

CITY COUNCIL MINUTES
JUNE 8, 2021

The Council of the City of Fulton, Missouri, met in Regular Session on Tuesday, June 8, 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: Nelson, Simmons, Stone, Washington, West, and Combs. Absent were Councilmembers Braun and Rehklau. 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; Paula Tredway of *THE FULTON SUN*; Darin Wernig, Audio/Video; and visitors: Susan Krumm and Blaine Pestle.

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:

There were no items on the Consent Agenda for consideration.

UNFINISHED BUSINESS:

- a. Legends Rec-Plex facility update.

Clay Caswell, Parks & Recreation Director, said staff is "settling in" at the new facility and establishing a routine for daily operations. There have been technology issues with the phone lines and digital system, and Caswell said he hopes to have those issues resolved soon. Caswell reiterated that patrons will need to utilize WIFI calling in the building, as cell phone reception is an issue. The elevator inspection is scheduled for June 9th at 8:00 a.m., and elevator access is anticipated to be available once the inspection is completed.

NEW BUSINESS:

- a. Susan Krumm, on behalf of the Callaway 200, will be present to request permission for the Callaway 200 Bicentennial Bash to be held Saturday, August 28, 2021 from 5:00 – 9:00 p.m.
 - i. This event will require police assistance, street closures, and the sale and consumption of alcohol on a closed city street.

Krumm and Blaine Pestle noted the event was originally scheduled for August 2020, but COVID-19 concerns led to the postponement. The rescheduled event will take place on the grounds of Callaway Electric, and the event will be free to the public.

Krumm noted the grounds and parking access will open at 4:00 p.m. Opening acts will take the stage at 6:00 p.m., and Shenandoah will begin at 7:00 p.m. Food trucks will be available along with the beer wagon. The Committee is requesting permission for the event, authorization for the closure of Centre Drive, authorization for alcohol sales and consumption on the closed city street, police assistance with traffic and security, and trash receptacles and barricades. Pestle noted the event has been approved by Callaway Electric, and the Committee appreciates the city's ongoing support.

Bill Johnson, Director of Administration, expressed concerns with the two-hour window for parking and suggested opening the parking earlier to avoid major traffic issues near the highway. Police Chief Myers recommended starting allowing parking at 2:00 p.m. City Clerk Courtney Doyle and Pestle will coordinate on food vendor and liquor requirements.

Motion was offered by Councilman Stone and seconded by Councilman West to authorize the event request with the adjusted parking time beginning at 2:00 p.m. Motion carried with five members of the Council voting in favor, one member (Washington) opposed, and two members (Braun, Rehklau) absent.

b. Discussion regarding the Zoning & Subdivision Regulation update proposal.

Dennis Houchins, Planning & Protective Services Director, stated the city reached out to the Mid-Missouri Regional Planning Commission (MMRPC) a few years ago for assistance with updating the city's zoning code. MMRPC now has a grant to assist with the update, and there is no required match from the city. Once the code review is complete, a list of recommended changes will be brought before the Council for approval by ordinance. Houchins explained that the proposed updates would encompass Appendix A, and there would not be any specific property zoning changes as part of this review.

Johnson noted this will not be an easy or quick process; it will take MMRPC time to comb through the city's zoning code, compare it to current zoning practices and regulations, and proposed changes.

Houchins noted Bill No. 1616, as amended, regarding the zoning code's definition and regulations on accessory buildings is on tonight's agenda for consideration. Houchins stated it would be best for the Council to allow Bill No. 1616, as amended, to die as this topic will be part of MMRPC's review and consideration.

Motion was offered by Councilman West and seconded by Councilman Simmons to pursue the zoning and subdivision regulation update as presented. Motion carried with six members of the Council voting in favor, and two members (Braun, Rehklau) absent.

c. Further discussion on fee proposals (continued from the Work Session).

During tonight's Council Work Session, the Council reviewed a list of proposed fee changes as recommended by Department Heads. Johnson noted this will be a work in progress and will take time. Doyle stated the process began more than a year ago to create a singular document encompassing the

city's various fees. However, some fee changes are included in the city's code, so multiple ordinances will need review and updating.

Councilwoman Nelson stated she would like to dedicate future Work Sessions to reviewing specific fee proposals. Councilman Stone asked that the proposed changes be presented in accordance to urgency/priority. These sentiments were echoed by the other members of the Council.

Johnson noted the Council reviewed the Solid Waste fees during the Work Session, and an ordinance will be brought for consideration at the next Council meeting.

COUNCIL CONCERNS:

Councilwoman Nelson asked for an update regarding Tanglewood's cart path and the repairs that are needed. Johnson stated there are internal discussions taking place about this issue, and patching could begin in July.

RESOLUTIONS:

Resolution No. 3410 was presented for adoption by Councilman Combs.

- a. Resolution No. 3410: 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 Patrick Leahy Bulletproof Vest Partnership Grant through the United States Department of Justice and establishing an effective date.

Motion was offered by Councilman Combs and seconded by Councilman Simmons to adopt Resolution No. 3410 at tonight's meeting. Johnson stated there is a 50/50 match, and the city's portion will be approximately \$3,000.00. Some discussion followed.

Motion carried with six members of the Council voting in favor, and two members (Braun, Rehklau) absent.

Resolution No. 3411 was presented for adoption by Councilman Stone.

- b. Resolution No. 3411: A Resolution authorizing the City of Fulton, Missouri, to execute a Loan Agreement with the Missouri Department of Natural Resources' Division of Energy for the purpose of financing certain wholesale electricity and/or natural gas costs incurred due to extraordinary prices between February 10 and 20, 2021.

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

Johnson stated the city was approved for the loan to recover costs from the wholesale electricity and natural gas crisis in February. Applications were accepted on a first-come, first-served basis, and the city was one of the first applicants to submit paperwork. Johnson noted this Resolution authorizes the loan agreement.

Motion carried with six members of the Council voting in favor, and two members (Braun, Rehklau) absent.

ORDINANCES:

FIRST READING

Bill No. 1618 was presented for First Reading by Councilman Simmons.

- a. Bill No. 1618: An Ordinance authorizing the Mayor, on behalf of the City of Fulton, Missouri, to declare a tract of land located at 209 West Ninth (9th) Street in Fulton, Missouri, to be surplus property, authorizing its distribution, and establishing an effective date.

Motion was offered by Councilman Simmons and seconded by Councilman Stone to place Bill No. 1618 for Second Reading at the next regularly-scheduled Council meeting.

Houchins noted the derelict property was given to the city, and in order to bid out the property for a new structure to be built, it must first be declared as surplus property. Houchins stated the city will handle demolition in-house.

Johnson stated there are two other houses nearby in the grant program, and it would be great to have all three cleaned up.

Councilman Stone noted that the city used this process for two derelict houses on Market Street, and no new structures have been built. Johnson stated that different lots have different expectations, and no structure requirement was included for those properties. Councilman Stone asked that the city be consistent and communicate expectations to avoid confusion.

Motion carried with six members of the Council voting in favor, and two members (Braun, Rehklau) absent.

SECOND READING

Bill No. 1614 was presented for Second Reading by Councilman West.

- a. Bill No. 1614: An Ordinance re-classifying, under the Zoning Ordinance, a tract of land located at 1205 Old Jefferson City Road in Fulton, Missouri, and establishing an effective date.

Motion was offered by Councilman West and seconded by Councilman Stone to place Bill No. 1614 for Third Reading at tonight's Council meeting. Motion carried with six members of the Council voting in favor, and two members (Braun, Rehklau) absent.

Bill No. 1614 was presented for Third Reading by Councilman West.

Motion was offered by Councilman West and seconded by Councilman Simmons to place Bill No. 1614 for Final Passage at tonight's Council meeting. Motion carried with six members of the Council voting in favor, and two members (Braun, Rehklau) absent.

Roll call vote of the members of the Council was as follows: Nelson, YES; Simmons, YES; Stone, YES; Washington, YES; West, YES; Combs, YES. Absent: Braun, Rehklau. Bill No. 1614, having received the affirmative vote of six members of the Council, was declared passed by the President of the Council.

Bill No. 1615 was presented for Second Reading by Councilman Washington.

- b. Bill No. 1615: An Ordinance re-classifying, under the Zoning Ordinance, a tract of land located at 1140 Highway 54 in Fulton, Missouri, and establishing an effective date.

Motion was offered by Councilman Washington and seconded by Councilman Stone to place Bill No. 1615 for Third Reading at the next regularly-scheduled Council meeting. Motion carried with six members of the Council voting in favor, and two members (Braun, Rehklau) absent.

Bill No. 1616, as amended, was presented for Second Reading by Councilwoman Nelson.

- c. Bill No. 1616 AS AMENDED: An Ordinance amending Appendix A, Zoning. Section 4, Use Regulations. Item (B)1(a), Other Use Regulations. Fulton City Code. by repealing certain regulations, enacting new regulations in lieu thereof, and establishing an effective date.

Motion was offered by Councilwoman Nelson and seconded by Councilman Washington to place Bill No. 1616, as amended, for Third Reading at tonight's Council meeting.

Mayor Cannell noted the Council heard earlier from Houchins that it would be preferable to let this bill die in order to include it with the MMRPC grant review.

Motion failed with one member of the Council voting in favor, five members (Combs, Nelson, Simmons, Stone, West) opposed, and two members (Braun, Rehklau) absent. Bill No. 1616, as amended, was declared dead.

ANNOUNCEMENTS:

- a. The MML Elected Officials Training will be held Thurs-Fri, June 10-11 for those Councilmembers who are registered to attend.

- b. The next meeting of the City Council will be held Tuesday, June 22, 2021, at 6:30 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 West and seconded by Councilman Simmons to adjourn this meeting. Motion carried with six members of the Council voting in favor, and two members (Braun, Rehklau) absent. The meeting adjourned at 8:01 p.m.

Lowell Cannell, Mayor

Courtney L. Doyle, CMC/MRCC
City Clerk