

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

June 3, 2010

The Board of Aldermen of the City of Osage Beach, Missouri, met to conduct a regular meeting on Thursday, June 3, 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 Kevin Rucker. Alderman Ron Schmitt was absent. City Clerk Diann Warner was present and performed the duties of that office.

Mayor's Communications. Mayor Lyons expressed her appreciation to Aldermen Farmer and Olivarri and City Attorney Ed Rucker for attending the MML Legislative Update last week in Lebanon. As always, it is a quick way to summarize the issues that affect city governments. She reported that the group also toured the facility in Lebanon.

Mayor Lyons reported that the City enjoyed a very busy and safe holiday weekend and she hoped the rest of the summer is the same. She also expressed her thanks to all City employees who had to work through the holiday.

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 20, 2010, the bill list as submitted and liquor licenses for the following:

Bridgeport
City Grill and Blue Room
Culpeeper's Cattle Co.
Flirt, Inc.
Happy Fisherman
Snappy Stores
The Pasta House

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

Unfinished Business. None

New Business.

Public Hearing. Duenke Real Estate Holdings LLC, Voluntary Annexation.

City Planner Cary Patterson explained the voluntary annexation that will take in a portion of property that includes Burton Duenke Parkway once the road is completed. After it is annexed and the road completed, the Duenke's would like to dedicate the road to the City.

Alderman Olivarri questioned whether the annexation includes just the road or property around it. Mr. Patterson explained that it includes the road and right of way but it does not include any developable property.

No one was present who wished to speak in favor of or in opposition to the Duenke Real Estate Holdings LLC, voluntary annexation.

Mayor Lyons closed the public hearing at 6:35 p.m.

Public Hearing. Water and Sewer Rates.

Assistant City Administrator Jeana Albertson presented the proposed water and sewer rate increases which presentation is attached and becomes a part of these minutes.

Alderman Kahrs questioned whether those who are being upgraded to a different class have been contacted. Assistant City Administrator Jeana Albertson said that those users will be contacted if the rate increases are approved. She explained that she contacted other municipalities and none of them subsidize their rates like Osage Beach does. Osage Beach uses State Revolving Funds which have more stringent guidelines than conventional loans.

No one was present who wished to speak in favor of or in opposition to the proposed rate increases.

Alderman Rucker questioned whether the tap fees and the plant capacity fees are the same for residents inside and outside city limits. Assistant City Administrator Jeana Albertson responded that the same fees are charged inside and outside city limits. Alderman Rucker questioned whether the Capital Improvements Sales Tax is permanent or if it has a sunset. It was noted that the CIT does not sunset.

Alderman Olivarri questioned whether it is unusual to subsidize rates. Assistant City Administrator Jeana Albertson explained that the City has been fortunate to be able to subsidize rates, and Branson subsidizes their rates more than Osage Beach does. Alderman Olivarri questioned who pays the CIT. It was noted that the CIT is a ½ cent sales tax on all purchases.

Mayor Lyons questioned if someone upgrades from a 5/8 inch line to a 1 inch line, would they pay the difference. Assistant City Administrator Jeana Albertson responded in the affirmative.

Alderman Gasper questioned whether the proposed rate increases are adequate for the future. Assistant City Administrator Jeana Albertson said that the rates are analyzed annually and she believes they are adequate. Because the rates are reviewed annually, she said the City would be proactive if the rates need to be changed.

There being no further questions or comments, Mayor Lyons closed the public hearing at 7:12 p.m.

Bill No. 10-25. Amendments to the Water Ordinance.

Mayor Lyons presented the first reading of Bill 10-25 by title only. It was noted that Bill 10-25 has been available for public review.

Alderman Olivarri moved to approve the first reading of Bill 10-25. Alderman Farmer seconded the motion which was voted on and unanimously passed.

Bill No. 10-26. Amendments to the Sewer Ordinance.

Mayor Lyons presented the first reading of Bill 10-26 by title only. It was noted that Bill 10-26 has been available for public review.

Alderman Gasper moved to approve the first reading of Bill 10-26. Alderman Farmer seconded the

motion which was voted on and unanimously passed.

Bill No. 10-28. 2010 Budget Amendment for Drainage Problems.

City Engineer Nick Edelman explained that complaints from residents have been received regarding storm drainage during the recent storm events. The Osage Beach Special Road District agreed to contribute \$200,000 towards the Zebra Connector Project and part of the money has been allocated. The projected unrestricted balance on December 31, 2010 with the Osage Beach Special Road District money is \$232,930.

The funding has been allocated as follows.

\$232,930 – Unrestricted
\$30,000 – Land Purchases
\$50,000 – Misc. Streets/Roads (This Request)

\$152,930 – Remaining Unrestricted.

The Engineering Department would like to correct these problems as soon as possible.

Mayor Lyons presented the first reading of Bill 10-28 by title only. It was noted that Bill 10-28 has been available for public review.

Alderman Olivarri moved to approve the first reading of Bill 10-28 as presented. Alderman Gasper seconded the motion which was voted on and passed.

Mayor Lyons presented the second and final reading of Bill 10-28 by title only. Alderman Olivarri moved to approve the second and final reading of Bill 10-28 as presented. Alderman Farmer seconded the motion. The following roll call vote was taken to approve the second and final reading of Bill 10-28 and to pass same into Ordinance: “Ayes”: Alderman Gasper, Alderman Kahrs, Alderman Olivarri, Alderman Farmer, Alderman Rucker. “Nays”: None. “Absent”: Alderman Schmitt. Bill 10-28 was passed and approved as Ordinance 10.28.

Bill No. 10-29. Authorizing Mayor to Execute Airport Aid Agreement for Seal Coating the Parallel Taxiway at the Grand Glaize Airport.

Airport Manager Budd Hyde explained that this is an Airport Aid Agreement from the Missouri Highway and Transportation Commission for the parallel taxiway pavement maintenance project at Grand Glaize Airport in the amount of \$180,000.00. This agreement is for the state portion of runway maintenance project and the money will be used for the parallel taxiway portion of this project as federal monies cannot be used because of taxiway non compliance. The Airport Manager recommended approval.

Mayor Lyons presented the first reading of Bill 10-29 by title only. It was noted that Bill 10-29 has been available for public review.

Alderman Rucker moved to approve the first reading of Bill 10-29 as presented. Alderman Olivarri seconded the motion which was voted on and unanimously passed.

Mayor Lyons presented the second and final reading of Bill 10-29 by title only. Alderman Gasper moved

to approve the second and final reading of Bill 10-29 as presented. Alderman Olivarri seconded the motion. The following roll call vote was taken to approve the second and final reading of Bill 10-29 and to pass same into Ordinance: "Ayes": Alderman Kahrs, Alderman Olivarri, Alderman Farmer, Alderman Rucker, Alderman Gasper. "Nays": None. "Absent": Alderman Schmitt. Bill 10-29 was passed and approved as Ordinance 10.29.

Bill No. 10-30. Tenure of Office for Elected and Appointed Officials.

City Attorney Ed Rucker explained that Bill 10-30 brings the code into conformance with state law regarding tenure of office for elected and appointed officials. He said officers would continue in office unless removed and would remain in office until a replacement is duly qualified and appointed.

Mayor Lyons presented the first reading of Bill 10-30 by title only. It was noted that Bill 10-30 has been available for public review.

Alderman Rucker moved to approve the first reading of Bill 10-30 as presented. Alderman Gasper seconded the motion which was voted on and passed.

Bid Award. Website Development

IT Manager Jim Davis explained that Staff determined that the City's overall goal of redesigning the website was to have a contemporary looking site that will provide information, promote the City and facilitate future expansion of e-government functions for the benefit of the end-user and the efficiency of City staff.

To support the overall goal, the site will be expected to illustrate Osage Beach's unique character, the qualities the community represents, highlight the City's marketing mix as it relates to economic development and be the best resource for timely and accurate local government information and interaction. The site should also include emphasis on Osage Beach's status as a premier lake resort destination but without replicating the function of the existing tourism sites representing the area. The website is not intended to provide in-depth visitor information, but act as a portal to specific industry partners' sites.

Bids were opened on April 6, 2010. Although there were several bidders with varied price quotes featuring a variety of benefits, CivicPlus was the most reasonable priced offering the most benefits suitable for government processes. CivicPlus specializes only in web development for government entities and has over 575 municipal customers in addition to state government customers.

CivicPlus' web design for the City will be engaging and easy to navigate, will be interactive for all end users, and will offer the essential factors necessary for government processes including 508 compliancy (ADA accessibility features) and archiving capabilities (off site to assist with necessary record retention specific to governments). The other proposers either did not offer these or other government necessary functions and/or the price quotes were unaffordable based on the City's budget.

CivicPlus proposed three pricing options (one time web development fee) all of which met RFP requested guidelines. One, however, although impressive, is unaffordable (\$16,801) at this time. The other two were Option 1 - \$4,800 and Option 2 -\$9,800. Staff recommends Option 2 due to the fact that the added benefits and features are more in line with the above goals of the project. Option 2 offered added functional e-government service features like bid posting, job postings, online job applications, online

bidding, resource directory features and custom graphics for an individually marketed and designed web presence.

All options included the annual support, maintenance and hosting services for government web use (\$180/month). By utilizing the annual support, maintenance and hosting services offered by CivicPlus, the City will have 24/7 tech support, software and modular updates, will be saving valuable server and hardware space and IT resources for daily backups, record archiving, upgrades and improvements, added antivirus protection, and additional router traffic; all of which is already done in house and only increases as the City grows.

In preparation for this project, ongoing annual maintenance has already been budgeted for this year in the amount of \$180 per month (10-19-733610). For the design project itself, \$6,000 (10-19-733800) has been budgeted. This leaves \$3,800 short to complete the project utilizing Option 2. Money can be used out of 10-13-761150 (Contingency) if Option 2 is approved.

Staff recommends contract award to CivicPlus for Option 2 with annual support, maintenance and hosting services.

Alderman Olivarri moved to award the bid for website development to CivicPlus in the amount of \$9,800, further that \$3,800 be deducted from the Contingency Fund for Option 2 as recommended. Alderman Farmer seconded the motion which was voted on and passed.

Bid Award. Hatchery Road. Alderman Rucker moved to postpone the bid award until the next meeting. Alderman Kahrs seconded the motion which was voted on and unanimously passed.

Bid Award. Conway Lane.

Bids were received as follows:

Apperson Utility	\$68,454.50
Stockman Construction Corp	\$66,649.00
APAC Missouri	\$61,471.22

Funding for this project can be obtained from 20-00-773210 Special Road District Projects. This account is planned to cover other Osage Beach Special Road District Projects.

Alderman Olivarri moved to award the bid for Conway Lane Improvements to the low bidder, APAC, Missouri, Inc. in the amount of \$61,471.22. Alderman Gasper seconded the motion which was voted on and passed.

Communications from Board Members.

Alderman Gasper. Alderman Gasper expressed his appreciation to Assistant City Administrator Jeana Albertson for making the presentation on the water and sewer rates.

Alderman Farmer. Alderman Farmer thanked Assistant City Administrator Jeana Albertson for the fine job presenting the water and sewer rate increases.

Staff Communications.

City Administrator. Nancy Viselli thanked Assistant City Administrator Jeana Albertson for her presentation.

City Attorney. Ed Rucker thanked Assistant City Administrator Jeana Albertson for the presentation.

Assistant City Administrator. Jeana Albertson asked for ideas for the Fall Festival that will be held on September 11th. A patriotic theme is being planned.

Superintendent of Public Works. Rick King reported that flows at the sewer treatment plant have increased from this time last year which must be a good indication of visitors in the area.

Park Manager. Brian Willey reported that the concrete pad has been completed for the pavilions at the park.

There being no further business to come before the Board, the meeting adjourned at 7:30 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 June 3, 2010.


Diann Warner, City Clerk


Penny Lyons, Mayor