

REGULAR COUNCIL MEETING
CITY OF EXCELSIOR SPRINGS
EXCELSIOR SPRINGS, MISSOURI
May 20, 2013

The City Council of the City of Excelsior Springs, Missouri met in Regular Session at 6:00 PM, Monday, May 20, 2013 in the Council Chambers of the Hall of Waters Building. The Meeting was called to order by Mayor Buckman.

The Opening was led by Mike Boudreaux of Crescent Lake Christian Church.

The Pledge of Allegiance was led by Mayor Buckman.

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

Absent: None.

VISITORS: There were no visitors that wished to address the City Council at this time.

MINUTES OF THE REGULAR CITY COUNCIL MEETING MAY 6, 2013:

Councilwoman Morgan made a motion to approve the Minutes of the Regular City Council Meeting on May 6, 2013. Motion was seconded by Mayor Pro-Tem Eales.

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

 Nays: None, motion carried.

Minutes of the Regular City Council Meeting May 6, 2013 passed and approved May 20, 2013.

CONSIDERATION OF AGENDA:

Mayor Pro-Tem Eales made a motion to approve the Agenda as printed. Motion was seconded by Councilwoman Morgan.

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

 Nays: None, motion carried.

Agenda as printed passed and approved May 20, 2013.

PRESENTATION: SMALL BUSINESS ASSOCIATION – PETE HALL:

Pete Hall with Midwest Small Business Finance in Gladstone, Missouri spoke to inform selected cities in Clay County of their company because much of Clay County does not know they exist. There are ways for small businesses to obtain financing to get their business started and ways to expand their business.

ORDINANCE #13-05-01, CONSIDERATION OF SMOKING IN PUBLIC PLACES:

Mayor Buckman read by title Ordinance #13-05-01.

Mayor Buckman opened discussion for the visitors in attendance that wanted to be heard on this item. Bob Nance, Excelsior Springs Chamber Director, resident at 2201 Arbor Lane, and former State Representative heard that the smoking ordinance is being considered to conform to state law; Mr. Nance could not find that

to be true according to the handout provided by Nance. The proposed ordinance does not mirror state law and he believes that the ordinance is not legal. Business owners would like the City Council to give some consideration to the specific businesses in this town. Business Owners, residents, and interested individuals of Atlas Saloon, Centerfield Pub, Country Club Barber Shop, Wabash BBQ, Cabinets, Vanities & More, Bosch Tool, KC Machine, the Elk's Lodge, Vet's Club, and Ralph Hill were in attendance to ask for the City Council to give that consideration to Excelsior Springs businesses so additional businesses will not have to close their doors and to do it so residents rights are not taken away. The City Council should take into consideration our specific town and its location not just what government is recommending that larger cities do.

Councilman McElwee made a motion to table the second reading of Ordinance #13-05-01, repealing Chapter 230, Article IX, Sections 230.840 through 230.900 of the Municipal Code and Adopting New Sections 230.840 through 230.900 in Lieu Thereof. Motion was seconded by Councilwoman Morgan.

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

Nays: None, motion carried.

The Second Reading of Ordinance #13-05-01 was tabled May 20, 2013.

ORDINANCE #13-05-05 CONSIDERATION OF APPOINTMENT OF NEW COUNCIL MEMBER:

Mayor Buckman read by title Ordinance #13-05-05.

Mayor Pro-Tem Eales made a motion to place on second reading Ordinance #13-05-05, to approve the Appointment of James Reginald St. John to serve as a member of the City Council for the City of Excelsior Springs. Motion was seconded by Councilwoman Morgan.

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

Nays: None, motion carried.

Mayor Pro-Tem Eales made a motion to approve Ordinance #13-05-05, to approve the Appointment of James Reginald St. John to serve as a member of the City Council for the City of Excelsior Springs. Motion was seconded by Councilwoman Morgan.

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

Nays: None, motion carried.

Ordinance #13-05-05 passed and approved May 20, 2013. Councilman St. John will take his seat on the Council June 3, 2013.

PRESENTATION OF MDS STORM WATER MANAGEMENT PLAN:

Chad Birdsong, Public Works Director presented the plan. A motion and vote is not required.

PRESENTATION FROM PARKS AND RECREATION – KATIE NOYD, DIRECTOR:

Katie Noyd, Parks and Recreation Director presented the Annual Report. Among the recreational activities as in the past, this year the Senior Site received additional funding to bring more programs, the fence row at Century Park was cleared, park trail connected to Joy Street, additional grants for the Tree Funding program, increased activity in working with the school district, and creating momentum within the Park Foundation to get additional residents involved.

RESOLUTION #947, RE-APPOINT PARKS AND RECREATION BOARD MEMBERS:

Mayor Buckman read by title Resolution #947.

Katie Noyd, Parks and Recreation Director briefed the Council of the Resolution.

Councilwoman Morgan made a motion to approve Resolution #947 to accept the board re-appointments of Ms. Christy Marker and Ms. Susan McAuliffe to the Parks and Recreation Board of the City of Excelsior Springs. Motion was seconded by Councilman McElwee.

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

Nays: None, motion carried.

Resolution #947 passed and approved May 20, 2013.

RESOLUTION #948, CONSIDERATION OF CONCRETE REPAIRS AT FIRE STATION:

Mayor Buckman read by title Resolution #948.

Kent Cantrell, Fire Chief briefed the Council of the Resolution.

Mayor Pro-Tem Eales made a motion to approve Resolution #948 authorizing the Fire Chief to expend up to \$51,000 from the Capital Improvements Sales Tax Fund for the purpose of purchasing materials and reimbursing the Construction Services Department for the City of Excelsior Springs for labor and incidental costs related to replacement of various concrete sidewalks and parking lots surfaces at the Excelsior Springs Fire Station. Motion was seconded by Councilwoman Morgan.

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

Nays: None, motion carried.

Resolution #948 passed and approved May 20, 2013.

ORDINANCE #13-05-06, CONSIDERATION OF AMENDING TITLE II OF THE MUNICIPAL CODE REGARDING FIRE PREVENTION AND PROTECTION:

Mayor Buckman read by title Ordinance #13-05-06.

Kent Cantrell, Fire Chief briefed the Council of this Ordinance.

Councilwoman Morgan made a motion to place on second reading Ordinance #13-05-06, amending Title II of the Excelsior Springs Municipal Code regarding Fire Prevention and Protection. Motion was seconded by Councilman McElwee.

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

Nays: None, motion carried.

Mayor Pro-Tem Eales made a motion to approve Ordinance #13-05-06, amending Title II of the Excelsior Springs Municipal Code regarding Fire Prevention and Protection. Motion was seconded by Councilwoman Morgan.

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

Nays: None, motion carried.

Ordinance #13-05-06 passed and approved May 20, 2013.

ORDINANCE #13-05-07, CONSIDERATION OF AMENDING TITLE V OF THE MUNICIPAL CODE REGARDING BUILDING AND CONSTRUCTION CODES:

Mayor Buckman read by title Ordinance #13-05-07.

Larry Murry, Building Official briefed the Council of this Ordinance.

Mayor Pro-Tem Eales made a motion to place on second reading Ordinance #13-05-07, amending Title V of the Excelsior Springs Municipal Code regarding Building and Construction Codes. Motion was seconded by Councilman McElwee.

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

Nays: None, motion carried.

Mayor Pro-Tem Eales made a motion to approve Ordinance #13-05-07, amending Title V of the Excelsior Springs Municipal Code regarding Fire Prevention and Protection. Motion was seconded by Councilwoman Morgan.

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

Nays: None, motion carried.

Ordinance #13-05-07 passed and approved May 20, 2013.

ORDINANCE #13-05-08, APPROPRIATIONS:

Mayor Buckman read by title the First Reading of Appropriations Ordinance #13-05-08.

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

Councilwoman Morgan made a motion to place on second reading Appropriations Ordinance #13-05-08, in the amount of \$781,524.68. Motion was seconded by Mayor Pro-Tem Eales.

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

Nays: None, motion carried.

Mayor Buckman read by title the Second Reading of Appropriations Ordinance #13-05-08.

Councilwoman Morgan made a motion to approve Appropriations Ordinance #13-05-08, in the amount of 781,524.68. Motion was seconded by Councilman Eales.

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

Nays: None, motion carried.

Appropriations Ordinance #13-05-08 passed and approved May 20, 2013.

REMARKS – CITY MANAGER AND CITY COUNCIL:

City Manager, David Haugland:

1. Tuesday, May 21, 2013 at 4:00 pm is the Community Center Steering Committee meeting at the Fire Station.
2. The MML Westgate Meeting for May is Thursday, May 23, 2013 in Blue Springs.
3. City Offices will be closed on Monday, May 27, 2013 for the Memorial Day Holiday.

Mayor Buckman:

1. It's been a busy night but I want to thank City Council members for listening to the public regarding the Consideration of Smoking.
2. Hopes that everyone drives safely and has a great holiday weekend.

Mayor Pro-Tem Eales:

1. Advised Chad Birdsong that he utilized the refuse site last week and observed the workers going above and beyond to help folks that could not unload the refuse by themselves. That's good to see.

Councilwoman Morgan:

1. Nothing to report.

Councilman McElwee:

1. Nothing.

The Regular Council Meeting adjourned at 7:10 PM.

ATTEST:

AMBROSE BUCKMAN, MAYOR

SHANNON STROUD, CITY CLERK