

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

September 6, 2012

The Board of Aldermen of the City of Osage Beach, Missouri, met to conduct a regular meeting on Thursday, September 6, 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. The City Clerk, Diann Warner was present and performed the duties of that office.

Mayor's Communications.

Mayor Lyons announced that because Joy Howard, the City's financial advisor was present, she asked that unfinished business be dispensed with before proceeding with the remainder of the agenda. There were no objections to dispensing with unfinished business.

Unfinished Business.

Bill No. 12-28.

AN ORDINANCE AUTHORIZING THE ISSUANCE OF TAX INCREMENT REFUNDING REVENUE BONDS (PREWITT'S POINT PROJECT) SERIES 2012 OF THE CITY OF OSAGE BEACH, MISSOURI, AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION WITH THE EXECUTION AND DELIVERY OF THE BONDS.

Joy Howard from WM Financial Strategies was present and announced that the refunding process started several months ago with soliciting proposals for an underwriter. At that time, the savings was estimated to be around \$300,000 but Ms. Howard was happy to report that the final savings was over \$486,000 after taking into account costs associated with issuance.

Elected officials expressed their appreciation to Ms. Howard for her assistance and for bringing this issue to the City's attention.

Mayor Lyons presented the second and final reading of Bill No. 12-28 by title only. It was noted that Bill No. 12-28 has been available for public review.

Alderman Olivarri moved to approve the second and final reading of Bill No. 12-28 as presented. Alderman Catcott seconded the motion. The following roll call vote was taken to approve the second reading of Bill No. 12-28 and to pass same into Ordinance: "Ayes: Alderman Rucker, Alderman Schmitt, Alderman Kahrs, Alderman Farmer, Alderman Olivarri, Alderman Catcott. "Nays": None. Bill No. 12-28 was passed and approved as Ordinance No. 12.28.

Mayor Lyons called for a five minute recess to allow time for signing the bond documents. The meeting reconvened at 6:35 p.m.

Citizens Communications.

Mark Beeler of Beeler ReMax of Lake of the Ozarks was present and distributed copies of a report showing the impact on the market value of real estate west of the Grand Glaize Bridge and the number of foreclosures in that area since the Expressway opened. Mr. Beeler's opinion was there would be more foreclosures in the near future when business owners are not able to meet their financial obligations. He said the dead end has an impact on property tax and property values. He spoke of Ozark Inn that was for sale at \$700,000 a year ago, the priced reduced to \$350,000 and

now he believed it would sell from \$150,000 to \$200,000 which will affect property values all over town. Mr. Beeler did not believe there are enough signs indicating where to get off and on the Expressway. He said that if this issue is not resolved, developers would be asking the City for incentives to develop property. Mr. Beeler asked for the City's assistance to resolve this issue.

Kim Loehr thanked the Mayor and Board for allowing her to speak and she distributed copies of options for making improvements at the Key Largo intersection. Ms. Loehr asked to be placed on the agenda for September 20 to further present the options. Mayor Lyons asked Ms. Loehr to contact the City Clerk. She commented that MoDOT will also be attending the next meeting.

Alderman Kahrs asked if MoDOT is modeling the ramp and he asked if they would also have a cost of replacing all the signage to rename Osage Beach Parkway. City Engineer Nick Edelman responded in the affirmative and he stated he would ask MoDOT to provide the cost of replacing the signs.

Alderman Kahrs commended the individuals who are involved in this issue because it takes so much time and they deserve a lot of credit. He said the City needs to continue to listen and save the west side.

Consent Agenda.

Alderman Olivarri moved to approve the consent agenda which includes minutes of the regular meeting held on August 16, 2012, liquor licenses for Bridgeview Marina and Dog Days, and the bill list as submitted. Alderman Schmitt seconded the motion which was voted on and unanimously passed.

New Business.

Bill No. 12-29.

AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AMENDING SECTION 205.030, CONCERNING OFFENSIVE OR NOXIOUS SMELLS, AND REQUIRING THE PROMPT REMOVAL OF ANIMAL WASTE BY THE OWNER

Bob Chatham, Animal Control Officer, explained the problem that has occurred and showed elected officials the signs that will be erected at both parks, on Passover Road and on Dude Ranch Road. When sidewalk construction takes place, City Planner Cary Patterson said that they will focus on installing more signs.

Mayor Lyons presented the first reading of Bill No. 12-29 by title only. It was noted that Bill No. 12-29 has been available for public review.

Alderman Schmitt moved to approve the first reading of Bill No. 12-29 as presented. Alderman Catcott seconded the motion which was voted on and unanimously passed.

Mayor Lyons presented the second and final reading of Bill No. 12-29 by title only. It was noted that Bill No. 12-29 has been available for public review.

Alderman Farmer moved to approve the second and final reading of Bill No. 12-29 as presented. Alderman Rucker seconded the motion. The following roll call vote was taken to approve the second reading of Bill No. 12-29 and to pass same into Ordinance: "Ayes: Alderman Schmitt,

Alderman Kahrs, Alderman Farmer, Alderman Olivarri, Alderman Catcott, Alderman Rucker.
“Nays”: None. Bill No. 12-29 was passed and approved as Ordinance No. 12.29.

Bill No. 12-30.

AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, APPROVING THE FINAL PLAT OF BLUE HARBOR COMMERCIAL SUBDIVISION, A SUBDIVISION IN OSAGE BEACH, CAMDEN COUNTY, MISSOURI.

Comments and Recommendation of the Planning Department:

Subdivision Name: Blue Harbor Commercial Amended Preliminary and Final Plats

Location: Approximately 500 feet off of Dude Ranch Road on Port Lane.

Section/Township/Range: 10/39/16

Applicant: Terry Ross

Surveyor: Allen Surveying and Midwest Engineering

Tract Size: 2.04 acres (13 commercial lots)

Zoning: C-1 (General Commercial)

Surrounding Land Use:

North: Condo Development, Single Family Housing

South: Vacant Agriculture, Multi Family Housing

East: Marina, Single Family Housing

West: Resort PUD

Preliminary:

- 1) The plat was reviewed for code compliance and was found to be consistent with the preliminary plat requirements.
- 2) The City Engineer reviewed and approved the improvement and infrastructure plans for the development. Because there are no public improvements involved, there is no requirement for a Letter of Credit or Performance Bond. The individual service extensions will be permitted along with the building permits issued for the individual buildings on the subject lots.

Final:

- 1) The plat was reviewed for code compliance and was found to be consistent with the final plat requirements.

Because the subject plats are consistent with the regulations for subdividing property established by the City of Osage Beach Subdivision Code and the subject commercial lot subdivision is being requested in the appropriate land use zone, the Planning Department recommends approval of the requested preliminary and final plats.

Alderman Farmer moved to approve the preliminary plat of Blue Harbor Commercial Subdivision. Alderman Schmitt seconded the motion which was voted on and unanimously passed.

Mayor Lyons presented the first reading of Bill No. 12-30 by title only. It was noted that Bill No. 12-30 has been available for public review.

Alderman Farmer moved to approve the first reading of Bill No. 12-30 as presented. Alderman Schmitt seconded the motion which was voted on and passed.

Mayor Lyons presented the second and final reading of Bill No. 12-30 by title only. Alderman Schmitt moved to approve the second and final reading of Bill No. 12-30. Alderman Rucker seconded the motion. The following roll call vote was taken to approve the second reading of Bill No. 12-30 and to pass same into Ordinance: "Ayes: Alderman Kahrs, Alderman Farmer, Alderman Olivarri, Alderman Catcott, Alderman Rucker, Alderman Schmitt. "Nays": None. Bill No. 12-30 was passed and approved as Ordinance No. 12.30.

Resolution 2012-10.

Mutual Aid Agreement between the City and the City of Camdenton for Code Enforcement and Inspection Services

Building Official Ron White explained that several of the local Codes Officials are pursuing the ability to request Mutual Aid between and across jurisdictional lines. Resolution 2012-10 would allow each City the ability to assist to evaluate and inspect buildings in the event of a natural disaster.

Mayor Lyons presented Resolution 2012-10. Alderman Rucker moved to approve Resolution 2012-10 as presented. Alderman Catcott seconded the motion which was voted on and unanimously passed.

Resolution 2012-11.

Establishing a date for a Public Hearing for Street Dedication Submitted by Stonebrook Subdivision Property Owners

Mayor Lyons presented Resolution 2011-11 establishing a date of October 18, 2012 for the public hearing.

Alderman Schmitt moved to approve Resolution 2012-11 as presented. Alderman Catcott seconded the motion which was voted on and unanimously passed.

Communications from Board Members.

Alderman Farmer. Lois Farmer said she is honored to announce that Corporal Todd Nicely will represent the Marine Corp at the Fall Festival Saturday. She encouraged everyone to attend.

Alderman Farmer asked City Engineer Edelman to find out if there could be signage indicating the

business districts until the issue is resolved on the west end of town.

Alderman Catcott. Fred Catcott commended City Engineer Edelman's effort in preparing for the special meeting last week with MoDOT on the Key Largo issue.

Alderman Kahrs. Steve Kahrs voiced his concern about the direction the west end of town is going and he believed it is time to make a commitment to control the City's future even if it takes a sales tax to promote economic development and to beautify the community. He added that there is a great deal of acreage on the west side and he is concerned that developers will move to the east side.

Alderman Rucker. Kevin Rucker reiterated Alderman Kahrs' comments and said that the City needs to look at economic development and marketing the City. He suggested that a staff member take on this responsibility. Alderman Rucker commended Alderman Farmer for the dedication and hard work she does promoting the City.

Alderman Rucker requested that loss runs be obtained from our insurance company. City Administrator Nancy Viselli will provide the documents.

Staff Communications.

City Clerk. Diann Warner introduced Dorothy Urlicks who replaced Nancy Clark as Deputy City Clerk.

Assistant City Administrator. Jeana Woods encouraged everyone to attend the Fall Festival Saturday, September 8 from 10 to 5. She said the parking lot has been paved which provides additional parking at the park. The City will have a booth for the public and a great deal of information will be provided from all departments.

Airport Manager.

Airport Manager Budd Hyde reported on the Young Eagles Event where 37 young adults took rides on aircraft provided by the Eagles Association at no cost. They also provide lunch to 120 people. Mr. Hyde said there are plans to have the event again next year.

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 Farmer, Alderman Olivarri, Alderman Catcott, Alderman Rucker, Alderman Schmitt, Alderman Kahrs. "Nays": None. The meeting was therefore closed.

CLOSED SESSION

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

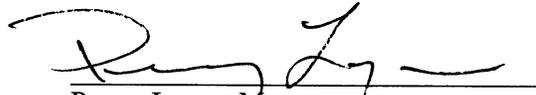
No announcements were made following the closed session.

There being no further business to come before the Board, the meeting adjourned at 7:50 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 6, 2012.



Diann Warner, City Clerk



Penny Lyons, Mayor

AF 9/20/12
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