

**CITY COUNCIL MINUTES  
OCTOBER 27, 2020**

The Council of the City of Fulton, Missouri, met in Regular Session on Tuesday, October 27, 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, Pace-Snook, Rehklau, Sebacher, Shiverdecker, Simmons, and Stone. Absent was Councilman Washington. 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: Madison Doyle, Tamara Tateosian, and Kim Barnes.

**INVOCATION:**

Invocation was given by Rev. Williamson.

**PLEDGE OF ALLEGIANCE:**

The Pledge of Allegiance was led by Rev. Williamson.

**COMMENTS FROM VISITORS:**

Kim Barnes, representing the Chamber Board, thanked the Councilmembers who attended a recent meeting between the City of Fulton and the Callaway Chamber of Commerce regarding the 2021 contract for services.

**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 September 22, 2020.
- b. Approval of the City Council meeting minutes of October 13, 2020.
- c. Approval of the Director of Administration Report of September.
- d. Acknowledgement of the most-recent Board and Commission minutes:
  - i. Airport Advisory Board – August 4, 2020
  - ii. Historic Preservation Commission – June 16, 2020
  - iii. Human Rights Commission – June 29, 2020
  - iv. Park Board – January 8, 2020
  - v. Planning & Zoning – February 10, 2020
  - vi. Public Utility Board – September 28, 2020
  - vii. Traffic Commission – August 14, 2020

Councilwoman Pace-Snook requested to remove the City Council meeting minutes of October 13, 2020. Councilman Braun requested to remove the Director of Administration Report of September and the Park Board minutes of January 8, 2020.

Motion was offered by Councilman Shiverdecker and seconded by Councilman Simmons 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 (Washington) absent.

#### **CONSENT AGENDA ITEMS FOR DISCUSSION:**

1. Approval of the Director of Administration Report of September.

Councilwoman Pace-Snook noted an error in the October 13, 2020 meeting minutes under the motion to advance Bill No. 1596. The minutes incorrectly stated that the bill was placed for Second Reading at “tonight’s Council meeting” and should have stated that the bill was placed for Second Reading at “the next regularly-scheduled Council meeting”.

Motion to amend the October 13, 2020 meeting minutes accordingly was offered by Councilman Braun and seconded by Councilwoman Rehkla. Motion carried with seven members of the Council voting in favor, and one member (Washington) absent.

2. Park Board – January 8, 2020

Councilman Braun expressed concern with the Park Board meeting minutes of January 8, 2020 as supplied by Parks & Recreation Director Clay Caswell. Councilman Braun noted there were only three Park Board members present at the meeting. Therefore, there was not a quorum of members present, and an official meeting could not take place. Caswell stated he has a difficult time having enough members attend the meetings, but he would ensure meetings only take place with a quorum of members present moving forward.

3. Approval of the Director of Administration Report of September.

Mayor Cannell stated the city will receive the Second Street Bridge replacement grant, and the city will be required to provide a 20% match for the funds.

Councilman Stone noted Kyle Bruemmer, Interim City Engineer, has been working on finding a solution for the lack of sidewalks along Business 54 from Collier Lane to Westminster Avenue, and asked if there is an opportunity to have “pedestrian lanes” painted along the route. Bruemmer noted that he has been in contact with MODOT and has asked for permission to paint bike lanes as the shoulder will not allow for “pedestrian lanes” due to ADA-compliance issues.

Councilman Braun noted MISO power loads were shed recently costing the city \$26,000. Darrell Dunlap, Superintendent of Utilities, stated that MISO believes they followed the tariff, but the City of Fulton will be filing a dispute.

Councilman Stone asked what the Council needs to do to get the Smart Grid to the 90% readability rate. Following some discussion, Dunlap noted that the city needs to replace several meters to improve the connectivity.

Motion was offered by Councilman Braun and seconded by Councilman Stone to acknowledge the Park Board minutes of January 8, 2020 and approve the Director of Administration Report of September, as presented. Motion carried with seven members of the Council voting in favor, and one member (Washington) absent.

#### **PRESENTATION AND ACCEPTANCE OF THE FINANCIAL REPORT FOR THE MONTH OF SEPTEMBER.**

The Financial Report for the month of September 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 2.5% ahead of this period in 2019, which she described as "remarkable". Holschlag noted the Health Fund has experienced a loss both month-to-date and year-to-date, and the Utility Fund transfer for the Parks & Recreation Community Center was completed.

Councilman Braun asked if the city would use the \$1 million in the parks sales tax fund to assist with the loan. Bill Johnson, Director of Administration, stated these funds will be used towards furnishings and other needs inside the facility.

Councilman Braun noted the Golf Course expenses were up drastically from the prior month's estimates. Holschlag noted this increase was related to salaries.

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

Johnson asked Dunlap to come forward to address the Council. Dunlap reported the south lift station located off of Cote Sans Dessein Road has one inoperable pump, and one of the motor control boards is no longer working. While the lift station is able to limp by with one pump, Dunlap stated the lift station pumps will need to be replaced.

Dunlap noted the company currently working on the Route O lift station, Vandeventer, has quoted \$166,863 to replace and fix the Cote Sans Dessein lift station. Because the city currently has a contract with Vandeventer for the Route O lift station work, the Cote Sans Dessein project could be added as a change order to the current contract.

The Public Utility Board was made aware of this issue at their meeting on October 26, 2020, and has made a recommendation to the Council to authorize the replacement.

Dunlap also noted Well 6 has a hole in the pipe of the suction column, and the city received two quotes to fix the issue. Dunlap expects repairs to be roughly \$30,000 depending on the number of sections that must be removed to reach the hole. Dunlap also noted Well 6 will be down for two days while the repair work is being done.

Johnson noted that while some projects and expenses are optional, other projects, such as the aforementioned lift station and Well 6 work, are important as they impact city residents and customers.

Motion was offered by Councilman Stone and seconded by Councilwoman Pace-Snook to accept the recommendation of the Public Utility Board and to repair the Cote Sans Dessein lift station and Well 6. Motion carried with seven members of the Council voting in favor, and one member (Washington) absent.

**UNFINISHED BUSINESS:**

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

Mayor Cannell opened the discussion. Councilman Stone asked if Johnson has received any information from the city's recycling vendor as to what items are preferred. Johnson noted the vendor only wants #1 and #2 plastics and paper/cardboard products that are not contaminated.

Councilman Stone stated he believes the city should educate the citizens as to what items are truly recyclable, and the city should ensure the citizens follow these recycling guidelines. Much discussion followed.

Councilman Simmons stated he believes that everyone who participates in the recycling program must have a cart, and he would like to see more communication with the citizens. Councilwoman Rehklau agreed.

Following some discussion, motion was offered by Councilman Stone and seconded by Councilwoman Rehklau as follows: Beginning no sooner than January 1, 2021, a city-issued cart will be required to continue participating in the recycling program, and cart fees will be increased to \$2.00/mo. for the recycling cart.

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

Johnson noted Callaway County is willing to provide \$10,000 in assistance for household hazardous waste to continue allowing county residents to drop off their hazardous waste items.

Johnson noted the yard waste containers have not yet been moved, and the city will inform the citizens when they are at the new warehouse site. The city will leave the containers at the new site for six months and re-evaluate.

Councilman Shiverdecker said he would like to see more education to the public on what is considered household hazardous waste.

An ordinance will be brought forward at the next meeting to address the recycling cart requirement and fee increase.

- b. Smart Grid update.

Dunlap noted the situation has improved with David Miller heading up communications between the technical team for the smart grid and the billing software team.

c. 2021 Chamber services contract discussion.

Johnson stated the Chamber provided a contract with more focused terms at a recent meeting between Chamber officials and City officials. Johnson noted he is concerned the proposed changes may be an attempt to limit the Chamber's involvement. Johnson stated he feels a one-year contract is more appropriate than the Chamber's proposed three-year contract with the evergreen clause inclusion.

Some discussion followed. Kim Barnes, Chamber Board Treasurer, stated there is not an attempt to narrow the focus of the contract. Rather, the Chamber would like to have ongoing dialogue to talk through these issues. Councilman Simmons asked for a group meeting before the next Council meeting to create a mutually agreed upon document. Some discussion followed.

Councilwoman Sebacher suggested a quick retreat in the next week to allow all Councilmembers to provide input. Councilwoman Rehlau and Mayor Cannell stated they believe the process needs to continue to move forward this evening.

Councilman Braun expressed concern with the Chamber's salary and benefits allocation of \$212,000 for three employees.

Following brief discussion, motion was offered by Councilwoman Sebacher and seconded by Councilman Braun to set the contract amount at \$78,000, to utilize the hybrid contract encompassing the Chamber's desired changes with the exception of the evergreen clause and the three-year term, and to include a clause requiring a semiannual meeting between the City and the Chamber.

City Clerk Courtney Crowson noted if this motion passes, the amended contract will come before the Council as a Resolution at the next meeting. Barnes also noted that the Chamber Board will review the amended contract at their upcoming meeting next week.

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

Mayor Cannell called a brief recess of the Council at 7:57 p.m. The Council reconvened at 8:07 p.m.

d. Face Covering ordinance discussion.

Mayor Cannell noted there have been some changes to city staff policies relating to COVID-19, and asked that Johnson provide an update.

Johnson stated the city implemented a mask requirement for employees nearly one week ago. The policy does allow for exceptions to wearing a mask:

- In a city vehicle alone
- Working outside
- In one's own office or cubicle as long as 6ft distance can be maintained

Johnson said, "We view the mask as being an extension of their (employee's) safety and the safety of everyone". Johnson noted enforcement is based on intent, and he understands employees may

accidentally forget to wear their mask. When this occurs, employees will be reminded of the policy and asked to put on their mask. This policy will stay in effect until numbers drastically decrease.

Forty hand sanitizing stations have been purchased, and they qualify for CARES Act reimbursement through Callaway County.

Johnson noted that each time the city is aware of a positive case in one of the city's facilities, the facility is sanitized with a fogging machine. Johnson also reported that Callaway County plans to purchase a small handheld fogging unit for all law enforcement agencies across the county.

Mayor Cannell stated the city has been receiving sporadic updates from the Callaway County Health Department as to positive cases within the city limits.

Councilman Braun asked Darin Wernig, Public Information Officer, to pull up the county's COVID-19 webpage. The newly-updated webpage includes an informational graph that outlines various breakdowns of Callaway County coronavirus cases. Councilman Stone stated he believes that it is important to also know the positivity rate.

Councilman Stone noted that COVID-19-related hospitalizations in Cole and Audrain counties have increased, and the disease is continuing to spread.

Councilman Simmons stated he believes people need to have some consideration for their fellow citizens and should wear masks.

Mayor Cannell stated, "I feel we have done our due diligence in discussing it". Councilman Stone stated he still believes any sort of mask ordinance should be part of a State of Emergency Declaration.

This topic will continue to appear on upcoming agendas.

e. Budget discussion and review.

Mayor Cannell stated there have been no changes to the budget since the last meeting. There will be additional changes based on tonight's discussion surrounding recycling and the Chamber contract.

Councilman Braun noted some inconsistencies surrounding employee increases and feels the numbers in the budget don't match. Johnson will review these numbers prior to the next meeting.

**NEW BUSINESS:**

There was no New Business for consideration at this meeting.

**COUNCIL CONCERNS:**

Councilwoman Sebacher noted the Council usually has a tree at the city's Festival of Lights event, and asked if the Council would like to have a tree featured again this year. Many members agreed to assist with this task.

Councilman Braun also noted the Council requested a committee of Councilmembers, city staff, and Human Resources be formed to review city employee wages and positions and asked for an update. Mayor

Cannell stated he is a little uneasy with involving employees in this process, but the committee will form and move ahead.

Councilman Shiverdecker stated he has been working with bridge inspectors around the county, and Fulton's Construction Inspector Scott Olds did a great job shadowing and assisting inspectors.

Councilman Stone asked when the lighted Christmas Tree would go up in the roundabout. Johnson stated it would be installed within the next week.

Councilwoman Sebacher noted that Solid Waste worker David Whiteside did an excellent job cleaning up the street following the recent bulk trash pickup.

## **RESOLUTIONS:**

### **TABLED**

Resolution No. 3383 was tabled at the October 13, 2020 Council meeting.

- 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.

No action was taken to remove Resolution No. 3383 from the table for consideration. The Resolution was declared dead by the Mayor.

Resolution No. 3384 was presented for adoption by Councilman Shiverdecker.

- b. Resolution No. 3384: A Resolution authorizing the Mayor, on behalf of the City of Fulton, Missouri, to sign all necessary documents in relation to an Exclusive Beverage Agreement with Jefferson City Coca-Cola Bottling Company of Jefferson City, Missouri, for certain Parks and Recreation facilities.

Motion was offered by Councilman Shiverdecker and seconded by Councilman Simmons to adopt Resolution No. 3384 at tonight's Council meeting. Motion carried with seven members of the Council voting in favor, and one member (Washington) absent.

## **ORDINANCES:**

### **FIRST READING**

Bill No. 1597 was presented for First Reading by Councilwoman Sebacher.

- a. Bill No. 1597: An Ordinance adopting an official budget and capital improvement program and appropriating the funds of the city for the fiscal year beginning January 1, 2021 and ending December 31, 2021.

Motion was offered by Councilwoman Sebacher and seconded by Councilwoman Rehklau to place Bill No. 1597 for Second Reading at the next regularly-scheduled Council meeting. Motion carried with seven members of the Council voting in favor.

## SECOND READING

Bill No. 1595 was presented for Second 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 Councilwoman Sebacher to place Bill No. 1595 for Third Reading at the next regularly-scheduled Council meeting. Motion carried with seven members of the Council voting in favor, and one member (Washington) absent.

Bill No. 1596 was presented for Second 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 Braun to place Bill No. 1596 for Third Reading at tonight's Council meeting. Motion carried with seven members of the Council voting in favor, and one member (Washington) absent.

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

Motion was offered by Councilwoman Pace-Snook and seconded by Councilman Shiverdecker to place Bill No. 1596 for Final Passage at tonight's Council meeting. Motion carried with seven members of the Council voting in favor, and one member (Washington) absent.

Roll call vote of the members of the Council was as follows: Rehklau, YES; Sebacher, YES; Shiverdecker, YES; Simmons, YES; Stone, YES; Braun, YES. Pace-Snook, YES. Absent: Washington. Bill No. 1596, having received the affirmative vote of seven members of the Council, was declared passed by the Mayor.

## THIRD READING

Bill No. 1593 was presented for Third 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 Final Passage at tonight's Council meeting. Motion carried with seven members of the Council voting in favor, and one member (Washington) absent.

Roll call vote of the members of the Council was as follows: Sebacher, YES; Shiverdecker, YES; Simmons, YES; Stone, YES; Braun, YES. Pace-Snook, YES; Rehklau, YES. Absent: Washington. Bill No. 1593, having received the affirmative vote of seven members of the Council, was declared passed by the Mayor.

**ANNOUNCEMENTS:**

- a. The remaining 2020 City Council meetings will be held November 10<sup>th</sup>, November 24<sup>th</sup>, and December 15<sup>th</sup>.
- b. Candidate packets for the offices of 1<sup>st</sup> – 4<sup>th</sup> Ward Councilmembers and City Prosecuting Attorney are available in the office of the City Clerk beginning November 2, 2020, and thereafter M-F 8:00 a.m. to 5:00 p.m. Candidate filing opens December 15, 2020 at 8:00 a.m. and closes January 19, 2021 at 5:00 p.m. For additional information, contact the City Clerk at 573-592-3111.

**EXECUTIVE SESSION:**

Mayor Cannell 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 Councilwoman Sebacher and seconded by Councilman Braun to adjourn this meeting. Motion carried with seven members of the Council voting in favor, and one member (Washington) absent. The meeting adjourned at 8:49 p.m.

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Lowe Cannell, Mayor

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Courtney L. Crowson, CMC/MRCC  
City Clerk