

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

February 28, 2013

The Board of Aldermen of the City of Osage Beach, Missouri, met to conduct a regular meeting on Thursday, February 28, 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. Alderman Ron Schmitt was absent. The City Clerk, Diann Warner was present and performed the duties of that office.

**Mayor's Communications.**

Mayor Lyons reported the following:

- Attended the 2013 MML Legislative Conference in Jefferson City where over 300 municipal officials were in attendance. Speaker of the House, Tim Jones, presented an overview of the 2013 session. Richard Sheets, Deputy Executive Director of MML, tracked the status of many bills, especially those affecting tax credits. There may be a reduction or a cap on many of the tax credits.
- The CFO of the Missouri Department of Transportation spoke about the 20% reduction of employees and the closing of over 130 buildings to reduce their overhead. Also presented were reasons the one cent sales tax is needed. If this ten year tax is passed at least \$100 million a year would be dedicated to retire a bond that would be used to upgrade I-70. The improvement to this corridor is crucial for increased economic statewide development. The 17 cent current gas tax has not been changed in over 20 years and is the lowest nationally with one other state. An increase in the gas tax would not provide enough funds because of the reduction of gas sales; therefore the one cent gas tax is needed. Federal mandate requires the state to hold the public hearings like the one to be held in Lebanon in March. The last time they did this the people came up with 20 billion in highway improvement requests.
- On February 14<sup>th</sup>, Mayor Lyons and Alderman Olivarri attended the first seminar in a series of three about economic development. Several items of interest were the basic need for 40 plus acres, incentives and trained employees. A detriment is our topography, absence of rail and proximity to transportation. It was recommended that current businesses be encouraged to expand locally. The speaker developed a private/public company to promote Missouri. This trend is increasing nationally, as states need to tighten their budgets. As noted before, we do not fit the mold at the Lake of the Ozarks, but we can benefit from some of the information where the standard way of doing business is rapidly changing. Mayor Lyons expressed her appreciation for the opportunity of attending.
- Reported that a good article appeared in *The Focus* regarding three businesses on the west side of the City. The article was positive about three businesses. Mayor Lyons expressed her appreciation to Dan Fields for the article and to the three businesses for providing the information for the article.

**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 regular meeting held on February 7, 2013, and the bill list as submitted. Alderman Catcott seconded the motion which was voted on and passed.

**Unfinished Business.**

None

**New Business.**

**Bill No. 13-08.** AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH RADLUND CONSTRUCTION, LLC FOR THE CITY PARK STORAGE BUILDING IMPROVEMENTS PHASE I.

City Engineer Nick Edelman explained that bids were opened on February 5, 2013. Radlund Construction, LLC was the apparent low bidder. All references were positive. This project will provide a concrete floor and approach to the City Park Storage Building.

Funding for this project may be obtained from 10-10-773207 Storage Building with a budget balance of \$26,000. There is additional work that will utilize this account. The Engineering Department recommends awarding the project to Radlund Construction, LLC in the amount of \$11,118.70.

Mayor Lyons presented the first reading of Bill No. 13-08 by title only. It was noted that Bill No. 13-08 has been available for public review.

Alderman Catcott moved to approve the first reading of Bill No. 13-08 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. 13-08 by title only. Alderman Farmer moved to approve the second and final reading of Bill No. 13-08. Alderman Olivarri seconded the motion. The following roll call vote was taken to approve the second reading of Bill No. 13-08 and to pass same into Ordinance: "Ayes": Alderman Kahrs, Alderman Olivarri, Alderman Farmer, Alderman Rucker, Alderman Catcott. "Nays": None. "Absent": Alderman Schmitt. Bill No. 13-08 was passed and approved as Ordinance No. 13.08.

**Bill No. 13-09.** AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH JC INDUSTRIES INC. FOR THE DUDE RANCH ROAD SIDEWALK IMPROVEMENTS, PHASE 2.

City Engineer Nick Edelman explained that bids were opened on February 13, 2013. JC Industries, Inc. was the apparent low bidder with a bid amount of \$136,886.60. JC Industries has performed work for the City in the past. The Engineering Department recommended awarding the contract to

JC Industries. This project is a Special Road District project which will be funded under account 20-00-773210 Special Road District Projects.

Mayor Lyons presented the first reading of Bill No. 13-09 by title only. It was noted that Bill No. 13-09 has been available for public review.

Alderman Farmer moved to approve the first reading of Bill No. 13-09 as presented. Alderman Olivarri seconded the motion which was voted on and passed with Alderman Kahrs abstaining.

Mayor Lyons presented the second and final reading of Bill No. 13-09 by title only. Alderman Farmer moved to approve the second and final reading of Bill No. 13-09. Alderman Rucker seconded the motion. The following roll call vote was taken to approve the second reading of Bill No. 13-09 and to pass same into Ordinance: "Ayes": Alderman Olivarri, Alderman Farmer, Alderman Rucker, Alderman Catcott. "Nays": None. "Absent": Alderman Schmitt. "Abstain": Alderman Kahrs Bill No. 13-09 was passed and approved as Ordinance No. 13.09.

#### **Communications from Board Members.**

Alderman Catcott. Fred Catcott thanked the public works crew for the good job they did clearing the streets during the recent ice and snow storms. Superintendent of Public Works Rick King commented that 150 tons of salt has been ordered to replenish the amount used recently.

Alderman Kahrs. Steve Kahrs reiterated comments made by Alderman Catcott about the good job the public works crew did. He commented that things here in the City do not always go well however he reported that a community around St. Louis is experiencing economic problems resulting in cutting 100 employees from their work force and cutting their budget by 50%.

Alderman Rucker. Kevin Rucker said he appreciated the job the public works crews did in clearing the streets. He commented that he spoke to three people who said the streets here in Osage Beach were better than those in other places.

Alderman Olivarri. John Olivarri commented that he appreciated staff's efforts to conduct a sales tax audit resulting in new procedures being established to improve the process for issuing business licenses.

#### **Staff Communications.**

Police Department. Lieutenant Mike O'Day reported there were over 400 plungers at the Polar Bear Plunge and over \$170,000 was raised for Special Olympics.

Superintendent of Public Works. Rick King reported that the department recently completed a sewer project on Jeffries Road in house resulting in a considerable savings.

Airport Manager. Budd Hyde expressed his appreciation to the Parks Department and the Public Works Department for loaning equipment during the recent ice storm to keep the airports open.

**Executive Session.** Alderman Olivarri moved to close the meeting as allowed by 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 Rucker seconded the motion. The following roll call vote was taken to close the meeting: "Ayes":

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

CLOSED SESSION

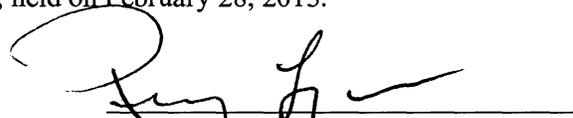
Alderman Olivarri moved to open the meeting. Alderman Kahrs seconded the motion. The following roll call vote was taken to open the meeting: "Ayes": Alderman Farmer, Alderman Rucker, Alderman Catcott, Alderman Kahrs, Alderman Olivarri. "Nays": None. "Absent": Alderman Schmitt. The meeting was therefore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

Use Tax. It was noted that no public funds may be used to promote, support or oppose the use tax issue. City Attorney Ed Rucker said elected officials may advocate for the tax as individuals but no City funds may be used. Individuals have the option to use their contacts to promote the use tax issue. Alderman Olivarri reported that the Missouri Municipal League has a presentation that is available on the Use Tax and he asked City Administrator Viselli to make this information available.

There being no further business to come before the Board, the meeting adjourned at 7:30 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 February 28, 2013.

  
Diann Warner, City Clerk

  
Penny Lyons, Mayor

**APPROVED**  
3/7/13  
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