

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

September 1, 2011

The Board of Aldermen of the City of Osage Beach, Missouri, met to conduct a regular meeting on Thursday, September 1, 2011, at 6:30 p.m. at City Hall. The following were present: Mayor Penny Lyons, Alderman Fred Catcott, Alderman Lois Farmer, 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 welcomed Alderman Catcott to the Board of Aldermen.

Citizens Communications.

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

Consent Agenda.

Alderman Olivarri moved to approve the consent agenda which includes minutes of the regular meeting held on August 18, 2011, the bill list as submitted, and the issuance of a caterer's license to Wobbly Boots for 08/26-08/27; and 09/15-09/18; and a caterer's license to Bridgeview Marina for 09/10-09/11. Alderman Schmitt seconded the motion which was voted on and unanimously passed.

New Business.

Bill No. 11-51.

AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AMENDING SECTION 105.040 OF THE CITY OF OSAGE BEACH MUNICIPAL CODE, REESTABLISHING WARD BOUNDARIES FOR THE CITY OF OSAGE BEACH, MISSOURI.

City Attorney Ed Rucker explained that Bill 11-51 reestablishes the ward boundaries in the City after consideration of the results of the 2010 Census. Redistricting must be done every ten years. The purpose of redistricting is to keep the wards compact, contiguous and equal in population. Every vote must have approximately equal weight. Although the City has grown in population, the growth has been well distributed over the three existing wards. This ordinance does not propose any boundary changes. There are 284 residents in the Miller County portion of the City and 4,067 in Camden County. From the current population figures based on census tract block data the current population for each existing and proposed ward is:

<u>WARD</u>	<u>POPULATION PERCENTAGE</u>	
Ward 1	1467	33.70%
Ward 2	1399	32.15%
Ward 3	1485	34.15%
Total	4351	100.00%

Mayor Lyons presented the first reading of Bill No. 11-51 by title only. It was noted that Bill No. 11-51 has been available for public review.

Alderman Schmitt moved to approve the first reading of Bill No. 11-51 as presented. Alderman Farmer seconded the motion which was voted on and unanimously passed.

Mayor Lyons presented the second and final reading of Bill No. 11-51. Alderman Farmer moved to approve the second and final reading of Bill No. 11-51. Alderman Olivarri seconded the motion. The following roll call vote was taken to approve the second and final reading of Bill No. 11-51 and to pass same into Ordinance: "Ayes": Alderman Kahrs, Alderman Rucker, Alderman Schmitt, Alderman Farmer, Alderman Olivarri, Alderman Catcott. "Nays": None. Bill No. 11-51 was passed and approved as Ordinance No. 11.51.

Request to Dispense with October 20, 2011 Board of Aldermen Meeting.

Because the Chamber of Commerce Annual Dinner Meeting conflicts with the October 20, 2011 Board of Aldermen meeting, Alderman Rucker moved to dispense with the October 20, 2011 Board of Aldermen meeting. Alderman Schmitt seconded the motion which was voted on and unanimously passed.

A special Board of Aldermen meeting will be held on October 13, 2011 at 6:30 p.m. Alderman Rucker asked about other budget meetings that need to be scheduled. City Administrator Nancy Viselli will send out the schedule for the budget meetings.

Proposed Contract Modification for Connecting Sewer Project.

City Engineer Nick Edelman explained that the major expense on this contract modification is for concrete pavement. This concrete pavement is for the property at 1037 Palisades Boulevard. During the initial negotiations for this easement, we discussed with the property owner about cutting their parking lot which was to occur in November. It was anticipated that the asphalt plants would not be in operation during the winter months. The property owner was notified that the asphalt would be replaced with concrete. At the July 21, Board of Aldermen meeting this agreement with the property owner was forgotten when we asked for a contract modification to do the asphalt work on this parking lot. This contract modification deletes the asphalt portion of the work and replaces it with concrete.

The remaining part of this contract modification is balancing as built quantities. A few line items had an increase in quantities. Also included in this contract modification is a restocking fee for some casing pipe. We were able to save some money on pipe footage by moving the casing and pipe, but since the contractor ordered planned quantities for the casing they would like to be reimbursed the restocking fee. City Engineer Edelman said he plans to ask MoDOT to pay for the concrete work.

If this work is approved a budget amendment needs to be approved. Funding would come from multiple sources 30-00-773182 MoDOT Mandated Projects on the water side and 35-00-773177 Connecting Sewer.

The Engineering Department recommends approval of this contract modification as written in the amount of \$36,603.26.

Alderman Olivarri moved to approve the contract modification in the amount of \$36,603.26 as recommended. Alderman Farmer seconded the motion which was voted on and unanimously passed.

Bid Award. City Hall Janitorial Services

Building Official Ron White explained that two bids were received as follows:

B & H Cleaning Services, LLC - \$18,000.00
Jani King of Springfield, MO - \$24,660.00

B & H Cleaning is the apparent low-bidder. This contract is to service the public areas of the City Hall building, leaving the individual offices and cubicles to the responsibility of the employee inhabiting that area. Staff recommended awarding the contract for Janitorial Services to B & H Cleaning Services, LLC in the amount of \$18,000.00 annually. This is a budgeted item - (10-09-742000)

Alderman Schmitt moved to award the bid for the janitorial services to the low bidder, B&H Cleaning Services, LLC in the amount of \$18,000.00. Alderman Olivarri seconded the motion which was voted on and unanimously passed.

Communications from Board Members.

Alderman Rucker. Kevin Rucker, referring to the Project Overview that is prepared by City Treasurer Karri Bell, stated that there are a number of contracts that remain open prior to 2009, and one contract from 2004 remains open. He asked that these contracts be reviewed to determine which projects have been approved but not started. Alderman Rucker asked for the estimated cost of maintaining Highway 54 after the City takes it over. He asked that Police Chief Todd Davis look at a device that is attached to stop lights that is activated by emergency vehicles to cycle the signal in the direction of the emergency vehicle. He said that the Osage Beach Special Road District funded most of the cost of the device that is attached to the stop light but the units that are installed in the emergency vehicles were not funded. The cost for each vehicle would be approximately \$1,200.

Alderman Rucker asked the City Attorney to clarify the conflict of interest policy so that he has a better understanding of when there is truly a conflict.

Mayor Lyons commented that the priority signaling system was reviewed in the past but was not considered due to the cost per vehicle. She said she thought only the fire district had access to the system. Alderman Rucker said that that the fire district took the lead but the police department did not think the device was needed for small vehicles. He asked this matter to be reviewed.

Alderman Olivarri. John Olivarri welcomed Alderman Catcott. He reported on two Tri-County Lodging meetings that he attended.

Alderman Farmer. Lois Farmer welcomed Alderman Catcott.

Alderman Schmitt. Ron Schmitt commented that there is a need for clarification on the conflict of interest policy because he was told he had to vote on each issue unless there is a conflict due to financial gain.

Staff Communications.

City Administrator. Nancy Viselli reported that Superintendent of Public Works has informed her

that the entire City has been mowed; \$15,079.09 has been received from FEMA/SEMA for the snow storm last winter; and the first payment in the amount of \$3,944.78 was received from the insurance company for the panel that caught fire. More payments will be received as work progresses.

City Attorney. Responding to the concern about the conflict of interest policy, Ed Rucker stated that he usually errs on the side of caution but he would clarify the policy for Board members.

City Clerk. Diann Warner questioned if Board members wanted to appoint one of their own to represent them on the Planning Commission. There were no objections to placing this item on the next agenda for consideration.

Police Chief. Todd Davis announced that Michael O'Day has been selected to be the new Lieutenant.

Park Manager. Brian Willey reported on upcoming activities at the City Park.

Executive Session.

Alderman Rucker moved to close the meeting pursuant to RSMo. Section 610.021(1) Legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys. Alderman Schmitt seconded the motion.

The following roll call vote was taken to close the meeting: "Ayes": Alderman Rucker, Alderman Schmitt, Alderman Farmer, Alderman Olivarri, Alderman Catcott, Alderman Kahrs, "Nays": None. The meeting was therefore closed.

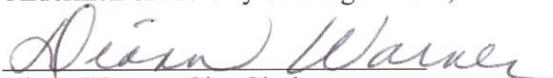
CLOSED SESSION

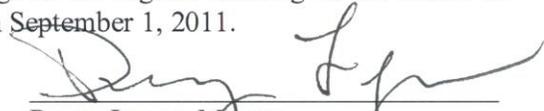
Alderman Schmitt moved to open the meeting. Alderman Farmer seconded the motion. The following roll call vote was taken to open the meeting: "Ayes": Alderman Schmitt, Alderman Farmer, Alderman Olivarri, Alderman Catcott, Alderman Kahrs, Alderman Rucker. "Nays": None. The meeting was therefore opened.

No announcements were made following closed session.

There being no further business to come before the Board, the meeting adjourned at 7:25 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 1, 2011.


Diann Warner, City Clerk


Penny Lyons, Mayor

