

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

July 19, 2012

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

Mayor's Communications.

Mayor Lyons reported that she and City Engineer Nick Edelman attended the Blue Ribbon Committee meeting on July 9 in Columbia. The Lake area was well represented with Mike Kenagy, Chief Jeff Dorhauer, and Joe Roeger attending as well as City Engineer Edelman who spoke on recommendations for funding MoDOT projects.

On July 10, the Transportation Advisory Committee met at Willmore Lodge. MoDOT announced that they were working on shoulders on W and Highway 42. Bob Lynch said that they continue to study the best solution to the problem at the Key Largo Intersection.

Mayor Lyons said that at these meetings, she spoke with MoDOT officials to let them know there are continuous violations where people are exiting the entrance at the Key Largo Intersection. She has received two reports in one day about three cars and one motorcycle accessing the expressway from that location and if it continues, there will be a head on collision.

July 16, the Council of Local Governments met at City Hall for their monthly meeting. The Comprehensive Economic Development Strategy (CEDS) report recently accepted by the EDA was presented. It is a good start for the area and has a lot of information on the four counties for businesses looking to locate in our area. There will be a few amendments to add before the end of the year.

The District T executive board met on Monday and two bids were submitted for the administration contract. The contract was awarded to WCM. The board also approved advertising for the next grant cycle for solid waste grants for the three counties. The latest grants, with one exception, have been closed out.

On July 26, Mayor Lyons reported that she would be in Jefferson City for the Missouri Municipal League Economic Development Committee meeting. The committee will make recommendations for the upcoming year regarding support for proposed legislation.

Citizens Communications.

Mac McNally thanked the Mayor for acknowledging the CEDS report which was approved by the FDA. Mr. McNally said the report is on the LOCLOG if anyone wants to review it.

Consent Agenda.

Alderman Schmitt moved to approve the consent agenda which includes minutes of the regular meeting and closed session minutes held on July 5, 2012, the bill list as submitted.

Alderman Farmer seconded the motion which was voted on and passed.

Unfinished Business.

None

New Business.

2011 Audit. Heidi Chick of Williams Keepers, LLC

Ms. Heidi Chick presented a summary of the 2011 Audit and reported that each year the City prepares and submits a CAFR that goes above and beyond requirements. Ms. Chick explained that there are generally accepted auditing standards due to the City receiving federal funds through grants. The City has \$80 million in assets, \$63 million in capital assets, \$8 million in restricted funds and \$9 million in unrestricted funds. Ms. Chick also explained that GASB 54 is a new auditing standard this year. Ms. Kelly Schwartz said a clean opinion was issued and they reported that they received full cooperation from staff, there were no material weaknesses and there were no deficiencies in internal controls.

Mayor Lyons thanked Ms. Chick and Ms. Schwartz for their work and effort on the audit. City Treasurer Karri Bell said everything that the auditors do is electronically organized which makes data easy to collect.

Public Hearing. Sewer Development Charges

City Engineer Nick Edelman explained that review of the Sewer Development Charges has been completed and several changes are recommended.

Many SDC projects have been completed. With the completion of these SDC projects, we have actual numbers versus estimated numbers. We have now updated the formulas with the actual construction cost numbers. A few areas have changed rates with the actual numbers.

- 1) Area 6 (Previous Area 8) is recommended to be raised from \$1,735 to \$1,900 per EDU. An EDU is an equivalent dwelling unit. This is a result of the 2nd Grand Glaize Bridge Crossing and the Westside Sewer costing more than originally estimated.
- 2) Area 7 (Previous Area 10) is recommended to be raised from \$2,080 to \$2,255 per EDU. This is a result of the 2nd Grand Glaize Bridge Crossing, the Westside Sewer, and the Connecting Sewer projects.
- 3) Area 8 (Previous Area 11) is recommended to be raised from \$2,660 to \$2,835 for the same reasons as Area 7.

We are recommending deleting a few of the areas. We recommend deleting areas 6, 7, and 9. If these areas are deleted, the actual area of the City will be moved into a different area.

Area 6 – This area includes the Hammons Property on Windjammer Road. The original idea behind this area was that the sewer flows from this area would discharge into the pump station on Windjammer Road. This pump station needed to be upgraded to handle the proposed flows on this property. Since this property has been acquired by Hammons, this property will need to build its own lift station that can handle the flows. The engineering of this area allows the flows to discharge into the Passover Main instead of the Windjammer Lift Station; therefore, this station does not need to be upgraded in the future.

Area 7 – This area includes the property east of the Osage Beach Health Care Center. The original sewer flow idea was that the property east of the health care center would flow into the lift station servicing this area. The lift station servicing the Osage Beach Health Care Center was not large enough to handle the additional undeveloped land east of it; therefore, we planned on upgrading it. A large development came in and built a gravity system with a single pump station concept. This station had the capability to pump directly into the Passover Sewer Main thereby eliminating the need to pump the sewage twice to get it into the Passover Main. This station does not need to be upgraded now that we have a gravity system and new pump station in this area.

Area 9 – This area includes the property on Port Lane. This area was planned to have more units than is now being proposed. The need to upgrade this sewer line has diminished.

Bill 12-24 also reflects the comprehensive plan was updated in 2006.

No one was present to speak in favor of or in opposition to the Sewer Development Charges. Mayor Lyons closed the public hearing at 6:57 p.m.

Bill No. 12-24. Amendment to Section 710.410, Sewer Development Charges

Mayor Lyons presented the first reading of Bill No. 12-24 by title only. It was noted that Bill No. 12-24 has been available for public review.

Alderman Schmitt moved to approve the first reading of Bill No. 12-24 as presented. Alderman Farmer seconded the motion which was voted on and passed.

Proposed Contract Modification. Sands Lift Station Repair

City Engineer Nick Edelman explained that this contract modification is for additional work inside the Sands Lift Station Wet Well. Once the lift station was drained and cleaned it was discovered that the other three pump bases required replacement. Additional pipe support brackets were also needed for the discharge piping.

This project will need a budget amendment as discussed during the award of this project at the March 15 Board of Aldermen meeting.

The Engineering Department recommends approving the contract modification as written in the amount of \$8,225.15.

Alderman Schmitt questioned if funds were available for the project. City Engineer Nick Edelman said funds are available in the repair and replacement account. Alderman Rucker questioned reimbursement from the insurance company for the repair. Superintendent of Public Works Rick King responded that reimbursement will be made for part of the cost but the exact amount is unknown.

Alderman Farmer moved to approve Contract Modification No. 1 for the Sands Lift Station Repair as recommended. Alderman Schmitt seconded the motion which was voted on and passed.

Bill No. 12-25. 2012 Budget Amendment

Mayor Lyons presented the first reading of Bill No. 12-25 by title only. It was noted that Bill No. 12-24 has been available for public review.

Alderman Olivarri moved to approve the first reading of Bill No. 12-25 as presented. Alderman Farmer seconded the motion.

Alderman Schmitt expressed his concern that \$8,000 was approved and now the budget amendment is for another \$84,000. City Engineer Nick Edelman said that during the award, a budget amendment was not approved at that time because the cost was unknown. He added that the \$84,000 was not budgeted and it was for repairing the pumps and valves and the project costs total \$93,202. Superintendent of Public Works Rick King said that there is a line item in operation and maintenance for repair of the system and he added that this was an emergency repair.

The motion to approve the first reading of Bill No. 12-25 was voted on and passed with Alderman Schmitt expressing a negative vote.

Mayor Lyons presented the second and final reading of Bill No. 12-25 by title only. Alderman Olivarri moved to approve the second and final reading of Bill No. 12-25. Alderman Farmer seconded the motion. The following roll call vote was taken to approve the second reading of Bill No. 12-25 and to pass same into Ordinance "Ayes: Alderman Olivarri, Alderman Catcott, Alderman Rucker, Alderman Farmer. "Absent": Alderman Kahrs. "Nays": Alderman Schmitt. Bill No. 12-25 was passed and approved as Ordinance No. 12.25.

Appointments. Osage Beach Citizen Advisory Committee.

Alderman Farmer moved to approve the appointments to the Osage Beach Citizen Advisory Committee as follows:

Geniece Tyler to be reappointed, term to expire June, 2014; Diana Dorhauer, Linda Melton and Jonas Farrell to be appointed as new members who will have terms expiring June, 2013.

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

Storm Siren Upgrade to Narrow Band Compliance.

Police Chief Todd Davis recommended the equipment necessary to upgrade the storm sirens to narrow band compliance be purchased from Outdoor Warning Consultants at a cost of \$7,385.00. Outdoor Warning Consultants is the sole sales and service provider for Whelen Engineering Warning Systems in the State of Missouri. Funds are allocated from 10-20-743101. Chief Davis explained that the sirens must be compliant by January 2013.

Alderman Farmer moved to authorize the purchase to upgrade the storm sirens to narrow band compliance from Outdoor Warning Consultants, the sole sales and service provider for Whelen Engineering Warning Systems in the State of Missouri, in the amount of \$7,385.00. Alderman Schmitt seconded the motion which was voted on and passed.

2012 Park Sign Advertisement.

Assistant City Administrator Jeana Woods explained that D & R Materials is a new listing this year for advertisement on one of the park signs for an annual advertisement amount of \$250 plus a \$20 one time art fee (General Fund monies: 10-00-450450). She added that there are three park signs: one at the pond, the playground and for the lake access. D & R Materials will sponsor the sign for the playground rules. Staff recommends approval of the contract.

Alderman Olivarri moved to approve the 2012 Park Sign Advertisement Contract with D & R Materials as recommended. Alderman Catcott seconded the motion which was voted on and passed.

Second Quarter Budget Review- Revenues and Expenses.

City Administrator Nancy Viselli said that the Board decided to forego a quarterly review, and instead to add the item to the first Board meeting following completion of the monthly financials. She added that staff is open to questions. Alderman Rucker commented that he left the questions he had at home and that he would contact the Assistant City Administrator. Mayor Lyons said that the Board is welcome to contact staff with any questions.

Communications from Board Members.

Alderman Schmitt. Ron Schmitt reported that the City of Stockton, CA filed for bankruptcy which is the largest city to do so. He said there are nine cities who are considering filing for bankruptcy in CA. Alderman Schmitt also presented some facts which occurred this day in history.

Alderman Farmer. Lois Farmer said she was proud of Karri Bell and the City is lucky to have the current staff. She commended all employees for a doing a good job.

Alderman Catcott. Fred Catcott reported that he has received positive comments on the sidewalks on this side of town and he expressed his appreciation to Superintendent of Public Works Rick King and his crew. He reported that he attended the Joint Sewer Board meeting and rainfall is down however flows have increased at the treatment plan which indicates there are more visitors in town.

Alderman Rucker. Kevin Rucker questioned how the sales tax for out of state vehicle purchases would affect revenue this year. Assistant City Administrator responded that the numbers were not adjusted however preliminary numbers have been received. It was noted that vehicle sales tax is included in the monthly report received from the Department of Revenue and the numbers will be factored into the projected revenues for the 2013 budget.

Staff Communications.

City Clerk. Diann Warner reported on the MML Conference that will be held at Tan-Tar-A beginning September 16. She also reported that interviews for the position of Deputy City Clerk were conducted today.

Chief of Police. Todd Davis reported that the Police Department received a grant for license plate readers which will show whether a car is stolen. He also reported that two of the new cars have been placed in service the last two days.

City Planner. Cary Patterson reported that he and Chief Davis attended the demolition and the ground breaking for a new building for Citizens Against Domestic Violence in Camdenton. He said the building is named after Dave Severson, the previous Chief of Police who was integrally involved in planning the new building.

City Treasurer. Karri Bell reported that the credit card project is a couple of weeks behind due to the tenacity of the City Attorney working on an agreement so as not to expose the City to liability. She said changes have been made and we will be moving forward shortly.

Assistant City Administrator. Jeana Woods reported that the Fall Festival will be held September 8th from 10 to 5 at the Osage Beach City Park. She said flyers have been distributed and she is starting to advertise the event.

City Engineer. Nick Edelman said he appreciated the opportunity to attend the Blue Ribbon Committee meeting where he spoke about recommendations for funding MoDOT projects. He also said the event was on the news that night.

Alderman Catcott questioned when the City will take over maintenance of Osage Beach Parkway. City Engineer Edelman said MoDOT would make an announcement soon but no exact date has been set.

Superintendent of Public Works. Rick King reported that 445 hydrants have been painted this summer; all the east side have been painted and most of them on the west side. Regarding odor control, Mr. King said that data is being collected at various locations and a representative from Siemens will be here to read the data and that smoke testing and air flows will also be done.

Park Manager. Brian Willey reported that 34 kids attended the British Soccer competition from Australia and England along with several professional soccer players in the City Park.

Executive Session.

Alderman Schmitt 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, and RSMo. Section 610.021(2) Leasing, purchase, or sale of real estate by a public governmental body where public knowledge of the transaction might adversely affect the legal consideration therefore. Alderman Olivarri seconded the motion.

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

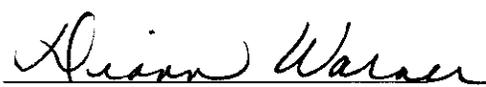
CLOSED SESSION

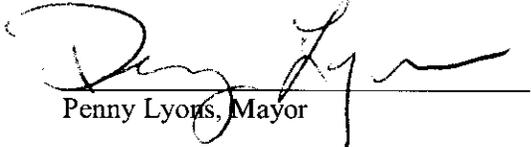
Alderman Olivarri moved to open the meeting. Alderman Catcott seconded the motion. The following roll call vote was taken to open the meeting: "Ayes": Alderman Schmitt, Alderman Farmer, Alderman Olivarri, Alderman Catcott, Alderman Rucker. The meeting was therefore opened.

No announcements were made following the closed session.

There being no further business to come before the Board, the meeting adjourned at 7:53 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 July 19, 2012.


Diann Warner, City Clerk


Penny Lyons, Mayor

APPROVED
8/2/12 aw