

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

December 20, 2012

The Board of Aldermen of the City of Osage Beach, Missouri, met to conduct a regular meeting on Thursday, December 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 reported that on Tuesday December 17<sup>th</sup>, Chandler Bay Apartments held their grand opening. They are located off of Passover Road behind the nursing home. This is the second affordable housing development for the Capstone Group. Mr. Luchini, the president and his staff have built a Leed Certified complex. They have a community club house with computers available for use after school. Mayor Lyons expressed her appreciation to Alderman Olivarri, Alderman Schmitt and his wife, Chief Davis, Sergeant Page and Office Leyva for attending the open house.

Mayor Lyons reported that the Lake of the Ozarks Council of Local Governments met and the representative from Summit Gas was the speaker. Since the weather has been so mild they are ahead of schedule and plan to begin hook ups on Highway 5 in January. The Brownfield project in Eldon has been funded and the old Carousel property will be cleaned up.

The Executive Board met for the Solid Waste District T Monday afternoon. The audit performed resulted in a clean audit and most of the grants have been finalized. It was decided to work on a three countywide tire pick up in February. It would be a one day event with a clean up to follow.

Mayor Lyons expressed her condolences to the families of the children and the teachers at the Sandy Hook Elementary School tragedy. She asked Chief Davis to update the Board on our response procedures and training that have been in place for several years during staff comments. Mayor Lyons said that many changes have been made since the Columbine incident.

**Citizens Communications.**

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

**Consent Agenda.**

Alderman Rucker moved to approve the consent agenda which includes minutes of the Special meeting held on November 14, 2012, minutes of the regular meeting held on December 6, 2012, and the bill list as submitted. Alderman Schmitt seconded the motion which was voted on and unanimously passed.

**Unfinished Business.**

Bill No. 12-39.

AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, ADOPTING AN ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2013, AND ENDING DECEMBER 31, 2013, AND APPROPRIATING FUNDS PURSUANT THERETO

Mayor Lyons presented the second and final reading of Bill No. 12-39 by title only. It was noted that Bill 12-39 has been available for public review.

Alderman Olivarri moved to approve the second and final reading of Bill No. 12-39. Alderman Farmer seconded the motion. The following roll call vote was taken to approve the second reading of Bill No. 12-39 and to pass same into Ordinance: "Ayes": Alderman Schmitt, Alderman Olivarri, Alderman Farmer, Alderman Rucker, Alderman Catcott, Alderman Kahrs. "Nays": None. Bill No. 12-39 was passed and approved as Ordinance No. 12.39.

**New Business.**

**Bill No. 12-42.** AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, ANNEXING CERTAIN ADJACENT TERRITORY INTO THE CITY OF OSAGE BEACH, MISSOURI.

City Planner Cary Patterson said no written comments were received within the fourteen days following the public hearing and the property may be annexed if the Board desires.

Alderman Olivarri questioned the value of the annexation to the City. City Planner Patterson said that it gives the ability to expand the water and sewer lines further down Runabout Road, however at some point the City must provide City services. He added that he is not aware of other property owners in that vicinity who may be interested in annexing.

Mayor Lyons presented the first reading of Bill No. 12-42 by title only. It was noted that Bill No. 12-42 has been available for public review.

Alderman Kahrs moved to approve the first reading of Bill No. 12-42 as presented. Alderman Schmitt seconded the motion which was voted on and passed with Alderman Olivarri expressing a negative vote.

Mayor Lyons presented the second and final reading of Bill No. 12-42 by title only. Alderman Kahrs moved to approve the second and final reading of Bill No. 12-42. Alderman Farmer seconded the motion. The following roll call vote was taken to approve the second reading of Bill No. 12-42 and to pass same into Ordinance: "Ayes": Alderman Olivarri, Alderman Farmer, Alderman Rucker, Alderman Catcott, Alderman Kahrs, Alderman Schmitt. "Nays": None. Bill No. 12-42 was passed and approved as Ordinance No. 12.42.

**Bill No. 12-43.** AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI REPEALING THE HUMAN RESOURCES SYSTEM (PERSONNEL) RULES AND REGULATIONS CHAPTER 125, AND ENACTING A NEW CHAPTER 125.

Cindy Leigh, Human Resources Generalist, explained that Bill 12-43 proposes partial changes to City Code Chapter 125: Human Resources System (Personnel) Rules and Regulations, Section 125.200 Employee Health and Safety and Section 125.230 Supplemental Policies.

Attached is the detail to all changes.

The following is a summary of the changes:

*Uniform/Dress Policy*

- Changing the procedures for the purchase of safety boots and outdoor wear. The current policy limits the purchase to Orschelns in Camdenton which has made it difficult for employees to find comfortable styles and/or sizes.
- Adding verbiage to avoid a conflict between the HR Rules and Regulations ordinance and Police Department Policies.

*Safety Policy*

- Adding verbiage from the City's Drug Free Workplace Policy regarding post-accident testing to ensure managers and supervisors are aware that post-accident testing is required after an accident.
- Clean up verbiage regarding on-the-job injuries and procedures for accident and investigation reports.

Alderman Rucker questioned whether reimbursement would be made if an employee would resole their boots rather than purchasing a new pair. Mrs. Leigh said she would look into that idea.

Mayor Lyons presented the first reading of Bill No. 12-43 by title only. It was noted that Bill No. 12-43 has been available for public review.

Alderman Olivarri moved to approve the first reading of Bill No. 12-43 as presented. Alderman Schmitt seconded the motion which was voted on and unanimously passed.

Mayor Lyons presented the second and final reading of Bill No. 12-43 by title only. Alderman Olivarri moved to approve the second and final reading of Bill No. 12-43. Alderman Schmitt seconded the motion. The following roll call vote was taken to approve the second reading of Bill No. 12-43 and to pass same into Ordinance: "Ayes": Alderman Farmer, Alderman Rucker, Alderman Catcott, Alderman Kahrs Alderman Schmitt, Alderman Olivarri,. "Nays": None. Bill No. 12-43 was passed and approved as Ordinance No. 12.43.

Bill No. 12-44. AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AMENDING SECTION 245.060: PARKS AND RECREATION PARK ADVERTISING.

Assistant City Administrator Jeana Woods recommended expanding the advertising opportunities within the parks of Osage Beach as follows:

- Add Portable Field Banner advertising – two sizes available, 3' x 5' and 4' x 8'.
- Add Locational Signs – Locational signs were added to few of the 'hot spots' at Osage Beach City Park, i.e., Pond Area, Playground Area, which states specific rules & regulations for that particular area. Each sign was designed to accommodate business advertising.

Alderman Rucker questioned if it is the responsibility of the advertiser to provide the sign. Assistant City Administrator Jeana Woods said the City takes care of the art work and approves the wording and they pay for the sign and a one time art set up fee.

Mayor Lyons presented the first reading of Bill No. 12-44 by title only. It was noted that Bill No. 12-44 has been available for public review.

Alderman Rucker moved to approve the first reading of Bill No. 12-44 as presented. Alderman Olivarri seconded the motion which was voted on and unanimously passed.

Mayor Lyons presented the second and final reading of Bill No. 12-44 by title only. Alderman Schmitt moved to approve the second and final reading of Bill No. 12-44. Alderman Catcott seconded the motion. The following roll call vote was taken to approve the second reading of Bill No. 12-44 and to pass same into Ordinance: "Ayes": Alderman Rucker, Alderman Catcott, Alderman Kahrs, Alderman Schmitt, Alderman Olivarri, Alderman Farmer. "Nays": None. Bill No. 12-44 was passed and approved as Ordinance No. 12.44.

Proposed Contract Modification. Westside Sewer and Water Project in the Airport Area.

City Engineer Nick Edelman explained that this engineering contract covered the Airport Road Water and Sewer Project, Westside Water and Sewer Project, LS KK 3-7 and 2<sup>nd</sup> Force Main, and the Connecting Sewer Contract. This project has had multiple modifications due to the number of projects and the changes due to the Route 54 Expressway Project.

During the final phase of the contract, the contract administration for the Connecting Sewer Project overran. HDR did not realize it initially overran the contract amount because of some errors in the previous payments on their billing. We found out there were some errors and noticed that they have supplied additional work that has not been paid for.

This work has been completed for some time. With the work load going on with HDR and the City Engineer's Department, this was not looked into until recently. We concur that this work occurred and a contract modification is required.

Staff recommended approval of Contract Modification No. 4 in the amount of \$8,872. Funds are available in 35-00-773100 Engineering.

Alderman Kahrs expressed his concern that a mistake was made and it took over a year to discover it. He asked that contracts be closely monitored so that this does not recur.

Alderman Kahrs moved to approve the contract modification for the Connecting Sewer Project in the amount of \$8,872. Alderman Catcott seconded the motion which was voted on and unanimously passed.

Authorization to Provide Engineering and Contract Administration.

City Engineer Nick Edelman explained that the residents of Kapilana have talked with City Staff and the Osage Beach Special Road District about turning part of their parking lot into a City Street. Winn Road is a City Street that currently ends at the parking lot for Kapilana. Winn Road does not have a cul-de-sac or any area where the public can turn around without using private property. Kapilana would like a part of their parking area to become a City Street since the public is utilizing it to get to Aqua Drive.

The Engineering Department has talked with the Planning Department, Public Works Department, and the Police Department about continuing Winn Road through Kapilana's Parking Lot as a City Street in a one way street capacity. The one way street would start at the beginning of the Kapilana Development and continue to a location near Aqua Drive. Part of this street would be two ways. This has been discussed with Kapilana, and they agree with the idea of driving in one direction.

The Osage Beach Special Road District has agreed to fund the reconstruction of the extension of Winn Road. It is requested that this construction result in a City street.

The Engineering Department recommends approval of utilizing staff for this project. We have completed several projects in the past with the Osage Beach Special Road District.

Discussion followed on whether a one way street would be acceptable to become a City street. City Engineer Nick Edelman said there are specifications for constructing one way streets and the pavement would be fourteen feet wide.

Alderman Kahrs moved to authorize the Engineering Department to provide engineering and contract administrative services to the Osage Beach Special Road District for the reconstruction of Winn Road. Alderman Olivarri seconded the motion which was voted on and unanimously passed.

Resolution 2012-14. Retirement of K9 Officer AJ

Mayor Lyons presented Resolution 2012-14 acknowledging K9 Officer AJ's retirement and approving an adoption agreement.

Alderman Kahrs moved to approve Resolution 2012-14 as presented. Alderman Rucker seconded the motion which was voted on and unanimously passed.

Ratification of City Mission Statement.

City Administrator Nancy Viselli explained that in reviewing this document for placement in the 2013 Budget, it was noted that a change needed to be made showing Alderman Schmitt as President of the Board. An updated copy of the Mission Statement is attached. So that all City staff may have an original document, copies will be distributed for each elected official to sign.

Alderman Olivarri moved to ratify the City's mission statement. Alderman Rucker seconded the motion which was voted on and unanimously passed.

Request to Reschedule July 2013 Board of Aldermen Meetings.

City Clerk Diann Warner explained that the first Thursday in July is July 4 which is the date the Board would normally meet; however, since this is a holiday, we are requesting the Board meetings be rescheduled to July 11 and July 25.

Alderman Kahrs moved to reschedule Board of Aldermen meetings in July 2013 to July 11 and July 25 as requested. Alderman Rucker seconded the motion which was voted on and unanimously passed.

**Communications from Board Members.**

Alderman Schmitt. Ron Schmitt presented some facts which occurred this day in history. He wished everyone a Merry Christmas and thanked staff for a very productive year.

Alderman Catcott. Fred Catcott thanked those involved for the street lights past KK and he asked if MoDOT could install lights at Key Largo. It was noted that MoDOT has indicated they intend to install lights in that location.

Alderman Kahrs. Steve Kahrs questioned if there had been a response from MoDOT regarding the Key Largo intersection. Mayor Lyons said she was told they would answer in writing, however, no response has been received yet.

Alderman Olivarri. John Olivarri wished everyone a Merry Christmas.

**Staff Communications.**

All staff members wished everyone a Merry Christmas and a Happy New Year.

Chief of Police.

Chief Todd Davis explained the training program the police department has to aggressively eliminate any threat in the City. He said that patrols have increased at the schools and the school will be reviewing their emergency response procedures and will participate in a lock down. Chief Davis said officers are trained and they work with other agencies and they are prepared to respond to any threat. Chief Davis is a member of the Camden County Schools Advisory Committee which reviews the safety programs quarterly and he will be having quarterly meetings with School of the Osage as well. Additionally, Officer Arnall is a school resource officer at the School of the Osage and he will be spending time at the Osage Beach Elementary School.

Chief Davis reported that the department participated in Shop with a Cop at Target which was funded by Target and the Special Police Projects.

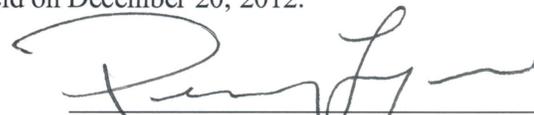
Alderman Catcott questioned whether a letter of appreciation was sent to the officers who reported the thefts at the outlet mall. Chief Davis responded in the affirmative.

City Engineer. Nick Edelman reported that he received notification that the City has been awarded a grant in the amount of \$354,000 for sidewalk improvements. He reported that the Osage Beach Special Road District has agreed to fund sidewalk improvements in the amount of \$168,427.50 on Dude Ranch Road.

There being no further business to come before the Board, the meeting adjourned at 7:15 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 December 20, 2012.

  
Diann Warner, City Clerk

  
Penny Lyons, Mayor

**APPROVED**  
1/3/13