

REGULAR COUNCIL MEETING
CITY OF EXCELSIOR SPRINGS
EXCELSIOR SPRINGS, MISSOURI
APRIL 3, 2006

The City Council of the City of Excelsior Springs, Missouri met in Regular Session at 6:00 PM, Monday, April 3, 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: (Tape A24-144)

At the beginning of this meeting, the "Oath" was administered to the newly appointed members of the Board of Adjustments and each member presented with a Certificate of Appointment by the City Clerk. The following were sworn in:

Bill Griffey, Sr. – Term to expire March 31, 2009
Nick Houk – Term to expire March 31, 2008
Jerry Woods – Term to expire March 31, 2008
Rich Andrew – Term to expire March 31, 2009
Rodney Rounkles – Term to expire March 31, 2007

A resident of 114 So. Myrtle advised the Council that he had requested a burn permit for his property to the Fire Department and was rejected because his property is zoned "R-1". He has a vast amount of tree limbs, leaves and brush on the back of his property and he is attempting to clean it up. He wanted to know what he could do to obtain a burn permit.

Mayor Parker stated the City has an Ordinance prohibiting burning by residents. The Mayor also advised the home owner that the City has a yard-waste pick up scheduled.

Mayor Pro-Tem Fousek stated if the Council allowed one variance from the Ordinance, then others would want one too and he does not support this.

The resident stated he did not want to haul all his brush out to the curb because he has a 25 foot concrete pad in back of his house and would be burning in 55 gallon drums. He just wanted to know what area he could pursue in order to get a burn permit.

This resident was advised by the Council that this burning would not be allowed.

MINUTES OF REGULAR MEETING ON MARCH 20 AND SPECIAL MEETING ON MARCH 27, 2006: (Tape A145-153)

Councilwoman Fines made a motion to approve the Minutes of the Regular Council Meeting held on March 20, 2006. Motion was seconded by Councilman Taylor.

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

Nays: None, motion carried.

Minutes of March 20, 2006 passed and approved April 3, 2006.

Councilwoman Fines made a motion to approve the Minutes of the Special Council Meeting held on March 27, 2006. Motion was seconded by Councilman Taylor.

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

Minutes of March 27, 2006 passed and approved April 3, 2006.

CONSIDERATION OF AGENDA: (Tape A154-174)

Councilwoman Fines made a motion to approve the Agenda, as printed. Motion was seconded by Mayor Pro-Tem Fousek.

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

Agenda, as printed, passed and approved April 3, 2006.

ORDINANCE #06-4-1, STREET VACATION – OAKS HOTEL: (Tape A196-223)

Matt Tapp, Director of Planning & Zoning, briefed the Council on this Ordinance.

Mayor Pro-Tem Fousek made a motion to approve Ordinance #06-4-1, vacating an alley in the City of Excelsior Springs for the Oaks Hotel. Motion was seconded by Councilwoman Fines.

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

Ordinance #06-4-1 passed and approved April 3, 2006.

ORDINANCE #06-4-2, SPECIAL USE PERMIT: (Tape A224-519)

Once again, Matt Tapp briefed the Council on this Ordinance. He introduced a representative of SBC who answered the Council's questions on noise levels of the generator and the appearance of the building.

Mayor Pro-Tem Fousek asked if SBC would maintain the structure as far as paint, etc. was concerned. He was advised that the structure would be made of a pre-finish material and would be maintenance free.

Mayor Parker was concerned about the noise level since the building would be close to a funeral home and a nice restaurant.

Mayor Pro-Tem Fousek made a motion to approve Ordinance #06-4-2, conditionally issuing a Special Use Permit to operate an emergency generator at 216 W. Broadway Ave. Motion was seconded by Councilwoman Fines.

Roll Call of Votes: Ayes: Fines, Taylor, Fousek
 Nays: Parker. Motion carried.

Ordinance #06-4-2 passed and approved April 3, 2006.

RESOLUTION #720, POLICE STATION HVAC SYSTEM: (Tape A520-865)

Sgt. Clint Reno briefed the Council on this Resolution.

Mayor Pro-Tem Fousek expressed concern regarding the City not following the bid process creating a problem with City policy.

Bob Ingle, member of Capital Improvements, addressed the Council in regard to the City doing what is best for the City. Capital Improvements suggests the City go with the bid from George Wood Heating and Air Conditioning...there is a 6.9% variance in the bids of George Wood and A.B.May Heating and Cooling but the City will receive faster service from a local vendor.

Mayor Pro-Tem Fousek made a motion to approve Resolution #720, accepting the bid of George Wood Heating and Air Conditioning for this critical facility and service from a local vendor will be more expedient...to use Capital Improvements Sales Tax for replacement/modification of the Police Station's heating and cooling (HVAC) system. Motion was seconded by Councilman Taylor.

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

Nays: None, motion carried.

Resolution #720 passed and approved April 3, 2006.

CITY-WIDE CLEAN UP: (Tape A866-993)

Roy Gray, Public Works Department, advised the Council that City-Wide Clean Up Day will be May 20, 2006 and the Boy Scouts will be assisting.

Councilwoman Fines made a motion to approve City-Wide Clean Up for Saturday, May 20, 2006 from 8:00 AM to 3:00 PM, per the budget submitted. Motion was seconded by Councilman Taylor.

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

Nays: None, motion carried.

City-Wide Clean Up passed and approved April 3, 2006.

APPROPRIATIONS ORDINANCE #06-4-3: (Tape A994-1029)

Councilwoman Fines made a motion to approve Appropriations Ordinance #06-4-3, in the amount of \$536,725.04. Motion was seconded by Mayor Pro-Tem Fousek.

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

Nays: None, motion carried.

Appropriations Ordinance #06-4-3 passed and approved April 3, 2006.

REMARKS – CITY MANAGER & CITY COUNCIL: (Tape A1020-1184)

City Manager Hennen:

1. Asked the Council to pick a day to meet and certify the ballot results from Ray and Clay Counties. He will not be here next Monday...he will be in Jeff City, but the Council can meet without him. It was decided to meet at 6:00 PM Monday, April 10, 2006 provided election results have been received by then.
2. Would like to publicly thank Councilwoman Fines for her three years service on the Council.

Councilwoman Fines:

1. Asks everyone to get out tomorrow and vote.

Councilman Taylor:

1. Also asks everyone to get out and vote.
2. He will table his further remarks until the Council has a full staff.

3. Also thanks Councilwoman Fines for her service.

Mayor Pro-Tem Fousek:

1. Read stories this afternoon to the Head Start students. He would ask the class to vote on whether to turn the page and continue the story.
2. Asks everyone to vote for the candidates of their choice.

Mayor Parker:

1. Wishes all the candidates luck in tomorrow's election.

With no further business at hand, the Mayor adjourned the Regular Council Meeting at 6:43 PM.

ATTEST:

R. D. "SONNY" PARKER, MAYOR

FRANCES SMITH, CITY CLERK