

REGULAR COUNCIL MEETING
CITY OF EXCELSIOR SPRINGS
EXCELSIOR SPRINGS, MISSOURI
MAY 21, 2007

The City Council of the City of Excelsior Springs, Missouri met in Regular Session at 6:00 PM, Monday, May 21, 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 A23-274)

Ms. Denise Siegel, Member of the Museum Garden Committee, presented a copy of a landscaping plan for the area behind the Old Clay County State Bank (the museum building) and Francis Hotel (the exhibition hall). Denise stated she would like very much to have the Council's comments and approval as to the actual implementation of this design.

Members of the Council were in agreement that this design would be an added improvement to the area behind the museum buildings. Mayor Nelson stated that he welcomed this addition to the Hall of Waters Circle along with all the building improvements the museum has already made. He is very excited about the project.

Mr. John Holmes, a resident of Excelsior Springs since the early 1980's, addressed the Council regarding the closing of the airport. He stated he is tickled about the Golf Course and all the new equipment. He can't say that the City really needs an airport; however, he does support the airport. Why would anyone look at this property and decide to put soccer fields there. He is dead set against closing the airport. Everyone needs to set down and make a decision to keep the airport open...perhaps develop a marketing plan. He would be willing to serve as a volunteer on a committee to promote the airport.

Mayor Nelson advised Mr. Holmes that the Council is starting now to set up an airport board. He would like to have people who are not pilots on the board to get a broader perspective on the airport.

Mr. Holmes also stated the City should build an outstanding restaurant near the airport. Many pilots fly in and go to the Elms for dinner.

Mayor Pro-Tem Taylor asked Mr. Holmes how often the airport is used. Mr. Holmes stated the airport is used every day.

MINUTES OF WORK SESSION OF THE COUNCIL, REGULAR MEETING OF THE COUNCIL AND MINUTES OF THE LCRA MEETING – ALL HELD ON MAY 7, 2007: (Tape A275-305)

Councilman Fousek made a motion to approve the Minutes of the Council Work Session held on May 7, 2007. Motion was seconded by Councilman Parker.

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

Nays: None, motion carried.

Minutes of May 7, 2007 Work Session passed and approved May 21, 2007.

Councilman Parker made a motion to approve the Minutes of the Regular Council Meeting held on May 7, 2007.

Motion was seconded by Councilman Fousek.

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

Minutes of May 7, 2007 Regular Council Meeting passed and approved May 21, 2007.

Councilman Parker made a motion to approve the Minutes of the Land Clearance and Redevelopment Authority held on May 7, 2007. Motion was seconded by Councilman Fousek.

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

Minutes of May 7, 2007 LCRA Meeting passed and approved May 21, 2007.

CONSIDERATION OF AGENDA: (Tape A306-319)

Councilman Fousek 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 21, 2007.

PROCLAMATION: (Tape A312-387)

Mayor Nelson read, aloud, a Proclamation recognizing and honoring the Elms Resort and Spa General Manager Keith Winge for being one of the city's biggest promoters and for being very involved in the revitalization of our community. This Proclamation was then presented to Mr. Winge.

ORDINANCE #07-5-7, CERTIFICATION OF VINTAGE TIF: (Tape A388-436)

Interim City Manager Steve Marriott briefed the Council on this Ordinance; stating that it had been passed and approved by the TIF Commission on May 1, 2007. He also stated that Mr. Bob Craven, Partner of Chap Land Co., L.L.C. was present to answer any Council questions.

Councilman Fousek made a motion to approve Ordinance #07-5-7, authorizing Certification of the Vintage TIF Legal Fees and Design, Construction and Financing Costs. Motion was seconded by Councilwoman Schutte.

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

Ordinance #07-5-7 passed and approved May 21, 2007.

ORDINANCE #07-5-8, CLOSED CIRCUIT TELEVISION SYSTEM FOR SEWER DEPARTMENT: (Tape A437-749)

Phil Hodges, Interim Public Works Co-Director, briefed the Council on this Ordinance. Phil stated that the Pollution Department is years behind current technology in doing video inspections of the sanitary sewer collection system. He further stated this bid came in at \$50,023.85...\$30,000 below the budgeted amount for this item.

Mayor Nelson asked how often this equipment will be used. Phil stated it will be used often to look at areas that have frequent problems.

Councilwoman Schutte stated she didn't doubt this equipment is needed; however, she does not feel that now is the time to make this purchase...before the end of the budget year and with the cash flow such as it is. The Council has not received financial reports on any fund except General Fund.

Phil stated that if the purchase is delayed, the City will have to go out for bids again later.

Mayor Nelson stated he is in agreement with Councilwoman Schutte. Although this is not a General Fund item, to spend this kind of money, the citizenry will come unglued.

Mayor Pro-Tem Taylor asked if everything else is going OK with DNR from the Pollution Control Department. He was advised that it was. Taylor also felt it was a good thing that \$30,000 was saved on the equipment.

Councilman Parker stated this equipment has been needed for a long time for maintenance in the Pollution Control Department. He further stated this item is budgeted.

Councilman Fousek made a motion to approve Ordinance #07-5-8, approving the purchase of a Closed Circuit Television System for Sewer Inspection from Burnup Equipment for \$50,023.85, with monies budgeted in the Pollution Department Budget. Motion was seconded by Councilman Parker.

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

Nays: Schutte, Nelson. Motion carried.

Ordinance #07-5-8 passed and approved May 21, 2007.

ORDINANCE #07-5-9, CONTRACT SALE TO PUBLIC WATER DISTRICT #3: (Tape A750-909)

Chad Birdsong, Interim Co-Director of Public Works, addressed the Council regarding this Ordinance. Chad stated this is a contract with Clay County Water District #3 and will commence no later than December 31, 2008. PWD #3 will pay \$3.11 per one thousand gallons, plus .42 per thousand for each one thousand gallons of the maximum amount not purchased in any month. Chad stated that the City's Water Department has enough capacity in our system to supply PWD #3 with water and it will increase the discretionary income to the Water Department.

Councilman Parker stated this is a good revenue source for the Water Department.

Councilman Fousek asked the City Attorney what punitive aspects Item #9 would have if PWD #3 breaks the contract. He was advised that the seller may terminate this agreement if purchaser fails to cease violation upon five (5) days written notice to purchaser.

Councilman Parker made a motion to approve Ordinance #07-5-9, authorizing the sale of water to Public Water Supply District #3. Motion was seconded by Councilman Fousek.

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

Nays: None, motion carried.

Ordinance #07-5-9 passed and approved May 21, 2007.

DISCUSSION – TRASH CONTRACT: (Tape A910-2000, B1-B239)

Chad Birdsong and Roy Gray, Foreman of Construction Services, briefed the Council on bids for the new trash contract. Two bids were received...one from Deffenbaugh and one from Allied Waste. The bid from Allied Waste would keep services the same as current services for one year with the option of adding re-cycling service at an added cost the second year of the contract. The City's current trash contract expires June 30, 2007. Trash service

Regular Council Meeting adjourned at 7:19 PM.

ATTEST:

JIM NELSON, MAYOR

FRANCES SMITH, CITY CLERK

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