

REGULAR COUNCIL MEETING
CITY OF EXCELSIOR SPRINGS
EXCELSIOR SPRINGS, MISSOURI
FEBRUARY 6, 2012

The City Council of the City of Excelsior Springs, Missouri met in Regular Session at 6:00 PM, Monday, February 6, 2012 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, Councilmen Jim Nelson and Brent McElwee.

Absent: Councilwoman Carolyn Schutte

VISITORS: There were no visitors at this Council Meeting who wished to address the Council.

MINUTES OF THE REGULAR COUNCIL MEETING, JANUARY 17, 2012:

Councilman Nelson made a motion to approve the Minutes of the Regular Council Meeting, held on Tuesday, January 17, 2012. Motion was seconded by Councilman McElwee.

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

Nays: None, motion carried.

Minutes of January 17, 2012 passed and approved February 6, 2012.

CONSIDERATION OF AGENDA:

Mayor Pro-Tem Taylor made a motion to approve the Agenda, as printed. Motion was seconded by Councilman Nelson.

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

Nays: None, motion carried.

Agenda, as printed, passed and approved February 6, 2012.

RESOLUTION #904, APPROVAL OF WASTEWATER TREATMENT PLANT CONSTRUCTION CHANGE ORDER:

Tom Wall, Director of Utilities briefed the Council of this Resolution.

Councilman Nelson made a motion to approve Resolution #904, to authorize Change Order #1 to the agreement between The City of Excelsior Springs and David E. Ross Construction, Inc. for Construction Services for the Wastewater Treatment System Improvement Project. Motion was seconded by Councilman McElwee.

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

Nays: None, motion carried.

Resolution #904 passed and approved February 6, 2012.

RESOLUTION #905, APPROVAL OF PURCHASE OF IN-CAR CAMERA SYSTEMS:

Clint Reno, Lieutenant, briefed the Council on this Resolution.

Councilman McElwee made a motion authorizing the Chief of Police to purchase four In-Car Video Systems with server and wireless transfer system from WatchGuard Video at a cost not to exceed \$27,670.00. Motion was seconded by Councilman Nelson.

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

Nays: None, motion carried.

Resolution #905 passed and approved February 6, 2012.

ORDINANCE #12-02-01, APPROVAL OF AMENDING COURT COSTS:

Mayor Buckman read by title the First Reading of Ordinance #12-02-01.

Clint Reno, Lieutenant, addressed the Council on this Ordinance.

Councilman Nelson made a motion to place on Second Reading Ordinance #12-02-01, amending Chapter 135 of the Code of Ordinances of the City of Excelsior Springs, Missouri by repealing Section 135.260 entitled Court Costs and enacting a new Section 135.260 on second reading. Motion was seconded by Mayor Pro-Tem Taylor.

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

Nays: None, motion carried.

Councilman McElwee made a motion to approve Ordinance #12-02-01, amending Chapter 135 of the Code of Ordinances of the City of Excelsior Springs, Missouri by repealing Section 135.260 entitled Court Costs and enacting a new Section 135.260 on second reading. Motion was seconded by Mayor Pro-Tem Taylor.

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

Nays: None, motion carried.

Ordinance #12-02-01 passed and approved February 6, 2012.

ORDINANCE #12-02-02, APPROVAL OF EASEMENT VACATE FOR BLUFF STREET:

Mayor Buckman read by title the First Reading of Ordinance #12-02-02.

Nick Pappas, Director of Planning & Zoning, addressed the Council on this Ordinance.

Councilman Nelson made a motion to place on Second Reading Ordinance #12-02-02, authorizing the City of Excelsior Springs to vacate and forever close Bluff Street to allow the appropriate development of the adjoining property on second reading. Motion was seconded by Councilman McElwee.

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

Nays: None, motion carried.

Councilman McElwee made a motion to approve Ordinance #12-02-02, authorizing the City of Excelsior Springs to vacate and forever close Bluff Street to allow the appropriate development of the adjoining property. Motion was seconded by Councilman Nelson.

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

Nays: None, motion carried.

Ordinance #12-02-02 passed and approved February 6, 2012.

ORDINANCE #12-02-03, APPROVAL OF EASEMENT VACATE FOR ALLEY NEAR LINDEN AVENUE:

Mayor Buckman read by title the First Reading of Ordinance #12-02-03.

Nick Pappas, Director of Planning & Zoning, addressed the Council on this Ordinance.

Councilman Nelson made a motion to place on Second Reading Ordinance #12-02-03, authorizing the City of Excelsior Springs to vacate and forever close the alley immediately South of E. Excelsior Street, North of Broadway Avenue, and East of Linden Avenue on second reading. Motion was seconded by Mayor Pro-Tem Taylor.

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

Nays: None, motion carried.

Councilman McElwee made a motion to approve Ordinance #12-02-03, authorizing the City of Excelsior Springs to vacate and forever close the alley immediately South of E. Excelsior Street, North of Broadway Avenue, and East of Linden Avenue. Motion was seconded by Councilman Nelson.

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

Nays: None, motion carried.

Ordinance #12-02-03 passed and approved February 6, 2012.

ORDINANCE #12-02-04, APPROVAL OF SPECIAL USE PERMIT FOR INTERNET TOWER AT 501 S. MCCLEARY ROAD:

Mayor Buckman read by title the First Reading of Ordinance #12-02-04.

Nick Pappas, Director of Planning & Zoning, addressed the Council on this Ordinance. Curt Mayes, requestor of the tower is in attendance. Mike Phillips of Intercept Wireless of Kearney, Missouri is in attendance. Mr. Phillips operates Blue Sky Technologies next to 501 S. McCleary Rd, an internet provider in that area. Larry Murry, Building Official, expresses concerns of endangerment for the surrounding businesses if a fall zone is not established. Falling ice is his main concern. Council members expressed concerns and would like to table the issue so staff can do additional research and bring the item back to Council.

Mayor Pro-Tem Taylor made a motion to table Ordinance #12-02-04, approving the Special Use Permit for placement of an Internet Tower and related facilities on a site at 501 S. McCleary Road. Motion was seconded by Councilman McElwee.

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

Nays: None, motion carried.

Ordinance #12-02-04 tabled February 6, 2012.

ORDINANCE #12-02-05, APPROVAL OF SPECIAL USE PERMIT FOR MIXED USE AT 246 E. BROADWAY AVENUE:

Mayor Buckman read by title the First Reading of Ordinance #12-02-05.

Nick Pappas, Director of Planning & Zoning, addressed the Council on this Ordinance. According to Ordinance, this Special Use does not meet criteria because the business designated for the lower level is not in operation. Council members have the option of approving or changing the ordinance. Council members made note that the downtown is in

a different state now compared to the time when the ordinance was first put into place and they need to look at it and take that into consideration before making a decision. Council requested that staff bring options back to the council meeting.

Councilman McElwee made a motion to table Ordinance #12-02-05, approving the Special Use Permit for Mixed Residential and Non-Residential Use at 246 E. Broadway. Motion was seconded by Mayor Pro-Tem Taylor.

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

Nays: None, motion carried.

Ordinance #12-02-05 tabled February 6, 2012.

APPROPRIATIONS ORDINANCE #12-02-06:

Mayor Buckman read by title the First Reading of Appropriations Ordinance #12-02-06.

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

Councilman Nelson made a motion to place on Second Reading Appropriations Ordinance #12-02-06, in the amount of \$1,672,974.44. 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 Appropriations Ordinance #12-02-06.

Councilman Nelson made a motion to approve Appropriations Ordinance #12-02-06, in the amount of \$1,672,974.44. Motion was seconded by Mayor Pro-Tem Taylor.

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

Nays: None, motion carried.

Appropriations Ordinance #12-02-06 passed and approved February 6, 2012.

REMARKS – CITY MANAGER AND CITY COUNCIL:

City Manager Haugland:

1. A Retirement Reception will be held for Frances Smith on Thursday, February 23, 2012 from 4:00 – 6:00 pm at the Golf Course Club House.

Mayor Pro-Tem Taylor:

1. Asked the status of the new movie theatre. The paperwork is progressing and a special meeting may be called at the end of March 2012.

Councilman Nelson:

1. Nothing to report.

Councilman McElwee:

1. Nothing to report.

Mayor Buckman:

1. Thank you to all the Council Candidates for being here tonight to find out what you are in for and to show your interest.

With no further business at hand, Mayor Buckman asked for a motion to adjourn the Regular Council Meeting.

Councilman Nelson made a motion to adjourn. The motion was seconded by Councilman McElwee.

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

 Nays: None, motion carried.

The Regular Council Meeting was adjourned at 6:30 PM.

ATTEST:

AMBROSE BUCKMAN, MAYOR

SHANNON STROUD, CITY CLERK