

REGULAR COUNCIL MEETING
CITY OF EXCELSIOR SPRINGS
EXCELSIOR SPRINGS, MISSOURI
JULY 20, 2009

The City Council of the City of Excelsior Springs, Missouri met in Regular Session at 6:00 PM, Monday, July 20, 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 Jonathan Cooney, Pastor of the First United Methodist Church.

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 HELD JULY 6, 2009: (Tape A31-52).

The City Manager advised that he wished to make a correction to the July 6, 2009 Minutes. On Page 3 under Remarks – City Manager, Item #2 should read July 1, 2009 instead of July 1, 1009.

Councilman Parker made a motion to approve the Minutes of July 6, 2009, as amended by the City Manager. Motion was seconded by Mayor Pro-Tem Buckman.

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

Minutes of July 6, 2009 passed and approved July 20, 2009.

CONSIDERATION OF AGENDA: (Tape A53-68).

Mayor Schutte advised the Council that it will not be necessary to open a public hearing, as listed on Item #2; therefore, she is removing Item #2 from the Agenda.

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

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

Agenda, as amended, passed and approved July 20, 2009.

SPECIAL ROAD DISTRICT PRESENTATION: (Tape A69-535)

Mr. Russell Lawrence, Chairman of the Special Road District, made a presentation to the Council. He stated that taxes from Clay County are set up to fund the Special Road and Bridge District #10 that is in Excelsior Springs. Currently the split payments for 2009 is \$59,797.00 and \$24,916.00 to the Road and Bridge District which totals \$84,713.00 for the year.

In recent years, the commission has elected to transfer funds to the City of Excelsior Springs Street Department in the amount of 70% of its monthly allocation for regular maintenance and improvements. On November 6, 2008 the commission voted and changed the amount to \$10,500 for its monthly allocation for regular maintenance. Each month the street department reports to the Road and Bridge District what work it has performed to justify this payment. The Road and Bridge District uses its money to repair and provide maintenance for roads, bridges and right-of-ways throughout the boundaries of the district. It also helps fund the purchase of machinery and vehicles to provide these services.

Councilman Fousek stated he is very proud of being the Council Representative to the Special Road District. They do an excellent job and work very hard to minutely track their expenditures.

ORDINANCE #09-7-2, PUBLIC TRANSPORTATION OPERATING FUNDS: (Tape A536-639).

Mayor Schutte read by title the First Reading of Ordinance #09-7-2.

Devery Hunt, Administrative Assistant to Public Works, briefed the Council on this Ordinance. She explained that these are grant monies for operation of the city's transportation system.

Councilman Parker made a motion to place on Second Reading Ordinance #09-7-2, authorizing the City Manager to apply for federal financial assistance and to execute any contract(s) for any grants between the City of Excelsior Springs and the Missouri Highways and Transportation Commission providing for capital, operating, and/or marketing assistance, comprised of federal funds to be expended for Commission-approved transit projects. 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 Ordinance #09-7-2.

Councilman Fousek made a motion to approve Ordinance #09-7-2, authorizing the City Manager to apply for federal financial assistance and to execute any contract(s) for any grants between the City of Excelsior Springs and the Missouri Highways and Transportation Commission providing for capital, operating, and/or marketing assistance, comprised of federal funds to be expended for Commission-approved transit projects. Motion was seconded by Councilman Parker.

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

Nays: None, motion carried.

Ordinance #09-7-2 passed and approved July 20, 2009.

ORDINANCE #09-7-3, AT&T SETTLEMENT: (Tape A640-799)

Mayor Schutte read by title the First Reading of Ordinance #09-7-3.

City Attorney John McClelland briefed the Council on this Ordinance. He stated the settlement amount would be approximately \$71,800 and should be received by September 30, 2009.

Mayor Pro-Tem Buckman made a motion to place on Second Reading Ordinance #09-7-3, approving the settlement agreement with AT&T/SBC Landline and authorizing the Director of Administrative Services to execute the claim form. Motion was seconded by Councilman Parker.

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

Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Ordinance #09-7-3.

Councilman Parker made a motion to approve Ordinance #09-7-3, approving the settlement agreement with AT&T/SBC Landline and authorizing the Director of Administrative Services to execute the claim form.

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

Nays: None, motion carried.

Ordinance #09-7-3 passed and approved July 20, 2009.

ORDINANCE #09-7-4, CHANGE PARKS AND RECREATION BOARD MEETING DATE: (Tape A800-875)

Mayor Schutte read by title the First Reading of Ordinance #09-7-4.

Sharon Powell, representing the Parks and Recreation Board, briefed the Council on why this Ordinance and change is necessary.

Councilman Parker made a motion to place on Second Reading Ordinance #09-7-4, to change the Parks and Recreation Board meeting date to the Third Tuesday of each month, beginning August 2009. Motion was seconded by Councilman Fousek.

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

Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Ordinance #09-7-4.

Councilman Nelson made a motion to approve Ordinance #09-7-4, to change the Parks and Recreation Board meeting date to the Third Tuesday of each month beginning August, 2009. Motion was seconded by Councilman Parker.

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

Nays: None, motion carried.

Ordinance #09-7-4 passed and approved July 20, 2009.

APPROPRIATIONS ORDINANCE #09-7-5: (Tape A876-954)

Mayor Schutte read by title the First Reading of Appropriations Ordinance #09-7-5.

Members of the Council went through the Appropriations Reports for questions. Mayor Schutte informed the Council that a check to Lawson Bank, in the amount of \$3,195.55, should be added to the Appropriations. This is the check which was withheld from the Appropriations amount on July 6, 2009.

Mayor Pro-Tem Buckman made a motion to place on Second Reading Appropriations Ordinance #09-7-5, in the amount of \$405,818.56, plus the check for \$3,195.55. Motion was seconded by Councilman Fousek.

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

Mayor Schutte read by title the Second Reading of Appropriations Ordinance #09-7-5.

Mayor Pro-Tem Buckman made a motion to approve Appropriations Ordinance #09-7-5, in the amount of \$405,818.56, plus the check for \$3,195.55. Motion was seconded by Councilman Nelson.

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

Appropriations Ordinance #09-7-5 passed and approved July 20, 2009.

REMARKS – CITY MANAGER AND CITY COUNCIL: (Tape A955-1234)

City Manager Haugland:

The Excelsior Downtown Partnership will open the Water Bar and Visitors Center starting Wednesday, July 22, 2009. The Visitors Center will be open 10:00 AM to 6:00 PM daily, and 10:00 AM to 4:00 PM on Sundays.

On Friday night from 8:00 PM to Midnight, a dance will be held at the Elms Hotel to honor Kevin Dimes.

Councilman Fousek:

Has had a lot of questions from people about the new trash pickup and how it will work. Asked the newspaper reporter if he could write another article explaining the trash and recycling procedure to the public.

Councilman Nelson:

Asked the newspaper reporter to be sure and include the item that trash receptacles are not to be left at the curb other than on trash day.

Mayor Schutte:

Reminded everyone of the “Christmas in July” program going on at the Good Samaritan Center. Wants everyone to be aware of the needs. Will also need a Proclamation on this by

July 25, 2009.

Reminded everyone of the Barbecue contest coming up on August 13, 2009.

With no further business at hand, Mayor Schutte adjourned the Regular Council Meeting at 6:40 PM.

ATTEST:

CAROLYN SCHUTTE, MAYOR

FRANCES SMITH, CITY CLERK

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