

**CITY COUNCIL MINUTES**  
**APRIL 13, 2021**

The Council of the City of Fulton, Missouri, met in Regular Session on Tuesday, April 13, 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, Chief of Police. 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, Stone, and Washington. Also present were: Kathy Holschlag, Chief Financial Officer; Darrell Dunlap, Superintendent of Utilities; Kyle Bruemmer, 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; Ryan Boland of *THE FULTON SUN*; and Darin Wernig and Mike Haldeman, Audio/Video; and visitors: Susan West, Alexandra Easley, Ashley Isenberg, Tyler Nelson, Eric Qualls, Grace Abernathy, Brandon Abernathy, Mike West, Lauren Nelson, and Alan Combs.

**INVOCATION:**

Invocation was given by Rev. Bruce Williamson.

**PLEDGE OF ALLEGIANCE:**

The Pledge of Allegiance was led by Rev. Bruce Williamson.

**PRESENTATION AND APPROVAL OF THE COUNCIL MEETING MINUTES OF MARCH 23, 2021:**

The minutes of the March 23, 2021, Council meeting were presented for approval.

Motion was offered by Councilman Braun and seconded by Councilman Simmons to approve the meeting minutes of March 23, 2021, as presented. Motion carried with eight members of the Council voting in favor.

**RESOLUTIONS:**

Resolution No. 3397 was presented in its entirety for adoption by Councilwoman Pace-Snook.

- a. Resolution No. 3397: A Resolution certifying the votes cast in the Municipal Election held on April 6, 2021.

Motion was offered by Councilwoman Pace-Snook and seconded by Councilman Stone to adopt Resolution No. 3397 at tonight's Council meeting. Motion carried with eight members of the Council voting in favor.

**ADJOURNMENT OF THE SITTING COUNCIL:**

There being no further business to come before the present Council, Mayor Cannell adjourned the sitting Council at 6:38 p.m.

The new City Council gathered for the group and individual pictures at this time.

**OATH OF OFFICE TO NEWLY-ELECTED OFFICIALS:**

City Clerk Courtney Doyle administered the oath of office to the newly-elected Councilmembers and

Prosecuting Attorney.

First Ward: Mike West  
Second Ward: Jeffrey Stone  
Third Ward: Alan Combs  
Fourth Ward: Lauren EH Nelson

Prosecuting Attorney: Eric Palmer Qualls

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## NEW COUNCIL

### **CALL TO ORDER:**

The meeting was called to order by Mayor Cannell at 6:53 p.m. Mike West, Alan Combs, and Lauren EH Nelson, newly-elected members, were present in addition to Councilmembers: Rehklau, Simmons, Stone, Washington, and Braun.

### **COMMENTS FROM VISITORS:**

There were none.

### **ADOPTION OF COUNCIL RULES OF ORDER AND PROCEDURES:**

Mayor Cannell asked Doyle to review any changes to the Council Rules of Order and Procedures. Doyle noted the only change clarifies that the Council or Mayor may choose to cancel a Work Session.

Motion was offered by Councilman Braun and seconded by Councilman West to approve the Council Rules of Order and Procedures, as presented. Motion carried with eight members of the Council voting in favor.

### **ELECTION OF DEPUTY MAYOR:**

Mayor Cannell called for nominations for the position of Deputy Mayor for the ensuing one-year term.

The nomination of Councilman Simmons was offered by Councilman Braun and subsequently seconded by Councilwoman Rehklau.

Motion to elect Councilman Simmons as Deputy Mayor carried with eight members of the Council voting in favor. Mayor Cannell declared Councilman Simmons as Deputy Mayor.

### **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 a request from Nancy Lewis, on behalf of the Kingdom of Callaway Historical Society, to close Ravine Street between 3<sup>rd</sup> and 5<sup>th</sup> Streets on Sunday, June 13, 2021 for the organization's annual meeting.
  - i. This request has been reviewed and approved by Chief Myers, Administration, and Engineering. The group will be responsible for placing and removing barricades.

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

**NEW BUSINESS:**

There was no New Business at this meeting.

**COUNCIL CONCERNS:**

Councilwoman Rehkla welcomed the newly-elected members and offered to help them with any questions.

Councilman Stone thanked the city workers who are picking up bulk trash this week as part of the Spring Clean-up and recent Clean Sweep event.

Councilman Stone noted a concern with the southernmost overpass approach from Highway 54 into town and stated he has received repeated complaints about the condition of the approach. Kyle Bruemmer, City Engineer, will contact MoDOT regarding this issue.

Councilman West stated he is thanked to rejoin the Council and looks forward to working with everyone.

**RESOLUTIONS:**

Resolution No. 3398 was presented in its entirety for adoption by Councilman Simmons.

- a. Resolution No. 3398: A Resolution of Recognition and Appreciation to Valerie Sebacher for her two years of service as a City Councilmember.

Motion was offered by Councilman Simmons and seconded by Councilwoman West to adopt Resolution No. 3398 at tonight's Council meeting. Motion carried with eight members of the Council voting in favor.

Mayor Cannell noted that Mrs. Sebacher had left before receiving her plaque and nameplate, and the city appreciates her service.

Resolution No. 3399 was presented in its entirety for adoption by Councilman Braun.

- b. Resolution No. 3399: A Resolution of Recognition and Appreciation to Lindsey Pace-Snook for her six years of service as a City Councilmember.

Motion was offered by Councilman Simmons and seconded by Councilwoman West to adopt Resolution No. 3399 at tonight's Council meeting. Motion carried with eight members of the Council voting in favor.

Mayor Cannell presented Mrs. Pace-Snook with her Council nameplate along with a plaque displaying the resolution in honor of her service.

Resolution No. 3400 was presented in its entirety for adoption by Councilman Washington.

- c. Resolution No. 3400: A Resolution of Recognition and Appreciation to Rick Shiverdecker for his ten years of service as a City Councilmember.

Motion was offered by Councilman Washington and seconded by Councilman Braun to adopt Resolution No. 3400 at tonight's Council meeting. Motion carried with eight members of the Council voting in favor.

Mayor Cannell presented Mr. Shiverdecker with his Council nameplate along with a plaque displaying the resolution in honor of his service.

Resolution No. 3401 was presented in its entirety for adoption by Councilman Stone.

- d. Resolution No. 3401: A Resolution of Recognition and Appreciation to Robert "Bob" Sterner for his five years of service as a City Prosecuting Attorney.

Motion was offered by Councilman Stone and seconded by Councilman West to adopt Resolution No. 3401 at tonight's Council meeting. Motion carried with eight members of the Council voting in favor.

Mayor Cannell presented Mr. Sterner with a plaque displaying the resolution in honor of his service.

Resolution No. 3402 was presented for adoption by Councilwoman Rehklau.

- e. Resolution No. 3402: A Resolution authorizing the Mayor, on behalf of the City of Fulton, Missouri, to sign all necessary documents in relation to the Landfill Pasture Land Lease Agreement for a period of five (5) years and establishing an effective date.

Motion was offered by Councilwoman Rehklau and seconded by Councilman Stone to adopt Resolution No. 3402 at tonight's Council meeting.

Bill Johnson, Director of Administration, stated the gentleman who initially requested to lease the property was the only person to submit a bid. Johnson felt that with the additional requirements the city placed on the property (lessee is responsible for all fencing, brush hogging, and repairs), perhaps other bidders were deterred from submitting a bid. Johnson noted this portion of the landfill land has not been used for anything in more than 25 years, and the city will work with the lessee to get a water meter installed on the land.

Following brief discussion, motion carried with eight members of the Council voting in favor.

Resolution No. 3403 was presented for adoption by Councilman Braun.

- f. Resolution No. 3403: A Resolution authorizing the Mayor, on behalf of the City of Fulton, Missouri, to sign all necessary documents in relation to a Contract with Ecton Construction of Montgomery City, Missouri, for the 2021 Tenth Street Improvement Project (COF 21-01) and establishing an effective date.

Motion was offered by Councilman Braun and seconded by Councilman Stone to adopt Resolution No. 3403 at tonight's Council meeting.

Johnson stated the city is pleased with the number of bids received, and the city has worked with Ecton Construction in the past.

Following brief discussion, motion carried with eight members of the Council voting in favor.

Resolution No. 3404 was presented for adoption by Councilman Washington.

- g. Resolution No. 3404: A Resolution authorizing the Mayor, on behalf of the City of Fulton, Missouri, to sign all necessary documents in relation to a Contract with M&M Landscaping and Construction LLC of Eugene, Missouri, for the 2021 Sanitary Sewer Renewal Project (COF 21-02) and establishing an effective date.

Motion was offered by Councilman Washington and seconded by Councilman Simmons.

Johnson noted the city contacted references for M&M Landscaping and Construction, and the reviews were positive. Some brief discussion followed. Johnson stated the city will patch the roadway with asphalt and then incorporate it into the following year's overlay list.

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

## **ORDINANCES:**

### **FIRST READING**

Bill No. 1609 was presented for First Reading by Councilman Simmons.

- a. Bill No. 1609: An Ordinance repealing Chapter 30, Cemeteries. Fulton City Code., enacting a new chapter in lieu thereof, and establishing an effective date.

Motion was offered by Councilman Simmons and seconded by Councilman West to place Bill No. 1609 for Second Reading at the next regularly-scheduled Council meeting.

City Clerk Doyle noted the Cemetery Sexton, Building & Grounds Supervisor, and Administration have put a great deal of consideration into the proposed code changes and provided a brief overview. Doyle stated the ordinance was last updated prior to 1980, and the cemetery/grave space fees were also last reviewed at that time. Proposed changes include: increasing grave spaces to \$500, clarifying that above-ground burials are prohibited in city cemeteries, designating the Cemetery Sexton as the point-of-contact and review, and implementing foundation requirements for headstones. Doyle noted a majority of the changes are simple "housekeeping measures" to bring Fulton's cemetery code and fees in-line with other municipal cemetery regulations within the region.

Councilman Stone asked for clarification regarding curbing and fencing around one's grave space. Doyle noted this section of the code did not change. Cemetery/building and grounds staff are on-site Monday through Friday and most weekends for services, so the likelihood of someone installing permanent curbing without city staff knowing is unlikely. However, the city's ordinance allows for other items to be left for five days before the city removes them. If the city incurs costs as part of the removal process, the city will pursue reimbursement for costs and labor accordingly.

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

Bill No. 1610 was presented for First Reading by Councilwoman Rehklau.

- b. Bill No. 1610: An Ordinance authorizing the Mayor, on behalf of the City of Fulton, Missouri, to execute all necessary documents in relation to the Missouri Highways and Transportation Commission Transportation Alternatives Program Agreements regarding Federal Project No. TAP-2700(510), and establishing an effective date.

Motion was offered by Councilwoman Rehklau and seconded by Councilman Braun to place Bill No. 1610 for Second Reading at the next regularly-scheduled Council meeting.

Johnson pointed out this item is scheduled for construction in 2023, and the city will be responsible for a 20% match.

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

**ANNOUNCEMENTS:**

- a. Spring Cleanup Week will take place April 12-16<sup>th</sup> along regular pick-up routes (no construction debris or tires). Contact the Solid Waste Department with questions at 573-592-3176.
- b. The next meeting of the City Council will be held Tuesday, April 27<sup>th</sup> at 6:30 p.m.

**EXECUTIVE SESSION:**

Mayor Cannell said there was a need to enter into an Executive Session pursuant to 610.021, Subsection Two (2), RSMO, to discuss leasing, purchase, or sale of real estate by a public governmental body.

Motion was offered by Councilman Braun and seconded by Councilman Simmons to enter into Executive Session.

Roll call vote of the members of the Council was as follows: Nelson, YES; Rehklau, YES; Simmons, YES; Stone, YES; Washington, YES; West, YES; Braun, YES; Combs, YES. Motion carried with eight members of the Council voting in favor.

The Council exited to the Executive Conference Room and entered the Executive Session at 7:30 p.m.

The Council reentered the Council Chambers at 7:49 p.m. Motion was offered by Councilman West and seconded by Councilman Stone to exit Executive Session.

Roll call vote of the members of the Council was as follows: Rehklau, YES; Simmons, YES; Stone, YES; Washington, YES; West, YES; Braun, YES; Combs, YES; Nelson, YES. Motion carried with eight members of the Council voting in favor.

The Council exited Executive Session at 7:50 p.m.

**ADJOURNMENT:**

There being no further business to come before the Council, motion was offered by Councilman Braun and seconded by Councilman Stone to adjourn this meeting. Motion carried with eight members of the Council voting in favor. The meeting adjourned at 7:51 p.m.

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Lowe Cannell, Mayor

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Courtney L. Doyle, CMC/MRCC  
City Clerk