

REGULAR COUNCIL MEETING
CITY OF EXCELSIOR SPRINGS
EXCELSIOR SPRINGS, MISSOURI
APRIL 4, 2005

The City Council of the City of Excelsior Springs, Missouri met in Regular Session at 6:00 PM, Monday, April 4, 2005 in the Council Chambers of the Hall of Waters Building. The Meeting was called to order by Mayor R. D."Sonny" Parker.

Mayor R. D. "Sonny" Parker gave the opening prayer.

Mayor R. D. "Sonny" Parker led the Pledge of Allegiance.

Roll Call of Members: Present: Mayor Parker, Councilwoman Fines
Councilman Fousek and Councilman Hartman.

Absent: Mayor Pro-Tem Nelson

VISITORS: (Tape A17-309)

Mr. Willis Iverson, 903 Highland, addressed the Council. Mr. Iverson stated his complaint was with flooding of his property near Siloam Park. When it rains, the water runs off through his back yard and has washed out all the soil the building put in for his yard. Mr. Iverson asked if a storm sewer could be put in on Owens Street to carry run-off water away from his property. This run-off water has cut a three-foot ditch and carried the dirt down to Highland Street.

Mr. Iverson was advised that there is no public storm drains in this area. The City Manager stated that from the City's perspective, this is a situation between the builder and the buyer. The City Manager further suggested that the ditch be cleaned out and riprap be put in to keep the ditch from further erosion. The City will have the Public Works Director take a look at this situation.

MINUTES OF REGULAR COUNCIL MEETING ON MARCH 21 AND SPECIAL COUNCIL MEETING ON MARCH 28, 2005: (Tape A310-342)

Councilwoman Fines made a motion to approve the Minutes of the Regular Council Meeting on March 21, 2005. Councilman Hartman seconded motion.

Roll Call of Votes: Ayes: Fousek, Hartman, Fines, Parker

Nays: None, motion carried.

Minutes of March 21, 2005 passed and approved April 4, 2005.

Councilman Hartman made a motion to approve the Minutes of the Special Council Meeting on March 28, 2005. Councilwoman Fines seconded motion.

Roll Call of Votes: Ayes: Hartman, Fines, Fousek, Parker

Nays: None, motion carried.

Minutes of March 28, 2005 passed and approved April 4, 2005.

CONSIDERATION OF AGENDA: (Tape A343-369).

Mayor Parker advised that Item #7, Transfer of Oaks Hotel to LCRA, is to be stricken from the Agenda. He further advised that Item #8 will be Ordinance #05-4-2 and Item #9 will be Ordinance #05-4-3.

Councilman Hartman made a motion to approve the Agenda, as amended. Councilman Fousek seconded motion.

Roll Call of Votes: Ayes: Hartman, Fines, Fousek, Parker

Nays: None, motion carried.

RESOLUTION #702- 125TH ANNIVERSARY: (Tape A370-394)

Councilwoman Fines made a motion to approve Resolution #702, celebrating the 125th Anniversary of Excelsior Springs, Missouri. Councilman Fousek seconded motion.

Roll Call of Votes: Ayes: Fines, Fousek, Hartman, Parker

Nays: None, motion carried.

Resolution #702 passed and approved April 4, 2005.

ORDINANCE #05-4-1, ETC CONTRACT: (Tape A395-843)

The City Manager advised the Council that this Ordinance is for a contract between the City of Excelsior Springs and ETC Institute for implementation of a comprehensive, public opinion survey. Total fee of the project will be \$12,400.

Councilman Hartman asked if the Council would get to see a copy of the questions before they were sent out and he was advised that the Council would receive copies of the questions.

Councilman Fousek made a motion to approve Ordinance #05-4-1, accepting the contract between the City of Excelsior Springs and ETC Institute. Councilman Hartman seconded motion.

Roll Call of Votes: Ayes: Fousek, Hartman, Fines, Parker

Nays: None, motion carried.

Ordinance #05-4-1 passed and approved April 4, 2005.

RESOLUTION #703, TRANSPORTATION TRUST AUTHORITY – IC&E RAILROAD – MCCLEARY ROAD: (Tape A844-946)

Rex Brinker, Public Works Director, briefed the Council on this Resolution.

Councilman Fousek made a motion to approve Resolution #703, accepting the

recommendation of the Transportation Trust Authority to approve funding of the IC&E Railroad/McCleary Road. Councilwoman Fines seconded motion.

Roll Call of Votes: Ayes: Hartman, Fines, Fousek, Parker

Nays: None, motion carried.

Resolution #703 passed and approved April 4, 2005.

CROP LEASE – WASTEWATER TREATMENT PLANT: (Tape A947-989).

Once again, Rex Brinker briefed the Council on this Agenda item.

Councilman Hartman made a motion to lease the tillable acreage located at the wastewater treatment plant, in the approximate sum of 44 acres, more or less, growing seasons 2005 through 2007 for a three year lease, bid of \$41.00 per acre x 44 acres = \$1,804.00 submitted by Aldrich Farms, be approved. Councilwoman Fines seconded motion.

Roll Call of Votes: Ayes: Fines, Hartman, Fousek, Parker

Nays: None, motion carried.

Crop Lease at Wastewater Treatment Plant passed and approved April 4, 2005.

RESOLUTION #704, RECREATIONAL TRAILS PROGRAM: (Tape A990-1066).

Mr. Steve Zimmerman, Parks & Recreation Director, briefed the Council on this Resolution. Steve stated this would tie into the walk going up Garland.

Mayor Parker asked when the walk would be done going over to C.E.King addition. Steve advised that this section is coming up.

Councilman Fousek made a motion to approve Resolution #704, for the support of the Recreational Trails Program grant application. Councilman Hartman seconded motion.

Roll Call of Votes: Ayes: Fousek, Hartman, Fines, Parker

Nays: None, motion carried.

Resolution #704 passed and approved April 4, 2005.

SUMMER SEWER CREDITS PROGRAM: (Tape A1067-1090).

The City Manager briefed the Council on this Summer Credit program.

Councilman Hartman made a motion to approve the “Summer Sewer Credits” Discount Program for FY 2004-2005. Councilwoman Fines seconded motion.

Roll Call of Votes: Ayes: Hartman, Fines, Fousek, Parker

Nays: None, motion carried.

Summer Sewer Credit Program passed and approved April 4, 2005.

ORDINANCE #05-4-2, ELM'S AGREEMENT: (Tape A1091-1480)

The City Manager advised the Council that in connection with the Elm's redevelopment in 1997 and their opening in 1999, they agreed to a series of historic assessments, which were to be passed on to their guests as fees. This agreement is to get this program straight with the new Elm's owners.

Councilman Fousek asked if the City would be able to keep track of their fees and the City Manager stated the Elms is now providing the City with financials.

Councilman Fousek made a motion to approve Ordinance #05-4-2, the Elm's Agreement. Councilwoman Fines seconded motion.

Roll Call of Votes: Ayes: Fines, Fousek, Hartman, Parker

Nays: None, motion carried.

Ordinance #05-4-2 passed and approved April 4, 2005.

APPROPRIATIONS ORDINANCE #05-4-3: (Tape A1481-1531)

Councilwoman Fines made a motion to approve Appropriations Ordinance #05-4-3, in the amount of \$662,664.17. Councilman Hartman seconded motion.

Roll Call of Votes: Ayes: Fousek, Hartman, Fines, Parker

Nays: None, motion carried.

Appropriations Ordinance #05-4-3 passed and approved April 4, 2005.

REMARKS – CITY MANAGER AND CITY COUNCIL: (Tape A1532-1675)

City Manager Hennen:

1. Two weeks ago the City had a problem with water hydrants being opened. City Detectives now have two signed confessions in hand. The City means to recover all damages and to prosecute to the full extend of the law.
2. At the last meeting, Mr. Sam Briscoe complained to the Council about vehicles having no city stickers. Larry of Code Enforcement went out last year and found 87 parked vehicles with no city stickers and other vehicles making a total of 145 vehicles cited. The City plans to make another sweep very soon on this matter.

Councilman Fousek:

1. Urges everyone to use his or her franchise to vote in tomorrow's election...hoping we will have a large turn out.

Mayor Parker:

1. Urges everyone to exercise his or her right to vote.

With no further business at hand, the Mayor adjourned the Regular Council Meeting at 6:54 PM.

ATTEST:

R.D. "SONNY" PARKER, MAYOR

FRANCES SMITH, CITY CLERK