

REGULAR COUNCIL MEETING  
CITY OF EXCELSIOR SPRINGS  
EXCELSIOR SPRINGS, MISSOURI  
NOVEMBER 1, 2010

The City Council of the City of Excelsior Springs, Missouri met in Regular Session at 6:00 PM, Monday, November 1, 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: (Tape A20-103)

Sheryl Trio, Chairwoman of the Christmas Committee, addressed the Council to bring them up to date on the progress of the Christmas decorations. She stated the Committee is running a little behind this year, but things are starting to fall into place. Arrangements for the Mayor's Christmas Tree Lighting are looking good. Students at Job Corps are helping the Christmas Committee again this year. The Committee is a little late in their request for appropriations from the City, but she is sure these funds will be forthcoming. The Committee has obtained a new Nativity Scene. AmerenUE has been a big help with lighting especially on Santa Claus Lane. The Christmas parade will start at 6:00 PM on the night of the Mayor's Christmas Tree Lighting.

MINUTES OF REGULAR COUNCIL MEETING ON OCTOBER 18, 2010 AND MINUTES OF THE SPECIAL COUNCIL MEETING ON OCTOBER 26, 2010: (Tape A104-131)

Councilman Nelson stated he wished to amend the Minutes of the Special Council Meeting held on October 26, 2010, page 1, paragraph #6 – to be changed from “Derek Busick” to Eric Busick”. Changes were so noted and correction made.

Councilman Fousek made a motion to approve the Minutes of October 18, 2010 and the amended Minutes of October 26, 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 October 18, 2010 and Amended Minutes of October 26, 2010 passed and approved November 1, 2010.

CONSIDERATION OF AGENDA: (Tape A132-138)

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, Fousek, Nelson, Buckman, Schutte

Nays: None, motion carried.

Agenda, as printed, passed and approved November 1, 2010.

APPROVAL OF LIQUOR LICENSE – MURPHY OIL USA: (Tape A139-168)

Police Chief John McGovern informed the Council that there is nothing to preclude the issuance of this license.

Councilman Parker made a motion to approve a request by Murphy Oil USA, Inc. to upgrade from a 5% Package Beer License to Package Liquor and Sunday Sales license at 2211 Patsy Lane, Excelsior Springs, Missouri. Lorene Samson will continue to be the Managing Officer of the license. Motion was seconded by Mayor Pro-Tem Buckman.

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

Nays: None, motion carried.

Murphy Oil USA License passed and approved November 1, 2010.

ORDINANCE #10-10-06, APPROVAL OF EASEMENT VACATE FOR FOWLER STREET AND ADJOINING ALLEY: (Tape A169-206)

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

Nick Pappas, Planning and Zoning Director, briefed the Council on this Ordinance.

Mayor Pro-Tem Buckman made a motion to place on Second Reading Ordinance #10-10-06, approving an easement vacate of Fowler Street and the adjoining alley. 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 #10-10-06.

Mayor Pro-Tem Buckman made a motion to approve Ordinance #10-10-06, approving an easement vacate of Fowler Street and the adjoining alley. Motion was seconded by Councilman Parker.

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

Nays: None, motion carried.

Ordinance #10-10-06 passed and approved November 1, 2010.

ORDINANCE #10-10-07, APPROVAL OF AMENDMENT TO AGREEMENT FOR HALL OF WATERS REHABILITATION PROJECT: (Tape A207-271)

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

Once again, Nick Pappas briefed the Council on this Ordinance.

Councilman Fousek made a motion to take to Second Reading Ordinance #10-10-07, approving an expenditure in the amount not to exceed \$20,000 from the Historic Preservation Grant Funds and authorizing the City to enter into an amendment to the agreement for construction services for the Hall of Waters Rehabilitation Project. 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 #10-10-07.

Councilman Fousek made a motion to approve Ordinance #10-10-07, approving an expenditure in the amount not to exceed \$20,000 from the Historic Preservation Grant Funds and authorizing the City to enter into an amendment to the agreement for construction services for the Hall of Waters Rehabilitation Project. Motion was seconded by Councilman Parker.

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

Nays: None, motion carried.

Ordinance #10-10-07 passed and approved November 1, 2010.

ORDINANCE #10-10-08, APPROVAL TO TRANSFER 211 E. EXCELSIOR STREET TO GARDNER CAPITAL, LLC: (Tape A272-350)

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

Nick Pappas briefed the Council on this Ordinance.

Councilman Fousek made a motion to place on Second Reading Ordinance #10-10-08, authorizing the conveyance of 211 E. Excelsior Street for redevelopment. 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 #10-10-08.

Mayor Pro-Tem Buckman made a motion to approve Ordinance #10-10-08, authorizing the conveyance of 211 E. Excelsior Street for redevelopment. Motion was seconded by Councilman Parker.

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

Nays: None, motion carried.

Ordinance #10-10-08 passed and approved November 1, 2010.

ORDINANCE #10-10-09, APPROVAL OF CONTRACT FOR THE WASTEWATER

TREATMENT FACILITY PROJECT: (Tape A351-414)

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

Chad Birdsong, Public Works Director, briefed the Council on this Ordinance.

Councilman Parker made a motion to place on Second Reading Ordinance #10-10-09, authorizing the City to enter into an agreement with Larkin Group, Inc. for Engineering Services. Motion was seconded by Mayor Pro-Tem Buckman.

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

Nays: None, motion carried.

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

Councilman Fousek made a motion to approve Ordinance #10-10-09, authorizing the City to enter into an agreement with Larkin Group, Inc for Engineering Services. Motion was seconded by Councilman Parker.

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

Nays: None, motion carried.

Ordinance #10-10-09 passed and approved November 1, 2010.

APPROPRIATIONS ORDINANCE #10-10-10: (Tape A415-464)

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

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

Mayor Pro-Tem Buckman made a motion to place on Second Reading Appropriations Ordinance #10-10-10, in the amount of \$1,188,037.68. 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 #10-10-10.

Mayor Pro-Tem Buckman made a motion to approve Appropriations Ordinance #10-10-10, in the amount of \$1,188,037.68. Motion was seconded by Councilman Fousek.

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

Abstain: Parker

Nays: None, motion carried.

Appropriations Ordinance #10-10-10 passed and approved November 1, 2010.

REMARKS – CITY MANAGER AND CITY COUNCIL: (Tape A465-494)

ORDINANCE #10-10-09, APPROVAL OF CONTRACT FOR THE WASTEWATER

Everyone get out and vote tomorrow.

Councilman Fousek:  
Vote tomorrow.

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 Missouri State Statutes 610.021 (1) Legal. Motion was seconded by Councilman Fousek.

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

                              Nays: None, motion carried.

Regular Council Meeting adjourned at 6:20 PM.

ATTEST:

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CAROLYN SCHUTTE, MAYOR

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FRANCES SMITH, CITY CLERK

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