

NOTICE OF MEETING AND BOARD OF ALDERMEN AGENDA



CITY OF OSAGE BEACH BOARD OF ALDERMEN MEETING

1000 City Parkway
Osage Beach, MO 65065
573/302-2000 FAX 573/302-2039
www.osagebeach.org

TENTATIVE AGENDA

REGULAR MEETING

July 2, 2020 - 6:00 PM
CITY HALL

***** Note: Make sure 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. Packets are available on the back table and on the City's website at www.osagebeach.org.

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, nor will it respond tonight to questions, although staff may be directed to respond at a later time, 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 Board of Aldermen meeting June 18, 2020
- ▶ Bills List - July 2, 2020

UNFINISHED BUSINESS

- A. Bill 20-39 - An ordinance of the City of Osage Beach, Missouri, authorizing the Mayor to sign a contract with Brenntag Mid South for Water Treatment Chemicals in an amount not to exceed \$18,000.
Second Reading

NEW BUSINESS

- A. Bill 20-40- An ordinance of the City of Osage Beach, Missouri, amending the membership of the Citizen's Advisory Committee by repealing and replacing Sections 111.030, 111.040, 111.050 of the Municipal Code dealing with the membership of the Citizen's Advisory Committee. *First Reading*
- B. Bill 20-41 - An ordinance of the City of Osage Beach, Missouri, establishing a procedure to disclose potential conflicts of interest and substantial interests for certain Municipal Officials. *First Reading*
- C. Bill 20-42 - An ordinance of the City of Osage Beach, Missouri, regulating the operation of golf carts and other utility vehicles on the city streets by creating Chapter 390 of the Municipal Code providing for the control thereof and providing for a penalty for the failure to comply with this ordinance. *First Reading*
- D. Public Hearing - Rezoning Case 404: Ebling Enterprises, Inc., C-1 to C-1 and C-1b with a PUD-1 Overlay.
- E. Bill 20-43- Rezoning Case 404, Ebling Enterprises, Inc. is requesting a rezoning of property currently zoned C-1 (General Commercial) to C-1 (General Commercial) and C-1b (Commercial Lodging) with a PUD 1 Overlay for the development of condominiums, a hotel, and a restaurant on the subject property. *First & Second Reading*
- F. Public Hearing - Rezoning Case 405: Dennis L. House, Trustee, A-1 (Agriculture) to R-1b (Single Family).
- G. Bill 20-44 - Rezoning Case 405, Dennis House, Trustee. is requesting a rezoning of property currently zoned A-1 (Agriculture) to R-1b (Single Family). *First Reading*
- H. Bill 20-45 - An ordinance of the City of Osage Beach, Missouri, approving the Final Plats for Arrowhead Center. *First Reading*.
- I. Motion to approve a one year extension of the current agreement between the School of the Osage (District) and the City of Osage Beach (City) for services of a School Resource Officer (SRO).

COMMUNICATIONS FROM MEMBERS OF THE BOARD OF ALDERMEN

STAFF COMMUNICATIONS

ADJOURN

EXECUTIVE SESSION

Notice is given that the agenda includes a roll call vote to close the meeting as allowed by RSMo. Section 610.021 (1) Legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys.

Representatives of the news media may obtain copies of this notice by contacting the following:

Tara Berreth, City Clerk
1000 City Parkway
Osage Beach, MO 65065
573-302-2000 ex 1020

If any member of the public requires a specific accommodation as addressed by the Americans with Disabilities Act, please contact the City Clerk's office forty-eight hours in advance of the meeting at the above telephone number.

MINUTES OF THE REGULAR MEETING OF THE BOARD OF ALDERMEN
OF THE CITY OF OSAGE BEACH, MISSOURI
June 18, 2020

The Board of Aldermen of the City of Osage Beach, Missouri, conducted a Regular Meeting on Thursday, June 18, 2020 at 6:00 p.m. The following were present confirmed by roll call: Mayor John Olivarri, Alderman Phyllis Marose, Alderman Tom Walker, Alderman Tyler Becker, Alderman Richard Ross, Alderman Kevin Rucker, and Alderman Greg Massey. Tara Berreth, City Clerk, was present and performed the duties of that office.

MAYOR'S COMMUNICATIONS

Congratulations to all the Aldermen that got re-elected. Welcome to Brad Smith the new City Collector. Presented a plaque of appreciation to Lee Schuman for the last two years as City Collector.

Happy "80th" Birthday to past Mayor Joel Potteinger.

CITIZENS' COMMUNICATIONS

None

APPROVAL OF CONSENT AGENDA

Alderman Walker made a motion to approve the Consent Agenda. This motion was seconded by Alderman Marose. Motion passes with a voice vote

UNFINISHED BUSINESS

Bill 20-33 - An ordinance of the City of Osage Beach, Missouri, creating a new Section 500.155 requiring grease interceptors and setting out the performance requirements for discharge into the wastewater system and new sections within the wastewater code dealing with same subject matter. *Second Reading*

Alderman Marose made a motion to approve the second reading of Bill 20-33. This motion was seconded by Alderman Becker. The following roll call was taken to approve the second and final reading of Bill 20-33 and to pass same into ordinance: "Ayes" Alderman Marose, Alderman Walker, Alderman Becker, Alderman Rucker, Alderman Ross, Alderman Massey "Nays" 0. Bill 20-33 was passed and approved as Ordinance 20-33.

Bill 20-34 - An ordinance of the City of Osage Beach, Missouri, referring the decision concerning opting out of the state imposed "Back to School" sales tax holiday to the Board of Aldermen each year. *Second Reading*

Alderman Marose made a motion to approve the second reading of Bill 20-34. This motion was seconded by Alderman Becker. The following roll call was taken to approve the second and final reading of Bill 20-34 and to pass same into ordinance: "Ayes" Alderman Marose, Alderman Walker, Alderman Becker, Alderman Rucker, Alderman Ross, Alderman Massey "Nays" 0. Bill 20-34 was passed and approved as Ordinance 20-34.

Bill 20-36 - An ordinance of the City of Osage Beach, Missouri, authorizing the expenditure of funds for advertising to support the Benne Media Aquapalooza 2020 Event in an amount not to exceed \$2,500.00. *Second Reading*

Bill 20-36 dies for lack of motion.

Bill 20-37 - An ordinance of the City of Osage Beach, Missouri, amending the Section 115.390 by adding consideration of skills, training, and experience to the qualifications for a Public Works Director. *Second Reading*

Alderman Marose made a motion to approve the second reading of Bill 20-37. This motion was seconded by Alderman Becker. The following roll call was taken to approve the second and final reading of Bill 20-37 and to pass same into ordinance: “Ayes” Alderman Marose, Alderman Walker, Alderman Becker, Alderman Rucker, Alderman Ross, Alderman Massey “Nays” 0. Bill 20-37 was passed and approved as Ordinance 20-37.

NEW BUSINESS

Motion to approve certification of election results.

Alderman Becker made a motion to approve certification of election results. This motion was seconded by Alderman Ross. Motion passes with voice vote.

Oath of Office

City Clerk Berreth administered the Oath of Office to newly elected Mayor John Olivarri, Alderman Phyliss Marose, Alderman Kevin Rucker, Alderman Tom Walker, City Collector Brad Smith

Motion to elect President of the Board of Aldermen.

Alderman Massey recommended Alderman Ross to be President of the Board. With no other recommendation, Mayor Olivarri appointed Alderman Ross/President of the Board.

Bill 20-38 - An ordinance of the City of Osage Beach, Missouri, amending Section 700.040, the 2020 Covid-19 Economic Rebate Plan, to allow multi-unit commercial structures to participate in the program and simplifying the process of application for benefits. *First Reading and Second Reading*

Alderman Marose made a motion to approve the first reading of Bill 20-38. This motion was seconded by Alderman Ross. Motion passes unanimously voice vote.

Alderman Ross made a motion to approve the second reading of Bill 20-38. This motion was seconded by Alderman Becker. The following roll call was taken to approve the second and final reading of Bill 20-38 and to pass same into ordinance: “Ayes” Alderman Marose, Alderman Walker, Alderman Becker, Alderman Rucker, Alderman Ross, Alderman Massey “Nays” 0. Bill 20-38 was passed and approved as Ordinance 20-38.

Bill 20-39 - An ordinance of the City of Osage Beach, Missouri, authorizing the Mayor to sign a contract with Brenntag Mid-South for Water Treatment Chemicals in an amount not to exceed \$18,000. *First Reading*

Alderman Walker made a motion to approve the first reading of Bill 20-39. This motion was seconded by Alderman Becker. Motion passes unanimously by voice vote.

Motion to approve Scott & Son Well Drilling, LLC to complete a well plugging project in the amount of \$3,600.

City Administrator Woods explained the reason this was coming to the board was the lack of not getting three bids.

Alderman Rucker made a motion to approve Scott & Son Well Drilling, LLC to complete a well plugging project in the amount of \$3,600. This motion was seconded by Alderman Becker. Motion passes unanimously by voice vote.

COMMUNICATIONS FROM MEMBERS OF THE BOARD OF ALDERMEN

Alderman Rucker congratulated all the re-elected Alderman and congratulated Alderman Ross on President of Board.

Alderman Becker – Asked what all the small blue boxes that are attached to trees and electric poles on Lazy Days Road.

Answer – Bird and Bat houses.

Alderman Ross – Thank you for the President of the Board position. Very impressed with Chad Stark.

Alderman Walker – Congratulations on all those re-elected.

Alderman Marose – Huge Thank you to Kevin Rucker for all his hard work as past President of the Board.

STAFF COMMUNICATIONS

City Treasurer Bell – Re-developing the City’s Banking Services noticed an inconstancy between Bank vs Investments agreement has 100% while Ordinance has 102%. Asking if the Board would like to have the Ordinance brought back to them for an amendment.

Answer - Yes

ADJOURN

There being no further business to come before the Board, the meeting adjourned at 6:35pm.

I, Tara Berreth, 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 via webcam on June 18, 2020 and approved on July 2, 2020.

Tara Berreth/City Clerk

John Olivarri/Mayor

**CITY OF OSAGE BEACH
BILLS LIST
July 2, 2020**

Bills Paid Prior to Board Meeting	\$	118,140.45
Payroll Paid Prior to Board Meeting	\$	111,292.54
SRF Transfer Prior to Board Meeting	\$	249,173.79
TIF Transfer Dierbergs	\$	182,261.25
TIF Transfer Prewitt's Pt	\$	195,202.84
Bills Pending Board Approval	\$	242,071.09
Total Expenses	\$	<u>1,098,141.96</u>

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
NON-DEPARTMENTAL	General Fund	MO DEPT OF REVENUE FAMILY SUPPORT PAYMENT CENTER	MAY CVC COLLECTIONS	92.69
			Case #31550944	138.46
			Case ID41477632	138.46
		MO DEPT OF REVENUE	BOOKS, MISC SALES TAX	0.00
			State Withholding	3,388.00
			MAY PEACE OFFICER TRAINING	13.00
		MO TREASURER BUDGET DIRECTOR INTERNAL REVENUE SERVICE	Fed WH	9,661.97
			FICA	6,733.40
			Medicare	1,574.79
		ICMA	Loan Repayment	250.00
			Loan Repayment	160.13
			Loan Repayment	200.94
			Loan Repayment	233.04
			Loan Repayment	213.53
			Loan Repayment	80.59
			Loan Repayment	175.08
			Loan Repayment	216.93
			Retirement 457 &	2,093.76
			Retirement 457	1,251.99
			Loan Repayments	204.91
			Loan Repayments	285.54
		CITIZENS AGAINST DOMESTIC VIOLENCE HSA BANK	Loan Repayments	414.23
			Loan Repayments	215.92
			Loan Repayments	466.72
			Loan Repayments	294.74
			Loan Repayments	81.82
			Loan Repayments	86.89
			Retirement Roth IRA %	42.68
			Retirement Roth IRA	425.00
			MAY CADV COLLECTIONS	26.00
			HSA Contribution	25.00
			HSA Family/Dep. Contributi	1,655.16
		SHERIFFS RETIREMENT SYSTEM ONE TIME VENDOR	MAY COLLECTIONS	42.00
			Bond Refund:190048553-01	22.50
			Bond Refund:191165228-01	130.00
			Bond Refund:CP0133 -01	70.00
		RANDOLPH, STEVE	RANDOLPH, STEVE:REFUND 6U	50.00
			TOTAL:	31,155.87
Mayor & Board	General Fund	INTERNAL REVENUE SERVICE	FICA	168.43
			Medicare	39.42
		ICMA	Retirement 401	163.00
			PLANNING COMMISSION MEETIN	25.00
			PLANNING COMMISSION MEETIN	25.00
			PLANNING COMMISSION MEETIN	25.00
			PLANNING COMMISSION MEETIN	25.00
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			BOARD OF ZONING ADJ MEETIN	25.00
			PLANNING COMMISSION MEETIN	25.00
			PLANNING COMMISSION MEETIN	25.00
			BOARD OF ZONING ADJ MEETIN	25.00
			TOTAL:	670.85

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
Collector	General Fund	INTERNAL REVENUE SERVICE	FICA	6.20
			Medicare	<u>1.45</u>
			TOTAL:	7.65
City Administrator	General Fund	INTERNAL REVENUE SERVICE	FICA	515.08
			Medicare	120.47
		ICMA	Retirement 401%	86.38
			Retirement 401	518.30
		HSA BANK	HSA Family/Dep. Contributi	<u>225.00</u>
			TOTAL:	1,465.23
City Clerk	General Fund	INTERNAL REVENUE SERVICE	FICA	129.70
			Medicare	30.33
		ICMA	Retirement 401%	20.46
			Retirement 401	129.56
		GENERAL CODE LLC	ECODE 360 ANN MAINT 5/20-4	1,195.00
		HSA BANK	HSA Contribution	<u>37.50</u>
			TOTAL:	1,542.55
City Treasurer	General Fund	INTERNAL REVENUE SERVICE	FICA	590.74
			Medicare	138.15
		ICMA	Retirement 401%	97.50
			Retirement 401	584.93
		HSA BANK	HSA Contribution	37.50
			HSA Family/Dep. Contributi	<u>225.00</u>
			TOTAL:	1,673.82
Municipal Court	General Fund	INTERNAL REVENUE SERVICE	FICA	81.76
			Medicare	19.12
		ICMA	Retirement 401%	14.33
			Retirement 401	86.01
		HSA BANK	HSA Family/Dep. Contributi	<u>75.00</u>
			TOTAL:	276.22
City Attorney	General Fund	INTERNAL REVENUE SERVICE	FICA	339.76
			Medicare	79.46
		ICMA	Retirement 401%	55.47
			Retirement 401	332.85
		HSA BANK	HSA Family/Dep. Contributi	<u>75.00</u>
			TOTAL:	882.54
Building Inspection	General Fund	INTERNAL REVENUE SERVICE	FICA	209.60
			Medicare	49.02
		ICMA	Retirement 401%	34.76
			Retirement 401	208.51
		HSA BANK	HSA Contribution	37.50
			HSA Family/Dep. Contributi	<u>187.50</u>
			TOTAL:	726.89
Building Maintenance	General Fund	OTIS ELEVATOR CO	ELEV MAINT CONTRCT 12/19-1	<u>5,537.76</u>
			TOTAL:	5,537.76
Parks	General Fund	OZARKS COCA-COLA/DR PEPPER BOTTLING CO	CONCESSION BEVERAGES	1,891.89
		FECHTEL BEVERAGE & SALES INC	BEER FOR CONCESSIONS	389.40
		INTERNAL REVENUE SERVICE	FICA	522.99
			Medicare	122.31

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
		ICMA	Retirement 401%	30.79
			Retirement 401	273.81
		LOWE'S	WIRE WHEEL GRINDER	16.14
			P-4 DUMP PAINTING	15.15
			PARTS FOR SIGN HANGING	51.28
			TENSION BAND FOR FENCING	13.95
			PARTS FOR FENCE REPAIR	23.80
			PARTS FOR FENCE REPAIR	4.55
			DEAD BOLT	9.49
		CAMDEN COUNTY CLERK	PARK LIQUOR LICENSE RENEWA	50.00
		MISSOURI EAGLE LLC	BEER FOR CONCESSIONS	324.00
		WEX INC	PARK DEPT FUEL	364.78
		VANDEVOORT, MATT	REIMB- YOUTH LEAGUE BALLS	114.99
		HSA BANK	HSA Contribution	37.50
			HSA Family/Dep. Contributi	150.00
			TOTAL:	4,406.82
Human Resources	General Fund	INTERNAL REVENUE SERVICE	FICA	143.23
			Medicare	33.50
		ICMA	Retirement 401%	24.17
			Retirement 401	145.03
		HSA BANK	HSA Family/Dep. Contributi	75.00
			TOTAL:	420.93
Overhead	General Fund	CHARTER COMMUNICATIONS HOLDING CO LLC	CITY HALL CABLE	60.97
		WEX INC	ADMIN DEPT FUEL	29.13
			CITY HALL GPS	350.00
		XEROX CORPORATION DBA XEROX FINANCIAL	CITY HALL	230.10
		MITEL CLOUD SERVICES INC	PH SVC 7/1-7/31/20	2,314.25
			TOTAL:	2,984.45
Police	General Fund	INTERNAL REVENUE SERVICE	FICA	2,582.08
			Medicare	603.87
		ICMA	Retirement 401%	322.85
			Retirement 401	2,583.14
		WEX INC	POLICE DEPT FUEL	2,550.54
			POLICE DEPT CAR WASHES	133.48
		XEROX CORPORATION DBA XEROX FINANCIAL	POLICE	206.55
		HSA BANK	HSA Contribution	150.00
			HSA Family/Dep. Contributi	1,200.00
			TOTAL:	10,332.51
911 Center	General Fund	AT & T/CITY HALL	911 PHONE SVC 5/23/20	1,105.26
		INTERNAL REVENUE SERVICE	FICA	784.51
			Medicare	183.48
		ICMA	Retirement 401%	129.64
			Retirement 401	777.84
		CHARTER COMMUNICATIONS HOLDING CO LLC	COMM INTERNET	99.99
			COMM CABLE	41.32
		HSA BANK	HSA Contribution	150.00
			HSA Family/Dep. Contributi	225.00
		MITEL CLOUD SERVICES INC	PD RECORDING SVC 7/1-7/31	262.38
			TOTAL:	3,759.42
Planning	General Fund	INTERNAL REVENUE SERVICE	FICA	201.31
			Medicare	47.09

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
		ICMA	Retirement 401%	33.29
			Retirement 401	199.71
		HSA BANK	HSA Family/Dep. Contributi	<u>112.50</u>
			TOTAL:	593.90
Engineering	General Fund	INTERNAL REVENUE SERVICE	FICA	329.62
			Medicare	77.09
		ICMA	Retirement 401%	35.41
			Retirement 401	329.09
		WEX INC	ENG DEPT FUEL	173.42
		HSA BANK	HSA Contribution	75.00
			HSA Family/Dep. Contributi	<u>150.00</u>
			TOTAL:	1,169.63
Information Technology	General Fund	INTERNAL REVENUE SERVICE	FICA	128.39
			Medicare	30.03
		ICMA	Retirement 401%	21.25
			Retirement 401	127.51
		CHARTER COMMUNICATIONS HOLDING CO LLC	CITY HALL INTERNET	284.24
		HSA BANK	HSA Family/Dep. Contributi	<u>75.00</u>
			TOTAL:	666.42
NON-DEPARTMENTAL	Transportation	MO DEPT OF REVENUE	State Withholding	153.48
		INTERNAL REVENUE SERVICE	Fed WH	508.28
			FICA	621.03
			Medicare	145.25
		ICMA	Retirement 457 &	384.20
			Retirement 457	50.30
			Retirement Roth IRA	15.30
		HSA BANK	HSA Contribution	35.00
			HSA Family/Dep. Contributi	<u>278.31</u>
			TOTAL:	2,191.15
Transportation	Transportation	INTERNAL REVENUE SERVICE	FICA	621.04
			Medicare	145.24
		ICMA	Retirement 401%	67.50
			Retirement 401	621.15
		WEX INC	TRANS DEPT FUEL	1,413.35
			TRANS GPS	316.75
		XEROX CORPORATION DBA XEROX FINANCIAL	TRANSPORTATION	76.70
		AMEREN MISSOURI	KK DR PALISADES LTG 5/4-6/	114.09
			MAINT SALT BLDG 5/10-6/9/2	10.49
			STREET LTG SVC 5/1-6/1/20	3,794.62
			STREET LTG SVC 5/1-6/1/20	1,383.84
		HSA BANK	HSA Contribution	75.00
			HSA Family/Dep. Contributi	325.50
		PRINCIPAL LIFE INSURANCE COMPANY	APR 2020 STD FICA BILLING	<u>122.40</u>
			TOTAL:	9,087.67
NON-DEPARTMENTAL	Water Fund	MO DEPT OF REVENUE	WATER SALES TAX	2,760.51
			State Withholding	136.26
		INTERNAL REVENUE SERVICE	Fed WH	358.66
			FICA	292.29
			Medicare	68.36
		ICMA	Retirement 457 &	109.57
			Retirement 457	14.85

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
			Retirement Roth IRA	14.85
		HSA BANK	HSA Family/Dep. Contributi	<u>19.80</u>
			TOTAL:	3,775.15
Water	Water Fund	INTERNAL REVENUE SERVICE	FICA	292.29
			Medicare	68.36
		ICMA	Retirement 401%	48.15
			Retirement 401	288.90
		LOWE'S	PIPE NIPPLE - BLUFF TOWER	12.34
			IMPACT WRENCH, PIPE CUTTER	212.79
		WEX INC	WATER DEPT FUEL	407.89
			WATER GPS	141.75
		XEROX CORPORATION DBA XEROX FINANCIAL	WATER	76.70
		AMEREN MISSOURI	BLUFF RD TOWER 5/10-6/9/20	4,084.97
			COLLEGE WELL 5/7-6/8/20	3,223.55
			LK RD 54-59 WELL #2 4/29-5	136.51
			SWISS VLG WELL 4/29-5/31/2	4,385.41
		HSA BANK	HSA Contribution	37.50
			HSA Family/Dep. Contributi	99.75
		DEVORE, CALEB	MILEAGE REIMB 5/20-5/27/20	166.75
		STOUFER, TOMMIE L	MILEAGE REIMB 6/13-6/15/20	<u>89.01</u>
			TOTAL:	13,772.62
NON-DEPARTMENTAL	Sewer Fund	FAMILY SUPPORT PAYMENT CENTER	Case ID 41434906	136.15
			Case #11345331	319.38
		MO DEPT OF REVENUE	State Withholding	272.26
		INTERNAL REVENUE SERVICE	Fed WH	807.08
			FICA	595.76
			Medicare	139.34
		ICMA	Retirment 457 &	44.55
			Retirement 457	164.85
			Loan Repayments	21.24
			Loan Repayments	69.62
			Retirement Roth IRA	34.85
		HSA BANK	HSA Family/Dep. Contributi	<u>119.80</u>
			TOTAL:	2,724.88
Sewer	Sewer Fund	INTERNAL REVENUE SERVICE	FICA	595.75
			Medicare	139.35
		ICMA	Retirement 401%	83.87
			Retirement 401	597.83
		LOWE'S	TAPE FOR ODOR CANISTER CMP	17.08
			RAIN HEAD, PIPE CLAMPS-QUI	10.40
			BRACKETS FOR SIGNS	7.95
			LIGHT BAR TRK 67	20.16
		WEX INC	SEWER DEPT FUEL	764.61
			SEWER GPS	216.50
		XEROX CORPORATION DBA XEROX FINANCIAL	SEWER	76.70
		AMEREN MISSOURI	CLEARWOOD LN S/L 5/5-6/4/2	12.73
			3949 CMPGRND LN G/S 5/10-6	19.00
			1117 OB RD G/P 5/7-5/16/20	3.55
			HWY D PREWITTS PT GP 5/7-6	112.46
			PA HE TSI 5/10-6/9/20	12.94
			GRINDER PUMPS & LIFT STATI	3,833.51
			5874 HWY 54 4/29-5/31/20	13.06
			1004 ZEBRA RD L/P 5/5-6/4/	11.04

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
		HSA BANK	HSA Family/Dep. Contributi	474.75
		OSSOWSKI, SHELBY N	MILEAGE REIMB 6/3-6/10/20	<u>48.30</u>
			TOTAL:	7,071.54
NON-DEPARTMENTAL	Ambulance Fund	MO DEPT OF REVENUE	State Withholding	462.00
		INTERNAL REVENUE SERVICE	Fed WH	1,207.23
			FICA	919.71
			Medicare	215.10
		ICMA	Loan Repayment	134.33
			Retirment 457 &	<u>111.19</u>
			TOTAL:	3,049.56
Ambulance	Ambulance Fund	INTERNAL REVENUE SERVICE	FICA	919.71
			Medicare	215.10
		ICMA	Retirement 401%	60.39
			Retirement 401	362.36
		CHARTER COMMUNICATIONS HOLDING CO LLC	AMB CABLE	41.32
		AMBULANCE REIMBURSEMENT SYSTEMS INC	MAY AMBULANCE REIMBURSEMEN	761.21
		WEX INC	AMB FUEL	213.40
		HSA BANK	HSA Contribution	75.00
			HSA Family/Dep. Contributi	<u>75.00</u>
			TOTAL:	2,723.49
NON-DEPARTMENTAL	Lee C. Fine Airpor	MO DEPT OF REVENUE	LCF SALES TAX	2,026.88
			State Withholding	88.12
		INTERNAL REVENUE SERVICE	Fed WH	228.79
			FICA	284.85
			Medicare	66.61
		ICMA	Retirment 457 &	11.01
			Retirement 457	<u>94.42</u>
			TOTAL:	2,800.68
Lee C. Fine Airport	Lee C. Fine Airpor	AMEREN MISSOURI	LCF RD WELL 5/8-6/10/20	10.49
			LCF RUNWAY LTS 4/29-6/1/20	132.11
			LCF AP FIREHOUSE 4/29-6/1/	29.54
			KAISER TERM BLDG 5/8-6/10/	384.87
			LCF HANGAR 2 5/8-6/10/20	56.56
			LCF NEW AP HANGAR 5/8-6/10	43.91
		INTERNAL REVENUE SERVICE	FICA	284.85
			Medicare	66.61
		ICMA	Retirement 401%	42.24
			Retirement 401	253.44
		LOWE'S	EAR PLUGS	42.72
		WEX INC	LCF FUEL	26.38
			LCF GPS	50.00
		HSA BANK	HSA Contribution	37.50
			HSA Family/Dep. Contributi	<u>125.42</u>
			TOTAL:	1,586.64
NON-DEPARTMENTAL	Grand Glaize Airpo	MO DEPT OF REVENUE	GG SALES TAX	179.05
			State Withholding	42.88
		INTERNAL REVENUE SERVICE	Fed WH	91.51
			FICA	140.63
			Medicare	32.88
		ICMA	Retirment 457 &	9.86
			Retirement 457	<u>24.58</u>

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
TOTAL:				521.39
Grand Glaize Airport	Grand Glaize Airpo	INTERNAL REVENUE SERVICE	FICA	140.63
			Medicare	32.88
		ICMA	Retirement 401%	18.95
			Retirement 401	113.68
		LOWE'S	BUG SPRAY	11.39
		WEX INC	GG FUEL	45.11
			GG GPS	25.00
		HSA BANK	HSA Family/Dep. Contributi	174.58
TOTAL:				562.22

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

10	General Fund	68,273.46
20	Transportation	11,278.82
30	Water Fund	17,547.77
35	Sewer Fund	9,796.42
40	Ambulance Fund	5,773.05
45	Lee C. Fine Airport Fund	4,387.32
47	Grand Glaize Airport Fund	1,083.61

GRAND TOTAL:	118,140.45
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TOTAL PAGES: 7

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
City Attorney	General Fund	THOMSON REUTERS - WEST	WEST INFO CHARGES 05/2020	343.33
			TOTAL:	343.33
Building Inspection	General Fund	STAPLES BUSINESS ADVANTAGE	FILE JACKETS	20.18
			TOTAL:	20.18
Building Maintenance	General Fund	AMERICAN STAMP & MARKING PRODUCTS INC	NAMEPLATE - T.RUDAT	22.99
		PRAIRIEFIRE COFFEE & ROASTERS	COFFEE, HOT CHOCOLATE	117.65
		LAKE RECHARGE & FIRE EQUIPMENT LLC	INSPECTIONS-SPRKLRL,BCKFLW,	937.00
			EXTINGUISHER INSPECTIONS	439.50
		AB PEST CONTROL INC	CH PEST CONTROL	135.00
		FOUR SEASONS PLUMBING, LLC	TOILET REPAIR	123.14
		STAPLES BUSINESS ADVANTAGE	PAPER TOWELS, FOAM CUPS	54.17
			DOMO MIRROR	65.92
		CROWN LINEN SERVICE INC	CH FLOOR MATS	34.47
			CH FLOOR MATS	49.26
		AMAZON CAPITAL SERVICES INC	PAPER PLATES	63.96
			TOTAL:	2,043.06
Parks	General Fund	PROFESSIONAL TURF PRODUCTS	PARTS FOR VENTRAC REPAIR	28.15
			SPACER, ROLLER, SNAP RING	62.38
			YOKE, CASTER - VENTRAC	91.06
			BEARING	96.67
			PARTS FOR VENTRAC REPAIR	103.76
			SPACERS - TORO 3505	120.37
		KANSAS GOLF AND TURF INC	TINE SEGMENT-INFIELD MACHI	480.24
		AB PEST CONTROL INC	PARKS CONCESSION PEST CONT	30.00
		BEACON ATHLETICS LLC	BASE ANCHOR,BASE SET,PLATE	950.00
		LEGACY EMBROIDERY INC	ROLLER BAGS,TBALLS,FACEMAS	987.00
			HATS	235.00
		N. KOHL GROCER CO. dba KOHL WHOLESALE	CONCESSION SUPPLIES	925.66
			TRASH LINERS, TP	187.64
			SOAP, AIR FRESH,TP, URINAL	682.06
			CONCESSION SUPPLIES	3,316.41
			CONCESSION SUPPLIES	296.28
			TOTAL:	8,592.68
Human Resources	General Fund	LAKE REGIONAL OCCUPATIONAL MEDICINE	(2) FIT FOR DUTY EXAM	120.00
		LAKE REGIONAL HEALTH SYSTEM	POST ACCIDENT TESTING	93.00
		1138 INC DBA VALIDITY SCREENING SOLUTI	PRE EMPLOYMENT SCREENINGS	132.00
			TOTAL:	345.00
Overhead	General Fund	RAPID SIGNS	PLAYGROUND SIGNS- COVID	88.50
		BEACON ATHLETICS LLC	SOCIAL DIST. CROWD CONTROL	68.00
			SOCIAL DISTANCING AID	249.00
		AMAZON CAPITAL SERVICES INC	TRIPOD/HOLDER FOR VIDEO CA	32.98
		ONE TIME VENDOR RED CARPET TROPHY	PLAQUE - L.SCHUMAN	27.12
		RED CARPET TROPHY	PLAQUE - L.SCHUMAN	22.11
		ARTHUR J GALLAGHER	NOTARY BOND - T.BERRETH	50.00
			TOTAL:	537.71
Police	General Fund	HEDRICK MOTIV WERKS LLC	IGN COILS, BRAKE REPAIR PD	752.59
			OIL CHNG,VALVE PURGE,TIRE	138.71
			OIL CHNG,TIRE RTATE LIC#FM	65.00
			TOTAL:	956.30

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
911 Center	General Fund	STAPLES BUSINESS ADVANTAGE	FACIAL TISSUES	6.26
		INTRADO LIFE & SAFETY SOLUTIONS CORPOR	V-VAAS MONTHLY FEE 6/3-7/2	<u>3,525.00</u>
			TOTAL:	3,531.26
Planning	General Fund	CAPITAL CITY COURT REPORTING	BZA HRG- CASE # 334	<u>250.00</u>
			TOTAL:	250.00
Engineering	General Fund	ALPHAGRAPHS OF OSAGE BEACH LOR ENGINEERING LLC DBA COCHRAN	TRUCK VINYL DECALS	28.44
			20YR PREVENT PAVEMENT MAIN	4,000.00
			ENG GENERAL CONSULT 05/20	<u>13,697.50</u>
			TOTAL:	17,725.94
Information Technology	General Fund	D&B POWER ASSOCIATES INC AMAZON CAPITAL SERVICES INC	ANN UPS MX SUPP 9/2020-9/2	7,119.00
			CABLES FOR PC UPGRADE	345.00
			RETURN - CABLES FOR PC UPG	226.20-
			RETURN - CABLES FOR PC UPG	156.00-
		HYPERTEC USA, INC	DELL LATITUDE 3500	10,239.97
			PRO SUPPORT 3Y UPGRADE	1,657.14
			PRO SUPPORT 3Y UPGRADE	43.42
			PC EXT SERVICE AGREEMENT	1,320.00
			(2) PRO SUPPORT - LAPTOPS	<u>220.00</u>
			TOTAL:	20,562.33
		AB PEST CONTROL INC	PEST CONTROL - STORM SIREN	<u>270.00</u>
			TOTAL:	270.00
Transportation	Transportation	ENNIS-FLINT INC	STRIPING PAINT	1,905.17
			MATERIALS - BLUFF & DOROTH	467.48
			FLAT REPAIR	21.40
		CAPITAL MATERIALS LLC	FLAT REPAIR - SWEEPER	21.40
			CONCRETE MIX FOR SIGNS	53.88
			CONCRETE MIX FOR SIGNS	17.96
		PURCELL TIRE & RUBBER CO	CONCRETE MIX FOR SIGNS	17.96
			TRANS DEPT UNIFORMS	54.95
			TRANS DEPT FLOOR MATS	5.72
		MEEKS BUILDING CENTER	TRANS DEPT UNIFORMS	54.95
			TRANS DEPT FLOOR MATS	5.71
			TRANS DEPT UNIFORMS	54.95
		ARAMARK UNIFORM & CAREER APPAREL GROUP	TRANS DEPT FLOOR MATS	5.72
			STREET SIGNS	301.11
			STREET SIGNS	305.86
		ECONO SIGNS & BARRICADE LLC	OIL FILTERS- TK 59	3.18
			SIGNAL LIGHT	4.79
			DIESEL EXHAUST FLUID	10.99
		O'REILLY AUTOMOTIVE STORES INC	FUSE TESTER	4.99
			SOCKETS	26.98
			OIL, FILTER	54.16
		PRAIRIEFIRE COFFEE & ROASTERS	OIL FILTER - 0TURN	8.88
			PW WATER COOLER RENTAL	11.67
			ALTERNATOR REP- SEAL MACHI	200.00
		ASAP REBUILDERS LLC	OIL, FILTER - KUBOTA	71.97
			ARMOUR-SEAL	259.11
			ARMOUR-SEAL	259.11
		CROWN POWER & EQUIPMENT	PW PEST CONTROL	20.00
			TRUCK VINYL DECALS	100.20
			DELL LATITUDE 3500	975.32
		RHOMAR INDUSTRIES INC		
		AB PEST CONTROL INC		
		ALPHAGRAPHS OF OSAGE BEACH		
		HYPERTEC USA, INC		

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
			PRO SUPPORT 3Y UPGRADE	26.90
			PC EXT SERVICE AGREEMENT	146.67
		CRAFCO INC	PAINT BEADS	764.00
			TOTAL:	6,243.14
Water	Water Fund	ARAMARK UNIFORM & CAREER APPAREL GROUP	WATER DEPT UNIFORMS	23.07
			WATER DEPT FLOOR MATS	5.71
			WATER DEPT UNIFORMS	23.07
			WATER DEPT FLOOR MATS	5.71
			WATER DEPT UNIFORMS	23.07
			WATER DEPT FLOOR MATS	5.71
		HDR INC	SV WELL #3 BID/CONST ADMIN	3,410.00
		O'REILLY AUTOMOTIVE STORES INC	OIL FILTERS- TK 60	2.69
			OIL DRAIN PLUG - TK 60	2.86
		PRAIRIEFIRE COFFEE & ROASTERS	PW WATER COOLER RENTAL	11.66
		CORE & MAIN LP	ADAPTER & LID FOR METER PI	77.10
		AB PEST CONTROL INC	PW PEST CONTROL	20.00
		STOCKMAN CONSTRUCTION CORP	WTR MAIN TO SV WELL #3 FIN	82,155.00
		ALPHAGRAPHS OF OSAGE BEACH	TRUCK VINYL DECALS	67.24
		SIDENER ENVIRONMENTAL SERVICES INC	PUMPS FOR NEW WELL, VALVE	1,162.49
		HYPERTEC USA, INC	DELL LATITUDE 3500	243.83
			PRO SUPPORT 3Y UPGRADE	26.38
			PC EXT SERVICE AGREEMENT	36.67
			TOTAL:	87,302.26
Sewer	Sewer Fund	AMOS SEPTIC SERVICE INC	JET SWR LINE - 68 CHANNEL	280.00
		FASTENAL CO	FASTENERS - SANDS BLOWER	27.82
		ARAMARK UNIFORM & CAREER APPAREL GROUP	SEWER DEPT UNIFORMS	40.75
			SEWER DEPT FLOOR MATS	5.71
			SEWER DEPT UNIFORMS	40.75
			SEWER DEPT FLOOR MATS	5.72
			SEWER DEPT UNIFORMS	40.75
			SEWER DEPT FLOOR MATS	5.71
		EWT HOLDINGS III CORP	ODOR CONTROL COMPOUND	11,617.80
			ODOR CONROL MAY P/S KK114	850.00
			ODOR CONTROL MAY L/S 53-1	1,100.00
		MUNICIPAL EQUIPMENT CO	(7) CONTACTORS 30 AMP	930.25
		O'REILLY AUTOMOTIVE STORES INC	SPRINGS - JETTER MACHINE	10.48
			THREAD KIT - TK 75	29.99
			BATTERY TERMINAL	5.49
			COPPER CABLE END	3.99
		PRAIRIEFIRE COFFEE & ROASTERS	PW WATER COOLER RENTAL	11.67
		LAKE OZARK-OSAGE BEACH JOINT SEWER PLA	MAY MONTHLY FLOWS	39,925.00
		CORE & MAIN LP	PLUMB PARTS	236.20
			PVC COUPLING	22.24
			DISP TOWELS	30.00
		PRECISION AUTO & TIRE SERVICE LLC	BATTERY - TK 71	159.45
			OIL CHANGE - TK 70	58.95
		AB PEST CONTROL INC	PW PEST CONTROL	20.00
		ALPHAGRAPHS OF OSAGE BEACH	TRUCK VINYL DECALS	73.24
		CHASE CO INC	GENERATOR RENTAL	95.45
		CLIFFORD POWER SYSTEMS	GENERATOR MAINT- 53-1 NORM	885.22
			54-7 SANDS BELT REPAIR	391.48
		HYPERTEC USA, INC	DELL LATITUDE 3500	243.83
			PRO SUPPORT 3Y UPGRADE	26.38
			PC EXT SERVICE AGREEMENT	36.67

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
		MIKE RILEY CONSTRUCTION	ROCKWOOD CT LANDSCAPING	9,750.00
			ROCKWOOD CT LANDSCAPING	1,990.00
		ONE TIME VENDOR RELIABLE RAINMAN LLC	5450 STONELEDGE CR IRR FIX	<u>115.00</u>
			TOTAL:	69,065.99
Ambulance	Ambulance Fund	ZOLL MEDICAL CORP	X SERIES ANN MAINT 5/20-4/	510.00
		HYPERTEC USA, INC	PRO SUPPORT 3Y UPGRADE	<u>86.84</u>
			TOTAL:	596.84
Lee C. Fine Airport	Lee C. Fine Airpor	GB MAINTENANCE SUPPLY	TRASH BAGS, PAPER TOWELS	101.36
		NAEGLER OIL CO	LCF JET FUEL	10,907.85
			LCF JET FUEL	11,244.78
		LAKELAND OIL CO LLC	OIL	179.77
		AMAZON CAPITAL SERVICES INC	HP LASERJET -LCF PILOT PRI	118.90
		HYPERTEC USA, INC	DELL LATITUDE 3500	366.19
			PRO SUPPORT 3Y UPGRADE	43.42
			PC EXT SERVICE AGREEMENT	<u>55.00</u>
			TOTAL:	23,017.27
Grand Glaize Airport	Grand Glaize Airpo	GB MAINTENANCE SUPPLY	TRASH BAGS, PAPER TOWELS	23.43
		LAKELAND OIL CO LLC	OIL	179.77
		HYPERTEC USA, INC	DELL LATITUDE 3500	366.19
			PRO SUPPORT 3Y UPGRADE	43.42
			PC EXT SERVICE AGREEMENT	<u>54.99</u>
			TOTAL:	667.80
===== FUND TOTALS =====				
10	General Fund			55,177.79
20	Transportation			6,243.14
30	Water Fund			87,302.26
35	Sewer Fund			69,065.99
40	Ambulance Fund			596.84
45	Lee C. Fine Airport Fund			23,017.27
47	Grand Glaize Airport Fund			667.80

	GRAND TOTAL:			242,071.09

TOTAL PAGES: 4

City of Osage Beach
Agenda Item Summary

Date of Meeting: July 2, 2020
Originator: Mike Welty, Assistant City Administrator
Presenter: Mike Welty, Assistant City Administrator
Date Submitted: June 18, 2020

Agenda Item:

Bill 20-39 - An ordinance of the City of Osage Beach, Missouri, authorizing the Mayor to sign a contract with Brenntag Mid South for Water Treatment Chemicals in an amount not to exceed \$18,000. *Second Reading*

Requested Action:

Second Reading of Bill #20-39

Ordinance Referenced for Action:

Board of Aldermen approval required for purchases over \$15,000 per Municipal Code Chapter 135; Article II: Purchasing, Procurement, Transfers, and Sales.

Deadline for Action:

Yes - The City's current water treatment chemical contract has expired

Budgeted Item:

Yes

Budget Line Item/Title: 30-00-761600 Chemicals

FY20 Budgeted Amount:	\$18,000
Expenditures to Date (06/02/20):	(\$ 2,459)
Available:	\$15,541
Requested Amount:	\$15,307

Department Comments and Recommendation:

The City's current water treatment chemical contract has expired. Bids went out in May for these supplies. Three bids were received and the City Clerk opened them on 05/22/20. Brenntag Mid South was the low bidder at \$15,306.50. The City has been purchasing water treatment chemicals from Brenntag Mid South for several years with good results.

The attached contract is for one year with two optional renewal years. The contract allows the vendor to raise their prices by no more than 3% for each of the two optional renewal years, so staff is asking for a not to exceed amount of \$18,000 per year for the life of the contract.

I recommend approval.

City Attorney Comments:

Per City Code 110.230, Bill 20-39 is in correct form.

City Administrator Comments:

The first reading was read and passed by the Board of Aldermen on June 18, 2020.

Staff is requesting a not to exceed amount of \$18,000 for a 12 month period. Staff expects to spend \$15,307 in this FY2020 fiscal year, the remainder in FY2021 to the end of the 12th month.

I concur with the department's recommendation.

AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AUTHORIZING THE MAYOR TO EXECUTE CONTRACT WITH BRENNTAG MID SOUTH FOR WATER CHEMICALS IN AN AMOUNT NOT TO EXCEED \$18,000.00

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 Brenntag Mid South substantially under the terms set forth in the form attached hereto as ("Exhibit A").

Total expenditures or liability authorized under this contract shall not exceed Eighteen Thousand Dollars (\$18,000.00)

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: June 18. 2020

READ SECOND TIME:

I hereby certify that the above Ordinance No. 20.39 was duly passed on by the Board of Aldermen of the City of Osage Beach. The votes thereon were as follows:

Ayes:

Nays:

Abstain:

Absent:

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

Date

Tara Berreth, City Clerk

Approved as to form:

Edward B. Rucker, City Attorney

I hereby approve Ordinance No. 20.39.

Date

John Olivarri, Mayor

ATTEST:

Tara Berreth, City Clerk

WATER TREATMENT CHEMICALS CONTRACT
OSAGE BEACH, MISSOURI

This Agreement is made and entered into this _____ day of _____, 2020, by and between the City of Osage Beach, Missouri, hereinafter referred to as “City” and Brenntag Mid-South, hereinafter referred to as “Company”.

WITNESSETH:

WHEREAS, City heretofore submitted a request for bids for Water Treatment Chemicals for the City’s water system; and;

WHEREAS, product pricing for the items needed were provided by the Company, and;

WHEREAS, Company was selected and awarded the bid for Water Treatment Chemicals for the City, and;

WHEREAS, the parties desire to enter into an agreement setting forth their respective rights, responsibilities and obligations.

NOW THEREFORE, in consideration of the mutual covenants and agreements contained herein, it is agreed by and between the parties as follows:

1. Water Treatment Chemicals. Company agrees to provide Water Treatment Chemicals for City during the term of this agreement as may be requested by the City or its representatives including all products specifications in, Exhibit A attached hereto.

2. Failure to Fulfill Requirements. This Agreement may be discontinued by the City upon giving a thirty (30) day written notice for any year in which no money for this purpose is appropriated with in the City budget.

3. Period of Contract. This Agreement shall run from July 6, 2020 to July 5, 2021. Company will provide water treatment chemicals listed in Exhibit A, payable as invoiced by the vendor. The City Administrator may renew the Agreement for up to an additional two years at the price and quantities specified in Exhibit A. Pricing for items listed in Exhibit A are subject to no more than a 3% cost increase for each renewal year..

4. Binding Effect. This Agreement shall be binding upon the parties hereto, their respective heirs, successors and assigns. This Agreement may not be assigned by Company without the express written consent of City. The City reserves the right to accept or reject any personnel assigned by the company to perform the services under this contract.

5. Included Documents. This Agreement consists of the request for proposal for Water Treatment Chemicals, _____ proposal form (Exhibit A) for Water Treatment Chemicals, and this contract.

Water Treatment Chemicals Contract
Page 2

IN WITNESS WHEREOF, the parties hereto have set their hands the day and year first
above written.

City of Osage Beach, Missouri

By: _____

John Olivarri, Mayor

Attest:

City Clerk

Company:

Brenntag Mid-South

BID OPENING

WATER CHEMICAL TREATMENT

05/22/2020

10:00 AM

The following bids were opened by City Clerk Tara Berreth

[illegible]

must include justification for the request and approval by the City. Neither cost nor pricing information nor a total bid will be considered proprietary.

City of Osage Beach
IFB BID FORM
Water Treatment Chemicals

Tara Berreth

City Clerk
City of Osage Beach
1000 City Parkway
Osage Beach, MO 65065

SUBMITTED BY: Brenntag Mid-South
Company Name
DATE SUBMITTED: 5/18/20

Specifications, including warranty details – (attach additional sheets, brochure, and/or pictures (optional) for additional clarification):

Chemical	Annual Quantity	Unit Price	Total
Hydrofluosilicic Acid (Carboys)	110	<u>\$.405/lb.</u>	<u>\$6682.50</u>
Sodium Hypochlorite (Drums)	112	<u>\$ 1.40/gal.</u>	<u>\$8624.00</u>
Total			<u>\$15306.50</u>

Deposit for Carboy	<u>Ø</u>
Deposit for Drum	<u>Ø</u>

Description of bidder's recent experience in providing the materials and services detailed in this IFB, references and/or any additional information relative in the ability to supply and/or perform stated materials and/or services – (attach additional sheet(s) if necessary):

Pursuant to and in accordance with the above stated IFB, the undersigned hereby declares that they have examined the IFB documents and specifications for the Water Treatment Chemicals IFB. The undersigned proposes and agrees, if their bid is accepted, to furnish the materials and services described in the IFB documents.

Company Brenntag Mid-South By Teri Burgener
(Authorized Representative)

Address 2235 W. Battlefield Rd. Teri Burgener
Springfield, MO 65807
(Print or type name and title)

Phone 417-887-3663 Email tburgener@brenntag.com
FAX 417-887-5136 Date 5/18/20

City of Osage Beach
Agenda Item Summary

Date of Meeting: July 2, 2020
Originator: Edward Rucker, City Attorney
Presenter: Kevin Rucker, Alderman
Date Submitted: June 19, 2020

Agenda Item:

Bill 20-40- An ordinance of the City of Osage Beach, Missouri, amending the membership of the Citizen's Advisory Committee by repealing and replacing Sections 111.030, 111.040, 111.050 of the Municipal Code dealing with the membership of the Citizen's Advisory Committee. *First Reading*

Requested Action:

First Reading of Bill #20-40

Ordinance Referenced for Action:

Board of Aldermen approval required per Section 110.230. Ordinances, Resolutions, Etc. – Generally and Section 110.240 Adoption of Ordinances.

Deadline for Action:

None

Budgeted Item:

Not Applicable

Department Comments and Recommendation:

This ordinance makes technical changes to the membership and terms of the Citizens Advisory Committee.

City Attorney Comments:

Per City Code 110.230, Bill 20-40 is in correct form.

City Administrator Comments:

Not Applicable

AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AMENDING THE MEMBERSHIP OF THE CITIZENS ADVISORY COMMITTEE BY REPEALING AND REPLACING SECTIONS 111.030, 111.040, 111.050 OF THE MUNICIPAL CODE DEALING WITH THE MEMBERSHIP OF THE CITIZENS ADVISORY COMMITTEE.

WHEREAS, the Board of Aldermen desires to make efficient and direct use of the Citizens advisory committee and to improve its operation and effectiveness in advising the Board concerning issues of importance to the future of the city, and;

WHEREAS, the Board of Aldermen conclude that the changes set forth below will increased the effectiveness of the Citizens advisory committee:

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF OSAGE BEACH, MISSOURI AS FOLLOWS:

Section 1. That Sections 111.030, 111.040, 111.050 of the Osage Beach Code of Ordinances be and are hereby repealed.

Section 2. That a new Section 111.030 of the Osage Beach Code of Ordinances be and is hereby enacted with new material set out in red and deleted material struck through to read as follows:

Section 111.030 Membership.

- A. The membership of the Osage Beach Citizen Advisory Committee shall consist of not less than nine (9) and not more than fifteen (15) members appointed pursuant to Section **111.040**. There shall be a minimum of three (3) members from each ward.
- B. Each member shall be a resident of the City of Osage Beach at the time of their appointment and maintain that residency during their service on the committee

Section 3. That a new Section 111.040 of the Osage Beach Code of Ordinances be and is hereby enacted with new material set out in red and deleted material struck through to read as follows:

Section 111.040 Terms and Appointments.

- A. Members shall serve a term of three (3) years. Membership shall be divided into three (3) classes of equal size. Terms shall expire June first (1st). All members currently serving on the Osage Beach Citizen Advisory Committee as of July 1, 2011 shall continue to serve until their terms expire. The Board of Aldermen shall specify the term expiration date at the time a member is appointed. The Mayor or a member of the Board of Aldermen may submit nominations for expired terms to the City Clerk by June first (1st) for appointments as aforesaid in this Chapter. The Board of Aldermen shall approve nominees for three (3) year terms on the Advisory Committee at their first (1st) meeting in June each year, or as soon thereafter as possible.
- B. Whenever a vacancy in membership occurs, the City Clerk shall notify the Board of Aldermen of said vacant position and said vacancy may be filled for the unexpired

term by appointment. The Board of Aldermen may remove any member by majority vote.

- C. When there are more individual nominations than open positions on the Citizens Advisory Committee, the Board of Aldermen shall vote by paper ballot, in the following manner; each member of the Board shall cast one vote for one person for each open position. The City Clerk shall read the results of the ballots aloud as the votes are tabulated. A nominee must receive a majority of the votes to be selected to serve. If additional rounds of balloting are necessary to fill the available vacancies, the individual with the fewest votes on the most recent round of balloting shall be removed from consideration.

Section 4. That a new Section 111.050 of the Osage Beach Code of Ordinances be and is hereby enacted with new material set out in red and deleted material struck through to read as follows:

Section 111.050 Conduct of Meetings.

A. The committee will be guided by Robert's Rules of Order, 10th Edition, as revised, and the Missouri Open Meetings and Records Law, as amended.

B. Meetings may be called by the Mayor, a majority of the Board of Aldermen or the City Administrator.

C. The agenda for meetings shall be established by the Mayor, a majority of the Board of Aldermen or the City Administrator.

D. Six (6) of the members appointed to the Osage Beach Citizen Advisory Committee shall constitute a quorum. unless the number of active members is less than ten (10) members in which case a majority of the members shall constitute a quorum.

E. The City Administrator may assign staff members to attend meetings.

F. Meetings of the Osage Beach Citizen Advisory Committee shall be noticed and conducted in accordance with Chapter 610, RSMo.

Section 5. Severability

The chapters, sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional or otherwise invalid by the valid judgment or degree of any Court of any competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance since the same would have been enacted by the Board of Aldermen without the incorporation in this ordinance of any such unconstitutional or invalid phrase, clause, sentence, paragraph or section.

Section 6. Repeal of Ordinances not to affect liabilities, etc.

Whenever any part of this ordinance shall be repealed or modified, either expressly or by implication, by a subsequent ordinance, that part of the ordinance thus repealed or modified shall continue in force until the subsequent ordinance repealing or modifying the ordinance shall go

into effect unless therein otherwise expressly provided; but no suit, prosecution, proceeding, right, fine or penalty instituted, created, given, secured or accrued under this ordinance previous to its repeal shall not be affected, released or discharged but may be prosecuted, enjoined and recovered as fully as if this ordinance or provisions had continued in force, unless it shall be therein otherwise expressly provided.

Section 7. That this Ordinance shall be in full force and effect from and after the date of passage and approval of the Mayor.

READ FIRST TIME: _____ READ SECOND TIME: _____

I hereby certify that Ordinance No.20.40. 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 his signature.

Date

Tara Berreth, City Clerk

Approved as to form:

Edward B. Rucker, City Attorney

I hereby approve Ordinance No.20.40.

John Olivarri, Mayor

Date

Tara Berreth, City Clerk

City of Osage Beach
Agenda Item Summary

Date of Meeting: July 2, 2020
Originator: Tara Berreth, City Clerk
Presenter: Tara Berreth, City Clerk
Date Submitted: June 19, 2020

Agenda Item:

Bill 20-41 - An ordinance of the City of Osage Beach, Missouri, establishing a procedure to disclose potential conflicts of interest and substantial interests for certain Municipal Officials. *First Reading*

Requested Action:

First Reading of Bill #20-41

Ordinance Referenced for Action:

Board of Aldermen approval required per Section 110.230. Ordinances, Resolutions, Etc. – Generally and Section 110.240 Adoption of Ordinances.

Deadline for Action:

Yes - Re-Adoption is required in order to keep our policy in effect.

Budgeted Item:

Not Applicable

Department Comments and Recommendation:

The re-adoption of our Chapter 120-Conflicts of Interest is require by MEC (Missouri Ethics Commission) in order for all elected, appointed officials and decision-making personnel, as well as candidates for public office, to avoid the requirement of filing Personal Finance Disclosure States (Long form)

City Attorney Comments:

Per City Code 110.230, Bill 20-41 is in correct form.

City Administrator Comments:

Not Applicable

AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, ESTABLISHING A PROCEDURE TO DISCLOSE POTENTIAL CONFLICTS OF INTEREST AND SUBSTANTIAL INTERESTS FOR CERTAIN MUNICIPAL OFFICIALS.

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

Section 1. Declaration of Policy. The proper operation of municipal government requires that public officials and employees be independent, impartial and responsible to the people; that government decisions and policies be made in the proper channels of the governmental structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. In recognition of these goals, there is hereby established a procedure for disclosure by certain officials and employees of private financial or other interests in matters affecting the City.

Section 2. Conflicts of Interest.

a. All elected and appointed officials as well as employees of a political subdivision must comply with Section 105.454 of the Missouri Revised Statutes on conflicts of interest as well as any other state law governing official conduct.

b. Any member of the governing body of a political subdivision who has a "substantial or private interest" in any measure, bill, order or ordinance proposed or pending before such governing body must disclose that interest to the city clerk of such body and such disclosure shall be recorded in the appropriate journal of the governing body. Substantial or private interest is defined as ownership by the individual, his spouse, or his dependent children whether singularly or collectively, directly or indirectly of: (1) 10% or more of any business entity; or (2) an interest having a value of \$10,000 or more; or (3) the receipt of a salary, gratuity, or other compensation or remuneration of \$5,000 or more, per year from any individual, partnership, organization, or association within any calendar year.

Section 3. Disclosure Reports. Each elected official, candidate for elective office, the chief administrative officer, the chief purchasing officer and the full-time general counsel shall disclose the following information by May 1, or the appropriate deadline as referenced in Section 105.487, RSMo. if any such transactions occurred during the previous calendar year:

a. For such person, and all persons within the first degree of consanguinity or affinity of such person, the date and the identities of the parties to each transaction with a total value in excess of five hundred dollars, if any, that such person had with the political subdivision, other than compensation received as an employee or payment of any tax, fee or penalty due to the political subdivision, and other than transfers for no consideration to the political subdivision; and

b. The date and the identities of the parties to each transaction known to the person with a total value in excess of five hundred dollars, if any, that any business entity in which such person had a substantial interest, had with the political subdivision, other than payment of any tax, fee or penalty due to the political subdivision or transactions involving payment for providing utility service to the political subdivision, and other than transfers for no consideration to the political subdivision.

c. The chief administrative officer, the chief purchasing officer, and candidates for either of these positions also shall disclose by May 1, or the appropriate deadline as referenced in Section 105.487, RSMo, the following information for the previous calendar year:

1. The name and address of each of the employers of such person from whom income of one thousand dollars or more was received during the year covered by the statement;

2. The name and address of each sole proprietorship that he owned; the name, address and the general nature of the business conducted of each general partnership and joint venture in which he was a partner or participant; the name and address of each partner or coparticipant for each partnership or joint venture with the Secretary of State; the name, address and general nature of the business conducted of any closely held corporation or limited partnership in which the person owned ten percent or more of any class of the outstanding stock or limited partnership units; and the name of any publicly traded corporation or limited partnership that is listed on a regulated stock exchange or automated quotation system in which the person owned two percent or more of any class of outstanding stock, limited partnership units or other equity interests;

3. The name and address of each corporation for which such person served in the capacity of a director, officer or receiver.

Section 4. Filing of Reports.

a. The financial interest statements shall be filed at the following times, but no person is required to file more than one financial interest statement in any calendar year:

1. Every person required to file a financial interest statement shall file the statement annually not later than May 1 and the statement shall cover the calendar year ending the immediately preceding December 31; provided that any member of the Board of Aldermen may supplement the financial interest statement to report additional interests acquired after December 31 of the covered year until the date of filing of the financial interest statement.
2. Each person appointed to office shall file the statement within thirty days of such appointment or employment covering the calendar year ending the previous December 31.
3. Every candidate required to file a personal financial disclosure statement shall file no later than fourteen days after the close of filing at which the candidate seeks nomination or election or nomination by caucus. The time period of this statement shall cover the twelve months prior to the closing date of filing for candidacy.

b. Financial disclosure reports giving the financial information required in Section 3 shall be filed with the city clerk and with the Missouri Ethics Commission. The reports shall be available for public inspection and copying during normal business hours.

Section 5. Filing of Ordinance. The city clerk shall send a certified copy of this ordinance, adopted prior to September 15th, to the Missouri Ethics Commission within ten days of its adoption.

Section 6. This ordinance shall be in full force and effect from and after the date of its passage and approval and shall remain in effect for two years from the date of passage.

READ FIRST TIME:

READ SECOND TIME:

Bill No. 20-41
Page 3

Ordinance No.20.41

I hereby certify that the above Ordinance No. 20.41 was duly passed on
Aldermen of the City of Osage Beach. The votes thereon were as follows:

by the Board of

Ayes: Nays: Abstain: Absent:

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

Date

Tara Berreth, City Clerk

Approved as to form:

Edward B. Rucker,
City Attorney

I hereby APPROVE Ordinance 20.41.

John Olivarri, Mayor

Date

ATTEST:

Tara Berreth, City Clerk

City of Osage Beach
Agenda Item Summary

Date of Meeting: July 2, 2020
Originator: Richard Ross, Alderman
Presenter: Edward Rucker, City Attorney
Date Submitted: June 19, 2020

Agenda Item:

Bill 20-42 - An ordinance of the City of Osage Beach, Missouri, regulating the operation of golf carts and other utility vehicles on the city streets by creating Chapter 390 of the Municipal Code providing for the control thereof and providing for a penalty for the failure to comply with this ordinance. *First Reading*

Requested Action:

First Reading of Bill #20-42

Ordinance Referenced for Action:

Board of Aldermen approval required per Section 110.230. Ordinances, Resolutions, Etc. – Generally and Section 110.240 Adoption of Ordinances.

Deadline for Action:

None

Budgeted Item:

Not Applicable

Department Comments and Recommendation:

This ordinance will allow and control the limited use of golf carts and other utility vehicles on city streets.

City Attorney Comments:

Per City Code 110.230, Bill 20-42 is in correct form.

City Administrator Comments:

Not Applicable

AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI REGULATING THE OPERATION OF GOLF CARTS AND OTHER UTILITY VEHICLES ON THE CITY STREETS BY CREATING CHAPTER 390 OF THE OF MUNICIPAL CODE PROVIDING FOR THE CONTROL THEREOF AND PROVIDING FOR A PENALTY FOR THE FAILURE TO COMPLY WITH THIS ORDINANCE.

WHEREAS, the Board of Aldermen have received inquiries concerning the operation of Golf Carts and other utility vehicles upon city streets; and,

WHEREAS, the Board of Aldermen conclude that the operation of golf carts and other utility vehicles upon some city streets is reasonable, can enhance our citizens and visitors' experiences while in the city and can be accomplished safely:

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF OSAGE BEACH, MISSOURI AS FOLLOWS:

Section 1. That a new Chapter 390 titled Golf Carts and Utility Vehicles of the Osage Beach Code of Ordinances be and is hereby enacted as follows:

Chapter 390 Golf Carts and Utility Vehicles

Section 390.010: Definitions –

A. “Golf Cart” means a motor vehicle that is designed and manufactured for operation on a golf course for sporting or recreational purposes and that is not capable of exceeding speeds of twenty miles per hour. 304.034 RSMo.

Golf carts operated on city streets shall conform to the safety standards outlined in 49 C.F.R. 571.500 including:

- i. Headlamps,
- ii. Front and rear turn signal lamps,
- iii. Taillamps,
- iv. Stop lamps,
- v. Reflex reflectors: one red on each side as far to the rear as practicable, and one red on the rear,
- vi. An exterior mirror mounted on the driver's side of the vehicle and either an exterior mirror mounted on the passenger's side of the vehicle or an interior mirror.
- vii. A parking brake,
- viii. A horn or alert sound mechanism.

- B. "Utility Vehicle" shall mean any All-Terrain Vehicle, Recreational off-highway vehicle, and any other "Off-road vehicle", designed for or capable of cross-country travel on or immediately over land, water, ice, snow, marsh, swampland, or other natural terrain without benefit of a road or trail. By way of illustration this includes without limitation, the following: multi-wheel drive or low-pressure tire vehicles, vehicles using an endless belt, or tread or treads, or a combination of tread and low-pressure tires, trail bikes, minibikes. Excluded from this definition are any military, fire or law enforcement vehicle, Farm-type tractors and other self-propelled equipment for harvesting farm or forest products, earth moving, or construction equipment and self-propelled lawnmowers.

Utility Vehicles operated on city streets shall conform to the safety standards outlined in 49 C.F.R. 571.500 including:

- i. Headlamps,
- ii. Front and rear turn signal lamps,
- iii. Taillamps,
- iv. Stop lamps,
- v. Reflex reflectors: one red on each side as far to the rear as practicable, and one red on the rear,
- vi. An exterior mirror mounted on the driver's side of the vehicle and either an exterior mirror mounted on the passenger's side of the vehicle or an interior mirror.
- vii. A parking brake,
- viii. A horn or alert sound mechanism.

Section 390.020: Requirements for operating Golf carts on City streets, roads or alleyways within the City.

- A. No person shall operate a Golf Cart upon any city street unless all the following criteria are met:
1. The golf cart shall be properly equipped pursuant to City ordinance, section 390.010.
 2. Any individual operating a golf cart shall have a valid operator's or chauffeur's license,
 3. Any individual operating a golf cart shall be at least sixteen (16) years old.
 4. The golf cart shall be operated at a speed of equal to or less than 20 miles per hour.
 5. The Golf Cart is equipped with turn signals.
- B. No person shall operate a golf cart on City streets during any period when his or her operator's license is suspended or revoked.

Section 390.030: Prohibited operation of a Golf Cart

No individual operating a Golf Cart shall:

- a. Operate any Golf Cart on any roadway with a speed limit posted above 25 mph.

- b. Operate the golf cart in a careless or imprudent manner so as to endanger any person or property of any person.
- c. Operate the golf cart while under the influence of alcohol or controlled substance.
- d. Operate the golf cart on any federal, state or county highways, except to cross.
- e. No golf cart shall cross any federal or state highway at an intersection where the highway being crossed has a posted speed limit of more than forty -five (45) miles per hour.

Section 390.040: Requirements for operating a Utility Vehicle on City streets, roads or alleyways within the City.

- A. No person shall operate a Utility Vehicle upon any city street unless all the following criteria are met:
 - 1. The Utility Vehicle shall be properly equipped pursuant to City ordinance Section 390.010.
 - 2. Any individual operating a Utility Vehicle shall have a valid operator's or chauffeur's license,
 - 3. Any individual operating a Utility Vehicle shall be at least eighteen (16) years old.
 - 4. The Utility Vehicle shall be operated at a speed of equal to or less than 20 miles per hour.
 - 5. The Utility Vehicle is equipped with turn signals, unless the operator uses hand signals when executing turns.
- B. No person shall operate a Utility Vehicle on City streets during any period when his or her operator's license is suspended or revoked.

Section 390.070: Prohibited operation in a Utility Vehicle

No individual operating a Utility Vehicle shall:

- 1. Operate any Utility Vehicle on any roadway with a speed limit posted above 25 mph.
- 2. Operate the Utility Vehicle in a careless or imprudent manner so as to endanger any person or property of any person.
- 3. Operate the Utility Vehicle while under the influence of alcohol or controlled substance.
- 4. Operate the Utility Vehicle between the hours of sunset and sunrise, unless the Utility Vehicle is properly equipped with headlights, taillights, brake lights and turn signals.
- 5. Operate the golf cart on any federal, state or county highways, except to cross. Utility Vehicle
- 6. No Utility Vehicle shall cross any federal or state highway at an intersection where the highway being crossed has a posted speed limit of more than forty -five (45) miles per hour.

Section 390.090: Penalty

a. Any person who violates any provisions of this Chapter shall be punishable under Section 100.190 of the Municipal Code of the City of Osage Beach, Missouri.

Section 2. Severability

The chapters, sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional or otherwise invalid by the valid judgment or degree of any Court of any competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance since the same would have been enacted by the Board of Aldermen without the incorporation in this ordinance of any such unconstitutional or invalid phrase, clause, sentence, paragraph or section.

Section 3. Repeal of Ordinances not to affect liabilities, etc.

Whenever any part of this ordinance shall be repealed or modified, either expressly or by implication, by a subsequent ordinance, that part of the ordinance thus repealed or modified shall continue in force until the subsequent ordinance repealing or modifying the ordinance shall go into effect unless therein otherwise expressly provided; but no suit, prosecution, proceeding, right, fine or penalty instituted, created, given, secured or accrued under this ordinance previous to its repeal shall not be affected, released or discharged but may be prosecuted, enjoined and recovered as fully as if this ordinance or provisions had continued in force, unless it shall be therein otherwise expressly provided.

Section 4. Codification

It is the intention of the Board of Aldermen and it is hereby provided, that the provisions of this ordinance shall become and be made a part of the Code of Ordinances of the City of Osage Beach, Missouri; that the sections of this ordinance may be renumbered or re-lettered to accomplish such intention; and the words "ordinance" may be changed to "section," "article" or other appropriate designation.

Section 5. That this Ordinance shall be in full force and effect from and after the date of passage and approval of the Mayor.

READ FIRST TIME: _____ READ SECOND TIME: _____

PASSED AND APPROVED THIS _____ DAY OF _____, 2010.

I hereby certify that the above Ordinance No. 20.42 was duly passed on _____, 2020 by the Board of Aldermen of the City of Osage Beach. The votes thereon were as follows:

Ayes _____ Nays _____

Abstaining _____ Absent _____

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

Date

Tara Berreth, City Clerk

Approved as to form:

Edward B. Rucker,
City Attorney

I hereby APPROVE the above Ordinance No. 20.42

John Olivarri, Mayor

Date

ATTEST:

Tara Berreth, City Clerk

City of Osage Beach
Agenda Item Summary

Date of Meeting: July 2, 2020
Originator: Cary Patterson, City Planner
Presenter: Cary Patterson, City Planner
Date Submitted: June 22, 2020

Agenda Item:

Public Hearing - Rezoning Case 404: Ebling Enterprises, Inc., C-1 to C-1 and C-1b with a PUD-1 Overlay.

Requested Action:

Public Hearing

Ordinance Referenced for Action:

Board of Aldermen shall hold a public hearing on each application for an amendment to Zoning Map per Municipal Code Chapter 405 Zoning Regulations.

Deadline for Action:

Yes - (90 rule)

Budgeted Item:

Not Applicable

Department Comments and Recommendation:

A Public Hearing is required for all rezoning cases. The is the hearing for Rezoning Case 404 as requested by Ebling Enterprises, Inc. for a zoning change from C-1 (General Commercial) to C-1 (General Commercial) and C-1b (Commercial Lodging) with a PUD-1 Overlay to allow the development of condominiums, a hotel, and a

restaurant on the property that was formerly the home of the Topsider Lakefront Entertainment venue.

This is an opportunity for the Mayor and the Board of Aldermen to hear comments or concerns from the applicant and the public pertaining to the proposed project.

City Attorney Comments:

Not Applicable

City Administrator Comments:

Not Applicable

City of Osage Beach
Agenda Item Summary

Date of Meeting: July 2, 2020
Originator: Cary Patterson, City Planner
Presenter: Cary Patterson, City Planner
Date Submitted: June 22, 2020

Agenda Item:

Bill 20-43- Rezoning Case 404, Ebling Enterprises, Inc. is requesting a rezoning of property currently zoned C-1 (General Commercial) to C-1 (General Commercial) and C-1b (Commercial Lodging) with a PUD 1 Overlay for the development of condominiums, a hotel, and a restaurant on the subject property. *First & Second Reading*

Requested Action:

First & Second Reading of Bill #20-43

Ordinance Referenced for Action:

Board of Aldermen approval required for an amendment to the Zoning Map per Municipal Code Chapter 405 Zoning Regulations.

Deadline for Action:

Yes - 90 day rule and the applicant has requested a first and second reading of the Rezoning Ordinance at the meeting on July 2, 2020. (See attached letter)

Budgeted Item:

Not Applicable

Department Comments and Recommendation:

See attached Report and exhibits

The Planning Commission reviewed the request at their meeting on June 9, 2020 and have forwarded it to the Board with a unanimous recommendation for approval.

City Attorney Comments:

Per City Code 110.230, Bill 20-43 is in correct form.

City Administrator Comments:

I concur with the department's recommendation.

A first and second reading is being requesting by the applicant due to contract closing deadlines on the property.

AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, ADOPTING AN AMENDMENT TO THE ZONING MAP OF THE CITY OF OSAGE BEACH, MISSOURI, BY REZONING 10.5 ACRES AS DESCRIBED IN REZONING CASE NO. 404.

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

Section 1. That the real estate, described as follows, 10.5 acres zoned C-1 (General Commercial) to C-1 (General Commercial) and C-1b (Commercial Lodging) with a PUD 1 Overlay for the development of condominiums, a hotel and a restaurant.

See Exhibit A: Property Boundary Description.

Section 2. That the development as described herein and referred to as Case 404 shall conform to the provisions for the approved zones as listed in the Osage Beach Code of Ordinances.

Section 3. 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. 20.43 was duly passed _____, 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 his signature.

Date

Tara Berreth, City Clerk

Approved as to form:

Edward B. Rucker, City Attorney

I hereby APPROVE Ordinance 20.43

John Olivarri, Mayor

Date

ATTEST:

Tara Berreth, City Clerk

**PLANNING DEPARTMENT
REPORT TO THE
PLANNING COMMISSION**

Date:	June 9, 2020	Case Number:	404
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Applicant: Ebling Enterprises Inc., LLC.

Location: 4877 Osage Beach Parkway

Petition: Rezoning from C-1 (General Commercial) to C-1 and C-1b with a PUD 1 Overlay for the development of Condominiums, a Hotel, and a restaurant.

Existing Use: Not currently being used. The property was previously the location of the Topsider Lake Front Entertainment venue.

Zoning: C-1 (General Commercial)

Tract Size: 10.5 acres

Surrounding Zoning:

Surrounding Land Use:

North: R-1b (Single Family)

Mcfield Subdivision

South: C-1 (General Commercial)

Osage Beach Pkwy Corridor

East: C-1 (General Commercial)

Osage Beach Pkwy Corridor

West: LU (Lake Use)

Lake of the Ozarks

The Osage Beach Comprehensive Plan

Designates this area as appropriate for: Heavy Traffic Commercial

Rezoning History **Case #**

Date

N/A

Utilities

Water: City
Electricity: Ameren UE

Gas: Summit
Sewer: City

Access: Property derives access from Osage Beach Parkway.

Analysis:

1. The applicants are the owners of the 10.5 acres in question. The property is currently zoned C-1 (General Commercial) as it was zoned in the original zoning of the community.
2. The applicant is requesting a rezoning to C-1 and C-1b with a PUD 1 overlay which will allow the development of condominiums, a hotel, and a restaurant on the subject property. The PUD assures the uses within the development providing resort residential and commercial uses within the development that complement each other and will provide protection for the buyers of the condo units themselves. The PUD will also allow the three uses in the development to share the parking amenities for the overall development which provide the necessary number of spaces for each of the uses.
3. As you can see on the site development plan, the C-1b (condo development) portion of the development is comprised of 8.2 acres while the C-1 (hotel, restaurant) area consists of the remaining 2.3 acres.
4. The existing entrance into the property will provide the access to the new development
5. The character of surrounding development is primarily commercial with the highway commercial corridor. Mcfield subdivision is located to the North, the proposed use should provide them with a less intense use than what has taken place on the subject property in the past.
6. The development will be required to meet the zoning code requirements of the specific zones that each use falls in unless otherwise listed with the PUD permitted uses. All construction is required to meet all of the Building Codes that have been adopted at the time of Building Permit issuance for each specific building. The Osage Beach Design Guidelines will be followed in the design and construction of the developmental services (sewer, water, streets, etc.).

Department Comments and Recommendations:

The PUD is a zoning tool to offer flexibility within the rigid zoning districts by allowing mixed-use developments that adhere to the goals and objectives of the Comprehensive Plan. In this situation we have an amazing piece of commercially zoned property that was once the home of the Topsider Lakefront Entertainment venue. The Topsider provided the City, its People, and visitors a place to enjoy each other and the activities that make this lake a destination for people from all over our country for nearly 40 years. This piece of property is one of two like it in our community. It has lake frontage, Osage Beach Parkway frontage, and direct access to the Highway 54 Interchange. Obviously, those aspects are hard to come by making this piece very valuable to both the owners and the community.

In 2006 the Planning Commission and The Board of Aldermen removed condominium development from the permitted uses in the C-1 zone. This was done to protect valuable lake front properties such as the subject property from being developed as condos without the City being able to review if that was the greatest and best use for the property. In this situation, the applicants came to me with the desire to put a condo development on the property. As we discussed it, I let them know that I would have difficulty recommending approval of such a request without assuring that at least a portion of the commercial potential of the property would be achieved. The applicant went to work and came up with a plan that works out well for all involved. Of course, the applicant gets to build and sell lake front condominiums while the restaurant and hotel provide for the commercial potential of the property. The three uses compliment each other and actually can be selling points for each other as accessory amenities.

Keep in mind that once this request is approved, the only development that can take place within the PUD District are those that conform to the permitted uses and regulations of the PUD itself. This includes everything from facility construction to infrastructure development.

Keeping in mind the existing conditions of the subject property, a recommendation of Heavy Traffic Commercial for the property by the Comprehensive Plan, I believe the proposed development will be a benefit to the community as requested; **the Planning Department recommends approval of this request subject to the following provisions:**

Permitted Uses:

The development as illustrated in the submitted site development plan:

- 1) 139 condominium units
- 2) Minimum 72-unit hotel facility
- 3) 250 seat restaurant facility

Construction of the hotel and restaurant facilities can vary from the illustrated site plan to accommodate varying design preferences of the ownership. This will include a combination restaurant/hotel facility as opposed to separate structures, provided the use requirements, parking requirements, and all other Building and Zoning Codes can be met.

Any other proposed use that deviates from the uses permitted in the above listed regulatory documents will require an amendment to the approved PUD.

Construction:

Construction shall be in accordance with the Building Codes as adopted by the City of Osage Beach at the time of Building Permit acquisition for each individual facility.

Bulk, Area, and Height Requirements:

Shall be in conformance with the Building Code, the final PUD document, and the Project Development Plan.

Public Facilities:

Engineering plans for water, streets, and sewer improvements will be submitted with the preliminary plat. These plans, including a drainage plan, must be submitted and approved prior to development. Coordination with the City Engineer is required to ensure that all public improvements are sized and designed to accommodate future phases of development and adjacent properties.

1. All required public improvements will be constructed by the applicants or subsequent owner(s). Financial assurances must be provided in conjunction with the preliminary and final plats.
2. Any infrastructure to be dedicated to the City of Osage Beach into any of the public systems must go through the required procedure for acceptance by the City.
3. Any existing Public Rights of Way to be vacated as part of this development must also go through the proper procedure as required by the City Code of Ordinances for the vacation of roads.

Access:

Access shall be derived from Osage Beach Parkway as illustrated in the PUD Site Plan. All street construction or improvements to the existing roads must conform to the city design guidelines.

Parking:

All development shall, at minimum, adhere to Osage Beach off-street parking requirements and the parking requirements as established in the final PUD Document at the time that it is constructed.

Buffering and Screening:

Buffering and screening shall be required as per the Osage Beach Zoning Code for the C-1 (General Commercial) and C-1b (Commercial Lodging) zones.

Exterior Lighting:

1. Exterior lighting shall be designed, located and constructed to eliminate or significantly reduce glare and/or a general increase in lighting intensity within the adjoining existing residential area(s). Additionally, all exterior lighting shall be so arranged and shielded so as to confine all direct light rays within the boundaries of this district.
2. All street lighting proposed shall meet the City's standards for street lighting for the specific designation for each roadway (thoroughfare, collector, local etc.). Applicants should coordinate with the City's Engineering Department on street lighting installations.

Signage:

All signage within the PUD District will be required to meet the city sign code and a permit must be acquired from the city prior to construction or placement of all signage whether it is a development wide or individual facility sign.

Maintenance of Open Space and Common Areas:

The maintenance of common area and facilities within the District shall remain the responsibility of the developer(s) or shall be assumed by a legally constituted property owners association that meets all the legal requirements prescribed by the City Attorney.

Platting:

All development within this PUD must be platted in accordance with Osage Beach Subdivision Regulations. The uses permitted and the intensity of development as prescribed by the approval of this PUD shall not be subject for review during the platting process.

Final Development Plan:

1. A final PUD development plan for the property has been submitted to the Planning Department and is enclosed in your packet. The submitted document is in line with the recommendations within this report and is ready for the Planning Commission to review and make a recommendation to the Board of Aldermen.
2. The preliminary plat and final plats will require complete review and approval as specified in the City of Osage Beach Subdivision Code.



Date Received: 5.6.2020
Case #: 404

#18

REZONING/SPECIAL USE PERMIT APPLICATION

1. Name of property owner: Ebling Enterprises Inc Phone: _____
Address: P.O. Box 1330 City: Osage Beach State MO Zip: 65065

List all owners of the property. If corporation or partnership, list names, addresses and phone numbers of principal officers or partners: Kym 573-280-8285 Dick 573-280-8287

Kym Ebling and Dick Ebling = 4877 Osage Beach Parkway, Osage Beach, MO 65065
Susan Ebling = 1187 Frontier Lane, Osage Beach, MO 65065 573-216-1233

2. Name of landowner's representative, if different from above: Phone: _____
Address: PO Box 1450 City: OSAGE Beach State: MO Zip: 65065

3. All correspondence relative to this application should be directed to whom? John Lock (573) 216-1974
Address: PO Box 450 City: OSAGE Beach State: MO Zip: 65065

4. General location of property to be rezoned or for which special use permit is sought (include street numbers for existing structures):
Address: Hwy 54 City: Osage Beach State MO Zip: _____

NE corner of Hwy 54 Grand Glaize Bridge, site of Top Siders

5. Do you have a specific use proposed for this property? ☒ Yes ☐ No
Explain all uses: Lodging Condominiums

6. Area of property in square feet or acres: 10.5 Acres

7. Current zoning classification: Commerical General Com C-1

8. Sources of utilities: Water: City Gas: Summer
Sewer: City Electric: Ameren

9. Proposed zoning classification: C-1B

10. How long have you owned this property? Long Time

11. Current use of property (describe all improvements): Top Siders Entertainment Lake Side Bar

12. Current use of all property adjacent to subject property: North: Residential
South: Highway East: Commerical West: Commerical Condos

13. If zoning district or comparable use to that proposed adjoins or lies within the vicinity of subject property, please describe the use and its location:

Condos existing

14. Do you own property abutting or in the vicinity of the subject property? ☐ Yes ☒ No

If yes, where is the property located and why was it not included with this application?

15. Do any private covenants or restrictions encumber the subject property which could be in conflict with the proposed zoning classification? ☐ Yes ☒ No

If yes, please remit copy of restrictions with Recorder of Deeds Book and Page number.

16. To your knowledge, has any previous application for the reclassification of the subject property been submitted? ☐ Yes ☒ No

17. How, in your opinion, will the rezoning affect public facilities (sewer, water, schools, roads, etc.), and what mitigating measures are proposed to address these problems, if any? Please include a letter from or regarding, City Engineering Department reviews of proposed zoning.

Able capacity for 150 residential units. Letter requested 2/6/2020 email.

18. How, in your opinion, will rezoning affect adjacent properties and what mitigating measures are proposed to address these problems, if any?

Much less of an impact from a historic facility of Top Sider. Residences are more in line with neighbors.

19. List the reasons why, in your opinion, this application for rezoning/special use permit should be granted (may be left blank if adequately described in letter to Planning Commission):

The proposed use matches neighboring uses. Commerical development can't fit with primary overhead and grade issues along the intersection. This property has not been purchased for anyother reason. The market defines the use proposed.

Notary Information

State of Missouri }
County of Camden } ss

I, KATHRYN S. EBLING, owner/applicant, having read the procedures and instructions, make application for a change in the zoning district boundary lines as shown on the zoning maps of the City of Osage Beach, Missouri and explained in this application.

Kathryn S. Ebling - PRES Date: 3/12/20
Signature Owner/Applicant:

Subscribed and sworn to before me on this 17 day of March, 2020

Maurin Kessler
Notary Public:

8-22-23
My Commission Expires:

Person Accepting this Application:



****Applications not properly signed and notarized may be removed from the Agenda and returned to the applicant via regular mail ****

CITY OF OSAGE BEACH
PLANNING DEPARTMENT
1000 CITY PARKWAY
OSAGE BEACH, MO 65065
573-302-2000 Phone – 573-302-0528 FAX

FOR Review Only
NOT FOR Construction

**Proposed C-1 Area
2.2 Acres**

— 10+ Ft Offset

Concept 1"=40'



Matthew J. Marschke
5610 Alona Point
Osage Beach, MO 65065
matt.jm@mwec.us
Telephone: 573-216-0066
www.mwec.us

MO Corp: 2001015503
Expires 12/31/18



Project Summary:

Acres: 10.5 Acres

Proposed Zoning Area: C-1B

8.2 Acres for Condo Project
139 Condos requiring 280 parking spaces

Proposed Zoning Area C-1:

2.3 Acres for Hotel and Restaurant Pad

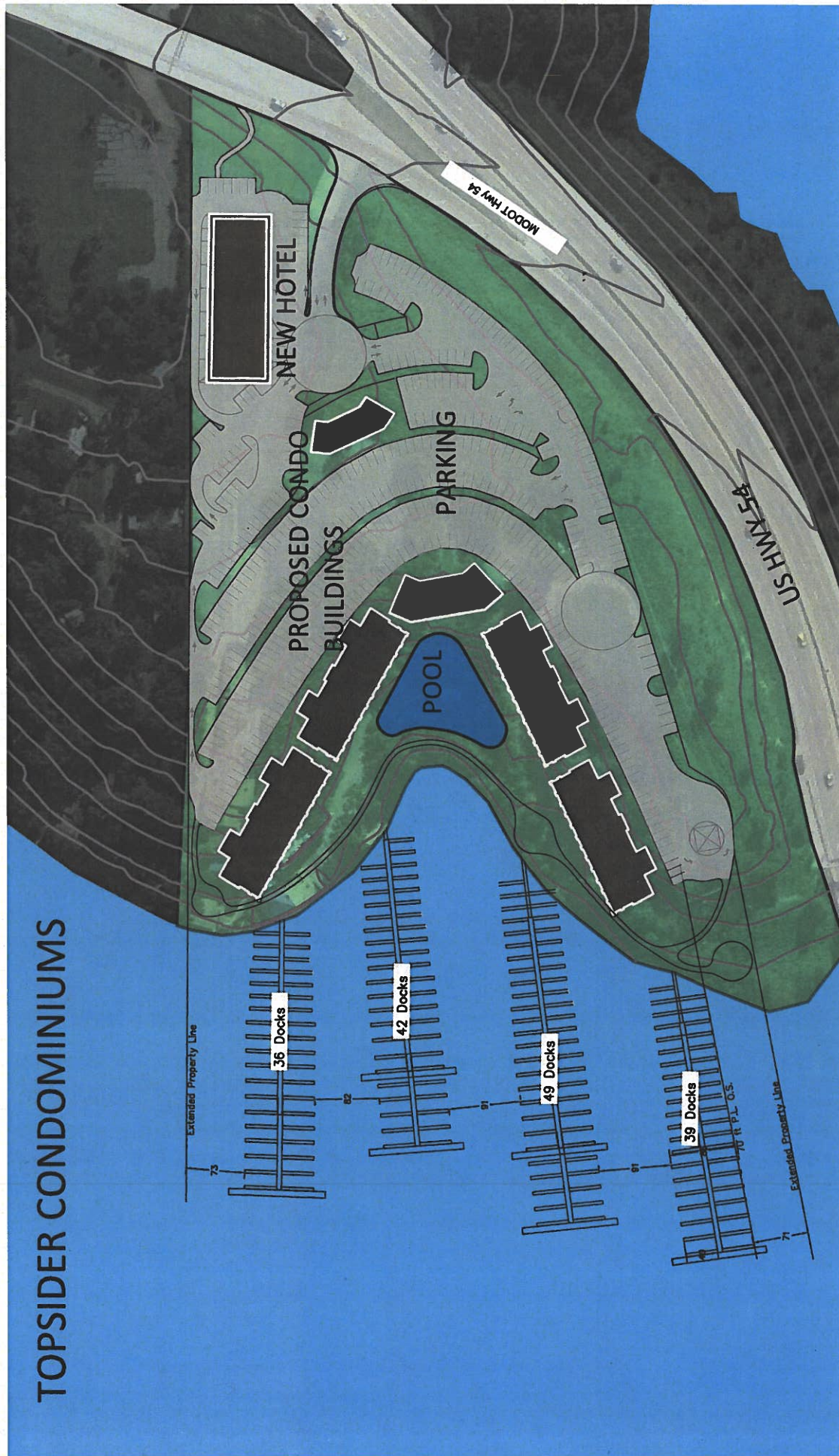
- Restaurant estimated to be 5000 sq feet with 300 seats. 20 Staff requiring 110 Parking Spaces
- Hotel estimated to have 80 rooms, Conference rooms not considered. 6 employees requiring 86 Rooms

Total Parking Required: $280 + 110 + 86 = 476$

Total Parking Provided 438 shown at 10 foot wide. 476 or more with 9 ft spaces

Docks 166

TOPSIDER CONDOMINIUMS





TOPSIDER CONDOMINIUMS

Exhibit A

Top Sider Application

Parcels within 185 feet:



Parcel Number	Legal Desc Range	Deedholder	Mailing Address	Mailing City	Mailing State	Mailing Zip
08-1.0-12.0-000.0-006-001.002	LOTS 9 TH 16W	OFFCOMO V LLC	428 POLI ST STE 2D	VENTURA	CA	93001-5690
08-1.0-12.0-000.0-011-001.000	AREA CON 16W	UNION ELECTRIC DBA AMEREN MISSOURI	PO BOX 66149 MC212	SAINT LOUIS	MO	63166-6149
08-1.0-12.0-000.0-006-013.000	LOT 10 BL 16W	MC NEAL, ASIA	PO BOX 1235	OSAGE BEACH	MO	65065-1235
08-1.0-12.0-000.0-006-048.000	BLOCK 2 U 16W	GIVENS, LLOYD E & SHELLY	9907 MIDLAND BLVD	OVERLAND	MO	63114-1514
08-1.0-12.0-000.0-006-047.000	BLOCK 2 U 16W	GIVENS, ROBERT SR. & VERTRILLA	839 FONTAINE PL	SAINT LOUIS	MO	63137-2706
08-1.0-12.0-000.0-006-039.000	LOT 7 BLK 16W	SMITH, FRANCIS M II	1131 MC FIELD RD	OSAGE BEACH	MO	65065-0000
08-1.0-12.0-000.0-006-051.000	BLK 2 LOT 16W	BROWNEY'S NINE HOLDING CO NO TWO LLC	12791 BROADRIDGE LN	BLACK JACK	MO	63033-4605
08-1.0-12.0-000.0-006-059.000	PT NW NV 16W	MC FIELD, HUGH & SERETHA &	4222 BAYGLEN CT	HOUSTON	TX	77068-1011
08-1.0-12.0-000.0-006-044.001	LOT 1 BL 16W	GIVENS, ROBERT SR. & VERTRILLA	839 FONTAINE PL	SAINT LOUIS	MO	63137-2706
08-1.0-12.0-000.0-006-012.000	LOT 11 BL 16W	MC NEAL, ASIA	PO BOX 1235	OSAGE BEACH	MO	65065-1235
08-1.0-12.0-000.0-006-041.000	LOT 5 BLK 16W	PLEASANT, JOHN D & KAREN LYLES-	1305 SAGAMORE DR	RAYMORE	MO	64083-8363
08-1.0-12.0-000.0-003-010.000	UNNUMB 16W	GREG PANERA PROPERTIES LLC	PO BOX 109	CAMDENTON	MO	65020-0109
08-1.0-12.0-000.0-006-046.000	BLOCK 2 U 16W	HOUSTON ENTRUSTED LLC	11115 SCHUETZ RD	SAINT LOUIS	MO	63146-4909
08-1.0-12.0-000.0-006-043.000	BLK 7 LOT 16W	SMITH, FRANCIS M II	1131 MC FIELD RD	OSAGE BEACH	MO	65065-0000
08-1.0-12.0-000.0-006-014.000	LOT 1 BLK 16W	MC NEAL, ASIA	PO BOX 1235	OSAGE BEACH	MO	65065-1235
08-1.0-12.0-000.0-006-001.001	LOT 8 BLK 16W	ODEMS, ALBERT	3920 WABASH	KANSAS CITY	MO	64130-0000
08-1.0-12.0-000.0-006-015.000	BLK 4 LOT 16W	MC NEAL, ASIA	PO BOX 1235	OSAGE BEACH	MO	65065-1235
08-1.0-12.0-000.0-006-037.000	BLOCK 7 U 16W	MOORE, ELAINE D	2539 N 73RD TER	KANSAS CITY	MO	66109-0000
08-1.0-12.0-000.0-006-044.000	LOT 2 BL 16W	SHEPPARD, JOHNNY & JACKSON,	8301 EVERETT AVE	KANSAS CITY	KS	66112-1731
08-1.0-12.0-000.0-006-052.000	PT. N 1/2 16W	OFFCOMO V LLC	428 POLI ST STE 2D	VENTURA	CA	93001-5690
08-1.0-12.0-000.0-006-050.000	BLOCK 2 U 16W	BEARDEN, FRENCH ELLIS	11336 PINEVIEW CROSSING DR	MARYLAND HTS	MO	63043-2787
08-1.0-12.0-000.0-006-038.000	BLK 7 LOT 16W	BEISHIR, NICHOLAS A & MEAGAN M	331 KOPP RD	WATERLOO	IL	62298-1907
08-1.0-12.0-000.0-006-042.000	BLOCK 7 U 16W	BOYD, TERRY L	11342 BRISTOL ROCK RD	FLORISSANT	MO	63033-7507
08-1.0-12.0-000.0-006-011.000	BLOCK 4 U 16W	DICKINSON, CURLEE & NORMA	5452 MUNICE DR	KANSAS CITY	KS	66102-0000
08-1.0-12.0-000.0-006-045.000	BLOCK 2 U 16W	SHEPPARD, JOHNNY & JACKSON,	8301 EVERETT AVE	KANSAS CITY	KS	66112-0000
08-1.0-12.0-000.0-006-040.000	LOT 6 BLK 16W	PLEASANT, JOHN D & KAREN LYLES-	1305 SAGAMORE DR	RAYMORE	MO	64083-8363
08-1.0-12.0-000.0-006-058.000	WENDELL 16W	MC FIELD, HUGH & SERETHA	4222 BAYGLEN COURT	HOUSTON	TX	77068-0000
08-1.0-12.0-000.0-006-049.000	BLOCK 2 U 16W	HODGES, BARNEY F	4934 N 131ST DR	KANSAS CITY	KS	66109-3847



NORTH

**Rezoning Case
404 Location Map**



Midwest Engineering Company, LLC
(DBA Marschke Engineering, LLC in
Illinois)
The Lodge, Suite 10
231 N. Main Street
Edwardsville, IL 62025

5610 Alona Point
Osage Beach, MO 65065
573-216-0066

June 10th, 2020

Cary Patterson
City of Osage Beach
Planning and Zoning Administrator

RE: Topsider Rezoning

Dear Mr. Patterson,

We respectfully request that the rezoning application be read twice at the next Board of Aldermen meeting to expediate the approval of the project on July 2nd.

Please call with any questions.

Sincerely,

John Lock

City of Osage Beach
Agenda Item Summary

Date of Meeting: July 2, 2020
Originator: Cary Patterson, City Planner
Presenter: Cary Patterson, City Planner
Date Submitted: June 22, 2020

Agenda Item:

Public Hearing - Rezoning Case 405: Dennis L. House, Trustee, A-1 (Agriculture) to R-1b (Single Family).

Requested Action:

Public Hearing

Ordinance Referenced for Action:

Board of Aldermen shall hold a public hearing on each application for an amendment to Zoning Map per Municipal Code Chapter 405 Zoning Regulations.

Deadline for Action:

Yes - (90 rule)

Budgeted Item:

Not Applicable

Department Comments and Recommendation:

A Public Hearing is required for all rezoning cases. This is the hearing for Rezoning Case 405 as requested by Dennis House, Trustee, for a zoning change from A-1 (Agriculture) to R-1b (Single Family).

This is an opportunity for the Mayor and the Board of Aldermen to hear comments or concerns from the applicant and the public pertaining to the proposed zoning change.

City Attorney Comments:

Not Applicable

City Administrator Comments:

Not Applicable

City of Osage Beach
Agenda Item Summary

Date of Meeting: July 2, 2020
Originator: Cary Patterson, City Planner
Presenter: Cary Patterson, City Planner
Date Submitted: June 22, 2020

Agenda Item:

Bill 20-44 - Rezoning Case 405, Dennis House, Trustee. is requesting a rezoning of property currently zoned A-1 (Agriculture) to R-1b (Single Family). *First Reading*

Requested Action:

First Reading of Bill #20-44

Ordinance Referenced for Action:

Board of Aldermen approval required for an amendment to the Zoning Map per Municipal Code Chapter 405 Zoning Regulations.

Deadline for Action:

Yes - 90 day rule

Budgeted Item:

Not Applicable

Department Comments and Recommendation:

See attached Report and exhibits

The Planning Commission reviewed the request at their meeting on June 9, 2020 and have forwarded it to the Board with a unanimous recommendation for approval.

City Attorney Comments:

Per City Code 110.230, Bill 20-44 is in correct form.

City Administrator Comments:

I concur with the department's recommendation.

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AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, ADOPTING AN AMENDMENT TO THE ZONING MAP OF THE CITY OF OSAGE BEACH, MISSOURI. BY REZONING 2.7 ACRES AS DESCRIBED IN REZONING CASE NO. 405.

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

Section 1. That the real estate, described as follows, 2.7 acres zoned A-1 (Agriculture) to R-1b (Single Family)

See Exhibit A: Property Boundary Description.

Section 2. That the development as described herein and referred to as Case 405 shall conform to the provisions for the approved zones as listed in the Osage Beach Code of Ordinances.

Section 3. 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. 20.44 was duly passed _____, 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 his signature.

Date

Tara Berreth, City Clerk

Approved as to form:

Edward B. Rucker, City Attorney

I hereby APPROVE Ordinance 20.44.

John Olivarri, Mayor

Date

ATTEST:

Tara Berreth, City Clerk

**PLANNING DEPARTMENT REPORT
TO THE
PLANNING COMMISSION**

Date:	June 9, 2020	Case Number:	405
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Applicant: Dennis House

Location: 695, 671, and 681 Passover Road

Petition: Rezoning from A-1 (Agriculture) to R-1b (Single Family)

Existing Use: Three single family homes

Existing Zoning: A-1 (Agriculture)

Tract Size: +/- 2.7 acres

Surrounding Zoning:

Surrounding Land Use:

North: A-1 Agriculture

Residence

South: A-1 Agriculture

Residence

East: R-1b Single-Family

Residence

West: A-1 Agriculture

Vacant

**The Osage Beach Comprehensive Plan
Designates this area as appropriate for:** Moderate Density Residential

Rezoning History

Date

None

Utilities

Water: City
Electricity: Ameren UE

Gas: Summit Gas
Sewer: City

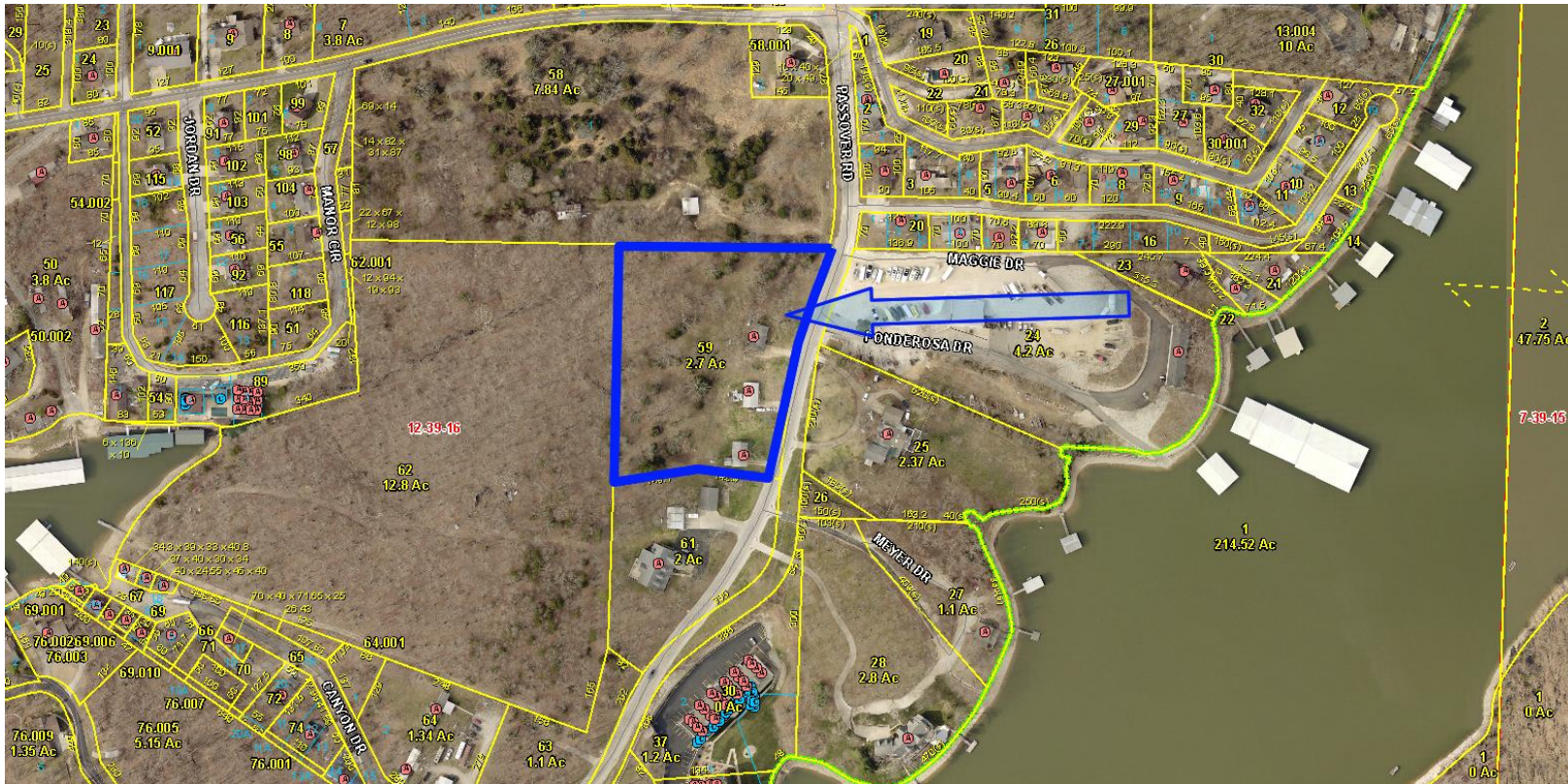
Access: Property derives access via Passover Road

Analysis:

1. The applicant is the owner of the 2.7-acre parcel in question. The parcel is currently zoned A-1 as it was zoned with the initial zoning of the community in the 1980's.
2. The property is the home of three existing residences as listed above. The request is to rezone the property to a more fitting residential zone as opposed to A-1 (Agriculture). In the A-1 zone, a 3-acre minimum lot size is required. Because there are three homes on this property and the lot is less than 3 acres, it means that both the property and the homes maintain a legal non-conforming status. The applicant wants to separate the homes on their own lots and sell them, but to do that the property must be rezoned. Rezoning this property as requested and separating the homes will put both the properties and the homes in complete conforming status.

Department Comments and Recommendations:

The subject property is in an area that is primarily residential. Approving this request will allow the owner to bring the homes and property into conforming status with City code. The request is in conformance with the Comprehensive plan and puts the property in a district that is more fitting for the current situation and its surroundings. **The Planning Department recommends approval of this request.**



**Rezoning Case
405 Location Map**

City of Osage Beach
Agenda Item Summary

Date of Meeting: July 2, 2020
Originator: Cary Patterson, City Planner
Presenter: Cary Patterson, City Planner
Date Submitted: June 22, 2020

Agenda Item:

Bill 20-45 - An ordinance of the City of Osage Beach, Missouri, approving the Final Plats for Arrowhead Center. *First Reading.*

Requested Action:

First Reading of Bill #20-45

Ordinance Referenced for Action:

Board of Aldermen approval required for major final subdivision plats per Municipal Code Section 410.170 Subdivision Regulations, Approval Process.

Deadline for Action:

None

Budgeted Item:

Not Applicable

Department Comments and Recommendation:

The Planning Department recommended approval of this item to Planning Commission at their June meeting and they have forwarded it to the Board of Aldermen with a unanimous recommendation for approval. See the attachments for further detail.

City Attorney Comments:

Per City Code 110.230, Bill 20-46 is in correct form.

City Administrator Comments:

I concur with the department's recommendation.

AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, APPROVING THE FINAL PLAT OF ARROWHEAD CENTER, A SUBDIVISION IN OSAGE BEACH, CAMDEN COUNTY, MISSOURI.

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

Section 1. That the plat of Arrowhead Center, a subdivision in Osage Beach, Camden County, Missouri, approved by the Planning Commission on June 9, 2020, is hereby approved by the Board of Aldermen of the City of Osage Beach, Missouri.

Section 2. 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.20.45 was duly passed on _____, by the Board of Aldermen of the City of Osage Beach. The votes thereon were as follows:

Ayes:

Nays:

Abstain:

Absent:

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

Date

Approved as to form:

Tara Berreth, City Clerk

Edward B. Rucker, City Attorney

I hereby approve Ordinance No.20.45.

John Olivarri, Mayor

Date

ATTEST:

Tara Berreth, City Clerk

PLANNING DEPARTMENT REPORT
TO THE
PLANNING COMMISSION

Date: **June 9, 2020**

Subdivision Name: Arrowhead Centre Final Plats

Location: Corner of St. Moritz and Highway KK

Section/Township/Range: 16/39/16

Applicant: Arrowhead Development Group, LLC.
Dogwood Hills Land Holdings, Inc.

Surveyor: HDR

Tract Size: 14.1 acres

Zoning: C-1 w/ PUD-1 Overlay for a Skilled Nursing and Assisted Living Facility

Surrounding Land Use:

North: Residential Development

South: Vacant Unincorporated

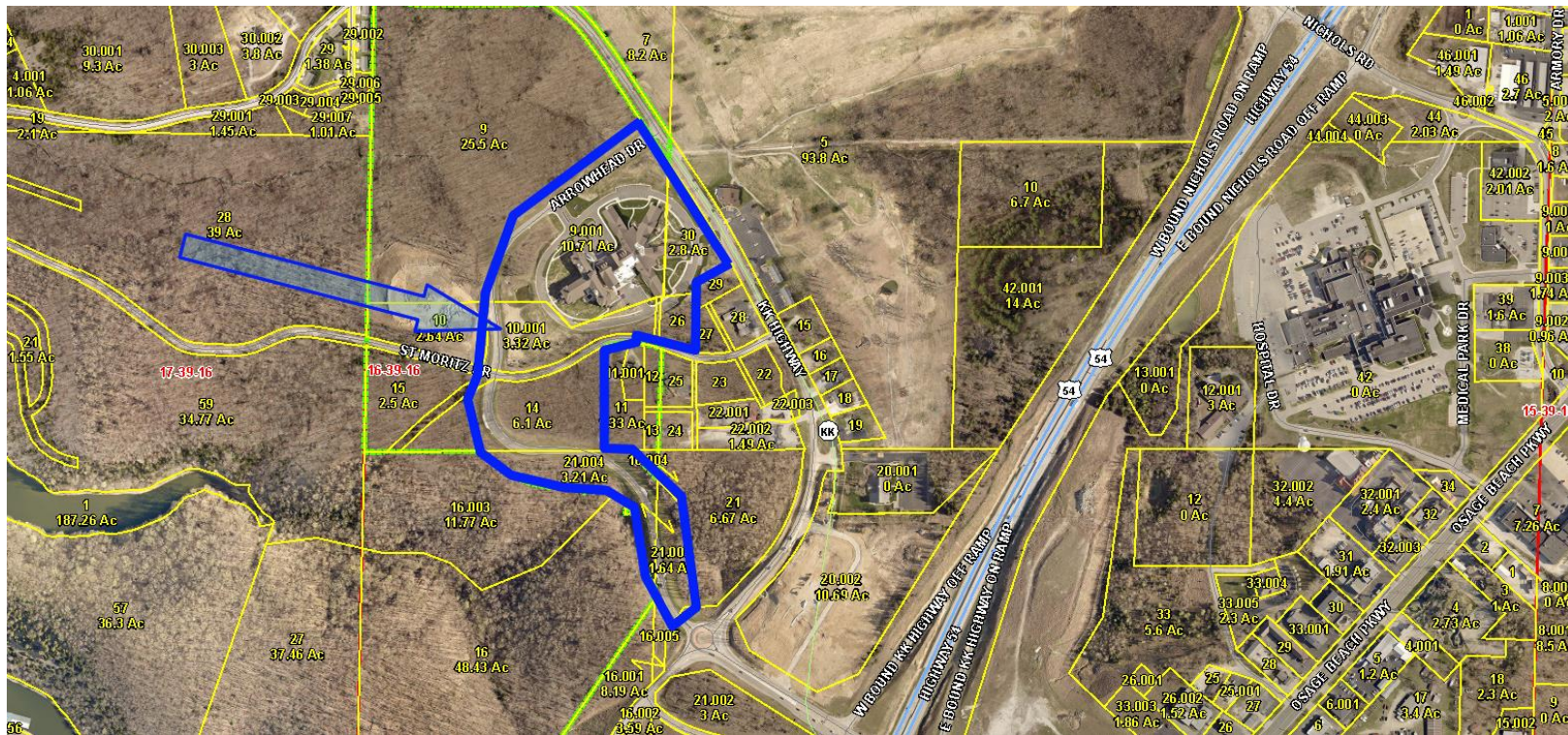
East: Arrowhead Centre PUD

West: Residential Development/Vacant Unincorporated

Department Comments

Final plats:

- 1) The plats were reviewed for code compliance and was found to be consistent with the final plat requirements.
- 2) All public improvements, (i.e., roadways, parking areas, streetlights, etc.) have been completed except for the sidewalks. The applicant will be required to submit a performance bond or letter of credit for construction of those sidewalks.



NORTH

**Final Plat
Arrowhead Centre**

ARROWHEAD CENTRE SKILLED NURSING & ASSISTED LIVING FACILITY – LOT 1
PART OF THE NW1/4 OF SECTION 16–T39N–R16W
CITY OF OSAGE BEACH, CAMDEN COUNTY, MISSOURI

CERTIFICATE OF OWNERSHIP

I, _____, as Managing Member of Dogwood Hills Golf Course, Inc., do hereby certify that we are the sole owners of the property described hereon, which is within the subdivision regulation jurisdiction of the City of Osage Beach, Missouri, and that we freely adopt this plan of subdivision and dedicate to public use all areas shown on this plat as easements or Right of Ways, and that we will maintain all such areas until the offer of dedication is accepted by the appropriate public authority.

BY: _____
Managing Member of Dogwood Hills Golf Course, Inc.

ACKNOWLEDGMENT

State of Missouri)
County of Camden)

Be it remembered that on this ____ day of _____, 20____ before me, a Notary Public in and for the County and State, aforesaid, before me appeared _____, Managing Member of Dogwood Hills Golf Course, Inc., to me known to be the same and identical persons who executed the foregoing instrument of writing and who duly acknowledged the execution of the same to be their free act and deed on behalf of said Corporation.

IN TESTIMONY, I have hereunto set my hand and affixed my Official Seal on the day and year last written.

Notary Public

My Commission expires: _____

ACCEPTANCE BY THE CITY OF OSAGE BEACH, MISSOURI

I, Cynthia Lambert, City Clerk of the City of Osage Beach, Missouri, do hereby certify that the accompanying plat was approved for recording by said City in accordance with Osage Beach Subdivision Regulations.

IN WITNESS WHEREOF, I have hereunto signed and sealed the foregoing this ____ day of _____, 20____

John Olivarri
Mayor

Cynthia Lambert
City Clerk

(City Seal)

ACKNOWLEDGMENT

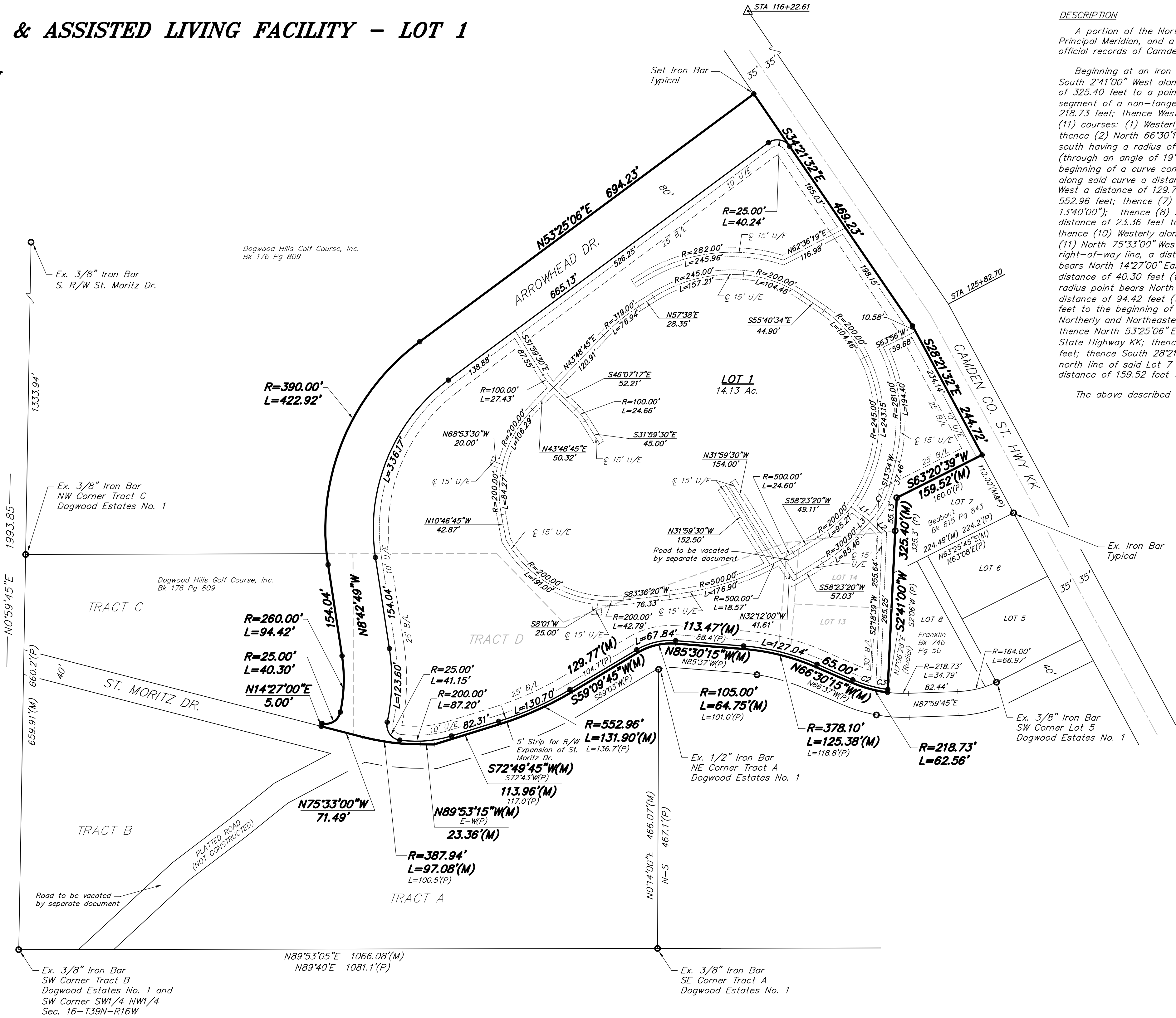
State of Missouri) SS
County of Camden)

On this ____ day of _____, 20____ before me, a Notary Public in and for the County and State, aforesaid, before me appeared John Olivarri, Mayor of the City of Osage Beach and Cynthia Lambert, City Clerk of Osage Beach, a Missouri Municipal Corporation, to me known to be the same and identical persons who executed the foregoing instrument of writing and who duly acknowledged the execution of the same to be on behalf of said City.

IN TESTIMONY, I have hereunto set my hand and affixed my Official Seal on the day and year last written.

Notary Public

My Commission expires: _____

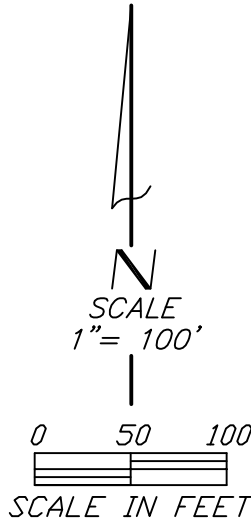


DESCRIPTION

A portion of the Northwest Quarter of Section 16, Township 39 North, Range 16 West of the 5th Principal Meridian, and a portion of Dogwood Estates No. 1, as per plat recorded in Book 13 at Page 14, official records of Camden county, Missouri, described as follows:

Beginning at an iron bar marking the northwest corner of Lot 7 of said Dogwood Estates No. 1; thence South 2°41'00" West along the west lines of Lot 7 and Lot 8 of said Dogwood Estates No. 1 a distance of 325.40 feet to a point on the north right-of-way line of St. Moritz Drive, said point being on a segment of a non-tangent curve from which the radius point bears North 7°06'28" East a distance of 218.73 feet; thence Westerly along said north right-of-way line of St. Moritz Drive the following eleven (11) courses: (1) Westerly along said curve a distance of 62.56 feet (through an angle of 16°23'16"); thence (2) North 66°30'15" West a distance of 65.00 feet to the beginning of a curve concave to the south having a radius of 378.10 feet; thence (3) Westerly along said curve a distance of 125.38 feet (through an angle of 19°00'00"); thence (4) North 85°30'15" West a distance of 113.47 feet to the beginning of a curve concave to the southeast having a radius of 105.00 feet; thence (5) Southwesterly along said curve a distance of 64.75 feet (through an angle of 35°20'00"); thence (6) South 59°09'45" West a distance of 129.77 feet to the beginning of a curve concave to the northwest having a radius of 552.96 feet; thence (7) Southwesterly along said curve a distance of 131.90 feet (through an angle of 13°40'00"); thence (8) South 72°49'45" West a distance of 113.96 feet; thence (9) North 89°53'15" West a distance of 23.36 feet to the beginning of a curve concave to the north having a radius of 387.94 feet; thence (10) Westerly along said curve a distance of 97.08 feet (through an angle of 14°20'17"); thence (11) North 75°33'00" West a distance of 71.49 feet; thence North 14°27'00" East leaving said north right-of-way line, a distance of 5.00 feet to a point on a non-tangent curve from which the radius point bears North 14°27'00" East a distance of 25.00 feet; thence Easterly and Northeasterly along said curve a distance of 40.30 feet (through an angle of 92°21'29") to a point of compound curvature from which the radius point bears North 77°54'28" West a distance of 260.00 feet; thence Northerly along said curve a distance of 94.42 feet (through an angle of 20°48'22"); thence North 8°42'49" West a distance of 154.04 feet to the beginning of a curve concave to the southeast having a radius of 390.00 feet; thence Northerly and Northeasterly along said curve a distance of 422.92 feet (through an angle of 62°07'56"); thence North 53°25'06" East a distance of 694.23 feet to the west right-of-way line of Camden County State Highway KK; thence South 34°21'32" East along said west right-of-way line a distance of 469.23 feet; thence South 28°21'32" East along said west right-of-way line a distance of 244.72 feet to the north line of said Lot 7 of Dogwood Estates No. 1; thence South 63°20'39" West along said north line a distance of 159.52 feet to the Point of Beginning.

The above described tract contains 16.76 acres, more or less.



NOTES

- 1) Property classified as Class "A" (Rural).
- 2) Survey is valid only if print has original signature and seal of the surveyor.
- 3) Surveyor has made no investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence or any other facts that an accurate and current title search may disclose.
- 4) Parent Description: Book 176, Page 809
- 5) Basis of Bearings: Bearings based on State Plane Coordinate system (Grid) established for the City of Osage Beach by Archer Engineers – January 2000
- 6) (M) Denotes Measured Values
(P) Denotes Plot Values
- 7) Current City of Osage Beach Zoning: PUD-1
- 8) Acreage:
Lot 1 – 14.13
Road – 2.63
Total = 16.76 acres
- 9) Field work was completed on 5/01/2017
- 10) The location of lands surveyed hereon that lie along the state's right-of-way are per the instructions given to the surveyor. Surveyor makes no representation that MDDOT permitted entrance either exist or would be granted for the lands surveyed hereon.

CERTIFICATION

I hereby certify that to the best of my belief and professional knowledge, this plat and survey meets the current "Missouri Standards for Property Boundary Surveys" (20 CSR 2030–16).



James Jasper PLS #2012018391
Revised Date: 12-11-2019

LINE TABLE

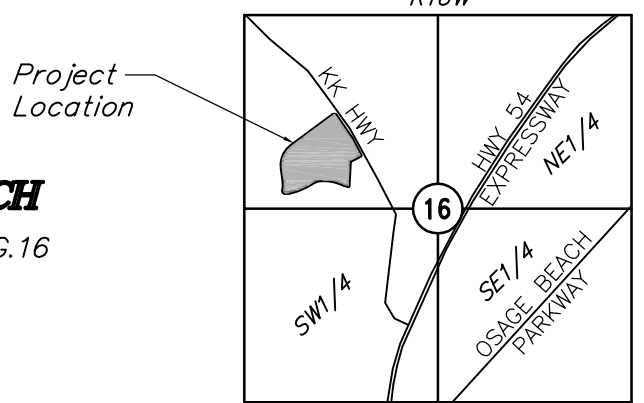
LINE	BEARING	DISTANCE
L1	S52°16'00"E	39.74'
L2	S43°28'45"E	29.45'
L3	S42°04'00"W	20.03'

CURVE TABLE

CURVE	RADIUS	LENGTH	DELTA
C1	150.00'	74.61'	28°30'00"
C2	213.73'	40.65'	10°53'46"
C3	213.73'	20.10'	5°23'17"

ARROWHEAD CENTRE SKILLED NURSING & ASSISTED LIVING FACILITY - LOT 1
Being part of Dogwood Estates No. 1 and the Northwest Quarter of Section 16-T39N-R16W in City of Osage Beach, Camden County, Missouri

VICINITY SKETCH
SEC.16-TWP.39-RNG.16
NOT TO SCALE



HDR ENGINEERING, INC.

187 E. DAVID, P.O. BOX 969, FORSYTH, MO 65653
Phone: 417-546-3218, Fax: 417-546-5324
MO. CERTIFICATE OF AUTHORITY NO. #000856
JOB NO. 257895

PREPARED FOR:

Arrowhead Development Group, LLC
Dogwood Hills Land Holdings, INC
1252 Hwy KK
Osage Beach, MO 65065
Developer: Gary Mitchell

LOCATION:

City of Osage Beach,
Camden County, Missouri

ARROWHEAD DRIVE RIGHT-OF-WAY
& STORM DRAINAGE EASEMENTS
PART OF THE SW1/4 AND THE NW1/4
OF SECTION 16 - T39N - R16W
CITY OF OSAGE BEACH, CAMDEN COUNTY, MISSOURI

CERTIFICATE OF OWNERSHIP

I, _____, as Managing Member of Dogwood Hills Golf Course, Inc., do hereby certify that we are the sole owners of the property described hereon, which is within the subdivision regulation jurisdiction of the City of Osage Beach, Missouri, and that we freely adopt this plan of subdivision and dedicate to public use all areas shown on this plat as easements or Right of Ways, and that we will maintain all such areas until the offer of dedication is accepted by the appropriate public authority.

BY: _____
Managing Member of Dogwood Hills Golf Course, Inc.

ACKNOWLEDGMENT

State of Missouri)
County of Camden)

Be it remembered that on this ____ day of _____, 20____ before me, a Notary Public in and for the County and State, aforesaid, before me appeared _____, Managing Member of Dogwood Hills Golf Course, Inc., to me known to be the same and identical persons who executed the foregoing instrument of writing and who duly acknowledged the execution of the same to be their free act and deed on behalf of said Corporation.

IN TESTIMONY, I have hereunto set my hand and affixed my Official Seal on the day and year last written.

Notary Public

My Commission expires: _____

CERTIFICATE OF OWNERSHIP

I, _____, as Managing Member of Arrowhead Development Group, LLC, do hereby certify that we are the sole owners of the property described hereon, which is within the subdivision regulation jurisdiction of the City of Osage Beach, Missouri, and that we freely adopt this plan of subdivision and dedicate to public use all areas shown on this plat as easements or Right of Ways, and that we will maintain all such areas until the offer of dedication is accepted by the appropriate public authority.

BY: _____
Arrowhead Development Group, LLC

ACKNOWLEDGMENT

State of Missouri)
County of Camden)

Be it remembered that on this ____ day of _____, 20____ before me, a Notary Public in and for the County and State, aforesaid, before me appeared _____, Managing Member of Arrowhead Development Group, LLC, to me known to be the same and identical persons who executed the foregoing instrument of writing and who duly acknowledged the execution of the same to be their free act and deed on behalf of said Corporation.

IN TESTIMONY, I have hereunto set my hand and affixed my Official Seal on the day and year last written.

Notary Public

My Commission expires: _____

ACCEPTANCE BY THE CITY OF OSAGE BEACH, MISSOURI

I, Tara Berreth, City Clerk of the City of Osage Beach, Missouri, do hereby certify that the accompanying plat was approved for recording by said City in accordance with Osage Beach Subdivision Regulations.

IN WITNESS WHEREOF, I have hereunto signed and sealed the foregoing this ____ day of _____, 20____

John Olivarri
Mayor

Tara Berreth
City Clerk

(City Seal)

ACKNOWLEDGMENT

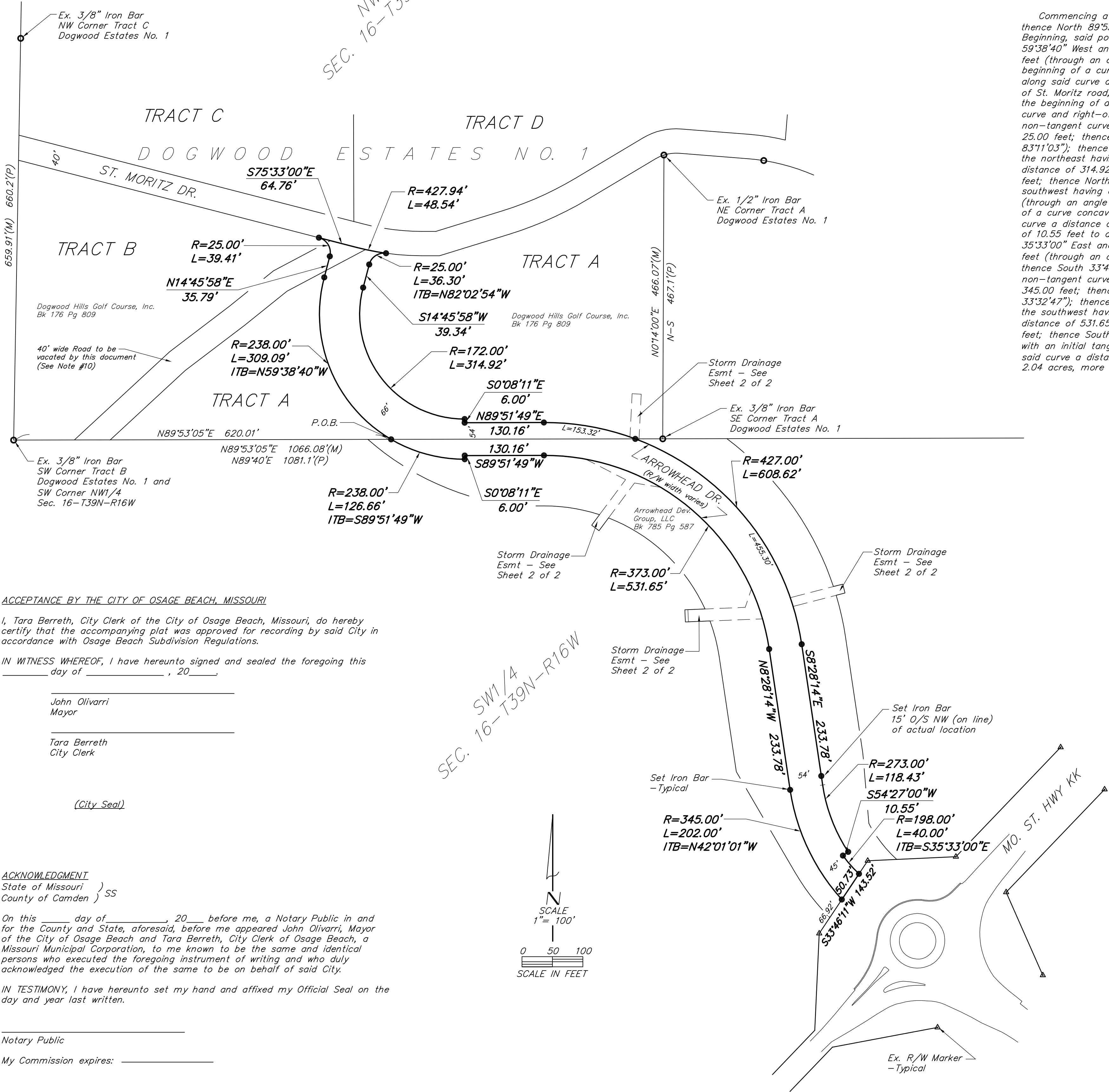
State of Missouri) SS
County of Camden)

On this ____ day of _____, 20____ before me, a Notary Public in and for the County and State, aforesaid, before me appeared John Olivarri, Mayor of the City of Osage Beach and Tara Berreth, City Clerk of Osage Beach, a Missouri Municipal Corporation, to me known to be the same and identical persons who executed the foregoing instrument of writing and who duly acknowledged the execution of the same to be on behalf of said City.

IN TESTIMONY, I have hereunto set my hand and affixed my Official Seal on the day and year last written.

Notary Public

My Commission expires: _____



DESCRIPTION

A strip of land being a portion of the Northwest Quarter and of the Southwest Quarter of Section 16, Township 39 North, Range 16 West of the 5th Principal Meridian and a portion of Dogwood Estates No. 1, as per plat recorded in Book 13 at Page 14, official records of Camden County, Missouri, described as follows:

Commencing at an iron bar marking the southwest corner of the Northwest Quarter of said Section 16; thence North 89°53'05\"/>

NOTES

- 1) Property classified as Class Urban (20-CSR 2030-16.040).
- 2) Survey is valid only if print has original signature and seal of the surveyor.
- 3) Surveyor has made no investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence or any other facts that an accurate and current title search may disclose.
- 4) Parent Description: Bk 176 Pg 809 & Bk 785 Pg 587
- 5) Basis of Bearings: Bearings based on State Plane Coordinate system (Gria) established for the City of Osage Beach by Archer Engineers - January 2000
- 6) (M) Denotes Measured Values
(P) Denotes Plat Values
ITB Denotes Initial Tangent Bearing
- 7) Current City of Osage Beach Zoning: PUD-1
- 8) Acreage:
Total = 2.04 acres
- 9) Field work was completed on 4/03/2020
- 10) The platted unnamed 40' wide road lying west of Tract A and east of Tract B of Dogwood Estates No. 1, as per plat recorded in Book 13 at Page 14, Official Records of Camden County, Missouri to be vacated by the City of Osage Beach on this ____ day of the month of _____, 2020.

John Olivarri
Mayor

Tara Berreth
City Clerk

CERTIFICATION

I hereby certify that to the best of my belief and professional knowledge, this plat and survey meets the current "Missouri Standards for Property Boundary Surveys" (20 CSR 2030-16).

Page 1 of 2

HDR
HDR ENGINEERING, INC.
187 E. DAVID, P.O. BOX 969, FORSYTH, MO 65653
Phone: 417-546-3218, Fax: 417-546-5324
MO. CERTIFICATE OF AUTHORITY NO. #000856
JOB NO. 276413

PREPARED FOR:

Arrowhead Development Group, LLC
Dogwood Hills Land Holdings, INC
6380 St. Moritz Drive
Osage Beach, MO 65065
Developer: Gary Mitchell

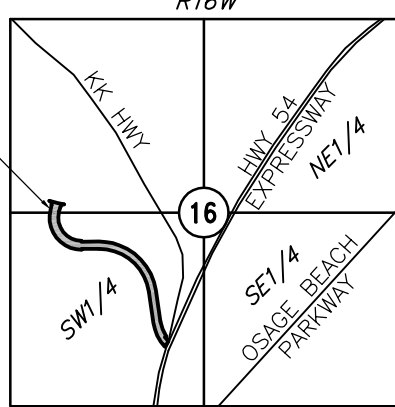
LOCATION:

City of Osage Beach,
Camden County, Missouri

ARROWHEAD DRIVE RIGHT-OF-WAY
& STORM DRAINAGE EASEMENTS

Part of the SW1/4 and the NW1/4 of Section 16-T39N-R16W
City of Osage Beach, Camden County, Missouri

VICINITY SKETCH
SEC.16-TWP.39-RNG.16
NOT TO SCALE



James Jasper PLS #2012018391
Revised Date: 4-28-2020

ARROWHEAD DRIVE RIGHT-OF-WAY
& STORM DRAINAGE EASEMENTS
PART OF THE SW1/4 AND THE NW1/4
OF SECTION 16 - T39N - R16W
CITY OF OSAGE BEACH, CAMDEN COUNTY, MISSOURI

CERTIFICATE OF OWNERSHIP

I, _____, as Managing Member of Dogwood Hills Golf Course, Inc., do hereby certify that we are the sole owners of the property described hereon, which is within the subdivision regulation jurisdiction of the City of Osage Beach, Missouri, and that we freely adopt this plan of subdivision and dedicate to public use all areas shown on this plat as easements or Right of Ways, and that we will maintain all such areas until the offer of dedication is accepted by the appropriate public authority.

BY: _____
Managing Member of Dogwood Hills Golf Course, Inc.

ACKNOWLEDGMENT

State of Missouri)
County of Camden)

Be it remembered that on this ____ day of _____, 20____ before me, a Notary Public in and for the County and State, aforesaid, before me appeared _____, Managing Member of Dogwood Hills Golf Course, Inc., to me known to be the same and identical persons who executed the foregoing instrument of writing and who duly acknowledged the execution of the same to be their free act and deed on behalf of said Corporation.

IN TESTIMONY, I have hereunto set my hand and affixed my Official Seal on the day and year last written.

Notary Public

My Commission expires: _____

CERTIFICATE OF OWNERSHIP

I, _____, as Managing Member of Arrowhead Development Group, LLC, do hereby certify that we are the sole owners of the property described hereon, which is within the subdivision regulation jurisdiction of the City of Osage Beach, Missouri, and that we freely adopt this plan of subdivision and dedicate to public use all areas shown on this plat as easements or Right of Ways, and that we will maintain all such areas until the offer of dedication is accepted by the appropriate public authority.

BY: _____
Arrowhead Development Group, LLC

ACKNOWLEDGMENT

State of Missouri)
County of Camden)

Be it remembered that on this ____ day of _____, 20____ before me, a Notary Public in and for the County and State, aforesaid, before me appeared _____, Managing Member of Arrowhead Development Group, LLC, to me known to be the same and identical persons who executed the foregoing instrument of writing and who duly acknowledged the execution of the same to be their free act and deed on behalf of said Corporation.

IN TESTIMONY, I have hereunto set my hand and affixed my Official Seal on the day and year last written.

Notary Public

My Commission expires: _____

ACCEPTANCE BY THE CITY OF OSAGE BEACH, MISSOURI

I, Tara Berreth, City Clerk of the City of Osage Beach, Missouri, do hereby certify that the accompanying plat was approved for recording by said City in accordance with Osage Beach Subdivision Regulations.

IN WITNESS WHEREOF, I have hereunto signed and sealed the foregoing this ____ day of _____, 20____

John Olivarri
Mayor

Tara Berreth
City Clerk

(City Seal)

ACKNOWLEDGMENT

State of Missouri) SS
County of Camden)

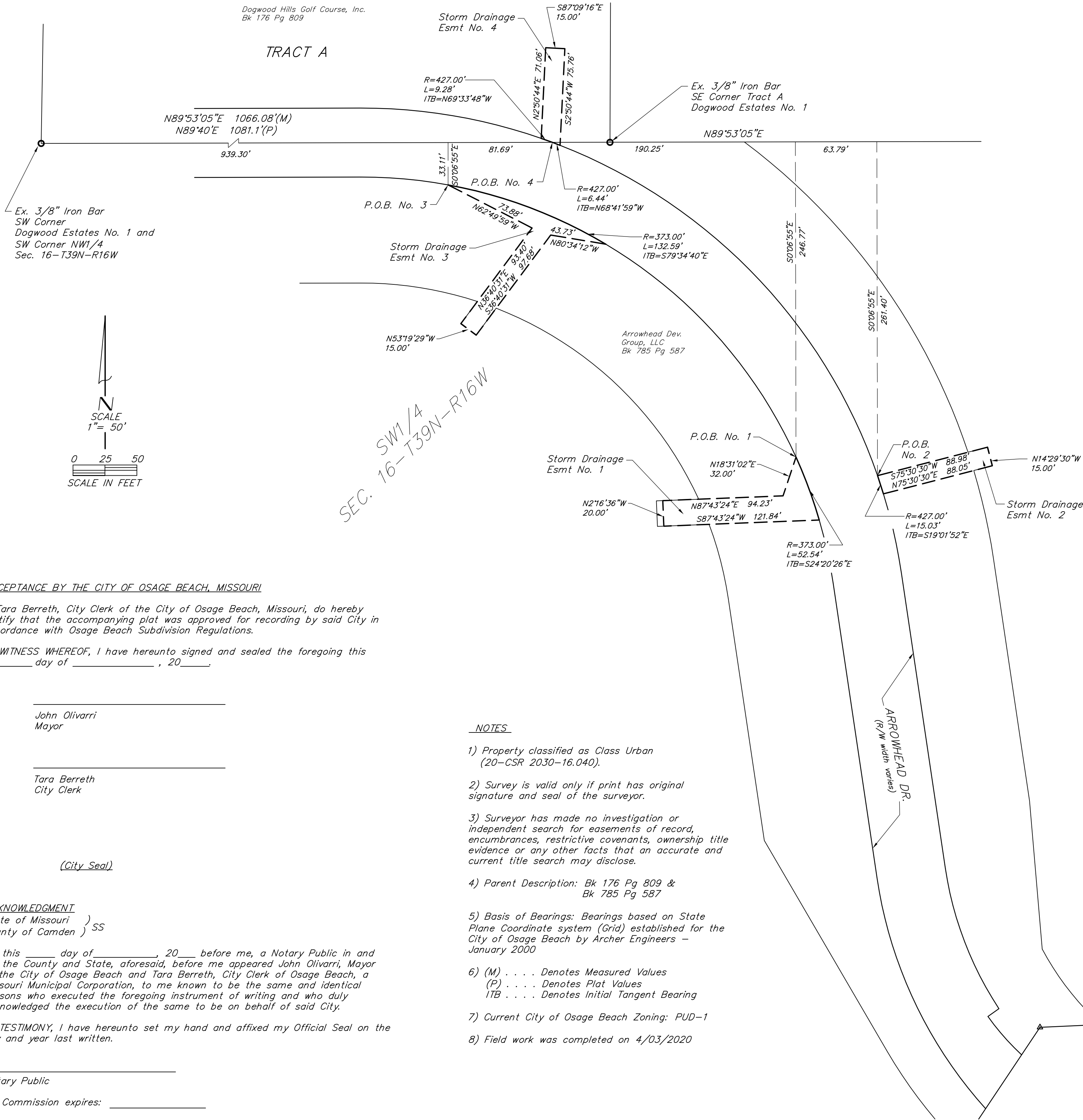
On this ____ day of _____, 20____ before me, a Notary Public in and for the County and State, aforesaid, before me appeared John Olivarri, Mayor of the City of Osage Beach and Tara Berreth, City Clerk of Osage Beach, a Missouri Municipal Corporation, to me known to be the same and identical persons who executed the foregoing instrument of writing and who duly acknowledged the execution of the same to be on behalf of said City.

IN TESTIMONY, I have hereunto set my hand and affixed my Official Seal on the day and year last written.

Notary Public

My Commission expires: _____

DOGWOOD ESTATES NO. 1



NOTES

- 1) Property classified as Class Urban (20-CSR 2030-16.040).
- 2) Survey is valid only if print has original signature and seal of the surveyor.
- 3) Surveyor has made no investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence or any other facts that an accurate and current title search may disclose.
- 4) Parent Description: Bk 176 Pg 809 & Bk 785 Pg 587
- 5) Basis of Bearings: Bearings based on State Plane Coordinate system (Grid) established for the City of Osage Beach by Archer Engineers - January 2000
- 6) (M) Denotes Measured Values
(P) Denotes Plat Values
ITB Denotes Initial Tangent Bearing
- 7) Current City of Osage Beach Zoning: PUD-1
- 8) Field work was completed on 4/03/2020

DESCRIPTION

STORM DRAINAGE EASEMENT #1:

A strip of land for a permanent storm drainage easement over, under and across a portion of the Southwest Quarter of Section 16, Township 39 North, Range 16 West of the 5th Principal Meridian, Camden County, Missouri, described as follows:
Commencing at an iron bar marking the northwest corner of the Southwest Quarter of said Section 16; thence North 89°53'05" East along the north line thereof a distance of 1211.24 feet; thence South 0°06'55" East a distance of 246.77 feet to the Point of Beginning, said point being on a non-tangent curve to the right with an initial tangent bearing of South 24°20'26" East and a radius of 373.00 feet; thence Southerly along said curve a distance of 52.54 feet (through an angle of 8°04'15"); thence South 87°43'24" West a distance of 121.84 feet; thence North 2°16'36" West a distance of 20.00 feet; thence North 87°43'24" East a distance of 94.23 feet; thence North 18°31'02" East a distance of 32.00 feet to the Point of Beginning, containing 2,720 square feet, more or less and being prepared by James Jasper, Missouri PLS No. 2012018391 .

STORM DRAINAGE EASEMENT #2:

A fifteen (15) foot wide permanent storm drainage easement over, under and across a portion of the Southwest Quarter of Section 16, Township 39 North, Range 16 West of the 5th Principal Meridian, Camden County, Missouri, described as follows:
Commencing at an iron bar marking the northwest corner of the Southwest Quarter of said Section 16; thence North 89°53'05" East along the north line thereof a distance of 1275.03 feet; thence South 0°06'55" East a distance of 261.40 feet to the Point of Beginning, said point being on a non-tangent curve to the right with an initial tangent bearing of South 19°01'52" East and a radius of 427.00 feet; thence Southerly along said curve a distance of 15.03 feet (through an angle of 2°01'00"); thence North 75°30'30" East a distance of 88.05 feet; thence North 14°29'30" West a distance of 15.00 feet; thence South 75°30'30" West a distance of 88.98 feet to the Point of Beginning, containing 1,327 square feet, more or less and being prepared by James Jasper, Missouri PLS No. 2012018391.

STORM DRAINAGE EASEMENT #3:

A strip of land for a permanent storm drainage easement over, under and across a portion of the Southwest Quarter of Section 16, Township 39 North, Range 16 West of the 5th Principal Meridian, Camden County, Missouri, described as follows:
Commencing at an iron bar marking the northwest corner of the Southwest Quarter of said Section 16; thence North 89°53'05" East along the north line thereof a distance of 939.30 feet; thence South 0°06'55" East a distance of 33.11 feet to the Point of Beginning, said point being on a non-tangent curve to the right with an initial tangent bearing of South 79°34'40" East and a radius of 373.00 feet; thence Southeasterly along said curve a distance of 132.59 feet (through an angle of 20°22'00"); thence North 80°34'12" West a distance of 43.73 feet; thence South 36°40'31" West a distance of 97.68 feet; thence North 53°19'29" West a distance of 15.00 feet; thence North 36°40'31" East a distance of 93.40 feet; thence North 62°49'59" West a distance of 73.88 feet to the Point of Beginning, containing 2,574 square feet, more or less and being prepared by James Jasper, Missouri PLS No. 2012018391 .

STORM DRAINAGE EASEMENT #4:

A fifteen (15) foot wide permanent storm drainage easement over, under and across a portion of the Northwest Quarter and the Southwest Quarter of Section 16, Township 39 North, Range 16 West of the 5th Principal Meridian and a portion of Dogwood Estates No. 1, as per plat recorded in Book 13 at Page 14, official records of Camden County, Missouri, described as follows:
Commencing at an iron bar marking the southwest corner of said Dogwood Estates No. 1 (being the southwest corner of the Northwest Quarter of said Section 16); thence North 89°53'05" East along the south line thereof a distance of 1020.99 feet to the Point of Beginning, said point being on a non-tangent curve to the left with an initial tangent bearing of North 69°33'48" West and a radius of 427.00 feet; thence Northwesterly along said curve a distance of 9.28 feet (through an angle of 1°14'44"); thence North 2°50'44" East a distance of 71.06 feet; thence South 87°09'16" East a distance of 15.00 feet; thence South 2°50'44" West a distance of 75.76 feet to a point being on a non-tangent curve to the left with an initial tangent bearing of North 68°41'59" West and a radius of 427.00 feet; thence Northwesterly along said curve a distance of 6.44 feet (through an angle of 0°51'50") to the Point of Beginning, containing 1,100 square feet, more or less and being prepared by James Jasper, Missouri PLS No. 2012018391 .

CERTIFICATION

I hereby certify that to the best of my belief and professional knowledge, this plat and survey meets the current "Missouri Standards for Property Boundary Surveys" (20 CSR 2030-16).

Page 2 of 2



HDR ENGINEERING, INC.

187 E. DAVID, P.O. BOX 969, FORSYTH, MO 65653
Phone: 417-546-3218, Fax: 417-546-5324
MO. CERTIFICATE OF AUTHORITY NO. #000856
JOB NO. 276413

PREPARED FOR:

Arrowhead Development Group, LLC
Dogwood Hills Land Holdings, INC
6380 St. Morris Drive
Osage Beach, MO 65065
Developer: Gary Mitchell

LOCATION:

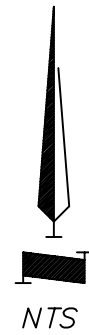
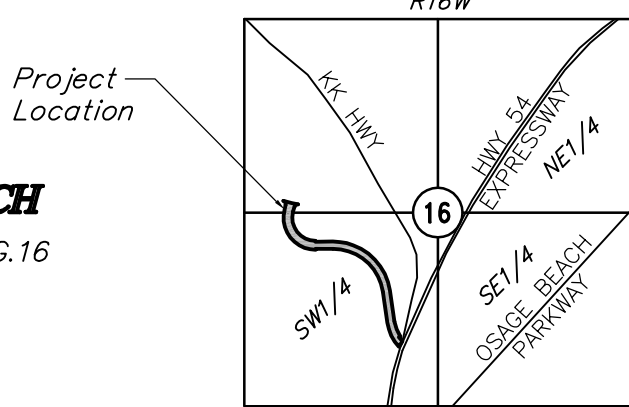
City of Osage Beach,
Camden County, Missouri

ARROWHEAD DRIVE RIGHT-OF-WAY
& STORM DRAINAGE EASEMENTS

Part of the SW1/4 and the NW1/4 of Section 16-T39N-R16W
City of Osage Beach, Camden County, Missouri

VICINITY SKETCH

SEC.16-TWP.39-RNG.16
NOT TO SCALE



James Jasper PLS #2012018391
Revised Date: 4-28-2020

City of Osage Beach
Agenda Item Summary

Date of Meeting: July 2, 2020
Originator: Todd Davis, Police Chief
Presenter: Todd Davis, Police Chief
Date Submitted: June 22, 2020

Agenda Item:

Motion to approve a one year extension of the current agreement between the School of the Osage (District) and the City of Osage Beach (City) for services of a School Resource Officer (SRO).

Requested Action:

Motion to Approve

Ordinance Referenced for Action:

Board of Aldermen approval required for purchases over \$15,000 per Municipal Code Chapter 135; Article II: Purchasing, Procurement, Transfers, and Sales.

Deadline for Action:

Yes - Current contract ends July 31, 2020.

Budgeted Item:

Not Applicable

Department Comments and Recommendation:

The School of the Osage has requested exercise the option to renew the current contract for the 2020/2021 school year.

We feel this is a valuable partnership with the school district and recommend approval.

City Attorney Comments:

City Administrator Comments:

In July 2019 the Board of Aldermen approved the agreement with the School of the Osage to provide a School Resource Officer (SRO) and SRO services to the district, specifically for the campus location within the city limits during the regular school year. The agreement included partial funding of said position by the district. The city provided SRO service to the district from 1999 through 2017 and the service was re-initiated last year. The district has a similar agreement with the City of Lake Ozark for services at campuses within the City of Lake Ozarks.

The Board of Aldermen are asked to approve this request due to the original bill approved last year by the Board of Aldermen did not indicate City Administrator authority to extend as done with others.

I concur with the department's request.

Administration Office
PO Box 1960
Lake Ozark, MO 65049

Phone: 573-365-4091
Fax: 573-365-5748

www.osageschools.org

School of the Osage

Home of the Medicine



Dr. Laura Nelson
Superintendent

Dr. Brad Yoder
Deputy Superintendent

June 8, 2020

Osage Beach Police Department
1000 City Parkway
Osage Beach, MO 65065

Attn: Chief Todd Davis

This letter serves as official written notice that School of the Osage will renew the School Resource Office (SRO) Program Agreement for a second year commencing on August 1, 2020 and ending on July 31, 2021 with the option to renew annually for one (1) additional year.

If further documentation is required, please contact me at 573-365-4091, ext. 5005.

Thank you,

Dr. Brad Yoder
Deputy Superintendent

**CITY OF OSAGE BEACH - SCHOOL OF THE OSAGE
SCHOOL RESOURCE OFFICER (SRO) PROGRAM AGREEMENT**

This agreement, entered into on July 18, 2019, by and between the SCHOOL OF THE OSAGE (DISTRICT) and the CITY OF OSAGE BEACH (CITY); witnessed that;

WHEREAS, the DISTRICT desired the services of a School Resource Officer (SRO) in its schools; and

WHEREAS, the CITY desires to provide SRO services for the DISTRICT; and

WHEREAS, the Community in general benefits from programs that involve "law enforcement in schools"; and

WHEREAS, the DISTRICT and the CITY have a history of cooperation in providing quality service to the citizens of our communities;

WHEREAS, the DISTRICT and the CITY are committed to the SRO PROGRAM:

NOW, THEREFORE, IT IS AGREED BY AND BETWEEN THE SCHOOL DISTRICT AND THE COUNTY AS FOLLOWS:

1. The objective of the SRO PROGRAM is to assist the DISTRICT in providing a safe environment for the students, staff and citizens who interact with the DISTRICT. The SCHOOL RESOURCE OFFICER will respond to the needs of the various DISTRICT schools and will regularly make contact with and assist the staff and students. The functions of the SRO will include, but not be limited to:

- a. serving as a problem-solving resource for the students, faculty and staff.
- b. supporting enforcement of DISTRICT policies and guidelines related to security and safety issues.
- c. providing assistance to the DISTRICT in dealing with individuals and/or conditions which may pose a threat to DISTRICT personnel, students and/or property.
- d. providing patrol activities and performing other duties that are requested by the District and deemed appropriate by the OSAGE BEACH POLICE DEPARTMENT.
- e. coordinating law enforcement functions with support units of the OSAGE BEACH POLICE DEPARTMENT.
- f. providing a liaison among the CITY and other community agencies to offer assistance to the school community, such as guest speakers, special presentations, etc.

2. The DISTRICT and POLICE DEPARTMENT will work collaboratively to evaluate the SRO job description, qualifications, and criteria for evaluating the SRO assigned by the DISTRICT.

3. The POLICE DEPARTMENT shall have one uniformed officer assigned to the DISTRICT where he/she functions as the "School Resource Officer". The officer assigned to the program shall be selected jointly by the DISTRICT and the POLICE DEPARTMENT.

- a. The officer performing these services shall be considered an employee of the CITY and said officer shall follow the policies and procedures of the CITY. The SRO shall report to the Sergeant that is assigned as the liaison between the CITY and the DISTRICT. The District shall designate an individual staff member as the SRO's primary point of contact between the District and the SRO. The District shall inform the SRO of any temporary substitutes when the primary point of contact is unavailable.
- b. The POLICE CHIEF shall designate a supervisor of the rank of sergeant or above who shall function as a liaison between the DISTRICT and the DEPARTMENT. This liaison will work with the individuals designated by the DISTRICT to develop specific operational procedures to facilitate the goals of the program. The DEPARTMENT liaison and the DISTRICT representative will meet regularly to monitor and evaluate the progress of the program. The DEPARTMENT liaison will not be assigned to the DISTRICT.
- c. The DISTRICT shall have primary services of the SRO throughout the regular school year, with the understanding that the assigned officer performs other SRO/Juvenile Officer functions "as needed" by the POLICE DEPARTMENT.
- d. The SRO's work hours shall be forty-two hours per week, 7:15 a.m. to 3:45 p.m., Monday through Thursday, and 7:15 a.m. to 2:45 p.m. on Friday. Duty hours may be modified based upon need, and agreeable to both the DISTRICT and POLICE DEPARTMENT.
- e. The POLICE DEPARTMENT reserves the right to call the SRO into service during any emergency or disaster.

4. This agreement shall be for one (1) year, commencing on August 1, 2019 and ending on July 31, 2020, with option to renew annually for up to two (2) years. The SRO assigned to duty on the District premises shall be present for the fall and spring semesters and other school events as agreed.

5. The DISTRICT shall pay the CITY \$36,744 (Thirty-Six Thousand, Seven Hundred and Forty-Four Dollars) annually on or before August 1 as reimbursement for the SRO services contemplated herein for this agreement. The parties shall set the payment due for any renewal of the Agreement based on the figure determined by a calculation of 75% of a three-year police officer's salary and benefits for that renewal term.

6. The CITY will maintain that the SRO is a duly licensed authorized law enforcement official under the laws of the State of Missouri.

7. Either party may terminate this agreement by giving a thirty (30) day written notice to the individuals signing said agreement.

8. This agreement acknowledges that this is a general outline of resources the CITY will provide but is not intended to create any liability or duty on part of the CITY to provide law enforcement protection beyond its normal duties.

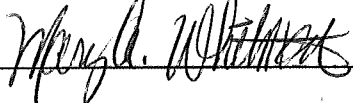
9. It is acknowledged that both the CITY and the DISTRICT are insured for the purposes of general liability and professional liability.

10. The City should provide the District with a clear criminal and child abuse check prior to assuming his/her duties.

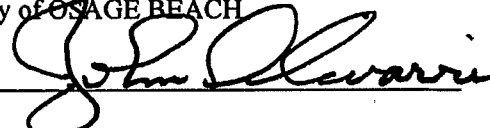
11. The City and the District are independent contractors under proposal.

IN WITNESS WHEREOF, we have hereunto set our hands this 18th day of July, 2019

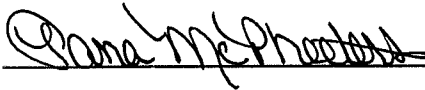
SCHOOL OF THE OSAGE

By 
School Board President

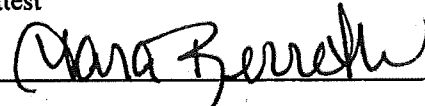
City of OSAGE BEACH

By 
City of Osage Beach

Attest


Board Secretary

Attest


City Clerk