

MINUTES OF THE REGULAR MEETING OF THE BOARD OF ALDERMEN
OF THE CITY OF OSAGE BEACH, MISSOURI

April 17, 2014

The Board of Aldermen of the City of Osage Beach, Missouri, met to conduct a regular meeting on Thursday, April 17, 2014, at 6:30 p.m. at City Hall. The following were present: Mayor Penny Lyons, Alderman Steve Kahrs, Alderman Michelle Myler, Alderman John Olivarri, Alderman Ron Schmitt, and Alderman Kevin Rucker. Alderman Fred Catcott was absent. The City Clerk, Diann Warner, was present and performed the duties of that office.

Mayor's Communications.

Mayor Lyons thanked voters for their support. She said that Osage Beach is an example of positive City government and she thanked the candidates for running clean and fair campaigns.

Citizens Communications.

Carolyn Morris reported on State Aviation Day held on April 8 in Jefferson City and she thanked the City for co-sponsoring the event.

Consent Agenda.

Alderman Schmitt moved to approve the consent agenda which includes minutes of the regular meeting held on April 3, 2014, and the bill list as submitted. Alderman Rucker seconded the motion which was voted on and passed.

Unfinished Business.

Bill No. 14-16. AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, ADOPTING AN AMENDMENT TO THE ZONING MAP OF THE CITY OF OSAGE BEACH, MISSOURI.

Mayor Lyons presented the second and final reading of Bill No. 14-16 by title only. It was noted that Bill No. 14-16 has been available for public review.

Alderman Olivarri moved to approve the second and final reading of Bill No. 14-16. Alderman Myler seconded the motion. The following roll call vote was taken to approve the second and final reading of Bill No. 14-16 and to pass same into Ordinance: "Ayes": Alderman Olivarri, Alderman Kahrs, Alderman Schmitt, Alderman Myler, Alderman Rucker. "Nays": None. "Absent": Alderman Catcott. Bill No. 14-16 was passed and approved as Ordinance No. 14.16.

Bill No. 14-18. AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, REPEALING AND REENACTING SECTION 117.020 OF THE CODE RELATING TO OPEN RECORDS TO PROTECT DISCLOSURE OF OPERATIONAL GUIDELINES AND POLICIES OF THE POLICE DEPARTMENT IN RESPONDING TO ANY INCIDENT THAT MAY BE TERRORIST IN NATURE AND PROVIDE A MECHANISM TO ENSURE THAT FINANCIAL RECORDS RELATING TO SUCH GUIDELINES, SHALL BE PUBLIC UNLESS THAT DISCLOSURE WOULD IMPAIR THE SECURITY OR SAFETY OF PERSONS OR REAL PROPERTY, AND TO PROTECT FROM DISCLOSURE ACCESS CODES OR AUTHORIZATION CODES FOR SECURITY SYSTEMS OF REAL PROPERTY

Mayor Lyons presented the second and final reading of Bill No. 14-18 by title only. It was noted that Bill No. 14-18 has been available for public review.

Alderman Rucker moved to approve the second and final reading of Bill No. 14-18. Alderman Olivarri seconded the motion. The following roll call vote was taken to approve the second and final reading of Bill No. 14-18 and to pass same into Ordinance: "Ayes": Alderman Kahrs, Alderman Schmitt, Alderman Myler, Alderman Rucker., Alderman Olivarri. "Nays": None. "Absent": Alderman Catcott. Bill No. 14-18 was passed and approved as Ordinance No. 14.18.

Mayor Lyons recognized Alderman Michelle Myler for her contributions to Osage Beach and presented her with a plaque for her service. Mayor Lyons added that Michelle has done due diligence and she has played an integral part in the operations of the City.

New Business.

Certification of Election Results.

The City Clerk presented the election results as follows:

Camden County

Mayor

Penny Lyons	256
W.W. Bill Stone	127

Alderman Ward I

Kevin Rucker	71
--------------	----

Alderman Ward II

Michelle Myler	48
Phyllis Marose	86
Bob Matula	29

Alderman Ward III

Fred W. Catcott	59
Thomas (Tom) Walker	79

Collector

John M. Berry	317
---------------	-----

Miller County

Mayor

Penny Lyons	34
W.W. Bill Stone	4

Alderman Ward I

Kevin Rucker	33
--------------	----

Collector

John Berry	33
------------	----

Alderman Schmitt moved to accept the election results as presented. Alderman Kahrs seconded the motion which was voted on and passed.

Oaths of Office:

The City Clerk administered the oaths of office to the following: Penny Lyons, Mayor; Kevin Rucker, Alderman Ward 1; Phyllis Marose, Alderman Ward 2; Tom Walker, Alderman Ward 3. John Berry, Collector was not present.

Elected officials took their seat at the dais.

Election of President of the Board of Aldermen.

Alderman Kahrs moved to elect Alderman Schmitt for President of the Board. Alderman Rucker seconded the motion which was voted on and unanimously passed.

Bill No. 14-20. AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, APPROVING THE FINAL PLAT OF PARKSIDE VILLAGE RESUBDIVISION, A SUBDIVISION IN OSAGE BEACH, CAMDEN COUNTY, MISSOURI.

City Planner Cary Patterson presented the following Planning Department report:

Subdivision Name: Parkside Village Resubdivision Final Plat

Location: On the east side of Highway 54 at the Northeast corner of 54 and Nichols Road. (Across from Casey's and Culvers)

Section/Township/Range: 15/39/16

Applicant: OFFCOMO1, LLC. / T&K Holdings, LLC.

Surveyor: Marler Surveying Company

Tract Size: Approximately 13.87 acres

Number of Lots: Six Commercial Lots

Zoning: C-1 General Commercial

Surrounding Subdivisions:

North: Commercial Property, State Park

South: Commercial Property

East: State Park

West: Highway 54 Commercial Corridor

Department Comments:

The Planning Department reviewed the final plat for code compliance and found it to be in order with the subdivision codes for final plats. The applicants have decided to subdivide the properties into separate ownership tracts instead of commercial condominiums. All infrastructure for this development has been constructed. The Planning Department recommends approval of this final plat and the Planning Commission concurred.

Mayor Lyons presented the first reading of Bill No. 14-20 by title only. It was noted that Bill No. 14-20 has been available for public review.

Alderman Kahrs moved to approve the first reading of Bill No. 14-20 as presented. Alderman Schmitt seconded the motion which was voted on and unanimously passed.

Mayor Lyons presented the second and final reading of Bill No. 14-20. It was noted that Bill No. 14-20 has been available for public review.

Alderman Kahrs moved to approve the second and final reading of Bill No. 14-20. Alderman Schmitt seconded the motion. The following roll call vote was taken to approve the second and final reading of Bill No. 14-20 and to pass same into Ordinance: "Ayes": Alderman Schmitt, Alderman Marose, Alderman Walker, Alderman Rucker, Alderman Olivarri, Alderman Kahrs. "Nays": None. Bill No. 14-20 was passed and approved as Ordinance No. 14.20.

Bill No. 14-21. AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, APPROVING THE FINAL PLAT OF VILLAS AT GRAND GLAIZE EIGHTEENTH AMENDED PLAT, A SUBDIVISION IN OSAGE BEACH, CAMDEN COUNTY, MISSOURI.

City Planner Cary Patterson presented the following Planning Department report:

<u>Subdivision Name:</u>	Villas at Grand Glaize 18 th Amended Plat
<u>Location:</u>	Behind and south of Highway 54 frontage between Winn (54-40) and Murphy (54-47) roads.
<u>Section/Township/Range:</u>	11/39/16
<u>Applicant:</u>	Villas at Grand Glaize, L.P.
<u>Surveyor:</u>	Harms, Inc.
<u>Total Size:</u>	Approximately 11,800 square feet.
<u>Number of Lots:</u>	Two (2) town home footprints; zero lot line housing Lots 155 and 156
<u>Zoning:</u>	PUD for Town Home Development

Surrounding Subdivisions:

<u>North:</u>	Harper Fosters Subdivision
<u>South:</u>	Harper Fosters Subdivision
<u>East:</u>	Marcy's Subdivision/unplatted property
<u>West:</u>	Amended Harper's Subdivision

Public Improvements:

Sewer, water, and street system to serve individual lots. Plans have been submitted and approved as part of the preliminary plat approval. Construction is underway; any improvements required for the lots proposed will require financial assurances filed with the Department if the improvements are not installed at the time of approval.

Department Comments:

The Planning Department reviewed this plat for code compliance and found it to be in order. The public improvements that service these lots have been installed. The Planning Department recommended approval of this plat and the Planning Commission concurred.

Mayor Lyons presented the first reading of Bill No. 14-21 by title only. It was noted that Bill No. 14-21 has been available for public review.

Alderman Olivarri moved to approve the first reading of Bill No. 14-21 as presented. Alderman Marose seconded the motion which was voted on and unanimously passed.

Mayor Lyons presented the second and final reading of Bill No. 14-21. It was noted that Bill No. 14-21 has been available for public review.

Alderman Rucker moved to approve the second and final reading of Bill No. 14-21. Alderman Schmitt seconded the motion. The following roll call vote was taken to approve the second and final reading of Bill No. 14-21 and to pass same into Ordinance: "Ayes": Alderman Marose, Alderman Walker, Alderman Rucker, Alderman Olivarri, Alderman Kahrs, Alderman Schmitt. "Nays": None. Bill No. 14-21 was passed and approved as Ordinance No. 14.21.

Bill No. 14-22. AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT FOR THE 2014 SLURRY SEAL WITH VANCE BROTHERS, INC

Public Works Director Nick Edelman explained that bids were opened on Tuesday, March 25, 2014. Vance Brothers, Inc. was the only bidder with a bid amount of \$189,931.98.

This project includes work on a lift station access road that services Alderman Kahrs' house and Lift Station 53-1. The City has had multiple construction projects and maintenance projects on Lift Station 53-1. It is estimated that the City has done 50% of the damage to the roadway and staff met with Steve Kahrs to discuss his driveway. If the project is awarded as is, an agreement with Steve Kahrs must be completed which is on the agenda for the Board to consider.

The Public Works Department has worked with Vance Brothers, Inc., in the past with positive results and recommended awarding the 2014 Slurry Seal project to Vance Brothers, Inc. in the amount of \$189,931.98.

Upon a question on how prices compared to last year, Mr. Edelman explained that both the bid for slurry seal and the crack seal were less than last year.

Mayor Lyons presented the first reading of Bill No. 14-22 by title only. It was noted that Bill No. 14-22 has been available for public review.

Alderman Rucker moved to approve the first reading of Bill No. 14-22 as presented. Alderman Marose seconded the motion which was voted on and passed with Alderman Kahrs abstaining.

Mayor Lyons presented the second and final reading of Bill No. 14-22. It was noted that Bill No. 14-22 has been available for public review.

Alderman Schmitt moved to approve the second and final reading of Bill No. 14-22. Alderman Rucker seconded the motion. The following roll call vote was taken to approve the second and final reading of Bill No. 14-22 and to pass same into Ordinance: "Ayes": Alderman Walker, Alderman Rucker, Alderman Olivarri, Alderman Schmitt, Alderman Marose. "Nays": None. "Abstain": Alderman Kahrs. Bill No. 14-22 was passed and approved as Ordinance No. 14.22.

Bill No. 14-23. AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE A COST APPORTIONMENT AGREEMENT WITH STEVE KAHRS FOR THE SLURRY SEAL FOR LIFT STATION ACCESS ROAD

Public Works Director Nick Edelman explained that this agreement is for the cost share to slurry seal the Lift Station Access Road which is also the driveway serving 1095 Normandy Road. The cost to slurry seal 1,463.30 square yards is \$3,263.16 and Steve Kahrs has agreed to pay 50% of that amount (\$1,631.58).

Mayor Lyons presented the first reading of Bill No. 14-23 by title only. It was noted that Bill No. 14-23 has been available for public review.

Alderman Marose moved to approve the first reading of Bill No. 14-23 as presented. Alderman Schmitt seconded the motion which was voted on and passed with Alderman Kahrs abstaining.

Mayor Lyons presented the second and final reading of Bill No. 14-23 by title. It was noted that Bill No. 14-23 has been available for public review.

Alderman Rucker moved to approve the second and final reading of Bill No. 14-23. Alderman Marose seconded the motion. The following roll call vote was taken to approve the second and final reading of Bill No. 14-23 and to pass same into Ordinance: "Ayes": Alderman Rucker,

Alderman Olivarri, Alderman Schmitt, Alderman Marose, Alderman Walker. "Nays": None. "Abstain": Alderman Kahrs. Bill No. 14-23 was passed and approved as Ordinance No. 14.23.

Presentation by Jim Divincen. Tri-County Lodging Association Administrator

Jim Divincen thanked Police Chief Todd Davis for his work on the committee for the Can-Am Games and he also thanked Osage Beach for their support.

Mr. Divincen presented the new updated media plan the TCLA is using including a contract with Cardinals Radio which will begin in July and digital boards located off of I 35 in Kansas City to maximize the exposure at one of the busiest locations. Mr. Divincen said that the application must be submitted by May 1 to receive matching funds totaling \$255,000 from the Department of Tourism. He asked Board members to consider partnering with TCLA and contribute funds as have Camden and Miller Counties.

Following discussion, Alderman Marose moved to contribute \$2,000 towards the TCLA promotion. Alderman Kahrs seconded the motion which was voted on and unanimously passed.

Alderman Rucker asked Mr. Divincen to notify the City in the fall when the budget for the following year is being discussed.

Alderman Kahrs moved to authorize Mayor Lyons to execute a partnership agreement with the Tri-County Lodging Association. Alderman Schmitt seconded the motion which was voted on and unanimously passed.

Mr. Divincen recognized Alderman John Olivarri for attending all TCLA meetings.

Authorize Agreement with Systems Manufacturing Inc. for SCADA Upgrades.

Public Works Director Nick Edelman explained that the City's current SCADA (Supervisory Control and Data Acquisition) system is utilized for remote monitoring and control of the City's water and sewer system. It uses radio transmitters and receivers along with PLC's (Programmable Logic Controller) to send level data along various alarms to the Public Works facility. The current system is in need of substantial upgrades to improve the reliability of communication and data acquisition. The new improvements include installation of a new wireless support at Swiss Village and Bluff water tower sites. This will improve the reliability of the data and a stronger signal. Along with the new wireless support, the PLC's and radios will be installed at Columbia College tower, Sands, Rockway, KK Equalization Basin, 53-1, and KK 4-9 Lift Stations. This is the first phase of this project. Mr. Edelman explained that if this is approved, he would like to upgrade other lift station sites in the future. This project will provide the support for future upgrades.

The current system is maintained by System Manufacturing, Inc. Public Works Director Edelman recommended the improvements be made and enter into an agreement with System Manufacturing, Inc. in the amount of \$92,583.

The account breakdown is as follows:

30-00-773222 - \$46,291.50

35-00-773222 - \$46,291.50

Alderman Rucker moved to authorize the agreement with Systems Manufacturing Inc. for SCADA upgrades as recommended in the amount of \$92,583. Alderman Olivarri seconded the motion which was voted on and unanimously passed.

Bid Award. Service Crane for Sewer Truck

Public Works Director Edelman explained that this purchase is for a new service crane for the recently purchased sewer truck. The budgeted amount for both the truck and crane was \$44,000. The cost of the truck was \$33,337. This left \$10,663 for the crane.

Knapheide Truck Equipment submitted the only bid in the amount of \$10,420. The Public Works Department recommends awarding the bid to Knapheide in the amount of \$10,420.

Alderman Marose moved to award the bid for the service crane for the sewer truck to Knapheide Truck Equipment in the amount of \$10,420 as recommended. Alderman Rucker seconded the motion which was voted on and unanimously passed.

Bid Award. Electrical Parts for Sewer Department.

Public Works Director Edelman explained that bids were advertised for miscellaneous electrical components and two bids were received. Neither vendor bid the entire parts list because they either do not supply those items or did not have an equal. Additionally, the two bidders combined could not supply the entire parts list, therefore, Mr. Edelman recommended rejecting all bids.

Mr. Edelman said some of the items will be separated into multiple bids and bids will be solicited in the near future.

Alderman Schmitt moved to reject all bids for the electrical parts as recommended by Public Works Director Nick Edelman. Alderman Marose seconded the motion which was voted on and unanimously passed.

Bid Award. Generator Maintenance

Public Works Director Edelman explained that bids were solicited for the maintenance of the City's ten generators. The bid specifications requested that all fluids be changed and that replacement of air filters be included in the bid along with other items. The one bid that was received did not include cooling fluid and air filters in their bid and listed it as an extra cost. Due to this bid qualification, Mr. Edelman recommended rejecting all bids.

Alderman Schmitt moved to reject all bids for generator maintenance as recommended. Alderman Rucker seconded the motion which was voted on and unanimously passed.

Supplemental Agreement No. 1 to Remove Soft Subgrade Materials.

Public Works Director explained that during the excavation for the foundation for the T-Hangers at Lee C. Fine Memorial Airport, Curtis-Manes-Schulte found unsuitable material for the building improvements. They had their geotechnical engineer come onsite to review the soil characteristics and the material is a high plastic soil. This material is rutting under loads and if this material is not removed prior to placement of the concrete and the building, there could be premature concrete failure when under loads from airplanes. CMT, the City's consultant, had performed some soil

testing prior to the project going out for bids. The material was acceptable at that time, but it was border line.

Public Works Director Edelman has asked the contractor for pricing for this additional work but they were unable to come to an agreement on the number of man hours or equipment needed for this work. Both parties would like to proceed on a time and material basis. The contractor's estimated cost for this work was \$59,599.

Mr. Edelman spoke with MoDOT Aviation about removal of this material and they agree with proceeding with removal of this material. The City is being reimbursed for this construction from MoDOT Aviation in the amount of 90%. They will be reimbursing us in the same percentage for this work. The City's cost for this work based upon the original estimate would be approximately \$5,960 from line item 45-00-773020 Hangar Project \$742,000.

Mr. Edelman recommended proceeding on a time and material basis in an amount not to exceed \$59,599. He added that a supplemental agreement will be brought to the Board once the work is completed.

Alderman Walker moved to approve Supplemental Agreement No. 1 to remove soft subgrade materials at Lee C. Fine Memorial Airport in an amount not to exceed \$59,599 as recommended. Alderman Schmitt seconded the motion which was voted on and unanimously passed.

Communication from Board Members.

Alderman Schmitt. Ron Schmitt congratulated all returning elected officials and the new members.

Alderman Marose. Phyllis Marose said she was privileged to be elected and that she was looking forward to serving. She also commented that she had been told by Tallman Company that the street located between the Post Office and the Thomas Building was a City street. Public Works Director Nick Edelman responded that all streets around the Post Office are private and that he has spoken to the Osage Beach Special Road District to see if they are interested in improving the road.

Alderman Walker. Tom Walker reported that it was an honor to be elected. He said he had an opportunity to attend the budget review session on Tuesday and he was impressed by staff and he said it is evident they know what they are doing.

Alderman Kahrs. Steve Kahrs congratulated the newly elected officials and he said it had been a pleasure to work with Fred and Michelle.

Alderman Rucker. Kevin Rucker said it was an honor to serve the citizens and he congratulated elected officials. Alderman Rucker asked about the status of Golf Road. Mayor Lyons commented that the City has been in discussions with property owners on both sides of Golf Road. City Attorney Rucker offered to speak to Alderman Rucker about Golf Road when he returns from vacation.

Alderman Olivarri. John Olivarri welcomed Phyllis and Tom. He thanked the City for the opportunity of attending the Lake Business Conference at Tan-Tar-A last week. He reported that he attended the 6th Annual Crime Victims' Rights breakfast and he has a better appreciation for those who do the job to support families. He reported that he attended the LOREDC meeting today and on April 23 at 2:00 p.m., a meeting is scheduled in Eldon dealing with entrepreneurship.

Staff Communications.

City Administrator. Nancy Viselli congratulated the newly elected officials and asked them to stop to see her.

City Attorney. Ed Rucker congratulated the newly elected officials. Regarding a question that had been asked by Alderman Rucker regarding approval of minutes for committees that meet infrequently, Mr. Rucker explained that there is nothing in the state statutes and he plans to develop an ordinance to address this issue.

City Clerk. Diann Warner congratulated the newly elected officials. She announced that Helen Eidson, Court Clerk, is retiring after more than 33 years with the City and a reception will be held for her on April 30 at 3:00.

Police Chief. Todd Davis reported that a National Weather Spotters Class is scheduled on May 8 and he asked anyone interested in attending to contact him.

City Planner. Cary Patterson reported he had an opportunity to visit the legislature and observe the legislative process during the Camden County Leadership Program. He said that Representatives Rocky Miller and Diane Franklin are both very involved in the process. He voiced his appreciation for the opportunity to attend the Lake Business Conference last week.

Public Works Director. Nick Edelman reported that the Transportation Advisory Committee will meet on April 24 at 2:00 p.m. on the 3rd floor at the Camden County Courthouse to explain the process for projects in Miller, Morgan, Camden and Laclede counties. Mr. Edelman announced that he will be on vacation next week.

Airport Manager. Budd Hyde congratulated the newly elected officials and thanked the City for the opportunity to attend the State Aviation Day in Jefferson City and for the opportunity to attend the Missouri State Aviation Council.

There being no further business to come before the Board, the meeting adjourned at 7:50 p.m.

I, Diann Warner, City Clerk of the City of Osage Beach, Missouri, do hereby certify that the above foregoing is a true and complete journal of proceedings of the regular meeting of the Board of Aldermen of the City of Osage Beach, Missouri, held on April 17, 2014.


Diann Warner, City Clerk


Penny Lyons, Mayor

APPROVED
5/1/14
DW