

REGULAR COUNCIL MEETING
CITY OF EXCELSIOR SPRINGS
EXCELSIOR SPRINGS, MISSOURI
APRIL 17, 2006

The City Council of the City of Excelsior Springs, Missouri met in Regular Session at 6:00 PM, Monday, April 17, 2006 in the Council Chambers of the Hall of Waters Building. The Meeting was called to order by Mayor Jim Nelson.

The opening prayer was given by Mayor Pro-Tem Chad Taylor.

The Pledge of Allegiance was led by Mayor Nelson.

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

Absent: Councilman Parker

VISITORS: (Tape A22-241)

Mr. Ron Prewitt, owner of Ray's Lunch 231 E. Broadway, addressed the Council. Ron stated his concern is that with the Car Show coming up soon, he wonders if he will have help from the Police Department to handle all the traffic coming downtown. He hopes there will be enough room on Broadway to park all the cars which will be brought to the show...125 to 150 cars. He stated he will need extra Police to handle the traffic coming in at 7:00 AM to the Oaks Parking Lot to register. The awards ceremony will be from 3:00-4:00 PM, then he will need Police to help when they leave town between 3:30 and 5:00 PM.

The City Manager advised that the Police Department and Emergency Medical will be there to help. Mayor Nelson advised Ron that the City will not abandon him for this event. Police Chief John McGovern stated the Police Department will be there to help.

MINUTES OF REGULAR COUNCIL MEETING ON APRIL 3, 2006 AND SPECIAL COUNCIL MEETING ON APRIL 10, 2006: (Tape A242-278)

Mayor Nelson stated there is not a quorum of Council Members who were present at the April 3, 2006 meeting; therefore the Minutes of April 3, 2006 will be "Tabled" until the next meeting.

Councilman Fousek made a motion to approve the Minutes of the Special Council Meeting held on April 10, 2006. Motion was seconded by Mayor Pro-Tem Taylor.

Roll Call of Votes: Ayes: Schutte, Fousek, Taylor, Nelson

Nays: None, motion carried.

Minutes of Special Council Meeting on April 10, 2006 passed and approved April 17, 2006.

CONSIDERATION OF AGENDA: (Tape A279-324)

At this time Mayor Nelson stated he wished to present to the Council a plaque honoring former Councilman Paul Filley and "thanking him for his time".

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

Roll Call of Votes: Ayes: Fousek, Schutte, Taylor, Nelson

Nays: None, motion carried.

Agenda, as printed, passed and approved April 17, 2006.

BOARD APPOINTMENTS: (Tape 325-387)

Councilwoman Schutte made a motion to approve the appointment of Judy George to the Excelsior Springs Housing Authority; expiration date to be November 30, 2010. Motion was seconded by Councilman Fousek.

Roll Call of Votes: Ayes: Fousek, Schutte, Taylor, Nelson

Nays: None, motion carried.

Judy George appointed to the Housing Authority on April 17, 2006.

Councilman Fousek made a motion to approve the appointment of Jerry Woods to the Planning and Zoning Commission; said term to expire May 1, 2010. Motion was seconded by Councilwoman Schutte.

Roll Call of Votes: Ayes: Schutte, Fousek, Taylor, Nelson

Nays: None, motion carried.

Jerry Woods appointed to Planning and Zoning on April 17, 2006.

Councilwoman Schutte made a motion to approve the appointment of Dennis Hartman to the Capital Improvements Authority; said term to expire March 31, 2009. Motion was seconded by Mayor Pro-Tem Taylor.

Roll Call of Votes: Ayes: Fousek, Schutte, Taylor, Nelson

Nays: None, motion carried.

Dennis Hartman appointed to Capital Improvements on April 17, 2006.

Councilman Fousek made a motion to approve the appointment of Mike Edwards to the Capital Improvements Authority; said term to expire March 31, 2009. Motion was seconded by Councilwoman Schutte.

Roll Call of Votes: Ayes: Schutte, Fousek, Taylor, Nelson

Nays: None, motion carried.

Mike Edwards appointed to Capital Improvements on April 17, 2006.

NOTE: At this time the "Oath" was administered to Mike Edwards by the City Clerk. A "Certificate of Appointment" was also presented to Mike.

LIQUOR LICENSE – MURPHY OIL: (Tape A388-425)

Police Chief John McGovern advised the Council that a background check had been run and there was nothing to preclude this license being issued. He stated this license would be for the rest of this year and for another year beginning in July, 2006.

Councilman Fousek made a motion to approve a request by Murphy Oil USA, Inc. for a 5% Package Beer License for their gas station located at 2211 Patsy Lane, Excelsior Springs, Missouri which would also include the 2007-2007 renewal year. Lorene Samson will be the Managing Officer of the license. Motion was seconded by Councilwoman Schutte.

Roll Call of Votes: Ayes: Fousek, Schutte, Taylor, Nelson

Nays: None, motion carried.

Liquor License for Murphy Oil passed and approved April 17, 2006.

LIQUOR LICENSE – DO-RITE CONSTRUCTION: (Tape A426-461)

Chief McGovern once again advised the Council that a background check had been run and there was nothing which would preclude the issuance of this license.

Councilwoman Schutte made a motion to approve a request by Mark Rohfs for a Package Liquor and Sunday Sales/Package Liquor License for Do-Rite Construction & Bait Shop (formerly Maney's), located at 2304 N. 69 Highway, Excelsior Springs, Missouri, which would also include the 2006-2007 renewal year. Benjamin Ferguson will be the Managing Officer of the license. Motion was seconded by Councilman Fousek.

Roll Call of Votes: Ayes: Schutte, Fousek, Taylor, Nelson

Nays: None, motion carried.

Liquor License for Do-Rite Construction passed and approved April 17, 2006.

ORDINANCE #06-4-5, COURT COSTS AMENDMENT: (Tape A462-486)

Mayor Pro-Tem Taylor made a motion to approve Ordinance #06-4-5, amending Chapter 135 by repealing Section 135.260 and enacting a new Section 135.260, as it relates to Court Costs. Motion was seconded by Councilman Fousek.

Roll Call of Votes: Ayes: Fousek, Schutte, Taylor, Nelson

Nays: None, motion carried.

Ordinance #06-4-5 passed and approved April 17, 2006.

HOSPITAL R&E FUNDS: (Tape A487-516)

Councilwoman Schutte made a motion to authorize the Finance Director to transfer \$60,467.00 from the Hospital R & E Fund to the Hospital Operating Account for the reimbursement of items as per the April 4, 2006 letter from the Hospital Board. Motion was seconded by Councilman Fousek.

Roll Call of Votes: Ayes: Schutte, Fousek, Taylor, Nelson

Nays: None, motion carried.

Hospital R&E Fund Transfer passed and approved April 17, 2006.

RESOLUTION #722, CAPITAL IMPROVEMENTS PROJECTS: (Tape A517-621)

Debbie Kimsey, Assistant City Manager, briefed the Council on this Resolution.

Mayor Pro-Tem Taylor made a motion to approve Resolution #722, authorizing the use of Capital Improvements Sales Tax for Tiger Drive Sidewalk and Hall of Waters Courtyard. Motion was seconded by Councilman Fousek.

Roll Call of Votes: Ayes: Schutte, Fousek, Taylor, Nelson

Nays: None, motion carried.

Resolution #722 passed and approved, April 17, 2006.

ORDINANCE #06-4-6, OAKS HOTEL AMENDMENT: (Tape A622-710)

The City Manager advised the Council on the necessity of this Ordinance.

Councilman Fousek made a motion to approve Ordinance #06-4-6, accepting the second amendment to the original sales agreement for the Oaks Hotel. Motion was seconded by Mayor Pro-Tem Taylor.

Roll Call of Votes: Ayes: Fousek, Schutte, Taylor, Nelson

Nays: None, motion carried.

Ordinance #06-4-6 passed and approved April 17, 2006.

APPROPRIATIONS ORDINANCE #06-4-7: (Tape A711-759)

Councilwoman Schutte made a motion to approve Appropriations Ordinance #06-4-7, in the amount of \$532,479.27. Motion was seconded by Councilman Fousek.

Roll Call of Votes: Ayes: Schutte, Fousek, Taylor, Nelson

Nays: None, motion carried.

Appropriations Ordinance #06-4-7 passed and approved April 17, 2006.

REMARKS – CITY MANAGER AND CITY COUNCIL: (Tape A760-943)

City Manager Hennen:

1. Wished to explain to those present why the Council will go from its regular public meeting to a public LCRA meeting; before going into a Closed Session. Did not want the public to leave after the regular meeting while the Council had a Closed Session...then have the public come back for the next open meeting regarding LCRA.
2. Pointed out that the jail bill will be higher now...the City is aggressively enforcing "codes".
3. The Chamber dinner is this week...those wishing to go please let Sherry know.
4. He and Debbie attended a meeting of the Northland Chambers of Commerce last week in Jefferson City.
5. Will be taking a couple of days off.

Mayor Pro-Tem Taylor:

1. Encourages the "codes" people to get out in force.

Councilwoman Schutte:

1. The sign at St. Louis and Thompson Ave. looks good with the brick being put on.
2. With the Car Show this weekend, encourages the City to do extra clean up of the City.
3. Encourages everyone to come out for all the events they can.

Councilman Fousek:

1. In the next few months would like for the City to re-visit the problematic septic system within the City. The City Manager advised that two NID's had sought information from the City on septic systems...Sherwood Street and #92 Highway.

Mayor Nelson:

1. Wants the City to address problem areas within the City.

With no further business at hand, the Mayor called for a motion to adjourn the Regular Council Meeting and go into the LCRA Meeting.

Councilwoman Schutte made a motion to adjourn the Regular Council Meeting and go into the LCRA Meeting. Motion was seconded by Mayor Pro-Tem Taylor.

Roll Call of Votes: Ayes: Schutte, Fousek, Taylor, Nelson

 Nays: None, motion carried.

Regular Council Meeting adjourned at 6:35 PM.

ATTEST:

JIM NELSON, MAYOR

FRANCES SMITH, CITY CLERK