

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

September 5, 2013

The Board of Aldermen of the City of Osage Beach, Missouri, met to conduct a regular meeting on Thursday, September 5, 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 Lois Farmer, Alderman Ron Schmitt, and Alderman Kevin Rucker. The City Clerk, Diann Warner was present and performed the duties of that office.

Mayor's Communications.

Representative Rocky Miller presented a resolution to Alderman Steve Kahrs from the House of Representatives recognizing Osage Catfisheries as the recipient of Missouri's 2012 Agricultural Exporter of the Year by the USDA Under Secretary for Farm and Foreign Ag Services and the Missouri Director of Agriculture.

Alderman Rucker presented Alderman Kahrs with a newspaper article announcing the award.

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 15, 2013, the bill list as submitted, a caterer's license to Woody's Inc. and AT&T Special Use Permit No. 368 to replace tower equipment on the City's existing water tower at 4870 Otis Drive in the Passover Road Corridor. Alderman Kahrs seconded the motion which was voted on and passed.

Alderman Rucker questioned whether the Board must continue to approve communication facilities on the City's water towers in light of the new legislation. City Attorney Ed Rucker explained that several municipalities filed a suit against the enforcement of the new bill. He added that once the court process is over it will likely go to the Supreme Court to decide if the bill is constitutional. Until then, the City will operate under the same regulations as before. Alderman Olivarri questioned whether the City should participate in the lawsuit. City Attorney Rucker responded he believed it was covered without the City's participation. Alderman Olivarri questioned whether all issues are addressed in Special Use Permit. City Planner Cary Patterson responded in the affirmative and stated that the City's consultant will conduct a final inspection when the upgrade is complete.

Unfinished Business.

None

New Business.

Bill No. 13.53. AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI TO AUTHORIZE THE MAYOR TO EXECUTE A CONTRACT WITH KEEPING CONDOS CLEAN FOR THE JANITORIAL SERVICES OF CITY HALL AND PUBLIC WORKS.

One bid was received from Keeping Condos Clean - \$18,500, City Hall and Additive #1 - \$3,500, for the Public Works facility.

The Building Department recommends awarding the contract for janitorial services at City Hall and Public Works to Keeping Condos Clean, in the total amount of \$22,000.00 annually. This is a budgeted item - (10-09-742000) for City Hall. The Public Works Additive will be split evenly between Sewer, Water and Transportation accounts.

Keeping Condos Clean has provided janitorial service to City Hall over the past year with excellent service and has proven to be responsive and responsible. The current base bid reflects the same amount as the previous year for City Hall (2012). Additionally, Keeping Condos Clean has included bids for 2014 and 2015 with no increase in price (\$18,500.00).

Mayor Lyons presented the first reading of Bill No. 13-53 by title only. It was noted that Bill No. 13-53 has been available for public review. Alderman Catcott moved to approve the first reading of Bill No. 13-53 as presented. Alderman Kahrs seconded the motion which was voted on and unanimously passed.

Mayor Lyons presented the second and final reading of Bill No. 13-53 by title only. Alderman Olivarri moved to approve the second and final reading of Bill No. 13-53. Alderman Kahrs seconded the motion. The following roll call vote was taken to approve the second reading of Bill No. 13-53 and to pass same into Ordinance: "Ayes": Alderman Farmer, Alderman Schmitt, Alderman Rucker, Alderman Catcott, Alderman Kahrs, Alderman Olivarri. "Nays": None. Bill No. 13-53 was passed and approved as Ordinance No. 13.53.

Bill No. 13-54. AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AUTHORIZING THE MAYOR TO AMEND OUR CITY CODE TO CONFORM TO A NEW STATE LAW SENATE BILL 99 WHICH LOWERS THE AGE AT WHICH A PERSON MAY SERVE AS ALDERMAN IN A CITY OF THE FOURTH CLASS FROM 21 TO 18 YEARS OF AGE.

City Attorney Edward Rucker recommended adoption. This brings our City Code into conformance with State law.

Mayor Lyons presented the first reading of Bill No. 13-54 by title only. It was noted that Bill No. 13-54 has been available for public review. Alderman Kahrs moved to approve the first reading of Bill No. 13-54 as presented. Alderman Schmitt seconded the motion which was voted on and unanimously passed.

Bill No. 13-55. AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO AGREEMENT FOR THE AWARD OF THE PROPOSED CONSTRUCTION CONTRACT NO. OB13-019 FOR THE CLEANING OF SWISS VILLAGE & COLUMBIA COLLEGE WATER TOWERS 2013 PROJECT

The following bids were received:

Caldwell Tanks, Inc.	\$77,700.00
Pittsburg Tank and Tower Maintenance	\$151,000.00
Utility Service Company, Inc.	\$48,000.00

The lowest bid from Utility Service Co. in the amount of \$48,000.00 excludes several necessary items, therefore the bid is considered to be unresponsive. Caldwell Tanks, Inc. is the apparent second low bidder with a bid amount of \$77,700. The Engineering Department has received favorable references for Caldwell Tanks, Inc., and recommends awarding the Cleaning of Swiss Village & Columbia College Water Towers 2013 project to Caldwell Tanks, Inc.

Funding for this project may be obtained from 30-00-774269 Tank & Well Improvements D&R with a budget balance of \$80,000.

Mayor Lyons presented the first reading of Bill No. 13-55 by title only. It was noted that Bill No. 13-55 has been available for public review. Alderman Rucker moved to approve the first reading of Bill No. 13-55 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. 13-55 by title only. Alderman Catcott moved to approve the second and final reading of Bill No. 13-55. Alderman Schmitt seconded the motion. The following roll call vote was taken to approve the second reading of Bill No. 13-55 and to pass same into Ordinance: "Ayes": Alderman Schmitt, Alderman Rucker, Alderman Catcott, Alderman Kahrs, Alderman Olivarri, Alderman Farmer. "Nays": None. Bill No. 13-55 was passed and approved as Ordinance No. 13.55.

City Council Authorization Form.

The form must be signed prior to the Police Department receiving any grant money from the Missouri Department of Transportation Highway Safety Division. The grant funds are used to pay officer overtime to enforce hazardous and impaired driving. The Police Department has participated in the program for the past several years.

Alderman Olivarri moved to approve the City Council Authorization form with the condition that the form is changed to Board of Aldermen Authorization Form. Alderman Catcott seconded the motion which was voted on and unanimously passed.

Extension of Billboard Lease.

City Administrator, Nancy Viselli explained that when she corresponded with Rich Martin of Lamar to place the Fall Festival information on the billboard, he asked if the City would be interested in extending our current agreement which expires October 6. She told him she would ask the Board, and then asked Rich if the Board is interested, could we just extend the current agreement on a month to month basis. Rich said they could, but it would require a new contract every month, and he suggested perhaps just extending it to the end of the year. Lamar will honor the same price (\$1500 per board per month vs. \$2500 per board per month that is their usual rate). This would cost the City an additional \$12,000 and run through January 26, 2014 (but the last month's bill would be paid in December 2013). Funds are available in account 10-21-773015 (Economic Development/OB Welcome Sign).

If the Board is interested, City Administrator Viselli will bring a contract with these dates to the September 19th Board meeting for approval with an ordinance.

Alderman Olivarri commented that he is not opposed to extending the contract but he would like to find a way to determine the value to businesses. Alderman Catcott stated that it shows support and is a positive message to the business community. Alderman Rucker said it would be difficult to

evaluate the benefit. Alderman Schmitt said the chances of seeing the advertisement is very small when travelling 60 mph across the bridge.

Suggestions were made to ask business owners at the Fall Festival if the signs have benefitted them and ask the Lake Sun to conduct a survey in the paper to get an idea whether they have been affected by advertising on the billboards.

Information will be brought to the Board for consideration at the next Board of Aldermen meeting on September 19.

Bid Award. Deicing Salt.

Bids were sent out for purchase of up to 600 tons of deicing salt, to be purchased as needed, for the upcoming 2013-14 winter season. Three bids were received as follows:

Morton Salt, Inc.	\$75.70 per ton
North American Salt	\$62.20 per ton
Cargill Deicing Technology	\$70.98 per ton

Staff recommends awarding the bid to the low bidder, North American Salt. Account 20-00-761600 – Chemicals.

Alderman Kahrs moved to award the bid to the low bidder, North American Salt in the amount of \$62.20 per ton as recommended. Alderman Schmitt seconded the motion which was voted on and unanimously passed.

Bill 13-56. AUTHORIZE MAYOR TO EXECUTE CONTRACT MODIFICATION WITH RADLUND CONSTRUCTION LLC TO ADD WINDOWS TO THE PUBLIC WORKS STORAGE BUILDING.

City Engineer Nick Edelman explained that the modification for the addition of two windows will help bring natural sunlight into the building. This ordinance will approve additional work at the Public Works Storage Building in the amount of \$396.78. Funding for this project may be obtained from 20-00-773207 Storage Building with a budget balance of \$45,000. The additional funds required to complete this project are available from unrestricted funds in the Transportation Fund which has a balance of \$348,651 for Fiscal Year 2013.

Mayor Lyons presented the first reading of Bill No. 13-56 by title only. It was noted that Bill No. 13-56 has been available for public review. Alderman Olivarri moved to approve the first reading of Bill No. 13-56 as presented. Alderman Rucker seconded the motion which was voted on and unanimously passed.

Mayor Lyons presented the second and final reading of Bill No. 13-56 by title only. Alderman Olivarri moved to approve the second and final reading of Bill No. 13-56. Alderman Catcott seconded the motion. The following roll call vote was taken to approve the second reading of Bill No. 13-56 and to pass same into Ordinance: "Ayes": Alderman Rucker, Alderman Kahrs, Alderman Olivarri, Alderman Farmer, Alderman Schmitt, Alderman Catcott. "Nays": None. Bill No. 13-56 was passed and approved as Ordinance No. 13.56.

Communication from Board Members.

Alderman Farmer. City Administrator Nancy Viselli read a letter of resignation on behalf of Lois Farmer.

Mayor. Mayor Lyons presented Alderman Lois Farmer with a Resolution of Appreciation and a plaque thanking her for her service to the City. A copy of the resolution is attached and becomes a part of these minutes.

Alderman Farmer announced that she is moving to Illinois to be closer to her family. She said she has been lucky to serve the City and that the City is lucky to have current employees.

Alderman Schmitt. Ron Schmitt reported on an event that happened this day in history.

Alderman Catcott. Fred Catcott reported that last weekend was great for the area and he thanked the police department for keeping everyone safe.

Alderman Kahrs. Steve Kahrs announced that it has been a pleasure serving with Alderman Farmer and he has appreciated her service to the City. He reported that the Shootout had a huge impact on the community last weekend and this is the type of event the City should promote.

Alderman Rucker. Kevin Rucker congratulated the Kahrs family on the award.

Alderman Olivarri. John Olivarri said that Alderman Farmer would be missed and he appreciated her service and serving with her. He reported that a CVB meeting will be held in the near future to evaluate alternate funding for tourism advertisement. Alderman Olivarri extended an invitation to other elected officials to attend the meeting. He will announce the time and date of the meeting later.

Staff Communications.

City Attorney. Ed Rucker congratulated Aldermen Farmer and Kahrs.

City Clerk. Diann Warner congratulated Alderman Kahrs and wished Lois Farmer the best for the future. She also said she was glad to be back to work.

City Planner. Cary Patterson congratulated Alderman Kahrs and he said he would miss Lois. He reported that he and Lieutenant O'Day would be attending the Camden County Leadership training together.

City Treasurer. Karri Bell thanked Lois for the many years of support.

Assistant City Administrator. Jeana Woods said she would miss Lois and she congratulated Alderman Kahrs. She announced that the Fall Festival is full and she has had to turn vendors away.

City Engineer. Nick Edelman thanked Lois for her years of service.

Parks Manager. Brian Willey thanked Lois and expressed his appreciation to Alderman Kahrs for his help with the pond at the City park. He also updated the Board on the progress at the Osage

Beach City Park since the flooding that caused the damage a few weeks ago. FEMA inspected the damage and Senator Blunt and Senator McCaskill wrote letters to the President asking him to look at the situation. Mr. Willey said the insurance adjuster will contact the City about what is and is not covered by insurance. It was noted that the pond must be drained and funding to repair the park will be discussed during budget discussions.

Building Department. Ron White reported that the lower level office for the Highway Patrol was completed on September 1st and they are pleased with the office.

Airport Manager. Budd Hyde reported that the small plane that crashed took off during a storm but the pilot and passenger were safe.

EXECUTIVE SESSION. Alderman Olivarri 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 Schmitt seconded the motion. The following roll call vote was taken to close the meeting: "Ayes:" Alderman Kahrs, Alderman Olivarri, Alderman Farmer, Alderman Schmitt, Alderman Rucker, Alderman Catcott. "Nays": None. The meeting was therefore closed.

CLOSED SESSION

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

Alderman Olivarri moved to create three (3) new positions as follows:

Public Works Director; Assistant City Engineer and Public Works Supervisor with the appropriate grades; further, that Nick Edelman be promoted to the position of Public Works Director. Alderman Kahrs seconded the motion which was voted on and unanimously passed.

There being no further business to come before the Board, the meeting adjourned at 7:45 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 September 5, 2013.


Diann Warner, City Clerk


Penny Lyons, Mayor

A P P R O V E D
9/19/13
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