

**CITY COUNCIL MINUTES
SEPTEMBER 22, 2020**

The Council of the City of Fulton, Missouri, met in Regular Session on Tuesday, September 22, 2020 in the Council Chambers of City Hall located at 18 E. 4th Street. Present and presiding were: Deputy Mayor John Braun; 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 Braun at 6:30 p.m. Roll call was taken by the City Clerk, and members of the Council present were: Braun, Rehklau, Sebacher, Shiverdecker, Simmons, Stone, and Washington. Absent was Councilwoman Pace-Snook. 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; Rev. Bruce Williamson; Helen Wilbers of *THE FULTON SUN*; Darin Wernig and Mike Haldeman, Audio/Video; and visitors: Amanda Schultz, Ashley Rolling, Patti Wood, Madison Doyle, Renee Swaim, and Wendy Powers.

INVOCATION:

Invocation was given by Rev. Williamson.

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Rev. Williamson.

Deputy Mayor Braun noted the need to amend tonight's agenda by adding Resolution No. 3382. Motion was offered accordingly by Councilman Shiverdecker and seconded by Councilman Simmons. Motion carried with seven members of the Council voting in favor, and one member (Pace-Snook) absent.

COMMENTS FROM VISITORS:

There were no Comments from Visitors at this meeting.

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. City Clerk Courtney Crowson 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 August 25, 2020.
- b. Approval of the City Council meeting minutes of September 8, 2020.
- c. Approval of the Director of Administration Report of August.
- d. Approval of the appointment of Richard Vaughn to the Public Utility Board (exp. July 2024)

Deputy Mayor Braun asked to remove the August Director of Administration Report. Motion was offered by Councilman Simmons and seconded by Councilwoman Sebacher to approve the remaining items on the Consent Agenda, as presented. Motion carried with seven members of the Council voting in favor, and one member (Pace-Snook) absent.

APPROVAL OF THE DIRECTOR OF ADMINISTRATION REPORT OF AUGUST.

Deputy Mayor Braun enthusiastically noted the Tanglewood Golf Course experienced the best month of revenue in the history of the course. Following some discussion, motion was offered by Councilman Shiverdecker and seconded by Councilwoman Rehklau. Motion carried with seven members of the Council voting in favor, and one member (Pace-Snook) absent.

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

The Financial Report for the month of August was presented for acceptance, and Kathy Holschlag, Chief Financial Officer, was present to answer any questions from the Council.

Holschlag reported the city's sales tax collections are within 0.7/0.8% of this period of time in 2019. Holschlag noted the asphalt mix hit the Street Department fund, and \$63,000 was drawn from the loan for the Community Center project.

Following brief discussion, motion was offered by Councilman Shiverdecker and seconded by Councilwoman Rehklau to accept the Financial Report for the month of August, as presented. Motion carried with seven members of the Council voting in favor, and one member (Pace-Snook) absent.

UNFINISHED BUSINESS:

- a. Parks & Recreation Community Center fees discussion.

Clay Caswell, Parks & Recreation Director, stated the Park Board-recommended fee structure was provided at the last council meeting. Caswell stated these numbers are starting points and may need to change once operations begin. Caswell also noted that the salary increases proposed by the City Council in the 2021 budget will not impact the overall estimations, and that a majority of the positions are part-time.

Deputy Mayor Braun asked if Caswell is comfortable having the lowest rates compared to other facilities. Caswell stated he is comfortable with these rates and knows they will be adjusted. Caswell noted that citizens are also paying sales tax for this facility, and increases need to be gradual.

Following some discussion, motion was offered by Councilman Shiverdecker and seconded by Councilwoman Rehklau to approve the proposed rates, as presented.

Councilman Simmons stated he believes the revenue projections are overly generous, and he believes it is important to continue reiterating that point. Councilman Simmons is concerned with a shortfall and how the city will cover the deficit if the facility does not meet the projected revenue. Councilman Washington stated he believes the city is in good hands. Deputy Mayor Braun stated that Caswell has provided these numbers, and it will be his responsibility to ensure the numbers are met as well.

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

NEW BUSINESS:

- a. City Recycling, Yard Waste, and Household Hazardous Waste Collection discussion.

Robert Boone, Assistant Director of Administration, stated COVID-19 has impacted the city's revenue, and he was tasked with pulling together numbers and a plan to handle the recycling, yard waste, and household hazardous waste programs. Boone noted that the community values the recycling program, but there currently is not a charge to the customer unless they opt to rent a recycling container for \$1.00/mo.

Boone suggested that if the Council wishes to continue the recycling program, one option would be to increase the container fee to \$9.00/mo. This option would cover the cost of the program and would cover the deficit by increasing fees for city customers who choose to pay an additional fee for a container. It would not change the curbside pick-up option available to all solid waste customers.

Boone stated the household hazardous waste program was started with a grant. This funding source is no longer available. Currently, between the months of April and October, citizens can schedule an appointment on the second or fourth Saturday of the month to drop off household hazardous waste at the collection point. Boone suggested reducing the number of collection days to either once monthly or twice yearly.

In regards to yard waste, Boone noted the large roll offs to collect residential yard waste are unmonitored, always full, and are abused by commercial companies. Boone recommended moving the roll off containers to the warehouse behind a locked gate and requiring users to provide proof of residency in order to drop off yard waste.

Councilman Simmons asked if the city will still collect yard waste curbside if the roll off containers are moved or removed entirely. Bill Johnson, Director of Administration, stated the city will continue the curbside pick-up, and staff realizes the amount of curbside yard waste may increase.

Johnson noted the fees associated with household hazardous waste disposal have increased, and 50% of the collection comes from users outside the city limits. When the program was first implemented, the grant required the program to be offered county-wide. Much discussion followed.

Motion was offered by Councilman Simmons and seconded by Councilwoman Rehklau to address this issue as the next Council Work Session. Motion carried with seven members of the Council voting in favor, and one member (Pace-Snook) absent.

b. Presentation and acceptance of the 2019 City of Fulton Audit.

Holschlag introduced Ashley Rolling and Amanda Schultz of Williams Keepers. Both Schultz and Rolling provided an overview of the 2019 audit and Comprehensive Annual Financial Report (CAFR). The city received an unmodified, clean report, and it was noted that the city's records are in good order and there were no disagreements with management and no material weaknesses were found.

Deputy Mayor Braun asked how long Williams Keepers has handled the audit process for the City of Fulton. Schultz stated she believes the city has used Williams Keepers for approximately 12 years.

Some discussion followed. Councilman Simmons thanked Holschlag for her hard work. Motion was offered by Councilman Shiverdecker and seconded by Councilwoman Rehklau to accept the 2019 audit as presented. Motion carried with seven members of the Council voting in favor, and one member (Pace-Snook) absent.

COUNCIL CONCERNS:

Councilman Simmons asked for a mask ordinance update. City Clerk Crowson noted the ordinance was reviewed by City Counselor Tom Riley and sent to the Council in August for their review and any further action. No such action has taken place since that time.

Councilman Simmons asked for a Smart Grid update. Darrell Dunlap, Superintendent of Utilities, stated that a small fraction of the recent shut offs was not able to be completed remotely due to a communication issue between the grid and the billing software. The city is working with the billing software to resolve the communication issue.

Johnson stated there has been more progress in the last month than in an extended period of time. There will be another smart grid update at the second Council meeting in October.

Councilman Stone stated he has received calls from citizens who do not wish to see the city discontinue curbside recycling. Councilman Stone also received a call from a citizen with concerns of a homeless encampment on a residential property.

Councilman Washington stated he spoke to a resident on Parkview Avenue who had concerns with their street and would like to see a yield sign installed.

Deputy Mayor Braun stated he also heard from a number of citizens who do not want to see the recycling program terminated.

RESOLUTIONS:

Resolution No. 3382 was presented for adoption by Councilwoman Rehklau.

- a. Resolution No. 3382: A Resolution authorizing the Mayor, on behalf of the City of Fulton, Missouri, to make application and sign all necessary documents to apply for a Local Law Enforcement Block Grant from the Missouri Department of Public Safety.

Motion was offered by Councilwoman Rehklau and seconded by Councilman Stone to adopt Resolution No. 3382 as presented. City Clerk Crowson noted the department is applying for up to \$9,999.99 for security system upgrades at the Fulton Police Department. Motion carried with seven members of the Council voting in favor, and one member (Pace-Snook) absent.

ORDINANCES:

FIRST READING

Bill No. 1593 was presented for First Reading by Councilwoman Sebacher.

- a. Bill No. 1593: An Ordinance of the City of Fulton, Missouri, adopting floodplain management regulations designed to protect the health, safety, and general welfare of the public.

Motion was offered by Councilwoman Sebacher and seconded by Councilman Simmons to place Bill No. 1593 for Second Reading at the next regularly-scheduled Council meeting.

Dennis Houchins, Planning & Protective Services Director, stated the city's floodplain management ordinance has not been updated since 2005, and the proposed language was updated by the Missouri State Emergency Management Agency's Floodplain Management Section Leader in accordance with state and federal guidelines. Johnson noted citizens are not eligible to obtain floodplain insurance unless the city has adopted floodplain management regulations.

Some discussion followed. The Council would like to see this information added to the website and newsletter. Motion carried with seven members of the Council voting in favor, and one member (Pace-Snook) absent.

Bill No. 1594 was presented for First Reading by Councilman Simmons.

- b. Bill No. 1594: An Ordinance amending Section 110-248, Speed Limits. Paragraph (2). Fulton City Code. by removing a street designated as a school zone and establishing an effective date.

Motion was offered by Councilman Simmons and seconded by Councilman Shiverdecker to place Bill No. 1594 for Second Reading at the next regularly-scheduled Council meeting.

This section is along East Eighth Street between the new Community Center site and the former Kingdom Christian Academy location. The Traffic Commission recommended the school zone to be removed and the speed limit to be 30mph to remain consistent with the lower section of East Eighth Street.

Councilman Simmons stated he believes it may be a good idea for the Council to consider a lower speed limit in the future as there is a great deal of foot traffic in that area which will likely increase once the Community Center is opened.

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

SECOND READING

Bill No. 1591 was presented for Second Reading by Councilman Washington.

- a. Bill No. 1591: An Ordinance re-classifying, under the Zoning Ordinance, a tract of land known as 410 South Business 54 in Fulton, Missouri, and establishing an effective date.

Motion was offered by Councilman Washington and seconded by Councilman Shiverdecker to place Bill No. 1591 for Third Reading at the next regularly-scheduled Council meeting. Motion carried with seven members of the Council voting in favor, and one member (Pace-Snook) absent.

THIRD READING

Bill No. 1592 was presented for Third Reading by Councilman Shiverdecker.

- a. Bill No. 1592: An Ordinance authorizing amendments to the City of Fulton Budget for the fiscal year 2019 as outlined by Article VIII, Financial Procedure. Section 8.8 Amendments After Adoption. Paragraph (C), Transfer of Appropriations. Fulton City Charter., and establishing an effective date.

Motion was offered by Councilman Shiverdecker and seconded by Councilman Simmons to place Bill No. 1592

for Final Passage at tonight's Council meeting. Motion carried with seven members of the Council voting in favor, and one member (Pace-Snook) absent.

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. Absent: Pace-Snook. Bill No. 1592, having received the affirmative vote of seven members of the Council, was declared passed by the Deputy Mayor.

ANNOUNCEMENTS:

- a. The next meeting of the City Council will be held Tuesday, October 13, 2020. A Work Session will commence at 6:30 p.m. with Regular Session to follow at 7:00 p.m.
- b. Fall Bulk Trash Pick-up will be held the week of October 19 – 23, 2020. Saturday, October 24th will be the final Household Hazardous Waste day of the year.

EXECUTIVE SESSION:

Deputy Mayor Braun stated there was not a need for an Executive Session at this meeting.

ADJOURNMENT:

There being no further business to come before the Council, motion was offered by Councilman Shiverdecker and seconded by Councilwoman Pace-Snook to adjourn this meeting. Motion carried with seven members of the Council voting in favor, and one member (Pace-Snook) absent. The meeting adjourned at 7:41 p.m.

Lowe Cannell, Mayor

Courtney L. Crowson, CMC/MRCC
City Clerk