

CITY COUNCIL MINUTES
JUNE 14, 2022

The Council of the City of Fulton, Missouri, met in Regular Session on Tuesday, June 14, 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, Asst. Deputy Director of Administration/City Clerk; and William Ladwig, Police Chief. The meeting was called to order by Mayor Cannell at 7:03 p.m. Roll call was taken by the City Clerk, and members of the Council present were: Combs, Leuther, Nelson, Rehklau, Sebacher, Stone, and Washington. Absent was Councilman West. 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; Jeremy Polston and Mike Haldeman, Audio/Video; Michael Shine of *The Fulton Sun*; and visitors: David McDaniel, Robert Goser, Catherine Goser, Coletta Williams, Robert Bennet, Frances Vaughn, Richard Vaughn, Joan Morris, Bob Hansen, Sardar Sherzad, Matthew Brodersen, Bob Sterner, David Humphrey, and Tom Riley.

INVOCATION:

Invocation was given by Rev. Williamson.

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Rev. Williamson.

RECOGNITION OF THE CITY OF FULTON ON BEHALF OF THE AFGHAN RESETTLEMENT PROJECT:

Bob Sterner stated he and a group of community organizations and citizens were recently awarded a plaque in recognition of Fulton's efforts to accept and aid a number of refugees from Afghanistan. The group would like the plaque to be housed in City Hall as a symbol and reminder of the community's compassion and willingness to assist those in a time of great need.

Sterner highlighted efforts from the faith community, public school system, Westminster College and William Woods University, the business community, individual community members, the Fulton Police Department, and the City of Fulton who helped feed, clothe, house, and assist these new members of our community. Sterner stated the Afghan refugees have stepped in to assist Fulton residents in their time of need as well.

Mayor Cannell accepted the plaque on behalf of the city.

Mayor Cannell also noted today was Public Information Officer Darin Wernig's last day with the city and thanked him for his years of service.

PUBLIC HEARINGS (2):

Mayor Cannell stated there would be two public hearings at tonight's meeting to consider the following:

1. The proposed rezoning of two tracts of land located at 2 Arrow and 1302 Cote Sans Dessein Rd Fulton, Missouri, from their current zoning of R-1 Residential to R-3 Residential.

2. The proposed rezoning of a tract of land located at 1300 Cote Sans Dessein Rd Fulton, Missouri, from its current zoning of R-1 Residential to R-3 Residential.

Mayor Cannell declared the first hearing for the proposed rezoning of 2 Arrow and 1302 Cote Sans Dessein Rd. open at 7:15 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?
David McDaniel, 826 Court Street, stated he represents the owners and is in support of the rezoning.

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 7:16 p.m.

Mayor Cannell declared the second hearing for the proposed rezoning of 1300 Cote Sans Dessein Rd. open at 7:16 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?
David McDaniel, 826 Court Street, stated this property adjoins to the property outlined in the previous public hearing, and he is in support of the rezoning.

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 7:17 p.m.

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.

Catherine Goser, 1207 Bradley Lane, expressed concerns with the proposed solid waste ordinance requiring trash cans to be removed from the curb within 24 hours of trash collection. Ms. Goser stated she leaves her trash can on the street to slow down traffic and expressed concern with speeding cars in her neighborhood.

APPROVAL OF THE CONSENT AGENDA:

There were no Consent Agenda items for consideration at this meeting.

UNFINISHED BUSINESS:

There was no Unfinished Business for consideration at this meeting.

NEW BUSINESS:

- a. Robert Bennett, on behalf of VFW Post 2657, will be present to request funding for the annual Fourth of July Fireworks Display.

Robert Bennett, VFW Post 2657 Commander, stated the organization took over the fireworks display last year and funded the show through donations from local businesses. This year, Bennett estimates a \$2,500 shortfall and requests funding assistance from the city.

Motion was offered by Councilman Stone and seconded by Councilwoman Nelson to provide \$2,500 in funding for the fireworks display. Councilwoman Sebacher questioned what the funding covers; Bennett stated the funding covers the contractor (technicians), fireworks, and equipment. Bennett also noted the Fulton Fire Department will be on-scene to assist and ensure the display is conducted safely.

Motion carried with six members of the Council voting in favor, one member (Sebacher) opposed, and one member (West) absent.

- b. Discussion regarding city employee Legends Rec-Plex memberships and discounts for classes/programs through the Parks & Recreation Department.

Renee Tyler, Director of Administration, proposed providing a free membership to Legends Rec-Plex for all full-time City of Fulton employees as a way to promote health and wellness and equal access to staff. Tyler noted the city will continue offering a 20% discount on all Parks & Recreation programs, classes, events, facility reservations, and other facility memberships to full-time employees as well; spouses and family members of full-time employees will still need to pay for their Legends memberships. Brief discussion

followed regarding the wellness program, incentives to full-time and part-time employees, and the opportunity this may provide to increase memberships at the facility.

Tyler stated this is the beginning of a full review of health and wellness benefits, and considerations may be made for part-time employees in the future. Tyler stated she has been working with Kathy Holschlag, Chief Financial Officer, to create a model of benefits for all employees, and the goal is to promote wellness and to make employment with the city more attractive.

Motion was offered by Councilwoman Sebacher and seconded by Councilwoman Nelson to approve the proposal to provide a free Legends Rec-Plex membership to all full-time city employees and to continue to the 20% discount on all other Parks & Recreation fees for full-time city employees. Motion carried with seven members of the Council voting in favor, and one member (West) absent.

c. Transformer/Solid Waste Truck/Fire Truck order discussion (continued from Work Session).

Mayor Cannell provided a brief overview of the discussion from tonight's Work Session. With the current economic climate, production and delivery delays are making a significant impact on procurement. The city is in a position where it will be necessary to place orders now for equipment that will not be delivered for one to two years.

Tyler stated this topic is coming before the Council as it requires a deviation from the procurement process. Administration requests authorization for the DOA and appropriate staff to move ahead with securing equipment deals and getting on order lists as opportunities arise. Darrell Dunlap, Superintendent of Utilities, stated the need for transformers is inevitable, and he needs the ability to get on the list with the one provider still taking orders.

Following brief discussion, motion was offered by Councilman Stone and seconded by Councilwoman Nelson to authorize the DOA and appropriate Department Heads to deviate from the city's procurement policy on items that must be acted upon before the next Council meeting. Additional discussion may take place at future Council meetings should another deviation authorization be necessary. Motion carried with seven members of the Council voting in favor, and one member (West) absent.

COUNCIL CONCERNS:

Councilman West: *Planning & Zoning Commission liaison*

Councilman West was absent at this meeting. Dennis Houchins, Planning & Protective Services Director, reported the Planning & Zoning Commission recommended the proposed rezonings on Cote Sans Dessein and Arrow for passage.

Councilwoman Sebacher: *Park Board liaison*

Councilwoman Sebacher thanked the Fulton Police Department and City of Fulton for recent engagement efforts with tenants and children at Fulton Housing Authority.

Councilwoman Sebacher asked for an update regarding the painting of fire hydrants and city curbs. Fire Chief Coffelt stated his department is working with FRDC work release participants to address the hydrants. Kyle Bruemmer, City Engineer, stated curb painting is also underway across the city.

Councilwoman Rehklau: *Traffic Commission liaison*

Councilwoman Rehkla stated a Traffic Commission meeting will be scheduled soon. Councilwoman Rehkla also thanked Building and Grounds staff for their work to keep city parks and facilities mowed and maintained, especially during high temperature periods.

Councilman Stone: *Historic Preservation Commission liaison*

Councilman Stone stated there has not been another Historic Preservation Commission meeting since the last report. Councilman Stone expressed concern with a broken sidewalk along East Fifth Street near the Fulton Sun office and 1851 Underground.

Councilman Stone also stated he appreciated the work taking place along Second Street.

Councilman Leuther: *Airport Advisory Board liaison*

Councilman Leuther stated he reached out to his fellow Councilmembers to gauge interest in grant research regarding electrification and obtaining a courtesy vehicle for the airport.

Councilman Combs: *Human Rights Commission liaison*

Councilman Combs stated the Human Rights Commission has dedicated a great deal of time and effort to ensure the success of the Juneteenth Celebration. Councilman Combs also expressed the need for dust control measures stemming from utility improvements along Cote Sans Dessein.

Councilman Washington

Councilman Washington expressed concerns with citizens dumping trash and unusable donations at Trends, the resale establishment operated by SERVE. Mayor Cannell stated it may be beneficial for the police department to increase patrolling of the area. Chief Ladwig stated he has been in communication with SERVE, and the police department can increase patrolling efforts.

Councilwoman Nelson: *Public Utility Board liaison*

Councilwoman Nelson shared her appreciation for the communication and continued interaction between city staff and the affected businesses/property owners along the Second Street Improvement Project.

RESOLUTIONS:

Resolution No. 3450 was presented for adoption by Councilman Stone.

- a. Resolution No. 3450: A Resolution authorizing the Mayor, on behalf of the City of Fulton, Missouri, to sign all necessary documents in relation to a Contract with Missouri Petroleum Products Co. LLC of St. Louis, Missouri, for the purpose of providing aggregate sealcoat services.

Motion was offered by Councilman Stone and seconded by Councilwoman Sebacher to adopt Resolution No. 3450 at tonight's Council meeting.

Bruemmer stated this resolution authorizes a cooperative agreement with Missouri Petroleum Products for chip seal services rendered to Boone County, Callaway County, the City of Fulton, and the City of Mexico as a way to elongate the life of selected streets. Bruemmer noted signage will go up along chip seal sites prior to work beginning.

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

Resolution No. 3451 was presented for adoption by Councilman Leuther.

- b. Resolution No. 3451: A Resolution authorizing the Mayor, on behalf of the City of Fulton, Missouri, to sign all necessary documents in relation to a Contract with Christensen Construction Company of Kingdom City, Missouri, for the 2022 Asphalt Overlay Project.

Motion was offered by Councilman Leuther and seconded by Councilwoman Sebacher to adopt Resolution No. 3451 at tonight's Council meeting.

Bruemmer noted asphalt improvements will take place along sections of Evergreen, Second Street, State Street, Tennyson, and Wood Street. Additional improvement areas include the intersection of Westminster Avenue and West Seventh Street and the entryway to the city-owned portion of the parking lot near Callaway County Public Library. Bruemmer reported the contract total is approximately \$62,000 more than the budgeted amount.

Much discussion followed regarding the scope of the asphalt overlay and proposed cost. Tyler stated maintenance costs never decrease and stressed the importance of investing in city streets. Tyler urged the Council to consider the economic impact streets have and to be mindful of skimping on costs.

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

ORDINANCES:

FIRST READING

Bill No. 1639 was presented for First Reading by Councilman Combs.

- a. Bill No. 1639: An Ordinance of the City of Fulton, Missouri, authorizing the City to participate in the Missouri Firefighters Critical Illness Trust and Pool and further authorizing the Mayor to execute documents as may be necessary for the City's participation therein.

Motion was offered by Councilman Combs and seconded by Councilman Stone to place Bill No. 1639 for Second Reading at the next regularly-scheduled Council meeting.

Matthew Brodersen, Executive Director of MIRMA (the city's intergovernmental self-insurance pool), provided an overview of the new program and the benefits to the city and its applicable firefighter employees. Brodersen noted MIRMA assisted in the development of the Missouri Firefighters Critical Illness Trust and Pool (MFFCITP), and MIRMA reimburses the city for costs incurred as a participating member of MFFCITP at the rate of 75% for year 1, 65% for year 2, and 50% for years 3+.

Brodersen stated MFFCITP assists firefighters, who must have a minimum of five years of service to be eligible, by providing direct payments based on cancer and other defined critical illness diagnoses. These payments keep costs in check for the employer while also providing for the affected employees during a time of need.

Tyler stated MIRMA will increase the cost of the city's premiums in 2023 if Fulton opts not to participate in MFFCITP. Tyler noted the financial impact is minimal, but there is a clear benefit to the employees and city by participating.

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

Mayor Cannell recessed the Council for a brief break at 8:36 p.m. The Council reconvened at 8:45 p.m.

Bill No. 1640 was presented for First Reading by Councilman Washington.

- b. Bill No. 1640: An Ordinance repealing Section 2-362, Competitive Bidding. Subsection (9). Fulton City Code. and enacting new legislation in lieu thereof.

Motion was offered by Councilman Washington and seconded by Councilman Stone to place Bill No. 1640 for Second Reading at the next regularly-scheduled Council meeting.

Tyler explained this ordinance addresses purchasing approval limits for the DOA and chain of approvals. The limits have been increased to streamline the purchase order process and increase efficiency while maintaining thorough checks and balances.

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

Bill No. 1641 was presented for First Reading by Councilwoman Nelson.

- c. Bill No. 1641: An Ordinance authorizing Amendments to the City of Fulton Budget for the fiscal year 2021 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 Councilwoman Nelson and seconded by Councilman Stone to place Bill No. 1641 for Second Reading at the next regularly-scheduled Council meeting.

Kathy Holschlag, Chief Financial Officer, provided an overview of the exhibits indicating which departments were over budget and which were under budget. Holschlag noted a majority of the overages stemmed from the February 2021 natural gas crisis, and a number of departmental purchases that led to an overage were offset by grant revenue.

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

Bill No. 1642 was presented for First Reading by Councilwoman Sebacher.

- d. Bill No. 1642: An Ordinance reclassifying, under the Zoning Code, tracts of land located at 2 Arrow Street and 1302 Cote Sans Dessein Road in Fulton, Missouri, and establishing an effective date.

Motion was offered by Councilwoman Sebacher and seconded by Councilman Stone to place Bill No. 1642 for Second Reading at the next regularly-scheduled Council meeting. Motion carried with seven members of the Council voting in favor, and one member (West) absent.

Bill No. 1643 was presented for First Reading by Councilwoman Sebacher.

- e. Bill No. 1643: An Ordinance reclassifying, under the Zoning Code, a tract of land located at 1300 Cote Sans Dessein Road in Fulton, Missouri, and establishing an effective date.

Motion was offered by Councilwoman Sebacher and seconded by Councilman Stone to place Bill No. 1643 for Second Reading at the next regularly-scheduled Council meeting. Motion carried with seven members of the Council voting in favor, and one member (West) absent.

SECOND READING

Bill No. 1638 was presented for Second Reading by Councilwoman Rehklaue.

- 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 Rehklaue and seconded by Councilman Stone to place Bill No. 1638 for Third Reading at tonight's Council meeting. Robert Boone, Assistant Director of Administration, provided clarification of the ordinance text. Tyler addressed the comments of Ms. Goser earlier in the meeting and stated there are safer, more efficient ways to address speeding; the city will review Ms. Goser's street and the concerns she expressed in order to find solutions.

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

Bill No. 1638 was presented for Third Reading by Councilwoman Rehklaue.

Motion was offered by Councilwoman Rehklaue and seconded by Councilman Stone to place Bill No. 1638 for Final Passage at tonight's Council meeting. Motion carried with seven members of the Council voting in favor, and one member (West) absent.

Roll call vote of the members of the Council was as follows: Nelson, YES; Rehklaue, YES; Sebacher, YES; Stone, YES; Washington, YES; Combs, YES; Leuther, YES. Absent: Councilman West. Bill No. 1638, 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, June 28, 2022 at 6:30 p.m.
- b. 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.

Mayor Cannell stated there are a number of upcoming city Board/Commission spots that will be available and encouraged the public to get involved.

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 Councilman Stone and seconded by Councilwoman Sebacher to enter into Executive Session.

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

The Council exited to the Executive Conference Room and entered the Executive Session at 9:23 p.m.

The Council reentered the Council Chambers at 10:09 p.m. Motion was offered by Councilman Stone and seconded by Councilwoman Rehklaue to exit Executive Session.

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

The Council exited Executive Session at 10:10 p.m.

ADJOURNMENT:

There being no further business to come before the Council, motion was offered by Councilman Stone and seconded by Councilwoman Nelson to adjourn this meeting. Motion carried with seven members of the Council voting in favor, and one member (West) absent. The meeting adjourned at 10:10 p.m.

Lowe Cannell, Mayor

Courtney L. Doyle, CMC/MRCC
Asst. Deputy Director of Administration /
City Clerk