

REGULAR COUNCIL MEETING
CITY OF EXCELSIOR SPRINGS
EXCELSIOR SPRINGS, MISSOURI
JULY 6, 2009

The City Council of the City of Excelsior Springs, Missouri met in Regular Session at 6:00 PM, Monday, July 6, 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 Earl Mitchell, Assistant Pastor of Flack Memorial Church

The Pledge of Allegiance was led by Mayor Schutte.

Roll Call of Members: Present: Mayor Carolyn Schutte, Councilmen Jim Nelson and Sonny Parker

Absent: Councilman Ken Fousek and Mayor Pro-Tem Ambrose
Buckman

VISITORS: (A35-228).

Mr. Kent Spicer, 2212 Arbor Lane, addressed the Council on behalf of the residents of Vintage Subdivision and their Home Owner's Association. The walk trail in the subdivision has been damaged by construction in the area...the walk trail has collapsed in several sections and the run-off from the commercial development is eroding the land around the walk trail as the water makes its way downstream to the creek. Residents have lost several trees and other trees have exposed roots. C.H.A.P. Developers have stated they will not put any more money into repairing/replacing the trail. Residents have contacted the Department of Natural Resources and they advised the residents to contact the Corps of Engineers Enforcement Division. Residents are asking the Council to support them in making sure the C.H.A.P. developers correct the issues and do the right thing.

MINUTES OF REGULAR COUNCIL MEETING ON JUNE 15, 2009 AND THE SPECIAL COUNCIL MEETING ON JUNE 24, 2009: (Tape A229-254).

Councilman Parker made a motion to approve the Minutes of the Regular Council Meeting held on June 15, 2009. Motion was seconded by Councilman Nelson.

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

Nays: None, motion carried.

Minutes of June 15, 2009 passed and approved July 6, 2009.

Councilman Parker made a motion to approve the Minutes of the Special Council Meeting held on June 24 2009. Motion was seconded by Councilman Nelson.

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

Nays: None, motion carried.

Minutes of June 24, 2009 passed and approved on July 6, 2009.

CONSIDERATION OF AGENDA: (Tape A255-261).

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

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

Nays: None, motion carried.

Agenda, as written, passed and approved July 6, 2009.

TRANSPORTATION AUTHORITY PRESENTATION: (Tape A262-498).

Mr. Blob Welch, Chairman of the Transportation Trust Authority, gave a presentation to the Council. Mr. Welch stated that the ½ cent Transportation Trust Sales Tax is governed by Missouri State Statutes. This sales tax has been approved by the voters since June 1991 and creates approximately \$550,000 to \$600,000 in revenue each year. This sales tax is used for construction, repair and maintenance of streets by using asphalt overlay. It is also used to purchase new equipment such as the new street sweeper. It has recently been brought to the Authority's attention that the revenue may be used for mass transit. This is something the Authority is looking into. Recently the Authority has allocated \$250,000 for the Marietta Street Bridge and \$10,000 for new street sign replacement.

Councilman Nelson stated that this overlay program may be called a "beautification" of the city since it certainly improves the appearance of the City. It is a very popular tax.

LION'S CLUB PRESENTATION: (Tape A499-635).

Mr. Jim Rice, Secretary/Treasurer of the Lion's Club, gave a presentation to the Council. Jim stated he has been a member of the Lion's Club since 1990. The Excelsior Springs Lion's Club was first chartered in the 1920's and then again on May 9, 1938. The Lion's Club members are known as "Knights of the Blind" because of their many services for the blind. They also help persons with diabetes and have provided homes for the disabled. They make sure that school children have their eyes tested.

The Lion's Club meets every third Wednesday of the month at the Excelsior Springs Golf Club.

RESOLUTION #828, USDA LOAN RESOLUTION FOR THE PURCHASE OF MRI AND CONSTRUCTION OF HOUSING FOR MRI EQUIPMENT BY THE EXCELSIOR SPRINGS CITY HOSPITAL: (Tape A636-691).

City Attorney John McClelland briefed the Council on this Resolution.

Councilman Parker made a motion to approve Resolution #828, authorizing the USDA loan Resolution for the purchase of MRI and construction of housing for MRI equipment by the Excelsior Springs City Hospital. Motion was seconded by Councilman Nelson.

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

Nays: None, motion carried.

Resolution #828 passed and approved July 6, 2009.

RESOLUTION #829, ELM ROAD RECONSTRUCTION PROJECT:(Tape A692-762)

Public Works Director Chad Birdsong briefed the Council on this Resolution.

Councilman Nelson made a motion to approve Resolution #829, authorizing the approval of additional funding of the Elm Road Reconstruction Project in an amount not to exceed \$60,000.00. Motion was seconded by Councilman Parker.

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

Nays: None, motion carried.

Resolution #829 passed and approved July 6, 2009.

APPROPRIATIONS ORDINANCE #09-7-1: (Tape A763-825)

Mayor Schutte read by title the First Reading of Appropriations Ordinance #09-7-1.

Members of the Council went over the Appropriations Reports for questions. It was decided to remove the check to Lawson Bank on the June 26, 2009 report, in the amount of \$3,195.55, from the approval list.

Councilman Parker made a motion to place on Second Reading Appropriations Ordinance #09-7-1, in the amount of \$1,495,018.11, less the check for \$3,195.55. Motion was seconded by Councilman Nelson.

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

Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Appropriations Ordinance #09-7-1.

Councilman Parker made a motion to approve Appropriations Ordinance #09-7-1, in the amount of \$1,495,018.11, less the check for \$3,195.55. Motion was seconded by Councilman Nelson.

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

Nays: None, motion carried.

Appropriations Ordinance #09-7-1 passed and approved July 6, 2009.

REMARKS – CITY MANAGER AND CITY COUNCIL: (Tape A825-1170)

City Manager Haugland:

Would like to thank the Waterfest Committee for a fine celebration. It was a good parade and brought a lot of people downtown. The fireworks display was also good.

On July 1, 1009 Marcit who has provided insurance for the City for liability, autos, errors and omissions, and workman's comp, has changed their name.....their new name will be MPR – Midwest Public Risk.

On July 16, 2009 there will be an open house at the Excelsior Springs Medical Center to explain the City's new Master Plan. The public is invited beginning at 5:30 PM.

Councilman Nelson:

Two residents have complained that City crews have entered their private property to trim

hedges and cut down trees. The crews stated trimming was done over sidewalks, but there were no sidewalks. These residents were not asked or informed prior to the trimming. Nelson stated he would certainly be disturbed if crews came and cut down his trees.

Regarding the 4th of July...it was a great one. In regard to the old saying, "if you can't beat them, join them", he would like for the City to take a look at selling fireworks. You can almost go on bicycle to a fireworks tent...there are even signs up in the City asking people to go out of town to purchase fireworks. Everyone else has tents – why not us? Realizes there will need to be constraints, perhaps only service organizations to operate tents. This needs to be discussed...a change is warranted.

Mayor Schutte:

To allow the sale of fireworks within the City will require an Ordinance change.

Thanked the residents of Vintage Subdivision...the City will look into it.

The Waterfest was a huge success.

Understands that there were issues with the refuse fliers which were mailed out.

With no further business at hand, Mayor Schutte adjourned the Regular Council Meeting at 6:38 PM.

ATTEST:

CAROLYN SCHUTTE, MAYOR

FRANCES SMITH, CITY CLERK

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