

**CITY COUNCIL MINUTES  
SEPTEMBER 24, 2019**

The Council of the City of Fulton, Missouri, met in Regular Session on Tuesday, September 24, 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 Steve Myers, 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, Moore, Pace-Snook, Rehkla, Sebacher, Shiverdecker, Simmons, and Stone. 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; Pastor Bruce Williamson; Helen Wilbers of *THE FULTON SUN*; Darin Wernig and Mike Haldeman, Audio/Video; and visitors: Patrick Payne and Beverly Gray.

**INVOCATION:**

Invocation was given by Pastor Williamson.

**PLEDGE OF ALLEGIANCE:**

The Pledge of Allegiance was led by Pastor Williamson.

**COMMENTS FROM VISITORS:**

Beverly Gray, E. St. Eunice Road, was present to request a flashing yellow sign on Wood Street near Bush Elementary School similar to the one at Bartley Elementary School. Ms. Gray stated the estimated cost for the sign is \$4,000, and she believes the cost is manageable for the city's general revenue budget and is worth the cost to potentially save lives.

Patrick Payne, Fourth Ward, stated he has been attending various city board/commission meetings and enjoys seeing the city's processes. Mr. Payne stated he believes the council's responsibility is to listen to the public's wants and needs and to direct staff, but that it is also important for the council to listen to the thoughts of the staff as well.

**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 August 27, 2019.
- b. Approval of the City Council meeting minutes of September 17, 2019.
- c. Approval of the Director of Administration Report of August.
- d. Approval of a request from Amie Conway for the YMCA Monster Dash 5K on Saturday, October 26, 2019 from 9:00 a.m. to 11:30 a.m.
  - i. This request has been approved by Chief Myers and will require Police assistance with crossing Route Z.
- e. Approval of a request from Martha McGrath for the Jaycee's Annual Christmas Parade to be held Saturday, December 7, 2019 at 1:00 p.m.

- i. This request has been approved by Chief Myers and will require Police assistance throughout the parade route.

Motion was offered by Councilman Braun and seconded by Councilwoman Rehkla 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 AUGUST.**

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

Holschlag stated the city has recorded seven months of sales tax collections, and numbers lie approximately one percent ahead of 2018. Additionally, it was noted that August was a three payroll month, and expenses were proportionately higher.

Following some review, motion was offered by Councilman Shiverdecker and seconded by Councilman Braun to accept the Financial Report for August 2019, as presented. Motion carried with eight members of the council voting in favor.

#### **UNFINISHED BUSINESS:**

- a. Parks & Recreation Community Center financing discussion (a handout at the meeting).

Bill Johnson, Director of Administration, stated there is not any information to be handed out this evening, but he, Mayor Cannell, and Kathy Holschlag met with a couple major local banks. At this time, the city is pursuing a \$5,000,000 lease-purchase agreement that will be paid back over fifteen years. The additional \$4,000,000 will come from utility reserves.

Johnson noted that both banks needed to seek approval from their boards before an agreement can be brought before the council by means of an ordinance. Utility funds will be used first in order to move forward, as the process required for tax exempt financing is anticipated to take two months to complete.

Johnson stated the city anticipates the center doors to open in early 2021, and the city's contract with the architecture firm will continue until the project is complete.

- b. Visu-Sewer project update.

Kyle Bruemmer, Interim City Engineer, stated the notice of award for \$500,000 was sent to Visu-Sewer, and the company will be responsible for visualization and repair of the city's main in the areas with the greatest concern (primarily in the center of town).

Councilman Stone suggested working with Visu-Sewer to create a rate to camera and repair service lines for homeowners who may be interested or in need of assistance. Bruemmer will look into this.

- c. Budget highlight discussion (a handout at the meeting).

Johnson stated the numbers the council have this evening are preliminary and will change, and the ordinance will be presented for First Reading at the next council meeting. Johnson provided a brief overview of various aspects of the 2020 budget including: proposed capital expenditures, Callaway Chamber of Commerce contributions, and Tanglewood projections.

Johnson also reported that the raises proposed by the council, funds for the community center, and transfers to the general fund have been included in the proposed budget.

Councilman Stone again addressed concerns with the lack of sidewalks along Business 54 from Collier Lane to Westminster Avenue and asked if it is possible to allocate funds towards the installations of sidewalks in this area. Bruemmer noted the city applied for a grant for this project but did not receive funding. Bruemmer continued by saying that MoDOT has an upcoming grant that the city could choose to apply for with a 50/50 split.

Councilman Braun asked if there would be a budget retreat prior to the ordinance readings. Mayor Cannell stated the City Clerk would send out potential dates for a budget retreat.

**NEW BUSINESS:**

Mayor Cannell stated he gave authorization for Fulton Public Schools to discharge single fireworks at the upcoming homecoming game following touchdowns.

**COUNCIL CONCERNS:**

Councilman Moore stated he had a constituent call with sidewalk concerns and asked if the city's 50/50 program is still available. Bruemmer stated the city provides the cost sharing program as funds are available.

Councilman Moore noted he asked for a five year overview on how Caswell plans to maintain the various city parks and facilities, but he has not yet received the plan.

Councilwoman Pace-Snook thanked the staff who worked to clean the property on Sixth Street following years of complaints. The other councilmembers echoed this sentiment.

Councilman Stone expressed concerns with the lack of sidewalks on Washington Street from Chestnut to Reed and stated there are many children in the area.

Councilman Stone stated he would like to look at placing a splash pad in Carver Park in 2021.

Councilman Stone noted he has spoken to an Eagle Scout who wishes to inventory the city's ash trees to find which ones may be affected by the ash bore. The Eagle Scout will need to get with a representative of Parks & Recreation in order to begin the process.

Councilman Stone also noted he has received a couple emails regarding 5G deployment. He will forward these messages to the Director of Administration and City Clerk.

Councilman Braun asked if the city has an up-to-date comprehensive plan. Johnson stated the city most recently looked at a plan in 2000, but he will gather more information and estimates.

Councilwoman Rehklau noted the Bluff Street sign at the intersection near Walmart is not legible and needs to be replaced. Bruemmer will look into this.

**RESOLUTIONS:**

Mayor Cannell noted that Resolution No. 3356 was tabled at the September 17, 2019 Council meeting and asked if there was a motion/second to remove the Resolution from the table for further consideration.

Motion was offered by Councilman Shiverdecker and seconded by Councilwoman Pace-Snook to remove Resolution No. 3356 from the table for further consideration. Motion carried with seven members of the council voting in favor, and one member (Moore) opposed.

- a. Resolution No. 3356 TABLED: A Resolution authorizing the Mayor, on behalf of the City of Fulton, Missouri, to sign all necessary documents in relation to a Contract with S & A Equipment & Builders LLC of Fulton, Missouri for site excavation for a Baseball/Softball Field Complex at the bid price of \$303,827.78 plus City Council-approved alterations, and establishing an effective date.

Following some discussion and questions, Clay Caswell, Parks & Recreation Director stated he can have an estimate for the project at the next meeting. Caswell's estimate will encompass the city renting equipment and utilizing staff to handle the dirt work in house.

Motion was offered by Councilman Braun and seconded by Councilman Shiverdecker to place Resolution No. 3356 back on the table. Motion carried with seven members of the council voting in favor, and one member (Moore) opposed.

## **ORDINANCES:**

### **FIRST READING**

Bill No. 1559 was presented for First Reading by Councilwoman Pace-Snook.

- a. Bill No. 1559: An Ordinance amending Section 18-33, Amendments. Fulton City Code. by amending the automatic sprinkler system requirement set forth in Section 903.2.1.2 Group A-2 of the 2015 International Building Code.

Motion was offered by Councilwoman Pace-Snook and seconded by Councilman Braun to place Bill No. 1559 for Second Reading at the next regularly-scheduled council meeting.

Dennis Houchins, Planning & Protective Services Director, stated the proposed amendment would raise the occupancy load for a certain group of commercial facilities (restaurants, bars, cafés, facilities with food/beverages) as many of the downtown buildings cannot feasibly meet the current requirement. Houchins stated that the sprinkler improvements for smaller businesses can be very costly and could potentially drive new businesses away. Mayor Cannell noted the buildings are still inspected and will still need to be deemed safe, but they will have the opportunity to utilize other fire safety options.

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

### **SECOND READING**

Bill No. 1556 was presented for Second Reading by Councilman Braun.

- a. Bill No. 1556: An Ordinance to elect to have violations of the municipal ordinances of the City of Fulton, Missouri heard and determined by an Associate Circuit Judge of Callaway County, Missouri, and repealing Sections 38-1, 38-3, 38-4, and 38-5, Fulton City Code.

Motion was offered by Councilman Braun and seconded by Councilman Simmons to place Bill No. 1556 for Third Reading at tonight's council meeting. Motion carried with eight members of the council voting in favor.

Bill No. 1556 was presented for Third Reading by Councilman Braun.

Motion was offered by Councilman Braun and seconded by Councilman Shiverdecker to place Bill No. 1556 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; Pace-Snook, YES; Rehklau, YES; Sebacher, YES; Shiverdecker, YES; Simmons, YES; Stone, YES; Braun, YES. Bill No. 1556, having received the affirmative vote of eight members of the council, was declared passed by the President of the Council.

Bill No. 1557 was presented for Second Reading by Councilman Simmons.

- b. Bill No. 1557: An Ordinance authorizing the Mayor, on behalf of the City of Fulton, Missouri, to sign all necessary documents in relation to a Contract with Reinhold Electric Inc. of St. Louis, Missouri to provide Runway End Identifier Lights (REIL) at Elton Hensley Memorial Airport and to sign all necessary documents in relation to State Block Agreement pertaining to this project.

Motion was offered by Councilman Simmons and seconded by Councilwoman Rehklau to place Bill No. 1557 for Third Reading at tonight's council meeting. Motion carried with eight members of the council voting in favor.

Bill No. 1557 was presented for Third Reading by Councilman Simmons.

Motion was offered by Councilman Simmons and seconded by Councilman Shiverdecker to place Bill No. 1557 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: Pace-Snook, YES; Rehklau, YES; Sebacher, YES; Shiverdecker, YES; Simmons, YES; Stone, YES; Braun, YES; Moore, YES. Bill No. 1557, having received the affirmative vote of eight members of the council, was declared passed by the President of the Council.

Bill No. 1558 was presented for Second Reading by Councilman Stone.

- c. Bill No. 1558: An Ordinance authorizing the Mayor, on behalf of the City of Fulton, Missouri, to sign all necessary documents in relation to a Contract with Jviation to develop a project plan and development for additional box hangars at Elton Hensley Memorial Airport and to sign all necessary documents in relation to State Block Agreement Project No. 19-040A-2.

Motion was offered by Councilman Stone and seconded by Councilwoman Pace-Snook to place Bill No. 1558 for Third Reading at tonight's council meeting. Motion carried with eight members of the council voting in favor.

Bill No. 1558 was presented for Third Reading by Councilman Stone.

Motion was offered by Councilman Stone and seconded by Councilwoman Rehkla to place Bill No. 1558 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: Rehkla, YES; Sebacher, YES; Shiverdecker, YES; Simmons, YES; Stone, YES; Braun, YES; Moore, YES; Pace-Snook, YES. Bill No. 1558, having received the affirmative vote of eight members of the council, was declared passed by the President of the Council.

**ANNOUNCEMENTS:**

- a. The next meeting of the City Council will be held Tuesday, October 8, 2019. A Work Session will commence at 6:30 p.m. with Regular Session to follow at 7:00 p.m.
  
- b. The City of Marshall will host the MML Central Division meeting on Wednesday, October 16<sup>th</sup> at 6:00 p.m. Councilmembers who are interested in attending must RSVP with the City Clerk no later than October 8<sup>th</sup>.

**EXECUTIVE SESSION:**

Mayor Cannell said there was not a need for an Executive Session at tonight's council 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 7:55 p.m.

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Lowe Cannell, Mayor

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Courtney L. Crowson, CMC/MRCC  
City Clerk