

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

May 3, 2012

The Board of Aldermen of the City of Osage Beach, Missouri, met to conduct a regular meeting on Thursday, May 3, 2012, 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 also present.

Mayor's Communications. Mayor Lyons presented a proclamation designating May 15th as Peace Officer's Memorial Day and the week in which May 15th falls as National Police Week.

Mayor Lyons reported that on Tuesday a man on a riding lawnmower drove across four lanes of traffic in front of McDonald's to the other side of the road. She said two people told her that people have gone around the barricade on Key Largo to enter the expressway. The police have stationed a car in the area to stop this from happening. Last week on the one way couple, a large tow truck made a right hand turn into three lanes of one way traffic. Vehicles moved over and he turned into the auto shop.

Mayor Lyons reported that over the last three months, the Police Department has issued 69 tickets for speeds between 10 and 19 miles over the speed limit and 9 tickets for speeds 20-29 miles over the speed limit. She said the department continues to issue two thirds more warnings than tickets.

Mayor Penny Lyons thanked Alderman Catcott for his suggestion to rent a bus to view Osage Beach Parkway.

Citizens Communications.

No one was present who wished to appear before the Board.

Consent Agenda.

Alderman Olivarri moved to approve the consent agenda which includes minutes of the special meeting held on April 17, 2012, the regular meeting held on April 19, 2012, and the bill list as submitted. Alderman Farmer seconded the motion.

City Engineer Nick Edelman submitted a change to the bill list which reduced the amount listed to Donald Maggi for work on Passover Road from \$495,453.79 to \$456,643.04. Alderman Olivarri moved to amend the motion to include the bill list as amended. Alderman Farmer seconded the motion which was voted on and unanimously passed.

Unfinished Business.

None

New Business.

Board Representation on Boards/Commissions.

Alderman Schmitt moved that Alderman Farmer represent the Board of Aldermen on the Planning Commission. Alderman Catcott seconded the motion which was voted on and passed.

Alderman Schmitt moved that Alderman Catcott represent the Board of Aldermen on the Joint Sewer Board. Alderman Farmer seconded the motion which was voted on and passed.

Alderman Olivarri moved that Alderman Catcott represent the Board of Aldermen on the Liquor Control Board. Alderman Rucker seconded the motion which was voted on and passed.

Appointment to the Osage Beach TIF Commission.

Mayor Lyons asked the Board to confirm the following appointments to the TIF Commission for four year terms: Steven Dow, Ron Rule and John Olivarri. Alderman Schmitt moved to approve the appointments as requested. Alderman Catcott seconded the motion which was voted on and passed.

Appointment to the Board of Appeals.

Mayor Lyons asked the Board to confirm the appointment of Anthony Westhusing to the Board of Appeals for a five year term. Alderman Olivarri moved to approve the appointment as requested. Alderman Schmitt seconded the motion which was voted on and passed.

Appointment to the Board of Adjustment.

Mayor Lyons asked the Board to confirm the appointment of Don Sturn for a five year term to the Board of Adjustment. Alderman Farmer moved to approve the appointment as requested. Alderman Catcott seconded the motion which was voted on and passed.

Bill No. 12-13.

AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AMENDING ORDINANCE NO. 11.70 ADOPTING THE 2012 ANNUAL BUDGET, TRANSFERRING APPROPRIATIONS FOR NECESSARY EXPENSES.

Assistant City Administrator Jeana Albertson said that at the First Quarterly Budget meeting on April 17, 2012, the Board voted to allocate an additional \$5,000 to line item 10-021-754250 for the Hollywood type sign. The money will come from unrestricted balances.

Mayor Lyons presented the first reading of Bill No. 12-13 by title only. It was noted that Bill No. 12-13 has been available for public review.

Alderman Rucker moved to approve the first reading of Bill No. 12-13 as presented. Alderman Kahrs seconded the motion which was voted on and passed.

Mayor Lyons presented the second and final reading of Bill No. 12-13 by title only. Alderman Olivarri moved to approve the second and final reading of Bill No. 12-13. Alderman Catcott seconded the motion. The following roll call vote was taken to approve Bill No. 12-13 and to pass same into Ordinance: "Ayes": Alderman Catcott, Alderman Rucker, Alderman Schmitt, Alderman Farmer, Alderman Kahrs, Alderman Olivarri. "Nays": None. Bill No. 12-13 was passed and approved as Ordinance No. 12.13.

Bill No. 12-14. AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AMENDING SECTION II, STOP SIGNS, BY DELETING CERTAIN STOP SIGN LOCATIONS, AND CREATING OTHERS.

City Engineer Nick Edelman explained that the City has opened the roundabout on Passover Road at the intersection of Wilson Drive, Mill Road and Wyrick Drive and the stop signs at the intersections are no longer needed. The streets within the Parkside Village development are City streets, but stop signs have not been installed at the intersection with Osage Beach Parkway and others.

Mayor Lyons presented the first reading of Bill No. 12-14 by title only. It was noted that Bill No. 12-14 has been available for public review.

Alderman Farmer moved to approve the first reading of Bill No. 12-14 as presented. Alderman Schmitt seconded the motion which was voted on and passed.

Mayor Lyons presented the second and final reading of Bill No. 12-14 by title only. Alderman Schmitt moved to approve the second and final reading of Bill No. 12-14. Alderman Farmer seconded the motion. The following roll call vote was taken to approve Bill No. 12-14 and to pass same into Ordinance: "Ayes": Alderman Rucker, Alderman Schmitt, Alderman Farmer, Alderman Kahrs, Alderman Olivarri, Alderman Catcott. "Nays": None. Bill No. 12-14 was passed and approved as Ordinance No. 12.14.

Bill No. 12-15. AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT WITH SIEMENS INDUSTRY, INC. TO PROVIDE AN ODOR CONTROL PROGRAM

Superintendent of Public Works Rick King said Bill No. 12-15 authorizes the Mayor to execute the Odor Control Service Contract with Siemens Industry, Inc. He proposed taking \$80,000 from Operation and Maintenance and transferring it to Professional Services which leaves \$25,000 in the line item. Mr. King explained that Siemens will monitor odor control twenty four hours a day, seven days a week; submit monthly reports and conduct experiments with different chemicals at no additional cost to the City. He listed other services that would be provided under the proposed agreement.

Mayor Lyons presented the first reading of Bill No. 12-15 by title only. It was noted that Bill No. 12-15 has been available for public review.

Alderman Schmitt moved to approve the first reading of Bill No. 12-15 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. 12-15 by title only. Alderman Farmer moved to approve the second and final reading of Bill No. 12-15. Alderman Catcott seconded the motion. The following roll call vote was taken to approve Bill No. 12-15 and to pass same into Ordinance: "Ayes": Alderman Schmitt, Alderman Farmer, Alderman Kahrs, Alderman Olivarri, Alderman Catcott, Alderman Rucker. "Nays": None. Bill No. 12-15 was passed and approved as Ordinance No. 12.15.

Bill No. 12-16. AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, ENACTING A NEW SECTION 325.060 RELATING TO TRAVELING THROUGH ROUNDABOUTS AND DESIGNATING ROUNDABOUTS

City Attorney Ed Rucker said Bill No. 12-16 was copied from Jefferson City's ordinance for their roundabouts and it has been successful.

Mayor Lyons presented the first reading of Bill No. 12-16 by title only. It was noted that Bill No. 12-16 has been available for public review.

Alderman Rucker moved to approve the first reading of Bill No. 12-16 as presented. Alderman Schmitt seconded the motion which was voted on and unanimously passed.

Proposed Contract Modification. Highway 42 Water and Sewer Extension Phase 2.

City Engineer Nick Edelman said the proposed contract modification is a unit price contract and with all unit price contracts, work is paid based on completed quantities not estimated. There are a few line items that went over the estimated amount. For example, the line item for Secondary Electrical for Grinder Station Completed went over due to the fact that we had to run to a different utility pole. The majority of the extra work is to clean up associated items.

The contract modification is in the amount of \$14,029.45. This results in an additional \$2,435.45 to water and \$11,594.00 to sewer. These funds are available from 30-00-773178 Hwy 42 Parallel Water and 35-00-773185 Hwy 42 Parallel Sewer.

The Engineering Department recommended approval of the contract modification.

Alderman Kahrs commented that contract modifications continue to concern him and he asked that they be closely monitored. Alderman Rucker said that if contracts included every contingency, bids would be much higher.

Alderman Olivarri moved to approve the contract modification as recommended for the Highway 42 Water and Sewer Extension Phase 2. Alderman Farmer seconded the motion which was voted on and unanimously passed.

Communications from Board Members.

Alderman Catcott. Fred Catcott announced that the Street Meet is this weekend and Mayor Lyons and Police Chief Davis will be presenting a trophy. He said that the City benefits a great deal from this event.

Alderman Kahrs. Steve Kahrs thanked the Police Department for having the golf tournament at Sycamore Creek Golf Club and he hoped a lot of money was raised.

Alderman Kahrs expressed his concern for businesses on the west side of the Grand Glaize Bridge. He said every business that closes is one that does not pay sales tax. He asked that the issues be discussed. Discussion followed on the area from the Osage River Bridge to Denny's that is called Bagnell Dam Boulevard and to the right to Bagnell Dam is also named Bagnell Dam Boulevard. Lake Ozark had been requested to name a portion of road that is 1,822 feet long between Denny's and Osage Beach city limits Osage Beach Parkway but they declined and named the portion Old

Highway 54. Another problem is there are too many signs coming from Eldon and turning off at 242. Additionally, the scope of work changed after the Board made a decision to change the name to Osage Beach Parkway when the expressway opened.

The idea to place a welcome sign at the west end of town was discussed however no funds are budgeted in 2012 for that purpose. There were no objections to staff researching the cost of a sign at the west end of town.

Discussion followed on whether the City has the ability to change the name of Osage Beach Parkway to Business 54 as Bob Lynch, District 5 Engineer, stated at the Public Forum held on May 1. City Administrator Nancy Viselli commented that the City would be paying for all the signage if the name is changed and the City was given the opportunity and chose another name. City Engineer Nick Edelman said his understanding of the comment from the public forum was that the individual wanted the federal designation but it involves another municipality. Mr. Edelman added that the road could be named whatever the City wanted but it would not have the federal nomenclature.

City Administrator Viselli commented that every ramp has business district and local signs and according to Bob Lynch, MoDOT has ordered larger Business District signs which will be installed within the next two months on the expressway. She added that everyone has changed their address to Osage Beach Parkway and the City would be responsible for all signage if the name is changed.

Discussion followed on the federal symbol for Business 54, but Lake Ozark already has the symbol and they would have to agree to Osage Beach using it. Alderman Olivarri said he had asked several times about having a Business 54 sign but was told that MoDOT would not allow it and now MoDOT is saying it would be allowed. He added that if the City had known the opportunity existed, then the Board might have made the decision to change the name. Alderman Olivarri believed the best thing to do now would be to wait to see the success of the signs. He said there is a big difference in the development of the east side and the west side. City Administrator Viselli explained that developers on the west side were waiting until the expressway was complete to develop property.

It was noted that attendees at the Public Forum were given an opportunity to complete a form about signage and they could return the form to City Hall, by email or by contacting City Planner Patterson. The comments will be reviewed by the Board in the near future.

Alderman Rucker. Kevin Rucker reported that he spoke to an individual outside the City and they related to him that they had visited other communities and Osage Beach had the least expensive fees and had the friendliest staff that was willing to spend time with him. The individual told him that permits and fees are \$900 cheaper in Osage Beach than in other municipalities.

Staff Communications.

City Clerk. Diann Warner reminded those present to RSVP by May 7 if they planned to attend the Dierbergs groundbreaking on Thursday, May 10.

Police Department. Lieutenant Mike O'Day reported that the police department has received three new vehicles in the past week.

Airport Manager. Budd Hyde reported that Jim Houston is recovering. He also reported that the

runway at Lee C. Fine would be closed for resealing and restriping from May 7-16.

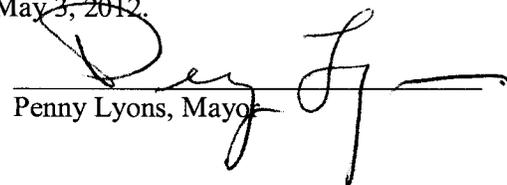
Parks. Assistant City Administrator Jeana Albertson reported on activity at the City Park. She encouraged everyone to view the calendar on the City's web page to see everything that is scheduled.

Superintendent of Public Works. Rick King reported that seventy four miles of shoreline had been cleaned in one day which included all the shoreline in Osage Beach.

There being no further business to come before the Board, the meeting adjourned at 7:40 p.m.

I, Diann Warner, City Clerk of the City of Osage Beach, Missouri, do hereby certify that the above foregoing is a true and complete journal of proceedings of the regular meeting of the Board of Aldermen of the City of Osage Beach, Missouri, held on May 3, 2012.


Diann Warner, City Clerk


Penny Lyons, Mayor

APPROVED
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