

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

September 16, 2010

The Board of Aldermen of the City of Osage Beach, Missouri, met to conduct a regular meeting on Thursday, September 16, 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. City Clerk Diann Warner was present and performed the duties of that office.

Mayor's Communications. Mayor Lyons expressed her appreciation to those who attended and to those who volunteered for the Fall Festival held at the Osage Beach City Park last Saturday. She said the festival was family oriented and well attended.

Mayor Lyons reported on the 76th MML Conference held in St. Charles at the Embassy Suites and Convention Center. She said it was very informational and she expressed her appreciation for the opportunity to attend. Mayor Lyons reported that the City received a plaque from the Census Bureau for assisting with the census.

Citizens Communications. Dan Calvino was present and voiced his concern that there is only one guard rail on one side of the new Case Road and the other side has a 30 foot drop off. He added there is no room for a sidewalk and he asked the Board to take this into consideration when setting the speed limit. Mr. Calvino thanked the police department for keeping the roads safe from drunk drivers.

Consent Agenda.

Alderman Farmer moved to approve the consent agenda which includes minutes of the regular meeting held on September 2, 2010, the bill list as submitted and liquor licenses to the following:

Dick's Liquors
Hookers Bar & Grille

Wine Tasting
Caterer's license for 09/17-09/18

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

Unfinished Business.

Bill No. 10-45. AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AMENDING THE ZONING ORDINANCE, SECTION 405.385, OFF-PREMISES ADVERTISING SIGNS.

City Planner Cary Patterson explained that the revision to Bill No. 10-45 reflects the discussion held at the last meeting regarding the height of signs on the new expressway.

Mayor Lyons presented the first reading of Bill No. 10-45 by title only. It was noted that Bill No. 10-45 has been available for public review.

Alderman Rucker stated there was a public hearing at the last meeting, and he questioned whether it is necessary to have another. City Attorney Ed Rucker responded that this is a continuation of the public hearing held at the last meeting and there is no requirement to notice another public hearing. No one was present to speak in favor of or in opposition to Bill No. 10-45.

Alderman Kahrs moved to approve the first reading of Bill No. 10-45 as presented. Alderman Olivarri seconded the motion which was voted on and unanimously passed.

Bill No. 10-48. AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI AUTHORIZING THE MAYOR TO EXECUTE AN AGENCY AGREEMENT WITH MISSOURI EMS AGENT CORPORATION (MoEMSAC) ON BEHALF OF THE CITY AND AUTHORIZING THE CITY TREASURER TO SIGN AN ACH TRANSACTION/DIRECT DEPOSIT AUTHORIZATION FORM, AN AUTHORIZATION TO RECEIVE PAYMENT AND A FORM W-9 TO ENABLE THE CITY'S PARTICIPATION IN THIS PROGRAM.

Mayor Lyons presented the second and final reading of Bill No. 10-48 by title only. It was noted that Bill No. 10-48 has been available for public review.

Alderman Rucker moved to approve the second and final reading of Bill No. 10-48 as presented. Alderman Farmer seconded the motion. The following roll call vote was taken to approve the second and final reading of Bill No. 10-48 and to pass same into Ordinance: "Ayes": Alderman Gasper, Alderman Rucker, Alderman Schmitt, Alderman Olivarri, Alderman Farmer, Alderman Kahrs. "Nays": None. Bill No. 10-48 was passed and approved as Ordinance No. 10.48.

New Business.

Bill No. 10-49. AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AMENDING ORDINANCE NUMBER 09.52 ADOPTING THE 2010 ANNUAL BUDGET, TRANSFERRING APPROPRIATIONS FOR NECESSARY EXPENSES.

City Engineer Nick Edelman explained that Bill No. 10-49 amends the budget for additional concrete and electrical work for the pavilions at the Osage Beach City Park.

Mayor Lyons presented the first reading of Bill No. 10-49 by title only. It was noted that Bill No. 10-49 has been available for public review.

Alderman Kahrs moved to approve the first reading of Bill No. 10-49 as presented. Alderman Gasper seconded the motion which was voted on and passed.

Mayor Lyons presented the second and final reading of Bill No. 10-49 by title only. It was noted that Bill No. 10-49 has been available for public review.

Alderman Kahrs moved to approve the second and final reading of Bill No. 10-49 as presented. Alderman Farmer seconded the motion. The following roll call vote was taken to approve the second and final reading of Bill No. 10-49 and to pass same into Ordinance: "Ayes": Alderman Rucker, Alderman Schmitt, Alderman Olivarri, Alderman Farmer, Alderman Kahrs, Alderman Gasper. "Nays": None. Bill No. 10-49 was passed and approved as Ordinance No. 10.49.

Bill No. 10-50. AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AMENDING SCHEDULE I. SPEED LIMITS BY ESTABLISHING POSTED SPEED LIMITS AND THE DELETION OF A SPEED LIMIT SIGN AS INDICATED HEREIN.

City Engineer Nick Edelman explained that a portion of Case Road will be posted at 40 miles per hour and the One Way Couple will be open late Sunday night. The speed limit on Osage Beach Parkway will be posted at 45 miles per hour.

Mayor Lyons presented the first reading of Bill No. 10-50 by title only. It was noted that Bill No. 10-50 has been available for public review.

Alderman Kahrs moved to approve the first reading of Bill No. 10-50 as presented. Alderman Gasper seconded the motion which was voted on and passed.

Discussion followed on what the speed limit should be for Case Road. Lieutenant Todd Davis stated that 40 miles per hour for that portion of Case Road may be too high. City Engineer Nick Edelman explained how speed limits are determined and he offered to speak with MoDOT about the speed limit and about an additional guard rail on Case Road.

Alderman Kahrs withdrew his motion to approve the first reading of Bill No. 10-50. He said Case Road is the widest road in Osage Beach and he thought the speed limit should be 40 miles per hour as recommended by MoDOT. Alderman Gasper withdrew his second to the motion.

Alderman Olivarri moved to amend Bill No. 10-50 by deleting the references to Case Road. Alderman Farmer seconded the motion which was voted on and passed with Aldermen Kahrs expressing a negative vote.

Alderman Olivarri moved to approve the first reading of Bill No. 10-50 as amended. Alderman Gasper seconded the motion which was voted on and passed with Alderman Kahrs expressing a negative vote.

Mayor Lyons presented the second and final reading of Bill No. 10-50 by title only. It was noted that Bill No. 10-50 has been available for public review.

Alderman Olivarri moved to approve the second and final reading of Bill No. 10-50 as presented. Alderman Gasper seconded the motion. The following roll call vote was taken to approve the second and final reading of Bill No. 10-50 and to pass same into Ordinance: "Ayes": Alderman Schmitt, Alderman Olivarri, Alderman Farmer, Alderman Gasper, Alderman Rucker. "Nays": Alderman Kahrs. Bill No. 10-50 was passed and approved as Ordinance No. 10.50.

Bill No. 10-51. AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AMENDING SCHEDULE II, STOP SIGNS, BY DELETING THE STOP SIGN LOCATED AT BEACH DRIVE AT BLUFF DRIVE, AND AMENDING SCHEDULE II, STOP SIGNS BY ADDING A STOP SIGN AT BEACH DRIVE AT OSAGE BEACH PARKWAY SOUTH, AND ADDING A STOP SIGN AT BLUFF DRIVE AT OSAGE BEACH PARKWAY SOUTH.

Mayor Lyons presented the first reading of Bill No.10-51 by title only. It was noted that Bill No. 10-51 has been available for public review.

Alderman Gasper moved to approve the first reading of Bill No. 10-51 as presented. Alderman Schmitt seconded the motion which was voted on and passed.

Mayor Lyons presented the second and final reading of Bill No. 10-51 by title only. It was noted that Bill No. 10-51 has been available for public review.

Alderman Schmitt moved to approve the second and final reading of Bill No. 10-51 as presented. Alderman Gasper seconded the motion. The following roll call vote was taken to approve the second and final reading of Bill No. 10-51 and to pass same into Ordinance: "Ayes": Alderman Olivarri, Alderman Farmer, Alderman Kahrs, Alderman Gasper, Alderman Rucker, Alderman Schmitt. "Nays": None. Bill No. 10-51 was passed and approved as Ordinance No. 10.51.

Bill No. 10-52. AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, ESTABLISHING THE LOCATION OF ELECTRICALLY OPERATED TRAFFIC SIGNALS AS INDICATED HEREIN.

Bill No. 10-52 establishes the location of traffic signals on the One-Way Couple on Osage Beach Parkway at Highway 42 and on Osage Beach Parkway South at Fort Osage Lane.

Mayor Lyons presented the first reading of Bill No. 10-52 by title only. It was noted that Bill No. 10-52 has been available for public review.

Alderman Gasper moved to approve the first reading of Bill No. 10-52 as presented. Alderman Farmer seconded the motion which was voted on and passed.

Mayor Lyons presented the second and final reading of Bill No. 10-52 by title only. It was noted that Bill 10-52 has been available for public review.

Alderman Schmitt moved to approve the second and final reading of Bill No. 10-52 as presented. Alderman Farmer seconded the motion. The following roll call vote was taken to approve the second and final reading of Bill No. 10-52 and to pass same into Ordinance: "Ayes": Alderman Farmer, Alderman Kahrs, Alderman Gasper, Alderman Rucker, Alderman Schmitt, Alderman Olivarri. "Nays": None. Bill No. 10-52 was passed and approved as Ordinance No. 10.52.

Bill No. 10-53. AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AUTHORIZING THE MAYOR TO EXECUTE THE AVIATION PROJECT CONSULTANT SUPPLEMENTAL AGREEMENT NO. 1, PROJECT NUMBER 10-045A-1, PROVIDING FOR CONSTRUCTION SERVICES AT THE GRAND GLAIZE OSAGE BEACH AIRPORT.

Authorizing Mayor to Execute Supplemental Agreement No. 1 with Bucher, Willis, Ratcliff for Construction Services at the Grand Glaize Airport.

Mayor Lyons presented the first reading of Bill No. 10-53 by title only. It was noted that Bill No. 10-53 has been available for public review.

Alderman Olivarri moved to approve the first reading of Bill No. 10-53 as presented. Alderman Schmitt seconded the motion which was voted on and passed.

Mayor Lyons presented the second and final reading of Bill No. 10-53 by title only. It was noted that Bill No. 10-53 has been available for public review.

Alderman Schmitt moved to approve the second and final reading of Bill No. 10-53 as presented. Alderman Gasper seconded the motion. The following roll call vote was taken to approve the second and final reading of Bill No. 10-53 and to pass same into Ordinance: "Ayes": Alderman Kahrs, Alderman Gasper, Alderman Rucker, Alderman Schmitt, Alderman Olivarri, Alderman Farmer. "Nays": None. Bill No. 10-53 was passed and approved as Ordinance No. 10.53.

Bill No. 10-54. AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AMENDING SCHEDULE VI. ONE-WAY STREETS, DESIGNATING ONE -WAY STREETS AS ESTABLISHED HEREIN.

Bill No. 10-54 establishes one way streets on Osage Beach Parkway South and Osage Beach Parkway from the easternmost driveway at Wal-Mart to Highway 42.

Mayor Lyons presented the first reading of Bill No. 10-54 by title only. It was noted that Bill No. 10-54 has been available for public review.

Alderman Olivarri moved to approve the first reading of Bill No. 10-54 as presented. Alderman Gasper seconded the motion which was voted on and passed.

Mayor Lyons presented the second and final reading of Bill No. 10-54 by title only. It was noted that Bill No. 10-54 has been available for public review.

Alderman Rucker moved to approve the second and final reading of Bill No. 10-54 as presented. Alderman Olivarri seconded the motion. The following roll call vote was taken to approve the second and final reading of Bill No. 10-54 and to pass same into Ordinance: "Ayes": Alderman Gasper, Alderman Rucker, Alderman Schmitt, Alderman Olivarri, Alderman Farmer, Alderman Kahrs. "Nays": None. Bill No. 10-54 was passed and approved as Ordinance No. 10.54.

Proposed Contract Modification. Contract Modification No. 2 for A/E OB05-024 Westside Sewer and Water and the Airport Area Sewer and Water.

City Engineer Nick Edelman explained that easement acquisition took longer than anticipated and the original plans did not include contract administration services for water and sewer around the KK area. This will require a budget amendment in the amount of \$17,125 for water and \$57,875 for sewer.

Alderman Rucker moved to approve Contract Modification No. 2 for A/E OB05-024 as recommended. Alderman Schmitt seconded the motion which was voted on and unanimously passed.

Bill No. 10-55. AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AMENDING ORDINANCE NUMBER 09.52 ADOPTING THE 2010 ANNUAL BUDGET, TRANSFERRING APPROPRIATIONS FOR NECESSARY EXPENSES.

Bill No. 10-55 amends the 2010 Budget Amendment for the Connecting Sewer Project.

Alderman Rucker questioned where the funds are coming from for this budget amendment. City Engineer Edelman explained that water impact fees are higher than expected and the funds for sewer will come from unrestricted funds. This will not affect any other planned project.

Mayor Lyons presented the first reading of Bill No. 10-55 by title only. It was noted that Bill No. 10-55 has been available for public review.

Alderman Rucker moved to approve the first reading of Bill No. 10-55 as presented. Alderman Schmitt seconded the motion which was voted on and unanimously passed.

Mayor Lyons presented the second and final reading of Bill No. 10-55 by title only. It was noted that Bill No. 10-55 has been available for public review.

Alderman Olivarri moved to approve the second and final reading of Bill No. 10-55 as presented. Alderman Farmer seconded the motion. The following roll call vote was taken to approve the second and final reading of Bill No. 10-55 and to pass same into Ordinance: "Ayes": Alderman Rucker, Alderman Schmitt, Alderman Olivarri, Alderman Farmer, Alderman Kahrs, Alderman Gasper, "Nays": None. Bill No. 10-55 was passed and approved as Ordinance No. 10.55.

Appointments to the Board of Adjustment. Mayor Lyons requested the Board to confirm the appointment of Edward Manzer to the Board of Adjustment to complete the term of Mitch Kays who moved out of Osage Beach. The term expires May 2011. Mayor Lyons also requested the Board to confirm the appointments of Fred W. Calcott and Don Sturn as alternates to the Board of Adjustment. Alternate member Richard Reid has resigned due to health reasons.

Alderman Farmer moved to confirm the appointments as requested by Mayor Lyons. Alderman Rucker seconded the motion which was voted on and unanimously passed.

Authorize Application for Enhancement Funds. Missouri Department of Transportation.

City Engineer Nick Edelman explained that funds are available for a sidewalk project with an 80%-20% match to continue the sidewalk from Osage Beach Elementary School to the One Way Couple and onto Bluff Drive and from Passover Road to Topsider. There is no engineer's estimate yet and the maximum amount the City would pay is \$125,000. He suggested adding \$100,000 in engineering fees in the 2011 budget for the project. This sidewalk project is shown in the Transportation Master Plan.

Alderman Kahrs expressed his concerns about committing the funds for this project due to the \$100,000 drop in sales tax revenue for the year therefore he did not know where the money would come from. City Engineer Nick Edelman responded that the application is due October 1 and he will know by November 16 whether the City will receive the funds which would be prior to adoption of the 2011 budget.

Alderman Olivarri questioned whether a portion of the engineering could be done in house. City Engineer explained that he did not know the estimate but he expected it to be less than \$80,000 for the design and he did not know the number of miles of sidewalk.

Alderman Gasper moved to authorize City Engineer Nick Edelman to apply for enhancement funds from the Missouri Department of Transportation. Alderman Farmer seconded the motion which was voted on and unanimously passed.

Resolution 2010-07. Adoption of the Camden County Natural Hazards Mitigation Plan.

Resolution 2010-07 is a requirement from both the State and Federal Emergency Management Agencies for the City to be eligible for reimbursement if a natural disaster occurs.

Mayor Lyons presented Resolution 2010-07 adopting the Camden County Natural Hazards Mitigation Plan.

Alderman Rucker moved to approve Resolution 2010-07 as presented. Alderman Olivarri seconded the motion which was voted on and unanimously passed.

Communications from Board Members.

Alderman Kahrs. Steve Kahrs reported that a resident from Three Seasons contacted him to suggest that the fireworks ordinance be amended to restrict the time when fireworks could be displayed, possibly between the hours of 6 p.m. and 10 or 11:00 p.m. He also suggested that when a fireworks permit is issued that it be posted on the City's website to notify surrounding property owners.

City Attorney Rucker will review the ordinance and draft an amendment for the Board's consideration.

Alderman Rucker. Kevin Rucker expressed his appreciation for the opportunity of attending the MML Conference.

Alderman Olivarri. John Olivarri congratulated staff for the Fall Festival that was well attended. He expressed his appreciation to the City for being able to attend the MML Conference.

Alderman Gasper. Dave Gasper reported on some interesting facts about Osage Beach that he obtained from the website Zipskinny. He also reported that he gave a tour of the expressway.

Alderman Farmer. Lois Farmer expressed her appreciation to the City for being able to attend the MML Conference. She also expressed her thanks for the opportunity to raise the flag at the Park during the Fall Festival last week.

Alderman Schmitt. Alderman Schmitt reported on some facts on unemployment in the State of Missouri.

Staff Communications.

City Administrator. Nancy Viselli expressed her appreciation for the opportunity to attend the MML Conference.

City Attorney. Ed Rucker reported on a training session that he and Human Resources Specialist Cindy Leigh attended last week.

City Clerk. Diann Warner expressed her appreciation for being able to attend the MML Conference.

Police Department. Lieutenant Todd Davis reported that the Bike Fest is being held this weekend and he asked everyone to drive with caution. He reported that Officer Rick Arnall is having a procedure done at the hospital tomorrow.

Assistant City Administrator. Jeana Albertson thanked Brian Willey and Rick King for all their help during the Fall Festival. She reported that she spoke with other assistant city administrators at the MML Conference and Osage Beach is very fortunate and she felt fortunate to work here.

City Engineer. Nick Edelman reported that the One Way Couple will open Sunday night and the Grand Glaize Bridge tie in to the expressway will occur on October 8. He reported that he plans to have some landscaping on the round-about at KK and Burton Duenke Drive unless there are objections. Mayor Lyons suggested that he contact the Master Gardeners and she said there is a possibility that some plants would be donated from different sources. Mr. Edelman will look at different options.

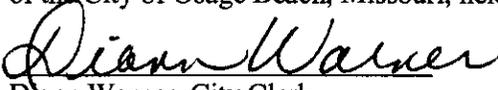
Park Manager. Brian Willey thanked everyone who helped and attended the Fall Festival.

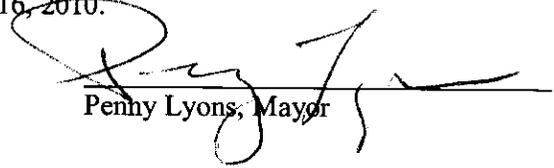
Airport Manager. Budd Hyde thanked Brian Willey for the Fall Festival.

Mayor Lyons announced that the City wide rummage sale will be held on September 18 from 8:00 a.m. to 2:00 p.m.

There being no further business to come before the Board, the meeting adjourned at 7:40 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 September 16, 2010.


Diann Warner, City Clerk


Penny Lyons, Mayor