

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

February 5, 2015

The Board of Aldermen of the City of Osage Beach, Missouri, met to conduct a regular meeting on Thursday, February 5, 2015, at 6:30 p.m. at City Hall. The following were present: Mayor Penny Lyons, Alderman Phyllis Marose, Alderman John Olivarri, Alderman Ron Schmitt, Alderman Kevin Rucker and Alderman Tom Walker. Alderman Steve Kahrs was absent. Diann Warner, City Clerk, was present and performed the duties of that office.

**Mayor's Communications.**

Mayor Lyons expressed her thanks to Mr. Joe Driskill, the Executive Director of the Leonard Wood Institute, for all the information in his presentation. As he noted what happens at Ford Leonard Wood affects the Lake area and the entire state of Missouri. Mayor Lyons hoped that many will be able to attend the March 2 meeting at the Fort to let our representatives know how important this facility is to our state.

Mayor Lyons said that Alderman Olivarri has suggested that the City sponsor an Eggs and Issues event held at various locations around the Lake area at a cost of \$250. There were no objections to the City sponsoring an Eggs and Issues event.

**Citizens Communications.**

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

**Consent Agenda.**

Alderman Olivarri moved to approve the consent agenda which includes minutes of the meeting held on January 22, 2015, the bill list as submitted and liquor licenses to Sergio's Taqeria and Celebration Cruises. Alderman Schmitt seconded the motion which was voted on and unanimously passed.

**Unfinished Business.**

None

**New Business.**

**Bill No. 15.03.** AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AUTHORIZING THE MAYOR TO EXECUTE THE INTER-GOVERNMENTAL COOPERATIVE AGREEMENT WITH THE TRI-COUNTY LODGING ASSOCIATION TO PROVIDE AN ADVERTISING PROGRAM

City Attorney Ed Rucker said the revised contract with Tri-County Lodging Association is acceptable and ready for the Board to consider.

Mayor Lyons presented the first reading of Bill No. 15-03 by title only. It was noted that Bill No. 15-03 has been available for public review. Alderman Marose moved to approve the first reading of Bill No. 15-03. Alderman Schmitt seconded the motion which was voted on and unanimously passed.

Mayor Lyons presented the second and final reading of Bill No. 15-03 by title only. Alderman Olivarri moved to approve the second and final reading of Bill No. 15-03. Alderman Marose seconded the motion. The following roll call vote was taken to approve the second reading of Bill No. 15-03 and to pass same into ordinance: “Ayes:” Alderman Walker, Alderman Rucker, Alderman Schmitt, Alderman Olivarri, Alderman Marose. “Nays”: None. “Absent”: Alderman Kahrs. Bill No. 15-03 was passed and approved as Ordinance No. 15.03.

**Bill No. 15-13.** AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AUTHORIZING THE MAYOR TO EXECUTE THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION TRANSPORTATION ALTERNATIVES FUNDS PROGRAM AGREEMENT PROVIDING FOR SIDEWALK IMPROVEMENTS ALONG OSAGE BEACH PARKWAY – PHASE 4, PROJECT TAP – 9900(565)

Public Works Director Nick Edelman said this agreement provides funding for the construction of sidewalks along Osage Beach Parkway from a location near Arby’s to Case Road. This project is titled Osage Beach Parkway – Phase 4. It is set up as 80% federal funds not to exceed \$382,459. The City is responsible for the 20% local match. Only the engineering for this project will be completed this year with construction to begin in 2016.

Mayor Lyons presented the first reading of Bill No. 15-13 by title only. It was noted that Bill No. 15-13 has been available for public review. Alderman Rucker moved to approve the first reading of Bill No. 15-13. Alderman Olivarri seconded the motion which was voted on and unanimously passed.

Mayor Lyons presented the second and final reading of Bill No. 15-13 by title only. Alderman Marose moved to approve the second and final reading of Bill No. 15-13. Alderman Schmitt seconded the motion. The following roll call vote was taken to approve the second reading of Bill No. 15-13 and to pass same into ordinance: “Ayes:” Alderman Rucker, Alderman Schmitt, Alderman Olivarri, Alderman Marose, Alderman Walker. “Nays”: None. “Absent”: Alderman Kahrs. Bill No. 15-13 was passed and approved as Ordinance No. 15.13.

**Bill No. 15-14.** AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AMENDING ORDINANCE NO. 14.62 ADOPTING THE 2015 ANNUAL BUDGET, TRANSFERRING APPROPRIATIONS FOR NECESSARY EXPENSES.

Bill No. 15-14 amends the budget for Aver Road repairs that were approved at the last Board of Aldermen meeting and for leak detection equipment which was ordered last year but not received until January 6<sup>th</sup>.

Funds are available for both the Aver Repairs and the Leak Detection Equipment from the unrestricted beginning balances from the sewer fund and water fund, respectively.

Mayor Lyons presented the first reading of Bill No. 15-14 by title only. It was noted that Bill No. 15-14 has been available for public review. Alderman Rucker moved to approve the first reading of Bill No. 15-14. Alderman Schmitt seconded the motion which was voted on and unanimously passed.

Mayor Lyons presented the second and final reading of Bill No. 15-14 by title only. Alderman Schmitt moved to approve the second and final reading of Bill No. 15-14. Alderman Marose seconded the motion. The following roll call vote was taken to approve the second reading of Bill

No. 15-14 and to pass same into ordinance: “Ayes:” Alderman Schmitt, Alderman Olivarri, Alderman Marose, Alderman Walker, Alderman Rucker. “Nays”: None. “Absent”: Alderman Kahrs. Bill No. 15-14 was passed and approved as Ordinance No. 15.14.

**Bill No. 15-15.** AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AUTHORIZING THE MAYOR TO EXECUTE THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION SIDEWALK IMPROVEMENTS AGREEMENT

Public Works Director Edelman explained that Bill No. 15-15 is the maintenance agreement for the Osage Beach Parkway Sidewalks Phase 4 Project which is for the installation of sidewalks from a location near Arby’s to Case Road. The Case Road signal on Osage Beach Parkway is owned and maintained by the Missouri Department of Transportation. The sidewalks will be constructed on property owned by MoDOT and the agreement is required before work begins.

Mayor Lyons presented the first reading of Bill No. 15-15 by title only. It was noted that Bill No. 15-15 has been available for public review. Alderman Olivarri moved to approve the first reading of Bill No. 15-15. Alderman Rucker seconded the motion which was voted on and unanimously passed.

Mayor Lyons presented the second and final reading of Bill No. 15-15 by title only. Alderman Olivarri moved to approve the second and final reading of Bill No. 15-15. Alderman Marose seconded the motion. The following roll call vote was taken to approve the second reading of Bill No. 15-15 and to pass same into ordinance: “Ayes:” Alderman Olivarri, Alderman Marose, Alderman Walker, Alderman Rucker, Alderman Schmitt. “Nays”: None. “Absent”: Alderman Kahrs. Bill No. 15-15 was passed and approved as Ordinance No. 15.15.

**Bill No. 15-16.** AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AUTHORIZING THE MAYOR TO EXECUTE THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION AMENDMENT NO. 1 TO STATE BLOCK GRANT AGREEMENT, PROJECT NO. 12-046B-2

Public Works Director Edelman said Bill No. 15-16 authorizes a supplemental agreement to cover additional expenses the City incurred during the construction of the Hangar Project at Lee C Fine. They include Ameren’s cost to relocate utilities, contractor change orders, and Crawford, Murphy and Tilly’s additional work. The City will be reimbursed in an amount not to exceed \$75,011 and Bill No. 15-16 extends the allocated time to complete the work to June 30, 2015.

Mayor Lyons presented the first reading of Bill No. 15-16 by title only. It was noted that Bill No. 15-16 has been available for public review. Alderman Walker moved to approve the first reading of Bill No. 15-16. Alderman Schmitt seconded the motion which was voted on and unanimously passed.

Mayor Lyons presented the second and final reading of Bill No. 15-16 by title only. Alderman Marose moved to approve the second and final reading of Bill No. 15-16. Alderman Olivarri seconded the motion. The following roll call vote was taken to approve the second reading of Bill No. 15-16 and to pass same into ordinance: “Ayes:” Alderman Marose, Alderman Walker, Alderman Rucker, Alderman Schmitt, Alderman Olivarri. “Nays”: None. “Absent”: Alderman Kahrs. Bill No. 15-16 was passed and approved as Ordinance No. 15.16.

**Bill No. 15-17.** AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT WITH THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION TRANSFERRING FEDERAL NON-PRIMARY ENTITLEMENT FUNDS IN THE AMOUNT OF \$54,851 OF THE 2012 ENTITLEMENT FUNDS FROM GRAND GLAIZE AIRPORT TO THE LEE C. FINE MEMORIAL AIRPORT

Public Works Director Edelman explained the City receives Non – Primary Entitlements for each airport in the amount of \$150,000 per year per airport. MoDOT holds these funds until the City has a project and then the funds are distributed. Mr. Edelman asked the Board to approve the transfer of \$54,851 of the 2012 entitlement funds from Grand Glaize to Lee C. Fine. Mr. Edelman said the oldest money will be used first.

Mayor Lyons presented the first reading of Bill No. 15-17 by title only. It was noted that Bill No. 15-17 has been available for public review. Alderman Schmitt moved to approve the first reading of Bill No. 15-17. Alderman Walker seconded the motion which was voted on and unanimously passed.

Mayor Lyons presented the second and final reading of Bill No. 15-17 by title only. Alderman Schmitt moved to approve the second and final reading of Bill No. 15-17. Alderman Marose seconded the motion. The following roll call vote was taken to approve the second reading of Bill No. 15-17 and to pass same into ordinance: “Ayes:” Alderman Walker, Alderman Rucker, Alderman Schmitt, Alderman Olivarri, Alderman Marose. “Nays”: None. “Absent”: Alderman Kahrs. Bill No. 15-17 was passed and approved as Ordinance No. 15.17.

**Bill No. 15-18.** AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH BERKLEY INSURANCE COMPANY FOR THE COMPLETION OF THE OSAGE BEACH PARKWAY SIDEWALK PROJECT UNDER THE PERFORMANCE BOND

City Attorney Ed Rucker explained that two weeks ago the City was notified that JC Industries was unable to complete the Osage Beach Phase 3 Sidewalk Improvement Project and they asked all future funds go to their bonding company. He said it is a complicated issue in that state funds are involved. City Attorney Rucker said an agreement with the bonding company may be submitted in the future. No action is required at this time.

**Request to Change the Time for the March 19, 2015 Board Meeting.**

Because the Lake of the Ozarks Convention and Visitor Bureau Annual Dinner is being held on March 19, staff asked the Board to change the time of the Board of Aldermen meeting from 6:30 p.m. to 4:30 p.m. to allow elected officials to attend.

Alderman Rucker moved to change the time of the March 19 Board of Aldermen meeting from 6:30 p.m. to 4:30 p.m. Alderman Marose seconded the motion which was voted on and unanimously passed.

**Communication from Board Members.**

**Alderman Marose.** Phyllis Marose reported that Passport to the Parkway is holding a fundraiser February 26 from 5:00 p.m. to 8:00 p.m. at J. Bruner’s. Money raised will offset marketing

expenses. The Passport to the Parkway will be held the last two weeks in April. Alderman Marose asked the City to allow the use of the signs to advertise the event as well as the mobile unit as long as it not needed.

**Staff Communications.**

City Administrator. Jeana Woods introduced Mike Welty who will be the new Assistant City Administrator beginning February 21. She reported that a memo was distributed regarding safety at City facilities, mainly at City Hall because that is where Municipal Court and Board meetings are held. She said the project was not budgeted however if this is a priority, a discussion would be held.

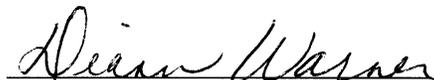
City Attorney. Ed Rucker reported that he and City Administrator Woods will meet with officials from Lake Ozark tomorrow to discuss the proposed taxi cab ordinance. He said they want to create a simple and effective way for residents and visitors to use taxi services. The City's website will be used to solicit comments on the proposed ordinance.

City Treasurer. Mike Welty, Staff Accountant, was present in City Treasurer Karri Bell's absence. He said he is looking forward to the challenges ahead as Assistant City Administrator and to Karri's return to work. He also expressed his appreciation to City Treasurer Karri Bell for mentoring him during his employment with the City.

Public Works Director. Nick Edelman reported that he received a memorandum of understanding from the hospital to transfer Nichols Road right of way and he hoped to have the document on the agenda for the March 5 Board of Aldermen meeting. Mr. Edelman reported that a letter was received from SEMA stating funds for the storm repairs at the City Park were being withheld. He thanked Alderman Rucker and Representative Miller for notifying him on this issue.

There being no further business to come before the Board, the meeting adjourned at 7:00 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 February 5, 2015.

  
Diann Warner, City Clerk

  
Penny Lyons, Mayor

**APPROVED**  
2/19/15  
