

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

September 2, 2010

The Board of Aldermen of the City of Osage Beach, Missouri, met to conduct a regular meeting on Thursday, September 2, 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 and Alderman Ron Schmitt. 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 thanked those Aldermen and staff who attended the Chamber breakfast and City Planner Cary Patterson for providing an update on City projects. Lyons also announced that the Missouri Court of Appeals, Western District ruled in favor of the Joint Sewer Board and against the Department of Natural Resources and Magruder Limestone Company, Inc., in an ongoing dispute over quarry operations. The Court stated that the applicant, Magruder Limestone had the burden of persuading the Commission that their quarrying operations would not unduly impair the Petitioners' health, safety or livelihood. The Bureau of Land Reclamation's decision to grant the permit was also reversed and remanded to them for a new hearing. Mayor Lyons has made this information available on the City's website, www.osagebeach.org.

The City's 10th Annual Fall Festival will be held on September 11, 2010 according to Lyons. City Staff and volunteers have put a lot of work into making this a great celebration for the City. "We will have a lot of information available at the City booth for the Public Forum," commented Lyons. "I urge everyone to attend and volunteer", said Lyons, adding, "there are always openings in the dunk tank."

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 August 19, 2010, the bill list as submitted and liquor licenses to the following:

Bridgeview Marina	Caterer's license for 09/18 – 08/19
Chicago Brothers Pizza & Pub	Caterer's license for 09/25
Linn Creek/Osage Beach Lions Club	Picnic license for 09/25
Dragon House Buffet	

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

Unfinished Business. None

New Business.

Public Hearing. Amendment to the Sign Ordinance to Address Sign Location on the 54 Expressway.

City Planner Cary Patterson explained that the Planning Commission approved the amendment at their August 10, 2010 meeting and is requesting approval of the amendment by the Board of Aldermen. The proposed changes address signage on the new 54 Expressway and mirror the sign ordinances of MoDOT with the exception of height and distance from the roadway restrictions, commented Patterson. MoDOT does not have a height restriction and the City is requesting a maximum of 80 feet, and MoDOT has a 600 foot approved distance from the roadway, but the City is requesting a maximum of 200 feet.

Alderman Kahrs asked if the ordinance would allow for variances and Patterson commented that he prefer the ordinance be written with height restrictions, not allowing for variances. Kahrs is concerned that a limit of 80 feet is too low and signs will be obstructed or not visible to the public causing problems for area businesses.

Mayor Lyons opened the public hearing.

No one was present who wished to speak in favor of or in opposition to the Sign Ordinance Amendment.

Mayor Lyons closed the public hearing at 6:50 p.m.

Bill No. 10-45. Amendment to the Sign Ordinance to Address Sign Location on the 54 Expressway.

Alderman Olivarri questioned whether the amendment was specifically designed for the 54 Expressway and if so does it meet the needs of sign companies in allowing for the placement of signs. He asked Planner Patterson what the highest a sign would be above the road bed if the 80 feet began at the base. Patterson responded that the height would be 150 feet – 160 feet.

Rich Martin of LAMAR Signs was present and stated that his company would work under the restricted height if necessary but there are several areas where signs would not be seen because of trees and other right-of-way restrictions. Martin said a height restriction of 150 feet would be ideal but his company could work within the 120 - 130 foot restrictions. Martin and Chad Hagar (Olympus Media) both explained that the 80 foot level would be agreeable to them if the measurement began at the base of the sign, at ground or road level not below.

Discussion was held regarding the face of the signs, total square footage allowed and the distance allowed between each sign.

Alderman Kahrs asked to have the City Attorney review and rewrite the ordinance. The other Board members concurred.

Alderman Kahrs moved to postpone Bill No. 10-45. Alderman Rucker seconded the motion which was voted on and passed.

Alderman Kahrs excused himself from the meeting at 7:20 p.m.

Bill No. 10-48. Authorizing the City to Participate in the Missouri EMS Agent Corporation (MoEMSAC) and Authorizing the Mayor to Execute Agency Agreement.

Emergency Services Coordinator Gary Woodson explained that new Medicaid changes and regulations make it more difficult to collect funds for ambulance services and this organization (MoEMSAC) has been established to work with cities in collecting and distributing all assessments and taxes. Jason White of MoEMSAC was present and explained to the Board of Aldermen that the City is not obligated to participate, but the goal is to pool funds from other participating cities and distribute them more effectively.

City Treasurer Karri Bell spoke in favor of the agency stating that it is very difficult to collect funds from Medicaid because the system is so difficult to understand, and this would make it easier to follow regulations.

Alderman Rucker commented that he is personally familiar with five of the nine board members, and with more than 80% of cities participating; it is a good value and a way to increase revenue for the City.

Mayor Lyons presented the first reading of Bill 10-48 by title only. It was noted that Bill 10-48 has been available for public review.

Alderman Rucker moved to approve the first reading of Bill 10-48 as presented. Alderman Schmitt seconded the motion which was voted on and passed.

Bid Award. City Hall Janitorial Services.

City Building Official Ron White stated that four bids were received with B & H Cleaning being the low bidder. B & H Cleaning is our current vendor.

Vincent Cleaning	\$22,000.00
Additional Services	\$18.00 per hour
B & H Cleaning	\$17,500.00
Additional Services	\$18.00 per hour
Clean Rite Cleaning Services	\$23,400.00
Additional Services	\$15.00 per hour
Jani King Cleaning	\$25,140.00
Additional Services	\$17.50 per hour

Alderman Olivarri moved to award the janitorial services to B & H Cleaning, the low bidder, in the amount of \$17,500 under line item 10-09-742000. Alderman Gasper seconded the motion which was voted on and passed.

Communications from Board Members.

Alderman Rucker. Alderman Rucker asked Alderman Schmitt to suggest to the Joint Sewer Board that after the Magruder ruling we might look into getting some reimbursement for the attorney fees. City Attorney Rucker stated that a motion has already been filed with Judge Connelly.

Alderman Farmer. Alderman Farmer thanked all who joined in the Walk for the Fallen Warriors held at the City Park. Special thanks to Park Director Brian Willey for his assistance and to Airport Manager Budd Hyde for the tour of the airports.

Alderman Schmitt. Alderman Schmitt reported on historical events of August 30, 31 and September 1 and 2nd.

Staff Communications.

Assistant City Administrator. Jeana Albertson reported that the Fall Festival will be held at the City Park on Saturday, September 11, 2010.

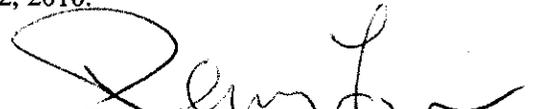
Park Manager. Brian Willey thanked all that participated in the Walk for the Fallen Warriors. He also announced that a fishing tournament for children is planned for October 9th.

There being no further business to come before the Board, the meeting adjourned at 7:33 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 September 2, 2010.



Nancy Clark, Deputy City Clerk



Penny Lyons, Mayor