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 ORDIANANCE 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 ½") – 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 -2x1Ys	$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 -¾" Regulators	$2,352.00
2 -1 ½" 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

APPROVED
11/21/13
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