

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

December 2, 2010

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

Mayor's Communications. Mayor Lyons thanked the TIF Commission for their unanimous support last night for Dierbergs request. Also, she expressed her appreciation to Alderman John Olivarri for accepting the nomination of chairman and helping to move the project forward in a positive manner.

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 November 18, 2010, the minutes of the special meeting held on November 8, 2010 and the bill list as submitted. Alderman Farmer seconded the motion which was voted on and unanimously passed.

Unfinished Business.

None

New Business.

Bill No. 10-75. AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, ADOPTING AN ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2011, AND ENDING DECEMBER 31, 2011, AND APPROPRIATING FUNDS PURSUANT THERETO

City Administrator Nancy Viselli said that Bill No. 10.75 incorporates all the changes requested during the budget work sessions.

Mayor Lyons presented the first reading of Bill 10-75 by title only. It was noted that Bill 10-75 has been available for public review.

Alderman Rucker moved to approve the first reading of Bill 10-75 as presented. Alderman Farmer seconded the motion which was voted on and passed.

Bill No. 10-76. AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, ANNEXING CERTAIN ADJACENT TERRITORY INTO THE CITY OF OSAGE BEACH, MISSOURI

No written comments were received during the 14 day period following the public hearing for the Evergreen property; therefore an ordinance may be adopted annexing the property.

Mayor Lyons presented the first reading of Bill 10-76 by title only. It was noted that Bill 10-76 has been available for public review.

Alderman Gasper moved to approve the first reading of Bill 10-76 as presented. Alderman Rucker seconded the motion which was voted on and passed.

Mayor Lyons presented the second and final reading of Bill No. 10-76 by title only. It was noted that Bill 10-76 has been available for public review.

Alderman Olivarri moved to approve the second and final reading of Bill No. 10-76 as presented. Alderman Farmer seconded the motion. The following roll call vote was taken to approve the second and final reading of Bill No. 10-76 and to pass same into Ordinance: "Ayes": Alderman Kahrs, Alderman Gasper, Alderman Rucker, Alderman Schmitt, Alderman Olivarri, Alderman Farmer. "Nays": None. Bill No. 10-76 was passed and approved as Ordinance No. 10.76.

Bill No. 10-77. AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, ADOPTING AN AMENDMENT TO THE ZONING MAP OF THE CITY OF OSAGE BEACH, MISSOURI.

City Planner Cary Patterson explained that this is the property just annexed into the City that comes in with an agricultural zoning designation. Bill No. 10-77 will approve the rezoning of the property to general commercial. The property contains 5.1 acres according to the records at Camden County.

Mayor Lyons presented the first reading of Bill 10-77 by title only. It was noted that Bill 10-77 has been available for public review.

Alderman Farmer moved to approve the first reading of Bill 10-77 as presented. Alderman Gasper seconded the motion which was voted on and passed.

Mayor Lyons presented the second and final reading of Bill No. 10-77 by title only. It was noted that Bill 10-77 has been available for public review.

Alderman Olivarri moved to approve the second and final reading of Bill No. 10-77 as presented. Alderman Schmitt seconded the motion. The following roll call vote was taken to approve the second and final reading of Bill No. 10-77 and to pass same into Ordinance: "Ayes": Alderman Gasper, Alderman Rucker, Alderman Schmitt, Alderman Olivarri, Alderman Farmer, Alderman Kahrs. "Nays": None. Bill No. 10-77 was passed and approved as Ordinance No. 10.77.

Bill No. 10-78. AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AMENDING SCHEDULE II, STOP SIGNS, BY ESTABLISHING THE LOCATION OF A STOP SIGN AND DELETING A STOP SIGN FROM SCHEDULE II, STOP SIGNS, AS INDICATED HEREIN.

Mayor Lyons presented the first reading of Bill 10-78 by title only. It was noted that Bill 10-78 has been available for public review.

Alderman Kahrs moved to approve the first reading of Bill 10-78 as presented. Alderman Gasper seconded the motion which was voted on and passed.

Mayor Lyons presented the second and final reading of Bill No. 10-78 by title only. It was noted that Bill 10-78 has been available for public review.

Alderman Kahrs moved to approve the second and final reading of Bill No. 10-78 as presented. Alderman Gasper seconded the motion. The following roll call vote was taken to approve the second and final reading of Bill No. 10-78 and to pass same into Ordinance: "Ayes": Alderman Rucker, Alderman Schmitt, Alderman Olivarri, Alderman Farmer, Alderman Kahrs, Alderman Gasper. "Nays": None. Bill No. 10-78 was passed and approved as Ordinance No. 10.78.

Bill No. 10-79. 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

Mayor Lyons presented the first reading of Bill 10-79 by title only. It was noted that Bill 10-79 has been available for public review.

Alderman Gasper moved to approve the first reading of Bill 10-79 as presented. Alderman Farmer seconded the motion which was voted on and passed.

Mayor Lyons presented the second and final reading of Bill No. 10-79 by title only. It was noted that Bill 10-79 has been available for public review.

Alderman Farmer moved to approve the second and final reading of Bill No. 10-79 as presented. Alderman Gasper seconded the motion. The following roll call vote was taken to approve the second and final reading of Bill No. 10-79 and to pass same into Ordinance: "Ayes": Alderman Schmitt, Alderman Olivarri, Alderman Farmer, Alderman Kahrs, Alderman Gasper, Alderman Rucker. "Nays": None. Bill No. 10-79 was passed and approved as Ordinance No. 10.79.

Request by Finance Department. Reduction of Accounts Receivable for Enterprise Funds for the amounts that have a low probability of being collected.

City Treasurer Karri Bell explained that the amount to be written off is higher than last year but the amount collected is higher than anticipated for the year. She expressed her pleasure in working with Russ Hogan, the new ambulance supervisor, who is working to get signatures at the point of service. Upon a question from Alderman Olivarri about the success of sending the accounts to a collection agency, City Treasurer Bell said that there is some success however; medical bills are not a high priority for them.

Alderman Olivarri moved to approve the reduction of accounts receivable for enterprise funds for accounts that have a low probability of being collected. Alderman Rucker seconded the motion which was voted on and unanimously passed.

Bid Award. Relocation of Sewer Line

The following bids were received:

Keystone Excavating	\$15,292.91
Twehous Excavating	\$16,674.80
Hutchins Telecom	\$17,090.00
Ken Kauffman & Sons	\$24,052.50
M&M Landscaping	Disqualified (did not use correct bid form)
J.C. Industries	\$26,777.50
LARC Contracting	\$27,699.50

Bids were opened on November 23, 2010. The Bid Tab is attached. Keystone Excavating is the apparent low bidder and all references were favorable.

This project is a MoDOT mandated project which will relocate approximately 415 linear feet of sewer line to GP437 off of Rowan Road. This project will be reimbursed by MoDOT.

Funding for this project can be obtained from 35-00-773186 MoDOT Mandated Projects in the amount of \$320,000.00. The Engineering Department recommends award to Keystone Excavating in the amount of \$15,292.91. The Engineer's estimate was \$14,722.98. Funding is available in line item 35-00-773186; however MoDOT is paying 100% of this project.

Alderman Schmitt moved to award the bid to Keystone Excavating, the low bidder, in the amount of \$15,292.91 and to authorize the Mayor to execute the contract. Alderman Gasper seconded the motion which was voted on and unanimously passed.

Bid Award. Swiss Village Well House Roof Replacement

The following bid was received:

LARC Contracting	\$11,465.00
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This project will replace the roof on the well house off of Swiss Village Road. The project was bid with a base bid and an alternate bid. The base bid is to replace the roof with asphalt shingles. The alternate bid is to replace the roof with a standing seal metal roof. The roof pitch is very steep, and the metal roof is preferred. The only reason we bid the project with an alternate is that if the metal roof cost substantially more than budgeted then an asphalt shingle roof would suffice.

Funding for this project can be obtained from 30-00-774269 Tower & Well Improvements in the amount of \$15,000.00. The Engineering Department recommends awarding the Alternate Bid to LARC Contracting in the amount of \$11,465.00.

Alderman Schmitt moved to award the bid for Swiss Village Well House Roof to LARC Contracting in the amount of \$11,465.00 as recommended. Alderman Olivarri seconded the motion which was voted on and unanimously passed.

Bid Award. Dude Ranch Sidewalk Improvements

The following bids were received:

Concrete Engineering, LLC	\$74,001.00
J.C. Industries	\$84,129.50
Donald Maggi, Inc.	\$84,333.78
Travis Hodge, LLC	\$87,134.65
Stockman Construction Co.	\$87,663.00
Strait-Line Construction	\$89,145.02
B&P Patterson Concrete	\$93,365.65
MTC Construction	\$94,934.03
Lehman Construction Co.	\$157,667.50
APAC Missouri, Inc.	\$161,723.00

Engineers' estimate was \$66,526.50 and funding is available in line item 20-00-773209 in the amount of \$80,000.00. City Engineer Nick Edelman recommended the bid be awarded to the low bidder, Concrete Engineering, LLC in the amount of \$74,001.00 City Engineer Nick Edelman said that the sidewalk will be constructed from the end of the existing sidewalk to Sea Scape and it must comply with the Americans with Disabilities Act.

Alderman Kahrs moved to award the bid for the Dude Ranch Sidewalk Improvement Project to Concrete

Engineering LLC, in the amount of \$74,001.00 as recommended. Alderman Farmer seconded the motion which was voted on and unanimously passed.

Communications from Board Members.

Alderman Rucker. Kevin Rucker stated that some media are saying that MoDOT will not do anything to solve the problem with the turning radius at Beach Drive. City Engineer Nick Edelman said he met with Trent Brooks of MoDOT and different options are being discussed.

Alderman Rucker asked if there is some way to hide the Sands lift station with trees or some type of landscaping. He also spoke about a large pile of trees that are along the expressway. City Engineer Nick Edelman said that the compliance officer asked the owner to remove the trees however, the property is not in the City limits.

Alderman Olivarri. John Olivarri asked for landscaping or some type of plantings around the lift station located on KK when considering landscaping at the Sands lift station.

Alderman Gasper. Dave Gasper complimented Alderman Olivarri for the fine job he did as chairman of the TIF Commission at the public hearing held last night for the Dierbergs Osage Beach, LLC TIF Plan.

Alderman Farmer. Lois Farmer welcomed Evergreen to the City. She also complimented Alderman Olivarri for the fine job he did as chairman of the TIF Commission at the public hearing held last night for the Dierbergs Osage Beach, LLC TIF Plan.

Staff Communications.

City Attorney. Ed Rucker reported that Dierbergs' representatives were pleased with the way the TIF Commission public hearing was handled last night. He added that Mr. Ebest, vice president of real estate for Dierbergs, offered to be available to answer questions for members of the Board. Mr. Rucker said Dierbergs TIF will be presented to the Board on December 16th and he believes that is a timeline that could be met. Alderman Olivarri said that TIF Commissioners Pat Cantwell and Stephen Dow indicated they wanted performance clauses in the contract with Dierbergs. He added that Dierbergs had offered to meet with Board members and he urged members to meet with them to get their questions answered.

City Clerk. Diann Warner reported that candidate filing for the April election begins December 14th at 8:00 a.m.

City Planner. Cary Patterson reported on the managed deer hunt stating that 56 deer had been taken compared to 77 last year at this time. Last year 17 deer were hit on the road compared to nine this year. He also reported that the State Park and the DNR are considering a managed deer hunt in certain areas. Mr. Patterson said the deer hunt has been successful.

Alderman Schmitt reported that state wide, 900,000 deer had been taken during deer season.

City Engineer. Nick Edelman reported that the agreements for the sidewalk project would be presented at the next Board meeting for approval.

Park Manager. Brian Willey expressed his appreciation to employees who came in on Thanksgiving morning to clean up the park after a storm caused damage. He said because of that, the light festival was able to reopen.

Airport Manager. Budd Hyde reported that Bucher Willis and Ratcliff are proceeding with the environmental impact study for Grand Glaize Airport. He expected the study to take 60-90 days to complete.

There being no further business to come before the Board, the meeting adjourned at 7:00 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 December 2, 2010.


Diann Warner, City Clerk


Penny Lyons, Mayor