

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

The City Council of the City of Excelsior Springs, Missouri met in Regular Session at 6:00 PM, Monday, November 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 Councilman Ken Fousek.

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, and Jim Nelson.  
Absent: Councilman Sonny Parker

VISITORS:

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

MINUTES OF REGULAR COUNCIL MEETINGS HELD ON OCTOBER 5 AND 19, 2009: (Tape A26-55)

Councilman Fousek made a motion to approve the Minutes of the Regular Council Meeting on October 5, 2009. Motion was seconded by Mayor Pro-Tem Buckman.

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

Minutes of October 5, 2009 passed and approved November 2, 2009.

Councilman Nelson made a motion to approve the Minutes of the Regular Council Meeting on October 19, 2009. Motion was seconded by Councilman Fousek.

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

Minutes of October 19, 2009 passed and approved November 2, 2009.

CONSIDERATION OF AGENDA: (Tape A56-62)

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

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

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

RESOLUTION #839 – PLANNING & ZONING BOARD APPOINTMENT: (Tape A63-94)

Mayor Pro-Tem Buckman made a motion to approve Resolution #839, appointing Jim Rice to the Excelsior Springs Planning and Zoning Commission; said term to expire September 30, 2013. Motion was seconded by Councilman Fousek.

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

Jim Rice appointed to Planning and Zoning Commission on November 2, 2009.

At this time, the "Oath" was administered to Jim Rice by the City Clerk. Jim was also presented with a "Certificate of Appointment".

ORDINANCE #09-11-1, LEGAL COUNSEL – WILLIAMS & CAMPO, P.C.: (Tape A95-225)

Mayor Schutte read by title the First Reading of Ordinance #09-11-1.

The City Manager advised the Council that he and members of his Staff had held interviews for "Legal Counsel" and all had agreed on the firm of Williams & Campo, P. C.

Councilman Nelson asked the City Manager why he felt the City should change Legal Counsel. The City Manager stated that during this slow economic time, with city employees receiving no wage increase, the City needs to also cut down on other expenses such as Legal Counsel. He stated that Armstrong Teasdale is a large legal firm and charge more per hour for their legal services than the smaller firm of Williams & Campo, P. C. He feels that the smaller firm can represent the City well.

Councilman Nelson made a motion to bring to Second Reading Ordinance #09-11-1, authorizing the City Manager to contract with Williams & Campo, P. C., for the provision of Legal Counsel to the City of Excelsior Springs. Motion was seconded by Mayor Pro-Tem Buckman.

Roll Call of Votes: Ayes: Buckman, Schutte  
Nays: Nelson, Fousek. Motion did not carry.

Ordinance #09-11-1 did not go to Second Reading.

APPROPRIATIONS ORDINANCE #09-11-2: (Tape A2265-291)

Mayor Schutte read by title the First Reading of Appropriations Ordinance #09-11-2.

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

Mayor pro-Tem Buckman made a motion to take to Second Reading Appropriations Ordinance #09-11-2, in the amount of \$1,236,937.90. Motion was seconded by Councilman Nelson.

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

Mayor Schutte read by title the Second Reading of Appropriations Ordinance #09-11-2.

Mayor Pro-Tem Buckman made a motion to approve Appropriations Ordinance #09-11-2, in the amount of \$1,236,937.90. Motion was seconded by Councilman Nelson.

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

Appropriations Ordinance #09-11-2 passed and approved November 2, 2009.

REMARKS – CITY MANAGER AND CITY COUNCIL: (Tape A292-365)

City Manager Haugland:  
Advised Members of the Council of the possibility of a Special Council Meeting next Tuesday at Noon.

Councilman Nelson:  
Even though there will be a light election tomorrow, asked everyone to exercise their God-given right to vote.

Councilman Fousek:  
Agrees with Councilman Nelson. He does support the County's Law Enforcement Tax. Asked everyone to get out and vote.

With no further business at hand, Mayor Schutte asked for a motion to adjourn the Regular Council Meeting and go into closed session.

Councilman Nelson made a motion to adjourn the Regular Council Meeting and go into closed session, pursuant to RSMo 610-021 (3) Personnel. Motion was seconded by Mayor Pro-Tem Buckman.

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

Regular Council Meeting adjourned at 6:14 PM.

ATTEST:

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CAROLYN SCHUTTE, MAYOR

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FRANCES SMITH, CITY CLERK

PAGE 1

PAGE 1