

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

September 3, 2015

The Board of Aldermen of the City of Osage Beach, Missouri, met to conduct a regular meeting on Thursday, September 3, 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 reported that she was able to spend an hour early this morning to observe the traffic at the new school on Nichols Road. Between 7:15 a.m. and 8:15 a.m., everything went very smoothly. The busses were staggered and none of them went over the traffic lines when turning. During that hour there was one time that three cars were waiting to make a left turn. The majority of the time it was only one vehicle waiting on the oncoming traffic. The school had three teachers at the entrance to help the students exit the cars. It looked like the teachers and the kindergarten children accessed the south end of the building. The school has lengthened the staging area and the parents moved forward so there was no stacking in the parking areas. Mayor Lyons said after 8:15 a.m. she observed dump trucks exceeding the speed limit.

Mayor Lyons announced the fifteenth annual Fall Festival is Saturday, September 12. The Festival is a family time with the emphasis on children, and the family dogs. Mayor Lyons encouraged everyone to attend this free event.

Consent Agenda.

Alderman Marose submitted a correction to the minutes of August 20, 2015: page 4, last sentence replace the word KK with Nichols overpass. Alderman Schmitt moved to approve the consent agenda which includes minutes of the regular meeting held on August 20, 2015 as corrected and the bills list as submitted. Alderman Bethurem seconded the motion which was voted on and unanimously passed.

Unfinished Business.

None.

New Business.

Public Hearing. Voluntary Annexation Petition. Larry Rainwater and Donna Rainwater Reese.

City Planner Cary Patterson explained this request is to annex a piece of property into the City limits that is currently the home of a thriving business (Furniture Factory Outlet). The subject property is contiguous and compact to the existing City limits and is eligible to be annexed. There are several positives to approving this request including increased sales tax income for the City and extending the limits creating an opportunity for continued growth in the future. There are no apparent negatives to approving this request. Staff recommended approval of this request.

No one was present who wished to speak in favor of or in opposition to the voluntary annexation petition.

Mayor Lyons closed the public hearing at 6:40 p.m.

Bill No. 15-75. AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AUTHORIZING THE MAYOR TO EXECUTE THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION STATE BLOCK GRANT AGREEMENT, PROJECT NO. 15-045A-1

Public Works Director Nick Edelman explained this grant agreement provides the City with reimbursements for the tree clearing project at Grand Glaize Airport. FAA thru MoDOT Aviation will be reimbursing the City at 90%.

This agreement is set up for \$9,315. This will cover the soon to expire 2012 money and part of the 2013 money. Once we know the dollar amount for construction, this grant agreement will have a supplemental agreement to add those dollars.

The Public Works Department recommended approval of this ordinance.

Mayor Lyons presented the first reading of Bill No. 15-75 by title only. It was noted that Bill No. 15-75 has been available for public review. Alderman Bethurem moved to approve the first reading of Bill No. 15-75. Alderman Schmitt seconded the motion which was voted on and unanimously passed.

Mayor Lyons presented the second and final reading of Bill No. 15-75 by title only. Alderman Bethurem moved to approve the second and final reading of Bill No. 15-75. Alderman Marose seconded the motion. The following roll call vote was taken to approve the second reading of Bill No. 15-75 and to pass same into ordinance: "Ayes": Alderman Marose, Alderman Bethurem, Alderman Walker, Alderman Schmitt, Alderman Rucker, Alderman Olivarri. "Nays": None. Bill No. 15-75 was passed and approved as Ordinance No. 15.75.

Bill No. 15-76. AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, ANNEXING CERTAIN ADJACENT TERRITORY INTO THE CITY OF OSAGE BEACH, MISSOURI.

City Planner Cary Patterson explained that if no objections are received within fourteen days of the public hearing, the second reading of the annexation ordinance may be held. It was noted that Furniture Factory Outlet is connected to City water and within thirty days, City sewer will be available.

Mayor Lyons presented the first reading of Bill No. 15-76 by title only. It was noted that Bill No. 15-76 has been available for public review. Alderman Schmitt moved to approve the first reading of Bill No. 15-76. Alderman Marose seconded the motion which was voted on and unanimously passed.

Bill No. 15-77. AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH SHOW ME ASPHALT PAVING, LLC FOR THE LEE C. FINE AIRPORT SEAL COATING

Public Works Director Nick Edelman explained bids were opened August 25, 2015 and the apparent low bidder was Show Me Asphalt Paving, LLC, with a low base bid of \$14,538.40 an additive bid item for \$3,359.20 for a total bid of \$17,897.60. \$20,000 was budgeted for this project. Mr. Edelman explained that this project is sealing the roadway and not the taxiways or runways where there are aircraft activities.

Show Me Asphalt Paving, LLC has not performed work for the City of Osage Beach; however, their references were positive.

The Public Works Department recommended award of the contract with the additive bid item to Show Me Asphalt Paving, LLC in the amount of \$17,897.60.

Mayor Lyons presented the first reading of Bill No. 15-77 by title only. It was noted that Bill No. 15-77 has been available for public review. Alderman Rucker moved to approve the first reading of Bill No. 15-77. Alderman Bethurem seconded the motion which was voted on and unanimously passed.

Mayor Lyons presented the second and final reading of Bill No. 15-77 by title only. Alderman Bethurem moved to approve the second and final reading of Bill No. 15-77. Alderman Rucker seconded the motion. The following roll call vote was taken to approve the second reading of Bill No. 15-77 and to pass same into ordinance: "Ayes": Alderman Bethurem, Alderman Walker, Alderman Schmitt, Alderman Rucker, Alderman Olivarri, Alderman Marose. "Nays": None. Bill No. 15-77 was passed and approved as Ordinance No. 15.77.

Bill No. 15-78. 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.

Public Works Director Edelman said the City is currently under contract with CMT for the design of the Tree Clearing Project at Grand Glaize Airport. \$127,000 was budgeted for this project. The engineer's estimate to clear trees was \$127,000; however this project is now estimated to cost approximately \$230,000 which is over budget by approximately \$100,000. Mr. Edelman explained the following reasons for being over budget:

- 1) The 2015 budget was based upon the ALP (Airport Layout Plan)
 - a. The CIP (Capital Improvement Plan) for MoDOT was based on the ALP also.
- 2) We have had regrowth of trees and brush from 2007 that we did not anticipate
 - a. Southeastern end of runway 32 was cleared in the past and this area has regrown
- 3) The fence line has had growth on it that we are also trying to clear. This is an additive item that is estimated to cost \$56,000. If this item is not awarded it would reduce the project costs to approximately \$180,000.

The Airports will be maintaining the additional land to minimize the potential for regrowth in these areas.

The project will be ready to advertise in September and the plan is to present the bid award at the October 22, Board of Aldermen meeting.

This project will be reimbursed by MoDOT in the amount of 90%. The increase in costs to the City is from \$12,700 to \$23,000. The City has 2013 and 2014 non-primary entitlements that may be used on this project. The project is not anticipated to be completed until 2016.

The Public Works and Airport Departments recommend approval of this ordinance.

Mayor Lyons presented the first reading of Bill No. 15-78 by title only. It was noted that Bill No. 15-78 has been available for public review. Alderman Rucker moved to approve the first reading of Bill No. 15-78. Alderman Schmitt seconded the motion which was voted on and unanimously passed.

Mayor Lyons presented the second and final reading of Bill No. 15-78 by title only. Alderman Schmitt moved to approve the second and final reading of Bill No. 15-78. Alderman Marose seconded the motion. The following roll call vote was taken to approve the second reading of Bill No. 15-78 and to pass same into ordinance: "Ayes": Alderman Walker, Alderman Schmitt, Alderman Rucker, Alderman Olivarri, Alderman Marose, Alderman Bethurem. "Nays": None. Bill No. 15-78 was passed and approved as Ordinance No. 15.78.

Communications from Members of the Board of Aldermen.

Alderman Marose. Phyllis Marose reported that the airshow is the same day as the Fall Festival.

Alderman Schmitt. Ron Schmitt moved to direct staff to place bumper stickers on all police vehicles with the motto of the United States, "In God We Trust" and report back to the Board. Alderman Marose seconded the motion. It was noted that placing the words on the vehicles would cost approximately \$3 per vehicle. City Attorney Ed Rucker advised that he found nothing to prohibit this action.

Alderman Rucker questioned why lettering was being placed only on police vehicles. Following discussion, Alderman Schmitt moved to amend the motion to include all City vehicles. Alderman Marose seconded the motion which was voted on and unanimously passed.

Alderman Olivarri. John Olivarri expressed his appreciation to former Alderman Fred Catcott for his efforts on the car show at the Grand Glaize Bridge and to City staff for participating and assisting in planning the event.

Staff Communications.

City Administrator. Assistant City Administrator Mike Welty reported the following employees received service awards in September:

Chad Start – five years
Trina Lynxwiler - ten years

Mr. Welty reported on the Fall Festival to be held on September 12 at the Osage Beach City Park.

City Attorney. Ed Rucker reported that the City received a class action lawsuit filed by the Missouri Municipal League against Tracfone who is supposed to pay gross receipts tax. He also reported that the draft agreement is being reviewed that was received from the developers of Arrowhead Centre. He explained that Davis Bushek will send the proposed changes to Bill Moore

and Draft 3 of the agreement will be submitted within one week.

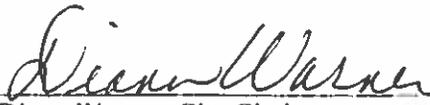
A redline version will be submitted to the Board showing the changes from Draft 1 to Draft 3.

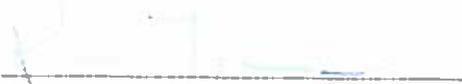
City Planner. Cary Patterson reported that Arrowhead Centre PUD is on the Planning Commission agenda for next Tuesday, September 8.

Parks Department. Matt Vandervoort reported that the Kiwanis Club is interested in donating money to one of the park projects. He reported that a benefit is being held at the Topsider on September 10 from 5:00 p.m. to 8:00 p.m. for Camp Wonderland.

There being no further business to come before the Board, the meeting adjourned at 7:07 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 3, 2015.


Diann Warner, City Clerk


Penny Lyons, Mayor

APPROVED
9/17/15