

**CITY COUNCIL MINUTES
OCTOBER 8, 2019**

The Council of the City of Fulton, Missouri, met in Regular Session on Tuesday, October 8, 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 7:00 p.m. Roll call was taken by the City Clerk, and members of the council present were: Moore, Rehklau, Shiverdecker, Simmons, and Braun. Absent were members: Pace-Snook, Sebacher, 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; Robert Boone, Assistant Director of Administration; Michelle Maupin, Human Resources Director; Pastor Bruce Williamson; Helen Wilbers of THE FULTON SUN; Darin Wernig and Mike Haldeman, Audio/Video; and visitors: Patrick Payne, Crystal Kent, Laura Heitmann, and Debby March.

INVOCATION:

Invocation was given by Pastor Williamson.

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Pastor Williamson.

COMMENTS FROM VISITORS:

Pat Payne, Fourth Ward, provided some pictures and historical information on the Scout Cabin, Memorial Park, and city swimming pool.

PRESENTATION OF A PROCLAMATION FOR MENTAL HEALTH AWARENESS WEEK.

Chief Myers stated it is Mental Health Awareness week, and he had requested a proclamation in honor of the event and Laura Heitmann, Community Mental Health Liaison. Myers stated that many of the people his department deals with have a mental health crisis or other crisis going on, and Heitmann has been instrumental in training Fulton's officers to detect mental illness and to react with appropriate measures. Fulton was one of the first communities in Missouri to implement mental crisis intervention training, and Myers stated it has been beneficial to the community as a whole.

Mayor Cannell presented Heitmann and Crystal Kent (Fulton Police Department) with the proclamation.

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 a request from Margie Lechner on behalf of Westminster College for the 2019 Homecoming Parade on Friday, October 18, 2019 at 4:00 p.m.
 - i. This event request has been reviewed and approved by Chief Myers. Police assistance is requested.

- b. Approval of a request from Jana Salmons on behalf of the Brick District for carriage rides to be held in conjunction with the Holiday Open House on Friday, November 8, 2019 from 5:30 – 8:00 p.m.

- i. This request has been reviewed and approved by Chief Myers. No street closures are necessary.

- c. Appointment of Kristy Jackson to the Park Board.

Motion was offered by Councilman Shiverdecker 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 (Pace-Snook, Sebacher, and Stone) absent.

UNFINISHED BUSINESS:

There was no Unfinished Business for consideration at this meeting.

NEW BUSINESS:

- a. Parks & Recreation facility fee waiver discussion.

Mayor Cannell stated this topic was discussed earlier at tonight's Work Session and will go to the Park Board for a recommendation.

COUNCIL CONCERNS:

Councilman Moore stated he received concerns with closing Court Street downtown as the banks are still open until noon.

Councilman Simmons thanked Kyle Bruemmer, Interim City Engineer, for handling a citizen complaint yesterday.

RESOLUTIONS:

Mayor Cannell noted that Resolution No. 3356 was tabled at the September 24, 2019 Council meeting and asked if there was a motion/second to remove the Resolution from the table for further consideration.

- 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.

Because there was no motion to remove the Resolution from the table, Resolution No. 3356 was declared dead.

Resolution No. 3357 was presented for adoption by Councilman Simmons.

- b. Resolution No. 3357: 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 MoDOT Traffic Engineering Assistance Program (T.E.A.P.) Grant for the development of an A.D.A. Transition Plan, and contingent upon receiving said grant monies, approving the city's monetary match.

Motion was offered by Councilman Simmons and seconded by Councilwoman Rehkla to adopt Resolution No. 3357 at tonight's council meeting.

Bruemmer stated this is a small grant comprised of \$8,000 grant funds and a \$2,000 city match. The plan will look at sidewalks and facilities to determine priority areas, and Bruemmer noted it is a requirement by law to have an accessibility plan. Johnson noted that if the city receives grant funding, the contract with a consulting firm will come before the council.

Following some discussion, motion carried with five members of the council voting in favor, and three members (Pace-Snook, Sebacher, Stone) absent.

ORDINANCES:

FIRST READING

Bill No. 1560 was presented for First Reading by Councilwoman Rehkla.

- a. Bill No. 1560: An Ordinance repealing Chapter 62, Historical Preservation. Fulton City Code. and enacting a new Chapter in lieu thereof.

Motion was offered by Councilwoman Rehkla and seconded by Councilman Moore to place Bill No. 1560 for Second Reading at the next regularly-scheduled council meeting. Councilman Moore stated that after reading through this draft ordinance from the Historic Preservation Commission, he would like to have the full council present before making a decision to move forward. Motion was offered by Councilman Moore and seconded by Councilman Shiverdecker to place Bill No. 1560 on the table for consideration at the next council meeting.

Councilman Simmons also expressed concerns with the proposed ordinance as it interjects a non-binding process into the decisions of the Planning & Zoning Commission and historical property owners. Councilman Simmons also noted this draft has not been reviewed by the State Historic Preservation Office, which is a requirement of the Certified Local Government program in which the city opted to participate.

Mayor Cannell encouraged the council to attend the next Historic Preservation Commission meeting.

Motion to table carried with five members of the council voting in favor, and three members (Pace-Snook, Sebacher, Stone) absent.

Bill No. 1561 was presented for First Reading by Councilman Braun.

- b. Bill No. 1561: An Ordinance imposing a Use Tax for Public Safety and General Revenue purposes at the rate of two and one half percent (2.5%) pursuant to the authority granted by and subject to the provisions of Sections 144.600 through 144.761 RSMo; providing for the Use Tax to be repealed, reduced, or raised in the same amount as any city sales tax is repealed, reduced, or raised; and providing for submission of the proposal to the qualified voters of the City for their approval at the General Election called and to be held in the City on April 7, 2020.

Motion was offered by Councilman Braun and seconded by Councilman Shiverdecker to place Bill No. 1561 for Second Reading at the next regularly-scheduled council meeting.

Mayor Cannell noted that the city has proposed a use tax before, but this time, the first \$200,000 generated annually would go to fund public safety capital expenditures.

Bill Johnson, Director of Administration, stated that if the measure passes, it would provide Police and Fire with a dedicated revenue source.

Councilman Simmons stated that with the many ballot issues coming up throughout the next few elections, the city needs to make a concerted effort to educate and communicate the public.

Councilman Braun stated he finds the use tax to be confusing and would like to see someone educate the council on the ins and outs of the proposed measure.

Johnson will try to have someone from Missouri Municipal League attend to provide a presentation on use taxes. Motion carried with five members of the council voting in favor, and three members (Pace-Snook, Sebacher, Stone) absent.

Bill No. 1562 was presented for First Reading by Councilman Braun.

- c. Bill No. 1562: An Ordinance authorizing the Mayor, on behalf of the City of Fulton, Missouri, to execute an Agreement with the County of Callaway, Missouri, for Public Emergency Communications Operations Services for the City of Fulton for the year 2020.

Motion was offered by Councilman Braun and seconded by Councilwoman Rehklau to place Bill No. 1562 for Second Reading at the next regularly-scheduled council meeting. Motion carried with five members of the council voting in favor, and three members (Pace-Snook, Sebacher, Stone) absent.

Bill No. 1563 was presented for First Reading by Councilman Shiverdecker.

- d. Bill No. 1563: An Ordinance adopting an official Budget and Capital Improvement Program and appropriating the funds of the City for the fiscal year beginning January 1, 2020 and ending December 31, 2020.

Motion was offered by Councilman Shiverdecker and seconded by Councilman Braun to place Bill No. 1563 for Second Reading at the next regularly-scheduled council meeting.

Mayor Cannell stated the council held a retreat last week to review the budget and provide input. Johnson noted that part-time salaries were a concern for many councilmembers. Michelle Maupin, Human Resources Director, stated that part-time employees will already receive a \$.85 raise as of January 1, 2020 in order to meet the minimum wage threshold.

Johnson stated that if the council chooses to raise the part-time pay, it could cause some part-time employees to not be able to work as many hours due to retirement constraints.

Councilman Braun said he learned the city has not historically given part-time employees who work year-round an annual raise. Maupin stated that information was incorrect and those employees do receive raises sometimes.

Councilman Braun stated he believes part time employees should get a raise like full time employees, and he was not aware this was an issue until Councilman Stone expressed the concern at the retreat.

Clay Caswell, Parks & Recreation Director, stated a majority of the year-round part-time employees work for his department, and if the minimum wage goes up, then there is not a need to increase the pay, as this could be considered a raise for those workers.

Councilman Braun asked for a spreadsheet with the year-round part-time employees and their current rate of pay. Johnson will email this information to the council this week.

Johnson noted the council expressed interest in pursuing a deck at Tanglewood Golf Course and asked Caswell if it could pay for itself in two years. Caswell said it is hard to measure, but it would likely encourage people to stick around and could lead to more food/beverage sales. Caswell will provide estimates and drawings of the proposed deck at the next council meeting.

Johnson also noted the council expressed interest in purchasing Columbia's used ladder truck, and they questioned if the purchase of the utility bucket truck could wait until 2021. Johnson stated that Darrell Dunlap, Superintendent of Utilities, and Kevin Coffelt, Fire Chief met to try to find a solution.

Chief Coffelt said that both he and Dunlap feel strongly that both trucks need to be replaced, and after brainstorming, they have agreed to keep the utility truck in the budget and to utilize \$150,000 from the utility reserves to possibly purchase the ladder truck. Coffelt clarified that the fire department will pay back the \$150,000 to the reserves if the use tax passes. This means the first \$150,000 the Fire Department would receive from the use tax would go back to pay the utility reserve fund.

Johnson clarified that if the use tax does not pass, the utility reserves would not be repaid.

Motion was offered by Councilman Shiverdecker and seconded by Councilman Braun to transfer the funds from utility reserves to purchase the ladder truck and to authorize the repayment to the utility reserves contingent upon the use tax passing.

However, as discussion continued and entered into various aspects of the proposed budget, no vote was taken on the motion.

Johnson noted the public hearing for the budget will take place at the October 22, 2019 meeting.

Councilman Braun asked if any other members of the council had a desire to pursue a comprehensive plan update. Councilwoman Rehklau stated she was not sure it is the right time, and Councilman Simmons

stated he believes the city should have a plan that is up to date, but doesn't believe it needs to happen right now.

Following some discussion, motion to advance Bill No. 1563 to Second Reading at the next regularly-scheduled council meeting carried with five members of the council voting in favor, and three members (Pace-Snook, Sebacher, Stone) absent.

SECOND READING

Bill No. 1559 was presented for Second Reading by Councilman Simmons.

- 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 Councilman Simmons and seconded by Councilwoman Rehkla to place Bill No. 1559 for Third Reading at tonight's council meeting. Motion carried with five members of the council voting in favor, and three members (Pace-Snook, Sebacher, Stone) absent.

Bill No. 1559 was presented for Third Reading by Councilman Simmons.

Motion was offered by Councilman Simmons and seconded by Councilman Shiverdecker to place Bill No. 1559 for Final Passage at tonight's council meeting. Motion carried with five members of the council voting in favor, and three members (Pace-Snook, Sebacher, Stone) absent.

Roll call vote of the members of the council was as follows: Rehkla, YES; Shiverdecker, YES; Simmons, YES; Braun, YES; Moore, YES. Absent: Pace-Snook, Sebacher, Stone. Bill No. 1559, having received the affirmative vote of five 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 22, 2019. At 6:30 p.m.
- b. The City of Marshall will host the MML Central Division meeting on Wednesday, October 16th at 6:00 p.m. Councilmembers who are interested in attending must RSVP with the City Clerk no later than October 8th.

EXECUTIVE SESSION:

Mayor Cannell 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 five members of the council voting in favor, and three members (Pace-Snook, Sebacher, Stone) absent. The meeting adjourned at 8:24 p.m.

Lowe Cannell, Mayor

Courtney L. Crowson, CMC/MRCC
City Clerk