

REGULAR COUNCIL MEETING
CITY OF EXCELSIOR SPRINGS
EXCELSIOR SPRINGS, MISSOURI
SEPTEMBER 6, 2005

The City Council of the City of Excelsior Springs, Missouri met in Regular Session at 6:00 PM, Tuesday, September 6, 2005 in the Council Chambers of the Hall of Waters Building. The Meeting was called to order by Mayor Pro-Tem Ken Fousek.

The opening prayer was given by Councilman Chad Taylor.

The Pledge of Allegiance was led by Mayor Pro-Tem Ken Fousek.

Roll Call of Members: Present: Mayor Pro-Tem Fousek, Councilwoman Fines, Councilman Hartman and Councilman Taylor

Absent: Mayor Parker

VISITORS: (Tape #1 A38-329)

Ron Prewitt, owner of Ray's Lunch, addressed the Council. Ron stated that when he gets up each morning at 4:30 AM, there is glass, bottles, cigarette packs/buts and trash strewn about in front of the Hall of Waters. This trash comes from people sitting on the wall in front of the Hall of Waters from 9:00 PM until 2:00 or 3:00 AM in the morning. Some of these people are coming from other towns to hang out in front of Ray's, the barber shop and the Hall of Waters. He usually cleans up this trash each day because he wants to keep Broadway looking nice. He asked how much would it cost to put up signs, "No Littering" and stating a "fine" will be assessed.

Ron also stated that he called the City's Code Officer and reported that the transmission shop over by the Mill Inn has several cars parked out in front, trash scattered over the entire corner and a barrel of oil has been spilled over the parking lot. Ron said this shop is no longer in business. The City Manager stated that the City is trying to notify the owners of these vehicles so they can remove them. He further stated that the fence will be put back up along the wall in front of the Hall of Waters to discourage people congregating there each night.

NOTE: Mayor Parker arrived at the meeting at 6:07 PM and took over the meeting.

MINUTES OF REGULAR MEETING AUG. 15, 2005, SPECIAL MEETING AUG. 29, 2005, BUDGET WORKSHOP AUG. 29, 2005 AND JOINT SESSION RE. COMMUNITY CENTER AUG. 30, 2005: (Tape #1 A330-363)

Councilwoman Fines made a motion to approve the Minutes of the Regular Council Meeting held on August 15, 2005. Motion was seconded by Councilman Hartman.

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

Nays: None, motion carried.

Minutes of August 29, 2005 passed and approved September 6, 2005.

Councilman Taylor made a motion to approve the Minutes of the Special Meeting on the Tax Rate Hearing and the Budget Workshop held on August 29, 2005. Motion was seconded by

Councilman Hartman.

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

Nays: None, motion carried.

Minutes of Special Meeting and Budget Workshop held August 29, 2005 passed and approved September 6, 2005.

Councilman Hartman made a motion to approve the Minutes of the Joint Session of the Council, Park & Recreation Department and Capital Improvements held on August 30, 2005. Motion was seconded by Councilwoman Fines.

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

Nays: None, motion carried.

Minutes of Joint Session held on August 30, 2005 passed and approved September 6, 2005.

CONSIDERATION OF AGENDA: (Tape #1 A364-389).

Mayor Pro-Tem Fousek stated that Resolution #710 needed to be added to the Agenda as Item #8-A.

Councilman Hartman made a motion to approve the Agenda, as amended. Motion was seconded by Mayor Pro-Tem Fousek.

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

Nays: None, motion carried.

Amended Agenda passed and approved September 6, 2005.

DISCUSSION ITEM: "ADOPT A BLOCK": (Tape #1 A390-485).

Mayor Pro-Tem Fousek stated that in May of 2000 a Resolution was passed by the City Council in regard to "Adopt A Block" for people who want to take pride and responsibility for their neighborhoods. Since this is the 125th anniversary of the City citizens should make an effort to improve the looks of the community and instill pride in our city. The Council needs to reiterate the contents of this Resolution.

Mayor Parker stated that the City needs to recognize people who take responsibility for their areas. A lot of progress has been made in the last five years in the City. He is asking the newspaper to tell people to send in their ideas on how to recognize those who participate.

Ms. Denise Reese, 101 Richmond Street, phone #630-3868, stated her family has just purchased the Roosevelt School and they would like to participate in this program.

BOARD APPOINTMENT: (Tape #1 A486-498).

Mayor Pro-Tem Fousek made a motion to approve the appointment of Darryl Coutts to the Historic Commission; expiration date would be April 1, 2008. Motion was seconded by Councilman Taylor.

Roll Call of Votes: Ayes: Fines, Hartman, Taylor, Fousek, Parker
Nays: None, motion carried.

Darryl Coutts appointed to Historic Commission on September 6, 2005.

ORDINANCE #05-9-1, OCCUPATIONAL LICENSE TAX, MUNICIPAL CODE 605-230, AMENDED: (Tape #1 A499-589).

Mayor Pro-Tem Fousek made a motion to approve Ordinance #05-9-1, amending the Occupation License Tax Municipal Code 605-230 as it pertains to the Electrical Franchise Fee. Motion was seconded by Councilman Hartman.

Roll Call of Votes: Ayes: Hartman, Taylor, Fines, Fousek, Parker
Nays: None, motion carried.

Ordinance #05-9-1 passed and approved September 6, 2005.

ORDINANCE #05-9-2, ELECTRIC FRANCHISE AGREEMENT: (Tape #1 A590-800)

Mike Edwards, 312 Virginia Road, CEO of AmerenUE, addressed the Council. Mike stated this Ordinance is granting AmerenUE a 20-year non-exclusive franchise agreement. Mike stated that AmerenUE's rates are 25% lower than average and they have not raised their rates since 1987. In fact, rates have been lowered in the years 2002, 2003 and 2004. Mike further stated they presently have 300 employees in Louisiana now helping to re-establish electrical power after the hurricane. AmerenUE will also have the "Chamber After Hours" downstairs on Sept. 15 from 5:00 to 7:00 PM.

Mayor Pro-Tem Fousek made a motion to approve Ordinance #05-9-2, renewing the existing franchise and granting for a period of twenty (20) years to Union Electric Company, dba AmerenUE. Motion was seconded by Councilwoman Fines.

Roll Call of Votes: Ayes: Taylor, Fines, Hartman, Fousek, Parker
Nays: None, motion carried.

Ordinance #05-9-2 passed and approved September 6, 2005.

ORDINANCE #05-9-3, RETURNED CHECK SERVICE CHARGE UPDATED: (Tape #1 A801-859).

Steve Marriott, Finance Director, briefed the Council on this Ordinance.

Councilwoman Fines made a motion to approve Ordinance #05-9-3, changing the processing fee for returned checks from \$15.00 to \$25.00. Motion was seconded by Councilman Hartman.

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

Nays: None, motion carried.

Ordinance #05-9-3 passed and approved September 6, 2005.

PURCHASE OF POLICE VEHICLE: (Tape #1 A860-1002).

Police Chief John McGovern briefed the Council on this purchase. The Finance Director stated this purchase is not included in the projected budget deficit and it will be included in a budget amendment to be brought to the Council soon.

Councilman Hartman made a motion to approve the purchase of a 2005 Ford Crown Victoria from Joe Watt Auto Sales in Venita, Oklahoma for \$22,000. Motion was seconded by Councilman Taylor.

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

Nays: None, motion carried.

Expenditure of \$22,000 for Police vehicle passed and approved September 6, 2005.

ORDINANCE #05-9-4, BFI REFUSE RATE ADJUSTMENT: (Tape #1 A1003-1130)

Rex Brinker, Public Works Director, answered the Council's questions on this Ordinance.

Mayor Pro-Tem Fousek made a motion to approve Ordinance #05-9-4, approving the BFI Refuse rate adjustment of 8% increase. Motion was seconded by Councilwoman Fines.

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

Nays: None, motion carried.

Ordinance #05-9-4 passed and approved September 6, 2005.

ORDINANCE #05-9-5, MUNICIPAL WATER & WASTE WATER RATE ADJUSTMENT: (Tape #1 A1131-1419)

Rex Brinker stated this Ordinance reflects an 8% increase in water rates and an 8% increase in sewer rates. He stated this is the first increase since 2002 and will go into effect November 1, 2005. He also stated that wholesale water rates will increase 8%.

Councilwoman Fines made a motion to approve Ordinance #05-9-5, approving an 8% increase in water and sewer rates for fiscal year 2005/2006. Motion was seconded by Councilman Hartman.

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

Nays: None, motion carried.

Ordinance #05-9-5 passed and approved September 6, 2005.

RESOLUTION #710, FUNDING FOR CROWN HILL ROAD: (Tape #1 A1410-1500)

Councilman Hartman made a motion to approve Resolution #710, approving funding of the Crown Hill 69 Highway to 10 Highway overlay. Motion was seconded by Mayor Pro-Tem Fousek.

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

Nays: None, motion carried.

Resolution #710 passed and approved September 6, 2005.

APPROPRIATIONS ORDINANCE #05-9-6: (Tape #1 A1501-1628).

Councilman Hartman made a motion to approve Appropriations Ordinance #05-9-6 in the amount of \$874,363,22. Motion was seconded by Councilman Taylor.

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

Nays: None, motion carried.

Appropriations Ordinance #05-9-6 passed and approved September 6, 2005.

REMARKS – CITY MANAGER AND CITY COUNCIL: (Tape #1 A1629-1994).

City Manager Hennen:

1. Sherry, his secretary, will be off the rest of the week.

Councilman Taylor:

1. Where is the City at on the Wyman thing. Debbie stated the owners will contact the City when they are ready to begin.
2. Would like to thank Ron Prewitt for his “Visitors Comments” and to thank him for being the eyes and ears of the community.

Councilman Hartman:

1. Will be unable to attend the budget work session tonight due to a death in the family.
2. Has a list of questions regarding the budget which he will leave with the City Manager and stated that the Council needs to address salaries.

Mayor Pro-Tem Fousek:

1. He and Ron Prewitt did relay to Code Enforcement regarding cars left at the closed transmission shop and Code Enforcement is trying to fine the owners.
2. He has a real problem with people running around town with no shoes and no shirts in a semi-undressed fashion. Is there anything the City can do. The City Manager stated that the City has rental properties with no one overseeing residents...this is the root cause. They don't own property and don't care how they look to tourists.

Ron Prewitt once again addressed the Council and asked if the City has an Ordinance on garage sales. He states that signs are being left on posts for days. The City Manager advised that the Police Department removes these signs and he has removed a few himself.

Mayor Parker:

1. Thanked Mayor Pro-Tem Fousek for starting the meeting and apologized for being late. Is happy to see so many City employees attend the meeting.

With no further business at hand, the Mayor adjourned the Regular Meeting at 7:02 PM. The

Council will not go into a budget work session.

ATTEST:

R.D. "SONNY" PARKER, MAYOR

FRANCES SMITH, CITY CLERK