

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

January 27, 2011

The Board of Aldermen of the City of Osage Beach, Missouri, met to conduct a regular meeting on Thursday, January 27, 2011, at 6:30 p.m. at City Hall. The meeting had originally been scheduled for Thursday, January 20, 2011 but severe weather warnings caused the postponement. The following were present: Mayor Penny Lyons, Alderman Lois Farmer, Alderman David Gasper, Alderman John Olivarri, and Alderman Ron Schmitt. Alderman Steve Kahrs and Alderman Kevin Rucker were absent. In the absence of the City Clerk, Deputy City Clerk Nancy Clark was present and performed the duties of that office.

Mayor's Communications.

Mayor Lyons congratulated Aldermen Kahrs, Olivarri and Schmitt for the vote of confidence received from voters for the next election.

Mayor Lyons reported that City officials met with Ms. Jaquie Dowdy, CEO for John Q. Hammons Hotels & Resorts, and Mr. Justin Harries, Senior Vice President and General Counsel for John Q. Hammons Hotels & Resorts, on Wednesday, January 26, 2011. They came to assure us that the Hammons' Group remains committed to the construction of the hotel and convention center here in Osage Beach. Construction will begin when economic conditions improve enough to make such a significant project feasible. We look forward to working with them to make this a major destination point for tourists and local residents. The 100,000 sq. ft. convention center will expand our visitor's season and jumpstart other business endeavors. Mayor Lyons expressed her thanks to Ms. Dowdy and Mr. Harris for taking the time to personally update us on this project.

Citizens Communications.

Jimmy Sheats, Osage Beach Road, commented that he feels the city's reconnection fees are too high. Sheats said he contacted fourteen (14) area towns regarding their fees and the highest is \$50.00 plus the outstanding balance. The City of Osage Beach charges \$293 for water reconnect and \$500 for sewer reconnection according to Sheats. Mr. Sheats asked the Board to consider lowering the fee.

Jim Morris, Malibu Rd, informed the Board that his wife Carolyn is now hosting an on-air radio show daily from 4-6 p.m. on KRMS.

Mayor Lyons thanked both Mr. Sheats and Mr. Morris.

Consent Agenda.

Alderman Schmitt moved to approve the consent agenda which includes minutes of the regular meeting held on January 6, 2011, and the bill list as submitted. Alderman Farmer seconded the motion which was voted on and unanimously passed.

Unfinished Business.

None.

New Business.

Bill 11-04. AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, ANNEXING CERTAIN ADJACENT TERRITORY INTO THE CITY OF OSAGE BEACH, MISSOURI.

There were no written objections to annexing the property on Highway 42 owned by Allen and Jonna Scott, therefore staff recommended approval.

Mayor Lyons presented the first reading of Bill No. 11-04 by title only. It was noted that Bill No. 11-04 has been available for public review.

Alderman Schmitt moved to approve the first reading of Bill No. 11-04 as presented. Alderman Gasper seconded the motion which was voted on and unanimously passed.

Mayor Lyons presented the second and final reading of Bill No. 11-04 by title only. It was noted that Bill No. 11-04 has been available for public review.

Alderman Farmer moved to approve the second and final reading of Bill No. 11-04 as presented. Alderman Schmitt seconded the motion. The following roll call vote was taken to approve the second and final reading of Bill No. 11-04 and to pass same into Ordinance: "Ayes": Alderman Gasper, Alderman Schmitt, Alderman Olivarri, and Alderman Farmer. "Nays": None. "Absent": Alderman Kahrs and Alderman Rucker. Bill No. 11-04 was passed and approved as Ordinance No. 11.04.

Bill No. 11-05. AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AUTHORIZING THE MAYOR TO EXECUTE THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION TRANSPORTATION ENHANCEMENT FUNDS PROGRAM AGREEMENT PROVIDING FOR THE CONSTRUCTION OF SIDEWALKS ALONG PASSOVER ROAD, PHASE II, PROJECT STP-9900 (558).

Bill No. 11-05 authorizes the Mayor to execute the program agreement with the Missouri Highways and Transportation Commission for enhancement funds for the sidewalk program along Passover Road.

City Engineer Nicholas Edelman explained that the first phase of this project was inadvertently closed before the project was complete so it will be completed under Phase II. The Engineering Department recommends approval.

Mayor Lyons presented the first reading of Bill No. 11-05 by title only. It was noted that Bill No. 11-05 has been available for public review.

Alderman Olivarri moved to approve the first reading of Bill No. 11-05 as presented. Alderman Gasper seconded the motion which was voted on and unanimously passed.

Mayor Lyons presented the second and final reading of Bill No. 11-05 by title only. It was noted that Bill No. 11-05 has been available for public review.

Alderman Farmer moved to approve the second and final reading of Bill No. 11-05 as presented. Alderman Gasper seconded the motion. The following roll call vote was taken to approve the second and final reading of Bill No. 11-05 and to pass same into Ordinance: "Ayes": Alderman Gasper, Alderman Schmitt, Alderman Olivarri, and Alderman Farmer. "Nays": None. "Absent": Alderman Kahrs and Alderman Rucker. Bill No. 11-05 was passed and approved as Ordinance No. 11.05.

Bill No. 11-06. AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AUTHORIZING THE MAYOR TO EXECUTE THE A/E SERVICES CONTRACT NO. AE0B10-031 TASK NO. 2 FOR DESIGN OF STREET LIGHTING ALONG HIGHWAY 54 FROM HIGHWAY KK TO LAZY DAYS ROAD WITH HDR ARCHER.

The City completed the installation of street lights along Highway 54/Osage Beach Parkway except the section between State Highway KK and the southern City Limits according to City Engineer Nicholas Edelman. Since we did not know how the Highway 54 Expressway project would tie into existing Highway 54/Osage Beach Parkway, this section was not completed. The Engineering Department would like to complete the project this year.

Edelman reported that funding is available in account 20-00-773100 Engineering in the amount of \$268,946. There is \$74,000 budgeted for this item.

HDR Archer designed the street light project along Highway 54/Osage Beach Parkway with good results on previous projects, said Edelman. The negotiated amount for this work is \$73,768. The Engineering Department recommends approval of Task Order #2 in an amount not to exceed \$73,768.

Mayor Lyons presented the first reading of Bill No. 11-06 by title only. It was noted that Bill No. 11-06 has been available for public review.

Alderman Gasper moved to approve the first reading of Bill No. 11-06 as presented. Alderman Schmitt seconded the motion which was voted on and unanimously passed.

Mayor Lyons presented the second and final reading of Bill No. 11-06 by title only. It was noted that Bill 11-06 has been available for public review.

Alderman Farmer moved to approve the second and final reading of Bill No. 11-06 as presented. Alderman Gasper seconded the motion. The following roll call vote was taken to approve the second and final reading of Bill No. 11-06 and to pass same into Ordinance: "Ayes": Alderman Schmitt, Alderman Olivarri, Alderman Farmer, and Alderman Gasper. "Nays": None. "Absent": Alderman Kahrs and Alderman Rucker. Bill No. 11-06 was passed and approved as Ordinance No. 11.06.

Bill No. 11-07. AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AMENDING ORDINANCE NO. 10.75 ADOPTING THE 2011 ANNUAL BUDGET, TRANSFERRING APPROPRIATIONS FOR NECESSARY EXPENSES.

This budget amendment is an update based upon actual work done compared to the anticipated work.

City Engineer Nicholas Edelman explained that the street lights on Osage Beach Parkway South, Zebra Connector, and part of the connecting sewer were anticipated to be completed in 2010 but will actually be completed in 2011. This ordinance allocates funds to complete these projects. The Engineering Department recommends approval.

Mayor Lyons presented the first reading of Bill No. 11-07 by title only. It was noted that Bill No. 11-07 has been available for public review.

Alderman Olivarri moved to approve the first reading of Bill No. 11-07 as presented. Alderman Gasper seconded the motion which was voted on and unanimously passed.

Mayor Lyons presented the second and final reading of Bill No. 11-07 by title only. It was noted that Bill 11-07 has been available for public review.

Alderman Schmitt moved to approve the second and final reading of Bill No. 11-07 as presented. Alderman Farmer seconded the motion. The following roll call vote was taken to approve the second and final reading of Bill No. 11-07 and to pass same into Ordinance: "Ayes": Alderman Schmitt, Alderman Olivarri, Alderman Farmer, and Alderman Gasper. "Nays": None. "Absent": Alderman Kahrs and Alderman Rucker. Bill No. 11-07 was passed and approved as Ordinance No. 11.07.

Bill No. 11-08. AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AUTHORIZING THE MAYOR TO EXECUTE THE CONCESSIONAIRE SERVICES CONTRACT WITH MATC-MISSOURI ATHLETIC TRAINING CENTER.

Brian Willey, Park and Recreation Manager, reported that an RFP had been issued to invite proposers to supply concessionaire services at the concession facility located at the Osage Beach City Park. One proposal from MATC-Missouri Athletic Training Center was received and Willey reported that business references were all positive.

The narrative details from MATC-Missouri Athletic Training Center along with the contract will be presented to MATC-Missouri Athletic Training Center. The contract mirrors the details presented in the RFP and also includes an appendix to the agreement, the Concession Facility Inspection Checklist, for the concessionaire to fill out prior to their use of the facility.

Alderman Gasper asked for information on MATC and Willey explained that Sean Cooper of Osage Beach represents MATC which is a group that sponsors an after school program for kids located on Lighthouse Road. Willey recommends awarding the contract to MATC-Missouri Athletic Training Center for the 2011 season.

Mayor Lyons presented the first reading of Bill 11-08 by title only. It was noted that Bill 11-06 has been available for public review.

Alderman Farmer moved to approve the first reading of Bill No. 11-08 as presented. Alderman Olivarri seconded the motion which was voted on and unanimously passed.

Mayor Lyons presented the second and final reading of Bill No. 11-08 by title only. It was noted that Bill No. 11-08 has been available for public review.

Alderman Schmitt moved to approve the second and final reading of Bill No. 11-08 as presented. Alderman Gasper seconded the motion. The following roll call vote was taken to approve the second and final reading of Bill No. 11-08 and to pass same into Ordinance: "Ayes": Alderman Olivarri, Alderman Farmer, Alderman Gasper, and Alderman Schmitt. "Nays": None. "Absent": Alderman Kahrs and Alderman Rucker. Bill No. 11-08 was passed and approved as Ordinance No. 11.08.

Proposed Contract Modification for Design of Rehabilitation of Passover Road.

City Engineer Nicholas Edelman proposed this contract modification for the preparation of the easement and right of way documents needed for the Hammons and Marina Investment properties. Easement and right of way work is done on a time and material basis and according to Edelman, the need for these services was not anticipated. Since there are additional time constraints it is necessary for these services to be done out of house, said Edelman.

Alderman Olivarri asked if there is any impact with the sale of the Marina Investment property and Edelman stated that the easements were recorded prior to the sale.

Alderman Gasper asked when the project would be put out to bid and Edelman reported that AT&T is currently doing relocates and the City is now surveying, so it should be ready for bid in February.

This contract modification is in the amount of \$5,770.55 and funding will come from 20-00-773100 Engineering. The Engineering Department recommends approval of this contract modification.

Alderman Gasper moved to approve contract modification No. 4 of A/E Services Contract No. AEOB04-014, Design of Rehabilitation of Passover Road. Alderman Schmitt seconded the motion which was voted on and passed.

Communications from Board Members.

Alderman Gasper. Dave Gasper congratulated Aldermen Kahrs, Olivarri, and Schmitt.

Alderman Farmer. Lois Farmer congratulated City Treasurer Karri Bell for her cover picture on Tube Tab.

Alderman Schmitt. Ron Schmitt reminded us that on this date in 1967 three (3) astronauts died on the pad fire of the Apollo 1 space vehicle.

Staff Communications.

City Attorney. Ed Rucker reported that the revision of the Dierberg TIF continues, and he expects some action next week.

City Planner. Cary Patterson congratulated Carolyn Morris on her radio show. He also reported that a temporary construction permit was issued to Golden Coral.

City Treasurer. Karri Bell reported that per the Board's request, the general obligation bonds were paid in full earlier this month.

Assistant City Administrator. Jeana Albertson reported that the website preparation continues and is expected to be up and running in February.

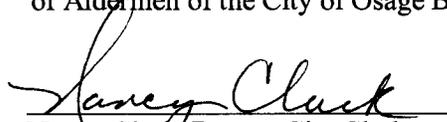
Police Department. Lt. Todd Davis welcomed Ken Pesce as the new full time court bailiff.

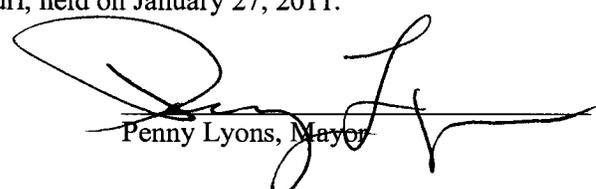
Park and Recreation Manager. Brian Willey reported some vandalism at Osage Beach City Park soccer fields. Sgt. Tim Taylor is handling the case.

Carolyn Morris informed the Board that she refers to the book, *A Town on Two Rivers*, during her radio show and asked if they were available for purchase. Mayor Lyons acknowledged that the books are for sale for \$10.00 each and thanked Mrs. Morris.

There being no further business to come before the Board, the meeting adjourned at 6:49 p.m.

I, Nancy Clark, 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 January 27, 2011.


Nancy Clark, Deputy City Clerk


Penny Lyons, Mayor