

**CITY COUNCIL MINUTES
APRIL 12, 2022**

The Council of the City of Fulton, Missouri, met in Regular Session on Tuesday, April 12, 2022 in the Council Chambers of City Hall located at 18 E. 4th Street. Present and presiding were: Mayor Lowe Cannell; Darrell Dunlap, Interim Director of Administration/Superintendent of Utilities; Courtney L. Doyle, City Clerk; and William Ladwig, 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, Rehkla, Simmons, Stone, Washington, and West. Also present were: Kathy Holschlag, Chief Financial Officer; Clay Caswell, Parks & Recreation Director; Kevin Coffelt, Fire Chief; Robert Boone, Assistant Director of Administration; Michelle Maupin, Human Resources Director; Rev. Bruce Williamson; Darin Wernig and Mike Haldeman, Audio/Video; and visitors: Valerie Sebacher, Scott Sebacher, Aaron Sebacher, Austin Sebacher, Logan Nichols, Brad Leuther, Richard Rehkla, Justin Malone, Tom Riley.

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 22, 2022:

The minutes of the March 22, 2022, Council meeting were presented for approval.

Motion was offered by Councilman Braun and seconded by Councilman Simmons to approve the meeting minutes of March 22, 2022, as presented. Motion carried with eight members of the Council voting in favor.

RESOLUTIONS:

Resolution No. 3442 was presented for adoption by Councilman Stone.

- a. Resolution No. 3442: A Resolution certifying the votes cast in the Municipal Election held on April 5, 2022.

Motion was offered by Councilman Stone and seconded by Councilwoman Rehkla to adopt Resolution No. 3442 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 6:36 p.m.

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:	Valerie Sebacher
Second Ward:	Mary K. Rehkla
Third Ward:	Brad Leuther
Fourth Ward:	Bob Washington

NEW COUNCIL

CALL TO ORDER:

The meeting was called to order by Mayor Cannell at 6:45 p.m. Valerie Sebacher and Brad Leuther, newly-elected members, were present in addition to Councilmembers: Combs, Nelson, Rehklau, Stone, Washington, and West.

COMMENTS FROM VISITORS:

There were none.

ADOPTION OF COUNCIL RULES OF ORDER AND PROCEDURES:

City Clerk Courtney Doyle provided an overview of the proposed Council Rules of Order and Procedures. Doyle noted there are a few points of clarification regarding the cancellation of meetings, who is permitted into closed session meetings, and other simple “housekeeping” measures.

Motion was offered by Councilman West and seconded by Councilwoman Rehklau 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 West was offered by Councilwoman Rehklau. The nomination of Councilwoman Sebacher was offered by Councilwoman Nelson.

Mayor Cannell provided two minutes for each candidate to speak. Each member spoke of their terms on the City Council and desire to serve in the capacity of Deputy Mayor.

Roll call vote of the members of the Council was as follows: Leuther, WEST; Nelson, SEBACHER; Rehklau, WEST; Sebacher, SEBACHER; Stone, WEST; Washington, WEST; West, WEST; Combs, SEBACHER. Councilman West, having received five affirmative votes of the members of the Council, was declared Deputy Mayor by Mayor Cannell.

APPROVAL OF THE CONSENT AGENDA:

There were no items of consideration on the Consent Agenda at tonight’s meeting.

Councilman Stone reminded his fellow Councilmembers that it is a violation to vote on the appointment of family members or individuals with whom a Councilmember may have a close relationship.

Mayor Cannell noted that there is a Public Hearing scheduled for 7:00 on tonight’s agenda. It was not yet 7:00 p.m., so Mayor Cannell moved ahead to New Business in order to allow for the public hearing to take place on time.

NEW BUSINESS:

- a. Stinson Creek update.

Kyle Bruemmer, City Engineer, provided a recap of community and student engagement in relation to creek improvements. Efforts have included clean-up programs, community education, tree planting, and involvement of the Missouri Department of Conservation.

The city must continue working to address wastewater treatment plant effluent into the creek in order to remove the creek from DNR's list of impaired bodies of water. Bruemmer stated the city is looking for practical solutions to both improve the health of the creek and assist in meeting the output limitation requirements.

Bruemmer noted that the Council initially denied a resolution to seek grant funding relating to city treatment of sewer from outside the city limits; this issue will be revisited at a future Council meeting, and Bruemmer's department has been gathering information in order to better address the Council's concerns.

Mayor Cannell noted it was now after 7:00 p.m., and the public hearing could take place.

PUBLIC HEARING:

Mayor Cannell stated there would be one public hearing at tonight's meeting to consider amendments to the Zoning Ordinance relating to existing and new Zoning requirements and districts applicable to all property in the City. A detailed list of the proposed amendments was published with the public hearing notice.

Mayor Cannell declared the hearing open at 7:05 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 7:06 p.m.

NEW BUSINESS (continued):

- b. Street Overlay update.

Bruemmer noted the initial street list has been amended to shorten the section of Wood Street included for asphalt overlay. The portion of Wood Street between Eighth Street and Route Z will be overlaid, and the other portions will be replaced by the addition of Tennyson Road on the east side of Route C along with Center Street between St. Louis Avenue and Ninth Street.

Brief discussion followed. Bruemmer will email the updated overlay list to City Clerk Doyle. Councilman West also noted a portion of the walking trail north of the YMCA has washed away and should be addressed.

COUNCIL CONCERNS:

Councilman Combs thanked the city staff and citizens who participated in the recent Clean Sweep Saturday event.

Councilman Stone noted recycling pick up is also taking place this week along side the bulk trash pick-up.

Councilwoman Rehkla welcomed the new members of the City Council.

Councilwoman Sebacher thanked those who nominated and voted for her for Deputy Mayor and asked for an update on a recent Traffic Commission meeting. The issue of on-street parking on East Tenth Street between Bluff Street and Grand was discussed and recommended as a no parking zone. Bruemmer noted his department is making contact with property owners in the area before bringing this item to the City Council for consideration.

Councilman West thanked those who nominated and voted for him for Deputy Mayor as well.

Darrell Dunlap, Superintendent of Utilities/Interim Director of Administration, stated he just found out ARPA funding requests must be accompanied by an engineer's report for all applicants. The city will seek proposals from the primary engineering firms currently used, and a resolution may be brought forward at a future Council meeting to authorize the expenditure for the creation of these reports to accompany the city's applications.

Councilman West asked for a list of proposed projects that could utilize ARPA funds.

Councilman Washington asked about household hazardous waste collection. Fire Chief Kevin Coffelt noted the collection site is open by appointment on the second Saturday of each month between April and October. Citizens may request an appointment by contacting the Fulton Fire Department.

RESOLUTIONS:

Resolution No. 3443 was presented in its entirety for adoption by Councilman Combs.

- a. Resolution No. 3443: A Resolution of Recognition and Appreciation to John Braun for his four years of service as a City Councilmember.

Motion was offered by Councilman Combs and seconded by Councilwoman Rehkla to adopt Resolution No. 3443 at tonight's Council meeting. Motion carried with eight members of the Council voting in favor. Mayor Cannell thanked Mr. Braun for his service and presented him with his Council nameplate and a plaque displaying the resolution in honor of his service. Mr. Braun stated he enjoyed his time on the Council and encouraged the Councilmembers to ensure they read and follow the City Code, Charter, and State Statutes.

Resolution No. 3444 was presented in its entirety for adoption by Councilman West.

- b. Resolution No. 3444: A Resolution of Recognition and Appreciation to Ballard Simmons for his four years of service as a City Councilmember.

Motion was offered by Councilman West and seconded by Councilwoman Stone to adopt Resolution No. 3444 at tonight's Council meeting. Motion carried with eight members of the Council voting in favor.

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

ORDINANCES:

FIRST READING

*Clerk's Note: the agenda included an incorrect bill number (1609); the correct bill number (1633) was indicated on the bill for presentation.

Bill No. 1633 was presented for First Reading by Councilwoman Nelson.

- a. Bill No. 1633: An Ordinance repealing Appendix A, Zoning. Fulton City Code., enacting a new code chapter in lieu thereof, and establishing an effective date.

Motion was offered by Councilwoman Nelson and seconded by Councilman West to place Bill No. 1633 for Second Reading at the next regularly-scheduled Council meeting.

Dennis Houchins, Planning & Protective Services Director, noted this has been a two-year process for the city. Houchins and other staff members have worked with a zoning consultant through grant funding provided by the Mid-Missouri Regional Planning Commission. The proposed update clarifies zoning regulations and creates a user-friendly zoning code.

City Clerk Doyle noted the Planning & Zoning Commission has reviewed the changes at two meetings, met with the consultant and provided feedback, and has recommended the proposed ordinance for passage.

Councilwoman Nelson thanked Houchins for his hard work.

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

ANNOUNCEMENTS:

- a. Spring Cleanup Week will take place April 11-15th 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 26th at 6:30 p.m.
- c. In early May, Tim Martin will retire from the City of Fulton Street Department after more than twenty-three of service.

- d. The Mayor's Prayer Breakfast will be held Thursday, May 5th at 6:30 a.m. at Legends Rec-Plex. Tickets (\$15) may be purchased through the Mayor, Callaway County Commissioners, or Callaway Chamber of Commerce. Proceeds benefit the Callaway County Senior Center.

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 or deal with legal actions, causes of action, or litigation.

Motion was offered by Councilwoman Sebacher and seconded by Councilwoman Nelson to enter into Executive Session.

Roll call vote of the members of the Council was as follows: Nelson, YES; Rehkla, YES; Sebacher, YES; Stone, YES; Washington, YES; West, YES; Combs, YES; Leuther, 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 7:37 p.m.

The Council reentered the Council Chambers at 8:42 p.m. Motion was offered by Councilman West and seconded by Councilwoman Nelson to exit Executive Session.

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

The Council exited Executive Session at 8:43 p.m.

ADJOURNMENT:

There being no further business to come before the Council, motion was offered by Councilman West and seconded by Councilwoman Sebacher to adjourn this meeting. Motion carried with eight members of the Council voting in favor. The meeting adjourned at 8:44 p.m.

Lowe Cannell, Mayor

Courtney L. Doyle, CMC/MRCC
City Clerk