

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

August 19, 2010

The Board of Aldermen of the City of Osage Beach, Missouri, met to conduct a regular meeting on Thursday, August 19, 2010, at 6:30 p.m. at City Hall. The following were present: Mayor Penny Lyons, Alderman Lois Farmer, Alderman David Gasper, Alderman John Olivarri, Alderman Kevin Rucker and Alderman Ron Schmitt. Alderman Steve Kahrs was absent. City Clerk Diann Warner was present and performed the duties of that office.

**Mayor's Communications.** Mayor Lyons expressed her appreciation to everyone who attended all or part of the two day symposium held by the Attorney General's office. The first day departments from the State Parks, health, fisheries and wildlife, water quality, economics, DNR and others covered the public beaches, water quality, demographics, geology, regulations and inspection enforcement.

Mayor Lyons reported that the second day, LOWA, Missouri volunteers, conservation, local wastewater operations, local solutions, regional solutions, county input and funding opportunities were covered. Osage Beach was represented by City Engineer Nick Edelman and Mayor Lyons covered the Joint Sewer Treatment Plant.

Mayor Lyons reported that the system in Osage Beach is a prime example of how difficult and costly it will be to sewer other areas around the lake. Osage Beach has set the standards for quality in utility delivery, and the Lake Ozark/Osage Beach Joint Sewer Treatment Plant is the largest in the Lake area. In twenty-six years, Mayor Lyons reported there have been no spills or breaches and it sets the standard for other proposed facilities. After two days of testimony, the results showed that the Lake of the Ozarks is clean. In fact, most charts indicated the lake is in the middle of all the studies. E-coli was almost a non issue except for the State's public beaches and oversight by the DNR needs to be increased. If inspections and follow up were done in a timely manner many of the recent violations would have been corrected. Nitrogen and phosphorus have increased but according to the Fisheries Management there is a fine line that would affect the sport fishing at the Lake. Decreasing phosphorous and nitrogen equals a decrease in size and the amount of fish.

Mayor Lyons said people are encouraged to submit comments to the Attorney General's office. She asked Board members and staff who attended to submit comments to City Administrator Viselli to compile for the City's response about the symposium.

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

**Consent Agenda.**

Alderman Olivarri moved to approve the consent agenda which includes minutes of the regular meeting held on August 5, 2010, the bill list as submitted and liquor licenses to South Beach Liquor, The Tailgate Party; and a caterers license to Wobbly Boots BBQ for September 9 and September 16-19, 2010. Alderman Schmitt seconded the motion which was voted on and unanimously passed.

**Unfinished Business.**

**Bill 10-44.** Amendment to Chapter 605; Business Licenses and Regulations.

Mayor Lyons presented the second and final reading of Bill 10-44 by title only. It was noted that Bill 10-44 has been available for public review.

Alderman Rucker moved to approve the second and final reading of Bill 10-44 as presented. Alderman Gasper seconded the motion. The following roll call vote was taken to approve the second and final reading of Bill 10-44 and to pass same into Ordinance: "Ayes": Alderman Schmitt, Alderman Olivarri, Alderman Farmer, Alderman Gasper, Alderman Rucker. "Nays": None. "Absent": Alderman Kahrs. Bill 10-44 was passed and approved as Ordinance 10.44.

**New Business.**

**Bill 10-46.** Regulatory Stop Signs; Amending the Schedule of Stop Signs. Establishing stop signs at the intersection of Sycamore Valley Drive – Case Road; Melody Lane – Case Road; Shore Acres Drive-Case Road; and the removal of a stop sign at Case Road – Sycamore Valley Drive

Mayor Lyons presented the first reading of Bill 10-46 by title only. It was noted that Bill 10-46 has been available for public review.

Alderman Farmer moved to approve the first reading of Bill 10-46 as presented. Alderman Gasper seconded the motion which was voted on and passed.

Mayor Lyons presented the second and final reading of Bill 10-46 by title only. It was noted that Bill 10-46 has been available for public review. Alderman Schmitt moved to approve the second and final reading of Bill 10-46 as presented. Alderman Farmer seconded the motion. The following roll call vote was taken to approve the second and final reading of Bill 10-46 and to pass same into Ordinance: "Ayes": Alderman Olivarri, Alderman Farmer, Alderman Gasper, Alderman Rucker, Alderman Schmitt. "Nays": None. "Absent": Alderman Kahrs. Bill 10-46 was passed and approved as Ordinance 10.46.

**Bill 10-47.** 2010 Budget Amendment in the amount of \$77,750 for the Ambulance Purchase

Mayor Lyons presented the first reading of Bill 10-47 by title only. It was noted that Bill 10-47 has been available for public review.

Alderman Olivarri moved to approve the first reading of Bill 10-47 as presented. Alderman Farmer seconded the motion which was voted on and passed.

Mayor Lyons presented the second and final reading of Bill 10-47 by title only. It was noted that Bill 10-47 has been available for public review. Alderman Schmitt moved to approve the second and final reading of Bill 10-47 as presented. Alderman Gasper seconded the motion. The following roll call vote was taken to approve the second and final reading of Bill 10-47 and to pass same into Ordinance: "Ayes": Alderman Farmer, Alderman Gasper, Alderman Rucker, Alderman Schmitt, Alderman Olivarri. "Nays": None. "Absent": Alderman Kahrs. Bill 10-47 was passed and approved as Ordinance 10.47.

**Approval of Proposed Maintenance Contract for City Hall Ground Source Heat Pump System.**

Building Official Ron White explained that last year the City entered into a contract with Geo Enterprises, Inc., for the planned maintenance of the Ground Source Heat Pump System with the option to renew the contract at the same price and terms for one additional year.

Building Official White recommended approval of the contract with GEO Enterprises, Inc., for the 2010-2011 service period at the annual price of \$5,400.00. This is budgeted under line item 10-09-742203. Alderman Gasper moved to approve the maintenance contract for City Hall Ground Source Heat System with Geo Enterprises, Inc., in the amount of \$5,400 as recommended. Alderman Farmer seconded the

motion which was voted on and passed.

**Bid Award.** Primary Wind Cone at Grand Glaize Airport.

Airport Manager Budd Hyde explained that the Grand Glaize Airport lost its primary wind cone due to the collapse of the hangar building on which it was mounted. As a result, a new wind cone needs to be erected to give pilots a visual reference for wind awareness when the airport is unmanned. Currently the airport is utilizing a smaller wind cone located at the north end of the runway by Highway 54. This is a project that was addressed in the Airport Layout Plan and needs to be accomplished to bring Grand Glaize Airport up to FAA design specifications for a primary wind cone.

Based on the bid received from Strukel Electric, Inc., and the recommendation of our consultant Bucher, Willis & Ratliff Corp., Mr. Hyde recommended the bid for the lighted primary wind cone in the amount of \$14,980.00 be awarded to Strukel Electric, Inc. This item is budgeted under line item 47-00-774128 with grant funding of 90%. The City's portion is \$1,498.

Alderman Farmer moved to award the bid for the primary wind cone at Grand Glaize Airport to Strukel Electric, Inc., in the amount of \$14,980.00 as recommended. Alderman Olivarri seconded the motion which was voted on and passed.

**Bid Award.** Pavement Maintenance for Grand Glaize Airport.

Two bids were submitted in response to the Invitation to Bid:

Bishops Construction Co., Inc.	\$115,022.06
McConnell Associates Corp.	\$108,439.68

Airport Manager Budd Hyde explained that in order to preserve and extend the life of paved surfaces at the Grand Glaize Airport and ensure the integrity of the runway and taxiway, the following work needs to be completed: clean and seal joints and cracks on all pavements, friction seal coat and remarking of runway and taxiway in accordance with latest FAA design specs.

Based on bids received and the recommendation of our consultant Bucher, Willis & Ratliff Corp., Mr. Hyde requested that the bid for the runway and taxiway maintenance be awarded to McConnell & Associates Corp., in the amount of \$108,439.68. This item is budgeted under Operating Capital #47-00-774128 with Grant funding 95% on runway (base bid #1) and 90% on taxiway (base bid #3).

Alderman Olivarri moved to award the bid for pavement maintenance to McConnell Associates, Corp., in the amount of \$108,439.68 as recommended. Alderman Schmitt seconded the motion which was voted on and passed.

**Bid Award.** Grinder Station

One bid from Municipal Equipment was received in the amount of \$12,090 for the grinder station needed for the connecting sewer project.

City Engineer Nick Edelman explained that during the bidding of the Connecting Sewer project, it came to his attention that the grinder station that serves part of the Palisades development off of Hwy KK needs to be relocated since it is in MoDOT's proposed ditch. An addendum was issued for the project, but they were unable to have the design of the pump station complete so that the contractor could include it in their

bid. The Engineering Department decided to let the contractor know what size the wet well was so they could calculate how much work was involved to dig the hole. A decision was made to put out another bid to purchase the grinder station.

Funding for this project can be obtained from 35-00-773186 MODOT Mandated Projects.

Alderman Farmer moved to award the bid for the grinder station to Municipal Equipment in the amount of \$12,090.00 as recommended. Alderman Gasper seconded the motion which was voted on and unanimously passed.

**Authorization to Terminate Concessionaire Contract.** This item was removed from the agenda.

**Communications from Board Members.**

Alderman Rucker. Kevin Rucker stated that he was misquoted in the media and he reported that he had previously voiced his opposition to the *Wolf Pack*. Additionally, he said he had forwarded his concerns to Representative Cooper that he did not think the name *Wolf Pack* was appropriate. He said he also questioned the need for intensive sobriety check points in the City and he had asked for statistics on DWI's in the county. Alderman Rucker said that Alderman Kahrs expressed his concerns and Alderman Rucker said he agreed with Alderman Kahrs' opinion that citizen input is important and citizens should have an opportunity to voice their concerns, however, he does not oppose enhanced policing.

Alderman Rucker said it was not the Police Chiefs' job to speak to the county or state rather, it is the job of elected officials to contact state and county elected officials. Alderman Rucker said he favors citizen input through the Osage Beach Citizen Advisory Committee and it is the responsibility of the Board to listen.

Alderman Olivarri. Alderman Olivarri reported on the Attorney General's Symposium held at Tan-Tar-A and he was pleased with the amount of information provided. He reported that one important finding he heard repeatedly was that the lake is clean; however, there is a misconception about the lake and what causes E-coli has not been identified.

Alderman Olivarri expressed his appreciation to the Osage Beach Special Road District for their assistance on the Hatchery Road Project and the Conway Road Drainage Project. He said these projects will provide nice roads for the people he represents.

Alderman Gasper. Dave Gasper reported that of the restaurant/bar owners he spoke with, no one complained about the police sitting in front of their businesses. In fact, most are glad the police are present. Alderman Gasper reported on the symposium and he commented that very few people understand what E-coli is and that it does not cause death.

Alderman Farmer. Alderman Farmer also reported on the symposium and on Channel 32 today it was announced that the Lake is clean. She reported that on Saturday, there will be a Walk for Fallen Heroes at the Osage Beach City Park. She said that all businesses along Highway 54 allowed her to post a sign on their door advertising the event.

Alderman Schmitt. Alderman Schmitt reported that the beaches most often closed due to E-coli are the two public beaches.

Alderman Olivarri commented that the presentations made at the symposium will be posted on the state's

website within a week to ten days.

**Staff Communications.**

Assistant City Administrator. Jeana Albertson reported on the Fall Festival and asked for volunteers for the dunk tank. She reported that both Mayor Lyons' and City Engineer Nick Edelman's power point presentations at the symposium are on the City's website.

Mayor Lyons thanked Assistant City Administrator Jeana Albertson for her assistance on the power point presentation she made at the symposium.

City Engineer. Nick Edelman reported that more federal enhancement funds are available and he will be asking for more funds. He reported that he will be attending the Transportation Advisory Committee meeting on behalf of the Lake of the Ozarks Council of Local Governments.

Park Manager. Brian Willey reported that the walk/run for the Fallen Soldiers will be held Saturday at the Osage Beach City Park. He reported that Hatchery Road was paved last night and he thanked City Engineer Nick Edelman and the Osage Beach Special Road District for their assistance.

**Executive Session.**

Alderman Olivarri 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, and RSMo. 610.021 (2), Leasing, purchase, or sale of real estate by a public governmental body where public knowledge of the transaction might adversely affect the legal consideration therefore. Alderman Schmitt seconded the motion. The following roll call vote was taken to close the meeting: "Ayes": Alderman Gasper, Alderman Rucker, Alderman Schmitt, Alderman Olivarri, Alderman Farmer. "Nays": None. "Absent": Alderman Kahrs. The meeting was therefore closed.

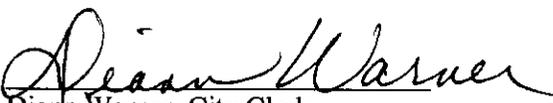
CLOSED SESSION

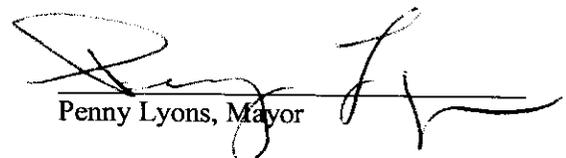
Alderman Gasper moved to open the meeting. Alderman Farmer seconded the motion. The following roll call vote was taken to open the meeting: "Ayes": Alderman Schmitt, Alderman Olivarri, Alderman Farmer, Alderman Gasper, Alderman Rucker. "Nays": None. "Absent": Alderman Kahrs. The meeting was therefore opened.

No announcements were made following closed session.

There being no further business to come before the Board, the meeting adjourned at 7:55 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 August 19, 2010.

  
Diann Warner, City Clerk

  
Penny Lyons, Mayor