

REGULAR COUNCIL MEETING
CITY OF EXCELSIOR SPRINGS
EXCELSIOR SPRINGS, MISSOURI
OCTOBER 17, 2005

The City Council of the City of Excelsior Springs, Missouri met in Regular Session at 6:00 PM, Monday, October 17, 2005 in the Council Chambers of the Hall of Waters Building. The Meeting was called to order by Mayor R. D. "Sonny" Parker.

The opening prayer was given by Councilman Chad Taylor.

The Pledge of Allegiance was led by Mayor Parker.

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

Absent: None

VISITORS: (Tape A29-150)

Mandy King, 1717 Wornall, addressed the Council. Mandy stated that she and her husband had just recently moved to Excelsior Springs, along with her dog "Harley" who happens to be a pit-bull. She stated she did not educate herself on Excelsior Springs' ordinance banning pit-bulls before moving here. Her dog got out of their fence and went to the neighbor's house. The neighbor called the Police. Her dog has now been removed to her mother's home outside the City. Mandy asked the Council to review the present ordinance regarding pit-bulls and come up with a non breed-specific ordinance. She stated that the City's leash law and fencing ordinance are enough to protect the community without having a breed-specific ordinance. She also stated that she researched this subject and is willing to furnish print-outs of information she has gathered.

Mayor Parker asked Mandy to give this information to Police Chief John McGovern and that the Council has no problem with reviewing the ordinance. Mayor Pro-Tem Fousek stated he has spoken to this resident and she is very respectful and very kind. He also asked Mandy to leave her information with the Police Chief.

MINUTES OF REGULAR COUNCIL MEETING OF OCTOBER 3, 2005: (Tape A151-160)

Councilwoman Fines made a motion to approve the Minutes of the Regular Council Meeting held on October 3, 2005. Motion was seconded by Councilman Hartman.

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

Nays: None, motion carried.

Minutes of October 3, 2005 passed and approved October 17, 2005.

CONSIDERATION OF AGENDA: (Tape A161-172)

Mayor Parker asked for a motion to approve the Agenda with the addition of Ordinance #05-10-8 to be added to Item #5.

Councilman Hartman made a motion to approve the Agenda, as amended. Motion was

seconded by Councilman Taylor.

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

Nays: None, motion carried.

Agenda, as amended, passed and approved October 17, 2005.

PROCLAMATION, NATIONAL BUSINESS WOMEN'S WEEK: (Tape A173-206)

Mayor Parker read, aloud, the Proclamation naming the week of October 16 through 22, 2005 as National Business Women's Week. This Proclamation was then presented to Sonya Morgan.

ORDINANCE #05-10-4, WYMAN SCHOOL REZONING: (Tape A207-251)

Mr. Jimmy Dumas, prospective developer of the Wyman Condos, was not present at this meeting; however, he was on the telephone by way of a "conference" call and was able to hear the actions of the Council on this Ordinance.

Councilwoman Fines made a motion to approve Ordinance #05-10-4, approving the re-zoning of the property at 108 Dunbar Avenue (formerly Wyman School) from C-1 zoned commercial district to R-3 cluster, townhouse or garden type residential district as set out in the Ordinance. Motion was seconded by Councilman Hartman.

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

Nays: None, motion carried.

Ordinance #05-10-4 passed and approved October 17, 2005.

The City Manager asked Mr. Dumas if he had "heard" the roll call of votes and Mr. Dumas stated that he had. Mr. Dumas also stated that he approved of the Ordinance and informed the Council they would be seeing a lot of him in the future.

PUBLIC UTILITY EASEMENTS: (Tape A252-312)

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

Councilman Hartman made a motion to approve the public utility easements for Jessee Estates and Longsinger Farms for the northwest waterline installation. Motion was seconded by Councilwoman Fines.

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

Nays: None, motion carried.

Public Utility Easements passed and approved October 17, 2005.

ORDINANCE #05-10-5, AMBULANCE BILLING: (Tape A313-554)

Assistant Fire Chief Kent Cantrell briefed the Council on the need for this Ordinance. He also introduced Diana Padgett and John Petersen, representatives of the Omni Group, who were able to answer the Council's questions regarding ambulance contract billing.

Councilman Taylor made a motion to approve Ordinance #05-10-5, authorizing the City Manager to enter into a contract with Omni Group for the provisions of Ambulance Billing Services. Motion was seconded by Councilman Hartman.

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

Nays: None, motion carried.

Ordinance #05-10-5 passed and approved October 17, 2005.

ORDINANCE #05-10-8, CONTRACT FOR STREET AND OUTDOOR LIGHTING: (Tape A555-632).

The City Manager briefed the Council on this Ordinance, informing them this is a typical 20-year agreement.

Mayor Pro-Tem Fousek made a motion to approve Ordinance #05-10-8, accepting the lighting contract between the City of Excelsior Springs and AmerenUE. Motion was seconded by Councilman Hartman.

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

Nays: None, motion carried.

Ordinance #05-10-8 passed and approved October 17, 2005.

TRUCK BID – FIRE DEPARTMENT: (Tape A633-739).

Fire Chief Bill Stewart answered the Council's questions regarding this item. Councilman Hartman asked if this purchase was on the list prepared by the Public Safety Sales Tax Committee and Fire Chief Stewart advised that it was.

Councilwoman Fines made a motion to approve a bid by Midway Truck Center for a 2006 Ford, F-550, 4-wheel drive, 4-door, crew cab truck in the amount of \$42,910.00. Motion was seconded by Councilman Taylor.

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

Nays: None, motion carried.

Expenditure of \$42,910.00 for truck for Fire Department passed and approved October 17, 2005.

ORDINANCE #05-10-6, SKATEBOARDING: (Tape A740-871).

Police Chief John McGovern advised the Council that this Ordinance prohibits skateboarding in all business districts. Skateboarding will be allowed on all other sidewalks, streets and other public ways within the city, except state or federal highways or other streets classified as arterial or collector streets on the city zoning map.

Councilman Hartman made a motion to approve Ordinance #05-10-6, amending Chapter 310 of the City Code by enacting a new Section 310.055 regulating the use of skateboards. Motion was seconded by Councilman Taylor.

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

Nays: None, motion carried.

Ordinance #05-10-6 passed and approved October 17, 2005.

LIME SLAKER PURCHASE: (Tape A872-1148)

Rex Brinker gave the Council a detailed description of the need for this lime slaker.

Mayor Pro-Tem Fousek made a motion to approve the purchase of components for the Water Department's Lime Slaker, in the amount of \$410,800.00 from RDP Technologies, who was the Engineer's recommendation and to allot a project total of \$530,996.00. Motion was seconded by Councilman Hartman.

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

Nays: None, motion carried.

Purchase of Lime Slaker passed and approved October 17, 2005.

POLICE VEHICLE PURCHASES: (Tape A1149-1290)

Police Chief McGovern answered the Council's questions on this purchase.

Councilwoman Fines made a motion to approve the purchase of two (2) Crown Victoria vehicles from Chuck Anderson Ford for \$42,860.00, and a cost not to exceed \$28,000 for two (2) used Highway Patrol vehicles. Motion was seconded by Councilman Hartman.

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

Nays: None, motion carried.

Police Vehicle Purchases passed and approved October 17, 2005.

Mayor Parker requested that the Police Department keep records of the performance of these two used vehicles.

APPROPRIATIONS ORDINANCE #05-10-7: (Tape A1291-1386)

Councilman Taylor made a motion to approve Appropriations Ordinance #05-10-7, in the amount of \$502,891.95. Motion was seconded by Councilman Hartman.

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

Nays: None, motion carried.

Appropriations Ordinance #05-10-7 passed and approved October 17, 2005.

REMARKS, CITY MANAGER AND CITY COUNCIL: (Tape A1387-1670)

City Manager Hennen:

1. A tentative yard waste pick-up schedule has been set for the week of Nov. 14-18, 2005, providing the leaves have fallen by then.
2. The EPA will hold a public meeting tonight at the Ruey-Anna Hi Rise from 7:00 PM to 9:00 PM to receive comments regarding the removal of contaminated soil.
3. Thursday night will be the City's 125th Anniversary dinner at the Elms Hotel. The oil painting to be auctioned off that night will be on display until Thursday at the Hall of Waters. There are also order forms for copies of the oil painting which comes in three sizes.

Councilwoman Fines:

1. Asked the Police Chief if they had any trouble returning rotors which would not fit police vehicles.

Councilman Taylor:

1. Thanked the community and Mr. Jimmy Dumas for their patience while the Council put together an Ordinance which would keep low-income housing out of the City. Taylor also stated he is looking forward to the project being completed.
2. Wants to make the Council aware that he will be bringing some new ideas back to the Council regarding the Golf Course.

Councilman Hartman:

1. The 125th Anniversary dinner will be Thursday with the social hour starting at 6:00 PM. There will be displays of historical items at the Elms at that time. All proceeds will go to the Museum. He looks forward to having a good turn-out for the dinner.

Mayor Pro-Tem Fousek:

1. On Saturday, October 29, 2005 at 10:30 AM, there will be a ribbon cutting at the skateboard park providing the equipment arrives on time. This is a community project and has been well done. He would like to thank the group of skate-boarders who first approached the Council regarding this project. They have requested a "wide" ribbon for the cutting ceremonies.

Mayor Parker:

1. Expressed his sentiments regarding the skateboard park. Rex and his crew has done an excellent job pouring the concrete for this project.
2. Would like to thank the Council for passing the Ordinance on the Wyman School. This is a viable project for the community.

With no further business at hand, Mayor Parker adjourned the Regular Council Meeting at 6:52 PM.

ATTEST:

R. D. "SONNY" PARKER, MAYOR

FRANCES SMITH, CITY CLERK

