

NOTICE OF MEETING

Public Notice is hereby given that a Work Session of the City Council of Fulton, Missouri, will be held on **Monday, May 15, 2023, at 6:30 p.m.;**

AND

A Regular Meeting will commence at 7:00 p.m. (available for streaming at www.fultonmo.org) in the City Council Chambers located on the Upper Level of City Hall, 18 E. 4th Street, to consider and discuss matters on the following Tentative Agenda and such matters as they may be presented at this meeting:

WORK SESSION OF 05/15/23 – 6:30 P.M.

1. **CALL TO ORDER.**
2. **ROLL CALL NOTED.**
3. **SUBJECTS OF DISCUSSION:**
 - a. Boards and Commissions

REGULAR CITY COUNCIL MEETING OF 05/15/2023 – 7:00 P.M.

1. **CALL TO ORDER.**
2. **ROLL CALL.**
3. **INVOCATION.**
4. **PLEDGE OF ALLEGIANCE.**
5. **PROCLAMATION TO CAPTAIN STEVEN SESSLER OF THE FULTON FIRE DEPARTMENT.**
6. **COMMENTS FROM VISITORS.**
7. **APPROVAL OF THE CONSENT AGENDA.**

Councilmembers may choose to remove an item for discussion prior to approving the Consent Agenda.

CONSENT AGENDA

The Consent Agenda is a meeting method used by many City Councils to make meetings more efficient and meaningful to the members of the audience. The City Council voted to begin using the Consent Agenda on March 28, 2017. All matters listed within the Consent Agenda have been distributed to each member of the City Council for reading and study, are considered to be routine, and will be enacted by one motion of the City Council with no separate discussion. If separate discussion is desired on an item, that item may be removed from the Consent Agenda and placed on the Regular Agenda by request of a member of the City Council.

- a. City Council Meeting Minutes April 11, 2023

b. City Council Meeting Minutes April 25, 2023

8. **CONSENT AGENDA ITEMS FOR DISCUSSION (IF ANY):**

9. **UNFINISHED BUSINESS:**

10. **NEW BUSINESS:**

- a. Consideration by Council to officially excuse Councilwoman Rehkla from council meetings for health-related reasons through August 1, 2023.

11. **COUNCIL CONCERNS:**

- a. Council members may discuss matters or concerns not on this agenda. Council Liaisons to city Boards and Commissions will also provide a brief review of the most recent meeting.

Council Liaison & Board/Commission:

Councilman Hinchie:

Councilwoman Sebacher: Park Board

Councilwoman Rehkla: Traffic Commission

Councilman Stone: Historic Preservation Commission

Councilman Leuther: Airport Advisory Board

Councilman Combs: Human Rights Commission

Councilman Washington

Councilwoman Nelson: Public Utility Board

Mayor Myers

12. **RESOLUTIONS:**

Presenter
Sebacher

a. **Resolution No. 3491: Amendment of Sales Agreement**

A Resolution authorizing the Mayor, on behalf of the City of Fulton, Missouri, to execute an Amendment to the Natural Gas All Requirements Sales Agreement with the Interstate Municipal Gas Agency, for the purchase of natural gas at Six Cents (\$.06) per Dekatherm, and establishing an effective date.

Presenter
Stone

b. **Resolution No. 3492: Lead Service Line Replacement Funding Grant**

A Resolution authorizing the Mayor, on behalf of the City of Fulton, Missouri, to make application and sign all necessary documents with the Missouri Department of Natural Resources, State Revolving Fund Program for loans under the Missouri Clean Water Law (Chapter 640, RSMo).

Presenter
Leuther

c. **Resolution No. 3493: Authorization for Firetruck Purchase**

A Resolution authorizing the Mayor, on behalf of the City of Fulton, Missouri, to sign all necessary documents in relation to an agreement with Banner Fire Equipment to build an E-One Rescue Pumper to meet the specific needs for the City of Fulton Fire Department.

13. ORDINANCES:

FIRST READING

Presenter

Washington

- a. **Bill No.1678: Callaway County Tax Collection Agreement**
An Ordinance authorizing the Mayor and the City Clerk, on behalf of the City of Fulton, Missouri, to sign all necessary documents in relation to a contract with the Collector and County Commissioners of Callaway County, Missouri, relating to the collection of taxes with the Contract period commencing up approval through June, 2027.

Presenter

Sebacher

- b. **Bill No.1679: Rename E. 13th Street to Ovid Bell Street**
An Ordinance renaming E. 13th Street to Ovid Bell Street and establishing an effective date.

SECOND READING

Presenter

Nelson

- a. **Bill No. 1677: The Accepting of Donations, Gifts and Sponsorships**
An Ordinance amending Chapter 2, Administration, Article VI., Finances, Purchasing, and Bid Procedures of the Fulton City Code, by adding Sections 2-371 through 2-375, the Accepting of Donations, Gifts and Sponsorships, and establishing an effective date.

14. ANNOUNCEMENTS:

- a. The next City Council meeting will be held Tuesday, May 23, 2023, at 6:30 p.m.

15. EXECUTIVE SESSION:

Notice is given 24 hours prior to the meeting that the City Council will meet in executive session pursuant to Section 610.021 of the Missouri State Statutes under the following:

- a. To discuss or deal with legal actions, causes of action, or litigation.
- b. To discuss hiring, firing, disciplining, or promotion of an employee of a public governmental body.
- c. To discuss or deal with lease, purchase, or sale of real estate.

NOTE: All items of the Council are open with the exception of Item 15 – Executive Session.

16. ADJOURNMENT.

The meeting will be open to the public. Copies of ordinances and other matters referred to above will be available for public inspection in the office of the City Clerk.

The City of Fulton is committed to open and responsive government. If you are disabled and believe barriers exist to prevent your full participation in the meeting described above, please contact the City Clerk at 573-592-3111 to address your needs. We will provide hearing interpreters, access through barriers, special sound amplifications, or otherwise address your needs to the best of our ability. Please contact the City Clerk (if possible, 48 hours prior to the meeting) to advise of your requirements.

Dated: May 9, 2023, 2:00 p.m.



Kathie Ratliff
City Clerk

*NOTE: This Council meeting is being held at a special time to replace the regularly-scheduled Council meeting of Tuesday, May 9, 2023 which was cancelled due to high building temperature.

**CITY COUNCIL MINUTES
APRIL 11, 2023**

The Council of the City of Fulton, Missouri, met in Regular Session on Tuesday, April 11, 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 6:30 p.m. Roll call was noted by the City Clerk, and members of the Council present were: Combs, Hinchie, Leuther, Nelson, Rehkla, Sebacher, Stone, Washington, and West.

Also present were: Darrell Dunlap, Superintendent of Utilities; Kyle Bruemmer, City Engineer; Clay Caswell, Parks & Recreation Director; Kevin Coffelt, Fire Chief; Candy Johnson, Finance; Rev. Bruce Williamson; Michael Shine, Audio/Video; and many visitors.

INVOCATION:

Invocation was given by Rev. Williamson.

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Rev. Williamson.

COMMENTS FROM VISITORS:

There were none.

APPROVAL OF THE CONSENT AGENDA:

- a. Approval of the City Council meeting minutes of February 28, 2023.
- b. Approval of the City Council meeting minutes of March 14, 2023.
- c. Approval of the City Council meeting minutes of March 28, 2023.

Motion was offered by Councilman West and seconded by Councilwoman Sebacher to approve items on the Consent Agenda. Motion carried with eight members of the Council voting in favor.

RESOLUTIONS:

a. **Resolution No. 3483: Certification of Votes Casts**

A Resolution certifying the votes cast in the Municipal Election held on April 4, 2023 (Certified results will be a hand-out at the meeting.)

Motion was offered by Councilwoman Rehkla and seconded by Councilman Stone to accept the Certification of Votes Cast. Motion carried with eight members of the Council voting in favor.

ORDINANCES:

SECOND READING

Bill No. 1675 was presented for Second Reading by Councilman Washington.

Bill No. 1675: Rezoning of King Carter Blvd (Lot 9)

An Ordinance reclassifying, under the zoning code, a tract of land (Lot 9) located at 2011 King Carter Blvd, in Fulton, Missouri, and establishing an effective date.

Motion was offered by Councilman Washington and seconded by Councilman Sebacher to place Bill No. 1675 for Third Reading at tonight's Council meeting. Motion carried with eight members of the Council voting in favor.

Bill No. 1675 was presented for Third Reading by Councilman Washington.

Motion was offered by Councilman Washington and seconded by Councilman West to place Bill No. 1675 for Final Passage at 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; Rehkla, YES; Sebacher, YES; Stone, YES; Washington, YES; West, YES; and Combs, YES. Motion carried with eight members of the Council voting in favor.

Bill No. 1675, having received the affirmative vote of eight members of the Council was declared passed by the President of the Council.

ADJOURNMENT OF THE SITTING COUNCIL:

There being no further business to come before the present Council, Mayor Cannell adjourned the sitting Council at 6:46 p.m.

OATH OF OFFICE TO NEWLY-ELECTED OFFICIALS:

City Clerk Kathie Ratliff administered the oath of office to the newly-elected Mayor, Councilmembers, and Prosecuting Attorney.

Mayor: Steve F. Myers
First Ward: William "Bill" Hinchie
Third Ward: Alan Combs
Fourth Ward: Lauren E H Nelson
City Attorney: Carol England

CALL TO ORDER:

The meeting was called to order by Mayor Myers at 6:55 p.m. Councilman Hinchie took his seat at the dais.

COMMENTS FROM VISITORS:

There were none.

ADOPTION OF COUNCIL RULES OF ORDER AND PROCEDURES:

Mayor Myers shared that the only proposed addition to this version of the Council Rules of Order and Procedures was removing the Director of Administration Report from the Consent Agenda and placing it as its own item for approval.

Motion was offered by Councilman Stone and seconded by Councilwoman Nelson to adopt the Rules of Order and Procedures as presented. Motion carried with eight members of the Council voting in favor.

ELECTION OF DEPUTY MAYOR:

Mayor Myers called for nominations for the position of Deputy Mayor for the ensuing one-year term.

Motion was made by Councilwoman Rehkla and Seconded by Councilwoman Nelson to nominate Councilwoman Sebacher for Deputy Mayor. The nomination of Councilman Stone was also offered by Councilman Washington. Councilman Stone respectfully declined the nomination and made the Motion to cease all nominations for Deputy Mayor. Seconded by Councilwoman Sebacher.

The Mayor called for a vote to the Motion on the floor. Motion carried with seven members of the Council voting in favor, one opposed (Washington).

The Mayor called for a roll call vote.

Roll call vote of the members of the Council was as follows: Hinchie, YES; Leuther, YES; Nelson, YES; Rehkla, YES; Sebacher, YES; Stone, YES; Washington, NO; and Combs, YES.

Having received the affirmative vote of seven members of the Council, Motion was declared passed by the President of the Council.

CONSENT AGENDA:

There were no items for consideration on the Consent Agenda.

NEW BUSINESS:

- a. Approval of a request from Stephanie Vollmer, on behalf of the Fulton Rotary Club, to close a portion of Court Street from the City Hall parking lot entrance to the intersection of 2nd Street on Saturday, May 13, 2023, from noon-3 p.m. to host a car, jeep, and bike show event. In addition, this area will be the end of their Poker Run.

Motion was offered by Councilwoman Sebacher and seconded by Councilwoman Nelson to approve the request. Motion carried with eight members of the Council voting in favor.

- b. Liz Schwab will be present to request a street closure for the “On the Bricks” event to be held on Saturday, April 22, 2023 from 6:00 – 8:30 p.m.

Motion was offered by Councilwoman Sebacher and seconded by Councilwoman Nelson to approve the request. Motion carried with eight members of the Council voting in favor.

- c. Scott Schwind, NRC Senior Resident Inspector at the Callaway Plant will be present to introduce himself to the Council, City Leadership and Staff.

COUNCIL CONCERNS:

Councilman Hinchie had no concerns tonight.

Councilwoman Sebacher shared the last Park Board meeting was April 6. She stated that all reported numbers were up for the 2022 year and thinks they are doing great things at the Rec-Plex. She also voiced a recommendation to place council’s personal email in addition to the newly issued city email on their business cards. Lastly, she wanted to voice her appreciation and recognition to those in the Solid Waste Department for a job well done.

Councilwoman Rehkla asked City Engineer Breummer to provide a quick review of ongoing city projects.

Councilman Stone echoed the thanks to the Solid Waste Department for the Spring Clean-Up efforts and to all those in other departments that lend a hand and contribute also.

Councilman Leuther shared his appreciation for the Fire Departments and County Ambulance District for their response to a tree cutting injury in which he used their support services.

Councilman Combs had no concerns to share.

Councilman Washington had no concerns at this time.

Councilwoman Nelson shared her agreements with Councilmembers Stone and Sebacher about the city employees. She stated that they are kind and always wave even when the days are hard.

Mayor Myers offered that he was very humbled this past week with the number of people sending their support and just wanted to thank everyone.

RESOLUTIONS:

a. **Resolution No. 3484: In Appreciation of Lowe Cannell**

A Resolution of Recognition and Appreciation to Lowe Cannell for his four years of service as Mayor.

Motion was offered by Councilman Combs and seconded by Councilman Stone to adopt Resolution 3484 at this council meeting. Motion carried with eight members of the Council voting in favor.

b. **Resolution No. 3485: In Appreciation of Mike West**

A Resolution of Recognition and Appreciation to Mike West for his two years of service as a City Councilmember. (to be read in its entirety)

Motion was offered by Councilman Leather and seconded by Councilwoman Sebacher to adopt Resolution 3485 at this council meeting. Motion carried with eight members of the Council voting in favor.

c. **Resolution No. 3486: Visu-Sewer Contract Renewal**

A Resolution authorizing the Mayor, on behalf of the City of Fulton, Missouri, to sign all necessary documents in relation to the third renewal of a Contract with Visu-Sewer of MO LLC for Sewer Evaluation and Rehabilitation Services and establishing an effective date.

Motion was offered by Councilman Washington and seconded by Councilwoman Sebacher to adopt Resolution 3486 at this council meeting. Motion carried with eight members of the Council voting in favor.

d. **Resolution No. 3487: Emergency Leachate Disposal MOU**

A Resolution authorizing the Mayor, on behalf of the City of Fulton, Missouri, to issue a Memorandum of Understanding with Republic Services (RSG) for the purpose of temporary emergency dispels of Jefferson City Landfill leachate at the City of Fulton Wastewater Treatment Plant in the event of an emergency disruption in which the City of Jefferson is unable to receive Jefferson City Landfill leachate and establishing an effective date.

Motion was offered by Councilwoman Nelson and seconded by Councilwoman Sebacher to pass Resolution 3487 at this council meeting. Motion carried with eight members of the Council voting in favor.

e. **Resolution No. 3488: Williams-Keepers Financial Statement and MIRMA Audit**

A Resolution authorizing the Mayor, on behalf of the City of Fulton, Missouri, to sign all necessary documents in relation to a Contract with Williams-Keepers LLC, of Columbia, Missouri, to provide a Financial Statement Audit, MIRMA Audit, and related services.

Motion was offered by Councilwoman Nelson and seconded by Councilman Stone to pass Resolution 3488 at this council meeting. Motion carried with eight members of the Council voting in favor.

f. **Resolution No. 3489: Purchase of Vac-Truck**

A Resolution authorizing the Mayor, on behalf of the City of Fulton, Missouri, to sign all necessary documents in relation to the purchase of a Vac-Truck.

Motion was offered by Councilwoman Sebacher and seconded by Councilman Stone to adopt Resolution 3489 at this council meeting.

Superintendent of Utilities Darrell Dunlap stated that the last purchase of a vac-truck was in 2008. Repairs were made in 2018 at the cost of \$35,000.

The Mayor called for a roll call vote.

Roll call vote of the members of the Council was as follows: Leuther, NO; Nelson, YES; Rehkla, NO; Sebacher, NO; Stone, YES; Washington, YES; and Combs, YES; and Hinchie, YES.

Resolution 3489, having received the affirmative vote of five members of the Council, Motion was declared passed by the President of the Council.

ANNOUNCEMENTS:

The next City Council meeting will be held Tuesday, April 25, 2023 at 6:30 p.m.

EXECUTIVE SESSION:

Mayor Myers said there is no need for an Executive Session at tonight's Council meeting.

ADJOURNMENT:

There being no further business to come before the Council, Motion was offered by Councilman Stone and Seconded by Councilwoman Nelson to adjourn. Motion carried with eight members of the Council voting in favor. The meeting adjourned at 7:57 p.m.

Steve F. Myers
Mayor

Kathie Ratliff
City Clerk

**CITY COUNCIL MINUTES
APRIL 25, 2023**

The Council of the City of Fulton, Missouri, met in Regular Session on Tuesday, April 25, 2023 in the Council Chambers of City Hall located at 18 E. 4th Street. Present and presiding were: Mayor Steve Myers; Renee Tyler, Director of Administration; Kathie Ratliff, City Clerk; and William Ladwig, Police Chief. The meeting was called to order by Mayor Myers at 6:30 p.m. Roll call was noted by the City Clerk, and members of the Council present were: Hinchie, Leuther, Nelson, Sebacher, Stone, and Washington. Councilmember Combs and Rehklau were absent.

Also present were: Darrell Dunlap, Superintendent of Utilities; Kyle Bruemmer, City Engineer; Clay Caswell, Parks & Recreation Director; Kevin Coffelt, Fire Chief; Lyn Boswell, Interim Chief Finance Officer; Rev. Bruce Williamson; Michael Shine, Audio/Video; and visitors.

INVOCATION:

Invocation was given by Rev. Williamson.

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Rev. Williamson.

PUBLIC HEARING:

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

For the purpose of considering the rezoning of a tract of land located at 303 Claymine Drive, Fulton, Missouri, from its current zoning of R-1 Residential to its requested zoning of C-2 Commercial.

Mayor Myers declared the hearing for the consideration of the rezoning of the tract of land located at 303 Claymine Drive hearing open at 6:37 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 Myers declared this public hearing closed at 6:38 p.m.

COMMENTS FROM VISITORS:

There were none.

APPROVAL OF THE CONSENT AGENDA:

There were no items on the Consent Agenda at this meeting.

ACCEPTANCE OF THE MARCH DOA REPORT:

Motion was offered by Councilwoman Sebacher and seconded by Councilwoman Nelson to accept the March DOA (Director of Administration) Report. Motion carried with six members of the Council voting in favor and two members absent (Combs and Rehklaue).

ACCEPTANCE OF THE MARCH FINANCIAL STATEMENT:

Motion was offered by Councilwoman Sebacher and seconded by Councilman Hinchie to accept the March Financial Statement Report. Motion carried with six members of the Council voting in favor and two members absent (Combs and Rehklaue).

NEW BUSINESS:

a. Approval of a request from Katie Boland for the Annual Senior Car Parade on Friday, May 19, 2023 at 4:00 p.m. The parade route will leave from William Woods, head south on Court Street and disband at Memorial Park.

Motion was offered by Councilman Stone and seconded by Councilwoman Nelson to approve the request. Motion carried with six members of the Council voting in favor and two members absent (Combs and Rehklaue).

b. Richard Vaughn, on behalf of VFW Post 2657, will be present to request financial support for the annual Fourth of July Fireworks Display.

Motion was offered by Councilman Stone and seconded by Councilman Leather to approve \$5,000 (five-thousand dollars) towards the annual fireworks display and with the option of Mr. Vaughn coming back at a later date to let us know the status of his fundraising.

Discussion by councilmembers followed regarding the previous year's donation of \$2,500 (two-thousand five hundred dollars). Councilman Stone offered to amend his Motion and Councilman Leather retracted his Second to allow for this.

Councilman Stone made an amended Motion to approve \$2,500 (two-thousand five hundred dollars) towards the annual fireworks display and with the option of Mr. Vaughn coming back at a later date to let us know the status of his fundraising. Councilman Leather Seconded.

Motion carried with five members of the Council voting in favor, one member (Sebacher) opposed, and two members absent (Combs and Rehklaue).

c. Heather and Becky Jungermann, co-Chairs of the Fulton Street Fair Committee will be present to request permission for the event to be held June 23-24, 2023 in downtown Fulton.

Motion was offered by Councilman Stone and seconded by Councilman Washington to approve the Street Fair event. Motion carried with six members of the Council voting in favor and two members absent (Combs and Rehklaue).

d. Brice Walther and April Redman, CFO, of Callaway Cares will be present to introduce this local non-profit organization to the Council.

COUNCIL CONCERNS:

Hinchie thanked the Police and Fire for their place in assuring the safety and welfare of the public for the plane crash at the airport earlier in the day.

Sebacher asked that it be made known that she supports the VFW and everything they stand for, but

she's anti-firework. She appreciates the work they do for our community.

Stone shared that May is Historic Preservation Month. He also asked Director of Administration Tyler if she would review public places that citizens can use as tornado shelters in the City in the event of a storm.

Leuther shared that no one was injured in the airplane crash, thankfully. He extended his thanks to the police and fire department also.

Washington asked City Engineer Bruemmer for an update on the demolition grant status. Bruemmer stated that that the grant is at a stalemate right now as they are waiting on Environmental and Cultural clearances.

Nelson shared thanks to those who participated in the cleanup day and who were making our community a better place.

Mayor thanked our City Linemen and read an excerpt from a proclamation they received from the Missouri House of Representatives. Micah Harris, Patrick Craighead, and Terry Harmon were present and received a standing ovation as appreciation for their service.

RESOLUTIONS:

As we moved on to Resolutions, Councilwoman Sebacher recused herself from the vote of Resolution 3490 and identified her position as the Fulton Housing Authority Director. She then stepped down from her Council seat and joined Chief Ladwig at the podium to speak under the authority of that position.

Resolution No. 3490 was presented for adoption by Councilman Hinchie.

Resolution No. 3490: Contract with the Fulton Housing Authority

A Resolution authorizing the Mayor on behalf of the City of Fulton, Missouri, to execute a contract with the Housing Authority of the City of Fulton, Missouri, for the provision of Supplemental Community Police Services.

Motion was offered by Councilman Hinchie and Seconded by Councilman Stone to approve Resolution No. 3490 at tonight's Council meeting.

Directors Tyler and Sebacher shared in agreement that this contract contained the same terms as before and the delay in approval was to give additional time to review the contract.

Motion carried with five members of the Council voting in favor, two members absent (Combs and Rehklau) and one member abstaining (Sebacher).

ORDINANCES:

FIRST READING

Bill No. 1676 was presented for First Reading by Councilman Washington.

Bill No. 1676: Rezoning of 303 Claymine Drive

An Ordinance reclassifying, under the zoning code, a tract of land located at 303 Claymine Drive, in Fulton, Missouri, and establishing an effective date.

Motion was offered by Councilman Washington and seconded by Councilman Hinchie to place Bill No. 1676 for Second Reading at the next regularly scheduled Council meeting. Motion fails with six

members of the Council voting in opposition and two members absent (Combs and Rehklau).

Bill No. 1677 was presented for First Reading by Councilwoman Nelson

Bill No. 1677: The Accepting of Donations, Gifts and Sponsorships

An Ordinance amending Chapter 2, Administration, Article VI., Finances, Purchasing, and Bid Procedures of the Fulton City Code, by adding Sections 2-371 through 2-375, the Accepting of Donations, Gifts and Sponsorships, and establishing an effective date.

Motion was offered by Councilwoman Nelson and seconded by Councilman Stone to move Bill No. 1677 for Second Reading at the next regularly-scheduled Council meeting. Motion carried with six members of the Council voting in favor and two members absent (Combs and Rehklau).

ANNOUNCEMENTS:

The next City Council meeting will be held Tuesday, May 9, 2023. A Work Session will commence at 6:30 p.m. with Regular Session to follow at 7:00 p.m.

EXECUTIVE SESSION:

Mayor Myers 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 Councilwoman Sebacher to enter Executive Session.

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

The Council exited to the Executive Conference Room and entered Executive Session at 7:42 p.m.

The Council reentered the Council Chambers at 8:59 p.m.

ADJOURNMENT:

There being no further business to come before the Council, Motion was offered by Councilwoman Nelson and seconded by Councilwoman Sebacher to adjourn. Motion carried with six members of the Council voting in favor. The meeting adjourned at 8:59 p.m.

Steve F. Myers
Mayor

Kathie Ratliff
City Clerk

Section 3.6. Vacancies; Forfeiture of Office; Filling of Vacancies.

- (a) *Vacancies.* The office of a councilman shall become vacant upon his death, resignation, removal from office in any manner authorized by law, failure to reside in the ward from which he was elected, or forfeiture of his office.
- (b) *Forfeiture of Office.* A councilman shall forfeit his office if he:
- (1) Lacks at any time during his term of office any qualifications for the office prescribed by this charter or by law;
 - (2) Violates any prohibition of this charter;
 - (3) Is convicted of a crime involving moral turpitude;
 - (4) Is in default to the city; or
 - (5) Fails to attend three (3) consecutive regular meetings of the council without being formally excused by the council.
- (c) *Filling of Vacancies.* A vacancy in the council shall be filled by appointment by the mayor and approval by the council by a majority of all its remaining members for a period running to the next regular election. Vacancies shall be filled in accordance with the election laws of the State of Missouri.

RESOLUTION NUMBER 3491

A RESOLUTION AUTHORIZING THE MAYOR, ON BEHALF OF THE CITY OF FULTON, MISSOURI, TO EXECUTE AN AMENDMENT TO THE NATURAL GAS ALL REQUIREMENTS SALES AGREEMENT WITH THE INTERSTATE MUNICIPAL GAS AGENCY, FOR THE PURCHASE OF NATURAL GAS AT SIX CENTS (\$.06) PER DEKATHERM, AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, at the 2023 IMGA Annual Meeting, The Board of Directors voted to increase the Agency management fee by 2 cents per dekatherm; and

WHEREAS, the fee will increase from 4 cents per dekatherm to 6 cents per dekatherm effective May 1, 2023.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FULTON, MISSOURI, AS FOLLOWS:

SECTION ONE: That the Council hereby approves the execution of an amendment to the Natural Gas All-Requirements Sales Agreement with the Interstate Municipal Gas Agency, for the purchase of natural gas at Six Cents (\$.06) per Dekatherm. An unexecuted copy of the Amendment is attached as Exhibit "A".

SECTION TWO: That the Mayor, on behalf of the City of Fulton, is hereby authorized to execute said Amendment on behalf of the City.

SECTION THREE: That this Resolution shall be in full force and effect after its passage by the Council and approval by the Mayor.

THIS RESOLUTION ADOPTED THIS _____ DAY OF _____, 2023.

Steve F. Myers
President of the Council

THIS RESOLUTION APPROVED THIS _____ DAY OF _____, 2023.

Steve F. Myers
Mayor

ATTEST:

Kathie Ratliff
City Clerk

RESOLUTION NUMBER 3492

A RESOLUTION AUTHORIZING THE MAYOR, ON BEHALF OF THE CITY OF FULTON, MISSOURI, TO MAKE APPLICATION AND SIGN ALL NECESSARY DOCUMENTS WITH THE MISSOURI DEPARTMENT OF NATURAL RESOURCES, STATE REVOLVING FUND PROGRAM FOR LOANS UNDER THE MISSOURI CLEAN WATER LAW (CHAPTER 640, RSMO).

WHEREAS, pursuant to the terms of the Missouri Clean Water Law, Chapter 640, Revised Statutes of Missouri, the State of Missouri has authorized the making of loans and/or grants to authorized applicants to aid in the construction of specific public projects.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FULTON, MISSOURI, AS FOLLOWS:

SECTION ONE: That the Mayor be and he is hereby authorized to execute and file an application on behalf of The City of Fulton with the State of Missouri for a loan and/or grant to aid in the construction of Lead Service Line Replacement Funding.

SECTION TWO: That Darrel Dunlap, Utility Superintendent, is hereby authorized and directed to furnish such information as the Missouri Department of Natural Resources may reasonably request in connection with the application which is herein authorized, to sign all necessary documents on behalf of the applicant, to furnish such assurances to the Missouri Department of Natural Resources as may be required by statute or regulation, and to receive payment on behalf of the applicant.

SECTION THREE: That this Resolution shall be in full force and effect after its passage by the Council and approval by the Mayor.

THIS RESOLUTION ADOPTED THIS _____ DAY OF _____, 2023.

Steve F. Myers
President of the Council

THIS RESOLUTION APPROVED THIS _____ DAY OF _____, 2023.

Steve F. Myers
Mayor

ATTEST:

Kathie Ratliff
City Clerk

RESOLUTION NUMBER 3493

A RESOLUTION AUTHORIZING THE MAYOR, ON BEHALF OF THE CITY OF FULTON, MISSOURI, TO SIGN ALL NECESSARY DOCUMENTS IN RELATION TO AN AGREEMENT WITH BANNER FIRE EQUIPMENT TO BUILD AN E-ONE RESCUE PUMPER TO MEET THE SPECIFIC NEEDS FOR THE CITY OF FULTON FIRE DEPARTMENT.

WHEREAS, the two-reserve apparatus are failing more frequently and more money is being spent on repairs than the value of the trucks, and

WHEREAS, the two front line apparatus are showing wear and tear and will need to be put in reserve status soon; and

WHEREAS, nearly 2,000 calls were answered last year and the fire department is on course to do so again this year.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FULTON, MISSOURI, AS FOLLOWS:

SECTION ONE: That the Council hereby authorizes the Mayor, on behalf of the City of Fulton, Missouri, to sign all necessary documents in relation to an agreement with Banner Fire Equipment to build an E-One Rescue Pumper to meet the specific needs for the City of Fulton Fire Department as outlined in the memo and proposal attached hereto.

SECTION TWO: Funding to purchase this equipment will come from allocated funds in the 2024 Capital Budget in the amount of \$250,000 and again in 2023 (combined cost of \$500,000) with an additional \$500,000 in ARPA funds that have been allocated for this purchase.

SECTION THREE: That this Resolution shall be in full force and effect after its passage by the Council and approval by the Mayor.

THIS RESOLUTION ADOPTED THIS _____ DAY OF _____, 2023.

Steve F. Myers
President of the Council

THIS RESOLUTION APPROVED THIS _____ DAY OF _____, 2023.

Steve F. Myers
Mayor

ATTEST:

Kathie Ratliff
City Clerk



FIRE APPARATUS PROPOSAL

=====

DATE: April 24, 2023

This proposal has been prepared for:

**Fulton Fire Department
Fulton, MO 65251**

We hereby propose to furnish to you, subject to proper execution of the attached agreement by you and by an officer of this Company, the following apparatus and equipment to be built in accordance with the attached specifications:

UNIT QUANTITY	MODEL	PRICE
1	E-One aluminum side mount rescue pumper, 1500 GPM Waterous CSU Single Stage pump, 780-gal poly tank, mounted on an E-One Cyclone Custom Chassis equipped with a Cummins X12 500 HP engine per specs. Includes a seven (7) year maintenance package, poly rub rail, two tone body paint, hand wheel control, Boston tailboard and changed rear seats.	\$1,053,953.00

Delivery will be FOB South Roxana, Il. and will be made approximately 780-840 calendar days after receipt of order at the Florida plant, based upon proper execution of the attached agreement by both parties. Terms of Payment are 90% of the purchase price due upon arrival of the unit at our South Roxana, Il facility with the balance due upon pick up.

Price listed above is firm for 30 days. Price is subject to increase after that time.

Company: BANNER FIRE EQUIPMENT, INC.

By: Kevin Lewis
Kevin Lewis

Title: Apparatus Sales



PREPAYMENT OPTION

The department may elect to exercise the following prepayment option:

Prepayment Option:

Prepayment discounts can be calculated on a **per day basis** based upon a 3% annual percentage rate. Prepayments earn interest beginning three business days after funds are received at our Roxana office and ending the day the truck manufacturing is complete. The discounts are based upon a specific calendar day delivery schedule and may be **adjusted up or down** based upon the actual delivery time.

Example 1: \$948,558.00 (90%) down payment with an 810-day delivery:

$\$948,558.00 \times 0.03 / 365 \text{ days} \times 810 \text{ days} = \mathbf{\$63,151.00}$ discount

BILL NUMBER 1678

ORDINANCE NUMBER _____

AN ORDINANCE AUTHORIZING THE MAYOR AND CITY CLERK, ON BEHALF OF THE CITY OF FULTON, MISSOURI, TO SIGN ALL NECESSARY DOCUMENTS IN RELATION TO A CONTRACT WITH THE COLLECTOR AND COUNTY COMMISSIONERS OF CALLAWAY COUNTY, MISSOURI, RELATING TO THE COLLECTION OF TAXES, WITH THE CONTRACT PERIOD COMMENCING UPON APPROVAL THROUGH JUNE, 2027.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FULTON, MISSOURI, AS FOLLOWS:

SECTION ONE: The Council hereby authorizes the execution of a contract between the City of Fulton, Missouri, and the Collector and County Commissioners of Callaway County, Missouri, concerning the collection of City Taxes. A copy of the unexecuted contract is attached hereto and marked "Exhibit A" and incorporated herein by reference as if fully set out at this point.

SECTION TWO: The Council authorizes the annual payment of \$5,000 for the aforementioned services.

SECTION THREE: The Council finds and determines that the execution of said contract by the City is in the best interest of the City.

SECTION FOUR: The Mayor and City Clerk are hereby authorized and directed to execute said Contract on behalf of the City of Fulton, Missouri.

READ THREE TIMES AND PASSED THIS _____ DAY OF _____, 2023.

Steve F. Myers
President of the Council

APPROVED THIS _____ DAY OF _____, 2023.

Steve F. Myers
Mayor

ATTEST:

Kathie Ratliff
City Clerk

Tax Collection Agreement

This contract, Made and Entered into this 23rd day of May by and between the City of Fulton, Missouri, a municipal corporation, by Steve F. Myers, Mayor; the Callaway County Collector by Sarah Gladman; and Callaway County, Missouri, by Gary Jungermann, Presiding Commissioner of Callaway County, Missouri.

WITNESSETH:

WHEREAS, the City of Fulton is a taxing authority under the constitution and laws of the State of Missouri; and

WHEREAS, the Callaway County Collector and Callaway County Commission are each concerned with the billing and collection of taxes for the State of Missouri and Callaway County, Missouri, and other political subdivisions of the state; and

WHEREAS, all the parties desire to consolidate the billing and collection of taxes, lawfully levied by the City, with the billing and collection of other state and county taxes; and

WHEREAS, The County Commission of Callaway County, Missouri, has made an order authorizing Gary Jungermann, Presiding Commissioner to execute this contract on behalf of the County; and

WHEREAS, the City Council of the City, has by ordinance authorized Steve F. Myers, Mayor to execute this contract on behalf of the City;

NOW THERFORE, In Consideration of the sums hereinafter set out to be paid by the City to the Callaway County Treasurer and the Callaway County Collector of Callaway County, Missouri, it is agreed as follows:

1. That the Collector of Callaway County, Missouri, will provide the billing and collection of the real estate taxes, personal property taxes, city sticker fees and special assessments fees for the City of Fulton. The County Collector will also collect and disburse any payments in lieu of taxes for any areas established by the City of Fulton under the "real Property Tax Increment Allocation Redevelopment" law, Section 99.800 et. Seq., RSMo and that

Callaway County will provide the facilities needed by the Collector to do the same.

2. That all taxes collected by said County Collector shall be paid to the City of Fulton on a monthly basis via electronic transfer.
3. That in consideration for doing the complete billing and collection of taxes for the City of Fulton, the City of Fulton will pay directly to the County Treasurer for the County Collector of Callaway County the sum of five thousand dollars annually which all parties agree may be retained by the County Collector as compensation in addition to all other compensation provided by law under authority of Section 50.332 RSMo. Supp. 1986. Said payments shall be made to the Collector in monthly installments of four hundred sixteen dollars and sixty-seven cents, beginning March 1, 2023. The city will pay to the County Treasurer of Callaway the additional sum of one thousand dollars annually as consideration to Callaway County for the use of county facilities for the collection and billing of City of Fulton taxes.
4. That the penalties for non-payment of city taxes shall be made to conform by the City to the corresponding penalties charged by Callaway County, which is eighteen percent (18%) per annum.
5. That the County Collector shall follow the same procedure for the collection of delinquent City real estate taxes as it is prescribed by the statutes of the State of Missouri for the collection of delinquent county real estate taxes, including all necessary sales of real estate. City personal property taxes shall, before the expiration of the statutes of limitation, be certified by the County Collector to the City Attorney of the City, who shall institute and prosecute such suites.
6. One percent (1.0%) of all ad valorem taxes collected by the County on behalf of the City shall be withheld as provided for in Section 137.720, RSMo, for the County Assessment Fund. Additionally, one-half of one percent (.50%) of all ad valorem taxes collected by the County on behalf of the City shall be withheld as provided for in Section 137.720.3, RSMo, for the County Assessment Fund effective July 1 2009. This half percent is capped at \$75,000 and the encumbrance of withholding is equally imposed on all taxing entities. These percentages will remain as noted unless the Missouri State Legislature directs them to change.

7. That the City of Fulton, Missouri, may at least once a month, so as not to interfere with the orderly business of the County Collector's Office, inspect and audit the books for the County Collector pertaining to the collection of municipal taxes.
8. That the term of this contract shall begin upon signing and continue through June, 2027, unless sooner changed by operation of law, or by either party giving written notice sixty days before the anniversary date of the contract that they intend to terminate the relationship.
9. That upon termination of this contract, the County Collector shall make available to the City of such tax records as may be necessary to enable the City to collect the current year's real, personal property and vehicle license taxes, as well as delinquent real and personal property taxes as may be carried on the books of County Collector at the time of termination.
10. The County Collector shall furnish additional bond in such amount as may be agreed upon by the Callaway County Commission and City of Fulton.

IN WITNESS WHEREOF, the parties hereto have set their respective hands and seals the day and year first above written.

CITY OF FULTON, A Municipal Corporation

BY: _____ Steve F. Myers, Mayor

ATTEST: _____ Kathie Ratliff, City Clerk

CALLAWAY COUNTY

BY: _____

Gary Jungermann, Presiding Commissioner

CALLAWAY COUNTY COLLECTOR

BY: _____

Sarah Gladman, Callaway County Collector

ATTEST: _____

Ronda Miller, Callaway County Clerk

BILL NUMBER 1679

ORDINANCE NUMBER _____

AN ORDINANCE RENAMING E. 13TH STREET TO OVID BELL STREET AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, our goal, with the approval of the City of Fulton, is to acknowledge and honor the 126 year legacy of the Bell family’s printing businesses by changing the name of E. 13th Street between Bluff Street and Circle Drive to Ovid Bell Street.

WHEREAS, changing the street to “Ovid Bell Street” would honor the Bell printing businesses and the hundreds of former employees who made the businesses a success.

WHEREAS, no houses or businesses front E. 13th Street, and therefore no mailing addresses would need to be changed.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FULTON, MISSOURI AS FOLLOWS:

SECTION ONE: That E. 13th Street be renamed to Ovid Bell Street as set out on the attached map marked “Exhibit A”.

SECTION TWO: That all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION THREE: That this ordinance shall be in full force and effect after its passage by the Council and approval by the Mayor.

READ THREE TIMES AND PASSED THIS _____ DAY OF _____, 2023.

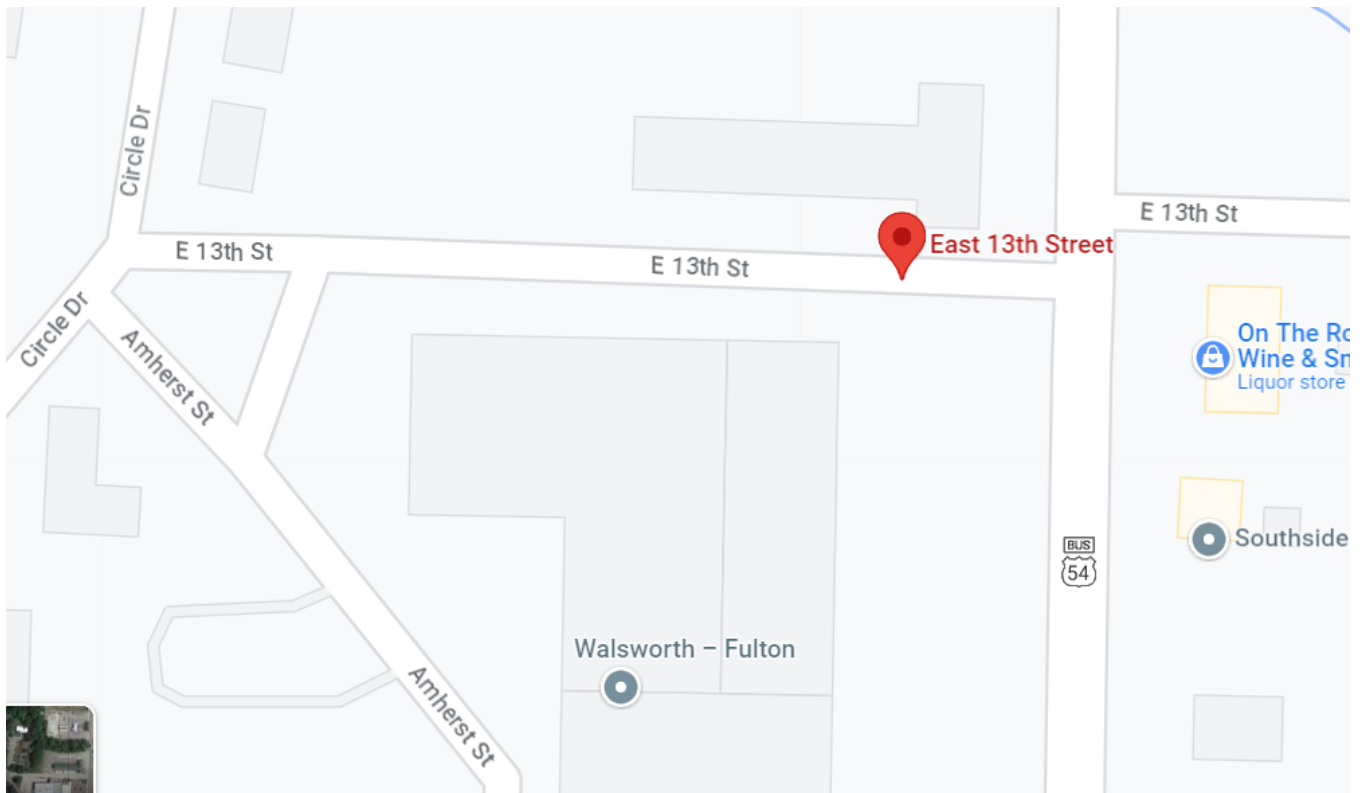
Steve F. Myers
President of the Council

APPROVED THIS _____ DAY OF _____, 2023.

Steve F. Myers
Mayor

ATTEST:

Kathie Ratliff
City Clerk



Our goal, with the approval of the City of Fulton, is to acknowledge and honor the 126 year legacy of the Bell family’s printing businesses by changing the name of E. 13th Street between Bluff Street and Circle Drive to Ovid Bell Street.

The businesses began in 1886 with John Peter Bell, our grandfather. He became the owner and editor of The Fulton Telegraph, a weekly newspaper. His 12 year old son, Ovid, started as a printer’s apprentice the next year. The next year his daughter Minnie became an apprentice at age 12. Ovid and Minnie were responsible for a children’s column. They solicited questions and news stories from children throughout the county.

Ovid Bell, our grandfather, returned to Fulton in 1901 after serving as the personal secretary for Callaway County’s U. S. Representative Richard Bland and as a Senate reporter for the Philadelphia North American. He purchased and became the editor of The Fulton Evening Gazette, a weekly newspaper. The original office was upstairs in the Bell Block building at 4th and Market streets. It was highlighted in the “Callaway Memories” section of the paper recently.

In 1911 The Fulton Evening Gazette moved to its own new building at the corner of 5th and Ravine Streets. Ovid was elected President of the Missouri Press Association in 1913. In 1916 the newspaper became a daily newspaper, The Fulton Gazette. His son, Ovid H., manually set type as a young child and continued working in the business after school and summers until he left for college.

In 1927 Ovid sold The Fulton Gazette to V.E. Johnston and Sons. With the merger, the newspaper became The Sun-Gazette. Ovid continued printing at the same location but changed his focus to magazine and book printing.

In 1936 the business expanded to a new, larger building at 1201-05 Bluff Street and became The Ovid Bell Press.

At Ovid's death in 1953, the business had customers across the United States. He had been in the newspaper and printing business for 66 of his 78 years.

Ovid H. Bell became president of the company. His three children, Mary, Jane, and John worked summers in the business. Jane and John held key roles in the business as adults.

In 1989, John Ovid Bell became President of the company.

The plant had 9 additions over the years, and grew to 100,000 sq. ft. The plant ran 2 shifts, and then 3 shifts, and ultimately became a 4-shift operation with the introduction of web press technology.

The lowest employee count was 182. With the technology transformation, fewer, but more skilled, employees were needed. As a result, the work force was reduced to 125 when the business was sold to Walsworth in 2012.

Why change the name to "Ovid Bell" Street? Why not change it to "Ovid Bell Press" Street? That was the sign on the building for 75+ years. The family called the business the "OBP." The employees called it "Ovid Bell." Changing the street to "Ovid Bell Street" would honor the Bell printing businesses and the hundreds of former employees who made the businesses a success. As no houses or businesses front E. 13th Street, no mailing addresses would need to be changed.

Thank you for your consideration.

Mary Bell, representing the Bell family

*Submitted by email to the Clerk

BILL NUMBER 1677

ORDINANCE NUMBER _____

AN ORDINANCE AMENDING CHAPTER 2, ADMINISTRATION, ARTICLE VI., FINANCES, PURCHASING, AND BID PROCEDURES OF THE FULTON CITY CODE, BY ADDING SECTIONS 2-371 THROUGH 2-375, THE ACCEPTING OF DONATIONS, GIFTS AND SPONSORSHIPS AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the purpose of sections 2-371 through 2-375 is to set forth the procedures for accepting donations, gifts and sponsorships made to the City of Fulton, Missouri, in a manner that both encourages and facilitates gifts and donations and protects the integrity of the City's municipal decision-making processes.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FULTON, MISSOURI, AS FOLLOWS:

SECTION ONE: An ordinance amending Chapter 2, Administration, Article VI., Finances, Purchasing, and Bid Procedures of the Fulton City Code, by adding Sections 2-371 through 2-375, The Accepting of Donations, Gifts and Sponsorships is enacted as laid out in the document attached hereto.

SECTION TWO: That the City of Fulton hereby authorizes its codifier, Municipal Code Corporation and its editors to edit and adjust the section numbers contained herein to join uniformly with the layout of the Code of the City of Fulton.

SECTION THREE: That all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION FOUR: That this ordinance shall be in full force and effect after its passage by the Council and approval by the Mayor.

READ THREE TIMES AND PASSED THIS _____ DAY OF _____, 2023.

Steve F. Myers
President of the Council

APPROVED THIS _____ DAY OF _____, 2023.

Steve F. Myers
Mayor

ATTEST:

Kathie Ratliff
City Clerk