

**CITY COUNCIL MINUTES  
DECEMBER 13, 2022**

The Council of the City of Fulton, Missouri, met in Regular Session on Tuesday, December 13, 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. Director of Administration; Kathie Ratliff, 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: Candy Johnson, Interim 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; Rev. Bruce Williamson; Michael Shine and Jeremy Polston, Audio/Video; and visitors: Amy Sue Guinn, Hailee Potter, Dion Loucks, Michael Loucks, Dustin Loucks, Lance Reams, Pam Reams, Jesse Schmidt, and Tamara Tateosian.

**INVOCATION:**

Invocation was given by Rev. Williamson.

**PLEDGE OF ALLEGIANCE:**

The Pledge of Allegiance was led by Rev. Williamson.

**PUBLIC HEARING:**

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

1. For the purpose of presenting for consideration the adoption of the proposed 2023 City of Fulton Budget.

Mayor Cannell declared the hearing for the consideration of the adoption of the proposed 2023 City of Fulton Budget hearing open at 6:35 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 6:35 p.m.

## **COMMENTS FROM VISITORS:**

Mayor Cannell asked any attendees not listed on tonight's agenda, but who wished to address the Council, to please come to the podium, state their name, address, and area of concern, and keep comments under five (5) minutes. A digital timer was administered and monitored by the City Clerk.

Amy Sue Guinn, 3 Ann Street, shared her thoughts regarding the City of Fulton motor vehicle sticker tax.

## **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) Appointment of Norlian Vickers to the Human Rights Commission for a three-year term (exp. July 2025).
- b) Appointment of Robert Algieri to the Public Utility Board for a four-year term (exp. July 2026).

Councilwoman Nelson requested to remove Item B from the Consent Agenda for discussion.

Motion was offered by Councilman Stone and seconded by Councilwoman Rehklau to approve the remaining items of the Consent Agenda as presented. Motion carried with eight members of the Council voting in favor.

Councilwoman Nelson requested time to discuss the applicant with members of the Public Utility Board to which she is the Council Liaison. She appreciates those in our community who want to be involved but wants to make sure the appointment fills the need of the appropriate Board or Commission.

Motion was offered by Councilwoman Nelson and seconded by Councilman Leuther to table Item B, the appointment of Robert Algieri, so that it can be discussed at the next Public Utility Board meeting.

Assistant Director of Administration Doyle stated that if this Item is tabled, it will simply appear on the next meeting's agenda; where it will need to be tabled again as the Public Utility Board will not meet until after that time.

Motion was modified by Councilwoman Nelson and seconded by Councilman Leuther, who accepted the modification, to table Item B, the appointment of Robert Algieri, indefinitely until it can be discussed with Public Utility Board members at their next meeting.

Discussion followed. Councilman Washington stated that while he agrees with Councilwoman Nelson, that the appointment process should be changed, he did not feel it was fair to begin at this point in the year.

Motion tied with four members of the Council voting in favor, and four members opposed (Combs, Rehklau, Washington, & West). Mayor Cannell broke the tie in opposition. The Motion offered by Councilwoman Nelson to table the item indefinitely was not carried. Mayor Cannell stated that he would entertain another motion.

Motion was offered by Councilman Washington to accept Item B, the appointment of Robert Algieri. There was no Second. Motion dies on the floor allowing this item to be brought up at another time.

**UNFINISHED BUSINESS:**

There was no Unfinished Business for consideration at this meeting.

**NEW BUSINESS:**

- a. Recognition of Lieutenant Lance Reams for his heroic life-preserving effort in August to a citizen on the Seventh Street bridge.
- b. Recognition of Officer Dustin Loucks for his heroic life-saving efforts in November for a five-day-old infant.
- c. Tamara Tateosian, Executive Director of the Callaway Chamber of Commerce, will present the final year-end report of the Chamber.

Chief of Police, Bill Ladwig, recognized Lieutenant Lance Reams, for his life-preserving effort on August 15, 2022, and presented him with a life-saving award.

On August 15, 2022, at 7:56 pm, Fulton Police Department responded to a report of a distraught woman on the 7th Street bridge spanning Stinson Creek threatening to jump. The female kept stating that she wanted to die and that the situation was critical. Lieutenant Reams began talking to the woman trying to help her. Lieutenant Reams realizing, that the subject was standing outside the railing of the bridge was able to distract her attention away from him, giving Reams the opportunity to grab ahold of her, raising her over the railing, and place her safely on the ground keeping her from jumping. Lieutenant Reams’s shift had ended two hours earlier but due to the call load continued to work so that his fellow officers were not left shorthanded.

Next, Police Chief Ladwig recognized Officer Dustin Loucks for his life-saving effort on October 31, 2002, and presented him with a life-saving award.

On October 31, 2022, at approximately 12:43 a.m., members of the Fulton Police Department were dispatched to a 5-day-old infant choking at Faith Maternity. The infant was not breathing regularly and turning dark red. Officer Loucks immediately took lifesaving action and was able to clear the infant’s airway utilizing a baby nasal aspirator and back blows. Officer Loucks was able to get the infant stable before the Fire Department and EMS arrived on scene. Officer Loucks's quick thinking and immediate action saved the infant’s life.

**PUBLIC HEARING:**

Mayor Cannell stated there would be a public hearing at tonight’s meeting to consider the following:

To consider the proposed annexation into the city limits of Fulton the following tract of land described as follows:

A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 47 NORTH, RANGE 9 WEST, CALLAWAY COUNTY, MISSOURI, IN PART OF LOT 17, TOWNSEND’S SUBDIVISION, RECORDED IN PLAT BOOK 3, PAGE 46 AND BEING PART OF THE TRACT DESCRIBED BY THE WARRANTY DEED RECORDED IN BOOK 324, PAGE 218, ALL OF THE CALLAWAY COUNTY RECORDS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 17 OF TOWNSEND’S SUBDIVISION AT THE INTERSECTION OF COUNTY ROADS 302 AND 304; THENCE WITH THE NORTH LINE OF SAID LOT 17, ALONG THE SOUTH LINE OF SAID COUNTY ROAD 304, S65°36’05”W, 260.00 FEET TO THE POINT OF BEGINNING;

THENCE FROM THE POINT OF BEGINNING, LEAVING SAID NORTH LINE OF LOT 17, S19°51'00"E, 220.00 FEET; THENCE N74°25'25"E, 260.00 FEET TO THE WEST LINE OF SAID COUNTY ROAD 302; THENCE WITH SAID WEST LINE S19°52'15"E, 25.00 FEET. THENCE LEAVING SAID WEST LINE, S70°53'35"W, 624.35 FEET TO THE NORTHWEST CORNER OF THE SURVEY RECORDED IN BOOK 1, PAGE 1000 ON THE EAST LINE OF THE TRACT DESCRIBED BY THE BENEFICIARY DEED RECORDED IN BOOK 358, PAGE 823; THENCE WITH SAID EAST LINE, N1°39'20"E, 252.15 FEET TO SAID NORTH LINE OF LOT 17; THENCE WITH SAID NORTH LINE, N65°36'05"E, 273.45 FEET TO THE POINT OF BEGINNING AND CONTAINING 2.00 ACRES.

Mayor Cannell declared the hearing for the consideration of adoption of the proposed annexation of land [*\*Clerk Note: a piece of land located at the Callaway County Health Department property*] into the city limits of Fulton hearing open at 7:11 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 7:12 p.m.

#### **COUNCIL CONCERNS:**

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

Councilman West stated there has not been another Planning & Zoning Commission meeting since the last report.

Councilman West wished everyone happy holidays.

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

Councilwoman Sebacher stated there has not been another Park Board meeting since the last report.

Councilwoman Sebacher shared her appreciation to the Parks & Recreation Department for the Field of Joy.

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

Councilwoman Rehkla stated there has not been another Traffic Commission meeting since the last report.

Councilwoman Rehkla thanked the street department for their effort and wished them safe during the holiday season.

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

Councilman Stone stated there has not been another Historic Preservation Commission meeting since the last report. He anticipates the next one will be in January.

Councilman Stone thanked City of Fulton employees and administration for their work.

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

Councilman Leuther shared that the Airport Advisory Board met on December 6, 2022. He asked City Engineer, Kyle Bruemmer, to give an update.

City Engineer Bruemmer said the Board discussed the Capital Improvement to Runway 1836. He stated that the bulk of the construction will be in 2024 and is primarily related to runway lighting. Other topics of discussion were hangar rates, fuel rates, and revenue. He added that the next board meeting will be on February 7, 2023, at 4:00 p.m.

Councilman Leuther suggested a work session to address concerns and options regarding our homeless residents.

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

Councilman Combs stated there has not been another Human Rights Commission meeting since the last report.

**Councilman Washington**

Councilman Washington asked for an update on the abandoned homes project. Planning & Protective Services Director, Dennis Houchins, said the asbestos testing is done and they are waiting for the Mid-Missouri Regional Planning environmental review to be completed.

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

Councilwoman Nelson shared that the Public Utility Board met recently but there are no updates at this time.

Councilwoman Nelson added that she appreciates it when the public comes to the Council meetings.

Mayor Cannell expressed his thanks to B&B Theatres for hosting the Mayor's Social.

**RESOLUTIONS:**

Resolution No. 3470 was presented for adoption by Councilman Washington.

- a. Resolution No. 3470: A resolution repealing Resolution 3469 and authorizing the Mayor and City Clerk, on behalf of the City of Fulton, Missouri, to enter into an agreement with the Callaway Chamber of Commerce of Fulton, Missouri, for services to be rendered in 2023, and establishing an effective date.

Motion was offered by Councilman Washington and seconded by Councilwoman Nelson to adopt Resolution No. 3470 at tonight's Council meeting. Motion carried with eight members of the Council voting in favor.

## **ORDINANCES:**

### **FIRST READING**

Bill No. 1661 was presented for First Reading by Councilwoman Sebacher.

- a. Bill No. 1661: An Ordinance incorporating certain territory as requested by Callaway County Presiding Commissioner Gary Jungermann into the corporate limits of the City of Fulton, Missouri, and establishing an effective date.

Motion was offered by Councilwoman Sebacher and seconded by Councilman Stone to place Bill No. 1661 for Second Reading at the next Council meeting. Motion carried with eight members of the Council voting in favor.

### **THIRD READING**

Bill No. 1660 was presented for Third Reading by Councilman West.

- a. Bill No. 1660: An Ordinance adopting an official budget and capital improvement program and appropriating the funds of the City for the fiscal year beginning January 1, 2023, and ending December 31, 2023.

Councilwoman Sebacher shared her thanks for the Budget work session on November 29, 2022. She stated it felt productive and positive. Other Councilmembers agreed.

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. 1660, 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, January 10, 2023. A work session will commence at 6:30 p.m. with regular session to follow at 7:00 p.m.
- b. Candidate filing closes on December 27, 2022, at 5:00 p.m. For additional information, contact the City Clerk's Office at 573-592-3111.
- c. City Hall and the Solid Waste Department will be closed on the following dates for the Christmas and New Year Holidays:  
Friday, December 23; and  
Monday, December 26; and  
Monday, January 2.
- d. Mike Ward, Buildings & Grounds, will be retiring in early January after seven and a half years of service.

## **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 Rehkla 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 7:36 p.m.

The Council reentered the Council Chambers at 8:44 p.m. Motion was offered by Councilman West and seconded by Councilwoman Sebacher to exit Executive Session.

Roll call vote of the members of the Council was as follows: Rehkla, 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 Executive Session at 8:45 p.m.

**ADJOURNMENT:**

There being no further business to come before the Council, Motion was offered by Councilwoman Nelson and seconded by Councilman West to adjourn this meeting. Motion carried with eight members of the Council voting in favor. The meeting adjourned at 8:46 p.m.

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Lowe Cannell, Mayor

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Kathie Ratliff  
City Clerk