



CITY OF OSAGE BEACH
BOARD OF ALDERMEN MEETING

1000 City Parkway
Osage Beach, MO 65065
573/302-2000 FAX 573/302-0528
Email: www.osagebeach.org

NOTICE OF OPEN MEETING

TENTATIVE AGENDA
REGULAR MEETING
January 21, 2010 – 6:30 P.M.
CITY HALL

******* Note: Make sure that your cell phone is turned off or on a silent tone only. Please sign the attendance sheet located at the podium if you desire to address the Board.**

CALL TO ORDER
Pledge of Allegiance
Roll Call

MAYOR'S COMMUNICATIONS

CITIZENS' COMMUNICATIONS

- This is a time set aside on the agenda for citizens and visitors to address the Mayor and Board on any topic that is not a public hearing. The Board will not take action on any item not listed on the agenda, but the Mayor and Board welcome and value input and feedback from the public. Speakers will be restricted to three minutes unless otherwise permitted. Minutes may not be donated or transferred from one speaker to another.

APPROVAL OF CONSENT AGENDA

If the Board desires, the consent agenda may be approved by a single motion.

- Minutes of January 7, 2010 (Page 01)
- Bills (Page 11)
- Liquor License – Wobbly Boots Caterer's license for February 13th (Page 23)

UNFINISHED BUSINESS

- A. Bill 10-01. Zoning Map Amendment. Rezoning Case No. 350. Second Reading (Page 24)

NEW BUSINESS

- A. Bill 10-03. Authorize Mayor to Execute a Supplemental Agreement for the Highway 54 Sidewalk Project. American Recovery and Reinvestment Act (ARRA) First and Second Readings. (Page 28)
- B. Resolution 2010-01. City Cell Phone Policy (Page 33)

COMMUNICATIONS FROM MEMBERS OF THE BOARD OF ALDERMEN

STAFF COMMUNICATIONS

ADJOURN

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

January 21, 2010

The Board of Aldermen of the City of Osage Beach, Missouri, met to conduct a regular meeting on Thursday, January 21, 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, Alderman Ron Schmitt. City Clerk Diann Warner was present and performed the duties of that office.

Mayor's Communications. Mayor Lyons reported that the Solid Waste District T met in Camdenton on January 11 and finalized a great deal of old business and closed out several grants that were pending final paperwork. The next meeting will be held at Osage Beach City Hall on February 22 at 12:30 p.m.

Mayor Lyons reported that the Lake of the Ozarks Council of Local Governments met at 1:30 p.m. on January 11. The council is reviewing the third draft of the bylaws and she anticipates they will be finalized in February. The EDA has said that we will be eligible for some funding for the next three years which will help the business community with financing once it is finalized. The LOCLG will advertise for a permanent, full-time planner for the organization. The next meeting will be held on February 22 at 1:30 p.m. at Osage Beach City Hall.

Mayor Lyons reported that on January 14, she and Board members attended "Meet the Legislators" at Tan-Tar-A. The topic was the Lake of the Ozarks Water Quality Initiative Report. After much discussion, it was suggested that we meet to send out a united statement on the result of the report stating that the quality of water at the Lake is good.

Mayor Lyons reported that the Employee Appreciation Dinner had the largest attendance ever and many of the employees were recognized for their long time service. Mayor Lyons congratulated the employees who received the Employee of the Year award.

Mayor Lyons reported that on Saturday, Alderman John Olivarri, Police Chief Dave Severson, Officer Steve Eidson and she attended the Special Olympics Missouri Awards Luncheon at Tan-Tar-A. She reported that the 2008 award was formally accepted for the work that the employees and volunteers in the area have done over the years during the Polar Bear Plunge. She reported that she was looking forward to February, no matter the weather, to support all the plungers.

On Friday, January 29 at 8:30 a.m., Mayor Lyons reported that a press conference will be held with Representative Ike Skelton, who has been an important supporter of Missouri law enforcement. Central Missouri will receive \$4 million in grants by 2012 through the U. S. Department of Justice to upgrade information technology systems. Police Chief Severson was the leader in obtaining these grants.

Mayor Lyons congratulated Alderman Farmer, Alderman Gasper and Alderman Rucker for having no opposition in the upcoming April election. She expressed her appreciation to the public for its confidence in allowing her to serve another term.

Mayor Lyons announced that Alderman Farmer and her spouse will celebrate their 59th anniversary next week.

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 January 7, 2010, the bill list as submitted and a caterer's license to Wobbly Boots for February 13, 2010. Alderman Farmer seconded the motion which was voted on and unanimously passed.

Unfinished Business.

Bill No. 10-01. Zoning Map Amendment. Rezoning Case No. 350. Reinvestment Enterprises, LLC/DOT Foods, Inc.

Mayor Lyons announced that the applicants have requested that Bill No. 10-01 be postponed until the next Board of Aldermen meeting.

Alderman Kahrs moved to postpone Bill No. 10-01 until the next Board of Aldermen meeting. Alderman Gasper seconded the motion which was voted on and unanimously passed.

New Business:

Bill No. 10-03. Authorizing Mayor to Execute a Supplemental Agreement for the Highway 54 Sidewalk Project.

City Engineer Nick Edelman explained that Bill No. 10-03 authorizes the Mayor to execute a supplemental agreement with MoDOT for the Route 54 sidewalk improvements. The City will receive \$12,540 in additional funds for the project.

Mayor Lyons presented the first reading of Bill 10-03 by title only. It was noted that Bill No. 10-03 has been available for public review.

Alderman Farmer moved to approve the first reading of Bill No. 10-03 by title only. Alderman Gasper seconded the motion which was voted on and unanimously passed.

Mayor Lyons presented the second and final reading of Bill No. 10-03 by title only. It was noted that Bill No. 10-03 has been available for public review.

Alderman Farmer moved to approve the second and final reading of Bill No. 10-03 as presented. Alderman Olivarri seconded the motion. The following roll call vote was taken to approve the second and final reading of Bill No. 10-03 and to pass same into Ordinance. "Ayes": Alderman Gasper, Alderman Rucker, Alderman Kahrs, Alderman Olivarri, Alderman Schmitt, Alderman Farmer. "Nays": None. Bill No. 10-03 was passed and approved as Ordinance No. 10.03.

Resolution 2010-01. City Cell Phone Policy.

City Treasurer Karri Bell explained that the proposed Cell Phone Policy improves the City's compliance with Federal tax laws associated with cell phones.

Mayor Lyons presented Resolution 2010-01. Alderman Olivarri moved to approve Resolution 2010-01 as presented. Alderman Farmer seconded the motion which was voted on and unanimously passed.

Communications from Board Members.

Alderman Kahrs. Alderman Kahrs congratulated Aldermen Gasper, Rucker, Farmer and Mayor Lyons for having no opposition in the April election. He announced that the Board has a real opportunity to take control of the City's destiny and that the City should not rely on other organizations. He said that there is also an opportunity to elect someone to the 155th District who would insure the health and welfare of Osage Beach in 2010.

Alderman Olivarri. Alderman Olivarri expressed his appreciation to staff members for working to make the Employee Appreciation Dinner a huge success. He thanked Police Chief Severson for the opportunity to attend the Special Olympics Luncheon last week and to see how the money raised by Osage Beach is spent by the organization.

Alderman Gasper. Alderman Gasper agreed with Alderman Kahrs that Osage Beach should promote the City and not wait for other organizations to do it. He thanked everyone in Ward 3 for placing their trust in him for another two years. Alderman Gasper thanked staff members for their hard work on the Employee Appreciation Dinner.

Alderman Farmer. Alderman Farmer announced that she was honored that she has no opposition in the upcoming election. She said she was proud to be a part of the City and to serve residents of Ward 2.

Staff Communications.

City Attorney. City Attorney Ed Rucker announced that since he has been in Osage Beach, all elected officials have served their terms without opposition.

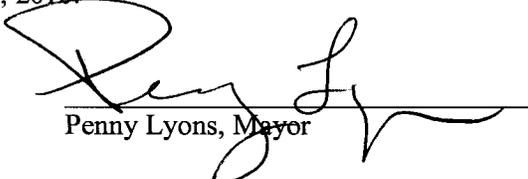
Police Chief. Police Chief Dave Severson encouraged attendance at the press conference with Ike Skelton on January 29 here at City Hall. He said that most of the action took place in Jefferson City and it is great that Representative Skelton is coming here for the press conference. Chief Severson thanked the Board for their support.

City Treasurer. City Treasurer Karri Bell reported that the City's liability insurance decreased 8% for this year and the rate for airport liability remains the same. There was no rate increase for property insurance, but there was an increase due to a recalculation of property values from \$30 million to \$43 million which resulted in an increase in the premium. Ms. Bell noted that the line item for insurance in the Sewer Fund will be over budget due to the increase. She added that Naught Naught looked at other companies however; Travelers remained the lowest for property insurance. Ms. Bell said that if there is a time when the City has another bond issue the property schedule would be updated at that time.

There being no further business to come before the Board, the meeting adjourned at 6:46 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 January 21, 2010.


Diann Warner, City Clerk


Penny Lyons, Mayor

000011

**CITY OF OSAGE BEACH
BILLS LIST
January 21, 2010**

Bills Paid Prior to Board Meeting	250,750.72
Payroll Paid Prior to Board Meeting	123,171.45
SRF Transfer Prior to Board Meeting	0.00
TIF Transfer Prior to Board Meeting	0.00
TIF Pilots Transfer Prior to Board Meeting	0.00
Bills Pending Board Approval	166,488.69
Total Expenses	<u>540,410.86</u>

000012

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT		
ON-DEPARTMENTAL	General Fund	MO DEPT OF REVENUE	DEC CVC FEES	563.27		
		FAMILY SUPPORT PAYMENT CENTER	Case# 26v050500201	367.38		
		MO DEPT OF REVENUE	State Withholding	3,715.25		
		MO TREASURER BUDGET DIRECTOR	PEACE OFFICER STANDARDS DE	81.00		
		INTERNAL REVENUE SERVICE	Fed WH	9,826.37		
			FICA	6,987.38		
			Medicare	1,634.11		
		CENTIER BANK	Savings Bonds	140.40		
		ICMA	Retirement 457 &	475.85		
			Retirement 457	2,048.50		
			Loan Repayments	862.85		
			Loan Repayments	566.80		
			401 Loan Payment	172.34		
			401 Loan Payment	147.56		
			Retirement Roth IRA	155.00		
		OFFICE OF MO STATE TREASURER	UNCLAIMED PROPERTY	40.00		
			Bond Refund:090264562-01	55.00		
			TOTAL:	27,839.06		
		City Administrator	General Fund	INTERNAL REVENUE SERVICE	FICA	384.32
					Medicare	89.88
ICMA	Retirement 401			382.33		
AT & T MOBILITY-CELLS	CELL PHONE SERVICE			30.46		
	TOTAL:			886.99		
City Clerk	General Fund	INTERNAL REVENUE SERVICE	FICA	391.05		
			Medicare	91.45		
		ICMA	Retirement 401	390.94		
		MO CCFOA	ANNUAL DUES WARNER	15.00		
			ANNUAL DUES CLARK	15.00		
	TOTAL:	903.44				
City Treasurer	General Fund	INTERNAL REVENUE SERVICE	FICA	420.27		
			Medicare	98.28		
		ICMA	Retirement 401	431.23		
			TOTAL:	949.78		
Municipal Court	General Fund	INTERNAL REVENUE SERVICE	FICA	91.55		
			Medicare	21.41		
		ICMA	Retirement 401	92.76		
		NACM-NATIONAL ASSOCIATION FOR COURT MA	EIDSON NACM 2010 MEMBERSHI	125.00		
			TOTAL:	330.72		
City Attorney	General Fund	INTERNAL REVENUE SERVICE	FICA	259.68		
			Medicare	60.73		
		ICMA	Retirement 401	251.31		
		CLERK OF THE SUPREME COURT	2010 ATTORNEY ENROLLMNT RU	305.00		
			TOTAL:	876.72		
Building Inspection	General Fund	INTERNAL REVENUE SERVICE	FICA	348.25		
			Medicare	81.45		
		ICMA	Retirement 401	348.16		
		AT & T MOBILITY-CELLS	CELL PHONE SERVICE	76.16		
			TOTAL:	854.02		
Building Maintenance	General Fund	ALLIED WASTE SERVICES #435	CITY HALL TRASH SERVICE	215.10		

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
			000013	
			TOTAL:	215.10
Parks	General Fund	ALLIED WASTE SERVICES #435	TRASH SERVICES PW	21.51
		AMEREN UE	CITY PARK #2 DISPLAY A	482.96
		INTERNAL REVENUE SERVICE	FICA	187.66
			Medicare	43.89
		ICMA	Retirement 401	155.41
		PETTY CASH	PETTY CASH	3.22
		AT & T MOBILITY-CELLS	CELL PHONE SERVICE	30.46
			TOTAL:	925.11
Human Resources	General Fund	BANKCARD CENTER 3770	CITY BUCKS CARDS	478.00
		INTERNAL REVENUE SERVICE	FICA	101.68
			Medicare	23.78
		ICMA	Retirement 401	109.62
		OFFICE OF MO STATE TREASURER	UNCLAIMED PROPERTY	60.00
			TOTAL:	773.08
Overhead	General Fund	MOPERM	LIABILITY INS OVERHEAD	59,185.81
		CHARTER BUSINESS	JAN CABLE SERVICE	5.09
			DEC CABLE	5.09
			TOTAL:	59,195.99
Police	General Fund	BANKCARD CENTER 3770	FBI NATIONAL ACADEMY RENEW	77.00
		INTERNAL REVENUE SERVICE	FICA	2,869.25
			Medicare	671.03
		ICMA	Retirement 401	2,881.02
		AT & T MOBILITY-CELLS	CELL PHONE SERVICE	335.10
			TOTAL:	6,833.40
911 Center	General Fund	BANKCARD CENTER 3770	TRAINING MATERIALS	392.00
		WIRELESS USA INC	SERVICE CONTRACT JAN 2010	225.00
		INTERNAL REVENUE SERVICE	FICA	822.58
			Medicare	192.36
		ICMA	Retirement 401	823.45
		AT & T MOBILITY-CELLS	CELL PHONE SERVICE	33.45
			TOTAL:	2,488.84
Planning	General Fund	INTERNAL REVENUE SERVICE	FICA	279.86
			Medicare	65.44
		LAKE SUN LEADER 81525 & 1586450	PH-JAN 20TH, 2010 VARIANCE	81.00
		ICMA	Retirement 401	273.06
		AT & T MOBILITY-CELLS	CELL PHONE SERVICE	30.46
			TOTAL:	729.82
Engineering	General Fund	MILLER CO RECORDER	FAXED COPIES FEES	2.50
		INTERNAL REVENUE SERVICE	FICA	553.08
			Medicare	129.36
		ICMA	Retirement 401	503.32
		AT & T MOBILITY-CELLS	CELL PHONE SERVICE	137.09
			TOTAL:	1,325.35
Information Technology	General Fund	INTERNAL REVENUE SERVICE	FICA	278.15
			Medicare	65.05
		ICMA	Retirement 401	270.85
		AT & T /EMSGTWY_SBC	DECEMBER SERVICE	836.60

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
		AT & T MOBILITY-CELLS	CELL PHONE SERVICE	118.45
			TOTAL:	1,569.10
Emergency Management	General Fund	AT & T MOBILITY-CELLS	CELL PHONE SERVICE	33.45
			TOTAL:	33.45
NON-DEPARTMENTAL	Transportation	MO DEPT OF REVENUE	State Withholding	418.00
		INTERNAL REVENUE SERVICE	Fed WH	1,049.35
			FICA	758.51
			Medicare	177.38
		ICMA	Retirement 457	50.00
			TOTAL:	2,453.24
Transportation	Transportation	MARSHALL, JERRY	MILEAGE REIMB 12/23-29/09	18.04
			MILEAGE REIMB 12/30/09	18.04
			MILEAGE REIMB 12/30-01/05/	18.04
		ALLIED WASTE SERVICES #435	TRASH SERVICES PW	64.53
		GUNNELS, BERNIE	MILEAGE REIMB 12/23-30/09	110.00
			MILEAGE REIMB 12/30-01/05/	55.00
		HAYES, DAVE	MILEAGE REIMB 12/23-30/09	4.40
			MILEAGE REIMB 12/30-01/05/	4.40
		TINDALL, JERRY	MILEAGE REIMB 12/23-30/09	26.40
			MILEAGE REIMB 12/30-01/05/	13.20
		MOPERM	LIABILITY INS STREET DEPT	10,102.50
		RUSSELL, RICK	MILEAGE REIMB 12/23-30/09	58.74
			MILEAGE REIMB 12/30-01/05/	29.37
		WATERMAN, RANDY	MILEAGE REIMB 12/23-30/09	165.00
			MILEAGE REIMB 12/30-01/05/	33.00
		INTERNAL REVENUE SERVICE	FICA	758.51
			Medicare	177.38
		ICMA	Retirement 401	753.84
		GARMANY, VICTOR	MILEAGE REIMB 12/30/09	15.40
			MILEAGE REIMB 12/23-29/09	15.40
			MILEAGE REIMB 12/30-01/05/	15.40
		PETTY CASH	PETTY CASH	2.00
			PETTY CASH	4.76
		AT & T MOBILITY-CELLS	CELL PHONE SERVICE	30.46
			TOTAL:	12,493.81
NON-DEPARTMENTAL	Water Fund	MO DEPT OF REVENUE	State Withholding	203.00
		INTERNAL REVENUE SERVICE	Fed WH	550.44
			FICA	396.86
			Medicare	92.82
		CENTIER BANK	Savings Bonds	26.93
		ICMA	Loan Repayments	101.70
			Loan Repayments	108.94
			401 Loan Payment	25.09
			401 Loan Payment	75.98
		CAMDEN COURT	Case #09CM-AC00052	107.10
		CAMDEN COUNTY RECORDER OF DEEDS	WATER LIEN RELEASE	25.00
		OFFICE OF MO STATE TREASURER	UNCLAIMED PROPERTY	151.89
			TOTAL:	1,865.75
Water	Water Fund	UMB BANK NA	2002B TRUSTEE	2,753.73
			2003B TRUSTEE	800.41
			2003B DNR FEE	27,344.07

000014

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	000015	AMOUNT
			2007A TRUSTEE		350.98
			2007A DNR FEE		10,612.07
		ALLIED WASTE SERVICES #435	TRASH SERVICES PW		64.53
		GOEHRI, GEORGE	JAN HEALTH INS PREMIUM		71.99
		MOPERM	LIABILITY INS SEWER DEPT		5,447.65
		RICHARDS, RON	WORK BOOT REIMB		100.00
			MILEAGE REIMB 12/30-01/05/		44.88
		INTERNAL REVENUE SERVICE	FICA		396.86
			Medicare		92.82
		ICMA	Retirement 401		404.72
		DEGRAZIA, PHIL	MILEAGE REIMB 12/30-01/05/		24.20
		AMERICAN BACKFLOW PREVENTION ASSOC	TESTER CERTIFICATION-BRIZE		85.00
		PETTY CASH	PETTY CASH		34.22
		AT & T MOBILITY-CELLS	CELL PHONE SERVICE		91.39
			TOTAL:		48,719.52
NON-DEPARTMENTAL	Sewer Fund	FAMILY SUPPORT PAYMENT CENTER	Case# 90929071		9.23
		STATE DISBURSEMENT UNIT	Case # 0073131		144.23
		MO DEPT OF REVENUE	State Withholding		424.00
		INTERNAL REVENUE SERVICE	Fed WH		1,145.27
			FICA		863.71
			Medicare		202.00
		ICMA	Retirement 457		30.00
			Loan Repayments		24.83
			Loan Repayments		135.39
			401 Loan Payment		194.26
			401 Loan Payment		26.45
			Retirement Roth IRA		240.00
		CAMDEN COURT	Case #09CM-SC00020		102.02
			TOTAL:		3,541.39
Sewer	Sewer Fund	UMB BANK NA	2001A TRUSTEE		535.94
			2001A DNR FEE		17,157.32
			2005C TRUSTEE		626.05
		AMEREN UE	GRINDERS, LIFT STATIONS		2,072.33
		ALLIED WASTE SERVICES #435	TRASH SERVICES PW		64.53
		AMEREN UE	SEWER WINDGATE BLDG		291.02
			JEFFRIES RD METER		8.71
		MOPERM	LIABILITY INS WATER DEPT		16,036.46
		INTERNAL REVENUE SERVICE	FICA		863.71
			Medicare		202.00
		PARKER, CLINTON	MILEAGE REIMB 12/30-01/05/		16.50
		ICMA	Retirement 401		863.76
		PETTY CASH	PETTY CASH		16.08
			PETTY CASH		16.83
			PETTY CASH		6.79
			PETTY CASH		65.00
		AT & T MOBILITY-CELLS	CELL PHONE SERVICE		91.39
			TOTAL:		38,934.42
NON-DEPARTMENTAL	Ambulance Fund	FAMILY SUPPORT PAYMENT CENTER	Case# 51055306		209.54
		MO DEPT OF REVENUE	State Withholding		351.35
		INTERNAL REVENUE SERVICE	Fed WH		939.31
			FICA		698.35
			Medicare		163.31
		CENTIER BANK	Savings Bonds		23.08

000016

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
		ICMA	Retirement 457 &	281.24
			Retirement 457	100.00
			Loan Repayments	206.85
			TOTAL:	2,973.03
Ambulance	Ambulance Fund	MOPERM	LIABILITY INS AMBULANCE DE	5,502.94
		INTERNAL REVENUE SERVICE	FICA	698.35
			Medicare	163.31
		ICMA	Retirement 401	532.63
		AT & T MOBILITY-CELLS	CELL PHONE SERVICE	88.89
		ONE TIME VENDOR JIM BAYER	EMT REFRESHER MURRELL	90.00
		JIM BAYER	EMT REFRESHER ROBERTSON	90.00
			TOTAL:	7,166.12
NON-DEPARTMENTAL	Lee C. Fine Airpor	MO DEPT OF REVENUE	State Withholding	114.20
		INTERNAL REVENUE SERVICE	Fed WH	321.90
			FICA	268.31
			Medicare	62.75
		ICMA	Retirement 457 &	102.92
			TOTAL:	870.08
Lee C. Fine Airport	Lee C. Fine Airpor	ALLIED WASTE SERVICES #435	LCF TRASH SERVICE	99.22
		MOPERM	LIABILITY INS LCF AIRPORT	6,338.05
		INTERNAL REVENUE SERVICE	FICA	268.31
			Medicare	62.75
		NAUGHT NAUGHT INS	LCF LIABILITY	7,359.00
		ICMA	Retirement 401	253.80
		AT & T MOBILITY-CELLS	CELL PHONE SERVICE	30.46
			TOTAL:	14,411.59
NON-DEPARTMENTAL	Grand Glaize Airpo	MO DEPT OF REVENUE	State Withholding	68.80
		INTERNAL REVENUE SERVICE	Fed WH	137.43
			FICA	186.67
			Medicare	43.66
		ICMA	Retirement 457 &	68.61
			TOTAL:	505.17
Grand Glaize Airport	Grand Glaize Airpo	CITY OF OSAGE BEACH	DEC UTILITY BILL	26.99
		ALLIED WASTE SERVICES #435	GG TRASH SERVICE	99.23
		MOPERM	LIABILITY INS GG AIRPORT	2,154.59
		INTERNAL REVENUE SERVICE	FICA	186.67
			Medicare	43.66
		NAUGHT NAUGHT INS	GG LIABILITY	7,359.00
		ICMA	Retirement 401	186.03
		AT & T MOBILITY-CELLS	CELL PHONE SERVICE	30.46
			TOTAL:	10,086.63

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
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000017

----- FUND TOTALS -----		
10	General Fund	106,729.97
20	Transportation	14,947.05
30	Water Fund	50,585.27
35	Sewer Fund	42,475.81
40	Ambulance Fund	10,139.15
45	Lee C. Fine Airport Fund	15,281.67
47	Grand Glaize Airport Fund	10,591.80

	GRAND TOTAL:	250,750.72

TOTAL PAGES: 6

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DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT	
City Administrator	General Fund	BANKCARD CENTER 3374	SALES TAX REFUND	16.67-	
			IMAGING DRUM KIT	177.21	
			TOTAL:	160.54	
City Clerk	General Fund	XEROX CORP	BILLABLE PRINTS	26.04	
			INTL INS MUNICIPAL CLERKS	2010 DIANN WARNER MEMBERSH	125.00
			MICROFILM & IMAGING OF KANSAS CITY	ARCHIVE & RETENTION FEE	44.00
			RECORDS MANAGEMENT SOLUTIONS	2010 SOFTWARE SUPPORT	850.00
			TOTAL:	1,045.04	
Municipal Court	General Fund	WILLIAM F WASHBURN	JAN MUNICIPAL JUDGE SERVIC	1,679.16	
			MACA DEBRA A FRIESE TREAS	HELEN EIDSON 2010 MEMBERSH	50.00
				NANCY CLARK 2010 MEMBERSHI	50.00
			BORDERS PRINTING LLC	ENVELOPES	500.00
			TOTAL:	2,279.16	
Building Inspection	General Fund	QUILL	LEGAL EXPAN FILE JACKETS	82.70	
			FLEET ONE	BLDG DEPT FUEL	33.35
			MACA-STEVE FLOWERS	RON WHITE 2010 MEMBERSHIP	25.00
				PHIL ALTON 2010 MEMBERSHIP	25.00
			TOTAL:	166.05	
Building Maintenance	General Fund	EZARD'S ACE HARDWARE	MOPSTICKS, MOPHEADS, BUCKE	89.95	
			GB MAINTENANCE SUPPLY	WINDW CLEANR, TOWLS, DISNF	205.38
			LLR MIDWEST ELECTRIC, INC	RAN WIRE , ADDED PLUGS	643.05
			PRAIRIEFIRE COFFEE & ROASTERS	COFFEE	73.80
				WATER COOLER RENTAL	38.51
			CONTROLLED HEATING & COOLING	EXHAUST FAN REPAIR	107.50
			OTIS ELEVATOR CO	12/1/09-11/30/10 SERVICE F	3,934.32
			UNIFIRST CORPORATION	CITY HALL FLOOR MATS	32.00
				CITY HALL FLOOR MATS	32.00
			CHEMCO INDUSTRIES INC	PROTECT AEROSL, WIPES, DIS	424.19
			TOTAL:	5,580.70	
Parks	General Fund	PURCELL TIRE CO	TIRES VEH 77	645.32	
			QUILL	PAPER, PENS, CLIPS, PUSH P	9.66
			EZARD'S ACE HARDWARE	WINDSHIELD WASH, PADLOCK	24.48
			FLEET ONE	PARKS FUEL	98.31
				PARKS FUEL	55.84
			O'REILLY AUTO PARTS	BATTERY	65.27
				BATTERY, DSL TREAT	74.76
				MOTOR & FUEL TREATMENT	16.98
			MO STATE AGENCY FOR SURPLUS	WIRE NUTS, GLOVES, CREEPER	10.00
				LOCKER	50.00
				CHAIRS, DESK	100.00
			UNIFIRST CORPORATION	PARK DEPT UNIFORMS	9.38
				PARK DEPT FLOOR MATS	1.49
				PARK DEPT UNIFORMS	9.38
				PARK DEPT FLOOR MATS	1.49
TOTAL:	1,172.36				
Human Resources	General Fund	HY-VEE FOOD & DRUG STORES INC	VACCINATIONS	23.01	
			VACCINATIONS	29.02	
			OCCUPATIONAL MEDICINE CLINIC	DRUG SCREEN	20.00
				DRUG SCREENING	515.00
			LAKE SUN LEADER 645	WS CLASSIFIED	18.40

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
				000019
			LSL CLASSIFIED	72.00
			PARAMEDIC AD	18.40
			INTERNET LK SUN AD	20.00
			PARAMEDIC AD	36.00
			PARAMEDIC AD	72.00
		BANKCARD CENTER 3374	TONER CARTRIDGES	147.94
		CHAMPION TROPHY	GLASS SERVICE AWARD	56.95
		BANKCARD CENTER 5569	EXERCISE EQUIPMENT	2,450.03
		FOCUS/WEEKLY STANDARD	ADMIN ASST ADD	21.60
			PARAMEDIC AD	21.60
			TOTAL:	3,521.95
Overhead	General Fund	XEROX CORP	BILLABLE PRINTS	374.81
		OCCUPATIONAL MEDICINE CLINIC	WORKMAN'S COMP EXPENSE	69.00
		POSTMASTER	PERMIT #12 RENEWAL	185.00
		BANKCARD CENTER 5569	BUDGET SUPPLIES	497.42
		WILLIAMS KEEPERS LLC	DEC 31, 2009 AUDIT	2,200.00
		STAPLES ADVANTAGE	COPY PAPER	109.20
			TOTAL:	3,435.43
Police	General Fund	QUILL	RULER	4.84
		FLEET ONE	PUBLIC SAFETY FUEL	975.21
			PUBLIC SAFETY CAR WASH	36.00
			PUBLIC SAFETY FUEL	946.12
			PUBLIC SAFETY CAR WASH	32.00
		O'REILLY AUTO PARTS	WINTER BLADE, MINI LAMP	18.27
			MINI LAMPS	9.18
			BATTERY PD 25	166.43
		LAKE CLEANERS	DEC UNIFORM CLEANING	369.50
		LARRY'S LAKESIDE AUTO REPAIR INC	BRAKE REPAIR PD 19	300.93
			OIL CHANGE PD31	36.98
		BORDERS PRINTING LLC	BUSINESS CARDS	25.00
		PSE INSTALLATION	SHOTGUN RACK TIMER	45.00
			TOTAL:	2,965.46
911 Center	General Fund	WIRELESS USA INC	REPAIR DAMAGED EQUIPMENT	374.12
		DATA COMM INC	TONER	84.00
			TOTAL:	458.12
Planning	General Fund	BANKCARD CENTER 3333	FASTENERS	5.58
		LAKE SUN LEADER 81525 & 1586450	PH-FEB 17, VARIANCE CASE 3	81.00
			TOTAL:	86.58
Engineering	General Fund	QUILL	BINDER CLIPS	11.76
		FEDERAL EXPRESS CORP	SHIPPING FEES	24.43
		FLEET ONE	CITY ENG FUEL	75.24
			CITY ENG FUEL	74.07
		CAMDEN COUNTY RECORDER OF DEEDS	FAX FEES	9.00
			TOTAL:	194.50
Information Technology	General Fund	BANKCARD CENTER 3358	UTILITY BL ADDRESS CERT.	131.00
		TYLER TECHNOLOGIES	RECEIPT & CASH DRAWER MAIN	296.00
			CALL CENTER SOFTWARE MAINT	1,103.00
			SEWER CALC SOFTWARE MAINT	676.00
		BANKCARD CENTER 3374	WIRELESS TRANSMITTER	585.00
		MO STATE AGENCY FOR SURPLUS	SERVER	150.00

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	000030	AMOUNT
				TOTAL:	2,941.00
Emergency Management	General Fund	FLEET ONE	EMER MNGT FUEL		36.21
				TOTAL:	36.21
Economic Development	General Fund	BORDERS PRINTING LLC	DIRECT CONNECT PRINTING		1,144.00
				TOTAL:	1,144.00
Transportation	Transportation	PURCELL TIRE CO	TIRES VEH 61		332.94
			MOUNT/BALANCE VEH 62		15.00
			DISMOUNT/MOUNT/BAL VEH 62		15.60
		QUILL	PAPER, PENS, CLIPS, PUSH P		28.98
		EZARD'S ACE HARDWARE	UTILITY LIGHTER		4.49
			HOSE		24.99
		RSC EQUIPMENT RENTAL	KEROSENE HEATER		335.00
		FLEET ONE	TRANS FUEL		202.11
			TRANS FUEL		421.73
		AMERICAN SUN CONTROL	ALUM HANDRAIL SMOKING ENCL		975.00
		HOWARD R GREEN CO	SIDEWALK IMPROVEMNTS FINAL		7,963.75
		JACK'S MUNICIPAL SALE & SERVICE INC	COBBLESTONE DR SIGN		26.49
			RED BUD RD SIGNS		56.68
		KNAPHEIDE TRUCK INC	CLUTCH ASSY 2005 F-350		325.59
			STAND, PINS		41.48
		O'REILLY AUTO PARTS	GLASS CLEANER, TRACTOR LIG		15.44
			DEICER, GLASS CLEANER		7.78
			WIPER BLADES TRUCK 59		33.98
			ANTIFREEZE, WIPER BLADES		66.95
			MOTOR OIL		3.99
			TRAILER WIRE SOCKET, PLUG		46.63
			FLASH LIGHT, TIRE GAUGE		12.97
			TIRE GAUGE, AIR PLUG & CHU		2.56
		PRAIRIEFIRE COFFEE & ROASTERS	RENTAL		35.00
		DULLE OVERHEAD DOORS INC	REPLACE JACKSHAFT OPERATOR		250.00
		INDEPENDENT SALT COMPANY	TREATED SALT		6,494.22
		UNIFIRST CORPORATION	STREET DEPT UNIFORMS		34.33
			STREET DEPT FLOOR MATS		4.50
			STREET DEPT UNIFORMS		34.33
			STREET DEPT FLOOR MATS		4.50
		HERTZ EQUIPMENT RENTAL CORP	TRUCK RENTAL		2,011.73
				TOTAL:	19,828.74
Water	Water Fund	PURCELL TIRE CO	TIRES VEH 58		608.08
		QUILL	PAPER, PENS, CLIPS, PUSH P		28.98
		EZARD'S ACE HARDWARE	REDUCER, TRANS FLUID		14.05
			PROPANE		5.98
			PROPANE		5.98
			HARDWARE		46.99
			HARDWARE		16.99
			TORCH HEAD, KEYS		39.28
		RP LUMBER INC	PUSH BROOMS		71.97
		FLEET ONE	WATER FUEL		204.48
			WATER FUEL		207.65
		SCHULTE SUPPLY INC	BOTTOM CAPS & GASKETS		253.00
		MO RURAL WATER ASSC	RICK KING 2010 MEMBERSHIP		490.60
		O'REILLY AUTO PARTS	MOTOR OIL		7.98
			MOTOR OIL, FILTER		15.96

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
			000021	
		LAKE SUN LEADER 81525 & 1586450	COL COLL WATER TOWER BIDS	229.50
		POSTMASTER	UTILITY BILL MAILING	315.00
		CAMDENTON LAWN & GARDEN CENTER	STRAW	36.00
		DULLE OVERHEAD DOORS INC	REPLACE JACKSHAFT OPERATOR	250.00
		HD SUPPLY WATERWORKS LTD	DRYCONN DIRECT BURY LUGS	72.86
			KEY-2 KEY FOR STANDARD-LAR	23.96
		UNIFIRST CORPORATION	WATER DEPT UNIFORMS	20.76
			WATER DEPT FLOOR MATS	4.50
			WATER DEPT UNIFORMS	20.76
			WATER DEPT FLOOR MATS	4.50
		HUTCHINS TELCOM	OB09-007 WATER EXTENSN SOU	13,623.00
		WEECO, INC	OB09-025 BLUFF WATER RELOC	31,067.60
			TOTAL:	47,686.41
Sewer	Sewer Fund	VANDEVANTER ENGINEERING	ROTO FLOATS W/40 FT CABLE	679.12
		QUILL	PAPER, PENS, CLIPS, PUSH P	28.98
		RAPID SIGNS	4-24x36 SEWAGE SPILL SIGNS	128.00
		MEAD O'BRIEN INC	LIQUID LEVEL CONTROL	499.65
		ECC SUPPLY	CONTACTORS	397.08
		EZARD'S ACE HARDWARE	PVC	22.89
			PLUMBING & CLEANING SUPPLI	23.70
			WALLPLATE, HEAT TAPE	24.78
			SFTWHT BULB	1.79
			CLEANING SUPPLIES	19.98
		RSC EQUIPMENT RENTAL	40' EXTENSION LADDER	28.50
		FLEET ONE	SEWER FUEL	641.16
			SEWER FUEL	283.64
		TALLMAN COMPANY	GALV UNION & HES BUSH	8.85
		MO RURAL WATER ASSC	RICK KING 2010 MEMBERSHIP	490.60
		MUNICIPAL EQUIPMENT CO	CONTROL PANELS	54,151.00
		O'REILLY AUTO PARTS	MINI LAMPS	5.40
		OZARK READY MIX CO INC	6 YD CONCRETE	579.00
		LAWSON PRODUCTS INC	WASHERS, HEX NUTS	239.40
		CED PHILLIPS & CO	PLIER HANDLE	15.06
			WIRE	451.67
		POSTMASTER	UTILITY BILL MAILING	315.00
		DULLE OVERHEAD DOORS INC	REPLACE JACKSHAFT OPERATOR	250.00
		HD SUPPLY WATERWORKS LTD	PVC	5.06
			PVC	25.50
		UNIFIRST CORPORATION	SEWER DEPT UNIFORMS	44.82
			SEWER DEPT FLOOR MATS	4.50
			SEWER DEPT UNIFORMS	44.82
			SEWER DEPT FLOOR MATS	4.50
		TRAVIS HODGE HAULING LLC	CONNECTING WATER OB09-026	5,341.68
		WEECO, INC	OB09-025 BLUFF SEWER RELOC	7,225.20
			TOTAL:	71,981.33
Ambulance	Ambulance Fund	FLEET ONE	AMB FUEL	40.65
			AMB FUEL	38.53
		STAPLES BUSINESS ADVANTAGE	STANDARD GROUND RESIDENTIA	12.96
			CAT5E PLUS RED & GREY, EXT	29.46
		BEMES INC	DEFIBRILLATORS ANNUAL TEST	800.00
		ALLMED	MEDICAL SUPPLIES	318.99
			MEDICAL SUPPLIES	21.30
			MEDICAL SUPPLIES	80.68
			MEDICAL SUPPLIES	106.15

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	000022	AMOUNT
			MEDICAL SUPPLIES		119.75
		LAKE REGIONAL PHARMACY	MEDICAL SUPPLIES		6.89
		JIM BAYER	PARAMEDIC REFRESHER SIMPSO		100.00
			TOTAL:		1,675.36
Lee C. Fine Airport	Lee C. Fine Airpor	NAEGLER OIL CO	JAN SATELLITE EQUIP CONN F		45.50
		O'REILLY AUTO PARTS	WIPER BLADES		13.28
			DSL TREAT, ADDITIVE		25.47
			TOTAL:		84.25
Grand Glaize Airport	Grand Glaize Airpo	NAEGLER OIL CO	JAN SATELLITE EQUIP CONN F		45.50
			TOTAL:		45.50

----- FUND TOTALS -----

10	General Fund	25,187.10
20	Transportation	19,828.74
30	Water Fund	47,686.41
35	Sewer Fund	71,981.33
40	Ambulance Fund	1,675.36
45	Lee C. Fine Airport Fund	84.25
47	Grand Glaize Airport Fund	45.50
GRAND TOTAL:		166,488.69

City of Osage Beach
 1000 City Parkway
 Osage Beach, MO 65065
 573/302-2000 Phone
 573/302-0528 Fax
 www.osagebeach.org



Planning Dept.: _____
 Sewer Dept.: _____
 License #: _____

000023

LIQUOR LICENSE APPLICATION

Date of Application: _____ Date Application Received: 1-11-10 ✓ 12402

Trade Name of Establishment: Wobbly Boots Roadhouse

Mailing Address: 1232 Jeffries

Applicant Name: Mark Barrett
(as it is to appear on license, if corporation, name of corporation and managing officer)

- Original Applications: Attach a copy of voter registration card & background check
- Renewal Applications: Please complete entire application

Item	Fee	License Description	City Code
a. ___	375.00	Manufacture and distribution (not sales) of intoxicating malt liquor not more than 5% alcohol by weight.	MDBWT
b. ___	150.00	Distribution or wholesale of intoxicating liquors not more than 5% alcohol by weight.	DBLQWT
c. ___	300.00	Manufacture or distilling of intoxicating liquors in excess of 5% alcohol by weight.	MLQWT
d. ___	750.00	Distribution or wholesale of intoxicating liquors in excess of 5% alcohol by weight.	DLQWT
e. ___	375.00	Retail sales of intoxicating liquors not more than 5% alcohol by weight in original package to be consumed on premises. (Includes Sunday Sales.)	BPR
f. ___	375.00	Retail sales of intoxicating liquors not more than 5% alcohol by weight in original package not to be consumed on premises. (Includes Sunday Sales.)	BPK
g. ___	450.00	Retail sales of intoxicating liquors in excess of 5% alcohol by weight to be consumed on premises.	LDRK1
h. ___	750.00	Retail sales of intoxicating liquors in excess of 5% alcohol by weight to be consumed on premises. (Includes Sunday Sales.)	LDRK2
i. ___	150.00	Retail sales of intoxicating liquors in excess of 5% alcohol by weight in original package not to be consumed or opened on premises.	LPKG1
j. ___	450.00	Retail sales of intoxicating liquors in excess of 5% alcohol by weight in original package not to be consumed or opened on premises. (Includes Sunday Sales.)	LPKG2
k. ___	75.00	Retail sales of malt liquor not more than 5% alcohol by weight /or light wines containing in excess of 14% alcohol by weight.	BWDRK1
l. ___	375.00	Retail sales of malt liquor in excess of 5% alcohol by weight /or light wines containing in excess of 14% alcohol by weight. (Includes Sunday Sales.)	BWDRK2
m. ___	375.00	Manufacture and sale by manufacturer of non-intoxicating beer brewed or manufactured in the City.	MNB
n. ___	75.00	Sale by any distributor or wholesaler other than the manufacturer or brewer of non-intoxicating beer.	DWNB
o. ___	37.50	Sale of non-intoxicating beer for consumption on premises where sold.	NBPR
p. ___	22.50	Sale of non-intoxicating beer by grocers and other merchants and dealers for sale in the original package to consumer, but not for resale.	NBPKG
q. ___	300.00	Sunday Liquor Sales	LSUN
r. <input checked="" type="checkbox"/>	15.00	Caterer per day. Pub Crawl - Feb 13, Tent behind Wobbly Boot Roadhouse	CTLQDY
s. ___	10.00	Picnic per day.	PCLQDY
t. ___	N/C	Change of managing officer.	MGO
u. ___	N/C	Wine tasting.	WTG

All renewal applications must be received by May 1st.

AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, ADOPTING AN AMENDMENT TO THE ZONING MAP OF THE CITY OF OSAGE BEACH, MISSOURI.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF OSAGE BEACH, AS FOLLOWS, TO WIT:

Section 1. That the property, described in Exhibit A, recorded in Book 646, Page 249, Camden County Records is hereby rezoned to PUD 350 and hereby amends existing PUD 288.

Section 2. That the development within the boundaries of the district shall conform to the applicant's plan as submitted and subject to the following permitted uses and conditions:

Permitted Uses:

The following uses shall be permitted in those areas as illustrated on the PUD site plan:

1. Residential Uses shall conform to the requested development containing 78 townhome units.
2. Accessory Uses designed for and available to those associated with Dot Foods, Inc. as employees or customers and their guests, but not open to the public. Those uses include administrative office(s) for project management, garages, maintenance buildings, and the club house and recreation facilities.

Construction:

Construction shall be in accordance with the International Building Code and all other pertaining construction codes as adopted by the City of Osage Beach at the time a building permit is issued for each individual facility.

Bulk, Area, and Height Requirements:

Shall be in conformance with the International Building Code, and the submitted development plan.

Public Facilities:

Engineering plans for water, streets, and sewer improvements will be constructed in accordance with the approved plans for the subject property.

Access:

1. Access shall be derived from Dude Ranch Road via the streets illustrated on the PUD site plan. All street construction or improvements to the existing roads must conform to the City design guidelines. An additional 10' of right of way following the entire length of the property fronting Dude Ranch Road will be given to the City by warranty deed.
2. The existing service entry into the property off of Dude Ranch Road shall be gated to match the buffer facility to be built on the Dude Ranch frontage. Upon completion of the construction for the property the service entrance will be removed and rehabbed to match the Dude Ranch buffer facility.

Parking:

All development shall adhere to Osage Beach off-street parking requirements at the time that it is constructed.

Buffering and Screening:

1. Construction of the buffer facility located along the Dude Ranch Road corridor will begin construction in concurrence with the initial facility given a building permit by the City of Osage Beach. The Dude Ranch buffer facility will contain natural vegetative material in the form of landscaped screening; also a decorative wall or fence for the privacy and security of the development and its guests may be a part of the buffer but is not required. The Dude Ranch Buffer facility must be completed at the time a Certificate of Occupancy is issued for the first structure completed for Dot Foods, Inc. The Dude Ranch Buffer must be maintained as to provide a consistent visual impact to the corridor.
2. Domestic natural vegetative screening will provide an appropriate buffer between surrounding uses.
3. Waste cans, dumpster units, or other trash receptacles shall be placed where they are least visible from a public street or adjoining properties. Screening/fencing as to make these devices as least visible as possible is required.

Exterior Lighting:

1. Exterior lighting shall be designed, located and constructed to eliminate or significantly reduce glare and/or a general increase in lighting intensity within the adjoining existing or proposed residential area(s). Additionally, all exterior lighting shall be so arranged and shielded so as to confine all direct light rays within the boundaries of this district.
2. All street lighting proposed shall meet the City's standards for street lighting on local streets in residential areas. Applicants should coordinate with the City's Engineering Department on street lighting installations.

Signage:

The applicant will be required to obtain a sign permit from the city. At such time that an application is filed, a site plan and engineering will be submitted to assure the signs compliance with the city's sign code.

Maintenance of Open Space and Common Areas:

The maintenance of common area and facilities within the District shall remain the responsibility of the developer(s) or shall be assumed by a legally constituted property owners association that meets all the legal requirements prescribed by the City Attorney. All areas not scheduled for immediate construction are to be seeded and existing storm drainage facilities are to be maintained as to protect from storm water runoff impact to the Lake of the Ozarks and surrounding properties.

Platting:

As the development is not to be public with units for sale to the public, a plat creating legal descriptions of each unit is not required.

Final Development Plan:

1. The submitted PUD development plan will serve as the final development plan if approved.
2. The final development plan is subject to review administratively to approve minor adjustments and modifications. Such authority shall not, however, be construed to permit the following;
 - a. Any use(s) within the district other than those specifically prescribed by these regulations.
 - b. Any increase in intensity of the use(s) permitted.
 - c. Any substantial deviation in the height, area, and bulk of the use permitted within the district.

Section 3. That this Ordinance shall be in full force and effect upon date of passage.

READ FIRST TIME: 1/7/10 READ SECOND TIME: _____

PASSED AND APPROVED THIS _____ DAY OF _____, 2010.

I hereby certify that the above Ordinance No. 10.01 was duly passed on _____, 2010 by the Board of Aldermen of the City of Osage Beach. The votes thereon were as follows:

Ayes: _____

Nays: _____

Abstentions: _____

Absent: _____

This Ordinance is hereby transmitted to the Mayor for her signature.

Date

Diann Warner, City Clerk

Approved as to form:

Edward B. Rucker, City Attorney

000027

Bill No. 10-01
Page 4

Ordinance No. 10.01

I hereby APPROVE Ordinance 10.01.

Penny Lyons, Mayor

Date

ATTEST:

Diann Warner, City Clerk

Submission Date:

January 13, 2010

000028

Submitted By:

City Engineer

Board Meeting Date:

January 21, 2010

**City of Osage Beach
BOARD OF ALDERMEN
AGENDA ITEM SUMMARY SHEET**

Description of Item:

Bill 10-03. Authorizing the Mayor to Execute a Supplemental Agreement for the Highway 54 Sidewalk Project ARRA – ES05(007)

Names of Persons, Businesses, Organizations affected by this action:

Citizens of Osage Beach, Missouri Highway and Transportation Commission, contractors, business owners within the proposed sidewalk project

Why is Board Action Required?

Board approval required for Ordinance.

Type of Action Requested (Ordinance, Resolution, Motion):

A motion to approve first and second readings of Bill 10-03.

Are there any deadlines associated with this action?

In order to receive this additional funding, we have to execute this agreement as soon as possible.

Comments and Recommendation of Department:

This is the supplemental agreement for the Route 54 sidewalk improvements project. In order for the city to receive these additional enhancement funds (American Recovery and Reinvestment Act), we have to execute this supplemental agreement.

The Engineering Department recommends approval. A first and second reading is requested.

City Administrator's Comments and Recommendation:

Concur with the recommendation of the City Engineer.

AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AUTHORIZING THE MAYOR TO EXECUTE THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION AMERICAN RECOVERY AND REINVESTMENT ACT FEDERAL AID PROGRAM SUPPLEMENTAL AGREEMENT FOR CONSTRUCTION OF NEW SIDEWALKS ALONG ROUTE 54.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF OSAGE BEACH, AS FOLLOWS:

Section 1. That the Board of Aldermen of the City of Osage Beach feels it is in the best interest of the City to authorize the Missouri Highways and Transportation Commission American Recovery and Reinvestment Act Federal Aid Program Supplemental Agreement for the public improvements designated as Project ARRA-ES05 (007) for construction of new six feet sidewalks along the west side of Route 54 from Redbud Road to Zebra Road. This project also includes new six feet sidewalks along the east side of Route 54 from Zebra Road to Hatchery Road.

Section 2. That the Board of Aldermen agrees to the terms and conditions as set out in the attached Missouri Highways and Transportation Commission American Recovery and Reinvestment Act Federal Aid Program Supplemental Agreement and hereby authorizes the Mayor to execute same on behalf of the City of Osage Beach.

Section 3. That this Ordinance shall be in full force and effect upon date of passage.

READ FIRST TIME: _____ READ SECOND TIME: _____

I hereby certify that the above Ordinance No. 10.03 was duly passed on _____, 2010 by the Board of Aldermen of the City of Osage Beach. The votes thereon were as follows:

Ayes: _____

Nays: _____

Abstentions: _____

Absent: _____

This Ordinance is hereby transmitted to the Mayor for her signature.

Date

Diann Warner, City Clerk

Approved as to form:

Edward B. Rucker, City Attorney

I hereby APPROVE Ordinance 10.03.

Penny Lyons, Mayor

Date

ATTEST:

Diann Warner, City Clerk

CCO Form: RM17-ARRA SUP
Approved: 04/09 (MWH)
Revised:
Modified:

City of Osage Beach
Project No. ARRA-ES05 (007)

CFDA Number: CFDA #
CFDA Title: Highway Planning and Construction
Award name/number: ARRA-ES05 (007)
Award Year: FY2009
Federal Agency: Federal Highway Administration, Department of
Transportation

**MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION
AMERICAN RECOVERY AND REINVESTMENT ACT
FEDERAL AID PROGRAM
SUPPLEMENTAL AGREEMENT**

THIS SUPPLEMENTAL AGREEMENT is entered into by the Missouri Highways and Transportation Commission (hereinafter, "Commission") and City of Osage Beach (hereinafter, "City").

WITNESSETH:

WHEREAS, on July 6, 2009 the Commission and the City previously entered into an American Recovery and Reinvestment Act Federal Aid Program Agreement as to public improvements designated as ES05 (007), for the construction of sidewalks, (hereinafter, "Original Agreement"); and

WHEREAS, the Commission and the City now desire to revise the Original Agreement as provided in this Supplemental Agreement.

NOW, THEREFORE, in consideration of the mutual covenants, promises and representations contained herein, the parties agree as follows:

(1) REVISION: Paragraph 20 of the Original Agreement is hereby removed and replaced with the following:

(20) REIMBURSEMENT: The cost of the contemplated improvements will be borne by the United States Government and by the City as follows:

(A) Any federal funds for project activities shall only be available for reimbursement of eligible costs which have been incurred by City. Any costs incurred by City prior to authorization from FHWA and notification to proceed from the Commission are **not** reimbursable costs. All costs incurred by City will be reimbursed up to the lump sum amount of **\$273,440** not to exceed the legal pro rata share. The legal

pro rata share shall be up to one hundred percent (100%). Any costs for the herein improvements which exceed any federal reimbursement or are not eligible for federal reimbursement shall be the sole responsibility of City. The Commission shall not be responsible for any costs associated with the herein improvement unless specifically identified in this Agreement or subsequent written amendments.

(B) The total reimbursement otherwise payable to the City under this Agreement is subject to reduction, offset, levy, judgment, collection or withholding, if there is a reduction in the available federal funding, or to satisfy other obligations of the City to the Commission, the State of Missouri, the United States, or another entity acting pursuant to a lawful court order, which City obligations or liability are created by law, judicial action, or by pledge, contract or other enforceable instrument. Any costs incurred by the City prior to authorization from FHWA and notification to proceed from the Commission are not reimbursable costs.

(C) The authority to advertise for bids shall be granted by the Commission when all right-of-way clearances, environmental clearances, and the approval of the Plans, Specification, and Estimate have been completed. Any costs incurred by the City prior to authorization from FHWA and notification to proceed from the Commission are not reimbursable costs.

(D) In the event that the City does not submit the Plans, Specification, and Estimate for this project by City, and does not have construction authorization (authority to advertise for bids) by November 25, 2009, the City agrees to reimburse the Commission for any monies previously reimbursed to the City under this Agreement. All monies previously programmed for this project shall be surrendered by City at this time. **Any costs incurred by the City prior to authorization from FHWA and notification to proceed from the Commission are not reimbursable costs.**

(2) ORIGINAL AGREEMENT: Except as otherwise modified, amended, or supplemented by this Supplemental Agreement, the Original Agreement between the parties shall remain in full force and effect and shall extend and apply to this Supplemental Agreement as if fully written in this Supplemental Agreement.

[Remainder of Page Intentionally Left Blank]

IN WITNESS WHEREOF, the parties have entered into this Agreement on the date last written below.

Executed by the City this _____ day of _____, 20_____.

Executed by the Commission this _____ day of _____, 20_____.

MISSOURI HIGHWAYS AND
TRANSPORTATION COMMISSION

CITY OF OSAGE BEACH

Title: _____

By _____
Title: _____

ATTEST:

ATTEST:

Secretary to the Commission

By _____
Title: _____

Approved as to Form:

Approved as to Form:

Commission Counsel

Title: _____

Ordinance No.: _____

Submission Date: January 13, 2010

Submitted By: City Treasurer

Board Meeting Date: January 21, 2010

**City of Osage Beach
BOARD OF ALDERMEN
AGENDA ITEM SUMMARY SHEET**

Description of Item:

Resolution 2010-01 - To approve a written policy governing the use of City cell phones and other handheld wireless communication devices.

Names of Persons, Businesses, Organizations affected by this action:

City, individuals issued City cell phones.

Why is Board Action Required?

Board action is required to adopt a City policy.

Type of Action Requested (Ordinance, Resolution, Motion):

Motion to approve Resolution 2010-01 adopting the City Cell Phone Policy.

Are there any deadlines associated with this action?

No; however, this policy improves the City compliance with Federal tax laws associated with cell phones.

Comments and Recommendation of Department:

The development of this policy by the City Attorney, Human Resources and myself, is a result of an employment tax compliance check that was performed by the Internal Revenue Service on August 4, 2009. Although the City is compliant with most tax issues, some suggestions were made. It was suggested that the City implement a formal cell phone policy to meet the requirement of the current law. The current cell phone tax law is under review and may be changed to more accurately reflect new technology. When that happens, this policy may be updated as well.

City Administrator Comments and Recommendation:

Concur with the recommendation of the City Treasurer.

RESOLUTION 2010-01

A RESOLUTION ADOPTING THE CITY CELL PHONE POLICY

WHEREAS, the Board of Aldermen desires to adopt a City Cell Phone Policy in compliance with current tax law; and

WHEREAS, the Board of Aldermen has reviewed the City Cell Phone Policy and approves the content of the policy; and

WHEREAS, the City Attorney approves the policy and believes it is in the best interest of the City and should be adopted.

NOW, THEREFORE, BE IT RESOLVED by the Board of Aldermen of the City of Osage Beach, Missouri, as follows:

Section 1. The Board of Aldermen hereby adopts the policy as the City Cell Phone Policy for the City of Osage Beach, Missouri a copy of which is attached as Exhibit A and is made a part as if fully set forth herein

Passed by the Board of Aldermen this 21st day of January 2010.

I hereby certify that Resolution 2010-01 was duly passed on January 21, 2010 by the Board of Aldermen of the City of Osage Beach, Missouri. The votes thereon were as follows:

Ayes _____

Nays _____

Abstaining _____

Absent _____

Date

Diann Warner, City Clerk

Approved as to form:

Edward B. Rucker
City Attorney

EXHIBIT A

CITY OF OSAGE BEACH CELL PHONE POLICY

1.0 Policy. The Board of Aldermen has determined that the use of cell phones increases the efficiency and responsiveness of City operations. City employees are sometimes required to use cell phones and other handheld wireless communication devices in the performance of their jobs. This policy addresses the conditions under which a cell phone or other handheld wireless communication device may be provided to an employee.

2.0 Scope. This policy applies only to cell phones and other handheld wireless communication devices and related services paid by the City of Osage Beach from any source.

3.0 Business Purpose: The City of Osage Beach may upon the approval of the City Administrator issue cell phones or other handheld wireless communication devices to employees if the employee meets the eligibility standards established by this policy. These devices will be paid for by the City. No more than minor or incidental personal use of the device provided under section 6.0(b) is permitted.

4.0 Eligibility and Approvals. Eligibility for a City-provided cell phone or other handheld wireless communication device is based on the demonstrated and documented need for the employee to use such device frequently in the performance of his/her job. The device/service plan may not exceed the employee's job requirements and must be ordinary and necessary to enable the employee to:

- a. Remain in touch with others due to the nature of the job, such as frequent business-related travel or work outside the office setting.
- b. Be available for emergency contact, for instance: police, IT support, building department, public works and other departments determined by the City Administrator to be necessary for an effective City response to an emergency.

Each department head is responsible for identifying jobs that may require use of cell phones and other handheld wireless communication devices, and for indicating the type of device and service appropriate to meet the City's needs. All such devices/services paid for by City funds must be approved by the City Administrator.

5.0 Effect of Termination or Change in Job Requirements. If an employee's duties change so that the employee no longer needs a City cell phone or other wireless handheld communication device to perform his/her job, or if the

employee ceases to be employed by the City after being provided with such equipment, the employee is required to return the equipment to the City. The employee's supervisor is responsible for reviewing the necessity of providing such equipment to employees on a periodic basis and taking steps to recall City owned equipment no longer needed by employees for the performance of their duties. Upon termination of City employment, the employee will release the City assigned phone number.

6.0 Employee Options: Each employee required to have a cell phone as part of their employment shall have the following options:

a. **City's Cell Phone.** An employee issued a City cell phone may have the taxable benefit added to their pay check to cover any personal calls that are made on the phone. Text features are not available on City cell phones.

b. **Personal Cell Phone.** An employee may be reimbursed for the business use of his/her personal phone or other device. A taxable reimbursement will be given to an employee, based on the City's cell phone plan. This reimbursement will be reviewed annually and adjusted if necessary. For reimbursement, the employee's personal plan must provide for free phone to phone communication with other City cell phones. The employee shall purchase sufficient time on their personal plan for such City needs. The City may choose to port a City phone number to a personal phone to maintain the highest level of customer service.

c. **Waiver of Taxable Benefit –** An employee may waive the taxable benefit by their signature on a Waiver of Taxable Benefit form and agreement to all terms outlined on waiver, specifically including a promise that the employee shall use the phone only for city business..

7.0 On-Call Cell Phones. Cell phones that are given to an employee for on-call purposes should only be used for City business and no personal call should be made on these phones.

8.0 Safety. City employees are strongly discouraged from using cell phones while operating a motor vehicle. Employees are encouraged to use "hand-free" phones in limited situations and not for prolonged conversation.

9.0 Disciplinary Action. Violation of this policy may subject an employee to disciplinary action, per City Personnel Rules and Regulations, Section 125.150.

10.0 Effective Date. The policy is effective retroactively to January 1, 2010.