

## **AMENDED**

### MINUTES OF THE REGULAR MEETING OF THE BOARD OF ALDERMEN OF THE CITY OF OSAGE BEACH, MISSOURI March 17, 2020

The Board of Aldermen of the City of Osage Beach, Missouri, met to conduct a Regular Meeting on Thursday, March 17, 2020 at 6:00 p.m. at City Hall. The following were present confirmed by roll call: Mayor John Olivarri, Alderman Phyllis Marose, Alderman Tom Walker, Alderman Tyler Becker and Alderman Richard Ross. Absent - Alderman Kevin Rucker, Alderman Greg Massey. Tara Berreth, City Clerk, was present and performed the duties of that office.

#### **MAYOR'S COMMUNICATIONS**

Expressed appreciation to the community for their patience as the city formulates recommendations and policies for our employees, citizens and visitors. Policies and recommendations are being developed and modified or changed at a rapid pace at the Federal level – Presidential and CDC.

#### **CITIZENS' COMMUNICATIONS**

Mark Olson – Presented pictures of property damage from altered drainage by his neighbor and graffiti that was placed on her side of fence. (pictures attached) Feels he is being harassed. Would like some help from the City? Alderman Ross expressed his frustration on this situation. That the system needs to use all its resources to help solve this situation.

#### **APPROVAL OF CONSENT AGENDA**

Alderman Marose made a motion to approve the Consent Agenda (Minutes March 5, 2020 and Bills List March 17, 2020). This motion was seconded by Alderman Becker. Motion passes by voice vote.

#### **UNFINISHED BUSINESS**

Bill 20-13 - An ordinance of the City of Osage Beach, Missouri, authorizing the Mayor to execute construction contract OB20-002 with Vance Brothers Inc., for Slurry Seal 2020 in an amount not to exceed \$153,888.74. *Second Reading*

Alderman Ross made a motion to approve the second reading of Bill 20-13 as presented. This motion was seconded by Alderman Walker. The following roll call was taken to approve the second and final reading of Bill 20-13 and to pass same into ordinance: "Ayes" Alderman Marose, Alderman Walker, Alderman Becker, and Alderman Ross "Absent" Alderman Massey and Alderman Rucker "Nays" – 0. Bill 20-13 was passed and approved as Ordinance 20-13.

#### **NEW BUSINESS**

**\*\* Resolution 2020-01**- A resolution of the City of Osage Beach, Missouri, adopting the Camden County Hazard Mitigation Plan

Alderman Ross made a motion to adopting Resolution 2020-01 – Camden County Hazard Mitigation Plan. This motion was seconded by Alderman Becker. Motion passes by voice vote.

**\*\* Bill 20-14** - An ordinance of the City of Osage Beach, Missouri, authorizing the Mayor to execute a contract with Kohl Wholesale Foods to provide concession and janitorial supplies for the City parks in an amount not to exceed \$25,000. *First Reading*

After comparing all the items that were bid as best as we could, it was determined that Kohl Wholesale Foods was the lowest and best bid for all supplies. Several of the bids were incomplete with products requested and it was too difficult to determine if they were a better cost without that data. This will be a one-year contract with option to renew annually for two more years

Alderman Walker made a motion to approve the first reading of Bill 20-14. This motion was seconded by Alderman Marose. Motion passes with voice vote.

**\*\* Bill 20-15 - An ordinance of the City of Osage Beach, Missouri, authorizing an additional not to exceed amount of \$85,000 under the existing LOR Engineering, LLC Professional Service Agreement. *First and Second Reading***

In November 2019 the Board of Aldermen approved a Professional Service Agreement with LOR Engineering, LLC, dba Cochran Engineering, to provide the City with City Engineering services during the vacancy of the City Engineer position. This contract agreement was for the most part a time and expense contract in which we pay for services utilized. At the time of the agreement, I asked for a not to exceed amount of \$45,000 to finish out FY2019 and roll into FY2020. The interim time period of vacancy for this position is unknown. This request is to add an additional not to exceed amount of \$85,000 to continue our partnership with Cochran for City Engineer services. They have provided valuable services from the start that has kept projects moving and closed out numerous open issues that required resolution. These included many complaints and claims from citizens that included storm water issues as well as water and wastewater service issues. Including pending bills to be paid for service through March, costs are approximately \$35,000 to date. The time and expense are expected to level out on a monthly basis as many of the tasks they have been working on were pending issues that needed timely responses, i.e. citizen issues and claims, issues with current projects from previous year(s). An additional service that is included in this request, is for \$20,000 to complete a thorough Preventive Pavement Maintenance Plan. This is expected to be completed within the next couple months and will be instrumental in Board and Staff prioritization and the planning of the transportation resources effectively. If approved, a budget amendment will be brought before the Board. Through March savings are approximately \$35,000 in personnel expenses that were budget in the Engineering Department due to the current vacancies; these savings off-set these service costs.

Alderman Ross made a motion to approve the first reading of Bill 20-15 as presented. This motion was seconded by Alderman Marose. Motion passes with a voice vote.

Alderman Becker made a motion to approve the second reading of Bill 20-15 as presented. This motion was seconded by Alderman Ross. The following roll call was taken to approve the second and final reading of Bill 20-15 and to pass same into ordinance: "Ayes" Alderman Marose, Alderman Walker, Alderman Becker, and Alderman Ross "Absent" Alderman Massey and Alderman Rucker "Nays" – 0 "Absent" - 2. Bill 20-15 was passed and approved as Ordinance 20-15.

**\*\* Bill 20-16 - An ordinance of the City of Osage Beach, Missouri, authorizing the Mayor to execute the Missouri Highway and Transportation Commission's State Block Grant agreement for the Lee C. Fine Apron Project 20-046B-1. *First Reading***

These grant agreements provide the City reimbursement for the engineering services for the Lee C. Fine Apron Project. This grant is for \$195,254.00 (95% funded) which is MoDOT Aviation's portion of the engineering services for this project. Total engineering cost is \$205,532.18 (City's portion, not to exceed \$10,278.18.00) for engineering services is also listed in this agenda. The total engineering costs is made up of the City's engineering contract with CMT and the cost of an Independent Fee Study required for a project of this size. There are two separate grants attached to this agenda item that make up the grant amount. A State Block Grant for project #20-046B-1 with monies coming from the FAA = \$184,978.00 (90%) A MoDOT airport aid agreement for project #AIR 20-046B with monies coming from the State of Missouri = \$10,276.00 (5%) The City of Osage Beach will be responsible for the remainder, \$10,278.18. (5%) These grant agreements will be brought before the Board for approval to be amended once construction costs and the construction phase engineering costs for this project are established later this year.

Alderman Marose made a motion to approve the first reading of Bill 20-16. This motion was seconded by Alderman Becker. Motion passes by voice vote.

**\*\* Bill 20-17** - An ordinance of the City of Osage Beach, Missouri, authorizing the Mayor to execute a contract with Crawford, Murphy, and Tilly for professional services at the Lee C Fine Airport. *First Reading*

This contract is for design services only. The total cost of this agreement is \$202,032.18. The FAA and MoDOT require the City to have an independent cost analysis done when the engineering fees exceed \$100,000. An independent fee study was done by a different engineering firm to see if the fees are within reason. The cost of the independent fee study (\$3,500.00) will be included in the grant for this project. Total engineering cost currently are \$205,532.18 (\$202,032.18 +\$3,500.00) There are two separate grants attached to these costs: A State Block Grant for project #20-046B-1 with monies coming from the FAA = \$184,978.00 (90%) A MoDOT airport aid agreement for project #AIR 20-046B with monies coming from the State of Missouri = \$10,276.00 (5%) The City of Osage Beach will be responsible for the remainder, \$10,278.18 (5%) Please note, this contract will be brought before the Board for approval to amend to include the construction phase engineering costs for this project once that is established. The final step before work begins will be a separate contract for the construction costs which will be brought before the Board of Aldermen.

Alderman Ross made a motion to approve the first reading of Bill 20-17. This motion was seconded by Alderman Becker. Motion passes by voice vote.

**\*\* Bill 20-18** - An ordinance of the City of Osage Beach, Missouri, authorizing the Mayor to execute a contract with Evoqua Water Technologies, LLC to provide odor control chemicals in an amount not to exceed \$80,000. *First and Second Reading*

The City has used Evoqua Water Technologies for many years now to provide us with full-service odor control products and service. Please note that staff is currently analyzing the odor control practices and applications that have been in place to see where enhancements may be made. At this time with the current contract coming due the department would like to renew for another period to continue our current practices and application of chemicals. This request is a not to exceed request for services and product for the duration of the contract, which runs through March 31, 2021.

Alderman Walker made a motion to approve the first reading of Bill 20-18 as presented. This motion was seconded by Alderman Becker. Motion passes with a voice vote.

Alderman Ross made a motion to approve the second reading of Bill 20-18 as presented. This motion was seconded by Alderman Becker. The following roll call was taken to approve the second and final reading of Bill 20-18 and to pass same into ordinance: "Ayes" Alderman Marose, Alderman Walker, Alderman Becker, and Alderman Ross "Absent" Alderman Massey and Alderman Rucker "Nays" – 0 "Absent" - 2. Bill 20-18 was passed and approved as Ordinance 20-18.

**\*\*Bill 20-19** An ordinance of the City of Osage Beach, Missouri, authorizing the Mayor to execute a contract modification No. 5 in an amount not to exceed \$37,085.10 for Project No. OB19-010 with Heggemann, Inc. for the Swiss Village Well No. 3 for a total contract amount not to exceed \$652,038.60. *First and Second Reading*

Heggemann, Inc. was awarded the construction contract #OB19-010 for the Swiss Village Well No. 3 on July 18, 2019 by the Board of Aldermen for the contract of not to exceed \$553,292. Additional contract modifications have approved in since November totaling \$61,662 for additional casing due to actual drilling depths, for underground primary electrical service, and for well production testing as recommended by MDNR (Missouri Department of Natural Resources). This modification request #5 is for an amount not to exceed \$37,085.10 for a total #OB19-010 contract amount not to exceed \$652,038.60. This modification is needed based on the testing results; pump size, depth and other items are needed. All modifications are reviewed by our City Engineers, Cochran Engineering. HDR are the contract engineers for this project.

OB19-010 Swiss Village Well No.3 was a FY2019 budgeted project with a portion of carryover for the project into FY2020. We estimated during the budget process a certain project percentage would be completed and paid in FY2019 (a majority) with only about \$100,000 to be remaining in FY2020. Those estimates were off as a majority of the project is being completed and paid in FY2020. For 30-00-773170 New Wells account, Heggemann contract total of \$652,038.60 (includes this request) plus other work needed (Swill Village Water Main Project - Invitation to Bid closes 3/17/2020), I expect approximately \$55,000 over budget for the New Well line item overall. Once the project is completed a budget amendment will be presented to the Board of Aldermen that will account for the carried over allocation from FY2019 and additional allocation that may be needed.

Alderman Ross made a motion to approve the first reading of Bill 20-19 as presented. This motion was seconded by Alderman Walker. Motion passes with a voice vote.

Alderman Marose made a motion to approve the second reading of Bill 20-19 as presented. This motion was seconded by Alderman Becker. The following roll call was taken to approve the second and final reading of Bill 20-19 and to pass same into ordinance: "Ayes" Alderman Marose, Alderman Walker, Alderman Becker, and Alderman Ross "Absent" Alderman Massey and Alderman Rucker "Nays" – 0 "Absent" - 2. Bill 20-19 was passed and approved as Ordinance 20-19.

**\*\* Bill 20-20 - An ordinance of the City of Osage Beach, Missouri, establishing a Pandemic Illness Leave Policy by adding new section Chapter 125.130.F. of the Osage Beach Municipal Code. *First and Second Reading***

In response to the pandemic that has been declared and in order to plan for the possible affects this could have on employees, this request adds flexibility to using leave but ensuring employees recover should this pandemic affects them. Adding section 125.130.F. gives employees the ability to borrow against future personal time specifically for declared pandemic absences, such as the COVID-19. This option is currently not allowed in our policies.

Alderman Marose made a motion to approve the first reading of Bill 20-20 as presented. This motion was seconded by Alderman Becker.

After discussion Alderman Marose and Alderman Becker both wished to withdraw their motions. Alderman Ross felt it was unfair to make the employees use their vacation. Wanted to make sure that employees have some hours to use the rest of the year.

Alderman Ross made a motion to approve the first reading of Bill 20-20 as is with the removal of the use of vacation time. This motion was seconded by Alderman Marose. Motion passes with a voice vote.

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

**\*\* Motion to approve the purchase of new PC's, Laptops's, and related equipment from Hypertec Direct for \$49,294.72.**

This is a request to approve the purchase of the necessary equipment to switch our system from VDI to PCs in the amount of \$49,294.72. **After discussion, the Board recommended an increased amount of \$50,208.00.**

Alderman Becker made a motion to approve the purchase of new PC's, Laptops's, and related equipment from Hypertec Direct for ~~the new amount of \$49,294.72~~ **\$50,208.00**. This motion was seconded by Alderman Ross. Motion passes with voice vote.

**\*\* Motion to accept changes in design of Ledges Drive and Stone Ledge Drive.**

Ledges Drive Improvement Project is a project that we have partnered with the Osage Beach Special Road District (OBSRD) which includes improvements to Ledges Drive and Stone Ledge Drive. Representatives from the Ledges and Stone Ledges approached the OBSRD in 2018 requesting financial assistance to bring the road to the necessary standards for the City to accept as a public roadway. This is a common practice. The City and OBSRD came to an agreement to proceed with improvements; the OSRD committing funds to the project in October 2018 equal to the initial estimate of \$110,090 (100% financial contribution) and the Board of Aldermen approving to design and inspect said project in November 2018. The project has two parts, 1) the improvement portion that would be turned over to the City, to be paid by the OBSRD, and 2) an improvement portion that would not be turned over, to be paid by the property owners. It was planned to be bid as one project but separated financially. The first part as described above is what is included in the FY2020 Budget, carried over from FY2019. As staff began designing the project it became apparent that changes were necessary which has ultimately changed the estimated project costs. The Board of Aldermen is being presented this item again in an effort to clarify the changes in design and to request approval to move forward with the department's recommendation, proceeding with improvement at an estimated cost of \$180,000. The City's Design Guidelines do state the Board of Aldermen may approve improvements to substandard streets that can't conform to the guidelines due to obstacles, i.e. inadequate right-of-way, etc. ("Section 5 - Existing City Streets - Reconstruction and Upgrading"). The next step will be to take the changes to the OBSRD and to shore up their financial commitment based on the new estimate. Alderman Becker made a motion to accept changes in design of Ledges Drive and Stone Ledge Drive. This motion was seconded by Alderman Ross. Motion passes with a voice vote.

**\*\* Discussion - Golf Carts**

Staff was directed to do some research on speed limits and the use of golf carts on the City streets. Then return to the Board for review.

## COMMUNICATIONS FROM MEMBERS OF THE BOARD OF ALDERMEN

Alderman Ross – Take extraordinary measures, completely limit access by the public to the city offices. Test all employees before work. Think outside the box.

Alderman Marose – Take extra precautions and have people start using the drop box. Be smart. No large crowds.

## STAFF COMMUNICATIONS

City Administrator Woods – Internally encouraging all to cancel, postpone any upcoming meetings. All meetings that are to be held in the Chambers has been canceled until further notice. Employees are to practice safety measures, be aware of surroundings. Public Works are to limit to one person per vehicle. Suspended all disconnections for utilities. Ordered my hand sanitizer and thermometers.

City Attorney Rucker – Working on trying to do video conferencing. Doing research from the AG's office. And tracking the Governors actions.

Police Chief Davis – 15 new cases in Missouri

Assistant City Administrator Welty – Thank you for the approval to purchase the new computers.

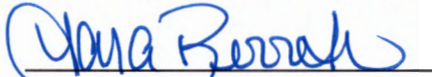
Parks Vandevort – Sending out emails to cancel sports events.

Airports Dinsdale – No Aviation Day

ADJOURN

There being no further business to come before the Board, the meeting adjourned at 8:25 p.m.

I, Tara Berreth, City Clerk of the City of Osage Beach, Missouri, do hereby certify that the above foregoing is a true and complete journal of proceedings of the regular meeting of the Board of Aldermen of the City of Osage Beach, Missouri, held on March 17, 2020 and re-approved on June 2, 2020.

  
Tara Berreth, City Clerk

  
John Olivarri, Mayor