

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

March 7, 2013

The Board of Aldermen of the City of Osage Beach, Missouri, met to conduct a regular meeting on Thursday, March 7, 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. The City Clerk, Diann Warner was present and performed the duties of that office.

**Mayor's Communications.**

Mayor Lyons reported the following:

- District T met at City Hall on Monday. The three county-wide tire pick up for May has been consolidated to one pick up area located on South 5, due to financial constraints.
- An electronic waste collection will be held on April 27 at the Osage Beach Public Works Facility from 9 – 1. The District will contribute to the cost of one regular television per person and all other electronic waste will be free. Next year there will be a small charge to collect televisions. A public notice will advertise this event.

**Citizens Communications.**

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

**Consent Agenda.**

Alderman Schmitt moved to approve the consent agenda which includes minutes of the regular meeting held on February 28, 2013, the bill list as submitted, and liquor licenses to Dierbergs Lakeview Pointe, LaFiesta Mexican Grill and J.J. Twig's at Dierbergs. Alderman Olivarri seconded the motion which was voted on and unanimously passed.

**Unfinished Business.**

None

**New Business.**

**Bill No. 13-10.** AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AUTHORIZING THE CITY ADMINISTRATOR OR HIS/HER DESIGNEE TO EXECUTE, ON BEHALF OF THE CITY, CONTRACTS WITH VENDORS, BUSINESSES OR INDIVIDUALS FOR ADVERTISING AT OSAGE BEACH CITY PARK AND PEANICK PARK

City Attorney Ed Rucker explained that Bill No. 13-10 creates a new subsection of Code 245.060.B.1.h which grants the City Administrator or his/her designee the power to enter into a contract for display advertising at the City Parks with a notice of the contract and a copy of the advertising itself given to the Board of Aldermen. No spending of public money is involved. This ordinance allows the City Administrator to receive money in exchange for allowing the placement

of the advertising pursuant to the code. This will remove from the Board of Aldermen the task of approving each advertising contract at the City Parks.

Mayor Lyons presented the first reading of Bill No. 13-10 by title only. It was noted that Bill No. 13-10 has been available for public review.

Alderman Olivarri moved to approve the first reading of Bill No. 13-10 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. 13-10 by title only. Alderman Schmitt moved to approve the second and final reading of Bill No. 13-10. Alderman Farmer seconded the motion. The following roll call vote was taken to approve the second reading of Bill No. 13-10 and to pass same into Ordinance: "Ayes": Alderman Rucker, Alderman Catcott, Alderman Kahrs, Alderman Olivarri, Alderman Farmer, Alderman Schmitt. "Nays": None. Bill No. 13-10 was passed and approved as Ordinance No. 13.10.

**Bill No. 13-11.** AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AMENDING THE OSAGE BEACH DESIGN GUIDELINES SECTION 3, SEWERAGE DESIGN, SUBSECTION 5. b. PRESSURE PIPE

City Engineer Nick Edelman explained that the Engineering Department would like to allow the use of high density polyurethane pipe in the sewer system. This type of pipe has been used on a City construction contract recently with good results. Staff recommended the use of this pipe in private development applications.

Mayor Lyons presented the first reading of Bill No. 13-11 by title only. It was noted that Bill No. 13-11 has been available for public review.

Alderman Rucker moved to approve the first reading of Bill No. 13-11 as presented. Alderman Schmitt seconded the motion which was voted on and passed.

**Bill No. 13-12.** AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH STRAIT-LINE CONSTRUCTION USA, FOR THE 2013 MISCELLANEOUS STREET CONSTRUCTION PROJECT

Bids were opened on February 27, 2013 and Strait-Line Construction USA, Inc. is the apparent low bidder. City Engineer Nick Edelman said the Engineering Department has worked with Strait-Line in the past and recommend awarding this contract to them.

There is an alternate bid on this project which would replace the asphalt in the Red Bud – Osage Beach Parkway Intersection with concrete pavement. This work will cost an additional \$5,959.00.

Funding for this project can be obtained from 20-00-773206 Zebra Connector with a budget balance of \$30,000 and 20-00-773212 Ozark Meadows Road Improvements with a budget balance of \$140,000. The Engineering Department recommends awarding the alternative bid in the amount of \$95,928.15.

Mayor Lyons presented the first reading of Bill No. 13-12 by title only. It was noted that Bill No. 13-12 has been available for public review.

Alderman Kahrs moved to approve the first reading of Bill No. 13-12 as presented. Alderman Catcott seconded the motion which was voted on and passed.

Mayor Lyons presented the second and final reading of Bill No. 13-12 by title only. Alderman Kahrs moved to approve the second and final reading of Bill No. 13-12. Alderman Schmitt seconded the motion. The following roll call vote was taken to approve the second reading of Bill No. 13-12 and to pass same into Ordinance: "Ayes": Alderman Catcott, Alderman Kahrs, Alderman Olivarri, Alderman Farmer, Alderman Schmitt, Alderman Rucker. "Nays": None. Bill No. 13-12 was passed and approved as Ordinance No. 13.12.

**Bill No. 13-13.** AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AMENDING CHAPTER 600, ALCOHOLIC BEVERAGES, PROVIDING FOR A PENALTY FOR DELINQUENT LIQUOR LICENSE RENEWALS

A penalty for delinquent renewals has been discussed previously and has been suggested by the City Collector. Bill No. 13-13 provides for a late fee of \$100 to be assessed for liquor license applications received after May 1; \$200 if received from June 1 to the last day of June or a late fee of \$300 if the application is received after the last day of June.

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

Alderman Catcott moved to approve the first reading of Bill No. 13-13 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. 13-13 by title only. Alderman Farmer moved to approve the second and final reading of Bill No. 13-13. Alderman Rucker seconded the motion. The following roll call vote was taken to approve the second reading of Bill No. 13-13 and to pass same into Ordinance: "Ayes": Alderman Kahrs, Alderman Olivarri, Alderman Farmer, Alderman Schmitt, Alderman Rucker, Alderman Catcott. "Nays": None. Bill No. 13-13 was passed and approved as Ordinance No. 13.13.

**Bill No. 13-14.** AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AMENDING CHAPTER 605, BUSINESS LICENSES AND REGULATIONS, PROVIDING FOR A PENALTY FOR DELINQUENT BUSINESS LICENSE RENEWALS

Bill No. 13-14 will establish a late fee for delinquent business licenses of \$1.75 per month with a maximum of amount of \$8.75. Renewals will be sent out soon and business owners will be informed of the new ordinance.

Mayor Lyons presented the first reading of Bill No. 13-14 by title only. It was noted that Bill No. 13-14 has been available for public review.

Alderman Olivarri moved to approve the first reading of Bill No. 13-14 as presented. Alderman Kahrs seconded the motion which was voted on and passed.

Mayor Lyons presented the second and final reading of Bill No. 13-14 by title only. Alderman Kahrs moved to approve the second and final reading of Bill No. 13-14. Alderman Olivarri seconded the motion. The following roll call vote was taken to approve the second reading of Bill No. 13-14 and to pass same into Ordinance: "Ayes": Alderman Olivarri, Alderman Farmer,

Alderman Schmitt, Alderman Rucker, Alderman Catcott, Alderman Kahrs. "Nays": None. Bill No. 13-14 was passed and approved as Ordinance No. 13.14.

**Authorize Sale of 2000 Chevrolet.**

Assistant City Administrator Jeana Woods explained that the City has one 2000 Chevy pickup that has been on eBay for sale on two consecutive occasions (December 2012 and again in January 2013) both of which resulted in a no-pay situation. She requested the Board to approve an offering of this vehicle for sale once again but on a first-come-first-served basis at an offered price of \$3,300 (the highest of the two winning bids via eBay), first to be opened to all employees and then on [www.craigslist.com](http://www.craigslist.com), which is a free service that would be suitable for a buy-it-now price versus an auction.

The offered price is estimated to be reasonable based on said vehicle's details per ([www.kbb.com](http://www.kbb.com)) Kelley Blue Book online, which stated a value range of \$3,993-\$5,100.

Alderman Kahrs moved to authorize the sale of the 2000 Chevrolet Pickup as recommended. Alderman Olivarri seconded the motion which was voted on and unanimously passed.

**Bid Award.**

Superintendent of Public Works Rick King explained that bids were sent to seven vendors with only one response from Municipal Equipment in the amount of \$120,122.00. The budgeted amount is \$121,257.00. Mr. King announced that the amount is a 4.2% increase from last year. The bid received was for (47) S20/2W pumps at \$56,764.25, (5) S26/2W pumps at \$10,230.00, and (15) PE45/2 pumps at \$53,127.75. Staff recommends the bid be awarded to Municipal Equipment. This will be charged to account #35-774255.

Alderman Olivarri moved to authorize the purchase of pumps from Municipal Equipment in the amount of \$120,122.00 as recommended. Alderman Farmer seconded the motion which was voted on and unanimously passed.

**Communications from Board Members.**

Alderman Schmitt. Ron Schmitt thanked Building Official Ron White for providing more information on construction projects taking place.

Alderman Rucker. Kevin Rucker questioned when the issues with email would be corrected. City Administration Nancy Viselli responded that it has been corrected internally and Alderman Schmitt stated that IT Manager Jim Davis is considering keeping the current T-1 connection and adding another company for staff and elected officials.

**Staff Communications.**

Police Department. Lieutenant Mike O'Day was present in the absence of Police Chief Todd Davis who was a speaker at the Dare graduation.

City Treasurer. Karri Bell reported her department was preparing for the auditors who would be here the week of March 20<sup>th</sup>.

Building Department. Ron White announced that an error occurred on the August 2012 report;

however the error did not affect any fees collected or reported.

Airport Manager. Budd Hyde reported that twelve Boy Scouts were working on their Aviation Badges at the Grand Glaize Airport on March 2. He reported that the Missouri Pilots Association would have a pancake breakfast and a fly inn on May 4; and on August 10, Young Eagle flights would be given to children at the Grand Glaize Airport.

Executive Session. Alderman Schmitt moved to close the meeting as allowed by RSMo. Section 610.021(3) Hiring, firing, disciplining or promoting of particular employees by a public governmental body when personal information about the employee is discussed or recorded. Alderman Rucker seconded the motion. The following roll call vote was taken to close the meeting: "Ayes": Alderman Farmer, Alderman Schmitt, Alderman Rucker, Alderman Catcott, Alderman Kahrs, Alderman Olivarri. "Nays": None. The meeting was therefore closed.

CLOSED SESSION

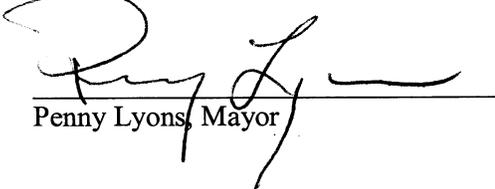
Alderman Kahrs moved to open the meeting. Alderman Rucker seconded the motion. The following roll call vote was taken to open the meeting: "Ayes": Alderman Rucker, Alderman Catcott, Alderman Kahrs, Alderman Olivarri, Alderman Farmer, Alderman Schmitt. "Nays": None. The meeting was therefore opened.

No announcements were made following the closed session.

There being no further business to come before the Board, the meeting adjourned at 7:55 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 March 7, 2013.

  
Diann Warner, City Clerk

  
Penny Lyons, Mayor

**APPROVED**  
3/21/13  
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