

REGULAR COUNCIL MEETING  
CITY OF EXCELSIOR SPRINGS  
EXCELSIOR SPRINGS, MISSOURI  
JUNE 4, 2007

The City Council of the City of Excelsior Springs, Missouri met in Regular Session at 6:00 PM, Monday, June 4, 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 A25-362)

Ms. Kim Staton, 110 Easy Street, addressed the Council. Kim stated that she and her family adopted a dog not knowing what her breed was. This dog has grown into a loving pet and has become a part of the family. They have since found out that the dog is a Staffordshire Terrier. The Police Department has advised them that they have 48 hours to get rid of the dog or pay a fine. Ms. Staton stated the officer informed her that if the dog looks like a pit bull, then they have to get rid of her. She does not understand how the City Ordinance can discriminate against a certain breed of dog...it is not fair...she is not aggressive.

Interim City Manager Steve Marriott informed the Council that a Staffordshire Terrier is a type of pit bull.

Mayor Nelson stated that since a Staffordshire Terrier is in the category of a pit bull, he has to uphold the Ordinance. Asked Ms. Staton if she had read in the Kansas City paper where a woman had been killed by a pit bull. He also informed her that certain dogs are bred for different purposes and this dog has been bred to be aggressive. The Mayor stated he is not willing to change the Ordinance to put the children of our city at risk.

Mayor Pro-Tem Taylor asked Ms. Staton how long she has lived in the city. Her reply was two years. Taylor asked her why she didn't try to find out what the city ordinances were before adopting a dog. Taylor also stated that she is not the first one to come before the Council on this subject.

Councilwoman Schutte applauded Ms. Staton for appearing before the Council and taking a stand. Schutte stated she would have to lean toward the Police Department's recommendations.

MINUTES OF REGULAR COUNCIL MEETING ON MAY 21, 2007: (Tape A363-397)

The City Clerk advised the Council that she had a correction to make to the Council's copy of the Minutes. On page 4 under the heading of City Manager, Item #2, change the word "Green" to "Dream". (Note: This correction had already been made to the original copy of the Minutes.)

Councilman Fousek made a motion to approve the Minutes of the Regular Council Meeting held on May 21, 2007, as amended. Motion was seconded by Councilman Parker.

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

Nays: None, motion carried.

Amended Minutes of May 21, 2007 passed and approved June 4, 2007.

CONSIDERATION OF AGENDA: (Tape A398-425)

Councilman Parker made a motion to approve the Agenda, as printed. Motion was seconded by Councilwoman Schutte.

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

Agenda passed and approved June 4, 2007.

ESMC LOAN RESOLUTIONS—PHASE I RESOLUTION NO. 738 – PHASE II RESOLUTION NO. 739: (Tape A426-463)

Councilman Fousek made a motion to “Table” ESMC Loan Resolutions...Phase I Resolution No. 738 and Phase II Resolution No. 739 until certain things can be researched. Motion was seconded by Mayor Pro-Tem Taylor.

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

ESMC Resolution #738 and Resolution #739 “Tabled” June 4, 2007.

ORDINANCE #07-6-1 – OAKS REDEVELOPMENT AGREEMENT: (Tape A464-502)

Councilman Fousek made a motion to “Table” Ordinance #07-6-1, Oaks Redevelopment Agreement. Motion was seconded by Mayor Pro-Tem Taylor.

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

Ordinance #07-6-1 “Tabled” June 4, 2007.

ORDINANCE #07-6-2 – NEW TRASH CONTRACT: (Tape A503-756)

Chad Birdsong, Interim Co-Director of Public Works, briefed the Council on this Ordinance and the possibility of having recycling service the second year.

Councilman Fousek stated that some of our senior citizens are worried they will not be able to get their recycled trash to the curb.

Mayor Pro-Tem Taylor stated this is why the City needs to ease into this phase and educate the public. He also asked if there would be a senior discount for the elderly. He was advised that there would not.

Councilman Parker made a motion to approve Ordinance #07-6-2, authorizing the City Manager to enter into a contract with Allied Waste Industries, dba BFI of Kansas City. Motion was seconded by Councilman Fousek.

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

Ordinance #07-6-2 passed and approved June 4, 2007.

ORDINANCE #07-6-3, NEW RESIDENTIAL TRASH RATE: (Tape A757-790)

Councilman Parker made a motion to approve Ordinance #07-06-3, amending the City Code as it pertains to the Trash Rates. Motion was seconded by Councilman Fousek. (Effective July 1, 2007, trash rates for residential customers will be \$11.91 per month.)

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

Nays: None, motion carried.

Ordinance #07-6-3 passed and approved June 4, 2007.

ORDINANCE #07-6-4, CITY MANAGER AGREEMENT: (Tape A791-880)

Councilman Parker made a motion to approve Ordinance #07-6-4, authorizing the Mayor to execute an employment agreement with David Haugland as City Manager. Motion was seconded by Councilwoman Schutte.

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

Nays: None, motion carried.

Ordinance #07-6-4 passed and approved June 4, 2007.

Councilman Fousek stated he is happy with the choice the Council has made for City Manager.

Mayor Nelson stated Mr. Haugland will start with the City on the first Monday in August, 2007.

APPROPRIATIONS ORDINANCE #07-6-5: (Tape A881-974)

Councilman Fousek made a motion to approve Appropriations Ordinance #07-6-5, in the amount of \$469,824.00. Motion was seconded by Councilman Parker.

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

Nays: None, motion carried.

Appropriations Ordinance #07-6-5 passed and approved June 4, 2007.

REMARKS – CITY MANAGER AND CITY COUNCIL: (Tape A975-1500)

Interim City Manager Steve Marriott:

1. Last Tuesday the “Dream” Focus Group met for the first time. He would like to thank everyone who participated. Thinks this will be a good step in the right direction. This group obtained a list of all water customers and will begin a phone survey.

Councilman Parker:

1. Very happy the City will have David Haugland as City Manager. Would like to thank the City Staff for keeping everything going during this interim period.

Mayor Pro-Tem Taylor:

1. Would like to thank members of the Council...we have had our ups and downs but we got this one knocked out together as a team. This sends out a good perception to the community.
2. The Wine fest was a huge success.
3. Asked Police Chief McGovern if there is anything new on the police dog.
4. Would like for the City to pursue getting our mineral water bottled.
5. On the subject of annexation...would like to get something going...widen our boundaries.

Councilwoman Schutte:

1. Is glad about the new City Manager. Would like to thank the Mid America Regional Council Staff for their help.
2. Anyone wishing to volunteer to serve on the Citizens Advisory Committee regarding recycling trash should call Devry at Public Works, 630-7555. The first meeting will be June 19.
3. The City should take a look at the dog pound – get the facility upgraded.
4. Has there been a “Recognition of Employees” yet. Maybe get the new City Manager rolling on this. Also

- make sure the community has knowledge of it.
5. Council still needs to hold a budget review.

Councilman Fousek:

1. Is proud of the way the Council worked together to hire a new City Manager. Even more proud of the City Staff for keeping things on target during this phase. Would like to thank Steve Marriott who has served as Interim City Manager...he has served the Council and the community well. Hats off to John McClelland, City Attorney, for his assistance during this transition. This City has so many things to offer the public that comes here.
2. Loved the "Wizard Of Oz" movie. Very proud the movies are being shown on the Elm's lawn.
3. Commends Police Chief McGovern for moving a group from downtown. Keep up the good work. Is very proud of the Police and Fire Departments.
4. The Dream Focus Group has much to offer.
5. Wants the City to annex, annex, annex for a brighter future.

Mayor Nelson.

1. Before we annex, we need to take care of what we have.
2. Would like to echo the process in picking the new City Manager. The Council had more than one which they would not have been dissatisfied with. However; they had one candidate who surfaced on top for all of us.
3. Would like to thank Steve Marriott for being Interim City Manager.

Councilwoman Schutte:

1. Appreciates the downtown police on bicycles.

Interim City Manager Marriott:

1. Would like to thank the Department Heads who kept the train on the track during this interim period.

With no further business at hand, Mayor Nelson adjourned the Regular Council Meeting at 6:47 PM.

ATTEST:

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JIM NELSON, MAYOR

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FRANCES SMITH, CITY CLERK