

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

August 6, 2015

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

Mayor's Communications.

Mayor Lyons expressed condolences to the families who lost their children in the Compass Point fire. She added any loss of life is a tragedy but losing the very young is almost too hard to comprehend.

Mayor Lyons reported that emergency services responded to the fire in minutes and rescued two adults by ladder. Fire Chief Jeff Dorhauer and Police Chief Todd Davis held a live press conference Wednesday morning. The Osage Beach Fire Protection District and the Osage Beach Police Department worked to contain the area and evacuate the surrounding buildings. All surrounding fire districts in the area moved to cover any vacancies at the station. Several ambulance districts also responded. Mayor Lyons reported that the lake area depends on the coordination of all emergency services. Many have mutual aid agreements to expand services when emergencies occur. Mayor Lyons said please show support when you can... thank you is not enough.

Citizens Communications.

Danna Kahrs read the following statement titled Petition to the Mayor and City Council for the City of Osage Beach, MO regarding Nichols Road:

“We call for the Mayor, Penny Lyons, and the City Council of the City of Osage Beach to authorize and completely fund improvements to Nichols Road. With the increased traffic upon the opening of the Osage Beach Elementary School, road widening, straightening, sidewalks and a turn lane at the school are vital for the continued safety of all those traveling Nichols Road”.

Mrs. Kahrs presented a petition containing 305 signatures. She said that the Kahrs family was willing to donate right of way and the City had prepared a drawing of what could be done but the offer was rejected by the Board on November 6, 2014.

Jody Hanner read the following statement:

“At last month's meeting, I presented a lot of statistics about the number of parent drop off/pick-ups at the new Osage Beach Elementary. I would like to share with you some numbers of full-time driving age people who live down Nichols and Dude Ranch Road. In my investigation I found out that in the six subdivisions, Cayman Beach, Sycamore Creek Estates, Silver Leaf, Shoreline Ranch, Dogwood Park Estates and Woodland Cove there are about 186 full-time residents that are of driving age. Many of these people will be traveling Nichols and Dude Ranch Road in the morning as school begins. This number does not include full time people who reside in the many condos, apartments, and townhouses or in single family homes not in a subdivision; nor does it reflect the

people who travel to jobs on Nichols and Dude Ranch Road

In a memo dated July 30, 2015, from Mrs. Woods to the Mayor, Mr. Rucker, Mr. Edelman, and Chief Davis, regarding a meeting they had with Dr. Hadfield it was stated that the City's data supports "the school's perception that there were no issues regarding the width or maneuverability that would adversely affect the busses or other school traffic."

Mrs. Hanner asked "What about the vehicles of residents of Nichols and Dude Ranch Road, as well as the people who work on these roads?"

"And if the school is opening at ½ capacity (as stated in the same July 30th memo) and there may be as many as 100 vehicles bringing children to school, how bad will the traffic be when the school reached full capacity?"

"Nichols Road is the most traveled city street. Parts of it are deteriorating and the increased traffic will only speed up the deterioration. There is no way in any other town that a road like Nichols Road would be allowed to be used or not improved when a new school is built."

"With all due respect, the last traffic count was done in 2013. I would encourage city staff and school officials to sit in the parking lot of Sycamore Creek and see the number of vehicles that travel Nichols Road daily. It has been stated that the school and city were being "proactive" in their planning for the new school. The definition of proactive is "creating or controlling a situation by causing something to happen rather than responding to it after it has happened." In my opinion and the opinions of the other 300 + people who have signed the petition, the road situation has become reactive instead of proactive. We always look to our city leaders to keep its citizens, especially the children, safe. The current condition of Nichols Road is a true safety concern for all who travel it."

William Culver said safety of children is important and he is proud of the school district and the City for putting the school in that location; however the roads leave something to be desired. He said he was once a city attorney in northern Missouri and he is proud to live in Osage Beach but he has concerns that the width of the road is a problem and the foundation of the road will be damaged by the increased traffic. Mr. Culver said safety requires sidewalks, more on Nichols Road if possible. He urged the City to do what has been done at Camdenton and School of the Osage by reducing the speed limit and to continue working with the school board. Mr. Culver quoted the following "the way to the school house be wide and be clear to protect the children we hold so dear."

Brenda Childers, who is an emergency room nurse, is an Osage Beach Fire Protection District volunteer and once worked for the City of Osage Beach. She said that trying to get emergency vehicles through increased traffic is difficult. Ms. Childers added that there was a tragedy recently and she did not want to see another one. She said the increased traffic is a danger to children and the road is deteriorating with increased traffic.

George Peter said his children recently had an accident where a truck ended up on top of their vehicle. He said if a car stalls, it would stop traffic in all directions and emergency vehicles and tow trucks cannot get through. Mr. Peters said he drives the road every day to work and it is hard to avoid bikes, joggers and hikers and that sidewalks are needed. He questioned the reason a sidewalk was constructed on Dude Ranch before there was one on Nichols Road. Mr. Peters said the road needs to be widened.

Consent Agenda.

Alderman Bethurem moved to approve the consent agenda which includes minutes of the regular meeting held on July 18, 2015, and the bills list as submitted. Alderman Olivarri seconded the motion which was voted on and unanimously passed.

Unfinished Business.

None.

New Business.

Discussion of Improvements on Nichols Road.

Alderman Marose said she wanted the Board to consider improving the conditions of Nichols Road in order to facilitate the increased traffic due to the new Osage Bach Elementary School location. The shoulders along each side of the road from the expressway to the school are rapidly deteriorating, requests to widen the road, install concrete shoulders, sidewalks for students to walk safely to and from school along Nichols, pedestrian walkway designated to cross Nichols to Dude Ranch Road, left turn lane be in place for traffic to safely enter and exit the school property, and appropriate "school zone signage and speed reduction" at specific times of each school day is in operation."

Alderman Marose read the following statement:

"We see before us a petition signed by over 300 residents expressing their concerns and urging the City to improve the conditions of Nichols Road. These folks travel this road each and every day and constantly witness near mishaps, thus are extremely concerned of additional vehicles and buses using this curving road as well. With all due respect, our City officials and superintendent of Camdenton School District determined months ago, as well as most recently last week, our road is perfectly safe to handle all school traffic as well as the normal commuting traffic taking place every day. They plan to "wait and see" and reevaluate this situation in a few months. Why do they have to reevaluate? The people have spoken who use this road and don't want to "wait and see". They've waited long enough. I believe the school has the responsibility to finance the needed turn lane entering and exiting the school property, but the City has the utmost responsibility to make Nichols a better and safer city road than what exists today for everyone concerned."

"I'm asking the Board tonight to respectively acknowledge and respond favorably to our resident's requests as set forth in their petition. Therefore, I would like to entertain a motion to approve sufficient funding for the important issues listed and aforementioned in the coming year of 2016 budget since Nichols Road should be, and as recommended last year, to be the City's top priority for improvements. Let's get something done."

Mayor Lyons explained that acquiring the right of way, designing the improvements plus construction takes a lot of time. She asked staff to develop an estimated cost of improvements so the Board could discuss it during the 2016 budget process. Mayor Lyons explained that a police officer will be present when school starts and the bus will pick up children no matter how far they live from the school.

Alderman Rucker explained that a study was conducted and it was determined that Mace Road was first on the priority list and Nichols Road was second. He added the study was done before the school was built on Nichols Road and perhaps it should be moved to number one, however there are a large number of kids who walk because busses cannot travel down Mace Road. Alderman Rucker said that both the superintendent of schools and the Public Works Director have said Nichols Road is sufficient to handle the traffic. He added that many roads need improvements and the Board is being asked to spend an unlimited amount when the Board has an entire City to think about. Alderman Rucker stated that he cannot vote on this issue tonight without knowing the cost and how it will fit into the budget.

Mayor Lyons said there are 45 children who live on Mace Road who ride the bus to school. Additionally, there are two residents with wheelchairs who live on Mace Road who walk their dogs without sidewalks. She added there are many needs throughout the City.

Alderman Marose said there are no estimates but she would like the Board to look very seriously at improving Nichols Road. She added that something should be done even if it is temporary because she did not think waiting a year was acceptable. Alderman Marose agreed there are needs throughout the City; however something needs to be done on Nichols Road as soon as possible.

Alderman Bethurem said if sidewalks are installed and they have to be removed in five years is a waste of money. Public Works Director Nick Edelman said sidewalks have been installed in some locations without redoing the entire road.

Alderman Olivarri commented it seems residents are concerned about the safety of roads and sidewalks are not the major concern. He added that there was an offer from the Kahrs family however it did not cover the circumstances that residents spoke about tonight and the preliminary design did not include a turn lane. Alderman Olivarri said the preliminary design was going to take \$1.2 million to build and it did not include improvements to the school and the impact it would have on existing homes.

Alderman Olivarri said there was an alternate that was discussed, however now that the Arrowhead Centre TIF Plan was approved, there is a possibility the developer would build a road before it is planned in Project 8. Alderman Olivarri said the school district has said improvements are not needed and generally if a developer impacts a thoroughfare, the improvements are paid for by the developer. He added that the cost should be shared by the school because they chose to build the school in that location.

Alderman Olivarri commented that a different road may not be all that residents want, however it would provide another access and it could be used by school busses and emergency vehicles. He added that there are busses that use roads that are not as wide as Nichols Road. An accident report prepared by Police Chief Davis indicated there were seven to ten accidents within the last five years that occurred on the old Golf Road. Alderman Olivarri said there are more options than what has been proposed.

Larry Salsman said he has lived on Dogwood for 17 years, and the police are frequently called to Kelly's Port and if there is a blockage, the police cannot get there. He said he worked as a right of way agent for the City for six years and the biggest concern is the children who will be walking to school. Mr. Salsman said he understands the money issue however, he asked the City to consider widening the road.

Alderman Olivarri said staff will look at what is being requested and he suggested a community meeting be held once the costs are known.

Alderman Bethurem questioned if there were traffic issues when Dorsey's and Shooters were both operating. Chief David responded that traffic used to be backed up to Highway 54 in the 1990's which created problems for emergency vehicles.

Alderman Olivarri asked City Attorney Rucker to meet with the developer of Arrowhead Centre TIF to consider developing the road earlier and to look at the costs to be borne by the school district. He added that the development will be using the road at some point, however if the road is build earlier, there are costs. City Attorney Rucker explained that the Arrowhead Centre will be developed according to what has been approved by the TIF Commission and the Board of Aldermen.

Alderman Schmitt stated that the City has already done some things on Nichols Road such as a sign stating that school is starting and police officers will be present which will slow traffic because drivers do not want a ticket. He thought an officer should be present before and after school like they do at School of the Osage. Alderman Schmitt also said reducing the speed limit to 20 MPH will reduce the likelihood of a head on collision. He added that children who will attend the elementary school are controlled from the time they arrive at school until they go home.

Alderman Walker said there is no question that safety of children is a primary concern, however if the school had said the road is a problem, the Board could have discussed it during the 2015 budget process last year. He added that a cost estimate and analysis is a great idea as well as contacting Mr. Mitchell about developing a road earlier than planned. Alderman Walker said improvements on Nichols Road were not budgeted in 2015.

Alderman Rucker asked the Board to consider the possibility of phasing improvements because the cost is a financial difficulty. City Administrator Jeana Woods commented that Public Works Director Edelman always asks that improvements be prioritized because all projects are competing for the same money. She added that projects are prioritized every year.

Bill No. 15-66. AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, ESTABLISHING A PROCEDURE TO DISCLOSE POTENTIAL CONFLICTS OF INTEREST AND SUBSTANTIAL INTERESTS FOR CERTAIN MUNICIPAL OFFICIALS

The Missouri Ethics Commission requires the City to adopt this ordinance every other year to reestablish procedures to disclose potential conflicts of interest.

Mayor Lyons presented the first reading of Bill No. 15-66 by title only. It was noted that Bill No. 15-66 has been available for public review. Alderman Schmitt moved to approve the first reading of Bill No. 15-66. Alderman Marose seconded the motion which was voted on and unanimously passed.

Mayor Lyons presented the second and final reading of Bill No. 1566 by title only. Alderman Rucker moved to approve the second and final reading of Bill No. 16-56. Alderman Marose seconded the motion. The following roll call vote was taken to approve the second reading of Bill No. 15-56 and to pass same into ordinance: "Ayes:" Alderman Rucker, Alderman Olivarri, Alderman Marose, Alderman Bethurem, Alderman Walker, Alderman Schmitt. "Nays": None. Bill No. 15-66 was passed and approved as Ordinance No. 16.66.

Bill No. 15-67. AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH HR GREEN TO PROVIDE PROFESSIONAL ENGINEERING SERVICES TO DESIGN THE INTERSECTION AND SIDEWALK IMPROVEMENTS FOR OSAGE BEACH PARKWAY AND BARRY PREWITT MEMORIAL PARKWAY

Public Works Director said this project will address an existing pavement issue and install sidewalks along Barry Prewitt Boulevard. There are issues at the intersection at Osage Beach Parkway and Barry Prewitt Boulevard. Also, there is a layer of asphalt that is failing and this project will test the asphalt section to see what is happening with the pavement and make recommendations on how to fix it.

The other part of this project is to make the signal ADA accessible and have sidewalks along Barry Prewitt to the apartment complex. A number of people walk from the apartments on Mace Road and Barry Prewitt Boulevard to Prewitt's Point. This project will upgrade the signal and roadway with pedestrian accommodations.

We did not budget for the sidewalk improvements along Barry Prewitt Boulevard in the budget since we did not have the right of way at that time. We did budget for sidewalks and pavement improvements in the intersection. We have looked at the project and since we have sidewalk improvements in the intersection it would help to give pedestrians somewhere to go. The total amount budgeted in the engineering line item for this project was \$75,000. There are other projects in the engineering line item that have come in under budget that can be used.

If this project is approved, Public Works Director said he hoped to have this project ready to go out for bids later this year with a January 2016 start date.

The cost for this work is \$94,487. The Public Works Department has negotiated this price with HR Green, Inc. We have worked with HR Green Inc. in the past with good results.

Mayor Lyons presented the first reading of Bill No. 15-67 by title only. It was noted that Bill No. 15-67 has been available for public review. Alderman Schmitt moved to approve the first reading of Bill No. 15-67 subject to yearly appropriations. Alderman Bethurem seconded the motion which was voted on and unanimously passed.

Mayor Lyons presented the second and final reading of Bill No. 15-67 by title only. Alderman Bethurem moved to approve the second and final reading of Bill No. 15-67. Alderman Marose seconded the motion. The following roll call vote was taken to approve the second reading of Bill No. 15-67 and to pass same into ordinance: "Ayes:" Alderman Olivarri, Alderman Marose, Alderman Bethurem, Alderman Walker, Alderman Schmitt, Alderman Rucker. "Nays": None. Bill No. 15-67 was passed and approved as Ordinance No. 15.67.

Bill No. 15-68. AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH STRAIT-LINE CONSTRUCTION FOR CONTRACT OB15-008 FOR WINN ROAD IMPROVEMENTS

Public Works Director Nick Edelman explained that bids were opened on July 17, 2015, and there were four bidders. Strait-Line Construction was the low bidder with a bid amount of \$100,638.21. Previous work with Strait-Line Construction has been favorable.

This project had an engineer estimate in the amount of \$100,085.00.

The Osage Beach Special Road District has agreed to fund the reconstruction of the extension of Winn Road.

The Public Works Department recommends approval of this ordinance for the award of this contract to Strait-Line Construction in the amount of \$100,638.21.

Alderman Rucker questioned whether the road will become a City street after improvements are complete. City Attorney Ed Rucker explained that the improvements will run through the parking lot at Kapilana Estates which is private property. He added that the City will have a permanent easement and the road may be used as if it is a public road. Director of Public Works Edelman said the City will remove snow and maintain the road.

Mayor Lyons presented the first reading of Bill No. 15-68 by title only. It was noted that Bill No. 15-68 has been available for public review. Alderman Marose moved to approve the first reading of Bill No. 15-68. Alderman Walker seconded the motion which was voted on and unanimously passed.

Mayor Lyons presented the second and final reading of Bill No. 15-68 by title only. Alderman Schmitt moved to approve the second and final reading of Bill No. 15-68. Alderman Marose seconded the motion. The following roll call vote was taken to approve the second reading of Bill No. 15-68 and to pass same into ordinance: "Ayes:" Alderman Marose, Alderman Bethurem, Alderman Walker, Alderman Schmitt, Alderman Rucker, Alderman Olivarri. "Nays": None. Bill No. 15-68 was passed and approved as Ordinance No. 15.68.

Bill No. 15-69. AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AMENDING CHAPTER 125, HUMAN RESOURCES SYSTEM (PERSONNEL) RULES AND REGULATIONS RELATING TO THE EMPLOYEE HEALTH AND SAFETY POLICY REGARDING THE BACK-TO-WORK PROGRAM

Human Resources Generalist Cindy Leigh explained that Bill No. 15-69 proposes an amendment to the City's Back-to-Work Program which is part of the City's Safety Policy. The change to City code Chapter 125: Human Resources System (Personnel) Rules and Regulations, Section 125.200 is as follows:

Section 125.200.D.3 Employee Health and Safety – Change the date of the Safety Policy to 08/06/15.

The change to the Back-To-Work Program is the addition of a paragraph extending the program beyond two (2) months with the approval of the City Administrator.

Mayor Lyons presented the first reading of Bill No. 15-69 by title only. It was noted that Bill No. 15-69 has been available for public review. Alderman Rucker moved to approve the first reading of Bill No. 15-69. Alderman Marose seconded the motion which was voted on and unanimously passed.

Mayor Lyons presented the second and final reading of Bill No. 15-69 by title only. Alderman Olivarri moved to approve the second and final reading of Bill No. 15-69. Alderman Rucker

seconded the motion. The following roll call vote was taken to approve the second reading of Bill No. 15-69 and to pass same into ordinance: "Ayes:" Alderman Bethurem, Alderman Walker, Alderman Schmitt, Alderman Rucker, Alderman Olivarri, Alderman Marose. "Nays": None. Bill No. 15-69 was passed and approved as Ordinance No. 15.69.

Bill No. 15-70. AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH TRAVIS HOLDGE HAULING, LLC FOR STORMWATER IMPROVEMENTS ON VARIOUS CITY STREETS

Public Works Director Nick Edelman explained that bids were opened on July 28, 2015 and the apparent low bidder is Travis Hodge Hauling, LLC with a bid amount of \$73,634. Previous work with Travis Hodge Hauling, LLC has had good results.

The City has \$32,750 remaining in the budget line Misc. Streets/Roads the remaining \$40,884 will be funded with unrestricted Transportation Fund balances and an amendment to the budget will follow.

Public Works Director Edelman said the work to be done includes storm water issues on Sycamore Valley Drive and Case Road; and removing and replacing a culvert on Nichols Road.

Mayor Lyons presented the first reading of Bill No. 15-70 by title only. It was noted that Bill No. 15-70 has been available for public review. Alderman Rucker moved to approve the first reading of Bill No. 15-70. Alderman Bethurem seconded the motion which was voted on and unanimously passed.

Mayor Lyons presented the second and final reading of Bill No. 15-70 by title only. Alderman Rucker moved to approve the second and final reading of Bill No. 15-70. Alderman Schmitt seconded the motion. The following roll call vote was taken to approve the second reading of Bill No. 15-70 and to pass same into ordinance: "Ayes:" Alderman Walker, Alderman Schmitt, Alderman Rucker, Alderman Olivarri, Alderman Marose, Alderman Bethurem. "Nays": None. Bill No. 15-70 was passed and approved as Ordinance No. 15.70.

Bill No. 15-71. AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH STRAIT-LINE CONSTRUCTION FOR CITY HALL LOWER PARKING LOT IMPROVEMENTS

Building Official Ron White explained that bids were opened on July 28, 2015 and there were three bidders. Strait-Line Construction was the low bidder with a bid amount of \$66,303.50. This project was bid with an additive bid item in the amount of \$5,378.00 to replace a drainage structure and storm pipe that have failed/collapsed. The area to be repaired is located outside the ambulance bay and the sally port.

Building Official White recommended awarding this project with the additive bid item making the total price \$71,681.50. The budgeted amount for this project (\$68,000) is over by \$3,682 (5%). There are two projects remaining from line item 10-09-774256, Building Improvements. Following the completion of this and the remaining projects from 10-09-774256, a budget amendment will be completed if necessary

Work with Strait-Line Construction in the past has had favorable results. The Building Department recommends approval of this ordinance for the award of this contract to Strait-Line Construction in the amount of \$71,681.50.

Mayor Lyons presented the first reading of Bill No. 15-71 by title only. It was noted that Bill No. 15-71 has been available for public review. Alderman Walker moved to approve the first reading of Bill No. 15-71. Alderman Marose seconded the motion which was voted on and unanimously passed.

Mayor Lyons presented the second and final reading of Bill No. 15-71 by title only. Alderman Olivarri moved to approve the second and final reading of Bill No. 15-71. Alderman Rucker seconded the motion. The following roll call vote was taken to approve the second reading of Bill No. 15-71 and to pass same into ordinance: "Ayes:" Alderman Schmitt, Alderman Rucker, Alderman Olivarri, Alderman Marose, Alderman Bethurem, Alderman Walker. "Nays": None. Bill No. 15-71 was passed and approved as Ordinance No. 15.71.

Bill No. 15-72. AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AMENDING ORDINANCE NO. 14.62 ADOPTING THE 2015 ANNUAL BUDGET, TRANSFER OF FUNDS FOR NECESSARY EXPENSES

This amendment correlates to the Misc. Streets/Road project, Bill 15.70, Contract OB15-014. Amending 20-00-773155 Misc. Streets/Roads from the original budget of \$80,000 to the amended budget of \$120,884. Funds will be taken from unrestricted funds.

Mayor Lyons presented the first reading of Bill No. 15-72 by title only. It was noted that Bill No. 15-72 has been available for public review. Alderman Olivarri moved to approve the first reading of Bill No. 15-72. Alderman Schmitt seconded the motion which was voted on and unanimously passed.

Mayor Lyons presented the second and final reading of Bill No. 15-72 by title only. Alderman Rucker moved to approve the second and final reading of Bill No. 15-72. Alderman Schmitt seconded the motion. The following roll call vote was taken to approve the second reading of Bill No. 15-72 and to pass same into ordinance: "Ayes:" Alderman Rucker, Alderman Olivarri, Alderman Marose, Alderman Bethurem, Alderman Walker, Alderman Schmitt. "Nays": None. Bill No. 15-72 was passed and approved as Ordinance No. 15.72.

Bill No. 15-73. AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AMENDING SCHEDULE I. SPEED LIMITS BY ESTABLISHING A NEW POSTED SPEED LIMIT FOR NICHOLS ROAD IN THE AREA OF THE NEW OSAGE BEACH ELEMENTARY SCHOOL ON NICHOLS ROAD AS INDICATED HEREIN

Public Works Director said the City has received comments about reducing the speed limit on Nichols Road and after reviewing these comments with the school district, it is recommended to lower the speed limit to 20 MPH. The 20 MPH speed zone is recommended to be on weekdays 7:00 AM – 4:30 PM. When the flashing lights are installed the ordinance may be adjusted accordingly.

City Administrator Woods explained that when they realized the flashing lights were not going to be installed until later, they decided it was better to reduce the speed limit when children are in

school. Mayor Lyons commented that warnings will be given at first to those who do not adhere to the speed limit, and Alderman Bethurem said it should eliminate accidents.

Alderman Olivarri stated that he would like to readdress this reduction in speed limit when the flashing lights are installed.

Mayor Lyons presented the first reading of Bill No. 15-73 by title only. It was noted that Bill No. 15-73 has been available for public review. Alderman Bethurem moved to approve the first reading of Bill No. 15-73. Alderman Marose seconded the motion which was voted on and unanimously passed.

Mayor Lyons presented the second and final reading of Bill No. 15-73 by title only. Alderman Bethurem moved to approve the second and final reading of Bill No. 15-73. Alderman Rucker seconded the motion. The following roll call vote was taken to approve the second reading of Bill No. 15-73 and to pass same into ordinance: "Ayes:" Alderman Olivarri, Alderman Marose, Alderman Bethurem, Alderman Walker, Alderman Schmitt, Alderman Rucker. "Nays": None. Bill No. 15-73 was passed and approved as Ordinance No. 15.73.

Authorize Purchase of Pump Tooling.

This request is for the purchase of Pump Tooling to assist with rebuilding grinder pumps (2hp, 3 hp and 5 hp). The tooling is specific to the ABS/Sulzer grinder pumps. Municipal Equipment Company is the sole distributor for these pumps and equipment. The cost to purchase this equipment is \$9,736.17. Staff recommends purchase from Municipal Equipment Company.

Alderman Olivarri moved to authorize the purchase of the pump tooling as recommended from the state bid from Municipal Equipment Company in the amount of \$9,736.17. Alderman Rucker seconded the motion which was voted on and unanimously passed.

Authorize JCI Industries to Rebuild Three Lift Station Pumps.

A quote was requested from the City's current vendor (JCI Industries) to rebuild three lift station pumps. The three pumps are 39 HP, 25 HP and 24 HP pumps. The cost for each respective pump is \$6,473.00, \$4,798.00 and \$5,500.00 respectively.

Staff recommended authorizing JCI Industries to proceed with the rebuilding of these pumps in the amount of \$16,771.00.

Alderman Olivarri moved to authorize JCI Industries to rebuild three lift station pumps as recommended in the amount of \$6,473.00, \$4,798.00 and \$5,500.00 respectively as recommended. Alderman Bethurem seconded the motion which was voted on and unanimously passed.

Bid Award. Air Duct Piping for Sands Pump Station

Bids were advertised for the purchase of Air Duct Piping for Sands Pump Station and one bid was received from Arapaho Pipe and Supply. The Public Works Department will be completing this work in house. This bid is for the purchase of the pipe. Arapaho Pipe and Supply's bid amount is \$7,697.00. Staff recommends authorization to purchase the air duct piping.

Alderman Marose moved to award the bid for Air Duct Piping for the Sands Pump Station to

Arapaho Pipe and Supply as recommended in the amount of \$\$7,697.00. Alderman Olivarri seconded the motion which was voted on and unanimously passed.

Request Board Reject Bids for Lee C. Fine Airport Seal Coating.

Public Works Director Edelman said bids were opened on July 14, 2015 for the Lee C. Fine Airport Seal Coating and Vance Brothers submitted the only bid in the amount of \$34,208.00. This bid included an additive bid item to seal coat the lookout roadway.

This project with the base bid is approximately \$14,000 over budget. Public Works Director Edelman talked with the low bidder and there was some misunderstanding about when we wanted the project completed. Public Works Director recommended the bid be rejected, rebid the project and have the work completed after Labor Day which should reduce the cost.

The Public Works Department recommended the bid for Lee C. Fine Seal Coating be rejected.

Alderman Olivarri moved to reject all bids received for the Lee C. Fine Airport Seal Coating as recommended. Alderman Bethurem seconded the motion which was voted on and unanimously passed.

Authorize Purchase of Holiday Displays from Christmas Done Bright.

Assistant City Administrator Mike Welty explained this is the same company that we have purchased displays from for the previous two years. In order to continue to have the same look and feel as the existing displays, staff feels that Christmas Done Bright is our best option as we continue to build our display inventory and groupings. Their quality is good and their price is competitive.

Staff is requesting authorization to purchase Thirty-Three (33) new displays, Twenty (20) of which will be added to the parkway light program, the remainder to be added to the light park. Some duplicates of our more popular displays are in the mix so that they may be used in the park as well as along the Parkway, but we are also purchasing many new ones. Almost all have animation of some sort.

Total cost for the displays with shipping is \$19,968. \$36,000 was budgeted for lights as well as additional electric (at the park) and storage bins to be built to accommodate the new displays. The total project is estimated to come in under budget.

Alderman Rucker questioned whether bids were solicited for the lights. Assistant City Administrator Welty responded that he spoke with the City Attorney and because these displays are the same as the existing ones, a decision was made to stay with this company. City Attorney Rucker explained that this is a sole source purchase and that Assistant City Administrator Welty made phone calls and the prices from Christmas Done Bright were competitive. Alderman Rucker said that bids could have been solicited and the Board could have had that option. He said he opposed this purchase.

Alderman Schmitt moved to authorize the purchase of holiday displays from Christmas Done Bright as recommended in the amount of \$19,968. Alderman Olivarri seconded the motion which was voted on and passed with Alderman Rucker expressing a negative vote.

Approve Payment of Insurance Claims.

Claim Number: 15-APD0334 – 2013 Ford Explorer. This vehicle was damaged in the accident on Grand Glaize Bridge. Several estimates were received and given to the adjuster for MPR, the City's insurance provider. Upton Custom & Collision is low estimate and is performing the work in the amount of \$12,935.47 this includes the City's \$500 deductible. A check for \$12,435.47 has been received from MP. The City should be reimbursed for the \$500 deductible after subrogation of this claim.

Estimates were received from Hawken Carstar Collision Repair Center, Hi-Tech Auto Body & Towing, Lake Collison, and Upton Custom & Collision.

Claim Number: 15/PO267 – Swiss Village Well #2. Bids were advertised for the repair of the well at Swiss Village. This well was struck by lightning and this will repair the well as well as make some operational improvements. Two bids were received and the apparent low bidder is Flynn Drilling Co., Inc. in the amount of \$19,462.

The cost breakdown is as follows:

\$14,479.00 Insurance Claim – City's deductible is \$2,500
\$4,983.00 Repair of system

Human Resources Specialist Cindy Leigh explained that usually the insurance company issues a check to the City, but because these are over \$5,000 the Board must authorize it.

A lightning affidavit needs to be completed by the contractor and submitted before the insurance claim can proceed.

Alderman Rucker moved to approve the insurance claims as recommended. Alderman Bethurem seconded the motion which was voted on and unanimously passed.

Request to Reschedule the October 15, 2015 Board of Aldermen Meeting.

This is a request to reschedule the October 15, 2015 Board of Aldermen meeting to Thursday, October 22, 2015 to allow elected officials to attend the Lake Area Chamber of Commerce Annual Dinner.

Alderman Marose moved to reschedule the October 15, 2015 Board meeting to Thursday, October 22, 2015 as requested. Alderman Rucker seconded the motion which was vote on and unanimously passed.

Communications from Members of the Board of Aldermen.

Alderman Walker. Tom Walker reported that he enjoyed the Eggs and Issues Breakfast on July 23rd where a legislative update was given. He reported that Lake of the Ozarks was voted the best recreational lake.

Alderman Rucker. Kevin Rucker welcomed Mr. Chris Gonell to the meeting. He is a life member and is working on his Eagle Badge and one requirement is attending a public meeting. Alderman Rucker said after the meeting, he and Alderman Olivarri will meet with Chris to fulfill the

requirement of the merit badge.

Alderman Olivarri. John Olivarri asked about the study and analysis of KK and Nichols Road. He said he would like to see something by the next meeting.

Staff Communications.

City Administrator. Jeana Woods reported that a memo addressing odor control issues had been distributed and she asked Board members to contact her with questions. She thanked Building Official Ron White and the Transportation Department, as well as all emergency service personnel, for all that was done at Compass Pointe Condos during the recent tragedy.

City Attorney. Ed Rucker reported that a contract with Gary Mitchell has been received and it will be reviewed. He said he does not believe the contract will be ready to present at the August 20th Board meeting but it should be ready by the first Board meeting in September.

Police Department. Police Chief Todd Davis reported that the fire at Compass Point was the most tragic he has had in his career and he thanked everyone on his staff, dispatchers, first officers on the scene and ambulance personnel all did an excellent job and even did jobs they don't normally do. He also thanked Ron White and the public works staff for their assistance.

Chief Davis reported that the new ambulance will be delivered tomorrow and the third Go Fast Betty's event will be held next Tuesday.

City Planner. Cary Patterson reported that he is working with Gary Mitchell on a rezoning application which is difficult when trying to match a PUD with a TIF Project. He will forward the application to the Planning Commission and to the Board when the application is complete to begin the review.

Alderman Olivarri asked if the rezoning will be for the entire plan. City Planner Patterson responded in the affirmative.

City Treasurer.

City Treasurer Karri Bell thanked the City Clerk for setting up the financing for the ambulance with Central Bank.

Assistant City Administrator. Mike Welty reported the Fall Festival and the City wide garage sale will be held next month.

Public Works Director. Nick Edelman reported that the contractor completed the pond gate and the last part of the engineering contract is the 50 feet wide deed restriction at the Osage Beach City Park. He said there will be a resolution on the next agenda to modify the restriction.

Building Official. Ron White thanked Public Works Director Nick Edelman and his staff for preparing the specifications for the parking lot repair in the back of City Hall.

Airport Manager. Ty Dinsdale reported that the Young Eagle Days will be Saturday from 9 to noon with free airplane rides for kids ages eight to seventeen.

Park Manager. Matt Vandervoort said the park staff is gearing up for co-ed softball which starts next Wednesday. He reported that he spent some time going over some projects that could be included in the 2016 budget.

Human Resources. Cindy Leigh reported that loss control from MRP conducted a facility inspection and there are only minor things to change.

There being no further business to come before the Board, the meeting adjourned at 8:25 p.m.

I, Diann Warner, City Clerk of the City of Osage Beach, Missouri, do hereby certify that the above foregoing is a true and complete journal of proceedings of the regular meeting of the Board of Aldermen of the City of Osage Beach, Missouri, held on August 6, 2015.


Diann Warner, City Clerk


Penny Lyons, Mayor

APPROVED
8/20/15