

REGULAR COUNCIL MEETING
CITY OF EXCELSIOR SPRINGS
EXCELSIOR SPRINGS, MISSOURI
JUNE 18, 2007

The City Council of the City of Excelsior Springs, Missouri met in Regular Session at 6:00 PM, Monday, June 18, 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:

There were no visitors at this Council Meeting who wished to address the Council.

MINUTES OF REGULAR COUNCIL MEETING HELD ON JUNE 4, 2007: (Tape #1 A29-36)

Councilman Fousek made a motion to approve the Minutes of the Regular Council Meeting held on June 4, 2007. Motion was seconded by Councilman Parker.

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

Nays: None, motion carried.

Minutes of June 4, 2007 passed and approved June 18, 2007.

CONSIDERATION OF AGENDA: (Tape #1 A37-48)

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

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

Nays: None, motion carried.

Agenda, as printed, passed and approved June 18, 2007.

WATERFEST PRESENTATION: (Tape #1 A49-219)

Mr. Clint Hilton, representing the Waterfest Committee, informed the Council that the Waterfest will be held on June 29, June 30 and July 1, 2007 in the downtown area. Broadway will be closed from Marietta east so that booths can be set up for crafts and food vendors. Piburn Field and the Courtyard of the Hall of Waters will be the location of entertainment.

Mayor Nelson asked Clint if he had contacted all the downtown merchants to inform them of Broadway being closed. Clint stated that he visited every shop to inform them. The Mayor also asked if the Police and Fire Departments had been notified so that an emergency fire lane access could be set up. Clint advised that he has informed the Police and Fire Departments. He further stated that everything is ready to go.

Councilwoman Schutte asked how many floats would be in the parade. Clint stated two or three.

Councilman Fousek asked if proper insurance was in place for the event. Steve Marriott, Acting City Manager, advised that he had received their insurance papers today.

EXCELSIOR SPRINGS MEDICAL CENTER LOAN RESOLUTIONS:

PHASE I RESOLUTION NO. 738...PHASE II RESOLUTION NO. 739: (Tape #1 A220-244)

Councilwoman Schutte made a motion to authorize the Loan Resolution No. 738 of the Excelsior Springs Medical Center's Phase I Expansion. Motion was seconded by Councilman Fousek.

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

Nays: None, motion carried.

Resolution #738 passed and approved June 18, 2007.

Councilman Fousek made a motion to authorize the Loan Resolution No. 739 of the Excelsior Springs Medical Center's Phase II Expansion. Motion was seconded by Councilman Parker.

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

Nays: None, motion carried.

Resolution #739 passed and approved June 18, 2007.

ORDINANCE #07-6-1, OAKS REDEVELOPMENT AGREEMENT: (Tape #1 A245-815)

Mr. Christopher Castellanos, Attorney at Law, representing the Oaks Redevelopment Group, addressed the Council. Mr. Castellanos stated that at the time of the redevelopment they didn't think they needed a tax abatement because of the flood plain issue. The flood plain barely seeps onto the property, but not the building. It was decided that the property was in the flood plain, thereby making their insurance rates astronomical. Since this is low-income housing, they will not be able to raise rents on the apartments. Therefore; the Redevelopment Group came back to the City requesting a tax abatement of 100% on the land for 10 years and 50% on the land and the building for the next 15 years.

Councilman Fousek asked if all taxing entities had been notified of this abatement. Mr. Castellanos stated he received a list of taxing entities from the City and he has notified each of them. Councilman Fousek stated that the valuation is based on the land for the first 10 years and on the building and land the next 15 years.

Mayor Pro-Tem Taylor asked how three people could say the property was in the flood plain and one say that it wasn't. Mr. Castellanos stated that two maps were being used...one from 1930 and another from 2007. He stated that the City said the property was in the flood plain. Councilman Fousek stated that in 2001 FEMA adjusted the flood plain by 4 inches.

Mr. Castellanos stated that the increase in insurance rates is more than the abatable tax amount.

Councilman Parker made a motion to approve Ordinance #07-6-1, authorizing the Mayor to enter into a contract with the Oaks Redevelopment Corporation and authorizing certain tax abatements. Motion was seconded by Councilwoman Schutte:

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

Nays: Taylor. Motion carried.

Ordinance #07-6-1 passed and approved June 18, 2007.

ORDINANCE #07-6-6, TRANSPORTATION TRUST STREET PROJECTS: (Tape #1 A816-1097)

Phil Hodges, Interim Co-Director of Public Works, briefed the Council on this Ordinance. Phil presented a “visual” to the Council outlining the proposed changes on Wornall and Tiger Drive. Phil stated the work would begin July 1 and should be completed by the end of August, 2007. He also stated this is the project rated number one by Transportation Trust.

Councilwoman Schutte made a motion to approve Ordinance #07-6-6 accepting the recommendation of the Transportation Trust Authority to widen Tiger Drive and Wornall Road for the sum of \$131,754.00. Motion was seconded by Councilman Parker.

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

Nays: None, motion carried.

Ordinance #07-6-6 passed and approved June 18, 2007.

RESOLUTION #740 – PUBLIC TRANSPORTATION OPERATING FUNDS: (Tape #1 A1098-1415)

Devery Hunt, Public Works Administrative Assistant in charge of the City’s bus system, briefed the Council on this Resolution. She stated the Resolution will authorize the City Manager to execute and file an application for financial assistance from Missouri Department of Transportation to support the City’s transportation system.

Councilman Fousek asked Devery why the bus does not operate five days a week. She stated it was decided by the former City Manager to operate the buses only Mondays, Wednesdays and Fridays. She stated if the City went to five days a week, another full time bus driver would have to be hired. She also stated that ridership would increase.

Councilwoman Schutte asked Devery to put together a budget proposing five-day operation for the bus system. Would like to see a one year impact study. Most doctors and clinics run their tests on Tuesdays and Thursdays and residents need to have a way to get there. Residents could also use the bus to get to work.

Councilman Fousek asked when the grant application is due and Devery stated July 1. Fousek asked if she could possibly put together a budget by June 25 for Council consideration and she stated she would try.

Councilwoman Schutte made a motion to approve Resolution #740, authorizing the City Manager to execute and file an application for financial assistance from Missouri Department of Transportation to support the City’s Transportation System. Motion was seconded by Councilman Parker.

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

Nays: None, motion carried.

Resolution #740 passed and approved June 18, 2007.

LIQUOR LICENSE RENEWALS: (Tape #1 A1416-1531)

Police Chief John McGovern informed the Council that his department has done a background check of all the businesses and there is nothing to preclude the issuance of a liquor license renewal. The same holds true for the change in name of Applebee’s Managing Officer.

Councilman Fousek made a motion to approve the change of Managing Officer for Applebee’s, 2301 Vintage Court, Excelsior Springs, Mo...Mr. Rex W. Wright will replace Mr. Michael S. O’Dea. Motion was seconded by Councilman Parker.

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

Nays: None, motion carried.

Change of Managing Officer for Applebee’s passed and approved June 18, 2007.

Councilman Fousek made a motion to approve the applications for renewal of liquor licenses for 29 establishments as per submitted listing. Motion was seconded by Councilman Parker.

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

Nays: None, motion carried.

Liquor license for 29 establishments passed and approved June 18, 2007.

PURCHASE OF TASERS: (Tape #1 A1532-1540, Tape #2 A1-A60)

Police Chief John McGovern informed the Council that the Police Department is asking for approval to purchase 15 Tasers and associated training equipment with Public Safety Sales Tax funds. This purchase has been approved by the Public Safety Sales Tax Oversight Committee.

Councilman Parker made a motion to approve the purchase of fifteen (15) Tasers. Motion was seconded by Councilwoman Schutte.

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

Nays: None, motion carried.

Purchase of 15 Tasers passed and approved June 18, 2007.

APPROPRIATIONS ORDINANCE #07-6-7: (Tape #2 A61-112)

Councilman Parker made a motion to approve Appropriations Ordinance #07-6-7, in the amount of \$651,199.74. Motion was seconded by Councilman Fousek.

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

Nays: None, motion carried.

Appropriations Ordinance #07-6-7 passed and approved June 18, 2007.

REMARKS – CITY MANAGER AND CITY COUNCIL: (Tape #2 A113-353)

Interim City Manager Steve Marriott:

1. Informed the Council that City has water leak in the water tower near Westview School. The tower is shut off and water pressure for that area may be low until repairs are made. Will probably be out of service for about a week.
2. Has received a “flyer” on pre-sales for the Wyman project. Will make this flyer available to Council.
3. Is working on a ten-year trend for the budget and will have ready soon. Has also updated the Golf Fund.

Councilman Parker:

1. Mr. & Mrs. Haugland have found a home they like in the area and are anxious to get moved here.
2. Happy about the Hospital Resolutions for the Hospital expansion.

Mayor Pro-Tem Taylor:

1. Is still cautious on the Hospital expansion.
2. Voted “No” on the Oaks because could not see a 25 year abatement on taxes.
3. Would like to thank all the people who worked so hard to get money for the fireworks demonstration. Understands the goal has now been met.

Councilwoman Schutte:

1. Is anxious to get the Oaks open.
2. Applauds the Hospital on their expansion and having their financials in good shape.
3. Council needs a financial report on where we stand on the budget. The year end will be here in a few months.

4. The "Fiddler On The Roof" play was outstanding and the money will go for a good program.

Councilman Fousek:

1. Opening night of "Fiddler On The Roof" he talked to Mr. Haugland, the new City Manager. The performance was outstanding...loved the performance.

Mayor Nelson:

1. Thanked Councilwoman Schutte for getting tickets to "Fiddler" for the new City Manager. Thanked Councilman Parker for showing him around over the weekend.
2. Glad to see the Hospital Resolutions passed.
3. There will be a Special Council Meeting next Monday, June 25, 2007, at 6:00 PM, to pass an Ordinance for the Hospital bonds.
4. The Oaks has a problem getting their carpet so opening may be delayed.

With no further business at hand, Mayor Nelson adjourned the Regular Council Meeting at 7:14 PM.

ATTEST:

JIM NELSON, MAYOR

FRANCES SMITH, CITY CLERK