

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

January 19, 2012

The Board of Aldermen of the City of Osage Beach, Missouri, met to conduct a regular meeting on Thursday, January 19, 2012, at 6:30 p.m. at City Hall. The following were present: Mayor Penny Lyons, Alderman Fred Catcott, Alderman Lois Farmer, Alderman John Olivarri, Alderman Kevin Rucker and Alderman Ron Schmitt. Alderman Steve Kahrs was absent. City Clerk Diann Warner was present and performed the duties of that office.

**Mayor's Communications.**

Mayor Lyons said that if the last two weeks are any indication, 2012 will be very busy. She reported that two weeks ago, she along with City Administrator Nancy Viselli and representatives of the City of Lake Ozark, met with local legislators to discuss House Bill 89 and to present the City's concerns and its effects on the quarry issue. Last Thursday, the City was well represented at the legislative gathering at Tan-Tar-A. Mayor Lyons thanked elected officials who were in attendance and she said that everyone who spoke was encouraged by the signs of an improving local economy.

Friday, the employee appreciation dinner was held and as she announced at the dinner, 2011 was a difficult year for the City including a huge snow storm and then the 100 degree summer days, but Mayor Lyons said the City can look forward to getting back on track in 2012. She added the dinner and the entertainment were great and she thanked those who made it happen.

Tuesday, while she was out of town, Mayor Lyons reported that Alderman Farmer and Alderman Olivarri presented Kitty McCarthy a proclamation from the City thanking her for her years of service as a volunteer for Lake Regional. She expressed her thanks to Aldermen Farmer and Olivarri for representing the City.

**Citizens Communications.**

Dr. Charles Peterson was present to ask the City to represent him and others impacted by the Federal Energy Regulatory Commission issue. He said that to place the lake level at 662 would be an unfair land grab by Ameren, and he has seen no information about the issue from the City. Dr. Peterson distributed copies of Shoreline Ranch Subdivision showing the shoreline.

Mayor Lyons stated that the fine print is illegible and she asked Dr. Peterson to provide a larger copy and present his case in writing so it could be passed on to Ameren Missouri.

**Consent Agenda.**

City Planner Cary Patterson explained that once a tower has been approved and an equipment upgrade is necessary, a public hearing is not required; rather only Board approval is needed once the consultant has reviewed the application.

Alderman Farmer moved to approve the consent agenda which includes minutes of the regular meeting and closed session held on January 5, 2012, the bill list as submitted, and Special Use Case No. 358, and 359 for equipment upgrade for Verizon Wireless. Alderman Catcott seconded the motion which was voted on and unanimously passed.

**Unfinished Business.**

None.

**New Business.**

**Public Hearing.** Prewitt Highway 54 Enterprises LLC Tax Increment Financing Plan.

City Attorney Ed Rucker said the Tax Increment Financing Act requires a public hearing every five years concerning each project. This is the report for Prewitt's Point Tax Increment Financing agreement. This hearing is conducted pursuant to R.S.Mo. 99.865.3. The purpose of the hearing is to determine if the redevelopment project is making satisfactory progress under the proposed time schedule contained within the approved plans for completion. Notice of such public hearing has been given as required and he submitted the notice of publication for the record. Once the affidavit of publication is received, it will be included in the record.

No one was present to speak to the Prewitt Highway 54 Enterprises LLC Tax Increment Financing Plan. Mayor Lyons closed the public hearing at 6:50 p.m.

**Bill No. 12-02.** AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, ESTABLISHING THE LOCATION OF A STOP SIGN ON PASSOVER ROAD GOING SOUTHEAST AT THE INTERSECTION WITH RED BUD ROAD AS INDICATED HEREIN.

City Engineer Nick Edelman explained that various citizen complaints have been received and investigated relating to an additional stop sign on Passover Road at the southeast intersection with Red Bud Road. This is a four way intersection that has stop signs on three of the four sides. To eliminate confusion, Mr. Edelman recommended installing a stop sign on the fourth side of the intersection.

Mayor Lyons presented the first reading of Bill No. 12-02 by title only. It was noted that Bill No. 12-02 has been available for public review.

Alderman Olivarri moved to approve the first reading of Bill 12-02 by title only. Alderman Catcott seconded the motion which was voted on and unanimously passed.

Mayor Lyons presented the second and final reading of Bill No. 12-02 by title only.

Alderman Farmer moved to approve the second and final reading of Bill No. 12-02. Alderman Schmitt seconded the motion. The following roll call vote was taken to approve the second and final reading of Bill No. 12-02 and to pass same into ordinance as follows: "Ayes": Alderman Catcott, Alderman Rucker, Alderman Schmitt, Alderman Farmer, Alderman Olivarri. "Nays": None. "Absent": Alderman Kahrs. Bill No. 12-02 was passed and approved as Ordinance No. 12.02.

**Bill No. 12-03.** AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT WITH CRAWFORD, MURPHY & TILLY, INC. PROVIDING FOR PAVEMENT MAINTENANCE SERVICES AT THE LEE C. FINE MEMORIAL AIRPORT.

City Engineer Nick Edelman explained that the runway at Lee C. Fine Airport needs pavement rehab and seal coating and engineering services are needed to complete the work.

Crawford, Murphy & Tilly was selected as the best qualified firm to perform engineering services and the Engineering Department has negotiated with them for these services. This contract does not include construction inspection services. Once the scope of services is defined during the design

phase, City Engineer Edelman said he plans to bring a supplemental agreement to the Board for those services.

Funding for this work is available in account 45-00-774128 Airport Capital in the amount of \$450,000. The cost of this work is \$18,050. The City's portion would be 5% of this amount which equals \$902.50. The remaining amount would be covered by grant funding.

Mayor Lyons presented the first reading of Bill No. 12-03 by title only. It was noted that Bill No. 12-03 has been available for public review.

Alderman Olivarri moved to approve the first reading of Bill 12-03 by title only. Alderman Farmer seconded the motion which was voted on and unanimously passed.

Mayor Lyons presented the second and final reading of Bill No. 12-03 by title only.

Alderman Schmitt moved to approve the second and final reading of Bill No. 12-03. Alderman Rucker seconded the motion. The following roll call vote was taken to approve the second and final reading of Bill No. 12-03 and to pass same into ordinance as follows: "Ayes": Alderman Rucker, Alderman Schmitt, Alderman Farmer, Alderman Olivarri, Alderman Catcott. "Nays": None. "Absent": Alderman Kahrs. Bill No. 12-03 was passed and approved as Ordinance No. 12.03.

**Bid Award.** Osage Beach Parkway Sidewalk Project.

The following bids were received:

Karrenbrock Construction Inc.	\$210,156.70
Lehman Construction Co	\$268,201.08
Donald Maggi, Inc.	\$323,358.93
Concrete Engineering LLC	\$287,199.20
Strait-Line Construction	\$268,654.27
Steve & Associates	\$462,037.57
Stockman Construction Corp	\$299,791.20
J.C. Industries Inc.	\$267,473.30
Westport Construction Co	\$346,692.50
Tribal Construction Co	\$352,584.50

Bids were opened on December 28, 2011. The apparent low bidder is Karrenbrock Construction, Inc. with a bid price of \$210,156.70. The Engineering Department has reviewed their documents and has found everything to be in order. The Engineer's estimate for this job was \$370,763.10.

Funding for this job is available in the amount of \$380,000 in account #20-00-773211 Highway 54 Sidewalk Improvements in the 2012 Budget. Since this job is an 80/20 split, the City's portion of this project will be \$42,031.34. The cost savings for this project is \$130,328.

City Engineer Edelman recommended the bid for the Osage Beach Sidewalk Improvements be awarded to Karrenbrock Construction, Inc. the low bidder, in the amount of \$210,156.70. MoDOT concurs with the recommendation.

Alderman Rucker moved to award the bid for the Osage Beach Parkway Sidewalk project to the low bidder, Karrenbrock Construction, Inc., in the amount of \$210,156.70 as recommended.

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

**Authorize Purchase of Pickup with Tool Bed for Water Department.**

The Board was requested to authorize the purchase of a ¾ ton, 4-Wheel Drive pickup with tool bed for the Water Department from Capitol City Machens Ford on the Missouri Department of Transportation State contract in the amount of \$26,076 plus set up costs. The budgeted amount is \$28,350 from line item 30 774265.

Alderman Rucker moved to authorize the purchase of a 4-Wheel drive pickup with tool bed for the Water Department as recommended in the amount of \$26,076 plus set up costs. Alderman Farmer seconded the motion which was voted on and passed.

**Authorize Purchase of Pickup for Water Department.**

The Board was requested to authorize the purchase of a ¾ ton, 4-Wheel Drive pickup for the Water Department from Capitol City Machens Ford on the Missouri Department of Transportation State contract with Knapheide providing a mounting bracket for \$2,300 resulting in a total cost of \$23,905 plus set up costs. The budgeted amount is \$25,600 from line item 30 774265.

Alderman Rucker moved to authorize the purchase of a 4-Wheel drive pickup for the Water Department as recommended in the amount of \$23,905 plus set up costs. Alderman Farmer seconded the motion which was voted on and unanimously passed.

**Authorize 2012 Scoreboard Advertisement Renewal Contracts.**

The Board was requested to approve the renewal contracts with American Family and Mid Missouri Credit Union for the 2012 fiscal year for a total of \$1,425 in fees (10-00-450450). At this time American Family is renewing for 6 months (they noted they will be in contact with us regarding the second 6 months of 2012) and Mid Missouri Credit Union is renewing for the entire 12 months.

In addition, Mid Missouri Credit Union has pre-paid for the materials (\$15) to have their address changed on the scoreboard (due to the Osage Beach Parkway address change). A local vendor will create the letters and the park employees will install them at no additional charge.

Alderman Olivarri moved to approve the 2012 scoreboard advertisement renewal contracts with American Family and Mid Missouri Credit Union as recommended. Alderman Catcott seconded the motion which was voted on and passed.

**Authorization to Apply for TEAP Grant.**

City Engineer Nick Edelman asked the Board to approve the application for a Traffic Engineering Assistance Program grant for Nichols Road between Osage Beach Parkway and the Expressway. He explained that the new intersection has increased the traffic counts and he would like to know what should be done there and at the intersection of Armory and Nichols. Mr. Edelman said that the study would show what should be done to resolve traffic issues and it would also update the Transportation Master Plan. The maximum amount that MoDOT will contribute is \$8,000 and the City's portion would be \$10,500.

City Engineer Nick Edelman said he would like the study to be conducted during the summer, and

if we receive the grant, he will bring a budget amendment to the Board along with a MoDOT agreement at a later date. Alderman Rucker said he is in favor of the study, however he expressed his concern that it may be too soon for the study. Alderman Olivarri said that the study will look at possible development in certain areas. Alderman Catcott said the study should be done as soon as possible and he avoids that area because of the road.

Mayor Lyons said the road is narrow and trucks have a hard time making the turn onto Armory Drive. She said that many motorists are using that exit to access the hospital and it would only get more congested. She added that the expressway created the problem and the City may be able to obtain a grant.

Alderman Olivarri moved to authorize City Engineer Nick Edelman to apply for a Traffic Engineering Assistance Program grant as recommended. Alderman Farmer seconded the motion which was voted on and passed.

#### **Communications from Board Members.**

Alderman Schmitt. Ron Schmitt shared some historical facts that occurred on January 19.

Alderman Farmer. Lois Farmer reported that she was proud to present a proclamation, along with Alderman Olivarri, to Kitty McCarthy to recognize her retirement from the Lake Regional Health Center where she spent many years as Director of Volunteer Services.

Alderman Catcott. Fred Catcott asked City Engineer Nick Edelman about the traffic light configuration at Jeffries Road. Mr. Edelman said he has spoken with MoDOT representatives and they will review the situation.

Alderman Olivarri. John Olivarri thanked Alderman Farmer for asking him to assist in presenting the proclamation to Kitty McCarthy.

Alderman Rucker. Kevin Rucker thanked all those who worked on the Employee Appreciation Dinner which was a lot of fun. He said he can identify with Dr. Peterson and his concern for the lake level. Alderman Rucker said that he attended a FERC meeting and it provided an educational opportunity. He added that Jeff Green did a good job of explaining the issues.

Mayor Lyons said that Jeff Green was on the radio this week, a great deal of information is available online and they have held four forums. Alderman Rucker said if Ameren Missouri is allowed to get what they are asking for, 95% of the problems would be eliminated.

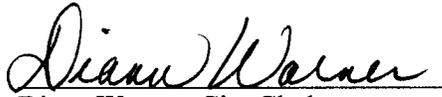
#### **Staff Communications.**

City Clerk. City Clerk Diann Warner reported on the MML Legislative Conference that will be held in Jefferson City on February 14-15 and she asked those interested in attending to contact her.

City Planner. Cary Patterson thanked the City for the Employee Appreciation Dinner last week.

There being no further business to come before the Board, the meeting adjourned at 7:20 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 19, 2012.

  
Diann Warner, City Clerk

  
Penny Lyons, Mayor

**APPROVED**  
A 2/2/12 D