

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

January 7, 2016

The Board of Aldermen of the City of Osage Beach, Missouri, met to conduct a regular meeting on Thursday, January 7, 2016 at 5:00 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. Diann Warner, City Clerk, was present and performed the duties of that office.

**Mayor's Communications.**

Mayor Lyons read a proclamation proclaiming January 9, 2016 as Law Enforcement Appreciation Day.

Mayor Lyons announced she has asked City Planner Cary Patterson to represent the City on the recently formed Lake of the Ozarks Housing Study Committee organized by LOREDC. LOREDC will be working with the Regional Planning and Design group to look at the housing supply, demand and affordability in this area.

Mayor Lyons distributed a draft of a letter that she would like to send to Representative Diane Franklin in support of the proposed House Bill 1960 to separate the Water Patrol and the Highway Patrol. She asked the letter to be entered into the minutes.

**Citizens Communications.**

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

**Consent Agenda.**

Alderman Rucker moved to approve the consent agenda which includes minutes of the regular meeting held on December 17, 2015 and the bills list as submitted. Alderman Schmitt seconded the motion which was voted on and unanimously passed.

**Unfinished Business.**

None

**New Business.**

**Bill No. 16-01.** AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AMENDING THE OSAGE BEACH CODE OF ORDINANCES BY REPEALING CHAPTER 245, PARKS AND RECREATION AND A NEW CHAPTER 245, PARKS AND RECREATION IS HEREBY ENACTED IN ITS PLACE

Park Manager Matt Vandervoort explained that Bill No. 16.01 proposes changes to City code Chapter 245: Parks and Recreation, Article I: Section 245.010 Definitions, 245.030 Park Rules and Regulations; Article II: Section 245.040 Park Reservations and User Fees; Article III: Section 245.050 Vending and Concessions; and Article IV: Section 245.060 Park Advertising.

The proposed amendments reflect a minor change in the recently updated advertising sign specifications; slight price increase in pavilion rentals based on research of other facilities rates (Jefferson City gets \$12/hour - \$17/hour and Lake Ozark State Park gets \$50/day); identifying that

pets, even if on leash, are not an exception for being allowed on game fields; and the majority of changes reflect that all concessions including all tournaments, events, etc. will be controlled and operated by City park staff through the concession stand.

Following discussion, Alderman Marose moved to amend Bill No. 16-01 as follows: 245.030 E.c. to read as follows: Animals, as part of an approved City-sponsored event or as permitted by the City; further that Bill No. 16.01 be amended by deleting Section 245.050 2. b. Alderman Olivarri seconded the motion which was voted on and unanimously passed.

Mayor Lyons presented the first reading of Bill No. 16-01 by title only as amended. It was noted that Bill No. 16-01 has been available for public review. Alderman Rucker moved to approve the first reading of Bill No. 16-01 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. 16-01 by title only. Alderman Rucker moved to approve the second reading of Bill No. 16-01 as presented. Alderman Schmitt seconded the motion. The following roll call vote was taken to approve the second reading of Bill No. 16-01 and to pass same into ordinance: "Ayes": Alderman Bethurem, Alderman Walker, Alderman Schmitt, Alderman Rucker, Alderman Olivarri, Alderman Marose. "Nays": None. Bill No. 16-01 was passed and approved as Ordinance No. 16.01.

Authorize Purchase of Ventrac Mower through General Services Administration (GSA).

Matt Vandevoort, Parks and Recreation Manager ask the Board to authorize the purchase of a Ventrac 4500Z mower with full suspension seat, dual wheel kit, canopy, tough cut mower deck, and other options from Kansas Golf and Turf for the Parks and Recreation Department through the General Services Administration (GSA). This mower is built to handle heavy and rugged terrain and the mower will replace the John Deer Z-Trac mower which will be traded in. The amount budgeted was \$35,560 and the cost of the mower is \$35,750, a difference of \$190 which will be made up in another budgeted line item.

Alderman Rucker moved to authorize the purchase of a Ventrac mower through the General Services Administration in the amount of \$37,750. Alderman Walker seconded the motion which was voted on and unanimously passed.

Authorize Purchase of Kubota Skid Steer from MoDOT State Bid.

Public Works Director Edelman explained this purchase is to be split 50/50 between the Transportation and Sewer Departments. The budgeted amount is \$60,000. Staff recommends the purchase be made from the MoDOT state bid from Crown Power and Equipment in the amount of \$53,239.00.

The account breakdown is as follows:

20-00-774255 Machinery & Equipment - \$26,619.50  
35-00-774255 Machinery & Equipment - \$26,619.50

Alderman Rucker moved to authorize the purchase of a Kubota skid steer from the MoDOT State Bid in the amount of \$53,239.00. Alderman Schmitt seconded the motion which was voted on and unanimously passed.

Authorize Purchase of Kubota Mini Excavator from MoDOT State Bid.

Public Works Director Edelman explained this purchase is to be split 50/50 between the Transportation and Sewer Departments. The budgeted amount is \$70,000. Staff recommends the purchase be made from the MoDOT state bid from Crown Power and Equipment in the amount of \$69,386.48.

The account breakdown is as follows:

20-00-774255 Machinery & Equipment - \$34,693.24  
35-00-774255 Machinery & Equipment - \$34,693.34

Alderman Rucker moved to authorize the purchase of a Kubota mini excavator from the MoDOT State Bid in the amount of \$69,386.48. Alderman Marose seconded the motion which was voted on and unanimously passed.

Bill No. 16-03. AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE CHANGE ORDER NO. 1 WITH MIDWEST HYDRO DRILLING AND SERVICE, INC. FOR WATER WELL PLUGGING IN THE ADDITIONAL AMOUNT OF \$2,475.00

Public Safety Director Nick Edelman explained he recently became aware of an existing well within City right of way after the Missouri Department of Natural Resources received a complaint. The well must be capped according to Missouri Department of Natural Resources (MDNR) Regulations. The well is located along Osage Beach Parkway and south of State Route KK.

Grant administrators were contacted to determine if the well could be capped using grant funds. The City was told that grant funds could be used as long the cost did not exceed the grant amount of \$31,000.

Midwest Hydro Drilling & Service, Inc. will cap the well for \$2,475.00. This brings the total contract price to \$26, 443.75 which is under the grant amount of \$31,000. The City will be reimbursed 100%.

The Public Works Department recommended approval of this ordinance.

Mayor Lyons presented the first reading of Bill No. 16-03 by title only. It was noted that Bill No. 16-03 has been available for public review. Alderman Olivarri moved to approve the first reading of Bill No. 16-03 as presented. Alderman Rucker seconded the motion which was voted on and unanimously passed.

Mayor Lyons presented the second and final reading of Bill No. 16-03 by title only. It was noted that Bill No. 16-03 has been available for public review. Alderman Olivarri moved to approve the second reading of Bill No. 16-03 as presented. Alderman Schmitt seconded the motion. The following roll call vote was taken to approve the second reading of Bill No. 16-03 and to pass same into ordinance: "Ayes": Alderman Walker, Alderman Schmitt, Alderman Rucker, Alderman Olivarri, Alderman Marose, Alderman Bethurem,. "Nays": None. Bill No. 16-03 was passed and approved as Ordinance No. 16.03.

**Communications from Members of the Board of Aldermen.**

Alderman Marose. Phyllis Marose reported that the school zone flashing signs are installed but are not yet operational.

Alderman Walker. Tom Walker reported he attended the Community Impact Awards function last night where five outstanding community leaders were recognized.

Alderman Bethurem. Jeff Bethurem reported there is a great deal of development going on and he believed 2016 would be a good year.

Alderman Rucker. Kevin Rucker applauded Mayor for supporting HB 1960 and for offering to testify. He said the City should do whatever could be done to support this Bill to separate the Water Patrol from the Highway Patrol.

Alderman Olivarri. John Olivarri reported that some questions need to be resolved and he asked City Administrator Woods to call a meeting of the Osage Beach Parkway West Study Committee.

**Staff Communications.**

Police Department. Todd Davis expressed his appreciation for the proclamation recognizing January 9 as Law Enforcement Appreciation Day.

City Planner. Cary Patterson reported that he and Public Works Director Nick Edelman met with Gary Mitchell and discussed the development plan so that Mr. Mitchell knows what has to be done at the Arrowhead Centre development. Mr. Patterson will appraise the Board of the status of the LOREDC housing study.

Alderman Bethurem asked City Planner Patterson to look into a question a resident had about whether they live inside or outside the City limits off of Lazy Days Road. City Planner Patterson will look into this matter.

Assistant City Administrator. Mike Welty reported that the Holiday Light Park is closed and over 2,000 cars visited the park during the time it was open. He reported on the success of Santa and Wyatt the pony at the City Park and his plan to bring them back in 2016.

Public Works Director. Nick Edelman reported there are several projects out to bid. He reported that during the recent heavy rainfall, a portion of Malibu and Dempsey were closed for a short time. He did not anticipate any funds from FEMA as a result of the recent rainfall.

Park Department. Matt Vandevoort reported that adult softball will begin April 16 and several activities are planned.

Building Official. Ron White reported that the Employee Relations Committee has been working on the employee appreciation dinner to be held January 15 at the Redhead Lakeside Grill.

Executive Session. Alderman Schmitt 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. Alderman Marose seconded the motion. The following roll call

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

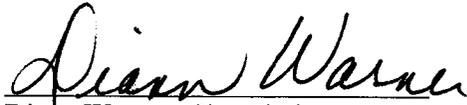
*Closed Session*

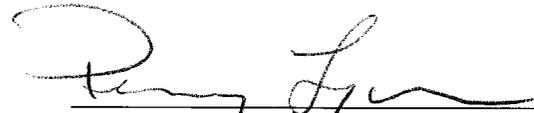
Alderman Schmitt moved to open the meeting. Alderman Olivarri seconded the motion. The following roll call vote was taken to open the meeting: "Ayes": Alderman Olivarri, Alderman Marose, Alderman Bethurem, Alderman Walker, Alderman Schmitt, Alderman Rucker. "Nays": None. The meeting was therefore opened.

No announcements were made following the closed session.

There being no further business to come before the Board, the meeting adjourned at 5:45 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 January 7, 2016.

  
Diann Warner, City Clerk

  
Penny Lyons, Mayor

**APPROVED**  
1/21/16