

**CITY COUNCIL MINUTES**  
**JULY 11, 2023**

The Council of the City of Fulton, Missouri, met in Regular Session on Tuesday, July 11, 2023 in the Council Chambers of City Hall located at 18 E. 4th Street. Present and presiding were: Deputy Mayor Valerie Sebacher; Courtney Doyle, Interim Director of Administration; Kathie Ratliff, City Clerk; and William Ladwig, Police Chief. The meeting was called to order by Deputy Mayor Valerie Sebacher at 6:30 p.m. Roll call was noted by the City Clerk, and members of the Council present were: Alan Combs, Bill Hinchie, Brad Leuther, Lauren Nelson, Mary Rehkla, Valerie Sebacher, Jeff Stone, and Bob Washington (joined at 6:33 p.m.). Mayor Myers was not present at this Council meeting.

Also present were: Darrell Dunlap, Superintendent of Utilities; Kyle Bruemmer, City Engineer; Tara O'Shea, Assistant Parks & Recreation Director; Kevin Coffelt, Fire Chief; Dustin Dough Chief Finance Officer; Rev. Bruce Williamson; Michael Shine, Audio/Video; KMIZ and KOMU, TV Station Representatives; and many visitors.

**INVOCATION:**

Invocation was given by Pastor Bruce Williamson

**PLEDGE OF ALLEGIANCE:**

The Pledge of Allegiance was led by Pastor Bruce Williamson.

**AGENDA NOTATION:**

Deputy Mayor Sebacher pointed out that we have a Public Hearing on the agenda tonight that is scheduled to start at 7:00 p.m. or shortly after.

**PROCLAMATION FOR RETIRED FIRE CAPTAIN IRVING GARBISON:**

Deputy Mayor Sebacher presented a Proclamation on Mayor Myers behalf in recognition to Irving Garbison for his 18 years of service to the Fulton Fire Department. Fire Chief Coffelt presented, with honor, a plaque from the City and a certificate of recognition from the Missouri State Fire Marshal.

**COMMENTS FROM VISITORS:**

There were none.

**APPROVAL OF THE CONSENT AGENDA:**

- a. Appointment of Greg Newsom to the Planning & Zoning Commission for a four-year term (exp. July 2027).

Motion was offered by Councilman Stone and Seconded by Councilman Hinchie to approve the Consent Agenda as presented. Motion carried with eight members of the Council voting in favor.

**NEW BUSINESS:**

- a. Stacy Ferguson, 1200 Kathy Street, will be present to request approval to close the end of Kathy Street on Saturday, July 22nd from 11:00 a.m. - 5 p.m. for a family event.

Motion was offered by Councilman Hinchie and Seconded by Councilwoman Nelson to approve the request as presented. Motion carried with eight members of the Council voting in favor.

- b. Tara O'Shea, Assistant Parks & Recreation Director, will be present to request Council approval for the 2023 Summer Concert Series at Veteran's Park. Requested dates are July 20, August 4, and September 9. No admission fee required.

Motion was offered by Councilman Stone and Seconded Councilwoman Nelson by to approve the request as presented. Motion carried with eight members of the Council voting in favor.

## COUNCIL CONCERNS:

Councilman Hinchie had no concerns.

Councilwoman Sebacher shared that the Mayor was in recovery after his surgery that day and was doing well.

Councilwoman Rehklaue chimed in that she was doing well and it was great to see everyone. People in the Council Chambers were not able to hear her, but those on the livestream could as well as she could hear the Council speak.

Councilman Stone stated there's a Historic Preservation Commission meeting on July 19 at 1 p.m. and invited the public to join. He stated his thanks on the sidewalk project and asked for an update on the area at 2<sup>nd</sup> Street and Ravine as he would like to see a resolution with the sightline issue. City Engineer Bruemmer stated that we are waiting for the property rights to begin.

Councilman Leuther reminded residents to take care of themselves during these high temperature days and said thank you to the large crowd that was present at this council meeting.

Councilman Combs shared his appreciate from the citizens regarding the feedback on the current zoning project.

Councilman Washington shared that he's now a member of the Park Board and their first meeting will be next month.

Councilwoman Nelson shared a citizen's concern regarding the corner of 8<sup>th</sup> and Jefferson with City Engineer Bruemmer.

## RESOLUTIONS:

Resolution No. 3502 was presented for adoption by Councilman Stone.

- a. **Resolution 3502: Homeland Security Soft Targets/Crowded Places Protection Grant**  
A Resolution authorizing the Mayor, on behalf of the City of Fulton, Missouri to sign all necessary documents in relation to the 2023 State Homeland Security Program Protection of Soft Targets/Crowded Places (PSTCP) Grant, and establishing an effective date.

Motion was offered by Councilman Stone and Seconded by Councilman Hinchie to approve Resolution No. 3502 at tonight's Council meeting. Motion carried with eight members of the Council voting in favor.

## ORDINANCES:

### THIRD READING

Bill No. 1683 was presented for Third Reading by Councilwoman Nelson.

**Bill No. 1683: Rezoning Tennyson Road 4.92 Ac Tract [A-1 to C-2]**

An Ordinance reclassifying, under the zoning code, an unimproved 4.92 Ac tract of land located on north side of Tennyson Road, just south of Willow Creek Subdivision (Willow Creek South) in Fulton, Missouri, and establishing an effective date.

Motion was offered by Councilwoman Nelson and seconded by Councilman Stone to place Bill No. 1683 for Final Passage at tonight's Council meeting. Councilman Combs shared his concerns regarding RSMo 89.040 and several councilmembers agreed that they would like to have more guidance.

Councilman Stone then made a Motion to postpone (table) Bill No. 1683 until the next regularly-scheduled council meeting for further guidance to which Councilman Washington Seconded. Motion carried with eight members of the Council voting in favor.

**PUBLIC HEARING:**

Deputy Mayor Sebacher stated there would be one public hearing at tonight's meeting to consider the following:

- For the purpose of considering the rezoning of a tract of land known as 1801 Business 54 South, containing 18 Ac., running west from Business 54 South to Rice Road in Fulton, Missouri, from its current zoning of R-1 Residential to R-3 Residential.

Deputy Mayor Sebacher declared the hearing for the consideration of the rezoning of the tract of land known as 1801 Business 54 South, open at 7:03 p.m. Deputy Mayor Sebacher clarified that each person speaking shall state their name and address, noted that there will be a 5-minute time limit per speaker, and that anyone wishing to speak tonight will be heard regardless of the three calls.

Sebacher gave the first call for anyone wishing to speak in opposition of the matter being considered.

James Vann, 1306 Parkridge Dr., shared concerns about access to the business area, additional traffic more houses would bring, and the need for wider streets. He said he supports affordable housing, but asked the question how do you define it.

Sebacher gave the second call for anyone wishing to speak in opposition of the matter being considered.

Michelle Nichols, 1303 Parkridge Dr., echoed many of the same concerns as Vann shared. She stated she is a real estate agent and understand the needs for housing but believes this will have "frequent turnover and result in an increase of crime and drug trafficking."

Sebacher gave the third call for anyone wishing to speak in opposition of the matter being considered.

Kayla Smith, 1102 Parkridge Dr., shared several concerns related to the zoning application. She too echoed prior concerns of crime and traffic from others. She also voiced her thoughts regarding wastewater treatment and Stinson Creek and urged the council to recognize the impact of the zoning change.

Seeing no one else, Sebacher gave the first call for anyone wishing to speak in favor of the matter being considered.

Tamara Tateosian, Executive Director of the Callaway Chamber of Commerce, 510 Market St., spoke on behalf of the Chamber. She spoke of this property having been the subject of discussion in 2016 where the zoning process fell thru at that time. She shared that there is a housing needs assessment currently in process by CMCA and although it's not finished it indicates that there is a need for housing in our city.

Joe Barnhart of Vienna, Missouri, owner of Dwell 3D, the company looking to develop the project. He stated that his intention is not to build low-income housing and receives no subsidies from the government. He said his company is open to collaboration on various types of housing to build and is willing to work to find a solution that works.

Janae Danuser, 500 E. 3<sup>rd</sup> St., stated she represents her company, the chamber, many employers in the county, and the FADF. She shared that she has many friends in the room and can appreciate the many points of concerns that were raised. She said she agrees with Tateosian in hopes to find housing solutions for the working people who make 15-25 dollars an hour.

Dan Christensen, 12011 State Road BB, Tebbetts, shared that he's part owner of Dwell 3D and they build 3D print homes. He stated his homes will be longer lasting and better built and will last a long time. He said there's a lot of people who need homes and understands the issue as he's a renter himself.

Deputy Mayor Sebacher declared this public hearing closed at 7:27 p.m.

## **ORDINANCES:**

### **FIRST READING**

Bill No. 1685 was presented for First Reading by Councilman Leuther.

#### **Bill No. 1685: Rezoning 1801 Business 54 South [R-1 Res. to R-3 Res]**

An Ordinance reclassifying, under the zoning code, a tract of land located at 1801 Business 54 South, containing 18 Ac., running west from Business 54 South to Rice Road in Fulton, Missouri, and establishing an effective date.

Motion was offered by Councilman Leuther and Seconded by Councilwoman Nelson to postpone (table) Bill No. 1685. Councilman Leuther amended the Motion to include a time to revisit the item with Councilwoman Nelson in agreement of the Motion and Second.

Councilman Leuther stated he believes the Council has an obligation to follow up on Councilman Combs statement. Interim Director of Administration Doyle stated she will be discussing the matter with our City Counselor and will hopefully have some answers by the next meeting.

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

## **ANNOUNCEMENTS:**

The City Council will meet in session with the Chamber of Commerce for open discussion on Tuesday, July 25, 2023 at 5:30 p.m. The City Council meeting directly follows at 6:30 p.m.

## **EXECUTIVE SESSION:**

Deputy Mayor Sebacher said there was a need to enter Executive Session pursuant to RSMo 610.021(1)(3), discuss or deal with legal actions, causes of action, or litigation and to discuss hiring, firing, disciplining, or promotion of an employee of a public governmental body.

Motion was offered by Councilman Stone and seconded by Councilman Hinchie to enter Executive Session.

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

The Council exited to the Executive Conference Room and entered Executive Session at 7:34 p.m.

Rehklau left the meeting at 9:30 p.m. just before the vote to exit Executive Session.

The Council reentered the Council Chambers at 9:30 p.m.

Motion was made by Councilman Hinchie and Seconded by Councilman Combs to exit Executive Session.

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

**ADJOURNMENT:**

There being no further business to come before the Council, Motion was made by Councilwoman Nelson and Seconded by Councilman Stone to adjourn. With seven members of the Council voting in favor, one absent (Rehklau), the meeting adjourned at 9:31 p.m.

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Steve F. Myers  
Mayor

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Kathie Ratliff  
City Clerk