

**CITY COUNCIL MINUTES
JANUARY 10, 2023**

The Council of the City of Fulton, Missouri, met in Regular Session on Tuesday, January 10, 2023 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 7:01 p.m. Roll call was noted 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; Clay Caswell, Parks & Recreation Director; Kevin Coffelt, Fire Chief; Rev. Bruce Williamson; Michael Shine and Jeremy Polston, Audio/Video; and visitors: Brandon Kurtz, from Lewis-Bade.

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 considering the rezoning of an unimproved tract of land located on the north side of Tennyson Road, just south of Willow Creek Subdivision (Willow Creek South) in Fulton, Missouri, from its current zoning of A-1 Agriculture to C-2 Commercial.

Mayor Cannell declared the hearing for the proposed rezoning of an unimproved tract of land at Willow Creek Subdivision (Willow Creek South) open at 7:05. 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 7:06 p.m.

COMMENTS FROM VISITORS:

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 November 22, 2022.
- b. Approval of the City Council meeting minutes of November 29, 2022.
- c. Approval of the City Council meeting minutes of December 13, 2022.

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

UNFINISHED BUSINESS:

There was no Unfinished Business for consideration at this meeting.

NEW BUSINESS:

- a. A Representative of Lewis-Bade, Inc. will be present to request permission to deviate from a two-way parking requirement in Willow Creek Subdivision.
 - i. Requested deviation; 28' wide, two-way traffic, one-sided parking street.
 - ii. City Code Section 102.56(n)(4) Two-way both side parking is required unless the city council approves a deviation from the design standards.

Motion was offered by Councilman Stone and seconded by Councilwoman Nelson to TABLE this Item until the next regularly-scheduled Council meeting to allow the developer to bring more details and possible sketches.

Councilman Leuther suggested a risk assessment and the financial impact on the properties. He said most of all is the safety aspect which was the reason we included the override clause. Most of all, we just want to make the best-informed decision.

Mayor Cannell stated his appreciation for the time spent by Lewis-Bade and noted that we do want homes built and progress to be made.

COUNCIL CONCERNS:

Councilman West stated that Planning and Zoning met on December 28, 2022. He had no concerns to address.

Councilwoman Sebacher said the Park board had a meeting scheduled on January 12, 2023. She had no concerns to address. Mayor Cannell asked if we could have our meeting schedules posted on the City website.

Councilwoman Rehkla noted the Traffic Commission has not met for a few months. As spring approaches, according to Councilwoman Rehkla, they will be looking at future issues. She anticipates that the Second Street new bridge will be built in a few months.

Councilman Stone said the next Historic Preservation meeting is scheduled for January 17, 2023. The Councilman shared his concerns on the Willow Creek subdivision's lack of street lighting. In response, Darrell Dunlap, Superintendent of Utilities, said that the project was well under way and that all

streets, both new and old, should have lights in a few weeks. Councilman Stone also asked that William Ladwig, Chief of Police, address the community about illegally parked automobiles. Chief Ladwig requested that if a vehicle is parked in an area where it is not permitted or the left side to the curb, the Police Department be notified. They will request that the owner move their car due to a safety concern. Because many individuals are unaware that it is unlawful, it is usually done as an educational dialogue.

Councilman Leuther stated that the Airport Advisory Board had not met. Concerns were raised by Councilman Leuther, who mentioned the Kentucky Fried Chicken drive-through line and how it continues into Business 54 from time-to-time. He advises cars to slow down in that location and wonders whether a left-hand turn lane would help alleviate some of the congestion in the future.

Councilman Combs stated the Human Rights Commission will meet at the end of the month. He had no concerns to address.

Councilman Washington requested a paper copy of the City employment listings to distribute to people at various times.

Councilwoman Nelson stated that there was not a Utility Board meeting since the last Council session. Darrel Dunlap, Superintendent of Utilities, was asked to provide an update to the Council and community on a natural gas acquisition. Dunlap added that there was a market dip and that they were able to book some gas for \$3.72. In an earlier contract, the prior locked in price was \$4.56.

Break 7:36 - 7:42

RESOLUTIONS:

There were no Resolutions for consideration at tonight's meeting.

ORDINANCES:

Presenter

Stone

- a. Bill No. 1662: An Ordinance reclassifying, under the zoning code, an unimproved tract of land located on the 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 Councilman Stone and seconded by Councilwoman Sebacher to place Bill No. 1662 for Second Reading at the next regularly-scheduled Council meeting.

Dennis Houchins, Planning & Protective Services Director, stated that the reason for the C-2 zoning recommendation is because all adjacent property is zoned C-2 Commercial.

Motion was offered by Councilman Combs and seconded by Councilwoman Sebacher to TABLE Bill No. 1662 until further research can be done.

Procedural handling process was discussed.

ADOA Doyle cautioned the Council that this issue is rezoning for one specific property and an appropriate zoning decision must be based solely on this parcel of land. If, however, it does not fit in with the Strategic plan, we could review it internally and then send it back to planning and zoning.

Dennis Houchins, Planning & Protective Services Director, reiterated that the reason for the C-2 zoning recommendation is because all the subdivision property north of Tennyson Road to 54 is zoned C-2.

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

Presenter
Rehklau

- b. Bill No. 1663: An Ordinance authorizing the Mayor, on behalf of the City of Fulton, Missouri to execute all necessary documents in relation to the Missouri Department of Transportation application for Federal/State assistance for Airport ARPA Funds, and establishing an effective date.

Motion was offered by Councilwoman Rehklau and seconded by Councilman Stone to place Bill No. 1663 for Second Reading at the next regularly-scheduled Council meeting.

Kyle Bruemmer, City Engineer, stated that this was ARPA/COVID relief funds designated to the airport specifically for reimbursable expenses.

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

Presenter
Combs

- c. Bill No. 1664: An Ordinance authorizing the Mayor, on behalf of the City of Fulton, Missouri to execute all necessary documents in relation to the Missouri Department of Transportation Traffic Engineering Assistance Program agreement for the TEAP069 Traffic Study grant, and establishing an effective date.

Motion was offered by Councilman Combs and seconded by Councilwoman Nelson to place Bill No. 1664 for Second Reading at the next regularly-scheduled Council meeting.

Kyle Bruemmer, City Engineer, explained that the City was awarded a small match grant for a traffic engineering study to help us set standards for our different thoroughfares. He further explained that it would use industry guidelines and provide us with a city-wide plan for future street developments.

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

Presenter
Leuther

- d. Bill No. 1665: An Ordinance authorizing the Mayor, on behalf of the City of Fulton, Missouri to execute all necessary documents in relation to the Missouri Department of Transportation Application for Federal/State Assistance for project design by Crawford, Murphy, and Tilly, Inc. (CMT) regarding Airport Runway Lighting Project Number 22-04A-1, and establishing an effective date.

Motion was offered by Councilman Leuther and seconded by Councilman West to place Bill No. 1665 for Second Reading at the next regularly-scheduled Council meeting.

Kyle Bruemmer, City Engineer, explained that this is a 2024 construction project but this will allow us to get the design and planning for the project completed.

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

SECOND READING

Presenter
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 West to place Bill No. 1661 for Third Reading at the tonight's Council meeting. Motion carried with eight members of the Council voting in favor.

Motion was offered by Councilwoman Sebacher and seconded by Councilman West to place Bill No. 1661 for Final Passage at the 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. 1661, 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 24, 2023, at 7:00 p.m.
- b. City Hall and the Solid Waste Department will be closed on Monday, January 16, in observance of Martin Luther King, Jr. Day.
- c. Mayor Cannell made note of Mike Ward's retirement.

EXECUTIVE SESSION:

Mayor Cannell stated there was not a need for an Executive Session at this meeting.

ADJOURNMENT:

There being no further business to come before the Council, motion was offered by Councilman Braun and seconded by Councilman West to adjourn this meeting. Motion carried with eight members of the Council voting in favor. The meeting adjourned at 8:13 p.m.

Lowe Cannell
Mayor

Kathie Ratliff
City Clerk