

CITY COUNCIL MINUTES
MAY 24, 2022

The Council of the City of Fulton, Missouri, met in Regular Session on Tuesday, May 24, 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; Laure Long, Deputy City Clerk; and William Ladwig, Police Chief. The meeting was called to order by Mayor Cannell at 6:32 p.m. Roll call was taken by the Deputy City Clerk, and members of the Council present were: Leuther, Nelson, Rehklau, Sebacher, Stone, Washington, and West. Absent was Councilmember Combs. 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; Kyle Bruemmer, City Engineer; Dennis Houchins, Planning and Protective Services Director; Rev. Bruce Williamson; Darin Wernig and Mike Haldeman, Audio/Video; and visitors: Robert Bennett, Dennis Bacon, Donald P. Lofe, Jr., Kasi Lacey, Jack Benke, Timothy Riley, Nichole Thomas, Bev Gray, Steve Tyrell, Coletta Williams, and Charles Williams.

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 Deputy City Clerk.

Beverly Gray, 451 E. St. Eunice Road, Apt. 20, expressed concern about a property located on 9th and Jefferson Street that burned down. Gray noted the building had not been demolished and no improvements had been made, and would like to know if the City is going to move forward with repair. Gray also said part of St. Eunice was resurfaced, between Business 54 and Miller Street, and said the road is now eroding and would like that addressed.

Dennis Bacon, 6295 County Road 108, owner of a duplex located on the corner on of 10th and Grand Street expressed concern about the proposed ordinance to remove parking on 10th Street between Bluff Street and Grand Street. Bacon said the duplex has potential for needing five parking spaces as there is not a driveway or off-street parking. Bacon said if parking is removed, he would need to find a parking location for five vehicles. Bacon asked that parking be re-established on the north side of 10th Street between Bluff Street and Grand Street.

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 Director of Administration report of April 2022.

Councilman West requested to remove the Director of Administration report for discussion.

APPROVAL OF THE DIRECTOR OF ADMINISTRATION REPORT OF APRIL 2022:

Councilman West stated a full-time vacancy for an Executive Assistant caught his attention on the Human Resources DOA Report page. Councilman West said he's never heard of this position and doesn't recall the Council discussing the position or approving additional staff as done in the past.

Mayor Cannell explained the Executive Assistant is a position being created to assist himself and Renee Tyler, Director of Administration, with day-to-day operations at City Hall. Mayor Cannell said it would be discussed in greater detail during Executive Session.

Councilman West expressed concern with the cost and said he is not in agreement with adding an additional staff member.

Motion was offered by Councilwoman Rehklau and seconded by Councilman Stone to approve the Director of Administration Report for the month of April as presented. Motion carried with seven members of the Council voting in favor, and one member (Combs) absent.

PRESENTATION AND ACCEPTANCE OF THE APRIL FINANCIAL STATEMENT:

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

Holschlag reported the sales tax figures for the first quarter were right in line with the previous year. Holschlag considers that as falling behind and that we have not kept up with inflation. Holschlag said use tax revenue is up 9.75%, approximately \$14,000.00.

Holschlag said health claims for the month-to-date were very low because she did the accrual and took all the claims that had been incurred in 2021 but were paid this year, and rolled them back to the previous year. That amount was around \$108,000.00

After some discussion, motion was offered by Councilman West and seconded by Councilwoman Rehklau to accept the Financial Statement for the month of April as presented. Motion carried with seven members of the Council voting in favor, and one member (Combs) absent.

UNFINISHED BUSINESS:

- a. Legends Rec-Plex update.

Clay Caswell, Parks & Recreation Director, reported during the month of April there were 8 programs offered with 200 participants and 34 facility rentals. Caswell said daily use was down a little bit, but said they had about 5,800 visitors during the month of April. Caswell said they are looking to offer more programs and are gearing up for the outdoor season.

Caswell said a new exterior sign was placed above the Banquet Room door, and they are starting to see a lot more use of the banquet room. Caswell reported May was a busy month with rentals; including the Mayor's Prayer Breakfast, City Employee Appreciation Dinner, Missouri School for the Deaf Prom, trainings, birthday parties, showers, and the upcoming Fulton High School Senior All Night Party.

Some discussion followed about reserving multiple day usage for a meeting room and if any discounts were given. Caswell said the current policy offers a 25% discount for reserving multiple days at a time. Caswell said interested parties can visit with the Parks and Recreation Department to discuss options.

NEW BUSINESS:

- a. Westminster College President Don Lofe, Jr. will be present to discuss a partnership between the College, Fulton Police Department, and Callaway County Sheriff's Department for enhanced security cameras.

A handout was presented to the Council. President Lofe, Jr. said the College has been looking at overall security for the campus and they were looking into a system called FLOCK, which looks at license plate recognition. Lofe said he met with Police Chief Ladwig, Callaway County Sheriff Department staff, and Renee Tyler, Director of Administration, to get their perspective and see what makes the most sense for the campus and community.

Lofe explained their plan is to enact a five year contract for the recognition of license plates. Lofe referenced the handout and said there are ten cameras located across the campus and streets. The cameras would help with any incident that may occur around the perimeter of the campus, and would also benefit the community, and potentially the Police Department when vehicles are involved. They are looking into the system for safety prevention.

Lofe used the handout to show the Council where they would be placed. He said the cameras are very sensitive and cost around \$5,000.00 a piece; they are solar powered and would be placed on poles around the campus. Lofe explained if the cameras break down they would be replaced immediately as that would be a part of the five year contract with the vendor. Lofe said the second phase would include facial recognition and stated the system is evolving.

Chief Ladwig addressed privacy issue concerns. Ladwig said the cameras cover public streets, with license plates in plain view and he said there is not an expectation of privacy to your license plate. Chief Ladwig said the FLOCK System would benefit the college by enhancing safety and security. Personal information from the system would not be given to the College; it would go to the Police Department in real time. Ladwig feels this could be of great assistance in investigations and a tremendous asset to public safety.

Timothy Riley, America's National Churchill Museum Curator, stated the system will greatly enhance some of the existing security systems they currently have in place at the Museum, and also enhance their ability to work with local law enforcement agencies.

Mayor Cannell expressed some concern with privacy, and would potentially like this item discussed at a future City Council work session.

- b. Nikki Thomas, on behalf of the American Foundation for Suicide Prevention, will be present to request permission for a street closure relating to the organization's "Drive to Survive Car/Truck/Bike and Jeep Show on June 11, 2022 from 7:00 a.m. to 5:00 p.m."
 - i. The organization is requesting to close North Ravine Street between Fourth and Fifth Streets for the duration of the event. The event will take place in the parking lot of Boyd & Boyd.

Nikki Thomas said this would be their 9th Annual Show and it would be held at Boyd & Boyd, Inc. The organization would like to leave the parking lot open for vendors, and requested a street closure on North Ravine Street between Fourth and Fifth Streets from 7:00 a.m. to 5:00 p.m. Thomas said she spoke with Police Chief Ladwig about the event, and said the closure wouldn't block any entrances.

Following brief discussion, motion was offered by Councilman Stone and seconded by Councilwoman Rehklaue to approve the event as requested. Motion carried with seven members of the Council voting in favor, and one member (Combs) absent.

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 reported he received a letter from a citizen regarding the lighting along St. Eunice Road, and also referenced visitor, Beverly Gray's concern about the pavement on St. Eunice Road. Councilman West would like both of those requests looked into.

Councilwoman Sebacher: *Park Board liaison*

Councilwoman Sebacher noted fire hydrants and handicap parking paint is in disrepair, and would like those items looked into. Renee Tyler, Director of Administration, said this concern was brought up during a leadership meeting and will be addressed.

Councilwoman Rehklaue: *Traffic Commission liaison*

Councilwoman Rehklaue noted street markings and center lines need painted and asked for that to be addressed.

Councilman Stone: *Historic Preservation Commission liaison*

Councilman Stone stated the Historic Preservation Commission was thankful for the time the Council spent with them at the last meeting for the proposal for the "Beehive Preservation Project". Councilman Stone also noted it was Historic Preservation Month and said there are yard signs around the community acknowledging historic properties.

Councilman Leuther: *Airport Advisory Board liaison*

Councilman Leuther stated he attended the Airport Advisory Board meeting prior to the Council meeting and reported the Board discussed exposure, and how to take the Airport to the next level. They would like to bring different events to the Airport. They discussed the runway light project and said they are looking at four different companies. Councilman Leuther stated the Board also discussed a potential courtesy car and would like the City to be able to bring that to fruition.

Human Rights Commission

Laure Long, Deputy City Clerk, stated the Human Rights Commission has been working on preparations for the first annual Juneteenth Celebration that will be held on Saturday, June 18, 2022 at Veteran's Park Atkinson Pavilion and Amphitheater from noon to 4:00 p.m. Long noted the Commission is looking for vendors for the event and to contact them if interested.

Councilman Washington

Councilman Washington informed visitor, Beverly Gray, he and Dennis Houchins, Planning and Protective Services Director, have been working on the property she expressed concerns with. Councilman Washington explained there's a process they are working on for that property and other abandoned properties and he thanked Houchins for his continued effort.

Councilman Washington also stated it was brought to his attention the 1300-1400 block of Monroe Street contains a lot of abandoned cars and trash and he would like that looked into.

Councilwoman Nelson: *Public Utility Board liaison*

Councilwoman Nelson expressed appreciation and thanked City employees after witnessing them help a citizen with a broken down car along Second Street. Councilwoman Nelson stated she was contacted about speeding along Tanglewood Way, and was asked if the City could install a digital speed limit sign. Councilwoman Nelson said the "SLOW" signs that were installed in Tanglewood have helped, but expressed concern with the amount of children in the neighborhood.

Councilwoman Nelson stated the Public Utility Board is in favor of Resolution No. 3448, and noted there was a representative in attendance who would review the project with the Council at tonight's meeting. Councilwoman Nelson noted the Board received an update on Sikeston and said they are down to 65% of operations, and she feels the City needs to be prepared for that this summer.

RESOLUTIONS:

Resolution No. 3448 was presented for adoption by Councilman West.

- a. Resolution No. 3448: A Resolution authorizing the Mayor, on behalf of the City of Fulton, Missouri, to sign all necessary documents in relation to an Agreement with Burns & McDonnell pertaining to the Stinson Creek Integrated Management Plan.

Motion was offered by Councilman West and seconded by Councilman Stone to adopt Resolution No. 3448 at tonight's Council meeting.

Darrell Dunlap, Superintendent of Utilities, Anna Zerr, Wastewater Treatment Plant Supervisor, and Cliff Cate, Burns & McDonnell, approached the Council. Dunlap said one of the reasons Burns & McDonnell was chosen for this project was because they completed the 2016 sewer survey, and they are bringing back the same team for this project.

Cate explained to the Council that Stinson Creek is the receiving creek for the Wastewater Treatment Plant. He said the Creek experiences low dissolved oxygen during different times of the day, during different times of the year. Zerr said the Wastewater Treatment Plant is on the list for low dissolved oxygen and for organic sediment. She said they are doing their part at the Plant by trying to minimize what the Plant is sending to the creek. Burns & McDonnell will assist with negotiating the City permit with Missouri Department of Natural Resources and will initiate the Integrated Management Plan (handout). This attempt would allow the City more time to study, upgrade, and allow for optimization to renew some of the nutrients they have at the Plant.

Cate said to make all improvements at the Plant, it would cost around \$30,000,000.00. His approach is a holistic approach involving the Integrated Management Plan. The plan would look at the system and see if

beneficial and incremental improvements can be made to get the Plant off of the Missouri Department of Natural Resources list and increase the water quality of Stinson Creek.

Cate said the Plan would consist of different phases that would allow for different improvements and would get the City off of the DNR list while not spending \$30,000.000 to do so. He said the multi-phase approach has been successful in other cities.

Zerr said Kyle Bruemmer, City Engineer, has installed some monitors in the Creek that monitor the Creek level, and said the City will have four flow meters placed in several lines that Burns & McDonnell will strategically place. With the Plan, Burns & McDonnell will add six additional meters to measure flow.

Zerr and Cate said after each improvement, DNR can retest and possibly get the City off of the list. The Integrated Management Plan will buy the City more time and reduce the amount of money spent in the long run.

Following much discussion, motion carried with seven members of the Council voting in favor, and one member (Combs) absent.

Resolution No. 3449 was presented for adoption by Councilwoman Sebacher.

- b. Resolution No. 3449: 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 Councilwoman Sebacher and seconded by Councilwoman Nelson to adopt Resolution No. 3449 at tonight's Council meeting.

Police Chief Ladwig explained it was an annual grant they've applied for and have received for several years. Chief Ladwig stated the life span of bulletproof vests is 5 years and this grant helps the Police Department acquire safe, fresh vests.

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

ORDINANCES:

FIRST READING

Bill No. 1638 was presented for First Reading by Councilwoman Rehklau.

- a. Bill No. 1638: An Ordinance amending Section 94-112, Storage and Placement of Waste and Waste Containers. Fulton City Code. by enacting additional legislation regarding residential waste container placement and establishing an effective date.

Motion was offered by Councilwoman Rehklau and seconded by Councilman West to place Bill No. 1638 for Second Reading at the next regularly-scheduled Council meeting.

Robert Boone, Assistant Director of Administration, explained the intent of the ordinance amendment is to better define when solid waste containers can be set out and when they need returned to the home. The

amendment states "containers shall not be placed for collection more than 24 hours before the regularly-scheduled collection day, and containers shall be required to be removed from the curb or collection location and returned to the residential premises not more than 24 hours after the regularly-scheduled collection day."

Following some discussion on violations, enforcement, and safety, motion carried with seven members of the Council voting in favor, and one member (Combs) absent.

SECOND READING

Bill No. 1634 was presented for Second Reading by Councilman Stone.

- a. Bill No. 1634: An Ordinance amending Section 110-340, Parking on Certain Streets Prohibited or Limited. Fulton City Code. by prohibiting stopping, standing, and parking on a portion of East Tenth Street and establishing an effective date.

Motion was offered by Councilman Stone and seconded by Councilwoman Rehklau to place Bill No. 1634 for Third Reading at the next regularly-scheduled Council meeting.

Mayor Cannell expressed his appreciation for extending the Bill to the next Council meeting for the constituent, Dennis Bacon, who was present at the meeting and expressed his concerns with the passage of this Bill.

Councilman West suggested looking at time frames for parking along a portion of this street, and questioned if it needs enforced during the summer, weekend, or evening hours. Councilman West would like to see a compromise of some kind to assist the property owner.

Some discussion followed about different on street parking areas available for the residents. Kyle Bruemmer, City Engineer, mentioned permitted on-street parking on Grand Street as another option that could be designated for those residents. Bruemmer explained the motivation behind the Traffic Commission's recommendation for the prohibited parking was a safety issue with all of the walking traffic to and from the Fulton Middle School.

Councilman West stated he would like to send the topic back to the Traffic Commission to come up with a different idea.

Some discussion followed on accidents involved in this area. Police Chief Ladwig said he could do some research and look into it.

Councilman Leuther would like to find an appropriate action to mitigate the safety concern, but also find a compromise for the citizens in the area.

After further discussion, motion was offered by Councilman West and seconded by Councilman Leuther to table Bill No. 1634 and to send it back to the Traffic Commission to come up with a better solution.

Much question and discussion followed about the motions on the floor.

Councilman West and Councilman Leuther withdrew their motion and second to table Bill No. 1634.

Councilman Stone and Councilwoman Rehklaue withdrew their motion and second to place Bill No. 1634 for Third Reading at the next regularly-scheduled Council meeting. With no motions or advancements on the floor, Bill No. 1634 is dead.

The City Council would like this topic sent back to the Traffic Commission for further discussion.

Bill No. 1635 was presented for Second Reading by Councilman Leuther.

- b. Bill No. 1635: An Ordinance reclassifying, under the Zoning Code, a tract of land located at 917 East Walnut Street in Fulton, Missouri, and establishing an effective date.

Motion was offered by Councilman Leuther and seconded by Councilman Stone to place Bill No. 1635, for Third Reading at tonight's Council meeting. Motion carried with seven members of the Council voting in favor, and one member (Combs) absent.

Bill No. 1635 was presented for Third Reading by Councilman Leuther.

Motion was offered by Councilman Leuther and seconded by Councilman Stone to place Bill No. 1635 for Final Passage at tonight's Council meeting. Motion carried with seven members of the Council voting in favor, and one member (Combs) absent.

Roll call vote of the members of the Council was as follows: Leuther, YES; Nelson, YES; Rehklaue, YES; Sebacher, YES; Stone, YES; Washington, YES; West, YES. Absent: Councilman Combs. Bill No. 1635, having received the affirmative vote of seven members of the Council was declared passed by the President of the Council.

Bill No. 1636 was presented for Second Reading by Councilman Washington.

- a. Bill No. 1636: An Ordinance reclassifying, under the Zoning Code, a tract of land located at 1005 East Walnut Street in Fulton, Missouri, and establishing an effective date.

Motion was offered by Councilman Washington and seconded by Councilman Stone to place Bill No. 1636, for Third Reading at tonight's Council meeting. Motion carried with seven members of the Council voting in favor, and one member (Combs) absent.

Bill No. 1636 was presented for Third Reading by Councilman Washington.

Motion was offered by Councilman Washington and seconded by Councilman Stone to place Bill No. 1636 for Final Passage at tonight's Council meeting. Motion carried with seven members of the Council voting in favor, and one member (Combs) absent.

Roll call vote of the members of the Council was as follows: Nelson, YES; Rehklaue, YES; Sebacher, YES; Stone, YES; Washington, YES; West, YES; Leuther, YES. Absent: Councilman Combs. Bill No. 1636, having received the affirmative vote of seven members of the Council was declared passed by the President of the Council.

Bill No. 1637 was presented for Second Reading by Councilwoman Nelson.

- a. Bill No. 1637: An Ordinance reclassifying, under the Zoning Code, an unimproved tract of land located north of Jamestown Drive and adjoining thereto in Fulton, Missouri, and establishing an effective date.

Motion was offered by Councilwoman Nelson and seconded by Councilwoman Rehkla to place Bill No. 1637, for Third Reading at tonight's Council meeting. Motion carried with seven members of the Council voting in favor, and one member (Combs) absent.

Bill No. 1637 was presented for Third Reading by Councilwoman Nelson.

Motion was offered by Councilwoman Nelson and seconded by Councilman Stone to place Bill No. 1637 for Final Passage at tonight's Council meeting. Motion carried with seven members of the Council voting in favor, and one member (Combs) absent.

Roll call vote of the members of the Council was as follows: Rehkla, YES; Sebacher, YES; Stone, YES; Washington, YES; West, YES; Leuther, YES; Nelson, YES. Absent: Councilman Combs. Bill No. 1637, having received the affirmative vote of seven members of the Council was declared passed by the President of the Council.

ANNOUNCEMENTS:

- a. The MML Elected Officials Training will be held June 9-10, 2022 in Columbia, Missouri. Councilmembers who wish to attend must RSVP with the City Clerk by May 24th.

Councilman Leuther and Councilman West confirmed they would like to attend the training.

- b. The next City Council meeting will be held Tuesday, June 14, 2022. A Work Session will commence at 6:30 p.m. with Regular Session to follow at 7:00 p.m.
- c. The first annual Juneteenth Celebration hosted by the Fulton Human Rights Commission will be held Saturday, June 18, 2022 at the Veteran's Park Amphitheater from 12:00 noon to 4:00 p.m.

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 hiring, firing, disciplining, or promotion of an employee of a public governmental body.

Motion was offered by Councilman Stone and seconded by Councilwoman Rehkla to enter into Executive Session.

Roll call vote of the members of the Council was as follows: Sebacher, YES; Stone, YES; Washington, YES; West, YES; Leuther, YES; Nelson, YES; Rehkla, YES. Motion carried with seven members of the Council voting in favor, and one member (Combs) absent.

The Council exited to the Executive Conference Room and entered the Executive Session at 8:16 p.m.

The Council reentered the Council Chambers at 9:21 p.m. Motion was offered by Councilman West and seconded by Councilwoman Stone to exit Executive Session.

Roll call vote of the members of the Council was as follows: Washington, YES; West, YES; Leuther, YES; Nelson, YES; Rehkla, YES; Sebacher, YES; Stone, YES. Motion carried with seven members of the Council voting in favor, and one member (Combs) absent.

The Council exited Executive Session at 9:23 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 seven members of the Council voting in favor, and one member (Combs) absent. The meeting adjourned at 9:24 p.m.

Lowe Cannell, Mayor

Laure Long
Deputy City Clerk