

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

June 6, 2013

The Board of Aldermen of the City of Osage Beach, Missouri, met to conduct a regular meeting and public hearings on Thursday, June 6, 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, and Alderman Ron Schmitt. Alderman Kevin Rucker was absent. The City Clerk, Diann Warner was present and performed the duties of that office.

Mayor's Communications.

Mayor Lyons expressed her appreciation to City Planner Cary Patterson for representing Osage Beach on May 22 at the Missouri Chapter of the National Association of Housing and Redevelopment Officials conference at Tan-Tan-A. Mayor Lyons said that Mr. Patterson updated visitors about our City.

Mayor Lyons thanked police officers who decorated City Hall for Memorial Day with all the flags. She said it was very nice and there were a lot of positive comments about the flags.

Mayor Lyons also thanked the Osage Beach Fire Protection District for their help after the storm last month. As soon as the storm passed, fire fighters were clearing the road of fallen trees on Bluff Drive. She reported that the next morning, public works crews were there removing all the branches and making sure everything was cleaned up.

Citizens Communications.

Susan Upshaw, who lives on Mace Road, said there are many people that are speeding on Mace Road and it is dangerous for those who walk and the individuals who ride motorized scooters. She said school is out and many individuals ride motorized wheelchairs. Ms. Upshaw said that Mace Road is listed on the Transportation Master Plan and she asked when Mace Road including sidewalks would be upgraded. City Engineer Nick Edelman said that a time frame for improvements on Mace Road has not been established.

Mayor Lyons informed Ms. Upshaw that Police Chief Todd Davis would look into the speeding situation. Chief Davis said he would increase patrol on Mace Road and will place the radar trailer there.

Consent Agenda.

Alderman Olivarri moved to approve the consent agenda which includes minutes of the regular meeting held on May 16, 2013, the bill list as submitted and liquor licenses to the following:

1. Applebee's #52091
2. Arris' Pizza & Pub
3. Asia Cuisine, Inc.
4. Backwater Jack
5. Bandana's BBQ
6. Bear Creek Valley Golf Club
7. Biggy's
8. Bootlegger's Saloon
9. Bridgeport Captain's Lounge
10. Bridgeview Marina

11. Casey's General Store #2593
12. Chevy's Bar & Grill
13. Chicago Brothers Pizza & Pub
14. Chili's Grill & Bar
15. City Grill & Blue Room
16. City of Osage Beach
17. Crown Petroleum
18. Dierbergs Lakeview Pointe
19. Dog Days Bar & Grill
20. Dogwood Hills Hotel
21. Dogwood Hills Golf Course, Inc.
22. Dollar General #195
23. Domenico's Italian Restaurant
24. Eagle Lanes
25. El Charco Azul Mexican Restaurant
26. El Jimador
27. Elk's Lodge #2517
28. Emerald Cruise Line, Inc.
29. Flirt, LLC
30. Formula Boats of Missouri
31. Half Sauced Barbeque
32. Hy-Vee Food Store
33. Hy-Vee Gas
34. I M Tirebiters
35. Imo's Pizza
36. Inn at Grand Glaize
37. J Brunner's Restaurant
38. Jake Culpeeper's Cattle Co.
39. Jiffy Stop Food Marts, LLC
40. Kirkwood Lodge
41. KK Eagle Stop
42. La Fiesta Mexican Grill
43. Lake Liquor & Tobacco
44. Mexicali Blues
45. Molotof Cocktails Bar & Grill
46. Moorings Gas & Yacht Supply
47. Murphy Oil USA, Inc.
48. On The Rise
49. Outback Steakhouse #2620
50. Paul's Supermarket, Inc.
51. Pizza Hut
52. Poop Deck & Tiki Bar
53. Quick Stop
54. Rapid Robert's #113
55. Robins Resort
56. Super Target Liquor MO
57. Surdyke's Port 20
58. Sycamore Creek Golf Club
59. The Hideout Bar & Grill
60. Topsider

61. Vista Grande, Inc.
62. Walgreen's #1142
63. Wal-Mart Supercenter #815
64. WFO Waverunner
65. Wobbly Boots, LLC
66. Woody's Tavern & Sports Bar

Alderman Schmitt seconded the motion which was voted on and passed with Alderman Steve Kahrs abstaining.

Unfinished Business.

None

New Business.

Public Hearing.

Special Use Case 364. Terry Ross Requests a Special Use Permit to allow extended stay rental duplex units in a C-1 General Commercial District.

City Planner Cary Patterson presented the following report:

Department Comments:

<u>Applicant:</u>	Terry Ross	
<u>Location:</u>	Between Ledges Dr. and Port Lane with frontage on Port Lane	
<u>Petition:</u>	Special Use Permit to allow extended stay rental duplex units in a Commercial District.	
<u>Existing Use:</u>	The subject property is vacant.	
<u>Zoning:</u>	C-1 (General Commercial)	
<u>Tract Size:</u>	35,290 sq. ft.	
	<u>Surrounding Zoning:</u>	<u>Surrounding Land Use:</u>
<u>North:</u>	SUP Duplex Rental	Two family
<u>South:</u>	SUP Duplex Rental	Two family
<u>East:</u>	R-3 (Multi-family) C-1 (Commercial)	Apartments/Marina/ S family
<u>West:</u>	C-1 w/ PUD overlay	Resort Residential

**The Osage Beach Comprehensive Plan
Designates this area as appropriate for:**

Moderate Density Residential

Rezoning History

Case #

Date

Ross

357 (amended)
363 SUP

June, 2011
May 2013

Utilities:

Water: City
Sewer: City

Electricity: Ameren UE

Access:

Property has frontage on Port Lane and Ledges Drive.

Analysis:

1. The applicant is the owner of the vacant property in question and has been the owner for over two years.
2. The character of the area is mixed containing single-family homes, condominiums, apartments, Blue Moon Marina, storage facilities, and RT's Cove (lake front resort residential).
3. The applicant was given Special Use Permit approval by the Board of Aldermen at their meeting on May 2, 2013 to build like units on the property surrounding the current subject property. Currently a total of eleven buildings containing twenty two units have been approved for the surrounding property. This request includes an additional five buildings containing ten total units bringing the total number of units to thirty two.
4. The current request was not part of the previous request because there was another investor who had interest in the property currently under review. That individual has since forfeited his interest in the property allowing it to be added to the overall project at this time.
5. The portion of the property that is being requested for SUP is fronted and serviced by Port Lane.

Department Comments:

The comments for this request remain consistent with those pertaining to the previous request and obviously because of the nature of the current request as it relates to the previously approved request, it was reviewed using the conditions created by the overall development. The property is recommended for Moderate Density Residential, which is defined by the Comprehensive Plan as 5-13 units per acre. If the applicant develops the 32 units on the subject property that would equate to just over 8 units per acre for this property which conforms with what is recommended by the Comprehensive Plan.

It is also important that the City be willing to promote development on properties such as this in order to stimulate the commercial activity on the West Side of the Grand Glaize Bridge. If the City approves this type of development it will serve to put more housing units on the west side of the bridge increasing the customer potential and the sheer numbers from which our businesses can draw patrons.

Under the Section 405.610 of the City Code of Ordinances for Amendments and Changes, bullet point 6 gives five matters that the city should consider before making a change in the use of property.

1. Relatedness of the proposed amendment to the goals and outlines of the long range physical plan for the City:

The amended request is in conformance with the density recommendations of the Comprehensive Plan.

The Comprehensive Plan also encourages the City to provide additional work force housing when the opportunity arises to locate it on property where it is compatible.

2. Existing uses of property within the general area of the property in question:

The area surrounding the subject property contains mixed uses including single-family residential, apartments, resort residential (RT's Cove), a lake front marina, storage facilities, and condominium development.

The request basically provides a use that conforms to the mix of multi and single family and provides some buffer for some of the residential uses from developing commercial tracts.

3. The zoning classification of property within the general area of the property in question:

The subject property is surrounded on all sides by more intensive zoning districts. The other surrounding dwellings are built within a C-1 zone or higher density residential zone. Some of those homes have been built, constructed additions to, or remodeled with a Special Use Permit for residential construction in a commercial zone.

4. The suitability of the property in question to the uses permitted under the existing zoning classification:

The subject property could also develop in a limited commercial capacity. This would most likely be in the form of some type of storage unit facility. With the surrounding uses including a significant amount of residential development containing both low and high density, the requested development of duplex rental units would be a more harmonious addition to the existing residential development.

5. The trend of development , if any, in the general area of the property in question, including changes, if any, which have taken place in its present zoning classification:

The area surrounding the subject property is currently seeing new development as a result of the zoning action taken by the current applicant. Individual storage facilities are being constructed on a portion of property that is zoned C-1 (General Commercial) directly across from the main entrance to the Blue Harbor Marina facility.

Based on the analysis of the conditions pertaining to the subject petition, the Planning Department recommends approval of the request subject to the following provisions regulating the property being granted a SUP for duplex rental units exclusively:

Permitted Uses:

The following uses shall be permitted in those areas as illustrated on the PUD site plan:

1. Residential Uses shall conform to the requested development containing a maximum of 5 duplex buildings for a total of 10 units.
2. Accessory Uses will be designed for and available to the tenants and their guests only and will not be open to the public. Those uses include any administrative office(s) for project management, garages, maintenance facilities, and recreation facilities.

Construction:

Construction shall be in accordance with the International Building Code and all other pertaining construction codes as adopted by the City of Osage Beach at the time a building permit is issued for each individual facility.

The layout of the buildings and units will also conform to the building layout plans that were submitted with this petition.

Bulk, Area, and Height Requirements:

The buildings and units will also conform to the building layout plans that were submitted with this petition.

Dimensional Requirements:

Buildings within this district shall not exceed a minimum setback of 25 feet from the property line fronting Port Lane being considered the front, a minimum setback of 5 feet from the side property lines, and a minimum of 25 feet from the property line fronting Ledges Drive being considered the rear.

Public Facilities:

1. Engineering plans for water, streets, and sewer improvements will be constructed in accordance with the Osage Beach Design Guidelines and shall be approved by the City Engineer's Department.

Access:

1. Access shall be derived from Port Lane and the 40' road easement that falls between Ledges Drive and Port Lane.

Parking:

All development shall adhere to Osage Beach off-street parking requirements at the time that it is constructed.

Buffering and Screening:

Waste cans, dumpster units, or other trash receptacles shall be placed where they are least visible from a public street or adjoining properties. Screening/fencing as to make these devices as least visible as possible is required.

Exterior Lighting:

1. Exterior lighting shall be designed, located and constructed to eliminate or significantly reduce glare and/or a general increase in lighting intensity within the adjoining existing or proposed residential area(s). Additionally, all exterior lighting shall be so arranged and shielded so as to confine all direct light rays within the boundaries of this district.
2. All street lighting proposed shall meet the City's standards for street lighting on local streets in residential areas. Applicants should coordinate with the City's Engineering Department on street lighting installations.

Signage:

The applicant will be required to get a sign permit from the city. At such time that an application is filed, a site plan and engineering will be submitted to assure the signs compliance with the city's sign code.

Maintenance of Open Space and Common Areas:

The maintenance of common area and facilities within the District shall be the responsibility of the property owner(s) and/or the property management administrators. All areas not scheduled for immediate construction are to be seeded and storm drainage facilities are to be maintained as to protect from storm water runoff impact to the Lake of the Ozarks and surrounding properties.

Platting:

All platting of property will be required to be in conformance with the Osage Beach Subdivision Code.

Final Development Plan:

The individual site development plans submitted with the Building Permit Applications for the proposed buildings will be considered the Final Development Plans.

The Planning Commission recommended approval of Special Use Case No. 364.

No one was present to speak in favor of or in opposition to Special Use Case No. 364.

Public Hearing. Rezoning Case 365: Allen Scott Requests Rezoning from A-1 (Agriculture) to I-1 (Light Industrial) for Property Located off of Highway 42.

Planning Department comments and recommendation:

Applicant: Allen Scott
Location: 435 Highway 42 (Hi Tech Auto Body & Towing).
Petition: Rezoning from A-1 (Agriculture) to I-1 (Light Industry)
Existing Use: Existing Business (Hi Tech Auto Body & Towing)
Existing Zoning: A-1 (Agriculture)
Tract Size: +/- 1.19 acres

	<u>Surrounding Zoning:</u>	<u>Surrounding Land Use:</u>
<u>North:</u>	C-1 General Commercial	42 frontage businesses
<u>South:</u>	Not in City Limits	Industrial Park
<u>East:</u>	C-1 General Commercial	42 frontage businesses
<u>West:</u>	C-1 General Commercial	42 frontage businesses

**The Osage Beach Comprehensive Plan
Designates this area as appropriate for:** See below

<u>Rezoning History</u>	<u>Date</u>
Annexation Zoning	January 2011

Utilities

<u>Water:</u> City	<u>Gas:</u> Private
<u>Electricity:</u> Ameren Missouri	<u>Sewer:</u> City

Access: Property derives access via Highway 42

Analysis:

1. The applicant is the owner of the 1.19 acre parcel in question. The entire parcel is zoned A-1. It was zoned A-1 upon its annexation into the City in 2011.
2. The property is in close proximity to the Hwy Corporate City Limits of Osage Beach Approximately two miles down Highway 42, this area, both in the City and out, has experienced numerous types of development with a large percentage of the facilities serving as light industrial types of use.

3. Currently the subject property is home to Hi Tech Auto Body and Towing. The activity that takes place at the facility is common to the auto body and towing industry which is an activity that fits most efficiently within the I-1 (Light Industry) zone.
4. The applicant intends to expand the facility which is the reason for the rezoning request at this time. Currently the property maintains a legal nonconforming status in the A-1 zone it assumed at the time it was approved for annexation. Because the existing use is not a legal and permitted use in the A-1 zone the applicant is unable to expand the facility or the use without the property being approved for a change to the appropriate zone.
5. With the proximity of this property Highway 42, the character of surrounding development is heavy traffic commercial and industrial. The area beyond City Limits is one of the last areas of annexation that the City has, when that area is annexed there is a very strong possibility that the area will be best served by industrial uses considering its location and surrounding conditions. This is especially true for the property immediately surrounding the subject property because it has already developed as and been deemed an industrial park. The intensity of development in this area can only be expected to increase with usable property in the City becoming more limited and the extension of City services having now reached the furthest reaches of the incorporated properties on Highway 42.

Department Comments and Recommendations:

The City of Osage Beach is a community where finding locations for industrial uses is difficult. The Highway 42 Corridor, however, has been identified as a location where these types of uses could most efficiently occur, particularly the area towards the outskirts of town. The subject property along with several of the adjacent properties would greatly benefit from the added use flexibility provided by the I-1 zone which permits all of the uses within the C-1 zone along with some light manufacturing and assembly, storage, freight, laundry mats etc. This type of use certainly fits in with the character of the area where there are several activities such as boat mechanics, storage yards, a lumber yard, and a fire station. Although the subject properties recent annexation causes it not to have a recommendation specifically for it the comprehensive plan does recommend heavy traffic commercial for the surrounding properties that fall within the City Limits. The heavy traffic commercial designation includes the majority of the uses within the I-1 zone and by allowing C-1 uses to be located within the I-1 zone; the zoning code itself establishes that C-1 and I-1 uses are compatible and complementary. With this in mind the Planning Department would recommend approval of this request and would also recommend that the City react positively to any similar requests for adjacent properties that could be made in the future.

The Planning Commission recommended approval of Rezoning Case No. 365.

No one was present to speak in favor of or in opposition to Rezoning Case No. 365.

Mayor Lyons closed the public hearings at 6:40 p.m.

Approve Findings of Fact. Special Use Case No. 364.

Alderman Kahrs moved to approve the Findings of Fact for Special Use Case No. 364 as presented. Alderman Farmer seconded the motion which was voted on and passed.

Vote on Special Use Case No. 364.

Alderman Kahrs moved to approve Special Use Case No. 364 with conditions as follows:

1. Ingress and egress be limited to the Port Lane frontage and access serving the existing use on the property. No access shall be gained from properties to the north or west without approval of the Planning Commission
2. All parking and driveways for the proposed use must be paved and constructed in conformance with City design standards at the time its constructed
3. Signage shall be in conformance with the City of Osage Beach Sign Ordinance.
4. This approval does not constitute building permit approval; all other zoning and building regulations must be followed.
5. An annual review of this request will not be required.

Alderman Schmitt seconded the motion which was voted on and passed.

Bill No. 13-33. 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 first reading of Bill No. 13-33 for Rezoning Case No. 365 by title only. It was noted that Bill No. 13-33 has been available for public review. Alderman Kahrs moved to approve the first reading of Bill No. 13-33 as presented. Alderman Schmitt seconded the motion which was voted on and passed.

Bill No. 13-18. AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, CREATING NEW SECTIONS WITHIN CHAPTER 355, SPECIFICALLY SECTIONS 355.010 A 1 I RELATING TO PARKING WITHIN A FIRE OR EMERGENCY SERVICES LANE ON PUBLIC OR PRIVATE PROPERTY

City Attorney Ed Rucker explained that Bill No. 13-18 clarifies that a person may not stop, stand, or park within a designated fire lane. This ordinance was requested by the Police Department and the City Attorney recommended approval.

Mayor Lyons presented the first reading of Bill No. 13-18 by title only. It was noted that Bill No. 13-18 has been available for public review. Alderman Kahrs moved to approve the first reading of Bill No. 13-18 as presented. Alderman Catcott seconded the motion which was voted on and passed.

Bill No. 13-31. AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH K.W. LUETKEMEYER PAINTING AND WALL COVERING FOR THE 2013 PAVEMENT MARKING PROJECT

Only one bid was submitted by K.W. Luetkemeyer Painting & Wall Covering for the 2013 Pavement Marking Project with a bid of \$13,016.20.

This project was budgeted under Item No. 20-00-764208, Road Striping in the amount of \$60,000. Extra funds were budgeted in this account to cover the cost of striping Osage Beach Parkway; however, depending on when the City takes over the Parkway, the extra funds may or may not be used.

The Engineering Department has reviewed the bidding documents and found them to be in order and recommends approval of Bill 13-31 for Construction Contract OB13-010, for the 2013 Pavement Markings Project to be awarded to K.W. Luetkemeyer Painting & Wall Covering in the amount of \$13,016.20.

Mayor Lyons presented the first reading of Bill No. 13-31 by title only. It was noted that Bill No. 13-31 has been available for public review. Alderman Olivarri moved to approve the first reading of Bill No. 13-31 as presented. Alderman Schmitt seconded the motion which was voted on and passed.

Mayor Lyons presented the second and final reading of Bill No. 13-31 by title only. Alderman Olivarri moved to approve the second and final reading of Bill No. 13-31. Alderman Schmitt seconded the motion. The following roll call vote was taken to approve the second reading of Bill No. 13-31 and to pass same into Ordinance: "Ayes": Alderman Schmitt, Alderman Catcott, Alderman Kahrs, Alderman Olivarri, Alderman Farmer. "Nays": None. "Absent": Alderman Rucker. Bill No. 13-31 was passed and approved as Ordinance No. 13.31.

Bill No. 13-32. AN ORDINANCE REGULATING THE ACCEPTANCE OF STREETLIGHTS INTO THE PUBLIC SYSTEM, PROVIDING STANDARDS AND PRACTICES FOR THE EVALUATION OF EXISTING AND NEWLY CONSTRUCTED STREET LIGHTS BY REPEALING SECTIONS 510.180 TO 510.210 OF THE CODE AND REENACTING IN PLACE THEREOF FOUR NEW SECTIONS ON THE SAME NUMBER.

City Attorney Ed Rucker explained that Bill 13-32 regulates the acceptance of streetlights into the public system, providing standards and practices for the evaluation of existing and newly constructed street lights.

Bill 13-32 deletes references to the Public Infrastructure Advisory Committee and specifies the responsible individuals on the City staff who should review an application to accept a street light. It also makes grammar and language changes to make the ordinance clear.

Mayor Lyons presented the first reading of Bill No. 13-32 by title only. It was noted that Bill No. 13-32 has been available for public review. Alderman Farmer moved to approve the first reading of Bill No. 13-32 as presented. Alderman Catcott seconded the motion which was voted on and passed.

Preliminary Plat. Blue Harbor Commercial Second Amended Plat.

Comments and Recommendation of the Planning Department:

Subdivision Name: Blue Harbor Commercial 2nd Amended Preliminary and Final
Plats

Location: Approximately 500 feet off of Dude Ranch Road on Port Lane.

Section/Township/Range: 10/39/16

Applicant: Terry Ross

Professional Services: Allen Surveying and Midwest Engineering

Tract Size: 3.86 acres (12 commercial lots)

Zoning: C-1 (General Commercial)

Surrounding Land Use:

North: Condo Development, Single Family Housing

South: Two Family Housing

East: Marina, Single Family Housing

West: Resort PUD

Department Comments

Preliminary:

- 1) The plat was reviewed for code compliance and was found to be consistent with the preliminary plat requirements
- 2) The City Engineer is still in the process of reviewing the public improvement plans, specifically dealing with the sewer design for the development. The public improvement plans and sewer design must be approved and an engineer's estimate and letter of credit for the required sewer improvements must be included before final plat approval and recording takes place.

Final:

- 1) The plat was reviewed for code compliance and was found to be consistent with the final plat requirements.

Because the subject plats are consistent with the regulations for subdividing property established by the City of Osage Beach Subdivision Code and are consistent with the portion of the development that has been approved by Special Use Permit as well as the portion that is still under review, the Planning Department recommends approval of the requested preliminary and final plats with the

approval of the public improvement plans, Special Use Case 364, and the submittal of an engineer's estimate and a letter of credit for the required public improvements.

Bill No. 13-34. AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, APPROVING THE FINAL PLAT OF BLUE HARBOR SECOND AMENDED PLAT, A SUBDIVISION IN OSAGE BEACH, CAMDEN COUNTY, MISSOURI.

Mayor Lyons presented the first reading of Bill No. 13-34 by title only. It was noted that Bill No. 13-34 has been available for public review. Alderman Kahrs moved to approve the Preliminary Plat of Blue Harbor Seconded Amended Plat and the first reading of Bill No. 13-34 as presented. Alderman Olivarri seconded the motion which was voted on and passed.

Mayor Lyons presented the second and final reading of Bill No. 13-34 by title only. Alderman Farmer moved to approve the second and final reading of Bill No. 13-34. Alderman Schmitt seconded the motion. The following roll call vote was taken to approve the second reading of Bill No. 13-34 and to pass same into Ordinance: "Ayes": Alderman Catcott, Alderman Kahrs, Alderman Olivarri, Alderman Farmer, Alderman Schmitt. "Nays": None. "Absent": Alderman Rucker. Bill No. 13-34 was passed and approved as Ordinance No. 13.34.

Bill No. 13-35. AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH CURTISS MANES-SCHULTE INC. FOR CONSTRUCTING HANGARS AT THE LEE C. FINE MEMORIAL AIRPORT

Five bids were received for the Hangar Construction at Lee C. Fine Memorial Airport as follows:

RL Persons Const. Inc.	Base Bid	\$710,413.70
	Alternate 1	\$188,625.20
	Total	\$899,038.90
Septagon Const.	Base Bid	\$600,000.00
	Alternate 1	\$128,000.00
	Total	\$728,000.00
Bales Const. Co., Inc.	Base Bid	\$644,078.25
	Alternate 1	\$106,853.00
	Total	\$750,931.25
Huey Const.Co.	Base Bid	\$611,118.00
	Alternate 1	\$140,811.00
	Total	\$751,929.00
Curtiss Manes Schulte Inc.	Base Bid	\$564,043.91
	Alternate 1	\$124,228.52
	Total	\$688,272.43

City Engineer Edelman explained this project was bid with a base bid and an additive alternate. The base bid was the construction of a 3-Unit Pre Engineered Box Hangar and the Additive Alternate was to construct one additional hangar unit. The project was bid with the idea that we would like four hangars if funding allowed.

Funding for this project comes from 45-00-773020 Hangar Project in the amount of \$795,900. This project will receive non-primary entitlement funds. Some of these funds will only require a 5% City match and the other portion of these funds will require a 10% City match. We are working with MoDOT to determine the exact percentage of the City match. The City has adequate non-primary entitlement funds to fund this project. A State Block Grant Agreement with MoDOT will be brought to the Board of Aldermen at a future meeting.

Crawford, Murphy & Tilly, the City's consultant engineering firm for the project, has reviewed the Tabulation of Bids and Bidders. Based upon the Tabulation of Bids, the proposal form and the available funding, CMT recommends the contract for the above referenced project be awarded to Curtiss-Manes-Schulte, Inc. of Eldon, MO in the amount of \$688,272.43 for the base bid and Alternate 1.

Missouri Department of Natural Resources State Park Division has given their permission to proceed with the project.

Mayor Lyons presented the first reading of Bill No. 13-35 by title only. It was noted that Bill No. 13-35 has been available for public review. Alderman Olivarri moved to approve the first reading of Bill No. 13-35 as presented. Alderman Catcott seconded the motion which was voted on and passed.

Mayor Lyons presented the second and final reading of Bill No. 13-35 by title only. Alderman Farmer moved to approve the second and final reading of Bill No. 13-35. Alderman Schmitt seconded the motion. The following roll call vote was taken to approve the second reading of Bill No. 13-35 and to pass same into Ordinance: "Ayes": Alderman Kahrs, Alderman Olivarri, Alderman Farmer, Alderman Schmitt, Alderman Catcott. "Nays": None. "Absent": Alderman Rucker. Bill No. 13-35 was passed and approved as Ordinance No. 13.35.

Bill No. 13-36. AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH CRAWFORD, MURPHY AND TILLY, INC. FOR ENGINEERING SERVICES AT THE GRAND GLAIZE OSAGE BEACH AIRPORT

City Engineer Nick Edelman explained that Bill No. 13-36 authorizes the Mayor to execute a contract with Crawford, Murphy & Tilly, Inc. for engineering services to accomplish a project at the Grand Glaize Airport. The project involves assisting the City in acquiring two parcels of land, revising ALD and Airport Property Map to show acquisition limits, and completing reimbursement certifications. The contract shall not exceed the maximum amount of \$14,500. Funding is from Account #47-00-773105, Land Purchase. Mr. Edelman said this expenditure is reimbursable.

Mayor Lyons presented the first reading of Bill No. 13-36 by title only. It was noted that Bill No. 13-36 has been available for public review. Alderman Kahrs moved to approve the first reading of Bill No. 13-36 as presented. Alderman Schmitt seconded the motion which was voted on and passed.

Mayor Lyons presented the second and final reading of Bill No. 13-36 by title only. Alderman Olivarri moved to approve the second and final reading of Bill No. 13-36. Alderman Kahrs seconded the motion. The following roll call vote was taken to approve the second reading of Bill No. 13-36 and to pass same into Ordinance: "Ayes": Alderman Olivarri, Alderman Farmer, Alderman Schmitt, Alderman Catcott, Alderman Kahrs. "Nays": None. "Absent": Alderman Rucker. Bill No. 13-36 was passed and approved as Ordinance No. 13.36.

Appointments to the Osage Beach Citizen Advisory Committee.

Rebecca Green, Don Chisholm, Pat Cantwell, Diana Dorhauer and Linda Melton have indicated they want to continue to serve. Jonas Farrell lives outside the City limits and is not eligible to be reappointed. The committee is required to have at least eight and not more than fifteen members. If all five members are reappointed, there will be ten members on the committee.

Alderman Kahrs moved to reappoint Rebecca Green, Don Chisholm, Pat Cantwell, Diana Dorhauer and Linda Melton to the Osage Beach Citizen Advisory Committee to two year terms. Alderman Schmitt seconded the motion which was voted on and passed.

Appointments to Board and Commissions.

Mayor Lyons asked the Board to confirm the following appointments:

Board of Appeals: Reappointment of Daniel R. Mills; Jason Muller, P.E. and Travis Rogers as alternates

Board of Adjustment: Reappointment of Don Hall

Joint Sewer Board: Reappointment of Gary Hamner

Planning Commission: Reappointment of James Handel, Robert J. Rau, Jr. and Don Chisholm

Alderman Schmitt moved to confirm the appointments as requested. Alderman Farmer seconded the motion which was voted on and passed.

Authorization to Apply for Abandoned Well Plugging Grant.

City Engineer Edelman explained the Abandoned Well Plugging Grant program provides funds designated to properly decommission and cap abandoned private and public wells throughout the State of Missouri. Reimbursement for plugging public drinking water wells is limited to 75 percent of the total cost per well or a maximum of \$10,000 per well, whichever amount is less. If this grant is applied for and approved by the Missouri Department of Natural Resources Water Protection Program, the City could be eligible to receive 75% of the cost associated with capping the well at the 54 Diner.

Alderman Olivarri moved to authorize the application for an Abandoned Well Plugging Grant. Alderman Schmitt seconded the motion which was voted on and passed.

Proposed Water Project to Cap Existing Wells.

City Engineer Edelman explained that the City has received a letter from MDNR about capping abandoned wells on the City's property near Buddy's 54 Diner. There are two wells on this existing property. There is an agreement between the City and the owner of the 54 Diner when the agreement was executed. We have talked with the property owner about capping the wells. Currently, they are utilizing one well but they are willing to connect to City water if the wells are going to be capped.

Mr. Edelman said the City also owns a well near Woody's that is of great concern. It needs to be capped due to the wellhead protection program. It has a potential to be a contamination source to the drinking water system. The Engineering Department contacted well drillers and it is estimated to be approximately \$15,000 to accomplish this work. Self-restricted funds may be used. Mr. Edelman requested authorization to solicit bids to cap these wells according to MDNR's requirements.

Alderman Catcott questioned how many other wells need to be capped. City Engineer Edelman said there are others that the Department will be pursuing to cap in the near future.

Alderman Olivarri moved to cap existing wells on City property near Buddy's 54 Diner and near Woody's as requested. Alderman Catcott seconded the motion which was voted on and passed.

Communication from Board Members.

Alderman Farmer.

Lois Farmer thanked Dan Field of *The Focus* for the article he wrote about her. She reported that the contractor building the sidewalk on Dude Ranch Road is doing a great job and the workers are very polite.

Alderman Catcott. Fred Catcott reported he had knee surgery yesterday at the Lake Regional Health System and the treatment he received was second to none and he said he received exceptional care at the hospital.

Staff Communications.

City Clerk. Diann Warner reported on the Safety Picnic tomorrow at the City Park.

Police Department. Todd Davis thanked everyone for attending the retirement reception for Linda Crowder who worked for the City for over 29 years. He presented a first place trophy that the Camden County SWAT team earned at the First Annual SWAT Round Up in Fredericktown, MO. The SWAT team includes the following four officers from Osage Beach: Officer Jeff Stout, Officer Joel Shelton, Officer James Chapman and Lieutenant Michael O'Day.

There being no further business to come before the Board, the meeting adjourned at 7:17 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 June 6, 2013.


Diann Warner, City Clerk


Penny Lyons, Mayor

APPROVED
6/20/13