



CITY OF OSAGE BEACH
BOARD OF ALDERMEN MEETING

1000 City Parkway
Osage Beach, MO 65065
573/302-2000 FAX 573/302-0528
Email: www.osagebeach.org

OPEN MEETING

TENTATIVE AGENDA
REGULAR MEETING
October 2, 2014 – 6:30 P.M.
CITY HALL

******* Note: Make sure that your cell phone is turned off or on a silent tone only. Please sign the attendance sheet located at the podium if you desire to address the Board.**

CALL TO ORDER
Pledge of Allegiance
Roll Call

MAYOR'S COMMUNICATIONS

CITIZENS' COMMUNICATIONS

- This is a time set aside on the agenda for citizens and visitors to address the Mayor and Board on any topic that is not a public hearing. The Board will not take action on any item not listed on the agenda, but the Mayor and Board welcome and value input and feedback from the public. Speakers will be restricted to three minutes unless otherwise permitted. Minutes may not be donated or transferred from one speaker to another.

APPROVAL OF CONSENT AGENDA

If the Board desires, the consent agenda may be approved by a single motion.

- Minutes of 09/04/2014 (Page 01)
- Bills List (Page 09)

UNFINISHED BUSINESS

None

NEW BUSINESS

- A. Public Hearing. Amendments to the Sewer Development Charges (Page 21)
- B. Bill 14-47. Amendment to Appendix A, Sewer Development Charges. First and Second Readings (Page 23)
- C. Bill No. 14-53. Authorize Contract with Utility Solutions, LLC for Manhole Rehabilitation. First and Second Readings (Page 25)
- D. Bill No. 14-54. CenturyLink Municipal Tax Settlement. First and Second Readings (Page 31)
- E. Resolution 2014-03. Opposing Expansion of the Federal Definition for Waters of the United States to Include Non-Navigable Ditches and Stormwater Flows (Page 45)
- F. Authorization to Apply for Transportation Alternatives Program Funds (TAP) (Page 51)
- G. Bid Award. Dragon House Demolition. Recommendation to Reject all Bids (Page 53)
- H. Bid Award. Deicing Salt (Page 57)
- I. Bill No. 14-55. 2014 Budget Amendment. Deicing Salt. First and Second Readings (Page 60)
- J. Remodel of Public Works Building (Page 63)

COMMUNICATIONS FROM MEMBERS OF THE BOARD OF ALDERMEN

STAFF COMMUNICATIONS

ADJOURN

UNAPPROVED

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

September 18, 2014

The Board of Aldermen of the City of Osage Beach, Missouri, met to conduct a regular meeting on Thursday, September 18, 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 announced that City Administrator Nancy Viselli is retiring October 31 and the Board approved the appointment of Jeana Woods as City Administrator.

Mayor Lyons reported that the Governor's Conference on Economic Development earlier this month at Tan-Tar-A was a great opportunity to get a bigger, actually a global, picture of the changes we all face. The opening speaker Jon Roberts is a national and an international leader on economic development. Mr. Roberts also spoke at a breakout session on what makes successful communities successful.

Thomas L. Friedman, a winner of three Pulitzer Prizes, spoke the next day during the Hawthorn Foundation Luncheon. His latest bestseller is *That Used to Be Us: How America Fell Behind in the World it Invented and How We Can Come Back*.

Both of these men presented dynamic views of the rapid changes in the world. The migration towards urban areas, leaps in technology, acceleration in robotics, and overhauling our education and training programs were repeated topics throughout the conference. It was a great opportunity to attend and Mayor Lyons thanked the City.

Mayor Lyons reported that the first part of this week many of us were able to attend the 80th annual conference for the Missouri Municipal League in St. Charles. The general session speaker was Brian Shul. During the Viet Nam war, his plane was shot down and after a long recovery from his crash he returned to fly our fastest jet. His program and photography were a highlight of the conference.

Mayor Lyons reported that not only was Osage Beach well represented by Aldermen and staff, our city attorney, Ed Rucker along with David Bushek from Gilmore and Bell, presented Tax Increment Financing to a large audience.

At one session, we learned that the Senate has passed legislation on the internet sales tax to the House of Representatives. Mayor Lyons has asked staff to send letters to Representatives Luetkemeyer and Hartzler to support this legislation. We are losing income daily from purchases on the internet that are not paying sales tax. Mayor Lyons also has asked staff to look at a petition and information concerning the EPA/DNR on micromanaging our waterways. Copies will be provided to the Board. Mayor Lyons announced that it has been a very busy two weeks with the Fall Festival, the citywide garage sale, the car show and two conferences. She expressed her appreciation for the opportunity to attend the conferences.

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Citizens Communications.

Joni Walden thanked the City for committing the electronic billboards to advertising the Passport to the Parkway program. The group is working with radio stations, cable and Lake Media for advertising. She said the event will help people navigate the Parkway and also bring business to the merchants. Ms. Walden thanked the City for their support.

Jim Morris announced the 4th Annual Air Show to be held in Camdenton on Saturday. The event is a salute to veterans and the Missouri Pilots Association is a paying sponsor. Mr. Morris had raffle tickets for sale for a 32" television.

Consent Agenda.

Alderman Schmitt moved to approve the consent agenda which includes minutes of the regular meeting held on September 4, 2014, the bill list as submitted, a liquor license to Go-Fast Betty's Bar and Grill and Special Use 379 for Sprint to upgrade equipment at 5715 Osage Beach Parkway. Alderman Marose seconded the motion which was voted on and unanimously passed.

Unfinished Business.

None

New Business.

Review Recommendation from the Osage Beach Citizens Advisory Committee.

The members of the Osage Beach Citizen Advisory Committee were thanked for all the time they spent coming up with the recommendations, both short and long term, for the west side of Osage Beach Parkway. In order for the Board to determine the amount to budget for economic development, Mayor Lyons suggested that a work session be held to review the recommendations and prioritize activities. She asked Board members to review the recommendations and make suggestions to Assistant City Administrator Jeana Woods prior to the work session.

Bill No. 14.48. AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AMENDING ORDINANCE 13.51 AND AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT MODIFICATION WITH TRAVIS HODGE HAULING FOR LIFT STATION REPAIRS LS 49-2 AND LS 53-1

Public Works Nick Edelman explained this modification is for additional work required at Lift Station 49-2. It was determined that during construction the existing anchor bolts would not match the new guide rail assemblies. This bid item is to direct the contractor to install new anchor bolts in the correct orientation which is necessary to utilize the new guide rail assemblies and have an operational pump station.

Funds are available in Budget Item 35-00-773114 Lift Station Improvements which has a current uncommitted budget balance of \$388,528.06.

UNAPPROVED

Mayor Lyons presented the first reading of Bill No. 14-48 by title only. It was noted that Bill No. 14-48 has been available for public review.

Alderman Rucker moved to approve the first reading of Bill No. 13-48. Alderman Marose seconded the motion which was voted on and unanimously passed.

Mayor Lyons presented the second and final reading by title only. Alderman Olivarri moved to approve the second and final reading of Bill No. 14-48. Alderman Marose seconded the motion. The following roll call vote was taken to approve the second reading of Bill No. 14-48 and to pass same into ordinance: "Ayes": Alderman Olivarri, Alderman Marose, Alderman Walker, Alderman Rucker, Alderman Kahrs, Alderman Schmitt. "Nays": None. Bill No. 14-48 was passed and approved as Ordinance No. 14.48.

SCADA.

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 usage level data along with various alarms to the Public Works Department Building. The current system is in need of substantial upgrades and improvements to improve the reliability of communication and data acquisition. The Board of Aldermen approved to work with Systems Manufacturing in April 2014 to make new improvements which included installation of a new wireless backbone at Swiss Village and Bluff water tower sites. Along with the new wireless backbone, 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 new work provides for an additional 10 lift stations to be added to the new SCADA system. The improvements for these 10 lift stations should be completed by the end of the year. Public Works Director Edelman said funds will be requested in the 2015 budget to upgrade additional lift stations to the new SCADA system. Mr. Edelman asked the Board to approve the expansion of this sole source contract since it is vital to the operation of the sewer and water system.

If approved a budget amendment will be necessary to allocate additional funds. System Manufacturing has agreed to honor their price of \$6,349 per site as outlined in their previous proposal. Staff recommends the improvements be made with System Manufacturing, Inc. in the amount of \$63,490.

Alderman Olivarri moved to approve expanding the sole source contract with Systems Manufacturing in the amount of \$63,490 as recommended by the Public Works Director. Alderman Kahrs seconded the motion which was voted on and unanimously passed.

Bill No. 14-49. AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AMENDING ORDINANCE 13.75 ADOPTING THE 2014 ANNUAL BUDGET, TRANSFER OF FUNDS FOR NECESSARY EXPENSES.

UNAPPROVED

Mayor Lyons presented the first reading of Bill No. 14-49 by title only. It was noted that Bill No. 14-49 has been available for public review.

Alderman Olivarri moved to approve the first reading of Bill No. 14-49. Alderman Kahrs seconded the motion which was voted on and unanimously passed.

Mayor Lyons presented the second and final reading by title only. Alderman Rucker moved to approve the second and final reading of Bill No. 14-49. Alderman Kahrs seconded the motion. The following roll call vote was taken to approve the second reading of Bill No. 14-49 and to pass same into ordinance: "Ayes:" Alderman Marose, Alderman Walker, Alderman Rucker, Alderman Kahrs, Alderman Schmitt, Alderman Olivarri. "Nays": None. Bill No. 14-49 was passed and approved as Ordinance No. 14.49.

Bill No. 14-50. AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AMENDING ORDINANCE 14.36 AND AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT MODIFICATION WITH KEN KAUFFMAN & SONS EXCAVATING, LLC FOR THE EL TERRA WELL FENCING PROJECT

Public Works Director Edelman explained that during the construction of the fencing contract around the El Terra Well House, the communication system between the Swiss Village Water Tower and the Well was damaged and it needs to be repaired. A price was negotiated with the contractor at \$4,700 for these repairs.

If this work is approved a budget amendment will be necessary. The Public Works Department recommended approval.

Mayor Lyons presented the first reading of Bill No. 14-50 by title only. It was noted that Bill No. 14-50 has been available for public review.

Alderman Rucker moved to approve the first reading of Bill No. 14-50. Alderman Schmitt seconded the motion which was voted on and unanimously passed.

Mayor Lyons presented the second and final reading of Bill No. 14-50 by title only. Alderman Olivarri moved to approve the second and final reading of Bill No. 14-50. Alderman Marose seconded the motion. The following roll call vote was taken to approve the second reading of Bill No. 14-50 and to pass same into ordinance: "Ayes:" Alderman Walker, Alderman Rucker, Alderman Kahrs, Alderman Schmitt, Alderman Olivarri, Alderman Marose. "Nays": None. Bill No. 14-50 was passed and approved as Ordinance No. 14.50.

Bill No. 14-51. AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AMENDING ORDINANCE 13.75 ADOPTING THE 2014 ANNUAL BUDGET, TRANSFER OF FUNDS FOR NECESSARY EXPENSES

Public Works Director Edelman explained that Bill No. 14-51 amends the budget in the amount of \$10,430 for additional work at the El Terra Fencing Project and the removal of the well in front of 54 Diner. He added that self-restricted depreciation and replacement funds will be used for the additional work.

UNAPPROVED

Mayor Lyons presented the first reading of Bill No. 14-51 by title only. It was noted that Bill No. 14-51 has been available for public review.

Alderman Schmitt moved to approve the first reading of Bill No. 13-51. Alderman Walker seconded the motion which was voted on and unanimously passed.

Mayor Lyons presented the second and final reading by title only. Alderman Rucker moved to approve the second and final reading of Bill No. 14-51. Alderman Schmitt seconded the motion. The following roll call vote was taken to approve the second reading of Bill No. 14-51 and to pass same into ordinance: "Ayes:" Alderman Rucker, Alderman Kahrs, Alderman Schmitt, Alderman Olivarri, Alderman Marose, Alderman Walker. "Nays": None. Bill No. 14-51 was passed and approved as Ordinance No. 14.51.

Bid Award. Grinder Pump Rebuilding

Public Works Director Edelman explained that bids were solicited for rebuilding of grinder pumps. Based upon the bid comparison, Mr. Edelman recommended the bid be awarded to JCI-Industries for grinder pump rebuilding. The City has used them for a number of years and is pleased with their work.

When bids were solicited, only a unit price was obtained for each type of service that might be required to repair the grinder pump. The reason for this is when a pump is sent off for repair it is unknown what might be wrong with the pump. The pump rebuilder is required to troubleshoot and disassemble the pump and prepare a report outlining what is wrong with the pump so that it can be determined if it is cost effective to repair the pump or just replace it with a new pump. It is also unknown at this time how many pumps the City may rebuild during a given year.

Mr. Edelman said he is looking at changes to internal operations that create cost savings in the pump rebuild account in the near future. Because of this, staff would like authorization to rebuild pumps on an as needed basis to JCI-Industries with a not-to-exceed amount of \$80,000.

Alderman Olivarri moved to award the bid for grinder pump rebuilding to JCI-Industries in an amount not to exceed \$80,000. Alderman Kahrs seconded the motion which was voted on and unanimously passed.

Appointment to the Board of Adjustment.

Mayor Lyons asked the Board to confirm the appointment of Gloria O Keefe as an Alternate on the Board of Adjustment. Mrs. O Keefe has lived in Osage Beach for 20 years and she has been President of the Summit Home Owners Association for three terms. She has served for many years as a Chamber Active Volunteer and was President for two terms. Mrs. O Keefe continues to work part time in the medical field after 50 years of service.

Alderman Kahrs moved to approve the appointment of Gloria O Keefe as an alternate to the Board of Adjustment. Alderman Marose seconded the motion which was voted on and unanimously passed.

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Request to Reschedule Board Meeting.

The City was notified that the Lake Area Chamber of Commerce would be holding their Annual Fall Celebration dinner on Thursday, October 16, 2014, which is the night of a regularly scheduled Board meeting. The Board was requested to reschedule the Board meeting for October 23, 2014 to allow the Mayor and Aldermen to attend this dinner. The City of Osage Beach will be recognized at that dinner as a Chamber member for more than 25 years.

Alderman Kahrs moved to reschedule the October 16, 2014 meeting for October 23, 2014 as requested. Alderman Marose seconded the motion which was voted on and unanimously passed.

Request to Waive Park Fees.

Assistant City Administrator Woods explained the Missouri Canine Association has scheduled to host a training event at the City of Osage Beach City Park the week of September 22-26, during the hours of 8 AM – 4 PM. Given the nature of the training, the association has deemed it necessary to request the park to be closed to the public during their training hours, which is understandably the best course of action to keep them, their canines, as well as our park patrons safe. The request requires a park reservation associated with fees according to our ordinance.

2012 was the first, and only year to date, the association utilized the Osage Beach City Park for their training. In 2013, this and many other events were rescheduled elsewhere due to the park flooding last August. Most recently it was discovered that in 2012, the application process and fee collection was mistakenly overlooked. It was the first year the event was held at the City's park and in the mist of various communications and scheduling changes, which included the final decision to close the park just weeks before the event, the process on the City's end regarding reservation fees was not completed appropriately, but at no fault by the association.

According to the ordinance, since the association is requesting to close the park, a reservation, which includes fees, is required. Assistant City Administrator Jeana Woods recommended waiving the fees for the event.

Alderman Marose moved to waive the fees for the Missouri Canine Association training as requested. Alderman Olivarri seconded the motion which was voted on and unanimously passed.

Communication from Board Members.

Alderman Marose. Phyllis Marose thanked Assistant City Administrator Jeana Woods for the Fall Festival, and she thanked the organizers of the car show. She added that a constituent suggested that a directional sign be placed off of the Nichols interchange advertising the Grand Glaize Airport. Another suggestion was to install lighting at each end of the Grand Glaize Bridge. Alderman Marose added that the sidewalk improvements look great and she has inquired about the completion of sidewalks on Dude Ranch Road and other roads. Alderman Marose thanked the City for the opportunity to attend the MML Conference in St. Charles. She expressed her appreciation to Geniece Tyler and the Osage Beach Citizens Advisory Committee for their work and to Joni Walden for organizing the group to promote the Passport to the Parkway.

Mayor Lyons explained that MoDOT has declined to place lighting on the bridge when the City

UNAPPROVED

has requested it in the past.

Alderman Walker. Tom Walker expressed his appreciation for the opportunity to attend the MML Conference. He said the TIF session facilitated by City Attorney Ed Rucker was especially interesting. Alderman Walker said a member of the Lake Ozark Rotary is the new police chief in Lake Ozark. He thanked the Osage Beach Citizen Advisory Committee for the recommendations.

Alderman Kahrs. Steve Kahrs commended the businesses who are trying to make the community better. He said it shows that government is not needed to get things done and he thanked the committee for their work.

Alderman Kahrs questioned the zoning of the new elementary school and whether a zoning change was needed. City Planner Cary Patterson responded that the property is zoned A-1 and a school is a permitted use in an A-1 zoning district.

Alderman Rucker. Kevin Rucker expressed his appreciation for the opportunity of attending the MML Conference. He said there was one session on how to deal with elected officials in Jefferson City. Alderman Rucker said one issue that is challenging is term limits and that the most experienced people are the paid lobbyists. He said the issue will be coming forward.

Alderman Rucker appreciated all the work the Osage Beach Citizens Advisory Committee has done and he said he is open to all suggestions.

Alderman Olivarri. John Olivarri thanked the Committee for putting together a great synopsis that is easy to read. He said the report entailed great team work between citizens and the business community.

Staff Communications.

City Planner. Cary Patterson thanked the Board for approving the appointment of Gloria O Keefe as an alternate on the Board of Adjustment.

Assistant City Administrator. Jeana Woods reported that the Fall Festival had a record number of vendors and over 400 cars were parked. She said the first concert in the evening was attended by 100 people. Nine different families used the City Hall parking lot for the garage sale and they sold out their items by noon. She reported that 192 people participated in the bingo game.

Public Works Director. Nick Edelman said that one suggestion from the Committee was to use City streets or other City property. He asked the Board to decide if the City's electronic message board could be used for the Passport to the Parkway. He said that staff is uncomfortable with deciding which private events would be allowed to use City property.

Alderman Rucker moved to allow the message board to be used for Passport to the Parkway and to create a policy for future use of the board for private events. Alderman Kahrs seconded the motion.

Mayor Lyons commented that if the message board is needed for emergencies that would take priority over other uses of the board.

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The motion was voted on and unanimously passed.

Public Works Director Edelman reported that enhancement funds are available for transportation alternatives through MoDOT and staff is considering applying for the grants.

There being no further business to come before the Board, the meeting adjourned at 7:20 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 September 18, 2014.

Diann Warner, City Clerk

Penny Lyons, Mayor

CITY OF OSAGE BEACH
BILLS LIST
October 2, 2014

| | |
|--|----------------------------|
| Bills Paid Prior to Board Meeting | 125,117.68 |
| Payroll Paid Prior to Board Meeting | 121,027.94 |
| SRF Transfer Prior to Board Meeting | 228,676.18 |
| TIF Transfer Prewitt's Pt | 258,748.56 |
| TIF Transfer Dierbergs | 97,376.85 |
| Bills Pending Board Approval | 403,207.27 |
| Total Expenses | <u>1,234,154.48</u> |

| DEPARTMENT | FUND | VENDOR NAME | DESCRIPTION | AMOUNT | | |
|--|----------------------|------------------------------------|--|---------------------------|---------------|--------|
| NON-DEPARTMENTAL | General Fund | MO DEPT OF REVENUE | AUG COLLECTIONS | 841.34 | | |
| | | | FAMILY SUPPORT PAYMENT CENTER | Case #81106219 | 225.00 | |
| | | | | Case #31550944 | 138.46 | |
| | | MO DEPT OF REVENUE | PARK, BOOKS, MISC SALES TA | 2.04 | | |
| | | | State Withholding | 3,562.00 | | |
| | | | MO TREASURER BUDGET DIRECTOR | AUG OFFCR STNDRS/TRAINING | 118.00 | |
| | | INTERNAL REVENUE SERVICE | Fed WH | 11,376.62 | | |
| | | | FICA | 6,744.71 | | |
| | | | Medicare | 1,577.39 | | |
| | | | BANKCARD CENTER 3374 | SALE OF PARK VEHICLES | 104.65 | |
| | | | ICMA | Retirment 457 & | 599.37 | |
| | | | | Retirement 457 | 870.00 | |
| | | | | Loan Repayments | 664.03 | |
| | | | | Loan Repayments | 482.51 | |
| | | | | Loan Repayments | 404.26 | |
| | | | | Loan Repayments | 204.69 | |
| | | | | Loan Repayments | 312.18 | |
| | | | | Loan Repayments | 487.29 | |
| | | | | Loan Repayments | 298.81 | |
| | | | | Loan Repayments | 372.42 | |
| | | | | Loan Repayments | 238.51 | |
| | | Retirment Roth IRA % | | 57.26 | | |
| | | Retirement Roth IRA | | 340.00 | | |
| | | CAMDEN COUNTY ASSOC COURT | | CASH APPEARANCE BOND | 335.00 | |
| | | CITIZENS AGAINST DOMESTIC VIOLENCE | AUG COLLECTIONS | 176.00 | | |
| | | JP MORGAN CHASE BANK | HSA Contribution | 75.00 | | |
| | | | HSA Family/Dep. Contributi | <u>1,410.00</u> | | |
| | | | TOTAL: | 32,017.54 | | |
| | | Mayor & Board | General Fund | INTERNAL REVENUE SERVICE | FICA | 168.43 |
| | | | | | Medicare | 39.42 |
| | | | | | ICMA | 121.00 |
| ST CHARLES CATERING CO INC DBA EMBASSY | MML CONFERENCE HOTEL | | | <u>3,253.92</u> | | |
| | TOTAL: | | | 3,582.77 | | |
| Collector | General Fund | INTERNAL REVENUE SERVICE | FICA | 6.20 | | |
| | | | Medicare | <u>1.45</u> | | |
| | | | TOTAL: | 7.65 | | |
| City Administrator | General Fund | WOODS, JEANA | MML TRAVEL & MEALS | 284.02 | | |
| | | | INTERNAL REVENUE SERVICE | FICA | 440.79 | |
| | | MO MUNICIPAL LEAGUE | Medicare | 103.08 | | |
| | | | MML CONFERENCE - J WOODS | 382.00 | | |
| | | ICMA | Retirement 401 | 439.47 | | |
| | | JP MORGAN CHASE BANK | HSA Family/Dep. Contributi | 150.00 | | |
| | | | ST CHARLES CATERING CO INC DBA EMBASSY | MML CONFERENCE HOTEL | <u>542.32</u> | |
| | | | TOTAL: | 2,341.68 | | |
| City Clerk | General Fund | INTERNAL REVENUE SERVICE | FICA | 381.25 | | |
| | | | Medicare | 89.16 | | |
| | | ICMA | Retirement 401 | 381.82 | | |
| | | JP MORGAN CHASE BANK | HSA Family/Dep. Contributi | <u>276.85</u> | | |
| TOTAL: | 1,129.08 | | | | | |
| City Treasurer | General Fund | INTERNAL REVENUE SERVICE | FICA | 488.44 | | |
| | | | Medicare | 114.23 | | |

| DEPARTMENT | FUND | VENDOR NAME | DESCRIPTION | AMOUNT |
|----------------------|--------------|--|----------------------------|---------------|
| | | ICMA | Retirement 401 | 482.58 |
| | | JP MORGAN CHASE BANK | HSA Family/Dep. Contributi | <u>225.00</u> |
| | | | TOTAL: | 1,310.25 |
| City Attorney | General Fund | INTERNAL REVENUE SERVICE | FICA | 300.15 |
| | | | Medicare | 70.20 |
| | | ICMA | Retirement 401 | 293.68 |
| | | JP MORGAN CHASE BANK | HSA Family/Dep. Contributi | 75.00 |
| | | ST CHARLES CATERING CO INC DBA EMBASSY | MML CONFERENCE HOTEL | <u>542.32</u> |
| | | | TOTAL: | 1,281.35 |
| Building Inspection | General Fund | INTERNAL REVENUE SERVICE | FICA | 329.25 |
| | | | Medicare | 77.00 |
| | | ICMA | Retirement 401 | 329.76 |
| | | JP MORGAN CHASE BANK | HSA Family/Dep. Contributi | <u>225.00</u> |
| | | | TOTAL: | 961.01 |
| Building Maintenance | General Fund | AMEREN MISSOURI | CITY HALL BLDG | 6,880.09 |
| | | CULLIGAN LAKE OF THE OZARKS | SOFT WATER SALT | 54.99 |
| | | BANKCARD CENTER 2268 | DOOR CLOSERS | <u>175.41</u> |
| | | | TOTAL: | 7,110.49 |
| Parks | General Fund | ALLIED WASTE SERVICES #435 | AUG TRASH SERVICE | 45.62 |
| | | AMEREN MISSOURI | LOWER DIAMOND LIGHTS | 10.77 |
| | | | BALL DIAMONDS CONS STAND | 24.19 |
| | | | HWY 42 BALL PK LTS | 13.71 |
| | | INTERNAL REVENUE SERVICE | FICA | 279.02 |
| | | | Medicare | 65.25 |
| | | BANKCARD CENTER 3374 | BP HD MT 16 | 5.56 |
| | | | BUNS, IM 24PKS | 13.32 |
| | | | SOFTBALL PLAQUES | 105.00 |
| | | | FRYER | 730.00 |
| | | | REFRIGERATOR | 1,799.11 |
| | | | 8 CUBIC FT POLY DUMP | 199.00 |
| | | | EASY OFF, IM 24PK | 23.80 |
| | | | BASKETBALLS | 17.98 |
| | | | OB BAIT & TACKLE | 12.00 |
| | | | SUPER PRETZELS | 20.94 |
| | | ICMA | Retirement 401 | 180.63 |
| | | BANKCARD CENTER 5352 | 6 PC RYOBI LITHIUM COMBO K | 259.00 |
| | | | S & W PROPANE | 36.00 |
| | | | 20# CYLINDER | 29.98 |
| | | | WATER, NUTS, CANDY, TIDE U | 172.96 |
| | | JP MORGAN CHASE BANK | HSA Contribution | 37.50 |
| | | | HSA Family/Dep. Contributi | 75.00 |
| | | WCA WASTE CORPORATION | AUG TRASH SERVICE | <u>79.88</u> |
| | | | TOTAL: | 4,236.22 |
| Human Resources | General Fund | INTERNAL REVENUE SERVICE | FICA | 125.68 |
| | | | Medicare | 29.39 |
| | | BANKCARD CENTER 3374 | EMPLOYMENT ADVERTISING | 3.00 |
| | | ICMA | Retirement 401 | 125.07 |
| | | BANKCARD CENTER 0833 | VISA GIFT CARD - WILCOX | 77.95 |
| | | JP MORGAN CHASE BANK | HSA Family/Dep. Contributi | <u>75.00</u> |
| | | | TOTAL: | 436.09 |

| DEPARTMENT | FUND | VENDOR NAME | DESCRIPTION | AMOUNT |
|--------------------------|----------------------------|-----------------------------|----------------------------|----------------------|
| Overhead | General Fund | AT & T/CITY HALL | SEP PHONE SERV | 2,784.84 |
| | | | SEP SERVICE | <u>91.58</u> |
| | | CHARTER BUSINESS | TOTAL: | 2,876.42 |
| | | | | |
| Police | General Fund | INTERNAL REVENUE SERVICE | FICA | 2,937.57 |
| | | | Medicare | 687.02 |
| | | ICMA | Retirement 401 | 2,841.88 |
| | | QUADE, ANGEL | TRAVEL EXPENSE REIMB- ITI | 195.16 |
| | | BANKCARD CENTER 0833 | DAYTIMERS | 176.29 |
| | | JP MORGAN CHASE BANK | HSA Contribution | 187.50 |
| | | | HSA Family/Dep. Contributi | <u>1,275.00</u> |
| | | | TOTAL: | 8,300.42 |
| | | | | |
| | | | | |
| 911 Center | General Fund | INTERNAL REVENUE SERVICE | FICA | 719.67 |
| | | | Medicare | 168.29 |
| | | ICMA | Retirement 401 | 725.34 |
| | | ASANTE, KWABENA | MILEAGE REIMB | 112.00 |
| | | BANKCARD CENTER 0833 | TRI CHEM UNIT, REMOTE SPEA | 210.63 |
| | | | POLO SHIRTS | 33.51 |
| | | | POLO SHIRTS | 22.23 |
| | | | POLO SHIRTS | 54.66 |
| | | | NOTARY STAMP | 20.90 |
| | | | POLOS RETURNED | 27.56- |
| | | | TAX REFUND | 2.84- |
| | | JP MORGAN CHASE BANK | HSA Contribution | 358.33 |
| | | | HSA Family/Dep. Contributi | <u>323.15</u> |
| | | | TOTAL: | 2,718.31 |
| | | | | |
| | | Planning | General Fund | BANKCARD CENTER 3333 |
| FPW-2# OUTDOOR REP | 17.99 | | | |
| | CAT FOOD, DOG FOOD, GERMX | | | 20.84 |
| | PLY30CT DIS, PKG SALADS | | | 9.30 |
| INTERNAL REVENUE SERVICE | FICA | | | 259.68 |
| | Medicare | | | 60.73 |
| ICMA | Retirement 401 | | | 254.95 |
| JP MORGAN CHASE BANK | HSA Family/Dep. Contributi | | | <u>75.00</u> |
| | TOTAL: | | | 820.24 |
| | | | | |
| Information Technology | General Fund | INTERNAL REVENUE SERVICE | FICA | 308.58 |
| | | | Medicare | 72.17 |
| | | ICMA | Retirement 401 | 299.62 |
| | | CHARTER BUSINESS | SEP SERVICE | 202.25 |
| | | AT & T MOBILITY-CELLS | 07/13-08/12/14 | 0.64 |
| | | VERIZON WIRELESS | SERV 08/22-09/21/14 | 80.02 |
| | | BANKCARD CENTER 0833 | TOUCHSCREEN | 79.95 |
| | | JP MORGAN CHASE BANK | HSA Contribution | <u>37.50</u> |
| | | | TOTAL: | 1,080.73 |
| | | | | |
| Economic Development | General Fund | BANKCARD CENTER 5352 | 8.5X11 IVRY CRD, MAIL SEAL | 31.25 |
| | | | CAN CVRS, POPS, PINWHLS, | 155.94 |
| | | | ANDY'S | 40.00 |
| | | | PAPPO'S PIZZERIA GIFT CARD | 50.00 |
| | | | MEGA STAMPER ASSORTMENT | 26.99 |
| | | LEIGH, AUDREY | REIMB GARAGE SALE FEE | 10.00 |
| | | ONE TIME VENDOR BELL, BRUCE | REFUND GARAGE SALE FEE | 10.00 |
| | | LEWIS, SUE | REIMB GARAGE SALE FEE | 10.00 |
| | | | | |

| DEPARTMENT | FUND | VENDOR NAME | DESCRIPTION | AMOUNT |
|------------------|----------------|---------------------------------|----------------------------|----------|
| | | | TOTAL: | 334.18 |
| NON-DEPARTMENTAL | Transportation | MO DEPT OF REVENUE | State Withholding | 503.44 |
| | | INTERNAL REVENUE SERVICE | Fed WH | 1,404.70 |
| | | | FICA | 981.35 |
| | | | Medicare | 229.50 |
| | | ICMA | Retirement 457 | 175.73 |
| | | | Loan Repayments | 100.30 |
| | | | Loan Repayments | 60.91 |
| | | | Loan Repayments | 16.89 |
| | | | Loan Repayments | 16.89 |
| | | | Retirement Roth IRA | 16.75 |
| | | JP MORGAN CHASE BANK | HSA Contribution | 20.00 |
| | | | HSA Family/Dep. Contributi | 72.31 |
| | | | TOTAL: | 3,598.77 |
| Transportation | Transportation | AMEREN MISSOURI | STREET LIGHTS | 1,388.70 |
| | | AMEREN MISSOURI | 792 PASSOVER RD | 64.39 |
| | | | 872 PASSOVER RD | 76.96 |
| | | | PALISADES COMMON | 109.86 |
| | | | 680 PASSOVER RD LIGHTING C | 61.64 |
| | | | MAINT SALT BLDG | 9.79 |
| | | INTERNAL REVENUE SERVICE | FICA | 981.34 |
| | | | Medicare | 229.51 |
| | | ICMA | Retirement 401 | 978.34 |
| | | BANKCARD CENTER 5106 | LARGE BRKFST PIZZAS | 51.55 |
| | | | RETREAT MEAL-NICK | 23.99 |
| | | | DIGITAL SAFETY SCOREBRD SI | 164.66 |
| | | JP MORGAN CHASE BANK | HSA Contribution | 86.25 |
| | | | HSA Family/Dep. Contributi | 350.25 |
| | | BT SERVICES | PUBLIC WORKS PHONE REPAIR | 269.00 |
| | | | TOTAL: | 4,846.23 |
| NON-DEPARTMENTAL | Water Fund | MO DEPT OF REVENUE | WATER SALES TAX | 3,030.62 |
| | | | State Withholding | 241.72 |
| | | INTERNAL REVENUE SERVICE | Fed WH | 778.42 |
| | | | FICA | 543.09 |
| | | | Medicare | 127.00 |
| | | ICMA | Retirement 457 | 76.30 |
| | | | Loan Repayments | 50.14 |
| | | | Loan Repayments | 130.16 |
| | | | Loan Repayments | 68.06 |
| | | | Loan Repayments | 103.62 |
| | | | Retirement Roth IRA | 26.50 |
| | | CAMDEN COUNTY RECORDER OF DEEDS | WATER LIENS | 12.50 |
| | | JP MORGAN CHASE BANK | HSA Family/Dep. Contributi | 51.91 |
| | | | TOTAL: | 5,240.04 |
| Water | Water Fund | AMEREN MISSOURI | COLUMBIA COLLEGE WELL | 1,706.51 |
| | | AMEREN MISSOURI | PARKVIEW WELL | 993.40 |
| | | | BLUFF RD WATER TOWER | 3,435.15 |
| | | | COLLEGE WELL BEHIND CHURCH | 2,573.29 |
| | | | COLUMBIA COLLEGE TOWER | 13.61 |
| | | INTERNAL REVENUE SERVICE | FICA | 543.10 |
| | | | Medicare | 127.01 |
| | | ICMA | Retirement 401 | 543.68 |

| DEPARTMENT | FUND | VENDOR NAME | DESCRIPTION | AMOUNT |
|------------------|----------------|---------------------------------|----------------------------|-----------|
| | | BANKCARD CENTER 5106 | LARGE BRKFST PIZZAS | 51.54 |
| | | | RETREAT MEAL-NICK | 23.99 |
| | | | DIGITAL SAFETY SCOREBRD SI | 164.67 |
| | | BANKCARD CENTER 5352 | DMV | 23.00 |
| | | DOLLISON, JOEY | MILEAGE REIMB 09/03-09/09/ | 16.80 |
| | | RUBLE, JUSTIN | MILEAGE REIMB 09/10-09/16/ | 57.12 |
| | | JP MORGAN CHASE BANK | HSA Contribution | 48.75 |
| | | | HSA Family/Dep. Contributi | 336.75 |
| | | BT SERVICES | PUBLIC WORKS PHONE REPAIR | 269.00 |
| | | | TOTAL: | 10,927.37 |
| NON-DEPARTMENTAL | Sewer Fund | MO DEPT OF REVENUE | State Withholding | 364.84 |
| | | INTERNAL REVENUE SERVICE | Fed WH | 1,174.58 |
| | | | FICA | 834.17 |
| | | | Medicare | 195.08 |
| | | ICMA | Retirment 457 & | 84.87 |
| | | | Retirement 457 | 121.16 |
| | | | Loan Repayments | 93.41 |
| | | | Loan Repayments | 21.11 |
| | | | Loan Repayments | 42.21 |
| | | | Retirement Roth IRA | 16.75 |
| | | CAMDEN COUNTY RECORDER OF DEEDS | SEWER LIENS | 12.50 |
| | | JP MORGAN CHASE BANK | HSA Contribution | 25.00 |
| | | | HSA Family/Dep. Contributi | 57.78 |
| | | | TOTAL: | 3,043.46 |
| Sewer | Sewer Fund | AMEREN MISSOURI | GRINDER PUMPS, LIFT STATIO | 10,683.01 |
| | | AMEREN MISSOURI | CLEARWOOD LN LOT 9/10 | 2.20 |
| | | | 701 PA HE TSI | 11.86 |
| | | | 5707 OSAGE BEACH PKWY | 11.65 |
| | | INTERNAL REVENUE SERVICE | FICA | 834.17 |
| | | | Medicare | 195.06 |
| | | ICMA | Retirement 401 | 827.24 |
| | | BANKCARD CENTER 5106 | LARGE BRKFST PIZZAS | 51.55 |
| | | | RETREAT MEAL-NICK | 23.98 |
| | | | DIGITAL SAFETY SCOREBRD SI | 164.67 |
| | | STARK, CHAD | MILEAGE REIMB 09/03-09/09/ | 38.08 |
| | | | REIMB CLASS B LIC FEES | 102.50 |
| | | JP MORGAN CHASE BANK | HSA Contribution | 90.00 |
| | | | HSA Family/Dep. Contributi | 438.00 |
| | | HAWK, JIM | CDL LIC | 70.00 |
| | | DUNCAN, CHRIS | MILEAGE REIMB 09/10-09/16/ | 35.28 |
| | | HASH, BEN | MILEAGE REIMB 09/03-09/09/ | 136.41 |
| | | | MILEAGE REIMB 09/10-09/16/ | 45.47 |
| | | | BOOT REIMB | 123.24 |
| | | BT SERVICES | PUBLIC WORKS PHONE REPAIR | 269.00 |
| | | | TOTAL: | 14,153.37 |
| NON-DEPARTMENTAL | Ambulance Fund | MO DEPT OF REVENUE | State Withholding | 487.00 |
| | | INTERNAL REVENUE SERVICE | Fed WH | 1,233.78 |
| | | | FICA | 873.92 |
| | | | Medicare | 204.36 |
| | | ICMA | Loan Repayments | 39.66 |
| | | | Loan Repayments | 58.83 |
| | | JP MORGAN CHASE BANK | HSA Contribution | 25.00 |
| | | | HSA Family/Dep. Contributi | 41.67 |

| DEPARTMENT | FUND | VENDOR NAME | DESCRIPTION | AMOUNT |
|----------------------|--------------------|-------------------------------------|----------------------------|----------|
| | | | TOTAL: | 2,964.22 |
| Ambulance | Ambulance Fund | INTERNAL REVENUE SERVICE | FICA | 873.92 |
| | | | Medicare | 204.36 |
| | | ICMA | Retirement 401 | 580.05 |
| | | AMBULANCE REIMBURSEMENT SYSTEMS INC | AMBULANCE BILLING FEES | 1,276.19 |
| | | JP MORGAN CHASE BANK | HSA Contribution | 37.50 |
| | | | HSA Family/Dep. Contributi | 225.00 |
| | | | TOTAL: | 3,197.02 |
| NON-DEPARTMENTAL | Lee C. Fine Airpor | MO DEPT OF REVENUE | LCF SALES TAX | 3,452.34 |
| | | | State Withholding | 57.20 |
| | | INTERNAL REVENUE SERVICE | Fed WH | 155.00 |
| | | | FICA | 186.35 |
| | | ICMA | Medicare | 43.59 |
| | | | Retirement 457 | 44.00 |
| | | | TOTAL: | 3,938.48 |
| Lee C. Fine Airport | Lee C. Fine Airpor | AMEREN MISSOURI | 1111 LEE C FINE RD WELL | 84.59 |
| | | | LO STATE PARK LOCALZR | 54.95 |
| | | | AIRPORT FIREHOUSE | 37.37 |
| | | | KAISER TERMINAL BLDG | 653.36 |
| | | | 1000 LCF RD HANGAR 2 | 15.56 |
| | | | NEW AIRPORT HANGAR | 114.36 |
| | | INTERNAL REVENUE SERVICE | FICA | 186.35 |
| | | | Medicare | 43.59 |
| | | ICMA | Retirement 401 | 185.94 |
| | | JP MORGAN CHASE BANK | HSA Family/Dep. Contributi | 120.00 |
| | | DINSDALE, TY | REIMB COOLER PUSH BUTTON | 81.00 |
| | | | TOTAL: | 1,577.07 |
| NON-DEPARTMENTAL | Grand Glaize Airpo | MO DEPT OF REVENUE | GG SALES TAX | 7.72 |
| | | | State Withholding | 58.80 |
| | | INTERNAL REVENUE SERVICE | Fed WH | 200.43 |
| | | | FICA | 161.54 |
| | | | Medicare | 37.78 |
| | | | TOTAL: | 466.27 |
| Grand Glaize Airport | Grand Glaize Airpo | INTERNAL REVENUE SERVICE | FICA | 161.54 |
| | | | Medicare | 37.78 |
| | | ICMA | Retirement 401 | 160.14 |
| | | BANKCARD CENTER 5352 | BOOTS | 118.99 |
| | | JP MORGAN CHASE BANK | HSA Contribution | 37.50 |
| | | | HSA Family/Dep. Contributi | 105.00 |
| | | | TOTAL: | 620.95 |

DEPARTMENT FUND VENDOR NAME DESCRIPTION AMOUNT

===== FUND TOTALS =====

| | | |
|----|---------------------------|-----------|
| 10 | General Fund | 70,544.43 |
| 20 | Transportation | 8,445.00 |
| 30 | Water Fund | 16,167.41 |
| 35 | Sewer Fund | 17,196.83 |
| 40 | Ambulance Fund | 6,161.24 |
| 45 | Lee C. Fine Airport Fund | 5,515.55 |
| 47 | Grand Glaize Airport Fund | 1,087.22 |

GRAND TOTAL: 125,117.68

TOTAL PAGES: 7

| DEPARTMENT | FUND | VENDOR NAME | DESCRIPTION | AMOUNT |
|----------------------|--------------|-----------------------------------|----------------------------|----------|
| NON-DEPARTMENTAL | General Fund | HEDRICK MOTIV WERKS LLC | CLEARED CODES - CK ENG, CK | 26.25 |
| | | | TOTAL: | 26.25 |
| Mayor & Board | General Fund | LAKE AREA CHAMBER OF COMMERCE | ANNUAL DUES | 100.00 |
| | | | TOTAL: | 100.00 |
| City Clerk | General Fund | STAPLES ADVANTAGE | PENS, BINDR CLPS, TP | 50.09 |
| | | GENERAL CODE LLC | SUPPLEMENT #12 | 1,014.38 |
| | | | TOTAL: | 1,064.47 |
| City Attorney | General Fund | THOMSON REUTERS - WEST | INFORMATION CHARGES | 249.52 |
| | | | TOTAL: | 249.52 |
| Building Inspection | General Fund | STAPLES ADVANTAGE | WIPES, PHONE MESSAGE BKS | 19.12 |
| | | | TOTAL: | 19.12 |
| Building Maintenance | General Fund | ELECTRONICS UNLIMITED | CHNG FRONT DOOR BOXES | 65.00 |
| | | PRAIRIEFIRE COFFEE & ROASTERS | COFFEE, HOT COCO, SWEETNER | 147.30 |
| | | MIDWEST ELECTRONIC SYSTEMS INC | ANNUAL FIRE ALARM TEST/INS | 300.00 |
| | | KEEPING CONDOS CLEAN | SEP JANITORIAL SERV/REFRIG | 1,556.67 |
| | | GEO-ENTERPRISES, INC | REPAIR HVAC PD | 401.67 |
| | | STAPLES ADVANTAGE | CUPS, TOWELS | 104.26 |
| | | | TOTAL: | 2,574.90 |
| Parks | General Fund | WALMART COMMUNITY/GEGRB | ICE | 23.88 |
| | | | SHRPIFNBLK5C, THERM, CANIS | 23.38 |
| | | | OIL, CHEESE, YOGERT, ICE | 56.04 |
| | | | WATER, SODA | 75.02 |
| | | | HOT DOGS, BUNS, SODA | 141.25 |
| | | | HOT DOGS, HAMB, BRATS, BUN | 77.06 |
| | | | CHIPS, SODA, DLX SLC | 70.50 |
| | | | SOAP | 9.70 |
| | | | BUNS, MEAT, BROTH | 85.72 |
| | | | BUNS, HOT DOGS | 40.42 |
| | | HDR INC | CITY PARK REHAB & STORM RE | 758.51 |
| | | | TOTAL: | 1,361.48 |
| Overhead | General Fund | STAPLES ADVANTAGE | CPY PPR | 172.50 |
| | | MIDWEST PUBLIC RISK | DEDUCTIBLE | 1,000.00 |
| | | | TOTAL: | 1,172.50 |
| Police | General Fund | WALMART COMMUNITY/GEGRB | PEDESTAL FANS | 46.00 |
| | | | DIGITAL CAM | 299.00 |
| | | | SHOPPING CARD | 100.00 |
| | | ED ROEHR SAFETY PRODUCTS INC | BODY ARMOR | 2,900.00 |
| | | | BODY ARMOR | 3,625.00 |
| | | MO POLICE CHIEFS ASSC | MEMBERSHIP DUES -M T DAVIS | 200.00 |
| | | SIRCHIE FINGER PRINT LABORATORIES | EVID BAGS, JARS LABELS | 291.00 |
| | | O'REILLY AUTOMOTIVE STORES INC | WIPER BLADES | 28.07 |
| | | IMAGE QUEST | OVERAGE SVC BILLING | 15.18 |
| | | DELL MARKETING LP | TONER | 185.24 |
| | | ULINE | MAILERS | 62.95 |
| | | SOUTHERN UNIFORM & EQUIPMENT | NAMETAGS | 30.50 |
| | | ALPHAGRAPHICS | INSTRUCTION SHEETS | 141.92 |
| | | | GENERIC BUSINESS CARDS | 55.61 |
| | | STAPLES ADVANTAGE | TONER,LSR LBL, BUBBL WRP, | 136.96 |

| DEPARTMENT | FUND | VENDOR NAME | DESCRIPTION | AMOUNT |
|------------------------|----------------|------------------------------------|----------------------------|------------|
| | | XEROX FINANCIAL SERVICES | LEASE PAYMENT | 146.00 |
| | | | TOTAL: | 8,063.43 |
| 911 Center | General Fund | WIRELESS USA INC | SYSTEM REPAIR | 322.00 |
| | | | TOTAL: | 322.00 |
| Planning | General Fund | STAPLES ADVANTAGE | TAPE | 20.06 |
| | | ST LOUIS COUNTY MUNICIPAL LEAGUE | PROBLEM PROPERTIES - B CHA | 10.00 |
| | | | TOTAL: | 30.06 |
| Information Technology | General Fund | ELECTRONICS UNLIMITED | FIBER PATCH CABLE | 200.00 |
| | | | TOTAL: | 200.00 |
| Economic Development | General Fund | WALMART COMMUNITY/GEGRB | STCKRS, NOTE TY, TREATS, A | 15.76 |
| | | | VISA GIFT CARD | 53.94 |
| | | | DOG TOYS, CLR BAGS, CRFT R | 24.20 |
| | | | TOTAL: | 93.90 |
| Transportation | Transportation | MEEKS BUILDING CENTER | 2X6 8' SPF PREMIUM | 5.23 |
| | | JOE MACHENS FORD | 2015 FORD F-550 | 48,703.00 |
| | | O'REILLY AUTOMOTIVE STORES INC | WINTER BLADES, MINI LAMP | 20.12 |
| | | | GREASE, LANTRN, OIL, ANTIF | 171.43 |
| | | | FLOOR MATS, TRUCK STEP | 84.98 |
| | | | WET BATTERY | 119.26 |
| | | | REFLECTORS, P/S FLD, FUSES | 25.46 |
| | | | WINTER BLADES | 16.98 |
| | | | HATCH SUPPORT | 11.46 |
| | | | REFLECTOR | 6.99 |
| | | CONSOLIDATED ELECTRICAL DISTR, INC | PHOTOCNTRL, MIDGET FUSES | 98.46 |
| | | PRAIRIEFIRE COFFEE & ROASTERS | COFFEE, HOT CHOC, CREAM, S | 30.58 |
| | | PRECISION AUTO & TIRE SERVICE LLC | OIL CHG, TIRE ROTATE #54 | 66.95 |
| | | APAC MO INC | BP-2 W/RAP | 552.42 |
| | | | 4"-6" CLEAN | 213.55 |
| | | | 4"-6" CLEAN | 213.73 |
| | | KW LUETKEMEYER | OB14-006 PAVEMENT MARKINGS | 43,823.13 |
| | | UNIFIRST CORPORATION | STREET DEPT UNIFORMS | 40.15 |
| | | | STREET DEPT FLOOR MATS | 6.84 |
| | | | STREET DEPT UNIFORMS | 40.15 |
| | | | STREET DEPT FLOOR MATS | 6.84 |
| | | SOUTHWEST STONE SUPPLY INC | MULCH | 89.79 |
| | | | MULCH | 119.72 |
| | | | MULCH | 59.86 |
| | | | MULCH | 119.72 |
| | | | MULCH | 89.79 |
| | | EZARD'S | GARDEN HOE | 18.99 |
| | | | PREEN WEED PREV | 31.98 |
| | | STAPLES ADVANTAGE | PENS, CPY PPR | 16.04 |
| | | | WIPES, LINERS | 27.23 |
| | | J C INDUSTRIES INC | OB PKWY SIDEWALK IMPROVMNT | 45,980.17 |
| | | MEYER ELECTRIC CO INC | RESET FLASHING STOP LIGHT | 362.50 |
| | | | TOTAL: | 141,772.10 |

| DEPARTMENT | FUND | VENDOR NAME | DESCRIPTION | AMOUNT | | |
|--|----------------------------|--------------------------------|----------------------------|-------------------------------|----------------------------|----------|
| Water | Water Fund | GOEHRI, GEORGE | OCT INS PREMIUM | 82.06 | | |
| | | HACH CO | SPADNS FLUORIDE ACCUVAC, P | 377.39 | | |
| | | O'REILLY AUTOMOTIVE STORES INC | HATCH SUPPORT | 11.45 | | |
| | | | SEAL TAPE | 0.99 | | |
| | | | 2 CYCLE | 7.98 | | |
| | | OZARK READY MIX CO INC | LIMESTONE W/ASH | 102.50 | | |
| | | PRAIRIEFIRE COFFEE & ROASTERS | COFFEE, HOT CHOC, CREAM, S | 30.58 | | |
| | | HD SUPPLY WATERWORKS LTD | BLUE MARKING PAINT | 48.96 | | |
| | | SUBSURFACE | RADIODETECTION 4" RING CLA | 183.68 | | |
| | | UNIFIRST CORPORATION | WATER DEPT UNIFORMS | 22.34 | | |
| | | | WATER DEPT FLOOR MATS | 6.83 | | |
| | | | WATER DEPT UNIFORMS | 22.34 | | |
| | | | WATER DEPT FLOOR MATS | 6.83 | | |
| | | STAPLES ADVANTAGE | PENS, CPY PPR | 16.04 | | |
| | | | WIPES, LINERS | 27.22 | | |
| | | | TOTAL: | 947.19 | | |
| | | Sewer | Sewer Fund | RP LUMBER INC | 5/16' PROFF COIL CHAIN | 239.98 |
| | | | | ALLEN SURVEYING INC | SPRING VALLEY RD SEWR EXTE | 1,000.00 |
| | | | | EVOQUA WATER TECHNOLOGIES LLC | ODOR CONTROL | 1,750.00 |
| | | | | | BIOXIDE | 3,934.50 |
| TALLMAN COMPANY | GALV PIPES | | | 89.67 | | |
| | PVC GLUE & PRIMER | | | 108.58 | | |
| MUNICIPAL EQUIPMENT CO | PROFILE GASKETS | | | 51.61 | | |
| O'REILLY AUTOMOTIVE STORES INC | DRILL BITS | | | 6.98 | | |
| | HATCH SUPPORT | | | 11.45 | | |
| OZARK READY MIX CO INC | LIMESTONE W/ASH | | | 205.00 | | |
| CONSOLIDATED ELECTRICAL DISTR, INC | MINIATURE CIRCUITS, FUSE | | | 128.50 | | |
| | SPLICER REDUCERS | | | 9.61 | | |
| PRAIRIEFIRE COFFEE & ROASTERS | COFFEE, HOT CHOC, CREAM, S | | | 30.59 | | |
| LAKE OZARK-OSAGE BEACH JOINT SEWER PLA | AUG FLOWS | | | 39,833.26 | | |
| DAM STEEL SUPPLY | 1" ROUND RODS | | | 22.40 | | |
| HD SUPPLY WATERWORKS LTD | GREEN & WHITE MARKING PAIN | | | 48.96 | | |
| | BRASS NIPPLE | | | 42.65 | | |
| SUBSURFACE | RADIODETECTION 4" RING CLA | | | 183.68 | | |
| JCI INDUSTRIES INC | PUMP REPAIR SN 57124 | | | 3,385.00 | | |
| UNIFIRST CORPORATION | SEWER DEPT UNIFORMS | | | 44.70 | | |
| | SEWER DEPT FLOOR MATS | | | 6.83 | | |
| | SEWER DEPT UNIFORMS | | | 44.70 | | |
| | SEWER DEPT FLOOR MATS | | | 6.83 | | |
| TRAVIS HODGE HAULING LLC | LS 49-2 & LS 53-1 | | | 22,649.44 | | |
| NEFF POWER INC | CONTROLLERS | | | 623.50 | | |
| | CONTROLLERS | | | 2,479.10 | | |
| STAPLES ADVANTAGE | PENS, CPY PPR | | | 16.04 | | |
| | WIPES, LINERS | | | 27.22 | | |
| | TOTAL: | | | 76,980.78 | | |
| Ambulance | Ambulance Fund | | | AIRGAS, INC | OXYGEN | 27.22 |
| | | | | HEDRICK MOTIV WERKS LLC | TIRE REPAIR M-9 | 10.00 |
| | | | | | MOUNT & BALANCE M-9 | 12.55 |
| | | | BATTERY | 178.83 | | |
| | | | BATTERY | 301.12 | | |
| | | | BATTERIES M-8 | 315.85 | | |
| | | LAKE REGIONAL PHARMACY | MEDICAL SUPPLIES | 26.05 | | |
| | | WHEN TO WORK INC | ONLINE SCHEDULING | 200.00 | | |
| STAPLES ADVANTAGE | TONER | 50.84 | | | | |

| DEPARTMENT | FUND | VENDOR NAME | DESCRIPTION | AMOUNT |
|----------------------|--------------------|----------------------------|----------------------------|------------|
| | | | TOTAL: | 1,122.46 |
| Lee C. Fine Airport | Lee C. Fine Airpor | WALMART COMMUNITY/GEGRB | GV 35PK DR, ICE | 22.34 |
| | | | WASP SPRAY | 4.97 |
| | | | ICE | 39.25 |
| | | | LYSOL, CRL82312 | 79.82 |
| | | NAEGLER OIL CO | AV GAS | 8,995.67 |
| | | | JET A FUEL | 24,949.08 |
| | | EZARD'S | COPPER TUBE, COMP UNION | 10.44 |
| | | | BATTERIES, POLY PIPE, UNIO | 43.11 |
| | | | PVC PLUGS | 2.58 |
| | | CURTISS-MANES-SHCHULTE INC | LCF BOX HANGARS | 121,598.40 |
| | | | TOTAL: | 155,745.66 |
| Grand Glaize Airport | Grand Glaize Airpo | NAEGLER OIL CO | AV GAS | 11,263.87 |
| | | LAKELAND OIL CO LLC | 20W-50 | 82.59 |
| | | EZARD'S | STORAGE HOOK KITQ | 14.99 |
| | | | TOTAL: | 11,361.45 |

===== FUND TOTALS =====

| | | |
|-------|---------------------------|------------|
| 10 | General Fund | 15,277.63 |
| 20 | Transportation | 141,772.10 |
| 30 | Water Fund | 947.19 |
| 35 | Sewer Fund | 76,980.78 |
| 40 | Ambulance Fund | 1,122.46 |
| 45 | Lee C. Fine Airport Fund | 155,745.66 |
| 47 | Grand Glaize Airport Fund | 11,361.45 |
| ----- | | |
| | GRAND TOTAL: | 403,207.27 |
| ----- | | |

Submission Date: September 24, 2014

Submitted By: City Engineer

Board Meeting Date: October 2, 2014

**City of Osage Beach
BOARD OF ALDERMEN
AGENDA ITEM SUMMARY SHEET**

Description of Item:

Ordinance 14-47 amending section 710.410.

Names of Persons, Businesses, Organizations affected by this action:

Citizens, Businesses, Developers, Visitors to the area, and City Staff

Why is Board Action Required?

Board Action required to approve ordinances

Type of Action Requested (Ordinance, Resolution, Motion):

Approval of Ordinance

Are there any deadlines associated with this action?

The sewer project has been completed giving us actual data instead of estimated. We would like to update these costs.

Comments and Recommendation of Department:

The SDCs were created with estimated costs for various upgrades that were needed at that time. Over time, the City has completed these SDC projects. These projects vary from the 24" Sewer Bypass Force Main to upgrading LS 22-3 on Sunset.

We have completed an SDC project. This project is upgrading LS 22-3. The original SDC was based upon an estimated value. We now have actual data and would like to update the SDCs based upon this information. This project is in Benefit Area 4. The current SDC for this area is \$1,410. We would like to update the SDC for this area to \$1,457.

The Public Works Department recommends approval of this ordinance. A first and second reading is requested.

City Administrator Comments and Recommendation:

Concur with Public Works Director's recommendation.

BILL NO. 14-47

ORDINANCE NO. 14.47

AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AMENDING APPENDIX A OF SECTION 710.410: SEWER SYSTEM DEVELOPMENT CHARGE.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF OSAGE BEACH, MISSOURI, AS FOLLOWS:

Section 1. That Appendix A of Section 710.410 of the Osage Beach Code of Ordinances be amended so that such section shall read as indicated on the attached Exhibit A.

Section 2. Repeal of ordinances not to affect liabilities, etc.

Whenever any part of this ordinance shall be repealed or modified, either expressly or by implication, by a subsequent ordinance, that part of the ordinance thus repealed or modified shall continue in force until the subsequent ordinance repealing or modifying the ordinance shall go into effect unless therein otherwise expressly provided: but no suit, prosecution, proceeding, right, fine or penalty instituted, created, given, secured or accrued under this ordinance previous to its repeal shall not be affected, released or discharged but may be prosecuted, enjoined and recovered as fully as if this ordinance or provisions had continued in force, unless it shall be therein otherwise expressly provided.

Section 3. The Mayor of the City of Osage Beach is hereby authorized to take all actions which may be necessary to fully enact this Ordinance.

Section 4. That this Ordinance shall be in full force and effect January 1, 2015.

READ FIRST TIME: _____ READ SECOND TIME: _____

I hereby certify that the above Ordinance No. 14.47 was duly passed on _____ by the Board of Aldermen of the City of Osage Beach. The votes thereon were as follows:

Ayes: _____ Nays: _____
Abstaining: _____ Absent: _____

This Ordinance is hereby transmitted to the Mayor for her signature.

Date

Diann Warner, City Clerk

Approved as to form:

Edward B. Rucker,
City Attorney

I hereby APPROVE the above Ordinance No. 14.47.

Date

Penny Lyons, Mayor

EXHIBIT A

APPENDIX A
CITY OF OSAGE BEACH
SANITARY SEWER SYSTEM
SYSTEM DEVELOPMENT CHARGE SCHEDULE UPDATED 8/22/2014

| BENEFIT AREA | LOCATION | SYSTEM DEVELOPMENT CHARGE | | | | | | | | | |
|--------------|--|---------------------------|---------|---------|---------|-------------|---------|----------|----------|----------|-----------|
| | | SFR* | 1 BR | 2 BR | 3 BR | 5/8" x 3/4" | 1" | 1 1/2" | 2" | 3" | 4" |
| 1 | All areas east of Sands Pump Station | \$1,075 | \$672 | \$806 | \$941 | \$1,075 | \$2,688 | \$5,375 | \$8,600 | \$18,813 | \$53,750 |
| 2 | East of Sands and upstream of L.S. 30-6 | \$2,975 | \$1,859 | \$2,231 | \$2,603 | \$2,975 | \$7,438 | \$14,875 | \$23,800 | \$52,063 | \$148,750 |
| 3 | East of Sands and upstream of L.S. 54N-1 | \$1,855 | \$1,159 | \$1,391 | \$1,623 | \$1,855 | \$4,638 | \$9,275 | \$14,840 | \$32,463 | \$92,750 |
| 4 | East of Sands and upstream of L.S. 22-3 | \$1,457 | \$911 | \$1,093 | \$1,275 | \$1,410 | \$3,643 | \$7,285 | \$11,656 | \$25,498 | \$72,850 |
| 5 | East of Sands and upstream of L.S. 29-1 | \$1,490 | \$931 | \$1,118 | \$1,304 | \$1,490 | \$3,725 | \$7,450 | \$11,920 | \$26,075 | \$74,500 |
| 6 | West of Sands and East of Normandy Road | \$1,900 | \$1,188 | \$1,425 | \$1,663 | \$1,900 | \$4,750 | \$9,500 | \$15,200 | \$33,250 | \$95,000 |
| 7 | West of Normandy Road, East of KK EQ Basin | \$2,255 | \$1,409 | \$1,691 | \$1,973 | \$2,255 | \$5,638 | \$11,275 | \$18,040 | \$39,463 | \$112,750 |
| 8 | Upstream of KK EQ Basin | \$2,835 | \$1,772 | \$2,126 | \$2,481 | \$2,835 | \$7,088 | \$14,175 | \$22,680 | \$49,613 | \$141,750 |
| 9 | West of Normandy Road, in Port Lane Area | \$2,825 | \$1,766 | \$2,119 | \$2,472 | \$2,825 | \$7,063 | \$14,125 | \$22,600 | \$49,438 | \$141,250 |

*SFR = Single Family Residential
**MFR = Multi-Family Residential

Submission Date: September 24, 2014
Submitted By: Public Works Director
Board Meeting Date: October 2, 2014

**City of Osage Beach
BOARD OF ALDERMEN
AGENDA ITEM SUMMARY SHEET**

Description of Item:

Ordinance 14-53 to allow Mayor to execute Construction Contract OB14-022 for the Manhole Rehabilitation-Dude Ranch Road to Lift Station 53-1.

Names of Persons, Businesses, Organizations affected by this action:

Citizens of Osage Beach, staff, contractors

Why is Board Action Required?

Board approval required for contracts over \$5,000.

Type of Action Requested (Ordinance, Resolution, Motion):

Ordinance

Are there any deadlines associated with this action?

As soon as possible, this project involves applying an epoxy lining to six existing manholes that have severe concrete damage.

Budget Line / Source of Funds

35-00-773220 I & I Improvements \$14,664.00

Comments and Recommendation of Department:

Bids were opened September 23, 2014. The apparent low bidder is Utility Solutions, LLC with a low bid of \$14,664.00. The bid tab is attached. This project will repair six damaged manholes running from Lift Station 53-1 to Dude Ranch Road.

Utility Solutions has not performed work for the City of Osage Beach, their references were contacted and the company received outstanding reviews.

The Public Works Department recommends approval of this ordinance for the award of this contract to Utility Solutions, LLC in the amount of \$14,664.00.

City Administrator Comments and Recommendation:

Concur with the Public Works Director's recommendation.

BILL NO. 14-53

ORDINANCE NO. 14.53

AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH UTILITY SOLUTIONS, LLC FOR MANHOLE REHABILITATION

WHEREAS, the City of Osage Beach solicited bids for the Manhole Rehabilitation; and

WHEREAS, Utility Solutions, LLC submitted the lowest and best bid; and

WHEREAS, the City of Osage Beach seeks to execute a contract for Manhole Rehabilitation; and

WHEREAS, the City has determined that Utility Solutions, LLC is able to provide such services as described in the specifications for Manhole Rehabilitation.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF OSAGE BEACH, MISSOURI, AS FOLLOWS, TO WIT:

Section 1. The Board of Aldermen hereby authorizes the Mayor to execute on behalf of the City a contract with Utility Solutions, LLC in an amount not to exceed fourteen thousand, six hundred forty four dollars (\$14,644.00).

Section 2. The City Administrator is hereby authorized to take such further actions as are necessary to carry out the intent of this Ordinance and Contract.

Section 3. This Ordinance shall be in full force and effect from date of passage and approval by the Mayor.

READ FIRST TIME: _____ READ SECOND TIME: _____

I hereby certify that the above Ordinance No. 14.53 was duly passed on _____ by the Board of Aldermen of the City of Osage Beach. The votes thereon were as follows:

Ayes: _____ Nays: _____

Abstentions: _____ Absent: _____

This Ordinance is hereby transmitted to the Mayor for her signature.

Date

Diann Warner, City Clerk

Approved as to form:

Edward B. Rucker, City Attorney

I hereby approve Ordinance No. 14.53.

Date

Penny Lyons, Mayor

ATTEST:

Diann Warner, City Clerk

BID TABULATION
Manhole Rehabilitation Dude Ranch Rd to Lift Station 53-1
OB14-022

Bid Opening: September 23, 2014

| Item No. | Description | Est. Quantity | Unit | Engineer's Estimate | | Utility Solutions LLC Tonganoxie, KS | | Ace Pipe Cleaning, Inc. Kansas City, MO | | Hutchins Telecom Belle, MO | |
|-----------------------|--|---------------|------|---------------------|---------------------|---|---------------------|--|---------------------|-------------------------------|---------------------|
| | | | | Unit Price | Extension Figure | Unit Price | Extension Figure | Unit Price | Extension Figure | Unit Price | Extension Figure |
| 1 | Manhole Lining #1 (Depth 126" Dia. 4) | 1 | LS | \$ 14,000.00 | \$ 14,000.00 | \$ 3,437.50 | \$ 3,437.50 | \$ 4,375.00 | \$ 4,375.00 | \$ 5,500.00 | \$ 5,500.00 |
| 2 | Manhole Lining #2 (Depth 7'0" Dia. 4) | 1 | LS | \$ 8,000.00 | \$ 8,000.00 | \$ 1,995.00 | \$ 1,995.00 | \$ 2,450.00 | \$ 2,450.00 | \$ 4,869.00 | \$ 4,869.00 |
| 3 | Manhole Lining #3 (Depth 10'8" Dia. 4) | 1 | LS | \$ 12,000.00 | \$ 12,000.00 | \$ 2,959.00 | \$ 2,959.00 | \$ 3,734.50 | \$ 3,734.50 | \$ 5,000.00 | \$ 5,000.00 |
| 4 | Manhole Lining #4 (Depth 6'0" Dia. 4) | 1 | LS | \$ 6,800.00 | \$ 6,800.00 | \$ 1,710.00 | \$ 1,710.00 | \$ 2,100.00 | \$ 2,100.00 | \$ 4,869.00 | \$ 4,869.00 |
| 5 | Manhole Lining #5 (Depth 7'0" Dia. 4) | 1 | LS | \$ 8,000.00 | \$ 8,000.00 | \$ 1,995.00 | \$ 1,995.00 | \$ 2,450.00 | \$ 2,450.00 | \$ 4,869.00 | \$ 4,869.00 |
| 6 | Manhole Lining #6 (Depth 5'6" Dia. 4) | 1 | LS | \$ 6,300.00 | \$ 6,300.00 | \$ 1,567.50 | \$ 1,567.50 | \$ 1,925.00 | \$ 1,925.00 | \$ 4,869.00 | \$ 4,869.00 |
| 7 | Force Account | 1 | LS | \$ 1,000.00 | \$ 1,000.00 | \$ 1,000.00 | \$ 1,000.00 | \$ 1,000.00 | \$ 1,000.00 | \$ 1,000.00 | \$ 1,000.00 |
| Total Base Bid | | | | | \$ 56,100.00 | | \$ 14,664.00 | | \$ 18,034.50 | | \$ 30,976.00 |

Submission Date: September 25, 2014

Submitted By: City Attorney

Board Meeting Date: October 2, 2014

**City of Osage Beach
BOARD OF ALDERMEN
AGENDA ITEM SUMMARY SHEET**

Description of Item:

An ordinance approving a settlement agreement with CenturyLink and other defendants in Case No. 12SL-CC01723, Circuit Court of St. Louis County, Missouri and assigning a percentage of the City's settlement proceeds to the Missouri Municipal League.

Names of Persons, Businesses, Organizations affected by this action:

City, Defendants, Missouri Municipal League

Why is Board Action Required?

Board action is required to adopt the ordinance to participate in this settlement.

Type of Action Requested (Ordinance, Resolution, Motion):

Ordinance (First and Second Reading)

Are there any deadlines associated with this action?

Yes. The proposed settlement provides that our claim to participate must be submitted by November 4, 2014.

Comments and Recommendation of Department:

Recommend Adoption MML and the Class Plaintiffs and their attorney have advocated for the City in a lawsuit beyond the range of our capacity to pursue on a standalone basis. The City Treasurer and City Clerk have evaluated the

financial aspect of the settlement and our claim and finds the compensation satisfactory.

City Administrator Comments and Recommendation:

Concur with the recommendation of the City Attorney.

BILL NO. 14-54

ORDINANCE NO. 14. 54

AN ORDINANCE APPROVING A SETTLEMENT AGREEMENT WITH CENTURY LINK AND OTHER DEFENDANTS IN CASE NO. 12SL-CC 01723, CIRCUIT COURT OF ST. LOUIS COUNTY AND ASSIGNING A PERCENTAGE OF THE SETTLEMENT PROCEEDS TO THE MISSOURI MUNICIPAL LEAGUE.

WHEREAS, the City of Osage Beach, Missouri (the “Plaintiff”) is a putative class member in a lawsuit to recover certain unpaid taxes defined in the Settlement Agreement in the lawsuit is styled *City of O’Fallon, Missouri, et al. v. Centurylink, Inc., et al.*, No. 12SL-CC-01723, which is pending in the Circuit Court of St. Louis County, Missouri (the “Lawsuit”); and

WHEREAS, the Class Plaintiff and Defendants wish to avoid the expense and uncertainty of continued litigation and desire to settle their dispute without further litigation; and

WHEREAS, a settlement agreement settling the Lawsuit Is pending before the Circuit Court of St. Louis County for a hearing and final approval on December 12, 2014 (the “Settlement Agreement”) and for the City to participate in that settlement it must act by ordinance to do so, and

WHEREAS, the Plaintiff’s class counsel and Defendants have conducted an investigation and evaluation of the facts and the law relating to the claims in the Lawsuit and believe that the Settlement Agreement is fair, reasonable, adequate and in the best interest of all the parties; and

WHEREAS, pursuant to the Settlement Agreement, the City of Osage Beach has received a Notice of Class Action Settlement and Approval Hearing, incorporated herein by reference, and a claim form, incorporated herein by reference, which identify the settlement proceeds that will be paid to the City pursuant to the Settlement Agreement after the Settlement Agreement becomes final ; and

WHEREAS, the City of Osage Beach desires to approve and accept the Settlement Agreement and the settlement proceeds and further desires to assign a portion of the proceeds to the Missouri Municipal League as provided therein.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF OSAGE BEACH, MISSOURI AS FOLLOWS:

Section 1. The Board of Aldermen, of the City of Osage Beach, Missouri hereby approves, accepts, and adopts all terms and provisions of the Settlement Agreement in the matter of *City of O’Fallon, Missouri, et al. v. Centurylink, Inc., et al.*, No. 12SL-CC-01723, which is pending in the Circuit Court of St. Louis County, Missouri as a binding and enforceable agreement between the City of Osage Beach, Missouri and the defendants, as if the City of Osage Beach, Missouri was an original signatory thereto.

Section 2. The Board of Aldermen of the City of Osage Beach, Missouri further approves the payment totaling \$845.94 shown on the CenturyLink Landline Municipal Tax Settlement Claim Form, along with the other relief provided in the Settlement Agreement, as adequate consideration for the release of claims by the City of Osage Beach, Missouri against Defendant’s as provided for in the Settlement Agreement.

Section 3. The Board of Aldermen of the City of Osage Beach, Missouri further assigns to the Missouri Municipal League \$49.30 (5%) of its Settlement Payment, which amount shall be used for the public purpose of reimbursing the League for revenues expended in its legislative and settlement efforts relating to the Lawsuit and to fund future services performed on behalf of the League’s member

municipalities.

Section 4. The Mayor of the City of Osage Beach, Missouri, on behalf of the Plaintiff, is hereby authorized to execute the CenturyLink Landline Municipal Tax Settlement Claim Form and any other documents necessary under the Settlement Agreement.

Section 5. The City of Osage Beach, Missouri, reserves the right to conclude settlement agreements with other wireless telecommunications service providers in the lawsuit depending upon the circumstances of each case.

Section 6. This Ordinance shall be in full force and effect after passage and approval by the Mayor.

READ FIRST TIME: _____ READ SECOND TIME: _____

I hereby certify that the above Ordinance No. 14.54 was duly passed on _____, 2014 by the Board of Aldermen of the City of Osage Beach. The votes thereon were as follows:

Ayes: _____ Nays: _____

Abstentions: _____ Absent: _____

This Ordinance is hereby transmitted to the Mayor for her signature.

Date

Diann Warner, City Clerk

Approved as to form:

Edward B. Rucker, City Attorney

I hereby APPROVE the above Ordinance No. 14.54

Penny Lyons, Mayor

Date

ATTEST:

Diann Warner, City Clerk

IN THE CIRCUIT COURT OF THE COUNTY OF ST. LOUIS
STATE OF MISSOURI

Case No. 12SL-CC01723

NOTICE OF CLASS ACTION SETTLEMENT AND APPROVAL HEARING

TO: City of Osage Beach
Attn: Karri Bell, City Treasurer
1000 City Parkway
Osage Beach, MO 65065

CITY OF O'FALLON, MISSOURI;
CITY OF TROY, MISSOURI; and
CITY OF ORRICK, MISSOURI;

On behalf of themselves and all
others similarly situated,

Plaintiffs,

v.

CENTURYLINK, INC.; CENTURYTEL
OF MISSOURI, LLC d/b/a
CENTURYLINK; CENTURYTEL LONG
DISTANCE, LLC
d/b/a CENTURYLINK LONG
DISTANCE; EMBARQ MISSOURI,
INC.; et al.,

Defendants.

This notice explains the settlement of a class action lawsuit concerning revenues subject to business license taxes that municipalities impose on CenturyLink, Inc., CenturyTel of Missouri, LLC, CenturyTel Long Distance, LLC, Embarq Missouri, Inc., Spectra Communications Group, LLC, Embarq Communications, Inc., and CenturyLink Communications, LLC (f/k/a Qwest Communications Corporation, and f/k/a Qwest Communications Company, LLC), and related entities ("Defendants" or "CenturyLink"). The settlement has been preliminarily approved by the Court and provides for the payment of back taxes and future taxes to these municipalities.

PLEASE TAKE NOTICE THAT on December 12, 2014 in Division 43 of the Circuit Court of the County of St. Louis, at 1:30 p.m., a hearing shall be conducted to determine whether to grant final approval to the settlement, consider any timely objections to the settlement, and rule on the fee and expense application submitted by attorneys for the plaintiffs.

No payment of back taxes by Defendants will be made available to municipalities under the settlement agreement until after the settlement has become final and non-appealable.

Read this notice carefully. You may be entitled to share in the settlement proceeds of this lawsuit. Your rights to a monetary award may be affected.

1. What is this lawsuit about?

Plaintiffs contend that CenturyLink did not pay taxes on certain gross receipts derived from Carrier Access (whether alleged to be interstate or intrastate), End User Common Line surcharges ("EUCL"), private line services (whether alleged to be interstate or intrastate), long-distance toll services (whether alleged to be interstate or intrastate), federal and state universal service fee

surcharges (“FUSF” and “SUSF”), and other revenues upon which Business License Taxes have not been paid by Defendants at various times, and for interest and/or penalties thereon. Defendants have denied and continue to deny any and all liability with respect to the allegations raised against them in the various lawsuits involving the applicability of Plaintiffs’ and other Municipalities’ respective Business License Tax ordinances to Defendants’ products and services.

Based on the information available to both sides, and the risks involved in trial, attorneys for the class have concluded that the proposed settlement is fair, reasonable, adequate, and that it serves the best interests of class members.

2. Who are the parties in this class action?

The named Plaintiffs in this class action are the City of O’Fallon, Missouri, City of Troy, Missouri and City of Orrick, Missouri. Plaintiffs filed this lawsuit as a class action to assert their own individual claims and to represent a class of municipalities with similar claims.

The Defendants, subsidiaries, and affiliates included in the settlement include CenturyLink, Inc., CenturyTel of Missouri, LLC, CenturyTel Long Distance, LLC, Embarq Missouri, Inc., Spectra Communications Group, LLC, Embarq Communications, Inc., and CenturyLink Communications, LLC (f/k/a Qwest Communications Corporation, and f/k/a Qwest Communications Company, LLC).

3. What compensation or benefits will the settlement provide?

The settlement, if it is finally approved by the Court, provides for the payment of back taxes and future taxes as described in more detail below. In addition, to the extent Defendants have paid any taxes under protest and have initiated any tax protest actions against you, those protest actions will be dismissed and the protested taxes released unconditionally to you.

- a. Payment of Back Taxes. The Settlement specifies a back tax payment with respect to each municipality, and your back tax payment is shown below. The payment was determined as follows:

| | | | | | | | | | | | | | |
|---------|---|-------|---------------------------|---|---------------------------------------|--|---|------------------------------------|--|--|--|--|--|
| \$8.49M | Amt. of attorneys' fees approved by the Court | A - B | BLT or franchise fee rate | Class member's non-Qwest underpayment from 2010 through 2012 (calculated as the greater of (i) gross receipts as stated on sales tax returns times 1.08 to correct for understated bundled interstate long distance times the class member's tax rate or (ii) 1.3 times actual BLT payments). Both (i) and (ii) are adjusted to assess taxes on BLT collections from customers. | Class member's non-Qwest BLT payments | Class member's estimated non-Qwest underpayments for 2013 and half of 2014, extrapolated from 2010-2012 sales tax figures times 1.08 to correct for understated bundled interstate long distance times the class member's tax rate, net of any non-Qwest BLT payments. | Class member's Qwest underpayment from 2010 through 2012 (calculated as the greater of (i) gross receipts as reported on sales tax returns (or as recalculated from adjusted sales tax returns) times the class member's tax rate or (ii) actual BLT payments). Both (i) and (ii) are adjusted to assess taxes on BLT collections from customers. | Class member's Qwest BLT payments. | Class member's estimated Qwest underpayments for 2013 and half of 2014, extrapolated from 2013 sales tax figures times the class member's tax rate, net of any Qwest BLT payments. | D minus E (but not less than zero) plus F plus G minus H (but not less than zero) plus I. This is the estimated total back taxes owed. | J divided by the total of all class member's Js. This is each class member's percentage share of the total of all estimated back taxes owed. | C times K. This is the Back Tax Payment. As provided in the Settlement Agreement, this amount is subject to adjustment depending on approved claims. | An estimate of the sum that will be released/paid to each city. The amounts from January 1, 2013 through June 30, 2014 are derived from protest payments reported by Defendants. The amount from July 1 until the end of 2014 is estimated based on the reported protest payments. |
|---------|---|-------|---------------------------|---|---------------------------------------|--|---|------------------------------------|--|--|--|--|--|

The amount of the Back Tax Payment for you pursuant to the Settlement is estimated to be: **\$845.94**. Because the formula for calculating the Back Tax Payment depends on the calculation of each Class Member's Business License Tax payment and other factors, it is possible that a municipality's share of the amount to be distributed pursuant to the Settlement may change if, *inter alia*, Defendants approve an adjustment to the calculations pursuant to a Class Member's appeal to Defendants under Section IV.H. of the Settlement Agreement, or otherwise. Also, if a municipality is not paid its Back Tax Payment because the municipality fails to submit a valid required claim form, or a municipality's claim is rejected, pursuant to the Settlement, the amount of that municipality's Back Tax Payment shall be redistributed pro rata among Class Members that have timely and validly submitted a claim form.

b. Payment of Future Taxes.

Defendants Providing Local Service

With respect to Defendants providing local or other non-long distance services, the Business License Tax code or ordinance of each Class Member shall be interpreted to apply to: (i)

revenues upon which such Defendant already pays a Business License Tax to that Class Member without protest; **PLUS** (ii) revenues from any additional services that are subject to Missouri's state sales tax on "telecommunications service" as that term is used in § 144.010.1(14), as restricted by § 144.030.1 RSMo; **PLUS** (iii) revenues as described in section (ii) above from any retail customer which would otherwise be subject to the Missouri state sales tax but for an exemption for such customer from the state sales tax (e.g., not-for-profits under § 144.030.2(19) RSMo). Services subject to the Business License Tax shall include, but not be limited to, FUSF, SUSF, intraLATA toll service, EUCL, and intrastate private line. Services subject to the Business License Tax shall not include, inter alia, Carrier Access, Revenues Derived From Interstate Services (although such Defendants agree to pay the Business License Tax on revenues from intraLATA interstate telephone service), voice messaging services, and Customer Premises Equipment. Defendants acknowledge that each will include receipts from Business License Tax surcharges in the Business License Tax base.

Defendants Providing Long Distance Service

With respect to Defendants providing long distance service, the Business License Tax code or ordinance of each Class Member shall be interpreted to apply to: (i) revenues upon which such Defendant already pays a Business License Tax to that Class Member without protest; **PLUS** (ii) revenues from services that are subject to Missouri's state sales tax on "telecommunications service" as that term is used in § 144.010.1(14) as restricted by § 144.030.1 RSMo; **PLUS** (iii) revenues as described in section (i) above from any retail customer which would otherwise be subject to the Missouri state sales tax but for an exemption for such customer from the state sales tax (e.g., not-for-profits under § 144.030.2(20) RSMo). Services subject to the Business License Tax shall include, but not be limited to, intrastate long-distance telephone services. Services subject to the Business License Tax shall not include, inter alia, interstate long-distance telephone services. Defendants acknowledge that, henceforth, each will include receipts from Business License Tax surcharges in the Business License Tax base.

Bundled and Packaged Telephone Services

In the event Defendants, individually or collectively, receive revenues from bundled or packaged telephone services, whether intrastate or interstate, and such telephone services are not separately accounted for on an end-user's bill, Defendant(s) shall pay future Business License Taxes on such bundled and packaged telephone services consistent with 12 Mo. CSR 10-3.188(7) or any successor regulation.

IF YOU ARE A MEMBER OF THE CLASS RECEIVING THIS NOTICE AND DO NOT FILE A CLAIM FORM, YOU WILL NOT BE ENTITLED TO RECEIVE ANY PAYMENT FOR BACK TAXES THAT ARE THE SUBJECT OF THIS LAWSUIT.

4. Are you a member of this class?

This notice has been sent to you because you may be a member of a group of municipalities (a class) for whom a settlement with CenturyLink has been reached. The class consists of all Municipalities in the State of Missouri that, on or before August 22, 2014, have imposed a Business License Tax and in which Defendants or any of them derived gross receipts from the provision of telephone, exchange telephone, public utility, or telecommunications services, or related services. Excluded from the class are the City of Aurora, Missouri, the City of Cameron, Missouri, the City of Harrisonville, Missouri, the City of Oak

Grove, Missouri, and the City of Wentzville, Missouri (collectively, the “Aurora Plaintiffs”) and the City of Jefferson, Missouri.

If the Back Tax Payment amount for you shown in Section 3 above is zero (0), it signifies that according to records available to CenturyLink and Class Counsel you either do not have a gross receipts Business License Tax or CenturyLink has not done business with your municipality during the time period indicated in Exhibit E to the Settlement Agreement. If you disagree with this, you can submit an explanation for the basis of your disagreement along with your claim form as described in Section 6(b) below.

5. What do you have to do to receive payment for Back Taxes from the Settlement?

In order to receive payment for back taxes from the Settlement, your duly authorized representative must timely submit the attached claim form, duly executed, providing:

(1) the name, address and telephone number of your duly authorized representative(s), to whom all inquiries regarding the claim form and your Business License Tax may be directed;

(2) a certified copy of an ordinance enacted by you accepting and binding you to all terms and provisions of the Settlement Agreement, or (i) if you can bind yourself to the Settlement Agreement without enacting an ordinance and choose to do so instead of enacting an ordinance, some other acknowledgement binding you to the terms of the Settlement Agreement if the agreement is approved by the Court, or (ii) if your Back Tax Payment is \$499.99 or less, the attached claim form;

(3) a certified copy (or, if your Back Tax Payment is \$499.99 or less, a legible copy) of the ordinances or municipal code provisions imposing the Business License Tax pursuant to which you believe you are entitled to a Back Tax Payment; and

(4) the name and address to which your back tax payment shall be made and mailed by CenturyLink. If you choose to acknowledge that you are bound by the Settlement Agreement without enacting an ordinance, then you will need to provide an opinion of counsel, addressed to CenturyLink, that you are bound by the Settlement Agreement.

The deadline for filing a claim is 60 days from the date of this Notice. Any claim that is postmarked after this date will be rejected and you will not be entitled to back tax class relief.

6. What are your options?

If you are a member of the class and have received this notice, you will have the following options:

- File a claim if you meet the criteria set out in Section 5 above.
- Do nothing, thereby foregoing the possibility of receiving any back tax relief.
- Stay in the class and file an objection if you disagree with any part of the settlement or the request for attorneys’ fees or expenses.
- Exclude yourself from the class, which means you will not participate in any of the financial benefits from the proposed settlement will not be bound by the release made or judgment

entered in connection with the settlement, and will not be permitted to object to any part of the settlement.

The following sections explain the consequences of pursuing each option:

a. What happens if you file a claim?

If you are a class member and you complete and mail the enclosed claim form, and if the form is approved by CenturyLink, you will receive the payments described above once the settlement has become final. Additionally, if your claim form is approved, any tax protest actions brought by CenturyLink against you shall, upon final approval of the settlement, be dismissed and such protested amounts released to you. **Please note:** because the formula for calculating your back tax payment depends on the calculation of each class member's Business License Tax payment and other factors, it is possible that your share of the amount to be distributed pursuant to the settlement may change if, *inter alia*, the Defendants approve an adjustment to the calculations pursuant to a class member's appeal to Defendants.

Any Business License Tax payments made by CenturyLink between August 22, 2014 and the entry of the Order and Judgment of Dismissal approving this settlement, to the extent identified by CenturyLink with such payment as an interim payment, shall be deemed to be made under protest and each class member must hold any such payments in a segregated account until final approval of this settlement at which point, if you have filed an approved claim form, all of these payments will be released to you. CenturyLink will also dismiss any protest actions filed with respect to these payments.

Unless you file a Request for Exclusion (see Section 6(e) below), you will be prohibited from bringing a lawsuit against Defendants based on or related to any of the claims asserted by the Plaintiffs.

If you file a claim form, you agree to retain Class Counsel to act as your attorneys, at no additional cost to you other than as provided for in the Settlement Agreement, to resolve any dispute that arises in connection with the litigation and settlement, until 30 days after the Effective Date of Settlement.

b. What happens if you disagree with the amount of the Back Tax Payment?

Under the terms of the settlement, a municipality that disagrees with the Back Tax Payment amount may submit a detailed explanation as to why it believes the Back Tax Payment was incorrectly calculated with its claim form. In the event CenturyLink disagrees with the municipality's contention, CenturyLink is obligated to meet and confer in good faith with Class Counsel and representatives of the municipality in question in an effort to resolve the issue. If after such consultation, the municipality and CenturyLink cannot agree on the Back Tax Payment, the Back Tax Payment specified in this Notice shall be the amount the municipality is entitled to receive pursuant to the Settlement. If the municipality does not agree with the amount of the Back Tax Payment, it may either opt out of the Settlement as set forth in Section 6(e) of this Notice, or nonetheless accept the amount of the Back Tax Payment as calculated by CenturyLink. The opt-out deadline shall be extended for such municipality for a period of 30 days to resolve disputes related solely to the amount of the Back Tax Payment. If the parties are unable to resolve a disagreement as to the amount of the Back Tax Payment after the consultation set forth above, such disagreement shall not be subject to other challenge or appeal.

c. What happens if you do not file a claim?

Under the terms of the settlement, if you do not file a claim form, you will not receive any payment of back taxes. Assuming the Court approves the settlement, and you do not file a claim or submit a request for exclusion, you nevertheless will be prohibited from bringing or joining any lawsuit against Defendants based on or related to any of the claims asserted by the Plaintiffs.

d. How do I file an objection?

You must state your objection in writing and file it with the Court postmarked no later than October 27, 2014. The objection should be addressed to the Honorable Joseph S. Dueker, St. Louis County Circuit Court, Division 43, 7900 Carondelet, Clayton, Missouri 63105, and marked to indicate "objections to proposed settlement in *City of O'Fallon, Missouri v. CenturyLink*, Case No. 12SL-CC01723.

You must simultaneously mail your objection to Class Counsel:

John W. Hoffman
Douglas R. Sprong
Korein Tillery, LLC
505 N. 7th Street, Suite 3600
St. Louis, MO 63101

John F. Mulligan, Jr.
101 South Hanley, Suite 1280
Clayton, MO 63105

Howard Paperner
9322 Manchester Road
St. Louis, MO 63119

and to CenturyLink's attorneys:

Steven J. Perfremment
Bryan Cave, LLP
1700 Lincoln Street, Suite 4100
Denver, CO 80203

Mark B. Leadlove
Bryan Cave, LLP
211 N. Broadway, Suite 3600
St. Louis, MO 63102

Stephen R. Clark
Adam S. Hochschild
Clark & Sauer, LLC
7733 Forsyth Blvd., Suite 625
St. Louis, MO 63105

Included in any such objection must be a statement of the basis of your objection and a declaration stating that you are a member of the class described in Section 4 above. If you do not properly file and serve an objection by the required date, any objection you have to the settlement will be waived and you forever shall be foreclosed from making any objection to the fairness or adequacy of the proposed settlement, the payment of attorneys' fees and expenses, or the Order and Judgment of Dismissal.

e. How do I exclude myself from the settlement class?

You can exclude yourself from the class, which means you will not participate in any aspect of the settlement and you may pursue your own claims, if any, at your own expense against the Defendants. Any Municipality that desires to be excluded from the Settlement Class, and therefore not be bound by the terms of the Settlement Agreement, must mail a timely and valid written Request for Exclusion bearing a United States postmark no later than October 20, 2014 to:

Clark & Sauer, LLC
 Attn: **O'Fallon Settlement Administrator**
 7733 Forsyth Blvd., Suite 625
 St. Louis, MO 63105

You must simultaneously mail your objection to Class Counsel:

John W. Hoffman
 Douglas R. Sprong
 Korein Tillery, LLC
 505 N. 7th Street, Suite 3600
 St. Louis, MO 63101

John F. Mulligan, Jr.
 101 South Hanley, Suite 1280
 Clayton, MO 63105

Howard Paperner
 9322 Manchester Road
 St. Louis, MO 63119

and to CenturyLink's attorneys:

Steven J. Perfrement
 Bryan Cave, LLP
 1700 Lincoln Street, Suite 4100
 Denver, CO 80203

Mark B. Leadlove
 Bryan Cave, LLP
 211 N. Broadway, Suite 3600
 St. Louis, MO 63102

Stephen R. Clark
 Adam S. Hochschild

Clark & Sauer, LLC
 7733 Forsyth Blvd., Suite 625
 St. Louis, MO 63105

In order to be valid, a Request for Exclusion must: (1) be signed personally by the duly authorized representative of the Municipality; (2) be timely mailed to the designated address; (3) clearly request exclusion from the Settlement Class; and (4) contain the name, address, and telephone number of the duly authorized representative of the Municipality.

Any Municipality that elects to be excluded shall not be entitled to receive any of the benefits of the Settlement, shall not be bound by the release of any claims pursuant to the Settlement Agreement, and shall not be entitled to object to the Settlement or appear at the Final Fairness Hearing.

7. When will the Court conduct the Final Fairness Hearing?

A Final Fairness Hearing shall be held before this Court at 1:30 p.m. on December 12, 2014, in Division 43 of the Circuit Court for St. Louis County, State of Missouri, to address: (a) whether the proposed Settlement should be finally approved as fair, reasonable and adequate; (b) whether a final Order and Judgment of Dismissal should be entered; (c) whether Class Counsel's attorneys' fees and expense application should be approved; (d) objections, if any, to the Settlement; and (e) any other matters the Court deems appropriate.

Although the hearing will be open to the public, you will not be permitted to speak in opposition to the issues above at the hearing unless you have filed a timely objection to the settlement, or to the attorneys' fees and expenses in the manner described above. If you have filed a timely objection, you may appear personally or with your own counsel and be heard at the hearing.

8. How much money will the attorneys be paid and who will pay it?

The attorneys for the plaintiffs and the class will submit to the Court for approval a request for attorneys' fees and expenses estimated to be \$2,826,083, to be paid by Defendants.

CenturyLink has agreed not to oppose an award of fees and expenses in the amount set forth in this Notice. The Court will determine the amount of any fees and expenses awarded to Class Counsel. The amount of back tax money that any individual class member may receive will not be reduced by the amount of any fees or expenses awarded to counsel or the number of claim forms submitted.

9. Assignment to the Missouri Municipal League or St. Louis County Municipal League

The settlement allows you to assign a portion of your Back Tax Payment, not to exceed five percent (5%) of the "subtotal" amount shown in Section 3 above, to the Missouri Municipal League or the St. Louis County Municipal League (if you are located within St. Louis County). If you wish to make such an assignment, you may check the applicable box on the Claim Form. Additionally, the ordinance or other action that you take making the settlement enforceable against you must specifically authorize the making of the assignment. **The amount of Back Tax Payment that you receive will be reduced by the amount of the assignment.**

10. Where can you get additional information?

This notice provides only a summary of matters regarding the lawsuit. The documents, settlement agreement, and orders in the lawsuit provide greater detail and may clarify matters that are described only in general or summary terms in this Notice. Copies of the settlement agreement, other documents, court orders and other information related to the lawsuit may be examined at <http://www.mocities.com>.

You may also examine the settlement agreement, court orders and other papers filed in the lawsuit at the Office of the Clerk of the Circuit Court of St. Louis County, 7900 Carondelet Ave., Clayton, Missouri 63105, during regular business hours. If you wish, you may seek the advice and guidance of outside attorneys, at your own expense.

If you wish to communicate with or obtain information from attorneys for the class, you may do so by letter to the addresses listed below. You should direct such inquiries concerning a claim or other matter described in this Notice to Class Counsel:

John W. Hoffman
Douglas R. Sprong
Korein Tillery, LLC
505 N. 7th Street, Suite 3600
St. Louis, MO 63101

John F. Mulligan, Jr.
101 South Hanley, Suite 1280
Clayton, MO 63105

Howard Paperner
9322 Manchester Road
St. Louis, MO 63119

Please do not contact the Court, Counsel for CenturyLink, or any CenturyLink representative for information.

Dated: September 5, 2014

By order of the Circuit Court of St. Louis County,
State of Missouri, Honorable Judge Joseph S. Dueker

Submission Date: September 25, 2014

Submitted By: City Attorney

Board Meeting Date: October 2, 2014

**City of Osage Beach
BOARD OF ALDERMEN
AGENDA ITEM SUMMARY SHEET**

Description of Item:

A resolution of the Board of Aldermen concerning the proposed expansion of the authority of the Army Corps of Engineers and Environmental Protection Agency and opposing the expansion of the federal definition of “waterways of the United States” to include non navigable ditches and storm water flows.

Names of Persons, Businesses, Organizations affected by this action:

City, property owners adjacent to ditches and storm water flows, Army Corps of Engineers and Environmental Protection Agency.

Why is Board Action Required?

Board action is required to adopt an ordinance to speak for the city.

Type of Action Requested (Ordinance, Resolution, Motion):

Resolution

Are there any deadlines associated with this action?

Yes. The comment deadline is October 20, 2014.

Comments and Recommendation of Department:

Recommend Adoption. The proposed new definition of the phrase “waterways of the United States” will expand the responsibility and authority of the Army Corps of Engineers and Environmental Protection Agency by adding non navigable ditches and storm water flows in a new definition of

the phrase “Waters of the United States” which is so broadly written that it may include privately or city maintained common roadside ditches and storm water channels. This will impact the ability of the city to perform normal maintenance of road ditches and could affect routine maintenance of municipal infrastructure. The rule should be redrafted to specifically exclude the roadside ditches and storm water channels that the city maintains today. A copy of the draft letter comment on the change is attached. If the board desires to adopt the resolution, the staff will prepare a letter along the same lines to transmit with the resolution.

City Administrator Comments and Recommendation:

Concur with the recommendation of the City Attorney.

If you are going to mail this document, you need to mail the original and **THREE** copies by October 20, to:

Water Docket, Environmental Protection Agency,
Mail Code 2822T,
1200 Pennsylvania Avenue NW.,
Washington, DC 20460,

If you are going to Email your comments, they should be sent to ow-docket@epa.gov. Include EPA-HQ-OW-2011-0880 in the subject line of the message, with the comment as an attachment in Word or PDF.

=====

Attention: Docket ID No. EPA-HQ-OW-2011-0880.

October NN, 2014

To Whom It May Concern:

I am writing as the _____ TITLE _____ of the City of _____ NAME OF CITY _____, State of Missouri to share our community concerns regarding the draft rule defining the phrase "Waters of the United States" published April 21, 2014 in the Federal Register (Vol. 79, No. 76, Pages 22187 - 22274). The City of _____ NAME OF CITY _____ contains approximate _____ POPULATION _____ residents who will be affected by this new definition.

I am concerned about potential expansion of federal regulation by the US Army Corps of Engineers (USACOE) and the Environmental Protection Agency (EPA) over activities conducted in and around roadway ditches, open stormways, and other constructed water channels which do not carry water on a regular basis, but which are utilized on a regular basis to convey stormwater away from areas of concentration into either ephemeral streams or clearly into jurisdictional waters. (note that historically this has been a previous unregulated part of the topography – concerned about the practical implications of the new regulations on work rules, public safety, etc.)

On page 222199, the draft regulation limits the definition of ditches subject to categorical exclusion to:

"Ditches that are excavated wholly in uplands, drain only uplands, and have less than perennial flow."

"Ditches that do not contribute flow, either directly or through another water, to a traditional navigable water, interstate water, the territorial seas or an impoundment of a jurisdictional water."

Further complicating our ability to evaluate this draft rule is that agencies have failed to provide any description or definition of the term "uplands". Based on plain language definitions, we can only surmise that most of the constructed ditches, and stormwater channels in the city of _____ NAME OF CITY _____ would not be excluded from the jurisdictional definition of "Waters of the United States". Because of that we will subject to new legal mandates and operational requirements.

Our interpretation of the current rule, and its implications for existing EPA and USACOE rules, is that many tasks associated with routine municipal maintenance would now require additional interaction with both federal agencies. Applications would have to be completed and filed with the appropriate agency for work within the "Waters of the United States", coupled with additional monitoring, and reporting for such routine maintenance as:

Removal of vegetation (mowing) in and along roadside ditches.

Installing or replacing utility poles, street signs and traffic control devices (signage or lights) on the banks of ditches following motor vehicle accidents or natural disasters.

Placing stone (riprap) into or removing stone from ditches and stormwater channels to facilitate, control , and mitigate damage from stormwater transport.

Removing plant or mineral debris from ditches or stormwater channels as part of a program of regular maintenance to avoid flooding streets and other city property, and reducing private property owner damages as well as reducing soil erosion.

Recontouring bank cuts for existing ditches and stormwater channels to reduce soil erosion even with the required land disturbance permits and an approved erosion control program for the state environmental agency.

The proposed rule appears to vastly broaden the geographic area within the City of NAME OF CITY beyond where anyone reasonably believed that either agency wanted to exercise regulatory control, had expressed through any reasonable venue a desire to exercise regulatory control, or had experience in exercising regulatory control.

We do not believe that either agency seriously intends that this new 'clarification' of EPA and USACOE view of 'Waters of the United States' intended to regulate routine activities as outlined above since the projected cost increases associated with this rule change to local entities was effectively non-existent. That analysis makes no operational sense either for cities or to the USACOE if we have to apply to the Corps for a vegetation removal permit every time we need to mow a dry section of right of way just because it carries rainwater after a storm and eventually drains into jurisdictional waters. We do not believe either the Corps or the EPA have appropriately factored the cost for anyone.

We request that roadside ditches and stormwater channels which only carry water after rain or snow storms be added to the categorical exclusion from Waters of the United States. Further we ask that both agencies carefully examine the language in the draft rule to insure that it will not have significant impact on land use decisions within the city in ways already controlled by city governments.

Sincere Regards

(Signature and Title)

Cc: The Honorable (Your Member of Congress)

The Honorable Claire McCaskill, United States Senator

The Honorable Roy Blunt, United States Senator

F. Gilzow, MPUA

RESOLUTION 2014-03

A RESOLUTION OPPOSING THE EXPANSION OF THE FEDERAL DEFINITION FOR WATERS OF THE UNITED STATES TO INCLUDE NON-NAVIGABLE DITCHES AND STORMWATER FLOWS

WHEREAS, as the duly elected members of the **BOARD OF ALDERMEN** of the **CITY OF OSAGE BEACH** we recognize the critical importance of protecting the quality of ground and surface water resources for the protection of health, public safety, economic security, and the environment of the region; and

WHEREAS, we support reasonable public investments and work practices to ensure adequate protection of water resources in the area; and

WHEREAS, the United States Army Corp of Engineers and the United States Environmental Protection Agency on April 21, 2014 proposed in the Federal Register a revision of the legal definition of "Waters of the United States"; and

WHEREAS, the draft rule provides that common road ditches and stormwater channels, while non-navigable and which only carry water on an intermittent basis, are likely to be subject to the full range of federal oversight and regulation as though they were year-round naturally flowing streams or rivers with a developed eco-system; and

WHEREAS, the expansion of federal control over local activities within normally dry, man-made ground structures would significantly impact routine maintenance and repair of municipal infrastructure, including installation of traffic control and street signs, removal of storm debris, and even the removal of vegetation by mowing; and

WHEREAS, the draft rule will increase the cost to the City and its citizens to maintain these ground structures without any additional compensation to the City.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF OSAGE BEACH, MISSOURI, AS FOLLOWS:

Section 1. The CITY OF OSAGE BEACH opposes provisions contained in this rulemaking which unreasonably and unnecessarily restrict the ability of the City to maintain its roadside ditches and stormwater channels in order to protect the life, health, safety, property, and general welfare of its citizens and by virtue of this resolution forwards their objections to both federal agencies as part of the rulemaking process.

Section 2. The CITY OF OSAGE BEACH urges the United States Army Corps of Engineers and the United States Environmental Protection Agency to eliminate from the draft rule definition of April 21, 2014 for Jurisdictional Waters, all those land forms generally understood to be roadside ditches and stormwater channels.

Section 3. Appropriate City staff is directed to monitor this regulatory process and report periodically on the progress of this rulemaking. The Mayor is authorized to submit written comments along with this resolution to these agencies.

Section 4. The City Clerk is hereby directed to prepare suitably signed copies of this resolution to the Administrator of the United States Environmental Protection Agency, Commanding General of the United State Army Corps of Engineers, United States Senator Claire McCaskill, United States Senator Roy Blunt, and United States Representatives Blaine Luetkemeyer and Vicky Hartzler as well as to the local media.

ADOPTED this 2nd day of October 2014.

Ayes:

Nays:

Abstaining:

Absent:

Penny A. Lyons
Mayor

ATTEST:

Diann Warner
City Clerk

Approved as to form:

Edward B. Rucker
City Attorney

Submission Date: September 25, 2014
Submitted By: Public Works Director
Board Meeting Date: October 2, 2014

**City of Osage Beach
 BOARD OF ALDERMEN
 AGENDA ITEM SUMMARY SHEET**

Description of Item:

Application for the Transportation Alternatives Program (TAP) Funds

Names of Persons, Businesses, Organizations affected by this action:

Citizens of Osage Beach, contractors, material suppliers, and City Staff

Why is Board Action Required?

Board approval required for contracts over \$5000.00

Type of Action Requested (Ordinance, Resolution, Motion):

Motion

Are there any deadlines associated with this action?

The TAP application deadline is November 14, 2014

Budget Line / Source of Funds

This item would be included in the 2015 and 2016 Budgets

Comments and Recommendation of Department:

MoDOT has issued a Call for Projects for TAP Funding. This funding can be used for sidewalk improvements, trail construction, historic transportation facilities, scenic overlooks, outdoor advertising management, bike lanes, etc. We would like to apply for these funds with a sidewalk project. This project will be the Osage Beach Parkway Improvements Phase 4. We have upgraded the sidewalks from Passover Road to the One Way Couple and from State Route KK to Nichols Road. We would like to continue this project from a location near Arby's easterly to the Grand Glaize Bridge. We do not think we can get to the bridge, but we think we can get to Case Road. We are looking to improve the Case Road Signal because of the motels, attractions, and restaurants in this area.

The maximum amount of grant award for this project is \$500,000. This is an 80 – 20 grant which means the City will have to come up with the 20 %. This would come out to be \$125,000 for the City's portion.

The Public Works Department would like to apply for TAP funds.

City Administrator's Comments and Recommendation:

Concur with the Public Works Director's recommendation.

Submission Date: September 23, 2014
Submitted By: Public Works Director
Board Meeting Date: October 2, 2014

**City of Osage Beach
 BOARD OF ALDERMEN
 AGENDA ITEM SUMMARY SHEET**

Description of Item:

Construction Contract OB14-019 for the Grand Glaize Airport Structure Demolition

Names of Persons, Businesses, Organizations affected by this action:

Citizens of Osage Beach, staff, contractors

Why is Board Action Required?

Board approval required for contracts over \$5,000.

Type of Action Requested (Ordinance, Resolution, Motion):

Motion

Are there any deadlines associated with this action?

We would like to removal this obstruction as soon as possible.

Budget Line / Source of Funds

47-00-774128 Airport Capital \$150,000

This account is for additional items that will not be completed this year.

Comments and Recommendation of Department:

Bids were opened on September 18, 2014. The bid tab is attached. The lower bidder qualified their bid and the second low bidder did not include everything on the bid form. They added a bid item. We have talked with MoDOT Aviation about this and they are recommending we reject all bids.

This project will be funded with Non Primary Entitlement Funds from MoDOT.

The Public Works Department recommends rejecting all bids.

City Administrator Comments and Recommendation:

Concur with the Public Works Director's recommendation.

BID TABULATION
 Grand Glaize Airport Structure Demolition
 OB14-019

| Bid Opening: September 18, 2014 | | | Engineer's Estimate | | Jeff Schnieders Construction Co. Jefferson City, MO | | Earthworks Excavation Highlandsville, MO | | American Pride Hauling LLC Centertown, MO | | Travis Hodge Hauling, LLC Lake Ozark, MO | | Hutchins Telecom LLC Belle, MO 65013 | | |
|---------------------------------|---------------------------------------|---------------|---------------------|------------|---|------------|---|------------|--|------------|---|------------|---|------------|------------------|
| Item No. | Description | Est. Quantity | Unit | Unit Price | Extension Figure | Unit Price | Extension Figure | Unit Price | Extension Figure | Unit Price | Extension Figure | Unit Price | Extension Figure | Unit Price | Extension Figure |
| 1 | Subgrade Preparation | 4275 | SY | \$ 10.00 | \$ 42,750.00 | \$ 7.70 | \$ 32,917.50 | \$ 1.00 | \$ 4,275.00 | \$ 11.70 | \$ 50,017.50 | \$ 18.00 | \$ 76,950.00 | \$ 24.25 | \$ 103,868.75 |
| 2 | Topsoil | 357 | CY | \$ 30.00 | \$ 10,710.00 | \$ 34.00 | \$ 12,138.00 | \$ 25.00 | \$ 8,925.00 | \$ 20.00 | \$ 7,140.00 | \$ 31.00 | \$ 11,067.00 | \$ 50.00 | \$ 17,850.00 |
| 3 | Seed, Fertilize, and Mulch | 4275 | SY | \$ 3.00 | \$ 12,825.00 | \$ 0.43 | \$ 1,838.25 | \$ 2.00 | \$ 8,550.00 | \$ 1.52 | \$ 6,498.00 | \$ 0.80 | \$ 3,420.00 | \$ 2.50 | \$ 10,687.50 |
| 4 | Concrete Curb and Gutter and Sidewalk | 64 | LF | \$ 80.00 | \$ 5,120.00 | \$ 168.00 | \$ 10,752.00 | \$ 150.00 | \$ 9,600.00 | \$ 132.81 | \$ 8,499.84 | \$ 100.00 | \$ 6,400.00 | \$ 95.00 | \$ 6,080.00 |
| 5 | 4 to 6-Inch Stone Rip Rap | 10 | SY | \$ 50.00 | \$ 500.00 | \$ 41.00 | \$ 410.00 | \$ 40.00 | \$ 400.00 | \$ 100.00 | \$ 1,000.00 | \$ 40.00 | \$ 400.00 | \$ 90.00 | \$ 900.00 |
| Total Base Bid | | | | | \$ 71,905.00 | | \$ 58,055.75 | | \$ 59,750.00 | | \$ 73,155.34 | | \$ 98,237.00 | | \$ 139,186.25 |

Submission Date: 09/25/2014
Submitted By: Public Works Director
Board Meeting Date: 10/2/2014

**City of Osage Beach
BOARD OF ALDERMEN
AGENDA ITEM SUMMARY SHEET**

Description of Item:

Deicing Salt

Names of Persons, Businesses, Organizations affected by this action:

Citizens, visitors, staff

Why is Board Action Required?

Contract over \$5,000

Type of Action Requested (Ordinance, Resolution, Motion):

Motion to enter an agreement with Kansas Salt.

Are there any deadlines associated with this action?

As soon as possible.

Budget Line / Source of Funds

20-00-761600 - \$40,000

Comments and Recommendation of Department:

This is for the purchase of salt for deicing of the road ways. This was bid previously and no bids were received. Subsequently, several of the companies were contacted and asked why they didn't bid. They indicated that they didn't have any additional capacity to supply salt. A potential bidder contacted the City and indicated that they could supply salt to the City.

This was re-bid with the caveat that the City would accept all 600 ton of material by December 31st. The salt storage facility will hold an additional 600 ton of material. Bids were opened on September 25, 2014 and only one bidder bid. Kansas Salt was the only bidder in the amount of \$111/ton.

Staff recommends the award be made to Kansas Salt in the amount of \$66,600.

The account breakdown is as follows:

20-00-761600 - \$66,600.00

City Administrator Comments and Recommendation:

Submission Date: September 25, 2014
Submitted By: Public Works Director
Board Meeting Date: October 2, 2014

**City of Osage Beach
 BOARD OF ALDERMEN
 AGENDA ITEM SUMMARY SHEET**

Description of Item:

Ordinance No. 14-55. Ordinance to amend the 2014 Budget

Names of Persons, Businesses, Organizations affected by this action:

Citizens of Osage Beach, City Staff, Material Suppliers

Why is Board Action Required?

Board approval required for budget amendment

Type of Action Requested (Ordinance, Resolution, Motion):

An ordinance to amend the 2014 budget

Are there any deadlines associated with this action?

This will supply us with deicing salt.

Budget Line / Source of Funds

20-00-761600 Chemicals

Comments and Recommendation of Department:

This budget amendment of \$46,191 is needed for the purchasing all of the proposed deicing salt for this winter season. We received only one bidder, and the terms were that we would purchase all of the salt this year.

The Public Works Department recommends approval. A first and second reading is requested.

City Administrator Comments and Recommendation:

Concur with the Public Works Director's recommendation.

BILL NO. 14-55

ORDINANCE NO. 14.55

AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AMENDING ORDINANCE NO. 13.75 ADOPTING THE 2014 ANNUAL BUDGET, TRANSFERRING APPROPRIATIONS FOR NECESSARY EXPENSES.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF OSAGE BEACH, AS FOLLOWS, TO WIT:

Section 1. That the 2014 Annual Budget adopted as Ordinance No. 13.75 is hereby amended by appropriating an additional \$46,191 to line item 20-00-761600 designated as Chemicals total appropriations as follows:

| | Original Item | Amended Item |
|------------------------|---------------|--------------|
| 20-00-761600 Chemicals | \$40,000 | \$86,191 |

Section 2. In all other respects the 2014 Annual Budget adopted in Ordinance No. 13.75 shall remain in full force and effect.

Section 3. That this Ordinance shall be in full force and effect upon date of passage.

READ FIRST TIME: _____ READ SECOND TIME: _____

I hereby certify that the above Ordinance No.14.55 was duly passed on _____ by the Board of Aldermen of the City of Osage Beach. The votes thereon were as follows:

Ayes: _____ Nays: _____
 Abstentions: _____ Absent: _____

This Ordinance is hereby transmitted to the Mayor for her signature.

Date

Diann Warner, City Clerk

Approved as to form:

Edward B. Rucker, City Attorney

I hereby APPROVE Ordinance 14.55

Penny Lyons, Mayor

Date

ATTEST:

Diann Warner, City Clerk

Submission Date: September 23, 2014

Submitted By: Public Works Director

Board Meeting Date: October 2, 2014

**City of Osage Beach
BOARD OF ALDERMEN
AGENDA ITEM SUMMARY SHEET**

Description of Item:

Remodel of Public Works Building

Names of Persons, Businesses, Organizations affected by this action:

Citizens of Osage Beach, contractors, material suppliers, and City Staff.

Why is Board Action Required?

Board approval required for contracts over \$5000.

Type of Action Requested (Ordinance, Resolution, Motion):

Motion to proceed with the project

Are there any deadlines associated with this action?

We would like to hire the architect firm to start with the design of the building improvements.

Budget Line/Source of Funds

| | | |
|--------------|-----------------------|----------|
| 20-00-774256 | Building Improvements | \$17,375 |
| 30-00-774256 | Building Improvements | \$17,375 |
| 35-00-774256 | Building Improvements | \$17,375 |

Comments and Recommendation of Department:

We talked about making modifications to the Public Works Building at the April 15, Board of Aldermen Meeting. It was presented to remodel the building to make a lobby concept and other improvements to improve safety and other benefits. We have recently

been informed of some personnel moves. Lee Schuman has decided to take a position elsewhere. This has emphasized the need for change.

We have been exploring the idea of moving all of the previous engineering department employees to the Public Works Facilities. Currently, there is no office space available for them to relocate to. We are proposing to build offices upstairs for the engineering department employees to relocate to. This will be included in the overall remodel of the Public Works Facilities.

There are many positives about relocating the department.

- 1) The design and maintenance staff works well when they are able to communicate issues or problems that are occurring.
- 2) It is easier to supervise employees when they are all under one roof.
- 3) We are looking at doing maintenance related projects in house with City Staff. For Example – we are looking into budgeting for a pavement marking machine this year. This will allow the transportation employees to work on pavement markings instead of going out of house for it. Design time can be used on what needs to be marked but instead of going out for bids the design team can work with the transportation department on their needs. This will save design and inspection time.
- 4) It is easier to cross train employees when they work closely. There are times when additional inspection staff is needed for vacation or other activities. Sewer and Water Department Employees can help cover inspection but they have to be trained before the work can occur.

We planned on including the design and construction activities for the Public Works Building in the 2015 Budget. With the changes in employees, we would like to start this process immediately. Once an architect is selected and a contract is negotiated, we will bring a contract to you for building improvements.

City Administrator's Comments and Recommendation:

Concur with the Public Works Director's recommendation.