



CITY OF OSAGE BEACH
BOARD OF ALDERMEN MEETING

1000 City Parkway
Osage Beach, MO 65065
573/302-2000 FAX 573/302-0528
Email: www.osagebeach.org

OPEN MEETING

TENTATIVE AGENDA
REGULAR MEETING
November 21, 2013 – 6:30 P.M.
CITY HALL

******* Note: Make sure that your cell phone is turned off or on a silent tone only. Please sign the attendance sheet located at the podium if you desire to address the Board.**

CALL TO ORDER
Pledge of Allegiance
Roll Call

MAYOR'S COMMUNICATIONS

CITIZENS' COMMUNICATIONS

- This is a time set aside on the agenda for citizens and visitors to address the Mayor and Board on any topic that is not a public hearing. The Board will not take action on any item not listed on the agenda, but the Mayor and Board welcome and value input and feedback from the public. Speakers will be restricted to three minutes unless otherwise permitted. Minutes may not be donated or transferred from one speaker to another.

APPROVAL OF CONSENT AGENDA

If the Board desires, the consent agenda may be approved by a single motion.

- Minutes of 11/07/2013 (Page 01)
- Bills List (Page 07)
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UNFINISHED BUSINESS

- A. Bill No. 13-69. Banking Services Contract. Second Reading (Page 18)

NEW BUSINESS

- A. Bill No. 13-72. 2013 Budget Amendment. First and Second Readings (Page 20)
- B. Bill No. 13-73. Authorize Contract with State of Missouri for the Missouri Veterans Commission's Use of Space in the Lower Level of City Hall. First and Second Readings (Page 23)
- C. Appointments to the Planning Commission. (Page 30)
- D. Request to Reschedule January 2014 Board of Aldermen Meetings (Page 32)
- E. Review Draft Letter to Representative Rocky Miller Discussing the Wireless Communications Legislation (Page 33)

COMMUNICATIONS FROM MEMBERS OF THE BOARD OF ALDERMEN

STAFF COMMUNICATIONS

ADJOURN

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

November 7, 2013

The Board of Aldermen of the City of Osage Beach, Missouri, met to conduct a regular meeting on Thursday, November 7, 2013, at 6:30 p.m. at City Hall. The following were present: Mayor Penny Lyons, Alderman Fred Catcott, Alderman Michelle Myler, Alderman John Olivarri, Alderman Ron Schmitt, and Alderman Kevin Rucker. Alderman Steve Kahrs was absent. The City Clerk, Diann Warner was present and performed the duties of that office.

Mayor's Communications.

Mayor Lyons reported that City Hall will be closed on Monday in observance of Veterans Day. She noted that there are nineteen City employees who have served in our military. This includes Alderman Schmitt and Alderman Catcott. Veterans currently serve in the Police Department, Public Works, at both Airports, Ambulance Department, Communications, Parks and the IT Department. Mayor Lyons said that Alderman Michelle Myler has a son in the service. She urged everyone to recognize these employees and others in the community who have served our country. Mayor Lyons thanked everyone for serving and stated that "we're glad to have you as City employees".

Citizens Communications.

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

Consent Agenda.

Alderman Olivarri moved to approve the consent agenda which includes minutes of the regular meeting held on October 17, 2013, the bill list as submitted and a liquor license for Heroes Sports Saloon, LLC. Alderman Rucker seconded the motion which was voted on and unanimously passed.

Unfinished Business.

Bill No. 13-67. AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, ACCEPTING A PORTION OF PARKWOOD CIRCLE AS A CITY STREET AS DESCRIBED IN SECTION 1.

Mayor Lyons presented the second and final reading of Bill No. 13-67 by title only. Alderman Catcott moved to approve the second and final reading of Bill No. 13-67. Alderman Schmitt seconded the motion. The following roll call vote was taken to approve the second reading of Bill No. 13-67 and to pass same into Ordinance: "Ayes": Alderman Myler, Alderman Catcott, Alderman Olivarri, Alderman Schmitt, Alderman Rucker. "Nays": None. "Absent": Alderman Kahrs. Bill No. 13-67 was passed and approved as Ordinance No. 13.67.

New Business.

Discussion of SB 331 Relating to Telecommunications Towers.

Representative Rocky Miller was present and said he had received correspondence from the City stating the same concerns MML had that the legislation was overreaching and would eliminate the City's ability to regulate cell towers. He said that HB 345 removed some of the language that was concerning to the City, however he believes there is sufficient protection to cities to regulate the towers. City Attorney Ed Rucker said attorneys do not believe HB 345 gives adequate coverage and the City wants to be sure the City continues to have the ability to regulate towers. He offered to write language that would help the City. Representative Miller said he wants broad band coverage and internet access to everyone but he wants to make sure that Osage Beach maintains the ability to regulate towers.

Alderman Olivarri said that the existing ordinance allows the City to regulate fees which are used to pay the consultants who review wireless applications. Alderman Olivarri added that he realizes rural communities need service but he did not want the City to be harmed in the process since the current ordinance has worked for the City and for communications companies. City Planner Patterson said only one new tower has been erected in the last eight years in Osage Beach.

Representative Miller said the intent of the legislation was to try to regulate certain towns without codes. He solicited the City's help in writing language that would help the City.

Bill No. 13-69. AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT FOR BANKING SERVICES WITH CENTRAL BANK OF LAKE OF THE OZARKS.

City Treasurer Karri Bell explained that she thoroughly prepared fair and inclusive Bid Specifications designed to attract any bank located within the city limits of Osage Beach that could meet the City's banking needs. Responses were received from Central Bank of Lake of the Ozarks and from U.S. Bank.

This contract is for a period of four (4) years starting January 1, 2014 with the ability of either party to cancel at the end of each annual period upon ninety (90) days written notice. The contract allows for extension(s) after the four (4) year period.

Although minimal, the City does pay an estimated \$135 annually for Electronic Funds Transfer (EFT) transaction fees associated with payroll and utility payments. This is a pass through expense and not a banking expense. Funding for this expense is coded to Account #10-13-733440, Financial Services.

The City Treasurer recommended approval of Bill 13-69 authorizing the Mayor to execute the contract.

Mayor Lyons presented the first reading of Bill No. 13-69 by title only. It was noted that Bill No. 13-69 has been available for public review. Alderman Schmitt moved to approve the first reading

of Bill No. 13-69 as presented. Alderman Catcott seconded the motion which was voted on and passed.

Bill No. 13-70. AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, APPROVING THE INSTALLATION OF ONE STREET LIGHT TO BE LOCATED ON COVE ROAD NEAR GERKEN LANE AND ACCEPTANCE INTO CITY INVENTORY

Public Works Director Nick Edelman explained that appropriate documents have been submitted and the residents wish to have a street light installed on Cove Road near the intersection with Gerken Lane. Mr. Edelman said there is no cost to install the light but the monthly electric bill will be between \$13 and \$14 which the City will pay. The light will be installed on one of the new poles.

The Public Works Department recommended installing a street light in this area as requested.

Mayor Lyons presented the first reading of Bill No. 13-70 by title only. It was noted that Bill No. 13-70 has been available for public review. Alderman Myler moved to approve the first reading of Bill No. 13-70 as presented. Alderman Schmitt seconded the motion which was voted on and passed.

Mayor Lyons presented the second and final reading of Bill No. 13-70 by title only. Alderman Rucker moved to approve the second and final reading of Bill No. 13-70. Alderman Schmitt seconded the motion. The following roll call vote was taken to approve the second reading of Bill No. 13-70 and to pass same into Ordinance: "Ayes": Alderman Olivarri, Alderman Schmitt, Alderman Myler, Alderman Rucker, Alderman Catcott. "Nays": None. "Absent": Alderman Kahrs. Bill No. 13-70 was passed and approved as Ordinance No. 13.70.

Bill No. 13-71. AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AMENDING ORDINANCE NO. 12.39 ADOPTING THE 2013 ANNUAL BUDGET, ALLOCATION OF ADDITIONAL FUNDS FOR NECESSARY EXPENSES.

Public Works Director Nick Edelman explained that the pavement marking project was anticipated to be completed in 2012. Bill 13-71 allocates additional funds to complete this project. Mr. Edelman recommended approval.

Mayor Lyons presented the first reading of Bill No. 13-71 by title only. It was noted that Bill No. 13-71 has been available for public review. Alderman Rucker moved to approve the first reading of Bill No. 13-71 as presented. Alderman Catcott seconded the motion which was voted on and passed.

Mayor Lyons presented the second and final reading of Bill No. 13-71 by title only. Alderman Schmitt moved to approve the second and final reading of Bill No. 13-71. Alderman Myler seconded the motion. The following roll call vote was taken to approve the second reading of Bill No. 13-71 and to pass same into Ordinance: "Ayes": Alderman Schmitt, Alderman Myler, Alderman Rucker, Alderman Catcott, Alderman Olivarri. "Nays": None. "Absent": Alderman Kahrs. Bill No. 13-71 was passed and approved as Ordinance No. 13.71.

Other Services Offered by Central Bank of Lake of the Ozarks.

City Treasurer Karri Bell explained that as part of their banking services proposal, Central Bank offers an option of an Automated Accounts Payable System for payments to vendors. One of the many benefits was a revenue share estimated \$12,600 per year. For APSolutions to provide the City with a proposal/agreement the City will provide Central Bank with a list of vendors currently doing business with the City. APSolutions will cross reference against their list of 400,000 vendors that are already participating. Vendors that are not currently participating will be sent a letter from the City (language approved by the City) asking them to participate. If there is no response a follow-up phone call will be made. City vendors will not be required to participate in this program. City Treasurer Bell said this would streamline the process and reduce the chance of fraud through lost checks.

No action is necessary by the Board at this time. City Attorney Rucker said that the bank will be sent a list of vendors and before entering a contract the Board will be notified.

Authorize Purchase of Register Heads for Water System.

Public Works Director Nick Edelman said this purchase is for 43 Register Heads (40 – 5/8”, 1 – 2”, & 2 – 1 1/2”) – Total \$6,987.50, to be purchased for replacements in the existing water system. Neptune is the only brand the City uses in our system and Schultz is the supplier. Account 30-00-743300 Repair of System. A budget amendment will be submitted if necessary for this expenditure.

Alderman Olivarri moved to authorize the purchase of register heads for the water system in the amount of \$6,987.50 as recommended. Alderman Schmitt seconded the motion which was voted on and passed.

Ratify City Mission Statement.

City Administrator Nancy Viselli explained that in reviewing this document for placement in the 2014 Budget, it was noted that a change needed to be made showing Alderman Myler replacing Alderman Farmer. An updated copy of the Mission Statement is attached. So that all City staff may have an original document, copies will be distributed for each elected official to sign.

Alderman Olivarri moved to ratify the City’s Mission Statement. Alderman Schmitt seconded the motion which was voted on and passed.

Authorize Purchase of 2013 John Deere Gator 4x4.

Park Manager Brian Willey explained that the Parks Department recommends purchasing the John Deere XUV 550 S4 Gator in the amount of \$8,250.00 from Donald Farm & Home in Lebanon, Missouri. Funds are available from insurance proceeds from storm damage losses at the Osage Beach City Park in August. The Parks Department lost a total of three vehicles including the mini truck. This John Deere Gator will replace that vehicle. It will be used for various purposes within the parks to move materials, tools and pick up trash.

City Administrator Nancy Viselli explained that as discussed at the Budget Workshop on November 4th, by purchasing this vehicle now, the City will save approximately \$900 rather than waiting until January. Insurance proceeds have been received by the City and will be used to purchase this vehicle.

Alderman Olivarri moved to authorize the purchase of a 2013 John Deere Gator 4x4 in the amount of \$8,250 as recommended. Alderman Catcott seconded the motion which was voted on and passed.

Authorize Purchase of Meter Pits, Setters, and other Equipment.

Public Works Director Nick Edelman explained that this purchase request is for the following items for new water service for two new developments currently under construction plus a few parts for inventory. Winwater is the supplier of the pits, setters, etc. that are used with our Neptune meters.

21 -2x1 Ys	\$1,958.25
21 -Inline Shut Off	\$6,916.14
22 -2 Tees	\$4,714.60
36 -Meter Pits	\$4,860.00
12 -Setters	\$2,256.00
24 -3/4" Regulators	\$2,352.00
2 -1 1/2" Regulators	\$ 549.84
6 -2" Couplers	\$ 471.54
50 -Stiffeners	\$ 111.50
200 ft. 1" Pipe Blue	\$ 76.00
100 ft. 2" Pipe Blue	\$ 110.00
TOTAL PURCHASE	\$24,375.87

Account 30-00-773133 Water Hook Ups. A budget amendment will be submitted if necessary.

Alderman Myler moved to authorize the purchase of equipment for connecting new water customers in the amount of \$24,375.87. Alderman Schmitt seconded the motion which was voted on and passed.

Communication from Board Members.

Alderman Catcott. Fred Catcott thanked all Veterans for their service and he commented that the electronic billboards on the bridge look great.

Alderman Rucker. Alderman Rucker stated there is a program for hiring Veterans that the City could participate in that would pay a portion of the salary while the individual is training. City Administrator Viselli said she would look into this program.

Staff Communications.

City Attorney. Ed Rucker reported that he had been asked by Alderman Rucker to review HB 34 that affects how prevailing wage is paid. He learned that HB 34 only applies to third and fourth class counties and will not affect the City directly.

City Clerk. Diann Warner reported that there are five Thursdays in January. She asked the Board if they wanted to change the dates of the Board meetings to January 9 and January 23. This item will be placed on the agenda for the next Board meeting for consideration. She also reminded elected officials of the Camdenton Chamber of Commerce Annual Dinner that will be held on November 14 at Tan-Tar-A.

There being no further business to come before the Board, the meeting adjourned at 7:25 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 November 7, 2013.

Diann Warner, City Clerk

Penny Lyons, Mayor

000007

**CITY OF OSAGE BEACH
BILLS LIST
November 21, 2013**

Bills Paid Prior to Board Meeting	99,849.11
Payroll Paid Prior to Board Meeting	114,724.74
SRF Transfer Prior to Board Meeting	0.00
TIF Transfer Prewitt's Pt	0.00
TIF Transfer Dierbergs	0.00
Bills Pending Board Approval	143,164.73
Total Expenses	<u>357,738.58</u>

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	000008	AMOUNT
NON-DEPARTMENTAL	General Fund	MO DEPT OF REVENUE	CVC COLLECTIONS		834.21
		MO DEPT OF REVENUE	State Withholding		3,664.76
		MO TREASURER BUDGET DIRECTOR	PEACE OFFCR STNDRDS/TRAINI		117.00
		INTERNAL REVENUE SERVICE	Fed WH		11,442.49
			FICA		6,882.84
			Medicare		1,609.65
		ICMA	Retirment 457 &		286.16
			Retirement 457		781.99
			Loan Repayments		1,056.06
			Loan Repayments		910.05
			401 Loan Payment		285.38
			401 Loan Payment		382.74
			Loan Repayments		362.79
			Loan Repayments		373.22
			Loan Repayments		242.25
			Loan Repayments		372.42
			Retirment Roth IRA %		55.35
			Retirement Roth IRA		190.00
		CITIZENS AGAINST DOMESTIC VIOLENCE	CADV COLLECTIONS		236.00
		JP MORGAN CHASE BANK	HSA Contribution		25.00
			HSA Family/Dep. Contributi		1,672.75
		ONE TIME VENDOR	Bond Refund:121297460-01		200.00
			Bond Refund:121298745-01		76.00
			Bond Refund:246 -01		250.00
			TOTAL:		32,309.11
Mayor & Board	General Fund	CAMDENTON AREA CHAMBER OF COMMERCE	CAMDENTON CHAMBER DINNER		25.00
			TOTAL:		25.00
City Administrator	General Fund	INTERNAL REVENUE SERVICE	FICA		425.79
			Medicare		99.58
		ICMA	Retirement 401		424.79
		CAMDENTON AREA CHAMBER OF COMMERCE	CAMDENTON CHAMBER DINNER		200.00
		AT & T MOBILITY-CELLS	CITY ADMIN CELL PHONE		33.51
		JP MORGAN CHASE BANK	HSA Family/Dep. Contributi		147.84
			TOTAL:		1,331.51
City Clerk	General Fund	INTERNAL REVENUE SERVICE	FICA		335.22
			Medicare		78.39
		ICMA	Retirement 401		304.18
		JP MORGAN CHASE BANK	HSA Family/Dep. Contributi		225.00
			TOTAL:		942.79
City Treasurer	General Fund	INTERNAL REVENUE SERVICE	FICA		474.90
			Medicare		111.07
		ICMA	Retirement 401		469.48
		JP MORGAN CHASE BANK	HSA Family/Dep. Contributi		225.00
			TOTAL:		1,280.45
Municipal Court	General Fund	INTERNAL REVENUE SERVICE	FICA		95.23
			Medicare		22.27
		ICMA	Retirement 401		92.76
			TOTAL:		210.26
City Attorney	General Fund	INTERNAL REVENUE SERVICE	FICA		289.95
			Medicare		67.81

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	000009	AMOUNT
		ICMA	Retirement 401		283.81
		JP MORGAN CHASE BANK	HSA Family/Dep. Contributi		75.00
			TOTAL:		716.57
Building Inspection	General Fund	INTERNAL REVENUE SERVICE	FICA		318.71
			Medicare		74.53
		ICMA	Retirement 401		319.56
		AT & T MOBILITY-CELLS	BLDG CELL PHONE		103.72
		JP MORGAN CHASE BANK	HSA Family/Dep. Contributi		225.00
			TOTAL:		1,041.52
Building Maintenance	General Fund	ALLIED WASTE SERVICES #435	CITY HALL OCT TRASH SERVIC		116.24
			TOTAL:		116.24
Parks	General Fund	FLEET ONE	PARKS FUEL		39.05
		ALLIED WASTE SERVICES #435	PARK DEPT OCT TRASH SERVIC		44.45
		INTERNAL REVENUE SERVICE	FICA		279.61
			Medicare		65.38
		ICMA	Retirement 401		229.83
		AT & T MOBILITY-CELLS	PARK CELL PHONE		31.43
		JP MORGAN CHASE BANK	HSA Contribution		37.50
			HSA Family/Dep. Contributi		150.00
		WCA WASTE CORPORATION	FINAL PULL		10.00
		WILLIAM R CASSIDY DBA	FISHING DERBY		1,000.00
		DONALD FARM & LAWN	JOHN DEERE XUV 550 S4 GATO		8,250.00
			TOTAL:		10,137.25
Human Resources	General Fund	INTERNAL REVENUE SERVICE	FICA		121.95
			Medicare		28.52
		ICMA	Retirement 401		121.46
		KRISTINA PRICE DBA	HEALTH FAIR MASSAGES		240.00
		TOWNSEND, HAROLD	HEALTH FAIR REFLEXOLOGY		240.00
		JP MORGAN CHASE BANK	HSA Family/Dep. Contributi		75.00
		ONE TIME VENDOR TAMMY RONEY	HEALTH FAIR MASSAGES		240.00
			TOTAL:		1,066.93
Police	General Fund	FLEET ONE	PUBLIC SAFETY FUEL		1,342.35
			PUBLIC SAFETY CAR WASH		66.00
		MO POLICE CHIEFS ASSC	ANNUAL CONFERENCE -T DAVIS		175.00
			ANNUAL CONFERENCE - M O'DA		175.00
		INTERNAL REVENUE SERVICE	FICA		2,870.39
			Medicare		671.26
		ICMA	Retirement 401		2,809.84
		FORD, SAM	NAPWDA TRAINING REIMB		30.76
		AT & T MOBILITY-CELLS	POLICE DEPT CELL PHONES		165.39
		JP MORGAN CHASE BANK	HSA Contribution		150.00
			HSA Family/Dep. Contributi		1,275.00
			TOTAL:		9,730.99
911 Center	General Fund	INTERNAL REVENUE SERVICE	FICA		731.37
			Medicare		171.04
		ICMA	Retirement 401		743.26
		JP MORGAN CHASE BANK	HSA Contribution		112.50
			HSA Family/Dep. Contributi		300.00
			TOTAL:		2,058.17

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	000010	AMOUNT			
Planning	General Fund	INTERNAL REVENUE SERVICE	FICA		265.57			
			Medicare		62.11			
			ICMA	Retirement 401	260.87			
			CHATHAM, ROBERT	FUEL REIMB	48.65			
			AT & T MOBILITY-CELLS	PLANNER CELL PHONE	23.57			
			JP MORGAN CHASE BANK	HSA Contribution	37.50			
				HSA Family/Dep. Contributi	75.00			
				TOTAL:	773.27			
			Engineering	General Fund	INTERNAL REVENUE SERVICE	FICA		369.63
						Medicare		86.46
ICMA	Retirement 401	363.30						
AT & T MOBILITY-CELLS	ENG DEPT CELL PHONES	125.72						
JP MORGAN CHASE BANK	HSA Contribution	37.50						
	HSA Family/Dep. Contributi	150.00						
	TOTAL:	1,132.61						
Information Technology	General Fund	INTERNAL REVENUE SERVICE				FICA		304.52
			Medicare		71.22			
			ICMA	Retirement 401	295.69			
			AT&T INTERNET/IP SERVICES	SERVICE 10/19-11/18/13	807.45			
			AT & T /EMSGTWY_SBC	SEP SERVICE	141.07			
			CHARTER BUSINESS	NOV SERVICE	207.00			
			AT & T MOBILITY-CELLS	IT DEPT CELL PHONE	194.57			
			VERIZON WIRELESS	SERV 10/22-11/22/13	80.02			
			JP MORGAN CHASE BANK	HSA Contribution	37.50			
				TOTAL:	2,139.04			
			NON-DEPARTMENTAL	Transportation	MO DEPT OF REVENUE INTERNAL REVENUE SERVICE	State Withholding		344.31
Fed WH		1,017.79						
FICA		625.59						
Medicare		146.30						
ICMA	Retirement 457	85.30						
	Loan Repayments	60.91						
	401 Loan Payment	16.89						
	401 Loan Payment	0.95						
	Loan Repayments	0.95						
	Loan Repayments	1.43						
	Retirment Roth IRA %	0.54						
	Retirement Roth IRA	25.00						
	HSA Contribution	20.00						
	HSA Family/Dep. Contributi	25.52						
	TOTAL:	2,371.48						
Transportation	Transportation	FLEET ONE ALLIED WASTE SERVICES #435 AMEREN MISSOURI WATERMAN, RANDY INTERNAL REVENUE SERVICE				TRANS FUEL		431.41
						TRASH SERVICES STREET DEPT		38.75
			KK DR LTG PALISADES COMMON		110.02			
			SAFETY BOOTS		128.66			
			FICA		625.59			
			Medicare		146.30			
			ICMA	Retirement 401	629.81			
			CAMDEN COUNTY RECORDER OF DEEDS	RECORD EASEMENT - SUNSET D	30.00			
			JP MORGAN CHASE BANK	HSA Contribution	37.50			
				HSA Family/Dep. Contributi	250.46			
				TOTAL:	2,428.50			

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	000011	AMOUNT
NON-DEPARTMENTAL	Water Fund	MO DEPT OF REVENUE	State Withholding		231.68
		INTERNAL REVENUE SERVICE	Fed WH		778.19
			FICA		528.09
			Medicare		123.50
		ICMA	Retirement 457		97.80
			Loan Repayments		47.69
			401 Loan Payment		41.08
			401 Loan Payment		0.97
			Loan Repayments		69.03
			Loan Repayments		1.45
			Retirment Roth IRA %		0.55
			Retirement Roth IRA		12.50
		JP MORGAN CHASE BANK	HSA Family/Dep. Contributi		40.53
		ONE TIME VENDOR LAKE CLEANING & REST	01-5250-02		19.00
		BRISTOW, THOMAS	04-0410-00		91.91
		KRAMER, RONALD	05-2470-00		40.78
			TOTAL:		2,124.75
Water	Water Fund	AMEREN MISSOURI	WELL #2 LK RD 54-59		1,348.40
			SWISS VILLAGE WELL		1,440.34
		FLEET ONE	WATER FUEL		369.16
		ALLIED WASTE SERVICES #435	TRASH SERVICES WATER DEPT		38.74
		INTERNAL REVENUE SERVICE	FICA		528.10
			Medicare		123.50
		ICMA	Retirement 401		486.15
		BRIZENDINE, TERRY	MILEAGE REIMB 0918-10/29/1		27.12
		DUNHAM, LOYD	MILEAGE REIMB 10/30-11/05/		77.97
		AT & T MOBILITY-CELLS	WATER DEPT CELL PHONES		63.11
		DOLLISON, JOE	MPR TRAINING EXPENSES		137.27
		JP MORGAN CHASE BANK	HSA Contribution		37.50
			HSA Family/Dep. Contributi		286.97
			TOTAL:		4,964.33
NON-DEPARTMENTAL	Sewer Fund	MO DEPT OF REVENUE	State Withholding		235.25
		INTERNAL REVENUE SERVICE	Fed WH		804.08
			FICA		550.84
			Medicare		128.83
		ICMA	Retirement 457		118.10
			Loan Repayments		13.68
			Loan Repayments		57.39
			401 Loan Payment		74.35
			401 Loan Payment		67.48
			Loan Repayments		13.54
			Loan Repayments		1.45
			Retirment Roth IRA %		0.55
			Retirement Roth IRA		12.50
		JP MORGAN CHASE BANK	HSA Contribution		17.50
			HSA Family/Dep. Contributi		0.53
			TOTAL:		2,096.07
Sewer	Sewer Fund	AMEREN MISSOURI	AMEREN MISSOURI		4,177.10
			GRINDER PUMPS & LIFT STATI		4,822.38
		FLEET ONE	SEWER FUEL		272.88
		ALLIED WASTE SERVICES #435	TRASH SERVICES SEWER DEPT		38.75
		AMEREN MISSOURI	709 MALIBU RD SECOND METER		19.38
		INTERNAL REVENUE SERVICE	FICA		550.83

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	000012	AMOUNT
			Medicare		128.84
		ICMA	Retirement 401		552.98
		PEDROLA, TOM	MILEAGE REIMB 10/30-11/05/		51.18
		AT & T MOBILITY-CELLS	SEWER DEPT CELL PHONES		39.29
		EARP, NATHAN	MPR TRAINING EXPENSES		149.13
		STARK, CHAD	MPR TRAINING EXPENSES		149.13
		JP MORGAN CHASE BANK	HSA Contribution		37.50
			HSA Family/Dep. Contributi		289.73
		NEIMAN, ROB	MILEAGE REIMB 10/23-10/29/		51.52
			TOTAL:		11,330.62
NON-DEPARTMENTAL	Ambulance Fund	MO DEPT OF REVENUE	State Withholding		402.00
		INTERNAL REVENUE SERVICE	Fed WH		1,085.96
			FICA		778.49
			Medicare		182.07
		ICMA	Loan Repayments		62.73
		JP MORGAN CHASE BANK	HSA Family/Dep. Contributi		62.50
			TOTAL:		2,573.75
Ambulance	Ambulance Fund	FLEET ONE	AMB FUEL		75.81
		INTERNAL REVENUE SERVICE	FICA		778.49
			Medicare		182.07
		ICMA	Retirement 401		639.96
		AT & T MOBILITY-CELLS	AMB DEPT CELL PHONES		93.96
		AMBULANCE REIMBURSEMENT SYSTEMS INC	AMBULANCE BILLING		1,280.55
		JP MORGAN CHASE BANK	HSA Family/Dep. Contributi		375.00
			TOTAL:		3,425.84
NON-DEPARTMENTAL	Lee C. Fine Airpor	MO DEPT OF REVENUE	State Withholding		72.60
		INTERNAL REVENUE SERVICE	Fed WH		292.61
			FICA		248.38
			Medicare		58.09
		ICMA	Retirment 457 &		122.71
			TOTAL:		794.39
Lee C. Fine Airport	Lee C. Fine Airpor	ALLIED WASTE SERVICES #435	LCF AIRPORT OCT TRASH SERV		56.26
		AMEREN MISSOURI	LO STATE PARK LOCALZR		27.49
			AIRPORT FIREHOUSE		31.55
			LCF AIRPORT HANGAR		84.73
			LCF AIRPORT HANGAR		116.30
		INTERNAL REVENUE SERVICE	FICA		248.38
			Medicare		58.09
		ICMA	Retirement 401		223.99
		JP MORGAN CHASE BANK	HSA Contribution		60.00
			HSA Family/Dep. Contributi		150.00
			TOTAL:		1,056.79
NON-DEPARTMENTAL	Grand Glaize Airpo	MO DEPT OF REVENUE	State Withholding		80.40
		INTERNAL REVENUE SERVICE	Fed WH		305.91
			FICA		200.94
			Medicare		47.00
		ICMA	Retirment 457 &		81.81
			TOTAL:		716.06
Grand Glaize Airport	Grand Glaize Airpo	CITY OF OSAGE BEACH	OCT UTILITY SERVICE		35.21
		ALLIED WASTE SERVICES #435	OCT TRASH SERVICE		56.26

000013

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
		AMEREN MISSOURI	GG AIRPORT HANGAR	42.72
			AIRPORT RD HWY 54	213.66
			GG AIRPORT SHOP	22.78
			957 AIRPORT RD	10.37
			TBLC EXT D GG AIRPORT	16.65
			GG AIRPORT HANGAR	19.97
			GG AIRPORT SLEEPY	11.36
		INTERNAL REVENUE SERVICE	FICA	200.94
			Medicare	47.00
		ICMA	Retirement 401	187.90
		JP MORGAN CHASE BANK	HSA Contribution	15.00
			HSA Family/Dep. Contributi	75.00
			TOTAL:	954.82

===== FUND TOTALS =====

10	General Fund	65,011.71
20	Transportation	4,799.98
30	Water Fund	7,089.08
35	Sewer Fund	13,426.69
40	Ambulance Fund	5,999.59
45	Lee C. Fine Airport Fund	1,851.18
47	Grand Glaize Airport Fund	1,670.88

GRAND TOTAL: 99,849.11

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	000014	AMOUNT
NON-DEPARTMENTAL	General Fund	CENTER FOR MUNICIPAL SOLUTIONS	HWY 54 & LK RD 4G LTE		1,900.00
			5715 HWY 54 MOD		225.00
			TOTAL:		2,125.00
City Administrator	General Fund	BANKCARD CENTER 3374	MONTHLY PLANNER, PENS		25.19
			TOTAL:		25.19
Municipal Court	General Fund	WASHBURN, WILLIAM F	MUNICIPAL COURT JUDGE NOV		1,763.17
			TOTAL:		1,763.17
City Attorney	General Fund	WEST	SEP INFORMATION CHARGES		237.64
			TOTAL:		237.64
Building Inspection	General Fund	FLEET ONE	BLDG DEPT FUEL		52.58
			TOTAL:		52.58
Building Maintenance	General Fund	GB MAINTENANCE SUPPLY	FLEXI-SHEEN		33.95
		CONSOLIDATED ELECTRICAL DISTR, INC	LIGHT FIXTURE		74.50
			COMPACT FLR LMPS		51.00
		PRAIRIEFIRE COFFEE & ROASTERS	COFFEE, HOT COCO		225.45
			WATER COOLER RENTAL		38.51
		LAKE RECHARGE & FIRE EQUIPMENT LLC	CK FIRE EXT, SPRNKLRS, BCK		711.50
		KEEPING CONDOS CLEAN	NOV JANITORIAL SERV CITY H		1,541.67
		STAPLES ADVANTAGE	PAPER TOWELS		66.54
		ARMSTRONG HEATING & COOLING	EXHAUST MOTORS REPAIRED		2,127.15
			TOTAL:		4,870.27
Parks	General Fund	FLEET ONE	PARKS FUEL		110.69
			PARKS FUEL		52.04
		PAUL'S CASH SAVER #602	BAGS, FOIL, SANITIZER, ICE		53.15
			WET WIPES, TURKEY PAN		13.78
		HEDRICK MOTIV WERKS LLC	EST FLOOD DAMAGE PARK F250		52.50
			STARTER REPAIR PARK IMCO T		277.11
			TOTAL:		559.27
Human Resources	General Fund	BANKCARD CENTER 3333	VISA GIFT CARDS		758.85
		PAUL'S CASH SAVER #602	SOS PADS		2.79
		BANKCARD CENTER 3374	PLACTIC TABLES		160.00
			TOTAL:		921.64
Overhead	General Fund	XEROX CORPORATION	OCT CHARGES CH		547.32
			TOTAL:		547.32
Police	General Fund	XEROX CORPORATION	OCT CHARGES PD		146.05
		FLEET ONE	PUBLIC SAFETY FUEL		998.33
			PUBLIC SAFETY CAR WASH		43.00
			PUBLIC SAFETY FUEL		950.84
			PUBLIC SAFETY CAR WASH		28.00
		O'REILLY AUTOMOTIVE STORES INC	WIPER BLADES		24.12
		LAKE CLEANERS	UNIFORM CLEANING		519.50
		HEDRICK MOTIV WERKS LLC	OIL CHG PD17		32.50
		BANKCARD CENTER 2268	EVIDENCE REFRIGERATOR		538.63
		SOUTHERN UNIFORM & EQUIPMENT	BELTS		140.29
		STAPLES ADVANTAGE	TONER, BUBLE WRAP		83.42
			LAMINATOR		219.97
			TOTAL:		3,724.65

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	000015	AMOUNT
911 Center	General Fund	WIRELESS USA INC	NOV SERVICE		225.00
		PRIORITY DISPATCH	ANN CARDSET ESP MAINTENANC		117.00
		STAPLES ADVANTAGE	TONER		262.18
			TOTAL:		604.18
Planning	General Fund	PURCELL TIRE CO	FLAT REPAIR CP1		21.40
		BANKCARD CENTER 3333	DOG & CAT FOOD		16.60
			ANIMAL CONF HOTEL-CHATHAM		535.80
		FLEET ONE	PLANNING FUEL		37.47
		TOTAL:		611.27	
Engineering	General Fund	FLEET ONE	CITY ENG FUEL		57.31
		LOWE'S	GATE HOOK, 2X4X12, HD IND		17.83
		STAPLES ADVANTAGE	ENVELOPES		70.52
		TOTAL:		145.66	
Emergency Management	General Fund	HEDRICK MOTIV WERKS LLC	MASTER CYL, BATTERY, EM1		519.72
			TOTAL:		519.72
Economic Development	General Fund	HOLIDAY DESIGNS INC	LED C7 COOL WHITE		969.86
		LAMAR COMPANIES	DIGITAL BULLETINS		3,000.00
		CHASE CO INC	SCAFFOLD		67.10
		TOTAL:		4,036.96	
Transportation	Transportation	QUILL	DESKPADS, ERASBL CALENDAR		30.14
		FLEET ONE	TRANS FUEL		376.77
			TRANS FUEL		414.40
		O'REILLY AUTOMOTIVE STORES INC	DUCT TAPE		4.04
		PAUL'S CASH SAVER #602	ICE		12.90
		PRAIRIEFIRE COFFEE & ROASTERS	COFFEE, HOT CHOC, CREAM, S		67.06
			COOLER RENTAL		35.00
		BARNES MARINE INC	SAFETY GLASSES		11.99
			OIL		12.75
		KEEPING CONDOS CLEAN	TRANS JANITORIAL SERV		97.22
		UNIFIRST CORPORATION	STREET DEPT UNIFORMS		34.19
			STREET DEPT FLOOR MATS		7.20
			STREET DEPT UNIFORMS		33.56
			STREET DEPT FLOOR MATS		7.20
		H R GREEN INC	NICHOLS ROAD RECONSTRUCTIO		20,638.77
		COOPER SITEWORKS, INC	MILL/PASSOVER INTERSECTION		12,615.24
		EZARD'S	DRILL BITS		12.49
	TOTAL:		34,410.92		
Water	Water Fund	QUILL	DESKPADS, ERASBL CALENDAR		30.14
		FLEET ONE	WATER FUEL		502.43
			WATER FUEL		375.40
		SCHULTE SUPPLY INC	WATER METER, MIU		1,531.60
			RATCHETING PLASTIC PIPE CU		117.40
		PAUL'S CASH SAVER #602	ICE		15.48
		PRAIRIEFIRE COFFEE & ROASTERS	COFFEE, HOT CHOC, CREAM, S		67.07
		DAM STEEL SUPPLY	REPAIR WATER TOWER LEAK		112.50
		HD SUPPLY WATERWORKS LTD	SADDLE		231.76
			MUELLER CENTURION PARTS #3		52.50
			PILOT DRILLS		20.40
	MUELLER CENTURION PARTS #3		52.50		
	REGULATOR		304.83		

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	000016	AMOUNT
		LOWE'S	14 PC COBT DR BT ST DW		28.47
			LNX5CT 6-IN 18-TPI LZR R		15.17
			TRASFER SHOVEL		28.46
			LITH BATTERIES		13.24
			5' COPPER UTIL GRD, LFA-18		9.29
		KEEPING CONDOS CLEAN	WATER JANITORIAL SERV		97.22
		UNIFIRST CORPORATION	WATER DEPT UNIFORMS		27.11
			WATER DEPT FLOOR MATS		7.20
			WATER DEPT UNIFORMS		25.11
			WATER DEPT FLOOR MATS		7.20
		BANKCARD CENTER 2268	STEEL DOORS & LOCKS		1,818.22
		ECCO ELECTRIC LLC	WELL WIRE & LUG		360.00
		BLUE SPRINGS WINWATER COMPANY	METER PIT, EXT RING, RING,		1,350.00
		DPC ENTERPRISES LP	CHLORINE, FLUORIDE		1,490.88
			TOTAL:		8,691.58
Sewer	Sewer Fund	QUILL	DESKPADS, ERASBL CALENDAR		30.14
		ECC SUPPLY	CONTACTORS		313.84
		AMOS SEPTIC SERVICE INC	PUMP LIFT STATIONS		175.00
		EZARD'S	KEYS, HEX KEY SET		16.76
			FASTENERS		3.98
			UTILITY BOX, ELEC TAPE		18.46
			FASTENERS		2.00
		FLEET ONE	SEWER FUEL		392.03
			SEWER FUEL		382.85
		SIEMENS WATER TECHNOLOGIES LLC	ODOPHOS		6,998.70
		MUNICIPAL EQUIPMENT CO	CONTROL PANELS		18,725.00
		CONSOLIDATED ELECTRICAL DISTR, INC	100A LD-CNTR, 2P-120/240V-		123.47
			TOTE BAG, NUT DRIVERS, PLI		165.40
			WIRE CUTTER, TAPE MEAS, PL		70.62
			NUT DRIVER SET RETURNED		63.65-
		PRAIRIEFIRE COFFEE & ROASTERS	COFFEE, HOT CHOC, CREAM, S		67.07
		BANKCARD CENTER 3374	HIGH VISIBILITY JACKETS		159.56
			TRUCK MIRROR #72		53.25
		BUTLER SUPPLY CO	SPLICE COMP. TAPE		24.52
		PRECISION AUTO & TIRE SERVICE LLC	OIL CHG, ROTATE TIRES 67		61.90
		LOWE'S	ZINC HINGED HASP		63.72
			DWLT TOOLS, BATTERY		520.60
		KEEPING CONDOS CLEAN	SEWER JANITORIAL SERV		97.22
		KEY EQUIPMENT & SUPPLY CO	PIRANHA HOSE, LEADER HOSE		1,938.25
		UNIFIRST CORPORATION	SEWER DEPT UNIFORMS		33.25
			SEWER DEPT FLOOR MATS		7.20
			SEWER DEPT UNIFORMS		35.25
			SEWER DEPT FLOOR MATS		7.20
			TOTAL:		30,423.59
Ambulance	Ambulance Fund	MEMSA	MEMBERSHIP RENEWAL		125.00
		FLEET ONE	AMB FUEL		172.87
		PSE INSTALLATION	WHELEN 73 SERIES STROBES M		240.00
		HEDRICK MOTIV WERKS LLC	FUEL LEAK, PASS SEAT BELT		347.27
			CHANGE TIRES FOR WINTER M-		36.75
		ROBERT D KING MD LLC	NOV AMBULANCE MEDICAL DIR		1,000.00
			TOTAL:		1,921.89
Lee C. Fine Airport	Lee C. Fine Airpor	FLEET ONE	LCF FUEL		59.65
		NAEGLER OIL CO	SATELLITE EQUIP CONN		46.00

000017

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
			AV GAS	18,007.42
		CROWN POWER & EQUIPMENT	BATTERY	87.75
		VAISALA INC	PREVENTIVE MAINTENANCE	2,499.00
		S & W PROPANE INC	PROPANE	850.00
		CRAWFORD, MURPHY & TILLY INC	LCF AIRPORT BOX HANGAR DEV	3,270.55
			TOTAL:	24,820.37
Grand Glaize Airport	Grand Glaize Airpo	PURCELL TIRE CO	TIRES	313.38
		FLEET ONE	GG FUEL	67.54
		NAEGLER OIL CO	SATELLITE EQUIP CONN	46.00
			AV GAS	18,011.70
		KNAPHEIDE TRUCK INC	HOIST REPAIR	3,125.00
		CROWN POWER & EQUIPMENT	REPAIR FUEL INJECTION PUMP	469.42
		EZARD'S	RATCHET TIEDOWNS	23.98
		EZARD'S	TRASH BAGS, ECHO PWR EQUIP	23.97
			FABREZE, AA BATTERIES	35.97
		O'REILLY AUTOMOTIVE STORES INC	GREASE	34.90
			TOTAL:	22,151.86

===== FUND TOTALS =====

10	General Fund	20,744.52
20	Transportation	34,410.92
30	Water Fund	8,691.58
35	Sewer Fund	30,423.59
40	Ambulance Fund	1,921.89
45	Lee C. Fine Airport Fund	24,820.37
47	Grand Glaize Airport Fund	22,151.86

 GRAND TOTAL: 143,164.73

BILL NO. 13-69

ORDINANCE NO. 13.69

AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT FOR BANKING SERVICES WITH CENTRAL BANK OF THE LAKE OF THE OZARKS

WHEREAS, the City issued a Request for Proposal for a contract for banking services; and

WHEREAS, Central Bank of the Lake of the Ozarks submitted the lowest and best proposal; and

WHEREAS, the City of Osage Beach seeks to execute a contract for banking services with Central Bank of the Lake of the Ozarks

WHEREAS, the City has determined Central Bank of the Lake of the Ozarks is able to provide such services as described in the specifications for banking services

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF OSAGE BEACH, MISSOURI, AS FOLLOWS, WIT.

Section 1. The Board of Aldermen hereby authorizes the Mayor to execute on behalf of the City a contract with Central Bank of the Lake of the Ozarks substantially under the terms set forth in the attached contract and financial services proposal (Exhibit "A").

Section 2. The City Administrator is hereby authorized to take such further actions as are necessary to carry out the intent of this Ordinance and Contract.

Section 3. This Ordinance shall be in full force and effect from date of passage and approval by the Mayor.

READ FIRST TIME: November 7, 2013

READ SECOND TIME:

I hereby certify that the above Ordinance No. 13.69 was duly passed on _____ by the Board of Aldermen of the City of Osage Beach. The votes thereon were as follows:

Ayes:

Nays:

Abstentions:

Absent:

This Ordinance is hereby transmitted to the Mayor for her signature.

Date

Diann Warner, City Clerk

Approved as to form:

Edward B. Rucker, City Attorney

I hereby approve Ordinance No. 13.69.

Date

ATTEST:

Penny Lyons, Mayor

Diann Warner, City Clerk

Submission Date: November 13, 2013
Submitted By: Director of Public Works
Board Meeting Date: November 21, 2013

**City of Osage Beach
 BOARD OF ALDERMEN
 AGENDA ITEM SUMMARY SHEET**

Description of Item:

Bill 13-72 - Request to amend the 2013 Budget by allocating:

30-00-773133	Water Hook Ups	\$7,461
30-00-743300	Repair of System	\$22,611

Names of Persons, Businesses, Organizations affected by this action:

Citizens, and City Staff

Why is Board Action Required?

Board action required to change an Ordinance

Type of Action Requested (Ordinance, Resolution, Motion):

Motion to approve first and second readings of Bill 13-72 amending the 2013 Budget.

Are there any deadlines associated with this action?

No

Comments and Recommendation of Department:

Bill 13-72 allocates additional funds to pay for additional water hook up parts for two new developments plus some parts for inventory and additional parts to repair the water system.

The Water Hook Ups item has a corresponding revenue account when we have permits for new water customers. As stated in the October financials, account 30-00-470010 Water Tap Fee is \$10,414 over budget. We have collected more revenue than we

anticipated. When we collect more revenue than anticipated, we will have more parts and pieces that have to be purchased.

The Public Works Department recommends approval of Bill 13-72. A first and second reading is requested.

City Administrator Comments and Recommendation:

Concur with the recommendation of the Public Works Director.

BILL NO. 13-72

ORDINANCE NO. 13.72

AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AMENDING ORDINANCE NO.12.39 ADOPTING THE 2013 ANNUAL BUDGET, ALLOCATION OF ADDITIONAL FUNDS FOR NECESSARY EXPENSES.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF OSAGE BEACH, AS FOLLOWS, TO WIT:

Section 1. That the 2013 Annual Budget adopted as Ordinance No. 12.39 is hereby amended by allocating an additional \$22,611 to line item 30-00-743300 designated as Repair of System increasing line item 30-00-743300 from \$55,000 to \$77,611.

Section 2. That the 2013 Annual Budget adopted as Ordinance No. 12.39 is hereby amended by allocating an additional \$7,461 to line item 30-00-773133 designed as Water Hookups increasing line item 30-00-773133 from \$25,000 to \$32,461.

Section 3. In all other respects the 2013 Annual Budget adopted in Ordinance No.12.39 shall remain in full force and effect.

Section 4. That this Ordinance shall be in full force and effect upon date of passage.

READ FIRST TIME: _____ READ SECOND TIME: _____

I hereby certify that the above Ordinance No. 13.72 was duly passed on _____, 2013 by the Board of Aldermen of the City of Osage Beach. The votes thereon were as follows:

Ayes: _____ Nays: _____

Abstentions: _____ Absent: _____

This Ordinance is hereby transmitted to the Mayor for her signature.

Date

Diann Warner, City Clerk

Approved as to form:

Edward B. Rucker, City Attorney

I hereby APPROVE Ordinance No. 13.72

Penny Lyons, Mayor

Date

ATTEST:

Diann Warner, City Clerk

Submission Date: November 15, 2013
Submitted By: City Administrator
Board Meeting Date: November 21, 2013

**City of Osage Beach
BOARD OF ALDERMEN
AGENDA ITEM SUMMARY SHEET**

Description of Item:

Bill 13-73 – Authorize the Mayor to execute Lease Agreement with the State of Missouri for the Missouri Veterans Commission’s use of space in the lower level of Osage Beach City hall.

Names of Persons, Businesses, Organizations affected by this action:

City of Osage Beach, residents and area Veterans

Why is Board Action Required?

Board approval required to enter into agreement.

Type of Action Requested (Ordinance, Resolution, Motion):

Request first and second readings of Bill 13-73 authorizing the Mayor to execute Lease Agreement No. 01502589 for the Missouri Veterans Commission.

Are there any deadlines associated with this action?

Yes. Per the agreement, the lease begins on Friday, November 22, 2013.

Budget Line / Source of Funds

No funds expended.

City Administrator Comments and Recommendation:

The Board was notified on October 24th that a request had been made from the State of Missouri about leasing the office previously leased by the Water Patrol in the lower level of Osage Beach City Hall. Terms of the agreement would be the same as previously

approved by the City (rent would be \$3,026.85 for 320 square feet of office space). They asked that we allow the Missouri Veterans Commission to lease this space to allow Veterans in the lake area to meet a representative here rather than having to drive to Jefferson City.

As explained at that time, this office would have the same hours as City Hall (Monday through Friday, 8:30 a.m., until 5 p.m., and closed on all City observed holidays and weekends). Visitors would sign in at the front desk, and the representative with the Missouri Veterans Commission would meet them at the elevator and escort them to this office. This office is anticipated to be used only once or twice a week, as appointments are scheduled.

I discussed a concern mentioned to me about security of our computer equipment, and Jim Davis assured me the office is locked that contains our computer equipment. In addition, this does not present any more of a security concern than having public meetings in our lower level conference room where it is open to the public, especially considering there will be City employees at work during the hours this office will be open.

The City Attorney has reviewed and approved the agreement language. Recommend approval and request first and second readings of Bill 13-73.

BILL NO. 13-73

ORDINANCE NO. 13.73

AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH THE STATE OF MISSOURI, FOR AN OFFICE OF THE VETERANS COMMISSION

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF OSAGE BEACH, MISSOURI, AS FOLLOWS, WIT.

Section 1. The Board of Aldermen hereby authorizes the Mayor to execute on behalf of the City a contract the State of Missouri, Department of Public Safety, Veterans Commission, for the lease of 320 Sq feet of space for use as a office for the Veterans Commission, which space was formerly occupied by the Highway Patrol, under the terms set forth in the contract which is attached hereto as Exhibit "A" and in incorporated herein by reference.

Section 2. The City Administrator is hereby authorized to take such further actions as are necessary to carry out the intent of this Ordinance and Contract.

Section 3. This Ordinance shall be in full force and effect from date of passage and approval by the Mayor.

READ FIRST TIME: _____ READ SECOND TIME: _____

I hereby certify that the above Ordinance No. 13.73 was duly passed on _____ by the Board of Aldermen of the City of Osage Beach. The votes thereon were as follows:

Ayes: _____ Nays: _____
Abstentions: _____ Absent: _____

This Ordinance is hereby transmitted to the Mayor for her signature.

Date

Diann Warner, City Clerk

Approved as to form:

Edward B. Rucker, City Attorney

I hereby approve Ordinance No. 13.73.

Date

Penny Lyons, Mayor

ATTEST:

Diann Warner, City Clerk

STATE OF MISSOURI
LEASE OF REAL PROPERTY

THIS LEASE, No.01502589, made and entered into this 1st day of November 2013, by and between the City of Osage Beach, 1000 City Parkway, Osage Beach, Missouri 65065 (State of Missouri Vendor Number 43088751505), hereinafter called the Lessor, and the State of Missouri, by the Office of Administration, Division of Facilities Management, Design and Construction, hereinafter called the Lessee, on behalf of the Department of Public Safety, Missouri Veterans Commission, hereinafter called the Tenant.

WITNESSETH: That the Lessor, in consideration of the covenants of said Lease hereinafter set forth, does by these presents lease to said Lessee, under the terms and conditions set forth, the premises described as follows:

1000 City Parkway, Osage Beach (Camden County), Missouri 65065, hereinafter called "premises" and consisting of 320 net rentable square feet.

1. **TERM OF LEASE**

- (a) The said Lease shall commence November 22, 2013, and end June 30, 2014.
- (b) The Lessor grants to the Lessee the option to renew said Lease for four (4) successive one-year periods, hereinafter called "renewal periods."
- (c) The expiration of the final "renewal period" shall be June 30, 2018.
- (d) Lessee office hours are Monday through Friday 8:30am to 5:00pm (with no weekends or city observed holidays)

2. **RENTS**

The annual rent shall be in the amount of **THREE THOUSAND TWENTY-SIX DOLLARS AND EIGHTY-FIVE CENTS (\$3,026.85)**, payable monthly in arrears in the amount of **TWO HUNDRED FIFTY-TWO DOLLARS AND TWENTY-FOUR CENTS (\$252.24)**.

3. **RENEWAL TERMS**

- (a) The Lessee shall notifies the Lessor, in writing, of its intent to vacate the premises not less than 60 consecutive calendar days prior to the expiration of any period for which the premises are let.
- (b) The Lessor grants to the Lessee the option to extend the Lease for three (3) 2 month periods following the final renewal period at the same rental rate as paid during the final renewal period. Lessee must notify Lessor of its intent to exercise the extension no later than 30 days before the expiration of the final renewal period or 30 days before the expiration of any extension period.
- (c) In the event the Lessee remains in possession of the premises after the expiration date of said Lease without extending the Lease or without executing a new Lease, the Lessee shall be deemed to be occupying the premises as a Lessee from month-to-month, with the parties therefore subject to existing provisions of law and all of the conditions of said Lease insofar as they are applicable to a month-to-month tenancy, except that the Lessor agrees to accept the said rental rate on a monthly basis until the premises are vacated by the Lessee or until the parties enter into a new agreement, whichever is sooner.

4. SERVICES, FEES AND ASSESSMENTS

- (a) The Lessor agrees to pay for the utilities of heat, air conditioning, water, sewer, light, steam, gas and electricity.
- (b) The Lessor agrees to provide and pay for janitorial services, equipment and supplies, including paper products (restroom tissue, paper towels, etc.).
- (c) The Lessor agrees to provide parking spaces located on the premises or within a reasonable distance from the premises.
- (d) The Lessor shall furnish all fluorescent, incandescent light bulbs and exterior lighting necessary on the premises. Thereafter, the Lessor shall furnish and the Lessor shall install replacements for all fluorescent, incandescent light bulbs and exterior lighting necessary on the premises.
- (e) The Lessor shall permit the Lessee to install communication systems necessary for the conduct of the Lessee's business and said systems shall remain the property of the Lessee. Upon termination of this Lease, any data/telecommunications wiring enclosed within the walls or ceiling shall become property of Lessor.
- (f) The Lessor will provide and pay for general garbage and trash removal from the premises.
- (g) The Lessor agrees to direct and pay for removal of snow and ice from sidewalks and parking area, and to provide, and pay for, general lawn care.
- (h) The Lessor agrees to provide and pay for effective and safe pest control.

5. USE OF PREMISES

The Lessee agrees to use the premises for office space, so long as such use shall be deemed feasible by the Lessee. Lessee may not assign its rights under said Lease without the written consent of the Lessor. When major changes are planned, Lessee will notify the Lessor of its intentions and request concurrence from the Lessor of the proposed changes. Lessor will not arbitrarily withhold concurrence.

6. PREMISE MAINTENANCE

- (a) The Lessor shall maintain the premises in good repair and tenable condition, including buildings, equipment, HVAC filters, fixtures and any other property furnished by the Lessor to the Lessee under said Lease. The Lessor will inspect emergency and exit lighting systems, fire extinguishers and heat and smoke detectors annually. Any malfunctioning equipment must be immediately repaired or replaced. Record of inspections shall be maintained and signed by the inspecting agent with a copy given to the Tenant agency. For the purpose of so maintaining the premises and property, the Lessor may, at reasonable time and with the approval of the Lessee's authorized representative, enter and inspect the premises and make any necessary repairs.
- (b) In the event the premises fall into disrepair or untenable condition arising from the Lessor's failure to perform maintenance as required by paragraph (8) (a), such that the Lessee or its employees' ability to safely or comfortably conduct business is substantially impaired, the Lessee shall notify the Lessor in writing of the general nature of the disrepair or untenable condition. Lessor shall have 30 consecutive calendar days from the date of this notice to take whatever measures are necessary to correct the disrepair or untenable condition to the Lessee's reasonable satisfaction. If the Lessor fails or neglects to take measures to correct the disrepair or untenable condition within such 30 day period, then the Lessee may, terminate said Lease without additional notice, vacate the premises and recover any rent paid in advance for the period subsequent to the date that Lessee vacates the premises.

7. DAMAGE OR LOSS OF PREMISES

- (a) The Lessee agrees to pay for any damage to the premises caused by the acts of Lessee or its employees, ordinary wear and tear excepted.
- (b) If the premises are damaged or destroyed by fire or other casualty so as to render the premises untenantable, the rent shall be abated or reduced proportionately according to the usable square feet remaining on the premises as determined by the Lessor and Lessee until the premises are restored by the Lessor. The Lessor shall not be obligated to repair or restore the premises in the event of such damage. In the event the Lessor elects not to repair or restore the premises, or in the event the Lessor elects to repair or restore the premises and they are not restored to a condition substantially as good as prior to such damage within 60 consecutive days from the date of such damage, the Lessee may, at its option, terminate the Lease by giving the Lessor ten consecutive calendar days written notice of its intent to do so, and the Lessor shall return to the Lessee any rent paid in advance for the period subsequent to the effective date of said notice.

8. DISREPAIR

If, at any time, during the period of said Lease a public official, agency, architect or professional engineer registered in the State of Missouri determines that the premises do not comply with building codes, ordinances and requirements or that the premises are not in an adequate state of repair, are disruptive to the Tenant services and program delivery, or are not safe for occupancy, Lessee shall notify Lessor of such fact and the Lessor shall respond within 24 hours with a proposed solution for correction of deficiencies. Lessor shall have any such deficiencies corrected within five consecutive calendar days of the date of such notice, or within an extension period granted at the option of Lessee. If the Lessor fails or neglects to correct such deficiencies within said time period, Lessee may, at its option, terminate said Lease without additional notice, vacate the premises and recover any rent paid in advance for the period subsequent to the date that Lessee vacates the premises.

9. NOTICES

Any notice by Lessor concerning said Lease shall be deemed sufficient if sent by certified mail, return receipt requested, to:

Division of Facilities Management, Design and Construction
Real Estate Services
P. O. Box 809
301 West High Street, Room 730
Jefferson City, Missouri 65102

Any notice by Lessee concerning said Lease shall be deemed sufficient if sent by the Facilities Operations Manager, Real Estate Services, Division of Facilities Management, Design and Construction, by certified mail, return receipt requested, to the mailing address provided and updated by Lessor.

10. APPROPRIATIONS

It is understood and agreed between the parties that the lease is contingent upon the Lessee receiving monies to fund rental and all other payments due under said Lease which are annually appropriated by the Missouri General Assembly for one fiscal year which begins on July 1 and ends June 30. Said Lease shall not be binding upon the Lessee unless and until general appropriations have been made by the Missouri General Assembly and, if applicable funds have been received from the United States Government for a payment of rental or for any other payment under said Lease on behalf of the Lessee for any fiscal year during the initial period or any renewal or extension period of said Lease. In the event that sufficient funds are not appropriated, the lease shall be deemed to have expired of its own terms, and Lessee shall have no further obligation hereunder.

11. **BINDING AND ENTIRE AGREEMENT**

The covenants and agreements contained in said Lease shall be binding upon and shall inure to the benefit of the parties of said Lease, their respective successors, administrators, executors and assigns.

IN WITNESS WHEREOF, we have hereunto affixed our signatures.

LESSEE:

Office of Administration

By: _____
Lisa A. Cavender, Facilities Operations Manager
Real Estate Services

Date: _____
RP:mav

LESSOR:

City of Osage Beach

By: _____

Date: _____

Submission Date: November 13, 2013

Submitted By: Mayor

Board Meeting Date: November 21, 2013

**City of Osage Beach
BOARD OF ALDERMEN
AGENDA ITEM SUMMARY SHEET**

Description of Item:

Appointments to Planning Commission

Names of Persons, Businesses, Organizations affected by this action:

The City, citizens and Planning Commission members.

Why is Board Action Required?

Board must approve the appointments as required.

Type of Action Requested (Ordinance, Resolution, Motion):

Motion.

Are there any deadlines associated with this action?

No.

Comments and Recommendation of Department:

I am nominating Jerry Fox, 4902 Wilson Road to serve on the Planning Commission. Mr. Fox will fill the remaining term of Stephen Dow (May 2014), who resigned. The Fox's have lived in Osage Beach for nine years. He graduated from the University of Missouri with a degree in accounting and he worked for IBM for twenty-five years. Mr. Fox later served as the IBM Customer Representative for some of their larger accounts. He is an active member of the Osage Beach Elks.

I am also recommending Jeff Bethurem who lives on Dude Ranch Road to the Planning Commission. Mr. Bethurem works for Golden Rule Insurance Co. He previously owned several insurance companies and built spec homes in Columbia.

Mr. Bethurem is a graduate of the University of Missouri. He would complete the remaining term for Michelle Myler (May 2015) who was recently appointed as an Alderman.

City Administrator Comments and Recommendation:

Concur with the recommendation of Mayor Lyons.

Submission Date: November 12, 2013

Submitted By: City Clerk

Board Meeting Date: November 21, 2013

**City of Osage Beach
BOARD OF ALDERMEN
AGENDA ITEM SUMMARY SHEET**

Description of Item:

Request to Reschedule January 2014 Board of Aldermen Meetings

Names of Persons, Businesses, Organizations affected by this action:

City, elected officials, citizens of Osage Beach

Why is Board Action Required?

Section 110.110 allows the Board to reschedule Board meetings.

Type of Action Requested (Ordinance, Resolution, Motion):

Motion to reschedule the Board meetings in January to January 9 and 23.

Are there any deadlines associated with this action?

Yes.

Department Comments:

The first Thursday in January is January 2 which is the date the Board would normally meet; however, since this is the day after a holiday, we are requesting the Board meetings be held on January 9 and January 23.

City Administrator Comments and Recommendation:

The City Clerk brought this up at the November 7th Board Meeting and the Board was agreeable with this change. Recommend approval.

Submission Date: November 15, 2015

Submitted By: City Attorney

Board Meeting Date: November 21, 2013

**City of Osage Beach
BOARD OF ALDERMEN
AGENDA ITEM SUMMARY SHEET**

Description of Item:

Review draft letter to Rep. Rocky Miller discussing the wireless communications infrastructure / cell phone tower legislation enacted last year by the Missouri General Assembly. The letter was drafted at the request of the Mayor.

Names of Persons, Businesses, Organizations affected by this action:

Citizens of Osage Beach, cell phone companies

Why is Board Action Required?

Board action is requested to authorize the Mayor to send this letter on behalf of the City.

Type of Action Requested (Ordinance, Resolution, Motion):

Motion

Are there any deadlines associated with this action?

No

Comments and Recommendation of Department:

Last year HB331/HB345 removed the ability of the city to regulate cell phone towers within the city limits. Those bills are now enjoined by the Cole County Circuit Court and an appeal is pending. Regardless of the outcome of the litigation, the proposed statutory changes to the authority of a local government to regulate cell phone towers will remain an important issue in the General Assembly. The letter expresses concern about that legislation which will almost certainly be reintroduced in the next legislative session. The letter also suggests language to exempt municipalities from the effect of the legislation. Recommend that the Board authorize the Mayor to send the letter on behalf of the City.

City Administrator Comments and Recommendation:

Concur with the recommendation of the City Attorney.

DRAFT FOR DISCUSSION ONLY November 6, 2013

November __, 2013

Representative Rocky Miller
Missouri House of Representatives-District 124
201 W. Capitol Avenue, Room 115B
Jefferson City, Missouri 65101

Dear Representative Miller:

Thank you for your time in meeting with the Board of Aldermen on Thursday November 7, 2013 to discuss wireless infrastructure legislation. Regardless of the eventual outcome of the current litigation, this issue will not go away and we need your help.

Our first concern is that we have not had any problems with our current system. We have not been sued by a wireless provider, or, had a problem with them in the review process. For the City there is no issue that requires a new state statute. If a wireless company has a specific complaint about the provisions of our ordinance or the conduct of our consultant they have not brought it to the attention of the staff.

In the legislation passed last year Section 67.5904 guts the provision of our current code. That section is specifically mentioned and made mandatory in its application to us as an authority, by the language of section 67.5096 which provides that:

Authorities may continue to exercise zoning, land use, planning, and permitting authority within their territorial boundaries with regard to the siting of new wireless support structures, subject to the provisions of sections 67.5090 267.5103, including without limitation section 67.5094, and subject to federal law.

The language in this section, while purporting to preserve planning and zoning authority, directly eliminates the city's ability to enforce our ordinances with regard to any of the issues addressed under 67.5094. That is specifically the section that troubles us.

It would be possible to exempt cities such as Osage beach from the application of the new law, if sections 67.5096.1 and 67.5908.1 were rewritten as follows:

Authorities may continue to exercise zoning, land use, planning, and permitting authority within their territorial boundaries with regard to the siting of new wireless support structures, ~~subject to the provisions of sections 67.5090 267.5103, including without limitation section 67.5094, and subject to federal law.~~ Further, nothing in section 67.5904 shall apply to a municipality administering regulation over wireless telecommunication facilities through a

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special use permit or conditional use permit process established by municipal ordinance, or a public hearing process, or which requires a public hearing before a planning commission created pursuant to Chapter 89 R.S.Mo.

If the exemption were written in this manner described above, nothing contained in section 67.5904 would apply to the City of Osage Beach.

The bills passed last year did several things that eliminated the ability of the city to regulate this particular kind of land use. To preserve the character of our community the city needs the ability to regulate the following issues:

1. Prioritization of location. The City wants the facilities to locate in the following order of priority:
 - a. First, on an existing tall structure on city property.
 - b. Second, on another existing tower.
 - c. Third, construction of a new tower based on the zoning district
 - i. First, Industrial
 - ii. Second, Commercial
 - iii. Third, Residential

This authority was removed from the City by HB331/HB345. City government must have the right to require wireless companies act in compliance with the zoning codes which every other landowner in the City must follow.

As a community located in the heart of The Lake of the Ozarks region, one of Missouri's most naturally beautiful destinations, the City has made the conservation and enhancement of its visual quality and property value high priorities. A very important part of this is the ability to assure that wireless communication facilities and infrastructure is placed in an appropriate location that will not only serve the citizens with the mobile information and communication capabilities they require but also minimizes the intrusive nature of these facilities on the community

2. Proof of need is an issue, best described as a requirement that the company demonstrate that there is a real need for what they are proposing to build.

3. For both upgrades and modification of co location on existing facilities we seek to ensure public safety on many levels.

- a. Structural safety after the proposed change.
 - i. the ability to support the equipment
 - ii. the ability of the foundation to hold the new equipment
 - iii. the soil analysis that the site can hold the infrastructure.

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b. ANSI (American National Standards Inspection) report on towers. These inspections can no longer be required under HB 331 and HB345.

c. Compliance with the Federal RF (Radio Frequency) Emission Standards. A community cannot change these standards but we want the company to verify that the new infrastructure is in compliance after the new equipment is in use. A computer model or test may be appropriate here but we do not have the staff expertise to analyze this report. But this can no longer be required under HB331/HB345. Our local code was the only place that the carrier must demonstrate RF emissions compliance. These are not new standards or standards that vary community to community.

4. The city should be able to recover all of its reasonable costs associated with expert 3rd party review through an escrow deposit, just as we require 3rd party costs for a complicated economic development project. The City staff cannot negotiate without a background in the technical and engineering details of the subject.

The City has contracted with the Center for Municipal Solutions a company that specializes in assisting Cities and Counties with the review and permitting of wireless communication facilities. The professionals that work for this company have the necessary experience and knowledge to assist those entities that employ them in making educated decisions in the placement and location of infrastructure based on its necessity as it pertains to coverage of service and its appropriate placement within the community. With help from the Center for Municipal Solutions the City has been successful in assuring that the telecommunication companies can provide the required services while also being comfortable that these facilities are causing minimal impact to both the properties that surround them and the citizens and visitors that are exposed to them on a daily basis.

We are seeking, through our use of an expert, to require the company to evaluate less intrusive options to achieve same coverage with different engineering. These other options may preserve the character of the community and the views we all enjoy, but, they may cost more and may be more difficult to engineer.

Wireless providers are not regulated by the Missouri Public Service Commission. Our local ordinance is the only way that the community can have some control over what can be a very intrusive and invasive land use which affects the aesthetics of our community and the lives of our citizens.

We also need the ability to require proof of insurance and possibly a bond for the removal of the tower when it is damaged beyond repair or becomes obsolete and abandoned.

Wireless telecommunication towers and facilities have a dramatic impact on the aesthetic and property values within the community and the quality of life of our citizens. It is our opinion

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that the adoption of the Uniform Infrastructure Wireless Communication Deployment Act would be a detriment to the City's ability to protect our citizens and their homes and businesses from this impact.

Once again we thank you for your attention to this matter. We look forward to continuing this conversation further.

Sincerely,

Penny A. Lyons
Mayor

cc: Board of Aldermen
City Administrator
Missouri Municipal League