

REGULAR COUNCIL MEETING
CITY OF EXCELSIOR SPRINGS
EXCELSIOR SPRINGS, MISSOURI
August 19, 2013

The City Council of the City of Excelsior Springs, Missouri met in Regular Session at 6:00 PM, Monday, August 19, 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 Center.

The Pledge of Allegiance was led by Mayor Buckman.

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

Absent: None.

VISITORS: None.

MINUTES OF THE BUDGET WORK SESSION AND REGULAR CITY COUNCIL MEETING AUGUST 5, 2013 AND THE SPECIAL CITY COUNCIL MEETING AUGUST 12, 2013:

Councilman St. John made a motion to approve the Minutes of the Budget Work Session and Regular City Council Meeting on August 5, 2013 and the Special City Council Meeting August 12, 2013. Motion was seconded by Mayor Pro-Tem Eales.

 Roll Call of Votes: Ayes: McElwee, St. John, Morgan, Eales, Buckman

 Nays: None, motion carried.

Minutes of the Budget Work Session and Regular City Council Meeting August 5, 2013 and Special City Council Meeting August 12, 2013 passed and approved August 19, 2013.

CONSIDERATION OF AGENDA:

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

 Roll Call of Votes: Ayes: Morgan, McElwee, St. John, Eales, Buckman

 Nays: None, motion carried.

Agenda as printed passed and approved August 19, 2013.

RECOGNITION OF FORMER CITY COUNCIL MEMBER – CHAD TAYLOR:

Mayor Buckman presented former City Council member Chad Taylor with a plaque and recognized him for his Years of Dedicated Service.

LIQUOR LICENSE APPLICATION – FOUR HORSES AND A DOG:

Mayor Buckman read by title the Liquor License Application request.

John McGovern, Police Chief briefed the Council of the request.

Pro-Tem Eales made a motion to approve the request for a Domestic Winery license for Four Horses and a Dog located at 15010 Salem Road, Excelsior Springs, Missouri. Motion was seconded by Councilman McElwee.

Roll Call of Votes: Ayes: Morgan, St. John, McElwee, Eales, Buckman

Nays: None, motion carried.

The Liquor License Application for Four Horses and a Dog passed and approved August 19, 2013.

ORDINANCE #13-08-06, CONSIDERATION OF MOTORIZED BICYCLES-HELMETS REQUIRED:

Mayor Buckman read by title Ordinance #13-08-06.

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

Councilwoman Morgan made a motion to place on second reading Ordinance #13-08-06, amending Chapter 390 of the Code of Ordinances of the City of Excelsior Springs, Missouri by enacting a new section 390.025 entitled "Motorized Bicycles, Helmets required." Motion was seconded by Mayor Pro-Tem Eales.

Roll Call of Votes: Ayes: St. John, McElwee, Morgan, Eales, Buckman

Nays: None, motion carried.

Mayor Pro-Tem Eales made a motion to approve Ordinance #13-08-06, amending Chapter 390 of the Code of Ordinances of the City of Excelsior Springs, Missouri by enacting a new section 390.025 entitled "Motorized Bicycles, Helmets required." Motion was seconded by Councilwoman Morgan.

Roll Call of Votes: Ayes: St. John, Morgan, McElwee, Eales, Buckman

Nays: None, motion carried.

Ordinance #13-08-06 passed and approved August 19, 2013.

ORDINANCE #13-08-07, CONSIDERATION OF MOTORIZED BICYCLES – MANNER OF OPERATION:

Mayor Buckman read by title Ordinance #13-08-07.

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

Councilman McElwee made a motion to place on second reading Ordinance #13-08-07, amending Chapter 390 of the Code of Ordinances of the City of Excelsior Springs, Missouri by enacting a new section 390.027 entitled "Motorized Bicycles, Manner of Operation." Motion was seconded by Mayor Pro-Tem Eales.

Roll Call of Votes: Ayes: Morgan, McElwee, St. John, Eales, Buckman

Nays: None, motion carried.

Councilman St. John made a motion to approve Ordinance #13-08-07, amending Chapter 390 of the Code of Ordinances of the City of Excelsior Springs, Missouri by enacting a new section 390.027 entitled "Motorized Bicycles, Manner of Operation." Motion was seconded by Mayor Pro-Tem Eales.

Roll Call of Votes: Ayes: McElwee, St. John, Morgan, Eales, Buckman

Nays: None, motion carried.

Ordinance #13-08-07 passed and approved August 19, 2013.

ORDINANCE #13-08-09 CONSIDERATION OF POLICE STATION EMERGENCY GENERATOR REPLACEMENT:

Mayor Buckman read by title Ordinance #13-08-09.

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

Mayor Pro-Tem Eales made a motion to place on second reading Ordinance #13-08-09, approving an expenditure in an amount not to exceed \$114,443.54 from the Capital Improvements Fund and authorizing the City of Excelsior Springs to enter into agreements with Generac Industrial Power and Clifford Power systems, Inc. to provide equipment and installation services for the police station emergency generator replacement project. Motion was seconded by Councilman McElwee.

Roll Call of Votes: Ayes: St. John, McElwee, Morgan, Eales, Buckman

Nays: None, motion carried.

Councilman St. John made a motion to approve Ordinance #13-08-09, approving an expenditure in an amount not to exceed \$114,443.54 from the Capital Improvements Fund and authorizing the City of Excelsior Springs to enter into agreements with Generac Industrial Power and Clifford Power systems, Inc. to provide equipment and installation services for the police station emergency generator replacement project. Motion was seconded by Councilwoman Morgan.

Roll Call of Votes: Ayes: Morgan, St. John, McElwee, Eales, Buckman

Nays: None, motion carried.

Ordinance #13-08-09 passed and approved August 19, 2013.

RESOLUTION #958. CONSIDERATION OF ADDITIONAL ENGINEERING SERVICES FOR REVIEW OF WATER AND WASTEWATER SCADA SYSTEM DESIGN:

Mayor Buckman read by title Resolution #958.

Mayor Pro-Tem Eales made a motion authorizing Lamp, Rynearson & Associates, Inc. to perform additional engineering services for review of Water and Wastewater SCADA System design. Motion was seconded by Councilman McElwee.

Roll Call of Votes: Ayes: McElwee, Morgan, St. John, Eales, Buckman

Nays: None, motion carried.

Resolution #958 passed and approved August 19, 2013.

RESOLUTION #959. CONSIDERATION OF EXCEPTION TO PURCHASING POLICY FOR WELL TESTING SERVICE:

Mayor Buckman read by title Resolution #959.

Mayor Pro-Tem Eales made a motion authorizing and approving Well Testing Service. Motion was seconded by Councilman St. John.

Roll Call of Votes: Ayes: McElwee, St. John, Morgan, Eales, Buckman

Nays: None, motion carried.

Resolution #959 passed and approved August 19, 2013.

RESOLUTION #960, CONSIDERATION OF CHANGE ORDER NUMBER 7 TO THE EAST END & DOWNTOWN TRANSMISSION & PRESSURE ZONE IMPROVMEENTS PROJECT:

Mayor Buckman read by title Resolution #960.

Councilman McElwee made a motion authorizing and approving Change Order Number 7 to the agreement between the City of Excelsior Springs and David E. Ross Construction, Inc. for services for construction of East End & Downtown Transmission & Pressure Zone Improvements. Motion was seconded by Councilwoman Morgan.

Roll Call of Votes: Ayes: Morgan, McElwee, St. John, Eales, Buckman

Nays: None, motion carried.

Resolution #960 passed and approved August 19, 2013.

ORDINANCE #13-08-02 CONSIDERATION OF NEW CONTRACT WITH PRATHERSVILLE FOR PURCHASE OF WATER:

Mayor Buckman read by title Ordinance #13-08-02.

John McGovern, Police Chief and John McClelland, City Attorney briefed the Council of the second reading of this Ordinance.

Councilman St. John made a motion authorizing the City of Excelsior Springs to enter into a Water Sale/Purchase Agreement with the Village of Prathersville. Motion was seconded by Mayor Pro-Tem Eales.

Roll Call of Votes: Ayes: Morgan, St. John, McElwee, Eales, Buckman

Nays: None, motion carried.

Ordinance #13-08-02 passed and approved August 19, 2013.

ORDINANCE #13-08-10 CONSIDERATION OF COOPERATIVE AGREEMENT WITH THE CITY OF HOMESTEAD VILLAGE FOR WASTEWATER TREATMENT:

Mayor Buckman read by title Ordinance #13-08-10.

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

Councilwoman Morgan made a motion to place on second reading Ordinance #13-08-10, authorizing the City of Excelsior Springs to enter into a cooperative agreement with the City of Homestead Village for Wastewater Treatment. Motion was seconded by Mayor Pro-Tem Eales.

Roll Call of Votes: Ayes: Morgan, St. John, McElwee, Eales, Buckman

Nays: None, motion carried.

Mayor Pro-Tem Eales made a motion to approve Ordinance #13-08-10, authorizing the City of Excelsior Springs to enter into a cooperative agreement with the City of Homestead Village for Wastewater Treatment. Motion was seconded by Councilman McElwee.

Roll Call of Votes: Ayes: St. John, McElwee, Morgan, Eales, Buckman

Nays: None, motion carried.

Ordinance #13-08-10 passed and approved August 19, 2013.

ORDINANCE #13-08-11 CONSIDERATION OF RATE INCREASE ON SOLID WASTE:

Mayor Buckman read by title Ordinance #13-08-11.

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

Councilman McElwee made a motion to place on second reading Ordinance #13-08-11, amending Section 245.230, Subsection A, of the Code of Ordinances as it pertains to the service charge for Residential Refuse Services. Motion was seconded by Mayor Pro-Tem Eales.

Roll Call of Votes: Ayes: Morgan, St. John, McElwee, Eales, Buckman

Nays: None, motion carried.

Councilman St. John made a motion to approve Ordinance #13-08-11, amending Section 245.230, Subsection A, of the Code of Ordinances as it pertains to the service charge for Residential Refuse Services. Motion was seconded by Councilman McElwee.

Roll Call of Votes: Ayes: St. John, McElwee, Morgan, Eales, Buckman

Nays: None, motion carried.

Ordinance #13-08-11 passed and approved August 19, 2013.

ORDINANCE #13-08-12 CONSIDERATION OF AGREEMENT FOR ARCHITECTURAL SERVICES FOR COMMUNITY CENTER PROJECT:

Mayor Buckman read by title Ordinance #13-08-12.

David Haugland, City Manager briefed the Council of this Ordinance.

Councilwoman Morgan made a motion to place on second reading Ordinance #13-08-12, approving an expenditure in the amount not to exceed \$93,710.00 from the Capital Improvements Fund and authorizing the City to enter into agreement for architectural services for the Community Center Project. Motion was seconded by Councilman McElwee.

Roll Call of Votes: Ayes: Morgan, St. John, McElwee, Eales, Buckman

Nays: None, motion carried.

Councilman McElwee made a motion to approve Ordinance #13-08-12, approving an expenditure in the amount not to exceed \$93,710.00 from the Capital Improvements Fund and authorizing the City to enter into agreement for architectural services for the Community Center Project. Motion was seconded by Mayor Pro-Tem Eales.

Roll Call of Votes: Ayes: Morgan, St. John, McElwee, Eales, Buckman

Nays: None, motion carried.

Ordinance #13-08-12 passed and approved August 19, 2013.

ORDINANCE #13-08-13 CONSIDERATION OF THE ISSUANCE OF TAXABLE INDUSTRIAL REVENUE BONDS:

Mayor Buckman read by title Ordinance #13-08-13.

Deborah Polk, Representative of Armstrong Teasdale briefed the Council of this Ordinance.

Councilman McElwee made a motion to place on second reading Ordinance #13-08-13, authorizing the issuance of taxable revenue bonds (Magna Project), Series 2013, in a principal amount not to exceed \$8,000,000, and authorizing the City to enter into certain agreements in connection with the issuance of bonds and other actions and documents related thereto. Motion was seconded by Mayor Pro-Tem Eales.

Roll Call of Votes: Ayes: Morgan, St. John, McElwee, Eales, Buckman

Nays: None, motion carried.

Mayor Pro-Tem Eales made a motion to approve Ordinance #13-08-13, authorizing the issuance of taxable revenue bonds (Magna Project), Series 2013, in a principal amount not to exceed \$8,000,000, and authorizing the City to enter into certain agreements in connection with the issuance of bonds and other actions and documents related thereto. Motion was seconded by Councilman St. John.

Roll Call of Votes: Ayes: McElwee, St. John, Morgan, Eales, Buckman

Nays: None, motion carried.

Ordinance #13-08-13 passed and approved August 19, 2013.

ORDINANCE #13-08-14, APPROPRIATIONS:

Mayor Buckman read by title the First Reading of Appropriations Ordinance #13-08-14.

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

Councilwoman Morgan made a motion to place on second reading Appropriations Ordinance #13-08-14, in the amount of \$2,386,708.33. Motion was seconded by Councilman St. John.

Roll Call of Votes: Ayes: Morgan, St. John, McElwee, Eales, Buckman

Nays: None, motion carried.

Mayor Buckman read by title the Second Reading of Appropriations Ordinance #13-08-14.

Councilwoman Morgan made a motion to approve Appropriations Ordinance #13-08-14, in the amount of 2,386,708.33. Motion was seconded by Mayor Pro-Tem Eales.

Roll Call of Votes: Ayes: McElwee, St. John, Morgan, Eales, Buckman

Nays: None, motion carried.

Appropriations Ordinance #13-08-14 passed and approved August 19, 2013.

REMARKS – CITY MANAGER AND CITY COUNCIL:

City Manager, David Haugland:

1. Tomorrow, August 20, 2013 is the Clay County Economic Development Council meeting at the Performing Arts Center regarding infrastructure from 3:00 – 5:00 pm.
2. August 20, 2013 at 2:15 pm, I will be at the Airport to meet with an aviation group.
3. The Clay County Economic Development Council Luncheon is Tuesday, September 17, 2013 from 11:00 am – 1:00 pm at the Embassy Suites, topic is airports.
4. The Hospital Foundation Dinner is Thursday, October 17, 2013, the City has 2 tables. See David Haugland to attend.
5. The Employee Recognition Breakfast is Wednesday, August 28, 2013 at 7:00 am at the Golf Course.
6. The next City Council meeting will be on Tuesday, September 3, 2013 due to the Labor Day Holiday.

Mayor Buckman:

1. Thanked Boy Scout Troop 309 for attending the meeting.
2. The BBQ Event and Fly-In went well this weekend; the Police Department took 6th Place in Pulled Pork and there were many planes at the Fly-In with Channel 5 there.

Mayor Pro-Tem Eales:

1. Nothing to report.

Councilwoman Morgan:

1. Thank you for the Invitation to the Poverty Simulation coming up at the Good Samaritan Center.

Councilman McElwee:

1. Nothing tonight.

Councilman St. John:

1. Thanked Mr. Taylor for his service.

The Regular Council Meeting adjourned at 6:42 PM.

ATTEST:

AMBROSE BUCKMAN, MAYOR

SHANNON STROUD, CITY CLERK