

**CITY COUNCIL MINUTES  
DECEMBER 17, 2019**

The Council of the City of Fulton, Missouri, met in Regular Session on Tuesday, December 17, 2019 in the Council Chambers of City Hall located at 18 E. 4th Street. Present and presiding were: Mayor Lowe Cannell; 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, Rehklau, Sebacher, Shiverdecker, 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; Robert Boone, Assistant Director of Administration; Michelle Maupin, Human Resources Director; Helen Wilbers of *THE FULTON SUN*; Darin Wernig and Mike Haldeman, Audio/Video; and visitors: Beth Snyder, Tamara Tateosian, Gary Tateosian, David McDaniel, Marty Martin-Forman, Wendy Kennedy, Janet Denton, Suzanna Wolfe, and Kim Barnes.

**INVOCATION:**

Invocation was given by Pastor Haldeman.

**PLEDGE OF ALLEGIANCE:**

The Pledge of Allegiance was led by Pastor Haldeman.

**COMMENTS FROM VISITORS:**

There were none.

**PUBLIC HEARINGS (2):**

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

- a. Considering the proposed rezoning of a tract of land known as 400 West Fourth Street in Fulton, Missouri, from its current zoning of R-3 Residential District to C-2 Commercial District.
- b. Considering the proposed rezoning of a tract of land known as 817 Court Street in Fulton, Missouri, from its current zoning of R-2 Residential District to R-1 Residential District.

Mayor Cannell declared the hearing regarding 400 West Fourth Street open at 6:33 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 this public hearing closed at 6:34 p.m.

Mayor Cannell declared the hearing regarding 817 Court Street 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?

David McDaniel, 826 Court Street, stated he is the owner of the property being considered for rezoning and would like the City Council to authorize the zoning request so that only single-family dwellings could be built there in the future.

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 this 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 November 26, 2019.

- b. Approval of the Director of Administration Report of November.
- c. Acknowledgement of the following Board & Commission Reports:
  - i. Human Rights Commission: September 30, 2019
  - ii. Planning & Zoning Commission: October 24, 2019

Councilman Simmons asked to remove the Director of Administration Report from the Consent Agenda for discussion.

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

**CONSENT AGENDA ITEMS FOR DISCUSSION:**

- b. Approval of the Director of Administration Report of November.

Councilman Simmons noted there were thirty-eight requests to check for dead electric meters during November and asked if this is unusual. Darrell Dunlap, Superintendent of Utilities, stated the number is not unusual, and checks are either initiated by the customer or the city if an issue is suspected.

Councilman Simmons asked for an update on the proposed Solar Farm contract Dunlap has been working on with the City of Columbia. Dunlap stated Columbia will be building a solar farm in the near future, and the Public Utility Board has been reviewing data and possible opportunities for Fulton to enter the solar market for more than a year. Dunlap believes this opportunity with Columbia will be beneficial and will not provide a major budgetary impact. Dunlap will provide additional information at a future meeting.

Following some discussion, motion was offered by Councilman Shiverdecker and seconded by Councilwoman Rehklau to approve the Director of Administration report, as presented. Motion carried with eight members of the Council voting in favor.

**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:**

Councilwoman Sebacher thanked the Human Rights Commission and staff members responsible for putting together the annual Jane Bierdeman-Fike Awards Luncheon.

Councilman Simmons asked for an update on the city's various fees. City Clerk Courtney Crowson stated Department Heads will be compiling their current fees and proposed changes and meeting with the appropriate boards/commissions. A fee schedule will come before the City Council in early 2020.

Councilman Simmons thanked the city staff and community members responsible for making the Festival of Lights a success.

Councilman Stone echoed this sentiment and noted there are people traveling from other communities to look at Fulton's Festival of Lights.

Councilman Stone noted an ongoing concern with the roadway on Collier Lane that has been patched with gravel near the water tower and asked that this be addressed.

Councilman Moore asked that house/yard nuisances be a topic of review at a 2020 Work Session.

#### **RESOLUTIONS:**

Resolution No. 3363 was presented for adoption by Councilman Simmons.

- a. Resolution No. 3363: 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.

Motion was offered by Councilman Simmons and seconded by Councilman Shiverdecker to adopt Resolution No. 3363 at tonight's Council meeting.

Councilman Stone stated he is disappointed the city could not contribute the entire \$88,000 as in years past, but he appreciates the conversations and communication that has taken place between the city and the Chamber.

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

#### **ORDINANCES:**

##### **FIRST READING**

Bill No. 1570 was presented for First Reading by Councilman Moore.

- a. Bill No. 1570: An Ordinance re-classifying, under the Zoning Ordinance, a tract of land known as 400 West Fourth Street in Fulton, Missouri, and establishing an effective date.

Motion was offered by Councilman Moore and seconded by Councilwoman Pace-Snook to place Bill No. 1570 for Second Reading at the next regularly-scheduled Council meeting.

Councilman Braun asked Dennis Houchins, Planning & Protective Services Director, if there are any concerns with the entrances or parking for this property to become commercial. Houchins stated the required parking minimum for commercial properties will be met, and he anticipates it will have similar parking to other real estate offices located on Fourth Street.

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

Bill No. 1571 was presented for First Reading by Councilman Shiverdecker.

- b. Bill No. 1571: An Ordinance re-classifying, under the Zoning Ordinance, a tract of land known as 817 Court Street in Fulton, Missouri, and establishing an effective date.

Motion was offered by Councilman Shiverdecker and seconded by Councilman Moore to place Bill No. 1571 for Second Reading at the next regularly-scheduled Council meeting.

Councilwoman Pace-Snook noted some members of the Planning & Zoning Commission were surprised that the north end of Court Street is not already zoned R-1 and the possibility of rezoning the entire area had been mentioned. Houchins noted that in order for the area to be rezoned, each individual property owner would need to apply and go through the rezoning process, as the city has researched this in the past.

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

Bill No. 1572 was presented for First Reading by Councilwoman Rehkla.

- c. Bill No. 1572: An Ordinance declaring city property to be surplus property, authorizing it to be sold, and establishing an effective date.

Motion was offered by Councilwoman Rehkla and seconded by Councilman Simmons to place Bill No. 1572 for Second Reading at the next regularly-scheduled Council meeting. Motion carried with eight members of the Council voting in favor.

## SECOND READING

Bill No. 1568 was presented for Second 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 Councilwoman Rehkla to place Bill No. 1568 for Third Reading at tonight's Council meeting.

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

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

Motion was offered by Councilman Stone and seconded by Councilman Moore to place Bill No. 1568 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; Rehkla, YES; Sebacher, YES; Shiverdecker, YES; Simmons, YES; Stone, YES; Braun, YES. Bill No. 1568, having received the affirmative vote of eight members of the Council, was declared passed by the President of the Council.

Bill No. 1569 was presented for Second 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 Stone to place Bill No. 1569 for Third Reading at tonight's Council meeting. Motion carried with eight members of the Council voting in favor.

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

Motion was offered by Councilman Braun and seconded by Councilwoman Pace-Snook to place Bill No. 1569 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; Rehklaue, YES; Sebacher, YES; Shiverdecker, YES; Simmons, YES; Stone, YES; Braun, YES; Moore, YES. Bill No. 1569, having received the affirmative vote of eight members of the Council, was declared passed by the President of the Council.

#### **ANNOUNCEMENTS:**

- a. The next City Council meeting will be held Tuesday, January 14, 2020. A Work Session will commence at 6:30 p.m. with Regular Session to follow at 7:00 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:**

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 6:56 p.m.

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Lowell Cannell, Mayor

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Courtney L. Crowson, CMC/MRCC  
City Clerk