

**CITY COUNCIL MINUTES**  
**JULY 14, 2020**

The Council of the City of Fulton, Missouri, met in Regular Session on Tuesday, July 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; and Courtney L. Crowson, City Clerk. 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: Pace-Snook, Rehklau, Sebacher, Shiverdecker, Simmons, Stone, Washington, and Braun. 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. Bruce Williamson; Helen Wilbers of *THE FULTON SUN*; Darin Wernig and Mike Haldeman, Audio/Video; and visitors: Kirt Kleindienst, Cedric Harris, LeWanda Jackson, Carol Fulkerson, Jim Stevermer, David Coplen, Beth Snyder, Cindy Baker, Tami Sweeney, Helen Logan, and Richard Skelton.

**INVOCATION:**

Invocation was given by Rev. Williamson.

**PLEDGE OF ALLEGIANCE:**

The Pledge of Allegiance was led by Rev. Williamson.

**COMMENTS FROM VISITORS:**

Carol Fulkerson, 4702 Birch Cove Drive, expressed concern with the rising number of coronavirus cases, and stated she is at high-risk for contracting the virus. Fulkerson stated she feels less protected in Fulton when compared to other cities who have enacted a face covering ordinance, and she requests that the city drafts and enacts such an ordinance.

Jim Stevermer, 1765 Ashley Court, stated he, as a physician, strongly supports the drafting of a face mask ordinance in order to better protect the community and local economy. Stevermer stated, "masking works" and cited a case in Springfield, Missouri, where two COVID-19-positive hairdressers who were masked saw more than 130 customers without transmitting the virus. Stevermer stated masks work if everyone wears them, and he urges the Council to enact an ordinance accordingly.

David Coplen, 4702 Birch Cove Drive, provided a handout of various orders and ordinances enacted around the state. Copeland urged the city to include "public safety" and "public health" in a proposed ordinance, as he believes there will be grants available to assist with enforcement and education. Copeland stated, "I'm wearing [a mask] to protect you. I hope you'll wear one to protect me".

Beth Snyder, 825 Court Street, stated she owns four local businesses, and she requires her staff to wear masks. Snyder noted that not everyone with which her employees come into contact wear masks, and she is concerned about having to shut down again due to illness amongst her workforce. Snyder stated she believes leaders should set a good example, and wearing a mask "can't hurt". Snyder also noted that many small businesses in Fulton cannot survive another shut down.

Cindy Baker, 503 Meadowlark, stated she also owns local businesses, and she does not know how anyone can go wrong by erring on the side of caution. Baker stated a mask ordinance will make people feel safer and will help the community economically. Baker also expressed concern with people from other cities

booking events in Fulton simply because Fulton does not require masks, and urged the Council to err on the side of caution.

Helen Logan, 6340 St. Rd. Z, stated there are many laws currently in effect to promote public safety, and referenced the passage of seatbelt laws in 1985. Logan stated, "strong leadership is necessary", and she recognizes this is a controversial issue. Logan implored the Council to "be willing to make hard decisions", as "time is of the essence".

Kirt Kleindienst, 4599 St. Rd. KK, stated he is a local business owner, and he does not believe the government should blanket businesses with mandates. Kleindienst stated the hospitals are not overwhelmed, and he believes people are losing their freedom of choice in today's society. Kleindienst noted, "If such an ordinance would be written, 54 Country (his business) will not comply".

Richard Skelton stated he lives near Carver Park and is concerned with the firework wars that occur annually near his home. Skelton stated teens and adults shoot a variety of fireworks at each other and properties, and there were many injuries this year. Skelton noted a house fire occurred, a person lost their eye, and there were other injuries and burns. Additionally, the fireworks disturb the neighborhood as they continue all hours of the night. Skelton asked that this issue be addressed.

Mayor Cannell thanked those in attendance this evening, and stated Fulton continues to meet with County and other City leaders relating to COVID-19 to evaluate what steps are in the best interest of the community.

#### **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 an event request from Lin Diekamp for the annual Callaway County CROP Hunger Walk on Sunday, October 11, 2020 at 1:30 p.m.
  - i. The event request has been reviewed and approved Chief Myers; no police assistance is needed or requested.

b. Approval of Steve Moore to the Historic Preservation Commission (exp. July 2023)  
Motion was offered by Councilman Stone and seconded by Councilwoman Rehklau 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:**

There was no New Business for consideration at this meeting.

#### **COUNCIL CONCERNS:**

Councilwoman Pace-Snook stated she has received some feedback from citizens who do not wish to see a face covering ordinance in Fulton.

Councilman Stone thanked the various businesses who assisted with making this year's Fourth of July Fireworks Display a success.

Councilman Braun stated he would like to see the speed limit in Herring Subdivision reviewed by the Traffic Commission.

Councilman Braun also stated he appreciates the city continuing communication with Callaway County relating to COVID-19, but he feels the Council should have the opportunity to be involved. Councilman Braun stated he is concerned as the Council is not included in the conversation and does not have access to any information.

Councilman Washington stated he believes the city should also have a recommendation to the Callaway County Leadership group to recommend masks in public places.

Councilman Washington also stated the derelict houses program has been successful, and he would like to see this continue to be a priority moving in to 2021 as he believes there are many derelict properties in the Fourth Ward that may be eligible for assistance and demolition.

Mayor Cannell stated he will reach out to the City Council to set up a special meeting regarding COVID-19 and face masks.

#### **RESOLUTIONS:**

Resolution No. 3378 was presented for adoption by Councilwoman Rehkla.

- a. Resolution No. 3378: A Resolution authorizing the Mayor, on behalf of the City of Fulton, Missouri, to execute an Amendment to a Contract with Twillman Construction Company of Fulton, Missouri, for Grave Excavation Services, and establishing an effective date.

Motion was offered by Councilwoman Rehkla and seconded by Councilman Shiverdecker to adopt Resolution No. 3378 at tonight's Council meeting.

City Clerk Courtney Crowson explained that these service fees were discussed in March as part of the overall fee discussion, but no action was taken at that time. In order to have a contract in place to cover the cost of concrete vaults for cremation urns and the additional cost of drilling through rock, this resolution is needed. Crowson further explained that if, in the process of excavating, the contractor hits rock and is unable to dig further without special equipment, the family of the deceased will be given the opportunity to relocate to another available burial space (so long as one exists) at no additional cost. If, however, the family decides to keep the space and rock removal is required, the family will incur the additional fee to the contractor.

Following some discussion, motion carried with eight members of the Council voting in favor.

Councilman Simmons asked when the Council would resume discussion on fees. Crowson noted Mayor Cannell and Bill Johnson, Director of Administration, have decided to delay this discussion until early 2021.

Resolution No. 3379 was presented for adoption by Councilman Stone.

- b. Resolution No. 3379: A Resolution authorizing the Mayor, on behalf of the City of Fulton, Missouri, to sign all necessary documents in relation to a Contract with Jviation for the purpose of providing Construction Services at Elton Hensley Memorial Airport in order to meet the guidelines and requirements of both State and Federal Regulatory Authorities.

Motion was offered by Councilman Stone and seconded by Councilman Simmons to adopt Resolution No. 3379 at tonight's Council meeting.

Kyle Bruemmer, Interim City Engineer, stated this resolution, in addition to the next resolution and Bill No. 1583 all pertain to work for the Airport Hangar Project at Elton Hensley Memorial Airport. Jviation will ensure all FAA and MODOT paperwork is in order. Engineering Surveys & Services will handle the geotechnical services required by FAA and MODOT, and Bill No. 1584 will handle grant documents.

Bruemmer noted 90% of the contract totals will be paid by State/Federal funds, and the city will be responsible for the remaining 10%. Additionally, MODOT has increased their contribution, and the city's portion will be roughly \$56,000. Bruemmer noted the city has received \$30,000 in CARES Act money which will be used to lower the city's overall cost to roughly \$26,000.

Following some brief discussion, motion carried with eight members of the Council voting in favor.

Resolution No. 3380 was presented for adoption by Councilman Braun.

- c. Resolution No. 3380: A Resolution authorizing the Mayor, on behalf of the City of Fulton, Missouri, to sign all necessary documents in relation to a Contract with Engineering Surveys & Services for the purpose of providing Geotechnical Services at Elton Hensley Memorial Airport in order to meet the guidelines and requirements of both State and Federal Regulatory Authorities.

Motion was offered by Councilman Braun and seconded by Councilman Shiverdecker to adopt Resolution No. 3380 at tonight's Council meeting. Motion carried with eight members of the Council voting in favor.

## **ORDINANCES:**

### **FIRST READING**

Bill No. 1583 was presented for First Reading by Councilwoman Pace-Snook.

- a. Bill No. 1583: An Ordinance declaring city property to be surplus property, authorizing it to be sold, and establishing an effective date.

Motion was offered by Councilwoman Pace-Snook and seconded by Councilman Shiverdecker to place Bill No. 1583 for Second Reading at the next regularly-scheduled Council meeting.

Darrell Dunlap, Superintendent of Utilities, stated the city purchased the sludge truck brand new several years ago. The process the city utilizes for sludge removal has changed, and the city contracts the hauling services out to private entities. Johnson noted there is an interested buyer for the truck, and the city hopes to receive \$35,000 for the truck.

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

Bill No. 1584 was presented for First Reading by Councilman Washington.

- b. Bill No. 1584: An Ordinance authorizing the Mayor, on behalf of the City of Fulton, Missouri, to sign all necessary documents in relation to current and future Amendments to State Block Grant Project No. 19-040A-2 with the Missouri Highways and Transportation Commission.

Motion was offered by Councilman Washington and seconded by Councilman Braun to place Bill No. 1584 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. 1582 was presented for Second Reading by Councilman Simmons.

- a. Bill No. 1582: An Ordinance authorizing and directing the execution and delivery of a Lease Purchase Agreement by the City of Fulton, Missouri, to finance a Community Center for the City and authorizing certain other documents and actions in connection therewith.

Motion was offered by Councilman Simmons and seconded by Councilman Stone to place Bill No. 1582 for Third Reading at tonight's Council meeting. Motion carried with eight members of the Council voting in favor.

Bill No. 1582 was presented for Third Reading by Councilman Simmons.

Motion was offered by Councilman Simmons and seconded by Councilman Stone to place Bill No. 1582 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: Rehklau, YES; Sebacher, YES; Shiverdecker, YES; Simmons, YES; Stone, YES; Washington, YES; Braun, YES; Pace-Snook, YES. Bill No. 1582, 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, July 28, 2020 at 6:30 p.m.

### 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 8:02 p.m.

---

Lowe Cannell, Mayor

---

Courtney L. Crowson, CMC/MRCC  
City Clerk