

REGULAR COUNCIL MEETING  
CITY OF EXCELSIOR SPRINGS  
EXCELSIOR SPRINGS, MISSOURI  
SEPTEMBER 5, 2006

The City Council of the City of Excelsior Springs, Missouri met in Regular Session at 6:00 PM, Monday, September 5, 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 Taylor.

The Pledge of Allegiance was led by Mayor Nelson.

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

Absent: Councilman Parker and Councilwoman Schutte

VISITORS: (Tape #1 A24-A174)

Ms Betty Bissell, 101 Linden, a member of the Board of Directors at the Historical Museum, addressed the Council. Betty stated that in February of 2005 Councilman Dennis Hartman headed up the 125<sup>th</sup> Anniversary Committee of the Excelsior Springs, Missouri and asked her to be a member of this committee. She agreed. \$5,000 was given to the Committee by the City and was deposited in a separate bank account by the Secretary of the Historical Museum. This money was used to purchase souvenirs such as cups, flags, etc and the 125<sup>th</sup> Committee distributed these souvenirs to the Historical Museum and the Water Bar. Betty is requesting the Council conduct a review of these records. She states her concern is with souvenir items to be sold at the Water Bar. She was informed that souvenir items to be sold at the Water Bar had been given away; however, there is no record of this. \$250.00 was turned over to the 125<sup>th</sup> Committee from the Water Bar out of \$1,000 worth of souvenir items placed there. There is a lack of accountability of items taken to the Water Bar and this is her concern.

The City Manager advised the Council that he would get with Betty and would come back to the Council with a recommendation.

MINUTES OF REGULAR COUNCIL ON AUGUST 21, 2006, MINUTES OF BUDGET WORK SESSION ON AUGUST 21, 2006, MINUTES OF SPECIAL COUNCIL ON AUGUST 28, 2006 AND MINUTES OF BUDGET WORK SESSION ON AUGUST 28, 2006: (Tape #1 A175-192)

Councilman Fousek made a motion to approve the Minutes of the Regular Council Meeting held on August 21, 2006, the Minutes of the Budget Work Session held on August 21, 2006, the Minutes of the Special Council Meeting held on August 28, 2006 and the Minutes of the Budget Work Session held on August 28, 2006. Motion was seconded by Mayor Pro-Tem Taylor.

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

Nays: None, motion carried.

All Minutes of August 21, 2006 and August 28, 2006 passed and approved September 5, 2006.

CONSIDERATION OF AGENDA: (Tape #1 A193-A209)

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

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

Nays: None, motion carried.



Ordinance #06-9-3 passed and approved September 5, 2006.

ORDINANCE #06-9-4, SPECIAL USE PERMIT, BED & BREAKFAST: (Tape #1 A752-889)

Matt Tapp explained to the Council that Planning and Zoning had no issues with this permit. Bob and Marilyn Gerdes, property owners, were on hand to answer questions by the Council.

Councilman Fousek made a motion to approve Ordinance #06-9-4 approving the Special Use Permit to operate a Bed and Breakfast at 321 W. Broadway Ave., Excelsior Springs, Mo. Motion was seconded by Mayor Pro-Tem Taylor.

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

                                  Nays:   None, motion carried.

Ordinance #06-9-4 passed and approved September 5, 2006.

ORDINANCE #06-9-5 – SPECIAL USE PERMIT, PET BOARDING: (Tape #1 A890-1106)

Matt Tapp briefed the Council on this Ordinance. Councilman Fousek asked how waste products would be disposed of. Barbara Coleman, proprietor, explained to the Council the mechanism she has in place to dispose of waste products. Rex Brinker, Public Works Director, advised Ms. Coleman that the Clay County Health Department would have to approve this mechanism.

Councilman Fousek made a motion to approve Ordinance #06-9-5, conditionally issuing as Special Use Permit to operate a Pet Boarding House at 1302 N. Jesse James Rd., Excelsior Springs, Missouri, contingent upon satisfying Clay County Health Department laws, ordinances, rules and regulations. Motion was seconded by Mayor Pro-Tem Taylor.

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

                                  Nays:   None, motion carried.

Ordinance #06-9-5 passed and approved September 5, 2006.

ORDINANCE #06-9-6, SPECIAL USE PERMIT – ROOFTOP TELECOMMUNICATION: (Tape #1 A1107-1274)

Once again, Matt Tapp briefed the Council on this Ordinance.

Councilman Fousek made a motion to approve Ordinance #06-9-6, conditionally issuing a Special Use Permit to operate a Rooftop Telecommunications assembly atop the Ruey Anne Building at 320 W. Excelsior Street, Excelsior Springs, Missouri. Motion was seconded by Mayor Pro-Tem Taylor.

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

                                  Nays:   None, motion carried.

Ordinance #06-9-6 passed and approved September 5, 2006.

APPROPRIATIONS ORDINANCE #06-9-7: (Tape #1 A1275-1347)

Mayor Pro-Tem Taylor made a motion to approve Appropriations Ordinance #06-9-7 in the amount of \$548,708.32.

Motion was seconded by Councilman Fousek.

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

Nays: None, motion carried.

Appropriations Ordinance #06-9-7 passed and approved September 5, 2006.

REMARKS – CITY MANAGER AND CITY COUNCIL: (Tape #1 A1348-1672)

City Manager Hennen:

1. With the 5<sup>th</sup> anniversary of “9-11” approaching, everyone needs to contemplate more and be reflective of the dramatic effect this has on Fire and Police Departments.
2. Recognize the volume of Planning and Zoning projects and compliments Matt Tapp for a very nice job of handling details and reports.
3. There will be a budget work session after the regular Council Meeting.

Councilman Fousek:

1. This week the 2006 Hillbilly Tours will be at the Elms from Wednesday to Saturday. He has been talking to the crowd and they are very happy with the town. They will be showing 1911-1927 American made cars. They will be making tours to different cities from 8:00 AM to 4:00 PM each day. Before 8:00 AM and after 4:00 PM they will be available for public viewing. We are proud to have them here. Tourism, Amen!!

Mayor Nelson:

1. Welcomes the Hillbilly Tours to the City. These old cars are vintage and look like they have just rolled off the assembly line.
2. Would like to thank Matt Tapp for his hard work on the many, many Planning and Zoning projects in the works.
3. Heard a rumor last week that city employees are not allowed to talk to the City Council. He will talk to anyone at anytime. He feels that city employees have the same right as anyone else, but does not intend to circumvent the City Staff in any way.

City Manager Hennen:

1. Advised the Council that city employees may talk to the Council about anything except personnel. On personnel issues, under the city manager form of government, they are to go to their supervisor then to the City Manager and not to the City Council. Each employee has been made aware of this and they know they have a bonafide, clear-cut mechanism for resolving personnel issues.

With no further business at hand, Councilman Fousek made a motion to adjourn the regular council meeting, take a three-minute break, then go into a budget work session. Motion was seconded by Mayor Pro-Tem Taylor.

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

Nays: None, motion carried.

Regular Council Meeting adjourned at 6:55 PM.

ATTEST:

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JIM NELSON, MAYOR

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FRANCES SMITH, CITY CLERK