



CITY OF OSAGE BEACH
BOARD OF ALDERMEN MEETING

1000 City Parkway
Osage Beach, MO 65065
573/302-2000 FAX 573/302-0528
Email: www.osagebeach.org

OPEN MEETING

TENTATIVE AGENDA
REGULAR MEETING
October 4, 2012 – 6:30 P.M.
CITY HALL

******* Note: Make sure that your cell phone is turned off or on a silent tone only. Please sign the attendance sheet located at the podium if you desire to address the Board.**

CALL TO ORDER
Pledge of Allegiance
Roll Call

MAYOR'S COMMUNICATIONS

CITIZENS' COMMUNICATIONS

- This is a time set aside on the agenda for citizens and visitors to address the Mayor and Board on any topic that is not a public hearing. The Board will not take action on any item not listed on the agenda, but the Mayor and Board welcome and value input and feedback from the public. Speakers will be restricted to three minutes unless otherwise permitted. Minutes may not be donated or transferred from one speaker to another.

APPROVAL OF CONSENT AGENDA

If the Board desires, the consent agenda may be approved by a single motion.

- Minutes of 09/20/2012 (Page 01)
- Bills List (Page 07)
- Liquor License (Page 19)
Elks Lodge – Caterers' License for October 20, 2012

UNFINISHED BUSINESS

None

NEW BUSINESS

- A. Presentation by Tri-County Lodging Association – Jim Divincen
- B. Public Hearing. Rezoning Case No. 360. Terry Ross Requests Rezoning for Construction of Duplex Units (Page 21)
- C. Bill No. 12-31. Zoning Map Amendment. Rezoning Case No. 360. First Reading (Page 36)
- D. Bill No. 12-32. 2012 Budget Amendment for the Progress Road Reconstruction Project. First and Second Readings (Page 38)
- E. Bill No. 12-33. Authorize Mayor to Execute Right of Way Excavation Agreement with Summit Natural Gas of Missouri, Inc. to Install Natural Gas Lines (Page 40)
- F. Authorization to Apply for Enhancement Funds from the Missouri Department of Transportation (Page 48)
- G. Authorization to Proceed with the Proposed Red Bud/Zebra Project Improvements (Page 50)

COMMUNICATIONS FROM MEMBERS OF THE BOARD OF ALDERMEN

STAFF COMMUNICATIONS

ADJOURN

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

September 20, 2012

The Board of Aldermen of the City of Osage Beach, Missouri, met to conduct a regular meeting on Thursday, September 20, 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 expressed her appreciation to volunteers and staff that helped make the Fall Festival a success. She reported there were hundreds of kids and dozens of dogs and they all had a good time. Vendors have indicated they will return next year.

Mayor Lyons reported that the 78th Annual Missouri Municipal League Conference was held at Tan-Tar-A this week. This organization represents over 640 Missouri cities including Osage Beach and others in the area. Osage Beach was well represented by elected officials and staff. Two sessions were presented by those who went through the Joplin disaster. The numbers are staggering, over 160 fatalities, 7500 buildings and homes destroyed and thousands of volunteers arriving to help. The presenters passed on very practical advice when dealing with a disaster.

City officials manned a table and distributed almost 800 City of Osage Beach bags filled with coupons and local maps to MML Conference attendees. They were very positive about the changes that have occurred in the last three years since the conference was last held here.

Mayor Lyons gave an update on construction permits indicating we are at \$15,900,000; almost double from 2011.

Citizens Communications.

Gary Kemp who lives in Camdenton said he has seen a variety of problems at Key Largo and a number of accidents. He said option 1 to build an overpass is estimated to cost between \$8 and \$15 million; option 2 will cost over \$3 million. Mr. Kemp suggested that a traffic light be installed since there are others in place on Highway 54 which would save a lot of money.

Bob Weddle, Bank of Macks Creek, questioned the reason the City allowed Highway 54 to be split into three sections. He said that all businesses are suffering. He thanked MoDOT and Bob Lynch for electrifying the Lake of the Ozarks sign.

Jim Morris reported on the air show that will be held in Camdenton on Saturday. He said that over 5,000 attended last year. The event begins at 7:30 a.m.

Bill Paul, associated with a restaurant on the west side, said he receives many calls from people asking for directions. He added that the road is not a parkway and businesses on the west side need relief now. Mr. Paul said it is time for a mistake to be rectified and dividing the town has not been beneficial. He said that there is increased advertising to offset the loss of business. Mr. Paul said he drove from the west side and there are 57 businesses closed or for sale. He said the City's mission statement says the City helps the business community and he said the City needs to help

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the businesses or they will be gone. Mr. Paul asked the City for immediate action.

Steve Norris said he travels a lot and the roads were built to force people to drive on the expressway. He said he has had opportunities to see effects on other areas that were bypassed. Mr. Norris hoped there would be a solution soon.

Carolyn Morris said that citizens had the opportunity to look at the highway maps because they were displayed many times but she did not realize that the elevation of the road would be so low that the business would not be seen. She said she did not realize how much the expressway would affect businesses.

Charlie Warhock of HMI said he saw the maps for the first time today but he wanted to support the idea of the slip ramp because it provides access to old 54 and it provides another way to enter the expressway.

Consent Agenda.

Alderman Kahrs moved to approve the consent agenda which includes minutes of the regular meeting held on held on September 6, 2012, minutes of the special meeting held on August 30, 2012, a caterer license for Molotoft Cocktails for September 29, 2012, and the bill list as submitted.

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

Unfinished Business.

None

New Business.

MoDOT Presentation on Options for Key Largo.

Dave Silvester, District 5 Engineer, said MoDOT would allow a slip ramp starting at Spring Valley Road to be built however the actual work would be the City's responsibility. The slip ramp would tie into Lazy Days where a round about or a signal could be installed and Mr. Silvester identified property in the deceleration lane that would become land locked. Mr. Silvester said that the slip ramp or the extension of the Parkway might not increase traffic on the Parkway. Alderman Kahrs expressed his concern that MoDOT would not participate in constructing or paying for a slip ramp.

Alderman Kahrs gave other ideas for improving access and Mr. Silvester said they would review the design. Discussion followed on the ramp. Alderman Catcott said he liked the idea however it provides only one way traffic on the Parkway. He said MoDOT should cost share or pay for all of the solution since the design was flawed.

Alderman Olivarri said the outer road would be the best solution because it would provide access for east and west bound traffic and open up the Parkway on the west side. Alderman Kahrs said that the ramp would provide veterans safe access entering and exiting the VA Clinic. He asked MoDOT for assistance in constructing a ramp because many people are looking for a way off the expressway.

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Mr. Silvester said that \$1.3 million from other projects is available and must be committed prior to 2013 toward the outer road. He said that if a solution can be found, construction could begin next spring with a completion date in the fall of 2013. Mr. Silvester said that he is committed to opening Key Largo by Thanksgiving. He added that if a slip ramp is built, the right turn off of the expressway will be eliminated. Alderman Schmitt said that he is disappointed that only \$1.3 is available and he said that relief for the west end is needed now and the longer it takes, the worse it gets.

Mayor Lyons questioned the traffic counts. Mr. Silvester said that 1,100 cars are currently using the Key Largo intersection and he anticipates the same amount will use the slip ramp. Alderman Kahrs questioned the traffic counts on the expressway. Mr. Silvester indicated that the traffic count is 25,000 for both east and west travel and he anticipates the traffic to increase. He said that if the Parkway is extended to Y Road, it will carry the same amount of traffic as the slip ramp will; however it will not increase traffic. Mr. Silvester said that he has concerns that nothing he proposes will put more traffic onto the Parkway. Mr. Silvester will review the latest drawing to see if it will work.

Mr. Silvester said they looked at all the signs and if Osage Beach Parkway is removed it would cost \$47,000 to redo all the signs to say Business 54. If the Board decides to go with Osage Beach Parkway/Business 54 the cost will be \$251,000 because the size of the signs will increase.

Mr. Silvester will send a letter to the City tomorrow outlining the different options for signage.

Alderman Catcott questioned if a temporary signal is possible at Key Largo. Mr. Silvester said that he is not in favor of a signal and as soon possible, they will remove the light in Lake Ozark. He indicated that MoDOT would proceed with opening the intersection at Key Largo but what is done depends upon the solution the City comes up with.

Alderman Kahrs asked Mr. Silvester to look at the design that City Engineer Edelman came up with to see if MoDOT agrees and he asked MoDOT to reconsider their position on the City being responsible for constructing the slip ramp. Mayor Lyons said that the outer road would be safer and it provides two-way traffic.

Mr. Silvester stated that MoDOT will pay for changing the signs. Discussion followed on the options which Mr. Silvester will put in writing for the Board to consider. Consensus was to hold a special meeting next week to discuss the different options for signage.

Bid Award. Harper Lane Reconstruction.

Alderman Kahrs moved to postpone the bid award for further information. Alderman Kahrs seconded the motion. Discussion followed on whether Harper Lane would become a City street following improvements. The motion to postpone the bid award was voted on and unanimously passed.

Bid Award. Progress Road Reconstruction.

The following bids were received:

Base Bid

Additive

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B & P Patterson, LLC	\$140,409.65	\$142,124.65
APAC Missouri	\$132,811.28	\$138,148.36
Strait-Line Construction	\$101,471.81	\$102,972.43
Travis Hodge Hauling	\$159,252.00	\$161,212.00

City Engineer Nick Edelman said this project will reconstruct and repair a portion of Progress Road behind City Hall. The project has an additive bid item to repair sidewalks around City Hall.

This project will be funded under account 20-00-773155 Misc. Streets/Roads with a budget balance of \$64,204. If this project is awarded a budget amendment will be necessary. Funds are available from other projects that came in under budget. The Engineering Department recommended award to the low bidder, Strait-Line Construction, in the amount of \$102,972.43.

Alderman Rucker moved to award the bid for Progress Road Reconstruction to the low bidder, Strait-Line Construction in the amount of \$102,972.43. Alderman Catcott seconded the motion which was voted on and unanimously passed.

Maintenance Contract for Ground Source Heat Pump System.

Ron White, Building Official, explained that over the past 3-4 years we have had outstanding cooperation and service from Geo-Enterprises, Inc. Their responses to our requests have been timely and their preventative services have been very effective.

The Building Department recommended renewing the contract between the City of Osage Beach and Geo-Enterprises, Inc., for the Ground Source Heat Pump System planned maintenance program for 2012-2013 at the current annual price of \$5,500.00.

This item is budgeted under account 10-09-742203 with the first \$3,500.00 due in 2012 for planned fall maintenance and cooling tower winterization and the remaining \$2,000.00 due at the time of planned maintenance in spring, 2013, which will be budgeted accordingly.

Alderman Schmitt moved to approve the maintenance contract with Geo-Enterprises, Inc. in the amount of \$5,500 as recommended. Alderman Farmer seconded the motion which was voted on and unanimously passed.

Bid Award. Completion of Hallway in Lower Level of City Hall

The following bids were received:

Septagon Construction	\$17,900.00
Glascock Construction	\$9,675.00
Vizier Construction	\$10,500.00
Thomas Construction	\$9,197.00

This item is budgeted in Operating Capital Account (#10-09-774256). The budget amount for this project is \$16,500.00.

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The apparent low bidder is Thomas Construction. Thomas Construction has performed work inside city limits of Osage Beach, subject to inspection by City Staff, and has been found to be reliable and more than capable of performing this work. The Building Department recommended awarding the bid to finish the City Hall lower hallway to Thomas Construction in the amount of \$9,197.00.

Alderman Farmer moved to award the bid to finish the lower level hallway at City Hall to the low bidder, Thomas Construction, in the amount of \$9,197.00 as recommended. Alderman Schmitt seconded the motion which was voted on and unanimously passed.

Communications from Board Members.

Alderman Catcott. Fred Catcott said that quick action on signage and the Parkway should be taken.

Alderman Kahrs. Steve Kahrs thanked the Board for indulging him and staying engaged in the discussion with MoDOT.

Alderman Rucker. Kevin Rucker asked Mayor Lyons about the special meeting that may be held next week. Mayor Lyons responded that when the letter is received from MoDOT, a special meeting will be scheduled to discuss the signage.

Alderman Rucker expressed his appreciation to the City for the opportunity to attend the MML Conference. He said Branson had a good session on initial response after the tornado last year and he said he would like the City to have GPS maps immediately available. Mayor Lyons commented that she learned the role of elected officials is to obtain funds and to put pressure on FEMA.

Staff Communications.

City Administrator. Nancy Viselli reminded the Board of the meeting held last year to present the GPS maps. She said staff continues to update them.

City Clerk. Diann Warner expressed her appreciation for the opportunity to attend the MML Conference.

Chief of Police. Todd Davis reported that a K-9 training was held at the City Park. He said that Officer Sam Ford appreciated the opportunity to hold the training at the Park.

City Engineer. Fred Catcott asked City Engineer Edelman about the sidewalks on Malibu Road and asked if everyone received a questionnaire. City Engineer Edelman said that not everyone will have to give up property even though many people live off of Malibu. He said that the survey will gauge the level of interest. Mayor Lyons said that condemnation may be an option however some people do not want sidewalks. She said she would rather have the property owners' permission.

Superintendent of Public Works. Rick King reported that School of the Osage allowed students to help with a community garden at Harper Chapel. Over 1,000 pounds of vegetables were donated to Lamb House and Hope House.

Mr. King reported that the White Goods event will begin October 1. He thanked the Board for the

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new vehicles. He reported that a check in the amount of \$80,000 from the insurance company was received for the damage to the well earlier this year.

Park Manager. Brian Willey thanked everyone for their help at the Fall Festival.

There being no further business to come before the Board, the meeting adjourned at 8:40 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 September 20, 2012.

Diann Warner, City Clerk

Penny Lyons, Mayor

000007

**CITY OF OSAGE BEACH
BILLS LIST
October 4, 2012**

Bills Paid Prior to Board Meeting	95,861.10
Payroll Paid Prior to Board Meeting	126,148.99
SRF Transfer Prior to Board Meeting	223,389.65
TIF Transfer Prior to Board Meeting	267,338.26
TIF Pilots Transfer Prior to Board Meeting	0.00
Bills Pending Board Approval	430,256.21
Total Expenses	<u>1,142,994.21</u>

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	000008	AMOUNT
NON-DEPARTMENTAL	General Fund	MO DEPT OF REVENUE	AUG CVC COLLECTIONS		684.48
		FAMILY SUPPORT PAYMENT CENTER	Case# 26v050500201		344.31
		MO DEPT OF REVENUE	BOOKS & MISC SALES TAX		17.63
			State Withholding		3,862.00
		MO TREASURER BUDGET DIRECTOR	PEACE OFFICERS TRAINING		61.00
		INTERNAL REVENUE SERVICE	Fed WH		11,960.37
			FICA		5,015.65
			Medicare		1,731.63
		ICMA	Retirement 457 &		723.31
			Retirement 457		983.19
			Loan Repayments		828.09
			Loan Repayments		797.44
			401 Loan Payment		453.11
			401 Loan Payment		280.28
			Loan Repayments		318.00
			Loan Repayments		227.55
			Loan Repayments		242.25
			Retirement Roth IRA		180.00
		CAMDEN COURT	Case No. 11CM-SC00049		86.12
		CITIZENS AGAINST DOMESTIC VIOLENCE	AUG CADV COLLECTIONS		192.00
		THE BANCORP BANK	HSA Contribution		25.00
			HSA Family/Dep. Contributi		1,340.58
		ONE TIME VENDOR	Bond Refund:0152 -01		125.50
			Bond Refund:101941091-01		200.00
			Bond Refund:101941091-01		145.50
			Bond Refund:111538392-01		100.50
			TOTAL:		30,925.49
Mayor & Board	General Fund	INTERNAL REVENUE SERVICE	FICA		188.58
			Medicare		44.09
		ICMA	Retirement 401		145.00
			TOTAL:		377.67
Collector	General Fund	INTERNAL REVENUE SERVICE	FICA		12.20
			Medicare		2.85
			TOTAL:		15.05
City Administrator	General Fund	INTERNAL REVENUE SERVICE	FICA		412.31
			Medicare		96.43
		ICMA	Retirement 401		410.60
		THE BANCORP BANK	HSA Family/Dep. Contributi		100.00
			TOTAL:		1,019.34
City Clerk	General Fund	INTERNAL REVENUE SERVICE	FICA		366.80
			Medicare		85.78
		ICMA	Retirement 401		294.70
		THE BANCORP BANK	HSA Contribution		25.00
			HSA Family/Dep. Contributi		50.00
			TOTAL:		822.28
City Treasurer	General Fund	INTERNAL REVENUE SERVICE	FICA		467.09
			Medicare		109.25
		ICMA	Retirement 401		461.00
		THE BANCORP BANK	HSA Family/Dep. Contributi		100.00
			TOTAL:		1,137.34

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
			000009	
Municipal Court	General Fund	INTERNAL REVENUE SERVICE	FICA	95.24
			Medicare	22.27
		ICMA	Retirement 401	92.76
			TOTAL:	210.27
City Attorney	General Fund	INTERNAL REVENUE SERVICE	FICA	280.48
			Medicare	65.60
		ICMA	Retirement 401	274.27
		THE BANCORP BANK	HSA Family/Dep. Contributi	50.00
			TOTAL:	670.35
Building Inspection	General Fund	MO VOCATIONAL ENTERPRISES	LICENSE PLATES	21.41
		INTERNAL REVENUE SERVICE	FICA	311.56
			Medicare	72.87
		ICMA	Retirement 401	311.51
		THE BANCORP BANK	HSA Family/Dep. Contributi	150.00
			TOTAL:	867.35
Building Maintenance	General Fund	AMEREN MISSOURI	CITY HALL SERVICE	5,955.52
		AT & T/CITY HALL	CITY HALL SERVICE	1,619.76
			TOTAL:	7,575.28
Parks	General Fund	AMEREN MISSOURI	LOWER DIAMOND LIGHTS	10.44
			CITY PARK #2 DISPLAY D	10.25
			FISH HATCHERY RD BALL FIEL	282.64
			BALL DIAMONDS CONS STAND	40.74
			42 HWY BALL PARK LIGHTS	9.74
			CITY PARK #2 IRRIGATION PU	10.46
		INTERNAL REVENUE SERVICE	FICA	302.99
			Medicare	70.87
		ICMA	Retirement 401	253.22
		WILLEY, BRIAN	SS TABLES, TEA DISPENSERS	175.00
		THE BANCORP BANK	HSA Contribution	25.00
			HSA Family/Dep. Contributi	100.00
			TOTAL:	1,291.35
Human Resources	General Fund	INTERNAL REVENUE SERVICE	FICA	118.15
			Medicare	27.63
		ICMA	Retirement 401	117.38
		THE BANCORP BANK	HSA Family/Dep. Contributi	50.00
			TOTAL:	313.16
Police	General Fund	INTERNAL REVENUE SERVICE	FICA	2,879.59
			Medicare	673.47
		PETTY CASH	BATTERIES	5.88
			HEADLIGHT PD #20	10.62
		ICMA	Retirement 401	2,816.03
		THE BANCORP BANK	HSA Contribution	125.00
			HSA Family/Dep. Contributi	750.00
			TOTAL:	7,260.59
911 Center	General Fund	AT & T/CITY HALL	EMERGENCY 911 SERVICE	1,347.38
		INTERNAL REVENUE SERVICE	FICA	882.52
			Medicare	206.40
		ICMA	Retirement 401	881.23
		THE BANCORP BANK	HSA Contribution	50.00

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	000010	AMOUNT
			HSA Family/Dep. Contributi		100.00
			TOTAL:		3,467.53
Planning	General Fund	INTERNAL REVENUE SERVICE	FICA		273.40
			Medicare		63.94
		ICMA	Retirement 401		268.05
		THE BANCORP BANK	HSA Contribution		25.00
			HSA Family/Dep. Contributi		50.00
			TOTAL:		680.39
Engineering	General Fund	INTERNAL REVENUE SERVICE	FICA		518.23
			Medicare		121.20
		ICMA	Retirement 401		508.00
		THE BANCORP BANK	HSA Contribution		50.00
			HSA Family/Dep. Contributi		100.00
			TOTAL:		1,297.43
Information Technology	General Fund	BANKCARD CENTER 3358	DELL USB SERVER INTERFACE		609.60
		INTERNAL REVENUE SERVICE	FICA		294.92
			Medicare		68.98
		ICMA	Retirement 401		286.35
		THE BANCORP BANK	HSA Contribution		25.00
			TOTAL:		1,284.85
Economic Development	General Fund	FARMER, LOIS	FALL FESTIVAL FLAGS		103.59
			TOTAL:		103.59
NON-DEPARTMENTAL	Transportation	MO DEPT OF REVENUE	State Withholding		369.50
		INTERNAL REVENUE SERVICE	Fed WH		1,109.82
			FICA		452.83
			Medicare		156.34
		ICMA	Retirement 457		50.00
			Loan Repayments		60.91
		THE BANCORP BANK	HSA Contribution		20.00
			TOTAL:		2,219.40
Transportation	Transportation	AMEREN MISSOURI	STREET LIGHTS		3,103.25
			STREET LIGHTS		1,017.72
		AMEREN MISSOURI	792 PASSOVER STREET LIGHTS		128.95
			872 PASSOVER STREET LIGHTS		63.37
			680 PASSOVER LIGHTING CONT		124.09
		INTERNAL REVENUE SERVICE	FICA		668.46
			Medicare		156.34
		ICMA	Retirement 401		675.56
		THE BANCORP BANK	HSA Contribution		25.00
			HSA Family/Dep. Contributi		216.49
			TOTAL:		6,179.23
NON-DEPARTMENTAL	Water Fund	MO DEPT OF REVENUE	WATER SALES TAX		3,194.79
			State Withholding		255.20
		INTERNAL REVENUE SERVICE	Fed WH		865.21
			FICA		358.12
			Medicare		123.63
		ICMA	Retirement 457		25.00
			Loan Repayments		16.89
			Loan Repayments		22.97

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	000011	AMOUNT
			401 Loan Payment		89.23
			401 Loan Payment		75.98
			Loan Repayments		68.06
		CAMDEN COUNTY RECORDER OF DEEDS	WATER LIENS		14.00
		THE BANCORP BANK	HSA Family/Dep. Contributi		30.00
			TOTAL:		5,139.08
Water	Water Fund	AMEREN MISSOURI	COLUMBIA COLLEGE WELL		860.29
		AMEREN MISSOURI	PARKVIEW WELL		900.66
			BLUFF RD WATER TOWER		2,519.85
			COLLEGE WELL BEHIND CHURCH		2,339.49
			HOLIDAY SHORES WELL		9.74
			COLUMBIA COLLEGE TOWER		48.02
		INTERNAL REVENUE SERVICE	FICA		528.64
			Medicare		123.64
		ICMA	Retirement 401		477.89
		DUNHAM, LOYD	MILEAGE REIMB 09/05-09/11/		102.12
		RUBLE, JUSTIN	MILEAGE REIMB 09/12-09/18/		73.26
		THE BANCORP BANK	HSA Contribution		50.00
			HSA Family/Dep. Contributi		141.74
			TOTAL:		8,175.34
NON-DEPARTMENTAL	Sewer Fund	FAMILY SUPPORT PAYMENT CENTER	Case #00718078		46.15
		MO DEPT OF REVENUE	State Withholding		334.30
		INTERNAL REVENUE SERVICE	Fed WH		1,255.01
			FICA		490.99
			Medicare		169.51
		ICMA	Retirement 457		45.00
			Loan Repayments		22.56
			Loan Repayments		90.56
			401 Loan Payment		120.25
			401 Loan Payment		127.34
			Loan Repayments		94.62
		CAMDEN COUNTY RECORDER OF DEEDS	SEWER LIENS		14.00
		THE BANCORP BANK	HSA Family/Dep. Contributi		60.00
			TOTAL:		2,870.29
Sewer	Sewer Fund	AMEREN MISSOURI	1222 LANDS END PKWY LIFT		10.04
			514 42 HWY PUMP		11.23
			454 42 HWY PUMP		10.04
			459 42 HWY PUMP		11.43
		INTERNAL REVENUE SERVICE	FICA		724.80
			Medicare		169.50
		ICMA	Retirement 401		722.70
		MCELROY, SHAWN	MILEAGE REIMB 09/5-09/11/1		77.70
		DOLLISON, JOE	MILEAGE REIMB 09/05-09/11/		16.65
		EARP, NATHAN	MILEAGE REIMB 09/12-09/18/		122.10
		THE BANCORP BANK	HSA Contribution		25.00
			HSA Family/Dep. Contributi		291.77
			TOTAL:		2,192.96
NON-DEPARTMENTAL	Ambulance Fund	MO DEPT OF REVENUE	State Withholding		318.00
		INTERNAL REVENUE SERVICE	Fed WH		1,033.86
			FICA		451.57
			Medicare		155.90
			TOTAL:		1,959.33

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	000012	AMOUNT
Ambulance	Ambulance Fund	INTERNAL REVENUE SERVICE	FICA		666.60
			Medicare		155.90
		ICMA	Retirement 401		374.31
		THE BANCORP BANK	HSA Family/Dep. Contributi		150.00
			TOTAL:		1,346.81
NON-DEPARTMENTAL	Lee C. Fine Airpor	MO DEPT OF REVENUE	LCF SALES TAX		3,571.22
			State Withholding		59.80
		INTERNAL REVENUE SERVICE	Fed WH		201.59
			FICA		166.05
			Medicare		57.33
		ICMA	Retirment 457 &		111.31
			TOTAL:		4,167.30
Lee C. Fine Airport	Lee C. Fine Airpor	AMEREN MISSOURI	1111 LEE C FINE RD WELL		9.74
			TERMINAL BLDG		499.15
			1000 LEE C FINE RD NEW HAN		93.08
		INTERNAL REVENUE SERVICE	FICA		245.12
			Medicare		57.33
		ICMA	Retirement 401		176.74
		THE BANCORP BANK	HSA Contribution		15.00
			HSA Family/Dep. Contributi		50.00
			TOTAL:		1,146.16
NON-DEPARTMENTAL	Grand Glaize Airpo	MO DEPT OF REVENUE	GG SALES TAX		10.62
			State Withholding		81.20
		INTERNAL REVENUE SERVICE	Fed WH		277.08
			FICA		126.38
			Medicare		43.63
		ICMA	Retirment 457 &		74.20
			TOTAL:		613.11
Grand Glaize Airport	Grand Glaize Airpo	ALLIED WASTE SERVICES #435	TRASH SERVICE		55.34
		INTERNAL REVENUE SERVICE	FICA		186.57
			Medicare		43.63
		ICMA	Retirement 401		187.24
		THE BANCORP BANK	HSA Contribution		10.00
			HSA Family/Dep. Contributi		50.00
			TOTAL:		532.78

DEPARTMENT FUND VENDOR NAME DESCRIPTION AMOUNT

000013

----- FUND TOTALS -----

10	General Fund	59,319.31
20	Transportation	8,398.63
30	Water Fund	13,314.42
35	Sewer Fund	5,063.25
40	Ambulance Fund	3,306.14
45	Lee C. Fine Airport Fund	5,313.46
47	Grand Glaize Airport Fund	1,145.89

	GRAND TOTAL:	95,861.10

TOTAL PAGES: 6

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
			000014	
City Clerk	General Fund	LAKE SUN LEADER 81525 & 1586450	INSURANCE PROPOSAL BIDS	36.00
		MO DEPT OF REVENUE	AUGUST SALES TAX RPT	35.00
			TOTAL:	71.00
City Attorney	General Fund	WEST	AUG INFORMATION CHARGES	226.32
			TOTAL:	226.32
Building Inspection	General Fund	FLEET ONE	BLDG DEPT FUEL	64.49
			TOTAL:	64.49
Building Maintenance	General Fund	ELECTRONICS UNLIMITED	PHONE & PD DOOR REPAIR	530.00
		LAKE SUN LEADER 81525 & 1586450	HALLWAY FINISH BID	234.00
		PRAIRIEFIRE COFFEE & ROASTERS	COFFEE, HOT COCOA	111.80
		FOUR SEASONS PLUMBING, LLC	REPAIR TRAP FILTER	98.22
		STAPLES ADVANTAGE	WALL CLOCKS	63.12
			BOWLS, SPOONS, PPR TOWELS	50.46
			TOTAL:	1,087.60
Parks	General Fund	WALMART COMMUNITY/GEGRB	PUNCH, CAN OPENERS, ICE	31.57
			SPATULAS, WOOD SPOONS, WAT	25.51
			BUNS, CHEESE	24.14
			CHIPS, BUNS, BEEF, REYNOLD	88.22
			SLOWCOOKER, CHIPS, BEEF, S	202.32
		RAPID SIGNS	PARK CLSD SIGN, K9 TRNG	32.00
		FLEET ONE	PARKS FUEL	263.75
			PARKS FUEL	144.11
		GB MAINTENANCE SUPPLY	SPRAY NINE, TOWELS	47.47
		PERRY GRAHAM TRUCKING LLC	TOPSOIL FOR PLAYGROUND	450.00
			TOPSOIL FOR PLAYGROUND	225.00
		O'REILLY AUTOMOTIVE STORES INC	OIL, WIPER BLADE	7.88
		BOWLING ELECTRIC MACHINE	REPAIR PUMP FOR POND	20.00
		SHERWIN-WILLIAMS	WOOD PRIMER, BRUSH, PAIL	61.07
		CAPITAL SAND COMPANY	OPEN CREDIT	3,650.00-
			INFIELD MIX	601.53
			QUICK DRY	3,222.00
			INFIELD MIX	402.49
			GREY MOUND MASTER	975.00
			RED MOUND MSTR, MRKING CHA	325.75
		EZARD'S	KEYS, HARDWARE	2.18
			CONE PAPER CUPS	6.58
			HARDWARE	14.90
		D&R TRUCKING SERVICE LLC	2" BROWN	300.00
			TOTAL:	3,823.47
Overhead	General Fund	XEROX CORPORATION	AUG BASE CHARGE	547.32
		PITNEY BOWES GLOBAL	LEASE PAYMENT	756.00
		SETON IDENTIFICATION PRODUCTS	ASSET ID TAGS	515.40
			TOTAL:	1,818.72
Police	General Fund	WALMART COMMUNITY/GEGRB	WIPER BLADES	9.14
			WIPES	7.11
		ED ROEHR SAFETY PRODUCTS INC	3-BIG EASY	206.63
		FLEET ONE	PUBLIC SAFETY FUEL	1,444.75
			PUBLIC SAFETY CAR WASH	64.00
			PUBLIC SAFETY FUEL	1,316.69
			PUBLIC SAFETY CAR WASH	52.00

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
				000015
		MO ST HWY PATROL LAW ENF ACADEMY	SHELTON-1ST LINE SUPERVISI	170.00
		HEDRICK MOTIV WERKS LLC	HEADLAMP CONNECTOR ASSY PD	48.99
			ALT REPAIR PD21	203.25
		SOUTHERN UNIFORM & EQUIPMENT	3 MAG CASES	112.52
		STAPLES ADVANTAGE	PAPER, COP PPR, TONER	178.43
		US PUBLIC SAFETY GROUP INC	C501 1/2" PERIODS RHODM CL	583.04
			TOTAL:	4,396.55
911 Center	General Fund	WIRELESS USA INC	OCT SRVC CONTRACT	225.00
			TOTAL:	225.00
Planning	General Fund	LAKE SUN LEADER 81525 & 1586450	REZONING CASE #360	67.50
		HEDRICK MOTIV WERKS LLC	MOUNT & BALANCE	56.00
			TOTAL:	123.50
Engineering	General Fund	FLEET ONE	CITY ENG FUEL	124.62
		LASER SPECIALIST INC	CABLE FREIGHT	8.94
		STAPLES ADVANTAGE	CLSPECT FLDR LTR YW 6PT	40.78
			TOTAL:	174.34
Information Technology	General Fund	TYLER TECHNOLOGIES INC	COURT & POLICE MAINT	3,043.41
		INFORMATION TECHNOLOGIES INC	ANNUAL SOFTWARE SUPPORT	21,367.00
			TOTAL:	24,410.41
Emergency Management	General Fund	FLEET ONE	EMER MNGT FUEL	22.51
			TOTAL:	22.51
Economic Development	General Fund	O'REILLY AUTOMOTIVE STORES INC	35 YD TAPE	11.99
		LAKE SUN LEADER 645	FESTIVAL ADS	365.22
			FESTIVAL ADS	320.28
			FESTIVAL ADS	804.00
			FESTIVAL ADS	226.44
			FESTIVAL ADS	420.00
			FESTIVAL ADS	355.99
		EZARD'S	FASTENERS	0.52
			MARKING CHALK	19.47
			TOTAL:	2,523.91
Transportation	Transportation	WELLS GLASS SERVICE	COMMERICAL DOOR CLOSER	33.33
		FLEET ONE	TRANS FUEL	523.98
			TRANS FUEL	577.30
		O'REILLY AUTOMOTIVE STORES INC	GREASE	6.78
		LAKE SUN LEADER 81525 & 1586450	PROGRESS RD RECONST BID	234.00
			HARPER LN RECONST BID	234.00
			SALT BIDS	63.00
		PRAIRIEFIRE COFFEE & ROASTERS	COFFEE, HOT CHOC	58.85
		BARCO MUNICIPAL PROD INC	FACE, 30 & 24" STOP, HIP	438.39
		BARNES MARINE INC	SPOOLS, TRIMMER LINE	32.63
		APAC MO INC	1" BASE, 1" CLEAN	760.80
			HATCHERY RD ASPHALT REPAIR	24,534.07
		AL SCHEPPERS MOTORS	DUMP TRUCKS W/PLOWS & SPRE	237,760.00
		HOLIDAY DESIGNS INC	LED C7 COOL WHITE	3,460.12
		HEDRICK MOTIV WERKS LLC	BRAKES #62	229.21
		UNIFIRST CORPORATION	STREET DEPT UNIFORMS	33.50
			STREET DEPT FLOOR MATS	6.45
			STREET DEPT UNIFORMS	33.50

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
				000015
			STREET DEPT FLOOR MATS	6.45
		STAPLES ADVANTAGE	DUST DESTROYR, CPY PPR, PE	23.23
		H R GREEN INC	NICHOLS RD TEAP STUDY	6,750.74
		EZARD'S	QUIKRETE	5.49
			TOTAL:	275,805.82
Water	Water Fund	PURCELL TIRE CO	FLAT REPAIR	21.40
		WELLS GLASS SERVICE	COMMERICAL DOOR CLOSER	33.33
		EZARD'S	BATTERIES	21.47
			SHOP TOWELS	4.79
			BRASS BIBB HOSE, PVC, GLUE	20.54
			THREAD SEAL TAPE, ADAPTR	1.98
		RP LUMBER INC	80 LB PREMIX CONCRETE	11.97
		FLEET ONE	WATER FUEL	287.45
			WATER FUEL	546.45
		GOEHRI, GEORGE	HEALTH INS PREMIUM	77.69
		SCHULTE SUPPLY INC	6 MIU'S	816.00
			PROREAD	592.20
			METER INTERFACE UNITS	816.00
		O'REILLY AUTOMOTIVE STORES INC	ANTIFREEZE	10.99
			OIL	14.17
			MOTOR TRT	6.99
			OIL	11.18
			HAMMER	15.99
			55 SHEET TOWEL	4.98
		PRAIRIEFIRE COFFEE & ROASTERS	COFFEE, HOT CHOC	58.85
		TRI-STATE PUMP INC	CHLORINE PUMP	530.29
		HEDRICK MOTIV WERKS LLC	REPAIRS 2003 F-250	770.16
		UNIFIRST CORPORATION	WATER DEPT UNIFORMS	23.78
			WATER DEPT FLOOR MATS	6.45
			WATER DEPT UNIFORMS	23.78
			WATER DEPT FLOOR MATS	6.45
		STAPLES ADVANTAGE	DUST DESTROYR, CPY PPR, PE	23.23
		GLOBAL EQUIPMENT CO	SLEDGE HAMMER	76.75
			TOTAL:	4,835.31
Sewer	Sewer Fund	PURCELL TIRE CO	TIRE #72	157.61
		WELLS GLASS SERVICE	COMMERICAL DOOR CLOSER	33.34
		MEEKS BUILDING CENTER	2X6, NUTS, BOLTS, SCREWS	15.28
		EZARD'S	OIL TREAD CUT, CABLE TIES	35.47
			FURN FILTERS, EXIT BULBS	41.52
			SAWZAL BLADES, HAND TOOLS	69.16
		RP LUMBER INC	2X4X10 SPF	9.75
		FLEET ONE	SEWER FUEL	463.37
			SEWER FUEL	481.28
		SIEMENS WATER TECH CORP	ODO CONTROL	1,750.00
		O'REILLY AUTOMOTIVE STORES INC	2 - BATTERIES	208.98
			OIL, FILTERS, BRAKE CLNR	141.09
		PRAIRIEFIRE COFFEE & ROASTERS	COFFEE, HOT CHOC	58.85
		LAKE OZARK-OSAGE BEACH JOINT SEWER PLA	TREATMENT PLANT OPERATION	32,270.30
			TREATMENT PLANT EXPANSION	1,957.00
		HD SUPPLY WATERWORKS LTD	DV FACINGS, DV SCREWS	57.28
			ADAPTER RING, MTR BOX CVR	143.10
			BRS SAD, CORP MIPSPJ(CTS)	233.17
		APAC MO INC	HATCHERY RD ASPHALT REPAIR	4,414.00
		JCI INDUSTRIES INC	PUMP REPAIR SN NOT LISTED	291.75

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	000017 AMOUNT
			PUMP REPAIR SN NOT LISTED	1,595.00
			PUMP REPAIR SN NOT LISTED	1,595.00
			PUMP REPAIR SN NOT LISTED	1,595.00
			PUMP REPAIR SN NOT LISTED	1,595.00
			PUMP REPAIR SN K53901	3,125.93
		UNIFIRST CORPORATION	SEWER DEPT UNIFORMS	32.79
			SEWER DEPT FLOOR MATS	6.45
			SEWER DEPT UNIFORMS	32.79
			SEWER DEPT FLOOR MATS	6.45
		STAPLES ADVANTAGE	DUST DESTROYR, CPY PPR, PE	23.24
			TOTAL:	52,439.95
Ambulance	Ambulance Fund	FLEET ONE	AMB FUEL	72.89
			AMB FUEL	50.65
		HEDRICK MOTIV WERKS LLC	MOUNT & BAL, OIL CHG M-9	174.51
		STERICYCLE INC	MEDICAL WASTE	76.80
			TOTAL:	374.85
Lee C. Fine Airport	Lee C. Fine Airpor	FLEET ONE	LCF FUEL	0.00
			LCF CAR WASH	0.00
		STAPLES ADVANTAGE	GAS PUMP ROLLS, PENS	31.38
		NAEGLER OIL CO	DIAL UP FEE	30.00
			JET A FUEL	28,950.42
			JET A FUEL	28,667.60
		EZARD'S	SQ D BREAKER	16.98
			RETURN SQ D BREAKER	16.98-
			TOTAL:	57,679.40
Grand Glaize Airport	Grand Glaize Airpo	FLEET ONE	GG FUEL	0.00
		STAPLES ADVANTAGE	GAS PUMP ROLLS, PENS	21.98
		NAEGLER OIL CO	DIAL UP FEE	30.00
		CROWN POWER & EQUIPMENT	CAP, WASHERS, SNAP RING	21.19
		EZARD'S	50 AMP CART FUSE	7.96
			GRND RECEPTACLES, WIRE, BU	17.46
			CORNER BRACES, FASTENERS	49.98
			RECPT DPLX	4.49
			TOTAL:	153.06

DEPARTMENT FUND VENDOR NAME DESCRIPTION AMOUNT

000018

----- FUND TOTALS -----		
10	General Fund	38,967.82
20	Transportation	275,805.82
30	Water Fund	4,835.31
35	Sewer Fund	52,439.95
40	Ambulance Fund	374.85
45	Lee C. Fine Airport Fund	57,679.40
47	Grand Glaize Airport Fund	153.06

	GRAND TOTAL:	430,256.21

TOTAL PAGES: 5

City of Osage Beach
 1000 City Parkway
 Osage Beach, MO 65065
 573/302-2000 Phone
 573/302-0528 Fax
www.osagebeach-mo.gov



Planning Dept.: _____
 Sewer Dept.: _____
 License #: _____

000019

LIQUOR LICENSE APPLICATION

Date of Application: 2 August 24 Sept 2012 Date Application Received: SEP 2 2012

Trade Name of Establishment: EIKS LODGE 2517

Mailing Address: 5161 OSAGE BEACH PARKWAY

Applicant Name: EIKS LODGE 2517
 (as it is to appear on license, if corporation, name of corporation and managing officer)

- Original Applications: Submit a copy of your Missouri voter registration card & background check performed by the Missouri Highway Patrol along with your application.
- Renewal Applications: Submit completed application only. (Background checks and voter registration documents do not need to be submitted with renewals.)

Item	Fee	License Description	City Code
a. ___	375.00	Manufacture and distribution (not sales) of intoxicating malt liquor not more than 5% alcohol by weight.	MDBWT
b. ___	150.00	Distribution or wholesale of intoxicating liquors not more than 5% alcohol by weight.	DBLQWT
c. ___	300.00	Manufacture or distilling of intoxicating liquors in excess of 5% alcohol by weight.	MLQWT
d. ___	750.00	Distribution or wholesale of intoxicating liquors in excess of 5% alcohol by weight.	DLQWT
e. ___	75.00	Retail sales of intoxicating liquors not more than 5% alcohol by weight in original package to be consumed on premises. (Includes Sunday Sales.)	BPR
f. ___	75.00	Retail sales of intoxicating liquors not more than 5% alcohol by weight in original package not to be consumed on premises. (Includes Sunday Sales.)	BPK
g. ___	450.00	Retail sales of intoxicating liquors in excess of 5% alcohol by weight to be consumed on premises.	LDRK1
h. ___	750.00	Retail sales of intoxicating liquors in excess of 5% alcohol by weight to be consumed on premises. (Includes Sunday Sales.)	LDRK2
i. ___	150.00	Retail sales of intoxicating liquors in excess of 5% alcohol by weight in original package not to be consumed or opened on premises.	LPKG1
j. ___	450.00	Retail sales of intoxicating liquors in excess of 5% alcohol by weight in original package not to be consumed or opened on premises. (Includes Sunday Sales.)	LPKG2
k. ___	75.00	Retail sales of malt liquor not more than 5% alcohol by weight /or light wines containing in excess of 14% alcohol by weight.	BWDRK1
l. ___	375.00	Retail sales of malt liquor in excess of 5% alcohol by weight /or light wines containing in excess of 14% alcohol by weight. (Includes Sunday Sales.)	BWDRK2
m. ___	300.00	Sunday Liquor Sales	LSUN
n. <input checked="" type="checkbox"/>	15.00	*Caterer per day.	CTLQDY
o. ___	10.00	Picnic per day.	PCLQDY
p. ___	N/C	Change of managing officer.	MGO
q. ___	N/C	Wine tasting.	WTG

* If you are applying for a Caterer per day license you must state the event name, location, time and date of event.

Bowling 20 Oct 2012

All renewal applications must be received by May 1st.

Submission Date: September 27, 2012
Submitted By: Tri-County Lodging Association
Board Meeting Date: October 4, 2012

**City of Osage Beach
BOARD OF ALDERMEN
AGENDA ITEM SUMMARY SHEET**

Description of Item:

Presentation by Tri-County Lodging Association/Jim Divincen

Names of Persons, Businesses, Organizations affected by this action:

City of Osage Beach, residents and visitors

Why is Board Action Required?

N/A

Type of Action Requested (Ordinance, Resolution, Motion):

N/A

Are there any deadlines associated with this action?

N/A

City Administrator Comments and Recommendation:

Mr. Divincen contacted me and asked if he could make about a 20-minute presentation to the Mayor and Board of Aldermen on Thursday, October 4, 2012 regarding tourism. I asked him to provide me with a copy of the information that he would be presenting, along with a copy of the TCLA Annual Budget, which he has done, and which is attached to this packet for your review prior to October 4th.

Submission Date: September 25, 2012
Submitted By: Planning Commission
Board Meeting Date: October 4, 2012

**City of Osage Beach
BOARD OF ALDERMEN
AGENDA ITEM SUMMARY SHEET**

Description of Item:

Bill 12-31 - Case 360: Rezoning from A-1 (Agriculture) to R-2 w/ PUD 1 Overlay (Two-family Residential). The applicant, Terry Ross, would like to build duplex units.

Names of Persons, Businesses, Organizations affected by this action:

The applicant and adjacent property owners may be affected by this decision.

Why is Board Action Required?

The City's zoning code requires Board action on Planning Commission recommendations for rezoning. (Code Reference 405.610).

Type of Action Requested (Ordinance, Resolution, Motion):

Motion to approve the first reading of Bill 12-31.

Are there any deadlines associated with this action?

90 day rule

Planning Department comments and recommendation:

Applicant: Terry Ross
Location: Between Ledges Dr. and Port Lane with frontage on Port Lane
Petition: Rezoning from A-1 (Agriculture) to R-2 w/ PUD 1 Overlay (Two-family Residential).

000022

Existing Use: The subject property is vacant.

Zoning: A-1 (Agriculture)

Tract Size: 24,615 square feet

	<u>Surrounding Zoning:</u>	<u>Surrounding Land Use:</u>
<u>North:</u>	C-1 (General Commercial)	Condo Development/ Single family
<u>South:</u>	R-1 zones	Single family
<u>East:</u>	R-3 (Multi-family) C-1 (Commercial)	Apartments/Marina/ S family
<u>West:</u>	C-1 w/ PUD overlay	Resort Residential

The Osage Beach Comprehensive Plan

Designates this area as appropriate for: Moderate Density Residential

<u>Rezoning History</u>	<u>Case #</u>	<u>Date</u>
Diamond Pointe	357 (withdrawn)	April, 2011

<u>Utilities:</u>	<u>Water:</u> City	<u>Electricity:</u> AmerenUE
	<u>Sewer:</u> City	

Access: Property has frontage on Port Lane and Ledges Drive.

Analysis:

1. The applicant is the owner of the vacant property in question. The applicant recently purchased the property from a lending institution that had repossessed it.
2. The character of the area is mixed containing single-family homes, condominiums, apartments, Blue Moon Marina, storage facilities, and RT's Cove (lake front resort residential). The subject property requested for rezoning to R-2 with a PUD 1 overlay is surrounded by properties zoned C-1 (General Commercial), R-3 (Multi family), and R-1a (Single Family).
3. The applicant originally requested the property be rezoned to R-3 with a PUD 1 Overlay for the construction of apartment units

000023

4. The portion of the property that is being requested for rezoning is fronted and serviced by the paved portion of Port Lane.

Department Comments:

The property is recommended for Moderate Density Residential, which is defined by the Comprehensive Plan as 5-13 units per acre. If the applicant develops the 6 units on the subject property that would equate to just over 10 units per acre for this property which conforms with what is recommended by the Comprehensive Plan.

Under the Section 405.610 of the City Code of Ordinances for Amendments and Changes, bullet point 6 gives five matters that the city should consider before making a change in the zoning of property.

1. Relatedness of the proposed amendment to the goals and outlines of the long range physical plan for the City:

As I have already stated, the amended request is in conformance with the density recommendations of the Comprehensive Plan.

The Comprehensive Plan also encourages the City to provide additional work force housing when the opportunity arises to locate it on property where it is compatible.

2. Existing uses of property within the general area of the property in question:

As previously stated, the area surrounding the subject property contains mixed uses including single-family residential, apartments, resort residential (RT's Cove), a lake front marina, storage facilities, and condominium development.

The amended request basically provides a use that conforms with the mix of multi and single family and provides some buffer for some of the residential uses from developing commercial tracts.

3. The zoning classification of property within the general area of the property in question:

As I stated previously, the subject property is surrounded on all sides by more intensive zoning districts except for the R-1a tract that the applicant rezoned as part of his previous request. The other surrounding dwellings are built within a C-1 zone or higher density residential zone. Some of those homes have been built, constructed additions to, or remodeled with a Special Use Permit for residential construction in a commercial zone.

4. The suitability of the property in question to the uses permitted under the existing zoning classification:

The subject property would not benefit from an appropriate use if developed with uses permitted within the A-1 zone.

5. The trend of development, if any, in the general area of the property in question, including changes, if any, which have taken place in its present zoning classification:

The area surrounding the subject property is currently seeing new development as a result of the zoning action taken by the current applicant. Individual storage facilities are being constructed on the property that is zoned C-1 (General Commercial) and a single family dwelling is being built on the Dude Ranch frontage lot that was created by the applicant and sold to an individual to build this home.

Based on the analysis of the conditions pertaining to the subject petition, the Planning Department recommends approval of the request subject to the following provisions regulating the property being rezoned to R-2 with a PUD 1 Overlay exclusively:

Permitted Uses:

The following uses shall be permitted in those areas as illustrated on the PUD site plan:

1. Residential Uses shall conform to the requested development containing a maximum of 3 duplex buildings for a total of 6 units.
2. Accessory Uses will be designed for and available to the tenants and their guests only and will not be open to the public. Those uses include any administrative office(s) for project management, garages, maintenance facilities, and recreation facilities.

Construction:

Construction shall be in accordance with the International Building Code and all other pertaining construction codes as adopted by the City of Osage Beach at the time a building permit is issued for each individual facility.

The layout of the buildings and units will also conform to the building layout plans that were submitted with this petition.

Bulk, Area, and Height Requirements:

The buildings and units will also conform to the building layout plans that were submitted with this petition.

Dimensional Requirements:

Buildings within this district shall not exceed a minimum setback of 25 feet from the property line fronting Port Lane being considered the front, a minimum setback of 5 feet from the side property lines, and a minimum of 25 feet from the property line fronting Ledges Drive being considered the rear.

Public Facilities:

1. Engineering plans for water, streets, and sewer improvements will be constructed in accordance with the Osage Beach Design Guidelines and shall be approved by the City Engineer's Department.

Access:

1. Access shall be derived from Port Lane.

Parking:

All development shall adhere to Osage Beach off-street parking requirements at the time that it is constructed.

Buffering and Screening:

Waste cans, dumpster units, or other trash receptacles shall be placed where they are least visible from a public street or adjoining properties. Screening/fencing as to make these devices as least visible as possible is required.

Exterior Lighting:

1. Exterior lighting shall be designed, located and constructed to eliminate or significantly reduce glare and/or a general increase in lighting intensity within the adjoining existing or proposed residential area(s). Additionally, all exterior lighting shall be so arranged and shielded so as to confine all direct light rays within the boundaries of this district.
2. All street lighting proposed shall meet the City's standards for street lighting on local streets in residential areas. Applicants should coordinate with the City's Engineering Department on street lighting installations.

Signage:

The applicant will be required to get a sign permit from the city. At such time that an application is filed, a site plan and engineering will be submitted to assure the signs compliance with the city's sign code.

Maintenance of Open Space and Common Areas:

The maintenance of common area and facilities within the District shall be the responsibility of the property owner(s) and/or the property management administrators. All areas not scheduled for immediate construction are to be seeded and storm drainage facilities are to be maintained as to protect from storm water runoff impact to the Lake of the Ozarks and surrounding properties.

Platting:

All platting of property will be required to be in conformance with the Osage Beach Subdivision Code.

Final Development Plan:

The individual site development plans submitted with the Building Permit Applications for the proposed buildings will be considered the Final Development Plans.

Planning Commission Recommendation:

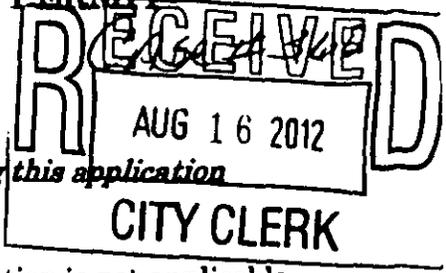
The Planning Commission recommended approval by unanimous vote at their regularly scheduled meeting on September 11, 2012.

City Administrator Comments:

Concur with the recommendation of the Planning Department and the Planning Commission. Request first reading of Bill 12-31.

000027

APPLICATION FOR REZONING/SPECIAL USE PERMIT
CITY OF OSAGE BEACH, MISSOURI



Please read the attached information thoroughly before completing this application

Instructions:

All questions must be answered in black ink. Please PRINT or TYPE. If a question is not applicable, indicate so by 'N/A'.

CASE# 360

Application must be signed by applicant, dated and notarized. Applications mailed or submitted without notarized signatures will be returned via regular mail.

1) Name of property owner: Terry Ross

Address: 32 Tree Frog Lane, Lake Ozark, MO 65049

Phone: 573-216-3545 Fax: terryross01@yahoo.com

List all owners of the property. If corporation or partnership, list names, addresses and phone number of principal officers or partners:

Terry Ross

2) Name of landowner's representative, if different from above: N/A

Address: _____

Phone: _____ Fax: _____

3) All correspondence relative to this application should be directed to whom? Terry Ross

4) General location of property to be rezoned or for which special use permit is sought: (Include street number

for existing structures): Just north of Dude Ranch Road between Port Lane and Stoneledge Drive

5) Do you have a specific use proposed for this property? (Yes: Town Homes (2 Unit) No: _____

Explain all uses: 3 townhome buildings

6) Area of property in square feet or acres: 0.57 Acres, 24,615 Sq. Ft.

7) Present zoning classification: A-1

8) Sources of utilities:

Water: City of Osage Beach Gas: NA

Sewer: City of Osage Beach Electric: Ameren

9) Proposed zoning classification: R-2 PUD 1 overlay

10) How long have you owned this property? 2 years

11) Present use of property: (Describe all present improvements) Undeveloped

12) Present use of all property adjacent to subject property: Single Family, Multi-Family, Commercial & Resort Property

North: Commercial South: Single

East: R-3 Multi-Family West: Resort Property

(13) If zoning district or comparable use to that proposed adjoins or lies within the near vicinity of the subject

property, please describe the use and it's location: R3 multi family. Directly to East of property

14) Do you own property abutting or in the near vicinity of the subject property? (Yes) ✓ No:

If yes, where is this property located and why was it not included in this application: North, already zoned correctly

15) Do any private covenants or restrictions encumber the subject property which could be in conflict with the

proposed zoning classification? Yes: No: X If yes, please remit copy of restrictions with recorder of Deeds book and page number.

16) To your knowledge, has any previous application for the reclassification of the subject property been

submitted? Yes: ✓ No:

17) How, in your opinion, will the rezoning affect Public facilities (sewer, water, schools, roads, etc.)? And what mitigating measures does the applicant propose to address these problems if any? Applicant should

include letter from or regarding City Engineering Department review of proposed zoning. N/A

18) How, in your opinion, will rezoning affect adjacent properties and what mitigating measures does the applicant propose to address these problems, if any? It will add value. Adequate water.

hydrants, sewer capacity, & Rd. are in place.

19) List the reasons why, in your opinion, this application for rezoning/special use permit should be granted:

There is a demand and need for this type of housing in the city of Osage Beach.
(*May be left blank if adequately described in application letter to Commission.)

the development of these high quality townhomes will add value to the area.

The undersigned, having read the procedures and instructions, makes application for a change in the zoning district boundary lines as shown on the zoning maps of the City of Osage Beach, Missouri, as explained on this application form. In support of this application, all necessary information is attached.

Date of Application 8-15-12

Signature of Applicant [Signature]

Signature of Accepting Officer [Signature]

Signature of Property Owner [Signature]

Subscribed and sworn to before me this 16th day of August, 2012

My Commission expires: 7/7/2014

Notary Public [Signature]

State of Missouri, County of Camden

(Seal)

Jorothy Urlicks
Notary Public - Notary Seal
State of Missouri
County of Camden
My Commission Expires: July 7, 2014
Commission # 10515244

NOTE: Applications not signed and notarized will be removed from the Commission agenda and returned to the applicant via regular mail.

8/17/2012

Subject: Barn Yard Tract A Rezone
To: Planning Commission

The property being submitted for rezone is directly across the street from four-plex apartment buildings on the East, bordered by commercial property on the North, resort property on the West, and single family on the South. Rezoning this property to R2 with a PUD 1 overlay allows for a natural step-down in Zoning between the R3 apartment buildings, bordering commercial property, to the bordering R1 single family.

Existing roads will more than support traffic flow from the proposed townhomes. Existing sewer and water mains will more than adequately handle the capacity needed. All construction will comply 100% with all currently adopted city codes.

This type of housing is needed, in demand, and offers the following:
High quality, main floor living, level entry, low maintenance, close to hospital and grocery store.

Voting in favor of this rezone is greatly appreciated. I believe this will benefit the community and help make for a brighter, more prosperous future!

Thank You,



Terry Ross

"BARN YARD, AMENDED PLAT"

000031

TRACT B

LOT 3

LOT 2

TRACT A
BLUE HARBOR
COMMERCIAL

LOCATION MAP
Scale: 1"=100'



NW 1/4, NE 1/4,

Sec. 10-39-16

STONELEDGE DRIVE (40' R/W)

FORT LANE (30' R/W)

LOT 1
73,840 SQ. FT.
1.70 ACRES

ZONED A-1
ZONED R-1

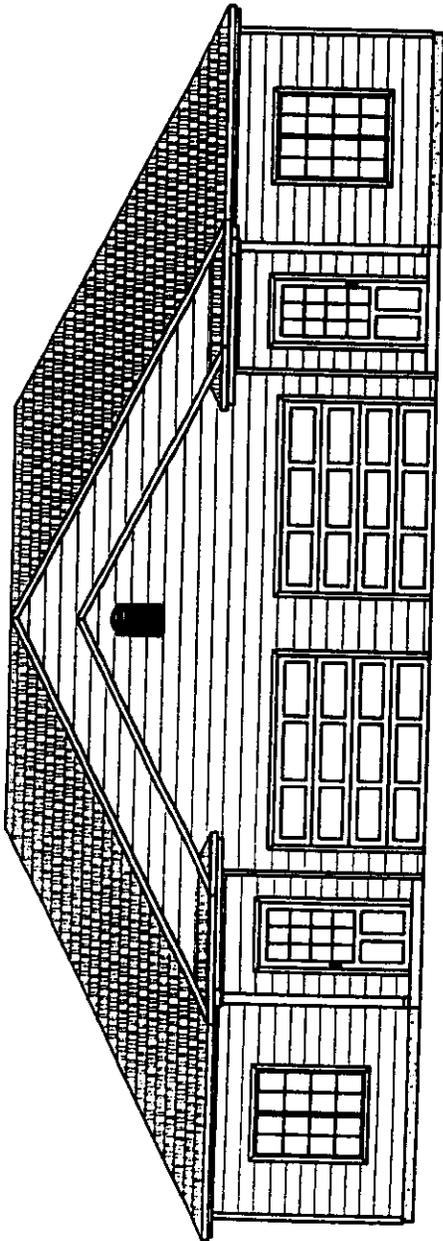
NOTE: SET #4 BAR & CAP UNLESS OTHERWISE NOTED.

Lesley D. Allen, L.S.
L.S. #1676

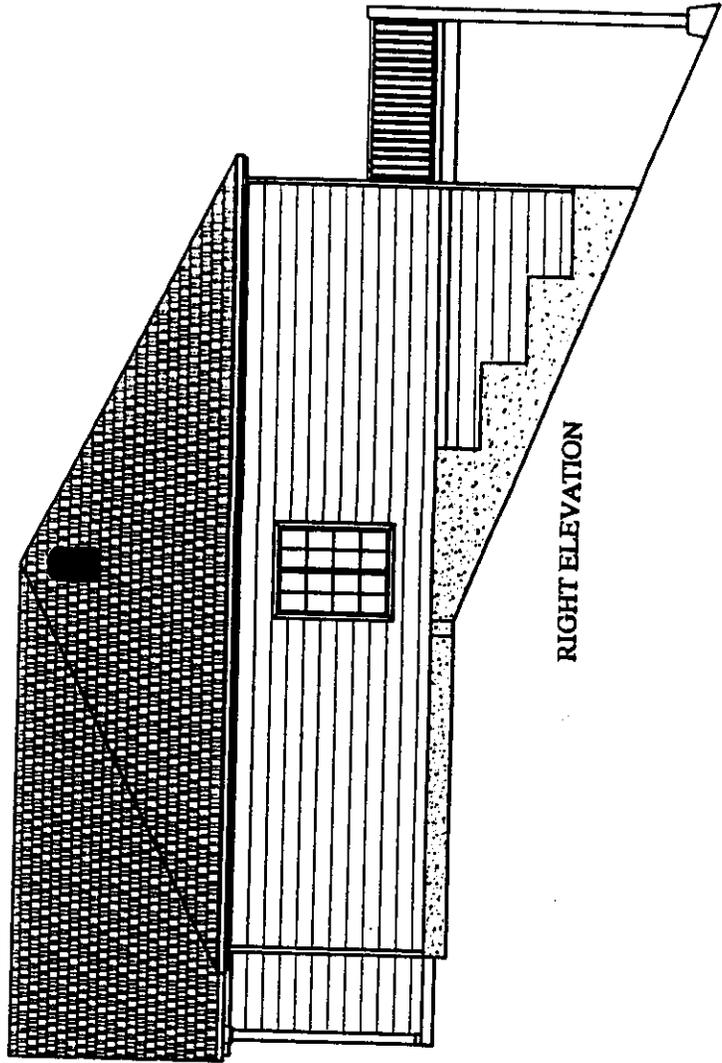
FND. 1/2" GAS PIPE
SW Cor. NW 1/4, NE 1/4
Sec. 10-39-16

DUDE RANCH ROAD (40' R/W)

ELEVATIONS

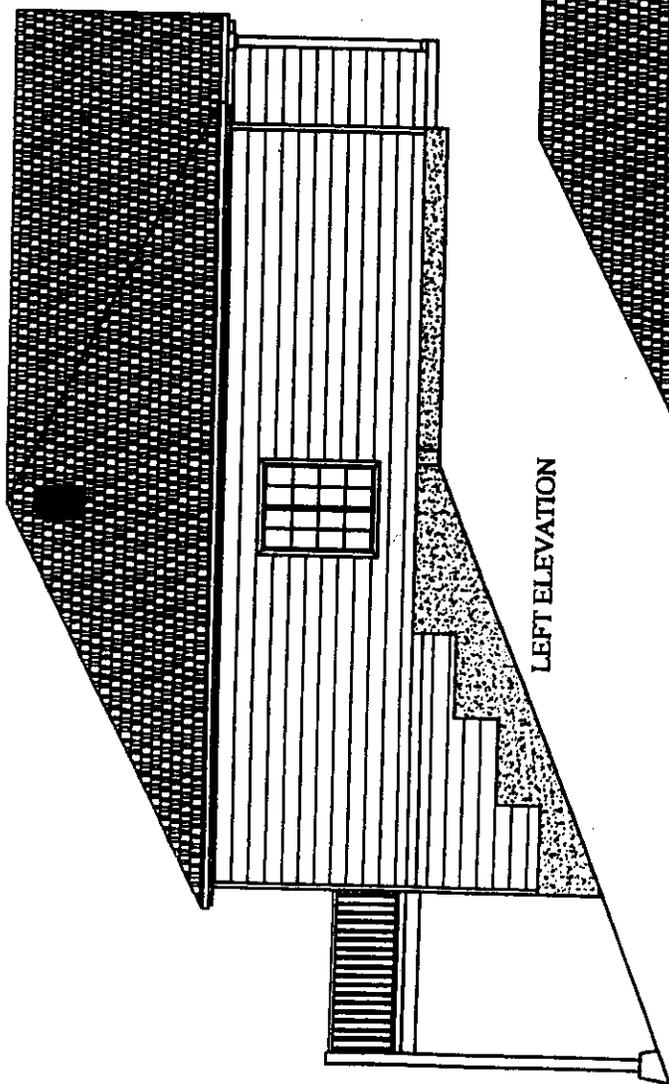


FRONT ELEVATION

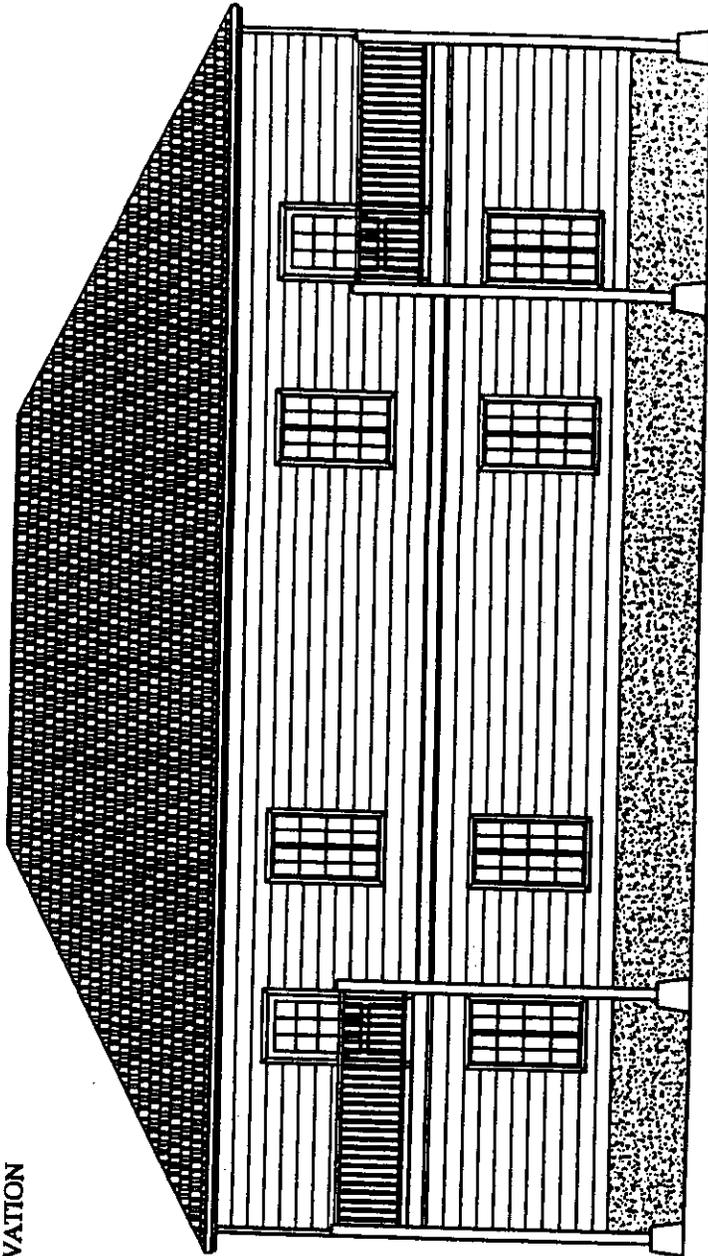


RIGHT ELEVATION

ELEVATIONS

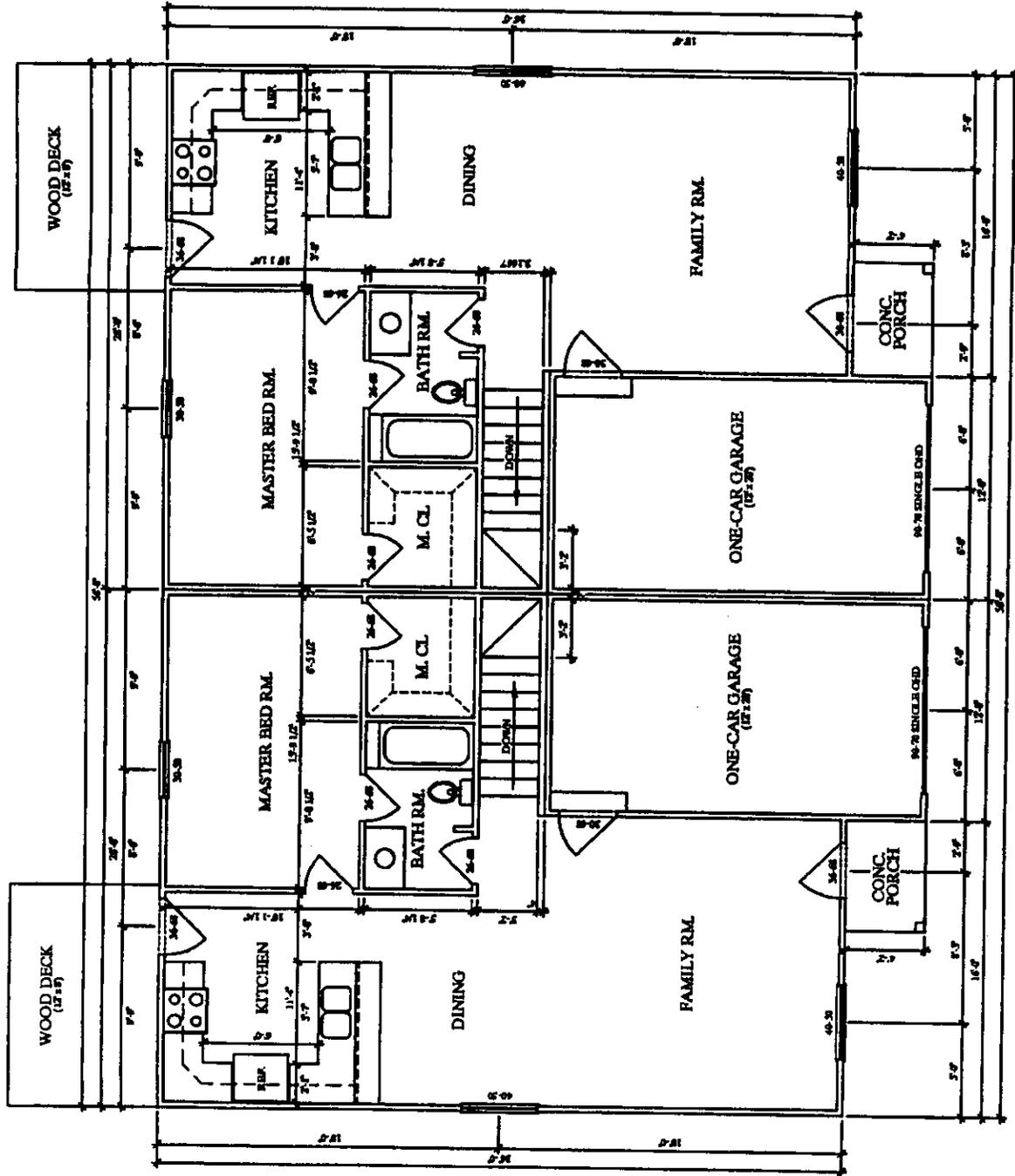


LEFT ELEVATION

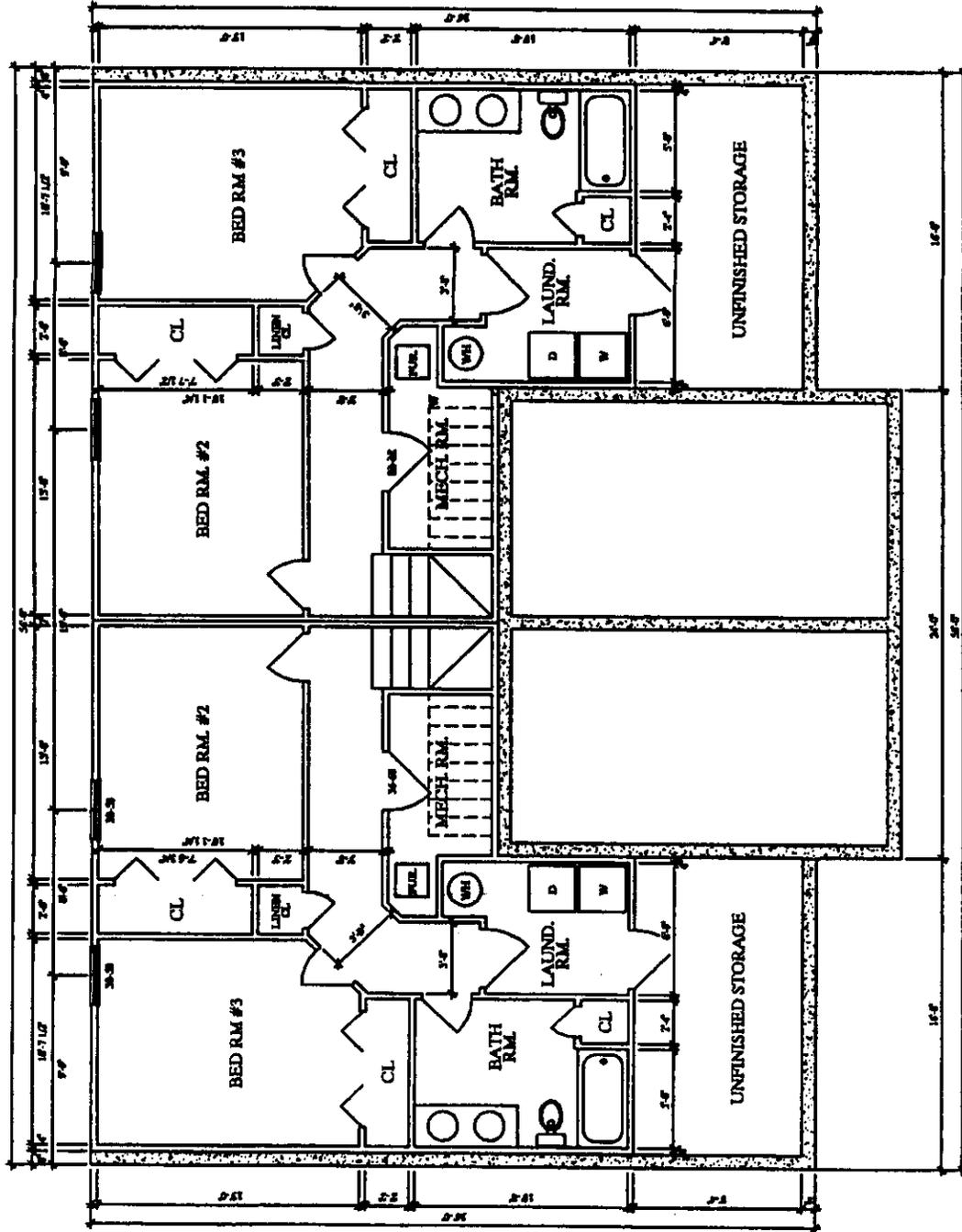


REAR ELEVATION

MAIN FLOOR - 818 Sq. Ft.
GARAGE - 240 Sq. Ft.
DECK - 96 Sq. Ft.



LOWER FLOOR - 686 Sq. Ft.



SCALE: 1/8" = 1'-0"

BILL NO. 12-31

ORDINANCE NO. 12.31

AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, ADOPTING AN AMENDMENT TO THE ZONING MAP OF THE CITY OF OSAGE BEACH, MISSOURI.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF OSAGE BEACH, AS FOLLOWS, TO WIT:

Section 1. That the following tracts of land subject to Rezoning Case No. 360, as described in Exhibit A , zoned A-1, General Agriculture, is hereby rezoned to R-2, Two Family Residential, with PUD 1 Overlay.

Section 2. That in all other respects, the zoning ordinance remains unchanged.

Section 3. That this Ordinance shall be in full force and effect upon date of passage.

READ FIRST TIME:

READ SECOND TIME:

PASSED AND APPROVED THIS _____ DAY _____ 2012.

I hereby certify that the above Ordinance No. 12.31 was duly passed on _____ by the Board of Aldermen of the City of Osage Beach. The votes thereon were as follows:

Ayes:

Nays:

Abstentions:

Absent:

This Ordinance is hereby transmitted to the Mayor for her signature.

Date

Diann Warner, City Clerk

Approved as to form:

Edward B. Rucker, City Attorney

I hereby APPROVE Ordinance 12.31

Penny Lyons, Mayor

Date

ATTEST:

Diann Warner, City Clerk

Exhibit A

A tract of land in Government Lots 2 and 3, of the Section 3, and the West Half of the Northeast Quarter and the East Half of the Northwest Quarter of Section 10, and being a part of Lot 1, Blue Harbor, a subdivision of Camden County, Missouri, all in Township 39 North, Range 16 West, Camden County, Missouri, being more particularly described as follows: Beginning at the Southwest Corner of the Northwest Quarter of the Northeast Quarter of said Section 10; thence North along the West Line of said Northwest Quarter of the Northeast Quarter, 570.3 feet to an iron pin; thence leaving said West Line, North 89 degrees 54 minutes East, 529.6 feet to the centerline of a 30.0 feet wide road (Port Road) and the TRUE POINT OF BEGINNING; thence along said centerline the following courses; thence South 27 degrees 05 minutes East, 371.2 feet; thence South 55 degrees 05 minutes East, 175.0 feet; thence South 31 degrees 05 minutes East, 145.5 feet, to the centerline of Dude Ranch Road; thence along the centerline of Dude Ranch Road the following courses; thence South 84 degrees 05 minutes West 132.7 feet; thence South 74 degrees 02 minutes West, 187.3 feet; thence South 63 degrees 09 minutes West, 74.68 feet to the centerline of a 40.0 foot road easement as described in Book 376, Page 204, Camden County Records; thence along said centerline of said 40.0 foot road easement the following courses; thence North 16 degrees 32 minutes West, 109.8 feet; thence North 28 degrees 49 minutes East, 83.1 feet; thence North 02 degrees 49 minutes East, 140.4 feet; thence North 25 degrees 32 minutes West, 189.8 feet; thence North 27 degrees 32 minutes West, 180.2 feet; thence North 17 degrees 15 minutes West, 123.8 feet; thence North 01 degree 15 minutes West, 253.7 feet; thence North 08 degrees 35 minutes West, 160.2 feet; thence North 30 degrees 00 minutes West, 73.9 feet; thence North 68 degrees 24 minutes West, 75.5 feet; thence South 85 degrees 27 minutes West, 85.4 feet; thence South 65 degrees 02 minutes West, 123.2 feet; thence North 52 degrees 51 minutes West, 269.4 feet; thence North 30 degrees 35 minutes West, 90.8 feet to the southwesterly line of Lot 2, Beacon Bay, a subdivision of Camden County, Missouri; thence along said southwesterly line South 59 degrees 57 minutes East, 13.6 feet to the southernmost corner of said Lot 2; thence North 18 degrees 06 minutes East, 259.1 feet to the centerline of said 30.0 feet wide road; thence along said centerline the following courses; thence North 77 degrees 17 minutes East, 86.4 feet; thence South 63 degrees 53 minutes East, 106.4 feet; thence South 35 degrees 04 minutes East, 220.3 feet; thence South 54 degrees 00 minutes East, 347.6 feet; thence South 11 degrees 00 minutes East, 165.7 feet; thence South 08 degrees 43 minutes 44 seconds East, 256.2 feet; thence South 14 degrees 30 minutes East, 201.8 feet, to the TRUE POINT OF BEGINNING. Excepting therefrom, a 40.0 foot roadway deed as described in Book 313, Page 93, Camden County Records.

Submission Date: September 21, 2012

Submitted By: City Engineer

Board Meeting Date: October 4, 2012

**City of Osage Beach
BOARD OF ALDERMEN
AGENDA ITEM SUMMARY SHEET**

Description of Item:

Bill 12-32 - Request to amend the 2012 Budget by transferring \$27,479 from 20-00-764207 Asphalt Overlay, \$9,247 from 20-00-764208 Road Striping, and \$25,076 from 20-00-773143 Passover Road to 20-00-773155 Misc. Streets/Roads.

Names of Persons, Businesses, Organizations affected by this action:

City Staff

Why is Board Action Required?

Amending Budget

Type of Action Requested (Ordinance, Resolution, Motion):

Request first and second readings of Bill 12-32 amending the 2012 Budget.

Are there any deadlines associated with this action?

This item allocates the funds necessary for the Progress Road Reconstruction project.

Comments and Recommendation of Department:

Bill 12-32 allocates the additional funds necessary for the Progress Road Reconstruction project.

The Engineering Department recommends approval of this ordinance. A first and second reading is requested.

City Administrator Comments and Recommendation:

Concur with the recommendation of the City Engineer.

BILL NO. 12-32

ORDINANCE NO. 12.32

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

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF OSAGE BEACH, AS FOLLOWS, TO WIT:

Section 1. That the 2012 Annual Budget adopted as Ordinance No. 11.70 is hereby amended by transferring \$27,479 from line item 20-00-764207 designated as Asphalt Overlay to line item 20-00-773155 designated as Misc. Streets/Roads increasing line item 20-00-773155 from \$65,000 to \$92,479.

Section 2. That the 2012 Annual Budget adopted as Ordinance No. 11.70 is hereby amended by transferring \$9,247 from line item 20-00-764208 designated as Road Striping to line item 20-00-773155 designated as Misc. Streets/Roads increasing line item 20-00-773155 from \$92,479 to \$101,726.

Section 3. That the 2012 Annual Budget adopted as Ordinance No. 11.70 is hereby amended by transferring \$25,076 from line item 20-00-773143 designated as Passover Road to line item 20-00-773155 designated as Misc. Streets/Roads increasing line item 20-00-773155 from \$101,726 to \$126,802.

Section 4. In all other respects the 2012 Annual Budget adopted in Ordinance No.11.70 shall remain in full force and effect.

Section 5. That this Ordinance shall be in full force and effect upon date of passage.

I hereby certify that the above Ordinance No. 12.32 was duly passed on _____, 2012 by the Board of Aldermen of the City of Osage Beach. The votes thereon were as follows:

Ayes: _____

Nays: _____

Abstentions: _____

Absent: _____

This Ordinance is hereby transmitted to the Mayor for her signature.

Date

Diann Warner, City Clerk

Approved as to form:

Edward B. Rucker, City Attorney

I hereby APPROVE Ordinance No. 12.32.

Penny Lyons, Mayor

Date

ATTEST:

Diann Warner, City Clerk

Submission Date: September 27, 2012

Submitted By: City Engineer

Board Meeting Date: October 4, 2012

**City of Osage Beach
BOARD OF ALDERMEN
AGENDA ITEM SUMMARY SHEET**

Description of Item:

Bill 12-33 - To allow the Mayor to execute the Summit Natural Gas of Missouri, Inc.- Natural Gas Distribution System Right-of-Way Excavation Agreement for the installation of the natural gas lines throughout the City of Osage Beach

Names of Persons, Businesses, Organizations affected by this action:

Citizens of Osage Beach, City Staff, Summit Natural Gas of Missouri, Inc.

Why is Board Action Required?

Board approval required to approve Bill 12-33 to enter into this agreement.

Type of Action Requested (Ordinance, Resolution, Motion):

A motion to approve first and second readings of Bill 12-33.

Are there any deadlines associated with this action?

The Natural Gas Distribution System Right-of-Way Excavation Agreement will need to be executed in order for the pipeline installation to proceed.

Comments and Recommendation of Department:

This agreement is between Summit Natural Gas of Missouri, Inc. and the City of Osage Beach and sets out the work that will be performed in the City's right-of-way. This agreement will act in lieu of a right-of-way permit. Pursuant to the Franchise Agreement the City is a named insured and is indemnified against any claim for any loss occasioned by the work.

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The Engineering department recommends approval of the ordinance. A first and second reading is requested.

City Administrator's Comments and Recommendation:

Concur with the recommendation of the City Engineer.

BILL NO. 12-33

ORDINANCE NO. 12.33

AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AUTHORIZING THE MAYOR TO EXECUTE THE RIGHT OF WAY EXCAVATION AGREEMENT WITH SUMMIT NATURAL GAS OF MISSOURI, INC. PROVIDING FOR A NATURAL GAS DISTRIBUTION SYSTEM

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF OSAGE BEACH, AS FOLLOWS:

Section 1. That the Board of Aldermen of the City of Osage Beach has determined it is in the best interest of the City to authorize the Mayor to execute the right of way excavation agreement with Summit Natural Gas of Missouri, Inc. providing for a natural gas distribution system

Section 2. That the Board of Aldermen agrees to the terms and conditions as set out in the attached agreement with Summit Natural Gas of Missouri, Inc. providing for a natural gas distribution system and hereby authorizes the Mayor to execute same on behalf of the City of Osage Beach.

Section 3. That this Ordinance shall be in full force and effect upon date of passage.

READ FIRST TIME:

READ SECOND TIME:

I hereby certify that Ordinance No. 12.33 was duly passed on _____ by the Board of Aldermen of the City of Osage Beach. The votes thereon were as follows:

Ayes:

Nays:

Abstentions:

Absent:

This Ordinance is hereby transmitted to the Mayor for her signature.

Date

Diann Warner, City Clerk

Approved as to form:

Edward B. Rucker, City Attorney

I hereby APPROVE Ordinance No. 12.33

Penny Lyons, Mayor

Date

ATTEST:

Diann Warner, City Clerk

**Summit Natural Gas of Missouri, Inc. - Natural Gas Distribution System
Right-Of-Way Excavation Agreement**

WHEREAS, Summit Natural Gas of Missouri, Inc. (hereinafter "SNG"), formerly Missouri Gas Utility, Inc., has contracted to install a natural gas pipeline within a portion of the City of Osage Beach, Missouri (hereinafter "the City" or "City"). Buried pipelines within the natural gas system will be installed within City of Osage Beach rights-of-way; and

WHEREAS, the City has entered into a franchise agreement dated March 5, 2009, with Missouri Gas Utility, Inc., now known as Summit Natural Gas of Missouri, Inc.; and

WHEREAS, SNG and the City desire to enter into an Agreement in order to serve as an excavation permit, or roadway cut permit, and the governance of the SNG activities for the pipeline installations within the City's rights-of-way;

In the event of any conflict among the provisions of this Agreement, the following order of precedence shall apply:

- (i) Franchise Agreement
- (ii) City Standards and Specifications Regarding Utility Construction Within Rights-Of-Way
- (iii) Right-Of-Way Excavation Agreement

NOW THEREFORE THE PARTIES ENTER INTO THIS AGREEMENT, as follows:

I. Overview – Pipeline Route Description

The natural gas system pipeline will be located within City rights of way and will serve outlying residences and businesses within the City of Osage Beach. The primary components of the system installed within city rights of way will consist of low pressure HDPE pipelines with varying diameters.

Exhibit A depicts the natural gas system within the city limits of Osage Beach.

During construction, it may become necessary or beneficial for SNG to alter pipeline alignments, or add pipeline alignments, or to change sizes and types of pipes, thereby affecting additional roadways not currently appearing in Exhibit A. Prior to beginning installations within areas not outlined in this agreement, SNG shall agree to provide notification to the City of Osage Beach for approval of the changed route, which approval shall not be unreasonably withheld.

II. Construction Schedule

SNG currently anticipates issuing a Notice to Proceed to selected contractors in September of 2012. Contractors are required to complete work prior to December 1, 2013, thereby representing a contract duration of approximately fourteen (14) months.

III. Construction Methods

SNG agrees to select pipeline contractor(s) who have reviewed and gained familiarity with the proposed pipeline routes and who have satisfied themselves as to the regulations regarding installation of SNG's natural gas pipelines within City rights-of-way.

A. Utility Locates

Throughout the project, SNG will require Contractors to initiate and call for utility locates. The Contractor(s) is expected to call for utility locates based on anticipated construction progress along affected roadways. Prior to excavation, the Contractor(s) agree to be responsible for locating and protecting those identified utilities that are accurately marked.

B. Pipeline Trenching and Installation

The pipeline shall not cross over any City-maintained culverts or pipes, except for locations agreed to by the City prior to construction.

All pipeline work will be conducted per SNG's standards and specifications and those specified herein by the City. Pertinent factors involving the pipeline installations will be as follows:

1. Pipeline Location: SNG shall agree to install the natural gas pipelines in the City right-of-way at least twelve (12) feet from the centerline of the road surface, but in no case closer to the City road than the outside of City culverts. The City shall assist SNG in locating placement as requested by the pipeline and such assistance shall be provided so as not to unduly delay gas company activities. Refer also to the franchise agreement, *Section 3.2 – Placement of Natural Gas Distribution System*, and to *Section .35 – Scope of Excavation*.
2. Pipeline Depths: Minimum depth for plastic pipelines shall be thirty-six inches (36”).
3. Tracer Wire: For plastic pipelines, tracer wire will be installed within the trench directly above the pipeline as a means for locating the natural gas pipeline. Tracer wire locating stations will be established at periodic stationing along the pipeline route and will be offset outside the established roadways.
4. Location Markers: Above ground plastic marker posts will be installed at regular intervals along the pipeline alignment to provide utility notification for the natural gas pipelines. The markers will be offset from the actual pipeline alignment and located between the edge of road and property fences.

C. Pipeline Boring

Due to existing conditions, it may be necessary for pipeline contractors to utilize

horizontal directional drilling (HDD) techniques to avoid the disturbance caused by open-trench excavations. Locations where contractors will utilize horizontal directional drilling for crossings include, but are not limited to, paved roadways and driveways, railroads, streams, bridges, culverts, and existing pipelines.

D. Work Within Rights-of-Way and Road Reconstruction

The terms outlined in the franchise agreement, *Section 3.4 – Work in and Restoration of Public Ways*, shall apply during the course of work.

1. **Bridges:** SNG agrees that it will move any gas pipeline at its own expense when any City bridge repair or replacement requires SNG to relocate the gas pipeline to accommodate the city bridge repair or replacement. The terms outlined in the franchise agreement, *Section 3.7 – Relocation at Request of the Franchising Authority*, shall apply during the course of relocation work.
2. **Seeding & Mulching:** All unpaved or unsurfaced areas within road rights-of-way which have been disturbed during grading, construction, or utility operations shall be fertilized and seeded to minimize erosion in those areas. Mulching is required on areas where slopes, soil type, excessive drainage or other conditions indicate additional protection is necessary.

The area to be seeded shall have a uniform surface free from rills, washes and depressions. Seeding shall be carried out prior to ground freezing or otherwise being covered with snow. Seed shall be uniformly applied at a rate which will insure a dense growth to control erosion.

If proper growth is not obtained as a result of the initial seeding additional applications of seed will be required until satisfactory results are obtained. The Public Works Superintendent may waive this requirement if SNG has provided adequate erosion control by some other means.

E. Road Closures

Pipeline work within the City of Osage Beach rights-of-way will periodically require single-lane closures. To facilitate lane closures, SNG shall require their Contractor to provide construction signage and flaggers at each end of the construction operation.

Full road closures are unlikely. However, in the event that full road closures are required, SNG shall require their Contractor to contact the City of Osage Beach Public Works Department to provide advance notification. SNG and their Contractor shall agree to coordinate full road closures with the City of Osage Beach Public Works Department in order to provide area residents with alternate routes or detours.

F. Safety

The terms outlined in the franchise agreement, *Section 3.10 – Safety Requirements*, shall apply during the course of work.

G. Trimming of Trees and Shrubbery

The terms outlined in the franchise agreement, *Section 3.9 – Trimming of Trees and Shrubbery*, shall apply during the course of work.

IV. Insurance and Indemnification

The terms outlined in the franchise agreement, *Section 7 – Insurance and Indemnification*, shall apply during the course of work. A copy of the Certificate of Insurance is attached as Exhibit B.

V. Contact Information

The primary contact persons for Summit Natural Gas, Inc. and the City of Osage Beach will be the following:

1. **Summit Natural Gas of Missouri, Inc.**

Address: 14108 N. HWY 5 Sunrise Beach, MO 65079
 Contact: Bert Stefanic
 Mobile Ph: (417) 230-7630
 Work Ph: (573) 374-1244
 E-mail: bstefanic@summitutilitiesinc.com

2. **City of Osage Beach**

Contact : Nancy Viselli
 Address : 1000 City Parkway
 Osage Beach, MO 65065
 Work Ph : (573) 302-2000

Any Party may change the contact information by advising the other Parties of such change.

VI. Acceptance

This Agreement regarding the proposed facility installation for Summit Natural Gas of Missouri, Inc. has been reviewed and accepted by the City of Osage Beach.

Accepted on this _____ day of _____, 20____ by the City of Osage Beach.

Printed Name / Title

Signature

Witness:

Printed Name / Title

Signature

Executed for SNG by:

Printed Name / Title

Signature

Date

Attachments:

- Exhibit A – City of Osage Beach Pipeline Route Map
- Exhibit B – Certificate of Insurance

Submission Date: September 26, 2012

Submitted By: City Engineer

Board Meeting Date: October 4, 2012

**City of Osage Beach
BOARD OF ALDERMEN
AGENDA ITEM SUMMARY SHEET**

Description of Item:

Motion to apply for Enhancement Funds from the Missouri Department of Transportation

Names of Persons, Businesses, Organizations affected by this action:

Citizens of Osage Beach, Missouri Highway and Transportation Commission, contractors, business owners within the proposed sidewalk project

Why is Board Action Required?

Enhancement is an 80/20 match. If the City is awarded funding, the City will have to budget funds for next year's budget and in 2014.

Type of Action Requested (Ordinance, Resolution, Motion):

A motion to apply for Enhancement Funds from the Missouri Department of Transportation.

Are there any deadlines associated with this action?

The deadline for the application is November 5, 2012

Comments and Recommendation of Department:

The Engineering Department has learned that there are enhancement funds available for Cities and Counties to apply for. In the Central District approximately \$3.1 million is available for projects. The maximum amount of funding that each applicant can receive is \$500,000.

We are proposing to make one application. We are proposing to replace the asphalt sidewalk along Osage Beach Parkway. We would like to construct sidewalk near the

Nichols Road Intersection with Osage Beach Parkway and head in a westerly direction towards Route KK.

We do not have an estimate on the proposed project at this time. If we are awarded this project, we would have to include funds in the 2013 Budget for Engineering. The construction of this project would have to be funded in the 2014 Budget. We would like the ability to apply for up to \$500,000. If we apply for that amount up to \$125,000 would have to be budget in 2014. If we decided to leave out the engineering from this grant, it would be included in the 2013 Budget.

The Engineering department recommends approval.

City Administrator's Comments and Recommendation:

If the Board wishes to continue with our current sidewalk projects, this is a great opportunity to save City funds by only having to use a 20% match.

Submission Date: September 26, 2012
Submitted By: City Engineer
Board Meeting Date: October 4, 2012

**City of Osage Beach
BOARD OF ALDERMEN
AGENDA ITEM SUMMARY SHEET**

Description of Item:

Motion to proceed with proposed Red Bud/Zebra Project Improvements.

Names of Persons, Businesses, Organizations affected by this action:

Citizens of Osage Beach, contractors, City Staff

Why is Board Action Required?

Change of scope of budgeted item

Type of Action Requested (Ordinance, Resolution, Motion):

A motion to approve the project

Are there any deadlines associated with this action?

We would like to complete the improvements as soon as possible.

Comments and Recommendation of Department:

The Engineering Department has been looking into the reconstruction of Zebra Road to Red Bud. We have talked with some of the property owners in the area. They like the idea of the project but some of them would like to be compensated for their land. The Engineering Department recommends delaying this project and utilizing funds elsewhere at this time.

There are a few items that we would like to take care of at this time if this project gets delayed. We did not pave a driveway as originally planned on Red Bud. We would like to pave this driveway. We planned to make the driveway for King's Plaza available to accept truck traffic from the west which was not planned when the development took

place. They are unable to accept traffic from the east now. The other item that we would like to remove is the right in right out at Red Bud and Osage Beach Parkway.

We would like to utilize some of the money budgeted for Zebra Road for these projects.

The Engineering Department recommends approval.

City Administrator's Comments and Recommendation:

Because the Engineering Department is recommending to delay the Red Bud/Zebra project, which is when they planned to do some of the other items, we believe it would be best to proceed to complete the items noted above now as promised, or as Engineering believes would benefit the area.

Recommend approval to put these items out to bid and bring it back to the Board for final approval.