

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

May 20, 2010

The Board of Aldermen of the City of Osage Beach, Missouri, met to conduct a regular meeting on Thursday, May 20, 2010, at 6:30 p.m. at City Hall. The following were present: Mayor Penny Lyons, Alderman Lois Farmer, Alderman David Gasper, Alderman Steve Kahrs, Alderman John Olivarri, Alderman Ron Schmitt. Alderman Kevin Rucker was absent. City Clerk Diann Warner was present and performed the duties of that office.

Mayor's Communications. Mayor Lyons reported that the Solid Waste District T met at City Hall on Monday and the advertisement for grant applications will be sent out this month. A workshop will be held for those who have questions about the application process and a new rating system approved by the DNR will be used when awarding the grants. The District is hopeful the grants will be awarded by early fall.

Mayor Lyons reported that on Monday afternoon, the Lake of the Ozarks Council of Local Governments met and unanimously voted to hire Deborah Rathert as the new Executive Director. Ms. Rathert has worked with the Missouri Department of Public Safety, Office of Homeland Security and she has extensive administrative experience. Ms. Rathert will begin her new position on June 15.

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

Consent Agenda.

Alderman Farmer moved to approve the consent agenda which includes minutes of the regular meeting held on May 6, 2010, the bill list as submitted and liquor licenses for the following:

1. Bootlegger's Saloon
2. Chevy's Bar and Grill (Sunday)
3. Dog Days Bar & Grill
4. Dogwood Hills Motel
5. Dogwood Hills Golf Course
6. Dorsey's Pit Stop Restaurant
7. Habitat for Humanity Miller County (picnic license for June 26 & 27 at Stone Crest Mall)
8. Half Sauced Barbeque
9. J Bruner's Restaurant
10. Lil Rizzo's
11. Mexicali Blues
12. Peacock Palace Petroleum
13. Super Target Store
12. Wobbly Boots

Alderman Schmitt seconded the motion which was voted on and passed.

Unfinished Business.

Bill 10-23. Zoning Map Amendment. Rezoning Case No. 355.

Mayor Lyons presented the second and final reading of Bill 10-23 by title only. It was noted that Bill 10-23 has been available for public review.

Alderman Olivarri moved to approve the second and final reading of Bill 10-23 as presented. Alderman Kahrs seconded the motion. The following roll call vote was taken to approve the second and final

reading of Bill 10-23 and to pass same into Ordinance: "Ayes": Alderman Farmer, Alderman Gasper, Alderman Schmitt, Alderman Kahrs, Alderman Olivarri. "Nays": None. "Absent: Alderman Rucker. Bill 10-23 was passed and approved as Ordinance 10.23.

New Business.

Osage Beach Citizen Advisory Committee.

Charles Martin, Chairman of the Osage Beach Citizen Advisory Committee, was present to report on the recommendations of the Committee regarding the Osage Beach Ambulance Service.

- Continue to operate the service in the present manner since the committee's review indicated the service is operated efficiently.
- If a future sales tax is passed, a portion is dedicated to establishing an ambulance district; however, with the current economic climate, the committee concluded that this option is not feasible.

Mayor Lyons thanked Mr. Martin and the entire committee for the time they spent on researching different options.

Discussion followed on the cost of an election to present to the voters the question to create an ambulance district. Mr. Martin said that the fire district was not interested in taking over the service because there is no economic advantage. Operating the service would cost them the same as it does the City and it would require voter approval of residents in Miller and Camden Counties.

Authorize Mayor to Execute Contract with Vaisala for Maintenance of Localizer at the Lee C. Fine Airport.

Alderman Kahrs moved to authorize Mayor Lyons to execute a one year contract with Vaisala to maintain the localizer at the Lee C. Fine Airport at a cost of \$800 per month from account 4500 733000. Alderman Gasper seconded the motion which was voted on and passed.

Resolution 2010-03. A petition for annexation submitted by Duenke Real Estate Holdings, LLC.

Mayor Lyons presented Resolution 2010-03 which is a Resolution of Intent to Annex. Alderman Kahrs moved to approve Resolution 2010-03 which establishes the date of June 3, 2010 for a public hearing. Alderman Farmer seconded the motion which was voted on and passed.

Authorization to Participate in Missouri's Highway Safety Program.

Authorization is needed from the Board to apply for grants from the Missouri Department of Transportation Highway Safety Division. Grant funds will be used to pay overtime for officers to work hazardous moving violations and saturation patrol for drivers that are impaired. Police Chief Dave Severson said that the funds would not be used for check points next year due to the highway construction.

Alderman Kahrs said that due to the amount of funding Camden County received for enforcement he did not support participating in the program. He added that the police department has good officers who can get DWI's without checkpoints. He said that the checkpoints conducted by the Highway Patrol, the Water Patrol and Camden County are not favorable to businesses.

Mayor Lyons questioned how many man hours this grant would allow. Chief Severson said it would allow one additional officer each weekend during the summer.

Alderman Farmer moved to authorize participation in Missouri's Highway Safety Program. Alderman Schmitt seconded the motion which was voted on and passed with Alderman Kahrs expressing a negative vote.

Bid Award. Zebra Road and Stewart Drive Road Improvements, Phase 1. Bids were received from the following:

APAC, Missouri, Inc.	\$1,146,173.84
Lehman Construction LLC	\$1,244,229.61
J. C. Industries, Inc.	\$1,297,775.40
Magruder Paving, LLC	\$1,366,557.80

The engineer's estimate was \$1.4 million.

Alderman Olivarri moved to award the bid for Zebra Road and Stewart Drive Road Improvements, Phase 1 to the low bidder, APAC, Missouri, Inc. in the amount of \$1,146,173.84. Alderman Gasper seconded the motion which was voted on and passed.

Authorization to Sell Vehicles and Surplus Equipment via Online Auction.

Alderman Olivarri moved to authorize the online sale of the following vehicles and equipment as recommended:

- 2005 Ford Crown Vic, #4378, Mileage - 98,265
- 2005 Ford Crown Vic, #4380, Mileage - 96,954
- 2006 Ford Crown Vic, #9607, Mileage - 90,087
- 2006 Ford Crown Vic, #9608, Mileage - 98,986
- 2 GENICOM 4440XT dot-matrix printers, S/N#9418-9-14659
- 1 Weider Home Gym System
- 1 Weslo Cardio-glide
- 1 Maxicam Multi-Max all steel weight machine
- 1 Health O Meter scale

Alderman Gasper seconded the motion which was voted on and passed.

Communications from Board Members.

Alderman Kahrs. Alderman Kahrs expressed his appreciation to Building Official Ron White and City Engineer Nick Edelman for taking care of an issue a constituent brought to his attention.

Alderman Olivarri. Alderman Olivarri reported it appears that a portion of the City's sign ordinance is not enforceable due to a recent court decision. City Attorney Ed Rucker explained that an individual sued the City of Gladstone and the courts found the Gladstone ordinance to be too restrictive by limiting the amount of time political signs could be displayed. Alderman Olivarri asked the media to help spread the word so that all individuals running for elective office have the same opportunity as others to display

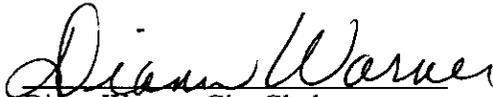
signs.

Alderman Gasper. Alderman Gasper questioned when the expressway would open. City Engineer Nick Edelman responded that Bluff Drive was to be open by Memorial Day but the last two weeks of rain has delayed construction.

Building Official. Ron White reported that during his lunch hour one day this week, he witnessed someone stealing at one of the stores at the mall, the police were called and the individuals were arrested. He was commended for doing his civic duty.

There being no further business to come before the Board, the meeting adjourned at 6:55 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 May 20, 2010.


Diann Warner, City Clerk


Penny Lyons, Mayor