

REGULAR COUNCIL MEETING  
CITY OF EXCELSIOR SPRINGS  
EXCELSIOR SPRINGS, MISSOURI  
AUGUST 2, 2010

The City Council of the City of Excelsior Springs, Missouri met in Regular Session at 6:00 PM, Monday, August 2, 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 Russell Hyatt, Pastor of Woodland Baptist Church.

The Pledge of Allegiance was led by Mayor Schutte.

Roll Call of Members: Present: Mayor Carolyn Schutte, Mayor Pro-Tem Ambrose Buckman, Councilmen Jim Nelson and Sonny Parker. Councilman Fousek was present through a conference call but was not eligible to vote on issues.

Absent: None.

VISITORS: (Tape A24-332).

Mr. Richard Beeson, 105 Southside Court, addressed the Council. He stated his main concern was the amount of money proposed for building a new animal shelter for the City. He feels that paint is peeling off the City's Senior Center and the Hall of Waters is in disrepair. He feels this money could be better spent on other things than the animal shelter. He asked the Council to explain the issue to make him feel better regarding this subject.

The City Manager advised Mr. Beeson that the present animal shelter will be closed if State and Federal requirements are not met. The animal shelter has requirements similar to a hospital. Mayor Schutte suggested to Mr. Beeson that he meet with members of the Police Department and the Animal Control Unit, they will be glad to explain this to him. She stated that the present building is sub-standard. It is only in the review process at the present time. Councilman Nelson informed Mr. Beeson that members of the Council were also in sticker shock when they found out the cost of the proposed shelter.

MINUTES OF WORK SESSION ON JULY 19 AND REGULAR COUNCIL MEETING ON JULY 19, 2010: (Tape A333-360)

City Attorney John McClelland advised the Council that the Minutes of the Work Session and the Regular Council Meeting on July 19, 2010 should be amended to show that Councilman Ken Fousek was present at both meetings through conference call, but was not eligible to vote on any issues.

NOTE: The first pages of the Minutes of the Regular Council Meetings on July 6 and 19, and the Minutes of the Work Sessions on July 6, 12 and 19 were amended to reflect that Councilman Ken Fousek was present by conference call but he was not eligible to vote on any issues. The first pages have been inserted in the Minutes of the Council Records, contained in the City Manager's Office of the Hall of Waters Building.

Councilman Parker made a motion to approve the Minutes of the Work Session on July 19, 2010 and the Minutes of the Regular Council Meeting on July 19, 2010, as amended. Motion was seconded by Mayor Pro-Tem Buckman.

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

Nays: None, motion carried.

Minutes of amended Work Session and Regular Meeting on July 19, 2010 passed and approved August 2, 2010.

CONSIDERATION OF AGENDA: (Tape A361-374).

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

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

Nays: None, motion carried.

Agenda passed and approved August 2, 2010.

RESOLUTION #852, REPAIR STORM DRAIN AT KANSAS CITY AVE. & CHICAGO STREET: (Tape A375-453).

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

Mayor Pro-Tem Buckman made a motion to approve Resolution #852, to repair the Kansas City Avenue at Chicago Street Storm Drain, in the amount of \$13,250.00, by Construction Services. Motion was seconded by Councilman Parker.

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

Nays: None, motion carried.

Resolution #852 passed and approved August 2, 2010.

ORDINANCE #10-08-01, REHABILITATION OF SEYBOLD BRIDGE: (Tape A454-678).

Mayor Schutte read by title the First Reading of Ordinance #10-08-01.

Once again, Chad Birdsong was on hand to answer the Council's questions on this Ordinance.

Mayor Pro-Tem Buckman made a motion to take to Second Reading Ordinance #10-08-01, to authorize the City of Excelsior Springs to enter into agreement with Shafer, Kline & Warren for Engineering Services for the rehabilitation of Seybold Bridge. Motion was seconded by Councilman Parker.

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

Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Ordinance #10-08-01.

Mayor Pro-Tem Buckman made a motion to approve Ordinance #10-08-01, to authorize the City of Excelsior Springs to enter into agreement with Shafer, Kline & Warren for Engineering Services for the rehabilitation of Seybold Bridge. Motion was seconded by

Councilman Parker.

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

Nays: None, motion carried.

Ordinance #10-08-01 passed and approved August 2, 2010.

ORDINANCE #10-08-02, APPROVAL OF SETTLEMENT AGREEMENT WITH CRICKET WIRELESS: (Tape A679-745).

Mayor Schutte read by title the First Reading of Ordinance #10-08-02.

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 #10-08-02, approving a settlement agreement with Cricket Wireless. Motion was seconded by Councilman Parker.

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

Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Ordinance #10-08-02.

Councilman Parker made a motion to approve Ordinance #10-08-02, approving a settlement agreement with Cricket Wireless. Motion was seconded by Councilman Nelson.

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

Nays: None, motion carried.

Ordinance #10-08-02 passed and approved August 2, 2010.

ORDINANCE #10-08-03, APPROVAL OF SETTLEMENT AGREEMENT WITH T-MOBILE: (Tape A746-798).

Mayor Schutte read by title the First Reading of Ordinance #10-08-03.

Once again, Steve Marriott was on hand to answer questions on this Ordinance.

Councilman Parker made a motion to place on Second Reading Ordinance #10-08-03, approving a settlement agreement with T-Mobile. Motion was seconded by Mayor Pro-Tem Buckman.

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

Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Ordinance #10-08-03.

Councilman Nelson made a motion to approve Ordinance #10-08-03, approving a settlement agreement with T-Mobile. Motion was seconded by Councilman Parker.

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

Nays: None, motion carried.

Ordinance #10-08-03 passed and approved August 2, 2010.

APPROPRIATIONS ORDINANCE #10-08-04: (Tape A799-854)

Mayor Schutte read by title the First Reading of Appropriations Ordinance #10-08-04.

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

Mayor Pro-Tem Buckman made a motion to take to Second Reading Appropriations Ordinance #10-08-04, in the amount of \$617,002.71. Motion was seconded by Councilman Nelson.

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

Abstain: Parker

Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Appropriations Ordinance #10-08-04.

Mayor Pro-Tem Buckman made a motion to approve Appropriations Ordinance #10-08-04, in the amount of \$617,002.71. Motion was seconded by Councilman Nelson.

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

Abstain: Parker

Nays: None, motion carried.

Appropriations Ordinance #10-08-04 passed and approved August 2, 2010.

REMARKS – CITY MANAGER AND CITY COUNCIL: (Tape A856-1052)

City Manager Haugland:

The Employee Appreciation Breakfast will be held at 7:00 AM, Friday, August 13, 2010, at the Excelsior Springs Golf Club. Awards will be given to employees with 5, 10, 15, 20, 25 and 30 years of service to the City.

Due to the Employee Breakfast being held at 7:00 AM on Friday, the Council Work Session will be held at 7:30 am on Thursday, August 12, 2010 in the Hall of Waters Conference Room.

The MML Conference will be held in St. Charles, MO on November 12-15, 2010.

Mayor Schutte:

We need to get back to the Budget review...there is only a short time to finish this.

Pertaining to the budget, would like to have a print out of all the legal expenses for this current year.

This community has lost a great individual, H. A. Dickey. There has been such an outpouring of stories about this man. My heart goes out to the family. The community will have a hard time filling all the rolls he filled.

With no further business at hand, Mayor Schutte called for a motion to adjourn the Regular Council Meeting and go into Closed Session.

Mayor Pro-Tem Buckman made a motion to adjourn the Regular Council Meeting and go into Closed Session pursuant to RSMo. Section 610.021 (3) Personnel. Motion was seconded by Councilman Parker.

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

Nays: None, motion carried.

Regular Meeting adjourned at 6:43 PM.

ATTEST:

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CAROLYN SCHUTTE, MAYOR

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FRANCES SMITH, CITY CLERK

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