

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

June 21, 2012

The Board of Aldermen of the City of Osage Beach, Missouri, met to conduct a regular meeting on Thursday, June 21, 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 present and performed the duties of that office.

Mayor's Communications.

Mayor Lyons announced a response had been received from the Governor's office regarding the sales tax on out of state vehicle sales. She said it appeared that a decision had already been made although the matter is being reviewed by the Governor.

Citizens Communications.

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

Consent Agenda.

Alderman Schmitt moved to approve the consent agenda which includes minutes of the regular meeting held on June 7, 2012, the bill list as submitted, and liquor licenses as follows:

Applebee's
Backwater Jack's
Biggy's Italian Restaurant
Blue Marine Marina
Chicago Brothers Pizza & Pub
City of Osage Beach – City Park Concessions
DC Sluggers
DC Sluggers
Dog Days Bar & Grill
El Charco Azul
IMO's Pizza
Lil Rizzo's
Quick Stop
Robin's Resort
Touch of Asia

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

Unfinished Business.

None

New Business.

Bill No. 12-21.

AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI AUTHORIZING THE MAYOR TO EXECUTE A SALES TAX ADMINISTRATION AGREEMENT WITH THE DIERBERGS OSAGE BEACH TRANSPORTATION DEVELOPMENT DISTRICT

City Attorney Ed Rucker said that Bill No. 12-21 authorizes the Mayor Lyons to sign the Sales Tax Administration Agreement setting out the City's rights and duties in administering the Dierbergs Osage Beach Transportation Development Agreement. The TDD will impose a 1% sales tax on sales at Dierbergs Lakeview Point Shopping Center which will be collected by the Missouri Department of Revenue and forwarded to the City. Pursuant to the Dierbergs TIF agreement and the Dierbergs TDD agreement the City will forward half of the amount received to the TIF Special Allocation Fund and half to the TDD. The City will receive a 1% fee for its services in this agreement.

Mayor Lyons presented the first reading of Bill No. 12-21 by title only. It was noted that Bill No. 12-21 has been available for public review.

Alderman Catcott moved to approve the first reading of Bill No. 12-21 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. 12-21 by title only. Alderman Farmer moved to approve the second and final reading of Bill No. 12-21. Alderman Schmitt seconded the motion. The following roll call vote was taken to approve Bill No. 12-21 and to pass same into Ordinance: "Ayes": Alderman Olivarri, Alderman Catcott, Alderman Rucker, Alderman Schmitt, Alderman Farmer, Alderman Kahrs. "Nays": None. Bill No. 12-21 was passed and approved as Ordinance No. 12.21.

Bill No. 12-22.

AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT WITH THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION ALLOCATING FEDERAL NON-PRIMARY ENTITLEMENT FUNDS FOR THE RUNWAY MAINTENANCE PROJECT AT THE LEE C. FINE MEMORIAL AIRPORT

City Engineer Nick Edelman explained that Bill No. 12-22 authorizes Mayor Lyons to execute the agreement with the Missouri Highways and Transportation Commission. The agreement provides funding for the pavement maintenance project at Lee C. Fine Airport. Mr. Edelman said the FAA has agreed to the 95% federal funds and a 5 % local match.

Mayor Lyons presented the first reading of Bill No. 12-22 by title only. It was noted that Bill No. 12-22 has been available for public review.

Alderman Olivarri moved to approve the first reading of Bill No. 12-22 as presented. Alderman Schmitt seconded the motion which was voted on and unanimously passed.

Mayor Lyons presented the second and final reading of Bill No. 12-22 by title only. Alderman Farmer moved to approve the second and final reading of Bill No. 12-22. Alderman Schmitt seconded the motion. The following roll call vote was taken to approve Bill No. 12-22 and to pass same into Ordinance: "Ayes": Alderman Catcott, Alderman Rucker, Alderman Schmitt, Alderman

Farmer, Alderman Kahrs, Alderman Olivarri. "Nays": None. Bill No. 12-22 was passed and approved as Ordinance No. 12.22.

Bill No. 12-23.

AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AMENDING SCHEDULE V, TURN RESTRICTIONS, BY DELETING THE NO LEFT TURN SIGN LOCATED ON HATCHERY ROAD ONTO HIGHWAY 54.

City Engineer Edelman has reviewed the site and feels comfortable removing the no left turn restriction. Certain events and times which will cause increased traffic from Hatchery Road onto Highway 54 (Osage Beach Parkway) may necessitate a need for a temporary no left turn order. These situations will be evaluated case by case by the Police Department.

Mayor Lyons presented the first reading of Bill No. 12-23 by title only. It was noted that Bill No. 12-23 has been available for public review.

Alderman Olivarri moved to approve the first reading of Bill No. 12-23 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. 12-23 by title only. Alderman Schmitt moved to approve the second and final reading of Bill No. 12-23. Alderman Farmer seconded the motion. The following roll call vote was taken to approve Bill No. 12-23 and to pass same into Ordinance: "Ayes": Alderman Rucker, Alderman Schmitt, Alderman Farmer, Alderman Kahrs, Alderman Olivarri, Alderman Catcott. "Nays": None. Bill No. 12-23 was passed and approved as Ordinance No. 12.23.

Authorize Mayor to Execute Agreement with Recommended Credit Card Services Vendor.

City Treasurer Karri Bell said the department recommends the City utilizes MuniPay for credit/debit card processing services. MuniPay is a division of Nationwide Payment Solutions which caters specifically to governmental entities. The key determining factor in this recommendation is the fact that MuniPay offers a completely cost neutral program for the City. The transaction fee (2.45%, \$1.50 minimum) is completely paid by the customer and no fees are charged to the City. MuniPay provides both over the counter credit card payments as well as online payments via a seamless and secure link on the City's website. Funds due the City will be automatically deposited into our bank account within two business days. MuniPay will provide card readers at no cost for over the counter transactions. Training will be provided at no additional cost as well as continuous 24 hour support. MuniPay also provides real-time reporting options which will allow City staff to easily balance daily and have access to numerous search options.

The City Treasurer requested that all City departments and all City services be allowed to utilize these credit/debit card services. The agreement has been reviewed and revised by the City Attorney to protect the City interests.

Discussion followed on the type of services that will be offered; by phone, in person or online through a secure website that Civic Plus will establish. Utility bills, traffic fines and other payments could be made using the service. The customer will incur a convenience fee and there will be no cost to the City.

Alderman Rucker moved to authorize Mayor Lyons to execute the agreement with MuniPay for credit/debit card processing services as recommended. Alderman Schmitt seconded the motion which was voted on and unanimously passed.

Proposed Contract Modification for Additional Asphalt.

City Engineer Nick Edelman explained that this contract modification is to modify the quantities to match the as built quantities. Multiple streets needed additional asphalt due to various reasons. On Jeffries Road and Redbud Road, there were a few long driveway tapers that were needed to make sure the driveways matched up to the roadway. More asphalt than planned was needed on Jeffries Road.

This contract modification is for \$13,276.02. Funding is available in Item No. 20-00-764207, Asphalt Overlay in the amount of \$139,000.

Alderman Catcott questioned whether the island on Redbud could be eliminated so that vehicles could turn both directions. City Edelman will look into the matter.

Alderman Schmitt moved to approve Contract Modification No. 1 for additional asphalt in the amount of \$13,276.02 as recommended. Alderman Farmer seconded the motion which was voted on and unanimously passed.

Authorize Purchase of 2009 Dodge Caravan.

IT Department Manager Jim Davis said the vehicle is extremely clean and well maintained. He also drove the vehicle and no problems were detected. The purchase price is \$12,300.00. This vehicle will replace the 1996 Ford Taurus that is currently used by IT and other City Hall employees for transportation.

Mr. Davis contacted GSA to try and obtain the maintenance records for this vehicle but found out that once the vehicle was sold to Missouri State Surplus records were deleted. He was assured by the GSA Region 6 Fleet Manager that the maintenance was followed according to manufacturer's recommendations. This item was budgeted under Account 10-19-774265 in the amount of \$12,000.

Alderman Farmer moved to approve the purchase of a 2009 Dodge Caravan as requested. Alderman Catcott seconded the motion which was voted on and unanimously passed.

Closing of City Hall and Public Works Department on Monday, December 24, 2012.

Since Christmas Day is on a Tuesday, Assistant City Administrator Jeana Woods asked the Board to consider closing City Hall and the Public Works Facility on Monday, December 24, 2012 creating an opportunity to have a four day weekend with family. The majority of City Hall and Public Works employees will use personal or vacation time. If new employees do not have personal leave or vacation it would be a day off without pay. Mrs. Woods said that history has shown very few phone calls and in person contact at City Hall on Christmas Eve.

Alderman Farmer moved to close City Hall and the Public Works Facility on Monday, December 24, 2012 for Christmas Eve as requested. Alderman Schmitt seconded the motion which was voted on and unanimously passed.

Bid Award.

Superintendent of Public Works Rick King explained that one bid was received from Municipal Equipment in the amount of \$44,961.80 for (10) volutes with bottom plates and brackets. \$300,734 was budgeted for Major LS, Pumps/Panels in account number 35-00-773115 - Lift Station Improvements. Parts to rebuild the lower end of pumps will be ordered and repairs will be done in house. Staff recommends bid award to Municipal Equipment.

Alderman Olivarri moved to award the bid for volutes to Municipal Equipment in the amount of \$44,961.80 as recommended. Alderman Catcott seconded the motion which was voted on and unanimously passed.

Communications from Board Members.

Alderman Schmitt. Ron Schmitt presented some facts which occurred on this day in history.

Alderman Catcott. Fred Catcott commended Superintendent of Public Works Rick King for finding a way to remove the weeds sidewalks around Jeffries Road. They will be working with MoDOT and some residents to keep them clean.

Alderman Rucker. Kevin Rucker questioned the time frame for taking over maintenance of Osage Beach Parkway. City Engineer said MoDOT would like to have the transfer complete before winter but he said there is a great deal of surveying to be done. The City Engineer has a meeting next week and will know more.

Alderman Rucker said that MoDOT is considering closing off one end of town and he expressed his desire to support the business community. Mayor Lyons responded that Bob Lynch said they will consider all options before making a decision on what will be done at the Key Largo intersection. She added that it is MoDOT's decision on how to resolve the situation. Alderman Rucker commented that it is their decision but it affects the City. He said that MoDOT solved a problem at an intersection in Linn Creek that was a major concern.

Alderman Kahrs stated that he believed MoDOT quit on the west side of town and they are trying to shift the problem to the City down the road. He said the true solution is to construct an interchange to reopen Osage Beach Parkway, it will cost a great deal of money but it is MoDOT's responsibility. Alderman Kahrs said any support the Board could give to the west side would be appreciated. Mayor Lyons said that there was a full house Thursday night at the public hearing and MoDOT is taking comments until next week.

Alderman Kahrs said that Representative Diane Franklin helped with the issue on Nichols Road and perhaps she could assist in this matter. He said that the City needs to involve state elected officials to urge MoDOT to reopen Osage Beach Parkway otherwise; the west end will remain as it is. He said that what MoDOT did on the west end is not fair to the City. Mayor Lyons commented that there are many problems and if Osage Beach Parkway is reopened, it would not alleviate problems at the Key Largo intersection.

Alderman Kahrs asked if larger business district signs would be installed because he thought they would be much larger. City Engineer Edelman will ask about the signs when he meets with MoDOT next week.

Alderman Kahrs said that the intersection affects the VA Clinic and Alderman Farmer agreed that road conditions in that area are terrible.

Alderman Rucker would like to make sure MoDOT knows that safety for ingress and egress to those businesses on the west end is most important. Alderman Kahrs said he has an idea of how to solve the problem and he will present a drawing to City Engineer Edelman.

Alderman Olivarri. John Olivarri said he met today with Parks Manager Brian Willey and he felt the ball fields are of good quality. Mr. Willey would be bringing information to the Board about improvements in the near future. Alderman Olivarri said if tournaments continue to be held at the park, then different options must be considered before budget time. Alderman Olivarri said there is an opportunity to expand the park for tournament play.

Mayor Lyons announced that the Assistant City Administrator has a new last name - Woods.

Staff Communications.

City Attorney. Ed Rucker said he had been asked to check the statutes for the HR policy the City has on running for elected office. He has determined that City employees are different than elected officials and based on case law, the City's policy is within the accepted parameters of the law.

City Planner. Cary Patterson said that it has been 13 years since the Park Master Plan and he encouraged elected officials to review it when the Board considers what park improvements should be made. Mr. Patterson reported he has contacted a sign company to get an idea of the cost for a sign on the west side of town. Alderman Kahrs questioned whether property behind City Hall could be traded for property to erect the sign. City Planner Patterson said the property behind City Hall is zoned Agricultural but it could be changed.

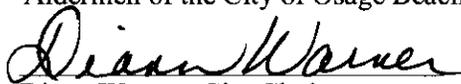
City Treasurer. Karri Bell announced that the audit will be on the agenda for the second meeting in July. She said the audit had been delayed because the actuarial from the Health Savings Account was not available.

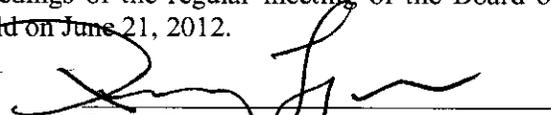
City Engineer. Nick Edelman announced that the contract for the improvements on Passover Road had been decreased by \$138,000. He reported that Bob Lynch of MoDOT had asked him to speak to a group about transportation needs in Columbia on July 9.

Park Manager. Brian Willey announced that the first soccer tournament is scheduled in July for three to fourteen year old children. He reported that a 3 day softball tournament will be held next weekend with 34 teams. Both parks will be used.

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 June 21, 2012.


Diann Warner, City Clerk


Penny Lyons, Mayor

APPROVED
7/5/12