

CITY COUNCIL MINUTES
JANUARY 14, 2020

The Council of the City of Fulton, Missouri, met in Regular Session on Tuesday, January 14, 2020 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 7:05 p.m. Roll call was taken by the City Clerk, and members of the council present were: Braun, Moore, Pace-Snook, Rehlau, 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; 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: Justin Malone, Joey Mirth, Dall Hedges, Suzanna Wolfe, Janet Denton, and Barb Deville.

INVOCATION:

Invocation was given by Pastor Williamson.

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Pastor Williamson.

COMMENTS FROM VISITORS:

There were none.

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 the YMCA or the 4th Annual Hot Cocoa Hustle 5K on Saturday, January 25, 2020.
 - i. This request has been approved by Chief Myers and will not require street closures.

Motion was offered by Councilman Stone and seconded by Councilman Braun to approve the Consent Agenda, 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:

- a. Barb DeVille will be present to request a fee waiver for the Annual Fulton Jaycees Egg Hunt to be held April 11, 2020 at 1:00 p.m. at Memorial Park.
 - i. This request encompasses usage of the Memorial Pavilion, Hensley Field, and Park/Splashpad grounds.

DeVille stated the Fulton Jaycees would like to use the Memorial Pavilion, Splashpad, Gazebo, and Hensley Field as the annual event continues to grow, and it is necessary to separate the small children from the older age groups for safety reasons.

Mayor Cannell noted the Park Board is in the process of reviewing the current Parks & Recreation fees and a policy for fee waivers.

Motion was offered by Councilman Shiverdecker and seconded by Councilman Stone to authorize the waiver of fees for the aforementioned facilities requested by DeVille. Motion carried with eight members of the Council voting in favor.

COUNCIL CONCERNS:

Councilman Stone thanked the Engineering and Street Departments for patching the roadway on Collier that had previously been filled with gravel.

RESOLUTIONS:

Resolution No. 3364 was presented for adoption by Councilwoman Sebacher.

- a. Resolution No. 3364: A Resolution ratifying the actions of the Mayor, on behalf of the City of Fulton, Missouri, to sign all necessary documents in relation to a settlement of litigation with Daniel M. Nash.

Motion was offered by Councilwoman Sebacher and seconded by Councilman Stone to adopt Resolution No. 3364 at tonight's Council meeting. Motion carried with eight members of the Council voting in favor.

ORDINANCES:

FIRST READING

Bill No. 1573 was presented for First Reading by Councilman Simmons.

- a. Bill No. 1573: An Ordinance authorizing the Mayor, on behalf of the City of Fulton, Missouri, to sign all necessary documents in relation to the conveyance of city-owned property located at 212 & 214 East Sixth Street to River Valley Properties LLC, and establishing an effective date.

Motion was offered by Councilman Simmons and seconded by Councilman Braun to place Bill No. 1573 for Second Reading at the next regularly-scheduled Council meeting. Motion carried with eight members of the Council voting in favor.

Bill No. 1574 was presented for First Reading by Councilman Stone.

- b. Bill No. 1574: An Ordinance declaring city property to be surplus property, authorizing it to be sold, and establishing an effective date.

Motion was offered by Councilman Stone and seconded by Councilwoman Rehklau to place Bill No. 1574 for Second Reading at the next regularly-scheduled Council meeting.

Bill Johnson, Director of Administration, stated the city landfill acquired the large front-end loader twelve to fifteen years ago through a grant. However, the city has not used the apparatus regularly for many years, and a new motor will be installed by the city prior to sale. The truck has an estimated value of between \$30,000 and 35,000.00.

Johnson noted the Street Department has a mini excavator in the 2020 budget, and this truck will be used as a trade. Because the truck belongs to the Solid Waste Department, the Street Department will pay the value of the trade back to the Solid Waste Department.

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

SECOND READING

Bill No. 1570 was presented for Second 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 Third Reading at tonight's Council meeting. Motion carried with eight members of the Council voting in favor.

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

Motion was offered by Councilman Moore and seconded by Councilman Shiverdecker to place Bill No. 1570 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. 1570, having received the affirmative vote of eight members of the Council, was declared passed by the President of the Council.

Bill No. 1571 was presented for Second 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 Third Reading at tonight's Council meeting. Motion carried with eight members of the Council voting in favor.

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

Motion was offered by Councilman Shiverdecker, and seconded by Councilman Stone to place Bill No. 1571 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. 1571, having received the affirmative vote of eight members of the Council, was declared passed by the President of the Council.

Bill No. 1572 was presented for Second 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 Stone to place Bill No. 1572 for Third Reading at tonight's Council meeting. Motion carried with eight members of the Council voting in favor.

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

Motion was offered by Councilwoman Rehkla and seconded by Councilwoman Pace-Snook to place Bill No. 1572 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: Sebacher, YES; Shiverdecker, YES; Simmons, YES; Stone, YES; Braun, YES; Moore, YES; Pace-Snook, YES; Rehkla, YES. Bill No. 1572, having received the affirmative vote of eight members of the Council, was declared passed by the President of the Council.

ANNOUNCEMENTS:

- a. The Callaway Chamber of Commerce Annual Banquet will be held Thursday, January 23, 2020, at 54 Country in Fulton. Councilmembers and Department Heads who wish to attend should RSVP with the City Clerk no later than Tuesday, January 14, 2020.
- b. The City of Mexico will host the next MML Central Division meeting on Wednesday, January 15th at 6:00 p.m. for Councilmembers who are registered to attend.
- c. Candidate packets for the offices of 1st – 4th 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.
- d. The next City Council meeting will be held Tuesday, January 28, 2020 at 6:30 p.m.
- e. The MML Annual Legislative Conference will be held in Jefferson City on February 11-12, 2019. Councilmembers who wish to attend must RSVP with the City Clerk no later than Tuesday, January 28, 2020.

Councilman Braun asked for an update on the Panhandle Eastern Pipeline litigation. Johnson stated that following the monumental increase proposed by Panhandle Eastern (increasing the city's cost for natural

gas by \$860,000 annually), the city chose to work with IMGGA and other affected municipalities to fight the rate hike. Originally, IMGGA estimated Fulton would be responsible for 50% of the legal bill due to the city having the largest volume of dekatherms compared to the other municipalities involved.

Johnson reported that due to the incredible work by Heather Viele of IMGGA and Darrell Dunlap, Superintendent of Utilities, the intervention group has increased, and Fulton's estimated portion has been lowered to 14% of the legal bill. Johnson said he believes, the increase proposed by Panhandle Eastern (originally set to take effect in March 2020) would be off the table until legal matters are settled in court.

Councilman Moore asked if the city's software conversion has been going better. Johnson stated things are going well and although there has been a learning curve for everyone, the Finance staff has been great with assisting those who need help.

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 Stone and seconded by Councilman Braun to adjourn this meeting. Motion carried with eight members of the Council voting in favor. The meeting adjourned at 7:30 p.m.

Lowe Cannell, Mayor

Courtney L. Crowson, CMC/MRCC
City Clerk