

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

October 23, 2014

The Board of Aldermen of the City of Osage Beach, Missouri, met to conduct a regular meeting on Thursday, October 23, 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 thanked the Lake Area Chamber of Commerce for the plaque recognizing the City's membership for the past twenty five years. She said the City has had several Board members serve on the Chamber board.

Mayor Lyons reported that the Council of Local Governments met at City Hall. Miller County Presiding Commissioner Tom Wright was elected to serve as Chairman and Mayor Lyons will continue to serve as Vice Chair. The Council of Local Governments' staff had worked on the trail on the old railroad line in Eldon for several years. It was noted that not only is Ameren giving the right of way but they will also remove the railroad ties. The Council heard from MoDOT on the various freight roads throughout the state.

Mayor Lyons reported that District T also met on Monday and they will meet in December to review various grant applications.

Mayor Lyons thanked the Elks organization for all their donations to the community including those made to our City parks. The Elks are sponsoring the Veteran's Parade on November 8 from City Hall to the Elks Lodge. The Police Department will be working to ensure the safety of the participants and the public.

Mayor Lyons recognized the following City employees who have served in the military:

Aaron Salsman, Floyd Handy, James Chapman, Jerry Marshall, Jerry Tindall, Jim Davis, Ken Pesce, Lee Buckert, Luke Peterson, Paul Schiley, Rick Arnall, Ron Schmitt, Sam Ford, Scott Harman, Steven Snow, Tom Gorsline and Travis Morley.

Mayor Lyons announced that on October 29th a retirement reception would be held for Nancy Viselli from 4:00 to 6:00 p.m..

Citizens Communications.

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

Consent Agenda.

Alderman Schmitt moved to approve the consent agenda which includes minutes of the regular meeting held on October 2, 2014, and the bill list as submitted. Alderman Marose seconded the motion which was voted on and unanimously passed.

Unfinished Business.

None

Presentation by Lake TV.

Shawn Kober gave a brief presentation about their company. They listed Chambers of Commerce, Charter Cable, and other media outlets as those for which they have worked. Mr. Kober said they have stock footage of the lake that the City could use and they can produce any video the City wants. Additionally, any work that is done belongs to the City. Mr. Kober said he could give a cost of producing a video once he knows what the City has in mind.

Alderman Walker suggested a special meeting to determine what the City wants.

New Business.

Public Hearing. Amendments to the Water System Relating to Meter Installation and Maintenance and Water Fees

Eric Hibdon explained that Section 705.250 will require the customer to pay a meter fee for each water connection which includes the cost of materials, the meter and meter setting, and labor provided by the City. The applicant will perform all work including excavation, backfill, restoration and installation of the building service line.

Section 705.310 deletes the language that the customer is responsible for any damage to the water meter due to fire, hot water, freezing, or other natural cause arising out the customer's negligence or carelessness shall be paid for by the customer. Mr. Hibdon said the ordinance is being changed to mirror the City's practice.

No one was present to speak in favor of or in opposition to the amendments to Sections 705.250 and 705.310. Mayor Lyons closed the public hearing at 6:50 p.m.

Bill No. 14-52. AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AMENDING SECTIONS 705.250 AND 705.310 RELATING TO WATER, OF THE OSAGE BEACH CODE OF ORDINANCES.

Mayor Lyons presented the first reading of Bill No. 14-52 by title only. It was noted that Bill No. 14-52 has been available for public review.

Alderman Olivarri moved to approve the first reading of Bill No. 14-52. Alderman Walker seconded the motion which was voted on and unanimously passed.

Mayor Lyons presented the second and final reading by title only. Alderman Kahrs moved to approve the second and final reading of Bill No. 14-52. Alderman Olivarri seconded the motion. The following roll call vote was taken to approve the second reading of Bill No. 14-52 and to pass same into ordinance: "Ayes:" Alderman Kahrs, Alderman Schmitt, Alderman Olivarri, Alderman Marose, Alderman Walker, Alderman Rucker. "Nays": None. Bill No. 14-52 was passed and approved as Ordinance No. 14.52.

Bill No. 14.56. AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AMENDING APPENDIX A OF SECTION 710.410: SEWER SYSTEM DEVELOPMENT CHARGE.

There was a clerical error in Appendix A of Ordinance 14.47 under the commercial meter size section with the 5/8" x 3/4" meter. Bill No. 14-56 corrects Appendix A.

Mayor Lyons presented the first reading of Bill No. 14-56 by title only. It was noted that Bill No. 14-56 has been available for public review.

Alderman Schmitt moved to approve the first reading of Bill No. 14-56. Alderman Marose 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. 14-56. Alderman Kahrs seconded the motion. The following roll call vote was taken to approve the second reading of Bill No. 14-56 and to pass same into ordinance: "Ayes:" Alderman Schmitt, Alderman Olivarri, Alderman Marose, Alderman Walker, Alderman Rucker, Alderman Kahrs. "Nays": None. Bill No. 14-56 was passed and approved as Ordinance No. 14.56.

Bill No. 14-57. AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AMENDING THE OSAGE BEACH DESIGN GUIDELINES SECTION 2, WATER SYSTEM.

Eric Hibdon, Public Works Supervisor, explained the Design Guidelines explain in detail what the City will and will not provide for new water connections. Additional changes include, deleting language referring to the City Engineer and replacing it with Public Works Director; deleting dual check valve from the meter setter, and changing language regarding fittings and pipe to current standards.

Mayor Lyons presented the first reading of Bill No. 14-57 by title only. It was noted that Bill No. 14-57 has been available for public review.

Alderman Walker moved to approve the first reading of Bill No. 14-57. 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. 14-57. Alderman Rucker seconded the motion. The following roll call vote was taken to approve the second reading of Bill No. 14-57 and to pass same into ordinance: "Ayes": Alderman Olivarri, Alderman Marose, Alderman Walker, Alderman Rucker, Alderman Kahrs, Alderman Schmitt. "Nays": None. Bill No. 14-57 was passed and approved as Ordinance No. 14.57.

Application for the Transportation Alternatives Program (TAP) Funds.

Eric Hibdon, Public Works Supervisor said the next sidewalk project on the priority list is the area from Arby's to Case Road. Staff met with the Osage Beach Special Road District to determine if they would be interested in funding a project along Osage Beach Parkway from Mace Road to the signal at Osage Beach Parkway and Barry Prewitt Memorial Drive. This section includes the bridge over Route 54. 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 which the Osage Beach Special Road District said they would pay for if the City obtained both grants.

If both grants are submitted, the Case Road to Arby's application would be the first priority and Mace Road to Barry Prewitt Memorial Drive second.

Alderman Olivarri moved to authorize Public Works Director Nick Edelman to apply for Transportation Alternative Program Funds as requested. Alderman Schmitt seconded the motion which was voted on and unanimously passed.

Authorize Purchase of VM Host and Backup Server.

Jim Davis, IT Manager, said the purchase of these two servers moves the City closer to full operational capacity for the Virtual Desktops and Servers and for the Backup and Recovery system. The software for Backup and Recovery was purchased earlier this year and has been tested and is currently functioning on an older server. The end goal is to have dual backup servers the second of which will be budgeted for next year. The total for these two servers is \$27,999.78 on the state contract (one at \$11,752.71 and one at \$14,688.59) plus \$1,558.48 for software and accessories.

Alderman Kahrs moved to authorize the purchase of two servers as recommended in the amount of \$27,999.78 from the state contract. Alderman Schmitt seconded the motion which was voted on and unanimously passed.

Authorize Purchase of Four 911 Workstations.

Jim Davis explained the purchase of these workstations is a planned upgrade to the 911 Center computer workstations. The current workstations have been in continuous operation for over 8 years and have suffered several failures throughout the past year. The total cost for four Workstations is \$10,000.36 (\$2,500.09 each).

Alderman Rucker moved to authorize the purchase of four workstations in the amount of \$10,000.36 as recommended. Alderman Schmitt seconded the motion which was voted on and unanimously passed.

Communication from Board Members.

Alderman Rucker. Kevin Rucker applauded staff for changing ordinances that are not being followed. Alderman Rucker reported that he has been approached to see if the City is willing to host concerts and how that could be accommodated. Police Chief Davis commented that the State Park has a portable stage that could be used.

Alderman Olivarri. John Olivarri reported that an event will be held at Blair's Landing that is part of the wine trail on November 1. He also reported that the Lake Stock Fall Crawl, which is similar to the Pub Crawl, will be held November 8. Both events will help businesses in Osage Beach.

Staff Communications.

City Administrator. Nancy Viselli said she appreciated her time with the City and enjoyed working with everyone.

City Attorney. Regarding the EPA changes to defining waters of the U.S., Ed Rucker said the

changes seem to have originated with the Sierra Club, Natural Resource Defense Council and other similar organizations. Mr. Rucker said that Congressman Blaine Luetkemeyer's office was extremely helpful and provided a great deal of information. City Attorney Rucker said the City made the correct decision to oppose the proposed rules.

City Attorney Rucker said the carbon rule refers to electric sites and the City is not in the electric business. City Attorney Rucker said he has further information if anyone wants it.

City Attorney Rucker said he would miss City Administrator Viselli.

City Clerk. Diann Warner said Nancy has been an asset to the City and to the staff.

Police Chief. Todd Davis reported that a Veterans Day Parade would be held on November 8 and a mini pub crawl will also be held that day. He also reported that a Trunk or Treat will be held in the parking lot of City Hall on Halloween night.

Staff members extended their well wishes to City Administrator Nancy Viselli who is retiring October 31st.

Executive Session. Alderman Olivarri moved to close the meeting pursuant to RSMo. Section 610.021(1), Legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys, and Section 610.021.(2) Leasing, purchase, or sale of real estate by a public governmental body where public knowledge of the transaction might adversely affect the legal consideration therefore, and Alderman Marose seconded the motion.

The following roll call vote was taken to close the meeting: "Ayes:" Alderman Marose, Alderman Walker, Alderman Kahrs, Alderman Rucker, Alderman Schmitt, Alderman Olivarri. "Nays": None. The meeting was therefore closed.

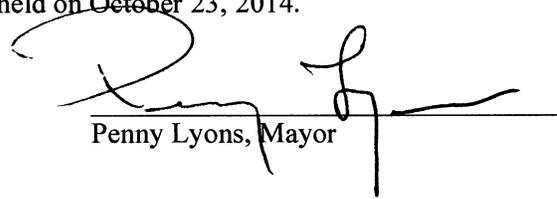
Alderman Olivarri moved to open the meeting. Alderman Rucker seconded the motion. The following roll call vote was taken to open the meeting: "Ayes:" Alderman Rucker, Alderman Schmitt, Alderman Olivarri, Alderman Marose, Alderman Walker "Nays": None. "Absent:" Alderman Kahrs. The meeting was therefore opened.

No announcements were made following closed session.

There being no further business to come before the Board, the meeting adjourned at 8:15 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 October 23, 2014.


Diann Warner, City Clerk


Penny Lyons, Mayor

