

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

August 7, 2014

The Board of Aldermen of the City of Osage Beach, Missouri, met to conduct a regular meeting on Thursday, August 7, 2014, at 6:30 p.m. at City Hall. The following were present: Mayor Penny Lyons, Alderman Steve Kahrs, Alderman Phyllis Marose, Alderman John Olivarri, Alderman Ron Schmitt, Alderman Kevin Rucker and Alderman Tom Walker. The City Clerk, Diann Warner, was present and performed the duties of that office.

Mayor's Communications.

Mayor Lyons expressed condolences to the family of Al Rathert who passed away this week. Mr. Rathert volunteered for many years on several City committees. He was also chairman of the Planning Commission.

Mayor Lyons thanked Dan Field for the very informative and positive articles in the Focus this week. As noted in the articles, the Board and residents have been proactive and very supportive of installing and maintaining quality infrastructure. As Mr. Field said you build it and they will come. Businesses also look for a positive attitude when locating in an area.

The Passport to the Parkway article really promoted the business community on the west side. The businesses are the best advocates for their services and products. Mayor Lyons said forming a business association with its several hundred members would be a great asset for the area.

Citizens Communications.

No one was present who wished to speak during this portion of the meeting.

Consent Agenda.

Alderman Olivarri moved to approve the consent agenda which includes minutes of the regular meeting held on July 17, 2014, the minutes of the special meeting held on July 14, the bill list as submitted, and Special Use Case No. 376. Alderman Schmitt seconded the motion which was voted on and unanimously passed.

Unfinished Business.

Bill No. 14.40. AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH COCHRAN ENGINEERING TO PROVIDE ENGINEERING SERVICES AT PEANICK PARK

Director of Public Works Nick Edelman said he researched other options as directed at the last Board of Aldermen meeting and spoke with School of the Osage officials and also with the owner of the neighboring property who is willing to sell his property. Edelman said he looked at relocating the basketball court which would add 39 parking spaces and a multi-sport court that would include basketball, volley ball, tennis and other sports that could be added at the Park. Cost estimates will be brought to Board for consideration during budget sessions.

Alderman Olivarri moved to approve Bill No. 14-40. Alderman Kahrs seconded the motion which was voted on and failed.

New Business.

Bill No. 14-41. AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH J.C. INDUSTRIES INC. FOR THE OSAGE BEACH PARKWAY SIDEWALK IMPROVEMENTS, PHASE 3

The following bids were received:

Hessling Construction, Inc.	\$349,758.59
Salter Lawn Service	\$695,402.49
Aaron Lemons	\$409,192.63
NB West Contracting Co.	\$520,748.15
Strait-Line Construction	\$377,802.00
J.C. Industries, Inc.	\$327,770.25

Public Works Director Nick Edelman said J.C. Industries was the low bidder with the amount of \$327,770.25. He added the project consists of constructing 17,400 square feet of concrete sidewalk; 1,700 square yards of concrete driveway replacement; crosswalk marking; and pedestrian crossing signals. The improvements will provide accessible, pedestrian routes from the McDonald's near the Highway KK intersection to Arby's near the Nichols Road intersection along the Northwest side of Osage Beach Parkway, and along the Southeast side of Osage Beach Parkway from the Nichols Road intersection to Gran Rally Karts.

Mr. Edelman said there was a concern that funding was an issue with this project however, he was notified that the funding cuts were suspended. He added that the City should be officially notified that funding has been reinstated. This project is funded with 80% Enhancement Funds thru the Missouri Department of Transportation and 20 % City Funds. The funds from MoDOT come from the Highway Trust Fund from the Federal Highway Administration of the US Department of Transportation.

The Public Works Department has worked with J.C. Industries in the past with positive results and Public Works Edelman recommended the bid for the Osage Beach Parkway Sidewalk Phase 3 project to J.C. Industries in the amount of \$327,770.25. The Missouri Department of Transportation (MoDOT) concurs with the Department's recommendation

Alderman Marose said she has no problem with the sidewalks; however, there are problems with maintaining them. She added that grass is encroaching onto the pavement and causing the sidewalks to become narrow. Alderman Marose said that if the City is paying for sidewalks they need to be maintained to the width they were intended.

Alderman Rucker questioned who is responsible for maintaining the sidewalks. City Attorney Rucker said that some municipalities impose upon adjacent property owners to maintain sidewalks

however; he will research the matter and report to the Board. Mayor Lyons commented that the City may need to look at some type of notification process. Alderman Walker said everywhere he has lived the resident is responsible for maintaining the sidewalks.

Mayor Lyons presented the first reading of Bill No. 14-41 by title only. It was noted that Bill No. 14-41 has been available for public review.

Alderman Rucker moved to approve the first reading of Bill No. 14-41 with the provision that funding is in place. Alderman Marose seconded the motion which was voted on and unanimously passed.

Mayor Lyons presented the second and final reading by title only. Alderman Schmitt moved to approve the second and final reading of Bill No. 14-41. Alderman Olivarri seconded the motion. The following roll call vote was taken to approve the second reading of Bill No. 14-41 and to pass same into ordinance: "Ayes:" Alderman Rucker, Alderman Olivarri, Alderman Schmitt, Alderman Walker, Alderman Marose, Alderman Kahrs. "Nays": None. Bill No. 14-41 was passed and approved as Ordinance No. 14.41.

Bid Award. Water Meters

Schulte Supply was the only bidder for the meters in the amount of \$14,400. The meters will be used for replacement meters and new development. Meters not under warranty will be scrapped. Funds are budgeted in 3074 3300 and 3077 3221.

Alderman Olivarri moved to award the bid for water meters to Schulte Supply in the amount of \$14,400. Alderman Marose seconded the motion which was voted on and unanimously passed.

Authorization to Apply for Well Plugging Funds.

Public Works Director Edelman said an application was sent for a well plugging grant after it was discussed at the July 14, Special Board of Aldermen meeting. He added he was notified by MDNR that the maximum amount of award is \$25,000 which is 1/5th of the total funding available for all projects. The estimated cost of this project was \$41,000. The City would have to cover the remaining amount of the project above \$25,000 which would come to \$16,000 based on estimates.

MDNR personnel believe the outlook for FY 2016 is worse than this year. At this time, the State of Missouri stands to lose approximately 19% of the capacity grant provided to them from the federal government. Mr. Edelman said he does not anticipate the maximum amount of grant funding for this type of project to increase in the near future.

The well at Port Lane needs to be plugged and funds are available in the water operations and maintenance side of the budget. Based upon the June financials, Mr. Edelman said we were at 40% of budget on Personnel and 43% of budget on Operations and Maintenance. If this is approved and the City is awarded the funds, a budget amendment will be done to increase this line item to cover the cost.

Alderman Olivarri moved to authorize the Public Works Director to apply for well plugging funds. Alderman Schmitt seconded the motion which was voted on and unanimously passed.

Nichols Road Discussion.

Public Works Director Nick Edelman said this item was requested to be on the August 7 agenda at the last regularly scheduled Board of Aldermen Meeting.

The Public Works Department has been gathering data based upon this request and Public Works Director Edelman contacted the Camdenton R-III School District about the number of kids in the Osage Beach Elementary School and the number of kids living off of State Route KK. There were 230 children that attended Osage Beach Elementary during the 2013-2014 School Year. There were 59 children that lived off of State Route KK or Three Seasons Road. This comes out to be a little over 25% of the children live off of State Route KK. These children could be brought to the school thru the proposed Three Seasons – Nichols Road connector to reduce traffic load if traffic volumes are a concern on Nichols Road.

The Three Seasons – Nichols Road Connection has one other benefit to it that we have not mentioned. A water line project was started in 2004 to connect the Three Season System with the Dude Ranch Road System. We put the project on hold based upon the conversations with the land owners in this area and their potential development. This development has not happened at this time. We are still in need of this waterline and it could be built with this road project.

The advantages and disadvantages, along with cost estimate data are included in the memo to the Board sent by Public Works Director Nick Edelman dated July 10, 2014.

Alderman Rucker commented that improvements on Nichols Road is number 2 on the project list after Mace Road however, due to construction of the school on Nichols Road the Board should consider placing it before Mace Road. Alderman Rucker voiced his concerns that the information received earlier was the road was adequate with no problems and no concerns with school traffic. He added that Amendment 7 failed and the City needs more money for road improvements than the amount received from the ½ cent sales tax. He asked for results of the votes cast for Amendment 7 in the three wards in Osage Beach to see if residents would be receptive to passing an additional sales tax for road improvements. City Clerk Warner will obtain the information from the County Clerk.

Alderman Rucker was in favor of moving forward with building a road off of Three Seasons Road, and to gather information for discussion during the budget sessions. Alderman Walker said that a road from Three Seasons to Nichols Road opens up the possibility of development which will help the west side of Osage Beach. He also suggested the City to take a look at taking out the curves on Nichols Road.

Alderman Marose stated that she has had conversations with a member of the school board and they are looking at strongly supporting a turn lane into the school. She asked that a turn lane be constructed until the road from Three Seasons to Nichols is complete.

It was noted that water and sewer lines would be installed during construction of the proposed road from Three Seasons to Nichols Road. Alderman Kahrs agreed with the Three Seasons connector and he offered to work with the City to improve Nichols Road and to resolve right of way issues.

Public Works Director Nick Edelman will continue to get cost estimates to discuss during the upcoming 2015 budget sessions.

Authorize Sale of City Surplus Property.

The following vehicles have been deemed to have no use for the department or any other department within the City. The items will be set up for sale via online auctions on eBay.

General Fund

- PD – 2010 Charger #3573
- PD – 2010 Charger #3574
- PD – 2010 Charger #3575
- PD – 2010 Charger #3576

Public Works

- SWR – 2005 Ford F250 #8020
- ENG – 2004 Ford Explorer #6879

Grand Glaize

- 1994 Chevy Pickup #9922

Alderman Marose moved to authorize the disposal of the City's surplus property via an online auction. Alderman Schmitt seconded the motion which was voted on and passed.

Appointment to Board of Adjustment.

Mayor Lyons requested the Board to confirm the appointment of Helen Gross to the Board of Adjustment to complete the term of Don Hall. Mr. Hall has moved out of the City and his term ends May 2018. Mrs. Gross has served as an alternate to this Board since October 2011.

Alderman Rucker moved to approve the appointment of Helen Gross to the Board of Adjustment for a term ending May 2018. Alderman Olivarri seconded the motion which was voted on and unanimously passed.

Mayor Lyons asked Board members to suggest names of individuals to serve as an alternate on the Board of Adjustment.

Communication from Board Members.

Alderman Walker. Tom Walker complimented staff for their assistance. He added they have been very cooperative with anything he has asked for and he appreciated their efforts.

Alderman Marose. Phyllis Marose reported that the sign was installed at the west end of Osage Beach directing traffic to the Key Largo exit. She thanked those responsible for paving and

repairing the entrance into the Post Office. Alderman Marose expressed her thanks to Joni Walden for spearheading the Passport to the Parkway program and to Selynn Barbour and Kim Loehr for their assistance.

Alderman Kahrs. Steve Kahrs thanked staff and the organizers for the Grand Glaize Car Show that will be held September 14th. He expressed his appreciation to the Police Chief and Police Officers who recently recovered a vehicle borrowed from his business. The officers were very professional and they did a wonderful job. Alderman Kahrs expressed his appreciation to Dan Field for the recent articles that appeared in the Focus.

Alderman Olivarri. John Olivarri thanked Mayor Lyons for recognizing Al Rathert's contribution to the City and for the letter sent to legislators regarding the sales tax issue asking them to uphold the Governor's veto. Alderman Olivarri complimented the Police Chief, City Administrator, MoDOT and the car club who worked together to organize the Grand Glaize Bridge Car Show.

Alderman Rucker. Kevin Rucker reported that he had a conversation with Representative Rocky Miller last night. He asked Representative Miller to reconsider his position on the sales tax issue and uphold the Governor's veto of the bills.

Staff Communications.

Police Chief. Todd Davis reported on the 10K run at the Church at Osage Hills for the Lake Area Buddy Packs and a 5K run for Women to Women on Saturday.

City Planner. Cary Patterson reported that Al Rathert also served as chairman of the Board of Adjustment for six years. Mr. Patterson said Mr. Rathert would be missed.

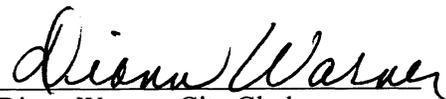
City Treasurer. Karri Bell reported that all annual TIF reports have been filed with the Department of Economic Development as required. The reports are on the City's website.

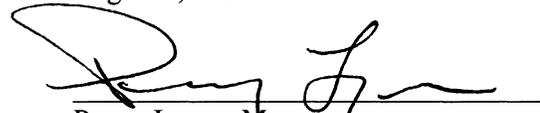
Public Works Director. Nick Edelman reported there are six employees and one foreman in the sewer department and they began working in pairs to reduce the number of vehicles and gas consumption.

Airport Manager. Budd Hyde reported on the Young Eagle event being held at the Grand Glaize Airport Saturday from 9:00 a.m. to 1:00 p.m. for kids ages 8-17 with parent or guardian permission.

There being no further business to come before the Board, the meeting adjourned at 7:30 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 August 7, 2014.


Diann Warner, City Clerk


Penny Lyons, Mayor

APPROVED
8/21/14
dw