

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

November 19, 2015

The Board of Aldermen of the City of Osage Beach, Missouri, met to conduct a regular meeting on Thursday, November 19, 2015 at 3:00 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. Dorothy Urlicks, Deputy City Clerk, performed the duties of the city clerk in her absence.

Mayor's Communications.

Mayor Lyons thanked everyone for attending the meeting. Since most people in the audience were in attendance for the presentation from Cochran Engineering regarding Osage Beach Parkway, Mayor Lyons requested to have the citizen's communications portion of the agenda following the presentation from Cochran. After a brief discussion, Alderman Rucker moved to allow citizens communications after the presentation from Cochran Engineering. Alderman Schmitt seconded the motion which was voted on and unanimously passed.

Consent Agenda.

Alderman Olivarri moved to approve the consent agenda which includes minutes of the special meeting held on October 27, 2015, minutes of the regular meeting held on November 4, 2015, the bills list as submitted, and a liquor license to Casey's General Store. Alderman Rucker seconded the motion which was voted on and unanimously passed.

Unfinished Business.

None

New Business.

Discussion on Osage Beach Parkway. Discussion about Osage Beach Parkway in relationship to Phase IV and future plans with a presentation from Cochran Engineering.

Alderman Bethurem explained that he met Cochran Engineering at the MML Conference he attended and found out they know about our geographical area and have worked with the city on other projects. They discussed the parkway and ideas to improve the area.

Dick Tuttle and Dave Christenson from Cochran Engineering presented several ideas to create a corridor down the center of Osage Beach Parkway. This may include changing from five lanes to a three or four lane section to give pedestrians better access including bike lanes. Cochran Engineering is the current designer of the Phase IV sidewalk plan and they help get grants for major projects. They showed slides of some projects that have been done in other cities.

Alderman Bethurem said that Cochran Engineering had spoken with him regarding TAP Funds and explained that a plan could be developed in year one; year two the design work could be done, and year three construction could take place and then begin another section. He said it is good to come up a ten or twenty year plan which could put us ahead of other people who want TAP Funds because we would have a full plan. Cochran said that obtaining TAP Funds is a competitive process and it is better to have a long term goal. Having a long term goal does not guarantee funds would be available, but it may help.

Alderman Rucker commented that he also attended MML and went to different breakout sessions than Alderman Bethurm and found it ironic that the same topic arose and how positive this type of concept was and how positive it was to the community if businesses support the plan. He thanked Cochran Engineering for their presentation. He stated a project such as this could take ten or fifteen years or more to complete. Alderman Rucker said further discussion is needed on this idea.

Alderman Bethurem thinks this could draw more businesses like small boutiques and asked Cochran if they saw an increase in business in other cities that have done projects like this. The project Cochran worked with was in Chesterfield and they saw an increase but he was not sure if the project was the reason because the valley exploded with growth.

Alderman Olivarri said the pros and cons of redesigning the parkway was discussed at the last meeting and the City Engineer proposed adding funds to the budget to bring in a consultant to work with the city if the community is interested in pursuing the idea. He applauded Alderman Bethurem for suggesting this design that could benefit the west side of Osage Beach. Alderman Olivarri stated that this could enhance the proposed Arrowhead Centre Redevelopment which will be a major development.

Alderman Walker clarified this is an idea which could possibly be something the public would like to have to enhance the area. He said other areas such as Chesterfield have beautiful landscaping which is appealing to people that come into the area. Alderman Walker said that over the years Osage Beach has been a progressive city and this idea may draw more people to the area.

Alderman Marose echoed comments from Aldermen Olivarri and Walker. She has been a business owner on the west side for over 28 years and was thrilled with the five lanes until MoDOT built the expressway. However, she feels something should be done to beautify the roadway, with some enhancement it may help to bring businesses in, especially on the west side. She is still unsure about how she feels about this project, but she was in favor of progress. Alderman Marose was in favor of improvements however not just to KK but to the end of the city limits. She said she liked the idea of the median and the landscaping, however she had been to areas where you have to go past a business and find a place to turn around, so there are adjustments. She concurred with other elected officials that input is needed from the community.

Alderman Olivarri stated this is a concept, with input from the community we may come up with something entirely different. That is the advantage of bringing in a consultant who can work with us and work with your ideas to come up with something that is advantageous to businesses, landowners and to our City. At our last meeting we had a drawing which showed only left in and left out of businesses. The drawings today showed that it is possible to have access in both directions.

Mayor Lyons questioned the percentage of TAP Funds. Cochran explained they are 80/20 in which the City would pay 20 percent. She also spoke of 80 businesses which would want curb cuts and asked if there is a formula they use. Cochran explained that would be in the access management plan. He added that sometimes businesses have two access points however, they may only be able to use one, and roundabouts could be installed to help make turns. Mayor Lyons asked if there is only one lane in each direction with delivery trucks. Cochran said this is where you get with citizens and business owners to put a plan together. Then you go back to the community and say

based on what you said this is the plan we have. You have to do a traffic study and develop a master plan.

Citizens Communications.

Joni Walden owner of Blinds and More and Barefoot Floors stated it is true that traffic has decreased however her business is a destination location. It has been on her checklist for a long time to add beautification to the parkway. It is badly needed and adding some greenery and walking and biking areas would enhance the area. She said it needs to be done with as little interruption as possible to make the area more inviting.

Steve Kahrs owner of Sycamore Creek Golf Course thanked the aldermen for thinking outside the box and coming up with fresh ideas for the parkway. He believed this is a great start.

Mark Krantz owner of Keys to the Lake said he is glad he moved from Lake Ozark to Osage Beach because of the business climate and positive attitude the City has towards businesses here. He has spoken with many others regarding this and has a few concerns. First, he would like to find out the cost and secondly how long it will take. He expressed his concern about accessibility because his company is heavily dependent on traffic flow and how easily it would be to access his parking lot. Mr. Krantz said he does a lot of rentals and many customers are towing boats. Going back to two lanes concerns him, but he thinks everyone would like better aesthetics. We need the community to look better, but from a business standpoint traffic flow is important between Lazy Days to the Grand Glaize Bridge. Mr. Krantz said the owners of the building where his business is located questioned the cost of the project, how much water will be used for irrigation and the cost of maintenance. He added that traffic backup in the summer with two lanes of traffic could be a problem. He questioned whether the City should be focused on projects that generate revenue prior to planning to spend funds on something with this price tag. Mr. Krantz said devaluing the assets of business owners who are already here should be considered, not just attracting new businesses. Mr. Krantz said he liked the idea of improving aesthetics but does not feel it should be done at the cost of devaluing property values.

Mike Atkinson owner of Victoria Station said accessibility is his main concern and he does not see how all business owners could be accommodated with this idea. He said comparing Osage Beach to Chesterfield is wrong. Mr. Atkinson said beautification is great, but not at the businesses expense. He said he told the Mayor several times he did not want sidewalks in front of his business, but he is aware that is going to happen. He said business owners should have been asked what they want before it was put in the paper.

Drew Murray owner of Zzzzz's Sleep Shop said Miami, OK is similar to Osage Beach where there is a five lane highway that goes through the city with businesses on both sides that are deteriorating. He said the highway itself looks shabby where repairs have been delayed and the road has been patched here and there. The road needs to look good through the entire length of Osage Beach. What he would like to see is keeping two lanes in each direction with a median in the center with places for vehicles to turn. He suggested the possibility of unified bushes that do not get too big and something that looks good in summer and winter. Mr. Murray felt the city is on the right track and appreciates what the city is trying to do. He is all for anything to raise property values and to bring people to the area.

Misty Atkinson of Victoria Station, said they talked about how to improve the expressway exits, something that will entice people to exit. Right now she said the exits do not look like businesses or the city cares and we want visitors to come into our City to see what we have. She said the City could improve the exits without spending tons of money and disrupting traffic. We should do things to encourage business, not to just make it look pretty, however if beautification will bring restaurants or businesses to the area then it should be considered.

Kim Loehr owner of Interior Motifs said she appreciates Alderman Bethurem for instituting this idea. She would like to see this all the way to Lazy Days because you only get one chance to make a first impression and currently on the west side we are not doing this at all. It has been her desire and many others to make the parkway pretty by the addition of a center median, sidewalks and a bike path. She feels it would complement Gary Mitchell's project.

Selynn Barbour of Country Crossroads said she is excited about having this conversation, excited about beautification and loves where she lives, but she is concerned about accessibility to the businesses. She questioned whether contacts had been made with the school board and first responders regarding transportation because she knows some of the school busses have trouble with roundabouts. Mrs. Barbour said she appreciated the discussion and it is a positive look to something that is needed on the west side. She added that she loves this community and wants to share it with others.

Clyde Hegelund a resident of Ward 2 spoke about traffic on Nichols Road by the school. He counted cars for three days and he feels traffic at the interchange is a big problem. Traffic is backing up by the interchange and there is nowhere to go. In addition, he said a delivery truck and a trash truck were there on Tuesday increasing this problem. West bound school buses are not exiting at Case Road and he feels there should be a center lane by the school. He asked if anyone had contacted the school to see if buses should be rerouted.

Alderman Olivarri said the word beautification has been used many times however, he said his intention is not to beautify but to improve economic development with this concept. "Alderman Olivarri stated this is a concept, with input from the community we may come up with something entirely different. That is the advantage of bringing in a consultant who can work with us and work with your ideas to come up with something that is advantageous to businesses, landowners and to our City. The drawings today showed that it is possible to have access in both directions".

Resolution 2015-08. Resolution Approving Camden County Hazard Mitigation Plan. The city has participated in developing the plan and has reviewed the Camden County Hazard Mitigation Plan, a multi-jurisdictional hazard plan prepared by the LOCLG in accordance with FEMA requirements. Staff recommends adopting the plan and resolves to work with Camden County Emergency Management to implement the plan.

Alderman Rucker moved to approve Resolution 2015-08 as presented. Alderman Marose seconded the motion which was voted on and unanimously passed.

Bill No. 15-88. AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH MIDWEST HYDRO DRILLING AND SERVICE, INC. FOR WATER WELL PLUGGING - MACE ROAD AND THE LEDGES

The following bids were received for the well plugging:

Ken Kauffman & Sons	\$26,550.00
Flynn Drilling Company	\$24,205.00
Midwest Hydro	\$23,968.75
Brotcke Well & Pump	\$29,365.00

Public Works Director Nick Edelman said he was notified the city was awarded a grant to cap the well on Mace Road and the well at The Ledges. The grant will cover 100 % of the project costs. The Public Works Department recommended approval to award the contract to Midwest Hydro Drilling and Service, Inc., the low bidder, in the amount of \$23,968.75.

Mayor Lyons presented the first reading of Bill No. 15-88 by title only. It was noted that Bill No. 15-88 has been available for public review. Alderman Olivarri moved to approve the first reading of Bill No. 15-88 as presented. Alderman Bethurem seconded the motion which was voted on and unanimously passed.

Mayor Lyons presented the second and final reading of Bill No. 15-88 by title only. Alderman Rucker moved to approve the second reading of Bill No. 15-88. Alderman Marose seconded the motion.

The following roll call vote was taken to approve the second reading of Bill No. 15-88 and to pass same into ordinance: "Ayes": Alderman Walker, Alderman Schmitt, Alderman Rucker, Alderman Olivarri, Alderman Marose, Alderman Bethurem. "Nays": None. Bill No. 15-88 was passed and approved as Ordinance No. 15.88.

Bill No. 15-89. AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH UNION ELECTRIC COMPANY d/b/a AMEREN MISSOURI COMPANY FOR A SYSTEM EXTENSION GUARANTEE AGREEMENT FOR THE UPGRADES TO LIFT STATION 57-2

Public Works Director Nick Edelman explained this agreement will upgrade the 3-Phase Power Service to Lift Station 57-2. The sewer department is working on Lift Station 57-2 (LS57-2) in house. This pump station will have new pumps installed so that it can pump to the KK Equalization Basin instead of Lift Station 57-3 (LS57-3). LS 57-3 will be taken out of service once this project is completed. The pumps are a larger horsepower thereby requiring an upgrade of the power service.

The costs of the electrical upgrades are \$10,523.30 which was anticipated in the projected year end for budget year 2015.

Mayor Lyons presented the first reading of Bill No. 15-89 by title only. It was noted that Bill No. 15-89 has been available for public review. Alderman Bethurem moved to approve the first reading of Bill No. 15-89 as presented. Alderman Marose seconded the motion which was voted on and unanimously passed.

Mayor Lyons presented the second and final reading of Bill No. 15-89 by title only. Alderman Marose moved to approve the second reading of Bill No. 15-89. Alderman Rucker seconded the motion.

The following roll call vote was taken to approve the second reading of Bill No. 15-89 and to pass same into ordinance: "Ayes": Alderman Schmitt, Alderman Rucker, Alderman Olivarri, Alderman Marose, Alderman Bethurem, Alderman Walker. "Nays": None. Bill No. 15-89 was passed and approved as Ordinance No. 15.89.

Bill No. 15-90. AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, CREATING A NEW SECTION OF THE TRAFFIC CODE TO ESTABLISH A PRIMARY SEATBELT LAW TO ENHANCE PUBLIC SAFETY

City Attorney Ed Rucker explained this amendment will create a primary seatbelt law which will permit police officers to stop a vehicle and issue a seatbelt citation without the need for an accompanying violation as required by the existing state statute Section 307.178 RSMo. This ordinance has been tested in *City of St John v. Brockus*, 434 S.W.3d 90 (2014) and found to be constitutional with no other litigation occurring to disrupt that conclusion. Both the City Attorney and Police Chief recommended adoption.

Mayor Lyons presented the first reading of Bill No. 15-90 by title only. It was noted that Bill No. 15-90 has been available for public review. Alderman Schmitt moved to approve the first reading of Bill No. 15-90 as presented. Alderman Marose seconded the motion which was voted on and unanimously passed.

Bill No. 15-91. AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, CREATING A NEW SECTION 111.070 PROVIDING FOR THE PAYMENT OF A TWENTY-FIVE DOLLAR PER MEETING PER DIEM TO VOLUNTEERS ATTENDING THE MEETING OF VARIOUS CITY COMMITTEES

City Attorney Ed Rucker explained this amendment will create a twenty five dollar per diem for volunteers serving on Board of Zoning Adjustment, the Planning Commission, the Citizens Advisory Committee, the Liquor Control Board, the Board of Appeals, and the Tax Increment Financing Commission for personal costs and expenses for their service. This action is within the discretion of the Board.

Mayor Lyons presented the first reading of Bill No. 15-91 by title only. It was noted that Bill No. 15-91 has been available for public review. Alderman Olivarri moved to approve the first reading of Bill No. 15-91 as presented. Alderman Rucker seconded the motion which was voted on and passed with Alderman Schmitt expressing a negative vote.

The Bill was presented in two versions. The Board of Aldermen adopted Bill No. 15-91 a which excluded the Mayor and Board of Aldermen members from receiving the per diem. For second reading and codification, version Bill No. 15-91 a will be presented for passage on December 3, 2015 as Bill No. 15-91.

Authorize Purchase of Upgrades to Battery Backup in Server Room.

Information Systems Operation Manager Jim Davis explained there are two battery backup systems currently in the server room. The older system will go end of life in 2016. The newer system is undersized to handle the full load. A second power module and second battery module will allow the new system to handle the full load in the event that the older system fails.

Staff recommends purchasing the upgrade from DB Power & Associates for \$5,265 from line item 10-19-774250 Computer Equipment. DB Power and Associates is the maintenance vendor for our equipment.

Alderman Rucker moved to authorize the purchase of upgrades to battery backup in the server room in the amount of \$5,265.00 from DB Power and Associates as recommended. Alderman Marose seconded the motion which was voted and unanimously passed.

Requesting Approval to Close City Hall.

City Administrator Jeana Woods explained in the past when Christmas Eve has fallen on Monday or Thursday, staff has requested to the Board to close City Hall to create an opportunity to have a four day weekend with family. Historically, a majority of employees take this day off using personal or vacation time leaving very limited staff on hand. History does reflect very low calls and in person contact on Christmas Eve.

Staff recommends closing City Hall on Thursday, December 24, 2015. This will not be a paid holiday as employees will be required to use personal, comp, or vacation time for this day off. If there are new employees who would not have time to use, it would be a day off without pay.

The department managers have polled all of their employees and they supported this request.

Alderman Marose moved to close City Hall on Thursday, December 24, 2015. Alderman Bethurem seconded the motion which was voted and unanimously passed.

Communications from Members of the Board of Aldermen.

Alderman Marose. Phyllis Marose reported she has attended many meetings regarding the Lake Race and more are planned with many issues to resolve.

Alderman Walker. Tom Walker reported that Lake Ozark Rotary opened Candy Land and the Gala of Trees is at Bootleggers November 19, 2015. He invited all to attend.

Alderman Bethurem. Jeff Bethurem made a motion to proceed with the corridor study. Alderman Olivarri seconded the motion which was voted on and unanimously passed.

Alderman Bethurem thanked everyone for attending the meeting tonight.

Alderman Rucker. Kevin Rucker questioned the status of the overpass beautification project.

Mayor Lyons commented she spoke with Mr. Roger and he will contact us after the first of the year. Alderman Olivarri said he spoke with him this week and he will be sending a letter to the City to get more information to start in the spring. The project is currently on hold.

Alderman Rucker also spoke about traffic at the school. The school can control some of the traffic by having delivery and trash trucks come at a different time. He stated that a Police Officer could direct traffic for a few minutes when traffic is heavy.

Alderman Olivarri. John Olivarri said most everyone received an e-mail regarding a recent taxi cab ordinance. City Administrator Jeana Woods said the issues have been addressed and Chief Davis distributed a memo with updates on the complaint. Alderman Olivarri said it could be a lack of enforcement and he knows it could be difficult to do, however he wants all cab companies to be treated the same. Chief Davis said this issue was brought up at the last two staff meetings. Alderman Olivarri said he would like quarterly updates on this issue.

Staff Communications.

Police Department. Todd Davis announced that Officer White is back to full duty and back on the road. He reported that the wind damaged a storm siren and it is at public works waiting for insurance to replace it.

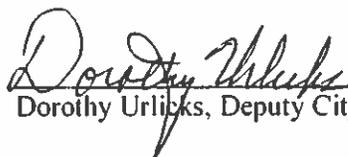
City Planner. Cary Patterson thanked the Board for approving the per diem for volunteers.

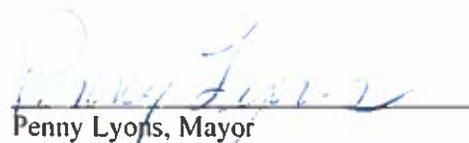
Assistant City Administrator. Mike Welty updated the Board about the holiday lights which begins the end of November. He reported that 60 businesses have displays at their locations which have doubled from last year. There are also more displays at the park this year. He reported Santa will be at the park December 19th from 3:00 p.m. to 5:00 p.m.

Park Department. Matt Vandervoort reported the recent rainfall caused the department a lot of work dealing with the tremendous amount of water. He reported there are many projects coming up in the near future.

There being no further business to come before the Board, the meeting adjourned at 4:30 p.m.

I, Dorothy Urlicks, Deputy 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 November 19, 2015.


Dorothy Urlicks, Deputy City Clerk


Penny Lyons, Mayor

APPROVED
12/3/15