

REGULAR COUNCIL MEETING
CITY OF EXCELSIOR SPRINGS
EXCELSIOR SPRINGS, MISSOURI
MARCH 20, 2006

The City Council of the City of Excelsior Springs, Missouri met in Regular Session at 6:00 PM, Monday, March 20, 2006 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 and Councilman Taylor

Absent: None

VISITORS:

There were no Visitors at this meeting.

MINUTES OF REGULAR COUNCIL MEETING ON MARCH 6, 2006: (Tape A28-42)

Mayor Pro-Tem Fousek made a motion to approve the Minutes of the Regular Council Meeting held on March 6, 2006. Motion was seconded by Councilwoman Fines.

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

Nays: None, motion carried.

Minutes of March 6, 2006 passed and approved March 20, 2006.

CONSIDERATION OF AGENDA: Tape A43-50)

Councilwoman Fines made a motion to approve the Agenda, as printed. Motion was seconded by Councilman Taylor.

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

Nays: None, motion carried.

Agenda, as printed, passed and approved March 20, 2006.

BOARD APPOINTMENTS: (Tape A51-108)

Mayor Pro-Tem Fousek made a motion to approve the re-appointment of Bill Griffey, Sr. to the Board of Adjustments – length of term to be determined at their first meeting. Motion was seconded by Councilwoman Fines.

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

Nays: None, motion carried.

Bill Griffey, Sr. re-appointed to Board of Adjustments March 20, 2006.

Councilwoman Fines made a motion to approve the appointment of Nick Houk to the Board of Adjustments –

length of term to be determined at their first meeting. Motion was seconded by Councilman Taylor.

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

Nays: None, motion carried.

Nick Houk appointed to Board of Adjustments on March 20, 2006.

Mayor Pro-Tem Fousek made a motion to approve the appointment of Jerry Woods to the Board of Adjustments – length of term to be determined at their first meeting. Motion was seconded by Councilwoman Fines.

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

Nays: None, motion carried.

Jerry Woods appointed to Board of Adjustments on March 20, 2006.

Councilwoman Fines made a motion to approve the appointment of Rich Andrew to the Board of Adjustments – length of term to be determined at their first meeting. Motion was seconded by Councilman Taylor.

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

Nays: None, motion carried.

Rich Andrew appointed to Board of Adjustments on March 20, 2006.

Mayor Pro-Tem Fousek made a motion to approve the appointment of Rodney Rounkles to the Board of Adjustments – length of term to be determined at their first meeting. Motion was seconded by Councilwoman Fines.

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

Nays: None, motion carried.

Rodney Rounkles appointed to Board of Adjustments on March 20, 2006.

WAL-MART LIQUOR LICENSE: (Tape A109-127)

Police Chief advised the Council that there was nothing in the background check to preclude the license being issued to Wal-Mart. The license will be issued under the conditions that they are approved by the State of Missouri.

Councilwoman Fines made a motion to approve a request by Wal-Mart Stores, Inc. for a Package Liquor and Sunday Sales/Package Liquor License for their Super center #195 located at 2203 Patsy Lane, Excelsior Springs, Missouri. Ms. Janet Lynn will be the Managing Officer of the license. Motion was seconded by Mayor Pro-Tem Fousek.

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

Nays: None, motion carried.

Liquor License for Wal-Mart passed and approved March 20, 2006.

SUMMER SEWER CREDIT PROGRAM: (Tape A128-168)

The City Manager briefed the Council on the purpose of this credit.

Mayor Pro-Tem Fousek made a motion to approve the “Summer Sewer Credits” Discount Program for Fy 2005-

2006. Motion was seconded by Councilwoman Fines.

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

Nays: None, motion carried.

Summer Sewer Credits passed and approved March 20, 2006.

ORDINANCE #06-3-4, AT&T HIPCS CONTRACT: (Tape A169-1022)

Steve Marriott, Finance Director, introduced representatives of AT&T who gave a presentation to the Council on their "Voice-over Internet Protocol" Solution. They informed the Council that all software and hardware upgrades would be included in the plan.

Council Candidate Robert Endsley addressed the Council and stated that he was behooved that the City would go out for competitive service when there was plenty of other service available. Mr. Endsley asked the Council for an opportunity to give a formal presentation from his telecommunications company.

The City Manager advised the Council that the City had gone through the Mid America Regional Council, of which the City is a member, for bids to obtain a 40% discount and that he had given Mr. Endsley the information necessary to contact MARC so he could participate in their bids.

Mayor Pro-Tem Fousek made a motion to approve Ordinance #06-3-4, authorizing the City Manager and the Finance Director to enter into negotiations for a contract with AT&T. There was no second motion.

After further discussion, the City Manager assured the Council that Mr. Endsley had been given an opportunity to enter into the MARC bidding process.

Mayor Pro-Tem Fousek made a second motion to approve Ordinance #06-3-4, authorizing the City Manager and the Finance Director to enter into negotiations for a contract with AT&T. Motion was seconded by Councilman Taylor.

Roll Call of Votes: Ayes: Taylor, Fousek

Nays: Fines, Parker

Ordinance #06-3-4 failed to pass due to a lack of majority "Yes" votes.

RESOLUTION #719, ASPHALT BIDS/TRANS TRUST FUND: (Tape A1023-1209)

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

Councilwoman Fines made a motion to approve Resolution #719, accepting the recommendation of the Transportation Trust Authority to accept 2006 asphalt overlay project phase I in the amount of \$460,717.00. Motion was seconded by Mayor Pro-Tem Fousek.

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

Nays: None, motion carried.

Resolution #719 passed and approved March 20, 2006.

RESOLUTION #720, 45-FOOT MAN-LIFT: (Tape A1210-1316)

Councilwoman Fines made a motion to approve Resolution #720, accepting the recommendation of the Transportation Trust Authority to accept the bid of Rex Spencer of \$58,461.00 for the 45-foot man-lift. Motion was seconded by Mayor Pro-Tem Fousek.

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

Resolution #720 passed and approved March 20, 2006.

DEMOLITION BIDS FOR OLD FIRE STATION: (Tape A1317-1423)

Fire Chief Bill Stewart briefed the Council on these bids.

Councilman Taylor made a motion declaring the metal annex building, located at 220 S. Dunbar, as surplus municipal property and further accepting the bid of Jerry Woods for the removal of said property. Motion was seconded by Mayor Pro-Tem Fousek.

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

Demolition bids for Old Fire Station passed and approved March 20, 2006.

APPROPRIATIONS ORDINANCE #06-3-5: (Tape A1424-1471)

Councilwoman Fines made a motion to approve Appropriations #06-3-5 in the amount of \$469,059.44. Motion was seconded by Mayor Pro-Tem Fousek.

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

Appropriations Ordinance #06-3-5 passed and approved March 20, 2006.

REMARKS – CITY MANAGER AND CITY COUNCIL: (Tape A1472-1962)

City Manager Hennen:

1. The bids from AT&T contained in Council packets need to be returned to him.
2. Advised Eric Copeland of the "Standard" that the Candidates Forum has been re-scheduled for next Monday night.
3. The Police have caught two of the "graffiti artists" and are looking for a third.
4. There was a Merchant's Meeting this morning and 40-plus people attended.
5. He and the Mayor toured Benton Street area and several cars have been tagged.
6. The City will have to re-new health insurance rates for employees and there will be an increase.
7. The Clay County EDT Meeting will be held in April.
8. For several years he had the privilege of sitting next to former Councilman Paul Filley who passed away and he will miss him.

Councilman Taylor:

1. Asked if the persons arrested for the graffiti were the ones who done the job. The City Manager informed him that they were – there was one driver and three who done the job. The two are in jail.
2. He is in favor of pursuing options of cameras on Broadway to curb vandalism, speeding, etc., but will wait until the City has a full Council before making his presentation.
3. He would also like to make sure the City has Ordinances in place to tie penalties to parents of persons committing the vandalism. Do we have a curfew? How is it enforced? We need stiffer penalties.

Mayor Pro-Tem Fousek:

1. He will miss Paul Filley even though they disagreed 90% of the time. Paul dedicated himself to the Community, the VFW, the City, Planning and Zoning, the Housing Authority, etc. Stated he loved him, respected him and will miss him.
2. Would liked to have seen the City make progress with the AT&T contract. Feels there was a logical bidding

process.

Mayor Parker:

1. Will sorely miss Paul Filley...he was a good citizen.

With no further business at hand, the Mayor adjourned the Regular Council Meeting at 6:58 PM.

ATTEST:

R. D. "SONNY" PARKER, MAYOR

FRANCES SMITH, CITY CLERK