

**CITY COUNCIL MINUTES  
JANUARY 12, 2021**

The Council of the City of Fulton, Missouri, met in Regular Session on Tuesday, January 12, 2021 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. Doyle, City Clerk; and Steve Myers, Police Chief. 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; 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, Audio/Video; and visitors: Mike West, Alan Combs, Linda Houston, and Diane Neterer.

**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.

**PUBLIC HEARING:**

Mayor Cannell stated there would be one public hearing at tonight's meeting to consider the proposed rezoning of a tract of land located at 917 East Walnut Street in Fulton, Missouri from its current zoning of M-1 Manufacturing District to R-2 Residential District.

Mayor Cannell declared the hearing open at 7:07 p.m. There were three calls for anyone wishing to speak in opposition of the matter being considered.

First Call: Is there anyone present who wishes to speak in opposition of this matter?

There were none.

Second Call: Is there anyone present who wishes to speak in opposition of this matter?

There were none.

Third and Final Call: Is there anyone present who wishes to speak in opposition of this matter?

There were none.

There were three calls for anyone wishing to speak in favor of the matter being considered.

First Call: Is there anyone present who wishes to speak in favor of this matter?

There were none.

Second Call: Is there anyone present who wishes to speak in favor of this matter?

There were none.

Third and Final Call: Is there anyone present who wishes to speak in favor of this matter?

There were none.

Mayor Cannell declared this public hearing closed at 7:08 p.m.

**APPROVAL OF THE CONSENT AGENDA:**

There were no items for consideration on the Consent Agenda.

**UNFINISHED BUSINESS:**

- a. Update regarding the Commercial building lease of 512 Market Street.

Bill Johnson, Director of Administration, stated the Missouri Job Center, the most-recent tenant of the building, has relocated into the Callaway Chamber of Commerce building. Johnson stated this building will be placed for sale/rent.

Councilman Stone stepped away from the meeting at 7:09 p.m.

Johnson stated the previous tenant paid \$500/month and handled all maintenance costs and needs themselves.

Johnson noted the city is no longer using the “Whiskey Wild” building located at 516 Market Street for the wrestling program, so this building will also be placed for sale/rent.

**NEW BUSINESS:**

- a. Representatives of the Fulton Garden Club will be present to request a fee waiver for the Youth Arbor Day Celebration to be held on April 24, 2021 from 10:00-2:00 in Veteran’s Park.

Diane Neterer and Linda Houston were present to provide details of the event. The Fulton Garden Club is requesting fee waivers for the following: Whitlow, Atkinson, and Ingle pavilions along with the Amphitheater. The group will host an event for elementary school children to learn about the importance of our environment, and they already have a number of partners in place.

Councilman Stone returned to the meeting at 7:13 p.m.

Following some discussion, motion was offered by Councilman Braun and seconded by Councilman Washington to approve the fee waivers, as presented. Motion carried with eight members of the Council voting in favor.

- b. Parks & Recreation Community Center Strength and Cardio equipment discussion.

Clay Caswell, Parks & Recreation Director, stated the department sought out proposals from multiple vendors. For the strength equipment, the department will go with two different companies to purchase weight lifting equipment at the best prices possible.

Caswell noted that the cardio equipment has a great deal of electronic/computerized components that make it less desirable to purchase outright. Additionally, Caswell stated that trends change every few years, and a lease will provide adequate time to evaluate whether or not the equipment is a good fit for the facility. The cardio equipment includes a maintenance plan and four-year warranty on the leased equipment.

Councilman Stone expressed concern with using a lease versus a purchase, as the costs and warranties are relatively the same. Some discussion followed.

c. Zoom meeting discussion.

Mayor Cannell asked if any Councilmembers wished to proceed with utilizing Zoom (videoconferencing) during this period of increasing positive COVID-19 cases.

Councilman Simmons stated he doesn't see why the city can't continue meeting in-person. Councilman Braun stated he would like to see dividers placed and all Councilmembers moved back to the top of the dais. Mayor Cannell stated this issue would be reviewed.

#### **COUNCIL CONCERNS:**

Councilwoman Sebacher noted there is a great deal of confusion with the speed limit signs on Wood Street and asked that they be reviewed for accuracy.

Councilman Simmons asked if the city has an update on when additional recycling bins will arrive. Johnson stated there is no update at this time.

#### **RESOLUTIONS:**

Resolution No. 3389 was presented for adoption by Councilman Simmons.

- a. Resolution No. 3389: A Resolution authorizing the Mayor, on behalf of the City of Fulton, Missouri, to sign all necessary documents in relation to the First Renewal of a Contract with Visu-Sewer of MO, LLC for Sewer Evaluation and Rehabilitation Services and establishing an effective date.

Motion was offered by Councilman Simmons and seconded by Councilman Shiverdecker to adopt Resolution No. 3389 at tonight's Council meeting.

Kyle Bruemmer, Interim City Engineer, stated this resolution will continue a contract passed in late 2019 for the identification, evaluation, and lining of clay tile or weakened sewer pipes. Johnson stated the city has seen a strong decrease in the number of sewer backups, following the first phase of this contract.

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

Resolution No. 3390 was presented for adoption by Councilwoman Rehlau.

- b. Resolution No. 3390: A Resolution authorizing the Mayor, on behalf of the City of Fulton, Missouri, to sign all necessary documents in relation to an Equipment Lease with VGM Financial Services, a division of TCF National Bank, for a five-year lease of Golf Course Maintenance Equipment.

Motion was offered by Councilwoman Rehklau and seconded by Councilman Shiverdecker to adopt Resolution No. 3390 at tonight's Council meeting.

Caswell noted the lease agreement will allow the golf course to obtain some new and some recently-off-lease equipment; the cost to purchase the equipment outright would not be feasible at this time.

Caswell stated the course will be giving sixteen pieces of equipment, repurposing three pieces, and receiving fifteen pieces under this lease. There will be some flexibility to move equipment in and out of the lease as needed at a fixed price. The lease does increase annual costs and there will be ongoing maintenance costs, but Caswell believes the city will see a decrease in the amount of overtime and repair costs. Some discussion followed.

Councilwoman Rehklau stated she believes the golf course has shown much improvement, and the city needs to continue investing in the success of the course. Councilman Stone noted that the maintenance costs kick in at year 3 of the contract, and future budgets must take these costs into consideration.

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

Resolution No. 3391 was presented for adoption by Councilman Stone.

- c. Resolution No. 3391: A Resolution authorizing the Mayor, on behalf of the City of Fulton, Missouri, to sign all necessary documents in relation to an Equipment Lease with Macro Lease of Plainview, New York, for a four-year lease of Cardio Equipment.

Motion was offered by Councilman Stone and seconded by Councilwoman Pace-Snook to adopt Resolution No. 3391 at tonight's Council meeting.

Caswell noted the lease agreement will cost \$18,0000 annually with an option to buy all of the equipment for \$10,000 at the end of the lease. Following brief discussion, motion carried with eight members of the Council voting in favor.

## **ORDINANCES:**

### **FIRST READING**

Bill No. 1602 was presented for First Reading by Councilman Braun.

- a. Bill No. 1602: An Ordinance authorizing the Mayor, on behalf of the City of Fulton, Missouri, to execute an Agreement with the County of Callaway, Missouri, allowing the continued collection of Household Hazardous Waste and Electronic Waste for county residents, establishing a fee, and establishing an effective date.

Motion was offered by Councilman Braun and seconded by Councilman Stone to place Bill No. 1602 for Second Reading at the next regularly-scheduled Council meeting.

Johnson stated this revenue is already reflected in the 2021 budget. City Clerk Courtney Doyle drafted the agreement between the city and county, and the document was signed without any changes by the Callaway County Commissioners.

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

Bill No. 1603 was presented for First Reading by Councilwoman Pace-Snook.

- b. Bill No. 1603: An Ordinance amending Section 110-248, Speed Limits. Fulton City Code. by removing an existing speed limit, enacting new speed limits in lieu thereof in relation to a flashing signal near a school zone, and establishing an effective date.

Motion was offered by Councilwoman Pace-Snook seconded by Councilman Shiverdecker to place Bill No. 1603 for Second Reading at the next regularly-scheduled Council meeting.

Bruemmer noted these changes were recommended by the Traffic Commission. Much discussion followed regarding the elimination of a school zone on Wood Street between Route Z and Tenth Street. Currently, the stretch of Wood Street between Route Z and East Eighth Street is a school zone Monday through Friday, 7:30 a.m. to 4:30 p.m. Several members expressed concern with taking the speed limit to 30 mph unless the newly-installed signals are flashing between East Eighth Street and Tenth Street. Concern was also raised regarding the elimination of the school zone and increased speed limit between Tenth Street and Route Z.

Following much discussion, motion failed with eight members of the Council voting in opposition. Bruemmer will review the inconsistencies in the street signs, and the flashing signals near Bush Elementary will flash Monday through Friday, 7:30 a.m. to 4:30 p.m. as a visual reminder of the school zone and nearby school.

Bill No. 1604 was presented for First Reading by Councilman Washington.

- c. Bill No. 1604: An Ordinance re-classifying, under the Zoning Ordinance, a tract of land known as 917 East Walnut Street in Fulton, Missouri, and establishing an effective date.

Motion was offered by Councilman Washington and seconded by Councilman Stone to place Bill No. 1604 for Second Reading at the next regularly-scheduled Council meeting.

Johnson noted this zoning request is more-restrictive than the current zoning, and usually property owners are seeking leniency.

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

## SECOND READING

Bill No. 1601 was presented for Second Reading by Councilwoman Sebacher.

- a. Bill No. 1601: An Ordinance authorizing the Mayor, on behalf of the City of Fulton, Missouri, to sign all necessary documents in relation to an application for the “Business 54 – Collier to Westminster Avenue Improvements” project under the Transportation Alternative Funds Program and Cost-Share Program of the Missouri Department of Transportation.

Motion was offered by Councilwoman Sebacher and seconded by Councilwoman Rehkla to place Bill No. 1601 for Third Reading at tonight’s Council meeting. Motion carried with eight members of the Council voting in favor.

Bill No. 1601 was presented for Third Reading by Councilwoman Sebacher.

Motion was offered by Councilwoman Sebacher and seconded by Councilwoman Pace-Snook to place Bill No. 1601 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: Rehkla, YES; Sebacher, YES; Shiverdecker, YES; Simmons, YES; Stone, YES; Washington, YES; Braun, YES; Pace-Snook, YES. Bill No. 1601, having received the affirmative vote of seven 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, January 26, 2021, at 6:30 p.m.
- 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 M-F 8:00 a.m. to 5:00 p.m. unless otherwise noted. 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 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 8:47 p.m.

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Lowe Cannell, Mayor

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Courtney L. Doyle, CMC/MRCC

City Clerk