

**CITY COUNCIL MINUTES**  
**APRIL 26, 2022**

The Council of the City of Fulton, Missouri, met in Regular Session on Tuesday, April 26, 2022 in the Council Chambers of City Hall located at 18 E. 4th Street. Present and presiding were: Mayor Lowe Cannell; Renee Tyler, Director of Administration; 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: Combs, Leuther, Nelson, Rehklau, Sebacher, Stone, Washington, and West. Also present were: Kathy Holschlag, Chief Financial Officer; Darrell Dunlap, Superintendent of Utilities; 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; Michael Shine of *The Fulton Sun*; and visitors: Heather Jungermann, Becky Jungermann, Kenneth Sundermeyer, and Arron Pauley.

**INVOCATION:**

Invocation was given by Rev. Williamson.

**PLEDGE OF ALLEGIANCE:**

The Pledge of Allegiance was led by Rev. Williamson.

Mayor Cannell welcomed newly-appointed Director of Administration Renee Tyler.

**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 12, 2022.
- b. Approval of the Director of Administration report of March 2022.
- c. Approval of an event request from Lin Diekamp for the annual Callaway County CROP Hunger Walk on Sunday, October 9, 2022 at 1:30 p.m.
  - i. The event request has been reviewed and approved Chief Ladwig; no police assistance is needed or requested.

Councilwoman Sebacher requested to remove the Director of Administration report for discussion. Motion was offered by Councilman Stone and seconded by Councilwoman Nelson to approve the remaining items of 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 2022:**

Councilwoman Sebacher noted a date error in the Human Resources report and highlighted a discrepancy between the number of employees listed in the Human Resources report and the Finance Department report.

Councilwoman Sebacher also noted a report of damage to Parks & Recreation sinks and public restrooms. Clay Caswell, Parks & Recreation Director, stated some repairs are complete.

Motion was offered by Councilwoman Sebacher and seconded by Councilman West to approve the Director of Administration Report for the month of March as presented. Motion carried with eight members of the Council voting in favor.

**PRESENTATION AND ACCEPTANCE OF THE MARCH FINANCIAL STATEMENT:**

The Financial Statement 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 two months of sales tax have been recorded, and figures are slightly ahead of this period of time in 2021. Holschlag cautioned that this increase does not indicate a trend, nor is it ahead of the rate of inflation. Holschlag highlighted a \$350,000 sewer remediation expense and the filing of the first annual ARPA report. Additionally, Holschlag stated the "Second Street Bridge Project" item encompasses the grant-reimbursable portion of the project while the "Second Street Project" item is funded through the stormwater tax.

Motion was offered by Councilman West and seconded by Councilwoman Rehklau to accept the Financial Statement for the month of March as presented. Motion carried with eight members of the Council voting in favor.

**UNFINISHED BUSINESS:**

- a. Legends Rec-Plex update.

Caswell stated staff is working through WIFI issues and HVAC control issues. Facility rentals are going well, and there have been a number of rentals of the turf area, batting cages, and the banquet center. Caswell also noted the facility has proved beneficial to accommodate outdoor activities that are frequently rained out. Kickball games were recently moved indoors, and the program remained on-schedule.

Councilman Leuther asked if the HVAC system issues are covered under the building warranty. Caswell stated the issue is with the controllers, and the company is working with the city to resolve the problem.

Caswell noted memberships increased during the month of March and remain steady. Memberships that are paid by auto draft will automatically renew.

**NEW BUSINESS:**

- a. Representatives from the Fulton Street Fair Committee will be present to request permission for the event to be held June 24-25, 2022 in downtown Fulton.

Heather and Becky Jungermann were present to address the Council. The Street Fair Committee recently met with city staff to address needs and areas of concern. As a result of these discussions, the 5K maps

were redrawn to provide clarity. The committee decided to forego fireworks for this year's event in order to add to the entertainment lineup.

Following brief discussion, motion was offered by Councilman West and seconded by Councilman Stone to approve the request, as presented. Motion carried with eight members of the Council voting in favor.

**COUNCIL CONCERNS:**

Moving forward, each Councilmember will have an opportunity to provide a brief review of the Board/Commission they act as a liaison to in addition to addressing concerns.

**Councilman West:** *Planning & Zoning Commission liaison*

Councilman West noted the Planning & Zoning Commission met last night to discuss the proposed zoning code update.

**Councilwoman Sebacher:** *Park Board liaison*

Councilwoman Sebacher noted there has not been a Park Board meeting since she recently became the Board liaison.

**Councilwoman Rehkla:** *Traffic Commission liaison*

Councilwoman Rehkla noted the Traffic Commission most-recently reviewed the Second Street Project and South Business 54 Project. The Commission is also planning to review and address sidewalk needs.

**Councilman Stone:** *Historic Preservation Commission liaison*

Councilman Stone stated the Historic Preservation Commission nominated the Brick District Playhouse for a statewide Preservation Award. The award was received, and the Commission will have a couple projects in the coming months.

**Councilman Leuther:** *Airport Advisory Board liaison*

Councilman Leuther met with Kyle Bruemmer, City Engineer, to understand the current needs of the Airport Advisory Board. Councilman Leuther has also talked with a number of staff members regarding his desire to see flashing crosswalks near the schools to address safety concerns.

**Councilman Combs:** *Human Rights Commission liaison*

Councilman Combs stated the Human Rights Commission is working on their first Juneteenth Celebration, and a request will be presented to the Council at the next meeting.

**Councilman Washington**

Councilman Washington expressed continued concerns with abandoned houses and trash along Jefferson Street and thanked Dennis Houchins, Planning & Protective Services Director, for diligently working through the process to address these concerns.

**Councilwoman Nelson:** *Public Utility Board liaison*

Councilwoman Nelson asked Darrell Dunlap, Superintendent of Utilities, to provide a recap of the recent Public Utility Board meeting. Dunlap stated the Board was notified of the MISO annual capacity auction and Fulton's shortfall on covering our load. Dunlap noted that one megawatt of power cost the city approximately \$86,000.00. Brief discussion followed.

Mayor Cannell stated it would be beneficial for the Council to hold a retreat and visit the Power Plant to see the generator in action.

#### RESOLUTIONS:

Resolution No. 3445 was presented for adoption by Councilman West.

- a. Resolution No. 3445: A Resolution authorizing the Mayor, on behalf of the City of Fulton, Missouri, to sign all necessary documents in relation to a Contract with Flynn Drilling for Well Pump Improvements at Tanglewood Golf Course.

Motion was offered by Councilman West and seconded by Councilwoman Rehkla to adopt Resolution No. 3445 for adoption at tonight's Council meeting.

Caswell stated this Resolution and Resolution No. 3446 authorize contracts for the replacement of the 25-year-old well pump and improvements to the irrigation system. Caswell stated the pump is in poor shape, and there are concerns the irrigation system will die causing long-term damage to the course. These improvements are needed, but Caswell noted this is an effort to be proactive and replace inefficient, outdated equipment before a catastrophic issue occurs. Caswell stated these improvements are not budgeted, but Dunlap and Holschlag confirmed with the Callaway County Commission that county-issued ARPA funds could be used to cover the costs.

Kenneth Sundermeyer, Golf Course Superintendent, stated the life expectancy of these items is normally twenty years. Crews try to keep up with the maintenance, but issues have been mounting for the past five years. Sundermeyer reported the improvements will not cause any closures or downtime on the course, and he is confident in the abilities and work of these contractors.

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

Resolution No. 3446 was presented for adoption by Councilwoman Sebacher.

- b. Resolution No. 3446: A Resolution authorizing the Mayor, on behalf of the City of Fulton, Missouri, to sign all necessary documents in relation to a Contract with Turfwerks for Irrigation System Improvements at Tanglewood Golf Course.

Motion was offered by Councilwoman Sebacher and seconded by Councilwoman Rehkla. Motion carried with eight members of the Council voting in favor.

Resolution No. 3447 was presented for adoption by Councilwoman Rehkla.

- c. Resolution No. 3447: A Resolution authorizing the Director of Administration, on behalf of the City of Fulton, Missouri, to sign all necessary documents in relation to a Contract Renewal with the State of Missouri Department of Mental Health for trash removal services at Fulton State Hospital.

Mayor Cannell noted this contract is renewed annually but never came before the City Council. The contract allows the State Hospital to appropriate funds in accordance with current city solid waste rates.

City Clerk Courtney Doyle noted this appears to always have been signed by the Director of Administration, but never came before the City Council. Administration is making an effort to increase transparency as these sorts of situations are found.

Motion carried with eight members of the Council voting in favor. The Council collectively agreed that this item does not need to come back before the Council annually unless there are substantial changes or areas of concern.

## **ORDINANCES:**

### **SECOND READING**

Bill No. 1633 was presented for Second 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 Third Reading at tonight's Council meeting.

City Clerk Doyle noted the need for amendments to this bill including the addition of an ordinance section allowing the city's codifier to modify section numbers and other styling changes in order to ensure this new chapter conforms with the remainder of the city code. Dennis Houchins clarified a section of text that was amended on page 30 to omit redundant language.

Motion to include these aforementioned amendments was offered by Councilwoman Sebacher and seconded by Councilman Stone. Motion carried with eight members of the Council voting in favor. The original motion to place Bill No. 1633 (as amended) for Third Reading at tonight's Council meeting was now on the floor for consideration. Motion carried with eight members of the Council voting in favor.

Bill No. 1633, as amended, was presented for Third Reading by Councilwoman Nelson.

Motion was offered by Councilwoman Nelson and seconded by Councilman Stone to place Bill No. 1633, as amended, 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: Leuther, YES; Nelson, YES; Rehklau, YES; Sebacher, YES; Stone, YES; Washington, YES; West, YES; Combs, YES. Bill No. 1633, as amended, 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 10, 2022. A Work Session will commence at 6:30 p.m. with Regular Session to follow at 7:00 p.m.
- b. The Mayor's Prayer Breakfast will be held Thursday, May 5<sup>th</sup> 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 Rehkla and seconded by Councilman West 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 7:47 p.m.

The Council reentered the Council Chambers at 8:07 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: 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 8:08 p.m.

**ADJOURNMENT:**

There being no further business to come before the Council, motion was offered by Councilman West and seconded by Councilwoman Nelson to adjourn this meeting. Motion carried with eight members of the Council voting in favor. The meeting adjourned at 8:08 p.m.

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Lowe Cannell, Mayor

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Courtney L. Doyle, CMC/MRCC  
City Clerk