

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

The City Council of the City of Excelsior Springs, Missouri met in Regular Session at 6:00 PM, Monday, September 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 Kent Cantrell, Chief of the Fire Department.

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 CITY COUNCIL WORK SESSIONS, REGULAR COUNCIL MEETINGS AND SPECIAL COUNCIL MEETINGS, AUGUST 16, 23 AND 30, 2010: (Tape A36-48).

Councilman Fousek made a motion to approve the Minutes of the City Council Work Sessions, Regular Council Meetings and Special Council Meetings on August 16, 23 and 30, 2010. Motion was seconded by Mayor Pro-Tem Buckman.

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

Nays: None, motion carried.

Minutes of August 16, 23 & 30, 2010 passed and approved September 7, 2010.

CONSIDERATION OF AGENDA: (Tape A49-64).

Mayor Schutte stated that Item #4, Special Use Permit for 111 Ash Street, should be removed from the Agenda.

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

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

Nays: None, motion carried.

Agenda, as amended, passed and approved September 7, 2010.

AMERENUE PRESENTATION – MIKE EDWARDS: (Tape A65-324).

Mike Edwards, Customer Service Advisor of AmerenUE, addressed the Council. AmerenUE will have a rate increase on October 4, 2010 of 11%, amounting to about 30-cents per day for residential customers. Mike stated this increase will help to update the Power Plant outside St. Louis. AmerenUE will continue to watch spending, cut costs, and watch

expenses. He asked customers to check out the website at [HYPERLINK
mailto:medwards@ameren.com](mailto:medwards@ameren.com) medwards@ameren.com for all updates and information on power outages. Mike stated that on October 1, 2010, AmerenUE will change its name for customers in Missouri to AmerenMO. AmerenUE is also ready to start its tree-trimming program to prevent outages this winter.

WSKF UPDATE FOR ANIMAL CONTROL FACILITY: (Tape A325-1338)

Rick Kuhl, representative of Williams, Spurgeon, Kuhl and Freshnock, Architects, Inc, made a presentation to the Council regarding the proposed new Animal Control Facility for the City. He stated it will be located on So. Marietta Street across from the Public Works Facility, facing South Marietta. Mr. Kuhl stated the proposed facility will cost approximately \$400,000 and will include a large animal holding area, an incinerator area, an area to allow animals to be kept outside, an examination/multi-purpose area, food prep and storage area, work room, office and quarantine area for sick animals. There will also be a large parking area. There will be a more improved look for infection control and isolation of animals. He further stated that it costs more to put an animal down than to adopt out the animal.

DEP PRESENTATION – KEITH WINGE: (Tape A1337-2000, B1-B103)

Mr. Keith Winge, representing the Downtown Excelsior Partnership, addressed the Council and stated the following has been either completed or proposed for the coming year:

Restructured Committees.

Improved retail recruitment through improved design, organization, and better promotions.

Sold the property at 114 Marietta to the Community Theater.

Obtained NAP Credit for the property on Broadway.

Dream survey of old boarding houses in downtown.

Placed new banners in vacant buildings downtown.

Improved Arts & Crafts and the Art Crawl.

Created the #353 District with tax breaks.

The Lodwick Law Office building has been upgraded.

The City needs a pocket park downtown and another billboard.

Downtown needs a streetscape and landscaping.

The Wine Festival was a success.

The Visitors Center in the Hall of Waters Building has had 6,000 visitors in the last year.

Created new street banners for downtown.

Inventoried buildings needing help in the downtown area.

ORDINANCE #10-09-01, APPROVAL OF CONTRACT WITH MISSOURI CENTER FOR PATIENT SAFETY: (Tape B104-B210)

Mayor Schutte read by title the First Reading of Ordinance #10-09-01.

Fire Chief Kent Cantrell briefed the Council on this Ordinance.

Councilman Fousek made a motion to place on Second Reading Ordinance #10-09-01, approving the form and authorizing the City to enter into a Participating Agreement with the Missouri Center for Patient Safety Organization. Motion was seconded by Councilman Parker.

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

Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Ordinance #10-09-01.

Councilman Fousek made a motion to approve Ordinance #10-09-01, approving the form and authorizing the City to enter into a Participating Agreement with the Missouri Center for Patient Safety Organization. Motion was seconded by Councilman Parker.

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

Nays: None, motion carried.

Ordinance #10-09-01 passed and approved September 7, 2010.

ORDINANCE #10-09-02, APPROVAL TO AMEND THE CONTRACT FOR SOLID WASTE SERVICE: (Tape B211-394)

Mayor Schutte read by title the First Reading of Ordinance #10-09-02.

Chad Birdsong advised the Council that the contract for Solid Waste Service is being extended for an additional three (3) years. New “recycle” trash containers with yellow lids will be distributed to all customers since the recycle trucks will now be fitted with automatic loaders. The cost per residential customer will be reduced from \$16.55 per month to \$15.55. The new, recycle service which went into effect this past year saved 70% refuse from going to the landfill. The contractor will also start reimbursing the city 50% of the money earned from the recycled trash.

Mayor Pro-Tem Buckman made a motion to take to Second Reading Ordinance #10-09-02, to authorize the City Manager to Execute an Agreement with Allied Waste, LLC to amend the contract for Solid Waste Service. Motion was seconded by Councilman Parker.

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

Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Ordinance #10-09-02.

Councilman Fousek made a motion to approve Ordinance #10-09-02, to authorize the City Manager to Execute an Agreement with Allied Waste, LLC to amend the contract for Solid Waste Service.

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

Nays: None, motion carried.

Ordinance #10-09-02 passed and approved September 7, 2010.

ORDINANCE #10-09-03, APPROVAL TO AMEND THE CLAY COUNTY PWS DISTRICT #3 WATER PURCHASE: (Tape B395-491)

Mayor Schutte read by title the First Reading of Ordinance #10-09-03.

Mr. Tom Wall, Director of Public Utilities, informed the Council that this Ordinance is in

compliance with the purchasers request to increase the minimum amount to 4,000,000 gallons per month and decrease the maximum amount to 8,000,000 gallons per month.

Mayor Pro-Tem Buckman made a motion to take to Second Reading Ordinance #10-09-03, authorizing the City Manager to execute an amendment to the water sale/purchase agreement with Public Water Supply District #3 of Clay County. 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 #10-09-03.

Mayor Pro-Tem Buckman made a motion to approve Ordinance #10-09-03, authorizing the City Manager to execute an amendment to the water sale/purchase agreement with Public Water Supply District #3 of Clay County. Motion was seconded by Councilman Parker.

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

Nays: None, motion carried.

Ordinance #10-09-03 passed and approved September 7, 2010.

ORDINANCE #10-09-04, APPROVAL TO READOPT THE PROCEDURE TO DISCLOSE CONFLICTS OF INTEREST: (Tape B492-568).

Mayor Schutte read by title the First Reading of Ordinance #10-09-04.

The City Manager briefed the Council on this Ordinance.

Mayor Pro-Tem Buckman made a motion to place on Second Reading Ordinance #10-09-04, approving the re-adoption of procedure to disclose potential conflicts of interest and substantial interests for certain officials. Motion was seconded by Councilman Parker.

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

Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Ordinance #10-09-04.

Councilman Fousek made a motion to approve Ordinance #10-09-04, approving the re-adoption of procedure to disclose potential conflicts of interest and substantial interests for certain officials. Motion was seconded by Councilman Nelson.

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

Nays: None, motion carried.

Ordinance #10-09-04 passed and approved September 7, 2010.

ORDINANCE #10-09-05, APPROVAL OF 2007 PERSONAL PROPERTY TAX WRITE-OFFS: (Tape B569-709).

Mayor Schutte read by title the First Reading of Ordinance #10-09-05.

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

Councilman Nelson made a motion to take to Second Reading Ordinance #10-09-05, allowing the Finance Director to write-off the sum of \$10,401.65 in Delinquent Personal Property Taxes. 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 #10-09-05.

Councilman Parker made a motion to approve Ordinance #10-09-05, allowing the Finance Director to write-off the sum of \$10,401.65 in Delinquent Personal Property Taxes. Motion was seconded by Mayor Pro-Tem Buckman.

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

Nays: None, motion carried.

Ordinance #10-09-05 passed and approved September 7, 2010.

ORDINANCE #10-09-06, APPROVAL OF BUDGET AMENDMENT FOR FY 2010 – ALL FUNDS: (Tape B710-809).

Mayor Schutte read by title the First Reading of Ordinance #10-09-06.

Steve Marriott briefed the Council on this Ordinance.

Councilman Fousek made a motion to place on Second Reading Ordinance #10-09-06, approving Budget Amendments for all funds for the fiscal year ending September 30, 2010. 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 #10-09-06.

Councilman Parker made a motion to approve Ordinance #10-09-06, approving Budget Amendments for all funds for the fiscal year ending September 30, 2010. Motion was seconded by Councilman Fousek.

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

Nays: None, motion carried.

Ordinance #10-09-06 passed and approved September 7, 2010.

DISCUSSION OF BUDGET FY 2011: (Tape B810-992).

Steve Marriott informed the Council that all the numbers are in place for the proposed

budget for FY 10-1-10 to 9-30-11, except the Golf Board which is still making last minute changes to their budget. Steve informed the Council that he will be out of town on September 20, 2010, the date of the next scheduled Council Meeting, and asked the Council if they would rather have a Special Meeting to adopt the budget.

Mayor Schutte stated that she didn't think a Special Meeting needed to be held.

APPROPRIATIONS ORDINANCE #10-09-07: (Tape B993-1053)

Mayor Schutte read by title the First Reading of Appropriations Ordinance #10-09-07.

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

Mayor Pro-Tem Buckman made a motion to place on Second Reading Appropriations Ordinance #10-09-07, in the amount of \$541,575.07. 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 #10-09-07.

Mayor Pro-Tem Buckman made a motion to approve Appropriations Ordinance #10-09-07, in the amount of \$541,575.07. Motion was seconded by Councilman Fousek.

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

Appropriations Ordinance #10-09-07 passed and approved September 7, 2010.

REMARKS – CITY MANAGER AND CITY COUNCIL: (Tape B1054-1202)

City Manager Haugland:

He will be representing the City of Excelsior Springs at the MML Conference in St. Charles, MO on September 12-15, 2010.

Councilman Parker:

Thanked Steve Marriott for a good job on the budget.

Councilman Nelson:

Would like to thank Steve Marriott for an outstanding job on the budget...thanking all department heads, the City Manager and the Finance Director for an outstanding job. They keep the City going.

Councilman Fousek:

Steve – Kudos, Kudos, Kudos. You have done a fine job.

City Manager Schutte:

Agrees with everyone on the fine job Steve has done – he has answered all my questions. Glad to see the City employees getting a cost-of-living raise. These are tough times and most businesses are making employee cuts and giving no raises.

With no further business at hand, Mayor Schutte called for a motion to adjourn the regular 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 Fousek.

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

 Nays: None, motion carried.

Meeting was adjourned at 7:47 PM.

ATTEST:

CAROLYN SCHUTTE, MAYOR

FRANCES SMITH, CITY CLERK

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