

**CITY COUNCIL MINUTES  
NOVEMBER 26, 2019**

The Council of the City of Fulton, Missouri, met in Regular Session on Tuesday, November 26, 2019 in the Council Chambers of City Hall located at 18 E. 4th Street. Present and presiding were: Deputy Mayor Rick Shiverdecker; William R. Johnson, Director of Administration; Courtney L. Crowson, City Clerk; and Steve Myers, Police Chief. The meeting was called to order by Deputy Mayor Shiverdecker 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, and Stone. Absent was Councilman Simmons. 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; Rev. Helen Logan; Helen Wilbers of *THE FULTON SUN*; Darin Wernig and Mike Haldeman, Audio/Video; and visitors: Patrick Payne, Gary Tateosian, Tamara Tateosian, Madison Doyle, Mariah Doyle, Patrick Bonnot, Joan Morris, Steve Gibson, Gary Blackburn Jr., Tessi Rickabaugh, Matt Gowin, Amanda Gowin, Beth Snyder, Doc Kritzer, and Chris Garrett.

**INVOCATION:**

Invocation was given by Rev. Logan.

**PLEDGE OF ALLEGIANCE:**

The Pledge of Allegiance was led by Rev. Logan.

**COMMENTS FROM VISITORS:**

Matt Gowin, 1821 Ashley Court, expressed concerns with the city's budget and the usage of \$4 million from the utility reserves to fund the construction of a recreation center. Mr. Gowin requested that the Council continue to fund the Callaway Chamber of Commerce at \$88,000.00.

Patrick Payne, Fourth Ward, provided historical look at Fulton through photos and commentary. Mr. Payne asked that the revised Historic Preservation Ordinance that will come back before the Council be passed and considered as a starting point.

Melissa Stradt, Missouri City Clerks & Finance Officer's Association Public Relations Committee member, presented City Clerk Courtney Crowson with a certificate honoring Crowson's recent designation as a Certified Municipal Clerk from the International Institute of Municipal Clerks.

**PRESENTATION OF PROCLAMATIONS AND DEDICATION OF THE CITY OF FULTON COMMUNITY CHRISTMAS TREE:**

Darrell Dunlap, Superintendent of Utilities, provided a slideshow showing the project from start to finish, and thanked the city staff and community members who made the tree possible. Dunlap noted the tree can be taken down and stored following the holiday season, and it will become a staple in the community for years to come.

Deputy Mayor Shiverdecker presented Joan Morris, on behalf of the Fulton Garden Club, with a Proclamation thanking the club for their assistance with the project.

Deputy Mayor Shiverdecker presented Gary Blackburn Jr. with a Proclamation thanking him for forming the base of the tree and assisting with the various elements of the project.

Deputy Mayor Shiverdecker and the City Council recognized the city workers in the crowd who were instrumental in creating and installing the tree 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 October 22, 2019.
- b. Approval of the City Council meeting minutes of November 12, 2019.
- c. Approval of the Director of Administration Report of October.
- d. Approval of the appointment of Elaine Kime to the Fulton Housing Authority Commission.
- e. Acknowledgement of the following Board & Commission Reports:
  - i. Historic Preservation Commission: August 20, 2019  
September 17, 2019
  - ii. Human Rights Commission: July 29, 2019
  - iii. Planning & Zoning: July 8, 2019
  - iv. Public Utility Board: August 26, 2019  
September 23, 2019

Motion was offered by Councilman Braun and seconded by Councilwoman Sebacher to approve the Consent Agenda, as presented. Motion carried with seven members of the Council voting in favor, and one member (Simmons) absent.

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

The Financial Report for the month of October 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 nine months of sales tax collections, and numbers fall in line with 2018 figures during the same period of time. While the October statement usually reflects the anticipated property tax revenues, Holschlag stated she did not receive the report in time for it to be included. Holschlag noted the purchase of two new vehicles at the Police Department and a new Solid Waste truck during the month of October.

Holschlag reported the utility bills were sent out later than usual due to ongoing software conversion. Bills will be sent late again in December, and the due date will be extended.

Following some review, motion was offered by Councilman Shiverdecker and seconded by Councilman Braun to accept the Financial Report for October 2019, as presented. Motion carried with seven members of the Council voting in favor, and one member (Simmons) absent.

## **UNFINISHED BUSINESS:**

There was no Unfinished Business for consideration at this meeting.

## **NEW BUSINESS:**

- a. Patrick Bonnot of MIRMA will present an overview of the 2019 Grants awarded to the City of Fulton.

Bonnot stated he is the Loss Control Director for Missouri Intergovernmental Risk Management Agency (MIRMA), the city's insurance provider. Bonnot noted that MIRMA takes a proactive approach to ensuring their municipalities have the knowledge, training, and tools necessary to ensure safety and loss prevention and mitigation. As part of this approach, MIRMA offers a cost-sharing grant program each year for safety-related needs. The City of Fulton received \$10,373.83 in grants this year for a variety of safety needs including: a hydraulic hammer, dash cameras, fall protections, storage cabinets, and an automated external defibrillator (AED).

Once the city has purchased these items, the city will submit receipts and be reimbursed at a set dollar amount for each item.

## **COUNCIL CONCERNS:**

Councilwoman Rehklau thanked the audience members for attending tonight's meeting.

Councilman Stone noted a street repair issue on Collier Lane near the car wash.

Councilman Moore thanked the city crews for their work at the corner of Jefferson Street and Seventh Street as accessible sidewalk entrances have been installed.

## **RESOLUTIONS:**

Resolution No. 3358 was tabled at the November 12, 2019 meeting.

- a. Resolution No. 3358 TABLED: A Resolution authorizing the Mayor and City Clerk, on behalf of the City of Fulton, Missouri, to enter into an Agreement with the Callaway Chamber of Commerce of Fulton, Missouri, for services to be rendered in 2020, and establishing an effective date.

Deputy Mayor Shiverdecker asked if there was a motion to remove Resolution No. 3358 from the table. Motion was offered by Councilwoman Pace-Snook and seconded by Councilwoman Rehklau accordingly. Motion carried with seven members of the Council voting in favor, and one member (Simmons) absent.

Deputy Mayor Shiverdecker asked City Clerk Courtney Crowson if there had been a motion during the November 12<sup>th</sup> meeting to adopt the Resolution. Crowson stated a motion had been offered by Councilwoman Sebacher and seconded by Councilman Shiverdecker to adopt Resolution No. 3358, as presented. Both Councilwoman Sebacher and Councilman Shiverdecker reaffirmed this motion.

Councilman Braun stated the Council sat in a budget retreat and decided to re-evaluate the 2020 contribution to the Chamber. Councilman Braun continued by saying that the Chamber originally offered to pay \$1,000 per month for use of the city's building at 510 Market Street, and because the Council chose

not to charge the monthly rent, he feels the Chamber is still ahead by \$2,000 even with the proposed contract reduction.

Councilman Braun also stressed that he does not believe anyone is trying to slight the efforts of the Chamber and that the City Council appreciates the work they do.

Councilman Stone stated he believes there is an opportunity to reinstate the \$88,000 funding and reevaluate things next year.

Some discussion followed regarding the \$103,000 in funding the Chamber secured for the implementation of a high school welding training program. Councilman Braun noted there was not a required match for the funding, and he believed the Chamber could use some of the \$20,000 the Council is proposing to dedicate to specific events and programs in order to assist with the welding program. Councilman Stone stated he believes the Council should take its contribution back to \$88,000 and dedicate \$10,000 of that total to the welding program.

Councilwoman Rehklau stated she feels the timing is poor to make a funding reduction and she would like to see the contribution return to \$88,000.

Motion was offered by Councilwoman Rehklau and seconded by Councilman Stone to amend the contract contribution to \$88,000 as in years past.

Councilwoman Pace-Snook stated she prefers to have some money allocated to specific programs and would be in favor of the \$88,000 if it includes earmarked amounts (\$58,000 to be sent in quarterly payments; \$20,000 dedicated to specific events; and \$10,000 to the welding program). Councilwoman Sebacher stated she agrees with this proposal and believes it is important that the citizens of the community can see where the money will go.

Councilwoman Rehklau disagreed and reiterated that her motion is intended to reinstate the \$88,000 contribution with no restrictions or designations. Motion failed with two members of the Council voting in favor, five members (Braun, Moore, Pace-Snook, Sebacher, Shiverdecker) opposed, and one member (Simmons) absent.

Motion was offered by Councilwoman Pace-Snook and seconded by Councilman Stone to amend the contractual contribution to a total of \$88,000 with \$58,000 to be sent in quarterly payments, \$20,000 dedicated to event sponsorships, and \$10,000 to the welding program.

Councilman Moore stated he would rather see the welding program money come from the \$20,000 the council set aside for events and programs, as the Council collectively decided to reduce its overall contribution, and he feels the Council should stick with that plan. Councilman Braun echoed this sentiment.

Councilwoman Rehklau stated she believes this is unfair and that the Council is trying to micromanage. Councilwoman Rehklau noted she feels the contract wasn't presented early enough in the year. Councilman Braun stated the Chamber approaches the City at the same time every year for its funding

request, and this process has been the same for many years. Councilman Braun continued by reiterating that the Council had this discussion during the budget formation, and the Council was in agreement that the funding should be scaled back at a rate that would not cause a significant burden to the Chamber.

Councilman Moore stated the Council never agreed to provide \$88,000 in funding indefinitely, as the Council cannot obligate a future Council to keep the contract and funding in place.

Councilwoman Pace-Snook's motion failed with three members of the Council voting in favor, four members (Braun, Moore, Rehklau, Shiverdecker) opposed, and one member (Simmons) absent.

No additional amendments were presented. Therefore, the Resolution, as originally presented was considered. Motion failed with three members of the Council voting in favor, four members (Pace-Snook, Rehklau, Sebacher, Stone) opposed, and one member (Simmons) absent. The Resolution was declared dead.

Resolution No. 3362 was presented for adoption by Councilwoman Rehklau.

- b. Resolution No. 3362: 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 Safe Routes to Parks Grant.

Motion was offered by Councilwoman Rehklau and seconded by Councilman Stone to adopt Resolution No. 3362 at tonight's Council meeting.

Kyle Bruemmer, Interim City Engineer, stated this grant is intended to enhance the ADA transition plan grant the city recently received from MoDOT. The grant could provide \$12,500 with no required matching funds from the City. Bruemmer noted the Fulton Area Development Foundation has agreed to act as the applicant for the grant on behalf of the city, as the applicant must hold a 501 (c) (3) status. Kim Barnes, President of the Fulton Area Development Foundation, confirmed the organization's willingness to apply on behalf of the city.

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

#### **ORDINANCES:**

#### **TABLED**

Bill No. 1563 was tabled at the November 12, 2019 council meeting.

- a. Bill No. 1563 TABLED: 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.

Deputy Mayor Shiverdecker asked if there was a motion to remove Bill No. 1563 from the table. Motion was offered by Councilwoman Pace-Snook and seconded by Councilman Braun accordingly. Motion carried with seven members of the Council voting in favor, and one member (Simmons) absent.

Deputy Mayor Shiverdecker asked City Clerk Courtney Crowson if there had been a motion during the November 12<sup>th</sup> meeting to move Bill No. 1563 to Final Passage. Crowson stated a motion had been offered by Councilwoman Shiverdecker and seconded by Councilwoman Pace-Snook to place Bill No. 1563 for Final Passage. Both Councilman Shiverdecker and Councilwoman Pace-Snook reaffirmed this motion.

Motion was offered by Councilman Stone and seconded by Councilman Braun to table Bill No. 1563. Councilwoman Pace-Snook asked if the Council could move forward with adopting the annual budget in spite of there not being an approved contract for services with the Chamber. Bill Johnson, Director of Administration, stated the budget could be approved, as there is a line item with \$78,000 that can be used for the Chamber if the Council agrees to a contract. Johnson continued by saying that any additional funds the Council may choose to give the Chamber can be taken out of the Council's Special Projects fund. Councilwoman Sebacher stated she believes the Council needs to adopt its budget for 2020.

Councilman Stone and Councilman Braun rescinded their motion/second. Motion to move Bill No. 1563 to Final Passage at tonight's Council meeting carried with seven members of the Council voting in favor, and one member (Simmons) absent.

Roll call vote of the members of the Council was as follows: Moore, YES; Pace-Snook, YES; Rehklau, YES; Sebacher, YES; Shiverdecker, YES; Stone, YES; Braun, YES. Absent: Councilman Simmons. Bill No. 1563, having received the affirmative vote of seven members of the Council, was declared passed by the Deputy Mayor.

### FIRST READING

Bill No. 1568 was presented for First Reading by Councilman Stone.

- a. Bill No. 1568: An Ordinance amending Section 110-283, Stop Signs and Yield Signs. Fulton City Code, by removing certain Yield Signs, enacting Stop Signs in their place, and establishing an effective date.

Motion was offered by Councilman Stone and seconded by Councilman Moore to place Bill No. 1568 for Second Reading at the next regularly-scheduled Council meeting.

Johnson noted this ordinance would make all cross streets on Court Street between Sixth and Tenth Streets stop signs rather than yield signs. Motion carried with seven members of the Council voting in favor, and one member (Simmons) absent.

Bill No. 1569 was presented for First Reading by Councilman Braun.

- b. Bill No. 1569: An Ordinance authorizing the Mayor, on behalf of the City of Fulton, Missouri, to sign all necessary documents in relation to the Missouri Highways and Transportation Commission Traffic Engineering Assistance Program Agreement for the TEAP028 Project Award.

Motion was offered by Councilman Braun and seconded by Councilman Moore to place Bill No. 1569 for Second Reading at the next regularly-scheduled Council meeting. Motion carried with seven members of the Council voting in favor, and one member (Simmons) absent.

## SECOND READING

Bill No. 1565 was presented for Second Reading by Councilman Braun.

- a. Bill No. 1565: An Ordinance authorizing the Mayor, on behalf of the City of Fulton, Missouri, to declare certain tracts of land known as 607 Bluff Street and 609 Bluff Street to be surplus property, authorizing their distribution, and establishing an effective date.

Motion was offered by Councilman Braun and seconded by Councilman Moore to place Bill No. 1565 for Third Reading at tonight's Council meeting.

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

Bill No. 1565 was presented for Third Reading by Councilman Braun.

Motion was offered by Councilman Braun and seconded by Councilwoman Pace-Snook to place Bill No. 1565 for Final Passage at tonight's Council meeting. Motion carried with seven members of the Council voting in favor, and one member (Simmons) absent.

Roll call vote of the members of the Council was as follows: Pace-Snook, YES; Rehklau, YES; Sebacher, YES; Shiverdecker, YES; Stone, YES; Braun, YES; Moore, YES. Absent: Councilman Simmons. Bill No. 1565, having received the affirmative vote of seven members of the Council, was declared passed by the Deputy Mayor.

Bill No. 1566 was presented for Second Reading by Councilwoman Pace-Snook.

- b. Bill No. 1566: An Ordinance amending Appendix A, Zoning. Section One, Definitions. by removing certain language pertaining to Parking Space regulations and establishing an effective date.

Motion was offered by Councilwoman Pace-Snook and seconded by Councilman Moore to place Bill No. 1566 for Third Reading at tonight's Council meeting. Motion carried with seven members of the Council voting in favor, and one member (Simmons) absent.

Bill No. 1566 was presented for Third Reading by Councilwoman Pace-Snook.

Motion was offered by Councilwoman Pace-Snook and seconded by Councilwoman Sebacher to place Bill No. 1566 for Final Passage at tonight's Council meeting. Motion carried with seven members of the Council voting in favor, and one member (Simmons) absent.

Roll call vote of the members of the Council was as follows: Rehklaue, YES; Sebacher, YES; Shiverdecker, YES; Stone, YES; Braun, YES; Moore, YES; Pace-Snook, YES. Absent: Councilman Simmons. Bill No. 1566, having received the affirmative vote of seven members of the Council, was declared passed by the Deputy Mayor.

Bill No. 1567 was presented for Second Reading by Councilman Moore.

- c. Bill No. 1567: An Ordinance declaring city property to be surplus property, authorizing it to be sold, and establishing an effective date.

Motion was offered by Councilman Moore and seconded by Councilman Braun to place Bill No. 1567 for Third Reading at tonight's Council meeting. Motion carried with seven members of the Council voting in favor, and one member (Simmons) absent.

Bill No. 1567 was presented for Third Reading by Councilman Moore.

Motion was offered by Councilman Moore and seconded by Councilman Stone to place Bill No. 1567 for Final Passage at tonight's Council meeting. Motion carried with seven members of the Council voting in favor, and one member (Simmons) absent.

Roll call vote of the members of the Council was as follows: Sebacher, YES; Shiverdecker, YES; Stone, YES; Braun, YES; Moore, YES; Pace-Snook, YES; Rehklaue, YES. Absent: Councilman Simmons. Bill No. 1567, having received the affirmative vote of seven members of the Council, was declared passed by the Deputy Mayor.

### THIRD READING

Bill No. 1564 was presented for Third Reading by Councilwoman Sebacher.

- a. Bill No. 1564: An Ordinance declaring city property to be surplus property, authorizing it to be sold, and establishing an effective date.

Motion was offered by Councilwoman Sebacher and seconded by Councilman Braun to place Bill No. 1564 for Final Passage at tonight's Council meeting. Motion carried with seven members of the Council voting in favor, and one member (Simmons) absent.

Roll call vote of the members of the Council was as follows: Shiverdecker, YES; Stone, YES; Braun, YES; Moore, YES; Pace-Snook, YES; Rehklaue, YES; Sebacher, YES. Absent: Councilman Simmons. Bill No. 1564, having received the affirmative vote of seven members of the Council, was declared passed by the Deputy Mayor.

### ANNOUNCEMENTS:

- a. The final 2019 City Council meeting will be held Tuesday, December 17<sup>th</sup> at 6:30 p.m.



- b. Candidate packets for the offices of 1<sup>st</sup> – 4<sup>th</sup> Ward Councilmembers are available in the office of the City Clerk, M-F 8:00 a.m. to 5:00 p.m. Candidate filing opens December 17, 2019 at 8:00 a.m. and closes January 21, 2020 at 5:00 p.m. For additional information, contact the City Clerk at 573-592-3111.

**EXECUTIVE SESSION:**

Deputy Mayor Shiverdecker 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 Braun and seconded by Councilwoman Sebacher to adjourn this meeting. Motion carried with seven members of the Council voting in favor, and one member (Simmons) absent. The meeting adjourned at 7:46 p.m.

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Lowe Cannell, Mayor

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Courtney L. Crowson, CMC/MRCC  
City Clerk