

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

June 17, 2010

The Board of Aldermen of the City of Osage Beach, Missouri, met to conduct a regular meeting on Thursday, June 17, 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 had nothing to report at this time.

**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 June 3, 2010, the bill list as submitted and a caterer's license to Dorsey's Pit Stop. Alderman Gasper seconded the motion which was voted on and unanimously passed.

**Unfinished Business.**

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

Alderman Kahrs questioned whether staff had come up with ideas for saving money for operating and maintaining the water and sewer systems. Assistant City Administrator Jeana Albertson responded that Superintendent of Public Works Rick King could explain the new programs he has developed to save money.

Mayor Lyons presented the second and final 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 second and final reading of Bill 10-25 as presented. Alderman Gasper seconded the motion. The following roll call vote was taken to approve the second and final reading of Bill 10-25 and to pass same into Ordinance: "Ayes": Alderman Olivarri, Alderman Farmer, Alderman Gasper, Alderman Schmitt. "Nays": Alderman Kahrs. "Absent:" Alderman Rucker. Bill 10-25 was passed and approved as Ordinance 10.25.

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

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

Alderman Farmer moved to approve the second and final reading of Bill 10-26 as presented. Alderman Olivarri seconded the motion. The following roll call vote was taken to approve the second and final reading of Bill 10-26 and to pass same into Ordinance: "Ayes": Alderman Farmer, Alderman Gasper, Alderman Schmitt, Alderman Olivarri. "Nays": Alderman Kahrs. "Absent": Alderman Rucker. Bill 10-26 was passed and approved as Ordinance 10.26.

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

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

Alderman Olivarri moved to approve the second and final reading of Bill 10-30 as presented. Alderman Schmitt seconded the motion. The following roll call vote was taken to approve the second and final reading of Bill 10-30 and to pass same into Ordinance: "Ayes": Alderman Gasper, Alderman Schmitt, Alderman Kahrs, Alderman Olivarri, Alderman Farmer. "Nays": None. "Absent": Alderman Rucker. Bill 10-30 was passed and approved as Ordinance 10.30.

**Bid Award.** Hatchery Road.

APAC Missouri	\$29,081.25
Magruder Paving, LLC	\$27,937.50

City Engineer Nick Edelman recommended that the bid be awarded to the low bidder, Magruder Paving, LLC, the low bidder, in the amount of \$27,937.50.

Alderman Schmitt moved to award the bid to the low bidder, Magruder Paving, LLC, the low bidder, in the amount of \$27,937.50 as recommended. Alderman Gasper seconded the motion which was voted on and unanimously passed.

**New Business.**

**2009 Audit Presentation.**

Heidi Chick of Williams Keepers, LLC presented the 2009 annual audit. She explained that one significant accounting standard for 2011 will have an impact on the financial statements which is that the City may develop a policy on unrestricted balances and could designate future money for specific purposes.

Ms. Chick said that Williams Keepers, LLC issued a clean opinion and that the preparation of financial statements is completed by Williams Keepers on behalf of the City, because the City does not have the capacity to do the financial statements. Ms. Chick pointed out that there were no new comments this year and all comments in the management letter last year were resolved in 2009. Ms. Chick commended the City for receiving the Certificate for Financing Reporting for the 10<sup>th</sup> year in a row.

Alderman Olivarri suggested that the new standards be reviewed by the Board during the 3<sup>rd</sup> Quarter Budget Review before the 2011 Budget meetings begin.

**Bill No. 10-33.** Authorizing Mayor to Execute Renewal Contract with Williams Keepers, LLC to Perform the City's Financial Audits.

City Treasurer Karri Bell recommended Bill 10-33 be adopted authorizing Williams Keepers LLC to conduct the City's next five annual audits.

Mayor Lyons presented the first reading of Bill No. 10-33 by title only. It was noted that Bill 10-33 has been available for public review.

Alderman Kahrs moved to approve the first reading of Bill 10-33 by as presented by title only. Alderman Schmitt seconded the motion which was voted on and unanimously passed.

Mayor Lyons presented the second and final reading of Bill 10-33 by title only. Alderman Kahrs moved to approve the second and final reading of Bill 10-33 as presented. Alderman Schmitt seconded the

motion. The following roll call vote was taken to approve the second and final reading of Bill 10-33 and to pass same into Ordinance: "Ayes": Alderman Gasper, Alderman Kahrs, Alderman Schmitt, Alderman Olivarri, Alderman Farmer. "Nays": None. "Absent": Alderman Rucker. Bill 10-33 was passed and approved as Ordinance 10.33.

**Bill No. 10-27.** Duenke Real Estate Holdings, LLC Voluntary Annexation

Mayor Lyons presented the first reading of Bill No. 10-27 by title only. It was noted that Bill 10-27 has been available for public review.

Alderman Kahrs moved to approve the first reading of Bill 10-27 by as presented. Alderman Farmer seconded the motion which was voted on and unanimously passed.

**Bill No. 10-31.** Repealing Section 405.370 (B) (6) Concerning Political Signs.

City Attorney Ed Rucker explained this action is necessary to bring the sign ordinance into compliance with existing law. It repeals a section that has been effectively overruled in a very similar situation in Gladstone. Staff will continue to carefully monitor the issue of signs in the City. City Attorney Rucker stated that the remainder of the ordinance remains the same.

Mayor Lyons presented the first reading of Bill No. 10-31 by title only. It was noted that Bill 10-31 has been available for public review.

Alderman Olivarri moved to approve the first reading of Bill 10-31 as presented. Alderman Gasper seconded the motion which was voted on and unanimously passed.

**Bill No. 10-32.** Authorizes Mayor to Execute Easement Agreement with Union Electric Company.

City Engineer Nick Edelman explained this agreement is for the easement from Ameren UE in connection with the Zebra Roadway Project.

Mayor Lyons presented the first reading of Bill No. 10-32 by title only. It was noted that Bill 10-32 has been available for public review.

Alderman Olivarri moved to approve the first reading of Bill 10-32 by as presented. Alderman Gasper seconded the motion which was voted on and unanimously passed.

Mayor Lyons presented the second and final reading of Bill 10-32 by title only. Alderman Olivarri moved to approve the second and final reading of Bill 10-32 as presented. Alderman Farmer seconded the motion. The following roll call vote was taken to approve the second and final reading of Bill 10-32 and to pass same into Ordinance: "Ayes": Alderman Kahrs, Alderman Schmitt, Alderman Olivarri, Alderman Farmer, Alderman Gasper. "Nays": None. "Absent": Alderman Rucker. Bill 10-32 was passed and approved as Ordinance 10.32.

**Reappointment of Municipal Judge.**

City Administrator Nancy Viselli explained that Judge Washburn's reappointment has been reviewed with the Mayor, the City Attorney and City Staff, and they all believe that Judge Washburn should continue to serve the City in this capacity. Judge Washburn was contacted to see if he was interested in being reappointed, and he is. City Administrator Viselli requested the Board to approve the reappointment of Judge William Washburn as the City's Municipal Judge for a two year term.

Alderman Kahrs moved to approve the reappointment of William Washburn as municipal judge. Alderman Olivarri seconded the motion which was voted on and passed.

**Authorize Postponement of Meeting.**

Alderman Gasper moved to postpone the Board meeting in July from the third Thursday to the fourth Thursday. Alderman Schmitt seconded the motion which was voted on and unanimously passed.

**Communications from Board Members.**

Alderman Kahrs. Alderman Kahrs asked staff to be prepared to make budget cuts if the sales tax receipts do not improve.

Alderman Gasper. Alderman Gasper reported that the Osage Beach City Park is in great shape.

Alderman Farmer. Alderman Farmer read an article from a newspaper telling about the Kahrs' family sponsoring a Catfish Derby for children from Fort Leonard Wood. She said all the gifts and prizes were compliments of the Kahrs' family.

**Staff Communications.**

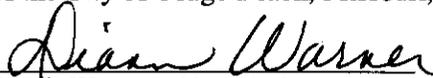
City Attorney. Ed Rucker reported that he appreciated the reappointment of Bill Washburn.

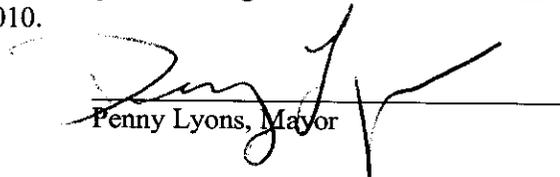
City Engineer. Nick Edelman introduced co-ops in the Engineering Department: Ericka Ross and Nick Zimmerman.

Airport Manager. Budd Hyde reported that he will take delivery of a tractor for Lee C. Fine Airport which was approved by the Board of Aldermen a few weeks ago. He said the tractor was \$11,000 rather than \$20,000, the amount that was budgeted.

There being no further business to come before the Board, the meeting adjourned at 7:10 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 17, 2010.

  
Diann Warner, City Clerk

  
Penny Lyons, Mayor