

**CITY COUNCIL MINUTES  
AUGUST 27, 2019**

The Council of the City of Fulton, Missouri, met in Regular Session on Tuesday, August 27, 2019 in the Council Chambers of City Hall located at 18 E. 4th Street. Present and presiding were: Mayor Lowe Cannell; William R. Johnson, Director of Administration; Courtney L. Crowson, City Clerk; and Roger Rice, Assistant Police Chief. The meeting was called to order by Mayor Cannell at 6:30 p.m. Roll call was taken by the City Clerk, and members of the council present were: Braun, Pace-Snook, Rehklau, Sebacher, and Shiverdecker. Absent were Councilmembers: Moore, Simmons, and Stone. 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; Michelle Maupin, Human Resources Director; Pastor Shawn Snider; Helen Wilbers of *THE FULTON SUN*; Darin Wernig and Mike Haldeman, Audio/Video; and visitor: Patrick Payne.

**INVOCATION:**

Invocation was given by Pastor Snider.

**PLEDGE OF ALLEGIANCE:**

The Pledge of Allegiance was led by Pastor Snider.

**COMMENTS FROM VISITORS:**

There were none.

**PUBLIC HEARING:**

Mayor Cannell stated there would be one public hearing at tonight's meeting for the purpose of:

- a. Certifying the rate of levy for property taxes for the 2019 tax year within the City of Fulton.

Mayor Cannell declared this hearing open at 6:34 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 6:35 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 Cannell 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 23, 2019.
- b. Approval of the City Council meeting minutes of August 13, 2019.
- c. Approval of the Director of Administration Report of July.
- d. Acceptance of the following Board and Commission Reports:
  - i. Human Rights Commission – April 29, 2019
  - ii. Historic Preservation Commission – July 16, 2019

Motion was offered by Councilwoman Rehklau and seconded by Councilman Braun to approve the Consent Agenda, as presented. Motion carried with five members of the council voting in favor, and three members (Moore, Simmons, Stone) absent.

**PRESENTATION AND ACCEPTANCE OF THE FINANCIAL REPORT FOR THE MONTH OF JULY.**

The Financial Report for the month of July 2019 was presented for acceptance, and Chief Financial Officer, Kathy Holschlag was present to answer any questions from the council.

Holschlag reported the city has recorded six months of sales tax collections, and numbers fall in line with 2018 figures. The principle and interest payment for the water bonds was made and consisted of approximately \$135,000 to principle and \$65,000 to interest.

Following some review, motion was offered by Councilman Shiverdecker and seconded by Councilwoman Sebacher to accept the Financial Report for July 2019, as presented. Motion carried with five members of the council voting in favor, and three members (Moore, Simmons, Stone) absent.

**UNFINISHED BUSINESS:**

There was no Unfinished Business for consideration at this meeting.

**NEW BUSINESS:**

There was no New Business for consideration at this meeting.

**COUNCIL CONCERNS:**

Councilman Braun stated he had called for a special pick up recently, and the Solid Waste Department and Wendy were fantastic to work with.

## RESOLUTIONS:

Resolution No. 3352 was presented for adoption by Councilwoman Sebacher.

- a. Resolution No. 3352: A Resolution authorizing the Mayor, on behalf of the City of Fulton, Missouri, to sign all necessary documents in relation to a Contract with Visu-Sewer of MO LLC for Sewer Evaluation and Rehabilitation Services and establishing an effective date.

Motion was offered by Councilwoman Sebacher and seconded by Councilwoman Pace-Snook to adopt Resolution No. 3352 at tonight's council meeting.

Motion was offered by Councilman Braun and seconded by Councilman Shiverdecker to table Resolution No. 3352 at tonight's council meeting. Councilman Braun expressed that he would like to have a full council in order to consider this matter. Motion carried with five members of the council voting in favor, and three members (Moore, Simmons, Stone) absent.

## ORDINANCES:

### FIRST READING

Bill No. 1553 was presented for First Reading by Councilwoman Rehklau.

- a. Bill No. 1553: An Ordinance repealing Chapter 2, Administration. Article VII, Open Meetings and Records. Fulton City Code. and enacting a new Article in lieu thereof.

Motion was offered by Councilwoman Rehklau and seconded by Councilman Shiverdecker to place Bill No. 1553 for Second Reading at the next regularly-scheduled council meeting. City Clerk Courtney Crowson stated this ordinance will replace outdated language within the city's code regarding open meetings and records. The proposed ordinance was modeled after the cities of Camdenton and Kirkwood, and contains verbiage stating that if the Missouri Sunshine Law or State Statutes contain different regulations, the City of Fulton will adhere to the state-mandated regulations.

Motion carried with five members of the council voting in favor, and three members (Moore, Simmons, Stone) absent.

Bill No. 1554 was presented for First Reading by Councilman Shiverdecker.

- b. Bill No. 1554: An Ordinance filing the tax rate and levying taxes for the calendar year of 2019 on all taxable property in the City of Fulton, Missouri, and establishing an effective date.

Motion was offered by Councilman Shiverdecker and seconded by Councilman Braun to place Bill No. 1554 for Second Reading at the next regularly-scheduled council meeting. Bill Johnson, Director of Administration, stated there is a three cent reduction in the levy due primarily to the recent reassessments. The State Auditor establishes the rate range, and the rates decrease when there is a rise in assessed values.

Motion carried with five members of the council voting in favor, and three members (Moore, Simmons, Stone) absent.

Bill No. 1555 was presented for First Reading by Councilwoman Pace-Snook.

- c. Bill No. 1555: An Ordinance adopting the Callaway County Hazard Mitigation Plan for the City of Fulton, Missouri, and establishing an effective date.

Motion was offered by Councilwoman Pace-Snook and seconded by Councilman Braun to place Bill No. 1555 for Second Reading at the next regularly-scheduled council meeting. Johnson stated the document is more than 400 pages, and he asked Chief Myers and Chief Coffelt to review any portions that may directly affect the city. There have been no concerns noted with the document, and Johnson stated it should be passed in order to enhance the city and county's chances of receiving grants related to natural disasters.

Motion carried with five members of the council voting in favor, and three members (Moore, Simmons, Stone) absent.

### THIRD READING

Bill No. 1551 was presented for Third Reading by Councilman Braun.

- a. Bill No. 1551: An Ordinance readopting Ordinance 938-03, enacting Chapter Two, Administration. Article I, In General. Sections 2-9 through 2-13 pertaining to the Annual Financial Disclosure Requirement, Fulton City Code. and establishing an effective date.

Motion was offered by Councilman Braun and seconded by Councilman Shiverdecker to place Bill No. 1551 for Final Passage at tonight's council meeting. Motion carried with five members of the council voting in favor, and three members (Moore, Simmons, Stone) absent.

Roll call vote of the members of the council was as follows: Pace-Snook, YES; Rehkla, YES; Sebacher, YES; Shiverdecker, YES; Braun, YES. Absent: Moore, Simmons, Stone. Bill No. 1551, having received the affirmative vote of five members of the council, was declared passed by the President of the Council.

### ANNOUNCEMENTS:

- a. The City of Fulton will be closed Monday, September 2, 2019. Trash pickup will resume Tuesday, September 3<sup>rd</sup>. **There will be no Recycling and Yard Waste collection during the holiday week**, but these services will resume on Monday, September 9<sup>th</sup>.
- b. The Annual Mayor's Cup Golf Tournament will be held Friday, September 6, 2019, at Tanglewood Golf Course. For additional information, contact Parks & Recreation at 573-592-3190.
- c. The Bow Hunter Permit Meeting will be held Wednesday, September 11, 2019 at 5:30 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.
- d. The next meeting of the City Council will be held Tuesday, September 17, 2019 at 6:30 p.m.

- e. The Annual Town & Country Dinner will be held on Thursday, September 19, 2019, at 5:00 p.m. at Callaway Electric Cooperative. Councilmembers and Department Heads who wish to attend must RSVP with the City Clerk by August 27, 2019.

**EXECUTIVE SESSION:**

Mayor Cannell said there was a need to enter into an Executive Session pursuant to 610.021, Subsection Two (2), RSMO, to discuss leasing, purchase, or sale of real estate by a public governmental body.

Motion was offered by Councilman Shiverdecker and seconded by Councilwoman Rehkla to enter into Executive Session.

Roll call vote of the members of the council was as follows Rehkla, YES; Sebacher, YES; Shiverdecker, YES; Braun, YES; Pace-Snook, YES. Absent: Moore, Simmons, Stone. Motion carried with five members of the council voting in favor, and three members (Moore, Simmons, Stone) absent.

The Council exited to the Executive Conference Room and entered the Executive Session at 6:55 p.m.

The Council reentered the Council Chambers at 7:46 p.m. Motion was offered by Councilman Shiverdecker and seconded by Councilwoman Pace-Snook to exit Executive Session.

Roll call vote of the members of the council was as follows Sebacher, YES; Shiverdecker, YES; Braun, YES; Pace-Snook, YES; Rehkla, YES. Absent: Moore, Simmons, Stone. Motion carried with five members of the council voting in favor, and three members (Moore, Simmons, Stone) absent.

The Council exited Executive Session at 7:47 p.m.

**ADJOURNMENT:**

There being no further business to come before the council, motion was offered by Councilman Shiverdecker and seconded by Councilwoman Pace-Snook to adjourn this meeting. Motion carried with five members of the council voting in favor, and three members (Moore, Simmons, Stone) absent. The meeting adjourned at 7:48 p.m.

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Lowe Cannell, Mayor

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Courtney L. Crowson, CMC/MRCC  
City Clerk