

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
www.osagebeach.org

TENTATIVE AGENDA

REGULAR MEETING

June 2, 2022 - 6:00 PM
CITY HALL

**** Note:** All cell phones should be turned off or on a silent tone only. If you desire to address the Board, please sign the attendance sheet located at the podium. Agendas are available on the back table in the Council Chambers. Complete meeting packets are available on the City's website at www.osagebeach.org.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

MAYOR'S COMMUNICATIONS

CITIZEN'S 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. For those here in person, speakers will be restricted to three minutes unless otherwise permitted. Minutes may not be donated or transferred from one speaker to another.

Visitors attending via online will be in listen only mode. Any questions or comments for the Mayor and Board may be sent to the City Clerk at tberreth@osagebeach.org no later than 10:00

AM on the Board's meeting day (the 1st and 3rd Thursday of each month). Submitted questions and comments may be read during the Citizen's Communications section of the agenda.

The Board of Aldermen will not take action on any item not listed on the agenda, nor will it respond to questions, although staff may be directed to respond at a later time. The Mayor and Board of Aldermen welcome and value input and feedback from the public.

Is there anyone here in person who would like to address the Board?

APPROVAL OF CONSENT AGENDA

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

- ▶ Minutes of Board of Aldermen meeting May 19, 2022 and Special Meeting May 23, 2022
- ▶ Bills List - June 2, 2022

UNFINISHED BUSINESS

- A. Bill 22-32 - An ordinance of the City of Osage Beach, Missouri, authorizing the expenditure of funds for the Lake of Ozarks Convention and Visitor Bureau Guinness World Record Attempt for the Largest Boat Parade Event Support Request, in an amount not to exceed \$2,000. *Second Reading*
- B. Bill 22-33 - An ordinance of the City of Osage Beach, Missouri, authorizing the Mayor to sign a contract with Don Schnieder Excavating Co, Inc for the Greenwood Circle Drainage Improvements project for an amount not to exceed \$45,679. *Second Reading*
- C. Bill 22-34 - An ordinance of the City of Osage Beach, Missouri, amending Ordinance No. 21.78 Adopting the 2022 Annual Operating Budget, Transfer of Funds for Necessary Expenses related to project carryovers from FY2021. *Second Reading*

NEW BUSINESS

- A. Public Hearing - Rezoning Case 419 Phoenix Property Redevelopment, LLC.
- B. Bill 22-36 - 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 a parcel of land as described in Rezoning Case no. 419. *First Reading*
- C. Bill 22-35 An ordinance of the City of Osage Beach, Missouri, authorizing the expenditure of funds for the Lake of Ozarks Bikefest Event Support Request, in an amount not to exceed \$3,000. *First Reading*
- D. Bill 22-37 - An ordinance of the City of Osage Beach, Missouri, amending Ordinance No. 21.78 Adopting the 2022 Annual Operating Budget, Transfer of Funds for Necessary Expenses for the Transportation Fund, Water Fund, and the Sewer Fund. *First Reading*
- E. Bill 22-38 - An ordinance of the City of Osage Beach, Missouri, for additions and amendments to chapter 405 "Zoning Regulations" Article V. "Signs". *First Reading*
- F. Motion to Approve Citizen Appointment nominations by Mayor Harmison to the Citizens Advisory Committee

- G. Motion to Approve Citizen Appointment nominations by Alderman Rucker and Alderman O'Steen to the Citizens Advisory Committee
- H. Motion to Approve Citizen Appointment nominations by Alderman Ross to the Citizens Advisory Committee
- I. Motion to approve the purchase of One Hundred and Forty (140) new street banners, Five (5) different designs, from Alphagraphics for an amount not to exceed \$5,070.80
- J. Motion to approve the purchase of a 2,000 gallon JetA storage tank for Grand Glaize Airport from Neumayer Equipment, in an amount not to exceed \$25,511.99.
- K. Discussion -Amy Lane
- L. Discussion - Road Acceptance Packet

STAFF COMMUNICATIONS

COMMUNICATIONS FROM MEMBERS OF THE BOARD OF ALDERMEN

ADJOURN

EXECUTIVE SESSION

- A. 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.

Remote viewing is available on Facebook at *City of Osage Beach, Missouri* and on YouTube at *City of Osage Beach*.

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 x 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 (48) 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
MAY 19, 2022

The Board of Aldermen of the City of Osage Beach, Missouri, conducted a Regular Meeting on Thursday, May 19, 2022, at 6:00 PM. The following were present in person: Mayor Michael Harmison, Alderman Tyler Becker, Alderman Richard Ross, Alderman Kellie Schuman, Alderman Phyllis Marose, Alderman Kevin Rucker, absent Alderman Bob O'Steen. Duties for the City Clerk's office is being reported by Brenda Parry. Appointed and Management staff present were City Administrator Jeana Woods, Assistant City Administrator Mike Welty, City Attorney Ed Rucker, Police Chief Todd Davis, City Planner Cary Patterson, City Treasurer Karri Bell, Public Worker Operations Manager Kevin Crooks, Human Resource Generalist Cindy Leigh, Information Technology Manager Mikeal Bean, Parks & Recreation Manager Eric Gregory and Cochran Engineering Dave Van Leer.

MAYOR'S COMMUNICATIONS

Mayor Harmison recognized City Administrator Jeana Woods for her 20 years of service to the City of Osage Beach.

CITIZEN'S COMMUNICATIONS

Dan Calvino talked on the following:

- has concerns about extending sewer/water outside the city limits, and the issues with Tan-Tar-A
- had heard a rumor about City raising personal property taxes.

Stacy Orris – Asset Protection from Target – Concerns about the careless and reckless driving that is happening in the parking lot at Target.

APPROVAL OF CONSENT AGENDA

Alderman Rucker made a motion to approve the consent agenda. This motion was seconded by Alderman Marose. Motion passes with voice vote.

UNFINISHED BUSINESS

Bill 22-23 - An ordinance of the City of Osage Beach, Missouri, amending Chapter 125 Human Resources System (Personnel) Rules and Regulations and the Policies associated with Chapter 125, Section 125.050.G.3 Tuition reimbursement. *Second Reading*

Alderman Ross made a motion to approve the second reading of Bill 22-23. This motion was seconded by Alderman Rucker. The following roll call was taken to approve the second and final reading of Bill 22.23 and to pass same into ordinance: "Ayes" Alderman Rucker, Alderman Marose, Alderman Becker, Alderman Ross, and Alderman Schuman. Absent Alderman O'Steen. Bill 22.23 was passed and approved as Ordinance 22.23.

Bill 22-24 - An ordinance of the City of Osage Beach, Missouri, amending Chapter 125 Human Resources System (Personnel) Rules and Regulations and the Policies associated with Chapter 125 Section 125.050.G.4 Education incentive. *Second Reading*

Alderman Marose made a motion to approve the second reading of Bill 22-24. This motion was seconded by Alderman Schuman. The following roll call was taken to approve the second and final reading of Bill 22.24 and to pass same into ordinance: "Ayes" Alderman Schuman Alderman Rucker, Alderman Marose, Alderman Becker, Alderman Ross. Absent Alderman O'Steen. Bill 22.24 was passed and approved as Ordinance 22.24.

Bill 22-30 - An ordinance of the City of Osage Beach, Missouri amending Ordinance No. 21.78 Adopting the 2022 Annual Budget, Transfer of Funds for Necessary Expenditures, for Water Repair of System. *Second Reading*

Alderman Becker made a motion to approve the second reading of Bill 22-30. The motion was seconded by Alderman Rucker. The following roll call was taken to approve the second and final reading of Bill 22-30 and to pass same into ordinance: “Ayes” Alderman Marose, Alderman Becker, Alderman Ross, Alderman Schuman, Alderman Rucker. Absent Alderman O’Steen. Bill 22.30 was passed and approved as Ordinance 22.30.

NEW BUSINESS

Bill 22-32 - An ordinance of the City of Osage Beach, Missouri, authorizing the expenditure of funds for the Lake of Ozarks Convention and Visitor Bureau Guinness World Record Attempt for the Largest Boat Parade Event Support Request, in an amount not to exceed \$2,000. *First Reading*

Alderman Becker made a motion to approve the first reading of Bill 22-32. This motion was seconded by Alderman Marose. This motion passes with voice vote.

Bill 22-33 - An ordinance of the City of Osage Beach, Missouri, authorizing the Mayor to sign a contract with Don Schnieder Excavating Co, Inc for the Greenwood Circle Drainage Improvements project for an amount not to exceed \$45,679. *First Reading*

Alderman Schuman made a motion to approve the first reading of Bill 22-33. This motion was seconded by Alderman Ross. This motion passes with voice vote.

Bill 22-34 - An ordinance of the City of Osage Beach, Missouri, amending Ordinance No. 21.78 Adopting the 2022 Annual Operating Budget, Transfer of Funds for Necessary Expenses related to project carryovers from FY2021. *First Reading*

Alderman Rucker made a motion to approve the first reading of Bill 22-34. This motion was seconded by Alderman Marose. This motion passes with voice vote.

Motion to Approve Citizens Appointments by the Mayor to the Citizen Advisory Committee and TIF Commission

Alderman Rucker made a motion to move the appointments by the Mayor for the Citizen Advisory Committee to the June 2, 2022 meeting. This motion was seconded by Alderman Marose. Motion passes with a voice vote.

Alderman Rucker made a motion to approve the appointments by the Mayor to the TIF Commission. This motion was seconded by Alderman Marose. Motion passes with a voice vote. The appointments are as follows: Fred Catcott – term ending 5/31/2026; Geniece Tyler term ending 5/31/2026 and Dan Fry term ending 5/31/2026.

Motion to Approve Citizen Appointments by Alderman Rucker and Alderman O'Steen to the Citizens Advisory Committee

Alderman Rucker made a motion to move the Appointments by Alderman Rucker and Alderman O'Steen for the Citizens Advisory Committee to June 2, 2022. This motion was seconded by Alderman Ross. Motion passes with a voice vote.

Motion to approve the City Administrator to terminate the City's Investment Services contract with First Mid Bank (formally Providence Bank).

Alderman Marose made a motion to approve the City Administrator to terminate the City's Investment Services contract with First Mid Bank (formally Providence Bank). This motion was seconded by Alderman Ross. Motion passes with a voice vote.

Motion to approve the continuation of our Cooperative Marketing Partnership with Central Missouri's Lake of the Ozarks Tri-County Lodging Association (TCLA) to run from July 1, 2022 - June 30, 2023 for an amount not to exceed \$25,000.

Alderman Becker made a motion to approve the continuation of our Cooperative Marketing Partnership with Central Missouri's Lake of the Ozarks Tri-County Lodging Association (TCLA) option 2, to run from July 1, 2022 - June 30, 2023 for an amount not to exceed \$25,000. This motion was seconded by Alderman Marose. Motion passes with a voice vote.

Motion to approve the purchase of new computer and networking equipment from Forward Slash Technologies for a price not exceed \$72,948.91

Alderman Becker made a motion to approve purchase of new computer and networking equipment from Forward Slash Technologies for a price not exceed \$72,948.91. This motion was seconded by Alderman Schuman. Motion passes with a voice vote.

Motion to approve the purchase of an ozone odor control fogging system for Lift Station CL-005 (formerly 53-1), from Mcintire Management Group for a not to exceed price of \$31,300.00.

Alderman Marose made a motion to approve purchase of an ozone odor control fogging system for Lift Station CL-005 (formerly 53-1), from Mcintire Management Group for a not to exceed price of \$31,300.00. This motion was seconded by Alderman Becker. Motion passes with a voice vote.

Motion to approve the purchase of 500 tons of De-Icing Salt through a cooperative bid agreement with the Horseshoe Bend Special Road District from Hutchinson Salt Company for an amount not to exceed \$37,325.

Alderman Ross made a motion to the purchase of 500 tons of De-Icing Salt through a cooperative bid agreement with the Horseshoe Bend Special Road District from Hutchinson Salt Company for an amount not to exceed \$37,325. This motion was seconded by Alderman Schuman. Motion passes with a voice vote.

Discussion - Proposed Careless and Imprudent Driving Ordinance

Board discussed the proposed change to the Careless and Imprudent Driving Ordinance, that would include public or private parking lots, or parking lot for use of customers, business invitees or employees of commercial or industrial establishments. No action taken.

Discussion - Antioch Water and Sewer Improvements

Discussion about how the City should proceed with the water/sewer improvements for Antioch. Mike Welty reported that there isn't enough interest at this time. Alderman Ross stated that the water/sewer system should be completed in the City and for the time being the City should regroup and start looking at the other unserved areas.

STAFF COMMUNICATIONS

Jeana Wood -MML Conference is in September, trying to get everyone registered. We are the host city this year.
-Several special meetings coming up.
-There is a Strategic Planning Session on June 8.

Mike Welty – Have a great Memorial Day.

Ed Rucker – TIF 101 training on Monday night.

Chief Davis – It's National Police Week and there has been a lot of community support.

Mikeal Bean – will send out requested information by email.

Eric Gregory – Second week on the job, and happy to be here.

Dave Van Leer – Autumn Lane – contractors are on site, it's about a 2 month project.

COMMUNICATIONS FROM MEMBERS OF THE BOARD OF ALDERMEN

Alderman Rucker – to state for the record, Osage Beach does not charge a property tax.

Alderman Becker – Happy Memorial Day and welcome visitors that are here

Alderman Marose – Thanks to the staff for the time and effort that was put in for the Strategy Planning session.

Alderman Ross – Congrats to Jeana for 20 years with the City. Memorial Day is coming, have a fun and safe weekend.

ADJOURN

Alderman Rucker made a motion to adjourn. Alderman Marose seconded this motion. Motion passes with a voice vote. The meeting adjourned at 7:32 pm. I, Brenda Parry, acting as 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, on May 19, 2022, and approved June 2, 2022.

Brenda Parry/Acting City Clerk

Michael Harmison/Mayor

MINUTES OF THE SPECIAL MEETING OF THE BOARD OF
ALDERMEN OF THE CITY OF OSAGE BEACH, MISSOURI
MAY 23, 2022

The Board of Aldermen of the City of Osage Beach, Missouri, conducted a Special Meeting on Monday, May 23, 2022, at 6:00 PM. The following were present in person: Mayor Michael Harmison, Alderman Tyler Becker, Alderman Richard Ross, Alderman Kellie Schuman, Alderman Phyllis Marose, and Alderman Kevin Rucker. Alderman Bob O'Steen was absent. City Administrator Jeana Woods was present and performed the duties on behalf of the City Clerk's office. Appointed and Management staff present were City Attorney Ed Rucker, Police Chief Todd Davis, and City Treasurer Karri Bell. Attorney Mark Spykerman with Gilmore & Bell, PC was also in attendance on behalf of the City.

UNFINISHED BUSINESS

None

NEW BUSINESS

City Attorney Ed Rucker and Attorney Mark Spykerman with Gilmore & Bell, PC presented a presentation on *TIF and Its Cousins: Design vs. Reality*, a presentation on Introduction to TIFs and Other Incentives. Questions and Answers followed the presentation. The presentation is enclosed as part of the meeting minutes.

ADJOURN SPECIAL MEETING

There being no further business to come before the Board, the meeting adjourned at 7:30 PM. I, Jeana Woods, City Administrator of the City of Osage Beach, Missouri, do hereby certify that the above foregoing is a true and complete journal of proceedings of the special meeting of the Board of Aldermen of the City of Osage Beach, Missouri, on May 23, 2022, and approved June 2, 2022.

TIF and its Cousins, Design vs. Reality

City of Osage Beach, Missouri
April 2022

{ 1 }

1

TIF: DESIGN MEETS REALITY

- No new taxes
- No increased tax rates
- No disruption of existing revenue streams
- Not tax abatement, only tax re-direction to approved project costs

{ 2 }

2

TIF: *DESIGN MEETS REALITY*

- Public Private Partnership -- Not on my city's side of the table
 - Reasonable sales talk
 - But
 - Partnership: Two or more people carrying on as co-owners a business for a profit. R.S.Mo. 358.060 1
- Three kinds of Profit in our economy
 - Rents
 - Capital appreciation (realized with a sale or leverage)
 - Depreciation against other the income
- No developer wants to share any of those kinds of profit

{ 3 }

3

TIF: *DESIGN MEETS REALITY*

- What does Tax Increment Financing really do, a few observation from the City's side of the fence
 - Socialize part of the economic risk
 - The lure is the 2nd and 3rd order effects
 - Increased economic activity
 - Eventually increasing revenues
 - New Jobs
 - Attracting or retaining business

{ 4 }

4

TIF: *DESIGN MEETS REALITY*

- Vocabulary
 - PILOT – Payment in Lieu of Taxes
 - EATS - Economic Activity Taxes
 - SAF – Special Allocation Fund
 - RPC – Reimbursable Project Cost
 - Plan
 - Area
 - Project
 - Agreement

{ 5 }

5

TIF: *DESIGN MEETS REALITY*

DESIGN

- 1. City establishes a TIF Commission.
- 2. City identifies a targeted TIF Redevelopment Area.
- 3. TIF Commission reviews Plan and Redevelopment Area. TIF Plan is referred to the City Council.
- 4. City Council approves TIF Plan.
- 5. City solicits proposal(s) from developer(s) for TIF projects in approved Redevelopment Area.
- 6. Project(s) and developer(s) selected – TIF Commission and City Council.
- 7. TIF Agreement executed between City and developer(s) for approved TIF project(s).

CURRENT REALITY

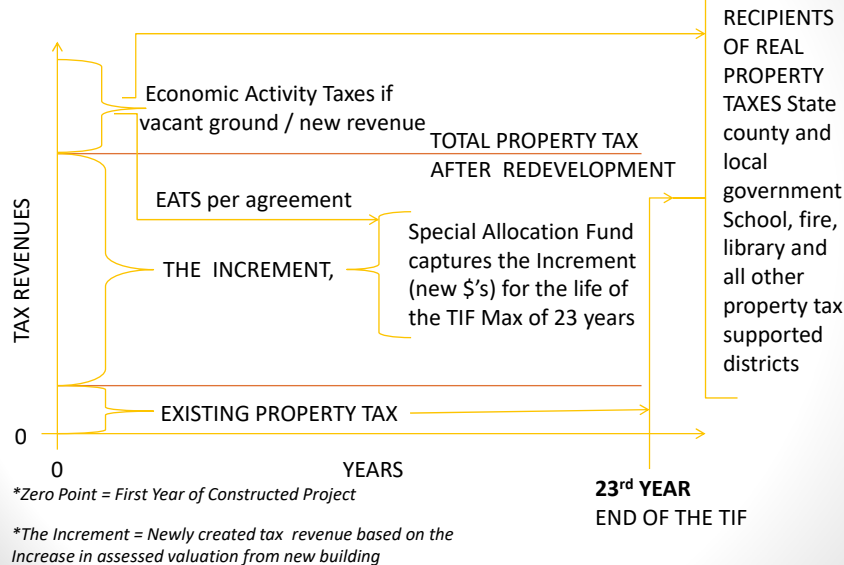
- 1. Developer sees an opportunity in a particular location.
- 2. Developer prepares proposal for city. Commonly a draft TIF Plan and any other public funding sources (CID or TDD).
- 3. City reviews proposal, negotiates TIF Plan contents and TIF Agreement with Developer.
- 4. City solicits proposals from developers, usually only one proposal is received from initial Developer.
- 5. TIF Commission reviews TIF Plan, makes recommendation to City Council.
- 6. City Council approves TIF Plan and TIF Agreement.
- 7. TIF Agreement with Developer is executed within parameters of approved TIF Plan.

{ 6 }

6

TIF: *OUTLINE*

HB 1504 a tax rate rise is not captured by TIF unless the entity consents



7

TIF LIFECYCLE - *APPLICATION AND PLAN*

- Initial approach from developer to City
- Application package from Developer, City Staff review of application
- Governing Body approves funding agreement
- Governing Body may retain Planner for TIF Plan
- Governing Body retain outside counsel, if desired
- Governing Body forwards application to TIF Commission
- TIF commission meeting, set initial notices to taxing districts 45 days see 99.830.3
- Developer provides list of taxpayers of record in proposed redevelopment area
- Smaller taxing districts designate TIF commission member, number 11
- Planner make initial contact with assessor/collector, to confirm base values

8

TIF LIFECYCLE - *TIF COMMISSION ACTION*

- Publish notice or request for proposals 99.820.1(3)
- Deadline for submission of proposals – two week notice 99.820.1
- Draft TIF Plan to Commission members and available for public inspection
- First publication of notice of public hearing 99.830.1, not more than 30 days prior
- Public notice of TIF commission orientation meeting.
- Mail notice to taxpayers in redevelopment area, not less than 10 days prior 99.830.1
- 2x publication of notice, not more than 10 days prior to public hearing 99.830.1
- Sunshine Law public notice at least four days prior to meeting, 67.2725
- TIF commission public hearing
- TIF commission vote within 30 days after public hearing concluded 99.830.3
- TIF commission recommendation to city within 90 days of hearing 99.930.3
- If Plan, Project or Area are amended, continue the public hearing, notice to all taxing jurisdictions, seven days prior to end of public hearing and reissue Sunshine Law 4 day notice prior to continued public hearing

{ 9 }

9

TIF LIFECYCLE - *PLAN AND AGREEMENT*

- Sunshine law 4 day notice of Governing Body meeting 67.2725
- Introduce ordinance to approve a plan, at least 14 days after but not more than 90 days following to commission public hearing. 99.820.1(1)
- Governing body meeting and approve TIF plan. 99.820.1(1) and 99.820.3. 2/3 to Pass if Commission votes “No”. 99.825.2
- Notification to County Assessor and County Clerk 99.855
- Negotiation of TIF Agreement with developer.
- Sunshine notice 4 days prior to governing body meeting
- Approval of Project ordinance/redevelopment agreement with developer 99.820.1(2)
- Execution of TIF Redevelopment Agreement pursuant to local ordinance

{ 10 }

10

TIF LIFECYCLE - *CONSTRUCTION & OPENING*

- Developer acquires ground for project, if not already owned
- Construction begins
- Substantial completion of project, as defined by TIF agreement
- Notification to DOR re EATS
- Certificate of occupancy is issued / doors open for business
- Receipt of developer's application for reimbursable project cost
- Approval / denial of reimbursable project cost application
- New tax bills from county collector
- Property owner pays BASE Tax and PILOTS
- Collector forwards "Base Tax" to government recipients, and PILOTS to City
- City deposits PILOTS in Special Allocation Fund created by TIF agreement
- Payment of reimbursable project costs from SAF as approved (payments can include debt service on bonds issued to fund reimbursable project costs)

{ 11 }

11

TIF: *FLOW OF FUNDS/PILOTS*

1. Plan adopted
 2. Assessment of project after improvements
 3. Collectors bill for base and increment
 4. Payment of base disbursed to recipients as before the TIF Agreement
 5. Payment of value of the increment in lieu of taxes to the collector
 6. Collector forwards PILOT to city of deposit into Special Allocation Fund
 7. Funds disbursed to developer for approved reimbursable project costs
- or-
7. Funds disbursed to bond redemption

{ 12 }

12

TIF: FLOW OF FUNDS/EATS

1. Agreement adopted
 2. Economic (Sales) activity begins within project
 3. DOR collects EATS
 4. DOR pays the EATS base to recipients as before the TIF Agreement
 5. The City collects the captured EATS increment for deposit into Special Allocation Fund
 6. Funds disbursed to developer for approved reimbursable project costs
- or-
6. Funds disbursed to bond redemption

{ 13 }

13

TIF LIFECYCLE - YEARLY OPERATIONS

- New tax bills from county collector
- Developer pays BASE Tax and PILOTS
- Collector forwards "Base Tax" to government recipients
PILOTS to City
- City deposits PILOTS in SAF created by TIF agreement
- Payment of reimbursable project costs from SAF as approved
- Repeat yearly for EATS, as received
- Repeat yearly for PILOTS as received
- City monitors performance agreements for public participation, claw backs, performance standards this may involve review or disclosure of developer's information, as set forth in redevelopment agreement

{ 14 }

14

TIF LIFECYCLE - *YEARLY OPERATIONS (2)*

- City prepares and submits to the Missouri Department of Economic Development a yearly report pursuant to 99.865.1 R.S.Mo. for each redevelopment plan and redevelopment project.
- City publishes an Annual Statement for each plan and project including PILOTs received and spent, the status of the plan and projects and outstanding indebtedness 99.655.2 R.S.Mo.
- City holds a public hearing every five years after the adoption of the plan to examine progress of the plan and project under the time schedule in the plan 99.865.3 R.S.Mo.

{ 15 }

15

TIF LIFECYCLE - *WIND UP AND CLOSE*

- Computation of final year of program governed by:
 - Redevelopment agreement
 - Complete reimbursement of all reimbursable project costs
 - Exhaustion of any monies in SAF with no further funds forthcoming.
- City and developer agree on conclusion of TIF contract and wind up of Project.
- Notification to collector/end of agreement/no more PILOTs/
all taxes to taxing entities
- Notification to DOR /end of agreement/no more EATS / all
taxes to taxing entities
- Termination of special allocation fund.
- Close and save files as public records.

{ 16 }

16

Use of TIF Revenues

- Issue: What are the potential uses of TIF revenues?
- Issue: How have municipalities expended TIF revenues?

{ 17 }

17

Community Improvement District / CID

- Formation:
 - Petition of property owners
 - Approval of petition by City ordinance
- Governance:
 - Separate Board of Directors, typically appointed by the Mayor with the consent of the Board of Aldermen
- Revenue Sources:
 - Additional sales tax, property tax, and/or special assessment within CID boundaries only
 - Tax Addition; not Tax Redirection or Tax Abatement
- Uses:
 - Public infrastructure
 - Remediation of blight
 - Services (security, etc.)
 - Often used in connection with TIF to provide additional funding for redevelopment project costs

{ 18 }

18

Transportation Development District / TDD

- Formation*:
 - Petition of property owners to Circuit Court
 - Projects approved by MoDOT or applicable “local transportation authority”
- Governance:
 - Separate Board of Directors elected by the property owners
- Revenue Sources:
 - Additional sales tax, property tax, and/or special assessment within TDD boundaries only
 - Tax Addition; not Tax Redirection or Tax Abatement
- Uses:
 - Streets, sidewalks and other transportation-related public infrastructure
 - Sometimes used for parking lots, but must include some “public” use
 - Often used in connection with TIF to provide additional funding for redevelopment project costs

*Cities and other local transportation authorities may also directly petition for creation of a TDD. This alternative procedure is usually only used for TDDs encompassing large areas and many property owners.

{ 19 }

19

Statewide Tracking of TIF Uses

Department of Economic Development
categories of TIF expenditures:

1. Public Infrastructure
2. Site Development
3. Rehabilitation of existing buildings
4. Acquisition of land or buildings
5. Other (includes professional fees, financing costs, landscaping costs, planning, other not listed above)

{ 20 }

20

TIF: *DESIGN MEETS REALITY*

Conclusions –

- To the Lawyer, TIF is a hammer,
 - It is the use not the item that determines moral result of its impact
- How many are too many TIFs?
 - One failure is a problem
 - Multiple projects within budget and on time are taken for granted
- Cannibalism: Schumpeter's Creative Destruction
- This is competition, get used to it.

{ 21 }

21

TIF: *DESIGN MEETS REALITY*

- Real Estate Investor -vs- Developers
 - Investor, the owner of a property that needs a TIF to help finance acquisition, construction, and development
 - Often a newer developer
 - Undercapitalized
 - Locked into a specific location
 - No significant prior projects completed
 - Often over-estimates the usefulness of TIF
 - Developer, in the business of building operating and selling real estate projects
 - Finds a market
 - Options a property
 - Does a deal
 - Builds a project
 - Experienced, capitalized, better lawyered and financed than the city

{ 22 }

22

TIF: DESIGN MEETS REALITY

- Accountability Measures
 - Financial Performance
 - Spending
 - Revenues
 - Jobs Created
 - Construction and occupancy schedules
 - Clear the ground
 - Build and open the project
- SO HOW DOES THE CITY ENSURE IT GETS THE BENEFITS PROMISED IN THE PROJECTIONS

{ 23 }

23

TIF: DESIGN MEETS REALITY

- Enforcing the Deal
 - Meet your financial projections
 - Don't mess up our credit history
 - Meet your schedule
 - Public participation / Excess profits
 - Was TIF really necessary
- Remedies:
 - Pay-As-You-Go or Developer-held TIF Notes: withhold or payment of TIF revenues from SAF
 - TIF Bonds:
 - Withhold payment of bond proceeds for project costs
 - Specific performance

{ 24 }

24

TIF: *DESIGN MEETS REALITY*

Any 3rd year law student can kill off a deal,
you're here to make one, so
Never let the perfect become the enemy of the good:

OUR GOAL IS ALWAYS A DEFENSIBLE DEAL

1. PROPORTIONATE
2. ACHIEVABLE
3. ACCOUNTABLE
4. TRANSPARENT

The Editorial Board -vs- Mick Jagger

{ 25 }

25

Author / Presenter

Edward Rucker has served as City Attorney for the City of Osage Beach, Missouri, since 2008.

erucker@osagebeach.org phone: (573) 302-2000 Ext. 1050

Mark Spykerman is a Partner at Gilmore Bell in St. Louis Missouri. 314-436-1000.

{ 26 }

26

**CITY OF OSAGE BEACH
BILLS LIST
June 2, 2022**

Bills Paid Prior to Board Meeting	\$	180,401.31
Payroll Paid Prior to Board Meeting	\$	144,297.70
SRF Transfer Prior to Board Meeting	\$	237,682.13
TIF Transfer Dierbergs	\$	14,944.04
Bills Pending Board Approval	\$	278,041.87
Total Expenses	\$	855,367.05

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
NON-DEPARTMENTAL	General Fund	FAMILY SUPPORT PAYMENT CENTER	Case #01450465	328.15
			Case #01812565	173.08
		MO DEPT OF REVENUE	State Withholding	4,211.00
			Fed WH	11,744.52
		INTERNAL REVENUE SERVICE	FICA	8,144.17
			Medicare	1,904.68
		ICMA	Loan Repayment	33.77
			Loan Repayment	225.00
			Loan Repayment	233.04
			Loan Repayment	143.78
			Loan Repayment	216.93
			Loan Repayment	182.34
			Loan Repayment	277.41
			Loan Repayment	85.94
			Loan Repayment	98.17
			Retirement 457 &	2,277.95
			Retirement 457	1,145.00
			Loan Repayments	51.67
			Loan Repayments	140.58
			Loan Repayments	67.54
			Loan Repayments	92.92
			Loan Repayments	215.76
			Loan Repayments	113.03
			Loan Repayments	174.78
			Loan Repayments	115.98
			Retirement Roth IRA %	513.60
		HSA BANK	Retirement Roth IRA	215.00
			HSA Contribution	473.18
		ONE TIME VENDOR	HSA Family/Dep. Contributi	1,492.86
			OB-258	300.00
		TOTAL:		35,391.83
Mayor & Board	General Fund	VISELLI, NANCY	PLANNING COMMISSION MEETIN	25.00
			FICA	249.03
		INTERNAL REVENUE SERVICE	Medicare	58.24
			Retirement 401%	5.00
		ICMA	Retirement 401	124.50
			PLANNING COMMISSION MEETIN	25.00
		EBLING, SUSAN	PLANNING COMMISSION MEETIN	25.00
		KIRN, TONY	PLANNING COMMISSION MEETIN	25.00
		BLAIR, ALAN	PLANNING COMMISSION MEETIN	25.00
		THE PITNEY BOWES BANK INC	MAYOR/BOARD POSTAGE	40.00
		ROZIER, JESSICA	PLANNING COMMISSION MEETIN	25.00
		MORGAN, BILL	PLANNING COMMISSION MEETIN	25.00
		SCHUSTER, ANGIE	PLANNING COMMISSION MEETIN	25.00
		MACKAY, BILL	PLANNING COMMISSION MEETIN	25.00
		JONES, GARY	PLANNING COMMISSION MEETIN	25.00
		TOTAL:		701.77
Collector	General Fund	INTERNAL REVENUE SERVICE	FICA	6.20
			Medicare	1.45
		TOTAL:		7.65
City Administrator	General Fund	INTERNAL REVENUE SERVICE	FICA	622.46
			Medicare	145.57
		ICMA	Retirement 401%	103.23
			Retirement 401	619.37

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
		AT&T MOBILITY-CELLS	CITY ADMIN CELL PHONE	103.73
		HSA BANK	HSA Contribution	37.50
			HSA Family/Dep. Contributi	150.00
		THE PITNEY BOWES BANK INC	CITY ADMIN POSTAGE	<u>450.00</u>
			TOTAL:	2,231.86
City Clerk	General Fund	INTERNAL REVENUE SERVICE	FICA	187.62
			Medicare	43.88
		ICMA	Retirement 401%	31.42
			Retirement 401	188.52
		HSA BANK	HSA Family/Dep. Contributi	75.00
		THE PITNEY BOWES BANK INC	CITY CLERK POSTAGE	400.00
		BERRETH, TARA	INTL CLERKS CONF- T. BERRE	<u>563.87</u>
			TOTAL:	1,490.31
City Treasurer	General Fund	INTERNAL REVENUE SERVICE	FICA	575.07
			Medicare	134.50
		ICMA	Retirement 401%	94.91
			Retirement 401	569.42
		HSA BANK	HSA Contribution	19.00
			HSA Family/Dep. Contributi	150.00
		THE PITNEY BOWES BANK INC	FINANCE POSTAGE	<u>50.00</u>
			TOTAL:	1,592.90
Municipal Court	General Fund	INTERNAL REVENUE SERVICE	FICA	91.90
			Medicare	21.49
		ICMA	Retirement 401%	15.43
			Retirement 401	92.57
		HSA BANK	HSA Family/Dep. Contributi	75.00
		THE PITNEY BOWES BANK INC	MUNICIPAL POSTAGE	<u>100.00</u>
			TOTAL:	396.39
City Attorney	General Fund	INTERNAL REVENUE SERVICE	FICA	393.04
			Medicare	91.92
		ICMA	Retirement 401%	64.22
			Retirement 401	385.31
		HSA BANK	HSA Family/Dep. Contributi	75.00
		THE PITNEY BOWES BANK INC	CITY ATTNY POSTAGE	<u>30.00</u>
			TOTAL:	1,039.49
Building Inspection	General Fund	INTERNAL REVENUE SERVICE	FICA	515.62
			Medicare	120.59
		ICMA	Retirement 401%	85.93
			Retirement 401	515.64
		AT&T MOBILITY-CELLS	BLDG DEPT CELL PHONE	519.02
		WEX INC	BLDG DEPT FUEL	119.14
		HSA BANK	HSA Contribution	37.50
			HSA Family/Dep. Contributi	187.50
		THE PITNEY BOWES BANK INC	BUILDING POSTAGE	<u>300.00</u>
			TOTAL:	2,400.94
Building Maintenance	General Fund	INTERNAL REVENUE SERVICE	FICA	61.14
			Medicare	14.30
		LOWE'S	GOOF OFF,SPRY BOTTLE,ALCOH	32.72
			OIL- LEAF BLOWER	4.74
			GSKT COVER,CONNCTR,SWITCH	17.21

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
			ANT KILLER	15.00
		B & H CLEANING	CITY HALL JANITORIAL SERVI	<u>1,470.00</u>
			TOTAL:	1,615.11
Parks	General Fund	INTERNAL REVENUE SERVICE	FICA	980.00
			Medicare	229.19
		ICMA	Retirement 401%	39.62
			Retirement 401	455.67
		LOWE'S	PROPANE EXCHNG, PAINT SUPPL	218.31
			SAW BLADES	39.87
			AA BATTERIES	22.31
		AT&T MOBILITY-CELLS	PARKS DEPT CELL PHONES	470.58
		MISSOURI EAGLE LLC	BEER FOR CONCESSIONS	1,059.60
		WEX INC	PARK DEPT FUEL	356.06
		HSA BANK	HSA Contribution	150.00
		THE PITNEY BOWES BANK INC	PARK POSTAGE	<u>75.00</u>
			TOTAL:	4,096.21
Human Resources	General Fund	INTERNAL REVENUE SERVICE	FICA	213.26
			Medicare	49.88
		ICMA	Retirement 401%	35.10
			Retirement 401	210.52
		HSA BANK	HSA Contribution	56.00
		THE PITNEY BOWES BANK INC	HUMAN RESOURCES POSTAGE	<u>75.00</u>
			TOTAL:	639.76
Overhead	General Fund	AT & T/CITY HALL	CH PH SVC 5/5/22	1,091.84
		CHARTER COMMUNICATIONS HOLDING CO LLC	CITY HALL CABLE	65.47
		XEROX CORPORATION	CITY HALL COPIER LEASE	272.32
		THE PITNEY BOWES BANK INC	OVERHEAD POSTAGE	100.00
		MITEL CLOUD SERVICES INC	PH SVC RECRDING 6/1-6/30/2	<u>2,180.97</u>
			TOTAL:	3,710.60
Police	General Fund	INTERNAL REVENUE SERVICE	FICA	3,296.27
			Medicare	770.89
		ICMA	Retirement 401%	463.54
			Retirement 401	3,161.44
		SHELTON, JOEL	REIMB MEALS FOR SLI- J.SHE	200.00
		AT&T MOBILITY-CELLS	POLICE FN AIR CARDS	701.08
			POLICE DEPT CELL PHONES	388.12
		WEX INC	POLICE DEPT FUEL	5,827.45
			POLICE DEPT CAR WASHES	96.00
		XEROX CORPORATION	POLICE COPIER LEASE	272.32
		HSA BANK	HSA Contribution	262.50
			HSA Family/Dep. Contributi	900.00
		THE PITNEY BOWES BANK INC	POLICE POSTAGE	<u>200.00</u>
			TOTAL:	16,539.61
911 Center	General Fund	AT & T/CITY HALL	911 PHONE SVC 4/23/22	1,058.39
			911 LINE 5/5/22	235.00
		INTERNAL REVENUE SERVICE	FICA	567.69
			Medicare	132.77
		ICMA	Retirement 401%	91.68
			Retirement 401	550.12
		CHARTER COMMUNICATIONS HOLDING CO LLC	COMM INTERNET	129.98
			COMM CABLE	36.64

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
		AT&T MOBILITY-CELLS	911 CENTER CELL PHONES	43.36
		HSA BANK	HSA Contribution	37.50
			HSA Family/Dep. Contributi	75.00
		THE PITNEY BOWES BANK INC	911 CENTER POSTAGE	10.00
		MITEL CLOUD SERVICES INC	PD RECRDING SVC 6/1-6/30/2	<u>231.81</u>
			TOTAL:	3,199.94
Planning	General Fund	INTERNAL REVENUE SERVICE	FICA	230.37
			Medicare	53.88
		ICMA	Retirement 401%	38.71
			Retirement 401	232.24
		HSA BANK	HSA Family/Dep. Contributi	<u>112.50</u>
			TOTAL:	667.70
Engineering	General Fund	AT&T MOBILITY-CELLS	ENG DEPT CELL PHONES	84.60
		WEX INC	ENG DEPT FUEL	<u>173.57</u>
			TOTAL:	258.17
Information Technology	General Fund	INTERNAL REVENUE SERVICE	FICA	154.50
			Medicare	36.13
		ICMA	Retirement 401%	25.98
			Retirement 401	155.90
		CHARTER COMMUNICATIONS HOLDING CO LLC	CITY HALL INTERNET	309.97
		AT&T MOBILITY-CELLS	IT DEPT AIR CARDS	41.24
			IT DEPT CELL PHONES	43.36
		HSA BANK	HSA Family/Dep. Contributi	75.00
		THE PITNEY BOWES BANK INC	IT POSTAGE	<u>10.00</u>
			TOTAL:	852.08
Economic Development	General Fund	LOWE'S	SUPPLIES- EASTER EGG HUNT	177.01
		HARMISON, MICHAEL	REIMB LEGENDS CONF- HARMIS	141.57
			REIMB MILES NWA TOUR- HARM	<u>385.45</u>
			TOTAL:	704.03
NON-DEPARTMENTAL	Transportation	MO DEPT OF REVENUE	State Withholding	351.89
		INTERNAL REVENUE SERVICE	Fed WH	948.31
			FICA	709.90
			Medicare	166.03
		ICMA	Retirment 457 &	133.10
			Retirement 457	34.00
		HSA BANK	HSA Contribution	50.00
			HSA Family/Dep. Contributi	<u>40.40</u>
			TOTAL:	2,433.63
Transportation	Transportation	INTERNAL REVENUE SERVICE	FICA	709.90
			Medicare	166.03
		ICMA	Retirement 401%	74.68
			Retirement 401	611.82
		LOWE'S	SCREWS- BACKHOE	1.22
			REBAR- TRACTOR	5.69
			REBAR- SIDEWALK ON MEADOW	10.91
			PIPE- OZARK MEADOWS	31.85
		AT&T MOBILITY-CELLS	TRANS DEPT CELL PHONES	468.06
		WEX INC	TRANS DEPT FUEL	2,944.61
		XEROX CORPORATION	TRANSPORTATION COPIER LEAS	98.62
		AMEREN MISSOURI	KK DR PALISADES LTG 4/1-5/	97.35

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
			MAINT SALT BLDG 4/7-5/9/22	11.51
			STREET LIGHTING SVC 4/1-5/	4,083.86
			CUST OWNED LTG SVC 4/1-5/1	739.20
		HSA BANK	HSA Contribution	37.50
			HSA Family/Dep. Contributi	275.25
		THE PITNEY BOWES BANK INC	TRANSPORTATION POSTAGE	50.00
		B & H CLEANING	PW-TRANS JANITORIAL SERVIC	287.78
			TOTAL:	10,705.84
NON-DEPARTMENTAL	Water Fund	MO DEPT OF REVENUE	State Withholding	559.62
		INTERNAL REVENUE SERVICE	Fed WH	1,483.88
			FICA	913.04
			Medicare	213.54
		ICMA	Retirement 457 &	295.50
			Retirement 457	77.00
		HSA BANK	HSA Contribution	37.50
			HSA Family/Dep. Contributi	44.80
		ONE TIME VENDOR	01-1790-02	27.92
			03-4050-00	35.50
			04-1920-01	37.23
			04-6270-00	108.99
			TOTAL:	3,834.52
Water	Water Fund	INTERNAL REVENUE SERVICE	FICA	913.04
			Medicare	213.54
		ICMA	Retirement 401%	139.71
			Retirement 401	904.70
		LOWE'S	SIGN HARDWARE- WELL HOUSES	40.82
			PADLOCK- COLUMBIA	15.19
			PUTTY KNIFE- COLUMBIA 2	7.58
			PARTS FOR REPAIR- COLUMBIA	24.63
			PARTS FOR REPAIR-PASSOVER	62.59
			PIPE DOPE	10.98
			ACCESS PANEL- PASSOVER WEL	22.76
			KEYPAD- OFFICE DOOR	113.99
			PASSOVER IMPROVEMENTS	682.06
			REGULATOR ADAPTER	14.79
		AT&T MOBILITY-CELLS	WATER DEPT CELL PHONES	409.13
		WEX INC	WATER DEPT FUEL	1,414.20
		XEROX CORPORATION	WATER COPIER LEASE	98.62
		AMEREN MISSOURI	6186 FIRE ST WELL 3/30-5/1	1,271.12
			BLUFF RD TOWER 4/7-5/9/22	2,353.66
			COLLEGE WELL 4/6-5/8/22	2,575.57
			LK RD 54-59 WELL 3/29-4/28	37.70
			SWISS VLG WELL 3/29-4/29/2	1,995.89
		HSA BANK	HSA Contribution	112.50
			HSA Family/Dep. Contributi	199.50
		DEVORE, CALEB	MILEAGE REIMB 5/7-5/13/22	64.35
		THE PITNEY BOWES BANK INC	WATER POSTAGE	125.00
		STOUFER, TOMMIE L	MILEAGE REIMB 5/14-5/20/22	59.68
		B & H CLEANING	PW-WATER JANITORIAL SERVIC	287.78
		SCHILEY, PAUL	MILEAGE REIMB 4/30-5/6/22	73.71
		LUTTRELL, JOHN	MILEAGE REIMB 4/23-4/29/22	72.54
		ONE TIME VENDOR	REIMB WRK CITY INFRASTRUCT	467.50
			TOTAL:	14,784.83

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
NON-DEPARTMENTAL	Sewer Fund	MO DEPT OF REVENUE INTERNAL REVENUE SERVICE	State Withholding	339.49
			Fed WH	728.11
			FICA	793.39
			Medicare	185.56
		ICMA	Retirement 457 &	118.03
			Retirement 457	33.00
		HSA BANK	HSA Family/Dep. Contributi	69.80
			TOTAL:	2,267.38
		INTERNAL REVENUE SERVICE	FICA	793.39
			Medicare	185.56
			Retirement 401%	122.71
			Retirement 401	804.74
			SHOP VACUUM	113.05
			PARTS FOR REPAIR- ICE MACH	38.54
			ROPE & PLYWOOD- L/S 29-5	157.62
			DRILL BITS & DRILL BIT EXT	32.27
			SEWER DEPT CELL PHONES	1,407.12
			SEWER DEPT FUEL	2,716.80
Sewer	Sewer Fund	XEROX CORPORATION AMEREN MISSOURI	SEWER COPIER LEASE	98.63
			CLEARWOOD LN 4/4-5/4/22	13.86
			3949 CMPGRND LN G/S 4/7-5/	18.51
			HWY D PREWITTS G/P 4/6-5/8	84.06
			701 PA HE TSI 4/7-5/9/22	13.78
			GRINDER PUMPS & LIFT STATI	6,912.75
			5874 HWY 54 3/29-4/28/22	13.54
			1004 ZEBRA RD L/P 4/4-5/4/	12.12
			HSA Family/Dep. Contributi	500.25
			SEWER POSTAGE	100.00
		B & H CLEANING US DISASTER RESTORATION LLC PRITCHETT, JOSHUA	PW-SEWER JANITORIAL SERVIC	287.77
			SWR BCKUP 1046 OSAGE BEACH	1,031.99
			MILEAGE REIMB 4/30-5/6/22	47.97
			MILEAGE REIMB 5/7-5/13/22	28.08
		CAMPBELL, FRANK ONE TIME VENDOR ED EMERSON	REIMB SWR CLNOUT-1042 GUTR	233.93
			TOTAL:	15,769.04
		MO DEPT OF REVENUE INTERNAL REVENUE SERVICE	State Withholding	425.00
			Fed WH	1,071.59
			FICA	885.77
			Medicare	207.15
		ICMA	Loan Repayment	134.33
			Loan Repayment	156.06
		HSA BANK	Retirement 457 &	186.02
			HSA Family/Dep. Contributi	45.00
			TOTAL:	3,110.92
NON-DEPARTMENTAL	Ambulance Fund	MO DEPT OF REVENUE INTERNAL REVENUE SERVICE	State Withholding	425.00
			Fed WH	1,071.59
			FICA	885.77
			Medicare	207.15
		ICMA	Loan Repayment	134.33
			Loan Repayment	156.06
		HSA BANK	Retirement 457 &	186.02
			HSA Family/Dep. Contributi	45.00
			TOTAL:	3,110.92
		INTERNAL REVENUE SERVICE	FICA	885.77
			Medicare	207.15
			Retirement 401%	114.21
			Retirement 401	685.27
			AMB CABLE	36.64
			AMB FN AIR CARDS	82.48
			AMB DEPT CELL PHONES	438.49
			AMB FUEL	479.24
			HSA Family/Dep. Contributi	300.00
			AMBULANCE POSTAGE	20.00
Ambulance	Ambulance Fund	MO DEPT OF REVENUE INTERNAL REVENUE SERVICE	State Withholding	425.00
			Fed WH	1,071.59
			FICA	885.77
			Medicare	207.15
		ICMA	Loan Repayment	134.33
			Loan Repayment	156.06
		HSA BANK	Retirement 457 &	186.02
			HSA Family/Dep. Contributi	45.00
			TOTAL:	3,110.92
		INTERNAL REVENUE SERVICE	FICA	885.77
			Medicare	207.15
			Retirement 401%	114.21
			Retirement 401	685.27
			AMB CABLE	36.64
			AMB FN AIR CARDS	82.48
			AMB DEPT CELL PHONES	438.49
			AMB FUEL	479.24
			HSA Family/Dep. Contributi	300.00
			AMBULANCE POSTAGE	20.00

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
TOTAL:				3,249.25
NON-DEPARTMENTAL	Lee C. Fine Airpor	MO DEPT OF REVENUE	State Withholding	190.00
		INTERNAL REVENUE SERVICE	Fed WH	279.13
			FICA	396.07
			Medicare	92.63
		ICMA	Retirement 457 &	26.54
			Retirement 457	45.00
			Loan Repayments	74.35
			Loan Repayments	30.39
			Loan Repayments	37.15
TOTAL:				1,171.26
Lee C. Fine Airport	Lee C. Fine Airpor	AMEREN MISSOURI	LCF RD WELL 4/7-5/9/22	11.51
			LCF RUNWAY LTS 3/29-4/29/2	44.92
			AP FIREHOUSE 3/29-4/29/22	34.64
			KAISER TERMINAL BLDG 4/7-5	261.16
			LCF HANGAR 2 4/7-5/9/22	46.45
			LCF NEW AP HANGAR 4/7-5/9/	30.97
		GIER OIL CO INC	LCF UNLEADED GAS	1,044.93
		INTERNAL REVENUE SERVICE	FICA	396.07
			Medicare	92.63
		ICMA	Retirement 401%	42.99
			Retirement 401	338.12
		LOWE'S	LADDERS- FUEL TRUCKS	151.96
		AT&T MOBILITY-CELLS	LCF AP CELL PHONES	21.68
		CRAWFORD, MURPHY & TILLY INC	LCF APRN 20-046B-1 2/26-4/	38,342.16
		HSA BANK	HSA Contribution	37.50
			HSA Family/Dep. Contributi	195.00
		THE PITNEY BOWES BANK INC	LCF POSTAGE	50.00
		B & H CLEANING	GG JANITORIAL SERVICES	219.38
TOTAL:				41,362.07
NON-DEPARTMENTAL	Grand Glaize Airpo	MO DEPT OF REVENUE	State Withholding	59.00
		INTERNAL REVENUE SERVICE	Fed WH	246.37
			FICA	244.03
			Medicare	57.07
		ICMA	Retirement 457	30.00
TOTAL:				636.47
Grand Glaize Airport	Grand Glaize Airpo	AMEREN MISSOURI	GG AP HANGAR 3/29-4/28/22	52.61
			GG TBLC EXT D 3/29-4/28/22	233.10
			GG AP SHOP 3/29-4/28/22	25.01
			957 AIRPORT RD 3/29-4/28/2	11.51
			GG AP TBLC EXT D 3/29-4/28	17.12
			GG AP HANGAR 3/29-4/28/22	32.51
			GG AP SLEEPY 3/29-4/28/22	111.03
		GIER OIL CO INC	GG UNLEADED GAS	1,937.80
		INTERNAL REVENUE SERVICE	FICA	244.03
			Medicare	57.07
		ICMA	Retirement 401%	10.96
			Retirement 401	154.85
		LOWE'S	TIRE WIRE, PRUNER, REBAR STA	49.18
			HANGAR KEYS	5.66
		AT&T MOBILITY-CELLS	GG AP CELL PHONES	21.69
		HSA BANK	HSA Family/Dep. Contributi	105.00

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
		THE PITNEY BOWES BANK INC	GG POSTAGE	40.00
		B & H CLEANING	LCF JANITORIAL SERVICES	<u>430.62</u>
			TOTAL:	3,539.75

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

10	General Fund	77,536.35
20	Transportation	13,139.47
30	Water Fund	18,619.35
35	Sewer Fund	18,036.42
40	Ambulance Fund	6,360.17
45	Lee C. Fine Airport Fund	42,533.33
47	Grand Glaize Airport Fund	4,176.22

GRAND TOTAL: 180,401.31

TOTAL PAGES: 8

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
Mayor & Board	General Fund	MO MUNICIPAL LEAGUE STAPLES BUSINESS ADVANTAGE	2022 ELCTD OFFCLS TRNG- MA COMMAND STRIPS	135.00 <u>7.80</u>
			TOTAL:	142.80
City Administrator	General Fund	4 SAC MO MUNICIPAL LEAGUE STAPLES BUSINESS ADVANTAGE	4 SAC AIRPORT CONF- M. WEL 2022 ELCTD OFFCLS TRNG- WO COVER PAPER	295.00 130.00 <u>5.27</u>
			TOTAL:	430.27
Municipal Court	General Fund	SMITH, GARY L	MAY MUNICIPAL JUDGE SVCS	<u>1,763.16</u>
			TOTAL:	1,763.16
City Attorney	General Fund	THOMSON REUTERS - WEST	WEST INFO CHARGES 4/2022	<u>374.06</u>
			TOTAL:	374.06
Building Inspection	General Fund	AMAZON CAPITAL SERVICES INC	HARD HATS- INSPECTIONS	<u>101.16</u>
			TOTAL:	101.16
Building Maintenance	General Fund	PRAIRIEFIRE COFFEE & ROASTERS BUTLER SUPPLY CO SURECUT LAWN CARE LLC BEISHIR LOCK & SECURITY STAPLES BUSINESS ADVANTAGE AMAZON CAPITAL SERVICES INC	COFFEE PARTS FOR ELECTRIC BOX APR GROUNDS MAINTENANCE REPAIR BRKRM DOOR & SALLY BATHROOM TOWELS BATHROOM TOWELS TILE SAW	133.80 9.35 2,071.43 107.00 31.95 31.95 <u>85.99</u>
			TOTAL:	2,471.47
Parks	General Fund	ADVANCED TURF SOLUTIONS INC O'REILLY AUTOMOTIVE STORES INC AMAZON CAPITAL SERVICES INC N KOHL GROCER COMPANY THE FROG INSIGHT GRAPHICS ONE TIME VENDOR CCSB	FIELD MAINTENANCE SUPPLIES V BELT- PARKS OUTDOOR GRIDDLE PICKLEBALL NET SYSTEM "NO ALCOHOL" SIGN- PARKS HANDICAP STICKERS CONCESSION & PARK SUPPLIES CONCESSION & PARK SUPPLIES UNIFORMS & HATS DIGITAL SIGN WORK- PARKS UMPIRE FEE	403.74 25.00 360.00 289.32 87.23 22.97 90.48 789.53 5,308.00 520.00 <u>45.00</u>
			TOTAL:	7,941.27
Human Resources	General Fund	MO POLICE CHIEFS ASSC LAKE REGIONAL OCCUPATIONAL MEDICINE	PRE EMPLOYMENT TESTING PRE EMPLOYMENT TESTING POST ACCIDENT TESTING	175.66 200.00 <u>45.00</u>
			TOTAL:	420.66
Overhead	General Fund	LEWIS & ELLIS, INC.	GASB VALUATION/FIN DIS FY	<u>2,000.00</u>
			TOTAL:	2,000.00
Police	General Fund	MO POLICE CHIEFS ASSC LEON UNIFORM CO INC O'REILLY AUTOMOTIVE STORES INC HEDRICK MOTIV WERKS LLC	2022 MSRO CONF- D. STARK MAG POUCH- D. STARK UNIFORM ACCESSORIES- CLOSE UNIFORM- H. STARNES HAN CLEANER- PD 15 OIL CHANGE- PD 29 WINDOW REGULATOR-2007 CHRY SPARK PLUGS & COIL- PD 15	350.00 40.50 153.00 229.99 13.99 65.00 206.64 676.09

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
			OIL CHNGE-2015 POLICE INTR	65.00
			BATTERY- PD 19	65.00
			SPARK PLUGS & COIL- PD 24	627.18
		STAPLES BUSINESS ADVANTAGE	SHARPIE	6.03
			PAPER & CARD HOLDERS	37.49
		LANGUAGE LINE SERVICES INC	OVER THE PHONE INTERPRETAT	15.70
		PARKWAY PLAZA TIRE	TIRE REPAIR- PD 18	25.00
			TOTAL:	2,576.61
911 Center	General Fund	MOTOROLA SOLUTIONS INC	MAINTENANCE 5/2022-4/2023	34,163.00
			TOTAL:	34,163.00
Engineering	General Fund	COCHRAN ENGINEERING	ENG GENERAL CONSULT 03/202	11,020.00
			SWISS VLG ENG 03/2022	1,015.00
			AUTUMN LANE ENG 03/2022	1,195.00
			GREENWOOD DRAINAGE ENG 03/	3,860.00
			LIFT STATION IMPROV 03/202	446.25
			MACE RD ENG 03/2022	105.00
			BLUFF DRIVE ENG 03/2022	3,045.00
			AMY LANE ENG 03/2022	2,332.50
			WATER MAIN LOOPING ENG 03/	290.00
			ANTIOCH WTR & SWR ENG 03/2	908.75
			CITY PARK CULVERT ENG 03/2	3,626.25
			ELBOW CAY SNYDER ENG 03/20	2,918.75
			253 W END CIR ENG 03/2022	130.00
			CP IRRIG PUMP ENG 03/2023	787.50
			ENG GENERAL CONSULT 04/202	9,658.50
			LIFT STATION IMPROV 04/202	777.50
			AUTUMN LANE ENG 04/2022	1,146.97
			GREENWOOD DRAINAGE ENG 04/	868.75
			SWISS VILLAGE ENG 04/2022	210.00
			BLUFF DRIVE ENG 04/2022	3,253.75
			ANTIOCH WTR & SWR ENG 04/2	2,480.00
			AMY LANE ENG 04/2022	3,272.50
			WATER MAIN LOOPING ENG 04/	367.50
			TAN TAR A L/S ENG 04/2022	1,242.50
			WELL PLUGGING ENG 04/2022	1,300.00
			CASE RD DRIVEWAY ENG 04/20	525.00
			CITY PARK CULVERT ENG 04/2	3,952.50
			ROAD PAVING MAINT ENG 04/2	3,960.00
			TOTAL:	64,695.47
Information Technology	General Fund	TYLER TECHNOLOGIES INC	MTR READING SOFTWARE UPDRA	65.00
		BEISHIR LOCK & SECURITY	DNA FUSION SPPT 6/2022-5/	1,755.00
			TOTAL:	1,820.00
Economic Development	General Fund	GILMORE & BELL PC	APR PROFESSIONAL SVCS	3,331.25
			TOTAL:	3,331.25
Transportation	Transportation	GRAINGER INC	BINDER WITH DIVIDERS	10.51
		ENVIRONMENTAL SYSTEMS RESEARCH INSTITU	ARCGIS LICENSE 5/2022-5/20	1,500.00
		O'REILLY AUTOMOTIVE STORES INC	COMPRESSION UNION- PNT SPR	5.18
		PRAIRIEFIRE COFFEE & ROASTERS	COFFEE	49.27
		BUTLER SUPPLY CO	RECYCLE LAMP	6.88
			RECYCLE LAMP	105.00
		DULLE OVERHEAD DOORS INC	SVC CALL DOOR STICKING- PW	86.66

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
		SHERWIN-WILLIAMS	MATERIALS FOR STRIPES ON R	89.13
		ALPHAGRAPHS OF OSAGE BEACH	PUBLIC WORKS DECALS	287.44
		CINTAS CORPORATION	TRANS DEPT UNIFORMS	107.03
			TRANS DEPT FLOOR MATS	8.55
			TRANS DEPT UNIFORMS	102.57
		SEILER INSTRUMENT & MFG CO INC	PARTS FOR LOCATOR'S GPS SY	2,226.85
		CJ ELECTRIC LLC	COUNTER LIGHTS- PW OFFICE	66.67
		DELTA GASES INC	LENS & GLASS- WELDER	27.66
		AMAZON CAPITAL SERVICES INC	LED WALL CLOCK- SHOP	29.95
			KUBOTA KEYS	13.87
		COCHRAN ENGINEERING	EAST OB PKWY PRJCT SC21-12	1,525.75
			INDUSTRIAL DR PRJCT SC21-1	3,855.48
			GOLDIE PEARL PRJCT SC21-13	1,000.00
		MO DEPARTMENT OF CORRECTIONS	WORK AGREEMENT 4/10-5/10/2	225.12
		TRACKER SOFTWARE CORPORATION	ANN SUPP/FEE 4/2022-3/2023	1,481.33
		WALL'S HVAC SERVICE LLC	PW HVAC REPAIRS	265.33
		THE BUILDERS' ASSOCIATION	WORKZONE/FLAGGER SFTY TRNG	450.67
			TOTAL:	13,526.90
Water	Water Fund	USABUEBOOK	CHLORINE PUMPS	1,110.03
			CHLORINE PUMPS & STORAGE T	1,090.00
			PARTS FOR CHEMICAL FEED	83.44
		GRAINGER INC	BINDER WITH DIVIDERS	10.51
		ENVIRONMENTAL SYSTEMS RESEARCH INSTITU	ARCGIS LICENSE 5/2022-5/20	1,500.00
		FASTENAL CO	LOCATOR PAINT	827.93
		FLYNN DRILLING CO INC	WTR HAMMER TEST- COLUMBIA	3,950.00
		HACH CO	DR900 HARDNESS	32.92
		PRAIRIEFIRE COFFEE & ROASTERS	COFFEE	49.27
		BRENNTAG MID SOUTH INC	FLUORIDE	641.25
		BUTLER SUPPLY CO	RECYCLE LAMP	6.88
		DULLE OVERHEAD DOORS INC	SVC CALL DOOR STICKING- PW	86.67
		CORE & MAIN LP	SETTER STOPS	395.46
			PARTS- JAKE'S STEAK & FISH	319.12
			METER GASKETS	480.00
		PRECISION AUTO & TIRE SERVICE LLC	OIL CHANGE- TRK 51	62.95
		ALPHAGRAPHS OF OSAGE BEACH	PUBLIC WORKS DECALS	287.44
		CINTAS CORPORATION	WATER DEPT UNIFORMS	81.71
			WATER DEPT FLOOR MATS	8.55
			WATER DEPT UNIFORMS	85.29
		TODD I SKELTON	LOCK- BLUFF TOWER	10.00
		SEILER INSTRUMENT & MFG CO INC	PARTS FOR LOCATOR'S GPS SY	2,226.85
		CJ ELECTRIC LLC	COUNTER LIGHTS- PW OFFICE	66.67
		AMAZON CAPITAL SERVICES INC	LED WALL CLOCK- SHOP	29.96
		TRACKER SOFTWARE CORPORATION	ANN SUPP/FEE 4/2022-3/2023	1,481.33
		REEVES-WIEDEMAN COMPANY	UTILITY KNIVES	39.98
		WALL'S HVAC SERVICE LLC	PW HVAC REPAIRS	265.33
		THE BUILDERS' ASSOCIATION	WORKZONE/FLAGGER SFTY TRNG	450.66
			TOTAL:	15,680.20
Sewer	Sewer Fund	GRAINGER INC	BINDER WITH DIVIDERS	10.51
		ENVIRONMENTAL SYSTEMS RESEARCH INSTITU	ARCGIS LICENSE 5/2022-5/20	1,500.00
		MUNICIPAL EQUIPMENT CO	GRINDER PUMPS- INVENTORY	61,981.40
			PANEL MODIFICATIONS- L/S 5	5,982.00
		O'REILLY AUTOMOTIVE STORES INC	BRK CLNR & FUEL CAP- TRK 7	31.93
			REFRIGERANT- TRK 71	51.99
			MOTOR OIL- BIG PUMP TRUCK	48.93

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
			CRIMP, HOSE, TAPE- TRK 64	39.80
		PRAIRIEFIRE COFFEE & ROASTERS	COFFEE	49.26
		LAKE OZARK-OSAGE BEACH JOINT SEWER PLA	APR MONTHLY FLOWS	37,990.70
		BUTLER SUPPLY CO	RECYCLE LAMP	6.89
		DULLE OVERHEAD DOORS INC	SVC CALL DOOR STICKING- PW	86.67
		CORE & MAIN LP	PARTS FOR INVENTORY	730.60
		PRECISION AUTO & TIRE SERVICE LLC	OIL CHANGE- JETTER TRK	181.34
		MO STATE AGENCY FOR SURPLUS PROPERTY	HAND TOOLS	49.00
		JCI INDUSTRIES INC	PARTS FOR PUMP REPAIR	755.00
			PARTS FOR PUMP REPAIR	755.00
			PARTS FOR PUMP TL01	5,975.00
		ALPHAGRAPHICS OF OSAGE BEACH	PUBLIC WORKS DECALS	287.45
		CINTAS CORPORATION	SEWER DEPT UNIFORMS	291.17
			SEWER DEPT FLOOR MATS	8.55
		SEILER INSTRUMENT & MFG CO INC	PARTS FOR LOCATOR'S GPS SY	2,226.87
		CJ ELECTRIC LLC	COUNTER LIGHTS- PW OFFICE	66.66
		AMAZON CAPITAL SERVICES INC	LED WALL CLOCK- SHOP	29.95
			DISPOSABLE GLOVES	409.96
			SOUND ALARM	145.00
			CHEMICAL PROTECTION SUIT	78.93
		TRACKER SOFTWARE CORPORATION	ANN SUPP/FEE 4/2022-3/2023	1,481.34
		REEVES-WIEDEMAN COMPANY	PVC- 455 WALKERS CAY REPAI	32.14
			PARTS- JETTER TRK WTR VALV	110.19
			PRTS FOR REP-455 WALKERS C	50.70
			PARTS FOR SANDS DIGESTER	65.84
		WALL'S HVAC SERVICE LLC	PW HVAC REPAIRS	265.34
		NGS HOLDINGS INC	SEWER STATION LABELS	198.39
		1ST CHOICE SEPTIC PUMPING LLC	PUMPOUT @ 284 GREENWOOD CI	195.50
			PUMPOUT @ G/S 18	195.50
			PUMPOUT @ L/S 159	195.50
			PUMPOUT @ AIRPORT & ARROW	195.50
		THE BUILDERS' ASSOCIATION	WORKZONE/FLAGGER SFTY TRNG	450.67
			TOTAL:	123,207.17
Ambulance	Ambulance Fund	AIRGAS INC	OXYGEN	162.04
		LEON UNIFORM CO INC	SHIRT- M. BROWN	77.00
		HEDRICK MOTIV WERKS LLC	CLEAN EVAPERATOR- M8	65.00
		AMERICAN RESPONSE VEHICLES INC	REPLACE CAMERA MONITOR- AM	438.75
		DOUGLAS G WILSON DO PC	MAY MEDICAL DIRECTOR SVC	1,000.00
		LEXIPOL	EMS PLATFORM/MOBILE SOLUTI	742.00
		QUADMED INC	MEDICAL SUPPLIES	247.00
		ONE TIME VENDOR WRIGHT PRINTING & PROM	EMS COTTON T-SHIRTS	138.33
			TOTAL:	2,870.12
Lee C. Fine Airport	Lee C. Fine Airpor	NAEGLER OIL CO	LCF EQUIP & SATELLITE FEE	46.00
		O'REILLY AUTOMOTIVE STORES INC	OIL FLTR, MOTOR OIL-AV GAS	79.89
		STAPLES PROMOTIONAL PRODUCTS BIN# 1500	AIRPORT JACKETS	144.64
		SMITH PAPER & JANITOR SUPPLY CO INC	PAPER TOWELS & BATHROOM TO	45.30
			TOTAL:	315.83
Grand Glaize Airport	Grand Glaize Airpo	NAEGLER OIL CO	GG EQUIP & SATELLITE FEE	46.00
		O'REILLY AUTOMOTIVE STORES INC	OIL FILTER	11.43
			MTR OIL,HOSE CLMPs,HOSE ME	35.37
			OIL FILTER & MOTOR OIL	72.37
		SMITH PAPER & JANITOR SUPPLY CO INC	PAPER TOWELS & BATHROOM TO	45.30
			TOTAL:	210.47

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
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===== FUND TOTALS =====				
10	General Fund			122,231.18
20	Transportation			13,526.90
30	Water Fund			15,680.20
35	Sewer Fund			123,207.17
40	Ambulance Fund			2,870.12
45	Lee C. Fine Airport Fund			315.83
47	Grand Glaize Airport Fund			210.47

	GRAND TOTAL:			278,041.87

TOTAL PAGES: 5

City of Osage Beach
Agenda Item Summary

Date of Meeting: June 2, 2022
Originator: Jeana Woods, City Administrator
Presenter: Jeana Woods, City Administrator

Agenda Item:

Bill 22-32 - An ordinance of the City of Osage Beach, Missouri, authorizing the expenditure of funds for the Lake of Ozarks Convention and Visitor Bureau Guinness World Record Attempt for the Largest Boat Parade Event Support Request, in an amount not to exceed \$2,000. *Second Reading*

Requested Action:

Second Reading of Bill #22-32

Ordinance Referenced for Action:

Board of Aldermen approval required for the distribution of funds from the Community Promotions - Community Event Support account per Municipal Code Section 110.300 Expenditures from Community Promotions - Community Event Support Budget Item.

Deadline for Action:

Yes - Event Dates Upcoming

Budgeted Item:

Yes

Budget Line Information (if applicable):

Budget Line Item/Title: 10-21-754255 Community Event Support

FY2022 Budgeted Amount: \$ 13,000

FY2022 Expenditures to Date (05/10/2022): (\$ 0)

FY2022 Available: \$ 13,000

FY2022 Requested Amount: \$ 2,000

Department Comments and Recommendation:

Not Applicable

City Attorney Comments:

Per City Code 110.230, Bill 22-32 is in correct form.

City Administrator Comments:

The first reading was approved at the May 19, 2022 Board of Aldermen meeting.

In the Economic Development Department, account 10-21-754255-Community Event Support, \$13,000 is budgeted for event support. Per City Code 110.300, the intent is for the purpose of supporting events and activities that bring visitors, trade, and business into the City. Applications are submitted to the City Administrator and Board of Aldermen approval is required.

Enclosed is the Lake of the Ozarks Convention and Visitor Bureau Guinness World Record Attempt for the Largest Boat Parade Event Support application with supplemental information submitted. The request is for \$2,000. The event is scheduled to be held on June 11, 2022.

AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AUTHORIZING THE EXPENDITURE OF FUNDS OF FUNDS FOR LAKE OF OZARKS CONVENTION AND VISITOR BUREAU GUINNESS WORLD RECORD ATTEMPT FOR THE LARGEST BOAT PARADE EVENT SUPPORT REQUEST, IN AN AMOUNT NOT TO EXCEED \$2,000.00.

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

Section 1. That the expenditure of funds for marketing, supplies and insurance in an amount of Two Thousand dollars (\$2,000.00) is hereby authorized to be paid to Lake Ozark Convention and Visitor Bureau.

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

Section 3. 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 4. 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 5. This Ordinance shall take effect and be in full force from and after its passage by the Board of Aldermen and approval by the Mayor.

READ FIRST TIME: May 19, 2022

READ SECOND TIME:

I hereby certify that the above Ordinance No. 22.32 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. 22.32.

Date

Michael Harmison, Mayor

ATTEST:

Tara Berreth, City Clerk



City of Osage Beach
REQUEST FOR EVENT SUPPORT
Exhibit A to City Code Section 110.300

Requested Amount: \$ 2,000 Date of Request: 5/5/22

Organization Information:

Organization Name: Lake of the Ozarks Convention + Visitor Bureau
Address: PO Box 1498, Osage Beach MO 65065
Phone # 573-348-1599 Fax # _____
Contact Name: Heather Brown
Phone # (cell) 573-280-9349 (Other) _____

Is the organization a not-for-profit? ☒ YES ☐ NO

If yes, is it a registered 501(c)3 or other designation? ☐ YES ☒ NO (If yes, attach IRS classification)

If yes, is the organization a local not-for-profit or national not-for-profit organization? Local

Your organization's activities focus on: (check all that apply)

- ☐ Families and Youth
- ☐ Health & Human Services
- ☐ Education, Job Development, Housing or other similar community focus
- ☒ Tourism
- ☐ Arts & Cultural Activities
- ☐ Environmental & Preservation
- ☐ Other: _____

Event Information:

Event Name: Guinness World Record Attempt For The Largest Boat Parade
Event Dates: June 11, 2022
Event Location: Glaize Arm - Pette Toi State Park
Description of event: See Attached

How will the proceeds of this event be used? Event expenses - marketing, cost of supplies and insurance.

How will the City be recognized through this event? listed on website and banners

Is the event open to the public? ☒ YES ☐ NO If no, explain: _____

Is there an entry fee or requirement to purchase a ticket, etc.? ☒ YES ☐ NO

If yes, explain: \$20 entry fee

Total budget for the event: See Attached

(Attach details of your budget-include all sources of funding and expenses.)

In the case of a budget shortfall, how will the loss be covered? Event organizers will cover shortfall

How many years has this event been held? 2nd attempt

Estimated attendance this year? 1500 Boats Last year's attendance, if applicable? 750 Boats

Applicant:

Application Completed By: Heather Brown

Contact Phone/Cell: 573-348-1599

Heather Brown Heather Brown Executive Director 5/5/22
Signature Print Name Title Date

Send Completed Application and Attachments To:

Email: jwoods@osagebeach.org

Mail: City of Osage Beach
Jeana Woods, City Administrator
1000 City Parkway
Osage Beach, MO 65065

Internal Use

Date Application Received: May 9, 2022 By: JLWoods

Date Board Approved/Declined: _____ Amount Approved: _____

Other Information: _____

GWR 2022 BOAT PARADE BUDGET

	5/9/2022		
REVENUE			
		BUDGET	ACTUAL
Sponsorship			
General Sponsorship		\$ 5,000.00	\$ 2,000.00
Parade Section Sponsors		\$ 8,000.00	\$ 1,000.00
Largest Boat Parade Adjudicator		\$ 18,000.00	\$ 15,000.00
City/County		\$ 5,000.00	\$ -
Sponsorship in Kind		\$ 5,000.00	\$ 5,500.00
Fundraising			
Raffles		\$ -	
Registration Fees			\$ -
Boat Parade (1,200 x \$20)		\$ 24,000.00	\$ 860.00
Merchandise			\$ -
T-Shirts (1,000 x \$10)		\$ 10,000.00	
Other		\$ -	\$ -
GRAND TOTAL REVENUE		\$ 75,000.00	\$ 24,360.00
Expenses			
Event Cost			
Event Insurance		\$ 985.00	\$ 985.00
Regatta Permit		\$ -	\$ -
Boat Parade Safety Boats		\$ -	\$ -
Paypal Fees for Boat Parade		\$ 2,400.00	\$ -
Largest Boat Parade Adjudicator		\$ 18,000.00	\$ -
Marketing/Promotion			
Printing Marketing Collateral		\$ 5,000.00	\$ -
GWR Marketing Fess		\$ 10,000.00	\$ 10,000.00
Largest Boat Parade Adjudicator		\$ 15,000.00	\$ 15,000.00
Fundraising			
Raffles		\$ -	\$ -
Merchandise			
Boat Flags		\$ 11,700.00	\$ -
T-Shirts		\$ 1,000.00	\$ -
Miscellaneous		\$ -	\$ -
Volunteer Expenses			
Misc.		\$ -	\$ -
T-Shirts		\$ -	\$ -
Food		\$ 250.00	\$ -
	TOTAL	\$ 64,335.00	\$ -
		\$ -	\$ -
GRAND TOTAL EXPENSES		\$ 64,335.00	\$ 25,985.00
REVENUE VS EXPENSES		\$ 10,665.00	\$ (1,625.00)

GUINNESS WORLD RECORDS™ Attempt For The Largest Boat Parade Fact Sheet



When: June 11th, 2022

Time: Parade will begin at 11:00 AM

Where: Actual course will be on the Glaize Arm from the 3mm to the 1mm. Staging of the boats will start at the 4mm of the Glaize Arm.

Parade participants may launch their boat at the Lake of the Ozarks State Park Grand Glaize Marina Boat Ramp at 711 Public Beach Rd, Osage Beach, MO 65065

Currently the record for the Largest Boat Parade is held in Malaysia with 1180 boats. Our goal is to beat this record to not only bring the World Record to the United States but to Lake of the Ozarks Missouri.

MHQ-Mortgage Headquarters has sponsored to be the Grand Marshall and will lead the parade.

Register at www.funlake.com/boat-parade-registration

Registration includes a flag that will need to be displayed during the parade.

Starting June 2nd thru June 10th, Flags and your swag bag can be picked up at MHQ, 4824 Osage Beach Pkwy, Suite 1 in Osage Beach, MO.

For More Information email heather@funlake.com or lagina@funlake.com

RULES

This record is for the greatest number of boats in a parade formation over a set course.

This record is measured by number of participating boats.

The length of the line created by these vessels may be recorded for interest but is not relevant to the record attempt.

All skippers must hold a full license for their boat.

Registration numbers of all boats participating in the parade must be provided.

Every participant counted who is within the barriers of the attempt area should fully participate in the attempt to the best of his or her ability. If, to the independent witnesses' satisfaction, everyone is not fully participating, the attempt will end and must begin again.

Video of the measuring process should be submitted with the claim.

The parade route must be marked. If the parade takes place on water, buoys must be used to mark the circuit.

All vehicles participating in this world record attempt must be moving – it is not acceptable merely to park them in a row

PARADE LAYOUT



City of Osage Beach
Agenda Item Summary

Date of Meeting: June 2, 2022
Originator: Mike Welty, Assistant City Administrator
Presenter: Mike Welty, Assistant City Administrator

Agenda Item:

Bill 22-33 - An ordinance of the City of Osage Beach, Missouri, authorizing the Mayor to sign a contract with Don Schnieder Excavating Co, Inc for the Greenwood Circle Drainage Improvements project for an amount not to exceed \$45,679. *Second Reading*

Requested Action:

Second Reading of Bill #22-33

Ordinance Referenced for Action:

Board of Aldermen approval required for purchases over \$25,001 per Municipal Code Chapter 135; Article II: Purchasing, Procurement, Transfers, and Sales.

Deadline for Action:

None

Budgeted Item:

Yes

Budget Line Information (if applicable):

Budget Line Item/Title: 20-00-773155 Misc. Streets/Roads
FY2022 Budgeted Amount: \$1,174,000
FY2022 Expenditures to Date (05/09/22): (\$ 15,563)
FY2022 Available: \$1,158,437

FY2022 Requested Amount: \$ 45,679

Department Comments and Recommendation:

This project was bid out in early April and the bid opening was on April 26, 2022. The City received 3 bids for the project and the low bid was from Don Schnieder Excavating for the amount of \$45,679.00. The bid tab is attached. I did check the references for this contractor and found no problems.

The water coming off of Greenwood Circle between 1195 Greenwood Circle and 1201 Greenwood Circle is coming dangerously close to the foundations of these homes and during heavy rains is eroding away the hillside, creeping closer and closer to those homes. Any ditch that might have

been there in the past has already eroded away and we want to get this fixed before it becomes a bigger problem for the City. The storm water coming off of Greenwood Circle is the City's responsibility.

This is a budgeted project. The budget for this project is \$25,000. The low is \$20,679 over budget and a budget amendment will be required. We realize that this project is way over budget, but we feel like these costs are still cheaper than what it would cost if either or both of these homes started to have foundation issues caused by the City's drainage ditch.

I recommend approval.

City Attorney Comments:

Per City Code 110.230, Bill 22-33 is in correct form.

City Administrator Comments:

The budget overage may be absorbed with unrestricted funds within the Transportation Fund. A budget amendment is included on this agenda.

BILL NO. 22.33

ORDINANCE NO. 22.33

AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH DON SCHNIEDER EXCAVATING CO, INC FOR THE GREENWOOD CIRCLE DRAINAGE IMPROVEMENTS PROJECT IN AN AMOUNT NOT EXCEED \$45,679.00.

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

Section 1. The Board of Aldermen hereby authorizes the Mayor to execute on behalf of the City a Construction Contract with Don Schnieder Excavating Co, Inc ., under substantially the same or similar terms and conditions as set forth in “Exhibit A”.

Section 2. Total expenditures or liability authorized under this Ordinance shall not exceed Forty-Five Thousand, Six Hundred Seventy-Nine Dollars. (\$45,679.00)

Section 3. 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 4. This Ordinance shall be in full force and effect from date of passage and approval by the Mayor.

READ FIRST TIME: May 19, 2022

READ SECOND TIME:

I hereby certify that the above Ordinance No. 22.33 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. 22.33.

Date

Michael Harmison, Mayor

ATTEST:

Tara Berreth, City Clerk

Greenwood Circle Drainage Improvements

AGREEMENT

THIS AGREEMENT, made and entered into this _____ day of _____, 20____, by and between the **City of Osage Beach**, Party of the First Part and hereinafter called the **Owner**, and **Don Schnieder Excavating Company** a corporation of State of Missouri, Party of the Second Part and hereinafter called the **Contractor**.

WITNESSETH:

THAT WHEREAS, the City of Osage Beach has caused to be prepared, in accordance with law, specifications, plans, and other contract documents for the work herein described and has approved and adopted said documents, and has caused to be published, in the manner and for the time required by law, an advertisement for and in connection with the construction of the improvements, complete, in accordance with the contract documents and the said plans and specifications; and

WHEREAS, the Contractor, in response to such advertisement, has submitted to the Owner, in the manner and at the time specified, a sealed bid in accordance with the terms of said advertisement;

WHEREAS, the Owner, in the manner prescribed by law, has publicly opened, examined and canvassed the bids submitted in response to the published advertisement therefor, and as a result of such canvass has determined and declared the aforesaid Contractor to be the lowest responsive and responsible Bidder for the said work and has duly awarded to the said Contractor a contract therefor, for the sum or sums named in the Contractor's bid, a copy thereof being attached to and made a part of this contract.

NOW, THEREFORE, in consideration of the compensation to be paid to the Contractor and of the mutual agreements herein contained, the Parties to these presents have agreed and hereby agree, the Owner for itself and its successors, and the Contractor for its, his, or their executors and administrators, as follows:

ARTICLE I. That the Contractor shall (a) furnish all tools, equipment, supplies, superintendence, transportation, and other construction accessories, services and facilities; (b) furnish all materials, supplies and equipment specified and required to be incorporated in and form a permanent part of the completed work except the items specified to be furnished by the Owner; (c) provide and perform all necessary labor; and (d) in a good, substantial, and workmanlike manner and in accordance with the provisions of the General Conditions and Supplementary Conditions of this contract which are attached hereto and make a part hereof, and in conformance with the contract plans and specifications designated and identified therein, execute, construct, and complete all work included in and covered by the Owner's official award of this contract to the said Contractor, such award being based on the acceptance by the Owner of the Contractor's bid for the construction of the improvements.

ARTICLE II. That the Contractor shall construct, complete as designated and described in the foregoing Bid Form and attached specifications and in accordance with the Advertisement for Bids, Instructions to Bidders, Bid Form, Bonds, General Conditions, Supplementary Conditions, detailed specifications, plans, addenda, and other component parts of the contract documents hereto attached, all of which documents form the contract and are fully a part hereto as if repeated verbatim here.

ARTICLE III. That the Owner shall pay to the Contractor for the performance of the work described as follows:

Greenwood Circle Drainage Improvements

and the Contractor will accept as full compensation thereof, the sum (subject to adjustment as provided by the contract) of **Forty-Five Thousand Six Hundred Seventy nine Dollars and Zero Cent (\$45,679.00)** for all work covered by and included in the contract award and designated in the foregoing Article I. Payment therefor shall be made in the manner provided in the General Conditions and Supplementary Conditions attached hereto.

ARTICLE IV. That the Contractor shall begin assembly of materials and equipment within fifteen (15) days after receipt from the Owner of executed copies of the contract and that the Contractor shall complete said work within Sixty (30) consecutive calendar days from the thirtieth day after the Effective Date of the agreement, or if a Notice to Proceed is given, from the date indicated in the Notice to Proceed.

Greenwood Circle Drainage Improvements

Owner and Contractor recognize time is of the essence of this agreement and that Owner will suffer financial loss if the work is not completed within the time specified above, plus any extensions thereof allowed in allowance with Article 11 of the General Conditions. Owner and Contractor agree that as liquidated damages for delay, but not as a penalty, Contractor shall pay Owner Five Hundred dollars (\$ 500.00) for each and every calendar day of each section that expires following the time specified above for completion of the work.

ARTICLE V. This Agreement will not be binding and effective until signed by the Owner.

IN WITNESS WHEREOF, the Parties hereto have executed this contract as of the day and year first above written.

SIGNATURE:

ATTEST:

Owner, Party of the First Part

City Clerk

By _____
Name and Title

(SEAL)

*

LICENSE or CERTIFICATE NUMBER, if applicable _____

SIGNATURE OF CONTRACTOR:

IF AN INDIVIDUAL OR PARTNERSHIP

Contractor, Party of the Second Part

By _____
Name and Title

IF A CORPORATION

ATTEST:

Contractor, Party of the Second Part

Secretary

By _____
Name and Title

(CORPORATE SEAL)

STATE OF _____
COUNTY OF _____

On This _____ day of _____, 20____, before me appeared _____
to me personally known who, being by me duly sworn, did say that he is the _____ of _____
_____ and that the seal affixed to said instrument is the corporate seal of
said corporation by authority of its board of directors, and said _____ acknowledged said
instrument to be the free act and deed of said corporation.

(SEAL)

My commission Expires: _____

Notary Public Within and For Said County and State

**Bid Tabulation
Greenwood Circle Drainage Improvements
Osage Beach Project No. OB22-004
April 26, 2022**



City of Osage Beach
1000 City Parkway • Osage Beach, MO 65065
Phone [573] 302-2000 • Fax [573] 302-0528 • www.OsageBeach.org

Page 1

Item	Description	Unit	Quantity	Engineer's Estimate		Don Schneider		Utility Solutions		Stockman Construction	
				Unit Price (\$)	Total Cost (\$)	Unit Price (\$)	Total Cost (\$)	Unit Price (\$)	Total Cost (\$)	Unit Price (\$)	Total Cost (\$)
1	Mobilization/Demobilization/Start-Up/Permits/Bonds	LS	1	\$ 2,000.00	\$ 2,000.00	\$ 10,000.00	\$ 10,000.00	\$ 9,750.00	\$ 9,750.00	\$ 11,000.00	\$ 11,000.00
2	Temporary Rock Check Dam	LS	1	\$ 250.00	\$ 250.00	\$ 1,250.00	\$ 1,250.00	\$ 3,732.80	\$ 3,732.80	\$ 2,000.00	\$ 2,000.00
3	Clearing and Grubbing	LS	1	\$ 500.00	\$ 500.00	\$ 3,400.00	\$ 3,400.00	\$ 6,857.90	\$ 6,857.90	\$ 3,500.00	\$ 3,500.00
4	Removal of Existing Improvements	LS	1	\$ 500.00	\$ 500.00	\$ 2,300.00	\$ 2,300.00	\$ 1,714.10	\$ 1,714.10	\$ 1,500.00	\$ 1,500.00
5	18-inch RCP Storm Sewer	LF	95	\$ 90.00	\$ 8,550.00	\$ 109.00	\$ 10,355.00	\$ 161.90	\$ 15,380.50	\$ 160.00	\$ 15,200.00
6	18-inch Concrete Flared End	EA	1	\$ 1,250.00	\$ 1,250.00	\$ 2,345.00	\$ 2,345.00	\$ 4,158.00	\$ 4,158.00	\$ 2,000.00	\$ 2,000.00
7	Connection to Existing Storm Sewer Box	LS	1	\$ 750.00	\$ 750.00	\$ 1,320.00	\$ 1,320.00	\$ 3,969.70	\$ 3,969.70	\$ 1,500.00	\$ 1,500.00
8	Concrete Slope Anchor	EA	3	\$ 1,500.00	\$ 4,500.00	\$ 1,000.00	\$ 3,000.00	\$ 3,392.50	\$ 10,177.50	\$ 1,700.00	\$ 5,100.00
9	Rip-Rap (12"-20")	SY	17	\$ 120.00	\$ 2,040.00	\$ 115.00	\$ 1,955.00	\$ 444.30	\$ 7,553.10	\$ 160.00	\$ 2,720.00
10	6-inch Landscaping Rock	Ton	62	\$ 50.00	\$ 3,100.00	\$ 117.00	\$ 7,254.00	\$ 187.20	\$ 11,606.40	\$ 160.00	\$ 9,920.00
11	Force Account	LS	1	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00
TOTAL BASE BID					\$ 25,940.00		\$ 45,679.00		\$ 77,400.00		\$ 56,940.00

BID FORM

To: Honorable Mayor and Board of Aldermen
City of Osage Beach, Missouri

Gentlemen:

THE UNDERSIGNED BIDDER, having examined the Instructions to Bidders, Contract Forms, Drawings, Specifications, General Conditions, Supplementary Conditions, and other related Contract Documents attached hereto and referred to herein, and any and all Addenda thereto; the location, arrangement, and construction of existing railways, highways, streets, roads, structures, utilities, and facilities which affect or may be affected by the Work; the topography and condition of the site of the Work; and being acquainted with and fully understanding (a) the extent and character of the Work covered by this Bid Form; (b) the location, arrangement, and specified requirements of and for the proposed structures and miscellaneous items of Work appurtenant thereto; (c) the nature and extent of the excavations to be made, and the type, character and general condition of the materials to be excavated; (d) the necessary handling and rehandling of excavated materials; (e) all existing and local conditions relative to construction difficulties and hazards, labor, transportation, hauling, trucking and rail delivery facilities; and (f) all local conditions, laws, regulations, and all other factors and conditions affecting or which may be affected by the performance of the Work required by the Contract Documents.

HEREBY PROPOSE and agrees, if this Bid is accepted, to enter into agreement in the form attached hereto, and to perform all Work and to furnish all required materials, supplies, equipment, tools and plant; to perform all necessary labor; and to construct, install, erect and complete all Work stipulated in, required by, in accordance with the Contract Documents and other terms and conditions referred to therein (as altered, amended, or modified by any and all Addenda thereto) for the total bid price.

Bidder hereby agrees to commence Work under this Contract on the thirtieth day after the Effective Date of the Agreement or, if a Notice to Proceed is given, on the day indicated in the Notice to Proceed. A Notice to Proceed may be given at any time within thirty days after the Effective Date of the Agreement.

Bidder acknowledges receipt of the following Addenda, which have been considered in the preparation of this Bid:

No. <u>1</u>	Dated <u>4/18/2022</u>
No. _____	Dated _____

Bidder agrees, if the bid is accepted, to perform all the work described in the Project Manual including all Addenda, for the following prices.

(See Next Page for Bid Form)

Greenwood Circle Drainage Improvements

ITEM	DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	EXTENDED PRICE
1	Mobilization/Demobilization/Start-Up/Permits/Bonds	LS	1	\$10,000.00	\$10,000.00
2	Temporary Rock Check Dam	LS	1	\$1,250.00	\$1,250.00
3	Clearing and Grubbing	LS	1	\$3,400.00	\$3,400.00
4	Removal of Existing Improvements	LS	1	\$2,300.00	\$2,300.00
5	18-inch RCP Storm Sewer or 18-inch HP Polypropylene Storm Sewer	LF	95	\$109.00	\$10,355.00
6	18-inch Concrete Flared End	EA	1	\$2,345.00	\$2,345.00
7	Connection to Existing Storm Sewer Box	LS	1	\$1,320.00	\$1,320.00
8	Concrete Slope Anchor	EA	3	\$1,000.00	\$3,000.00
9	Rip-Rap (12"-20")	SY	17	\$115.00	\$1,955.00
10	6-inch Landscaping Rock	Ton	62	\$117.00	\$7,254.00
11	Force Account	LS	1	\$2,500	\$2,500.00
Total Base Bid:					\$45,679.00

SOLID ROCK EXCAVATION

1. Class "B" excavation not exceeding 30 cu. yd. for any and all construction items. \$ 270.00 /Yd³
2. Class "B" excavation ranging from 30 cu. yd. to 75 cu. Yd. for any and all construction items. \$ 240.00 /Yd³
3. Class "B" excavation exceeding 75 cu. yd. for any and all construction items. \$ 220.00 /Yd³

By submitting this Bid, the Bidder agrees to waive any claim it has or may have against the Owner or Engineer, and their respective employees, arising out of or in connection with the administration, evaluation or recommendation of any bid(s).

TOTAL BID IN WRITING: Forty-Five Thousand, Six Hundred Seventy-Nine Dollars & Zero Cents

Greenwood Circle Drainage Improvements

It is mutually understood and agreed by and between the parties of this Contract, in signing the Agreement thereof that time is of the essence in this Contract. In the event that the Contractor shall fail in the performance of the Work specified and required to be performed within the period of time stipulated therefore in the Agreement binding said parties, after due allowance for any extension of time which may be granted under provisions of the General Conditions, the Contractor shall pay unto the Owner, as stipulated, liquidated damages and not as a penalty, the sum stipulated therefore in the Contract Agreement for each and every consecutive calendar day that the Contractor shall be in default.

In case of joint responsibility for any delay in the final completion of the Work covered by the Agreement; where two or more separate Agreements are in force at the same time and cover work on the same project and at the same site, the total amount of liquidated damages assessed against all contractors under such Agreement for any one day of delay in the final completion of the Work will not be greater than the approximate total of the damages sustained by the Owner by reason of such delay in completion of the Work, and the amount assessed against any Contractor for such one day of delay will be based upon the individual responsibility of such Contractor for the aforesaid delay as determined by and in the judgment of the Owner.

The Owner shall have the right to deduct said liquidated damages from any moneys in its hands, otherwise due or to become due to said Contractor, or sue for and recover compensation for damages for nonperformance of the Agreement at the time stipulated herein and provided for.

The undersigned hereby agrees to enter into Contract on the attached Agreement Form and furnish the necessary bond within fifteen (15) consecutive calendar days from the receipt of Notice of Award from the Owner's acceptance of this Bid, and to complete said Work within the indicated number of consecutive calendar days from the thirtieth day after the Effective Date of the Agreement, or if a Notice to Proceed is given, from the date indicated in the Notice to Proceed.

If this Bid is accepted and should Bidder for any reason fail to sign the Agreement within fifteen (15) consecutive calendar days as above stipulated, the Bid Security which has been made this day with the Owner shall, at the option of the Owner, be retained by the Owner as liquidated damage for the delay and expense caused the Owner; but otherwise, it shall be returned to the undersigned in accordance with the provisions set forth on page IB-5, paragraph 6.0 Bid Security.

Dated at Jefferson City, Missouri this 21st day of April, 2022.

LICENSE or CERTIFICATE NUMBER, if applicable _____

FILL IN THE APPROPRIATE SIGNATURE AND INFORMATION BELOW:

IF AN INDIVIDUAL:

Signature and Title

Typed or Printed Name

Doing Business As

Name of Firm

Business Address of Bidder: _____

Telephone No. _____

Greenwood Circle Drainage Improvements

IF A PARTNERSHIP:

Name of Partnership

Member of Firm (Signature)

Member of Firm (Typed or Printed)

Business Address of Bidder: _____

Telephone No. _____

IF A CORPORATION: Don Schnieders Excavating Company, Inc.

Name of Corporation

By Donald E. Rhea President

Signature & Title

Donald E. Rhea

Typed or Printed Name

ATTEST:

Bruce L. Bax

Secretary or Assistant Secretary Signature

(CORPORATE SEAL)

Bruce L. Bax

Typed or Printed Name

Business Address of Bidder: _____

1307 Fairgrounds Road

Jefferson City, MO 65109

Telephone No. (573)893-2251

If Bidder is a Corporation, supply the following information:

State in which Incorporated: _____

Missouri

Name and Address of its: President Donald E. Rhea

1307 Fairgrounds Road, Jefferson City, MO 65109

Secretary Bruce L. Bax

1307 Fairgrounds Road, Jefferson City, MO 65109

BIDDER'S QUALIFICATIONS AND SUBCONTRACTING

To evaluate the bidders' qualifications for acceptance of this project, the Owner requests the following:

- a. Previous Experience (Projects of similar construction detail)

<u>Location</u>	<u>Year</u>	<u>Type & Size</u>	<u>Approximate Bid</u>
See Attached			

- b. List of equipment available for this job.

See Attached

- c. List of subcontractors to be used on this project

<u>(Name)</u>	<u>(Type of Work)</u>
NA	

This report is an integral part of the proposal.

Dated April 21st, 2022

By Donald E. Rhoe

Title President



City of Osage Beach
Agenda Item Summary

Date of Meeting: June 2, 2022
Originator: Jeana Woods, City Administrator
Presenter: Jeana Woods, City Administrator

Agenda Item:

Bill 22-34 - An ordinance of the City of Osage Beach, Missouri, amending Ordinance No. 21.78 Adopting the 2022 Annual Operating Budget, Transfer of Funds for Necessary Expenses related to project carryovers from FY2021. *Second Reading*

Requested Action:

Second Reading of Bill #22-34.

Ordinance Referenced for Action:

Board of Aldermen approval required for certain budget amendments per Municipal Code Chapter 135; Section 135.020 Budget and Financial Control.

Deadline for Action:

None

Budgeted Item:

Not Applicable

Budget Line Information (if applicable):

Not Applicable

Department Comments and Recommendation:

Not Applicable

City Attorney Comments:

Per City Code 110.230, Bill 22-34 is in correct form.

City Administrator Comments:

The first reading was read and approved at the May 19, 2022 Board of Aldermen meeting.

Three projects originally estimated to be completed by FY2021 have been carried over into FY2022. Due to several factors, projects were fully or partially completed, or soon

to be completed, in 2022, originally budgeted in the prior year; therefore, requiring a budget amendment to the FY2022 Operating Budget. This does not change the estimated December 31, 2022 net cash & equivalent balances. In addition, a portion of one outlined amendment does include a recent contract change.

LCF Apron Project:

Due to timing delays, a portion of the project did not get completed in FY2021. This amendment carries over grant revenue and project expenditures to FY2022. Also, this amendment includes the recent contract change approved on May 5, 2022, Bill 22.31. This portion is not covered by grant funds; therefore, additional transfers to LCF from the Transportation Fund is needed to maintain a positive cash flow in the LCF Fund.

<u>Acct/Name</u>	<u>Original Budget</u>	<u>Increase/ Decrease</u>	<u>Amended Budget</u>
45-00-773225 Apron Project (Exp)	\$2,772,681	\$ 522,342	\$3,295,023
45-00-440200 Grant Revenue (Rev)	\$2,868,940	\$ 449,297	\$3,318,237
45-00-620020 Transfer from Transportation Fund (Rev)	\$ 165,000	\$ 45,000	\$ 200,000
20-00-799945 Transfer to Lee C Fine Fund (Exp)	\$ 165,000	\$ 45,000	\$ 200,000

Mace Road Project:

The Mace Road project was completed in FY2022. This amendment carries over the final project expenditures to FY2022.

<u>Acct/Name</u>	<u>Original Budget</u>	<u>Increase/ Decrease</u>	<u>Amended Budget</u>
20-00-773223 Mace Road (Exp)	\$ 0	\$ 81,850	\$ 81,850

Tan-Tar-A Estates Assessment Project:

The assessment was completed in FY2022. This amendment carries over the grant revenue and the final project expenditures to FY2022.

<u>Acct/Name</u>	<u>Original Budget</u>	<u>Increase/ Decrease</u>	<u>Amended Budget</u>
35-00-773100 Engineering (Exp)	\$ 0	\$ 16,081	\$ 16,081
35-00-440200 Grant Revenue (Rev)	\$ 0	\$ 12,865	\$ 12,865

AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AMENDING ORDINANCE NO. 21.78 ADOPTING THE 2022 ANNUAL OPERATING BUDGET, TRANSFER OF FUNDS FOR NECESSARY EXPENSES RELATED TO PROJECT CARRYOVERS FROM FY2021.

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

Section 1. That the 2022 Annual Operating Budget adopted as Ordinance No. 21.78 is hereby amended by appropriating additional funds or reducing appropriations as follows:

	Original Item	Amended Item
45-00-773225 Apron Project	\$2,772,681	\$3,295,023
45-00-440200 Grant Revenue	\$2,868,940	\$3,318,237
45-00-620020 Transfer from Transportation Fund	\$ 165,000	\$ 200,000
20-00-799945 Transfer to Lee C Fine Fund	\$ 165,000	\$ 200,000
20-00-773223 Mace Road	\$ 0	\$ 81,850
35-00-773100 Engineering	\$ 0	\$ 16,081

Section 2. In all other respects the 2022 Annual Operating Budget adopted in Ordinance No. 21.78 remains in full force and effect.

Section 3. That this Ordinance shall be in full force and effect upon date of passage and approval by the Mayor.

READ FIRST TIME: May 19, 2022

READ SECOND TIME:

I hereby certify that the above Ordinance No. 22.34 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. 22.34.

Michael Harmison, Mayor

Date

ATTEST:

Tara Berreth, City Clerk

City of Osage Beach
Agenda Item Summary

Date of Meeting: June 2, 2022
Originator: Cary Patterson, City Planner
Presenter: Cary Patterson, City Planner

Agenda Item:

Public Hearing - Rezoning Case 419 Phoenix Property Redevelopment, LLC.

Requested Action:

Public Hearing -Rezoning case 419

Ordinance Referenced for Action:

Board of Aldermen shall hold a public hearing on each application 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

Budget Line Information (if applicable):

Not Applicable

Department Comments and Recommendation:

Public Hearing for Rezoning Case 419.

City Attorney Comments:

Not Applicable

City Administrator Comments:

Not Applicable

City of Osage Beach
Agenda Item Summary

Date of Meeting: June 2, 2022
Originator: Cary Patterson, City Planner
Presenter: Cary Patterson, City Planner

Agenda Item:

Bill 22-36 - 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 a parcel of land as described in Rezoning Case no. 419. *First Reading*

Requested Action:

First Reading of Bill #22-36

Ordinance Referenced for Action:

Board of Aldermen approval is 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

Budget Line Information (if applicable):

Not Applicable

Department Comments and Recommendation:

See the attached information.

The Planning Commission reviewed the request at their meeting on May 10, 2022 and have forwarded it to the Board with a unanimous recommendation for approval.

City Attorney Comments:

City Administrator Comments:

I concur with the department's recommendation.

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 APPROXIMATELY 5 ACRES AS DESCRIBED IN REZONING CASE NO. 419.

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

Section 1. That the real estate, generally described as approximately 5 acres and contained in the legal description contained in “Exhibit A” attached hereto is hereby amended C-1 (General Commercial) as under the terms and conditions in Rezoning Case No. 419.

See Exhibit A: Property Boundary Description.

Section 2. That the development as described herein and referred to as Case 419 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 and the approval of the Mayor.

READ FIRST TIME:

READ SECOND TIME:

I hereby certify that the above Ordinance No. 22.36 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 22.36.

Michael Harmison, Mayor

Date

ATTEST:

Tara Berreth, City Clerk

“EXHIBIT A”

TRUSTEE'S GENERAL WARRANTY DEED

THIS DEED, made and entered into on the 22nd day of May, 2017, by and between

LO-22997-17
ITS

Grantor(s): Gary M. Peters, Trustee of Indenture of Trust, of Gary M. Peters dated October 26, 1993

Grantee(s): Phoenix Property Development, L.C., a Missouri Limited Liability Company

Whose address is: 6241 Osage Beach Parkway, Osage Beach, MO 65065

WITNESSETH, that the said grantor(s), for and In consideration of the sum of One Dollar and other valuable considerations paid by the said grantee, the receipt of which is hereby acknowledged, does or do by these presents **GRANT, BARGAIN, AND SELL, CONVEY AND CONFIRM** unto the said grantee, the following described Real Estate, situated in the County of Camden, State of Missouri as to- wit:

A tract of land in the Southwest Quarter of the Northeast Quarter of Section 21, Township 39 North , Range 16 West, and being a part of a tract as described in Book 132, Page 213, and Book 135, Page 501, Camden County ~~Records, Camden~~ County, Missouri, more particularly described as follows: Beginning at a gas pipe at the center of said Section 21, thence North 01 degree 17 minutes 46 seconds East, along the quarter section line 655.15 feet to a gas pipe at the Northwest corner of said tract as described in Book 135, Page 501; thence leaving the quarter section line South 89 degrees 39 minutes 17 seconds East along the North line of said tract 58.76 feet to a point on Easterly right-of-way of Proposed Route 54, and the true point of beginning; thence continuing South 89 degrees 39 minutes 17 seconds East, 255.89 feet, to the Westerly right-of-way of U.S. Highway No. 54; thence South 21 degrees 23 minutes 49 seconds East, along said Westerly right of way 223.60 feet to Southerly line of said tract as described in Book 132, Page 213; thence South 72 degrees 04 minutes 46 seconds West, along said Southerly line 243.67 feet to a point on the Easterly right of way of said Proposed Route 54, thence Northwestealy along said Easterly right-of-way the following courses: thence North 22 degrees 23 minutes 02 seconds West, 212.89 feet; thence North 14 degrees 28 minutes 36 seconds West, 90.73 to the true point of beginning. Bearings relative to the plan of said Proposed Route 54.

BEING ALSO DESCRIBED AS FOLLOWS:

~~All that part of the~~ Southwest Quarter (SW ¼) of the Northeast Quarter (NE ¼) of Section Twenty-one (21), Township ~~Thirty-nine~~ (39) North, Range Sixteen (16) West, described as follows:

Beginning at the center section corner of said Section Twenty-one (21) and run North along quarter section line 315.3 feet to an iron pin for the point of beginning of tract hereby described, thence continue North along said quarter section line 242.4 feet; thence East 382.2 feet to the Westerly side of U.S. Highway No. 54 to an iron pin; thence Southeasterly along said Highway 54, 103.0 feet to an iron pin; thence South 69 degrees 00 minutes West 442.4 feet to point of beginning.

Page 1 of 3

ALSO, Part of the Southwest Quarter of the Northeast Quarter of Section Twenty-one (21), Township Thirty-nine (39) North, Range Sixteen (16) West, described as follows: From the Northwest corner of the said Southwest Quarter of the Northeast Quarter, run South along the West line of said quarter quarter 677.6 feet for the beginning point of tract hereby conveyed; thence continue South 105 feet to the Northwest corner of the Charles Asby tract; thence East along the North line of the Asby property, 422.6 feet to the centerline of U.S. Highway No. 54; thence Northwesterly along the centerline of Highway, 112.1 feet to the Southeast corner of the Walter W. Bates property; thence West along the South line of Bates property, 378.9 feet to the beginning point. Subject to right of way for U.S. Highway 54.

SAVE AND EXCEPT

A tract of land situated in the Southeast Quarter (SE ¼) of the Northwest Quarter (NW ¼) of Section Twenty-one (21), Township Thirty-nine (39) North, Range Sixteen (16) West, in the County of Camden, State of Missouri, more particularly described as follows :

~~Two tracts of land~~ described as follows:

- 1) All the land of said grantors which lies within a strip of land lying on the left or East side of, and adjoining the hereinafter described centerline of Proposed Route 54, being 175 feet wide at Station 356+20 and narrowing on a direct line to a strip of land 150 feet wide at Station 358+00; thence on a strip of land 150 feet wide, parallel to and adjoining said centerline from Station 358+00 to Station 361+00.
- 2) A triangle tract of land described as follows: Bounded on the Northwest by grantors Northwesterly property line; bounded on the East by the hereinafter described Proposed Route 54 centerline, and bounded on the South by grantors Southerly property line.

The centerline of Proposed Route 54 is described as follows: Commencing at a pointed native stone 16 inches above ground in a pile of rocks, in the Southwest corner of the Northwest Quarter (NW ¼), in Section Twenty-one (21), Township Thirty-nine (39) North, Range Sixteen (16) West; thence North 69 degrees 33 minutes 01 second East a distance of 2536.45 feet to P.T. Station 353+84.69; thence South 22 degrees 23 minutes 02 seconds East a distance of 715.31 feet to Station 361+00.

All abutter's rights of direct access between the highway now known as Proposed Route 54 and grantor's abutting land in the Southeast Quarter (SE ¼) of the Northwest Quarter (NW ¼) of Section Twenty-one (21), Township Thirty-nine (39) North, Range Sixteen (16) West.

Parcel No.: 08 5.0 21.0 000.0 002 018.000

**Trustees are duly acting and qualified Trustees under said Trust;
The Trust has not been amended, revoked, or cancelled and is in full force and effect; and
The Trustees have the full and complete powers and authority to sell the subject property**

Property Address: 6215 Osage Beach Parkway, Osage Beach, MO 65065

Said property is not subject to any right of way, easements or party walls except as follows:

NONE

The property referred to herein is briefly described as follows:

A tract of land in the Southwest Quarter of the Northeast Quarter of Section 21, Township 39 North , Range 16 West, and being a part of a tract as described in Book 132, Page 213, and Book 135, Page 501, Camden County Records, Camden County, Missouri, more particularly described as follows: Beginning at a gas pipe at the center of said Section 21, thence North 01 degree 17 minutes 46 seconds East, along the quarter section line 655.15 feet to a gas pipe at the Northwest corner of said tract as described in Book 135, Page 501; thence leaving the quarter section line South 89 degrees 39 minutes 17 seconds East along the North line of said tract 58.76 feet to a point on Easterly right-of-way of Proposed Route 54, and the true point of beginning; thence continuing South 89 degrees 39 minutes 17 seconds East, 255.89 feet, to the Westerly right-of-way of U.S. Highway No. 54; thence South 21 degrees 23 minutes 49 seconds East, along said Westerly right of way 223.60 feet to Southerly line of said tract as described in Book 132, Page 213; thence South 72 degrees 04 minutes 46 seconds West, along said Southerly line 243.67 feet to a point on the Easterly right of way of said Proposed Route 54, thence Northwesterly along said Easterly right-of-way the following courses: thence North 22 degrees 23 minutes 02 seconds West, 212.89 feet; thence North 14 degrees 28 minutes 36 seconds West, 90.73 to the true point of beginning. Bearings relative to the plan of said Proposed Route 54.

BEING ALSO DESCRIBED AS FOLLOWS:

All that part of the Southwest Quarter (SW ¼) of the Northeast Quarter (NE ¼) of Section Twenty-one (21), Township Thirty-nine (39) North, Range Sixteen (16) West, described as follows:

Beginning at the center section corner of said Section Twenty-one (21) and run North along quarter section line 315.3 feet to an iron pin for the point of beginning of tract hereby described, thence continue North along said quarter section line 242.4 feet: thence East 382.2 feet to the Westerly side of U.S. Highway No. 54 to an iron pin: thence Southeasterly along said Highway 54, 103.0 feet to an iron pin; thence South 69 degrees 00 minutes West 442.4 feet to point of beginning.

ALSO, Part of the Southwest Quarter of the Northeast Quarter of Section Twenty-one (21), Township Thirty-nine (39) North, Range Sixteen (16) West, described as follows: From the Northwest corner of the said Southwest Quarter of the Northeast Quarter, run South along the West line of said quarter quarter 677.6 feet for the beginning point of tract hereby conveyed; thence continue South 105 feet to the Northwest corner of the Charles Asby tract; thence East along the North line of the Asby property, 422.6 feet to the centerline of U.S. Highway No. 54; thence Northwesterly along the centerline of Highway, 112.1 feet to the Southeast corner of the Walter W. Bates property; thence West along the South line of Bates property, 378.9 feet to the beginning point. Subject to right of way for U.S. Highway 54.

SAVE AND EXCEPT

A tract of land situated in the Southeast Quarter (SE ¼) of the Northwest Quarter (NW ¼) of Section Twenty-one (21), Township Thirty-nine (39) North, Range Sixteen (16) West, in the County of Camden, State of Missouri, more particularly described as follows :

Two tracts of land described as follows:

- 1) All the land of said grantors which lies within a strip of land lying on the left or East side of, and adjoining the hereinafter described centerline of Proposed Route 54, being 175 feet wide at Station 356+20 and narrowing on a direct line to a strip of land 150 feet wide at Station 358+00; thence on a strip of land 150 feet wide, parallel to and adjoining said centerline from Station 358+00 to Station 361+00.
- 2) A triangle tract of land described as follows: Bounded on the Northwest by grantors Northwesterly property line: bounded on the East by the hereinafter described Proposed Route 54 centerline, and bounded on the South by grantors Southerly property line.

The center line of Proposed Route 54 is described as follows: Commencing at a pointed native stone 16 inches above ground in a pile of rocks, in the Southwest corner of the Northwest Quarter (NW ¼), in Section Twenty-one (21), Township Thirty-nine (39) North, Range Sixteen (16) West; thence North 69 degrees 33 minutes 01 second East a distance of 2536.45 feet to P.T. Station 353+84.69; thence South 22 degrees 23 minutes 02 seconds East a distance of 715.31 feet to Station 361+00.

All abutter's rights of direct access between the highway now known as Proposed Route 54 and grantor's abutting land in the Southeast Quarter (SE ¼) of the Northwest Quarter (NW ¼) of Section Twenty-one (21), Township Thirty-nine (39) North, Range Sixteen (16) West.

The undersigned further states to the best of their knowledge and belief, that there is no hazardous waste as defined by CERCLA (42 U.S.C. 9601 et seq.) as amended in 1966 by Public Law 99-499 on the following described property, and that they have received no notice from the United States Environmental Protection Agency that a hazardous waste condition exists on said property.

Trustee of Indenture of Trust, of Gary M. Peters dated October 26, 1993

STATE OF MISSOURI

COUNTY OF Candor

On this 22 day of May, 2017, who personally appeared Gary M. Peters, Trustee of Indenture of Trust, of Gary M. Peters dated October 26, 1993, Grantor(s) and acknowledged that he/she/they is/are the trustee/co-trustees with full power to make the foregoing instrument under the Trust aforesaid and to me known to be the persons described in and who executed the foregoing instrument, he executed as his free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year first above written.

Notary Public
My term Expires:

MARISSA KESSLER
Notary Public, Notary Seal
State of Missouri
Miller County
Commission # 15387196
My Commission Expires August 22, 2019

All that part of the Southwest Quarter of the Northeast Quarter of Section 21, Township 39 North, Range 16 West, described as follows:

BEGINNING at an iron pin 229.7 feet North from the center corner of said Section 21; thence North 85.6 feet to an iron pin marking the Southwest corner of the tract known as E. E. Hunter tract; thence North 69 degrees 00 minutes East along said Hunter tract, 422.4 feet, more or less, to the Westerly side of U.S. Highway No. 54; thence Southeasterly along said Highway No. 54, 80.0 feet to an iron pin; thence South 69 degrees 00 minutes West 453.0 feet, more or less, to the POINT OF BEGINNING.

ALSO, all that part of the Southwest Quarter of the Northeast Quarter of Section 21, Township 39 North, Range 16 West, described as follows:

From the center of said Section 21, run North along the West line of said Southwest Quarter of the Northeast Quarter, 229.7 feet; thence North 70 degrees 37 minutes East 270.3 feet for the PLACE OF BEGINNING; thence continue North 70 degrees 37 minutes East 180.0 feet to and intersecting the Westerly right-of-way line of U.S. Highway No. 54; thence along the right-of-way line, South 17 degrees 08 minutes East 54.8 feet; thence continue along said right-of-way line South 22 degrees 38 minutes East 15.2 feet; thence leaving the right-of-way line, South 70 degrees 37 minutes West 178.7 feet; thence North 19 degrees 23 minutes West 70.0 feet to the PLACE OF BEGINNING.

EXCEPTING THEREFROM that part of the above described land lying within Highway No. 54 right-of-way.

ALSO, All of a tract of land described as follows:

BEGINNING at the center of Section 21, Township 39 North, Range 16 West of the Fifth Principal Meridian; thence North 507.7 feet; thence East 401.4 feet to Intersection with Westerly right-of-way of U.S. Highway 54; thence Southeasterly along said Highway 54, a distance of 543.3 feet; thence West 611.2 feet to BEGINNING POINT.

EXCEPTING THEREFROM a tract of land sold to Edgar E. Hunter and Laura Hunter, husband and wife recorded in Book 106, Page 248, Records of Camden County, Missouri, and described as follows:

All that part of the Southwest Quarter of the Northeast Quarter of Section 21, Township 39 North, Range 16 West of the 5th Principal Meridian, described as follows:

Beginning at the center Section corner of said Section 21, run North along Quarter line a distance of 315.3 feet to an iron pin and the BEGINNING POINT of tract herein described; thence on North along said Quarter line a distance of 242.4 feet; thence East a distance of 382.2 feet to the Westerly side of U.S. Highway 54 to an iron pin; thence Southeasterly along said Highway 54 a distance of 103.0 feet to an iron pin; thence South 69 degrees 00 minutes West a distance of 442.4 feet to BEGINNING of tract herein described.

FURTHER EXCEPTING a tract of land sold to Roy Wright and Ollie Wright, husband and wife, recorded in Book 108, Page 374, Records of Camden County, Missouri, and described as follows:

All that part of the Southwest Quarter of the Northeast Quarter of Section 21, Township 39 North, Range 16 West of the 5th Principal Meridian described as follows:

BEGINNING at an iron pin 229.7 feet North from the center corner of said Section 21; thence North 85.6 feet to an iron pin, marking the Southwest corner of tract sold to E. E. Hunter; thence North 69 degrees 00 minutes East along said Hunter tract, a distance of 422.4 feet, more or less, to the Westerly side of U.S. Highway No. 54; thence Southeasterly along said Highway 54 a distance of 80.0 feet to an iron pin; thence South 69 degrees 00 minutes West a distance of 453.10 feet, more or less, to the PLACE OF BEGINNING.

FURTHER EXCEPTING THEREFROM a tract of land sold to Roy Wright and Ollie Wright, his wife, recorded in Book 111, Page 409, Records of Camden County, Missouri, described as follows:

All that part of the Southwest Quarter of the Northeast Quarter of Section 21, Township 39 North, Range 16 West, described as follows:

From the center of said Section 21, run North along the West line of the said Southwest Quarter of the Northeast Quarter 229.7 feet; thence North 70 degrees 37 minutes East 270.3 feet for the PLACE OF BEGINNING; thence continue North 70 degrees 37 minutes East 180.0 feet to and intersecting the Westerly right-of-way line of U.S. Highway Number 54; thence along the right-of-way line, South 17 degrees 08 minutes East 54.8 feet; thence continue along said right-of-way line South 22 degrees 38 minutes East 15.2 feet; thence leaving the right-of-way line South 70 degrees 37 minutes West 178.7 feet; thence North 19 degrees 23 minutes West 70.0 feet to the PLACE OF BEGINNING.

FURTHER EXCEPTING THEREFROM a tract of land sold to John N. Abbott and Minnie Abbott, husband and wife, recorded in Book 120, Page 344, Records of Camden County, Missouri, and described as follows:

All that part of the Southwest Quarter of the Northeast Quarter of Section 21, Township 39 North, Range 16 West of the 5th Principal Meridian, in Camden County, Missouri, described as follows:

BEGINNING at the Southwest corner of said Quarter Quarter Section; thence North along the West line of said Quarter Quarter Section, a distance of 40.1 feet to an iron pipe from which an eight inch Hickory tree bears South 17 degrees 30 minutes West, a distance of 12.2 feet and a three inch Post Oak tree bears North 47 degrees East a distance of 11.3 feet; thence North 77 degrees 59 minutes East a distance of 538 feet,

more or less, to an iron pipe at the Westerly right-of-way line of U.S. Highway 54; thence Southeasterly along the Westerly side of said Highway 54, a distance of 150 feet, more or less, to an iron pipe marking the Southeast corner of a tract of land conveyed to Charles Asby and Ersie Asby, husband and wife by Deed dated August 16, 1947 and recorded in Book 86, Page 187, Records of Camden County, Missouri; thence West a distance of 580 feet, more or less, to the POINT OF BEGINNING.

SAVE AND EXCEPT that part of the above described land conveyed to the Missouri Highway and Transportation Commission by Warranty Deed dated October 9, 1999 and recorded in Deed Book 488, Page 396, Records of Camden County, Missouri, and more particularly described as follows:

All the land of said grantors which lies within a strip of land 150 feet wide, lying on the left or East side of parallel to and adjoining the hereinafter described centerline of Proposed Route 54 from Station 359+00 to Station 362+10.

All the land of said grantors which lies within a strip of land 150 feet wide, lying on the right or West side of, parallel to and adjoining the hereinafter described centerline of Proposed Route 54 from said Route 54 Station 362+00 to Station 365+00.

Said above described tracts contain a total of 1.55 acres, more or less, New Limited Access Right-of-Way.

The centerline of Proposed Route 54 is described as follows: Commencing at a pointed native stone 16 inches above ground in a pile of rocks, in the Southwest corner of the Northwest Quarter in Section 21, Township 39 North, Range 16 West; thence North 69 degrees 33 minutes 01 seconds East a distance of 2536.45 feet to P.T. Station 353+85.69; thence South 22 degrees 23 minutes 02 seconds East a distance of 1125.31 feet to Station 365+10.

All abutters' rights of direct access between the highway now known as Proposed Route 54 and grantor's abutting land, in the Southwest Quarter of the Northeast Quarter of Section 21, Township 39 North, Range 16 West, in the County of Camden, State of Missouri.

MISSOURI WARRANTY DEED

THIS INDENTURE, Made on the 12th day of August A.D., Two Thousand Twenty by and between

KIMBERLEY G. LOEHR, a single person, Grantor, and

PHOENIX PROPERTY DEVELOPMENT, L.C., a Missouri limited liability company, Grantee, whose mailing address is

6241 Osage Beach Parkway Osage Beach, MO 65065

WITNESSETH: THAT THE Grantor in consideration of the payment to her of the sum of TEN DOLLARS and other valuable consideration by the Grantee (the receipt of which by the Grantor is hereby acknowledged), does by these presents, Grant, Bargain and Sell, Convey and Confirm unto the Grantee, and its heirs, successors and assigns the following described lots, tracts, or parcels of land lying, being, and situate in the County of Camden and State of Missouri, to-wit:

All that part of the Southwest Quarter of the Northeast Quarter of Section 21, Township 39 North, Range 16 West of the 5th P.M., in Camden County, Missouri, described as follows: Beginning at the Southwest corner of said Quarter Quarter Section; thence North along the West line of said Quarter Quarter Section, a distance of 40.1 feet to an iron pipe from which an eight (8) inch Hickory Tree bears South 17 degrees 30 minutes West, a distance of 12.2 feet and a 3 inch Post Oak Tree bears North 47 degrees East, a distance of 11.3 feet; thence North 77 degrees 59 minutes East, a distance of 538 feet, more or less, to an iron pipe at the Westerly right-of-way line of U.S. Highway 54; thence Southeasterly along the Westerly side of said Highway 54, a distance of 150 feet, more or less, to an iron pipe marking the Southeast corner of a tract of land conveyed to Charles Asby and Ersie Asby, husband and wife, by Deed dated August 16, 1947, and recorded in Book 86 at Page 187, in the Recorder's Office of Camden County; thence West, a distance of 580 feet, more or less, to the point of beginning.

EXCEPTING THEREFROM:

A tract of land situated in the Southwest 1/4 of the Northeast 1/4, in Section 21, Township 39 North, Range 16 West, in the County of Camden, State of Missouri, more particularly described as follows:

Two parcels of land described as follows:

- 1) All the land of said grantors which lies within a strip of land 150 feet wide, lying on the left or east side of, parallel to and adjoining the hereinafter described centerline of Route 54 from Station 362+00 to Station 365+00.
- 2) Also, all the land of said grantors which lies within a strip of land 150 feet wide, lying on the west side of, parallel to and adjoining the hereinafter described centerline of Route 54 from said Route 54 Station 362+00 to Station 365+00.

The centerline of proposed Route 54 is described as follows: Commencing at a pointed native stone 16 inches above ground in a pile of rocks, in the S.W. Corner of the N.W. 1/4 in Section 21, Township 39 North, Range 16 West; thence North 69 degrees 33 minutes 01 seconds East a distance of 2536.45 feet to P.T. Station 353+84.69; thence South 22 degrees 23 minutes 02 seconds East a distance of 1115.31 feet to Station 365+00.

All abutters' rights of direct access between the above described Route 54 and grantor's abutting land.

Subject to all restrictions, reservations, conditions, easements and exceptions of record and to any roadways or power lines, whether of record or not.

TO HAVE AND TO HOLD the premises aforesaid with all and singular, the rights, privileges, appurtenances and immunities thereto belonging or in any wise appertaining unto the Grantee and unto its heirs, successors and assigns, forever; the said Grantor hereby covenanting that she is lawfully seized of an indefeasible estate in fee of the premises herein conveyed; that she has good right to convey the same; that the said premises is free and clear from any encumbrance done or suffered by her or those under whom she claims; and that she will warrant and defend the title to the said premises unto the Grantee and unto its heirs, successors and assigns, forever, against the lawful claims and demands of all persons whomsoever.

IN WITNESS WHEREOF, The Grantor has hereunto set her hand and seal the day and year above written.



Kimberley G. Loehr

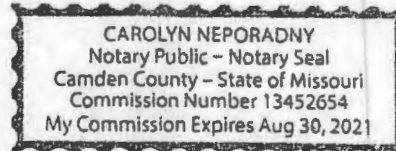
ACKNOWLEDGMENT

STATE OF MISSOURI)
) ss.
COUNTY OF CAMDEN)

On this 6th day of August, 2020, before me, a Notary Public, personally appeared Kimberley G. Loehr, a single person, to me known to be the person described in and who executed the foregoing instrument, and acknowledged that she executed the same as her free act and deed.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at my office the day and year last above written.

Carol Neporadny
Notary Public in and for
Said County and State



Missouri Warranty Deed

THIS INDENTURE, made on the 29 day of November, A.D., TWO THOUSAND NINETEEN, by and between **Ralph David Streeter and Mary Jo Streeter, husband and wife and Vivian Streeter, a single person**, ("Grantor") of the County of Camden, State of Missouri, parties of the first part, and **Phoenix Property Development, L.C., a Missouri limited liability company**, ("Grantee") of the County of Camden, State of Missouri, party of the second part, whose mailing address is:

Grantee's mailing address is: 6241 Osage Beach Parkway, Osage Beach, Missouri 65065

WITNESSETH: THAT THE SAID PARTIES OF THE FIRST PART, in consideration of the sum of ** TEN DOLLARS AND OTHER VALUABLE CONSIDERATIONS** to them paid by said party of the second part (the receipt of which is hereby acknowledged), do by these presents, GRANT, BARGAIN AND SELL, CONVEY AND CONFIRM, unto the said party of the second part, its successors and assigns, the following described lot, tract or parcel of land, lying, being and situate in the County of Camden and State of Missouri, to wit:

All that part of the Northwest Quarter of the Southeast Quarter of Section 21, Township 39 North, Range 16 West described as follows: Beginning at the Northwest corner of said Northwest quarter of the Southeast quarter of Section 21; thence South 185.5 feet; thence East 685.1 feet more or less to the Westerly right of way line of Highway No. 54; thence along said Westerly right of way line North 16 degrees 37 minutes West 200.0 feet to the North line of said Northwest quarter of the Southeast quarter; thence West along said North line 611.2 feet more or less to the place of beginning.

SAVE AND EXCEPT THEREFROM ALL THAT PART OF THE FOLLOWING DESCRIBED PROPERTY DEED TO THE STATE OF MISSOURI ACTING BY AND THROUGH THE MISSOURI HIGHWAY AND TRANSPORTATION COMMISSION BY GENERAL WARRANTY DEED DATED FEBRUARY 17, 1998 AND FILED OF RECORD MARCH 27, 1998 AT WARRANTY DEED BOOK 457, PAGE 242, CAMDEN COUNTY RECORDER'S OFFICE, MORE PARTICULARLY DESCRIBED AS

FOLLOWS:

A tract of land situated in the Northwest Quarter of the Southeast Quarter in Section 21, Township 39 North, Range 16 West, in the County of Camden, State of Missouri, more particularly described as follows:

Two parcels of land described as follows:

1. All the land of said grantors which lies within a strip of land 150 feet wide, lying on the left or northeast side of, parallel to and adjoining the hereinafter described centerline of Proposed Route 54 from Station 362+00 to Station 366+12; thence narrowing on a direct line to a strip of land 135 feet wide at Station 367+38.

2. Also, all the land of said grantors which lies within a strip of land 150 feet wide, lying on the right southwest side of, parallel to and adjoining the hereinafter described centerline of Proposed Route 54 from Station 362+00 to Station 366+00.

Said above described tracts contain a total of 1.40 of an acre, more or less New Limited Access Right of Way.

The centerline of Proposed Route 54 is described as follows: Commencing at a pointed native stone 16 inches above ground in a pile of rocks, in the Southwest Corner of the Northwest Quarter in Section 21, Township 39 North, Range 16 West; thence North 69 degrees 33 minutes 01 second East a distance of 2536.45 feet to P.T. Station 353+84.69; thence South 22 degrees 23 minutes 02 seconds East a distance of 1353.31 feet to Station 367.38.

All abutters' rights of direct access between the above described Proposed Route 54 and grantor's abutting land, in the Northwest Quarter of the Southeast Quarter of Section 21, Township 39 North, Range 16 West, in the County of Camden, State of Missouri.

Subject to all restrictions, reservations, conditions, easements and exceptions of record and to any roadways or power lines whether of record or not.

TO HAVE AND TO HOLD the premises aforesaid with all and singular to the rights, privileges, appurtenances and immunities thereto belonging or in any wise appertaining unto the said party of the second part and unto its successors and assigns forever, the said parties of the first part hereby covenanting that they are lawfully seized of an indefeasible estate in fee of the premises hereinconveyed; that they have good right to convey the same; that the said premises are free and clear from any encumbrance done or suffered by them or those under whom they claim; and that they will warrant and defend the title to the said premises unto the said party of the second part and unto its successors and assigns forever against the lawful claims and demands of all persons whomsoever.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands the day and year above written.

Ralph David Streeter
Ralph David Streeter
Vivian Streeter

Mary Jo Streeter
Mary Jo Streeter

Vivian Streeter

STATE OF MISSOURI)
) SS.
COUNTY OF CAMDEN)

On this 1st day of November, 2019, before me, Harle Montavay, a Notary Public, personally appeared Ralph David Streeter and Mary Jo Streeter, husband and wife, to me known to be the persons described in and who executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal in Osage Beach, Missouri, the day and year first above written.

Harle Montavay
NOTARY PUBLIC

My commission expires: May 27, 2023

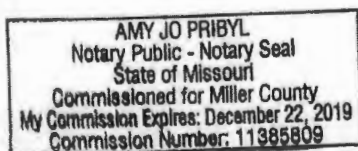
STATE OF MISSOURI)
) SS.
COUNTY OF Camden)

On this 29 day of October, 2019, before me, Amy Jo Pribyl, a Notary Public, appeared Vivian Streeter to me known to be the person described in and who executed the foregoing instrument, and acknowledged that she executed the same as her free act and deed. And the said Vivian Streeter further declared herself to be single and unmarried.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at my office in Osage Beach, Missouri, the day and year last above written.

Amy Jo Pribyl
NOTARY PUBLIC

My commission expires:



**PLANNING DEPARTMENT REPORT
TO THE
PLANNING COMMISSION**

Date:	May 10, 2022	Case Number:	419
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<u>Applicant:</u>	Phoenix Property Development, LLC.	
<u>Location:</u>	6215, 6241, 6257, 6265 Osage Beach Parkway	
<u>Petition:</u>	Rezoning from C-1 (General Commercial) to I-1 (Light Industry)	
<u>Existing Use:</u>	Retail Commercial and Warehousing Property	
<u>Existing Zoning:</u>	C-1 (General Commercial)	
<u>Tract Size:</u>	Approximately 5 acres	
	<u>Surrounding Zoning:</u>	<u>Surrounding Land Use:</u>
<u>North:</u>	C-1 General Commercial	Parkway frontage businesses
<u>South:</u>	C-1 General Commercial	Parkway frontage businesses
<u>East:</u>	C-1 General Commercial	Parkway frontage businesses
<u>West:</u>	Highway 54 Right of Way Corridor	

**The Osage Beach Comprehensive Plan
Designates this area as appropriate for:** Heavy Traffic Commercial

<u>Rezoning History</u>	<u>Date</u>
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Original City zoning adoption

Utilities

<u>Water:</u>	City	<u>Gas:</u>	Private
<u>Electricity:</u>	Ameren	<u>Sewer:</u>	City

Access: Property derives access via Osage Beach Parkway

Analysis:

1. The applicant is the owner of the parcels in question. The subject property includes four separate parcels that the applicant has acquired over the past several years. The subject property is zoned C-1 as it was zoned with the initial zoning of the community in the 1980's.
2. The property fronts Osage Beach Parkway within the area between Highway KK and Lazy Days Road. The corridor contains a mixture of commercial uses ranging from retail to landscape and building material sales.
3. Currently the subject property is home to several structures with uses that include retail furniture sales, shipping, freight, and warehousing. The applicant intends to continue these uses with the opportunity to expand both the operation and the facility. The shipping, freight, and warehousing uses are more commonly found in an industrial zone as the intensity of the activities that take place on site are typically of a more intense nature involving more trucking and machinery.
4. One of the things that provides some relief in the I-1 zone as compared to the C-1 zone, is the opportunity for the shipping, freight, and loading areas to have an approved aggregate cover for the areas requiring surfacing. Semi-trucks or loading equipment traffic by nature is not as conducive to requiring hard surface parking because of the stress and damage that they will cause. In these cases, it is more practical to allow gravel surfacing for the trucking, storage, and loading areas while still requiring hard surfacing for parking areas dedicated for the public, customers, and employees' private vehicles, especially those with accessibility needs. The gravel surfaces will still require review and approval by the City Engineers to assure a proper and appropriate drainage system is installed for the lot to protect from negative stormwater runoff impact taking place to the surrounding and effected properties.

Department Comments and Recommendations:

The City of Osage Beach is a community where finding locations for industrial uses is difficult to say the least. The Parkway Corridor in this general area, however, has a number of uses currently that are compatible with the uses within the I-1 zone, such as, the storage facilities and landscape and building material companies. Allowing some flexibility as it pertains to use in this portion of the corridor may also provide some answer to the property use and infill needs to promote business growth and increased traffic in the area. The subject property along with several of the adjacent properties would greatly benefit from the added use flexibility provided by the I-1 zone which permits all the uses within the C-1

zone along with some light manufacturing and assembly, storage, freight, laundromats etc. Although the comprehensive plan does recommend heavy traffic commercial for the surrounding properties, that designation includes the majority of the uses within the I-1 zone and by allowing C-1 uses to be located within the I-1 zone; the zoning code itself establishes that C-1 and I-1 uses are compatible and complementary. **With this in mind the Planning Department would recommend approval of this request and would also recommend that the City react positively to any similar requests for adjacent properties that could be made in the future.**



Date Received: 4/19
Case #: 419

REZONING/SPECIAL USE PERMIT APPLICATION

1. Name of property owner: Phoenix Property Development LLC Phone: 573-302-4222

Address: 6241 OSAGE BEACH PARKWAY 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:

Randall B. Ray 1484 Apple Blossom Cir Osage Beach MO 65065 573-489-0778

2. Name of landowner's representative, if different from above: Phone:

Address: City: State: Zip:

3. All correspondence relative to this application should be directed to whom? Phoenix Property Development LLC

Address: 6241 OSAGE BEACH PARKWAY 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: 6215 OSAGE BEACH PARKWAY City: OSAGE BEACH State: MO Zip: 65065

5. Do you have a specific use proposed for this property? ☐ Yes ☒ No

Explain all uses:

6. Area of property in square feet or acres: 1.4 acres

7. Current zoning classification: C1 GENERAL COMMERCIAL

8. Sources of utilities: Water: CITY OF OSAGE BEACH Gas: N/A
Sewer: CITY OF OSAGE BEACH Electric: AMEREN MISSOURI

9. Proposed zoning classification: INDUSTRIAL

10. How long have you owned this property? 6 YEARS

11. Current use of property (describe all improvements): COMMERCIAL

12. Current use of all property adjacent to subject property: North: N/A
South: RETAIL AND WAREHOUSE East: N/A West: N/A

RECEIVED
APR 13 2022
CITY CLERK

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:

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?

See separate application for 6241 Osage Beach Parkway

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.

no impact

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

no impact

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):

Notary Information

State of Missouri }
County of Camden } ss

I, Randy Ray, 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.

Signature Owner/Applicant: *Randy Ray* Date: 4/5/2022

Subscribed and sworn to before me on this 5 day of April, 2022

Notary Public:

My Commission Expires:

RHONDA L. SMOTHERMAN
Notary Public - Notary Seal
Camden County, State of Missouri
Commission Number 14431885
My Commission Expires Jul 1, 2022

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



Date Received: _____
Case #: _____

REZONING/SPECIAL USE PERMIT APPLICATION

1. Name of property owner: Phoenix Property Development LLC Phone: 573-302-4222

Address: 6241 OSAGE BEACH PARKWAY 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:

Randall B. Ray 1484 Apple Blossom Cir Osage Beach MO 65065 573-489-0778

2. Name of landowner's representative, if different from above: Phone:

Address: City: State: Zip:

3. All correspondence relative to this application should be directed to whom? Phoenix Property Development LLC

Address: 6241 OSAGE BEACH PARKWAY 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: 6241 OSAGE BEACH PARKWAY City: OSAGE BEACH State MO Zip: 65065

5. Do you have a specific use proposed for this property? ☐ Yes ☒ No

Explain all uses:

6. Area of property in square feet or acres: 1.6 ACRES

7. Current zoning classification: C1 GENERAL COMMERCIAL

8. Sources of utilities: Water: CITY OF OSAGE BEACH Gas: N/A

Sewer: CITY OF OSAGE BEACH Electric: AMEREN MISSOURI

9. Proposed zoning classification: INDUSTRIAL

10. How long have you owned this property? 14 YEARS

11. Current use of property (describe all improvements): COMMERCIAL

12. Current use of all property adjacent to subject property: North: RESIDENTIAL

South: WAREHOUSE East: N/A West: N/A

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:

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?

See separate application for 6215 Osage Beach Parkway and 6257 Osage Beach Parkway

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.

no impact

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no impact

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State of Missouri }
County of Camden } ss

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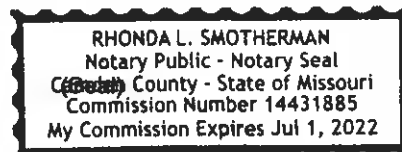
Signature Owner/Applicant: Randy Ray

Date: 4/5/2022

Subscribed and sworn to before me on this 5th day of April, 2022

Notary Public: Rhonda L. Smotherman

My Commission Expires: 07/01/2022



Person Accepting this Application:

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

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PLANNING DEPARTMENT
1000 CITY PARKWAY
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573-302-2000 Phone – 573-302-0528 FAX



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Randall B. Ray 1484 Apple Blossom Cir Osage Beach MO 65065 573-489-0778

2. Name of landowner's representative, if different from above: _____ Phone: _____

Address: _____ City: _____ State: _____ Zip: _____

3. All correspondence relative to this application should be directed to whom? Phoenix Property Development LLC

Address: 6241 OSAGE BEACH PARKWAY 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: 6257 OSAGE BEACH PARKWAY City: OSAGE BEACH State: MO Zip: 65065

5. Do you have a specific use proposed for this property? ☐ Yes ☒ No

Explain all uses:

6. Area of property in square feet or acres: .68 acres

7. Current zoning classification: C1 GENERAL COMMERCIAL

8. Sources of utilities: Water: CITY OF OSAGE BEACH Gas: N/A

Sewer: CITY OF OSAGE BEACH Electric: AMEREN MISSOURI

9. Proposed zoning classification: INDUSTRIAL

10. How long have you owned this property? 15 YEARS

11. Current use of property (describe all improvements): COMMERCIAL

12. Current use of all property adjacent to subject property: North: RETAIL AND WAREHOUSE

South: RESIDENTIAL East: N/A West: N/A

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:

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?

See separate application for 6241 Osage Beach Parkway and 6273 Osage Beach Parkway

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.

no impact

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no impact

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):

Notary Information

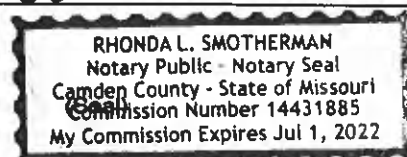
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County of Camden } ss

I, Randy Ray, 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.

Signature Owner/Applicant: Randy Ray Date: 4/5/2022

Subscribed and sworn to before me on this 5th day of April, 2022

Notary Public: Rhonda L. Smotherman
My Commission Expires: 07/01/2022



Person Accepting this Application:

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



Date Received: _____
Case #: _____

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List all owners of the property. If corporation or partnership, list names, addresses and phone numbers of principal officers or partners:

Randall B. Ray 1484 Apple Blossom Cir Osage Beach MO 65065 573-489-0778

2. Name of landowner's representative, if different from above: Phone:

Address: City: State: Zip:

3. All correspondence relative to this application should be directed to whom? Phoenix Property Development LLC

Address: 6241 OSAGE BEACH PARKWAY 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: 1 6273 OSAGE BEACH PARKWAY City: OSAGE BEACH State MO Zip: 65065

5. Do you have a specific use proposed for this property? ☐ Yes ☒ No

Explain all uses:

6. Area of property in square feet or acres: 1.03 acres

7. Current zoning classification: C1 GENERAL COMMERCIAL

8. Sources of utilities: Water: CITY OF OSAGE BEACH Gas: N/A

Sewer: CITY OF OSAGE BEACH Electric: AMEREN MISSOURI

9. Proposed zoning classification: INDUSTRIAL

10. How long have you owned this property? 25 YEARS

11. Current use of property (describe all improvements): COMMERCIAL

12. Current use of all property adjacent to subject property: North: WAREHOUSE

South: MINI STORAGE BUSINESS East: N/A West: N/A

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:

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?

See separate application for 6241 Osage Beach Parkway

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.

no impact

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

no impact

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):

Notary Information

State of Missouri }
County of Camden } ss

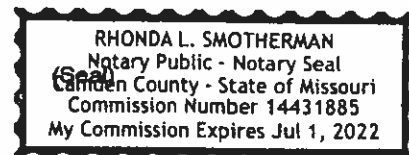
I, Randy Ray, owner/applicant, having read the procedures and instructions, make application for a change in the zoning district boundary lines as shown on the zoning maps of the City of Osage Beach, Missouri and explained in this application.

Signature Owner/Applicant: Randy Ray

Date: 4/5/2022

Subscribed and sworn to before me on this 5th day of April, 2022

Notary Public: Rhonda L. Smotherman
My Commission Expires: 07/01/2022



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

PHOENIX PROPERTY DEVELOPMENT, LLC

6241 OSAGE BEACH PKWY
OSAGE BEACH, MO 65065
573-302-4222 FAX 573-302-4223

March 31, 2022

City of Osage Beach
Planning Commission
1000 City Parkway
Osage Beach, MO 65065

RE: REZONING REQUEST

Greetings;

We would like to submit applications to modify our current properties that are all adjacent to each other, and all accessed and fronted to Osage Beach Parkway.

We respectfully submit to modify them from:

C1 General Commercial to Industrial.

This request is to maintain our current gravel drive entrances at the non-retail properties.

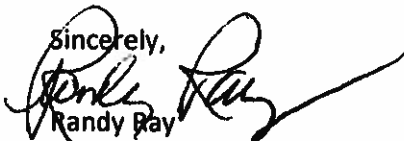
This does not affect any use of any property at this time and does not involve any modifications to the access or the use of these properties or their neighboring properties.

6215 Osage Beach Parkway
6241 Osage Beach Parkway
6257 Osage Beach Parkway
6273 Osage Beach Parkway

Attached are the completed applications, county plat and legal descriptions along with a check for \$200.00.

Please contact me if you have any questions or need more information.

Sincerely,



Randy Ray
573-489-0778
Rhonda Smotherman
573-302-4222

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APR 13 2022
CITY CLERK



**Rezoning Case 419
Location Map**

City of Osage Beach
Agenda Item Summary

Date of Meeting: June 2, 2022
Originator: Jeana Woods, City Administrator
Presenter: Jeana Woods, City Administrator

Agenda Item:

Bill 22-35 An ordinance of the City of Osage Beach, Missouri, authorizing the expenditure of funds for the Lake of Ozarks Bikefest Event Support Request, in an amount not to exceed \$3,000. *First Reading*

Requested Action:

First Reading of Bill #22-35

Ordinance Referenced for Action:

Board of Aldermen approval required for the distribution of funds from the Community Promotions - Community Event Support account per Municipal Code Section 110.300 Expenditures from Community Promotions - Community Event Support Budget Item.

Deadline for Action:

Yes - Event Dates Upcoming

Budgeted Item:

Yes

Budget Line Information (if applicable):

Budget Line Item/Title: 10-21-754255 Community Event Support
FY2022 Budgeted Amount: \$ 13,000
FY2022 Expenditures to Date (05/31/2022): (\$ 2,000)*pending
FY2022 Available: \$ 11,000

FY2022 Requested Amount: \$ 3,000

Department Comments and Recommendation:

Not Applicable

City Attorney Comments:

Per City Code 110.230, Bill 22-35 is in correct form.

City Administrator Comments:

In the Economic Development Department, account 10-21-754255-Community Event Support, \$13,000 is budgeted for event support. Per City Code 110.300, the intent is for the purpose of supporting events activities that bring visitors, trade, and business into the City. Applications are submitted to the City Administrator and Board of Aldermen approval is required.

Enclosed is the Lake of the Bikefest Event Support application with supplemental information submitted. The request is for \$3,000. The event is scheduled to be held September 14 - 18, 2022.

To date, the Board of Aldermen has approved the first reading of a prior request in the amount of \$2,000; pending availability in account 10-21-754255 is \$11,000.

AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AUTHORIZING THE EXPENDITURE OF FUNDS FOR PROMOTIONAL EFFORTS TO SUPPORT THE LAKE OF THE OZARKS BIKEFEST 2022 EVENT SUPPORT REQUEST IN AN AMOUNT NOT TO EXCEED \$3,000.00

WHEREAS, the Board of Aldermen find that the Lake of the Ozarks Bikefest is a yearly promotion of the Lake area and the event creates clear and direct benefits to the businesses and citizens of Osage Beach in terms on increased tourism, sales and publicity for the City and the Lake area and the board wishes to support this public event which promotes out community:

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

Section 1. That the expenditure of funds for advertising in an amount of Three Thousand dollars (\$3,000.00) is hereby authorized to be paid to the Lake of the Ozarks Bikefest to be held September 14-18, 2022.

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

Section 3. 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 4. 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 5. This Ordinance shall take effect and be in full force from and after its passage by the Board of Aldermen and approval by the Mayor.

READ FIRST TIME:

READ SECOND TIME:

I hereby certify that the above Ordinance No. 22.35 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 No. 22.35.

Date

Michael Harmison, Mayor

ATTEST:

Tara Berreth, City Clerk



City of Osage Beach
REQUEST FOR EVENT SUPPORT
Exhibit A to City Code Section 110.300

Requested Amount: \$ 3,000 Date of Request: 5/11/22

Organization Information:

Organization Name: LAKE of the OZARKS Bikefest
Address: PO Box 1498, Osage Beach, MO 65065
Phone # 573-348-1599 Fax # _____
Contact Name: Heather Brown
Phone # (cell) 573-280-9349 (Other) _____

Is the organization a not-for-profit? ☒ YES ☐ NO

If yes, is it a registered 501(c)3 or other designation? ☐ YES ☐ NO (If yes, attach IRS classification)

If yes, is the organization a local not-for-profit or national not-for-profit organization? _____

Your organization's activities focus on: (check all that apply)

- ☐ Families and Youth
- ☐ Health & Human Services
- ☐ Education, Job Development, Housing or other similar community focus
- ☒ Tourism
- ☐ Arts & Cultural Activities
- ☐ Environmental & Preservation
- ☐ Other: _____

Event Information:

Event Name: LAKE of the OZARKS Bikefest
Event Dates: September 14-18, 2022
Event Location: Lake-wide
Description of event: Please see attached

How will the proceeds of this event be used? marketing and promotions

How will the City be recognized through this event? See attached letter

Is the event open to the public? ☒ YES ☐ NO If no, explain: _____

Is there an entry fee or requirement to purchase a ticket, etc.? ☐ YES ☒ NO

If yes, explain: _____

Total budget for the event: See attached

(Attach details of your budget-include all sources of funding and expenses.)

In the case of a budget shortfall, how will the loss be covered? less advertising

How many years has this event been held? 16 years

Estimated attendance this year? 70,000 Bikes Last year's attendance, if applicable? 60,000 Bikes

Applicant:

Application Completed By: Heather Brown

Contact Phone/Cell: 573-348-1599

Heather Brown Heather Brown Executive 5/11/22
Signature Print Name Title Date
Director

Send Completed Application and Attachments To:

Email: jwoods@osagebeach.org

Mail: City of Osage Beach

Jeana Woods, City Administrator

1000 City Parkway

Osage Beach, MO 65065

Internal Use

Date Application Received: May 11, 2022 By: JLW

Date Board Approved/Declined: _____ Amount Approved: _____

Other Information: _____

2022 BIKE FEST			
		ACTUAL	BUDGET
Income			
Co-Title Sponsor - Aaron Saches		\$ 5,000.00	\$ 5,000.00
Co-Title Sponsor - Jack Daniels		\$ 5,000.00	\$ 5,000.00
Co-Title Sponsor - Leatherman		\$ 2,000.00	\$ 2,000.00
Co-Title Sponsor - Osage Beach			\$ 3,000.00
Major Sponsor \$500 X 7		\$ 500.00	\$ 4,000.00
Passport Stop Part \$700 X20		\$ 14,000.00	\$ 14,000.00
Featured Lodging			\$ 1,950.00
Passport Sales			\$ 21,162.00
Lodging Listings		\$ 100.00	\$ 500.00
T-Shirt Sales (Vendor Donation)			
Patch Sales			\$ 4,971.55
		\$ 26,600.00	\$ 61,583.55
Expenses			
Secretary of State-Annual Fees			\$ 11.25
Board Insurance			\$ 744.00
KCLQ Mobil AdMessenger-GEO		\$ 3,000.00	\$ 12,000.00
CycleFish.com Banner-2 months		\$ 1,025.00	\$ 975.00
Hot Summer Nights - F/P Ad		\$ 395.00	\$ 395.00
Hot Summer Nights - Tri-Fold Ad		\$ -	\$ 250.00
Mid Am Freedom Rally- 1 pg. Ad		\$ 350.00	\$ 350.00
MSW-Social Media/Retargeting		\$ 7,649.75	\$ 8,529.75
(20) Passport Signs 18" x 24"		\$ 450.00	\$ 450.00
(20) Passport Sign Stands			\$ -
Get Down Guide - Full Page Ad		\$ 500.00	\$ 500.00
CMA Commisson			\$ 3,600.00
2021 Restaurant Guide F/P Ad		COMP	COMP
2021 Vacation Guide-LOCVB		COMP	COMP
www.funlake.com Event Banner		COMP	COMP
Advertising Commission-S&A		\$ 242.65	\$ 4,241.93
1,500 Passports & 1,800 Maps			\$ 2,000.00
Passport 2' x 3' Banners			\$ 400.00
Misc Supplies For Passport Stops			\$ 50.00
AlphaGraphics-2021 Thank Yous		\$ 76.41	\$ 76.41
Passport Stop \$5 x 436			\$ 2,180.00
CMA \$5 x 622 + \$1 x1058 =			\$ 4,168.00
Patches			\$ 2,714.52
Smart Printing-Sponsor Thanks			\$ 42.00
HD Motorcycle		\$ 12,000.00	\$ 12,000.00
Total		\$ 25,688.81	\$ 55,677.86
Balance		\$ 911.19	\$ 5,905.69

State	Count
ARIZONA	4
ARKANSAS	11
COLORADO	5
CONNECTICUT	1
FLORIDA	10
IDAHO	1
ILLINOIS	139
INDIANA	12
IOWA	99
KANSAS	22
MAINE	1
MASSACHUSETTS	4
MICHIGAN	5
MINNESOTA	19
MISSOURI	434
NEBRASKA	15
OHIO	8
OKLAHOMA	25
SOUTH DAKOTA	14
TENNESSEE	3
TEXAS	12
WISCONSIN	14

858

Wednesday, May 11, 2022



The Lake of the Ozarks Bikefest committee would like to thank the City of Osage Beach for the \$3,000 sponsorship for the 2021 Lake of the Ozarks Bikefest and the committee would like to ask the City of Osage Beach to consider a funding request in the amount of \$3,000 for the 2022 Lake of the Ozarks Bikefest. The 2021 event was a large success, and our committee estimates the attendance to be 60,000 bikes.

The 2022 Lake of the Ozarks Bikefest Sponsorship would include.

- 1) **950 pixels X 950 pixels www.LakeBikeFest.com Banner Ad**
- 2) **Listing on Sponsor Page on www.LakeBikeFest.com with link to your website**
- 3) **Logo in Bikefest Section of the *Official Bikefest Program Guides***
- 4) **Logo on 1,500 Official Bikefest Passports**
- 5) **Logo on 1,500 Official Bikefest Passport Maps**
- 6) **Logo on Official Bikefest Video**
- 7) **One blog about your business posted on the Bikefest Facebook page and other social media**

The City of Osage Beach is very instrumental in our efforts and the Lake of the Ozarks Bikefest committee is committed to assist in growing economic growth in the three counties at Lake of the Ozarks. There are also numerous lodging facilities that benefit greatly from the Lake of the Ozarks Bikefest in Osage Beach.

The Lake of the Ozarks Bikefest committee is very thankful for what the City of Osage Beach has done to assist in growing the Lake of the Ozarks Bikefest and we look forward to a continued relationship.

Here are a few advertisements we are running in 2022:

Second Home Living – 2022 Fall Issue
Lake of the Ozarks Restaurant Guide – 2022 Issue
Lake of the Ozarks Vacation & Services Guide – 2022 Issue
Lake of the Ozarks Get Down Guide – 2022 Summer Issue (10,000 distribution)
Funlake.com Banner Ad - 2022
MSW Interactive Designs Social Media Campaign- 2022
LO Profile Magazine – 2 issues (10,000 distribution)
CycleFish.com Banner Ad - 2022
Mid Am Freedom Rally Guide – 2022 guide (5,000 distribution)
Bikefest 2'x3' Event Banner – (30 at Passport Stops)
Bikefest E-Mail Marketing – (35,000 opted in Harley-Davidson Owners)
Bikefest TXT Messaging – (15,000 e-mail addresses)
Bikefest Geofencing – (10-12 Major Biker Events throughout the Midwest)
Bikefest Geotargeting - (Harley-Davidson Shops throughout the Midwest)

Our goal is to grow our budget so we can grow our advertising even more outside of Missouri. The above print advertisements are Regional, and our Digital Campaigns are outside of Missouri. Our goal is to create a larger budget to expand our marketing efforts digitally on a National Level.

Thank you again for your support and please feel free to reach out to me if you have any questions.

Respectfully,

Heather Brown
Bikefest Committee Chair
P.O. Box 1498
Osage Beach, MO 65065
573-348 – 1599 – office
Heather@funlake.com

City of Osage Beach
Agenda Item Summary

Date of Meeting: June 2, 2022
Originator: Jeana Woods, City Administrator
Presenter: Jeana Woods, City Administrator

Agenda Item:

Bill 22-37 - An ordinance of the City of Osage Beach, Missouri, amending Ordinance No. 21.78 Adopting the 2022 Annual Operating Budget, Transfer of Funds for Necessary Expenses for the Transportation Fund, Water Fund, and the Sewer Fund.
First Reading

Requested Action:

First Reading of Bill #22-37

Ordinance Referenced for Action:

Board of Aldermen approval required for certain budget amendments per Municipal Code Chapter 135; Section 135.020 Budget and Financial Control.

Deadline for Action:

None

Budgeted Item:

Not Applicable

Budget Line Information (if applicable):

Not Applicable

Department Comments and Recommendation:

Not Applicable

City Attorney Comments:

Per City Code 110.230, Bill 22-37 is in correct form.

City Administrator Comments:

The following budget amendments fall under the Board of Aldermen's approval, and are requested by the departments based on current cost increases and necessary repairs needed as estimated for the remainder of the year.

	<u>Original Item</u>	<u>Amended Item</u>	<u>Increase/Decrease</u>
20-00-743400 Equipment Repair	\$ 20,000	\$ 25,000	\$ 5,000
20-00-762600 Gasoline/Fuel	\$ 37,800	\$ 52,800	\$15,000
20-00-773155 Misc Streets/Roads*	\$1,352,304	\$1,372,983	\$20,679

**Greenwood Cir Project Increased Costs-BOA approved 5/19/2022*

Transportation Fund NET INCREASE --- \$ 40,679

Unrestricted Funds Available

30-00-743103 Supplies – Bldg/Janitorial	\$ 1,500	\$ 1,900	\$ 400
30-00-743200 Vehicle Maintenance	\$ 5,200	\$ 10,200	\$ 5,000
30-00-743400 Equipment Repair	\$ 3,000	\$ 8,000	\$ 5,000
30-00-744200 Rental/Lease – Equipment	\$ 2,000	\$ 11,000	\$ 9,000
30-00-761000 Supplies – Office	\$ 400	\$ 700	\$ 300
30-00-761600 Chemicals	\$ 15,000	\$ 25,000	\$ 5,000
30-00-773221 New Water Connections	\$ 5,000	\$ 8,000	\$ 3,000

Water Fund NET INCREASE --- \$ 32,700

Unrestricted Funds Available

35-00-733700 Pumpout/Grease Maint	\$ 14,000	\$ 5,000	(\$ 9,000)
35-00-743200 Vehicle Maintenance	\$ 15,000	\$ 48,000	\$ 33,000
35-00-743300 Repair of System	\$1,272,000	\$1,303,300	\$ 31,300
35-00-743400 Equipment Repair	\$ 5,000	\$ 14,000	\$ 9,000
35-00-762700 Odor Control	\$ 76,700	\$ 17,800	(\$58,900)

Sewer Fund NET INCREASE --- \$ 5,400

Restricted and Unrestricted Funds Available

AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AMENDING ORDINANCE NO. 21.78 ADOPTING THE 2022 ANNUAL OPERATING BUDGET, TRANSFER OF FUNDS FOR NECESSARY EXPENSES FOR THE TRANSPORTATION FUND, WATER FUND, AND SEWER FUND.

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

Section 1. That the 2022 Annual Operating Budget adopted as Ordinance No. 21.78 is hereby amended by appropriating additional funds or reducing appropriations as follows:

	Original Item	Amended Item
20-00-743400 Equipment Repair	\$ 20,000	\$ 25,000
20-00-762600 Gasoline/Fuel	\$ 37,800	\$ 52,800
20-00-773155 Misc Streets/Roads	\$1,352,304	\$1,372,983
30-00-743103 Supplies – Bldg/Janitorial	\$ 1,500	\$ 1,900
30-00-743200 Vehicle Maintenance	\$ 5,200	\$ 10,200
30-00-743400 Equipment Repair	\$ 3,000	\$ 8,000
30-00-744200 Rental/Lease – Equipment	\$ 2,000	\$ 11,000
30-00-761000 Supplies – Office	\$ 400	\$ 700
30-00-761600 Chemicals	\$ 15,000	\$ 25,000
30-00-773221 New Water Connections	\$ 5,000	\$ 8,000
35-00-733700 Pumpout/Grease Maintenance	\$ 14,000	\$ 5,000
35-00-743200 Vehicle Maintenance	\$ 15,000	\$ 48,000
35-00-743300 Repair of System	\$1,272,000	\$1,303,300
35-00-743400 Equipment Repair	\$ 5,000	\$ 14,000
35-00-762700 Odor Control	\$ 76,700	\$ 17,800

Section 2. In all other respects the 2022 Annual Operating Budget adopted in Ordinance No. 21.78 remains in full force and effect.

Section 3. That this Ordinance shall be in full force and effect upon date of passage and approval by the Mayor.

READ FIRST TIME:

READ SECOND TIME:

I hereby certify that the above Ordinance No. 22.37 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. 22.37.

Michael Harmison, Mayor

Date

ATTEST:

Tara Berreth, City Clerk

City of Osage Beach
Agenda Item Summary

Date of Meeting: June 2, 2022
Originator: Cary Patterson, City Planner
Presenter: Cary Patterson, City Planner

Agenda Item:

Bill 22-38 - An ordinance of the City of Osage Beach, Missouri, for additions and amendments to chapter 405 "Zoning Regulations" Article V. "Signs". *First Reading*

Requested Action:

First Reading of Bill #22-38

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:

No

Budgeted Item:

Not Applicable

Budget Line Information (if applicable):

Not Applicable

Department Comments and Recommendation:

See the attached documents.

The Planning Department recommended approval of the subject revisions and changes to the Planning Commission at their meeting on May 10, 2022 and they forward it to the Board of Aldermen with a unanimous recommendation for approval.

City Attorney Comments:

Per City Code 110.230, Bill 22-38 is in correct form.

City Administrator Comments:

I concur with the department's recommendation.

AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AMENDING CHAPTER 405 ZONING REGULATIONS SECTION 405.380 3 (A) WITHIN SIGN REGULATIONS – NON-RESIDENTIAL USES.

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

Section 1. Within Chapter 405, Article V adding to Section 405.380 3 (a) Sign Regulations -Non-Residential Uses. are hereby enacted with amendments as set forth below with new material set out in red as follows: Adoption is hereby enacted to read as follows:

Section 405.380 Sign Regulations — Non-Residential Uses.

3. Secondary signs. Signs authorized by this Section are not to be included in calculating the allowable gross area for primary signs. Except for temporary promotional displays, the total gross sign area of all secondary signs shall not exceed sixty percent (60%) of the allowable gross sign area for primary signs.

a. Bulletin boards, message centers and reader boards. No more than one (1) bulletin board, message center or reader board not exceeding thirty-two (32) square feet in area, shall be permitted for each street frontage for properties that do not meet specific criteria defined by “Article V” of Chapter 405. A commercial or retail development, that has a minimum development area of five (5) acres and at least twenty thousand (20,000) square feet of commercial facility, will be allowed no more than one (1) Electronic message center sign, not exceeding sixty-four (64) square feet in area, on each free-standing primary sign permitted for the development. The Electronic message center sign shall display only commercial messages for the occupants of the commercial facility or public or community service announcements as determined by the owner or manager of the development. Electronic message center signs shall not scroll or display a running message of continuous vertical or horizontal movement. Individually illuminated words used to form complete thoughts or advertising messages shall not exceed a maximum of five (5) seconds to complete for each complete message.

Section 2. Severability

The chapter, 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 decree 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 4. 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 5. The Mayor of the City of Osage Beach is hereby authorized to take all actions which may be necessary to fully enact this Ordinance.

Section 6. That this Ordinance shall be in full force and effect on June 17, 2022.

READ FIRST TIME:

READ SECOND TIME:

I hereby certify that the above Ordinance No. 22.38 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 Rucker, City Attorney

I hereby approve Ordinance No. 22.38

Date

Michael Harmison, Mayor

ATTEST:

Tara Berreth, City Clerk

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PLANNING DEPARTMENT REPORT
TO THE
PLANNING COMMISSION

Hearing Date: May 10, 2022

Case Number:

none

Action: Additions and Amendments to Chapter 405 “Zoning Regulations”
Article V. Signs.

Analysis:

With the increased availability and desire to use digital signage today, we have had a number of the large property commercial facilities approach us with the desire to use this type of signage. Currently, the Sign Ordinance allows Regional and Metro Shopping Centers to have larger electronic message center signs because they meet additional criteria for size of development. All other businesses, regardless of size, are allowed a thirty-two square feet maximum sign. This works fine with typical sized commercial facilities, but for the larger developments that can have much larger primary signs, a thirty-two square foot digital message center is often out of scale with the rest of the signage. The addition I am bringing for your review and discussion will allow those larger developments that meet specific requirements to have a maximum sixty-four square foot sign as opposed to the thirty-two square foot sign that is currently permitted.

Section 405.380 Sign Regulations — Non-Residential Uses.

[R.O. 2006 §405.370(G); CC 1985 §27-107; Ord. No. 87.28 Art. VII §G, 10-1-1987; Ord. No. 90.24 §1, 8-2-1990; Ord. No. 91.30 §2, 11-21-1991; Ord. No. 93.02 §1, 1-21-1993; Ord. No. 93.44 §1, 10-21-1993; Ord. No. 94.43 §§1 — 2, 10-20-1994; Ord. No. 96.05 §2, 3-7-1996; Ord. No. 98.28 §§1 — 3, 8-20-1998; Ord. No. 99.31 §1, 11-18-1999; Ord. No. 01.01 §§2 — 3, 1-18-2001; Ord. No. 05.44 §4, 9-15-2005; Ord. No. 10.68 §2, 11-19-2010; Ord. No. 13.24 §1, 5-2-2013; Ord. No. 16.81 §§1 — 2, 11-3-2016]

3. *Secondary signs.* Signs authorized by this Section are not to be included in calculating the allowable gross area for primary signs. Except for temporary promotional displays, the total gross sign area of all secondary signs shall not exceed sixty percent (60%) of the allowable gross sign area for primary signs.

a. *Bulletin boards, message centers and reader boards.* No more than one (1) bulletin board, message center or reader board not exceeding thirty-two (32) square feet in area, shall be permitted for each street frontage **for properties that do not meet specific criteria defined by “Article V” of Chapter 405. A commercial or retail development, that has a minimum development area of five (5) acres and at least twenty thousand (20,000) square feet of commercial facility, will be allowed no more than one (1) Electronic message center sign, not exceeding sixty-four (64) square feet in area, on each free-standing primary sign permitted for the development. The Electronic message center sign shall display only commercial messages for the occupants of the commercial facility or public or community service announcements as determined by the owner or manager of the development.** Electronic message center signs shall not scroll or display a running message of continuous vertical or horizontal movement. Individually illuminated words used to form complete thoughts or advertising messages shall not exceed a maximum of five (5) seconds to complete for each complete message.

b. *Incidental signs.* No more than four (4) incidental signs, not exceeding forty (40) square feet in total coverage area, shall be attached to any single building wall face and shall not be attached perpendicular to the wall. Individual incidental sign attached to a building wall shall not exceed twenty (20) square feet in total coverage area. No more than four (4) incidental signs shall be affixed to a freestanding pole structure and shall not exceed eight (8) square feet in total coverage area for each sign. Such signs shall be restricted to trading stamps, credit cards accepted,

notices of services or restrictions, or shall pertain to a major service, commodity or facility offered on the premises.

c. *Paper signs, banners and temporary window signs.* The total gross sign area of all paper signs, banners and temporary window signs shall not exceed fifty percent (50%) of the allowable gross sign area for primary signs for the street frontage on which the signs are displayed.

d. *Public service message signs.* Public service message signs shall be permitted when attached to a freestanding sign or to a building wall, provided the street frontage of the use involving the sign exceeds three hundred (300) feet along the street on which the sign is located. The illuminated message area shall not exceed sixteen (16) square feet in area.

e. *Temporary promotional displays.* Temporary promotional displays equal to seventy-five percent (75%) or more of the primary signage permitted for the business or use shall be permitted for a maximum of ten (10) consecutive calendar days on not more than four (4) separate occasions during a calendar year, provided the displays are securely mounted to minimize movement due to wind and air currents and a permit is obtained for such temporary promotional display prior to installation. Such permit shall not be issued unless a permit fee of ten dollars (\$10.00) and a cash bond of fifty dollars (\$50.00) are first paid to the Building Department. The bond is refundable only upon meeting all of the conditions of the permit, including the removal of the display in accordance with the removal date stated on the face of the permit.

City of Osage Beach
Agenda Item Summary

Date of Meeting: June 2, 2022
Originator: Tara Berreth, City Clerk
Presenter: Tara Berreth, City Clerk

Agenda Item:

Motion to Approve Citizen Appointment nominations by Mayor Harmison to the Citizens Advisory Committee

Requested Action:

Motion to Approve

Ordinance Referenced for Action:

Osage Beach Citizen Advisory Committee - appointments per City Code Chapter 111

Deadline for Action:

Yes - appointment nominations may be made by June 1 to the City Clerk, per the ordinance.

Budgeted Item:

Not Applicable

Budget Line Information (if applicable):

Not Applicable

Department Comments and Recommendation:

Mayor Harmison has submitted the following nominations.

Citizen Advisory Committee

Amy Hernandez, Ward 2 - term expires 6/1/2025 (new appointment)

Chad Kautz, Ward 3 - term expires 6/1/2024 (new appointment)

Luke Hagedorn, Ward 2 - term expires 6/1/2025 (re-appointment)

Gloria O'Keefe, Ward 1 - term expires 6/01/2025 (re-appointment)

City Attorney Comments:

Not Applicable

City Administrator Comments:

Further information:

Taking into consideration the Mayor's nominations (this summary sheet) and the following summary sheets from Aldermen also on this agenda, if all is approved, the pending list for the committee would be as follows (11 committee members).

Denise Gilstrap, Ward 1 - expires 6/1/2023
Dr. Paula Brown, Ward 2 - expires 6/1/2023
Cory Booth, Ward 3 - expires 6/1/2023
Geniece Tyler, At Large - expires 6/1/2023
Gloria O'Keefe, Ward 1 - expires 6/1/2024
Chad Kautz, Ward 3 - expires 6/1/2024
Bob Van Hook, Ward 3 - expires 6/1/2024
Darline Schmitt, Ward 1 - expires 6/1/2025
Luke Hagedorn, Ward 2 - expires 6/1/2025
Amy Hernandez, Ward 2 - expires 6/1/2025
Lee Schuman, Ward 3 - expires 6/1/2025

*City of Osage Beach, MO
Wednesday, May 25, 2022*

Chapter 111. City Advisory Committees

Editor's Note — Ord. no. 09.19 §1, adopted April 20, 2009, repealed ch. 111 and enacted new provisions set out herein. Former ch. 111 derived from R.O. 2006 §§111.010 — 111.100; ord. no. 03.14 §1, 6-5-2003; ord. no. 03.25 §1, 8-21-2003; ord. no. 04.09 §§1 — 2, 3-18-2004; ord. no. 04.12 §1, 5-6-2004; ord. no. 05.24 §§1 — 3, 6-2-2005; ord. no. 08.11 §§1 — 3, 5-1-2008.

Section 111.010. Committee Established.

[Ord. No. 09.19 §1, 4-20-2009]

There is hereby established the Osage Beach Citizen Advisory Committee.

Section 111.020. Purposes.

[Ord. No. 09.19 §2, 4-20-2009]

The general purpose of the Osage Beach Citizen Advisory Committee is to provide for the sharing of information between the residents of Osage Beach on matters of public concern and to assist the City in fulfilling the City of Osage Beach mission statement. At the request of the Board of Aldermen, the Osage Beach Citizen Advisory Committee may review and provide a recommendation on a topic or issue.

Section 111.030. Membership.

[Ord. No. 09.19 §3, 4-20-2009; Ord. No. 11.45 §§1 — 2, 7-8-2011; Ord. No. 20.40, 7-16-2020]

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**.

Section 111.040. Terms and Appointments.

[Ord. No. 09.19 §4, 4-20-2009; Ord. No. 11.45 §§1 — 2, 7-8-2011; Ord. No. 20.40, 7-16-2020]

- 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 1. 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 1 for appointments as aforesaid in this Chapter. The Board of Aldermen shall approve nominees for three-year terms on the Advisory Committee at its first 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 111.050. Conduct of Meetings.

[Ord. No. 09.19 §5, 4-20-2009; Ord. No. 11.45 §§1 — 2, 7-8-2011]

- 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. A majority of the members appointed to the Osage Beach Citizen Advisory Committee shall constitute a quorum.
[Ord. No. 20.40, 7-16-2020]

- 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 111.060. Additional Committees.

[Ord. No. 09.19 §6, 4-20-2009]

Nothing in this Chapter shall prohibit the Mayor and Board of Aldermen from creating additional advisory committees at such times and in such form as they deem necessary.

Section 111.070. Per Diem for Volunteers on Various Committees.

[Ord. No. 15.91§1, 12-3-2015; Ord. No. 20.12, 4-2-2020]

- A. Each citizen volunteer member of the Board of Zoning Adjustment, the Planning Commission, the Citizens Advisory Committee, the Liquor Control Board, the Board of Appeals, the Osage Beach/Lake Ozark Joint Sewer Board and the Tax Increment Financing Commission shall be paid a per diem for personal costs and expenses of their service in the amount of twenty-five dollars (\$25.00) per meeting.
- B. When serving on any of the foregoing in conjunction with an officially scheduled meeting, the Mayor, the City Collector and the appointed Board member representing the Board of Aldermen shall be entitled to the same per diem as set out in this Section.

City of Osage Beach
Agenda Item Summary

Date of Meeting: June 2, 2022
Originator: Tara Berreth, City Clerk
Presenter: Tara Berreth, City Clerk

Agenda Item:

Motion to Approve Citizen Appointment nominations by Alderman Rucker and Alderman O'Steen to the Citizens Advisory Committee

Requested Action:

Motion to Approve

Ordinance Referenced for Action:

Osage Beach Citizen Advisory Committee - appointments per City Code Chapter 111

Deadline for Action:

Yes - appointment nominations may be made by June 1 to the City Clerk, per the ordinance.

Budgeted Item:

Not Applicable

Budget Line Information (if applicable):

Not Applicable

Department Comments and Recommendation:

Alderman Rucker and Alderman O'Steen submitted the following nominations.

Citizen Advisory Committee

Gloria O'Keefe, Ward 1 - term expires 6/1/2024 (re-appointment)

Darline Schmitt, Ward 1 - term expires 6/1/2025 (re-appointment)

City Attorney Comments:

Not Applicable

City Administrator Comments:

Further information:

Taking into consideration Aldermen Rucker and O'Steen's nominations (this summary

sheet) and the summary sheets from the Mayor and Alderman Ross, also on this agenda, if all is approved, the pending list for the committee would be as follows (11 committee members).

Denise Gilstrap, Ward 1 - expires 6/1/2023
Dr. Paula Brown, Ward 2 - expires 6/1/2023
Cory Booth, Ward 3 - expires 6/1/2023
Geniece Tyler, At Large - expires 6/1/2023
Gloria O'Keefe, Ward 1 - expires 6/1/2024
Chad Kautz, Ward 3 - expires 6/1/2024
Bob Van Hook, Ward 3 - expires 6/1/2024
Darline Schmitt, Ward 1 - expires 6/1/2025
Luke Hagedorn, Ward 2 - expires 6/1/2025
Amy Hernandez, Ward 2 - expires 6/1/2025
Lee Schuman, Ward 3 - expires 6/1/2025

*City of Osage Beach, MO
Wednesday, May 25, 2022*

Chapter 111. City Advisory Committees

Editor's Note — Ord. no. 09.19 §1, adopted April 20, 2009, repealed ch. 111 and enacted new provisions set out herein. Former ch. 111 derived from R.O. 2006 §§111.010 — 111.100; ord. no. 03.14 §1, 6-5-2003; ord. no. 03.25 §1, 8-21-2003; ord. no. 04.09 §§1 — 2, 3-18-2004; ord. no. 04.12 §1, 5-6-2004; ord. no. 05.24 §§1 — 3, 6-2-2005; ord. no. 08.11 §§1 — 3, 5-1-2008.

Section 111.010. Committee Established.

[Ord. No. 09.19 §1, 4-20-2009]

There is hereby established the Osage Beach Citizen Advisory Committee.

Section 111.020. Purposes.

[Ord. No. 09.19 §2, 4-20-2009]

The general purpose of the Osage Beach Citizen Advisory Committee is to provide for the sharing of information between the residents of Osage Beach on matters of public concern and to assist the City in fulfilling the City of Osage Beach mission statement. At the request of the Board of Aldermen, the Osage Beach Citizen Advisory Committee may review and provide a recommendation on a topic or issue.

Section 111.030. Membership.

[Ord. No. 09.19 §3, 4-20-2009; Ord. No. 11.45 §§1 — 2, 7-8-2011; Ord. No. 20.40, 7-16-2020]

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**.

Section 111.040. Terms and Appointments.

[Ord. No. 09.19 §4, 4-20-2009; Ord. No. 11.45 §§1 — 2, 7-8-2011; Ord. No. 20.40, 7-16-2020]

- 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 1. 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 1 for appointments as aforesaid in this Chapter. The Board of Aldermen shall approve nominees for three-year terms on the Advisory Committee at its first 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 111.050. Conduct of Meetings.

[Ord. No. 09.19 §5, 4-20-2009; Ord. No. 11.45 §§1 — 2, 7-8-2011]

- 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. A majority of the members appointed to the Osage Beach Citizen Advisory Committee shall constitute a quorum.
[Ord. No. 20.40, 7-16-2020]

- 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 111.060. Additional Committees.

[Ord. No. 09.19 §6, 4-20-2009]

Nothing in this Chapter shall prohibit the Mayor and Board of Aldermen from creating additional advisory committees at such times and in such form as they deem necessary.

Section 111.070. Per Diem for Volunteers on Various Committees.

[Ord. No. 15.91§1, 12-3-2015; Ord. No. 20.12, 4-2-2020]

- A. Each citizen volunteer member of the Board of Zoning Adjustment, the Planning Commission, the Citizens Advisory Committee, the Liquor Control Board, the Board of Appeals, the Osage Beach/Lake Ozark Joint Sewer Board and the Tax Increment Financing Commission shall be paid a per diem for personal costs and expenses of their service in the amount of twenty-five dollars (\$25.00) per meeting.
- B. When serving on any of the foregoing in conjunction with an officially scheduled meeting, the Mayor, the City Collector and the appointed Board member representing the Board of Aldermen shall be entitled to the same per diem as set out in this Section.

City of Osage Beach
Agenda Item Summary

Date of Meeting: June 2, 2022
Originator: Tara Berreth, City Clerk
Presenter: Tara Berreth, City Clerk

Agenda Item:

Motion to Approve Citizen Appointment nominations by Alderman Ross to the Citizens Advisory Committee

Requested Action:

Motion to Approve

Ordinance Referenced for Action:

Osage Beach Citizen Advisory Committee - appointments per City Code Chapter 111

Deadline for Action:

Yes - appointment nominations may be made by June 1 to the City Clerk, per the ordinance.

Budgeted Item:

Not Applicable

Budget Line Information (if applicable):

Not Applicable

Department Comments and Recommendation:

Alderman Ross submitted the following committee nominations.

Citizen Advisory Committee

Bob Van Hook, Ward 3 - term expires 6/1/2024 (new appointment)

Lee Schuman, Ward 3 - term expires 6/1/2025 (new appointment)

City Attorney Comments:

Not Applicable

City Administrator Comments:

Further information:

Taking into consideration Alderman Ross' nominations (this summary sheet) and the

following summary sheets from the Mayor and Aldermen Rucker and O'Steen, also on this agenda, if all is approved, the pending list for the committee would be as follows (11 committee members).

Denise Gilstrap, Ward 1 - expires 6/1/2023
Dr. Paula Brown, Ward 2 - expires 6/1/2023
Cory Booth, Ward 3 - expires 6/1/2023
Geniece Tyler, At Large - expires 6/1/2023
Gloria O'Keefe, Ward 1 - expires 6/1/2024
Chad Kautz, Ward 3 - expires 6/1/2024
Bob Van Hook, Ward 3 - expires 6/1/2024
Darline Schmitt, Ward 1 - expires 6/1/2025
Luke Hagedorn, Ward 2 - expires 6/1/2025
Amy Hernandez, Ward 2 - expires 6/1/2025
Lee Schuman, Ward 3 - expires 6/1/2025

*City of Osage Beach, MO
Wednesday, May 25, 2022*

Chapter 111. City Advisory Committees

Editor's Note — Ord. no. 09.19 §1, adopted April 20, 2009, repealed ch. 111 and enacted new provisions set out herein. Former ch. 111 derived from R.O. 2006 §§111.010 — 111.100; ord. no. 03.14 §1, 6-5-2003; ord. no. 03.25 §1, 8-21-2003; ord. no. 04.09 §§1 — 2, 3-18-2004; ord. no. 04.12 §1, 5-6-2004; ord. no. 05.24 §§1 — 3, 6-2-2005; ord. no. 08.11 §§1 — 3, 5-1-2008.

Section 111.010. Committee Established.

[Ord. No. 09.19 §1, 4-20-2009]

There is hereby established the Osage Beach Citizen Advisory Committee.

Section 111.020. Purposes.

[Ord. No. 09.19 §2, 4-20-2009]

The general purpose of the Osage Beach Citizen Advisory Committee is to provide for the sharing of information between the residents of Osage Beach on matters of public concern and to assist the City in fulfilling the City of Osage Beach mission statement. At the request of the Board of Aldermen, the Osage Beach Citizen Advisory Committee may review and provide a recommendation on a topic or issue.

Section 111.030. Membership.

[Ord. No. 09.19 §3, 4-20-2009; Ord. No. 11.45 §§1 — 2, 7-8-2011; Ord. No. 20.40, 7-16-2020]

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**.

Section 111.040. Terms and Appointments.

[Ord. No. 09.19 §4, 4-20-2009; Ord. No. 11.45 §§1 — 2, 7-8-2011; Ord. No. 20.40, 7-16-2020]

- 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 1. 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 1 for appointments as aforesaid in this Chapter. The Board of Aldermen shall approve nominees for three-year terms on the Advisory Committee at its first 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 111.050. Conduct of Meetings.

[Ord. No. 09.19 §5, 4-20-2009; Ord. No. 11.45 §§1 — 2, 7-8-2011]

- 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. A majority of the members appointed to the Osage Beach Citizen Advisory Committee shall constitute a quorum.
[Ord. No. 20.40, 7-16-2020]

- 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 111.060. Additional Committees.

[Ord. No. 09.19 §6, 4-20-2009]

Nothing in this Chapter shall prohibit the Mayor and Board of Aldermen from creating additional advisory committees at such times and in such form as they deem necessary.

Section 111.070. Per Diem for Volunteers on Various Committees.

[Ord. No. 15.91§1, 12-3-2015; Ord. No. 20.12, 4-2-2020]

- A. Each citizen volunteer member of the Board of Zoning Adjustment, the Planning Commission, the Citizens Advisory Committee, the Liquor Control Board, the Board of Appeals, the Osage Beach/Lake Ozark Joint Sewer Board and the Tax Increment Financing Commission shall be paid a per diem for personal costs and expenses of their service in the amount of twenty-five dollars (\$25.00) per meeting.
- B. When serving on any of the foregoing in conjunction with an officially scheduled meeting, the Mayor, the City Collector and the appointed Board member representing the Board of Aldermen shall be entitled to the same per diem as set out in this Section.

City of Osage Beach
Agenda Item Summary

Date of Meeting: June 2, 2022
Originator: Mike Welty, Assistant City Administrator
Presenter: Mike Welty, Assistant City Administrator

Agenda Item:

Motion to approve the purchase of One Hundred and Forty (140) new street banners, Five (5) different designs, from Alphagraphics for an amount not to exceed \$5,070.80

Requested Action:

Motion to Approve

Ordinance Referenced for Action:

Board of Aldermen approval is required for purchases over \$25,001 per Municipal Code Chapter 135; Article II: Purchasing, Procurement, Transfers, and Sales.

Deadline for Action:

Yes -We would like to get the banners purchased and installed as soon as possible so we can have them up through the heart of summer 2022.

Budgeted Item:

Yes

Budget Line Information (if applicable):

Budget Line Item/Title: 10-21-773020 Holiday Lights/Banners

FY2022 Budgeted Amount: \$48,000

FY2022 Expenditures to Date (05/23/22): (\$ 0.00)

FY2022 Available: \$48,000

FY2022 Requested Amount: \$5,071

Department Comments and Recommendation:

This project was bid out in mid March and the bid opening was on April 7th. The City received 6 bids for banners. The bid opening document is attached. Alphagraphics is the low bidder and their bid documents are attached as well. The banner proofs, with changes that we talked about in our discussion in late April, are attached as well.

Alphagraphics is a local printing company that we have done business with many times in the past with good results. They are proposing a High Quality PVC Flex material

rather than a vinyl or sunbrella material. I have reached out to other cities in Missouri and found that this material is widely used, holds color longer/no matter the color, and can withstand high wind conditions if installed properly.

We are asking to purchase 140 banners total, or 28 of each of the attached banner proofs. That would give us enough banners for the parkway, in front of City Hall, and to have a few extra on hand.

The purchase is under budget. The budget for this project is \$30,000. I recommend approval.

City Attorney Comments:

Not Applicable

City Administrator Comments:

I concur with the department's recommendation.

BID OPENING

Banners

April 7, 2022

2:00 P.m.

The following bids were opened by City Clerk Tara Berreth and witnessed by Brenda Parry

Bidder Name			Amount of Bid
Rapid Signs			\$165.00 per banner
Smart Printing Centers		1 – 50	\$165.00 per banner
		50-100	\$155.00
		100 +	\$145.00
Alphagraphics			\$41.16 per banner
		3 or more	\$39.93
		11 or more	\$38.29
		26 or more	\$36.22
		51 or more	\$34.99
		101 or more	\$32.91
Material Promotions		less than 10	\$157.53 per banner
		20-29	\$89.68
		40-49	\$81.18
		75+	\$75.35
Projects Graphics	Vinyl	30x80	\$62.96 per banner
		30x84	\$86.60
	Sunbrella	30x60	\$86.60
		30x84	\$121.10
Capital Reproductions			\$37.55 per banner



increase your reach

AlphaGraphics Osage Beach
1140 Industrial Drive
Osage Beach, MO 65065
573.348.5900
(FAX)573.348.3755

Tara Berreth
Osage Beach City
1000 City Parkway
Osage Beach MO 65065
Phone: 573-302-2000 x 1020

Estimate: 9211

Date: 4/7/22

P.O.:

E-Mail: tberreth@osagebeach.org

Quantity	Description	Unit Price	Price
1	Pole Banner - 29"w x 84"h, double sided, 2" pole pockets on top & bottom w/brass grommets on each corner - high resolution graphics	41.1600	\$41.16
3	Pole Banner - 29"w x 84"h, double sided, 2" pole pockets on top & bottom w/brass grommets on each corner - high resolution graphics Pricing for 3 or more - One artwork for quantity discount	39.9300	\$119.78
11	Pole Banner - 29"w x 84"h, double sided, 2" pole pockets on top & bottom w/brass grommets on each corner - high resolution graphics Pricing for 11 or more - One artwork for quantity discount	38.2900	\$421.19
26	Pole Banner - 29"w x 84"h, double sided, 2" pole pockets on top & bottom w/brass grommets on each corner - high resolution graphics Pricing for 26 or more - One artwork for quantity discount	36.2200	\$941.67
51	Pole Banner - 29"w x 84"h, double sided, 2" pole pockets on top & bottom w/brass grommets on each corner - high resolution graphics Pricing for 51 or more - One artwork for quantity discount	34.9900	\$1,784.29
101	Pole Banner - 29"w x 84"h, double sided, 2" pole pockets on top & bottom	32.9100	\$3,324.31
Sales Rep: House		Subtotal	
Account Type: Charge		Tax	
Special Instructions:		Shipping	
		Total	
		Deposit (-)	
		Amount Due	

THIS ESTIMATE IS VALID FOR 30 DAYS FROM ABOVE DATE. This estimate is based upon information provided to AlphaGraphics for the above job by the client and is subject to change based on variation in quantity, paper, inks, due dates, etc. If changes do occur, or order placement is beyond 30 days from date of the estimate, please call AlphaGraphics, at the number listed above, for confirmation. Please refer to the Estimate number when placing order. All coupons must be addressed at the beginning of each project as coupons apply to retail prices. If you have any questions about the above information, or any of our services, please contact us and let us serve you.

Signature _____

Time _____

Print Name _____

Date _____





increase your reach

AlphaGraphics Osage Beach
1140 Industrial Drive
Osage Beach, MO 65065
573.348.5900
(FAX)573.348.3755

Tara Berreth
Osage Beach City
1000 City Parkway
Osage Beach MO 65065
Phone: 573-302-2000 x 1020

Estimate: 9211

Date: 4/7/22

P.O.:

E-Mail: tberreth@osagebeach.org

Quantity	Description	Unit Price	Price
	w/brass grommets on each corner - high resolution graphics Pricing for 101 or more - One artwork for quantity discount POLE BANNER PRODUCT SPECIFICATIONS Material: High Quality PVC Flex Graphic Weight - 13 oz (Two sided) Printing: Full Color, UV Printing Graphic Care Instructions: To clean, gently wipe down banner with a soft, damp cloth with no cleaning solution Usage: Can be used outdoor or indoor		
Sales Rep: House	Proof:	Subtotal	
Account Type: Charge	Wanted:	Tax	
Special Instructions:		Shipping	
		Total	
		Deposit (-)	
		Amount Due	

THIS ESTIMATE IS VALID FOR 30 DAYS FROM ABOVE DATE. This estimate is based upon information provided to AlphaGraphics for the above job by the client and is subject to change based on variation in quantity, paper, inks, due dates, etc. If changes do occur, or order placement is beyond 30 days from date of the estimate, please call AlphaGraphics, at the number listed above, for confirmation. Please refer to the Estimate number when placing order. All coupons must be addressed at the beginning of each project as coupons apply to retail prices. If you have any questions about the above information, or any of our services, please contact us and let us serve you.

Signature _____

Time _____

Print Name _____

Date _____

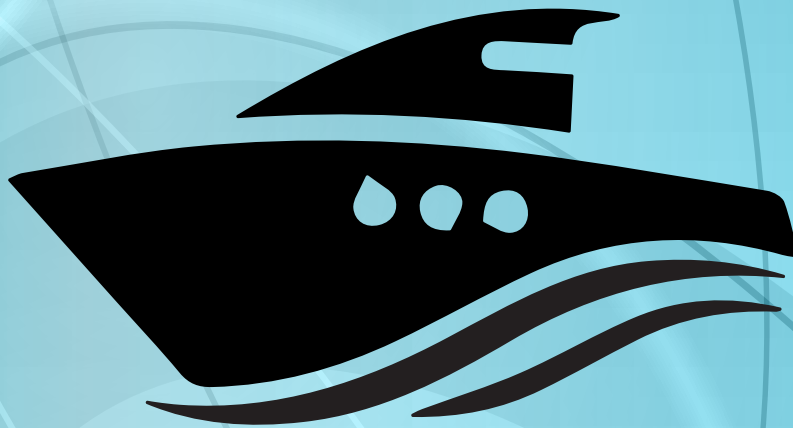


ENJOY



***Osage
Beach***

PLAY



***Osage
Beach***

RECREATION



***Osage
Beach***

RELAX



***Osage
Beach***

*Welcome
to
Osage Beach*

The



of Lake of the Ozarks

City of Osage Beach
Agenda Item Summary

Date of Meeting: June 2, 2022
Originator: Ty Dinsdale, Airport Manager
Presenter: Ty Dinsdale, Airport Manager

Agenda Item:

Motion to approve the purchase of a 2,000 gallon JetA storage tank for Grand Glaize Airport from Neumayer Equipment, in an amount not to exceed \$25,511.99.

Requested Action:

Motion to Approve

Ordinance Referenced for Action:

Board of Aldermen approval required for purchases over \$25,001 per Municipal Code Chapter 135; Article II: Purchasing, Procurement, Transfers, and Sales.

Deadline for Action:

None

Budgeted Item:

Yes

Budget Line Information (if applicable):

Budget Line Item/Title: 47-00-774265 Vehicles

FY2022 Budgeted Amount: \$40,000

FY2022 Expenditures to Date (05/31/2022): (\$ 0)

FY2022 Available: \$40,000

FY2022 Requested Amount: \$25,512

Department Comments and Recommendation:

The purchase of a 2,000 gallon JetA storage tank for the Grand Glaize Airport will allow us to serve our customers without the need to drive our current fuel truck to Lee C. Fine to reload. This will result in safer and more efficient operating procedures. We received the low bid from Neumayer Equipment for \$25,511.99.

We have worked with Neumayer Equipment in the past with positive results. Airport department recommends approval.

City Attorney Comments:

Not Applicable

City Administrator Comments:

I concur with the department's recommendation.



5060 Arsenal Street | Saint Louis, Missouri 63139
800-843-4563 | Fax 314-772-2311
www.neumayerequipment.com



Quote #	NECQ4689	Account Representative	JASON WATSON
Customer:	Osage Beach City Hall 1000 City Parkway Osage Beach, MO 65065	Plan Date/Revision	3/16/2022
Project Contact:	TY DINSDALE	Site Owner:	Osage Beach City Hall
Phone #:	573-348-4469	Project Location:	Grand Glaize Airport 957 Airport Road Osage Beach, MO 65065
Expiration Date:	5/20/2022	Project Description:	(1) 2,000 GALLON DOUBLE WALL FLAMESHIELD TANK
		Site Contact:	Ty Dinsdale 573-348-4469

SCOPE OF WORK

One (1) 2,000 Gallon Double Wall Flameshield Jet A Tank

1. This quote does not include any type of excavating, concrete, work to the tank.
2. Furnish and install one (1) 2,000 Gallon double wall flameshield tank with all appropriate vents, gauges, and solenoid valves.
3. Furnish a crane to set the tank in designated area on property which is to be chosen by owner.
4. Furnish and install one (1) Red Jacket 3/4 HP Sub unit.
5. Furnish and install one (1) Red Jacket Isolation Relay in electrical building next to tanks.
6. Neumayer will pull wires through existing conduit from building to tank pad running conduit from tank pad to new tank.
7. Furnish and install one (1) OPW fill bucket and appropriate caps and adaptors.
8. Furnish and install one (1)Static reel for grounding at time of fill .
9. Furnish and install one (1) deadmen switch for turning on sub unit and for safety purposes.
10. Furnish and install one (1) Jet A Filter assembly.
11. Purge system and test system to make sure system is working properly.
12. Clean up site as found or better, place system into service.



Customer Osage Beach City Hall
Quote Number: NECQ4689
Project: (1) 2,000 Gallon Double Wall
Flameshield Tank

NOTE SECTION

Quotation presumes either that customer is a tax exempt entity or that the project is a tax exempt project. Customer shall provide a Tax Exempt Certificate, or sales tax will be treated as an addition to the originally quoted sum. Quotation does not include labor or materials for work that is not implicitly specified within this quotation. Quotation does not include labor or materials for work that is not implicitly specified within this quotation. This pricing is subject to change with little notice due to manufacturing constraints and market volatility. Quotation includes applicable freight. Quotation based on standard hours of installation: 7:30 AM - 4:30 PM Mon-Fri. Installations outside of standard hours or on weekends or holidays will be invoiced in addition to the quoted total via change order. All sales, materials and labor are subject to Neumayer Equipment Company, Inc. STANDARD TERMS AND CONDITIONS. Quotation is based on state regulations that require the shear valves to be within +/- 1/2" of top of island. All tanks shall be removed and disposed of in accordance with all applicable State and Local regulations and following the guidelines as set for

Payments made using a credit card will incur a 3.5% surcharge.

TERMS

Pending Credit Approval

\$20,000.00 Due Upon Receipt of Signed Contract

\$5,511.99 Due Upon Shipment From Manufacturer (Net 4)

Grand Total (Incl. Tax) \$25,511.99

We submit this quotation of our interpretation of your requirements, subject to the terms and conditions included with this quotation. When accepted by the customer, this proposal will constitute a bona fide contract between Customer and Seller, subject to the approval of the Seller's credit manager. Prices quoted are for acceptance within thirty (30) days and, unless otherwise specified, and are subject to change without notice after that date.

Neumayer Equipment Company Inc

Osage Beach City Hall

Approved By: _____

Approved By: _____

Date Accepted: _____

Date Accepted: _____



Attachment "A" - Material Schedule

Customer: Osage Beach City Hall
 Quote Number: NECQ4689
 Project: (1) 2,000 Gallon Double Wall
 Flameshield Tank

MATERIAL

Qty	Model Number	Manufacturer	Description
1	Crane	Scott Crane	Crane
1	2,000	We-Mac	2,000 Gallon Double Wall Flameshield Tank
2	171N 2"	MIRACLE SUPPLY	2" Ball Valve, Full Port
1	ANE31248	Compliance Sign	Jet A 14" x 10" DECAL
1	NHE-6895	Compliance Sign	NO SMOKING 20" x 14" DECAL
1	918---0100 AG	Morrison	2" Clock Gauge Alarm w/Standard Float
10	GST7228S12F2S2	Ferguson	1-5/8" Painted Strut
5	SP-P2329	Ferguson	Strut Hold Downs
1	HGR-50-75	Hannay	Static grounding reel With 75 FT cable
1	332-ASTW74	OPW	332 AST SPILL BUCKET 7GAL 4"
2	1712D-1090	OPW	Coupler, Kamvalok 2.0" NPT Viton Alum
2	634A-0160	OPW	Plug, Kamlock 2-1/2" Alum
1	634TE-7085	OPW	TOP SEAL FUEL CAP
1	633T-8076	OPW	4" FILLPIPE ADPT BRONZE ADAPTOR W/ LUGS COPPE
1	61FSTOP-305A	OPW	Overfill Valve, AST 3" Float Cyl. AV-Gas & Methanol
1	61FT-0312	OPW	Tube, Drop 3"OD x 12ft Lg Alum
1	K-2-72	Krueger Sentry Gauge	Aluminum Rods, HDPE Float, for tank depth and opening size shown in part number. For additional features, search for our parts and accessories.
1	VF22SB-PG2WP	Aviation Fuel Products	VF22 Filter housing W/3/4" Water Probe coupling 1/8" Npt drilled holes for DPG
1	CC-22-7	Aviation Fuel Products	Fuel Guard Coalescer Cartridge/VF21 &22 series housing
1	GTP-1750-3-1-3	Aviation Fuel Products	Deadmen & water control sys, 120VAC weather tight explosion prof housing
1	410140-019	Red Jacket	0.75 HP 4in TRJ STP AG - Quick Set (Adjustable) Final Assemblies
1	7102400200 1V	Morrison	2" Solenoid Valve (FKM) w/240 Volt AC Coil
1	880-047-1	Red Jacket	Isotrol Control Box 120v w/relay (Isotrol 1-8R)
10	Elec-Supplies	NEC	Misc. Electrical Supplies
1	Fittings	NEC	Misc. Steel Pipe-Fittings
1	NEC	Pic Supply	2" Hose 30' long MxM

TERMS CONDITIONS

- A. The entire contract between Neumayer Equipment Company ("Seller") and Customer is embodied in this writing (the "Contract") and this writing constitutes the final expression of the parties' agreement and is a complete and exclusive statement of the terms of the Contract. It is expressly agreed that there are no promises, agreements, or understandings, oral or written, not specified in this proposal. Any and all representations, promises or statements made by employees or representatives of the Seller do not constitute warranties, shall not be relied on by the Customer, and are not part of this Contract. No Waiver, alteration or modification of the terms and conditions of this Contract shall be binding unless in writing and signed by an officer of Seller.
- B. Prices quoted are for acceptance within thirty (30) days and, unless otherwise specified, are subject to change without notice after that date.
- C. Delivery promises and installation are contingent upon fire, strikes, accidents, availability of materials, acts of God, or other causes beyond Sellers control. The Seller will endeavor to maintain schedules, but cannot guarantee to do so. Time shall not be of the essence of this Contract The Seller is not liable for any loss or damages resulting from delay, however caused or occasioned.
- D. Delivery, unless otherwise stated, does not include unloading. Delivery to Sellers plant for purposes of convenience, coordination, or price protection shall be considered "delivery" for billing purposes.
- E. The Customer shall make a storage area available to Seller. Any necessary relocation of equipment or installation materials from the designated storage area will be at Customer's expense.
- F. Seller warrants, which warranty shall survive for a period of one (1) year from the date of completion of installation, only that the installation of all equipment shall be done in a workmanlike manner in accordance with standard procedures. (THE SELLER MAKES NO OTHER WARRANTY, EITHER EXPRESS OR IMPLIED, AND MAKES NO WARRANTY OF MERCHANTABILITY OR FITNESS FOR ANY PARTICULAR PURPOSE.) The Sellers obligations and liability under the workmanlike warranty are expressly limited to performing the labor necessary to correct any defect in the installation of the equipment Neither party shall be liable for special, indirect, or consequential damages. The remedies set forth herein are exclusive, and the liability of the Seller, whether in contract, tort, or otherwise, shall not, except as expressly provided herein, exceed the price of the installation on which such liability is based. No employee or representative of the Seller is authorized to change this warranty in any way or grant any other warranty_ Equipment furnished as part of this proposal is warranted by the manufactures of such equipment, and Seller makes no warranties whatsoever as to such equipment The Customer shall make all claims for breach of warranty to the manufacturer offering such warranty, and in the manner specified by the manufacturer of the equipment with a copy Of the claim to the Seller. Seller agrees to perform all work in an orderly and workmanship like manner, conforming to all state and local codes, as required. Seller is not responsible for any new laws or regulations not now in effect. Labor, materials and equipment supplied by Seller shall be warranted as specified by the individual contractor, supplier or manufacturer.
- G. The work to be performed and the quotations therefore are based on normal soil conditions. In the event any underground structures, hazardous substances or conditions, cables, sewer, utility lines, conduit, debris, rock, water or running sand are encountered, destroyed or damaged during the performance of the contract, the Seller shall not be held responsible and shall be indemnified and held harmless by Customer_ Additional costs and liabilities (including attorneys fees) resulting shall be borne by the Customer.
1. In case of winter work, frost removal is not included in this proposal unless otherwise specified.
 2. Property lines and finished grades are to be established and verified' by the Customer.
- H. Customer will be responsible for filling all underground storage tanks with liquid ballast immediately upon setting tanks in excavations. The Seller shall not be responsible for contamination or loss of product used for ballast, unless contamination or loss of product is due to negligence on the part of Seller. Unless Seller anchors tanks using its recommended method, and warrants in writing that the tanks will *not* float, the Seller shall be held harmless by Customer in the event a tank should float All expenses of equipment, labor, and materials to reinstall *tanks* shall be borne by Customer.
- I. Labor, materials and outside services for electrical, blacktop, water and sewer work are not included in this Contract unless specified.
- J. No provision is made in this Contract for special fees, permits, licenses or similar expenses. If Seller is requested to furnish same, such charges will be added to the contract price. The Customer shall furnish all surveys necessary for proper installation. Easements, structures, or permanent changes in the existing facilities shall be secured and paid for by the Customer.
- K. Unless otherwise directed by Customer, if this Contract includes installation, it is a construction contract Whether itemized or not, a construction contract is an agreement between the Contractor and the Owner to improve, repair, replace, erect or alter real property. It is expressly agreed that title to and ownership of the materials included in construction contracts pass from the Contractor to the Owner upon permanent and complete installation as a fixture to realty. If otherwise directed by the Customer, this Contract will be a sale of tangible personal property which may or may not be installed, with title to and ownership of the materials included in the contract passing upon delivery, prior to installation, as tangible personal property. The construction contract will include a service charge or surcharge (S/C) to cover a portion of the non-itemized expenses incurred in the fulfillment of the contract. All taxable sales of tangible personal property will have the appropriate sales tax (\$17) charged on the invoice.
- L. If this contract is for work to be performed in the States of Arkansas or Kansas or if this contract does not include installation or if it is a contract with a valid tax-exempt organization or if a valid resale certificate has been issued, it is a sale of tangible personal property and it is expressly agreed that title and ownership of the materials pass upon delivery, prior to installation.
- M. Seller reserves the right to charge the Customer one and one-half percent (1-112%) per month, on all past due balances. This represents an annual interest rate of eighteen percent (18%). The Customer agrees to pay Seller attorney's fees and all other costs of collection if its account is pieced in the hands of an attorney for collection.
- N. Quotations covering work to be accomplished in locations where lines and conduits presently exist are based upon utilizing these existing lines and conduits unless so stated. Quotations based upon utilizing existing lines or conduits assume that these lines or conduits are good and usable in their present condition. Should it be determined, as the installation progresses, that these existing lines or conduits require any repair, upgrading, or work of any kind, this additional work is not included in the quoted price. The extra will be charged out on a time and material basis, unless other arrangements are made and specified in writing, signed by the parties.
- O. Indemnity Agreement - The Customer covenants to and hereby indemnifies and save harmless and exonerates the Seller of and from all liability, claims and demand for bodily injury, environmental contamination, and property damage arising out of the work undertaken by the Seller, its employees, agents, or it subcontractors, and arising out of any other operation, no matter by whom, performed for and on behalf of the Customer, whether or not due in whole or in part to conditions acts or omissions done or permitted by the Seller or Customer, except for such liability as is covered by paragraph F above or be the Seller's workmen's compensation insurance.
- P. Partial payments will be expected as work progresses. Billings will be made as the various phases of the work are completed and as major items of equipment are delivered.
- Q. If this project includes the purchase of installation of underground storage tanks, Customer is REQUIRED by Federal Law to notify the appropriate government agency regarding the existence of these tanks. Contact your State environmental authority for exact reporting procedures.
- R. It Customer may cancel this contract after acceptance only under the following terms and conditions: (1) Any such cancellation must be in writing, and must be received by Seller five (5) business days prior to the date upon which work is to be begin. (2) Five percent (5%) of the total amount of the contract sum will be charged as a cancellation charge, payable within ten (10) days of the date upon which Seller identifies to Customer the exact cancellation charge amount (3) In addition to the cancellation charge, Customer is responsible for any restocking or similar charges imposed upon Seller by manufacturers or suppliers of the equipment ordered for this project No employee of the Seller has the authority to waive cancellation charges, which may only be waived in writing by the President of the Seller.
- S. Except to the extent of the applicability of the Mechanics' Liens Law of Illinois, this contract shall be enforced, governed and construed under the laws of the State of Missouri by and through courts of competent jurisdiction in Missouri.
- T. If any provision of this Contract is held invalid or unenforceable by any court of competent jurisdiction or as a result of future legislative action, such holding or action shall be strictly construed and shall not affect the validity or effect of any other provision hereof.

If the work is to be performed in Missouri, the following applies:

NOTICE TO OWNER

FAILURE OF THIS CONTRACTOR TO PAY THOSE PERSONS SUPPLYING MATERIAL OR SERVICES TO COMPLETE THIS CONTRACT CAN RESULT IN THE FILING OF A MECHANIC'S LIEN ON THE PROPERTY WHICH IS THE SUBJECT OF THIS CONTRACT PURSUANT TO CHAPTER 429, RSMo. TO AVOID THIS RESULT YOU MAY ASK THIS CONTRACTOR FOR "LIEN WAIVERS" FROM ALL PERSONS SUPPLYING MATERIAL OR SERVICES FOR THE WORK DESCRIBED IN THIS CONTRACT. FAILURE TO SECURE LIEN WAIVERS MAY RESULT IN YOUR PAYING FOR LABOR AND MATERIALS TWICE.

If the work is to be performed in Illinois, the following applies:

THE LAW REQUIRES THAT THE CONTRACTOR SHALL SUBMIT A SWORN STATEMENT OF PERSONS FURNISHING MATERIALS

City of Osage Beach
Agenda Item Summary

Date of Meeting: June 2, 2022
Originator: Mike Welty, Assistant City Administrator
Presenter: Mike Welty, Assistant City Administrator

Agenda Item:
Discussion -Amy Lane

Requested Action:
Not Applicable

Ordinance Referenced for Action:
Not Applicable

Deadline for Action:
Not Applicable

Budgeted Item:
Not Applicable

Budget Line Information (if applicable):
Not Applicable

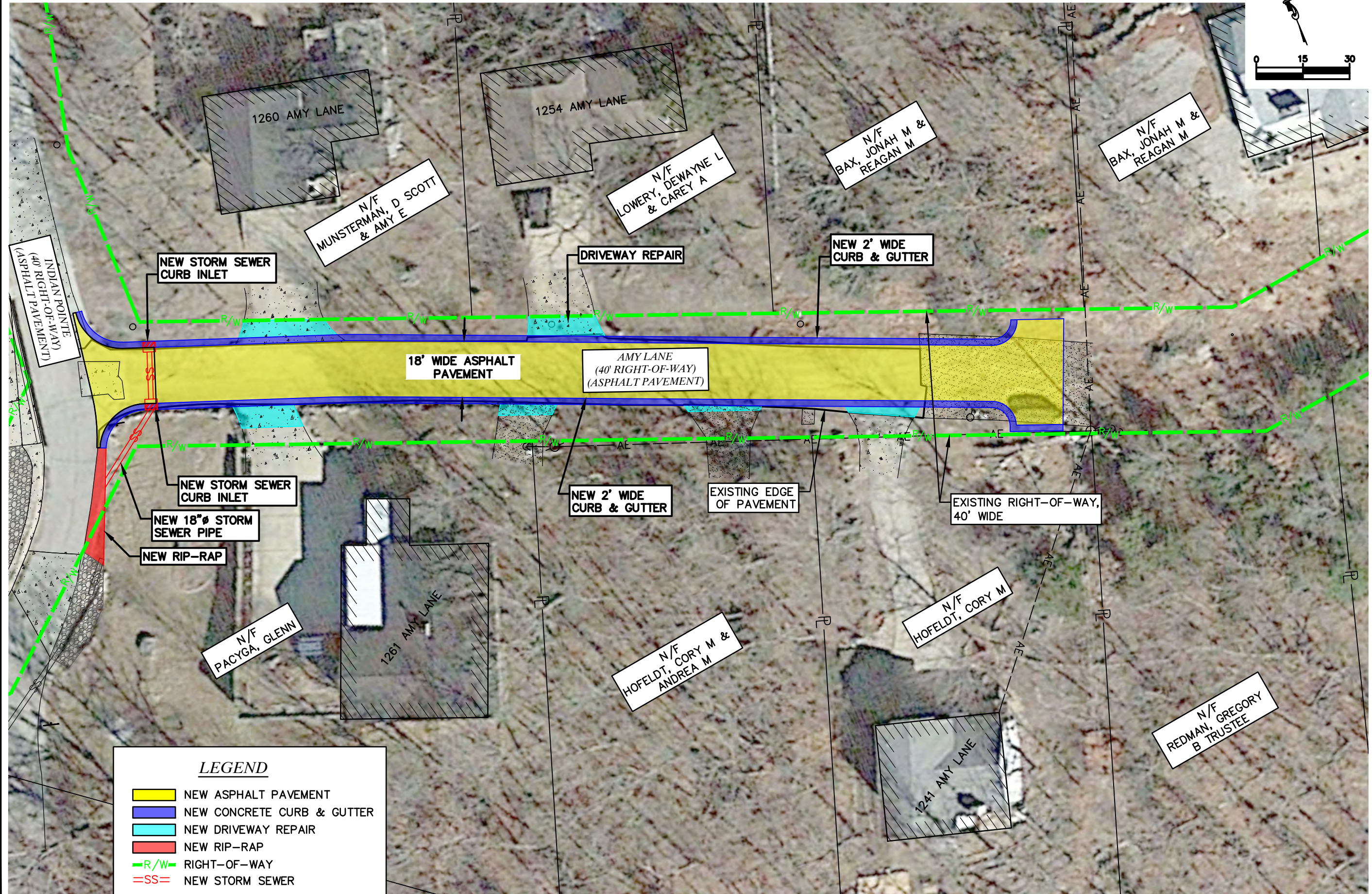
Department Comments and Recommendation:
Dave Van Leer will be presenting the proposed layout of Amy Lane to the Board of Alderman for Discussion.

City Attorney Comments:
Not Applicable

City Administrator Comments:
Not Applicable

LEGEND

	NEW ASPHALT PAVEMENT
	NEW CONCRETE CURB & GUTTER
	NEW DRIVEWAY REPAIR
	NEW RIP-RAP
	RIGHT-OF-WAY
	NEW STORM SEWER



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Osgood Beach, Missouri 65065
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Missouri State Certificate
Authority Number:
Engineering : 2013005887

CHORAN

- Civil Engineering
- Land Surveying
- Architecture
- Site Development
- General Consulting
- Master Planning

All OSHA rules & regulations established for the type of construction required by these plans shall be strictly followed (i.e. Trenching, Blasting, etc.)

*AMY LANE IMPROVEMENTS
CITY OF OSAGE BEACH*

[illegible]

DWG NAME: J:\LOR19-255 Oage Beach General Consulting\Projects\0822-010 Amy Lane\Board Info\parts\CAD EXHIBIT.dwg LAYOUT TAB: E1 PLOTTED ON: May 24, 2022 - 8:57am PLOTTED BY: EHowell



**PRELIMINARY COST ESTIMATE
AMY LANE IMPROVEMENTS
CITY OF OSAGE BEACH
PROJECT NO. OB22-010
MAY 2022**

ITEM	QUANTITY	UNIT	UNIT COST	TOTAL
Mobilization/Demobilization/Start-Up/Permits/Bonds	1	LS	\$6,000.00	\$6,000.00
Removal of Existing Improvements	1	LS	\$3,500.00	\$3,500.00
Clearing and Grubbing	1	LS	\$2,500.00	\$2,500.00
2' Wide Concrete Curb & Gutter	631	LF	\$40.00	\$25,240.00
Aggregate Base - Type V (Curb & Gutter 4" thick)	29	Ton	\$45.00	\$1,305.00
Full Depth Pavement Repair	145	SF	\$30.00	\$4,350.00
Coldmilling Bituminous Pavement	500	SF	\$2.00	\$1,000.00
Asphalt Pavement - Type BP-1 (2.5" thick)	95	Ton	\$160.00	\$15,200.00
Asphalt Pavement - Bituminous Base (2" thick)	16	Ton	\$160.00	\$2,560.00
Aggregate Base - Type V (10" thick)	68	Ton	\$45.00	\$3,060.00
Driveway Repair	80	SY	\$100.00	\$8,000.00
Curb Inlet Box	2	EA	\$3,500.00	\$7,000.00
18-inch RCP Storm Sewer	40	LF	\$120.00	\$4,800.00
18-inch Concrete Flared End	1	LS	\$1,500.00	\$1,500.00
Rip-Rap	165	SF	\$12.00	\$1,980.00
Erosion Control	1	LS	\$1,000.00	\$1,000.00
Finish Grading and Seeding	1	LS	\$8,000.00	\$8,000.00
Force Account	1	LS	\$10,000.00	\$10,000.00
SUBTOTAL				\$106,995.00
Contingencies (20%)				\$21,399.00
GRAND TOTAL				\$128,394.00

Notes:

1. Does not include solid rock excavation
2. Does not include utility relocations



Amy Lane Improvements:

Staff has been reviewing the Amy Lane project in preparation for proceeding with final design and construction. Staff was instructed by the Board of Alderman to bring Amy Lane into City Standards. The City will need to acquire the existing 40-foot wide right-of-way along Amy Lane. An existing road, approximately 18-feet wide, is within the right-of-way corridor. The project improvements will overlay the existing road surface with a 2.5" asphalt pavement section and construct curb and gutter on both sides of the road. Lane width will be 9-foot wide for a total pavement width of 18-feet. There is one section of the road with pavement rutting. The failed pavement area will be removed full depth and the base aggregate repaired prior to asphalt overlay. Due to right-of-way constraints, a turnaround tee will be used at the termination in lieu of a cul-de-sac. The project starts where Amy Lane meets Indian Pointe and will end past the last driveway. Approximately 306 feet of new road will be constructed as part of this project. Upon project completion, the intent is for Amy Lane to become a City Street. The project budget approved by the Osage Beach Special Road District in August of 2021 was \$77,222.50. Cochran has revised the project cost estimate based on current contractor pricing to be \$128,394.00.

City of Osage Beach
Agenda Item Summary

Date of Meeting: June 2, 2022
Originator: Tara Berreth, City Clerk
Presenter: Tara Berreth, City Clerk

Agenda Item:
Discussion - Road Acceptance Packet

Requested Action:
Discussion

Ordinance Referenced for Action:
Not Applicable

Deadline for Action:
No

Budgeted Item:
Not Applicable

Budget Line Information (if applicable):
Not Applicable

Department Comments and Recommendation:
Alderman Rucker asked that this be placed as a Discussion Item.

City Attorney Comments:
Not Applicable

City Administrator Comments:
Not Applicable



City of Osage Beach

Roadway Acceptance Informational Packet

Chapter 510, Article I – [Sections 510.010 – 510.035](#) outlines the guidelines and procedures for requesting new or existing roadways into the City’s inventory, summarized as follows:

- Petitions for a **NEW** street to be accepted into the City’s inventory shall be submitted to the City Clerk and shall:
 - Be offered for dedication via the certifications of the final plat of a major subdivision,
 - Final Plat shall be approved by the Board of Aldermen prior to acceptance,
 - The Board of Aldermen may accept the street upon the following,
 - Street is complete for entire subdivision as shown on approved preliminary plat,
 - Street must be constructed in accordance to the City Design Guidelines (Refer to Section 5),
 - The contract engineer shall submit a letter and inspection report confirming completion in accordance with City’s Codes and Guidelines as approved by the City.
- Petitions for **EXISTING** street to be accepted into the City’s inventory shall be submitted to the City Clerk and shall:
 - Be requested by at least ninety-five percent (95%) of the property owners adjacent to the street to be transferred,
 - A certified plat and written right-of-way or transfer documents must accompany the petition,
 - Right-of-way to be transferred should conform as closely as practical to the City’s Design Standards for new construction recommended by the Public Works Director (refer to [Design Guidelines Section 5](#)).
- Roadway design, location, and other specifics are outlined in [Chapter 510](#) and in the City’s Design Standards, [Section 5](#).
- Upon approval to accept by the Board of Aldermen, the City must acquire one hundred percent (100%) of the right-of-way,
- Petitions are to be reviewed and recommended by the City Administrator, Public Works Director, Planning Commission, and approved by the Board of Aldermen.

