

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

January 17, 2013

The Board of Aldermen of the City of Osage Beach, Missouri, met to conduct a regular meeting on Thursday, January 17, 2013, 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 the City was well represented last Thursday at the Lake Area Legislative Reception. President of the Board Alderman Schmitt, Alderman Olivarri and Alderman Rucker attended along with City Attorney Rucker as the Mayor's guest.

Mayor Lyons reported that the featured speakers were Representatives Hartzler and Luetkemeyer with national issues being the main topic. Several state and many local officials attended. Mayor Lyons said she was able to share some local concerns with Representative Luetkemeyer. The new area senator, Dan Brown, spent some time to hear about the City's concerns with transportation funding and the quarry issue. Senator Brown said he would visit with Senator Kehoe to update his information.

Citizens Communications.

Annica Russo of Summit Natural Gas updated the Board on the progress of natural gas lines. She reported that the construction is ahead of schedule. Ms. Russo asked those who have questions or concerns to contact her.

Mayor Lyons commented that the contractor is doing a good job keeping the roads clean during construction.

Mark Beeler of ReMax said that a client he had been working with decided not to locate a car dealership in Osage Beach because of a dead end intersection, the fate of the Key Largo intersection is unknown, and the client did not want to invest in property close to an intersection like Key Largo. Mr. Beeler encouraged the City to request a full interchange at Key Largo from MoDOT because he did not think it was the City's responsibility.

Consent Agenda.

Alderman Olivarri moved to approve the consent agenda which includes minutes of the regular meeting held on January 3, 2013, and the bill list as submitted. Alderman Farmer seconded the motion which was voted on and passed.

Unfinished Business.

None

New Business.

Presentation by Missouri Solar Applications.

Emily Durgan was present along with Vaughn Prost who is the founder of Missouri Solar Applications. Mr. Prost spoke about the PACE Program which allows businesses to obtain loans if the cost of the improvements will equal the amount of annual savings. The loans are backed by liens on the property and will be underwritten by Central Bank upon approval. The program is administered by the Clean Energy Development Board.

There were several questions from Alderman Olivarri and he said he would like to have other questions answered prior to making a recommendation.

Alderman Rucker suggested that the City pursue this matter so that businesses have an opportunity to improve their energy efficiency.

Mayor Lyons asked Board members to forward their questions to City Administrator Viselli.

Bill No. 13-01. AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, ACCEPTING THREE ORNAMENTAL STREET LIGHTS ON COLLEGE BOULEVARD IN THE STONEBROOKE SUBDIVISION INTO CITY INVENTORY.

City Engineer Nick Edelman explained that the appropriate documents have been submitted. The residents wish to transfer the street lights within the subdivision to the City. The street lights are acceptable to the Public Works and Engineering Departments.

Mayor Lyons presented the first reading of Bill No. 13-01 by title only. It was noted that Bill No. 13-01 has been available for public review.

Alderman Catcott moved to approve the first reading of Bill No. 13-01 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. 13-01 by title only. Alderman Farmer moved to approve the second and final reading of Bill No. 13-01. Alderman Kahrs seconded the motion. The following roll call vote was taken to approve the second reading of Bill No. 13-01 and to pass same into Ordinance: "Ayes": Alderman Schmitt, Alderman Olivarri, Alderman Farmer, Alderman Catcott, Alderman Kahrs, Alderman Rucker. "Nays": None. Bill No. 13-01 was passed and approved as Ordinance No. 13.01.

Authorize Purchase of F550 Dump Truck with Plow for the Street.

Superintendent of Public Works Rick King explained that the dump truck with plow for the Street Department is a replacement for a 2005 truck. The budgeted amount is \$49,500. Staff recommends the purchase from the MoDOT State Bid from Joe Machens Ford in the amount of \$45,042 plus a plow with rubber deflector for \$4,462.00 for a total cost of \$49,504.00 including free shipping. This figure is over budget by \$4.00. This purchase will be charged to account #20-774-265.

Alderman Olivarri moved to authorize the purchase of a F550 dump truck with plow for the Street Department as recommended in the amount of \$49,504. Alderman Schmitt seconded the motion which was voted on and unanimously passed.

Bill No. 13-02. AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, IMPOSING A USE TAX FOR GENERAL REVENUE PURPOSES AT THE RATE OF TWO PERCENT (2%) FOR THE PRIVILEGE OF STORING, USING OR CONSUMING WITHIN THE CITY ANY ARTICLE OF TANGIBLE PERSONAL PROPERTY PURSUANT TO THE AUTHORITY

GRANTED BY AND SUBJECT TO THE PROVISIONS OF SECTIONS 144.600 THROUGH 144.761 R.S.Mo.; PROVIDING FOR THE USE TAX TO BE REPEALED, REDUCED OR RAISED IN THE SAME AMOUNT AS ANY CITY SALES TAX IS REPEALED, REDUCED OR RAISED; AND PROVIDING FOR SUBMISSION OF THE PROPOSAL TO THE QUALIFIED VOTERS OF THE CITY FOR THEIR APPROVAL AT THE GENERAL ELECTION CALLED AND TO BE HELD IN THE CITY ON APRIL 2, 2013

City Attorney Ed Rucker explained if the Board desires this item to appear on the ballot for the April 2, 2013 General Election, Bill 13-02 must be adopted and submitted to the County Clerk by 5:00 PM on January 22, 2013. He said that Bill 13-02 is the only option currently available under the existing state statutes to address the effects of the decision in the matter of Street v. Director of Revenue. That decision was estimated to cost the city \$33,000.00 in lost sales tax revenue.

The Board has the power to place this option before the voters for their decision. The City of Camdenton, Camden County and the City of Laurie are all placing similar proposals before their voters in the April 2, 2013 election.

Mayor Lyons presented the first reading of Bill No. 13-02 by title only. It was noted that Bill No. 13-02 has been available for public review.

Alderman Schmitt moved to approve the first reading of Bill No. 13-02 as presented. Alderman Farmer seconded the motion which was voted on and unanimously passed.

Mayor Lyons presented the second and final reading of Bill No. 13-02 by title only. Alderman Farmer moved to approve the second and final reading of Bill No. 13-02. Alderman Olivarri seconded the motion. The following roll call vote was taken to approve the second reading of Bill No. 13-02 and to pass same into Ordinance: "Ayes": Alderman Olivarri, Alderman Farmer, Alderman Catcott, Alderman Kahrs, Alderman Rucker, Alderman Schmitt. "Nays": None. Bill No. 13-02 was passed and approved as Ordinance No. 13.02.

Communications from Board Members.

Alderman Kahrs. Steve Kahrs thanked staff for corresponding with legislators and other elected officials asking them to intercede on behalf of the City in getting MoDOT to make improvements at the Key Largo intersection. He thanked Mr. Beeler for his comments and he encouraged the City to remain engaged in encouraging MoDOT to improve the Key Largo intersection.

Alderman Rucker. Kevin Rucker said he agreed with Alderman Kahrs' and questioned what the next step should be. He suggested the Board and citizens to personally contact their legislators. Mayor Lyons commented that letters were sent to legislators less than a week ago and that she talked to Senator Brown at the Legislative Reception. Alderman Rucker asked this issue to be placed on the next agenda for further follow up.

Staff Communications.

City Attorney. Ed Rucker reported that Ms. Upshaw who attended the last Board meeting to speak to the Board about a dog issue was contacted by Compliance Officer Bob Chatham the very next day.

Airport Manager. Budd Hyde reported that the Young Eagle event at the airport will be bigger this year and a Comanche fly will be held at Grand Glaize Airport this year.

Alderman Catcott asked Budd Hyde if he heard anything further about whether a hot air balloon event could be brought to the Grand Glaize Airport. Mr. Hyde responded in the negative however he said he would call back and follow up.

Park Manager. Brian Willey reported that ten baseball tournaments are scheduled this year, and the Osage Beach Soccer League will return to play for a second year. He said he has been working on scheduling a triathlon in March.

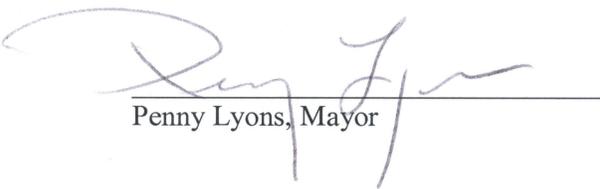
Chief of Police. Todd Davis reported that the Polar Bear Plunge and Strut will be held on February 23rd and COPS on Top will be held on February 15th. He asked the Mayor and Board members to be judges for the Polar Bear Plunge.

Mayor Lyons announced that she is looking forward to seeing everyone at the Employee Appreciation Dinner tomorrow night at Inn at Grand Glaize.

There being no further business to come before the Board, the meeting adjourned at 7:35 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 January 17, 2013.


Diann Warner, City Clerk


Penny Lyons, Mayor