

REGULAR COUNCIL MEETING
CITY OF EXCELSIOR SPRINGS
EXCELSIOR SPRINGS, MISSOURI
AUGUST 1, 2011

The City Council of the City of Excelsior Springs, Missouri met in Regular Session at 6:00 PM, Monday, August 1, 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, and Councilmen Brent McElwee and Jim Nelson.

Absent: Councilwoman Carolyn Schutte

VISITORS:

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

MINUTES OF BUDGET WORK SESSIONS ON JULY 5, 2011 AND JULY 11, 2011;
AND MINUTES OF REGULAR COUNCIL MEETING ON JULY 5, 2011: (Tape
A31-46).

Councilman McElwee made a motion to approve the Minutes of the Budget Work Sessions on July 5 and July 11, 2011; and the Minutes of the Regular Council Meeting on July 5, 2011. Motion was seconded by Councilman Nelson.

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

Nays: None, motion carried.

Minutes of Work Sessions on July 5 and July 11; and Minutes of Regular Meeting on July 5, 2011 passed and approved August 1, 2011.

CONSIDERATION OF AGENDA: (Tape A47-59).

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

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

Nays: None, motion carried.

Agenda printed, passed and approved August 1, 2011.

PUBLIC HEARING – CDBG GRANT: (Tape A50-84)

Councilman Nelson made a motion to open a Public Hearing for the CDBG Grant. Motion was seconded by Councilman McElwee.

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

Nays: None, motion carried.

A Public Hearing was opened. The City Manager briefed the Council on the CDBG Grant process.

With no other person wishing to be heard during the Public Hearing, Councilman Nelson made a motion to close the Public Hearing for the CDBG Grant. Motion was seconded by Mayor Pro-Tem Taylor.

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

Nays: None, motion carried.

The Public Hearing was closed.

PRESENTATION – DOWNTOWN EXCELSIOR PARTNERSHIP: (Tape A85-683)

Keith Winge, representing the Downtown Excelsior Partnership, gave the Annual Report for July 1, 2010 thru June 30, 2011 to the Council. He stated their mission is to provide services and support, and present a historic way of life in the downtown area.

Their committees are Economic Restructuring, Design, Promotions, and Organization.

Their income for the fiscal year was \$136,189, their expenses \$131,215, with a balance left of \$4,974. Their income consisted of Grant monies \$69,989, General Operating \$31,978 and the Visitor's Center bringing in \$6,235. Their restructuring includes the Excelsior Street Redevelopment Project which is a 10 million dollar project with 30 homes and 4 rehabilitations; the Colonial Boarding House Redevelopment which is now listed on the National Register, Wickers Sit and Sleep, the Blue Raddish, the Excelsior Springs Community Theatre, etc. Coming soon is an Antique Store, a Gourmet Popcorn Shop, and the Elms purchase and renovation. Their projects are new banners, the Royal Hotel building, the Trust Co Bank building, a pocket park, and street beautification.

RESOLUTION #881, APPOINT PLANNING & ZONING COMMISSIONER: (Tape

~~(684-742)~~ Councilman Nelson made a motion to approve Resolution #882, authorizing the purchase

Councilman Nelson made a motion to approve Resolution #881, authorizing the appointment of Ms. Stephany Hughes as Board Representative to the Planning & Zoning Commission; said term to expire September 30, 2015. Motion was seconded by Councilman McElwee.

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

Nays: None, motion carried.

Resolution #881 passed and approved August 1, 2011. NOTE; The “Oath” was administered to Stephany Hughes by the City Clerk and she was presented with a Certificate of Appointment.

SPECIAL USE PERMIT FOR DOG KENNEL: (Tape A743-936)

City Attorney John McClelland informed the Council that they will need to vote to accept the Special Use Permit or deny the Special Use Permit. Nick Pappas, Planning and Zoning Director, advised the Council that the Planning and Zoning Commission recommended that the Special Use Permit be denied.

Earl Hurshman, 931 Duncan Lane, informed the Council that his back yard is adjacent to 102 Northview Drives and the noise from the barking dogs will not allow his family to sit on their back deck in the evenings. He also stated that some residents on his street work nights and can’t sleep during the day because of the barking.

No one wished to address the Council who was “for” the Special Use Permit.

Mayor Pro-Tem Taylor made a motion to approve the Staff Proposed Finding of Fact and Deny the Special Use Permit to Operate a Dog Kennel at 102 Northview Drive. Motion was seconded by Councilman Nelson.

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

Nays: None, motion carried.

Special Use Permit “Denied” for 102 Northview Drive on August 1, 2011.

RESOLUTION #882, REPAIR OF CLARIFIER BASIN #3: (Tape A937-1026)

Tom Wall, Public Utilities Director, briefed the Council on this item.

~~to guarantee the bonds necessary for the building of #882, and~~ authorizing the purchase of parts and labor to repair Clarifier Basin #3 of the City Waterworks Facility from Alliance Pump & Mechanical Services, at a cost of \$12,999.20. Motion was seconded by Councilman McElwee.

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

Nays: None, motion carried.

Resolution #882 passed and approved, August 1, 2011.

ORDINANCE #11-08-01, VINTAGE PLAZA TENTH PLAT: (Tape A1027-1101)

Mayor Buckman read by title the First Reading of Ordinance #11-08-01.

Nick Pappas briefed the Council on this Ordinance.

Councilman Nelson made a motion to take to Second Reading Ordinance #11-08-01, for the approval of the Vintage Plaza Tenth Plat submitted by C.H.A.P. Land Company, LLC. Motion was seconded by Councilman McElwee.

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

Nays: None, motion carried.

Mayor Buckman read by title the Second Reading of Ordinance #11-08-01.

Mayor Pro-Tem Taylor made a motion to approve Ordinance #11-08-01, for the Approval of the Vintage Plaza Tenth Plat submitted by C.H.A.P. Land Company, LLC. Motion was seconded by Councilman McElwee.

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

Nays: None, motion carried.

Ordinance #11-08-01 passed and approved August 1, 2011.

REVIEW OF VINTAGE PLAZA II THEATER, RESTAURANT AND RETAIL PROJECT: (Tape A1102-1402)

Sonny Parker, one of the owners of C.H.A.P. Land Company, LLC., briefed the Council on the new theater. He stated that everything is in place and funding has been found so the building can start in September or October. Sonny also advised the City Council that they

need to guarantee the bonds necessary for the building of the theatre.

ORDINANCE #11-08-02, APPROVAL OF 5311 GRANT: (Tape A1403-1614)

Councilman Nelson made a motion to open a Public Hearing for funding by the Missouri Department of Transportation pursuant to Section 5311. Motion was seconded by Councilman McElwee.

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

Nays: None, motion carried.

A Public Hearing was opened. Chad Birdsong briefed the Council on this Ordinance.

With no other person wishing to be heard during the Public Hearing, Councilman Nelson made a motion to close the Public Hearing for funding by the Missouri Department of Transportation pursuant to Section 5311. Motion was seconded by Councilman McElwee.

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

Nays: None, motion carried.

The Public Hearing was closed.

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

Councilman Nelson made a motion to take to Second Reading Ordinance #11-08-02, authorizing the City Manager to execute and file an application for financial assistance from MoDOT to support the City's Transportation System. Motion was seconded by Councilman McElwee.

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

Nays: None, motion carried.

Mayor Buckman read by title the Second Reading of Ordinance #11-08-02.

Councilman Nelson made a motion to approve Ordinance #11-08-02, authorizing the City Manager to execute and file an application for financial assistance from MoDOT to support the City's Transportation System. Motion was seconded by Councilman McElwee.

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

Roll Call of Votes: Ayes: Nelson, McElwee, Taylor, Buckman
Nays: None, motion carried.

Ordinance #11-08-02 passed and approved August 1, 2011.

ORDINANCE #11-08-03, SEYBOLD BRIDGE RECONSTRUCTION PROJECT:
(Tape A1615-1796)

Mayor Buckman read by title the First Reading of Ordinance #11-08-03.

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

Mayor Pro-Tem Taylor made a motion to take to Second Reading Ordinance #11-08-03, authorizing the City of Excelsior Springs to enter into an agreement for Construction Services for the Seybold Bridge project. Motion was seconded by Councilman McElwee.

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

Nays: None, motion carried.

Mayor Buckman read by title the Second Reading of Ordinance #11-08-03.

Councilman McElwee made a motion to approve Ordinance #11-08-03, authorizing the City of Excelsior Springs to enter into an agreement for Construction Services for the Seybold Bridge project. Motion was seconded by Councilman Nelson.

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

Nays: None, motion carried.

Ordinance #11-08-03 passed and approved August 1, 2011.

ORDINANCE #11-08-04, PURCHASE TELEPHONE AND VOICEMAIL SYSTEM:
(Tape A1797-2000, B1-B122)

Mayor Buckman read by title the First Reading of Ordinance #11-08-04.

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

Councilman Nelson made a motion to take to Second Reading Ordinance #11-08-04, authorizing the Finance Director to purchase a phone system for the Hall of Waters building from CommWorld of Kansas City. Motion was seconded by Councilman McElwee.

Roll Call of Votes: Ayes: Nelson, McElwee, Taylor, Buckman
Mayor Buckman read by title the First Reading of Appropriations Ordinance #11-08-06.
Nays: None, motion carried.

Mayor Buckman read by title the Second Reading of Ordinance #11-08-04.

Mayor Pro-Tem Taylor made a motion to approve Ordinance #11-08-04, authorizing the Finance Director to purchase a phone system for the Hall of Waters from CommWorld of Kansas City. Motion was seconded by Councilman McElwee.

Roll Call of Votes: Ayes: McElwee, Nelson, Taylor, Buckman
Nays: None, motion carried.

Ordinance #11-08-04 passed and approved August 1, 2011.

ORDINANCE #11-08-05, ADOPTING GENERAL FUND BALANCE POLICY: (Tape B123-228)

Mayor Buckman read by title the First Reading of Ordinance #11-08-05.

Steve Marriott once again briefed the Council on this Ordinance.

Councilman Nelson made a motion to take to Second Reading Ordinance #11-08-05, to adopt a Fund Balance Policy for the General Fund. Motion was seconded by Mayor Pro-Tem Taylor.

Roll Call of Votes: Ayes: Nelson, McElwee, Taylor, Buckman
Nays: None, motion carried.

Mayor Buckman read by title the Second Reading of Ordinance #11-08-05.

Councilman Nelson made a motion to approve Ordinance #11-08-05, to adopt a Fund Balance Policy for the General Fund. Motion was seconded by Mayor Pro-Tem Taylor.

Roll Call of Votes: Ayes: McElwee, Nelson, Taylor, Buckman
Nays: None, motion carried.

Ordinance #11-08-05 passed and approved August 1, 2011.

APPROPRIATIONS ORDINANCE #11-08-06: (Tape B229-281)

Mayor Buckman read by title the First Reading of Appropriations Ordinance #11-08-06.

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

Councilman Nelson made a motion to take to Second Reading Appropriations Ordinance #11-08-06, in the amount of \$1,139,341.85. Motion was seconded by Councilman McElwee.

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

Nays: None, motion carried.

Mayor Buckman read by title the Second Reading of Appropriations Ordinance #11-08-06.

Mayor Pro-Tem Taylor made a motion to approve Appropriations Ordinance #11-08-06, in the amount of \$1,139,341.85. Motion was seconded by Councilman McElwee.

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

Nays: None, motion carried.

Appropriations Ordinance #11-08-06 passed and approved August 1, 2011.

REMARKS – CITY MANAGER AND CITY COUNCIL: (Tape B282-B349)

City Manager Haugland.

The next Budget Work Session will be at 1:00 PM, Monday, August 8, 2011.

Attended the Civic Leadership Award Ceremony in Blue Springs last week.

The Annual Employee's Appreciation Breakfast will be August 26, 2011 at 7:00 AM.

Mayor Pro-Tem Taylor:

Looks like Parks & Recreation is on a roll...going in the right direction.

Thanked all members of DEP for all their hard work and the presentation.

Is still concerned about the "baggy pants" issue. Would like to get an Ordinance banning it so we can clean up this town.

With no further business at hand, Mayor Buckman called for a motion to adjourn the Regular Council Meeting and go into closed session.

Councilman Nelson made a motion to adjourn the Regular Council Meeting and go into closed session, pursuant to Section 610.021 RSMo. (1) Legal. Motion was seconded by Mayor Pro-Tem Taylor.

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

Nays: None, motion carried.

Regular Council Meeting adjourned at 7:14 PM.

ATTEST:

AMBROSE BUCKMAN, MAYOR

FRANCES SMITH, CITY CLERK

PAGE 1

PAGE 6