

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

November 15, 2012

The Board of Aldermen of the City of Osage Beach, Missouri, met to conduct a regular meeting on Thursday, November 15, 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 wished everyone a Happy Thanksgiving and safe travels.

Citizens Communications.

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

Consent Agenda.

City Engineer Nick Edelman submitted an addition to the bills list as follows: Travis Hodge Hauling; Old State Park Reconstruction in the amount of \$41,951.93.

Alderman Olivarri moved to approve the consent agenda which includes minutes of the regular meeting held on held on November 1, 2012, the bill list as amended and caterer's licenses to Seven Springs Winery, Eichenberg Winery, Golden Rock Winery and Casa De Loco Winery. Alderman Rucker seconded the motion which was voted on and passed.

Unfinished Business.

Bill No. 12.36. AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, ADOPTING AN AMENDMENT TO THE ZONING MAP OF THE CITY OF OSAGE BEACH, MISSOURI.

Mayor Lyons presented the second and final reading of Bill No. 12-36 by title only. It was noted that Bill No. 12-36 has been available for public review.

Alderman Farmer moved to approve the second and final reading of Bill No. 12-36. Alderman Schmitt seconded the motion. The following roll call vote was taken to approve the second reading of Bill No. 12-36 and to pass same into Ordinance: "Ayes": Alderman Farmer, Alderman Catcott, Alderman Rucker, Alderman Schmitt, Alderman Olivarri, Alderman Kahrs. "Nays": None. Bill No. 12-36 was passed and approved as Ordinance No. 12.36.

New Business.

Resolution 2012-12. Resolution of Intent to Annex

Mayor Lyons presented Resolution 2012-12. City Clerk Warner explained that this is the first step in the process for the petition submitted by John and Connie Shaw to voluntarily annex property located adjacent to the Dogwood Animal Shelter. Resolution 2012-12 establishes a date of December 6, 2012 for a public hearing on the petition.

Alderman Rucker moved to approve Resolution 2102-12 as presented. Alderman Kahrs seconded the motion which was voted on and unanimously passed.

Economic Impact Study/Kimberly Loehr.

Kimberly Loehr, owner of Interior Motiffs, was present on behalf of the West Side Property Owners Coalition and introduced Joe Zonola who presented a Financial Analysis and Forecast Intersection Access study for the west end of Osage Beach. He presented the following summary:

Development has not been realized based on intersection limitations. Traffic has been lower than anticipated, both in terms of traffic counts and share of traffic between the expressway and the parkway.

Opportunities are missed to signify the analyzed intersection as Osage Beach's major arrival point. Current signage signals caution and danger. The area has a great and unique business potential along the parkway between the analyzed intersection and KK. Development is not foreseeable to be achieved without two fully functional intersections. Diminishing property values are a likely trend that will likely result in non desirable business usages that will impact this area of Osage Beach. Beyond the configuration there may be challenges inherent in the expressway which may limit achieving the previously anticipated potential.

Following a lengthy discussion about the pros and cons of various designs, Alderman Kahrs moved to draft a letter to MoDOT asking them to begin construction of a slip ramp at their expense, as indicated in a drawing developed by Travis Koestner. Alderman Rucker seconded the motion.

Alderman Kahrs said that the City has discussed the Key Largo intersection for over three months and there is no stop light, no outer road, and no slip ramp and to share in the cost of constructing an overpass is cost prohibitive for the City. He added that this proposed slip ramp is a short term fix and his opinion is that a complete interchange is needed and it should have been done.

Alderman Catcott agreed there should be an interchange however the recommended design does not allow east bound traffic to get on the expressway and will not allow residents of Lazy Days to go east onto the Parkway. Alderman Kahrs said that values on the west side will continue to devaluate and from KK to Lazy Days is a blighted area. Alderman Olivarri said that the round-about was suggested to provide safety for those merging into fast moving traffic. He added that the safety aspect needed to be considered.

Alderman Rucker said the City was to tweak the design months ago and MoDOT has offered various designs. Alderman Kahrs commented that the recommended design was generated by MoDOT.

Following further discussion, Alderman Kahrs withdrew the motion and Alderman Rucker withdrew the second.

Alderman Kahrs moved to draft a letter to MoDOT asking them to begin construction of a slip ramp at their expense, as indicated in a drawing developed by Travis Koestner, to enhance the intersection with a traffic control device and to construct a ramp to accommodate the east bound movement from Lazy Days. Alderman Farmer seconded the motion which was voted on and unanimously passed.

Alderman Kahrs moved to direct staff to proceed with writing letters to the Governor and to all legislators to assist the City if MoDOT declines to construct the intersection as recommended by the Board. Alderman Catcott seconded the motion which was voted on and passed with Alderman Rucker expressing a negative vote.

Communications from Board Members.

Alderman Rucker. Kevin Rucker asked elected officials and staff to please turn the microphones up when speaking. He said recently someone misunderstood something he said and he believed it was because during work sessions there are no microphones in the middle of the room and it is difficult for the audience to hear.

Staff Communications.

City Attorney. Ed Rucker reported that the Camden County Circuit Court accepted the election from the single property owner and accepted the formation of the Dierbergs Transportation Development District.

Executive Session.

Alderman Olivarri 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 Catcott seconded the motion.

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

Alderman Kahrs excused himself from the meeting at this time.

Closed Session

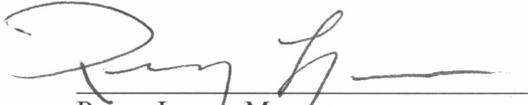
Alderman Schmitt moved to open the meeting. Alderman Farmer seconded the motion. The following roll call vote was taken to open the meeting: "Ayes": Alderman Schmitt, Alderman Farmer, Alderman Catcott, Alderman Olivarri, Alderman Rucker. "Nays": None. "Absent": Alderman Kahrs. The meeting was therefore opened.

No announcements were made following closed session.

There being no further business to come before the Board, the meeting adjourned at 8:20 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 November 15, 2012.


Diann Warner, City Clerk


Penny Lyons, Mayor

