

CITY COUNCIL MINUTES
JUNE 22, 2021

The Council of the City of Fulton, Missouri, met in Regular Session on Tuesday, June 22, 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: Combs, Nelson, Rehkla, Simmons, Stone, Washington, and West. Absent was Councilman Braun. 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; 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: Noah Combs, Amanda Schultz, and Kristen Brown.

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 May 25, 2021.
- b. Approval of the City Council meeting minutes of June 8, 2021.
- c. Approval of the Director of Administration Report of May.
- d. Reappointment of Robert Cannell to the Board of Adjustment for a five-year term (exp. July 2026).
- e. Reappointment of Nancy Lewis to the Historic Preservation Commission for a three-year term (exp. July 2024).
- f. Reappointments to the Human Rights Commission for a three-year term (exp. July 2024).
 - i. LeWanda Jackson
 - ii. Tom Clapp

- g. Reappointment of Shane Clines to the Park Board for a three-year term (exp. July 2024).
- h. Reappointment of Charles Williams to the Public Utility Board for a four-year term (exp. July 2025).

Councilman Simmons requested to remove the May Director of Administration Report for discussion.

Mayor Cannell noted there are a few openings on the Park Board and Historic Preservation Commission and asked that anyone interested reach out to him. Councilman Stone commended Nancy Lewis for the great deal of work she does with the Historic Preservation Commission and Shane Clines for being a longstanding member of the Park Board.

Motion was offered by Councilman Stone and seconded by Councilwoman Rehkla 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 (Braun) absent.

APPROVAL OF THE DIRECTOR OF ADMINISTRATION REPORT OF MAY:

Councilman Simmons congratulated Tanglewood on another excellent month of revenues. Councilman Simmons noted a DNR permit on the City Engineer’s report and asked for more information.

Kyle Bruemmer, City Engineer, stated the current stormwater management plan expires at the end of September, and the city is currently completing the necessary steps for renewal of the permit.

Motion was offered by Councilman Simmons and seconded by Councilwoman Rehkla to approve the Director of Administration Report of May, as presented. Motion carried with seven members of the Council voting in favor, and one member (Braun) absent.

PRESENTATION AND ACCEPTANCE OF THE MAY FINANCIAL REPORT:

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

Holschlag stated the city’s sales tax collections are still 12% ahead of 2020 figures. Holschlag stated she expected a quick, sharp reduction, but that has not yet occurred.

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

UNFINISHED BUSINESS:

- a. Smart Grid update.

Darrell Dunlap, Superintendent of Utilities, noted the IT staff has been working diligently at the rec center, and he hopes they can return to working on the smart grid soon.

Some discussion followed regarding the percentage of deployed meters in comparison to the percentage of operational meters. Dunlap will provide the Council with a dashboard snapshot so that this information is clearer and easier to understand.

Discussion followed regarding whether or not the smart grid is ever going to work properly. Councilman Washington asked for a timeline as to when the Council can expect the smart grid to be operational. Dunlap stated it was hoped to have been operational eight years ago. Dunlap stated the city knows “where we are going” but not “how long it will take to get there”.

NEW BUSINESS:

- a. Presentation and acceptance of the 2020 City of Fulton Audit.

Kristen Brown and Amanda Schultz of Williams Keepers were present to present the 2020 audit. Brown provided an overview of the trend data and reporting and stated the city has received a clean, unmodified opinion from this audit.

The auditors did recommend reviewing the Municipal Garage Fund, an internal service fund, as it has failed to break even for a number of years; they noted that additional transfers from other funds may be necessary.

Bill Johnson, Director of Administration, stated that if any Councilmembers have questions for the auditors to please let him know and he will get the questions out.

Motion was offered by Councilman West and seconded by Councilman Simmons to accept the 2020 City of Fulton Audit as presented. Motion carried with seven members of the Council voting in favor, and one member (Braun) absent.

- b. Presentation of the 2022 Capital Budget.

Johnson noted it is required by the City Charter that the Mayor present a capital budget to the Council for the upcoming three years. Johnson stated this should be viewed as a wish list from the various departments, and things can and will be added and taken away throughout the budget process.

Councilman West noted he would like the Council to be able to provide suggestions on possible projects as well.

- c. Acceptance of the proposed gas rate increase of \$.05/unit effective for the late August 2021 billing and a second \$.05/unit increase effective for the April 2022 billing as authorized by Ordinance 1119-05.

Johnson noted the proposed increase is within the authorized threshold. The city has received the interest-free loan of \$3,390,000 from the State of Missouri, and this increase should cover the debt service on the loan. The increase would take effect during warmer months so that there is less of an effect on residential customers.

Councilman Washington asked when the last gas increase was implemented. Johnson stated a \$.12 increase was imposed in 2019 in response to the Panhandle Eastern Pipeline increase and litigation.

Councilman Stone stated he does not recommend the gas increase and disagrees with the strategy put forward by the Public Utility Board. Councilman Stone stated the wholesale electric/gas crisis in February

was a once-in-history event, and he doesn't believe it will be repeated. Councilman Stone stated he also believes it is unrealistic for this municipality to try to recover \$3.2 million over the next three to five years.

Councilman Simmons stated the gas fund barely breaks even from year to year, and by not raising rates incrementally, the city will be in the same position at the end of five years than it is currently in. Councilman Simmons continued by saying that because the fund barely breaks even, there will be no opportunity to replenish the reserves.

Much discussion followed. Councilwoman Nelson expressed concerns with not replacing the reserves, and stated that by not doing anything, the city will be in worse shape. Councilwoman Nelson stated she is worried that in the future, the city would have to charge customers an exponential increase or pass along the cost from situations like the city experienced in February if an incremental increase is not put into place.

Motion was offered by Councilman Simmons and seconded by Councilwoman Nelson to authorize the proposed gas rate increase of \$.05/unit effective for the late August 2021 billing and a second \$.05/unit increase effective for the April 2022 billing. There were four members (Nelson, Rehkla, Simmons, West) in favor, three members (Combs, Stone, Washington) opposed, and one member (Braun) absent.

City Clerk Courtney Doyle asked for a brief break to review the Council Rules & Procedures. The Mayor recessed the Council at 8:02 p.m. The Council reconvened at 8:07 p.m.

City Clerk Doyle read Section 2.05 of the Council Rules & Procedures:

"...No action of the Council shall be valid unless five members or more (a majority of the Council) shall vote in favor of such action....".

Therefore, the motion failed.

d. September and December 2021 Council meeting schedule discussion and approval.

Johnson stated the Annual MML Conference will fall during the week of the second Council meeting in September, and that the meeting will need to be cancelled. Additionally, the Council usually opts to meet on the Third Tuesday of December; this year, the third Tuesday falls during the week of Christmas. Councilman Stone also noted there is a MML Central Region meeting on July 27th and asked if there is interest in attending. There was not a great deal of interest in cancelling the meeting in July to attend the Regional meeting.

Motion was offered by Councilman West and seconded by Councilman Stone to cancel the second meeting in September and to meet on December 14th. Motion carried with seven members of the Council voting in favor, and one member (Braun) absent.

Mayor Cannell will send regards to Vandalia for the MML Central Region meeting.

COUNCIL CONCERNS:

Councilman West thanked the Fire Department for their assistance with a recent issue.

RESOLUTIONS:

Resolution No. 3412 was presented for adoption by Councilwoman Nelson.

- a. Resolution No. 3412: A Resolution of the City Council of the City of Fulton, Missouri, authorizing consumer fireworks to be discharged in all city parks for a specific period of time on July 4, 2021.

Motion was offered by Councilwoman Nelson and seconded by Councilman Simmons to adopt Resolution No. 3412 at tonight's Council meeting.

Mayor Cannell stated the game plan is to have everyone work together to mitigate the fireworks war and to allow fireworks to be shot responsibly in city parks. Some discussion followed.

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

Resolution No. 3413 was presented by Councilman West.

- b. Resolution No. 3413: A Resolution authorizing the Mayor, on behalf of the City of Fulton, Missouri, to sign all necessary documents in relation to a Contract with Great River Associates, Inc. for engineering services relating to the Second Street Bridge Accelerated Innovation Deployment (AID) project.

Motion was offered by Councilman West and seconded by Councilman Stone to adopt Resolution No. 3413 at tonight's Council meeting. Motion carried with seven members of the Council voting in favor, and one member (Braun) absent.

ORDINANCES:

FIRST READING

Bill No. 1619 was presented for First Reading by Councilwoman Rehkla.

- a. Bill No. 1619: An Ordinance amending Chapter 94, Solid Waste. Article IV, Storage, Collection, and Disposal. Fulton City Code. by repealing certain Sections of Division Three (3), Service Charges. and enacting new Sections in lieu thereof.

Motion was offered by Councilwoman Rehkla and seconded by Councilman Stone to place Bill No. 1619 for Second Reading at the next regularly-scheduled Council meeting. Motion carried with seven members of the Council voting in favor, and one member (Braun) absent.

Bill No. 1620 was presented for First Reading by Councilman Stone.

- b. Bill No. 1620: An Ordinance authorizing amendments to the City of Fulton Budget for the fiscal year 2020 as outlined by Article VIII, Financial Procedure. Section 8.8, Amendments after Adoption. Paragraph (C), Transfer of Appropriations. Fulton City Charter. and establishing an effective date.

Motion was offered by Councilman Stone and seconded by Councilwoman Rehkla to place Bill No. 1620 for Second Reading at the next regularly-scheduled Council meeting.

Johnson noted the amendments are only required for funds that expended more than was budgeted.

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

SECOND READING

Bill No. 1618 was presented for Second 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 West to place Bill No. 1618 for Third Reading at tonight's Council meeting. Motion carried with seven members of the Council voting in favor, and one member (Braun) absent.

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

Motion was offered by Councilman Simmons and seconded by Councilman Stone to place Bill No. 1618 for Final Passage at tonight's Council meeting. Motion carried with seven members of the Council voting in favor, and one member (Braun) absent.

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. Absent: Councilman Braun. Bill No. 1618, having received the affirmative vote of seven members of the Council, was declared passed by the President of the Council.

THIRD READING

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

- a. 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 Final Passage at tonight's Council meeting. Motion carried with seven members of the Council voting in favor, and one member (Braun) absent.

Roll call vote of the members of the Council was as follows: Nelson, YES; Rehkla, YES; Simmons, YES; Stone, YES; Washington, YES; West, YES; Combs, YES. Absent: Councilman Braun. Bill No. 1615, having received the affirmative vote of seven members of the Council, was declared passed by the President of the Council.

ANNOUNCEMENTS:

- a. The next City Council meeting will be held Tuesday, July 13, 2021. A Work Session will commence at 6:30 p.m. with Regular Session to follow at 7:00 p.m.

Mayor Cannell announced the Mayor’s Cup Golf Tournament is scheduled for August 13, 2021.

Councilwoman Rehklaunoted there is a 5K run scheduled for July 10th benefitting the Children’s Miracle Network.

Councilman Stone reminded everyone of the Fulton Street Fair June 25-26th.

Councilman West noted there are blood drives going on throughout the months of June and July.

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 Stone and seconded by Councilman Simmons to adjourn this meeting. Motion carried with seven members of the Council voting in favor, and one member (Braun) absent. The meeting adjourned at 8:43 p.m.

Lowe Cannell, Mayor

Courtney L. Doyle, CMC/MRCC
City Clerk