

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

June 20, 2013

The Board of Aldermen of the City of Osage Beach, Missouri, met to conduct a regular meeting on Thursday, June 20, 2013, at 6:30 p.m. at City Hall. The following were present: Mayor Penny Lyons, Alderman Fred Catcott, Alderman Lois Farmer, Alderman John Olivarri, Alderman Kevin Rucker, Alderman Ron Schmitt. Alderman Steve Kahrs was absent. The City Clerk, Diann Warner was present and performed the duties of that office.

Mayor's Communications.

Mayor Lyons expressed condolences to the Kahrs family on the loss of Elizabeth Kahrs. Mrs. Kahrs was a well-known business woman who was also very active in her church. Mayor Lyons said she knew Mrs. Kahrs through her support of the arts and volunteer work to help several art clubs. She was also a professional landscape artist. Mayor Lyons said the community will feel the loss.

On June 11, Mayor Lyons reported that MoDOT held their core meeting on the Key Largo project. Alderman Olivarri, City Engineer Nick Edelman and Mayor Lyons attended. Mayor Lyons said minutes of the meeting are available for copying.

Mayor Lyons reported that she attended a program to celebrate Flag Day at the Elks Lodge on June 14th. She said it was a nice presentation with the Boy Scouts carrying the flag.

Mayor Lyons reported that the Council of Local Governments met at City Hall on Monday and MoDOT had a presentation on their blue print for safety. They have compiled numerous statistics on accidents according to age groups and the use of seatbelts. They also had the results of median dividers and the rumble strips used on many highways.

District T met following the LOCLG meeting on Monday and the current administration contract was renewed and an increase to the foam recycling program was approved to meet some DNR requirements. Mayor Lyons reported that there is an at large vacancy on the Board. She asked Board members to contact her if they know someone who has a background in recycling or solid waste cleanup.

Mayor Lyons reported that the Dierbergs' TDD met on Tuesday and the audit was approved. The audit was clean and the majority of the improvements have been made.

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 June 6, 2013, the bill list as submitted and liquor licenses to the following: Kelly's Port Boat Store; JJ Twig's at Dierbergs, Lil Rizzo's; Express Mart.

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

Unfinished Business.

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

Mayor Lyons presented the second and final reading of Bill No. 13-18 by title only. It was noted that Bill No. 13-18 has been available for public review. Alderman Olivarri moved to approve the second and final reading of Bill No. 13-18 as presented. Alderman Rucker seconded the motion. The following roll call vote was taken to approve the second reading of Bill No. 13-18 and to pass same into Ordinance: "Ayes": Alderman Farmer, Alderman Schmitt, Alderman Catcott, Alderman Olivarri, Alderman Rucker. "Nays": None. "Absent": Alderman Kahrs. Bill No. 13-18 was passed and approved as Ordinance No. 13.18.

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.

Mayor Lyons presented the second and final reading of Bill No. 13-32 by title only. It was noted that Bill No. 13-32 has been available for public review. Alderman Olivarri moved to approve the second and final reading of Bill No. 13-32 as presented. Alderman Schmitt seconded the motion. The following roll call vote was taken to approve the second reading of Bill No. 13-32 and to pass same into Ordinance: "Ayes": Alderman Schmitt, Alderman Catcott, Alderman Olivarri, Alderman Rucker, Alderman Farmer. "Nays": None. "Absent": Alderman Kahrs. Bill No. 13-32 was passed and approved as Ordinance No. 13.32.

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 second and final reading of Bill No. 13-33 by title only. It was noted that Bill No. 13-33 has been available for public review. Alderman Olivarri moved to approve the second and final reading of Bill No. 13-33 as presented. Alderman Schmitt seconded the motion. The following roll call vote was taken to approve the second reading of Bill No. 13-33 and to pass same into Ordinance: "Ayes": Alderman Catcott, Alderman Olivarri, Alderman Rucker, Alderman Farmer, Alderman Schmitt. "Nays": None. "Absent": Alderman Kahrs. Bill No. 13-33 was passed and approved as Ordinance No. 13.33.

New Business.

2012 Audit. Heidi Chick of Williams Keepers, LLC.

Ms. Heidi Chick presented a summary of the 2012 Audit and reported that each year the City prepares and submits a CAFR that goes above and beyond requirements. Ms. Chick explained that there are generally accepted auditing standards due to the City receiving federal funds through

grants. The City has \$80 million in assets, \$63 million in capital assets, \$8 million in restricted funds and \$10 million in unrestricted funds. Ms. Kelly Schwartze said a clean opinion was issued and they reported that they received full cooperation from staff, there were no material weaknesses and there were no non compliances issues. One recommendation has been corrected.

Mayor Lyons thanked Ms. Chick and Ms. Schwartze for their work and effort on the audit.

Bill 13-37. AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT WITH THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION TRANSFERRING FEDERAL NON-PRIMARY ENTITLEMENT FUNDS FROM GRAND GLAIZE AIRPORT TO THE LEE C. FINE MEMORIAL AIRPORT FOR THE CONSTRUCTION OF HANGARS AT THE LEE C. FINE MEMORIAL AIRPORT

City Engineer Nick Edelman explained that Bill No. 13-37 authorizes an agreement to transfer entitlement funds from the Grand Glaize Airport to Lee C. Fine Airport. This transfer utilizes all of the oldest money first. This transfer will fund the construction of the Lee C. Fine Hangar Project. The Engineering and Airport Departments recommend approval.

Mayor Lyons presented the first reading of Bill No. 13-37 by title only. It was noted that Bill No. 13-37 has been available for public review. Alderman Olivarri moved to approve the first reading of Bill No. 13-37 as presented. Alderman Catcott seconded the motion which was voted on and passed.

Mayor Lyons presented the second and final reading of Bill No. 13-37 by title only. Alderman Schmitt moved to approve the second and final reading of Bill No. 13-37. Alderman Catcott seconded the motion. The following roll call vote was taken to approve the second reading of Bill No. 13-37 and to pass same into Ordinance: "Ayes": Alderman Olivarri, Alderman Farmer, Alderman Rucker, Alderman Catcott, Alderman Schmitt. "Nays": None. "Absent": Alderman Kahrs. Bill No. 13-37 was passed and approved as Ordinance No. 13.37.

Bill No. 13-38. AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AUTHORIZING THE MAYOR TO EXECUTE A STATE BLOCK AGREEMENT, PROJECT NUMBER 12-046B-2, WITH THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION PROVIDING FOR FUNDING FOR THE DESIGN AND CONSTRUCTION OF BOX HANGARS AT THE LEE C. FINE MEMORIAL AIRPORT

City Engineer Edelman explained that Bill No. 13-38 authorizes an agreement that provides for the City to be reimbursed for the hangar design and construction. This agreement is for \$533,618 to be at the 95% federal participation and \$150,000 at the 90 % participation. The City's portion of the engineering and construction is \$44,754.

Mayor Lyons presented the first reading of Bill No. 13-38 by title only. It was noted that Bill No. 13-38 has been available for public review. Alderman Schmitt moved to approve the first reading of Bill No. 13-38 as presented. Alderman Rucker seconded the motion which was voted on and passed.

Mayor Lyons presented the second and final reading of Bill No. 13-38 by title only. Alderman Olivarri moved to approve the second and final reading of Bill No. 13-38. Alderman Farmer seconded the motion. The following roll call vote was taken to approve the second reading of Bill No. 13-38 and to pass same into Ordinance: "Ayes:" Alderman Farmer, Alderman Rucker,

Alderman Catcott, Alderman Schmitt, Alderman Olivarri. "Nays": None. "Absent": Alderman Kahrs. Bill No. 13-38 was passed and approved as Ordinance No. 13.38.

Bill No. 13-39. AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH HR GREEN, INC. FOR THE DESIGN OF ROADWAY AND DRAINAGE IMPROVEMENTS FOR NICHOLS ROAD

Bill No. 13-39 authorizes an engineering contract for the design of the Nichols Road reconstruction with HR Green. This project is included in the 2013 budget. HR Green Company was selected as the Best Qualified/Best Experienced firm to complete this work. They completed the TEAP study for Nichols Road and have completed Passover Road and other major road projects for the City of Osage Beach.

This project will design the Reconstruction of Nichols Road from the Route 54 Expressway to a location near Osage Beach Parkway. The design will include a round-a-bout, landscaping, and other features to create a boulevard style roadway. The design of this roadway will try to maximize the use of previously acquired land.

Maps and renderings will be on display in the lobby for any business owners/property owners who have questions about the project. Funding for this work is included in 20-00-773100 Engineering. As of the May 31 Financial Statement there is \$198,095 remaining in this account.

The Engineering Department has worked with HR Green in the past with favorable results and recommends approval of this contract in the not to exceed amount of \$129,200.25 to HR Green.

Mayor Lyons presented the first reading of Bill No. 13-39 by title only. It was noted that Bill No. 13-39 has been available for public review. Alderman Farmer moved to approve the first reading of Bill No. 13-39 as presented. Alderman Schmitt seconded the motion which was voted on and passed.

Mayor Lyons presented the second and final reading of Bill No. 13-39 by title only. Alderman Farmer moved to approve the second and final reading of Bill No. 13-39. Alderman Rucker seconded the motion. The following roll call vote was taken to approve the second reading of Bill No. 13-39 and to pass same into Ordinance: "Ayes:" Alderman Rucker, Alderman Catcott, Alderman Schmitt, Alderman Olivarri, Alderman Farmer. "Nays": None. "Absent": Alderman Kahrs. Bill No. 13-39 was passed and approved as Ordinance No. 13.39.

Public Hearing. Solicit Comments on the City's Request to Extend the Lease with Missouri Department of Natural Resources to Lease and Operate the Lee C. Fine Memorial Airport Located in the Lake of the Ozarks State Park.

City Attorney Ed Rucker explained that the City leases the airport from MoDNR. The agreement requires five year renewals and the lease amendment requires the City to seek public comments before requesting a five year extension.

There being no one present to speak to this issue, Mayor Lyons closed the public hearing.

Bill No. 13-40. AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AUTHORIZING THE MAYOR TO ON BEHALF OF THE CITY APPLY FOR A FIVE YEAR EXTENSION OF THE 1999 LEASE BETWEEN THE CITY AND THE MISSOURI

DEPARTMENT OF NATURAL RESOURCES FOR THE LEE C. FINE MEMORIAL AIRPORT
IN A FORM TO BE APPROVED BY THE CITY ATTORNEY.

Mayor Lyons presented the first reading of Bill No. 13-40 by title only. It was noted that Bill No. 13-40 has been available for public review. Alderman Rucker moved to approve the first reading of Bill No. 13-40 as presented. Alderman Olivarri seconded the motion which was voted on and passed.

Mayor Lyons presented the second and final reading of Bill No. 13-40 by title only. Alderman Schmitt moved to approve the second and final reading of Bill No. 13-40. Alderman Olivarri seconded the motion. The following roll call vote was taken to approve the second reading of Bill No. 13-40 and to pass same into Ordinance: "Ayes:" Alderman Catcott, Alderman Schmitt, Alderman Olivarri, Alderman Farmer, Alderman Rucker. "Nays": None. "Absent": Alderman Kahrs. Bill No. 13-40 was passed and approved as Ordinance No. 13.40.

Bill No. 13-41. AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, CREATING NEW SECTIONS WITHIN CHAPTER 610, SPECIFICALLY SECTIONS 610.150.7 RELATING TO PEDDLERS, SOLICITORS OR CANVASSERS STANDING OR WALKING ON THE ROADWAY OR STALLING OR OBSTRUCTING TRAFFIC

City Attorney Rucker said Bill No. 13-41 makes clear that peddlers, solicitors, or canvassers, may not stand, walk or loiter on the road way or in any other manner stall, delay, or obstruct the normal flow of traffic. Bill 13-41 may be used by the Police Department when necessary.

Upon a question from Alderman Rucker, City Attorney Rucker explained that if solicitors are operating on private property, they will not be affected unless their actions cause traffic back up on Osage Beach Parkway.

Mayor Lyons presented the first reading of Bill No. 13-41 by title only. It was noted that Bill No. 13-41 has been available for public review. Alderman Catcott moved to approve the first reading of Bill No. 13-41 as presented. Alderman Olivarri seconded the motion which was voted on and passed.

Communication from Board Members.

Alderman Schmitt. Ron Schmitt extended condolences to the Kahrs family.

Alderman Catcott. Fred Catcott thanked City Treasurer Karri Bell for her work on the CAFR.

Alderman Farmer. Lois Farmer thanked the contractor working on Nichols Road for keeping the road clean during sidewalk construction.

Alderman Olivarri. John Olivarri thanked the Board for allowing him to attend the Economic Development Conference, and the LOREDC meeting last week. He reported that he also attended the MoDOT meeting regarding Key Largo.

Alderman Olivarri said that MoDOT had asked if the City had an opinion on a small section of property at the west end of town. Alderman Olivarri said he prefers green space. Another MoDOT meeting will be held later in the summer.

Staff Communications.

Police Department. Chief Davis reported that the radar trailer was placed on Mace Road and many traffic stops were conducted by officers. He reported that the radar trailer will be back on Mace Road next week.

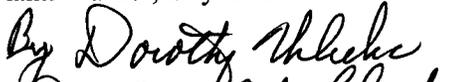
City Engineer. Nick Edelman distributed the information on extending Osage Beach Parkway to Y Road for the Special Board of Aldermen meeting next Thursday.

Parks Manager. Brian Willey thanked the Elks Club for the \$2,000 donation to the Park. Mayor Lyons said the only contingency is that the money must be spent on the Park. Mr. Willey reported that due to the rain, there have not been many tournaments. Mr. Willey said next Friday-Sunday 38 teams will be participating in a tournament at the Park. He said this is the largest tournament that has been held. Mr. Willey reported that the Disk Golf construction is behind schedule because of the rain.

There being no further business to come before the Board, the meeting adjourned at 7:18 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 20, 2013.


Diann Warner, City Clerk


Deputy City Clerk


Penny Lyons, Mayor