

**CITY COUNCIL MINUTES**  
**APRIL 27, 2021**

The Council of the City of Fulton, Missouri, met in Regular Session on Tuesday, April 27, 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 6:30 p.m. Roll call was taken by the City Clerk, and members of the Council present were: Braun, Combs, Nelson, Rehklau, Simmons, Stone, Washington, and West. Also present were: Kathy Holschlag, Chief Financial Officer; Darrell Dunlap, Superintendent of Utilities; 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: Tiffany Cox and Heather Jungermann.

**INVOCATION:**

Invocation was given by Rev. Williamson.

**PLEDGE OF ALLEGIANCE:**

The Pledge of Allegiance was led by Rev. Williamson.

**COMMENTS FROM VISITORS:**

Mayor Cannell asked any attendees not listed on tonight's agenda, but whom wished to address the Council, to please come to the podium, state their name, address and area of concern, and to keep comments under five (5) minutes. A digital timer was administered and monitored by the City Clerk.

There were none.

**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 the City Council meeting minutes of April 13, 2021.
- b. Approval of the Director of Administration Report of March.
- c. Acknowledgement of the following the Board and Commission Reports:
  - i. Public Utility Board – February 22, 2021.
- d. Approval of a request from David Beaver for the Annual Independence Day Parade on Sunday, July 4, 2021 at 2:00 p.m. down Court Street.
  - i. This request has been reviewed and approved by Chief Myers and Administration. Police assistance will be needed.

Councilman Braun requested to remove the March Director of Administration Report and Public Utility Board minutes of February 22, 2021 for discussion. Motion was offered by Councilman Stone and seconded by Councilman Braun to approve the remaining items on the Consent Agenda, as presented. Motion carried with eight members of the Council voting in favor.

#### **APPROVAL OF THE DIRECTOR OF ADMINISTRATION REPORT OF MARCH:**

Councilman Braun stated he has noted monthly success at Tanglewood and thanked staff for a job well done.

Councilman West asked for more-detailed information in the Engineering report regarding the Second Street and Tenth Street projects and noted his disapproval of the recent \$400,000 cut to the asphalt overlay budget. Other Councilmembers echoed this sentiment.

Councilman Simmons noted gas line wrapping in the Utilities report and asked how big of an issue this poses. Darrell Dunlap, Superintendent of Utilities, stated the city had the line studied, and the “problem areas” have been detected. These areas are undergoing rewrapping, and no further issues have been reported.

Clay Caswell, Parks & Recreation Director, stated the cardio/fitness equipment has arrived at Legends Rec Plex, and the contractor has a few items to complete on the punch list. The telephone and internet installation is the final piece needed for the building to be ready to open.

Bill Johnson, Director of Administration, stated Kyle Bruemmer, City Engineer, agrees with a mid-May opening date but noted the elevator will not be operational until the final inspection is complete. Caswell stated there is poor cell reception in the building, but the city is looking to offer WIFI calling capability. There will be a soft opening planned for mid-May with a grand opening to follow.

Councilman Stone stated he would like to see the city begin the Business 54 sidewalk improvements project work in 2021 and seek reimbursement from the State in 2023. Councilman Stone noted he is also opposed to removing money from the asphalt overlay budget without further conversation. This sentiment was again echoed by other Councilmembers.

Motion was offered by Councilman Braun and seconded by Councilman Simmons to approve the Director of Administration Report of March, as presented. Motion carried with eight members of the Council voting in favor.

#### **ACKNOWLEDGEMENT OF THE FEBRUARY 22, 2021 PUBLIC UTILITY BOARD MEETING MINUTES:**

Councilman Braun stated he was not in favor of cutting the street budget by \$400,000, and he does not want to see this issue go “by the wayside”. Councilman Braun said he understands the Public Utility Board would like to increase utility rates, but he is not interested in seeing the rates increase and believes there needs to be more discussion on this topic sooner rather than later.

Councilman Simmons stated there is an opportunity for the city to apply for a loan to recover the money lost in the recent natural gas hike, and he believes there needs to be a special session or retreat to discuss these issues. Much discussion followed.

Councilman West stepped away from the Council meeting at 6:55 p.m.

Johnson noted Dunlap recently put together a presentation for the Public Utility Board. The State of Missouri has set aside \$50 million in 0% interest loans for cities who experienced hardship during the natural gas hike. The Governor will sign this bill into law as soon as May 5<sup>th</sup>, and the Public Utility Board made a recommendation that the Council pursue applying for funding through the program.

Councilman West returned to the Council meeting at 6:57 p.m.

Dunlap reported there is a five-year repayment term, and the loans will be available on a first-come, first served basis. Johnson stated the city is looking to use excess utility revenue to repay the loan, and the loan money could also be used for repayment.

Councilman Braun asked if additional information has been provided in relation to how the American Rescue Plan funding can be used. Johnson noted he will be watching a webinar on this topic on May 5<sup>th</sup>, but criteria has not yet been finalized.

Following some discussion, motion was offered by Councilman Braun and seconded by Councilman West to allow for the application for the State loan to the amount of justifiable damage.

Councilman Simmons stated he is worried about repaying the loan as the gas fund does not generate much of a profit. Some discussion followed. Motion carried with eight members of the Council voting in favor.

Motion was offered by Councilman Braun and seconded by Councilman Simmons to acknowledge the Public Utility Board meeting minutes of February 22, 2021, as presented. Motion carried with eight members of the Council voting in favor.

#### **PRESENTATION AND ACCEPTANCE OF THE MARCH FINANCIAL REPORT:**

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

Holschlag stated the March report looks better than the February report. The airport received \$157,000 in grant revenue, purchased power bills were lower, and the health fund saw some claims accrued back to 2020. Holschlag noted it is too soon to compare sales tax collections to 2020 figures, as the city has only recognized two months of collections.

Following brief discussion, motion was offered by Councilman Simmons and seconded by Councilman Stone to accept the Financial Report for the month of March, as presented. Motion carried with eight members of the Council voting in favor.

#### **UNFINISHED BUSINESS:**

There was no Unfinished Business for consideration at this meeting.

#### **NEW BUSINESS:**

- a. Representatives from The Central Missouri Foster Care & Adoption Association will be present to request a fee waiver for Whitlow Pavilion on Saturday, May 8, 2021 for their annual Youth Fishing Event.

City Clerk Courtney Doyle stated the representatives were unable to attend the meeting this evening due to unforeseen circumstances. Motion was offered by Councilman Simmons and seconded by Councilwoman Rehkla to approve the request, as presented. Motion carried with eight members of the Council voting in favor.

- b. Representatives from the Fulton Street Fair Committee will be present to request permission for the event to be held June 25-26, 2021 in downtown Fulton.

Councilwoman Nelson stated she would be abstaining from the vote on this issue, as she is the co-chair for the event.

Tiffany Cox was present to discuss any questions from the City Council. Johnson stated city staff and Street Fair Committee members met to review the request for the event. Johnson noted concerns with closing Court Street on Tuesday when the event does not begin until Thursday. Cox noted this has been the standard practice as the carnival staff need time to move the rides into the downtown area and begin assembly. Some discussion followed.

Councilman Stone stated he believes the City should approve the street closure but ask that the Committee delay the street closure as much as possible to avoid impacting the downtown businesses.

Johnson noted the Second Street closure (during the fireworks display) has never been approved and asked that it be omitted from the event approval. Johnson also noted the city will make adjustments to the list of required trash containers as necessary in order to allow for enough large receptacles without causing a shortage for the city.

Motion was offered by Councilman West and seconded by Councilman Stone to approve the event request without the closure of Second Street and with the closure of Court Street being delayed as much as possible on Tuesday night. Motion carried with seven members of the Council voting in favor, and one member (Nelson) abstaining.

Johnson thanked the Street Fair Committee, a group of volunteers, for their hard work to put on a great event for the community.

- c. Representatives from Kingdom Homeschoolers will be present to request a fee waiver for use of Morgan Soccer Complex Pavilion for an end-of-year picnic and field day on Friday, May 14, 2021.

The representatives were not present to request a fee waiver. City Clerk Doyle provided an overview of the request. Motion was offered by Councilman Stone and seconded by Councilman Braun to approve the request, as presented. Motion carried with eight members of the Council voting in favor.

- d. Demolition Grant discussion.

Dennis Houchins, Planning & Protective Services Director, stated his department began this grant review in late 2019. In order to apply for the grant, the city must have participation from property owners who are willing to have their derelict structures demolished if the grant is awarded. Houchins noted that forty-four properties are currently enrolled. The Mid-Missouri Regional Planning Commission is assisting Fulton with the application, and any funds received will be administered in-house.

Johnson reported that the city required property owners to make a \$500 commitment in order to place their structure on the list. If the city is not awarded the grant this year, a new application can be submitted next year.

Houchins applauded Casey Bailey (Code Enforcement) for her hard work to get homeowners to commit to the project. Houchins noted the city still has a separate demolition program available for property owners who do not qualify for the grant. Additional information and Council action on this item will take place in the coming months.

## **COUNCIL CONCERNS:**

Councilman Combs reminded citizens to lock their vehicles and secure belongings as his car was recently rummaged through.

Councilman Braun stated he believes the city needs to have a discussion regarding the upcoming fireworks display. Johnson stated the VFW has taken the responsibility of the display and will be raising funds. At this time, it is believed the display will still take place on the Fulton Country Club property, as it has historically been held there and allows for citizens to watch the display from Veteran's Park.

Councilman Braun stated the Council asked to form a personnel review committee in September 2020 and asked for an update. Johnson stated Michelle Maupin, Human Resources Director, has the information ready, and the city is still waiting on additional information from Councilman Stone.

Councilman West thanked the Gas Department and city staff for prompt response to a recent citizen gas issue.

Councilman West stated he would like to see the city pursue a strategic plan and establish the Council's vision for the city.

Johnson said the Council recently asked for a list of city-owned property. Johnson showed a map with the properties highlighted and noted the Council will hear of a proposed senior housing project at Carver School in an upcoming meeting.

Robert Boone, Assistant Director of Administration, stated everyone who previously requested a city recycling cart has received one, and there are additional carts remaining. A brief history of the city's recycling program was given. Johnson noted the recycling ordinance will be brought to the Council at the next meeting, and the ordinance will clarify that a recycling cart is required in order to participate in the program; no recyclables will be picked up from the ground or outside the cart.

## **RESOLUTIONS:**

Resolution No. 3405 was presented for adoption by Councilman West.

- a. Resolution No. 3405: A Resolution authorizing the Mayor, on behalf of the City of Fulton, Missouri, to make application and sign all necessary documents in relation to the 2021 Protection of Soft Targets/Crowded Places (PSTCP) Grant and establishing an effective date.

Motion was offered by Councilman West and seconded by Councilman Braun to adopt Resolution No. 3405 at tonight's Council meeting. Motion carried with eight members of the Council voting in favor.

## **ORDINANCES:**

### **FIRST READING**

Bill No. 1611 was presented for First Reading by Councilman Stone.

- a. Bill No. 1611: An Ordinance authorizing the Mayor and City Clerk, on behalf of the City of Fulton, Missouri, to execute a Contract with the Assessor and Commission of Callaway County, Missouri, relating to the preparation of assessment lists, and establishing an effective date.

Motion was offered by Councilman Stone and seconded by Councilman Simmons to place Bill No. 1611 for Second Reading at the next regularly-scheduled Council meeting. City Clerk Doyle noted the city approves this contract every four years, and there is not an increase for the assessment services. Motion carried with eight members of the Council voting in favor.

## SECOND READING

Bill No. 1609 was presented for Second 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 Stone to place Bill No. 1609 for Third Reading at tonight's Council meeting. Motion carried with eight members of the Council voting in favor.

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

Motion was offered by Councilman Simmons and seconded by Councilman Stone to place Bill No. 1609 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: Combs, YES; Nelson, YES; Rehkla, YES; Simmons, YES; Stone, YES; Washington, YES; West, YES; Braun, YES. Bill No. 1609, having received the affirmative vote of eight members of the Council, was declared passed by the President of the Council.

Bill No. 1610 was presented for Second Reading by Councilwoman Rehkla.

- 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 Rehkla and seconded by Councilman Stone to place Bill No. 1610 for Third Reading at tonight's Council meeting. Motion carried with eight members of the Council voting in favor.

Bill No. 1610 was presented for Third Reading by Councilwoman Rehkla.

Motion was offered by Councilwoman Rehkla and seconded by Councilman Simmons to place Bill No. 1610 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: Nelson, YES; Rehkla, YES; Simmons, YES; Stone, YES; Washington, YES; West, YES; Braun, YES; Combs, YES. Bill No. 1610, having received the affirmative vote of eight members of the Council, was declared passed by the President of the Council.

**ANNOUNCEMENTS:**

- a. The next City Council meeting will be held Tuesday, May 11, 2021. A Work Session will commence at 6:30 p.m. with Regular Session to follow at 7:00 p.m.

**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 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 8:23 p.m.

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Lowe Cannell, Mayor

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Courtney L. Doyle, CMC/MRCC  
City Clerk