

REGULAR COUNCIL MEETING
CITY OF EXCELSIOR SPRINGS
EXCELSIOR SPRINGS, MISSOURI
FEBRUARY 2, 2009

The City Council of the City of Excelsior Springs, Missouri met in Regular Session at 6:00 PM, Monday, February 2, 2009 in the Council Chambers of the Hall of Waters Building. The Meeting was called to order by Mayor Schutte

The opening prayer was given by Mike Boudreaux, Pastor of the Crescent Lake Christian Center.

The Pledge of Allegiance was led by Mayor Schutte.

Roll Call of Members: Present: Mayor Carolyn Schutte, Mayor Pro-Tem Ambrose Buckman, Councilmen Ken Fousek, Jim Nelson and Sonny Parker

Absent: None

VISITORS:

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

MINUTES OF REGULAR COUNCIL MEETING ON JANUARY 20, 2009: (Tape A45-55)

Councilman Fousek made a motion to approve the Minutes of the Regular Council Meeting held on January 20, 2009. Motion was seconded by Councilman Parker.

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

Minutes of January 20, 2009 passed and approved February 2, 2009.

CONSIDERATION OF AGENDA: (Tape A456-64)

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

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

Agenda, as printed, passed and approved February 2, 2009.

PRESENTATION FROM AIRPORT BOARD: (Tape A65-912)

The following members of the Airport Board appeared before the Council:

Dan Kirkpatrick, Chairman
Marlyn Atkinson, Vice Chairman
Ron Holmes
Buddy Bunch

Mr. Dan Kirkpatrick addressed the Council and advised them that the Airport has been in operation since the early 1950's, they have used no city tax dollars and thousands of residents have obtained their pilot's license there. It is the wish of the Airport Board that the Airport continue in operation because it can operate with little or no expense to the City. He advised that Clay County Airport is pursuing jets and will eventually squeeze out owners of

pleasure craft. Their recommendations are to install a self-service fueling system at the airport at a cost of \$15,000, be administered by the city and require a credit card to operate. He feels the airport will break even in less than three years on this fueling system. They also recommend that the airport lease land for hanger construction, repair of ramp and taxi-ways, and pursue airport improvements.

The City Manager stated that if the City keeps the Airport there are things they need to do. Kirkpatrick stated there are state funds available but the City will have to apply for them. Councilman Nelson stated he supports the Airport. Councilman Fousek stated he is Council liaison to the Airport Board and he is proud of the work they have done. Mayor Pro-Tem Buckman stated he is for the Airport. Mayor Schutte asked if the length of the runway is still an issue. Kirkpatrick advised that the length is still an issue but it will not keep it from being operational.

The Council thanked the Airport for their presentation.

PRESENTATION FROM DEP: (Tape A913-1150)

Mr. Keith Winge, Manager of the Elms Hotel, and representative of DEP, Downtown Excelsior Partnership, addressed the Council. Mr. Winge stated that DEP was formed in 2006 and they work for a vibrant downtown. He stated they have a Design Committee, a Special Events Committee and a Marketing Committee. They sponsor events such as the chocolate tour, girls night out, trick or treat downtown, wine festivals, art crawls, Gallery 105 and they are working with the Dream Initiative. Mr. Winge thanked the Council for their support. He advised that in the future they wish to raise grant dollars, they need a full-time person, work with artists and businesses to locate downtown and work with the Missouri Art Council. They also are working with the City to open the water bar for a visitor information center.

RESOLUTION #805, CALLING FOR GENERAL ELECTION: (Tape A1151-1172)

Mayor Pro-Tem Buckman made a motion to approve Resolution #805, calling for a General Election on April 7, 2009. Motion was seconded by Councilman Parker.

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

Nays: None, motion carried.

Resolution #805 passed and approved February 2, 2009.

ORDINANCE #09-1-3, ABATEMENT OF SPECIAL USE PERMIT STIPULATION: (Tape A1173-1297)

Mayor Schutte read by title the First Reading of Ordinance #09-1-3.

Frank Davis, City Planner, briefed the Council on this Ordinance.

Steve Marriott advised the Council that the wording in paragraph five needs to be changed from "Therefore, be it resolved" to "Therefore, be it ordained".

Councilman Fousek made a motion to place on Second Reading Ordinance #09-1-3 to abate a Special Use Permit stipulation on behalf of E-Z Loan for operation of a retail business in a Non-Conforming Zoning at 2001 W. Jesse James Road, Suite 3. Motion was seconded by Mayor Pro-Tem Buckman.

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

Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Ordinance #09-1-3.

Mayor Pro-Tem Buckman made a motion to approve Ordinance #09-1-3, to approve the abatement of a Special Use Permit stipulation on behalf of E-Z Loan for operation of a retail business in a Non-Conforming Zoning at 2001 W. Jesse James Road, Suite 3. Motion was seconded by Councilman Parker.

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

Ordinance #09-1-3 passed and approved February 2, 2009.

ORDINANCE #09-1-4, MUTUAL AID AGREEMENT: (Tape A1297-1382)

Mayor Schutte read by title the First Reading of Ordinance #09-1-4.

Police Chief John McGovern advised the Council that this Ordinance is a “housekeeping” item.

Councilman Fousek made a motion to place on Second Reading Ordinance #09-1-4, accepting and approving a mutual aid agreement between the City of Excelsior Springs Police Department, a municipal corporation, and the Missouri Rural Crime Major Case Squad. Motion was seconded by Councilman Nelson.

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

Mayor Schutte read by title the Second Reading of Ordinance #09-1-4.

Councilman Parker made a motion to approve Ordinance #09-1-4, accepting and approving a mutual aid agreement between the City of Excelsior Springs Police Department, a municipal corporation, and the Missouri Rural Crime Major Case Squad. Motion was seconded by Mayor Pro-Tem Buckman.

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

Ordinance #09-1-4 passed and approved February 2, 2009.

APPROPRIATIONS ORDINANCE #09-1-5: (Tape A1383-1454)

Mayor Schutte read by title the First Reading of Ordinance #09-1-5.

Members of the Council went over the Appropriations reports for questions.

Mayor Pro-Tem Buckman made a motion to place on Second Reading Ordinance #09-1-5, in the amount of \$478,063.66. Motion was seconded by Councilman Fousek.

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

Mayor Schutte read by title the Second Reading of Appropriations Ordinance #09-1-5.

Mayor Pro-Tem Buckman made a motion to approve Ordinance #09-1-5, in the amount of \$478,063.66. Motion was seconded by Councilman Parker.

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

Appropriations Ordinance #09-1-5 passed and approved February 2, 2009.

VISITOR: (Tape A1455-1784)

Mr. James Beason, 105 Southside Court, Excelsior Springs, Mo., was given permission to address the Council. Mr. Beason stated he has lived in the area since 1949 and has recently moved into the City. He intends to take an interest in the City. Stated he is not against the Airport and would hate to see it disappear. The Board stated the Airport is not much cost to the City which is good. He stated that the City was forced to give up the Pepsi plant because the city can't be in business... wouldn't selling gas at the airport also put the city in business? If the ramp tears up the propellers, who is liable to pay for these expenses? As the Airport grows, what about the City's liability in case of an accident. The Airport is one mile from the Fire Station. If owners build their own hangers, what about city codes governing these buildings?

Mayor Schutte advised Mr. Beason that he will be put in touch with the Airport Board for further discussions and invited him to attend the City's Master Plan Meetings on Feb. 16 and 17.

REMARKS – CITY MANAGER AND CITY COUNCIL: (Tape A1785-2000, B1-B85)

City Manager Haugland:

1. Work Sessions will be held on the Master Plan on February 16 and 18 in the Regent Ballroom at the Elms Hotel. Flyers are being prepared and sent out to citizens.
2. Members of the Council have a chance to look at the City's new bus which is setting outside the Hall of Waters.
3. Improvements are being made to the City's web site.

Councilman Parker.

1. Thanked the Airport Board for their proposal.

Mayor Pro-Tem Buckman:

1. If the City Manager will give him enough flyers on the Master Plan he will walk through his neighborhood and give to each resident.
2. At the Christmas Committee's celebration on Saturday night, he received the ugliest sweater award.

Councilman Fousek:

1. Thanked the Council for appointing him to the Airport Board. It has really opened his eyes. This is a group of people who work very hard.

Mayor Schutte:

1. The Airport Board is just one group of volunteers. Wonders how many total man hours have been spent by volunteers in this City. Makes one feel good about the community.

With no further business at hand, Mayor Schutte adjourned the Regular Council Meeting at 7:04 PM.

ATTEST:

CAROLYN SCHUTTE, MAYOR

FRANCES SMITH, CITY CLERK