

REGULAR COUNCIL MEETING
CITY OF EXCELSIOR SPRINGS
EXCELSIOR SPRINGS, MISSOURI
JUNE 7, 2010

The City Council of the City of Excelsior Springs, Missouri met in Regular Session at 6:00 PM, Monday, June 7, 2010 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 Crescent Lake Christian Church

The Pledge of Allegiance was led by Mayor Schutte.

NOTE: City Attorney John McClelland informed the Council that due to a medical emergency Councilman Ken Fousek will not be attending this meeting tonight. For the record we have a quorum of four Council Members present at the Hall of Waters building tonight. Councilman Ken Fousek will not be present at the Hall tonight, but through telephone communications Councilman Fousek can hear all comments made by the Council and the public, and the Council and the public can hear all comments made by Councilman Fousek. City Attorney McClelland asked the City Clerk to add this statement from him to the Minutes of the Regular Council Meeting.

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 THE PUBLIC HEARING ON MARCH 29, THE MINUTES OF THE SPECIAL COUNCIL MEETING ON MAY 11, THE MINUTES OF THE REGULAR COUNCIL MEETING ON MAY 17 AND THE MINUTES OF THE SPECIAL COUNCIL MEETING ON MAY 27, 2010: (Tape A51-172).

Due to a question regarding attendance, Mayor Schutte decided to remove the Minutes of the Special Council Meeting on May 11, 2010. The Mayor then asked for a motion to approve the Minutes of the Public Hearing on March 29 and the Minutes of the Regular Council Meeting on May 17, 2010.

Councilman Nelson made a motion to approve the Minutes of the Public Hearing on March 29 and the Minutes of the Regular Council Meeting held on May 17, 2010. Motion was seconded by Councilman Parker.

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

Nays: None, motion carried.

Minutes of Public Hearing held on March 29, 2010 and the Regular Council Meeting held on May 17, 2010 passed and approved June 7, 2010.

Mayor Schutte then called for a motion to approve the Minutes of the Special Council

Meeting held on May 27, 2010.

Councilman Parker made a motion to approve the Minutes of the Special Council Meeting held on May 27, 2010. Motion was seconded by Councilman Nelson.

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

Minutes of Special Council Meeting held on May 27, 2010 passed and approved June 7, 2010.

NOTE: After clarification, the Minutes of the Special Council Meeting held on May 11, 2010 will be brought back to the next Council Meeting, as written, for approval.

CONSIDERATION OF AGENDA: (Tape A173-184).

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

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

Agenda, as printed, passed and approved June 7, 2010.

PARKS & RECREATION PRESENTATION, SHARON POWELL: (Tape A185-392).

Sharon Powell, representing the Parks & Recreation Department, brought the Council up to date on the department. She thanked Mayor Schutte for the May appointments to the Parks & Recreation Board. Three members came on in June of 2009, in time for the 100th anniversary of the Parks & Recreation Department and the opening of Century Park, which was opened October 11, 2009. She thanked the Council for the additions to the walk trails. Two new board members have set up spread sheets for activities, fees, expenses, etc for the department and the department's administrative assistant is being trained to operate the new software for these additions. Two new programs have been added to Parks & Recreation this year and they are (1) Exercises and (2) a Nature Program for July and August. A new job description has been written for the Parks & Recreation Director and descriptions will be updated for other employees.

Sharon advised the Council that in the future, the Parks & Recreation Board will work with the City's Master Plan, they will work with the City, look at more neighborhood parks, building a new maintenance facility and add enough walk trails to connect the whole town.

Mayor Schutte asked about fishing in Century Park, Mayor Pro-Tem Buckman informed Sharon that the Board is doing a good job, Councilman Nelson stated they are doing an outstanding job, and Councilman Fousek stated the Board works very hard and he is proud of what they are doing.

ORDINANCE #10-06-01: SPECIAL USE PERMIT, 115 E BROADWAY: (Tape A393-468)

Mayor Schutte read by title the First Reading of Ordinance #10-06-01.

SCHEDULE OF RATES BY CUSTOMER CLASS; AND AMENDING CHAPTER 705: RATES AND CHARGES, SECTION 705.080 OF THE MUNICIPAL CODE IN CONFORMANCE THEREWITH: (Tape A527-1424)

Mayor Schutte read by title the First Reading of Ordinance #10-06-03.

Tom Wall, Director of Public Utilities, was on hand to brief the Council on this Ordinance. Details of this Ordinance were presented in detail to the Council at the May 17, 2010 Regular Council Meeting. Even though this is not a public hearing, Mayor Schutte asked if anyone in the audience wished to be heard.

Luther Hendrix, a resident of Jill Lane, presented a list of questions to the Council regarding the concerns he has in regard to the new rates for water and sewer. Luther asked Members of the Council to go over his document and give it some consideration. Members of the Council asked Luther to meet with Tom Wall for further discussion of this subject.

Mayor Pro-Tem Buckman made a motion to bring Ordinance #10-06-03 back to the first Regular Council Meeting in July, 2010, for second reading. Motion was seconded by Councilman Parker.

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

Nays: None, motion carried.

Ordinance #10-06-03 will be brought back to the Council at the first Regular Council Meeting in July, 2010 for a second reading.

ORDINANCE #10-06-04, APPROVAL OF EXPENDITURE FOR PURCHASE OF POLICE VEHICLES: (Tape A1425-1524)

Mayor Schutte read by title the First Reading of Ordinance #10-06-04.

Police Officer Clint Reno advised the Council that this Ordinance reaffirms Resolution #847, which was passed at the Council Meeting on May 17, 2010. It was later learned that an Ordinance needs to be approved for this purchase.

Councilman Parker made a motion to take to Second Reading Ordinance #10-06-04, approving an expenditure in the amount of \$22,964.93 from the Public Safety Sales Tax Fund and authorizing the City of Excelsior Springs to purchase one 2010 Model Police Vehicle from Chuck Anderson Ford. Motion was seconded by Mayor Pro-Tem Buckman.

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

Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Ordinance #10-06-04.

Councilman Nelson made a motion to approve Ordinance #10-06-04, approving an expenditure in the amount of \$22,964.92 from the Public Safety Sales Tax Fund and authorizing the City of Excelsior Springs to purchase one 2010 Model Police Vehicle from Chuck Anderson Ford. Motion was seconded by Mayor Pro-Tem Buckman.

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

Nays: None, motion carried.

Ordinance #10-06-04 passed and approved June 7, 2010.

ORDINANCE #10-06-05, CREDIT CARD CONVENIENCE FEE: (Tape A1525-1705)

Mayor Schutte read by title the First Reading of Ordinance #10-06-05.

Steve Marriott, Director of Administrative Services, briefed the Council on this Ordinance.

Mayor Pro-Tem Buckman made a motion to take to Second Reading Ordinance #10-06-05, approving the Amendment of Title I: Government Code, Chapter 105 by Addition of Section 105.155: Service Charge for Payment of Credit Card, Debit Card or Electronic Transfer. 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 #10-06-05.

Councilman Parker made a motion to approve Ordinance #10-06-05, approving the Amendment of Title I: Government Code, Chapter 105 by Addition of Section 105.155: Service Charge for Payment by Credit Card, Debit Card or Electronic Transfer. Motion was seconded by Mayor Pro-Tem Buckman.

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

Nays: None, motion carried.

Ordinance #10-06-05 passed and approved June 7, 2010.

APPROPRIATIONS ORDINANCE #10-06-06: (Tape A1706-1849)

Mayor Schutte read by title the First Reading of Appropriations Ordinance #10-06-06.

Members of the Council went over the Appropriations Reports with Steve Marriott for questions.

Mayor Pro-Tem Buckman made a motion to place on Second Reading Appropriations Ordinance #10-06-06, in the amount of \$778,595.19. Motion was seconded by Councilman Nelson.

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 #10-06-06.

Mayor Pro-Tem Buckman made a motion to approve Appropriations Ordinance #10-06-06, in the amount of \$778,595.19. Motion was seconded by Councilman Fousek.

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

Abstain: Parker

Nays: None, motion carried.

Appropriations Ordinance #10-06-06 passed and approved June 7, 2010.

REMARKS – CITY MANAGER AND CITY COUNCIL: (Tape A1850-2000, B1-B71)

City Manager Haugland:

There will be a Mid-America Regional Conference on June 25. Would like to poll the Council to see who would like to go.

Would like to put the Council on notice that there may be an adjustment to the contract for work done on the Hall of Waters. The contractor stated it will run from \$45,000 to \$65,000.

Councilman Parker:

Would like to thank Tom Wall for all his hard work on the water/sewer upgrades.

Councilman Fousek:

Agrees with Parker on the rate study. This increase is a mandate the City has to follow. He realizes it is a lot of money but he supports the increases.

Mayor Schutte:

The City Council bends over backwards in order to keep the community aware of the necessity for changes.

With no further business at hand, Mayor Schutte adjourned the Regular Council Meeting at 7:15 PM.

ATTEST:

CAROLYN SCHUTTE, MAYOR

FRANCES SMITH, CITY CLERK

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