

**CITY COUNCIL MINUTES
OCTOBER 13, 2020**

The Council of the City of Fulton, Missouri, met in Regular Session on Tuesday, October 13, 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 7:02 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; 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, Michelle Maupin; Rev. Bruce Williamson; Helen Wilbers of *THE FULTON SUN*; Darin Wernig, Audio/Video; and visitors: Madison Doyle, Wendy Powers, Kim Barnes, Tamara Tateosian, Anna Morse, Patti Wood, Renee Swaim, and Bub Wilcox.

Mayor Cannell asked those present to observe a moment of silence in honor and memory of Wesley McArtor, a city employee who passed unexpectedly. McArtor was a Power Plant Operator for more than ten years and was the husband to Sharlene McArtor, Parks & Recreation Assistant Director.

INVOCATION:

Invocation was given by Rev. Williamson.

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Rev. Williamson.

COMMENTS FROM VISITORS:

There were none.

APPROVAL OF THE CONSENT AGENDA:

- a. Approval of a request from Martha McGrath for the Jaycee's Annual Christmas Parade to be held Saturday, December 5, 2020 at 1:00 p.m.
 - i. This request has been approved by Chief Myers and will require Police assistance throughout the parade route.

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

UNFINISHED BUSINESS:

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

Mayor Cannell noted this topic was discussed during the Work Session earlier this evening. Motion was offered by Councilman Simmons and seconded by Councilwoman Rehklau to raise the blue recycling container fee to \$5.00/mo.

Mayor Cannell stated he believes \$5.00/mo. is excessive, and he believes \$2.00/mo. is more appropriate. Councilman Washington stated he agrees and feels the fee increase should be gradual. Councilman Braun stated there should be more discussion before moving ahead.

Councilman Shiverdecker stated he believes blue recycling containers should be required in order to participate in the recycling program. Some discussion followed. Wendy Powers, Solid Waste Supervisor, noted that approximately 50-70 households participate in curbside recycling each pick-up day without the use of a blue container. Some discussion was held as to the need for varying sizes of recycling cart containers.

Councilman Stone stated he does not believe the blue containers should be the funding source for the recycling program. Robert Boone, Assistant Director of Administration, noted the city pays approximately \$40/ton for garbage disposal and \$140/ton for recycling disposal; Boone added that the recycling "program is costing the city".

Following much discussion, City Clerk Courtney Crowson reiterated the motion: "Motion was offered by Councilman Simmons and seconded by Councilwoman Rehklau to raise the blue recycling container fee to \$5.00/mo." Motion failed with one member of the Council voting in favor, and seven members (Braun, Pace-Snook, Rehklau, Sebacher, Shiverdecker, Stone, Washington) opposed.

Mayor Cannell stated one option could be to raise residential trash rates by \$1.00/mo. and to raise commercial trash rates by 5%/mo. Councilman Shiverdecker stated he is opposed to raising commercial rates to cover the shortfall of the recycling program as the city does not provide recycling for commercial accounts. Some discussion followed.

Mayor Cannell noted that yard waste was also discussed during the Work Session. Mayor Cannell stated that commercial entities are using the yard waste roll offs which is intended for residential use only. Councilman Simmons is in favor of moving the roll offs to the city warehouse to see how things go. Councilman Shiverdecker noted that the city warehouse is also a secluded location which currently contributes to commercial users abusing the roll offs.

Powers noted that moving the roll offs near the warehouse would make it easier for staff to clean up any loose debris and to monitor the usage. Johnson stated the roll off containers will be moved to the warehouse site.

Johnson reported that Callaway County Presiding Commissioner Gary Jungermann offered to pay \$10,000 to the city to assist with the household hazardous waste disposal because county users make up for 50% of the amount of waste collected. Johnson noted these discussions will continue, and he hopes the county will consider offering \$15,000 which is 50% of the overall annual cost.

NEW BUSINESS:

- a. Tamara Tateosian, Executive Director of the Callaway Chamber of Commerce, will be present to provide a quarterly review of the organization's activities.

Tateosian thanked the Council for having Chamber representatives attend this evening's meeting and introduced her staff. Tateosian stated the Chamber has been supporting the business community throughout the COVID-19 pandemic through a wide array of services and offerings. Sustaining existing

businesses is most important right now, as a number of businesses have had to close their doors permanently due to the implications of the virus and loss of revenue. Of note, the Chamber is administering grants through the Callaway County CARES Act funding for eligible expenses.

Kim Barnes, President of the Fulton Area Development Board and Treasurer of the Chamber Board noted that the Chamber's contract for services is on tonight's agenda. Barnes stated that the Chamber asked for dialogue following last year's contract discussions, and that dialogue "hasn't materialized". Barnes noted the Chamber received the city's intended contract five days ago from Mayor Cannell and there was not an opportunity to sit down to discuss the contract terms. Therefore, Barnes requested that the resolution for the contract be tabled this evening to allow for communication to begin.

b. Tanglewood Yamaha golf cart lease discussion.

Clay Caswell, Parks & Recreation Director, stated the current golf cart lease expires in April 2021, and the proposal before the Council includes 60 new carts along with a new range picker and new beverage cart. The lease proposal will result in an annual expense increase of \$3,276, and Caswell would like to increase Tanglewood fees slightly to cover the additional cost.

Councilman Stone expressed concern with awarding the contract to Yamaha when the RFP is inconsistent and not clearly defined. Yamaha presented a 6-year proposal, while the other two vendors presented only 5-year proposals.

Johnson stated Caswell will ask for a 6-year proposal from the other vendors before bringing the item back to the Council for consideration.

Motion was offered by Councilman Braun and seconded by Councilman Stone to table the item until the city receives 6-year proposals. Motion carried with eight members of the Council voting in favor. *
*City Clerk's note – because this item will come before the Council as a Resolution once the best vendor is identified (based off of clear, consistent data), a motion was not necessary and will not impact the following agenda. This item will return as a Resolution once Administration has identified the vendor that should be selected, and the Council will consider awarding or denying the contract at that time.

Mayor Cannell called for a brief break at 8:05 p.m. The Council reconvened at 8:12 p.m.

c. Community Center Coca Cola sponsorship discussion.

Caswell stated this agreement is to exclusively sell Coca-Cola products at Parks & Recreation facilities (Community Center, Tanglewood, Pool). The Jefferson City Coca Cola Bottling Company would pay \$14,000 to the City of Fulton up front for the purchase and installation of retractable volleyball standards, followed by four additional annual payments of \$1,000 until the city sells the required number of bottled Coca Cola products to meet the requirements of the contract.

Councilman Washington stated he believes the volleyball standards are an important piece of the community center, and he is in favor of moving forward with this contract to allow for the city to save on costs.

Some discussion followed. Councilman Shiverdecker noted that this agreement also encompasses the banquet room at the Community Center, and that means the bottled beverages would have to be purchased from the city.

Councilman Braun expressed concern with the “concession” wording of the contract and asked for clarification to ensure this will not affect the city’s privately-operated concession stands at baseball games. Caswell will touch base and provide clarification on this issue.

Following some discussion, this contract will come before the Council at the next meeting as a resolution.

d. Budget discussion and review.

Johnson thanked the Department Heads for their responsiveness to requests for information regarding the budget. According to Johnson, 2021 will be a “lean year”, as COVID-19 has made an impact on the city financially.

Of note in this budget draft, the city will repair two water towers with dedicated sales tax funds; transformer work and the Council-recommended raise for city staff has been included in the draft. Johnson noted that the budget ordinance will be presented for First Reading at the next Council meeting, and the budget passage has historically been divided up in three separate meetings. Some discussion followed.

e. December 2020 meeting schedule.

City Clerk Crowson stated the Council has historically chosen to meet once during the month of December due to the holidays. The proposed date for this year’s meeting is December 15th at 6:30 p.m.

Motion was offered by Councilman Shiverdecker and seconded by Councilman Simmons to forego two meetings in December and to hold one meeting on December 15, 2020. Motion carried with eight members of the Council voting in favor.

COUNCIL CONCERNS:

Councilwoman Pace-Snook asked if there was any discussion regarding a mask ordinance at the last Council meeting. This topic was not an item for consideration at the September 22, 2020 meeting, but Councilwoman Pace-Snook noted that positive COVID-19 cases are increasing, and she would like to see the item up for discussion again soon.

City Clerk Crowson noted that the Council received the mask ordinance draft in late August, and no further direction has been received since that time. Crowson will send the draft to the Council again for their continued review.

Mayor Cannell stated he is proud to see more citizens wearing masks regularly.

Councilwoman Rehklaun noted a missing street sign at First Street and Route C.

RESOLUTIONS:

Resolution No. 3383 was presented for adoption by Councilman Stone.

- a. Resolution No. 3383: 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 2021, and establishing an effective date.

Motion was offered by Councilman Stone and seconded by Councilman Shiverdecker to adopt Resolution No. 3383 at tonight's Council meeting.

Motion was offered by Councilman Braun and seconded by Councilman Stone to table Resolution No. 3383 to allow for discussion.

Councilman Stone stated he feels city leadership has not held enough conversation on this topic. Following brief discussion, motion to table carried with eight members of the Council voting in favor.

ORDINANCES:

FIRST READING

Bill No. 1595 was presented for First Reading by Councilman Braun.

- a. Bill No. 1595: An Ordinance authorizing the Mayor, on behalf of the City of Fulton, Missouri, to execute an Agreement with the County of Callaway, Missouri, for Public Emergency Communications Operations Services for the City of Fulton for the years 2021-2022.

Motion was offered by Councilman Braun and seconded by Councilman Stone to place Bill No. 1595 for Second Reading at the next regularly-scheduled Council meeting.

Johnson noted he met with Callaway County Presiding Commissioner Gary Jungermann. Of note, this contract will be in effect for two years and there is a reduction in the overall cost when compared to the current contract.

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

Bill No. 1596 was presented for First Reading by Councilwoman Pace-Snook

- b. Bill No. 1596: An Ordinance amending Section 110-248, Speed Limits. Paragraph (3). Fulton City Code. by designating a speed limit for certain streets and establishing an effective date.

Motion was offered by Councilwoman Pace-Snook and seconded by Councilman Shiverdecker to place Bill No. 1596 for Second Reading at the next regularly-scheduled Council meeting.

Mayor Cannell noted the city does not currently contact residents when a proposed speed limit change is being discussed by the Traffic Commission. Councilman Braun stated this specific change was brought about by a number of citizens in Herring Subdivision who expressed concern with speeding throughout the neighborhood.

Councilman Stone stated he believes it is best for the Traffic Commission to decide whether or not it is best to contact residents prior to discussion a speed limit change.

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

SECOND READING

Bill No. 1593 was presented for Second 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 Shiverdecker to place Bill No. 1593 for Third Reading at the next regularly-scheduled Council meeting. Motion carried with eight members of the Council voting in favor.

Bill No. 1594 was presented for Second 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 Stone to place Bill No. 1594 for Third Reading at tonight's Council meeting. Motion carried with eight members of the Council voting in favor.

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

Motion was offered by Councilman Simmons and seconded by Councilman Stone to place Bill No. 1594 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. 1594, having received the affirmative vote of eight members of the Council, was declared passed by the President of the Council.

THIRD READING

Bill No. 1591 was presented for Third 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 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; Washington, YES; Braun, YES; Pace-Snook, YES; Rehklau, YES. Bill No. 1591, having received the affirmative vote of eight members of the Council, was declared passed by the President of the Council.

ANNOUNCEMENTS:

- a. 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.

- b. The next City Council meeting will be held Tuesday, October 27, 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 9:10 p.m.

Lowe Cannell, Mayor

Courtney L. Crowson, CMC/MRCC
City Clerk