

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

August 15, 2013

The Board of Aldermen of the City of Osage Beach, Missouri, met to conduct a regular meeting on Thursday, August 15, 2013, at 6:30 p.m. at City Hall. The following were present: Mayor Penny Lyons, Alderman Fred Catcott, Alderman Steve Kahrs, Alderman John Olivarri, Alderman Ron Schmitt, Alderman Kevin Rucker. The Deputy City Clerk, Dorothy Urlicks was present and performed the duties in the absence of the City Clerk. Alderman Lois Farmer was absent.

Mayor's Communications.

Mayor Lyons said "Many of us were attending the MML Conference at Tan Tar A the fall when 911 happened. That was almost thirteen years ago. The City decided to have a Fall Festival instead of the usual Halloween Haunted House. We had less than six weeks to get it together. The turnout at City Hall was good and the kids had a great time. This year the 13th Annual Fall Festival will return to City Hall because of the flood damage at the park. The staff and volunteers will have had less than six weeks to get it together. Parking, limited vendor spaces and hook ups have already been addressed. All of the departments have been working together to make this a very successful festival. Cancelling this event was never an option. I would like to thank everyone for stepping forward and all those who are volunteering on September 7th."

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 August 1, 2013, the bill list as submitted, liquor licenses to Bridgeview Marina, Ozark Distillery, LLC, Wobbly Boots Roadhouse and Special Use Permit #367.

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

Unfinished Business.

None

New Business.

Bill No. 13.49. AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI TO AUTHORIZE THE MAYOR TO SIGN SUPPLEMENTAL MUNICIPAL AGREEMENT #1 WITH THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION FOR THE TRANSFER OF OSAGE BEACH PARKWAY A/K/A BUSINESS ROUTE 54 TO THE CITY.

City Engineer, Nick Edelman explained that this supplemental agreement provides multiple changes to the original Municipal Agreement for the transfer of Osage Beach Parkway and other streets to the City.

The first major change is from a split diamond interchange to include two diamond interchanges (one at Route KK and one at Nichols Road). The original agreement and exhibits had the proposed split diamond interchange and that was not built.

The Supplemental Agreement defines Burton Duenke Drive and Fire Station Road instead of referring to Lake Road 54-59. The Supplemental agreement also defines Case Road Connection and associated street connections along the service road.

The Supplemental Agreement changes the bridge near Mace Road. The original agreement had the City maintaining the bridge. The Supplemental Agreement has MoDOT retaining ownership of the bridge.

Alderman Catcott questioned MoDOT's ownership of just the bridge. Nick Edelman explained that the City is going to maintain the highway and MoDOT is going to maintain the structure of the bridge. Mayor Lyons asked if one of our snowplows hits the bridge, who would be responsible. Nick Edelman said he would check with MoDOT to clarify several areas. Alderman Rucker said he understood there had been discussions about several "trade offs" – and asked if this would be formalized or verbal only.

Alderman Catcott asked about the settling of the Jeffries Road bridge and Nick Edelman explained that the City won't have to do anything in this area as MoDOT's right of way extends from Osage Beach Parkway to past the bridge and off ramp on Jeffries.

Mayor Lyons presented the first reading of Bill No. 13-49 by title only. It was noted that Bill No. 13-49 has been available for public review. Alderman Olivarri moved to approve the first reading of Bill No. 13-49 as presented. Alderman Catcott seconded the motion which was voted on and passed.

Mayor Lyons presented the second and final reading of Bill No. 13-49 by title only. Alderman Olivarri moved to approve the second and final reading of Bill No. 13-49. Alderman Rucker seconded the motion. The following roll call vote was taken to approve the second reading of Bill No. 13-49 and to pass same into Ordinance: "Ayes": Alderman Rucker, Alderman Catcott, Alderman Kahrs, Alderman Olivarri, Alderman Schmitt "Nays": None. Bill No. 13-49 was passed and approved as Ordinance No. 13.49.

Bill No. 13-50. AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AUTHORIZING THE MAYOR TO EXECUTE A 5 YEAR LEASE EXTENSION PREPARED BY THE MISSOURI DEPARTMENT OF NATURAL RESOURCES FOR THE LEASE DATED MARCH 5, 1999 BETWEEN THE CITY AND THE MISSOURI DEPARTMENT OF NATURAL RESOURCES WHEREBY THE CITY LEASES AND OPERATES THE LEE C. FINE MEMORIAL AIRPORT LOCATED WITHIN THE LAKE OF THE OZARKS STATE PARK.

City Attorney, Ed Rucker explained this is the clerical function for the lease extension the Board requested in its letter to MDNR on June 21, 2013.

Mayor Lyons presented the first reading of Bill No. 13-50 by title only. It was noted that Bill No. 13-50 has been available for public review. Alderman Kahrs moved to approve the first reading of Bill No. 13-50 as presented. Alderman Rucker seconded the motion which was voted on and passed.

Mayor Lyons presented the second and final reading of Bill No. 13-50 by title only. Alderman Olivarri moved to approve the second and final reading of Bill No. 13-50. Alderman Schmitt seconded the motion. The following roll call vote was taken to approve the second reading of Bill No. 13-50 and to pass same into Ordinance: "Ayes": Alderman Schmitt, Alderman Rucker,

Alderman Catcott, Alderman Kahrs, Alderman Olivarri. "Nays": None. Bill No. 13-50 was passed and approved as Ordinance No. 13.50.

Bill No. 13-51. AN ORDINANCE TO AUTHORIZE THE MAYOR TO EXECUTE A CONTRACT WITH TRAVIS HODGE HAULING, LLC FOR THE LIFT STATION REPAIRS LS 49-2 & LS 53-1 PROJECT.

The bid was opened on August 7, 2013. Travis Hodge Hauling, LLC is the only bidder with a bid amount of \$24,500.00. The Engineering Department has worked with Travis Hodge Hauling, LLC in the past with positive results and recommends awarding the Lift Station Repairs LS 49-2 & LS 53-1 project to Travis Hodge Hauling, LLC. Funding for this project can be obtained from 35-00-773114 Lift Station Improvements with a budget balance of \$495,003.

Mayor Lyons presented the first reading of Bill No. 13-51 by title only. It was noted that Bill No. 13-51 has been available for public review. Alderman Rucker moved to approve the first reading of Bill No. 13-51 as presented. Alderman Schmitt seconded the motion which was voted on and passed.

Mayor Lyons presented the second and final reading of Bill No. 13-51 by title only. Alderman Olivarri moved to approve the second and final reading of Bill No. 13-51. Alderman Schmitt seconded the motion. The following roll call vote was taken to approve the second reading of Bill No. 13-51 and to pass same into Ordinance: "Ayes": Alderman Schmitt, Alderman Rucker, Alderman Catcott, Alderman Kahrs, Alderman Olivarri. "Nays": None. Bill No. 13-51 was passed and approved as Ordinance No. 13.51.

Purchase of Register Heads and MIUs.

The Water Department would like to purchase from Schulte Supply, Inc., 50 Register Heads and 15 MIUs for repair and replacement within the water system.

These are budgeted items under Repair of System 30-00-743000 and the account is and expected to remain under budget. This purchase will allow for repair and replacement of currently needed register heads and MIUs plus a few to be on hand for future need.

Vendors are limited as the City exclusively installs and maintains one brand of meters.

Recommended purchase:

50 5/8" Register Heads-	\$ 5,500.00 (\$110.00 each)
15 MIUs (Meter Interface Unit)-	\$ <u>2,011.50</u> (\$134.10 each)
Total (30-00-743300 Repair of System)	\$ 7,511.50

Alderman Olivarri made a motion to approve purchase of 50 register heads and 15 MIUs for repair and replacement within the water system in the amount of \$7,511.50. Alderman Schmitt seconded the motion which was voted on and unanimously passed.

Bill No. 13-52. TO AUTHORIZE THE MAYOR TO ENTER INTO AN AGREEMENT FOR THE AWARD OF THE PROPOSED CONSTRUCTION CONTRACT NO. OB13-020 FOR THE OSAGE BEACH PKWY FORCEMAIN REPLACEMENT 2013 PROJECT TO TRAVIS HODGE HAULING, LLC, AS AN EMERGENCY ACTION.

This sewer forcemain replacement is an emergency project to replace ductile iron sewer pipe that recently sustained a major break. This forcemain runs from the Lazy Days area to the Sands Lift Station. The Osage Beach Municipal Code Section 135.130 authorizes emergency purchases.

This project was an unforeseen and was not budgeted. Funding for this project will have to be addressed as a budget amendment at a later date. The Engineering Department recommends awarding this bid to Travis Hodge Hauling LLC in the amount of \$60,649.00.

Mayor Lyons presented the first reading of Bill No. 13-52 by title only. It was noted that Bill No. 13-52 has been available for public review. Alderman Olivarri moved to approve the first reading of Bill No. 13-52 as presented. Alderman Catcott seconded the motion which was voted on and passed.

Mayor Lyons presented the second and final reading of Bill No. 13-52 by title only. Alderman Olivarri moved to approve the second and final reading of Bill No. 13-52. Alderman Rucker seconded the motion. The following roll call vote was taken to approve the second reading of Bill No. 13-52 and to pass same into Ordinance: "Ayes": Alderman Olivarri, Alderman Schmitt, Alderman Rucker, Alderman Catcott, Alderman Kahrs. "Nays": None. Bill No. 13-52 was passed and approved as Ordinance No. 13.52.

Communication from Board Members.

Alderman Catcott. Fred Catcott reported that it was pretty amazing what Mother Nature did at the City Park.

Alderman Kahrs. Steve Kahrs asked if there is a City Ordinance regarding joggers and walkers in the center of the road. Police Chief Davis there is an ordinance that joggers and walkers should be on sidewalks or trails when available, if not available they should go against the traffic. Alderman Kahrs said there is a problem on Dude Ranch Road especially around 8 AM. Chief Davis said that area would be monitored.

Alderman Rucker. Kevin Rucker questioned which budget line item the register heads and MIUs would be coded to. Assistant City Administrator Jeana Woods said she would give the City Clerk Department that information for the minutes. The budget item is 30-00-74300 Repair of System.

Alderman Olivarri. John Olivarri asked if we have a damage report from flood damage throughout the City. City Administrator stated there is not an actual report but she knew of damage to a restaurant and some property damage. He stated he had residents tell him of gravel on sidewalks, but knew with this much rain that would not be a high priority. He was also pleased with the sales tax figures.

Staff Communications.

City Administrator. Nancy Viselli stated the City received our 120-day notice that MoDOT will turn over existing Route 54 to the City. In accordance with the agreement, the City will provide a list to the Commission within 60 days of any maintenance problems requiring repair. Please let the City Engineer know if you would like to add anything to the list that requires repair. She stated she has given out info for the MML Conference to all those who have indicated they plan to attend.

City Attorney. Ed Rucker advised that there is a Judicial action regarding an additional \$3.00 court fee. Judge Washburn is aware of the fee and will follow orders of the court. Alderman Schmitt

stated that the City of Lake Ozark recently passed an Ordinance to start collecting the new court fee.

Police Department. Chief Davis stated that Camden County is currently assessing damage to see if we qualify for State of Emergency status.

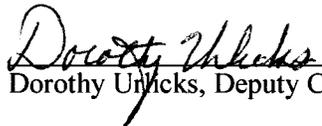
Assistant City Administrator. Jeana Woods reminded us that Fall Festival is at City Hall this year.

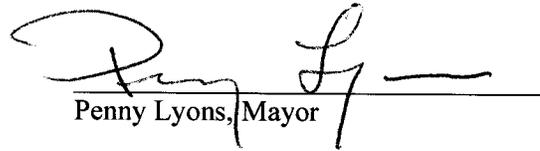
City Engineer. Nick Edelman appreciates the August weather this week for his vacation.

Airport Manager. Budd Hyde stated the Young Eagles event last Saturday had a nice turnout. They gave rides to 32 young people, which was a few more than last year and gave away 120 hot dogs.

There being no further business to come before the Board, the meeting adjourned at 6:57 p.m.

I, Dorothy Urlicks, Deputy 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 August 15, 2013.


Dorothy Urlicks, Deputy City Clerk


Penny Lyons, Mayor