

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

February 20, 2014

The Board of Aldermen of the City of Osage Beach, Missouri, met to conduct a regular meeting on Thursday, February 20, 2014, 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 the following:

On February 10, Mayor Lyons and several Board members attended a meeting at Willmore Lodge to meet the Central Ozarks Development, Inc. Board of Directors and hear a speaker from the Institute for Innovation and Entrepreneurship.

On Tuesday, February 11, several Aldermen, the City Attorney and Mayor Lyons attended the 44th Annual Missouri Municipal League Legislative Conference in Jefferson City. Besides an overview of the 2014 session by Tim Jones, the Speaker of the House, they heard a lengthy discussion on the telecommunication bills. Many other cities have the same concerns our City has about losing control of tower sites, bonding and future maintenance.

On Monday, February 17, the Council of Local Governments met here at City Hall, however there was no quorum and only staff reports were given. Mayor Lyons distributed the Lake of the Ozarks Regional Transportation Plan that was developed by the LOCLG.

Mayor Lyons reported that on Tuesday, February 18, Judge Conley heard from the Department of Natural Resources, counsel for Magruder, and the counsel for the Joint Sewer Treatment Plant. It was fairly short on Tuesday; however another hearing date was set for May 20 to hear from both sides on possible stipulations.

The afternoon of February 18, Congressman Blaine Luetkemeyer held a meeting here at City Hall with FEMA staff members and several concerned citizens about the overreaching flood plain and the mandate for flood insurance.

Late that afternoon, February 18, the Joint Sewer Treatment Board met at Lake Ozark to hear a report from Alliance and approve the bills for payment.

On February 19, Alderman Olivarri and Mayor Lyons went to Jefferson City for an 8:00 a.m. meeting of the House Committee on cell towers. Both testified on the City's concerns specifically Senate Bill 650. Mayor Lyon's testimony was based on what the City had in place in 2007 and has worked for the City for the last seven years by encouraging co-locates. The City has had no new towers since that time. Prior to 2007, telecommunications companies requesting approval insisted they could not co-locate and they had to have their own tower. Recently, there have been several upgrades on those co-locates.

Police Chief Todd Davis presented Terry Deffenbaugh with a 25-year service award. He announced that Terry has announced his retirement and next Friday will be his last day with the City. Detective Deffenbaugh was congratulated for his service and on his retirement.

Citizens Communications.

Phyllis Marose was disappointed to read that MoDOT has suspended funding for the extension of Osage Beach Parkway. She said that MoDOT has no funds and they have suspended the Cost Share Program and possibly they are waiting to see if a 1% tax increase is approved. Mrs. Marose said that the City cannot wait for MoDOT to do something to make it visible for people entering Osage Beach from the west. She added that business owners may not be in existence if the traffic cannot be increased. Mrs. Marose suggested that appropriations from a project that may not be as important be transferred to fund the Osage Beach Parkway extension.

Consent Agenda.

Alderman Rucker questioned the reason a catering license is being approved after the event has taken place and questioned why they were issued a permit without Board approval. Alderman Catcott responded that the establishment already has a full liquor license and there are three people who looked at the application and tried to make a sound judgment. Alderman Rucker asked staff to research the matter to determine the correct way to issue caterer's licenses.

Alderman Schmitt moved to approve the consent agenda which includes minutes of the regular meeting held on February 6, 2014, the bill list as submitted, and a liquor license to Pop-A Wheelies Pizza and Burgers and a caterer's license to City Grill. Alderman Olivarri seconded the motion which was voted on and passed.

Unfinished Business.

None

New Business.

Bill No. 14-03. AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AMENDING SECTION 215.020 BY ADDING THREE NEW SUBSECTIONS DEFINING HAZARDOUS TREES, RECREATIONAL VEHICLES USED FOR STORAGE AND BOATS OPEN AND COLLECTING WATER OR ATTRACTING VERMIN AS NUISANCES AND RENUMBERING CURRENT SECTIONS 17 AND 18.

City Attorney Ed Rucker said he and Compliance Officer Bob Chatham reviewed the current nuisance code and compared it with the definitions used in other cities, principally Kansas City with which he is familiar. They determined that these three additions may prove useful for the City.

A lengthy discussion followed on recreational vehicles being used for storage and dead trees. City Attorney Rucker said the ordinance would give the City the ability to say that a tree is a nuisance and a safety hazard.

Alderman Catcott moved to table Bill No. 14-03. Alderman Olivarri seconded the motion which was voted on and passed.

Following further discussion of Bill No. 14-03, consensus was that staff would review the proposed ordinance and let the Board know what problems they are encountering which requires this amendment to the ordinance.

Resolution 2014-01. Authorize Disposal of Records According to the Missouri Records Retention Schedule

Staff has consulted the Municipal Records Retention Schedule and has determined that the records listed on Exhibit A are no longer significant to the City's operation. Upon Board approval, these records will be destroyed by a document shredding service.

Alderman Rucker moved to approve Resolution 2014-01 as submitted. Alderman Myler seconded the motion which was voted on and passed.

Bid Award. Water Meters

One bid was submitted in response to the bid solicitation, Schulte Supply, Inc. in the amount of \$15,456.00. Public Works Director Nick Edelman recommended approval.

Alderman Olivarri moved to award the bid for the water meters to Schulte Supply, Inc. in the amount of \$15,456 as recommended. Alderman Rucker seconded the motion which was voted on and passed.

Bid Award. Parts to Repair Water System

Four bids were received in response to the bid solicitation:

Water and Sewer Supply Co.	\$9,692.60
Winwater Co	\$10,021.02
Riback Supply	\$12,350.16
HD Supply	\$10,765.34

Public Works Director Edelman explained that the EPA has a new regulation that requires lead free parts to be used in a water system. He anticipates having to bid out parts again later this year. He recommended the bid be awarded to the low bidder, Water and Sewer Supply Co., in the amount of \$9,692.60.

Alderman Myler moved to award the bid for the parts to repair the water system to the low bidder, Water and Sewer Supply Co., in the amount of \$9,692.60. Alderman Schmitt seconded the motion which was voted on and passed.

Bid Award. Grinder Pumps

Only one bid was received for the grinder pumps, Municipal Equipment Company, in the amount of \$127,211.55.

Public Works Director Edelman explained that the total cost is higher than previous years because more 6.7 hp pumps were needed and the number of 6.7 hp pumps has increased from historical averages to accommodate replacement of older pumps that have been rebuilt multiple times. He anticipates that this trend will continue in the near future. There are 11 2.0 hp pumps in inventory from 2013.

The Public Works Department recommends awarding the bid to Municipal Equipment Company in the amount of \$127,211.55

Alderman Catcott moved to award the bid for the pumps to the low bidder, Municipal Equipment., in the amount of \$127,211.55. Alderman Myler seconded the motion which was voted on and passed.

Bid Award. Dump Trailer

The following bids were received in response to the bid solicitation:

Truck Country, LLC	\$7,079.88
Westgate Trailers	\$6,735.00
Anderson Dairy Equipment, Inc.	\$7,489.00

Brian Willey, Parks Manager, explained that the Parks Department recommended awarding the bid for the dump trailer to the low bidder, Westgate Trailers, in the amount of \$6,735.00. Funds are available from line item 10-10-774255 Machinery & Equipment with a balance of \$21,963. This unit will be used for various purposes. It will be the skid steer trailer as well as allowing the purchase of materials in bulk and not bags which will result in future savings.

Alderman Catcott moved to award the bid for the dump trailer to the low bidder, Westgate Trailers, in the amount of \$6,735. Alderman Olivarri seconded the motion which was voted on and passed.

Alderman Catcott complimented Brian Willey for his research on this equipment.

Communication from Board Members.

Alderman Schmitt. Ron Schmitt announced that Mayor Lyons' birthday is on March 3 and his wife's birthday is on March 6, which is the date of the next Board meeting.

Alderman Catcott. Fred Catcott wished Police Chief Todd Davis good luck on the Polar Bear Super Plunge. He expressed his appreciation for the opportunity to attend the Missouri Municipal League Legislative Conference. He said he met with elected officials throughout the state.

Alderman Myler. Michelle Myler expressed her appreciation for the opportunity to attend the MML Legislative Conference last week in Jefferson City where there were over 275 attendees. The telecommunications bill was one of the topics. Alderman Myler reported that she rode with Officer Mike Hutzler during the first few hours of the Pub Crawl which was a successful event. She thanked Chief Davis and the extra officers for the event. She also thanked Airport Manager Budd Hyde for the tour of the Lee C. Fine Airport.

Alderman Rucker. Kevin Rucker mentioned that the information from Charter is incorrect regarding the new box that will be needed. He added that senior citizens with the basic package only will get a box free for one year.

Alderman Olivarri. John Olivarri thanked the City for the opportunity to attend the MML Legislative Conference. He reported that he had the opportunity to attend the House Subcommittee for the telecommunications bill. He said it appears that a lot of elected officials agree with the City, however most of them are local elected officials. Alderman Olivarri said he thought the bill would move forward as it is. He added that he was also told that the bill would not affect planning regulations.

Alderman Rucker questioned whether City Attorney Rucker has had an opportunity to review the

ordinance to see if it needs to be changed. City Attorney Rucker responded that he must wait to see what legislation is passed and he will see what action other cities will be taking. Alderman Rucker suggested that an ordinance may need be passed to provide protection to residential areas.

Mayor Lyons said she would speak with the City Attorney and be proactive on this issue.

Staff Communications.

Police Chief. Todd Davis reported that there were only minor incidents during the Pub Crawl. He reported that the Super Plunge begins Friday at 3:30 p.m. at which time participants will plunge every hour for a twenty-four hour period. The Polar Bear Plunge begins at 2:30 p.m. Saturday.

Chief Davis reported that two addition busses were added this year for the Pub Crawl but he thought the numbers were down from last year.

City Planner. Cary Patterson reported that the annual training for Planning Commission members will be held on April 1. He said the training consists of a mock meeting and he invited elected officials to attend. He reported that he will meet with the two new members on February 25-26 to give them an introduction to the Planning Commission.

Alderman Rucker questioned the reason the training is in April since there could be new members appointed in May. City Planner Patterson explained that the Planning Commission members decided that April would be a good time since the weather is better and most who left for the winter have returned.

Assistant City Administrator. Jeana Albertson reported that the City's insurance policies include earthquake coverage with the normal \$2,500 deductible.

Parks Manager. Brian Willey reported that staff has been working at Peanick Park cutting down dead trees. He said clean fill is needed to expand the existing parking lot.

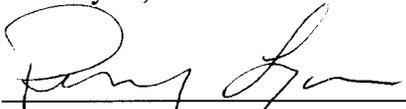
Upon a request for an update on the park, Public Works Director Edelman said he has a meeting with the consultant the first week in March and he will update the Board at their March 6 Board of Aldermen meeting.

Mr. Edelman said he is working on a contract to replace the pumps for the sprinkler system. A short discussion ensued on which baseball fields would be replaced. Mr. Edelman said that anything damaged by the flood would be addressed.

There being no further business to come before the Board, the meeting adjourned at 7:30 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 February 20, 2014.


Diann Warner, City Clerk


Penny Lyons, Mayor

APPROVED
3/6/14
deu