

REGULAR COUNCIL MEETING  
CITY OF EXCELSIOR SPRINGS  
EXCELSIOR SPRINGS, MISSOURI  
JANUARY 4, 2010

The City Council of the City of Excelsior Springs, Missouri met in Regular Session at 6:00 PM, Monday, January 4, 2010 in the Council Chambers of the Hall of Waters Building. The Meeting was called to order by Mayor Schutt.

The opening prayer was given by Mike Boudreaux, Pastor of Crescent Lake Christian Center.

The Pledge of Allegiance was led by Mayor Schutte.

Roll Call of Members: Present: Mayor Carolyn Schutte, Councilmen Ken Fousek, Jim Nelson, and Sonny Parker.

Absent: Mayor Pro-Tem Ambrose Buckman

VISITORS:

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

MINUTES OF REGULAR COUNCIL MEETING, DECEMBER 21, 2009: (Tape A37-46)

Councilman Fousek made a motion to approve the Minutes of the Regular Council Meeting held on December 21, 2009. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Parker, Fousek, Schutte  
Abstain: Nelson  
Nays: None, motion carried.

Minutes of December 21, 2009 passed and approved January 4, 2010.

CONSIDERATION OF AGENDA: (Tape A47-52)

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

Roll Call of Votes: Ayes: Fousek, Nelson, Parker, Schutte  
Nays: None, motion carried.

Agenda, as printed, passed and approved January 4, 2010.

LIQUOR LICENSE APPLICATION – WALGREEN, CO.: (Tape A53-75)

Police Chief John McGovern informed the Council that a background check had been run for Walgreen and there was nothing that would preclude them from receiving a liquor license. City License will be issued following the approval by the State of Missouri.

Councilman Fousek made a motion to approve a request by Walgreen Co, d/b/a Walgreens #11375, for a Package Liquor License and Sunday Sales License, located at 1718 W. Jesse James Road, Excelsior Springs, Missouri. Lorene Samson will be the Managing Officer of the license. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Nelson, Parker, Fousek, Schutte

Nays: None, motion carried.

Liquor License for Walgreen Co. passed and approved January 4, 2010.

APPROPRIATIONS ORDINANCE #10-1-1: (Tape A76-109).

Mayor Schutte read by title the First Reading of Appropriations Ordinance #10-1-1.

The Mayor and members of the Council went over the Appropriations Reports for questions.

Councilman Nelson made a motion to place on Second Reading Appropriations Ordinance #10-1-1, in the amount of \$561,399.28. Motion was seconded by Councilman Fousek.

Roll Call of Votes: Ayes: Parker, Fousek, Nelson, Schutte

Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Appropriations Ordinance #10-1-1.

Councilman Nelson made a motion to approve Appropriations Ordinance #10-1-1 in the amount of \$561,399.28. Motion was seconded by Councilman Fousek.

Roll Call of Votes: Ayes: Fousek, Nelson, Parker, Schutte

Nays: None, motion carried.

Appropriations Ordinance #10-1-1 passed and approved January 4, 2010.

REMARKS – CITY MANAGER AND CITY COUNCIL: (Tape A110-359).

City Manager Haugland:

Would like to give a formal introduction to Nick Pappas, the new Director of Planning and Zoning. Nick is still attending classes in Lawrence, Kansas two mornings a week – Tuesdays and Thursdays. Mondays, Wednesdays and Fridays he will be working extended hours. Nick will be a great addition to our team.

The next Council Meeting will be held on Tuesday, January 19, 2010, due to the Martin Luther King holiday on Monday, January 18.

He is working with Kevin Morgan to set up a link to the City's website. This will enable citizens to receive updates in regard to operations of the City. This will be another way to communicate with our citizens.

Councilman Parker:

Our roads and streets look great after the holiday storms.

Councilman Nelson:

Looks forward to a happy and prosperous new year for the City.

Councilman Fousek:

Asked Chad Birdsong, Director of Public Works, how the City was doing on salt after the storms. Chad stated the City has 300 tons of salt as of this date. The City hauls its own sand and will need to do so when the streets are cleared. Fousek stated that this is "important work

you do”.  
Welcomes Nick Pappas to the City Staff.

Mayor Schutte:  
Would like to see the City Statutes put on the website.  
Asked about who is checking on Senior Citizens when the “Meals on Wheels” are cancelled due to bad weather.

With no further business at hand, Mayor Schutte adjourned the Regular Council Meeting at 6:12 PM.

ATTEST:

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CAROLYN SCHUTTE, MAYOR

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FRANCES SMITH, CITY CLERK

PAGE 1

PAGE 3

REGULAR COUNCIL MEETING  
CITY OF EXCELSIOR SPRINGS  
EXCELSIOR SPRINGS, MISSOURI  
FEBRUARY 1, 2010

The City Council of the City of Excelsior Springs, Missouri met in Regular Session at 6:00 PM, Monday, February 1, 2010 in the Council Chambers of the Hall of Waters Building. The Meeting was called to order by Mayor Schutte.

The opening prayer was given by Fire Chief Kent Cantrell.

The Pledge of Allegiance was led by Mayor Schutte.

Roll Call of Members: Present: Mayor Carolyn Schutte, Mayor Pro-Tem Ambrose Buckman,  
Councilmen Ken Fousek, Jim Nelson and Sonny Parker.

Absent: None

VISITORS:(Tape A45-208)

Mr. Sam Briscoe, 102 Faulkner, addressed the Council. Mr. Briscoe stated that he only has one trash bag full of trash which he puts out every two weeks. His trash container is only half full. He feels it is not fair that he has to pay the same price as someone who has a full container and bags setting at the side.

His second complaint was regarding city stickers. He stated that if the City is not going to enforce city stickers then do away with them.

Steve Marriott, Administrative Services Director, stated the City sells approximately 40,000 city stickers each year.

Mayor Pro-Tem Buckman advised Mr. Briscoe that residents have to pay extra for a second trash cart and the trash company is not supposed to pick up trash outside the containers. Mayor Schutte informed Mr. Briscoe that the City will look at different fees for residents when the next trash contract comes up.

MINUTES OF REGULAR COUNCIL MEETING, JANUARY 19, 2010: (Tape A209-216)

Mayor Pro-Tem Buckman made a motion to approve the Minutes of the Regular Council Meeting held on January 19, 2010. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Nelson, Parker, Fousek, Buckman, Schutte

Nays: None, motion carried.

Minutes of January 19, 2010 passed and approved February 1, 2010.

CONSIDERATION OF AGENDA: (Tape A217-224)

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

Roll Call of Votes: Ayes: Parker, Fousek, Nelson, Buckman, Schutte

Nays: None, motion carried.

Agenda, as printed, passed and approved February 1, 2010.

LIQUOR LICENSE APPLICATION, QUICK CORNER SHOP: (Tape A225-251)

Police Chief McGovern informed the Council that after a routine check, there is nothing to preclude this license being approved. City License will be issued upon approval by the State of Missouri.

Councilman Fousek made a motion to approve a request by Prakash Patel, for a Package Liquor and Sunday Sales/Package Liquor License for Om Shakti Om, Inc., dba Quick Corner Shop, a convenience store with gas located at 1099 Italian Way, Excelsior Springs, Mo. Motion was seconded by Mayor Pro-Tem Buckman.

Roll Call of Votes: Ayes: Fousek, Nelson, Parker, Buckman, Schutte

Nays: None, motion carried.

Liquor License passed and approved for Quick Corner Shop on February 1, 2010.

ORDINANCE #10-2-1, MEMORANDUM OF UNDERSTANDING WITH THE CITY OF CRYSTAL LAKES: (Tape A252-343)

Mayor Schutte read by title the First Reading of Ordinance #10-2-1.

Fire Chief Kent Cantrell briefed the Council on this Ordinance.

Mayor Pro-Tem Buckman made a motion to place on Second Reading Ordinance #10-2-1, authorizing the City Manager to enter into a Memorandum of Understanding with the City of Crystal Lakes, Missouri for the purpose of sharing public safety radio assets owned and operated by the City of Excelsior Springs for the sole purpose of activating a storm warning siren owned and operated by the City of Crystal Lakes. Motion was seconded by Councilman Nelson.

Roll Call of Votes: Ayes: Nelson, Parker, Fousek, Buckman, Schutte

Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Ordinance #10-2-1.

Councilman Fousek made a motion to approve Ordinance #10-2-1, authorizing the City Manager to enter into a Memorandum of Understanding with the City of Crystal Lakes, Missouri for the purpose of sharing public safety radio assets owned and operated by the City of Excelsior Springs for the sole purpose of activating a storm warning siren owned and operated by the City of Crystal Lakes. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Parker, Fousek, Nelson, Buckman, Schutte

Nays: None, motion carried.

Ordinance #10-2-1 passed and approved February 1, 2010.

ORDINANCE #10-2-2, HALL OF WATERS HISTORIC DISTRICT DESIGN GUIDELINES: (Tape A344-722).

Mayor Schutte read by title the First Reading of Ordinance #10-2-2.

Nick Pappas, Director of Planning and Zoning, briefed the Council on this Ordinance.

Councilman Nelson suggested that the Council postpone taking this Ordinance to second reading until the next Council Meeting. He further suggested that members of the Council go online and read the guidelines. Councilman Nelson also asked Betty Bissell, former president of the Historic Preservation Commission, what she thought of the guidelines. Betty stated that she was hoping for a set of guidelines which could be adapted to other Historic Districts and guidelines which would be user friendly on the do's and don't's. Betty further stated that she recommended passing this Ordinance and the guidelines be revised for the next historic district.

The City Manager informed the Council that this Ordinance could be brought back to the next Council Meeting for the Second Reading.

Councilman Parker made a motion to table Ordinance #10-2-2 and bring it back to the next Council Meeting. Motion was seconded by Mayor Pro-Tem Buckman.

Roll Call of Votes: Ayes: Fousek, Nelson, Parker, Buckman, Schutte

Nays: None, motion carried.

Ordinance #10-2-2 will be brought back to the next Council Meeting for the Second Reading.

ORDINANCE #10-2-3, WWTP ANTIDEGRADATION ENGINEERING REPORT: (Tape A723-868).

Mayor Schutte read by title the First Reading of Ordinance #10-2-3.

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

Councilman Parker made a motion to place on Second Reading Ordinance #10-2-3, authorizing the City Manager to enter into a contract with Larkin Group for Professional Services to complete an ANTIDEGRADATION Engineering Report. Motion was seconded by Councilman Fousek.

Roll Call of Votes: Ayes: Parker, Fousek, Nelson, Buckman, Schutte

Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Ordinance #10-2-3.

Councilman Nelson made a motion to approve Ordinance #10-2-3, authorizing the City Manager to enter into a contract with Larkin Group for Professional Services to complete an ANTIDEGRADATION Engineering Report. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Fousek, Nelson, Parker, Buckman, Schutte

Nays: None, motion carried.

Ordinance #10-2-3 passed and approved February 1, 2010.

APPROPRIATIONS ORDINANCE #10-2-4: (Tape A869-935)

Mayor Schutte read by title the First Reading of Appropriations Ordinance #10-2-4.

Members of the Council went over the Appropriations Reports with Steve Marriott for questions.

Councilman Nelson made a motion to place on Second Reading Appropriations Ordinance #10-2-4, in the amount of \$880,734.64. Motion was seconded by Mayor Pro-Tem Buckman.

Roll Call of Votes:     Ayes: Nelson, Fousek, Buckman, Schutte  
                              Abstain: Parker  
                              Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Appropriations Ordinance #10-2-4.

Councilman Fousek made a motion to approve Appropriations Ordinance #10-2-4, in the amount of \$880,734.64. Motion was seconded by Mayor Pro-Tem Buckman.

Roll Call of Votes:     Ayes: Fousek, Nelson, Buckman, Schutte  
                              Abstain: Parker  
                              Nays: None, motion carried.

Appropriations Ordinance #10-2-4 passed and approved February 1, 2010.

REMARKS – CITY MANAGER AND CITY COUNCIL: (Tape A936-1248)

City Manager Haugland:

The next Council Meeting will be held on Tuesday, February 16, due to President's Day being on Monday, February 15, 2010. Also, on the same night, there will be a DREAM Downtown Strategic Plan Presentation hosted by Parks & Recreation which will include the Planning & Zoning Commission, and the Historic Preservation Commission at 5:00 PM. There will be a Master Plan work session on March 1, 2010 at 4:00 PM. Allied Waste, the City's trash contractor, will be changing their route service so the routes are more equalized. They will notify all property owners. This information will also be on the City's website. It will take place at the end of the month. Reminded people to exercise their right to vote on Tuesday, February 2, 2010.

Councilman Parker:

Is there any way the City can get the info about trash route changes on the water bills?

Councilman Nelson:

Encourages everyone to vote tomorrow. Everything the Council has talked about doing in the last five years, there has been no vehicle to do them with. This Economic Development tax will do this.

Councilman Fousek:

Supports the ½ cent sales tax. On the economic scene no one can assist us...we have to do it ourselves.

Thanks the Historic Preservation Commission for their work on the guidelines...appreciates

their efforts.

Received a call from a resident regarding Mediacom in regard to their charge for 911 tax. This should be investigated. The City Manager and John McGovern should see that it is done properly.

Mayor Schutte:

In regard to Mediacom, the City should look into it.

The ½ cent sales tax will work hard for the community...to make something happen...to let the City take care of ourselves. The old saying, "To have a shade tree, you should have planted it twenty years ago."

With no further business at hand, Mayor Schutte adjourned the Regular Council Meeting at 6:43 PM.

ATTEST:

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CAROLYN SCHUTTE, MAYOR

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FRANCES SMITH, CITY CLERK

PAGE 1

PAGE 1



REGULAR COUNCIL MEETING  
CITY OF EXCELSIOR SPRINGS  
EXCELSIOR SPRINGS, MISSOURI  
FEBRUARY 16, 2010

The City Council of the City of Excelsior Springs, Missouri met in Regular Session at 6:00 PM, Tuesday, February 16, 2010 in the Council Chambers of the Hall of Waters Building. The Meeting was called to order by Mayor Schutte.

The opening prayer was given by Doug Richey, Pastor of Pisgah Baptist Church.

The Pledge of Allegiance was led by Mayor Schutte.

Roll Call of Members: Present: Mayor Carolyn Schutte, Mayor Pro-Tem Ambrose Buckman,

Councilmen Ken Fousek and Sonny Parker.

Absent: Councilman Jim Nelson

VISITORS:

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

MINUTES OF REGULAR COUNCIL MEETING HELD ON FEBRUARY 1, 2010: (Tape A25-54).

Councilman Fousek made a motion to approve the Minutes of the Regular Council Meeting held on February 1, 2010. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Parker, Fousek, Buckman, Schutte.

Nays: None, motion carried.

Minutes of February 1, 2010 passed and approved February 16, 2010.

CONSIDERATION OF AGENDA: (Tape A55-62).

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

Roll Call of Votes: Ayes: Fousek, Parker, Buckman, Schutte.

Nays: None, motion carried.

Agenda, as printed, passed and approved February 16, 2010.

PRESENTATION BY AUDITORS: Tape A63-232).

Representatives from McGladrey & Pullen, LLP, Certified Public Accountants, gave a report to the City Council on the City's financial statements for the period October 1, 2008 through September 30, 2009. The City was able to meet all GFOA requirements for this period and the auditors congratulated the City on its excellent financial reporting.

ORDINANCE #10-2-2 – HALL OF WATERS HISTORIC DISTRICT DESIGN

GUIDELINES: (Tape A233-328).

Mayor Schutte reintroduced Ordinance #10-2-2, which was tabled at the last Council Meeting on Feb. 1.

Nick Pappas, Director of Planning and Zoning briefed the Council on this Ordinance. Mayor Pro-Tem Buckman stated he congratulated the Historic Preservation Commission on all their hard work on this Ordinance. Councilman Fousek stated he knew the Commission worked very hard on this Ordinance and he is very happy with the result.

Mayor Pro-Tem Buckman made a motion to take to Second Reading Ordinance #10-2-2, approving and adopting the Hall of Waters Historic District Design Guidelines. Motion was seconded by Councilman Fousek.

Roll Call of Votes: Ayes: Fousek, Parker, Buckman, Schutte.

Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Ordinance #10-2-2.

Councilman Fousek made a motion to approve Ordinance #10-2-2, approving and adopting the Hall of Waters Historic District Design Guidelines. Motion was seconded by Mayor Pro-Tem Buckman.

Roll Call of Votes: Ayes: Parker, Fousek, Buckman, Schutte.

Nays: None, motion carried.

Ordinance #10-2-2 passed and approved February 16, 2010.

RESOLUTION #841, MARC SOLID WASTE MANAGEMENT COUNCIL: (Tape A329-357).

Chad Birdsong, Director of Public Works, informed the Council that he wished to appoint Devery Hunt, Public Works Administrative Assistant, for a two-year term on the MARC Solid Waste Management District.

Councilman Fousek made a motion to approve Resolution #841 authorizing the City of Excelsior Springs to appoint Devery Hunt to serve on the Management Council of the MARC Solid Waste Management District for a term of two years. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Fousek, Parker, Buckman, Schutte.

Nays: None, motion carried.

Resolution #841 passed and approved February 16, 2010.

APPROPRIATIONS ORDINANCE #10-2-5:(Tape A358-388).

Mayor Schutte read by title the First Reading of Appropriations Ordinance #10-2-5.

Members of the Council went over the Appropriations Reports with Steve Marriott, Director of Administrative Services, for questions.

Mayor Pro-Tem Buckman made a motion to take to Second Reading Appropriations Ordinance #10-2-5, in the amount of \$457,079.28. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Parker, Fousek, Buckman, Schutte.

Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Appropriations Ordinance #10-2-5.

Councilman Fousek made a motion to approve Appropriations Ordinance #10-2-5 in the amount of \$457,079.28. Motion was seconded by Mayor Pro-Tem Buckman.

Roll Call of Votes: Ayes: Fousek, Parker, Buckman, Schutte.

Nays: None, motion carried.

Appropriations Ordinance #10-2-5 passed and approved February 16, 2010.

REMARKS – CITY MANAGER AND CITY COUNCIL: (Tape A389-494)

City Manager Haugland:

Would like to publicly thank Steve Marriott and his Staff for an excellent audit. There is a sample of the new “Way-Finding” signs on display in the lobby of the Hall of Waters.

Councilman Parker:

Says “Good Job” to Steve Marriott.

Mayor Pro-Tem Buckman:

He always “takes up” for employees of the Finance Department for their good work.

Councilman Fousek:

His thanks to Steve Marriott and to members of the Historic Preservation Commission.

Mayor Schutte:

Congratulations to Steve Marriott...she is very, very proud of the excellent audit.

She attended the 100<sup>th</sup> celebration of the Boy Scouts of America and the 89<sup>th</sup> celebration of the Boy Scouts in Excelsior Springs. On behalf of the Council she has promised a tree and a plaque to be presented to the Boy Scouts.

With no further business at hand, Mayor Schutte adjourned the Regular Council Meeting at 6:20 PM.

ATTEST:

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CAROLYN SCHUTTE, MAYOR

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FRANCES SMITH, CITY CLERK

PAGE 1

PAGE 1

REGULAR COUNCIL MEETING  
CITY OF EXCELSIOR SPRINGS  
EXCELSIOR SPRINGS, MISSOURI  
MARCH 15, 2010

The City Council of the City of Excelsior Springs, Missouri met in Regular Session at 6:00 PM, Monday, March 15, 2010 in the Council Chambers of the Hall of Waters Building. The Meeting was called to order by Mayor Schutte.

The opening prayer was given by David Boudreaux, Pastor of Crescent Lake Christian Center.

The Pledge of Allegiance was led by Mayor Schutte.

Roll Call of Members: Present: Mayor Carolyn Schutte, Mayor Pro-Tem Ambrose Buckman,  
Councilmen Ken Fousek, Jim Nelson, and Sonny Parker.

Absent: None

VISITORS:

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

MINUTES OF REGULAR COUNCIL MEETING HELD ON MARCH 1, 2010: (Tape A29-36)

Mayor Pro-Tem Buckman made a motion to approve the Minutes of the Regular Council Meeting held on March 1, 2010. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Nelson, Parker, Fousek, Buckman, Schutte

Nays: None, motion carried.

Minutes of March 1, 2010 passed and approved March 15, 2010.

CONSIDERATION OF AGENDA: (Tape A37-43)

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

Roll Call of Votes: Ayes: Parker, Fousek, Nelson, Buckman, Schutte

Nays: None, motion carried.

Agenda, as printed, passed and approved March 15, 2010.

UPDATE – KENT CANTRELL, FIRE CHIEF: (Tape A44-175)

The Fire Department has finished updating the city's storm warning sirens. These sirens were tested last Thursday and all went well. This update was paid for 100% by Capital Improvements.

The Fire Department is formulating a RFQ for a Strategic Planner for the Fire Department in connection with the City's Master Plan. This Planner will find gaps in the Fire Department's

operations and identify and make plans for the future of the Department. The Fire Department's new software has been operational since March 1, 2010. Part of this is in connection with the Strategic Planning. Things are going well with the Fire Department and Chief Cantrell thanks the Council for their support.

UPDATE – JOHN MCGOVERN, POLICE CHIEF: (Tape A176-333)

The Police Department updated the Council on repair of the water leak that has been affecting the detention cells, booking room, and associated hallways on the lower level of the Police building. The department did preliminary exploration of the problem by having a company that specializes in waterproofing technologies look at the situation. Their solution would be a \$100,000.00 project and could be more if they run into unforeseen problems and would still leave us with the dirt in the plaza area, which seems to be the source of the original problem.

The Police Department made a presentation to the Capital Improvements Authority concerning the water leak problem. They approved funding for an architect to look at the problem and develop a solution. Reed Architects was selected and has developed a solution. Items to be replaced or repaired include concrete repair to the caps on the walls around the plaza area, repair deck area, install a pre-cast paver decking on a pedestal system on all flat surfaces, replace steps and handrails, install new lettering, and add a flagpole.

The project is currently out to bid with a bid opening scheduled for April 8<sup>th</sup>. Bids will be presented to the Capital Improvements Authority at their next meeting following the bid opening to seek their approval to fund the project. We expect the project to be approximately \$100,000.00.

UPDATE – CHAD BIRDSONG, PUBLIC WORKS DIRECTOR: (Tape A334-580)

McCleary Road, allocated \$15,900 additional funds to finish the cemetery improvements.

Marietta Bridge, construction is complete, looking at \$182,000 surplus of funds from Transportation Trust.

Miscellaneous Street Maintenance Fund, Allocated \$5,900 to bring the balance back to \$25,000 for 2010.

Street Sign Replacement Program, allocated \$6,998 to replenish the fund back up to \$10,000. They are in one year or two of a six-year plan to replace all signs in town.

2010 Overlay Project, allocated up to \$500,000 for this project. Projecting around 6,500 tons of asphalt to be laid.

Miscellaneous Concrete Repairs, allocated up to \$100,000 for repairs this year.

Tiger Drive Culvert Replacement Project, allocated up to \$100,000 for this project.

UPDATE – TOM WALL, UTILITIES DIRECTOR: (Tape A581-916)

Tom Wall was unable to attend. Devery Hunt, Public Works Administrative Assistant, read a report to the Council from Mr. Wall. The report is an overall assessment and includes ratings of Poor, Fair, Good, and Excellent to reflect the condition, viability, reliability, and performance of the five elements of the Utilities Department.

The Water Supply rating is "Good"; all 6 wells are operational but the production capacity of some has diminished significantly. Revenues are as expected and wholesale city/districts account for approximately 33% of production. The average of treated bulk water sales is 55K gallons, and an accumulative total of 21K gallons of raw water from the water treatment plant were sold to the local bottler.

The Water Treatment rating is "Good"; we will be required to meet new groundwater

disinfection and monitoring requirements effective May 1, 2010.

The Water Distribution & Storage System rating is "Fair"; we continue to experience low flow and/or low pressure concerns in several areas of the City. Most caused by outgrown, undersized City water lines, bottlenecks created by inconsistently sized segments of water lines, and deteriorating City and private lines. Several programs and projects have been proposed, planned, and/or implemented.

Both the sewer collection system and the wastewater treatment plant are in dire need of financial, operational, and administrative attention. The City has received a letter of Warning from MoDNR for violation of the ammonia discharge limit, and a Notice of Violation for failure to meet BOD and TSS permit discharge limits. These Notices require "official" responses and/or corrective actions. All violations pose no concern to the public but impact the "quality" of the water in the receiving stream or for condition of the collection system.

The Wastewater Collection System rating is "Poor"; the severity of the Infiltration & Inflow problem in the Collection System continues to grow and requires immediate corrective actions to avoid catastrophic failures, continued detrimental impact to the treatment process, and continued receipt of Notices of Violation. Collection lines and manholes need repaired or replaced, lift stations need improvements, and new collection lines and/or lift stations need to be constructed to all provision of service to those not currently served.

The Wastewater Treatment Plant rating is "Poor"; the City must construct a new mechanical, active, wastewater treatment plant to enable the operations to meet all regulatory compliance and permit limit requirements. In the consulting Engineer's Final Assessment and report on the "Pilot" project that failed, they reiterate their original recommendation of constructing a mechanical plant. A Utility Rate Study will be completed within the week. This Study will be used as a tool to identify the rate structure required to meet financial obligations needed to get our systems into compliance with regulatory requirements. A presentation of the Rate Study will be done in a Work Session on Friday, March 26, 2010 at 7:30 am in the Hall of Waters Council Chambers.

UPDATE – NICK PAPPAS, DIRECTOR OF PLANNING AND ZONING: (Tape A917-1235).

The Historic Preservation Commission is 50% done with the creation of the citywide Historic Preservation & Revitalization Plan. A public meeting will be held on Wednesday, March 17, 2010, at 6:00 PM to review work and make changes. The public is invited.

Two additional districts will soon be recommended for local historic designation – The Elms District and the Boarding Home District. The Commission will update 1994 historic surveys, create a description of boundaries, hold a public meeting, and adopt recommendations for Council action.

Some addresses will need to be changed in the downtown area. The planning & Zoning Department is working with the Fire Department on the issue.

The city map has been revised and is available online

Construction on the Hall of Waters terrace will begin in late April/early May. The city is currently reviewing engineered drawings.

The City is making a selection for locations of the way-finding signs.

APPROPRIATIONS ORDINANCE #10-3-4: (Tape A1236-1316)

Mayor Schutte read by title the First Reading of Appropriations Ordinance #10-3-4.

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

Councilman Fousek made a motion to take to Second Reading Appropriations Ordinance #10-3-4, in the amount of \$775,316.83. Motion was seconded by Mayor Pro-Tem Buckman.

Roll Call of Votes: Ayes: Fousek, Nelson, Buckman, Schutte

Abstain: Parker  
Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Appropriations Ordinance #10-3-4.

Mayor Pro-Tem Buckman made a motion to approve Appropriations Ordinance #10-3-4, in the amount of \$775,316.83. Motion was seconded by Councilman Fousek.

Roll Call of Votes:     Ayes: Nelson, Fousek, Buckman, Schutte  
                          Abstain: Parker  
                          Nays: None, motion carried.

Appropriations Ordinance #10-3-4 passed and approved March 15, 2010.

REMARKS – CITY MANAGER AND CITY COUNCIL: (Tape A1317-A1500, B1-B52).

City Manager Haugland:

Attended several meetings with surrounding areas regarding the Enhanced Enterprise Zone; Clay County, Mosby, and Prathersville. He is still working with Prathersville. There will be a Public Hearing with the Enhanced Enterprise Zone Board in the Hall of Waters Council Chambers on March 29, 2010 at 3:00 PM to adopt a map.

Councilman Parker:

Thanked all departments for their updates. There are a lot of things going on and it is good to find out about them.

Mayor Pro-Tem Buckman:

Asked about vacant buildings such as the Royal Hotel and Wyman School. The City Manager stated the developer is no longer interested in Wyman School and the owner is trying to sell it.

Councilman Nelson:

There are third floor windows out at 211 E. Excelsior Street. He would like to see them boarded up.

Mayor Schutte:

Thanked the departments for their updates.

With no further business at hand, Mayor Schutte adjourned the Regular Council Meeting at 6:47 PM.

ATTEST:

\_\_\_\_\_  
CAROLYN SCHUTTE, MAYOR

\_\_\_\_\_  
FRANCES SMITH, CITY CLERK





REGULAR COUNCIL MEETING  
CITY OF EXCELSIOR SPRINGS  
EXCELSIOR SPRINGS, MISSOURI  
APRIL 5, 2010

The City Council of the City of Excelsior Springs, Missouri met in Regular Session at 6:00 PM, Monday, April 5, 2010 in the Council Chambers of the Hall of Waters Building. The Meeting was called to order by Mayor Schutte.

The opening prayer was given by Mike Boudreaux, Pastor of Crescent Lake Christian Center.

The Pledge of Allegiance was led by Mayor Schutte.

Roll Call of Members: Present: Mayor Carolyn Schutte, Mayor Pro-Tem Ambrose Buckman,  
Councilmen Ken Fousek, Jim Nelson and Sonny Parker.

Absent: None

VISITORS:(Tape A25-87)

Mike Boudreaux reminded members of the Council that on May 6, 2010, at 7:00 AM, at the Elms, there will be a prayer breakfast held with the Mayor, members of the Council, and members of the Ministerial Alliance.

Mr. Kenneth Ranta, 1711 Wornall Rd., addressed the Council. Mr. Ranta stated that he had been before the Council earlier to warn of the danger of a school child being struck by a vehicle at the corner of Wornall and Crown Hill Road, due to no sidewalks for the children to walk on. Mr. Ranta stated that this past Friday a child came very close to getting killed at that intersection. He again asked the Council to address this problem.

MINUTES OF REGULAR COUNCIL MEETING HELD ON MARCH 15, 2010: (Tape A88-99)

Councilman Parker made a motion to approve the Minutes of the Regular Council Meeting held on March 15, 2010. Motion was seconded by Mayor Pro-Tem Buckman.

Roll Call of Votes: Ayes: Nelson, Parker, Fousek, Buckman, Schutte

Nays: None, motion carried.

Minutes of March 15, 2010 passed and approved on April 5, 2010.

CONSIDERATION OF AGENDA: (Tape A100-109)

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

Roll Call of Votes: Ayes: Parker, Fousek, Nelson, Buckman, Schutte

Nays: None, motion carried.

Agenda, as printed, passed and approved April 5, 2010.

PUBLIC HEARING – DREAM INITIATIVE DOWNTOWN STRATEGIC PLAN  
PRESENTATION: (Tape A110-763)

Councilman Fousek made a motion to open a public hearing regarding the Dream Initiative. Motion was seconded by Councilman Nelson.

Roll Call of Votes: Ayes: Fousek, Nelson, Parker, Buckman, Schutte

Nays: None, motion carried.

A public hearing was opened.

Nick Pappas, Director of Planning and Zoning, introduced Mr. Mike Hurlbert from PGAV Urban Consulting. Mr. Hurlbert presented a three-year plan of the process for the DREAM Initiative. Members of the Council had been presented with the DREAM Initiative's Strategic Plan in their packets. Mr. Hurlbert went over this Plan with the Council. He covered 10 of the goals set by the plan, including a retail marketing analysis, a financial assistance plan, improving tourism within the City, a Marketing Plan, improving space for a farmer's market, etc. Mr. Hurlbert stated the purpose of this DREAM Initiative is that it unifies with the City's Master Plan, the Historic District timeline of 5 to 8 years, with limited resources for maximum benefits.

With no other person wishing to be heard in the public hearing, Mayor Pro-Tem Buckman made a motion to close the public hearing. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Nelson, Parker, Fousek, Buckman, Schutte

Nays: None, motion carried.

The public hearing was closed.

ORDINANCE #10-4-1, ADOPTION OF THE DREAM INITIATIVE DOWNTOWN  
STRATEGIC PLAN:1 (Tape A764-841)

Mayor Schutte read by title the First Reading of Ordinance #10-4-1.

Councilman Fousek made a motion to place on Second Reading Ordinance #10-4-1, adopting the downtown strategic plan for use in identifying strategies, priority goals, schedules and timelines for the DREAM Initiative. Motion was seconded by Mayor Pro-Tem Buckman.

Roll Call of Votes: Ayes: Parker, Fousek, Nelson, Buckman, Schutte

Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Ordinance #10-4-1.

Councilman Nelson made a motion to approve Ordinance #10-4-1, adopting the downtown strategic plan for use in identifying strategies, priority goals, schedules and timelines for the

DREAM Initiative. Motion was seconded by Councilman Fousek.

Roll Call of Votes: Ayes: Fousek, Nelson, Parker, Buckman, Schutte

Nays: None, motion carried.

Ordinance #10-4-1 passed and approved April 5, 2010.

RESOLUTION #843, HOUSING AUTHORITY BOARD APPOINTMENT: (Tape A842-900)

Councilman Nelson made a motion to approve Resolution #843, authorizing the appointment of Norman Osterberg as Board Representative to the Housing Authority Board; said term to expire September 30, 2011. Motion was seconded by Councilman Fousek.

Roll Call of Votes: Ayes: Nelson, Parker, Fousek, Buckman, Schutte

Nays: None, motion carried.

Resolution #843 passed and approved April 5, 2010.

At this time the "Oath" was administered to Norman Osterberg by the City Clerk. He was also presented with a Certificate of Appointment.

RESOLUTION #844, ASPHALT BIDS/2010 OVERLAYS: (Tape A901-1031)

Chad Birdsong, Director of Public Works, briefed the Council on this subject and read a list of streets to have the overlay.

Councilman Parker made a motion to approve Resolution #844 for funding of the 2010 asphalt overlay project, in the amount not to exceed \$500,000.00. Motion was seconded by Mayor Pro-Tem Buckman.

Roll Call of Votes: Ayes: Parker, Fousek, Nelson, Buckman, Schutte

Nays: None, motion carried.

Resolution #844 passed and approved April 5, 2010.

RESOLUTION #845, MISCELLANEOUS CONCRETE REPAIRS: (Tape A1032-1094)

Chad Birdsong explained to the Council that this project was for repair to concrete streets within the City.

Councilman Fousek made a motion to approve Resolution #845 for funding of the 2010 miscellaneous concrete repairs in the amount not to exceed \$100,000.00. Motion was seconded by Mayor Pro-Tem Buckman.

Roll Call of Votes: Ayes: Fousek, Nelson, Parker, Buckman, Schutte

Nays: None, motion carried.

Resolution #845 passed and approved April 5, 2010.

SUMMER SEWER CREDITS/FY 2009-2010: (Tape A1095-1200).

The City Manager briefed the Council on this item. He stated that Steve Marriott, Director of Administrative Services, does NOT recommend the passing of this item due to the Pollution Control Fund net assets decreased by \$17,632 during the last fiscal year. The City Manager informed the Council if they wished to pass this item then a motion should be made. If they do not wish to pass it, they need not make a motion.

Mayor Schutte asked the Council for a motion on this item. The item “died” for lack of a motion.

APPROPRIATIONS ORDINANCE #10-4-2: (Tape A1201-1283)

Mayor Schutte read by title the First Reading of Appropriations Ordinance #10-4-2.

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

Mayor Pro-Tem Buckman made a motion to take to Second Reading Appropriations Ordinance #10-4-2, in the amount of \$381,593.40. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Parker, Fousek, Nelson, Buckman, Schutte

Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Appropriations Ordinance #10-4-2.

Councilman Nelson made a motion to approve Appropriations Ordinance #10-4-2, in the amount of \$381,593.40. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Fousek, Nelson, Parker, Buckman, Schutte

Nays: None, motion carried.

Appropriations Ordinance #10-4-2 passed and approved April 5, 2010.

REMARKS – CITY MANAGER AND CITY COUNCIL: (Tape A1283-1500, B1-B50)

City Manager Haugland:

The City Council Election is tomorrow. As soon as the City receives the official results from the election boards, the Council will need to hold a meeting to accept election results and elect a new Mayor and Mayor Pro-Tem. Upon advice from City Attorney, John McClelland, this meeting can be held at the beginning of the next Regular Council Meeting on April 19, 2010.

Councilman Parker:

Congratulates the DREAM Team on their good job.

Mayor Pro-Tem Buckman:

This Strategic Plan will be good for the downtown.

Councilman Nelson:

Remind everyone to vote tomorrow.

Councilman Fousek:

Had the opportunity to attend a conference last week. It was very educational.  
Remind everyone to vote tomorrow.

Mayor Schutte:

Asked if the Park and Recreation Department will get a copy of the DREAM Strategic Plan.  
Thanked everyone who worked so hard on the plan...they put in a lot of hours.  
Remind everyone to vote tomorrow.

With no further business at hand, Mayor Schutte adjourned the Regular Council Meeting at 6:47 PM.

ATTEST:

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CAROLYN SCHUTTE, MAYOR

\_\_\_\_\_  
FRANCES SMITH, CITY CLERK

PAGE 1

PAGE 1

REGULAR COUNCIL MEETING  
CITY OF EXCELSIOR SPRINGS  
EXCELSIOR SPRINGS, MISSOURI  
APRIL 19, 2010

The City Council of the City of Excelsior Springs, Missouri met in Regular Session at 5:00 PM, Monday, April 19, 2010 in the Council Chambers of the Hall of Waters Building. The Meeting was called to order by Mayor Schutte.

The opening prayer was given by Mayor Schutte.

The Pledge of Allegiance was led by Mayor Schutte.

Roll Call of Members: Present: Mayor Carolyn Schutte, Councilmen Ken Fousek, Jim Nelson, and Sonny Parker

Absent: Mayor Pro-Tem Ambrose Buckman

VISITORS:

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

MINUTES OF REGULAR COUNCIL MEETING HELD ON APRIL 5, 2010: (Tape A37-48)

Councilman Nelson made a motion to approve the Minutes of the Regular Council Meeting held on April 5, 2010. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Nelson, Parker, Fousek, Schutte

Nays: None, motion carried.

Minutes of April 5, 2010 passed and approved April 19, 2010.

CONSIDERATION OF AGENDA: (Tape A49-56)

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

Roll Call of Votes: Ayes: Parker, Fousek, Nelson, Schutte

Nays: None, motion carried.

Agenda, as printed, passed and approved April 19, 2010.

PUBLIC HEARING – ENHANCED ENTERPRISE ZONE: (Tape A57-504)

Councilman Nelson made a motion to open a Public Hearing for the City Council Meeting on April 19, 2010 for the City of Excelsior Springs, Missouri. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Fousek, Nelson, Parker, Schutte

Nays: None, motion carried.

A Public Hearing was opened.

Ms. Molly McGovern, Coordinator of the Enhanced Enterprise Zone, spoke to the Council. Molly stated the purpose of the Enhanced Enterprise Zone. She stated it would be made up of a seven member Board and since Excelsior Springs took the lead in forming the Zone, they will appoint five of the members. The School Districts will appoint one and the other taxing jurisdictions will appoint one. Molly stated they are required to have no regular meetings but will need to submit an annual report. Public Hearings have already been held with Mosby and Clay County. Kearney will have their Hearing tonight and Prathersville tomorrow night. A final Hearing will be held on May 3, 2010. Mayor Schutte asked who participates will make application to and Molly stated it would depend on the jurisdiction the property is in. Once a business opens its doors, it is too late to get the tax credit.

Mr. Terry Rumery, Economic Development Specialist for the City, informed the Council that the Enterprise Zone is very important, and that it is a very good thing. Mayor Schutte asked how to get the info out; Mr. Rumery stated the information should be put everywhere it can be, on all websites and with the State.

NOTE: Mayor Pro-Tem Buckman arrived to the meeting at 5:16 PM.

With no other person wishing to be heard during the Public Hearing, Councilman Parker made a motion to close the Public Hearing. Motion was seconded by Councilman Fousek.

Roll Call of Votes: Ayes: Nelson, Parker, Fousek, Buckman, Schutte

Nays: None, motion carried.

The Public Hearing was closed.

ORDINANCE #10-4-3, ADOPTION OF THE ENHANCED ENTERPRISE ZONE: (Tape A505-576).

Mayor Schutte read by title the First Reading of Ordinance #10-4-3.

The City Manager briefed the Council on this Ordinance.

Councilman Parker made a motion to place on Second Reading Ordinance #10-4-3, adopting an abatement policy of the City of Excelsior Springs, with respect to Ad Valorem Taxes for certain qualified new improvements within those portions of the City also located within the Eastern Clay County Enhanced Enterprise Zone, pursuant to Chapter 135 of the Revised Missouri Statutes. Motion was seconded by Mayor Pro-Tem Buckman.

Roll Call of Votes: Ayes: Fousek, Nelson, Parker, Buckman, Schutte

Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Ordinance #10-4-3.

Councilman Nelson made a motion to approve Ordinance #10-4-3, adopting an abatement policy of the City of Excelsior Springs, with respect to Ad Valorem Taxes for certain qualified new improvements within those portions of the City also located within the Eastern Clay County Enhanced Enterprise Zone, pursuant to Chapter 135 of the Revised Missouri Statutes. Motion was seconded by Mayor Pro-Tem Buckman.



Roll Call of Votes: Ayes: Nelson, Parker, Fousek, Buckman, Schutte

Nays: None, motion carried.

Ordinance #10-4-3 passed and approved April 19, 2010.

ORDINANCE #10-4-4, CERTIFICATION OF ELECTION: (Tape A577-659).

Mayor Schutte read by title the First Reading of Ordinance #10-4-4.

Councilman Fousek made a motion to take to Second Reading Ordinance #10-4-4, ratifying the General Municipal Election results from Clay and Ray Counties, held on April 6, 2010. Motion was seconded by Councilman Nelson.

Roll Call of Votes: Ayes: Parker, Fousek, Nelson, Buckman, Schutte

Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Ordinance #10-4-4.

Councilman Fousek made a motion to approve Ordinance #10-4-4, ratifying the General Municipal Election results from Clay and Ray Counties, held on April 6, 2010. Motion was seconded by Mayor Pro-Tem Buckman.

Roll Call of Votes: Ayes: Fousek, Nelson, Parker, Buckman, Schutte

Nays: None, motion carried.

Ordinance #10-4-4 passed and approved April 19, 2010.

ADMINISTER OATH OF OFFICE TO NEW COUNCIL MEMBER: (Tape A660-675)

The "Oath" was administered to Councilman Ken Fousek, the newly elected member of the City Council, by the City Clerk. Ken was also presented with a Certificate of Election.

ROLL CALL OF NEW CITY COUNCIL MEMBERS: (Tape A676-680)

Present: Ambrose Buckman

Ken Fousek  
Jim Nelson  
Sonny Parker  
Carolyn Schutte

Absent: None

ELECTION OF MAYOR AND MAYOR PRO-TEM: (Tape A681-798)

The City Clerk distributed blank ballots to members of the Council for the election of Mayor. The ballots were collected and read aloud to Steve Marriott, Director of Administrative Services, who marked the votes on a tally sheet. The results were:

Carolyn Schutte                      3 Votes for Mayor  
Ambrose Buckman                2 Votes for Mayor

Carolyn Schutte elected Mayor of the City Council by a majority vote.

The City Clerk distributed blank ballots to members of the Council for the election of Mayor Pro-Tem. The ballots were collected and read aloud to Steve Marriott who marked the votes on a tally sheet. The results were:

Ambrose Buckman                3 Votes for Mayor Pro-Tem  
Jim Nelson                        1 Vote for Mayor Pro-Tem  
Sonny Parker                    1 Vote for Mayor Pro-Tem

Ambrose Buckman elected Mayor Pro-Tem of the City Council by a majority vote.

The marked ballots and tally sheet are attached and becomes a part of these Minutes.

PROCLAMATION – OLDER AMERICANS MONTH: (Tape A799-848)

Mayor Schutte read aloud a Proclamation naming the month of May, 2010, as “Older Americans Month”. This Proclamation was presented to Jim Nelson, who serves on the Clay County Board assisting older Americans.

ORDINANCE #10-4-5, POLICE DEPARTMENT PLAZA AREA WATER LEAK REPAIR: (Tape A849-991)

Mayor Schutte read by title the First Reading of Ordinance #10-4-5.

Police Chief McGovern informed the Council that this project is being paid for by the Capital Improvements Sales Tax.

Mayor Pro-Tem Buckman made a motion to place on Second Reading Ordinance #10-4-5, approving an expenditure in an amount not to exceed \$106,134.00 from the Capital Improvements Fund and authorizing the City of Excelsior Springs to enter into an agreement with Glen Rogers Construction to provide construction services for the police station entrance decking project. Motion was seconded by Councilman Parker.

Roll Call of Votes:        Ayes: Nelson, Parker, Fousek, Buckman, Schutte

Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Ordinance #10-4-5.

Mayor Pro-Tem Buckman made a motion to approve Ordinance #10-4-5, approving an expenditure in an amount not to exceed \$106,134.00 from the Capital Improvements Fund and authorizing the City of Excelsior Springs to enter into an agreement with Glen Rogers Construction to provide construction services for the police station entrance decking project. Motion was seconded by Councilman Parker.

Roll Call of Votes:        Ayes: Parker, Fousek, Nelson, Buckman, Schutte.

Nays: None, motion carried.

Ordinance #10-4-5 passed and approved April 19, 2010.

RESOLUTION #846, PURCHASE OF POLICE VEHICLES: (Tape A992-1064)

Police Chief John McGovern advised the Council that these vehicles are being purchased through the Public Safety Sales Tax Fund.

Councilman Parker made a motion to approve Resolution #846, authorizing the Chief of Police to purchase two Crown Victoria police package vehicles at a cost of \$45,929.84 from Chuck Anderson Ford. Motion was seconded by Mayor Pro-Tem Buckman.

Roll Call of Votes: Ayes: Fousek, Nelson, Parker, Buckman, Schutte

Nays: None, motion carried.

Resolution #846 passed and approved April 19, 2010.

APPROPRIATIONS ORDINANCE #10-4-6: (Tape A1065-1114)

Mayor Schutte read by title the First Reading of Appropriations Ordinance #10-4-6.

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

Mayor Pro-Tem Buckman made a motion to take to Second Reading Appropriations Ordinance #10-4-6, in the amount of \$853,865.43. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Parker, Fousek, Nelson, Buckman, Schutte

Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Appropriations Ordinance #10-4-6.

Councilman Nelson made a motion to approve Appropriations Ordinance #10-4-6, in the amount of \$853,865.43. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Fousek, Nelson, Parker, Buckman, Schutte

Nays: None, motion carried.

Appropriations Ordinance #10-4-6 passed and approved April 19, 2010.

REMARKS – CITY MANAGER AND CITY COUNCIL: (Tape A1115-1270)

City Manager Haugland:

On Thursday at 3:00 PM, the City will hold a pre-bid walk through for Contractors wishing to bid on the North and West Terrace Project at the Hall of Waters Building.

On Thursday, April 22, 2010 at 6:00 PM, the Chamber of Commerce will have its awards dinner/auction at the Elms Hotel.

Councilman Nelson:

Congratulates the new Mayor and Mayor Pro-Tem. Looks forward to next year.

Councilman Fousek:

The Council has worked very hard on projects; is very proud of the Council.

Mayor Schutte:

The Council has worked many years on projects and the plans are now complete. Looks forward to next year.

The Gatsby Festival will be this weekend. This festival is unique to this City.

The Ventana Restaurant was featured on PBS this past week and had good reviews.

With no further business at hand, Mayor Schutte called for a motion to adjourn and go into closed session.

Councilman Nelson made a motion to adjourn the Regular Council Meeting and go into closed session pursuant to State Statutes 610.021 (1) Legal and (2) Real Estate. Motion was seconded by Councilman Parker.

Roll Call of Votes:      Ayes: Fousek, Nelson, Parker, Buckman, Schutte

   Nays: None, motion carried.

The Regular Council Meeting was adjourned at 5:53 PM.

ATTEST:

\_\_\_\_\_  
CAROLYN SCHUTTE, MAYOR

\_\_\_\_\_  
FRANCES SMITH, CITY CLERK

PAGE 1

PAGE 1

REGULAR COUNCIL MEETING  
CITY OF EXCELSIOR SPRINGS  
EXCELSIOR SPRINGS, MISSOURI  
MAY 3, 2010

The City Council of the City of Excelsior Springs, Missouri met in Regular Session at 6:00 PM, Monday, May 3, 2010 in the Council Chambers of the Hall of Waters Building. The Meeting was called to order by Mayor Pro-Tem Buckman.

The opening prayer was given by Dan Clark, Pastor of the Presbyterian Church.

The Pledge of Allegiance was led by Mayor Pro-Tem Buckman.

Roll Call of Members: Present: Mayor Pro-Tem Ambrose Buckman, Councilmen Ken Fousek,  
Jim Nelson, and Sonny Parker.

Absent: Mayor Carolyn Schutte.

CHANGE OF AGENDA: (Tape A34-43)

On the advice of legal counsel, Councilman Nelson made a motion to move Agenda Item #1, Public Hearing, to immediately following roll call. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Fousek, Nelson, Parker, Buckman

Nays: None, motion carried.

Agenda Item #1 moved.

PUBLIC HEARING – EASTERN CLAY COUNTY ENHANCED ENTERPRISE ZONE:  
(Tape A44-85)

Councilman Nelson made a motion to open a Public Hearing for the City Council Meeting on May 3, 2010 for the Eastern Clay County Enhanced Enterprise Zone. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Fousek, Nelson, Parker, Buckman.

Nays: None, motion carried.

A Public Hearing was opened.

Molly McGovern, Consultant for the Eastern Clay County Enhanced Enterprise Zone, addressed the Council. She stated that Grey Jackson, Representative of the Department of Economic Development, was on hand to answer any questions the Council or the public may have. McGovern further stated that she did not have anything further to add to the hearing than what was presented at the last Public Hearing. She stated the purpose of this hearing was to summarize the Enhanced Enterprise Zone.

With no other person wishing to be heard during the Public Hearing, Councilman Nelson made a motion to close the Public Hearing for the Eastern Clay County Enhanced Enterprise Zone. Motion was seconded by Councilman Fousek.

Roll Call of Votes: Ayes: Nelson, Parker, Fousek, Buckman.

Nays: None, motion carried.

The Public Hearing was closed.

VISITORS: (Tape A86-522)

Mr. Jack Lonsinger, owner of Liberty Carbon Services, addressed the Council. Mr. Lonsinger stated that he purchased his property from Mr. Risley in 1985 and built a \$100,000 plant on the property. Two years ago he started to build a storage building on his property. The City advised him he would have to extend the street. He then decided to build his building on the east side of his property. He was advised by the City that he would have to build a street to nowhere. The new rule was to have a gravel road all around the building to support a fire truck, at a cost of \$175,000. The Council needs to think about what they are doing to industrial builders. He will not come up with another \$200,000 to \$300,000 dollars on this property. The City needs to try to work with people in the industrial business.

Councilman Parker informed Mr. Lonsinger that the Council put in the rules for a purpose, but the City and Mr. Lonsinger need to work out the differences. Councilman Nelson stated that the Uniform Building Codes are not stupid rules. Councilman Fousek stated there has to be a way to work this problem out.

MINUTES OF REGULAR COUNCIL MEETING, APRIL 19, 2010: (Tape A523-533)

Councilman Parker made a motion to approve the Minutes of the Regular Council Meeting held on April 19, 2010. Motion was seconded by Councilman Fousek.

Roll Call of Votes: Ayes: Nelson, Parker, Fousek, Buckman,

Nays: None, motion carried.

Minutes of April 19, 2010 passed and approved May 3, 2010.

CONSIDERATION OF AGENDA: (Tape A534-548)

Councilman Nelson made a motion to approve the Agenda, as previously amended. Motion was seconded by Councilman Fousek.

Roll Call of Votes: Ayes: Parker, Fousek, Nelson, Buckman.

Nays: None, motion carried.

Agenda, as amended, passed and approved May 3, 2010.

ORDINANCE #10-5-1, EASEMENT VACATE – PERSIMMON GROVE ADDITION: (Tape A549-659)

Mayor Pro-Tem Buckman read by title the First Reading of Ordinance #10-5-1.

Larry Murray, Building Official, filled in for the Director of Planning and Zoning. Larry briefed the Council on this Ordinance.

Councilman Parker made a motion to take to Second Reading Ordinance #10-5-1, authorizing to vacate the alley located within Block 6, Persimmon Grove Addition to the City of Excelsior Springs, between Persimmon Road and Lena Street, as shown on Exhibit A. Motion was seconded by Councilman Nelson.

Roll Call of Votes: Ayes: Parker, Fousek, Nelson, Buckman.

Nays: None, motion carried.

Mayor Pro-Tem Buckman read by title the Second Reading of Ordinance #10-5-1.

Councilman Parker made a motion to approve Ordinance #10-5-1, to vacate the alley located within Block 6, Persimmon Grove Addition to the City of Excelsior Springs between Persimmon Road and Lena Street, as shown on Exhibit A. Motion was seconded by Councilman Nelson.

Roll Call of Votes: Ayes: Nelson, Parker, Buckman.

Nays: Fousek. Motion carried.

Ordinance #10-5-1 passed and approved May 3, 2010.

CONSIDERATION OF REQUEST BY ROBERT REYNOLDS, 935 DUNCAN LANE, TO REZONE 6 LOTS ON LOCUST STREET FROM R-2 TO 5-3: (Tape A660-1018).

Larry Murry, Building Official again filled in for the Planning and Zoning Director, to bring this item to discussion by the City Council and hear input from the public. Larry explained that this item, to rezone 6 lots on Locust Street from R-2 (Two-Family Residential District), to R-3 (Cluster, Townhouse, or Garden Apartments District) was heard by the Planning and Zoning Commission on April 20, 2010 and the Commission has unanimously voted to recommend denial by the City Council.

Ms. Rose Luke, Mr. Mike Carpenter and Ms. Brittany Voight, all residents of the area in question, addressed the Council and they all were against the rezoning request due to property values, stormwater drainage, traffic, noise, crime and harm to the character of the neighborhood.

Councilman Fousek made a motion to agree with Planning and Zoning and deny Mr. Reynold's request. Motion was seconded by Councilman Nelson, who also goes along with Planning and Zoning.

Roll Call of Votes: Ayes; Parker, Fousek, Nelson, Buckman

Nays: None, motion carried.

Request for Rezoning of 6 lots on Locust Street denied May 3, 2010.

ORDINANCE #10-5-2, REPEALING ORDINANCE #09-12-09 GREENS RENOVATION: (Tape A1019-1092).



Mayor Pro-Tem Buckman read by title the First Reading of Ordinance #10-5-2.

Tim Jarman, Director of the Excelsior Springs Golf Course, briefed the Council on this Ordinance stating that due to contractor disputes, the project was eliminated.

Councilman Nelson made a motion to take to Second Reading Ordinance #10-5-2, to repeal Ordinance #09-12-09 for the Expenditure from the Capital Improvements Fund for the Renovation of Greens at the Excelsior Springs Golf Course. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Fousek, Nelson, Parker, Buckman.

Nays: None, motion carried.

Mayor pro-Tem Buckman read by title the Second Reading of Ordinance #10-5-2.

Councilman Nelson made a motion to approve Ordinance #10-5-2, to repeal Ordinance #09-12-09 for the Expenditure from the Capital Improvements Fund for the Renovation of Greens at the Excelsior Springs Golf Course. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Nelson, Parker, Fousek, Buckman.

Nays: None, motion carried.

Ordinance #10-5-2 passed and approved May 3, 2010.

ORDINANCE #10-5-3, REPAIR OF CART PATHS AT EXCELSIOR SPRINGS GOLF COURSE: (Tape A1093-1535).

Mayor Pro-Tem Buckman read by title the First Reading of Ordinance #10-5-3.

Tim Jarman explained to the Council that this work will be done by the Construction Services Department.

Councilman Fousek made a motion to take to Second Reading Ordinance #10-5-3, to approve funding of the "Cart Path Repair" Project at the Excelsior Springs Golf Course in an amount not to exceed \$100,000.00 from the Capital Improvements Fund. Motion was seconded by Councilman Nelson.

Roll Call of Votes: Ayes: Parker, Fousek, Nelson, Buckman.

Nays: None, motion carried.

Mayor Pro-Tem Buckman read by title the Second Reading of Ordinance #10-5-3.

Councilman Parker made a motion to approve Ordinance #10-5-3, to approve funding of the "Cart Path Repair" Project at the Excelsior Springs Golf Course, in an amount not to exceed \$100,000.00 from the Capital Improvements Fund. Motion was seconded by Councilman Fousek.

Roll Call of Votes: Ayes: Fousek, Nelson, Parker, Buckman

Nays: None, motion carried.

Ordinance #10-5-3 passed and approved May 3, 2010.

HOSPITAL R & E FUNDS: (Tape A1536-1628).

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

Councilman Nelson made a motion authorizing the Director of Administrative Services to transfer \$644,800.00 from the Hospital R & E Fund to the Hospital Operating Account for the reimbursement of items as per the April 19, 2010 letter from the Hospital Board. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Nelson, Parker, Fousek, Buckman

Nays: None, motion carried.

Transfer of Hospital R & E Funds passed and approved May 3, 2010.

APPROPRIATIONS ORDINANCE #10-5-4: (Tape A1629-1727).

Mayor Pro-Tem Buckman read by title the First Reading of Appropriations Ordinance #10-5-4.

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

Councilman Nelson made a motion to take to Second Reading Appropriations Ordinance #10-5-4, in the amount of \$425,382.52. Motion was seconded by Councilman Fousek.

Roll Call of Votes: Ayes: Fousek, Nelson, Buckman.

Abstain: Parker

Nays: None, motion carried.

Mayor Pro-Tem Buckman read by title the Second Reading of Appropriations Ordinance #10-5-4.

Councilman Fousek made a motion to approve Appropriations Ordinance #10-5-4, in the amount of \$425,382.52. Motion was seconded by Councilman Nelson.

Roll Call of Votes: Ayes: Nelson, Fousek, Buckman.

Abstain: Parker

Nays: None, motion carried.

Appropriations Ordinance #10-5-4 passed and approved May 3, 2010.

REMARKS – CITY MANAGER AND CITY COUNCIL: (Tape A1728-1876).

Councilman Nelson:

In regard to the Visitor's Section...there is nothing this Council passes that we take lightly and he resents the insinuation that the Council passes various ordinances on a whim. He regrets his dander as well as his.

Councilman Fousek:

City Staff has bent over backwards to work with Liberty Carbon. A follow-up needs to be done. He feels that the City has been too hard on him. Anytime business owners do things and do not consult with the City first, they have problems. He hopes the City can work with

him.

Mayor Pro-Tem Buckman:

Would like to work out something with Liberty Carbon. The City has Ordinances for a reason.

With no further business at hand, Mayor Pro-Tem Buckman adjourned the Council Meeting at 6:57 PM.

ATTEST:

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AMBROSE BUCKMAN, MAYOR PRO-TEM

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FRANCES SMITH, CITY CLERK

PAGE 1

PAGE 5

REGULAR COUNCIL MEETING  
CITY OF EXCELSIOR SPRINGS  
EXCELSIOR SPRINGS, MISSOURI  
MAY 17, 2010

The City Council of the City of Excelsior Springs, Missouri met in Regular Session at 6:00 PM, Monday, May 17, 2010 in the council Chambers of the Hall of Waters Building. The Meeting was called to order by Mayor Schutte.

The opening prayer was given by Gary Barkley, Pastor of Pisgah Baptist Church.

The Pledge of Allegiance was led by Mayor Schutte.

Roll Call of Members: Present: Mayor Carolyn Schutte, Mayor Pro-Tem Ambrose Buckman,  
Councilmen Ken Fousek, Jim Nelson and Sonny Parker.

Absent: None

VISITORS:

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

MINUTES OF REGULAR COUNCIL MEETING HELD ON MAY 3, 2010: (Tape A31-38)

Mayor Pro-Tem Buckman made a motion to approve the Minutes of the Regular Council Meeting held on May 3, 2010. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Nelson, Parker, Fousek, Buckman  
Abstain: Schutte  
Nays: None, motion carried.

Minutes of Regular Council Meeting held on May 3, 2010 passed and approved May 17, 2010.

CONSIDERATION OF AGENDA: (Tape A39-64)

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

Roll Call of Votes: Ayes: Parker, Fousek, Nelson, Buckman, Schutte  
Nays: None, motion carried.

Agenda, as printed, passed and approved May 17, 2010.

RESOLUTION #847, PURCHASE OF ONE POLICE VEHICLE: (Tape A65-113)

Police Chief John McGovern briefed the Council on this purchase. He stated the purchase has been approved by the Public Safety Sales Tax Committee.

Councilman Nelson made a motion to approve Resolution #847, authorizing the Chief of Police to purchase one Crown Victoria police package vehicle, at a cost of \$22,964.92, from Chuck Anderson Ford. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Fousek, Nelson, Parker, Buckman, Schutte

Nays: None, motion carried.

Resolution #847 passed and approved May 17, 2010.

ORDINANCE #10-05-06, APPROVE THE PURCHASE OF 301 S. EXCELSIOR STREET AND 203 S. KANSAS CITY AVENUE: (Tape A114-172).

Mayor Schutte read by title the First Reading of Ordinance #10-05-06.

The City Manager explained this Ordinance to the Council.

Councilman Parker made a motion to take to Second Reading Ordinance #10-05-06, approving an expenditure in the amount not to exceed \$34,161.00 from the Capital Improvements Fund and approving the purchase of Real Estate by the City of Excelsior Springs. Motion was seconded by Mayor Pro-Tem Buckman.

Roll Call of Votes: Ayes: Nelson, Parker, Fousek, Buckman, Schutte

Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Ordinance #10-05-06.

Mayor Pro-Tem Buckman made a motion to approve Ordinance #10-05-06, approving an expenditure in the amount not to exceed \$34,161.00 from the Capital Improvements Fund and approving the purchase of Real Estate by the City of Excelsior Springs.

Roll Call of Votes: Ayes: Parker, Fousek, Nelson, Buckman, Schutte

Nays: None, motion carried.

Ordinance #10-05-06 passed and approved May 17, 2010.

DISCUSSION OF PROPOSED SEWER AND WATER RATE INCREASES: (Tape A173-789).

Tom Wall, Director of Public Utilities, presented the results of the new water and sewer rate study to the Council. Tom recently presented to the Council information on the condition of our existing water and sanitary sewer infrastructure and the corrective measures that are being taken to ensure the City remains in compliance with regulatory requirements and continue to provide safe, aesthetically appealing water to our customers. Tom presented a five-year Capital Improvement Plan to repair, replace, improve, or construct the following: A new "mechanical", active, wastewater treatment plant to enable the operations to meet all regulatory compliance and permit limit requirements.

Sanitary sewer collection lines, manholes and lift stations.

New collection lines and/or lift stations needed to allow provision of service to those not currently served.

Evaluation of contributions to the waste stream and the collection system by industrial users must be completed, with the subsequent implementation and enforcement of pre-treatment programs.

Distribution system components, including new lines, new tanks and some reconfiguration of existing systems.

For both the water and sewer departments, for each and every future budget year, it is

recommended that an inflationary rate increase of 2.5% be implemented in addition to the recommended. Debt service has been included in the rate increases. No vote by the public will be required for these revenue bonds and the revenue bonds will help us meet mandatory requirements of infiltration and inflow.

Councilman Fousek asked if these improvements will require additional employees. Tom stated that no additional employees will be added until the new facility is in place. Additional employees have been reflected in the rate study.

APPROPRIATIONS ORDINANCE #10-05-07: (Tape A790-876)

Mayor Schutte read by title the First Reading of Ordinance #10-05-07.

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

Mayor Pro-Tem Buckman made a motion to take to Second Reading Appropriations Ordinance #10-05-07, in the amount of \$625,050.87. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Fousek, Nelson, Parker, Buckman, Schutte

Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Appropriations Ordinance #10-05-07.

Councilman Nelson made a motion to approve Appropriations Ordinance #10-05-07, in the amount of \$625,050.87. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Nelson, Parker, Fousek, Buckman, Schutte

Nays: None, motion carried.

Appropriations Ordinance #10-05-07 passed and approved May 17, 2010.

REMARKS – CITY MANAGER AND CITY COUNCIL: (Tape A877-1015)

City Manager Haugland:

Contractors began work on the west terrace of the Hall of Waters today. The circle drive is closed but there is access to the payment drop box. This work will not be complete until August.

Councilman Parker:

Would like to thank Tom Wall and his staff for the work they have done on the rate study.

Mayor Schutte:

Attended the laying of the cornerstone at the new Veteran's Building on Sunday by the Clay Masonic Lodge #207.

With no further business at hand, Mayor Schutte adjourned the Regular Council Meeting at 6:35 PM.

ATTEST:

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CAROLYN SCHUTTE, MAYOR

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FRANCES SMITH, CITY CLERK

PAGE 1

PAGE 2

SPECIAL COUNCIL MEETING  
CITY OF EXCELSIOR SPRINGS  
EXCELSIOR SPRINGS, MISSOURI  
MAY 27, 2010

The City Council of the City of Excelsior Springs, Missouri met in Special Session at 12:00 PM, Thursday, May 27, 2010 in the Council Chambers of the Hall of Waters Building. The Meeting was called to order by Mayor Schutte.

Roll Call of Members: Present: Mayor Schutte, Councilmen Jim Nelson and Sonny Parker.

Absent: Mayor Pro-Tem Buckman and Councilman Ken Fousek.

VISITORS:

There were no visitors that wished to speak at this meeting.

ORDINANCE NO. 10-5-8, INSPECTION AND TESTING SERVICES AGREEMENT FOR HALL OF WATERS REHABILITATION PROJECT:

Nick Pappas, Planning and Zoning Director briefed the Council on the Ordinance. Work has begun on the Hall of Waters Terrace Rehabilitation and it is time for special inspections. Structural Engineering Associates comes highly recommended by Susan Richards Johnson & Associates, Inc. and submitted a bid for all inspections in the amount of \$15,900.00. The inspections will be done this summer.

A motion was made by Councilman Parker to take to Second Reading Ordinance #10-5-8, approving the expenditure in the amount not to exceed \$15,900.00 from the Capital Improvements Fund and authorizing the City of Excelsior Springs to enter into an agreement for inspection and testing services for the Hall of Waters Rehabilitation Project. Motion was seconded by Councilman Jim Nelson.

Roll Call of Votes: Ayes: Nelson, Parker, Schutte

Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Ordinance #10-5-8.

A motion was made by Councilman Nelson to approve the Second Reading of Ordinance #10-5-8, approving the expenditure in the amount not to exceed \$15,900.00 from the Capital Improvements Fund and authorizing the City of Excelsior Springs to enter into an agreement for inspection and testing services for the Hall of Waters Rehabilitation Project. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Parker, Nelson, Schutte

Nays: None, motion carried.

Ordinance #10-5-8 passed and approved May 27, 2010.

With no further business at hand, Mayor Schutte adjourned the Special Council Meeting at 12:21 PM.



ATTEST:

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CAROLYN SCHUTTE, MAYOR

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SHANNON STROUD, DEPUTY CITY CLERK

REVIEWED BY:

\_\_\_\_\_

David Haugland, City Manager

PAGE 1

PAGE 2

REGULAR COUNCIL MEETING  
CITY OF EXCELSIOR SPRINGS  
EXCELSIOR SPRINGS, MISSOURI  
JUNE 7, 2010

The City Council of the City of Excelsior Springs, Missouri met in Regular Session at 6:00 PM, Monday, June 7, 2010 in the Council Chambers of the Hall of Waters Building. The Meeting was called to order by Mayor Schutte.

The opening prayer was given by Mike Boudreaux, Pastor of Crescent Lake Christian Church

The Pledge of Allegiance was led by Mayor Schutte.

NOTE: City Attorney John McClelland informed the Council that due to a medical emergency Councilman Ken Fousek will not be attending this meeting tonight. For the record we have a quorum of four Council Members present at the Hall of Waters building tonight. Councilman Ken Fousek will not be present at the Hall tonight, but through telephone communications Councilman Fousek can hear all comments made by the Council and the public, and the Council and the public can hear all comments made by Councilman Fousek. City Attorney McClelland asked the City Clerk to add this statement from him to the Minutes of the Regular Council Meeting.

Roll Call of Members: Present: Mayor Carolyn Schutte, Mayor Pro-Tem Ambrose Buckman,  
Councilmen Ken Fousek, Jim Nelson and Sonny Parker.

Absent: None.

VISITORS:

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

MINUTES OF THE PUBLIC HEARING ON MARCH 29, THE MINUTES OF THE SPECIAL COUNCIL MEETING ON MAY 11, THE MINUTES OF THE REGULAR COUNCIL MEETING ON MAY 17 AND THE MINUTES OF THE SPECIAL COUNCIL MEETING ON MAY 27, 2010: (Tape A51-172).

Due to a question regarding attendance, Mayor Schutte decided to remove the Minutes of the Special Council Meeting on May 11, 2010. The Mayor then asked for a motion to approve the Minutes of the Public Hearing on March 29 and the Minutes of the Regular Council Meeting on May 17, 2010.

Councilman Nelson made a motion to approve the Minutes of the Public Hearing on March 29 and the Minutes of the Regular Council Meeting held on May 17, 2010. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Nelson, Parker, Fousek, Buckman, Schutte

Nays: None, motion carried.

Minutes of Public Hearing held on March 29, 2010 and the Regular Council Meeting held on May 17, 2010 passed and approved June 7, 2010.

Mayor Schutte then called for a motion to approve the Minutes of the Special Council

Meeting held on May 27, 2010.

Councilman Parker made a motion to approve the Minutes of the Special Council Meeting held on May 27, 2010. Motion was seconded by Councilman Nelson.

Roll Call of Votes:     Ayes: Parker, Nelson, Schutte  
                              Abstain: Fousek, Buckman  
                              Nays: None, motion carried.

Minutes of Special Council Meeting held on May 27, 2010 passed and approved June 7, 2010.

NOTE: After clarification, the Minutes of the Special Council Meeting held on May 11, 2010 will be brought back to the next Council Meeting, as written, for approval.

CONSIDERATION OF AGENDA: (Tape A173-184).

Mayor Pro-Tem Buckman made a motion to approve the Agenda, as written. Motion was seconded by Councilman Fousek.

Roll Call of Votes:     Ayes: Parker, Fousek, Nelson, Buckman, Schutte  
                              Nays: None, motion carried.

Agenda, as printed, passed and approved June 7, 2010.

PARKS & RECREATION PRESENTATION, SHARON POWELL: (Tape A185-392).

Sharon Powell, representing the Parks & Recreation Department, brought the Council up to date on the department. She thanked Mayor Schutte for the May appointments to the Parks & Recreation Board. Three members came on in June of 2009, in time for the 100<sup>th</sup> anniversary of the Parks & Recreation Department and the opening of Century Park, which was opened October 11, 2009. She thanked the Council for the additions to the walk trails. Two new board members have set up spread sheets for activities, fees, expenses, etc for the department and the department's administrative assistant is being trained to operate the new software for these additions. Two new programs have been added to Parks & Recreation this year and they are (1) Exercises and (2) a Nature Program for July and August. A new job description has been written for the Parks & Recreation Director and descriptions will be updated for other employees.

Sharon advised the Council that in the future, the Parks & Recreation Board will work with the City's Master Plan, they will work with the City, look at more neighborhood parks, building a new maintenance facility and add enough walk trails to connect the whole town.

Mayor Schutte asked about fishing in Century Park, Mayor Pro-Tem Buckman informed Sharon that the Board is doing a good job, Councilman Nelson stated they are doing an outstanding job, and Councilman Fousek stated the Board works very hard and he is proud of what they are doing.

ORDINANCE #10-06-01: SPECIAL USE PERMIT, 115 E BROADWAY: (Tape A393-468)

Mayor Schutte read by title the First Reading of Ordinance #10-06-01.

Nick Pappas, Director of Planning & Zoning, informed the Council that the owner of 115 E. Broadway wished to put in an apartment above his place of business. Nick stated this is in line with the City's Master Plan and the Planning and Zoning Board.

Mayor Pro-Tem Buckman made a motion to place on Second Reading Ordinance #10-06-01, approving the Special Use Permit for Mixed Residential and Non-Residential Use at 115 E. Broadway. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Fousek, Parker, Buckman, Schutte  
Abstain: Nelson  
Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Ordinance #10-06-01.

Mayor Pro-Tem Buckman made a motion to approve Ordinance #10-06-01, approving the Special Use Permit for Mixed Residential and Non-Residential Use at 115 E. Broadway. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Parker, Fousek, Buckman, Schutte  
Abstain: Nelson  
Nays: None, motion carried.

Ordinance #10-06-01 passed and approved June 7, 2010.

ORDINANCE #10-06-02, APPROVAL OF FINAL PLAT AT 101 RIDGEWAY: (Tape A469-526).

Mayor Schutte read by title the First Reading of Ordinance #10-06-02.

Nick Pappas was on hand to answer the Council's questions on this Ordinance.

Mayor Pro-Tem Buckman made a motion to place on Second Reading Ordinance #10-06-02, approving the Final Plat of 101 Ridgeway to be developed as an R-1 Single Family Residential District. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Parker, Fousek, Nelson, Buckman, Schutte  
Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Ordinance #10-06-02.

Councilman Nelson made a motion to approve Ordinance #10-06-02, approving the Final Plat of 101 Ridgeway to be developed as an R-1 Single Family Residential District. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Fousek, Nelson, Parker, Buckman, Schutte  
Nays: None, motion carried.

Ordinance #10-06-02 passed and approved June 7, 2010.

ORDINANCE #10-06-03, AN ORDINANCE DETERMINING THE NECESSITY OF INCREASES IN MUNICIPAL WATER RATES AND SEWER RATES FOR CAPITAL IMPROVEMENTS, DEBT SERVICE AND OPERATING COSTS; ESTABLISHING A

SCHEDULE OF RATES BY CUSTOMER CLASS; AND AMENDING CHAPTER 705: RATES AND CHARGES, SECTION 705.080 OF THE MUNICIPAL CODE IN CONFORMANCE THEREWITH: (Tape A527-1424)

Mayor Schutte read by title the First Reading of Ordinance #10-06-03.

Tom Wall, Director of Public Utilities, was on hand to brief the Council on this Ordinance. Details of this Ordinance were presented in detail to the Council at the May 17, 2010 Regular Council Meeting. Even though this is not a public hearing, Mayor Schutte asked if anyone in the audience wished to be heard.

Luther Hendrix, a resident of Jill Lane, presented a list of questions to the Council regarding the concerns he has in regard to the new rates for water and sewer. Luther asked Members of the Council to go over his document and give it some consideration. Members of the Council asked Luther to meet with Tom Wall for further discussion of this subject.

Mayor Pro-Tem Buckman made a motion to bring Ordinance #10-06-03 back to the first Regular Council Meeting in July, 2010, for second reading. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Fousek, Nelson, Parker, Buckman, Schutte

Nays: None, motion carried.

Ordinance #10-06-03 will be brought back to the Council at the first Regular Council Meeting in July, 2010 for a second reading.

ORDINANCE #10-06-04, APPROVAL OF EXPENDITURE FOR PURCHASE OF POLICE VEHICLES: (Tape A1425-1524)

Mayor Schutte read by title the First Reading of Ordinance #10-06-04.

Police Officer Clint Reno advised the Council that this Ordinance reaffirms Resolution #847, which was passed at the Council Meeting on May 17, 2010. It was later learned that an Ordinance needs to be approved for this purchase.

Councilman Parker made a motion to take to Second Reading Ordinance #10-06-04, approving an expenditure in the amount of \$22,964.93 from the Public Safety Sales Tax Fund and authorizing the City of Excelsior Springs to purchase one 2010 Model Police Vehicle from Chuck Anderson Ford. Motion was seconded by Mayor Pro-Tem Buckman.

Roll Call of Votes: Ayes: Parker, Fousek, Nelson, Buckman, Schutte

Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Ordinance #10-06-04.

Councilman Nelson made a motion to approve Ordinance #10-06-04, approving an expenditure in the amount of \$22,964.92 from the Public Safety Sales Tax Fund and authorizing the City of Excelsior Springs to purchase one 2010 Model Police Vehicle from Chuck Anderson Ford. Motion was seconded by Mayor Pro-Tem Buckman.

Roll Call of Votes: Ayes: Fousek, Nelson, Parker, Buckman, Schutte

Nays: None, motion carried.

Ordinance #10-06-04 passed and approved June 7, 2010.

ORDINANCE #10-06-05, CREDIT CARD CONVENIENCE FEE: (Tape A1525-1705)

Mayor Schutte read by title the First Reading of Ordinance #10-06-05.

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

Mayor Pro-Tem Buckman made a motion to take to Second Reading Ordinance #10-06-05, approving the Amendment of Title I: Government Code, Chapter 105 by Addition of Section 105.155: Service Charge for Payment of Credit Card, Debit Card or Electronic Transfer. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Nelson, Parker, Fousek, Buckman, Schutte

Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Ordinance #10-06-05.

Councilman Parker made a motion to approve Ordinance #10-06-05, approving the Amendment of Title I: Government Code, Chapter 105 by Addition of Section 105.155: Service Charge for Payment by Credit Card, Debit Card or Electronic Transfer. Motion was seconded by Mayor Pro-Tem Buckman.

Roll Call of Votes: Ayes: Parker, Fousek, Nelson, Buckman, Schutte

Nays: None, motion carried.

Ordinance #10-06-05 passed and approved June 7, 2010.

APPROPRIATIONS ORDINANCE #10-06-06: (Tape A1706-1849)

Mayor Schutte read by title the First Reading of Appropriations Ordinance #10-06-06.

Members of the Council went over the Appropriations Reports with Steve Marriott for questions.

Mayor Pro-Tem Buckman made a motion to place on Second Reading Appropriations Ordinance #10-06-06, in the amount of \$778,595.19. Motion was seconded by Councilman Nelson.

Roll Call of Votes: Ayes: Fousek, Nelson, Buckman, Schutte

Abstain: Parker

Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Appropriations Ordinance #10-06-06.

Mayor Pro-Tem Buckman made a motion to approve Appropriations Ordinance #10-06-06, in the amount of \$778,595.19. Motion was seconded by Councilman Fousek.

Roll Call of Votes: Ayes: Nelson, Fousek, Buckman, Schutte

Abstain: Parker

Nays: None, motion carried.

Appropriations Ordinance #10-06-06 passed and approved June 7, 2010.

REMARKS – CITY MANAGER AND CITY COUNCIL: (Tape A1850-2000, B1-B71)

City Manager Haugland:

There will be a Mid-America Regional Conference on June 25. Would like to poll the Council to see who would like to go.

Would like to put the Council on notice that there may be an adjustment to the contract for work done on the Hall of Waters. The contractor stated it will run from \$45,000 to \$65,000.

Councilman Parker:

Would like to thank Tom Wall for all his hard work on the water/sewer upgrades.

Councilman Fousek:

Agrees with Parker on the rate study. This increase is a mandate the City has to follow. He realizes it is a lot of money but he supports the increases.

Mayor Schutte:

The City Council bends over backwards in order to keep the community aware of the necessity for changes.

With no further business at hand, Mayor Schutte adjourned the Regular Council Meeting at 7:15 PM.

ATTEST:

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CAROLYN SCHUTTE, MAYOR

\_\_\_\_\_  
FRANCES SMITH, CITY CLERK

PAGE 1

PAGE 1



REGULAR COUNCIL MEETING  
CITY OF EXCELSIOR SPRINGS  
EXCELSIOR SPRINGS, MISSOURI  
JULY 6, 2010

The City Council of the City of Excelsior Springs, Missouri met in Regular Session at 6:00 PM, Monday, July 6, 2010 in the Council Chambers of the Hall of Waters Building. The Meeting was called to order by Mayor Schutte.

The opening prayer was given by Norman Keller, Pastor of the Church of Hope.

The Pledge of Allegiance was led by Mayor Schutte.

Roll Call of Members: Present: Mayor Carolyn Schutte, Mayor Pro-Tem Ambrose Buckman, Councilmen Jim Nelson and Sonny Parker. Councilman Fousek was present thru telephone hookup but was not eligible to vote.

Absent: None.

VISITORS: (Tape A512-1100, B1-B44)

Mr. Kent Kavanaugh, Mayor of the City of Mosby, addressed the Council. He stated that as soon as he took office in Mosby, he was given an \$18,000 IRS tax bill for wastewater. It was his understanding that Mosby had a wastewater agreement with Excelsior Springs whereby Mosby would de-annex a piece of land and Excelsior Springs would annex that same piece of land, and Excelsior Springs would take care of the wastewater. He further stated that he has 10 days to get the agreement with Excelsior Springs signed. The City Manager offered to set up the paperwork and get the process started. City Attorney John McClelland advised the Council of the time-line needed for this process.

MINUTES OF REGULAR COUNCIL MEETING, JUNE 21, 2010: (Tape B45-59)

Councilman Parker made a motion to approve the Minutes of the Regular Council Meeting held on June 21, 2010. Motion was seconded by Mayor Pro-Tem Buckman.

Roll Call of Votes: Ayes: Nelson, Parker, Buckman, Schutte

Nays: None, motion carried.

Minutes of June 21, 2010 passed and approved July 6, 2010.

CONSIDERATION OF AGENDA: (Tape A60-97)

Councilman Parker asked that Item #7, Ordinance #10-07-05, Underwriters Contract, be removed from the Agenda to give the Council more time to consider it.

Councilman Parker made a motion to approve the Agenda, as amended. Motion was seconded by Mayor Pro-Tem Buckman.

Roll Call of Votes: Ayes: Parker, Buckman, Schutte

Nays: Nelson. Motion carried.

Amended Agenda passed and approved July 6, 2010.

LIQUOR LICENSE APPLICATION, A SLICE OF PARADISE PIZZA: (Tape B98-136)

Police Chief McGovern briefed the Council on this item.

Councilman Parker made a motion to approve a request by Donald A. Evans, for a 5% Beer by Drink License, for A Slice of Paradise Pizza, located at 2320 Vintage Court, Excelsior Springs, Mo. Motion was seconded by Mayor Pro-Tem Buckman.

Roll Call of Votes: Ayes: Nelson, Parker, Buckman, Schutte

Nays: None, motion carried.

Liquor License for A Slice of Paradise Pizza passed and approved July 6, 2010.

ORDINANCE #10-06-03, AN ORDINANCE DETERMINING THE NECESSITY OF INCREASES IN MUNICIPAL WATER RATES AND SEWER RATES FOR CAPITAL IMPROVEMENTS, DEBT SERVICE AND OPERATING COSTS; ESTABLISHING A SCHEDULE OF RATES BY CUSTOMER CLASS; AND AMENDING CHAPTER 705: RATES AND CHARGES, SECTION 705.080, OF THE MUNICIPAL CODE IN CONFORMANCE THEREWITH. (Tape B137-B282)

Mayor Schutte read by title the Second Reading of Ordinance #10-06-03.

Mr. Tom Wall, Director of Public Utilities, briefed the Council on this Ordinance which had its first reading at the Council Meeting on June 7, 2010. Mayor Schutte then opened up the meeting for input from members of the community.

Maynard Moore, 2113 Lynn Road, stated he would like to know the specifics on this proposed raise in rates. At one time this City had one of the largest laundries in the country, factories and hotels. We were able to treat the sewage at that time so why do we need to raise rates now. If the City wants to raise rates, he wants to know why. He is asking the Council to ask "why".

Barry Owen, representing Public Water Supply District #3, stated wholesale water was raised 27.5% in June of 2008. He would like to know how the City handles rates for residential, business and wholesale customers. This new raise in water rates will place a heavy burden on District #3. He needs to meet with the City and re-new their contract.

Jim Rice, 1302 #92 Highway, asked why water has to be raised 47% and sewer raised 120%. This is not good timing; it is very inappropriate. He asked the Council to challenge DNR rulings.

Mr. Tom Wall attempted to answer all these questions. Mayor Pro-Tem Buckman suggested that these three persons get together with Tom Wall and get their questions answered.

Councilman Fousek, who was not present physically, but was on a telecommunications hookup, stated this project has to be built and any problems have to be dealt with.

Mayor pro-Tem Buckman made a motion to approve Ordinance #10-06-03, determining the necessity of increases in municipal water rates and sewer rates for capital improvements, debt service, and operating costs; establishing a schedule of rates by customer class; and amending chapter 705: rates and charges, section 705.080, of the municipal code in conformance therewith. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Parker, Nelson, Buckman, Schutte

Nays: None, motion carried.

Ordinance #10-06-03 passed and approved July 6, 2010.

ORDINANCE #10-07-01, PURCHASE OF TRACTOR & DEEP TINE MACHINE: (Tape B283-B527).

Mayor Schutte read by title the First Reading of Ordinance #10-07-01.

Tim Jarman, Director of Golf, briefed the Council on this Ordinance.

Mayor Pro-Tem Buckman made a motion to place on Second Reading Ordinance #10-07-01, approving an expenditure in the amount of \$23,000 for the purchase of a Tractor and Deep Tine Machine for maintenance of the Excelsior Springs Golf Course. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Nelson, Parker, Buckman, Schutte

Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Ordinance #10-07-01.

Councilman Nelson made a motion to approve Ordinance #10-07-01, approving an expenditure in the amount of \$23,000 for the purchase of a Tractor and Deep Tine Machine for maintenance of the Excelsior Springs Golf Course. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Parker, Nelson, Buckman, Schutte

Nays: None, motion carried.

Ordinance #10-07-01 passed and approved July 6, 2010.

ORDINANCE #10-07-02, RENEWAL OF AGREEMENT WITH EASTERN CLAY COUNTY AMBULANCE DISTRICT: (Tape B528-642)

Mayor Schutte read by title the First Reading of Ordinance #10-07-02.

Fire Chief Kent Cantrell was on hand to brief the Council on this Ordinance.

Mayor Pro-Tem Buckman made a motion to place on Second Reading Ordinance #10-07-02, approving an intergovernmental Cooperation Agreement between the City of Excelsior Springs and the Eastern Clay County Ambulance District for Emergency Medical Services. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Parker, Nelson, Buckman, Schutte

Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Ordinance #10-07-02.

Mayor Pro-Tem Buckman made a motion to approve Ordinance #10-07-02, approving an intergovernmental Cooperation Agreement between the City of Excelsior Springs and the Eastern Clay County Ambulance District for Emergency Medical Services. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Nelson, Parker, Buckman, Schutte

Nays: None, motion carried.

Ordinance #10-07-02 passed and approved July 6, 2010.

ORDINANCE #10-07-03, APPROVAL OF THE ELMS HISTORIC DISTRICT: (Tape B643-B823).

Mayor Schutte read by title the First Reading of Ordinance #10-07-03.

Nick Pappas, Director of Planning and Zoning, briefed the Council on this Ordinance.

Councilman Nelson made a motion to place on Second Reading Ordinance #10-07-03, adopting the rezoning of certain property as a Historic Preservation Overlay District, and approving and adopting the Elms Historic District Guidelines. Motion was seconded by Mayor Pro-Tem Buckman.

Roll Call of Votes: Ayes: Parker, Nelson, Buckman, Schutte

Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Ordinance #10-07-03.

Councilman Nelson made a motion to approve Ordinance #10-07-03, adopting the rezoning of certain property as a Historic Preservation Overlay District, and approving and adopting the Elms Historic District Design Guidelines. Motion was seconded by Mayor Pro-Tem Buckman.

Roll Call of Votes: Ayes: Nelson, Parker, Buckman, Schutte

Nays: None, motion carried.

Ordinance #10-07-03 passed and approved July 6, 2010.

ORDINANCE #10-07-04, APPROVAL OF THE BOARDING HOUSE DISTRICT: (Tape B824-888).

Mayor Schutte read by title the First Reading of Ordinance #10-07-04.

Mayor Pro-Tem Buckman made a motion to place on Second Reading Ordinance #10-07-04, adopting the rezoning of certain property as Historic Preservation Overlay District, and approving and adopting the Boarding House Historic District Design Guidelines.

Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Parker, Nelson, Buckman, Schutte

Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Ordinance #10-07-04.

Councilman Nelson made a motion to approve Ordinance #10-07-04, adopting the rezoning of certain property as a Historic Preservation Overlay District, and approving and adopting the Boarding House Historic District Design Guidelines. Motion was seconded by Mayor Pro-Tem Buckman.

Roll Call of Votes: Ayes: Nelson, Parker, Buckman, Schutte

Nays: None, motion carried.

Ordinance #10-07-04 passed and approved July 6, 2010.

APPROPRIATIONS ORDINANCE #10-07-06: (Tape B889-965)

Mayor Schutte read by title the First Reading of Appropriations Ordinance #10-07-06.

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

Mayor Pro-Tem Buckman made a motion to place on Second Reading Appropriations Ordinance #10-07-06, in the amount of \$649,050.49. Motion was seconded by Councilman Nelson.

Roll Call of Votes: Ayes: Nelson, Buckman, Schutte

Abstain: Parker

Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Appropriations Ordinance #10-07-06.

Mayor Pro-Tem Buckman made a motion to approve Appropriations Ordinance #10-07-06, in the amount of \$649,050.49. Motion was seconded by Councilman Nelson.

Roll Call of Votes: Ayes: Nelson, Buckman, Schutte

Abstain: Parker

Nays: None, motion carried.

Appropriations Ordinance #10-07-06 passed and approved July 6, 2010.

REMARKS – CITY MANAGER AND CITY COUNCIL: (Tape B966-1100)

Councilman Parker:

Appreciates the effort and hard work Tom Wall put into the recent water and sewer rate study.

Mayor Pro-Tem Buckman:

Echo's the "good job" done by Tom Wall.

Councilman Nelson:

The 4<sup>th</sup> of July has come and gone and once again residents made a mass exodus out of town to buy their fireworks. The City has an Ordinance making it illegal to shoot fireworks but there is no feasible way this Ordinance can be enforced. The City needs to regulate it, giving permits to whoever gets to have firework's tents...such as service organizations. We need to take a hard look at our budget...we could have used the increase in sales tax coming into the City from fireworks. The City will never stop fireworks. It needs to be allowed from 10:00 AM to 10:00 PM on the 4<sup>th</sup> of July.

With no further business at hand, Mayor Schutte adjourned the Regular Council Meeting at 7:20 PM.

ATTEST:

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CAROLYN SCHUTTE, MAYOR

\_\_\_\_\_  
FRANCES SMITH, CITY CLERK

PAGE 1

PAGE 1

WORK SESSION OF THE CITY COUNCIL  
CITY OF EXCELSIOR SPRINGS  
EXCELSIOR SPRINGS, MISSOURI  
JULY 6, 2010

The City Council of the City of Excelsior Springs, Missouri met in a Work Session on Monday, July 6, 2010 at 5:00 PM in the Council Chambers of the Hall of Waters Building to go over the proposed City Budget for the fiscal year Oct. 1, 2010 to Sept. 30, 2011 for the General Fund. The meeting was called to order by Mayor Carolyn Schutte.

Roll Call of Members: Present: Mayor Schutte, Mayor Pro-Tem Buckman, Councilmen Nelson and Parker. Councilman Fousek was present thru telephone hookup but was not eligible to vote.

Absent: None.

Present Representing the City:

- City Manager David Haugland
- Steve Marriott, Administrative Services Director
- Kent Cantrell, Fire Chief
- Chad Birdsong, Public Works Director
- Tom Wall, Director of Public Utilities
- Devery Hunt, Public Works Administrative Assistant
- John McGovern, Police Chief
- Nick Pappas, Director of Planning and Zoning
- Larry Murray, Director of Code Enforcement

BUDGET COMMENTS: (Tape A1-A511)

Steve Marriott distributed first draft budget worksheets for the General Fund. He stated that these worksheets do not factor in any raises. Currently he is projecting a \$147,767 deficit for FY 2011. He also ran a scenario with 2% raises on January 1<sup>st</sup> which added \$45,000 to the deficit. He has made the following changes to the proposed budget:

Ambulance, \$145,000 – propose presenting this item to the Capital Improvements Authority for funding since it was already deferred from last year.

Police Vehicle, \$25,000 – this item was deferred.

Police Air Conditioning Units, \$60,000 – propose presenting this item to the Capital Improvements Authority for funding.

Animal Shelter Repairs, \$25,000 – reduced this amount and are moving forward on replacement of the facility through Capital Improvements.

Councilman Nelson stated he was against funding Public Safety Items from the Capital Improvements Fund. Why are we using Capital Improvements to fund the ambulance. The Council made a promise to the public that Public Safety Sales Tax would be used solely for Public Safety items and Capital Improvements Sales Tax would be used for capital improvements.

Councilman Nelson also asked why we need \$300,000 for a new animal shelter. The City Manager informed Nelson that an animal shelter almost is like a mini-hospital now with all the state and government regulations.

Steve Marriott informed the Council that the ambulance would be put back in General Fund.

Councilman Nelson asked what interfund transfers were for. Steve Marriott informed him that this was to reimburse Construction Services for work performed.

With no further business at hand, Mayor Schutte adjourned the Budget Work Session at 5:55 PM.

ATTEST:

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CAROLYN SCHUTTE, MAYOR

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FRANCES SMITH, CITY CLERK

PAGE 1

PAGE 1



WORK SESSION OF THE CITY COUNCIL  
CITY OF EXCELSIOR SPRINGS  
EXCELSIOR SPRINGS, MISSOURI  
JULY 12, 2010

The City Council of the City of Excelsior Springs, Missouri met in a Work Session on Monday, July 12, 2010 at 5:00 PM in the Council Chambers of the Hall of Waters Building to discuss the proposed City Budget for the fiscal year Oct. 1, 2010 to Sept. 30, 2011 for Water, Pollution Control, and Refuse Funds. The meeting was called to order by Mayor Carolyn Schutte.

Roll Call of Members: Present: Mayor Schutte, Mayor Pro-Tem Buckman, and Councilman Nelson. Councilman Fousek was present thru telephone hookup but was not eligible to vote.

Absent: Councilman Parker.

Present Representing the City: Steve Marriott, Director of Administrative Services  
Kent Cantrell, Fire Chief  
Chad Birdsong, Public Works Director  
Tom Wall, Director of Public Utilities  
Larry Murry, Building Official

BUDGET COMMENTS: (Tape A1-B888).

Tom Wall and Steve Marriott went over the Water and Pollution Control budgets with members of the Council. Steve explained that two new funds are being added this year and they are "Water System Improvement Fund" and "Pollution Control Improvement Fund". They explained that the proposed budgets for Water and Pollution Control both reflect the new rates going into effect this summer.

Tom explained to the Council that \$300,000 is being budgeted in the Water Fund for repairs to current infrastructure, not for systems improvement. Tom also informed the Council that nothing has changed on Capital Improvements. They have three (3) new hires that will start this Friday.

Steve informed the Council that the Water System Improvement will have \$15,000,000 issued in Debt Bonds with a 15 year pay-out. He also explained that the Pollution Control Improvement will have \$20,000,000 issued in Debt Bonds with a 20 year pay-out.

Tom stated that the City is constantly getting letters from DNR and they seem to be very cooperative as long as the City can prove they are making progress; such as conducting the new rate study and initiating plans to get the new plant designed and built. The City just got their anti-degradation report approved last week. This will be a deep-ditch anti-degradation system. We are now starting the design process and getting the engineering process started... based on DNR recommendations.

Steve advised the Council that part of the rate increases will be used to bring reserves back up.

Charges for Service will increase in the Water Fund from \$2,266,500 for the current year to \$2,620,000 for FY 2010/2011. Charges for Service will increase in the Pollution Control Fund from \$1,075,188 for the current year to \$1,495,393 for FY 2010/2011.

Chad Birdsong and Steve Marriott went over the Refuse Fund with the Council. Chad

informed the Council that as soon as Allied Waste gets more cities to sign up for the re-cycle program, our cost will come down. The plan will still be to recycle every other week. Chad stated that 25,000 to 30,000 tons are being recycled per month.

Chad also stated that of the money Allied Waste makes from the recycled trash, 50% will be paid back to the City quarterly. The City plans to keep its regional recycle center.

With no further business at hand, Mayor Schutte adjourned the Budget Work Session at 6:23 PM.

ATTEST:

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CAROLYN SCHUTTE, MAYOR

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FRANCES SMITH, CITY CLERK

PAGE 1

PAGE 1

REGULAR COUNCIL MEETING  
CITY OF EXCELSIOR SPRINGS  
EXCELSIOR SPRINGS, MISSOURI  
JULY 19, 2010

The City Council of the City of Excelsior Springs, Missouri met in Regular Session at 6:00 PM, Monday, July 19, 2010 in the Council Chambers of the Hall of Waters Building. The Meeting was called to order by Mayor Schutte.

The opening prayer was given by Mike Boudreaux, Pastor of Crescent Lake Christian Center

The Pledge of Allegiance was led by Mayor Schutte.

Roll Call of Members:

Present: Mayor Carolyn Schutte, Mayor Pro-Tem Ambrose Buckman, Councilmen Jim Nelson and Sonny Parker. Councilman Fousek was present thru telephone hookup but was not eligible to vote.

Absent: None.

VISITORS: (Tape A1260-1743)

Jack Lonsinger, 7007 Johnson Industrial Drive, Excelsior Springs, MO, owner of Liberty Carbon, addressed the Council. Mr. Lonsinger is asking the Council to remove Item #6, Ordinance #10-07-09, Final Plat of Lot 1, Liberty Carbon Addition, from the Agenda tonight to give him time to look over the Ordinance. Mr. Lonsinger complained that the City wants him to spend an additional \$6,000 for his new building to control dust. He states that he has approximately six trucks per week pulling into this area and this is not enough to create dust. He feels the City is trying to run industry out of town. The further he goes in his project, the more money the City wants him to spend. He is trying to keep all costs down. The City's rules have no basis in reality. He would like to leave this town but he is here and is anchored here. He really needs for the City to examine all these rules. He is asking for the City to shelve this Ordinance until the next meeting.

MINUTES OF WORK SESSION ON JULY 6, 2010, MINUTES OF REGULAR COUNCIL MEETING, JULY 6, 2010 AND MINUTES OF WORK SESSION ON JULY 12, 2010: (Tape A1744-1789).

Mayor pro-Tem Buckman made a motion to approve the Minutes of the Work Session held on July 6, 2010, the Minutes of the Regular Council Meeting held on July 6, 2010 and the Minutes of the Work Session held on July 12, 2010. Motion was seconded by Councilman Nelson.

Roll Call of Votes:     Ayes: Nelson, Buckman, Schutte  
                              Abstain: Parker  
                              Nays: None, motion carried.

Minutes of July 6, 2010 and July 12, 2010 passed and approved July 19, 2010.

CONSIDERATION OF AGENDA: (Tape A1790-1869).

Based on Mr. Lonsinger's request, Councilman Nelson made a motion to remove Item #8,

Ordinance #10-07-09, from the Agenda and approve the Amended Agenda. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Parker, Nelson, Buckman, Schutte

Nays: None, motion carried.

Amended Agenda passed and approved July 19, 2010.

PUBLIC HEARING – MISSOURI DEPARTMENT OF TRANSPORTATION GRANT, SECTION #5311: (Tape A1870-1981).

Mayor Pro-Tem Buckman made a motion to open a public hearing to solicit citizen input with regard to the City's intent to seek funding for projects partially funded by the Missouri Department of Transportation pursuant to Section 5311 of Title 49, United States Code. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Nelson, Parker, Buckman, Schutte

Nays: None, motion carried.

A Public Hearing was opened.

Chad Birdsong, Director of Public Works, briefed the Council on this Grant. This Grant has been in place for several years and the grant money is used to fund our Transportation system.

With no other person wishing to be heard during the Public Hearing, Mayor Pro-Tem Buckman made a motion to close the Public Hearing regarding the City's intent to seek funding for projects partially funded by the Missouri Department of Transportation pursuant to Section 5311 of Title 49, United States Code. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Parker, Nelson, Buckman, Schutte

Nays: None, motion carried.

The Public Hearing was closed.

LIQUOR LICENSE APPLICATION – SHOW ME LIQUOR & TOBACCO: (Tape A1982-2000).

Police Chief John McGovern informed the Council that after a background check, there is nothing to preclude this person from obtaining a Liquor License.

Councilman Parker made a motion to approve a request by Dominic Serrone, LUCA, LLC (dba: Show Me Liquor & Tobacco) for Original Package, Sunday Original Package, and Original Package 'Tasting' licenses for this establishment located at 2300 Vintage Court, Excelsior Springs, Missouri. Mr. Serrone will be the Managing Officer of the licenses. Motion was seconded by Mayor Pro-Tem Buckman.

Roll Call of Votes: Ayes: Nelson, Parker, Buckman, Schutte

Nays: None, motion carried.

License Approved for Show Me Liquor & Tobacco July 19, 2010.

RESOLUTION #849, PURCHASE OF NEW JETTER/CAMERA TRAILER: (Tape B1-B68)

Tom Wall, Public Utilities Director, briefed the Council on this purchase, stating it was in the budget.

Councilman Nelson made a motion to approve Resolution #849, for the Director of Utility Services to purchase a Tandem Axle Jet Trailer from U. S. Jetting, LLC, in the amount of \$65,419.72. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Parker, Nelson, Buckman, Schutte

Nays: None, motion carried.

Resolution #849 passed and approved July 19, 2010.

RESOLUTION #850, PURCHASE OF NEW SPECIAL USE VEHICLE: (Tape B69-B119)

Once again, Tom Wall informed the Council that this purchase is in the budget.

Mayor Pro-Tem Buckman made a motion to approve Resolution #850 for the Director of Utility Services to purchase a 2009 Chevrolet Express 3500 Cut-away Van from Westfall-Odell in the amount of \$29,465.00. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Nelson, Parker, Buckman, Schutte

Nays: None, motion carried.

Resolution #850 passed and approved July 19, 2010.

RESOLUTION #851, PURCHASE OF NEW GENERAL-USE ½ TON PICK-UPS: (Tape B120-B200)

Tom Wall informed the Council that this purchase is in the budget.

Mayor Pro-Tem Buckman made a motion to approve Resolution #851, for the Director of Utility Services to purchase two (2) 2010 Ford F150 XL, 4x4 Pick-up trucks from Chuck Anderson Ford, for the total amount of \$46,259.10. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Parker, Nelson, Buckman, Schutte

Nays: None, motion carried.

Resolution #851 passed and approved July 19, 2010.

ORDINANCE #10-07-07, PUBLIC TRANSPORTATION OPERATING FUNDS: (Tape B201-B271)

Mayor Schutte read by title the First Reading of Ordinance #10-07-07.

Chad Birdsong briefed the Council on this Ordinance.

Councilman Parker made a motion to take to Second Reading Ordinance #10-07-07, 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 Mayor Pro-Tem Buckman.

Roll Call of Votes: Ayes: Nelson, Parker, Buckman, Schutte

Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Ordinance #10-07-07.

Councilman Parker made a motion to approve Ordinance #10-07-07, 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 Mayor Pro-Tem Buckman.

Roll Call of Votes: Ayes: Parker, Nelson, Buckman, Schutte

Nays: None, motion carried.

Ordinance #10-07-07 passed and approved July 19, 2010.

ORDINANCE #10-07-08, REQUEST FOR FUNDING OF ARCHITECTURAL SERVICES FOR THE ANIMAL SHELTER: (Tape B272-691).

Mayor Schutte read by title the First Reading of Ordinance #10-07-08.

Police Chief John McGovern informed the Council the City is required to build a new animal shelter due to the present one being inadequate to hold all the animals; it is unsanitary, and is easily broken into by thieves. He further advised that a new shelter will cost \$350,000 to \$380,000 to build.

Mayor Schutte asked what our options are...is it possible to bring in a private company to run the shelter. McGovern stated that he had a company interested in this but when he told them how many animals are picked up each month, the company declined to even bid on it. Wayside Waifs also declined to bid.

Councilman Nelson stated he didn't want to spend this much money, but something has to be done.

Mayor Pro-Tem Buckman made a motion to take to Second Reading Ordinance #10-07-08, authorizing the City of Excelsior Springs to enter into Agreement for Architectural Services for the Animal Shelter project. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Parker, Nelson, Buckman, Schutte

Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Ordinance #10-07-08.

Councilman Nelson made a motion to approve Ordinance #10-07-08, authorizing the City of Excelsior Springs to enter into Agreement for Architectural Services for the Animal Shelter Project. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Nelson, Parker, Buckman, Schutte

Nays: None, motion carried.

Ordinance #10-07-08 passed and approved July 19, 2010.

ORDINANCE #10-07-10, SPECIAL USE PERMIT, 1205 N JESSE JAMES ROAD: (Tape B692-B807).

Mayor Schutte read by title the First Reading of Ordinance #10-07-10.

Nick Pappas, Director of Planning and Zoning, informed the Council that this Special Use Permit has been approved by the Planning and Zoning Board.

Mayor Pro-Tem Buckman made a motion to place on Second Reading Ordinance #10-07-10, approving the Special Use Permit for a Veterinary Clinic at 1205 N. Jesse James Road. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Parker, Nelson, Buckman, Schutte

Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Ordinance #10-07-10.

Councilman Nelson made a motion to approve Ordinance #10-07-10, approving the Special Use Permit for a Veterinary Clinic at 1205 N. Jesse James Road. Motion was seconded by Mayor Pro-Tem Buckman.

Roll Call of Votes: Ayes: Nelson, Parker, Buckman, Schutte

Nays: None, motion carried.

Ordinance #10-07-10 passed and approved July 19, 2010.

ORDINANCE #10-07-11, CHANGE ORDER REQUESTS FOR HALL OF WATERS TERRACE REHABILITATION PROJECT: (Tape B808-1058)

Mayor Schutte read by title the First Reading of Ordinance #10-07-11.

Nick Pappas briefed the Council on this additional amount.

Councilman Nelson stated he agreed with Capital Improvements that the Engineering report on this project was not as great as it should have been.

Councilman Nelson made a motion to take to Second Reading Ordinance #10-07-11, approving an expenditure in the amount not to exceed \$74,294.00 from Capital Improvements for the City of Excelsior Springs to enter into an amendment to the agreement for construction services for the Hall of Waters Rehabilitation Project. Motion was seconded by Mayor Pro-Tem Buckman.

Roll Call of Votes: Ayes: Parker, Nelson, Buckman, Schutte

Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Ordinance #10-07-11.

Councilman Nelson made a motion to approve Ordinance #10-07-11, approving an expenditure in the amount not to exceed \$74,294.00 from Capital Improvements for the City of Excelsior Springs to enter into an amendment to the agreement for construction services for the Hall of Waters Rehabilitation Project. Motion was seconded by Mayor Pro-Tem Buckman.

Roll Call of Votes: Ayes: Nelson, Parker, Buckman, Schutte

Nays: None, motion carried.

Ordinance #10-07-11 passed and approved July 19, 2010.

DISCUSSION – STORM WATER ANNUAL REPORT: (Tape B1059-1181)

Chad Birdsong went over the printed booklet “Stormwater Annual Report, NPDES, Phase II”, with the Council. This booklet outlines how the City will handle stormwater in Excelsior Springs, Mo.

APPROPRIATIONS ORDINANCE #10-07-12: (Tape B1182-1462)

Mayor Schutte read by title the First Reading of Appropriations Ordinance #10-07-12.

Members of the Council went over the Appropriations Reports with Steve Marriott.

Mayor Pro-Tem Buckman made a motion to take to Second Reading Appropriations Ordinance #10-07-12, in the amount of \$688,611.00. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Parker, Nelson, Buckman, Schutte

Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Appropriations Ordinance #10-07-12.

Councilman Nelson made a motion to approve Appropriations Ordinance #10-07-12, in the amount of \$688,611.00. Motion was seconded by Mayor Pro-Tem Buckman.

Roll Call of Votes: Ayes: Nelson, Parker, Buckman, Schutte

Nays: None, motion carried.

Appropriations Ordinance #10-07-12 passed and approved July 19, 2010.

REMARKS – CITY MANAGER AND CITY COUNCIL: (Tape B1463-1580)

Mayor Pro-Tem Buckman:  
Asked if Chad had checked the roof at the Airport.

Mayor Schutte:  
Had a call from the Tourism Group within the City and they have a group coming in to tour all the local tourist sights, the Jesse James Farm, and sights in Kearney. They asked to obtain



a City bus for this tour.

During a work session with Tom Wall and Chad Birdsong it was discussed that the City needs to take better care of the inside of city vehicles.

With no further business at hand, Mayor Schutte called for a motion to adjourn the Regular Meeting and go into Closed Session.

Councilman Nelson made a motion to adjourn the Regular Council Meeting and go into Closed Session pursuant to RSMo Section 610.021 (1) Legal, (2) Real Estate and (3) Personnel. Motion was seconded by Mayor Pro-Tem Buckman.

Roll Call of Votes:     Ayes: Nelson, Parker, Buckman, Schutte

                              Nays: None, motion carried.

The Regular Council Meeting adjourned at 7:12 PM.

ATTEST:

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CAROLYN SCHUTTE, MAYOR

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FRANCES SMITH, CITY CLERK

PAGE 1

PAGE 1

WORK SESSION OF THE CITY COUNCIL  
CITY OF EXCELSIOR SPRINGS  
EXCELSIOR SPRINGS, MISSOURI  
JULY 19, 2010

The City Council of the City of Excelsior Springs, Missouri met in a Work Session on Monday, July 19, 2010 at 5:00 PM in the Council Chambers of the Hall of Waters Building to go over the proposed City Budget for the fiscal year Oct. 1, 2010 to Sept. 30, 2011 for the Transportation Trust Fund and the Construction Services Fund. The meeting was called to order by Mayor Carolyn Schutte.

Roll Call of Members: Present: Mayor Schutte, Mayor Pro-Tem Buckman, Councilmen Nelson and Parker. Councilman Fousek was present thru telephone hookup but was not eligible to vote.

Absent: None.

Present Representing the City: David Haugland, City Manager  
Steve Marriott, Director of Administrative Services  
Kent Cantrell, Fire Chief  
Chad Birdsong, Public Works Director  
Tom Wall, Director of Public Utilities  
Larry Murry, Building Official

BUDGET COMMENTS: (Tape A1-A1259).

Steve Marriott, the City Manager, and Chad Birdsong went over the proposed budget for the Transportation Trust Fund with the Council. Revenue for this fund comes from the Transportation Sales Tax. Birdsong listed the following projects for the coming budget year:

FY 2011 Overlays	\$500,000
Miscellaneous Concrete Repairs	100,000
Stormwater Project	25,000
Miscellaneous Projects	200,000

Birdsong advised the Council that some of the Miscellaneous Projects were the culvert on Waller Street and to re-do the storm drain at the intersection of Titus and Kearney Road. He stated you could drive all over the City and find projects that need repair.

Mayor Schutte suggested that the City not throw all the money into "what may come our way"...if something comes our way, come back and lets talk about it.

Chad stated that \$876,000 had been spent on the Marietta Street Bridge and the bridge at the Elms Hotel is not in much better shape. He further stated we now have \$300,000 for the Seybold Bridge.

Steve Marriott, the City Manager, and Chad Birdsong went over the proposed budget for the Construction Services Fund. Revenues in this fund for FY 2010-2011 are \$892,500 which includes \$537,500 for labor for all projects. Expenditures for the fund will be \$854,337 for all Public Works Projects.

The Mayor adjourned the Budget Work Session at 5:47 PM.

ATTEST:

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CAROLYN SCHUTTE, MAYOR

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FRANCES SMITH, CITY CLERK

PAGE 1

PAGE 2

The Mayor adjourned the Budget Work Session at 5:47 PM.

REGULAR COUNCIL MEETING  
CITY OF EXCELSIOR SPRINGS  
EXCELSIOR SPRINGS, MISSOURI  
AUGUST 2, 2010

The City Council of the City of Excelsior Springs, Missouri met in Regular Session at 6:00 PM, Monday, August 2, 2010 in the Council Chambers of the Hall of Waters Building. The Meeting was called to order by Mayor Schutte.

The opening prayer was given by Russell Hyatt, Pastor of Woodland Baptist Church.

The Pledge of Allegiance was led by Mayor Schutte.

Roll Call of Members: Present: Mayor Carolyn Schutte, Mayor Pro-Tem Ambrose Buckman, Councilmen Jim Nelson and Sonny Parker. Councilman Fousek was present through a conference call but was not eligible to vote on issues.

Absent: None.

VISITORS: (Tape A24-332)

Mr. Richard Beeson, 105 Southside Court, addressed the Council. He stated his main concern was the amount of money proposed for building a new animal shelter for the City. He feels that paint is peeling off the City's Senior Center and the Hall of Waters is in disrepair. He feels this money could be better spent on other things than the animal shelter. He asked the Council to explain the issue to make him feel better regarding this subject.

The City Manager advised Mr. Beeson that the present animal shelter will be closed if State and Federal requirements are not met. The animal shelter has requirements similar to a hospital. Mayor Schutte suggested to Mr. Beeson that he meet with members of the Police Department and the Animal Control Unit, they will be glad to explain this to him. She stated that the present building is sub-standard. It is only in the review process at the present time. Councilman Nelson informed Mr. Beeson that members of the Council were also in sticker shock when they found out the cost of the proposed shelter.

MINUTES OF WORK SESSION ON JULY 19 AND REGULAR COUNCIL MEETING ON JULY 19, 2010: (Tape A333-360)

City Attorney John McClelland advised the Council that the Minutes of the Work Session and the Regular Council Meeting on July 19, 2010 should be amended to show that Councilman Ken Fousek was present at both meetings through conference call, but was not eligible to vote on any issues.

NOTE: The first pages of the Minutes of the Regular Council Meetings on July 6 and 19, and the Minutes of the Work Sessions on July 6, 12 and 19 were amended to reflect that Councilman Ken Fousek was present by conference call but he was not eligible to vote on any issues. The first pages have been inserted in the Minutes of the Council Records, contained in the City Manager's Office of the Hall of Waters Building.

Councilman Parker made a motion to approve the Minutes of the Work Session on July 19, 2010 and the Minutes of the Regular Council Meeting on July 19, 2010, as amended. Motion was seconded by Mayor Pro-Tem Buckman.

Roll Call of Votes: Ayes: Nelson, Parker, Buckman, Schutte

Nays: None, motion carried.

Minutes of amended Work Session and Regular Meeting on July 19, 2010 passed and approved August 2, 2010.

CONSIDERATION OF AGENDA: (Tape A361-374).

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

Roll Call of Votes: Ayes: Parker, Nelson, Buckman, Schutte

Nays: None, motion carried.

Agenda passed and approved August 2, 2010.

RESOLUTION #852, REPAIR STORM DRAIN AT KANSAS CITY AVE. & CHICAGO STREET: (Tape A375-453).

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

Mayor Pro-Tem Buckman made a motion to approve Resolution #852, to repair the Kansas City Avenue at Chicago Street Storm Drain, in the amount of \$13,250.00, by Construction Services. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Nelson, Parker, Buckman, Schutte

Nays: None, motion carried.

Resolution #852 passed and approved August 2, 2010.

ORDINANCE #10-08-01, REHABILITATION OF SEYBOLD BRIDGE: (Tape A454-678).

Mayor Schutte read by title the First Reading of Ordinance #10-08-01.

Once again, Chad Birdsong was on hand to answer the Council's questions on this Ordinance.

Mayor Pro-Tem Buckman made a motion to take to Second Reading Ordinance #10-08-01, to authorize the City of Excelsior Springs to enter into agreement with Shafer, Kline & Warren for Engineering Services for the rehabilitation of Seybold Bridge. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Parker, Nelson, Buckman, Schutte

Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Ordinance #10-08-01.

Mayor Pro-Tem Buckman made a motion to approve Ordinance #10-08-01, to authorize the City of Excelsior Springs to enter into agreement with Shafer, Kline & Warren for Engineering Services for the rehabilitation of Seybold Bridge. Motion was seconded by

Councilman Parker.

Roll Call of Votes: Ayes: Nelson, Parker, Buckman, Schutte

Nays: None, motion carried.

Ordinance #10-08-01 passed and approved August 2, 2010.

ORDINANCE #10-08-02, APPROVAL OF SETTLEMENT AGREEMENT WITH CRICKET WIRELESS: (Tape A679-745).

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

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

Mayor Pro-Tem Buckman made a motion to take to Second Reading Ordinance #10-08-02, approving a settlement agreement with Cricket Wireless. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Nelson, Parker, Buckman, Schutte

Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Ordinance #10-08-02.

Councilman Parker made a motion to approve Ordinance #10-08-02, approving a settlement agreement with Cricket Wireless. Motion was seconded by Councilman Nelson.

Roll Call of Votes: Ayes: Parker, Nelson, Buckman, Schutte

Nays: None, motion carried.

Ordinance #10-08-02 passed and approved August 2, 2010.

ORDINANCE #10-08-03, APPROVAL OF SETTLEMENT AGREEMENT WITH T-MOBILE: (Tape A746-798).

Mayor Schutte read by title the First Reading of Ordinance #10-08-03.

Once again, Steve Marriott was on hand to answer questions on this Ordinance.

Councilman Parker made a motion to place on Second Reading Ordinance #10-08-03, approving a settlement agreement with T-Mobile. Motion was seconded by Mayor Pro-Tem Buckman.

Roll Call of Votes: Ayes: Nelson, Parker, Buckman, Schutte

Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Ordinance #10-08-03.

Councilman Nelson made a motion to approve Ordinance #10-08-03, approving a settlement agreement with T-Mobile. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Parker, Nelson, Buckman, Schutte

Nays: None, motion carried.

Ordinance #10-08-03 passed and approved August 2, 2010.

APPROPRIATIONS ORDINANCE #10-08-04: (Tape A799-854)

Mayor Schutte read by title the First Reading of Appropriations Ordinance #10-08-04.

Members of the Council went over the Appropriations Reports with Steve Marriott for questions.

Mayor Pro-Tem Buckman made a motion to take to Second Reading Appropriations Ordinance #10-08-04, in the amount of \$617,002.71. Motion was seconded by Councilman Nelson.

Roll Call of Votes: Ayes: Nelson, Buckman, Schutte

Abstain: Parker

Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Appropriations Ordinance #10-08-04.

Mayor Pro-Tem Buckman made a motion to approve Appropriations Ordinance #10-08-04, in the amount of \$617,002.71. Motion was seconded by Councilman Nelson.

Roll Call of Votes: Ayes: Nelson, Buckman, Schutte

Abstain: Parker

Nays: None, motion carried.

Appropriations Ordinance #10-08-04 passed and approved August 2, 2010.

REMARKS – CITY MANAGER AND CITY COUNCIL: (Tape A856-1052)

City Manager Haugland:

The Employee Appreciation Breakfast will be held at 7:00 AM, Friday, August 13, 2010, at the Excelsior Springs Golf Club. Awards will be given to employees with 5, 10, 15, 20, 25 and 30 years of service to the City.

Due to the Employee Breakfast being held at 7:00 AM on Friday, the Council Work Session will be held at 7:30 am on Thursday, August 12, 2010 in the Hall of Waters Conference Room.

The MML Conference will be held in St. Charles, MO on November 12-15, 2010.

Mayor Schutte:

We need to get back to the Budget review...there is only a short time to finish this.

Pertaining to the budget, would like to have a print out of all the legal expenses for this current year.

This community has lost a great individual, H. A. Dickey. There has been such an outpouring of stories about this man. My heart goes out to the family. The community will have a hard time filling all the rolls he filled.

With no further business at hand, Mayor Schutte called for a motion to adjourn the Regular Council Meeting and go into Closed Session.

Mayor Pro-Tem Buckman made a motion to adjourn the Regular Council Meeting and go into Closed Session pursuant to RSMo. Section 610.021 (3) Personnel. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Nelson, Parker, Buckman, Schutte

Nays: None, motion carried.

Regular Meeting adjourned at 6:43 PM.

ATTEST:

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CAROLYN SCHUTTE, MAYOR

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FRANCES SMITH, CITY CLERK

PAGE 1

PAGE 4



REGULAR COUNCIL MEETING  
CITY OF EXCELSIOR SPRINGS  
EXCELSIOR SPRINGS, MISSOURI  
AUGUST 16, 2010

The City Council of the City of Excelsior Springs, Missouri met in Regular Session at 6:00 PM, Monday, August 16, 2010 in the council Chambers of the Hall of Waters Building. The Meeting was called to order by Mayor Schutte.

The opening prayer was given by Doug Richey, Pastor of Pisgah Baptist Church

The Pledge of Allegiance was led by Mayor Schutte.

Roll Call of Members: Present: Mayor Carolyn Schutte, Mayor Pro-Tem Ambrose Buckman, Councilmen Jim Nelson and Sonny Parker. Councilman Fousek was Present thru telephone hookup but was not eligible to vote on issues.

Absent: None

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

MINUTES OF REGULAR COUNCIL MEETING HELD AUGUST 2, 2010, AND AMENDED MINUTES OF JULY 6, JULY 12 AND JULY 19: (Tape A1658-A1779)

Mayor Pro-Tem Buckman made a motion to approve the Amended Minutes of July 6, July 12 and July 19, and Minutes of the Regular Council Meeting held on August 2, 2010. Motion was seconded by Councilman Nelson.

Roll Call of Votes:     Ayes: Nelson, Buckman, Schutte  
                              Abstain: Parker  
                              Nays: None, motion carried.

Amended Minutes of July 6, July 12 and July 19, and Minutes of Regular Council Meeting held on August 2, 2010 passed and approved August 16, 2010.

CONSIDERATION OF AGENDA: (Tape A1780-A1795)

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

Roll Call of Votes:     Ayes: Parker, Nelson, Buckman, Schutte  
                              Nays: none, motion carried.

Agenda, as printed, passed and approved August 16, 2010.

PROCLAMATION – SOCIAL SECURITY: (Tape A1796-1841)

Mayor Schutte read aloud a Proclamation naming August 14, 2010 as “Social Security – Go Green, Go Online, Going Strong at 75” Day.

RESOLUTION #853, APPROVAL FOR PURCHASE OF VIBRATORY UTILITY COMPACTOR:  
(Tape A1842-1953)

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

Mayor Pro-Tem Buckman made a motion to approve Resolution #853, to allow the Director of Public Works to purchase from Caterpillar a model CB 34 Vibratory Roller in the amount of \$44,773.00. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Nelson, Parker, Buckman, Schutte

Nays: None, motion carried.

Resolution #853 passed and approved August 16, 2010.

ORDINANCE #10-08-05, APPROVAL OF REIMBURSABLE PROJECT COSTS RELATED TO  
VINTAGE PLAZA TIF: (Tape A1954-A2000, B1-B130)

Mayor Schutte read by title the First Reading of Ordinance #10-08-05.

City Attorney John McClelland briefed the Council on this Ordinance.

Mayor Pro-Tem Buckman made a motion to place on Second Reading Ordinance #10-08-05, to approve certain redevelopment project costs as reimbursable relating to the Vintage Plaza Tax Increment Financing Plan. Motion was seconded by Councilman Nelson.

Roll Call of Votes: Ayes: Nelson, Buckman, Schutte

Abstain: Parker

Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Ordinance #10-08-05.

Councilman Nelson made a motion to approve Ordinance #10-08-05, to approve certain redevelopment project costs as reimbursable relating to the Vintage Plaza Tax Increment Financing Plan. Motion was seconded by Mayor Pro-Tem Buckman.

Roll Call of Votes: Ayes: Nelson, Buckman, Schutte

Abstain: Parker

Nays: None, motion carried.

Ordinance #10-08-05 passed and approved August 16, 2010.

ORDINANCE #10-08-06, APPROVAL TO FORGIVE INTERFUND BALANCES OF THE GOLD  
COURSE AND AIRPORT FUNDS:(Tape B131-B303)

Mayor Schutte read by title the First Reading of Ordinance #10-08-06.

Steve Marriott, Director of Administrative Services, read the following prepared statement to the Council:

Madam Mayor and Members of the City Council: Before you is an ordinance forgiving amounts that the airport and golf course owe the general fund. These amounts have accumulated over several

years. The airport last had a positive cash balance at the end of fiscal year 1992 and had accumulated a deficit cash balance of \$77,311 at September 30, 2009. Most of that balance can be broken down as follows:

Operating shortfalls	(\$44,389)
Operating transfers out	(29,086)
Acquisition/Construction of Capital Assets	(6,810)

It is important to note that the Airport deficit balance has decreased by \$25,108 since the City began collecting rent directly from the airplane owners instead of contracting this activity out.

The Golf Course last had a positive cash balance at the end of fiscal year 1996 and had accumulated a deficit cash balance of \$783,443 at September 30, 2009. Most of that cash balance can be broken down as follows:

Cash from operations (net of depreciation)	\$765,326
Operating transfers out	(337,646)
Acquisition/Construction of Capital Assets	(502,686)
Gains on the sale of Capital Assets	25,294
Reduction in principal balances	(200,593)
Interest Expense	(458,259)
Reduction in interfund balances	(215,866)

The operating transfers include construction of the driving range and other capital-related items. The additions of capital assets included installation of Zoysia on the fairways at a cost of \$167,848 and equipment purchases totaling \$334,838.

Mayor Schutte stated these amounts have accumulated over time at the Airport and Golf Course and can go on forever. It is time to get it cleaned up.

Councilman Nelson made a motion to take to Second Reading Ordinance #10-08-06, forgiving amounts owed to the General Fund by the Golf Course and Airport Funds. Motion was seconded by Mayor Pro-Tem Buckman.

Roll Call of Votes: Ayes: Nelson, Parker, Buckman, Schutte

Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Ordinance #10-08-06.

Mayor Pro-Tem Buckman made a motion to approve Ordinance #10-08-06, forgiving amounts owed to the General Fund by the Golf Course and Airport Funds. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Parker, Nelson, Buckman, Schutte

Nays: None, motion carried.

Ordinance #10-08-06 passed and approved August 16, 2010.

APPROPRIATIONS ORDINANCE #10-08-07: (Tape B304-341)

Mayor Schutte read by title the First Reading of Appropriations Ordinance #10-08-07.

Members of the Council went over the Appropriations Reports for questions with Steve Marriott.

Mayor Pro-Tem Buckman made a motion to take to Second Reading Appropriations Ordinance #10-08-07, in the amount of \$717,185.52. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Nelson, Parker, Buckman, Schutte

Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Appropriations Ordinance #10-08-07.

Councilman Nelson made a motion to approve Appropriations Ordinance #10-08-07, in the amount of \$717,185.52. Motion was seconded by Mayor Pro-Tem Buckman.

Roll Call of Votes: Ayes: Parker, Nelson, Buckman, Schutte

Nays: None, motion carried.

Appropriations Ordinance #10-08-07 passed and approved August 16, 2010.

REMARKS, CITY MANAGER AND CITY COUNCIL: (Tape B342-B423)

Steve Marriott:

Reminds Council there will be another budget work session on Monday, August 23, 2010 at 5:00 PM.

Mayor Pro-Tem Buckman:

Stated this weekend is the BBQ Contest.

Mayor Schutte:

We have talked about the Community Center for a very long time. Even though these are difficult times, citizens keep asking about the Community Center. She is therefore appointing a Steering Committee to develop a business plan, determine a location, design and funding for the Community Center. She has appointed the following to the Steering Committee: Sharon Powell, Molly McGovern, Matt Hartwig, Mike Edwards, Jinx Fisher, John Lacy, Jesse Hall, Randy Mitchell and Trey Harkins. One more person from the Hospital will be appointed soon.

With no further business at hand, Mayor Schutte adjourned the Regular Council Meeting at 6:24 PM to go into Budget Worksession.

At the end of the Budget Worksession, 6:39 PM, Mayor Schutte asked for a motion for the Council to go into closed session.

Councilman Nelson made a motion to go into closed session pursuant to RSMo Section 610.021 (1) Legal and (3) Personnel. Motion was seconded by Mayor Pro-Tem Buckman.

Roll Call of Votes: Ayes: Nelson, Parker, Buckman, Schutte

Nays: None, motion carried.

Council went into closed session at 6:42 PM.

ATTEST:

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CAROLYN SCHUTTE, MAYOR

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FRANCES SMITH, CITY CLERK

PAGE 1

PAGE 1

WORK SESSION OF THE CITY COUNCIL  
CITY OF EXCELSIOR SPRINGS  
EXCELSIOR SPRINGS, MISSOURI  
AUGUST 16, 2010

The City Council of the City of Excelsior Springs, Missouri met in a Work Session on Monday, August 16, 2010 at 5:00 PM in the Council Chambers of the Hall of Waters Building to go over the proposed City Budget for the fiscal year Oct. 1, 2010 to Sept. 30, 2011 for the Golf Fund and Miscellaneous Funds associated with the City of Excelsior Springs. The meeting was called to order by Mayor Carolyn Schutte.

Roll Call of Members: Present: Mayor Schutte, Mayor Pro-Tem Buckman, Councilmen Nelson and Parker. Councilman Fousek was present by conference call but was not eligible to vote on any issues.

Absent: None.

Present Representing the City: Steve Marriott, Administrative Services Director  
Kent Cantrell, Fire Chief  
Tim Jarman, Golf Course Director  
Tom Wall, Director of Public Utilities  
Larry Murray, Building Official  
Devry Hunt, Public Works Administrative Assistant

BUDGET COMMENTS: (Tape A1-A1157).

Tim Jarman and Steve Marriott went over the budget proposal for the Golf Course Fund with members of the Council. Total revenues for this Fund show \$879,000 for FY 2010/2011 and total expenses for the year as \$985,498...leaving a budget deficit of -\$106,498. Steve Marriott explained that this year's weather was atrocious.

Mayor Schutte asked where the money will come from in the General Fund to subsidize the deficit in the Golf Fund. She asked what the recommendations of the Staff and Council are and how long can the General Fund continue to do this. She also stated that if the deficit continues to come out of General Fund, then other expenses will have to be cut to do this – the money has to come from somewhere.

Councilman Nelson stated that the City is talking about a Community Center and everyone knows it will not be self-supporting.

Councilman Parker stated the City offers a lot of services that do not make money. The solution is to have better weather and more people come out to play.

Councilman Fousek asked what the feedback is from the Golf Board in all this.

Tim stated the Board has discussed this many, many times and the Board does not have a crystal ball. The Golf Course has started nationwide advertising on Tee-Time Internet. A barter system has been suggested. They may re-bid their cart fleet, and may look into naming rights for the clubhouse and greens.

Mayor Pro-Tem Buckman asked if lowering rates would bring in more golfers.

Tim suggested that money would be well spent to hire a marketing person.

Mayor Schutte adjourned this part of the Work Session at 5:54 PM in order for the Council to go into Regular Council Meeting.

At 6:26 PM, the Council reconvened in Budget Work Session after the Regular Council Meeting. (Tape B424-B782)

Steve Marriott briefed the Council on Budgets for the following funds:

Capital Improvement Fund. This Fund gets its revenues from the Capital Improvements Sales Tax.

Neighborhood Improvement District (N.I.D.) Fund.

Elms Hotel Event Fees Fund.

Community Development Fund.

Wal-Mart Tax Increment Financing (TIF) Fund.

Wal-Mart TIF Debt Service Fund.

The second Budget Work Session was adjourned at 6:39 PM.

ATTEST:

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CAROLYN SCHUTTE, MAYOR

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FRANCES SMITH, CITY CLERK

PAGE 1

PAGE 1

SPECIAL COUNCIL MEETING  
CITY OF EXCELSIOR SPRINGS  
EXCELSIOR SPRINGS, MISSOURI  
AUGUST 23, 2010

The Excelsior Springs City Council of the City of Excelsior Springs, Missouri met in a Special Session at 5:00 PM Monday, August 23, 2010 in the Council Chambers of the Hall of Waters Building. The meeting was called to order by Mayor Carolyn Schutte.

Roll Call of Members: Present: Mayor Schutte, Mayor Pro-Tem Buckman, Councilman Fousek, Councilman Parker and Councilman Nelson.

Absent: None

RESOLUTION #854, APPOINTMENT OF PARKS AND RECREATION BOARD MEMBERS:  
(Tape A1-51)

Mayor Pro-Tem Buckman made a motion to approve Resolution #854 to appoint Ken Dickey and Susan McAuliffe to the Parks and Recreation Board until May 31, 2013. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Nelson, Parker, Fousek, Buckman, Schutte

Nays: None, motion carried.

Resolution #854 passed and approved August 23, 2010.

The "Oath" was administered to Ken Dickey by the City Clerk. Ken was also presented with a "Certificate of Appointment".

With no further business at hand, Mayor Schutte adjourned the Special Council Meeting at 5:03 PM to go into a Budget Work Session.

ATTEST:

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CAROLYN SCHUTTE, MAYOR

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FRANCES SMITH, CITY CLERK

PAGE

PAGE 1



WORK SESSION OF THE CITY COUNCIL  
CITY OF EXCELSIOR SPRINGS  
EXCELSIOR SPRINGS, MISSOURI  
AUGUST 23, 2010

The City Council of the City of Excelsior Springs, Missouri met in a Work Session on Monday, August 23, 2010 at 5:04 PM in the Council Chambers of the Hall of Waters Building to go over the proposed City Budget for the fiscal year Oct. 1, 2010 to Sept. 30, 2011 for Miscellaneous Funds associated with the City of Excelsior Springs. The meeting was called to order by Mayor Carolyn Schutte.

Roll Call of Members: Present: Mayor Schutte, Mayor Pro-Tem Buckman, Councilmen Fousek, Nelson and Parker.

Absent: None

Present Representing the City: David Haugland, City Manager  
Steve Marriott, Administrative Services Director  
Kent Cantrell, Fire Chief  
John McGovern, Police Chief  
Chad Birdsong, Director of Public Works

BUDGET COMMENTS: (Tape A52-1175)

Steve Marriott and the City Manager went over budgets for the following funds with the Council:

Paradise Playhouse Tax Increment Financing (TIF) Fund: This fund is sales tax generated by the Playhouse, which is presently closed.

Vintage Plaza Tax Increment Financing (TIF) Fund: Taxes for this fund is increasing next year due to the new VA Clinic.

Elms Hotel Tax Increment Financing (TIF) Fund:

Capital Equipment Fund: The only thing set up in this fund is the proposed Animal Shelter.

Debt Service Fund: Debt Service for 2001 Golf Course Lease Purchase Agreement, 2001 Facilities Authority Bonds, 1998 Water Works System Improvements & Refunding, 1992 Sewer Revenue Bonds, 2003 Wal-Mart and Elms TIF, 1999 Taxable and Tax Exempt NID Bonds, 2007 Fire Truck Lease-Purchase Agreement, and 2007 Golf Equipment Lease-Purchase Agreement.

Budget Amendments for General Fund:

The Council was advised that the next budget work session will be Monday, August 30, 2010, with a Special Meeting being held prior to the work session.

With no further business at hand, Mayor Schutte adjourned the Budget Work Session at 5:40 PM.

ATTEST:

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CAROLYN SCHUTTE, MAYOR

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FRANCES SMITH, CITY CLERK

SPECIAL COUNCIL MEETING  
CITY OF EXCELSIOR SPRINGS  
EXCELSIOR SPRINGS, MISSOURI  
AUGUST 30, 2010

The Excelsior Springs City Council of the City of Excelsior Springs, Missouri met in a Special Session at 5:00 PM Monday, August 30, 2010 in the Council Chambers of the Hall of Waters Building. The meeting was called to order by Mayor Carolyn Schutte.

Roll Call of Members: Present: Mayor Schutte, Mayor Pro-Tem Buckman, Councilman Fousek, Councilman Parker and Councilman Nelson.

Absent: None

PUBLIC HEARING, PROPERTY TAX RATE: (Tape A12-278)

Councilman Nelson made a motion to open a Public Hearing for the Special Council Meeting on August 30, 2010 for the City of Excelsior Springs, Mo. Motion was seconded by Councilman Fousek.

Roll Call of Votes:      Ayes: Nelson, Parker, Fousek, Buckman, Schutte

Nays: None, motion carried.

A Public Hearing was opened.

Steve Marriott, Director of Administrative Services, read the following prepared statement:

“Madam Mayor and Members of the City Council: Each year we calculate the City’s tax rate ceiling per the Hancock Amendment and have those calculations verified by the State Auditor’s Office. Based upon those calculations, the City’s maximum tax levies for 2010 are allowed to increase to:

<u>Purpose</u>	<u>2010 Levy</u>
General Revenue	\$0.6229
Parks	0.1752
Recreation	0.1752
Hospital	<u>0.1752</u>
Total	\$1,1485

This results in a 5.75 cent (or 5.27 percent) increase in the City’s tax rate from 2009. The City’s total assessed value declined by approximately \$6,005,000 (4.34 percent), as follows:

- Personal Property Assessed Values declined by 9.49 percent.
- Real estate Assessed Values declined by 3.04 percent.
- Railroad and Utility Assessed Values increased by 2.83 percent.

The tax calculations performed under the Hancock Amendment strive to keep tax revenues flat while allowing for growth due to new construction, annexations, etc. Anytime that the growth in assessed values is lower than the inflation rate set by the State Tax Commission, maximum tax levies will increase as long as the City has room under the maximum authorized levy. I spoke to Cathy Rhinehart regarding these changes and found that they were in line with those experienced by the rest of Clay County.”

Mr. James Beeson, 107 Southside Court, addressed the Council. James stated that every time his assessed value goes down, his taxes go up. He further asked "when is the government going to be responsible" with the economy being so bad.

Councilman Fousek advised Beeson that his county taxes go up because of the school taxes. Mayor Schutte stated that the Hancock Amendment will not allow the City to raise taxes.

With no other person wishing to be heard during Public Hearing, Councilman Fousek made a motion to close the Public Hearing for the Special Council Meeting on August 30, 2010 for the City of Excelsior Springs. Motion was seconded by Mayor Pro-Tem Buckman.

Roll Call of Votes: Ayes: Parker, Fousek, Nelson, Buckman, Schutte

Nays: None, motion carried.

The Public Hearing was closed.

ORDINANCE #10-08-08, APPROVAL OF TAX RATES FOR TAX YEAR 2010: (Tape A279-326)

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

Councilman Fousek made a motion to place on Second Reading Ordinance #10-08-08, to levy general and special taxes on the City of Excelsior Springs for the tax year 2010. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Fousek, Nelson, Parker, Buckman, Schutte

Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Ordinance #10-08-08.

Councilman Parker made a motion to approve Ordinance #10-08-08, to levy general and special taxes on the City of Excelsior Springs for the tax year 2010. Motion was seconded by Councilman Nelson.

Roll Call of Votes: Ayes: Nelson, Parker, Fousek, Buckman, Schutte

Nays: None, motion carried.

Ordinance #10-08-08 passed and approved August 30, 2010.

ORDINANCE #10-08-09, APPROVAL REGARDING THE APPOINTMENT OF UNDERWRITERS: (Tape A327-471)

Mayor Schutte read by title the First Reading of Ordinance #10-08-09.

Steve Marriott read the following prepared statement to the Council:

Madam Mayor and Members of the City Council: On July 7th RFQ packets were mailed to twenty-two underwriters listed in the Red Book. Responses were due by July 22nd at 1:00 PM. The City received responses from Stern Brothers, Oppenheimer, and a joint response from Stifel, Nicolaus and Company and D.A. Davidson and Company. The three responses were evaluated based upon the firm's capacity to handle the bonds, the firm's ability to obtain the best interest rates for the City in

the market (a factor of the firm's size), the firm's marketing plan, or more specifically the local focus of the marketing plan, the approximate amount of the Underwriter's discount, and other considerations given in the proposal.

Based upon review by the City Manager, Deborah Polk and myself, we are recommending that the City contract with Stifel Nicolaus and D. A. Davidson to jointly underwrite the bonds.

Mayor Pro-Tem Buckman made a motion to place on Second Reading Ordinance #10-08-09, authorizing the Mayor to execute an agreement between the City of Excelsior Springs and Stifel, Nicholas & Company, Incorporated, and D. A. Davidson & Co., regarding the Appointment of Underwriters. Motion was seconded by Councilman Nelson.

Roll Call of Votes: Ayes: Parker, Fousek, Nelson, Buckman, Schutte

Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Ordinance #10-08-09.

Mayor Pro-Tem Buckman made a motion to approve Ordinance #10-08-09, authorizing the Mayor to execute an agreement between the City of Excelsior Springs and Stifel, Nicholas & Company, Incorporated, and D. A. Davidson & Co., regarding the Appointment of Underwriters. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Fousek, Nelson, Parker, Buckman

Nays: Schutte. Motion carried.

Ordinance #10-08-09 passed and approved August 30, 2010.

With no further business at hand, Mayor Schutte adjourned the Special Council Meeting in order to go into a Budget Work Session.

ATTEST:

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CAROLYN SCHUTTE, MAYOR

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FRANCES SMITH, CITY CLERK

PAGE

PAGE 1

WORK SESSION OF THE CITY COUNCIL  
CITY OF EXCELSIOR SPRINGS  
EXCELSIOR SPRINGS, MISSOURI  
AUGUST 30, 2010

The City Council of the City of Excelsior Springs, Missouri met in a Work Session on Monday, August 30, 2010 at 5:25 PM in the Council Chambers of the Hall of Waters Building to go over the proposed City Budget for the fiscal year Oct. 1, 2010 to Sept. 30, 2011 for Miscellaneous Funds associated with the City of Excelsior Springs. The meeting was called to order by Mayor Carolyn Schutte.

Roll Call of Members: Present: Mayor Schutte, Mayor Pro-Tem Buckman, Councilmen Fousek, Nelson and Parker.

Absent: None

Present Representing the City: David Haugland, City Manager  
Steve Marriott, Administrative Services Director  
Kent Cantrell, Fire Chief  
John McGovern, Police Chief  
Chad Birdsong, Director of Public Works  
Tom Wall, Director of Public Utilities  
Clint Reno, Police Sergeant  
John McClelland, City Attorney  
Larry Murray, Building Services

BUDGET COMMENTS: (TapeA476-A2000, B1-B1010)

Steve Marriott, City Manager, Kent Cantrell, John McGovern and Clint Reno went over budgets for the following funds with the Council:

E-911 Phone Tax Fund  
Federal Forfeitures Fund  
Capital Improvements E-911 Fund  
Public Safety Sales Tax Fund

Steve Marriott and the City Manager went over the Airport Fund with members of the Council.

Steve Marriott present the Council with a "Comparison of Scenarios" showing all funds with no raises, 2% raises on January 1, 2011, and 2.5% raises on January 1, 2011. The Council was pretty much in agreement on a 2.5% raise on January 1, 2011 for all funds.

Steve Marriott also presented a proposed budget amendment for the fiscal year 2010, which will be presented as an Ordinance for Council approval at the next meeting.

With no further business at hand, the Work Session was adjourned at 6:42 PM.

ATTEST:

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CAROLYN SCHUTTE, MAYOR

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FRANCES SMITH, CITY CLERK

REGULAR COUNCIL MEETING  
CITY OF EXCELSIOR SPRINGS  
EXCELSIOR SPRINGS, MISSOURI  
SEPTEMBER 7, 2010

The City Council of the City of Excelsior Springs, Missouri met in Regular Session at 6:00 PM, Monday, September 7, 2010 in the Council Chambers of the Hall of Waters Building. The Meeting was called to order by Mayor Schutte.

The opening prayer was given by Kent Cantrell, Chief of the Fire Department.

The Pledge of Allegiance was led by Mayor Schutte.

Roll Call of Members: Present: Mayor Carolyn Schutte, Mayor Pro-Tem Ambrose Buckman, Councilmen Ken Fousek, Jim Nelson, and Sonny Parker.

Absent: None

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

MINUTES OF CITY COUNCIL WORK SESSIONS, REGULAR COUNCIL MEETINGS AND SPECIAL COUNCIL MEETINGS, AUGUST 16, 23 AND 30, 2010: (Tape A36-48).

Councilman Fousek made a motion to approve the Minutes of the City Council Work Sessions, Regular Council Meetings and Special Council Meetings on August 16, 23 and 30, 2010. Motion was seconded by Mayor Pro-Tem Buckman.

Roll Call of Votes: Ayes: Nelson, Parker, Fousek, Buckman, Schutte

Nays: None, motion carried.

Minutes of August 16, 23 & 30, 2010 passed and approved September 7, 2010.

CONSIDERATION OF AGENDA: (Tape A49-64).

Mayor Schutte stated that Item #4, Special Use Permit for 111 Ash Street, should be removed from the Agenda.

Councilman Parker made a motion to approve the Agenda, as amended. Motion was seconded by Mayor Pro-Tem Buckman.

Roll Call of Votes: Ayes: Parker, Fousek, Nelson, Buckman, Schutte

Nays: None, motion carried.

Agenda, as amended, passed and approved September 7, 2010.

AMERENUE PRESENTATION – MIKE EDWARDS: (Tape A65-324).

Mike Edwards, Customer Service Advisor of AmerenUE, addressed the Council. AmerenUE will have a rate increase on October 4, 2010 of 11%, amounting to about 30-cents per day for residential customers. Mike stated this increase will help to update the Power Plant outside St. Louis. AmerenUE will continue to watch spending, cut costs, and watch

expenses. He asked customers to check out the website at [HYPERLINK  
mailto:medwards@ameren.com](mailto:medwards@ameren.com) [medwards@ameren.com](mailto:medwards@ameren.com) for all updates and information on power outages. Mike stated that on October 1, 2010, AmerenUE will change its name for customers in Missouri to AmerenMO. AmerenUE is also ready to start its tree-trimming program to prevent outages this winter.

WSKF UPDATE FOR ANIMAL CONTROL FACILITY: (Tape A325-1338)

Rick Kuhl, representative of Williams, Spurgeon, Kuhl and Freshnock, Architects, Inc, made a presentation to the Council regarding the proposed new Animal Control Facility for the City. He stated it will be located on So. Marietta Street across from the Public Works Facility, facing South Marietta. Mr. Kuhl stated the proposed facility will cost approximately \$400,000 and will include a large animal holding area, an incinerator area, an area to allow animals to be kept outside, an examination/multi-purpose area, food prep and storage area, work room, office and quarantine area for sick animals. There will also be a large parking area. There will be a more improved look for infection control and isolation of animals. He further stated that it costs more to put an animal down than to adopt out the animal.

DEP PRESENTATION – KEITH WINGE: (Tape A1337-2000, B1-B103)

Mr. Keith Winge, representing the Downtown Excelsior Partnership, addressed the Council and stated the following has been either completed or proposed for the coming year:

Restructured Committees.

Improved retail recruitment through improved design, organization, and better promotions.

Sold the property at 114 Marietta to the Community Theater.

Obtained NAP Credit for the property on Broadway.

Dream survey of old boarding houses in downtown.

Placed new banners in vacant buildings downtown.

Improved Arts & Crafts and the Art Crawl.

Created the #353 District with tax breaks.

The Lodwick Law Office building has been upgraded.

The City needs a pocket park downtown and another billboard.

Downtown needs a streetscape and landscaping.

The Wine Festival was a success.

The Visitors Center in the Hall of Waters Building has had 6,000 visitors in the last year.

Created new street banners for downtown.

Inventoried buildings needing help in the downtown area.

ORDINANCE #10-09-01, APPROVAL OF CONTRACT WITH MISSOURI CENTER FOR PATIENT SAFETY: (Tape B104-B210)

Mayor Schutte read by title the First Reading of Ordinance #10-09-01.

Fire Chief Kent Cantrell briefed the Council on this Ordinance.

Councilman Fousek made a motion to place on Second Reading Ordinance #10-09-01, approving the form and authorizing the City to enter into a Participating Agreement with the Missouri Center for Patient Safety Organization. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Fousek, Nelson, Parker, Buckman, Schutte

Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Ordinance #10-09-01.

Councilman Fousek made a motion to approve Ordinance #10-09-01, approving the form and authorizing the City to enter into a Participating Agreement with the Missouri Center for Patient Safety Organization. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Nelson, Parker, Fousek, Buckman, Schutte

Nays: None, motion carried.

Ordinance #10-09-01 passed and approved September 7, 2010.

ORDINANCE #10-09-02, APPROVAL TO AMEND THE CONTRACT FOR SOLID WASTE SERVICE: (Tape B211-394)

Mayor Schutte read by title the First Reading of Ordinance #10-09-02.

Chad Birdsong advised the Council that the contract for Solid Waste Service is being extended for an additional three (3) years. New “recycle” trash containers with yellow lids will be distributed to all customers since the recycle trucks will now be fitted with automatic loaders. The cost per residential customer will be reduced from \$16.55 per month to \$15.55. The new, recycle service which went into effect this past year saved 70% refuse from going to the landfill. The contractor will also start reimbursing the city 50% of the money earned from the recycled trash.

Mayor Pro-Tem Buckman made a motion to take to Second Reading Ordinance #10-09-02, to authorize the City Manager to Execute an Agreement with Allied Waste, LLC to amend the contract for Solid Waste Service. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Parker, Fousek, Nelson, Buckman, Schutte

Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Ordinance #10-09-02.

Councilman Fousek made a motion to approve Ordinance #10-09-02, to authorize the City Manager to Execute an Agreement with Allied Waste, LLC to amend the contract for Solid Waste Service.

Roll Call of Votes: Ayes: Fousek, Nelson, Parker, Buckman, Schutte

Nays: None, motion carried.

Ordinance #10-09-02 passed and approved September 7, 2010.

ORDINANCE #10-09-03, APPROVAL TO AMEND THE CLAY COUNTY PWS DISTRICT #3 WATER PURCHASE: (Tape B395-491)

Mayor Schutte read by title the First Reading of Ordinance #10-09-03.

Mr. Tom Wall, Director of Public Utilities, informed the Council that this Ordinance is in



compliance with the purchasers request to increase the minimum amount to 4,000,000 gallons per month and decrease the maximum amount to 8,000,000 gallons per month.

Mayor Pro-Tem Buckman made a motion to take to Second Reading Ordinance #10-09-03, authorizing the City Manager to execute an amendment to the water sale/purchase agreement with Public Water Supply District #3 of Clay County. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Nelson, Parker, Fousek, Buckman, Schutte

Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Ordinance #10-09-03.

Mayor Pro-Tem Buckman made a motion to approve Ordinance #10-09-03, authorizing the City Manager to execute an amendment to the water sale/purchase agreement with Public Water Supply District #3 of Clay County. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Parker, Fousek, Nelson, Buckman, Schutte

Nays: None, motion carried.

Ordinance #10-09-03 passed and approved September 7, 2010.

ORDINANCE #10-09-04, APPROVAL TO READOPT THE PROCEDURE TO DISCLOSE CONFLICTS OF INTEREST: (Tape B492-568).

Mayor Schutte read by title the First Reading of Ordinance #10-09-04.

The City Manager briefed the Council on this Ordinance.

Mayor Pro-Tem Buckman made a motion to place on Second Reading Ordinance #10-09-04, approving the re-adoption of procedure to disclose potential conflicts of interest and substantial interests for certain officials. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Fousek, Nelson, Parker, Buckman, Schutte

Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Ordinance #10-09-04.

Councilman Fousek made a motion to approve Ordinance #10-09-04, approving the re-adoption of procedure to disclose potential conflicts of interest and substantial interests for certain officials. Motion was seconded by Councilman Nelson.

Roll Call of Votes: Ayes: Nelson, Parker, Fousek, Buckman, Schutte

Nays: None, motion carried.

Ordinance #10-09-04 passed and approved September 7, 2010.

ORDINANCE #10-09-05, APPROVAL OF 2007 PERSONAL PROPERTY TAX WRITE-OFFS: (Tape B569-709).

Mayor Schutte read by title the First Reading of Ordinance #10-09-05.

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

Councilman Nelson made a motion to take to Second Reading Ordinance #10-09-05, allowing the Finance Director to write-off the sum of \$10,401.65 in Delinquent Personal Property Taxes. Motion was seconded by Councilman Fousek.

Roll Call of Votes: Ayes: Parker, Fousek, Nelson, Buckman, Schutte

Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Ordinance #10-09-05.

Councilman Parker made a motion to approve Ordinance #10-09-05, allowing the Finance Director to write-off the sum of \$10,401.65 in Delinquent Personal Property Taxes. Motion was seconded by Mayor Pro-Tem Buckman.

Roll Call of Votes: Ayes: Fousek, Nelson, Parker, Buckman, Schutte

Nays: None, motion carried.

Ordinance #10-09-05 passed and approved September 7, 2010.

ORDINANCE #10-09-06, APPROVAL OF BUDGET AMENDMENT FOR FY 2010 – ALL FUNDS: (Tape B710-809).

Mayor Schutte read by title the First Reading of Ordinance #10-09-06.

Steve Marriott briefed the Council on this Ordinance.

Councilman Fousek made a motion to place on Second Reading Ordinance #10-09-06, approving Budget Amendments for all funds for the fiscal year ending September 30, 2010. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Nelson, Parker, Fousek, Buckman, Schutte

Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Ordinance #10-09-06.

Councilman Parker made a motion to approve Ordinance #10-09-06, approving Budget Amendments for all funds for the fiscal year ending September 30, 2010. Motion was seconded by Councilman Fousek.

Roll Call of Votes: Ayes: Parker, Fousek, Nelson, Buckman, Schutte

Nays: None, motion carried.

Ordinance #10-09-06 passed and approved September 7, 2010.

DISCUSSION OF BUDGET FY 2011: (Tape B810-992).

Steve Marriott informed the Council that all the numbers are in place for the proposed

budget for FY 10-1-10 to 9-30-11, except the Golf Board which is still making last minute changes to their budget. Steve informed the Council that he will be out of town on September 20, 2010, the date of the next scheduled Council Meeting, and asked the Council if they would rather have a Special Meeting to adopt the budget.

Mayor Schutte stated that she didn't think a Special Meeting needed to be held.

APPROPRIATIONS ORDINANCE #10-09-07: (Tape B993-1053)

Mayor Schutte read by title the First Reading of Appropriations Ordinance #10-09-07.

Members of the Council went over the Appropriations Reports for questions with Steve Marriott.

Mayor Pro-Tem Buckman made a motion to place on Second Reading Appropriations Ordinance #10-09-07, in the amount of \$541,575.07. Motion was seconded by Councilman Fousek.

Roll Call of Votes:     Ayes: Fousek, Nelson, Buckman, Schutte  
                          Abstain: Parker  
                          Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Appropriations Ordinance #10-09-07.

Mayor Pro-Tem Buckman made a motion to approve Appropriations Ordinance #10-09-07, in the amount of \$541,575.07. Motion was seconded by Councilman Fousek.

Roll Call of Votes:     Ayes: Nelson, Fousek, Buckman, Schutte  
                          Abstain: Parker  
                          Nays: None, motion carried.

Appropriations Ordinance #10-09-07 passed and approved September 7, 2010.

REMARKS – CITY MANAGER AND CITY COUNCIL: (Tape B1054-1202)

City Manager Haugland:

He will be representing the City of Excelsior Springs at the MML Conference in St. Charles, MO on September 12-15, 2010.

Councilman Parker:

Thanked Steve Marriott for a good job on the budget.

Councilman Nelson:

Would like to thank Steve Marriott for an outstanding job on the budget...thanking all department heads, the City Manager and the Finance Director for an outstanding job. They keep the City going.

Councilman Fousek:

Steve – Kudos, Kudos, Kudos. You have done a fine job.

City Manager Schutte:

Agrees with everyone on the fine job Steve has done – he has answered all my questions. Glad to see the City employees getting a cost-of-living raise. These are tough times and most businesses are making employee cuts and giving no raises.

With no further business at hand, Mayor Schutte called for a motion to adjourn the regular meeting and go into closed session.

Mayor Pro-Tem Buckman made a motion to adjourn the Regular Council Meeting and go into closed session pursuant to RSMo Section 610.021 (3) Personnel. Motion was seconded by Councilman Fousek.

Roll Call of Votes:     Ayes:  Fousek, Nelson, Parker, Buckman, Schutte

                              Nays:  None, motion carried.

Meeting was adjourned at 7:47 PM.

ATTEST:

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CAROLYN SCHUTTE, MAYOR

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FRANCES SMITH, CITY CLERK

PAGE 1

PAGE 1

REGULAR COUNCIL MEETING  
CITY OF EXCELSIOR SPRINGS  
EXCELSIOR SPRINGS, MISSOURI  
OCTOBER 4, 2010

The City Council of the City of Excelsior Springs, Missouri met in Regular Session at 6:00 PM, Monday, October 4, 2010 in the council Chambers of the Hall of Waters Building. The Meeting was called to order by Mayor Schutte.

The opening prayer was given by Earl Mitchell, Pastor of Flack Memorial Christian Church.

The Pledge of Allegiance was led by Mayor Schutte.

Roll Call of Members: Present: Mayor Carolyn Schutte, Mayor Pro-Tem Ambrose Buckman, Councilmen Ken Fousek, Jim Nelson and Sonny Parker.

Absent: None

VISITORS:

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

MINUTES OF REGULAR COUNCIL MEETING, SEPTEMBER 20, 2010: (Tape A39-47)

Mayor Pro-Tem Buckman made a motion to approve the Minutes of the Regular Council Meeting held on September 20, 2010. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Nelson, Parker, Fousek, Buckman, Schutte

Nays: None, motion carried.

Minutes of September 20, 2010 passed and approved October 4, 2010.

CONSIDERATION OF AGENDA: (Tape A48-55)

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

Roll Call of Votes: Ayes: Parker, Fousek, Nelson, Buckman, Schutte

Nays: None, motion carried.

Agenda, as printed, passed and approved October 4, 2010.

PRESENTATION OF TOOTSIE ROLL PROCLAMATION: (Tape A56-98)

Mayor Schutte read aloud a Proclamation naming October 8, 9 and 10 as "Knights of Columbus Drive for the Mentally Retarded Weekend". This Proclamation was then presented to Rodney Lambrecht, representing the Knights of Columbus.

ORDINANCE #10-10-01, PURCHASE OF SALSCO GREENS ROLLER: (Tape A99-202)

Mayor Schutte read by title the First Reading of Ordinance #10-10-01.

Tim Jarman, Director of the Municipal Golf Course, briefed the Council on this Ordinance.

Mayor Pro-Tem Buckman made a motion to take to Second Reading Ordinance #10-10-01, approving the expenditure from the Capital Improvements Fund in the amount of \$11,650.00 for the purchase of a Greens Roller for the Excelsior Springs Golf Course. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Fousek, Nelson, Parker, Buckman, Schutte

Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Ordinance #10-10-01.

Councilman Nelson made a motion to approve Ordinance #10-10-01, approving the expenditure from the Capital Improvements Fund in the amount of \$11,650.00 for the purchase of a Greens Roller for the Excelsior Springs Golf Course. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Nelson, Parker, Fousek, Buckman, Schutte

Nays: None, motion carried.

Ordinance #10-10-01 passed and approved October 4, 2010.

RESOLUTION #859, APPROVAL OF INTENT TO SUPPORT GARDNER CAPITAL, INC: (Tape A203-922)

Nick Pappas, Director of Planning and Zoning, was on hand to answer Council's questions on this Resolution.

Ms. Betty Bissell, 101 Linden Street, informed the Council she had a list of questions regarding this project. She stated she was hoping someone from Gardner Capital, Inc. would be present so she could read her list of questions. The Council informed Betty that they would like to hear her list of questions. Betty stated she felt the building of these houses on Excelsior Street would devalue her property. She also stated Gardner should limit the number of occupants, they should have a job or verifiable income, they should have a criminal report on each applicant, their credit score should be checked and find out if they have ever been evicted. She stated that these proposed houses would be geared toward low to moderate income families of all ages.

Mayor Schutte informed Betty that this same company were the ones who redeveloped the Oaks and has done a good job on that building. Councilman Nelson stated that the rug should not be pulled on this project because of some "what ifs".

Councilman Parker made a motion to approve Resolution #859, stating the intent to support an application by Garner Capital, Inc. for the construction of single family homes and historic restoration of existing buildings planned for Excelsior Street. Motion was seconded by Councilman Fousek.

Roll Call of Votes: Ayes: Parker, Fousek, Nelson, Buckman, Schutte

Nays: None, motion carried.

Resolution #859 passed and approved October 4, 2010.

APPROPRIATIONS ORDINANCE #10-10-02: (Tape A923-997)

Mayor Schutte read by title the First Reading of Appropriations Ordinance #10-10-02.

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

Mayor Pro-Tem Buckman made a motion to take to Second Reading Appropriations Ordinance #10-10-02, in the amount of \$919,086.73. Motion was seconded by Councilman Nelson.

Roll Call of Votes:     Ayes: Nelson, Fousek, Buckman, Schutte  
                          Abstain: Parker  
                          Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Appropriations Ordinance #10-10-02.

Councilman Nelson made a motion to approve Appropriations Ordinance #10-10-02, in the amount of \$919,086.73. Motion was seconded by Councilman Fousek.

Roll Call of Votes;     Ayes: Fousek, Nelson, Buckman, Schutte  
                          Abstain: Parker  
                          Nays: None, motion carried.

Appropriations Ordinance #10-10-02 passed and approved October 4, 2010.

REMARKS – CITY MANAGER AND CITY COUNCIL: (Tape A998-1148)

Councilman Parker:

Appreciates concern Betty Bissell has regarding the Excelsior Street project. The same company has done a good job on the Oaks Hotel building.

Councilman Fousek:

Nick Donohue took him up to the airport and explained all the workings of the airport to him. Nick is an avid flyer.

Mayor Schutte:

Thanked Betty Bissell for asking questions. Stated the Council had a lot of the same questions on this project...there has been a great deal of talk about this project.

Asked what is going on regarding the trail on Siloam Mountain. What is Park and Recreation doing about the problem....do they have a plan.

With no further business at hand, Mayor Schutte adjourned the Regular Council Meeting at 6:38 PM.

ATTEST:

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CAROLYN SCHUTTE, MAYOR

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FRANCES SMITH, CITY CLERK

REGULAR COUNCIL MEETING  
CITY OF EXCELSIOR SPRINGS  
EXCELSIOR SPRINGS, MISSOURI  
OCTOBER 18, 2010

The City Council of the City of Excelsior Springs, Missouri met in Regular Session at 6:00 PM, Monday, October 18, 2010 in the Council Chambers of the Hall of Waters Building. The Meeting was called to order by Mayor Schutte.

The opening prayer was given by Fire Chief Kent Cantrell.

The Pledge of Allegiance was led by Mayor Schutte.

Roll Call of Members: Present: Mayor Carolyn Schutte, Mayor Pro-Tem Ambrose Buckman, Councilmen Ken Fousek, Jim Nelson and Sonny Parker.

Absent: None

VISITORS:

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

MINUTES OF REGULAR COUNCIL MEETING, OCTOBER 4, 2010: (Tape A29-39)

Councilman Nelson made a motion to approve the Minutes of the Regular Council Meeting held on October 4, 2010. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Nelson, Parker, Fousek, Buckman, Schutte

Nays: None, motion carried.

Minutes of October 4, 2010 passed and approved October 18, 2010.

CONSIDERATION OF AGENDA: (Tape A40-46)

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

Roll Call of Votes: Ayes: Parker, Fousek, Nelson, Buckman, Schutte

Nays: None, motion carried.

Agenda, as printed, passed and approved October 18, 2010.

PROCLAMATION – BUSINESS WOMEN OF MISSOURI WEEK: (Tape A47-100)

Mayor Schutte read aloud to members of the Business & Professional Women of Missouri the Proclamation naming the week of October 17 to October 23, 2010 as Business Women of Missouri Week.

PROCLAMATION – THE GOOD SAMARITAN FOOD PANTRY: (Tape A101-154)



Mayor Schutte read aloud the Proclamation to recognize and honor The Good Samaritan Food Pantry. This Proclamation will be presented to The Good Samaritan Center Tuesday night.

APPROVAL OF LIQUOR LICENSE FOR APPLEBEE'S: (Tape A155-179)

Police Chief John McGovern informed the Council that after a lengthy investigation, there is nothing to preclude the issuance of this license.

Mayor Pro-Tem Buckman made a motion to approve the change of Managing Officer for Applebee's, 2301 Vintage Court, Excelsior Springs, Missouri. Mr. Robert W. Rentfro will replace Mr. Rex W. Wright. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Fousek, Nelson, Parker, Buckman, Schutte

Nays: None, motion carried.

Change of Managing Officer for Applebee's passed and approved October 18, 2010.

ORDINANCE #10-10-03, APPROVAL OF EXPENDITURES FOR A NEW ANIMAL CONTROL CENTER: (Tape A180-366)

Mayor Schutte read by title the First Reading of Ordinance #10-10-03.

Police Chief John McGovern informed the Council that the City's Construction Services Department will do a good part of the work on the Animal Control Center creating a cost-saving for this structure. He also stated that Lt. Reno and the City's Animal Control Officer were on hand to answer any questions from the Council.

Mayor Pro-Tem Buckman made a motion to place on Second Reading Ordinance #10-10-03, approving expenditures from the Capital Improvements Fund in the amounts of \$435,316.00 for construction and \$94,300.00 for equipment and furnishings for a new Animal Control Center. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Nelson, Parker, Fousek, Buckman, Schutte

Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Ordinance #10-10-03.

Mayor Pro-Tem Buckman made a motion to approve Ordinance #10-10-03, approving expenditures from the Capital Improvements Fund in the amounts of \$435,316.00 for construction and \$94,300.00 for equipment and furnishings for a new Animal Control Center.

Roll Call of Votes: Ayes: Parker, Fousek, Nelson, Buckman, Schutte

Nays: None, motion carried.

Ordinance #10-10-03 passed and approved October 18, 2010.

PROCLAMATION – THE GOOD SAMARITAN FOOD PANTRY: (Tape A101-154)  
DISCUSSION OF ISSUANCE OF \$4,000,000 RECOVERY ZONE FACILITY BONDS BY

THE CITY FOR THE ELMS HOTEL: (Tape A367-A1500, B1-B894).

Mr. Marco Marzocchi, General Counsel – Retail Development, the Widewaters Group, Inc. gave a powerpoint presentation to the Council regarding Redevelopment of the Elms Resort & Spa. He stated that the Elms had a loan in place for all of their renovations and suddenly the bottom fell out of the economy. The Widewaters staff has been in constant dialog to find a solution to this situation. They haven't been able to get financing so they have come up with the Facility Bonds. These Facility Bonds will finance Phase I of their Redevelopment. This Redevelopment will include the Purchase of the Hotel, Management Takeover, Complete Architectural, Administration of Renovation and Phase I of Renovation. A member of Mr. Marzocchi's staff briefed the council on financing terms. The Bonds will be backed by the City's Annual Appropriation Pledge and the closing and funding of the bonds will be prior to December 31, 2010. Bonds will be tax free if put in place by December 31, 2010. He explained that Debt Service for these bonds will be \$340,000, guaranteed.

All this information was given to members of the council for their consideration. They are asking the City to declare the project (or a large area encompassing the project) a Recovery Zone at the October 26, 2010 meeting.

APPROPRIATIONS ORDINANCE #10-10-04: (Tape B895-936)

Mayor Schutte read by title the First Reading of Appropriations Ordinance #10-10-04. Mayor Schutte further advised the Council that this Appropriations includes only Payroll so there is no need to question expenditures.

Councilman Nelson made a motion to take to Second Reading Appropriations Ordinance #10-10-04, in the amount of \$217,045.27. Motion was seconded by Councilman Fousek.

Roll Call of Votes: Ayes: Fousek, Nelson, Parker, Buckman, Schutte

Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Appropriations Ordinance #10-10-04.

Mayor Pro-Tem Buckman made a motion to approve Appropriations Ordinance #10-10-04, in the amount of \$217,045.27. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Nelson, Parker, Fousek, Buckman, Schutte

Nays: None, motion carried.

Appropriations Ordinance #10-10-04 passed and approved October 18, 2010.

REMARKS – CITY MANAGER AND CITY COUNCIL: (Tape B942-1066)

Mayor Pro-Tem Buckman:

Suggests the council meet with the Widewaters Group again when they get the numbers pulled together.

Councilman Nelson:

From the beginning he has been impressed with Widewaters. He commends Widewaters 110%.

Councilman Fousek:

Echo the same. Widewaters has worked hard and they want the project to work.

Mayor Schutte:

Agrees with other Council members. Marco has always been a big believer in the Elms project.

With no further business at hand, Mayor Schutte called for a motion to adjourn the Regular Council Meeting and go into Closed Session.

Councilman Parker made a motion to adjourn the Regular Council Meeting and go into Closed Session pursuant to RSMo Section 610.021 (1) Legal. Motion was seconded by Mayor Pro-Tem Buckman.

Roll Call of Votes: Ayes: Fousek, Nelson, Parker, Buckman, Schutte

Nays: None, motion carried.

The Regular Council Meeting adjourned at 7:18 PM.

ATTEST:

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CAROLYN SCHUTTE, MAYOR

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FRANCES SMITH, CITY CLERK

PAGE 1

PAGE 1

110%.

SPECIAL COUNCIL MEETING  
CITY OF EXCELSIOR SPRINGS  
EXCELSIOR SPRINGS, MISSOURI  
OCTOBER 26, 2010

The Excelsior Springs City Council of the City of Excelsior Springs, Missouri met in a Special Session at 6:00 PM Tuesday, October 26, 2010 in the Council Chambers of the Hall of Waters Building. The meeting was called to order by Mayor Carolyn Schutte.

The opening prayer was given by local businessman Bob Gerdes.

Mayor Schutte lead the Council in the Pledge of Allegiance to the Flag.

Roll Call of Members: Present: Mayor Schutte, Mayor Pro-Tem Buckman, Councilman Fousek,  
Councilman Parker and Councilman Nelson.

Absent: None

DISCUSSION OF ISSUANCE OF \$4,600,000 RECOVERY ZONE FACILITY BONDS FOR THE ELMS HOTEL: (Tape #1 A1-A600, B1-B600, Tape #2 A1-A345).

Mayor Schutte opened the meeting up for discussion on the issuance of \$4,600,000 Recovery Zone Facility Bonds for the Elms Hotel. She stated that the City and the Elms are on a time frame for this project. Everything needs to be pulled together by November 15, 2010. The bonds need to be issued and closed by December 31, 2010.

Marco Marzocchi, General Counsel for the Widewaters Group, Inc. addressed the Council. He stated he appreciated the Council calling this Special Meeting tonight and appreciated the time and effort the City has given to this project. Marco stated there is an old saying that the best thing to do is the right thing, the second best thing to do is the wrong thing, and the last best thing to do is to do nothing. Marco stated that "status-quo" for the Elms is not acceptable and not where they want to go. He further stated that he is here to answer questions, but will turn the meeting over to Korb Maxwell, Attorney at Law, Polsinelli-Shughart.

Korb Maxwell walked the Council through a "Financing Term Sheet". He is asking the City to enter into partnership with the Elms Hotel with the annual Appropriation Pledge for any remaining debt service shortfall. He stated that Widewaters has substantial equity in the property and they will continue to keep the Elms up and operating. He asked the Council, "Are we going to be dancing partners"?

Bill Holstein, representing the Elms Hotel, stated that from the beginning they felt the Elms could get a loan to purchase the hotel and make renovations. This deal fell through. The Elms needs to make renovations as outlined in Phase I and with the City's help can make it happen. He stated there is a lot of work that needs to be done to the infrastructure, the computer systems, the lobby, the Spa, Convention Areas and guest and reservations. He further stated that the Spa is a big attraction at the Hotel.

Missouri State Representative Bob Nance stated the Elms had worked hard for three years to obtain private financing. He further stated that the Elms is important to Excelsior Springs.

Eric Busick, Manager of the Elms Hotel, stated the building continues to deteriorate. He stated that in 2007 they held 72 weddings and in 2009 they held 90 weddings.

Councilman Parker stated he has enjoyed the presentations and no one wants this more than he does.

Mayor Pro-Tem Buckman stated that we all want it.

Councilman Nelson stated the Council wants this done and will make every effort to go forward.

Councilman Fousek stated that as a Historian, he has always loved the history of the Elms. He also stated that what this Council does now will affect future Councils. We should all work together.

Keith Montague stated he would like to see the plans for the Hotel and Spa.

Ginger Nelson, resident, business owner and member of the Downtown Excelsior Partnership, stated that 50% of customers she has at her business comes from the Elms. She encourages the Council to approve the Elms request.

Theresa Henson, resident, stated the Elms need the renovations and she supports Widewaters.

Marco Marzocchi thanked Representative Nance for his support. He also stated there are only so many shopping days left and asked the Council if his group needs to come back. Mayor Schutte stated the Council will go into closed session tonight and she will call him later this evening to let him know.

RECOVERY ZONE DESIGNATION – ORDINANCE #10-10-05: (Tape A346-A436)

Mayor Schutte read by title the First Reading of Ordinance #10-10-05.

Mayor Pro-Tem Buckman made a motion to place on Second Reading Ordinance #10-10-05, designating a Recovery Zone. Motion was seconded by Councilman Fousek.

Roll Call of Votes: Ayes: Fousek, Nelson, Parker, Buckman, Schutte

Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Ordinance #10-10-05.

Councilman Nelson made a motion to approve Ordinance #10-10-05, designating a Recovery Zone. Motion was seconded by Councilman Fousek.

Roll Call of Votes: Ayes: Nelson, Parker, Fousek, Buckman, Schutte

Nays: None, motion carried.

Ordinance #10-10-05 passed and approved October 26, 2010.

With no further business at hand, Mayor Schutte called for a motion to adjourn and go into closed session.

Councilman Nelson made a motion to adjourn the Special Meeting and go into closed session pursuant to Missouri State Statutes 610.021 (1) Legal. Motion was seconded by Mayor Pro-Tem Buckman.

Roll Call of Votes: Ayes: Parker, Fousek, Nelson, Buckman, Schutte

Nays: None, motion carried.

Special Meeting adjourned at 7:16 PM.

ATTEST:

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CAROLYN SCHUTTE, MAYOR

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FRANCES SMITH, CITY CLERK

PAGE

PAGE 2

REGULAR COUNCIL MEETING  
CITY OF EXCELSIOR SPRINGS  
EXCELSIOR SPRINGS, MISSOURI  
NOVEMBER 1, 2010

The City Council of the City of Excelsior Springs, Missouri met in Regular Session at 6:00 PM, Monday, November 1, 2010 in the Council Chambers of the Hall of Waters Building. The Meeting was called to order by Mayor Schutte.

The opening prayer was given by Fire Chief Kent Cantrell.

The Pledge of Allegiance was led by Mayor Schutte.

Roll Call of Members: Present: Mayor Carolyn Schutte, Mayor Pro-Tem Ambrose Buckman, Councilmen Ken Fousek, Jim Nelson, and Sonny Parker.

Absent: None

VISITORS: (Tape A20-103)

Sheryl Trio, Chairwoman of the Christmas Committee, addressed the Council to bring them up to date on the progress of the Christmas decorations. She stated the Committee is running a little behind this year, but things are starting to fall into place. Arrangements for the Mayor's Christmas Tree Lighting are looking good. Students at Job Corps are helping the Christmas Committee again this year. The Committee is a little late in their request for appropriations from the City, but she is sure these funds will be forthcoming. The Committee has obtained a new Nativity Scene. AmerenUE has been a big help with lighting especially on Santa Claus Lane. The Christmas parade will start at 6:00 PM on the night of the Mayor's Christmas Tree Lighting.

MINUTES OF REGULAR COUNCIL MEETING ON OCTOBER 18, 2010 AND MINUTES OF THE SPECIAL COUNCIL MEETING ON OCTOBER 26, 2010: (Tape A104-131)

Councilman Nelson stated he wished to amend the Minutes of the Special Council Meeting held on October 26, 2010, page 1, paragraph #6 – to be changed from “Derek Busick” to Eric Busick”. Changes were so noted and correction made.

Councilman Fousek made a motion to approve the Minutes of October 18, 2010 and the amended Minutes of October 26, 2010. Motion was seconded by Mayor Pro-Tem Buckman.

Roll Call of Votes: Ayes: Nelson, Parker, Fousek, Buckman, Schutte

Nays: None, motion carried.

Minutes of October 18, 2010 and Amended Minutes of October 26, 2010 passed and approved November 1, 2010.

CONSIDERATION OF AGENDA: (Tape A132-138)

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

Roll Call of Votes: Ayes: Parker, Fousek, Nelson, Buckman, Schutte

Nays: None, motion carried.

Agenda, as printed, passed and approved November 1, 2010.

APPROVAL OF LIQUOR LICENSE – MURPHY OIL USA: (Tape A139-168)

Police Chief John McGovern informed the Council that there is nothing to preclude the issuance of this license.

Councilman Parker made a motion to approve a request by Murphy Oil USA, Inc. to upgrade from a 5% Package Beer License to Package Liquor and Sunday Sales license at 2211 Patsy Lane, Excelsior Springs, Missouri. Lorene Samson will continue to be the Managing Officer of the license. Motion was seconded by Mayor Pro-Tem Buckman.

Roll Call of Votes: Ayes: Fousek, Nelson, Parker, Buckman, Schutte

Nays: None, motion carried.

Murphy Oil USA License passed and approved November 1, 2010.

ORDINANCE #10-10-06, APPROVAL OF EASEMENT VACATE FOR FOWLER STREET AND ADJOINING ALLEY: (Tape A169-206)

Mayor Schutte read by title the First Reading of Ordinance #10-10-06.

Nick Pappas, Planning and Zoning Director, briefed the Council on this Ordinance.

Mayor Pro-Tem Buckman made a motion to place on Second Reading Ordinance #10-10-06, approving an easement vacate of Fowler Street and the adjoining alley. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Nelson, Parker, Fousek, Buckman, Schutte

Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Ordinance #10-10-06.

Mayor Pro-Tem Buckman made a motion to approve Ordinance #10-10-06, approving an easement vacate of Fowler Street and the adjoining alley. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Parker, Fousek, Nelson, Buckman, Schutte

Nays: None, motion carried.

Ordinance #10-10-06 passed and approved November 1, 2010.

ORDINANCE #10-10-07, APPROVAL OF AMENDMENT TO AGREEMENT FOR HALL OF WATERS REHABILITATION PROJECT: (Tape A207-271)

Mayor Schutte read by title the First Reading of Ordinance #10-10-07.



Once again, Nick Pappas briefed the Council on this Ordinance.

Councilman Fousek made a motion to take to Second Reading Ordinance #10-10-07, approving an expenditure in the amount not to exceed \$20,000 from the Historic Preservation Grant Funds and authorizing the City to enter into an amendment to the agreement for construction services for the Hall of Waters Rehabilitation Project. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Fousek, Nelson, Parker, Buckman, Schutte

Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Ordinance #10-10-07.

Councilman Fousek made a motion to approve Ordinance #10-10-07, approving an expenditure in the amount not to exceed \$20,000 from the Historic Preservation Grant Funds and authorizing the City to enter into an amendment to the agreement for construction services for the Hall of Waters Rehabilitation Project. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Nelson, Parker, Fousek, Buckman, Schutte

Nays: None, motion carried.

Ordinance #10-10-07 passed and approved November 1, 2010.

ORDINANCE #10-10-08, APPROVAL TO TRANSFER 211 E. EXCELSIOR STREET TO GARDNER CAPITAL, LLC: (Tape A272-350)

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

Nick Pappas briefed the Council on this Ordinance.

Councilman Fousek made a motion to place on Second Reading Ordinance #10-10-08, authorizing the conveyance of 211 E. Excelsior Street for redevelopment. Motion was seconded by Mayor Pro-Tem Buckman.

Roll Call of Votes: Ayes: Parker, Fousek, Nelson, Buckman, Schutte

Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Ordinance #10-10-08.

Mayor Pro-Tem Buckman made a motion to approve Ordinance #10-10-08, authorizing the conveyance of 211 E. Excelsior Street for redevelopment. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Fousek, Nelson, Parker, Buckman, Schutte

Nays: None, motion carried.

Ordinance #10-10-08 passed and approved November 1, 2010.

ORDINANCE #10-10-09, APPROVAL OF CONTRACT FOR THE WASTEWATER

TREATMENT FACILITY PROJECT: (Tape A351-414)

Mayor Schutte read by title the First Reading of Ordinance #10-10-09.

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

Councilman Parker made a motion to place on Second Reading Ordinance #10-10-09, authorizing the City to enter into an agreement with Larkin Group, Inc. for Engineering Services. Motion was seconded by Mayor Pro-Tem Buckman.

Roll Call of Votes: Ayes: Nelson, Parker, Fousek, Buckman, Schutte

Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Ordinance #10-10-09.

Councilman Fousek made a motion to approve Ordinance #10-10-09, authorizing the City to enter into an agreement with Larkin Group, Inc for Engineering Services. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Parker, Nelson, Fousek, Buckman, Schutte

Nays: None, motion carried.

Ordinance #10-10-09 passed and approved November 1, 2010.

APPROPRIATIONS ORDINANCE #10-10-10: (Tape A415-464)

Mayor Schutte read by title the First Reading of Appropriations Ordinance #10-10-10.

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

Mayor Pro-Tem Buckman made a motion to place on Second Reading Appropriations Ordinance #10-10-10, in the amount of \$1,188,037.68. Motion was seconded by Councilman Fousek.

Roll Call of Votes: Ayes: Fousek, Nelson, Buckman, Schutte

Abstain: Parker

Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Appropriations Ordinance #10-10-10.

Mayor Pro-Tem Buckman made a motion to approve Appropriations Ordinance #10-10-10, in the amount of \$1,188,037.68. Motion was seconded by Councilman Fousek.

Roll Call of Votes: Ayes: Nelson, Fousek, Buckman, Schutte

Abstain: Parker

Nays: None, motion carried.

Appropriations Ordinance #10-10-10 passed and approved November 1, 2010.

REMARKS – CITY MANAGER AND CITY COUNCIL: (Tape A465-494)

ORDINANCE #10-10-09, APPROVAL OF CONTRACT FOR THE WASTEWATER

Everyone get out and vote tomorrow.

Councilman Fousek:  
Vote tomorrow.

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

Councilman Parker made a motion to adjourn the Regular Council Meeting and go into closed session pursuant to Missouri State Statutes 610.021 (1) Legal. Motion was seconded by Councilman Fousek.

Roll Call of Votes:     Ayes:  Fousek, Nelson, Parker, Buckman, Schutte

                              Nays:  None, motion carried.

Regular Council Meeting adjourned at 6:20 PM.

ATTEST:

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CAROLYN SCHUTTE, MAYOR

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FRANCES SMITH, CITY CLERK

PAGE 1

PAGE 2

SPECIAL COUNCIL MEETING  
CITY OF EXCELSIOR SPRINGS  
EXCELSIOR SPRINGS, MISSOURI  
NOVEMBER 3, 2010

The City Council of the City of Excelsior Springs, Missouri met in Special Session at 8:30 AM, Wednesday, November 3, 2010 in the Council Chambers of the Hall of Waters Building. The Meeting was called to order by Mayor Schutte.

Roll Call of Members: Present: Mayor Carolyn Schutte,  
Councilmen Ken Fousek, Jim Nelson, and Sonny Parker.

Absent: Mayor Pro-Tem Buckman.

APPROVAL OF AGREEMENT BETWEEN THE CITY OF EXCELSIOR SPRINGS AND STIFEL, NICOLAUS & COMPANY, INC., GILMORE & BELL, P.C., AND THOMPSON COBURN LLP REGARDING ISSUANCE OF RECOVERY ZONE FACILITY BONDS FOR THE ELMS HOTEL

David Haugland, City Manager briefed the council on this ordinance.

Councilman Fousek made a motion to place on Second Reading Ordinance #10-11-01, approval of agreement between The City of Excelsior Springs and Stifel, Nicolaus & Company, Inc., Gilmore & Bell, P.C., and Thompson Coburn LLP regarding issuance of recovery zone facility bonds for the Elms Hotel. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Parker, Fousek, Nelson, Schutte

Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Ordinance #10-11-01.

Councilman Fousek made a motion to approve Ordinance #10-11-01, approving the agreement between The City of Excelsior Springs and Stifel, Nicolaus & Company, Inc., Gilmore & Bell, P.C., and Thompson Coburn LLP regarding issuance of recovery zone facility bonds for the Elms Hotel. Motion was seconded by Councilman Nelson.

Roll Call of Votes: Ayes: Nelson, Fousek, Parker, Schutte

Nays: None, motion carried.

Ordinance #10-11-01 passed and approved November 3, 2010.

With no further business at hand, Mayor Schutte called for a motion to adjourn the Special Council Meeting.

Councilman Fousek made a motion to adjourn the Special Council Meeting. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Fousek, Nelson, Parker, Schutte

Nays: None, motion carried.

Special Council Meeting adjourned at 8:50 AM.

ATTEST:

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CAROLYN SCHUTTE, MAYOR

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SHANNON STROUD, DEPUTY CITY CLERK

PAGE 1

PAGE 1

REGULAR COUNCIL MEETING  
CITY OF EXCELSIOR SPRINGS  
EXCELSIOR SPRINGS, MISSOURI  
NOVEMBER 15, 2010

The City Council of the City of Excelsior Springs, Missouri met in Regular Session at 6:00 PM, Monday, November 15, 2010 in the Council Chambers of the Hall of Waters Building. The Meeting was called to order by Mayor Schutte.

The opening prayer was given by Fire Chief Kent Cantrell.

The Pledge of Allegiance was led by Mayor Schutte.

Roll Call of Members: Present: Mayor Carolyn Schutte, Mayor Pro-Tem Buckman, Councilmen Ken Fousek, Jim Nelson, and Sonny Parker.

Absent: None.

VISITORS: There were no visitors that wished to address the Council.

MINUTES OF THE REGULAR COUNCIL MEETING ON NOVEMBER 1, 2010:

Mayor Pro-Tem Buckman made a motion to approve the Minutes of the Regular Council Meeting on November 1, 2010. Councilman Parker seconded.

Roll Call of Votes: Ayes: Parker, Nelson, Fousek, Buckman, and Schutte

Nays: None, motion carried.

Minutes of the Regular Council Meeting on November 1, 2010 passed and approved November 15, 2010.

MINUTES OF THE SPECIAL COUNCIL MEETING ON NOVEMBER 3, 2010:

Councilman Fousek made a motion to approve the Minutes of the Special Council Meeting on November 3, 2010. Councilman Parker seconded.

Roll Call of Votes: Ayes: Nelson, Fousek, Parker, Buckman, and Schutte

Nays: None, motion carried.

Minutes of the Special Meeting on November 3, 2010 passed and approved November 15, 2010.

EXCELSIOR SPRINGS CITY COUNCIL ELECTION – NOTICE OF FILING:

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

Councilman Fousek made a motion to approve the Notice of Publication for the Excelsior Springs City Council Election for 2011. Motion was seconded by Mayor Pro-Tem Buckman.

Roll Call of Votes: Ayes: Parker, Nelson, Fousek, Buckman, and Schutte

Nays: None, motion carried.

2011 City Council Election Notice of Filing passed and approved November 15, 2010.

ORDINANCE #10-11-02, APPROVAL OF CAMERA SYSTEM FOR THE FIRE STATION:

David Haugland, City Manager briefed the Council for approval of the camera at the Fire Station.

Mayor Pro-Tem Buckman made a motion to place on second reading Ordinance #10-11-02, approving authorization for the City to enter into an agreement with Electronic Technology, Inc. for the Fire Station Camera System. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Nelson, Fousek, Parker, Buckman, and Schutte

Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Ordinance #10-11-02.

Councilman Parker made a motion to approve Ordinance #10-11-02, approving authorization for the City to enter into an agreement with Electronic Technology, Inc. for the Fire Station Camera System. Motion was seconded by Councilman Fousek.

Roll Call of Votes: Ayes: Fousek, Nelson, Parker, Buckman, and Schutte

Nays: None, motion carried.

Ordinance #10-11-02 passed and approved November 15, 2010.

ORDINANCE #10-11-03, APPROVAL OF CAMERA SYSTEM FOR THE SKATE PARK:

David Haugland, City Manager briefed the Council for approval of the camera for the Skate Park.

Councilman Parker made a motion to place on second reading Ordinance #10-11-03, approving authorization for the City to enter into an agreement with Electronic Technology, Inc. for the Skate Park Camera System. Motion was seconded by Mayor Pro-Tem Buckman.

Roll Call of Votes: Ayes: Fousek, Parker, Nelson, Buckman, and Schutte

Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Ordinance #10-11-03.

Mayor Pro-Tem Buckman made a motion to approve Ordinance #10-11-03, approving authorization for the City to enter into an agreement with Electronic Technology, Inc. for the Skate Park Camera System. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Parker, Nelson, Fousek, Buckman, and Schutte

Nays: None, motion carried.

Ordinance #10-11-03 passed and approved November 15, 2010.

ORDINANCE #10-11-04, APPROVAL OF AGREEMENT WITH SKW FOR ENGINEERING SERVICES FOR THE WATER DISTRIBUTION SYSTEM IMPROVEMENT PROJECT:

Chad Birdsong, Director of Public Works presented for Tom Wall, Director of Utilities and briefed the Council for approval of the Engineering Services for the Water Distribution System.

Councilman Fousek made a motion to place on second reading Ordinance #10-11-04, approving the agreement with SKW for engineering services for the Water Distribution System Improvement Project. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Fousek, Parker, Nelson, Buckman, and Schutte

Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Ordinance #10-11-04.

Councilman Nelson made a motion to approve Ordinance #10-11-04, approving the agreement with SKW for engineering services for the Water Distribution System Improvement Project. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Nelson, Fousek, Parker, Buckman, and Schutte

Nays: None, motion carried.

Ordinance #10-11-04 passed and approved November 15, 2010.

ORDINANCE #10-11-05, APPROVAL OF AGREEMENT WITH SKW FOR ENGINEERING SERVICES FOR THE WASTEWATER COLLECTION SYSTEM IMPROVEMENT PROJECT:

Chad Birdsong, Director of Public Works presented for Tom Wall, Director of Utilities and briefed the Council for approval of Engineering Services for the Wastewater Collection System.

Councilman Fousek made a motion to place on second reading Ordinance #10-11-05, approving the agreement with SKW for Engineering Services for the Water Distribution System Improvement Project. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Nelson, Parker, Fousek, Buckman, and Schutte

Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Ordinance #10-11-05.

Mayor Pro-Tem Buckman made a motion to approve Ordinance #10-11-05, approving the agreement with SKW for engineering services for the Wastewater Collection System Improvement Project. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Fousek, Nelson, Parker, Buckman, and Schutte

Nays: None, motion carried.



Ordinance #10-11-05 passed and approved November 15, 2010.

APPROPRIATIONS ORDINANCE #10-11-06:

Mayor Schutte read by title the First Reading of Appropriations Ordinance #10-11-06.

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

Mayor Pro-Tem Buckman made a motion to place on Second Reading Appropriations Ordinance #10-11-06, in the amount of \$798,464.89. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Parker, Fousek, Nelson, Buckman, and Schutte

Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Ordinance #10-11-06.

Councilman Nelson made a motion to approve Appropriations Ordinance #10-11-06, in the amount of \$798,464.89. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Fousek, Nelson, Parker, Buckman, and Schutte

Nays: None, motion carried.

Appropriations Ordinance #10-11-06 passed and approved November 15, 2010.

REMARKS – CITY MANAGER AND CITY COUNCIL:

Mayor Schutte:

Read a prepared statement for a matter of record regarding the Elms Hotel Redevelopment Plan. It is with regret that satisfaction in contract negotiations could not be met between the Excelsior Springs City Council and Widewaters Group for refinancing of the Elms Hotel. Recovery Zone Bonds have been turned back over to the state. We thank Director David Kerr and the Department of Economic Development for their hard work and faith in the Elms Redevelopment Project and in Excelsior Springs. The City Council and Widewaters will continue to work towards a solution. All Council members and the City Manager agreed with the contents of the letter presented by Mayor Schutte.

Councilman Fousek:

It is with a sad heart to hear that an organization in Excelsior Springs has declined a membership to a resident and it is believed to be due to race. This is not the 1930's and it is with great disappointment that I mention this issue.

Mayor Pro-Tem Buckman:

We owe a huge thank you to the volunteers of the Christmas Committee of Excelsior Springs. They work very hard and do many, many things to get the town ready for the Holidays.

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

Councilman Parker made a motion to adjourn the Regular Council Meeting and go into Closed Session pursuant to Missouri State Statutes 610.021 (1) Legal and into a Closed Session pursuant to Missouri State Statutes 610.021 (3) Personnel. Motion was seconded by

Mayor Pro-Tem Buckman.

Roll Call of Votes: Ayes: Fousek, Nelson, Parker, Buckman, and Schutte

Nays: None, motion carried.

Regular Council Meeting adjourned at 6:25 PM.

ATTEST:

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CAROLYN SCHUTTE, MAYOR

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SHANNON STROUD, DEPUTY CITY CLERK

PAGE 1

PAGE 1

REGULAR COUNCIL MEETING  
CITY OF EXCELSIOR SPRINGS  
EXCELSIOR SPRINGS, MISSOURI  
DECEMBER 6, 2010

The City Council of the City of Excelsior Springs, Missouri met in Regular Session at 6:00 PM, Monday, December 6, 2010 in the Council Chambers of the Hall of Waters Building. The Meeting was called to order by Mayor Schutte.

The opening prayer was given by Randy Mitchell, Pastor of Flack Memorial Church.

The Pledge of Allegiance was led by Mayor Schutte.

Roll Call of Members: Present: Mayor Carolyn Schutte, Mayor Pro-Tem Ambrose Buckman, Councilmen Ken Fousek, Jim Nelson and Sonny Parker.

Absent: None

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

MINUTES OF REGULAR COUNCIL MEETING, NOVEMBER 15, 2010: (Tape A65-72)

Mayor Pro-Tem Buckman made a motion to approve the Minutes of the Regular Council Meeting held on November 15, 2010. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Nelson, Parker, Fousek, Buckman, Schutte

Nays: None, motion carried.

Minutes of November 15, 2010 passed and approved December 6, 2010.

CONSIDERATION OF AGENDA: (Tape A73-80)

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

Roll Call of Votes: Ayes: Parker, Fousek, Nelson, Buckman, Schutte

Nays: None, motion carried.

Agenda, as printed, passed and approved December 6, 2010.

RESOLUTION #859, APPROVAL OF CROP LEASE, WELL FIELD AND WATER PLANT ACREAGE: (Tape A81-117)

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

Councilman Parker made a motion to approve Resolution #859, to allow the Director of Public Works to enter into an agreement with Kyle Tracy to lease ground around the Water Treatment Plant for a total yearly amount of \$12,250.00 to be deposited in the Water Department budget. Motion was seconded by Mayor Pro-Tem Buckman.

Roll Call of Votes: Ayes: Fousek, Nelson, Parker, Buckman, Schutte

Nays: None, motion carried.

Resolution #859 passed and approved December 6, 2010.

RESOLUTION #860, APPROVAL OF CROP LEASE, WASTEWATER TREATMENT PLANT ACREAGE: (Tape A118-146).

Once again, Chad Birdsong briefed the Council on this Lease.

Councilman Fousek made a motion to approve Resolution #860, to allow the Director of Public Works to enter into agreement with Kyle Tracy to lease ground around the Wastewater Treatment Plant for a total yearly amount of \$6,820.00 to be deposited in the Pollution Control Department budget. Motion was seconded by Councilman Nelson.

Roll Call of Votes: Ayes: Nelson, Parker, Fousek, Buckman, Schutte

Nays: None, motion carried.

Resolution #860 passed and approved December 6, 2010.

ORDINANCE #10-12-01, APPROVAL OF 2011 REGIONAL HOUSEHOLD HAZARDOUS WASTE COLLECTION PROGRAM: (Tape A148-204).

Mayor Schutte read by title the First Reading of Ordinance #10-12-01.

Devery Hunt, Public Works Administrative Assistant, briefed the Council on this Ordinance.

Mayor Pro-Tem Buckman made a motion to place on Second Reading Ordinance #10-12-01, authorizing the City Manager to enter into an agreement with MARC Solid Waste Management District relating to the Regional Household Hazardous Waste Program. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Parker, Fousek, Nelson, Buckman, Schutte

Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Ordinance #10-12-01.

Mayor Pro-Tem Buckman made a motion to approve Ordinance #10-12-01, authorizing the City Manager to enter into an agreement with MARC Solid Waste Management District relating to the Regional Household Hazardous Waste Program. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Fousek, Nelson, Parker, Buckman, Schutte

Nays: None, motion carried.

Ordinance #10-12-01 passed and approved December 6, 2010.

APPROPRIATIONS ORDINANCE #10-12-02: (Tape A205-253).

Mayor Schutte read by title the First Reading of Appropriations Ordinance #10-12-02.

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

Councilman Nelson made a motion to take to Second Reading Appropriations Ordinance #10-12-02, in the amount of \$557,265.94. Motion was seconded by Mayor Pro-Tem Buckman.

Roll Call of Votes:     Ayes: Nelson, Fousek, Buckman, Schutte  
                          Abstain: Parker  
                          Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Appropriations Ordinance #10-12-02.

Councilman Fousek made a motion to approve Appropriations Ordinance #10-12-02, in the amount of \$557,265.94. Motion was seconded by Mayor Pro-Tem Buckman.

Roll Call of Votes:     Ayes: Fousek, Nelson, Buckman, Schutte  
                          Abstain: Parker  
                          Nays: None, motion carried.

Appropriations Ordinance #10-12-02 passed and approved December 6, 2010.

REMARKS – CITY MANAGER AND CITY COUNCIL: (Tape A254-473)

City Manager Haugland:

Will be out of the office on Wednesday; attending a leadership seminar.

Thursday, December 9, is the Keystone Awards Luncheon.

There will be a Special Council Meeting on December 16, 2010 at 6:00 PM to consider pricing issues for documents to be brought to the Regular Council Meeting on December 20, 2010.

December 17, 2010 at Noon is the Annual Employee Luncheon.

Due to the dry Fall the City will keep open the yard waste acceptance site through December 18, on Tuesdays and Saturdays.

Mayor Pro-Tem Buckman.

His grand-daughter will graduate from college on the 16<sup>th</sup>, so he will be unable to attend meeting.

Councilman Nelson:

The only burr he has under his saddle is the lack of coverage given to the Mineral Water Bowl Game by the Kansas City Star. This was a sanctioned bowl game in our area and the Star gave it less coverage than some small bowl game in Louisiana.

Councilman Fousek:

Wishes everyone a very Merry Christmas. He will be in Indianapolis for a few days.

Mayor Schutte:

Recommends the Council send a letter to the Star regarding the Mineral Water Bowl coverage.

Presented a Proclamation to the newspaper titled "Eat Local for the Holidays".

Wednesday afternoon is the meeting of ES Pros, at the Good Samaritan Center, to discuss delivering meals to the elderly on snow days.

With no further business at hand, Mayor Schutte adjourned the Regular Council Meeting at 6:17 PM.

ATTEST:

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CAROLYN SCHUTTE, MAYOR

\_\_\_\_\_  
FRANCES SMITH, CITY CLERK

PAGE 1

PAGE 3

REGULAR COUNCIL MEETING  
CITY OF EXCELSIOR SPRINGS  
EXCELSIOR SPRINGS, MISSOURI  
DECEMBER 20, 2010

The City Council of the City of Excelsior Springs, Missouri met in Regular Session at 6:00 PM, Monday, December 20, 2010 in the Council Chambers of the Hall of Waters Building. The Meeting was called to order by Mayor Schutte.

The opening prayer was given by Mike Boudreaux, Pastor of Crescent Lake Christian Center.

The Pledge of Allegiance was led by Mayor Schutte.

Roll Call of Members: Present: Mayor Carolyn Schutte, Mayor Pro-Tem Ambrose Buckman, Councilmen Ken Fousek, Jim Nelson and Sonny Parker.

Absent: None

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

MINUTES OF REGULAR COUNCIL MEETING, DECEMBER 6, 2010: (Tape A30-40)

Mayor Pro-Tem Buckman made a motion to approve the Minutes of the Regular Council Meeting held on December 6, 2010. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Nelson, Parker, Fousek, Buckman, Schutte

Nays: None, motion carried.

Minutes of December 6, 2010 passed and approved December 20, 2010.

CONSIDERATION OF AGENDA: (Tape A41-53)

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

Roll Call of Votes: Ayes: Parker, Fousek, Nelson, Buckman, Schutte

Nays: None, motion carried.

Agenda, as printed, passed and approved December 20, 2010.

ORDINANCE #10-12-05, APPROVAL OF AMBULANCE PURCHASE: (Tape A54-172)

Mayor Schutte read by title the First Reading of Ordinance #10-12-05.

Fire Chief Kent Cantrell informed the Council that this purchase has been approved by the Public Safety Sales Tax Fund.

Mayor pro-Tem Buckman made a motion to place on Second Reading Ordinance #10-12-05, authorizing the City Manager to enter into an agreement with Ed M. Feld Equipment Company, Inc. for the purchase of a new 2010 Wheeled Coach Type III

ambulance for the total delivered price of \$120,935.00, after trade-in allowance. Motion was seconded by Councilman Fousek.

Roll Call of Votes: Ayes: Fousek, Nelson, Parker, Buckman, Schutte

Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Ordinance #10-12-05.

Councilman Fousek made a motion to approve Ordinance #10-12-05, authorizing the City Manager to enter into an agreement with Ed M. Feld Equipment Company, Inc. for the purchase of a new 2010 Wheeled Coach Type III ambulance for the total delivered price of \$120,935.00 after trade-in allowance. Motion was seconded by Councilman Nelson.

Roll Call of Votes: Ayes: Nelson, Parker, Fousek, Buckman, Schutte

Nays: None, motion carried.

Ordinance #10-12-05 passed and approved December 20, 2010.

ORDINANCE #10-12-06, APPROVING THE EXECUTION AND DELIVERY OF \$2,305,000.00 PRINCIPAL PORTION CERTIFICATES AND REFUNDING CERTIFICATES OF PARTICIPATION SERIES 2010A FOR THE PURPOSE OF FUNDING THE WATER SYSTEM PROJECT, REFUNDING THE REFUNDED CERTIFICATES, AND PAYING THE COSTS OF DELIVERY, AND \$13,280,000.00 PRINCIPAL PORTION CERTIFICATES OF PARTICIPATION, SERIES 2010B FOR THE PURPOSE OF FUNDING THE WATER SYSTEM PROJECT AND PAYING THE COSTS OF DELIVERY, AND AUTHORIZING AND APPROVING CERTAIN OTHER DOCUMENTS AND ACTIONS IN CONNECTION WITH THE EXECUTION AND DELIVERY OF SAID CERTIFICATES OF PARTICIPATION: (Tape A173-286).

Mayor Schutte read by title the First Reading of Ordinance #10-12-06.

Steve Marriott, Administrative Services Director, briefed the Council on Ordinance #10-12-06 and Ordinance #10-12-07.

Councilman Nelson made a motion to place on Second Reading Ordinance #10-12-06, approving the execution and delivery of \$2,305,000.00 principal portion certificates and refunding certificates of participation, series 2010A for the purpose of funding the water system project, refunding the refunded certificates, and paying the costs of delivery, and \$13,280,000.00 principal portion certificates of participation, series 2010B for the purpose of funding the water system project and paying the costs of delivery, and authorizing and approving certain other documents and actions in connection with the execution and delivery of said certificates of participation, Motion was seconded by Mayor Pro-Tem Buckman.

Roll Call of Votes: Ayes: Parker, Fousek, Nelson, Buckman, Schutte

Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Ordinance #10-12-06.

Councilman Fousek made a motion to approve Ordinance #10-12-06, approving the ~~Execution and delivery of \$2,305,000.00 principal portion 2010 Wheeled Coach Type III~~



certificates of participation, series 2010A for the purpose of funding the water system project, refunding the refunded certificates, and paying the costs of delivery, and #13,280,000.00 principal portion certificates of participation series 2010B for the purpose of funding the water system project and paying the costs of delivery, and authorizing and approving certain other documents and actions in connection with the execution and delivery of said certificates of participation. Motion was seconded by Mayor Pro-Tem Buckman.

Roll Call of Votes: Ayes: Fousek, Nelson, Parker, Buckman, Schutte

Nays: None, motion carried.

Ordinance #10-12-06 passed and approved December 20, 2010.

ORDINANCE #10-12-07, APPROVING THE EXECUTION AND DELIVERY OF \$0.00 PRINCIPAL PORTION CERTIFICATES OF PARTICIPATION, SERIES 2010C FOR THE PURPOSE OF FUNDING THE SANITARY SEWER SYSTEM PROJECT, FUNDING CAPITALIZED INTEREST AND PAYING THE COSTS OF DELIVERY, AND \$20,205,000.00 PRINCIPAL PORTION CERTIFICATES OF PARTICIPATION, SERIES 2010D FOR THE PURPOSE OF FUNDING THE SANITARY SEWER SYSTEM PROJECT, FUNDING CAPITALIZED INTEREST AND PAYING THE COSTS OF DELIVERY, AND IN CONNECTION WITH THE EXECUTION AND DELIVERY OF SAID CERTIFICATES OF PARTICIPATION: (Tape A287-425).

Mayor Schutte read by title the First Reading of Ordinance #10-12-07.

Mayor Pro-Tem Buckman made a motion to take to Second Reading Ordinance #10-12-07, approving the execution and delivery of \$0.00 principal portion certificates of participation, Series 2010C for the purpose of funding the sanitary sewer system project, funding capitalized interest and portion certificates and paying the costs of delivery, and \$20,205,000.00 principal portion certificates of participation, series 2010D for the purpose of funding the sanitary sewer system project, funding capitalized interest and paying the costs of delivery; and authorizing and approving certain other documents and actions in connection with the execution and delivery of said certificates of participation. Motion was seconded by Councilman Parker.

Roll Call of Votes: Ayes: Nelson, Parker, Fousek, Buckman, Schutte

Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Ordinance #10-12-07.

Mayor Pro-Tem Buckman made a motion to approve Ordinance #10-12-07, approving the execution and delivery of \$0.00 principal portion certificates of participation, series 2010C for the purpose of funding the sanitary sewer system project, funding capitalized interest and paying the costs of delivery, and \$20,205,000.00 principal portion certificates of participation, series 2010D for the purpose of funding the sanitary sewer system project, funding capitalized interest and paying the costs of delivery; and authorizing and approving certain other documents and actions in connection with the execution and delivery of said certificates of participation. Motion was seconded by Councilman Nelson.

Roll Call of Votes: Ayes: Parker, Fousek, Nelson, Buckman, Schutte

Nays: None, motion carried.

Ordinance #10-12-07 passed and approved December 20, 2010.

APPROPRIATIONS ORDINANCE #10-12-08: (Tape A426-486)

Mayor Schutte read by title the First Reading of Appropriations Ordinance #10-12-08.

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

Mayor Pro-Tem Buckman made a motion to take to Second Reading Appropriations Ordinance #10-12-08, in the amount of \$695,786.29. Motion was seconded by Councilman Nelson.

Roll Call of Votes:     Ayes: Fousek, Nelson, Buckman, Schutte  
                          Abstain: Parker  
                          Nays: None, motion carried.

Mayor Schutte read by title the Second Reading of Appropriations Ordinance #10-12-08.

Councilman Fousek made a motion to approve Appropriations Ordinance #10-12-08, in the amount of \$695,786.29. Motion was seconded by Councilman Nelson.

Roll Call of Votes:     Ayes: Nelson, Fousek, Buckman, Schutte  
                          Abstain: Parker  
                          Nays: None, motion carried.

Appropriations Ordinance #10-12-08 passed and approved December 20, 2010.

REMARKS – CITY MANAGER AND CITY COUNCIL: (Tape A487-618)

City Manager Haugland:

Appropriations are the only item scheduled for the regular Council Meeting on January 3, 2011 and unless something else comes up, there will be no Council Meeting on Jan. 3<sup>rd</sup>. The Council will take a short recess at the end of “Remarks” to sign all the legal documents for the water and sewer projects. This will need to be done before adjourning the regular meeting.

Mayor Pro-Tem Buckman:

Wishes everyone a Merry Christmas.

Had a very good response to efforts in getting a furnace installed for a needy family. Channel “5” even contacted him. It is good to reach out and help someone.

Councilman Nelson:

Warns Chad Birdsong that his grandchildren are coming for Christmas and they are praying for snow.

Wishes everyone a Merry Christmas.

Councilman Fousek:

The City Staff, the City Manager, and the Council have worked hard in 2010 to make this a better place to live.

Wishes everyone a Merry Christmas.

Mayor Schutte:

Wishes everyone a Merry Christmas.

Asked that the Council now go into recess to sign legal documents. (Time 6:24 PM)

NOTE: A 43-minute recess was taken to allow for the signing of legal documents.

Council re-convened at 7:13 PM and Mayor Pro-Tem Buckman 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 Councilman Nelson.

Roll Call of Votes: Ayes: Fousek, Nelson, Parker, Buckman, Schutte

Nays: None, motion carried.

Regular Council Meeting Adjourned at 7:15 PM.

ATTEST:

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CAROLYN SCHUTTE, MAYOR

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FRANCES SMITH, CITY CLERK

PAGE 1

PAGE 1