

REGULAR COUNCIL MEETING  
CITY OF EXCELSIOR SPRINGS  
EXCELSIOR SPRINGS, MISSOURI  
MAY 7, 2007

The City Council of the City of Excelsior Springs, Missouri met in Regular Session at 6:00 PM, Monday, May 7, 2007 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, Councilman Fousek, Councilman Parker and Councilwoman Schutte.

Absent: None

VISITORS: (Tape #1 A893-A1129)

Mr. Danny Pence addressed the Council. Mr. Pence advised that he has a volunteer group which is going to clean up the banks of Fishing River to make the town look better. He stated the City is going to furnish trash bags and a dumpster.

Mr. Pence further stated that he would like to open up the old Roosevelt School for activities for young people in the gymnasium and on the old football field. Mr. Pence asked the Council if there was any reason the City would not want him to do this.

Mr. Pence was advised that the football field is in the flood plane. Councilman Fousek stated there was some reason the school sold Roosevelt school and he should probably contact the school and find out why. Mr. Pence was also advised to consult with the Parks and Recreation Department and the Planning and Zoning Commission.

MINUTES OF SPECIAL MEETING OF CITY COUNCIL ON APRIL 11, 2007 AND MINUTES OF REGULAR MEETING OF THE CITY COUNCIL ON APRIL 16, 2007: (Tape #1 A1130-A1161)

Councilman Fousek made a motion to approve the Minutes of the Special Council Meeting held on April 11, 2007. Motion was seconded by Councilman Parker.

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

Nays: None, motion carried.

Minutes of Special Council Meeting on April 11, 2007 passed and approved May 7, 2007.

Councilman Fousek made a motion to approve the Minutes of the Regular Council Meeting held on April 16, 2007. Motion was seconded by Councilman Parker.

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

Nays: None, motion carried.

Minutes of Regular Council Meeting on April 16, 2007 passed and approved May 7, 2007.

CONSIDERATION OF AGENDA: (Tape #1 A1162-1178)

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

Taylor.

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

Nays: None, motion carried.

Agenda, as printed, passed and approved May 7, 2007.

OAKS HOTEL CHAPTER 358 TAX ABATEMENT HEARING: (Tape #1 A1179-A1647)

Councilman Fousek made a motion to open the Oaks Hotel Chapter 353 Tax Abatement Public Hearing. Motion was seconded by Councilman Parker.

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

Nays: None, motion carried.

A Public Hearing was opened. Mayor Nelson asked if anyone wished to address the Council during the Public Hearing.

Ms. Denise Togan, representing the Oaks Hotel, addressed the Council. She advised the abatement would be 100% for ten years and 50% thereafter. This is based on an assessed value of 23,000 per year on a 9 million dollar building. She further stated that the amount can change. The abatement is based on the income of the property not on the net worth of the building. They can only charge \$395.00 per month for apartments even if the operating expense of the apartment is \$300.00 per month.

With no other person wishing to address the Council, Councilman Parker made a motion to close the Public Hearing. Motion was seconded by Councilman Fousek.

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

Nays: None, motion carried.

The Public Hearing was closed.

Mayor Nelson advised the Council that the Developer will present a proposed Ordinance at the next Council Meeting.

ORDINANCE #07-5-1, SPECIAL USE PERMIT, BED & BREAKFAST: (Tape #1 A1648-1824)

Steve Marriott advised the Council that Planning and Zoning has approved this Special Use Permit and that the permit goes to the person applying and not to the property. Ms. Donna Cobb has made an offer on the property but has not obtained it yet.

Councilman Fousek made a motion to approve Ordinance #07-5-1, issuing a Special Use Permit to operate a Bed and Breakfast at 1502 Tracy Avenue. Motion was seconded by Councilwoman Schutte.

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

Nays: None, motion carried.

Ordinance #07-5-1 passed and approved May 7, 2007.

ORDINANCE #07-5-2, DISSOLVING PRICE CHOPPER TIF: (Tape #1 A1825-1870)

Steve Marriott advised the Council that on May 1, 2007, he repaid the remaining debt on the Price Chopper TIF District.

Councilman Fousek made a motion to approve Ordinance #07-5-2, dissolving the Price Chopper TIF District. Motion was seconded by Councilwoman Schutte.

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

Ordinance #07-5-2 passed and approved May 7, 2007.

ORDINANCE #07-5-3, FIRE TRUCK LEASE-PURCHASE BIDS: (Tape #1 A1871-2000, B1-B163)

Steve Marriott briefed the Council on this lease-purchase; stating that it will be funded out of the Public Safety Sales Tax.

Mayor Pro-Tem Taylor made a motion to approve Ordinance #07-5-3, accepting the bid from De Lage Landen for a lease-purchase over five years at an interest rate of 3.97%. Motion was seconded by Councilman Fousek.

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

Ordinance #07-5-3 passed and approved May 7, 2007.

ORDINANCE #07-5-4, VINTAGE PLAZA FIFTH PLAT: (Tape #1 B164-207)

Steve Marriott advised the Council that Planning and Zoning had unanimously approved this plat.

Councilwoman Schutte made a motion to approve Ordinance #07-5-4, accepting the Subdivision Fifth Plat of Vintage Plaza. Motion was seconded by Councilman Fousek.

Roll Call of Votes:       Ayes:   Fousek, Schutte, Taylor, Nelson  
                              Abstain: Parker  
                              Nays:   None, motion carried.

Ordinance #07-5-4 passed and approved May 7, 2007.

DISCUSSION – GENERAL FUND BUDGET: (Tape #1 B208-B1383)

Steve Marriott presented a print-out of charts and graphs showing the status of the General Fund six months into the fiscal year. (Note: A copy of this print-out is attached and becomes a part of these Minutes.) The charts show that the budget year started with a \$183,305 deficit...the projected year end budget will have a \$586,167 deficit

Councilman Fousek stated he warned the Council a few years ago that the pay increases they were giving then would put the City up against a brick wall.

Councilwoman Schutte stated there has to be a better, more consistent way of controlling finances. The City needs to put a freeze on several things including travel.

Mayor Pro-Tem Taylor asked Deputy Fire Chief Cantrell what he would do if he were sitting in a Council position to control this deficit. Cantrell stated he did not have any suggestions for correcting the deficit.

Councilwoman Schutte stated years ago the City had a Finance Committee and it is time to have it again

Steve Marriott stated that most of this was caused by incorrect figures presented for salaries and benefits during the budget process.

Mayor Pro-Tem Taylor stated that since most of it is salaries and benefits, what could the Council have done if they had known six months ago.

Councilwoman Schutte suggested that department heads be contacted and have them put up the numbers it will take to run their departments for the remainder of the fiscal year. She wants realistic numbers; also a list of what we can do without. Number one is stop all travel.

ORDINANCE #07-5-5, STORM WATER MANAGEMENT PLAN: (Tape #1 B1384-1779)

Chad Birdsong, Interim Public Works Director, briefed the Council on this Ordinance. Chad reminded the Council that funding for this project will come from Road and Bridge, and Transportation Trust.

Councilman Fousek made a motion to approve Ordinance #07-5-5, authorizing the City to enter into a contract with Shafer, Kline and Warren for the implementation of a Storm Water Management Plan. Motion was seconded by Councilman Parker.

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

Nays: None, motion carried.

Ordinance #07-5-5 passed and approved May 7, 2007.

APPROPRIATIONS ORDINANCE #07-5-6: (Tape #1 B1780-B2000, Tape #2 A1-A50)

Councilman Parker made a motion to approve Appropriations Ordinance #07-5-6, in the amount of \$580,643.46. Motion was seconded by Councilman Fousek.

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

Nays: None, motion carried.

Appropriations Ordinance #07-5-6 passed and approved May 7, 2007.

REMARKS – CITY MANAGER AND CITY COUNCIL: (Tape #2 A51-A269)

Interim City Manager Marriott:

1. Councilman Fousek and he took a tour of the Oaks Hotel. This will be a great asset to the community.

Councilman Parker:

1. The Oaks Hotel is planning their grand opening.

Mayor Pro-Tem Taylor:

1. Asked about the status of the Wyman Project. Noticed the windows are boarded up.
2. Asked Police Chief McGovern if there was an increase in police calls during the time the carnival was in town. Thought he heard a lot of sirens because he lives in the area. On Saturday night there were about 25 kids surrounding an SUV and only one officer there. Stated he was standing by with his cell phone in case the officer needed help. Suggested that next time a carnival wants a special use permit, they be required to have their own security.
3. The free movies downtown are very exciting. It will bring people downtown. The shops were open. Very nice.

Councilwoman Schutte:

1. Last week was the Gatsby Festival. Would like to commend the Elms Hotel...the place was full...food was good...service was great...took a lot of volunteers to put the Gatsby event on.
2. As for Park and Recreation using the Airport...we should at least pursue other uses.

Councilman Fousek:

1. Keith Wingy of the Elms Hotel is leaving...there will be a new general manager. Suggested the Mayor give him a Resolution thanking him for all his efforts in the community.

Mayor Nelson:

1. Mr. Wingy will be missed...he worked very hard in the community. The City should publicly thank him.

With no further business at hand, Mayor Nelson adjourned the Regular Council Meeting at 7:40 PM.

ATTEST:

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JIM NELSON, MAYOR

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FRANCES SMITH, CITY CLERK