

CITY COUNCIL MINUTES
JULY 28, 2020

The Council of the City of Fulton, Missouri, met in Regular Session on Tuesday, July 28, 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 6:30 p.m. Roll call was taken by the City Clerk, and members of the Council present were: Braun, Rehklau, Pace-Snook, Sebacher, Shiverdecker, Simmons, Stone, and Washington. Also present were: 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; Michelle Maupin, Human Resources Director; Rev. Bruce Williamson; Helen Wilbers of *THE FULTON SUN*; Darin Wernig and Mike Haldeman, Audio/Video; and visitors: Madison Doyle, Charles Williams, Coletta Williams, Rev. Cedric Harris.

INVOCATION:

Invocation was given by Rev. Williamson.

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Rev. Williamson.

COMMENTS FROM VISITORS:

Charles Williams stated he lives near the intersections of Twelfth Street and Westminster Avenue. Williams expressed concern and frustration with recent fireworks wars near Carver Park around the July 4th holiday. Williams' home sustained damage both this year and in 2019, and homeowners became targets when they asked participants to go back to the park and to avoid the residential area. Williams stated a majority of the people participating in the wars were from out of town, and many people were shooting large fireworks at one another. Williams asked the Council to consider banning commercial grade fireworks, to limit the sale of fireworks, or to ban all fireworks completely.

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 June 23, 2020.
- b. Approval of the City Council meeting minutes of July 14, 2020.
- c. Approval of the City Council meeting minutes of July 21, 2020.
- d. Approval of the Director of Administration Report of June.

Councilman Braun requested to remove the Director of Administration Report for further discussion.

Motion was offered by Councilman Stone 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.

APPROVAL OF THE DIRECTOR OF ADMINISTRATION REPORT FOR THE MONTH OF JUNE:

Councilman Braun noted Tanglewood Golf Course experienced its best and highest gross monthly revenue in the history of the course, and he congratulated the Tanglewood Staff. Councilman Braun noted a discrepancy between the revenues expressed in the Parks & Recreation Director's report when compared to the Financial Report. Clay Caswell, Parks & Recreation Director stated he submits his report before the final Financial Report is due, and this is likely the cause of any discrepancies.

Motion was offered by Councilman Braun and seconded by Councilman Shiverdecker to approve the Director of Administration Report for the month of June, as presented. Motion carried with eight members of the Council voting in favor.

PRESENTATION AND ACCEPTANCE OF THE FINANCIAL REPORT FOR THE MONTH OF JUNE.

The Financial Report for the month of June was presented for acceptance, and Director of Administration Bill Johnson was present to answer any questions from the Council.

Johnson stated sales tax collections are "basically flat", and the gas tax has also decreased. Johnson believes the decrease is likely due to a lack of travel stemming from COVID-19.

Councilman Braun asked if an update on the utility bill assistance from CMCA could be sent to the Council. Johnson will gather and provide this information.

Following brief discussion, motion was offered by Councilman Shiverdecker and seconded by Councilman Braun to accept the Financial Report for the month of June, as presented. Motion carried with eight members of the Council voting in favor.

UNFINISHED BUSINESS:

- a. Health Inspection discussion.

Johnson provided a review of the city's efforts to turn over health inspections to the Callaway County Health Department. At this time, the Health Department has provided the city with a letter for all of the Fulton food establishments so that they are aware of the new fees and regulations assessed by the Health Department. This letter will be sent by the city to those affected businesses in the near future.

NEW BUSINESS:

- a. Callaway County Leadership discussion regarding mask recommendation.

Mayor Cannell stated the city is making progress, but "these things take a little bit of time". Mayor Cannell said he has been working with Gary Jungermann on terminology for a written recommendation for the County Leadership group to collectively approve, and he would like to have a recommendation to authorize him to sign such a document if the group continues to move forward on this initiative.

Motion was offered by Councilman Stone and seconded by Councilman Simmons to authorize the Mayor to sign any final verbiage on a mask recommendation with the county and municipalities.

Councilman Simmons asked why this topic is being discussed again, as the City Council put forward an official recommendation to wear face masks at the July 21, 2020 meeting.

City Clerk Courtney Crowson noted the motion at the July 21st meeting was “to strongly recommend for the citizens of Fulton to wear masks”, and that this motion is to authorize the Mayor to sign on behalf of the City of Fulton on a county-wide recommendation.

Councilman Simmons stated the City Council made a recommendation and asked why the city is waiting for everyone else to get on board. Mayor Cannell stated the city has already put forward its recommendation for Fulton citizens, but this is an additional measure to include the county and other municipalities within the county on a uniform message.

Johnson stated the city has put the Council’s recommendation forward in a press release, signage at city buildings, on social media, and in discussions with news outlets. Mayor Cannell stated he believes that every time this topic is brought up, it continues to bring awareness to the issue.

Councilman Braun asked if the County Group recommendation would be done before college students return. Mayor Cannell stated the group will continue to keep working on this measure, but he is unable to estimate when it will be complete.

Councilwoman Rehklau asked how soon the city could enact an ordinance if positive cases continue to rise quickly. Johnson stated an ordinance could be enacted as an Emergency Ordinance in one meeting, and Mayor Cannell noted the city would first need to have an ordinance prepared in order to act quickly.

Councilman Braun stated he would like to see the city reach out to City Counselor Tom Riley in order to have an ordinance prepared in the event it needs to be enacted. Mayor Cannell stated this measure could be taken.

Councilman Washington stated he is in favor of moving ahead with having Riley draft an ordinance so that the city is prepared, and he sees mask compliance in some businesses across town.

Councilman Stone asked what mechanism would trigger the city to move ahead with a mask ordinance, and stated he believes the Council needs to establish that threshold in order to know where the next steps lie.

Councilwoman Sebacher noted concerns with how the potential ordinance would be enforced, as it has already been expressed that enforcement will be an issue.

Mayor Cannell stated the situation is evolving, and he “does not know” as things are changing day to day.

Councilman Braun noted there will be an outage at the Callaway Nuclear Plant in the coming months, and roughly 1,100 people from all around the country will be coming in to assist. Mayor Cannell stated there are a lot of unknown factors, and “we may end up shutting completely down again, guys. I hate to say that, but it may happen. We’ll just keep doing the best we can”.

Councilman Braun asked if the city will be moving ahead with creating a standby ordinance or waiting to see what happens. Mayor Cannell stated no one on the Council was interested in an ordinance last week, so unless the feeling has changed, he believes the city will continue to keep an eye on things.

Councilman Simmons asked how long it would take to draft an ordinance. Following some brief discussion, City Clerk Crowson stated it could take 1-2wk to have the ordinance drafted and fully reviewed by Riley.

Councilman Stone believes there is an opportunity to include something like this in the city's emergency order ordinance, and he believes the ordinance currently has other mechanisms available that may be beneficial. Councilman Stone stated he also believes if the city plans to enact a face covering ordinance, the city should be under a state of emergency first.

Mayor Cannell stated he will work with the county to establish a threshold as he has no idea what that number could be. Some discussion followed.

Councilman Braun noted there had been a breakdown of coronavirus cases provided to the Council and on the city's social media page but this information can no longer be found. Councilman Braun asked if the Council will continue to receive this information. Mayor Cannell noted that this information would no longer be provided.

Councilman Braun stated he doesn't understand why that information is not available as he does not believe it to be a HIPAA violation. Mayor Cannell stated he is only relaying the message he has received.

City Clerk Crowson repeated the motion: "to authorize the Mayor to sign any final verbiage on a mask recommendation with the county and municipalities".

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

COUNCIL CONCERNS:

Councilman Simmons stated the Council has received a number of complaints regarding the 4th of July fireworks issue (fireworks war), and he believes something must be done. Mayor Cannell stated Chief Myers and Chief Coffelt will work together to come up with a plan.

Councilman Simmons also noted Tanglewood Golf Course is in great shape and congratulated Jayme Martin PGA Clubhouse Manager. Councilman Stone echoed this sentiment.

Councilman Stone stated he has received mixed reviews regarding the city's chip seal project and there are many areas where gravel needs to be cleaned up.

RESOLUTIONS:

There were no Resolutions for consideration at this meeting.

ORDINANCES:

SECOND READING

Bill No. 1583 was presented for Second 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 Stone to place Bill No. 1583 for Third Reading at tonight's Council meeting. Motion carried with eight members of the Council voting in favor.

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

Motion was offered by Councilwoman Pace-Snook and seconded by Councilman Braun to place Bill No. 1583 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; Washington, YES; Braun, YES. Bill No. 1583, having received the affirmative vote of eight members of the Council, was declared passed by the President of the Council.

Bill No. 1584 was presented for Second 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 Stone to place Bill No. 1584 for Third Reading at tonight's Council meeting. Motion carried with eight members of the Council voting in favor.

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

Motion was offered by Councilman Washington and seconded by Councilwoman Pace-Snook to place Bill No. 1584 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: Rehklaue, YES; Sebacher, YES; Shiverdecker, YES; Simmons, YES; Stone, YES; Washington, YES; Braun, YES; Pace-Snook, YES. Bill No. 1584, having received the affirmative vote of eight 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, August 11, 2020. A Work Session will commence at 6:30 p.m. with Regular Session to follow at 7:00 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 7:25 p.m.

Lowe Cannell, Mayor

Courtney L. Crowson, CMC/MRCC
City Clerk