

REGULAR COUNCIL MEETING  
CITY OF EXCELSIOR SPRINGS  
EXCELSIOR SPRINGS, MISSOURI  
June 18, 2012

The City Council of the City of Excelsior Springs, Missouri met in Regular Session at 6:00 PM, Monday, June 18, 2012 in the Council Chambers of the Hall of Waters Building. The Meeting was called to order by Mayor Buckman.

The opening was conducted with a moment of silence.

The Pledge of Allegiance was led by Mayor Buckman.

Roll Call of Members: Present: Mayor Ambrose Buckman, Mayor Pro-Tem Chad Taylor, Councilman McElwee, Councilman Eales, and Councilwoman Morgan.

Absent: None.

VISITORS: None.

MINUTES OF THE WORK SESSION AND REGULAR COUNCIL MEETING, JUNE 4, 2012:

Councilwoman Morgan made a motion to approve the Minutes of the Work Session with a correction, and to approve the Regular City Council Meeting Minutes on Monday, June 4, 2012. Motion was seconded by Councilman Eales.

Roll Call of Votes: Ayes: Eales, Morgan, McElwee, Taylor, Buckman

Nays: None, motion carried.

Minutes of the Work Session and Regular Council Meeting on June 4, 2012 passed and approved June 18, 2012.

CONSIDERATION OF AGENDA:

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

Roll Call of Votes: Ayes: Morgan, McElwee, Eales, Taylor, Buckman

Nays: None, motion carried.

Agenda as printed passed and approved June 18, 2012.

RECOGNITION OF JIM NELSON:

Mayor Buckman presented Jim Nelson with a plaque for his 13 Years of Service as Mayor and Councilman and thanked him for his service. Jim Nelson thanked the Councilman that he worked with in the past and remarked that he worked with some great people. He misses the position at times and doesn't at others. It was an honor to serve this community for 13 Years.

DISCUSSION REGARDING BREED SPECIFIC BAN ON PIT BULLS:

Allison Gordy, 2106 Lynn Road, presented the discussion. Ms. Gordy is an employee of Best Friends Animal Society. She explains there are as many dog bites by Golden Retrievers as there are Pit Bulls. Breed discriminatory legislation is any ordinance or law that bans or places special restrictions on a group of

dogs based upon breed or appearance. Proponents of breed discriminatory legislation operate in the mistaken notion that regulating dogs on the basis of breed will make a community safer. There has never been any evidence to support that. The ban on Pit Bulls keeps the breed in the house and doesn't allow the animal to get out and train or go on walks. Breed discriminatory laws are frequently directed against dogs called "pit bulls," despite the fact that pit bull is not a breed of dog. Many specific breeds are presumed, on the basis of appearance, to be mixes of one or more of the breeds. Despite the myths promoted in the media about dogs labeled as pit bulls, there is no scientific evidence that one kind of dog poses more of a danger to people than any other kind of dog. Pit Bulls are not a fighting dog. Reckless owners of any dogs pose a threat to public safety. If you outlaw a breed, then outlaws are attracted to that breed. Mayor Buckman and City Council members thanked Ms. Gordy for her presentation.

PROCLAMATION – DESIGNATION OF JULY AS PARK AND RECREATION MONTH:

Mayor Buckman presented Katie Noyd, Parks and Recreation Director with a Proclamation designating July as Parks and Recreation Month. Katie Noyd thanked the Mayor and provided calendars for the special events planned for the designation in July 2012.

APPROVAL OF APPLICATIONS FOR RENEWAL OF LIQUOR LICENSES:

John McGovern, Police Chief briefed the Council of this Approval.

Councilman McElwee made a motion to approve the applications for renewal of liquor licenses for 35 establishments as per the submitted sheet. Councilwoman Morgan seconded.

Roll Call of Votes: Ayes: Eales, Morgan, McElwee, Taylor, Buckman

Nays: None, motion carried.

Approval of Applications for Renewal of Liquor Licenses for 35 Establishments passed and approved June 18, 2012.

APPROVAL OF CHANGE OF MANAGING OFFICER FOR ELKS LODGE #1001:

John McGovern, Police Chief briefed the Council of this Approval.

Councilman Eales made a motion to approve the change of Managing Officer for B.P.O. Elks Lodge #1001, 421 S. Titus, to Edward P. Shelton in conjunction with the approval of the 2012-13 Liquor by the Drink and Sunday Sales licenses. Motion was seconded by Councilman McElwee.

Roll Call of Votes: Ayes: McElwee, Eales, Morgan, Taylor, Buckman

Nays: None, motion carried.

Approval of Change of Managing Officer for Elks Lodge #1001 passed and approved June 18, 2012.

APPROVAL OF CHANGE OF MANAGING OFFICER FOR CASEY'S GENERAL STORE:

John McGovern, Police Chief briefed the Council of this Approval.

Councilwoman Morgan made a motion to approve the change of Managing Officer for Casey's General Store, 1651 Meadowlark Lane, to Sharon S. Uthe in conjunction with the approval of the 2012-13 Package Liquor and Sunday Sales licenses. Motion was seconded by Councilman Eales.

Roll Call of Votes: Ayes: Morgan, Eales, McElwee, Taylor, Buckman

Nays: None, motion carried.

Approval of Change of Managing Officer for Casey's General Store passed and approved June 18, 2012.

APPROVAL OF CHANGE OF OWNERSHIP AND NAME CHANGE FOR APPLEBEE'S:

John McGovern, Police Chief briefed the Council of this Approval.

Councilman Eales made a motion to approve the ownership change of the currently licensed Applebee's Neighborhood Grill & Bar, 2301 Vintage Court, Excelsior Springs, Missouri, to Apple Central, LLC d/b/a Applebee's #52095 with Robbin Griffith as the Managing Officer. Motion was seconded by Councilman McElwee.

Roll Call of Votes: Ayes: McElwee, Eales, Morgan, Taylor, Buckman

Nays: None, motion carried.

Approval of Ownership Change of Applebee's passed and approved June 18, 2012.

RESOLUTION #916 – APPROVAL OF 2012 VEHICLE PURCHASES FOR PUBLIC WORKS:

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

Councilman McElwee made a motion to approve Resolution #916 authorizing the purchase of five trucks in the amount of \$186,818.76 and trade in of city owned trucks in the amount of \$49,300 for Public Works. Motion was seconded by Councilwoman Morgan.

Roll Call of Votes: Ayes: Eales, Morgan, McElwee, Taylor, Buckman

Nays: None, motion carried.

Resolution #916 passed and approved June 18, 2012.

ORDINANCE #12-06-04, APPROVAL OF APPLICATION FOR FINANCIAL ASSISTANCE FROM MISSOURI DEPARTMENT OF TRANSPORTATION PURSUANT TO SECTION 5309:

Mayor Buckman read by title the First Reading of Ordinance #12-06-04.

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

Councilman McElwee made a motion to place on second reading Ordinance #12-06-04 authorizing the Mayor to apply for Federal Financial Assistance on behalf of the City and to execute any contracts to support the City's Transportation system on second reading. Motion was seconded by Councilman Eales.

Roll Call of Votes: Ayes: McElwee, Eales, Morgan, Taylor, Buckman

Nays: None, motion carried.

Mayor Buckman read by title the Second Reading of Ordinance #12-06-04.

Councilman Eales made a motion to approve Ordinance #12-06-04 authorizing the Mayor to apply for Federal Financial Assistance on behalf of the City and to execute any contracts to support the City's Transportation system. Motion was seconded by Councilman McElwee.

Roll Call of Votes: Ayes: Eales, McElwee, Morgan, Taylor, Buckman

Nays: None, motion carried.

Ordinance #12-06-04 passed and approved on June 18, 2012.

ORDINANCE #12-06-05, APPROVAL OF APPLICATION FOR FINANCIAL ASSISTANCE FROM MISSOURI DEPARTMENT OF TRANSPORTATION PURSUANT TO SECTION 5311:

Mayor Buckman read by title the First Reading of Ordinance #12-06-05.

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

Councilwoman Morgan made a motion to place on second reading Ordinance #12-06-05 authorizing the Mayor to apply for Federal Financial Assistance on behalf of the City and to execute any contracts to support the City's Transportation system on second reading. Motion was seconded by Councilman McElwee.

Roll Call of Votes: Ayes: McElwee, Eales, Morgan, Taylor, Buckman

Nays: None, motion carried.

Mayor Buckman read by title the Second Reading of Ordinance #12-06-05.

Councilman McElwee made a motion to approve Ordinance #12-06-05 authorizing the Mayor to apply for Federal Financial Assistance on behalf of the City and to execute any contracts to support the City's Transportation system. Motion was seconded by Councilman Eales.

Roll Call of Votes: Ayes: Eales, McElwee, Morgan, Taylor, Buckman

Nays: None, motion carried.

Ordinance #12-06-05 passed and approved on June 18, 2012.

ORDINANCE #12-06-06, APPROPRIATIONS:

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

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

Councilman McElwee made a motion to place on second reading Appropriations Ordinance #12-06-06, in the amount of \$1,720,920.05. Motion was seconded by Councilman Eales.

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

Abstain: Morgan

Nays: None, motion carried.

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

Councilman Eales made a motion to approve Appropriations Ordinance #12-06-06, in the amount of 1,720,920.05. Motion was seconded by Councilman McElwee.

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

Abstain: Morgan

Nays: None, motion carried.

Appropriations Ordinance #12-06-06 passed and approved June 18, 2012.

REMARKS – CITY MANAGER AND CITY COUNCIL:

City Manager David Haugland:

1. The Westgate MML is hosting their Annual Awards Banquet on Thursday, July 19, 2012. Last year the Christmas Committee was appointed as the recipient of the award. Contact David Haugland if you plan to attend.
2. David Haugland has been working with a developer regarding the Royal Hotel. They are completing their findings to turn the building into housing for 2 bedroom units and add a restaurant in the main level.
3. Jim Hampton with Clay County EDC is putting together a task force to work on the Legislature relating to the 1.5% decrease in work across the state line. David Haugland was asked to be on the task force and has accepted, with your approval.

Mayor Buckman:

1. Recognizes Jim Nelson, I've known Jim for a long time, great man.
2. Lance Lamb will be appointed to the Historic Preservation Commission to replace Sonya Morgan.
3. Thanked Allison Gordy for her presentation. It will be taken into consideration.

Mayor Pro-Tem Taylor:

1. It has been an honor to work with Jim Nelson on the Council and recognizes Ginger Nelson for her work in the downtown area.

Councilwoman Morgan:

1. Enjoyed attending the Newly Elected Officials training in Jefferson City. Also commends Jim Nelson and recognizes Ginger Nelson for her many hours of service that she put in for the downtown vision.

Councilman Eales:

1. Nothing to report.

Councilman McElwee:

1. Nothing to report.

With no further business at hand, Mayor Buckman adjourned the Regular Council meeting at 6:45 PM.

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AMBROSE BUCKMAN, MAYOR

ATTEST:

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SHANNON STROUD, CITY CLERK