

REGULAR COUNCIL MEETING
CITY OF EXCELSIOR SPRINGS
EXCELSIOR SPRINGS, MISSOURI
JUNE 6, 2011

The City Council of the City of Excelsior Springs, Missouri met in Regular Session at 6:00 PM, Monday, June 6, 2011 in the Council Chambers of the Hall of Waters Building. The Meeting was called to order by Mayor Buckman.

The opening prayer was given by Fire Chief Kent Cantrell.

The Pledge of Allegiance was led by Mayor Buckman.

Roll Call of Members: Present: Mayor Ambrose Buckman, Mayor Pro-Tem Chad Taylor, Council Members Ken Fousek, Jim Nelson, and Carolyn Schutte

Absent: None

VISITORS:

There were no visitors at this meeting who wished to address the Council.

MINUTES OF REGULAR COUNCIL MEETING HELD ON MAY 16, 2011: (Tape A763-831)

Councilman Fousek made a motion to approve the Minutes of the Regular Council Meeting held on May 16, 2011. Motion was seconded by Councilwoman Schutte.

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

Nays: None, motion carried.

Minutes of May 16, 2011 passed and approved June 6, 2011.

CONSIDERATION OF AGENDA: (Tape A832-844)

Councilwoman Schutte made a motion to approve the Agenda, as printed. Motion was seconded by Councilman Nelson.

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

Nays: None, motion carried.

Agenda, as printed, passed and approved June 6, 2011.

EXCELSIOR SPRINGS MUSEUM & ARCHIVES PRESENTATION: (Tape

~~A945-976~~ Jaiden had played 5 of 7 games even though he had started practicing with the

Ms. Denise Seigel, Museum Board Member, gave a presentation to the Council on activities of the City's Museum.

The Museum has installed a new roof at a cost of \$26,000. The Museum has raised all except \$4,000 of the money needed for the roof.

A membership drive is now in progress to sign up as many members as possible.

The Museum has had some major exhibits: "Outstanding Women of Missouri", "The Corvair Car Exhibit", the "China and Africa Exhibit", and Jinx Fisher is scheduling a "WW2 Theme Exhibit".

An admission charge will be put into place of \$2.00 per person, except for members and children.

They have an annual budget of \$25,000.

They are planning a garage sale.

RESOLUTION #876, PARKS AND RECREATION BOARD APPOINTMENT: (Tape A977-2000, B1-B919)

Mayor Buckman stated he is going to open up the Council Meeting for Visitor's input on the appointment of Zac Ganzer to the Parks and Recreation Board. He stated he would give each side a chance to be heard, but advised that persons should hold their comments to three minutes each.

Corey Williams, supporter of the "Gray's Baseball Team, addressed the Council in support of Zac. He stated he had never seen any negativity from Zac toward players, and Corey read several letters from parents in support of Zac. He also stated that his son was on the "Gray's" team with Jaiden Moore and that his son had sat out a lot of games on the bench.

Brad Eales, Father-in-law of Zac Ganzer, 2104 Bradford Place, gave a history of Zac's education and honors won from the Dean of William Jewell and the City of Liberty. He stated he is proud of all Zac's accomplishments. He read a letter from Sherri Branson-Hurt who stated that our community and school district are fortunate to have such a positive outstanding role model as Zac for our kids.

Carol Baxter, 2002 E. Norma Court, spoke out in support of Zac Ganzer.

Bruce Collins stated his girls spent a lot of time in the Ganzer home and that Zac needs to be on the Parks and Recreation Board...he will be an excellent board member.

Zac Ganzer, 1015 Bell Street, addressed the Council and gave them a schedule of games started and games played by Jaiden Moore while on the "Gray's" Baseball Team. He

ORDINANCE # 1140610 - CONTRIBUTION SERVICES FOR ANIMAL SHELTER

team late. He never made any racially-driven decisions in regard to this team.

Pat Moore, grandmother of Jaiden, stated she was at all the baseball games in question and that her grandson had been treated unfairly by Zac.

Jaiden Moore stated that in the first game he played half and in the second game he played none.

Rick Moore stated that this is not a popularity contest between his daughter Brooke and Zac.

Brooke Moore, 2216 Madison, stated her son did not want to play for Zac but she talked him into it. Her son would come home and bawl his eyes out after practice, but she made him go back. She feels that her son was targeted.

Ernie Smith, 118 Haynes, stated there should be more people like Rick Moore. He asked the Council to think about their decision.

Vernon Hendricks, 507 Henry, asked the Council to think about the young men and women and do what is best for Parks and Recreation. Either way, there has been a lot of talk about this situation.

With all persons having been heard, Mayor Buckman asked for a motion on Resolution #876.

Councilwoman Schutte made a motion to approve Resolution #876, authorizing the appointment of Zac Ganzer as Board Representative to the Parks and Recreation Board. Motion was seconded by Councilman Nelson.

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

Nays: Fousek. Motion carried.

Resolution #876 passed and approved June 6, 2011.

At this point, Councilman Fousek stated he wished to read a statement regarding the appointment. He was not allowed to read his statement. Councilman Fousek stated "I quit" and left the Council Chambers.

The "Oath" was administered to Zac Ganzer by the City Clerk. He was also presented with a Certificate of Appointment.

ORDINANCE #11-06-01, CONSTRUCTION SERVICES FOR ANIMAL SHELTER PROJECT: (Tape B920-1010)

Mayor Buckman read by title the First Reading of Ordinance #11-06-01.

Police Chief John McGovern briefed the Council on this Ordinance.

Councilwoman Schutte made a motion to place on Second Reading Ordinance #11-06-01, approving an expenditure in the amount not to exceed \$92,355.00 from the Capital Improvements Fund and authorizing the City of Excelsior Springs to enter into an agreement for Construction Services for the animal shelter. Motion was seconded by Mayor Pro-Tem Taylor.

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

Mayor Buckman read by title the Second Reading of Ordinance #11-06-01.

Councilwoman Schutte made a motion to approve Ordinance #11-06-01, approving an expenditure in the amount not to exceed \$92,355.00 from the Capital Improvements Fund and authorizing the City of Excelsior Springs to enter into an agreement for Construction Services for the animal shelter project. Motion was seconded by Councilman Nelson.

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

Ordinance #11-06-01 passed and approved June 6, 2011.

ORDINANCE #11-06-02, ENGINEERING SERVICES FOR STORM WATER SEWER SYSTEM: (Tape B1011-1092)

Mayor Buckman read by title the First Reading of Ordinance #11-06-02.

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

Councilwoman Schutte made a motion to take to Second Reading Ordinance #11-06-02, authorizing the City of Excelsior Springs to enter into an Agreement with Luebbert Engineering for Professional Services for Storm Water Sewer System Permit Compliance. Motion was seconded by Mayor Pro-Tem Taylor.

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

Ordinance #11-06-03 passed and approved June 6, 2011.
Absent: Fousek
Nays: None, motion carried.

Mayor Buckman read by title the Second Reading of Ordinance #11-06-02.

Councilman Nelson made a motion to approve Ordinance #11-06-02, authorizing the City of Excelsior Springs to enter into an Agreement with Luebbert Engineering for Professional Services for Storm Water Sewer System Permit Compliance. Motion was seconded by Councilwoman Schutte.

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

Ordinance #11-06-02 passed and approved June 6, 2011.

ORDINANCE #11-06-03, 2011 CULVERT REPLACEMENT PROJECT: (Tape B1093-1182

Mayor Buckman read by title the First Reading of Ordinance #11-06-03.

Chad Birdsong was on hand to answer Council questions on this Ordinance.

Councilman Nelson made a motion to take to Second Reading Ordinance #11-06-03, authorizing the City of Excelsior Springs to enter into an Agreement with AGC Engineers for Professional Services for the Wornall Road Culvert Replacement Project. Motion was seconded by Councilwoman Schutte.

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

Mayor Buckman read by title the Second Reading of Ordinance #11-06-03.

Councilwoman Schutte made a motion to approve Ordinance #11-06-03, authorizing the City of Excelsior Springs to enter into an Agreement with AGC Engineers for Professional Services for the Wornall Road Culvert Replacement. Motion was seconded by Mayor Pro-Tem Taylor.

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

Ordinance #11-06-03 passed and approved June 6, 2011.

ORDINANCE #11-06-04, HP CONTRACT WITH THREE GABLES PRESERVATION: (Tape B1183-B1273)

Mayor Buckman read by title the First Reading of Ordinance #11-06-04.

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

Councilwoman Schutte made a motion to take to Second Reading Ordinance #11-06-04, authorizing the City of Excelsior Springs to enter into an agreement with Deon Wolfenbarger Three Gables Preservation for Professional Services for the Mineral Waters Springs and Wells Survey Project. Motion was seconded by Mayor Pro-Tem Taylor.

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

Mayor Buckman read by title the Second Reading of Ordinance #11-06-04.

Councilwoman Schutte made a motion to approve Ordinance #11-06-04, authorizing the City of Excelsior Springs to enter into an agreement with Deon Wolfenbarger Three Gables for Professional Services for the Mineral Waters Springs and Wells Survey Project. Motion was seconded by Mayor Pro-Tem Taylor.

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

Ordinance #11-06-04 passed and approved June 6, 2011.

ORDINANCE #11-06-05, TEXT AMENDMENTS TO THE ZONING CHAPTER OF THE CITY CODE: (Tape B1274-1484)

Mayor Buckman read by title the First Reading of Ordinance #11-06-05.

Nick Pappas briefed the Council on this Ordinance. He would like to have time to take another look at this amendment and bring the Ordinance back to the next Council Meeting.

Councilwoman Schutte made a motion to take to Second Reading at the next scheduled Council Meeting Ordinance #11-06-05, amending Title IV: Zoning Code, Chapter 400: Zoning Regulations, and Chapter 403: Sign Regulations, of the Municipal Code of the City of Excelsior Springs. Motion was seconded by Mayor Pro-Tem Taylor.

Councilwoman Schutte:

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

Second Reading will be held at the next scheduled Council Meeting in June, 2011.

APPROPRIATIONS ORDINANCE #11-06-06: (Tape B1485-1605)

Mayor Buckman read by title the First Reading of Appropriations Ordinance #11-06-06.

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

Councilwoman Schutte made a motion to take to Second Reading Appropriations Ordinance #11-06-06, in the amount of \$515,884.13. Motion was seconded by Mayor Pro-Tem Taylor.

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

Mayor Buckman read by title the Second Reading of Appropriations Ordinance #11-06-06.

Councilwoman Schutte made a motion to approve Appropriations Ordinance #11-06-06, in the amount of \$515,884.13. Motion was seconded by Mayor Pro-Tem Taylor.

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

Appropriations Ordinance #11-06-06 passed and approved June 6, 2011.

REMARKS – CITY MANAGER AND CITY COUNCIL: (Tape B1606-B2000)

City Manager Haugland:

A letter has been sent to all Landlords regarding inspections for meetings in June.

The City has three openings for the Cemetery Board.

Contacted Matt Hartwig in regard to having the Community Center Steering Committee send a letter to Governor Nixon urging the signing of Senate Bill 117.

Need to set a date to have Public Officials Liability Training.

Work has progressed on the development agreement.

Councilwoman Schutte:

Thanked the Mayor for his excellent job allowing everyone to speak tonight on Resolution #876.

Mayor Pro-Tem Taylor:

Thanked City employees for their involvement in the Joplin disaster.

Councilman Nelson:

Two weeks ago the two sides were happy...a lot of allegations have been made against the Council for not looking into things. Now that we have made our decision, one is happy, one is unhappy.

Friday night is open house at the "Loft".

Mayor Buckman:

There will be volunteers at Orchelin Parking Lot on Thursday, Friday and Saturday collecting for the Joplin victims. Volunteers are also needed.

He was one who requested meetings with the Landlords.

Asked the City Attorney how to handle the situation with Councilman Fousek. The City Attorney stated the only way the Council could accept his resignation would be through a Resolution. Buckman stated he would talk to Councilman Fousek first.

With no further business at hand, Mayor Buckman adjourned the Regular Council Meeting at 7:45 PM.

ATTEST:

AMBROSE BUCKMAN, MAYOR

FRANCES SMITH, CITY CLERK