employment statistics for the past few years. Ms. Danuser reported the company has expanded to 125 full time employees compared to 50 employees in 2010, and they are now operating three shifts. Ms. Danuser said this tract of land would be used for a lay down area or parking lot.

Councilman Stone expressed concern with how the neighborhood is going to look with parking lots, bail bondsman, and houses nearby, and asked Ms. Danuser to respect the neighborhood. Ms. Danuser responded saying she felt they have aided in some of the issues on the block by tearing down a house on Oak Street and adding some beauty to State Street. She said they are respecting current leases on rentals and aren't terminating any early; they just want to complete the third and final phase of expansion for Danuser Machine Company.

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.

Mayor Benton declared this public hearing closed at 7:17 p.m.

- b. To consider the proposed rezoning of tracts of land known as 308 Oak Street and 310 Oak Street in Fulton, Missouri from its current zoning of R-2 Residential to M-1 Manufacturing.

Mayor Benton declared this hearing open at 7:17 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?

Janea Danuser, Danuser Machine Company, came forward to answer any questions from the Council.

Councilman Braun asked about a skid steer that pounds on a pole and the noise it makes at the site.

Ms. Danuser said they are very respectful of their neighbors and have adjusted times because of the noise. She said the purpose of the rezone is to be able to expand, but they are also buying property outside of city limits to get some of their operations off of Route O and 2nd Street.

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.

Mayor Benton declared this public hearing closed at 7:20 p.m.

- c. To consider the proposed rezoning of a tract of land known as 906 Westminster Avenue in Fulton, Missouri from its current zoning of R-2 Residential to R-3 Residential.

Mayor Benton declared this hearing open at 7:20 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?

Carmen Brandt, 705 Thatcher, stated she was the President of the George Washington Carver Cultural Board, and said on November 30, 2018 the Board entered into an option agreement to renovate the building into senior housing and need the land to be rezoned for that to happen.

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.

Mayor Benton declared this public hearing closed at 7:23 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. 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 a request from Marcia Lamons, on behalf of Central Bank for their Annual Customer Appreciation Day on Thursday, May 9, 2019 from 9:00 a.m. to 2:30 p.m.
 - i. This request has been approved by Chief Myers and will require the closure of Ravine Street between 4th and 5th Street.

Motion was offered by Councilman Moore and seconded by Councilman Vaughn 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. Street Banner update.

Darrell Dunlap, Superintendent of Utilities, reported he contacted the vendor making the street light poles, and said the tapered poles won't work for banners, but they are working on trying to get a replacement pole and a price together for the City. Mayor Benton said to continue investigating options and to come back to the Council with a cost once one is received.

- b. City Hall Security update.

Mr. Dunlap said he had a brief meeting with Burns and McDonnell about security ideas for City Hall. Some suggestions they had were to videotape the hallways to get a feel for the building, formulating procedures, and a questionnaire for the staff to complete to see how they feel security could be improved.

Mr. Johnson, Director of Administration, said the City has turned to an expert for their recommendation on security. He reported that Burns and McDonnell said the entire building may not need the same level of security, and said there are still unknown answers that will depend on the level of security the Council wants. More information will be given to the Council once Administration knows more.

NEW BUSINESS:

- a. Callaway 200 Committee discussion.

Mayor Benton said the City will continue to monitor the Callaway 200 Committee's progress.

- b. Street Sweeper purchase discussion.

Kyle Bruemmer, Interim City Engineer, reported there have been five different suppliers in town demonstrating what they have to offer for street sweepers, and said he looked at three different types of machines from those suppliers. Mr. Bruemmer said after evaluating the machines and suppliers, he and the Street Department are in favor of the City purchasing the Johnston VT651 machine. Mr. Bruemmer said they chose the VT651 for several reasons including the maintenance, service ability, versatility, and warranty.

Mr. Johnson said the reason the street sweeper was on the agenda, was because it was not included in the 2019 budget, and was looking for the City Council's approval to fund the item as outlined in the council packet.

Some Councilmembers expressed the need for the sweeper, but some discussion followed on the funding mechanisms. Councilman Stone asked if the main funding line for the additional expenditure would be replenished in the future. Mr. Johnson said those funds would be replenished through the generation of the storm water sales tax, and does not see the general fund being reimbursed. Johnson said that fund is appropriate due to the impact the street sweeper will have on the cleanliness of the water going to the streams and creeks.

Councilman Stone said he was in favor of purchasing the sweeper, but said there were some concerns in the community with the direct impact on the storm water system and why such a large amount of this purchase is coming from that line item. Councilman Stone asked for more communication with the community of the direct impact of the storm water system, because he hasn't had any favorable responses with using the storm water sales tax to fund the purchase with the people he has spoken with.

Mr. Bruemmer said he was willing to eliminate two vehicles that were budgeted for his department for 2019 to help with the funding of the sweeper.

After further discussion, motion was offered by Councilman Braun and seconded by Councilwoman Rehklau to move forward with the purchase of the street sweeper. Motion carried with seven members of the council voting in favor, and one member (Chailland) absent.

COUNCIL CONCERNS:

Councilman Shiverdecker said he would like to add increasing the terms of the City Council or changing the election filing procedures to a City Council agenda to discuss it further. Mayor Benton said it could be reviewed at the next City Council Work Session.

Mayor Benton thanked Councilman Shiverdecker and Councilman Moore for filling in as Mayor in his absence during the month of February.

Councilman Braun thanked Dennis Houchins, Planning & Protective Services Director, for his efforts with the housing issues in the community, and positively commented about a house on Ravine Street being demolished and progress with a house on 6th Street.

Councilwoman Rehklau also thanked Mr. Houchins for what he's doing in the community and his persistency with the housing issues.

RESOLUTIONS:

There were no Resolutions for consideration at this meeting.

ORDINANCES:

FIRST READING

Bill No. 1531 was presented for First Reading by Councilman Vaughn.

- a. Bill No. 1531: An Ordinance repealing Ordinance No. 1404-15 establishing Electric Rates of the City of Fulton, Missouri, enacting a new ordinance, and establishing an effective date.

Motion was offered by Councilman Vaughn and seconded by Councilman Moore to place Bill No. 1531 for Second Reading at tonight's council meeting. Motion carried with seven members of the council voting in favor, and one member (Chailland) absent.

Bill No. 1531 was presented for Second Reading by Councilman Vaughn.

Motion was offered by Councilman Vaughn and seconded by Councilman Moore to place Bill No. 1531 for Third Reading at the next regularly-scheduled council meeting. Councilman Braun said he would like to see the City moving forward and for the year 2020, budget for improvements and maintenance that needs to occur. Motion carried with seven members of the council voting in favor, and one member (Chailland) absent.

Bill No. 1532 was presented for First Reading by Councilman Moore.

- b. Bill No. 1532: An Ordinance amending Chapter 94, Solid Waste. Article IV, Storage, Collection and Disposal. Fulton City Code by deleting Division Three, Service Charges., enacting a new Division in lieu thereof, and establishing an effective date.

Motion was offered by Councilman Moore and seconded by Councilman Shiverdecker to place Bill No. 1532 for Second Reading at the next regularly-scheduled council meeting. Motion carried with seven members of the council voting in favor, and one member (Chailland) absent.

Bill No. 1533 was presented for First Reading by Councilman Simmons.

- c. Bill No. 1533: An Ordinance re-classifying, under the Zoning Ordinance, tracts of land known as 205 Oak Street and 209 Oak Street in Fulton, Missouri, and establishing an effective date.

Motion was offered by Councilman Simmons and seconded by Councilwoman Rehklau to place Bill No. 1533 for Second Reading at tonight's council meeting.

Dennis Houchins read the following excerpt from the February 27, 2019 Planning & Zoning Commission meeting minutes:

"Motion was offered by Les Hudson and seconded by Mike Eibel to approve the zoning change request made for the tract of land located at 205 Oak Street and 209 Oak Street and to recommend passage by the City Council.

Roll call vote of members of the commission were as follows: Les Hudson, YES; Pat Kelley, YES; Ken McSwain, YES; Joan Berry Morris, YES; Ron Oldani, YES; Jeremy Washington, YES; Lewis Beaty, YES; Mike Eibel, YES.

Motion carried with eight members of the commission voting in favor."

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

Bill No. 1533 was presented for Second Reading by Councilman Simmons.

Motion was offered by Councilman Simmons and seconded by Councilwoman Rehkla to place Bill No. 1533 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.

Bill No. 1534 was presented for First Reading by Councilwoman Rehkla.

- d. Bill No. 1534: An Ordinance re-classifying, under the Zoning Ordinance, tracts of land known as 308 Oak Street and 310 Oak Street in Fulton, Missouri, and establishing an effective date.

Motion was offered by Councilwoman Rehkla and seconded by Councilman Stone to place Bill No. 1534 for Second Reading at tonight's council meeting.

Dennis Houchins read the following excerpt from the February 27, 2019 Planning & Zoning Commission meeting minutes:

“Motion was offered by Lewis Beaty and seconded by Les Hudson to approve the zoning change request made for the tract of land located at 308 Oak Street and 310 Oak Street and to recommend passage by the City Council.

Roll call vote of members of the commission were as follows: Pat Kelley, YES; Ken McSwain, YES; Joan Berry Morris, YES; Ron Oldani, YES; Jeremy Washington, YES; Lewis Beaty, YES; Mike Eibel, YES; Les Hudson, YES.

Motion carried with eight members of the commission voting in favor.”

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

Bill No. 1534 was presented for Second Reading by Councilwoman Rehkla.

Motion was offered by Councilwoman Rehkla and seconded by Councilman Stone to place Bill No. 1534 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.

Bill No. 1535 was presented for First Reading by Councilman Stone.

- e. Bill No. 1535: An Ordinance re-classifying, under the Zoning Ordinance, a tract of land known as 906 Westminster Avenue in Fulton, Missouri, and establishing an effective date.

Motion was offered by Councilman Stone and seconded by Councilman Moore to place Bill No. 1535 for Second Reading at tonight's council meeting.

Dennis Houchins read the following excerpt from the February 27, 2019 Planning & Zoning Commission meeting minutes:

“Motion was offered by Ken McSwain and seconded by Les Ron Oldani to approve the zoning change request made for the tract of land located at 906 Westminster Avenue and to recommend passage by the City Council.

Roll call vote of members of the commission were as follows: Mike Eibel, YES; Les Hudson, YES Pat Kelley, YES; Ken McSwain, YES; Joan Berry Morris, YES; Ron Oldani, YES; Jeremy Washington, YES; Lewis Beaty, YES.

Motion carried with eight members of the commission voting in favor.”

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

Bill No. 1535 was presented for Second Reading by Councilman Stone.

Motion was offered by Councilman Stone and seconded by Councilwoman Rehkla to place Bill No. 1535 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 Annual IMGA Meeting will be held March 18-19, 2019 in Springfield, Illinois for Councilmembers who have registered to attend.
- b. The next City Council meeting will be held Tuesday, March 26, 2019 at 6:30 p.m.
- c. Election Day is Tuesday, April 2, 2019.
- d. The 19th Annual Clean Sweep will be held on Saturday, April 13, 2019. To register, please contact Parks & Recreation at 573-592-3190.

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 Stone to adjourn this meeting. Motion carried with seven members of the council voting in favor, and one member (Chailland) absent. The meeting adjourned at 8:00 p.m.

LeRoy D. Benton, Mayor

Laure Long
Deputy City Clerk