

**CITY COUNCIL MINUTES**  
**APRIL 9, 2019**

The Council of the City of Fulton, Missouri, met in Regular Session on Tuesday, April 9, 2019 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: 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: Patrick Payne, Barbara Bonsall, Scott Sebacher, Carl Cannell Jr., Carol Taylor, Faye Stone, Rhonda Braun, Teresa Stone, Keegan Stone, Emily Stone, Crystal Cannell, Diann Fennel, Emily Bush, Corey Bush, Billy Fennell, Robert Sterner, Eva Sterner, Jenna Houchins, Frances Vaughn, Mayor-Elect Lowe Cannell, Councilwoman-Elect Lindsey Pace-Snook, and Councilwoman-Elect Valerie Sebacher.

**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.

**PRESENTATION AND APPROVAL OF THE COUNCIL MEETING MINUTES OF MARCH 26, 2019:**

The minutes of the March 26, 2019 council meeting were presented for approval.

Motion was offered by Councilman Shiverdecker and seconded by Councilman Braun to approve the meeting minutes of March 26, 2019, as presented. Motion carried with eight members of the council voting in favor.

**RESOLUTIONS:**

Resolution No. 3335 was presented by Councilman Vaughn.

- a. Resolution No. 3335: A Resolution certifying the votes cast in the Municipal Election held on April 2, 2019. (A hand-out at the meeting.)

Motion was offered by Councilman Vaughn and seconded by Councilman Stone to adopt Resolution No. 3335 at tonight's council meeting. Motion carried with eight members of the council voting in favor.

Councilman Simmons congratulated Councilman Chailland for his many years of service and presented him with a "golden coat rack" trophy as an outgoing gift from the First Ward. Councilman Chailland, who had cheekily requested a coat rack at a number of meetings prior to his departure, thanked Councilman Simmons for this prestigious and humorous recognition.

Mayor Benton stood at the podium and thanked the council, city staff, and citizens for the support they provided him during his time as Mayor. Mayor Benton presented Councilman Vaughn and Councilman

Chailland with gifts and thanked them for their many years of service.

**ADJOURNMENT OF THE SITTING COUNCIL:**

There being no further business to come before the present council, Mayor Benton adjourned the sitting council at 6:42 p.m.

The new City Council gathered for individual and group pictures at this time.

**OATH OF OFFICE TO NEWLY-ELECTED OFFICIALS:**

City Clerk Courtney Crowson administered the oath of office to the newly-elected Mayor, Councilmembers, and City Attorney.

Mayor:           Lowe Cannell

First Ward:    Valerie Sebacher

Second Ward:  Jeffrey Stone

Third Ward:   Lindsey Pace-Snook

Fourth Ward:  Rick Shiverdecker

City Attorney: Robert R. Sterner

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**NEW COUNCIL**

**CALL TO ORDER:**

The meeting was called to order by Mayor Cannell at 6:54 p.m. Valerie Sebacher, newly-elected member for First Ward, and Lindsey Pace-Snook, newly-elected member for Third Ward were present, in addition to Councilmembers: Moore, Rehklau, Shiverdecker, Simmons, Stone, and Braun.

**ADOPTION OF COUNCIL RULES OF ORDER AND PROCEDURES:**

Mayor Cannell asked Crowson to review any changes to the Council Rules of Order and Procedures. Crowson noted there were no additions or modifications to the document since its last approval.

Mayor Cannell stated he noticed the Director of Administration Report had been shortened since his last time on the council, and he would like to see the department heads begin submitting full reports again.

Councilwoman Rehklau and Councilwoman Pace-Snook stated they would also like to see full reports again.

Motion was offered by Councilman Stone and seconded by Councilman Moore to approve the Council Rules of Order and Procedures, as presented. Motion carried with seven members of the council voting in favor, and one member (Rehklau) opposed.

**ELECTION OF DEPUTY MAYOR:**

Mayor Cannell called for nominations for the position of Deputy Mayor for the ensuing one-year term.

The nomination of Councilman Shiverdecker was offered by Councilwoman Rehklau and seconded by Councilman Braun. Motion was offered by Councilman Stone and seconded by Councilman Moore to close nominations for Deputy Mayor. Motion carried with eight members of the council voting in favor.

Mayor Cannell declared Councilman Shiverdecker as Deputy Mayor by acclamation.

Mayor Cannell announced that Public Hearings were the next item of business, but because the council is running ahead of schedule, we will skip ahead and return to the Public Hearings at their originally scheduled time of 7:15 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 a request from Mark Boulton, on behalf of Westminster College, for a 5K Fundraiser on Saturday, April 13, 2019, from 8:30 a.m. to 12:00 noon.
  - i. This event request has been reviewed and approved by Chief Myers and Clay Caswell. At this time, there is no anticipation of any street closures as sidewalks and the trail will be utilized.

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

**NEW BUSINESS:**

There was no New Business for consideration at this meeting.

**COUNCIL CONCERNS:**

Councilman Shiverdecker stated he would like to see the topic of nominating petitions and council terms for discussion. Mayor Cannell stated this topic will appear on an upcoming agenda.

Councilman Moore asked for an update on the Sixth Street property. Dennis Houchins, Planning & Protective Services Director, stated the structure case will be heard before a judge in May. The nuisance case was heard in court recently. The property owner was found to be guilty, and fines were assessed. Houchins stated additional nuisance tickets may be issued in the future if problems persist.

Councilwoman Pace-Snook expressed concerns with the condition of the street near the intersection of Westminster and Fourth Street. Johnson stated the grading issues will be corrected, and new asphalt will be laid tomorrow.

Councilwoman Rehkla welcomed the new members to the council.

**RESOLUTIONS:**

Resolution No. 3336 was presented for adoption by Councilman Simmons.

- a. Resolution No. 3336: A Resolution of Recognition and Appreciation to Wayne Chailland for his fourteen years of service as a City Councilmember.

Motion was offered by Councilman Simmons and seconded by Councilman Stone to adopt Resolution No. 3336 at tonight's council meeting. Motion carried with eight members of the council voting in favor.

Mayor Cannell presented a plaque with an executed copy of the Resolution of Appreciation to Wayne Chailland.

Resolution No. 3337 was presented for adoption by Councilman Braun.

- b. Resolution No. 3337: A Resolution of Recognition and Appreciation to Richard Vaughn for his nine years of service as a City Councilmember.

Motion was offered by Councilman Braun and seconded by Councilwoman Rehklau to adopt Resolution No. 3337 at tonight's council meeting. Motion carried with eight members of the council voting in favor.

Mayor Cannell presented a plaque with an executed copy of the Resolution of Appreciation to Richard Vaughn.

Resolution No. 3338 was presented for adoption by Councilman Moore.

- c. Resolution No. 3338: A Resolution of Recognition and Appreciation to LeRoy D. Benton for his eight years of service as Mayor.

Motion was offered by Councilman Moore and seconded by Councilman Shiverdecker to adopt Resolution No. 3338 at tonight's council meeting. Motion carried with eight members of the council voting in favor.

Mayor Cannell presented a plaque with an executed copy of the Resolution of Appreciation to LeRoy D. Benton.

Resolution No. 3339 was presented for adoption by Councilwoman Pace-Snook.

- d. Resolution No. 3339: A Resolution authorizing the Mayor, on behalf of the City of Fulton, Missouri, to apply for and sign all necessary documents in relation to the 2019 AARP Community Challenge Grant for the installation of One (1) A.D.A. Compliant Fishing Dock, and contingent upon receiving said grant monies, approving the city's in-kind and monetary match.

Motion was offered by Councilwoman Pace-Snook and seconded by Councilman Braun to adopt Resolution No. 3339 at tonight's council meeting. Motion carried with eight members of the council voting in favor.

Resolution No. 3340 was presented for adoption by Councilman Stone.

- e. Resolution No. 3340: A Resolution authorizing the Mayor, on behalf of the City of Fulton, Missouri, to sign all necessary documents in relation to a Contract with Rance's Carpet & Cabinets of Fulton, Missouri, for the remodeling of restrooms at Tanglewood Clubhouse and establishing an effective date.

Motion was offered by Councilman Stone and seconded by Councilwoman Rehklau to adopt Resolution No.

3340 at tonight's council meeting. Councilman Braun asked if the original bids came in higher than expected, as the project was intended to include additional areas of the clubhouse. Johnson and Clay Caswell, Parks & Recreation Director clarified that the project was scaled back due to high costs, and at this time, the clubhouse restrooms were a priority.

Councilman Braun stated he would like to see the quotes for the remaining areas at the next meeting for consideration. Johnson stated this information would be brought back at the next meeting.

Motion carried with eight members of the council voting in favor.

## **PUBLIC HEARINGS (2)**

Mayor Cannell stated there would be two (2) public hearings at tonight's meeting, and read each excerpt prior to opening each hearing.

- a. To consider the proposed rezoning of an 11.06 acre tract of land known as 2705 Westminster Avenue in Fulton, Missouri from its present zoning of A-1 Agricultural to M-1 Industrial.

Mayor Cannell declared this hearing open at 7:19 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.

Mayor Cannell declared the public hearing closed at 7:21 p.m.

- b. To consider the proposed rezoning of a 5.00 acre tract of land known as 2605 Westminster Avenue in Fulton, Missouri from its present zoning of A-1 Agricultural to M-1 Industrial.

Mayor Cannell declared this hearing open at 7:21 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.

Mayor Cannell declared the public hearing closed at 7:23 p.m.

## **ORDINANCES:**

### **FIRST READING**

Bill No. 1536 was presented for First Reading by Councilwoman Rehklau.

- a. Bill No. 1536: An Ordinance re-classifying, under the Zoning Ordinance, a tract of land known as 2705 Westminster Avenue in Fulton, Missouri, and establishing an effective date.

Motion was offered by Councilwoman Rehklau and seconded by Councilwoman Pace-Snook to place Bill No. 1536 for Second Reading at the next regularly-scheduled council meeting.

Houchins came forward to present the recommendation of the Planning & Zoning Commission during their meeting on March 27, 2019:

“Motion was offered by Ron Oldani and seconded by Ken McSwain to approve the zoning change request made for the tract of land located at 2705 Westminster Avenue and to recommend passage by the City Council.

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

Motion carried with seven members of the commission voting in favor, and one member (Kelley) absent.”

Motion carried with eight members of the council voting in favor.

Bill No. 1537 was presented for First Reading by Councilman Shiverdecker.

- b. Bill No. 1537: An Ordinance, re-classifying, under the Zoning Ordinance, a tract of land known as 2605 Westminster Avenue in Fulton, Missouri, and establishing an effective date.

Motion was offered by Councilman Shiverdecker and seconded by Councilman Moore to place Bill No. 1537 for Second Reading at tonight's council meeting.

Houchins came forward to present the recommendation of the Planning & Zoning Commission during their meeting on March 27, 2019:

“Motion was offered by Les Hudson and seconded by Ron Oldani to approve the zoning change request made for the tract of land located at 2605 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; Ken McSwain, YES; Joan Berry Morris, YES; Ron Oldani, YES; Jeremy Washington, YES; Lewis Beaty, YES.

Motion carried with seven members of the commission voting in favor, and one member (Kelley) absent.”

Motion carried with eight members of the council voting in favor.

Bill No. 1537 was presented for Second Reading by Councilman Shiverdecker.

Motion was offered by Councilman Shiverdecker and seconded by Councilwoman Rehkla to place Bill No. 1537 for Third Reading at the next regularly-scheduled council meeting. Motion carried with eight members of the council voting in favor.

#### **ANNOUNCEMENTS:**

- a. The 19<sup>th</sup> Annual Clean Sweep will be held Saturday, April 13, 2019. To register, please contact Parks & Recreation at 573-592-3190.
- b. Spring Cleanup Week will take place April 15-19, 2019 along regular pick-up routes (no construction debris or tires).
- c. Lauber Municipal Law will host a City Officials Training Seminar in Jefferson City on Friday, April 26, 2019 from 8:30 a.m. to 2:00 p.m. Councilmembers who wish to attend must RSVP with the City Clerk no later than Monday, April 15<sup>th</sup> by 5:00 p.m.
- d. The next meeting of the City Council will be held Tuesday, April 23, 2019, at 6:30 p.m.
- e. The Household Hazardous Waste Center, located behind the fire station on Tennyson Road, will be open for drop-off on the second and fourth Saturdays of the month through October.

To schedule a drop-off, please contact the Fire Department at 573-592-3150.

- f. The City of Centralia will host the next MML Central Division meeting on Wednesday, May 22, 2019. Councilmembers who wish to attend must RSVP with the City Clerk no later than Tuesday, May 14, 2019.

**EXECUTIVE SESSION:**

Mayor Cannell said there was not a need for an Executive Session at this 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 7:29 p.m.

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Lowe Cannell, Mayor

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Courtney L. Crowson, MRCC  
City Clerk