

REGULAR COUNCIL MEETING  
CITY OF EXCELSIOR SPRINGS  
EXCELSIOR SPRINGS, MISSOURI  
OCTOBER 18, 2010

The City Council of the City of Excelsior Springs, Missouri met in Regular Session at 6:00 PM, Monday, October 18, 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 Fire Chief Kent Cantrell.

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, OCTOBER 4, 2010: (Tape A29-39)

Councilman Nelson made a motion to approve the Minutes of the Regular Council Meeting held on October 4, 2010. Motion was seconded by Councilman Parker.

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

Nays: None, motion carried.

Minutes of October 4, 2010 passed and approved October 18, 2010.

CONSIDERATION OF AGENDA: (Tape A40-46)

Councilman Parker made a motion to approve the Agenda, as printed. 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 October 18, 2010.

PROCLAMATION – BUSINESS WOMEN OF MISSOURI WEEK: (Tape A47-100)

Mayor Schutte read aloud to members of the Business & Professional Women of Missouri the Proclamation naming the week of October 17 to October 23, 2010 as Business Women of Missouri Week.

PROCLAMATION – THE GOOD SAMARITAN FOOD PANTRY: (Tape A101-154)

Mayor Schutte read aloud the Proclamation to recognize and honor The Good Samaritan Food Pantry. This Proclamation will be presented to The Good Samaritan Center Tuesday night.

APPROVAL OF LIQUOR LICENSE FOR APPLEBEE'S: (Tape A155-179)

Police Chief John McGovern informed the Council that after a lengthy investigation, there is nothing to preclude the issuance of this license.

Mayor Pro-Tem Buckman made a motion to approve the change of Managing Officer for Applebee's, 2301 Vintage Court, Excelsior Springs, Missouri. Mr. Robert W. Rentfro will replace Mr. Rex W. Wright. Motion was seconded by Councilman Parker.

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

Nays: None, motion carried.

Change of Managing Officer for Applebee's passed and approved October 18, 2010.

ORDINANCE #10-10-03, APPROVAL OF EXPENDITURES FOR A NEW ANIMAL CONTROL CENTER: (Tape A180-366)

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

Police Chief John McGovern informed the Council that the City's Construction Services Department will do a good part of the work on the Animal Control Center creating a cost-saving for this structure. He also stated that Lt. Reno and the City's Animal Control Officer were on hand to answer any questions from the Council.

Mayor Pro-Tem Buckman made a motion to place on Second Reading Ordinance #10-10-03, approving expenditures from the Capital Improvements Fund in the amounts of \$435,316.00 for construction and \$94,300.00 for equipment and furnishings for a new Animal Control Center. 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 #10-10-03.

Mayor Pro-Tem Buckman made a motion to approve Ordinance #10-10-03, approving expenditures from the Capital Improvements Fund in the amounts of \$435,316.00 for construction and \$94,300.00 for equipment and furnishings for a new Animal Control Center.

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

Nays: None, motion carried.

Ordinance #10-10-03 passed and approved October 18, 2010.

PROCLAMATION – THE GOOD SAMARITAN FOOD PANTRY: (Tape A101-154)  
DISCUSSION OF ISSUANCE OF \$4,000,000 RECOVERY ZONE FACILITY BONDS BY

THE CITY FOR THE ELMS HOTEL: (Tape A367-A1500, B1-B894).

Mr. Marco Marzocchi, General Counsel – Retail Development, the Widewaters Group, Inc. gave a powerpoint presentation to the Council regarding Redevelopment of the Elms Resort & Spa. He stated that the Elms had a loan in place for all of their renovations and suddenly the bottom fell out of the economy. The Widewaters staff has been in constant dialog to find a solution to this situation. They haven't been able to get financing so they have come up with the Facility Bonds. These Facility Bonds will finance Phase I of their Redevelopment. This Redevelopment will include the Purchase of the Hotel, Management Takeover, Complete Architectural, Administration of Renovation and Phase I of Renovation. A member of Mr. Marzocchi's staff briefed the council on financing terms. The Bonds will be backed by the City's Annual Appropriation Pledge and the closing and funding of the bonds will be prior to December 31, 2010. Bonds will be tax free if put in place by December 31, 2010. He explained that Debt Service for these bonds will be \$340,000, guaranteed.

All this information was given to members of the council for their consideration. They are asking the City to declare the project (or a large area encompassing the project) a Recovery Zone at the October 26, 2010 meeting.

APPROPRIATIONS ORDINANCE #10-10-04: (Tape B895-936)

Mayor Schutte read by title the First Reading of Appropriations Ordinance #10-10-04. Mayor Schutte further advised the Council that this Appropriations includes only Payroll so there is no need to question expenditures.

Councilman Nelson made a motion to take to Second Reading Appropriations Ordinance #10-10-04, in the amount of \$217,045.27. 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 Appropriations Ordinance #10-10-04.

Mayor Pro-Tem Buckman made a motion to approve Appropriations Ordinance #10-10-04, in the amount of \$217,045.27. Motion was seconded by Councilman Parker.

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

Nays: None, motion carried.

Appropriations Ordinance #10-10-04 passed and approved October 18, 2010.

REMARKS – CITY MANAGER AND CITY COUNCIL: (Tape B942-1066)

Mayor Pro-Tem Buckman:

Suggests the council meet with the Widewaters Group again when they get the numbers pulled together.

Councilman Nelson:

From the beginning he has been impressed with Widewaters. He commends Widewaters 110%.

Councilman Fousek:

Echo the same. Widewaters has worked hard and they want the project to work.

Mayor Schutte:

Agrees with other Council members. Marco has always been a big believer in the Elms project.

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

Councilman Parker made a motion to adjourn the Regular Council Meeting and go into Closed Session pursuant to RSMo Section 610.021 (1) Legal. Motion was seconded by Mayor Pro-Tem Buckman.

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

                              Nays: None, motion carried.

The Regular Council Meeting adjourned at 7:18 PM.

ATTEST:

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CAROLYN SCHUTTE, MAYOR

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FRANCES SMITH, CITY CLERK

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110%.