

NOTICE OF MEETING AND AMENDED 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

AMENDED TENTATIVE AGENDA

REGULAR MEETING

February 2, 2023 - 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

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 January 19, 2023
- ▶ Bills List - February 2, 2023

UNFINISHED BUSINESS

- A. Bill 23-02 - An ordinance of the City of Osage Beach, Missouri, adopting new Sections 110.300 et seq. providing for Rules of Procedure for conduct of business in meetings of the Board of Aldermen and repealing Resolution 03-16-06-001 that previously set out such rules and renaming and renumbering Article IV Community Event Support. *Second Reading*

NEW BUSINESS

- A. Public Hearing - Rezoning Case 420 Rusina Hoffman.
- B. Bill 23-03 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. 420. *First Reading*
- C. Bill 23-04 - An ordinance of the City of Osage Beach, Missouri, amending sections 405.586, 405.130, 405.210 and 405.240 of the Osage Beach Code of Ordinances relating to the zoning ordinances regarding marijuana facilities. *First Reading*
- D. Bill 23-05 - An ordinance of the City of Osage Beach, Missouri, amending section 405.020, of the Osage Beach Code of Ordinances relating to the amendments and changes to the zoning ordinance regarding definitions. *First Reading*
- E. Bill 23-06 - An ordinance of the City of Osage Beach, Missouri, accepting Autumn Lane into City inventory. *First and Second Reading*
- F. Bill 23-07 - An ordinance of the City of Osage Beach, Missouri, appointing Cole Bradbury Law Firm LLC as the Interim City Attorney/City Prosecutor. *First and Second Reading*
- G. Motion to approve the purchase of a lift station control panel for CL-01 from Municipal Equipment for an amount not to exceed \$49,101.45.
- H. Motion to approve the purchase of water meters and associated annual inventory from Schulte Supply, Inc. for a not to exceed amount of \$428,559.27.
- I. Motion to approve the purchase of Sewer Department inventory items from Municipal Pump co, Inc. for a not to exceed price of \$119,372.75, plus freight charges.
- J. Discussion - Sands Gravity Main Replacement

K. Discussion -Water and Wastewater User Charge Modification - To Be Effective May 1, 2023

STAFF COMMUNICATIONS

MAYOR AND MEMBERS OF THE BOARD OF ALDERMEN COMMUNICATIONS

ADJOURN

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
January 19, 2023**

The Board of Aldermen of the City of Osage Beach, Missouri, conducted a Regular Meeting on Wednesday January 19, 2023, at 6:00 PM. The following were present in person: Mayor Michael Harmison, President of Board Alderman Richard Ross, Alderman Phyllis Marose, Alderman Kevin Rucker, Alderman Bob O'Steen and Alderman Tyler Becker and Alderman Kellie Schuman. City Clerk Tara Berreth present and performed the duties for the City Clerk's office. Appointed and Management staff present were City Administrator Jeana Woods, City Attorney Ed Rucker, Police Chief Todd Davis, City Planner Cary Patterson, Economic Development Specialist Mitchell Moon, Human Resource Generalist Mike Raye, Building Official Ron White, City Treasurer Karri Bell, Airport Manager Ty Dinsdale, Parks and Recreation Manager Eric Gregory, and Public Works Operations Manager Kevin Crooks.

CITIZEN'S COMMUNICATIONS

Non

APPROVAL OF CONSENT AGENDA

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

UNFINISHED BUSINESS

None

NEW BUSINESS

Bill 23-02 - An ordinance of the City of Osage Beach, Missouri, adopting new Sections 110.300 et seq. providing for Rules of Procedure for conduct of business in meetings of the Board of Aldermen and repealing Resolution 03-16-06-001 that previously set out such rules and renaming and renumbering Article IV Community Event Support. *First Reading*

Alderman Ross made a motion to approve the first reading of Bill 23-02. This motion was seconded by Alderman Schuman. Motion passes unanimously with a voice vote.

Motion to approve the purchase of a replacement traffic detection system for Nichols & Osage Beach Parkway traffic cabinet from Meyer Electric Co. Inc. in an amount not to exceed \$26,225.

Alderman Rucker made a motion to approve the motion to approve the purchase of a replacement traffic detection system for Nichols & Osage Beach Parkway traffic cabinet from Meyer Electric Co. Inc. in an amount not to exceed \$26,225. This motion was seconded by Alderman Marose. Motion passes unanimously with a voice vote.

Motion to approve the purchase of two (2) Zoll X Series Advanced Monitor/Defibrillators from the Zoll Medical Corporation off of the NASPO ValuePoint contract # OK-SW-300 at a cost not to exceed \$84,000.

Alderman Becker made a motion to approve the purchase of two (2) Zoll X Series Advanced Monitor/Defibrillators from the Zoll Medical Corporation off of the NASPO ValuePoint contract # OK-SW-300 at a cost not to exceed \$84,000. This motion was seconded by Alderman Ross. Motion pass unanimously with a voice vote.

Presentation -Osage Beach Park Master Plan

A presentation from Ballard King and Cochran Engineering was given to the Board. After a lengthy discussion, it was suggested that a public workshop be scheduled in the near future. Staff will get a date set and make sure that it is posted on the website for all the public to attend.

Discussion - Grand Harbor Pool

Items discussed: Scope of work needed, independent adjuster, amount of payment, release of liability.

Alderman Becker asked staff to put together an Ordinance to be placed on the next agenda for payment to Grand Harbor Condo Association.

STAFF COMMUNICATIONS

City Administrator Woods – Set a workshop for the Parks Master Plan

Asst. City Administrator Welty – Sands Lift Station has some easement issues, but should be resolved by the next BOA meeting. Special Road District terminated the contract with Ledges Road.

City Treasure Bell – Department is busy with yearend close outs.

Building Official White – Recognize Mikeal Bean and Morgan Music for getting the equipment for the meeting up and running.

Airport Manager Dinsdale – Fuel Storage Tank and Grand Glaze will be complete next week.

Economic Development Specialist Moon – Planning huge KC BBQ Event (BBQ Pit Masters) held during Fall Fest in October.

MAYOR AND MEMBERS OF THE BOARD OF ALDERMEN COMMUNICATIONS

Alderman Rucker – Asked staff the status of Amy Lane, Autumn Lane, Aver Road? What is the status of Autumn annexation? How is the deer hunt going? Staff will bring all the answers to a future meeting.

Alderman Schuman – Great job to all those that worked during the last snow event. Congrats to the 4th quarter employee winners.

Mayor Harmison – Thank you Alderman Ross for filling in at the last board meeting. Asked for citizen input on what they would like to see at the outlet mall.

ADJOURN

There being no further business to come before the Board, the meeting adjourned at 7:55 pm. 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, on January 19, 2023, and approved February 2, 2023.

Tara Berreth/City Clerk

Michael Harmison, Mayor

**CITY OF OSAGE BEACH
BILLS LIST
February 2, 2023**

Bills Paid Prior to Board Meeting	\$	153,906.52
Payroll Paid Prior to Board Meeting	\$	141,254.12
SRF Transfer Prior to Board Meeting	\$	113,201.01
TIF Transfer Dierbergs	\$	52,526.01
Bills Pending Board Approval	\$	292,833.00
Total Expenses	\$	753,720.66

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
NON-DEPARTMENTAL	General Fund	MO DEPT OF REVENUE	BOOKS, MISC SALES TAX	<u>0.71</u>
			TOTAL:	0.71
Mayor & Board	General Fund	ROSS, RICHARD	MEDICAL REIMB 2022	<u>250.00</u>
			TOTAL:	250.00
Building Inspection	General Fund	WEX INC	BLDG DEPT FUEL	125.50
			BLDG DEPT TRUCK WASHES	<u>7.76</u>
			TOTAL:	133.26
Parks	General Fund	WEX INC	PARK DEPT FUEL	<u>560.22</u>
			TOTAL:	560.22
Police	General Fund	AT&T MOBILITY-CELLS	POLICE FN AIR CARDS	783.56
		WEX INC	POLICE DEPT FUEL	4,367.29
			POLICE DEPT CAR WASHES	<u>16.00</u>
			TOTAL:	5,166.85
Transportation	Transportation	WEX INC	TRANS DEPT FUEL	4,690.44
		AMEREN MISSOURI	KK PALISADES LTG 12/1-1/4/	97.44
			ST LTG SVC 12/1-1/1/23	4,178.72
			CUST OWNED LTG 12/1-1/1/23	314.50
			NICHOLS VIEW LTG 12/1-1/1/	160.98
			NICHOLS VIEW LTG 11/1-12/1	159.25
			NICHOLS VIEW LTG 9/30-10/1	<u>162.74</u>
			TOTAL:	9,764.07
NON-DEPARTMENTAL	Water Fund	MO DEPT OF REVENUE	WATER SALES TAX	<u>2,531.64</u>
			TOTAL:	2,531.64
Water	Water Fund	UMB BANK & TRUST	2003 SRF TRUSTEE & DNR FEE	7,750.00
			2007 SRF TRUSTEE & DNR FEE	3,738.47
		WEX INC	WATER DEPT FUEL	1,805.25
		AMEREN MISSOURI	6186 FIRE ST WELL 11/29-1/	3,438.82
			LK RD 54-59 WELL 11/28-12/	45.28
			SWISS VLG WELL 11/30-12/30	<u>796.11</u>
			TOTAL:	17,573.93
Sewer	Sewer Fund	WEX INC	SEWER DEPT FUEL	2,049.22
		AMEREN MISSOURI	GRINDER PUMPS & LIFT STATI	4,640.27
			GRINDER PUMPS & LIFT STATI	6,370.63
			5874 HWY 54 11/28-12/29/22	<u>15.54</u>
			TOTAL:	13,075.66
Ambulance	Ambulance Fund	AT&T MOBILITY-CELLS	AMB FN AIR CARDS	82.48
		AMBULANCE REIMBURSEMENT SYSTEMS INC	DEC AMBULANCE REIMBURSEMEN	2,098.62
		WEX INC	AMB FUEL	<u>528.43</u>
			TOTAL:	2,709.53
NON-DEPARTMENTAL	Lee C. Fine Airpor	MO DEPT OF REVENUE	LCF SALES TAX	<u>1,349.86</u>
			TOTAL:	1,349.86
Lee C. Fine Airport	Lee C. Fine Airpor	AMEREN MISSOURI	LCF RUNWAY LTS 6/29-1/3/20	155.52
			AP FIREHOUSE 11/30-12/30/2	55.81
		WEX INC	LCF FUEL	<u>43.68</u>
			TOTAL:	255.01

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
NON-DEPARTMENTAL	Grand Glaize Airpo	MO DEPT OF REVENUE	GG SALES TAX	<u>50.05</u>
			TOTAL:	50.05
Grand Glaize Airport	Grand Glaize Airpo	AMEREN MISSOURI	GG AP HANGAR 11/28-12/29/2	51.58
			GG TBLC EXT D 11/28-12/29/	395.16
			GG AP SHOP 11/28-12/29/22	74.00
			957 AIRPORT RD 11/28-12/29	12.59
			GG AP TBLC EXT D 11/28-12/	54.73
			GG AP HANGAR 11/28-12/29/2	13.78
			GG AP SLEEPY 11/28-12/29/2	154.41
		WEX INC	GG FUEL	<u>65.91</u>
			TOTAL:	822.16

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

10	General Fund	6,111.04
20	Transportation	9,764.07
30	Water Fund	20,105.57
35	Sewer Fund	13,075.66
40	Ambulance Fund	2,709.53
45	Lee C. Fine Airport Fund	1,604.87
47	Grand Glaize Airport Fund	872.21

 GRAND TOTAL: 54,242.95

TOTAL PAGES: 2

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
Mayor & Board	General Fund	WISELLI, NANCY	PLANNING COMMISSION MEETIN	25.00
		LAKE OF THE OZARKS ECONOMIC DEVELOPEME	LOREDC ANN MTG- BOA & J. W	60.00
		LAKE OF THE OZARKS COUNCIL OF LOCAL GO	MEMB SUPPRT 1/2023-12/2023	2,040.28
		EBLING, SUSAN	PLANNING COMMISSION MEETIN	25.00
		KIRN, TONY	PLANNING COMMISSION MEETIN	25.00
		BLAIR, ALAN	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:	2,300.28
Overhead	General Fund	CHARTER COMMUNICATIONS HOLDING CO LLC	CITY HALL CABLE	65.47
			TOTAL:	65.47
911 Center	General Fund	AT & T/CITY HALL	911 PHONE SVC 12/23-1/22/2	1,021.35
		CHARTER COMMUNICATIONS HOLDING CO LLC	COMM INTERNET	129.98
			COMM CABLE	36.64
			MOSWIN INTERNET 12/21-1/20	119.98
			TOTAL:	1,307.95
Information Technology	General Fund	CHARTER COMMUNICATIONS HOLDING CO LLC	CITY HALL INTERNET	309.97
			TOTAL:	309.97
Economic Development	General Fund	LAKE OF THE OZARKS ECONOMIC DEVELOPEME	LOREDC ANN MTG- M. MOON	15.00
			TOTAL:	15.00
Water	Water Fund	CAMDEN COUNTY RECORDER OF DEEDS	LIEN RELEASE	12.50
			TOTAL:	12.50
Sewer	Sewer Fund	BELL, KARRI	REIMB POSTAGE JSB- K. BELL	25.20
		CAMDEN COUNTY RECORDER OF DEEDS	LIEN RELEASE	12.50
			TOTAL:	37.70
Ambulance	Ambulance Fund	CHARTER COMMUNICATIONS HOLDING CO LLC	AMB CABLE	36.64
			TOTAL:	36.64

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
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===== FUND TOTALS =====

10	General Fund	3,998.67
30	Water Fund	12.50
35	Sewer Fund	37.70
40	Ambulance Fund	36.64

GRAND TOTAL:	4,085.51

TOTAL PAGES: 2

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
NON-DEPARTMENTAL	General Fund	MO DEPT OF REVENUE	State Withholding	3,528.00
			Fed WH	10,188.39
		INTERNAL REVENUE SERVICE	FICA	7,505.13
			Medicare	1,755.25
		ICMA	Loan Repayment	33.77
			Loan Repayment	106.47
			Loan Repayment	182.34
			Loan Repayment	139.12
			Loan Repayment	98.17
			Loan Repayment	153.05
			Retirment 457 &	2,901.02
			Retirement 457	1,170.00
			Loan Repayments	166.79
			Loan Repayments	134.84
			Loan Repayments	310.70
			Loan Repayments	92.92
			Loan Repayments	215.76
			Loan Repayments	113.03
			Loan Repayments	127.21
			Loan Repayments	115.98
			Retirment Roth IRA %	305.69
			Retirement Roth IRA	327.00
		HSA BANK	HSA Contribution	302.50
			HSA Family/Dep. Contributi	1,613.91
		ONE TIME VENDOR	Bond Refund:191166028-01	<u>99.50</u>
			TOTAL:	31,686.54
Mayor & Board	General Fund	INTERNAL REVENUE SERVICE	FICA	126.58
			Medicare	29.61
		ICMA	Retirement 401%	5.50
			Retirement 401	66.00
		MID AMERICA BANK	FLOWERS- R. ROSS MOTHER	77.00
			FLOWERS- A. WHITE GRANDMOT	107.12
			DONATION-JAN SISTER FUNERA	<u>75.00</u>
			TOTAL:	486.81
Collector	General Fund	INTERNAL REVENUE SERVICE	FICA	6.25
			Medicare	<u>1.46</u>
			TOTAL:	7.71
City Administrator	General Fund	INTERNAL REVENUE SERVICE	FICA	621.19
			Medicare	145.28
		ICMA	Retirement 401%	103.09
			Retirement 401	618.59
		HSA BANK	HSA Contribution	37.50
			HSA Family/Dep. Contributi	150.00
		MID AMERICA BANK	2023 ICMA MEMB- J. WOODS	<u>838.00</u>
			TOTAL:	2,513.65
City Clerk	General Fund	INTERNAL REVENUE SERVICE	FICA	190.00
			Medicare	44.44
		ICMA	Retirement 401%	31.84
			Retirement 401	191.02
		HSA BANK	HSA Family/Dep. Contributi	<u>75.00</u>
			TOTAL:	532.30

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT	
City Treasurer	General Fund	INTERNAL REVENUE SERVICE	FICA	579.96	
			Medicare	135.64	
		ICMA	Retirement 401%	95.93	
			Retirement 401	575.55	
		HSA BANK	HSA Contribution	18.76	
			HSA Family/Dep. Contributi	<u>150.00</u>	
		TOTAL:	1,555.84		
Municipal Court	General Fund	INTERNAL REVENUE SERVICE	FICA	90.53	
			Medicare	21.17	
		ICMA	Retirement 401%	15.24	
			Retirement 401	91.42	
		HSA BANK	HSA Family/Dep. Contributi	<u>75.00</u>	
			TOTAL:	293.36	
		City Attorney	General Fund	INTERNAL REVENUE SERVICE	FICA
Medicare	93.28				
ICMA	Retirement 401%			65.19	
	Retirement 401			391.13	
HSA BANK	HSA Family/Dep. Contributi			<u>75.00</u>	
	TOTAL:			1,023.47	
Building Inspection	General Fund			INTERNAL REVENUE SERVICE	FICA
		Medicare	115.22		
		ICMA	Retirement 401%	82.31	
			Retirement 401	493.89	
		HSA BANK	HSA Contribution	37.50	
			HSA Family/Dep. Contributi	187.50	
		MID AMERICA BANK	MCGA LODGING- R. WHITE	207.08	
			MCGA LODGING- L. DUNHAM	<u>207.08</u>	
		TOTAL:	1,823.24		
Building Maintenance	General Fund	INTERNAL REVENUE SERVICE	FICA	55.91	
			Medicare	13.08	
		LOWE'S	ICE MELT	<u>163.20</u>	
			TOTAL:	232.19	
Parks	General Fund	INTERNAL REVENUE SERVICE	FICA	430.18	
			Medicare	100.61	
		ICMA	Retirement 401%	38.00	
			Retirement 401	419.18	
		LOWE'S	ELECTRICAL SUPPLIES & FITT	45.21	
			CLEANING SUPPLIES	186.68	
			WRENCHES & SCREWDRIVERS	208.88	
			CAMPER SEAL FOAM	6.64	
			TENSION BAND & BAR	51.14	
			TRASH BAGS & CIRCUIT BREAK	245.18	
			RETURN QUIKRETE	23.85-	
			PELLETS & QUIKRETE	316.35	
			AMEREN MISSOURI	LWR DIAMOND LTS 12/6-1/9/2	14.67
			HWY 42 BALLPRK LTS 12/6-1/	16.57	
		HSA BANK	HSA Contribution	150.00	
		MID AMERICA BANK	MCGA CONF LDGNG-E. GREGORY	95.79	
			MCGA CONF LDGNG-J. ALEXAND	95.79	
			MCGA CONF LDGNG-M. THERIEN	95.79	
			MCGA CONF LDGNG-D. CRIDER	95.79	

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
			STEEL PANELS	1,132.00
			COMMUNAL CREMATION- PARKS	78.00
			TRACTOR SEAT	288.99
			RECIPROCATING SAW	<u>99.00</u>
			TOTAL:	4,186.59
Human Resources	General Fund	INTERNAL REVENUE SERVICE	FICA	124.09
			Medicare	29.01
		ICMA	Retirement 401%	7.28
			Retirement 401	126.73
		HSA BANK	HSA Contribution	18.74
			HSA Family/Dep. Contributi	<u>75.00</u>
			TOTAL:	380.85
Overhead	General Fund	AT & T/CITY HALL	CH PH SVC/911 LINE 1/5/23	1,135.96
		MITEL CLOUD SERVICES INC	PH SVC 2/1-2/28/2023	2,207.76
		MARCO TECHNOLOGIES LLC	CITY COPIER LEASE 11/26-12	<u>334.08</u>
			TOTAL:	3,677.80
Police	General Fund	INTERNAL REVENUE SERVICE	FICA	3,156.72
			Medicare	738.28
		ICMA	Retirement 401%	472.49
			Retirement 401	2,969.26
		MO DEPT NATURAL RESOURCES	INCINERATOR EMISSIONS FEE	55.00
		HSA BANK	HSA Contribution	225.00
			HSA Family/Dep. Contributi	1,125.00
		MID AMERICA BANK	KWIK KAR WASH	29.00
			FLOWERS-CAMDEN COUNTY DSPT	65.45
			PERSON SEARCH- TRANSUNION	75.00
			SELF-INKING SIGNATURE STAM	29.75
			SHOP WITH A COP	932.05
			VALUE CARDS	4.31
			USPS POSTAGE	47.32
			USPS POSTAGE	27.91
			WALMART- SHOP WITH A COP	2,647.90
		OWENS, STEVEN	REIMB MILEAGE ON CALL- OWE	24.63
		MARCO TECHNOLOGIES LLC	PD COPIER LEASE 11/26-12/2	<u>206.53</u>
			TOTAL:	12,831.60
911 Center	General Fund	AT & T/CITY HALL	911 LINE 1/5/23	235.00
		INTERNAL REVENUE SERVICE	FICA	691.62
			Medicare	161.74
		ICMA	Retirement 401%	74.55
			Retirement 401	540.50
		HSA BANK	HSA Contribution	37.50
			HSA Family/Dep. Contributi	75.00
		MITEL CLOUD SERVICES INC	PD RECORDING 2/1-2/28/2023	231.81
		MID AMERICA BANK	BSD NAPS	<u>25.75</u>
			TOTAL:	2,073.47
Planning	General Fund	INTERNAL REVENUE SERVICE	FICA	230.24
			Medicare	53.85
		ICMA	Retirement 401%	38.73
			Retirement 401	232.38
		HSA BANK	HSA Family/Dep. Contributi	<u>112.50</u>
			TOTAL:	667.70

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
Information Technology	General Fund	INTERNAL REVENUE SERVICE	FICA	154.37
			Medicare	36.10
		ICMA	Retirement 401%	25.99
			Retirement 401	155.95
		HSA BANK	HSA Family/Dep. Contributi	<u>75.00</u>
			TOTAL:	447.41
Economic Development	General Fund	INTERNAL REVENUE SERVICE	FICA	155.96
			Medicare	36.48
		ICMA	Retirement 401%	25.16
			Retirement 401	150.93
		LOWE'S	HOLIDAY LIGHTS	142.41
			HOLIDAY LIGHTS	<u>116.73</u>
			TOTAL:	627.67
NON-DEPARTMENTAL	Transportation	MO DEPT OF REVENUE	State Withholding	433.21
			Fed WH	1,010.66
		INTERNAL REVENUE SERVICE	FICA	946.26
			Medicare	221.30
		ICMA	Retirment 457 &	147.30
			Retirement 457	34.00
		HSA BANK	HSA Contribution	100.00
			HSA Family/Dep. Contributi	<u>81.82</u>
			TOTAL:	2,974.55
Transportation	Transportation	INTERNAL REVENUE SERVICE	FICA	946.25
			Medicare	221.30
		ICMA	Retirement 401%	93.43
			Retirement 401	560.63
		HSA BANK	HSA Contribution	112.50
			HSA Family/Dep. Contributi	350.25
		MID AMERICA BANK	MAILBOX	68.98
		MARCO TECHNOLOGIES LLC	PW COPIER LEASE 11/26-12/2	<u>68.84</u>
			TOTAL:	2,422.18
NON-DEPARTMENTAL	Water Fund	MO DEPT OF REVENUE	State Withholding	531.96
			Fed WH	1,420.54
		INTERNAL REVENUE SERVICE	FICA	939.60
			Medicare	219.75
		ICMA	Retirment 457 &	300.22
			Retirement 457	146.00
		HSA BANK	HSA Contribution	37.50
			HSA Family/Dep. Contributi	<u>54.80</u>
			TOTAL:	3,650.37
Water	Water Fund	INTERNAL REVENUE SERVICE	FICA	939.60
			Medicare	219.76
		ICMA	Retirement 401%	154.43
			Retirement 401	926.53
		LOWE'S	BATTERIES	16.16
			ELECTRICAL OUTLET & INSULA	35.23
			RAZOR BLADES	9.46
			INSULATION	146.26
			INSULATING SUPPLIES-METER	38.92
			INSULATING SUPPLIES-METER	292.52
			COLLEGE WELL 12/6-1/9/23	1,282.73
		AMEREN MISSOURI		

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
		HSA BANK	HSA Contribution	150.00
			HSA Family/Dep. Contributi	162.00
		STOUFER, TOMMIE L	MILEAGE REIMB 1/7-1/13/23	66.81
		MID AMERICA BANK	KARHS WATER LINE EASEMENT	4.00
			COPY WARRANTY DEED	3.00
		MARCO TECHNOLOGIES LLC	PW COPIER LEASE 11/26-12/2	<u>68.85</u>
			TOTAL:	4,516.26
NON-DEPARTMENTAL	Sewer Fund	MO DEPT OF REVENUE	State Withholding	353.83
		INTERNAL REVENUE SERVICE	Fed WH	707.47
			FICA	921.82
			Medicare	215.59
		ICMA	Retirment 457 &	108.19
			Retirement 457	58.00
		HSA BANK	HSA Family/Dep. Contributi	<u>144.80</u>
			TOTAL:	2,509.70
Sewer	Sewer Fund	INTERNAL REVENUE SERVICE	FICA	921.83
			Medicare	215.58
		ICMA	Retirement 401%	123.78
			Retirement 401	844.16
		LOWE'S	PELLETIZED LIMESTONE	56.76
			BATTERIES	14.24
			CLEANING SUPPLIES	245.38
		AMEREN MISSOURI	CLEARWOOD LN 12/4-1/5/23	13.51
			HWY D PREWITTS G/P 12/6-1/	134.39
			1004 ZEBRA RD L/P 12/4-1/5	12.32
		HSA BANK	HSA Contribution	37.50
			HSA Family/Dep. Contributi	537.75
		MID AMERICA BANK	COPY WARRANTY DEED	3.00
			APWA TRNG- SEWER	384.00
			MO COMMON GRND LODGING	1,814.28
		MARCO TECHNOLOGIES LLC	PW COPIER LEASE 11/26-12/2	<u>68.85</u>
			TOTAL:	5,427.33
NON-DEPARTMENTAL	Ambulance Fund	MO DEPT OF REVENUE	State Withholding	364.00
		INTERNAL REVENUE SERVICE	Fed WH	924.56
			FICA	854.00
			Medicare	199.71
		ICMA	Loan Repayment	134.33
			Loan Repayment	156.06
			Loan Repayment	60.66
			Retirment 457 &	148.30
		HSA BANK	HSA Family/Dep. Contributi	<u>45.00</u>
			TOTAL:	2,886.62
Ambulance	Ambulance Fund	INTERNAL REVENUE SERVICE	FICA	854.00
			Medicare	199.71
		ICMA	Retirement 401%	103.51
			Retirement 401	631.58
		HSA BANK	HSA Family/Dep. Contributi	<u>300.00</u>
			TOTAL:	2,088.80
NON-DEPARTMENTAL	Lee C. Fine Airpor	MO DEPT OF REVENUE	State Withholding	169.60
		INTERNAL REVENUE SERVICE	Fed WH	239.08
			FICA	339.14

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
			Medicare	79.31
		ICMA	Retirement 457 &	25.25
			Retirement 457	45.00
			Loan Repayments	30.39
			Loan Repayments	<u>37.15</u>
			TOTAL:	964.92
Lee C. Fine Airport	Lee C. Fine Airpor	AMEREN MISSOURI	LCF RD WELL 12/8-1/11/23	11.51
			KAISER TRMNL BLDG 12/8-1/1	312.27
			LCF HANGAR 2 12/8-1/11/23	23.62
			LCF NEW AP HANGAR 12/8-1/1	32.23
		INTERNAL REVENUE SERVICE	FICA	339.14
			Medicare	79.31
		ICMA	Retirement 401%	41.72
			Retirement 401	328.00
		LOWE'S	INSULATION	33.24
			RUBBER WASHERS	3.12
			ICE MELT	19.93
			SHOVEL & BROOMS	47.45
		HSA BANK	HSA Contribution	37.50
			HSA Family/Dep. Contributi	195.00
		MID AMERICA BANK	NOZZLE REPLCMNT SEAL KIT	164.95
			LCF WASTEWATER PERMIT	<u>204.25</u>
			TOTAL:	1,873.24
NON-DEPARTMENTAL	Grand Glaize Airpo	MO DEPT OF REVENUE	State Withholding	42.40
		INTERNAL REVENUE SERVICE	Fed WH	219.20
			FICA	218.37
			Medicare	51.07
		ICMA	Retirement 457 &	11.22
			Retirement 457	30.00
		HSA BANK	HSA Family/Dep. Contributi	<u>25.00</u>
			TOTAL:	597.26
Grand Glaize Airport	Grand Glaize Airpo	INTERNAL REVENUE SERVICE	FICA	218.37
			Medicare	51.07
		ICMA	Retirement 401%	22.20
			Retirement 401	221.99
		HSA BANK	HSA Family/Dep. Contributi	<u>105.00</u>
			TOTAL:	618.63

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
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===== FUND TOTALS =====

10	General Fund	65,048.20
20	Transportation	5,396.73
30	Water Fund	8,166.63
35	Sewer Fund	7,937.03
40	Ambulance Fund	4,975.42
45	Lee C. Fine Airport Fund	2,838.16
47	Grand Glaize Airport Fund	1,215.89

GRAND TOTAL:		95,578.06
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TOTAL PAGES: 7

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
City Administrator	General Fund	AMAZON CAPITAL SERVICES INC	OFFICE CHAIR- M. WELTY	<u>189.77</u>
			TOTAL:	189.77
City Clerk	General Fund	LAKE SUN LEADER 81525 & 1586450	INV TO BID- ATTORNEY	123.55
		STAPLES BUSINESS ADVANTAGE	STICKY NOTES	11.80
		VITAL RECORDS CONTROL	CDR/DVD ARCHIVE RETENTION	<u>88.00</u>
			TOTAL:	223.35
City Treasurer	General Fund	MAPERS	2023 MAPERS DUES- K. BELL	100.00
		STAPLES BUSINESS ADVANTAGE	CALENDAR, STAPLES, PENCILS	16.24
			PACKING TAPE	<u>9.11</u>
			TOTAL:	125.35
Municipal Court	General Fund	STAPLES BUSINESS ADVANTAGE	TONER	<u>110.21</u>
			TOTAL:	110.21
City Attorney	General Fund	THOMSON REUTERS - WEST	WEST INFO CHARGES 12/2022	<u>392.76</u>
			TOTAL:	392.76
Building Inspection	General Fund	CINTAS CORPORATION	BLDG DEPT UNIFORM RENTAL	1.36
			BLDG DEPT UNIFORM RENTAL	1.36
			BLDG DEPT UNIFORM RENTAL	1.36
		STAPLES BUSINESS ADVANTAGE	WIRELESS MOUSE- L. DUNHAM	33.75
		AMAZON CAPITAL SERVICES INC	OFFICE CHAIR- J. JOHNS	<u>308.99</u>
			TOTAL:	346.82
Building Maintenance	General Fund	CINTAS CORPORATION	BLDG DEPT UNIFORM RENTAL	4.46
			CH FLOOR MATS	78.88
			BLDG DEPT UNIFORM RENTAL	4.46
			BLDG DEPT UNIFORM RENTAL	4.46
			CH FLOOR MATS	118.32
		STAPLES BUSINESS ADVANTAGE	BATHROOM TOWELS & TRASH BA	111.82
			TOILET PAPER, CUPS, SPOONS	225.74
			BATHROOM TOWELS	67.96
			PAPER PLATES	34.32
			ANTIBACTERIAL HAND WASH	18.47
			FORKS	22.88
		AMERICAN TESTING & INSPECTION SERVICES	ANNUAL ELEVATOR INSPECTION	192.50
		REINHOLD ELECTRIC INC	REPAIR SVC CONDUIT-CH SIGN	5,510.85
		AMAZON CAPITAL SERVICES INC	CREAMER	36.78
			COFFEE	37.12
		CLIFFORD POWER SYSTEMS	GENERATOR EMERGENCY REPAIR	2,648.66
		GEO SERVICES LLC	HVAC SYSTEM MAINTENANCE	600.52
		REEVES-WIEDEMAN COMPANY	KITCHEN FAUCETS	110.00
			KITCHEN FAUCET & CONNECTOR	35.16
			AUGER & VALVE	45.64
			FAUCET CONNECTORS	13.90
			RETURN FAUCET CONNECTORS	12.58-
		LINDYSPRING LAKE OF THE OZARKS	5-GAL BOTTLED WATER	7.29
			5-GAL BOTTLED WATER	7.29
			5-GAL BOTTLED WATER	7.29
			5-GAL BOTTLED WATER	7.29
			JAN WATER COOLER RENTAL	28.00
		NICK'S TRUE VALUE HARDWARE	VELCRO TAPE	<u>5.49</u>
			TOTAL:	9,972.97

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
Parks	General Fund	CROWN POWER & EQUIPMENT	PIPE AND JOINT- PARKS	784.49
		MAGRUDER LIMESTONE CO INC	GRAVEL- PARKS	654.61
		CINTAS CORPORATION	PARKS DEPT UNIFORM RENTAL	3.60
			PARKS DEPT UNIFORM RENTAL	8.80
			PARKS DEPT UNIFORM RENTAL	3.60
		COCHRAN ENGINEERING	OSAGE BEACH PRK MSTR PLAN	<u>12,125.00</u>
			TOTAL:	13,580.10
Human Resources	General Fund	LAKE REGIONAL OCCUPATIONAL MEDICINE	RANDOM DRUG TESTING	<u>125.00</u>
			TOTAL:	125.00
Overhead	General Fund	TYLER TECHNOLOGIES INC	OVREHEAD INSITE TRNSACTN FE	252.50
		PITNEY BOWES INC	SEAL- POSTAGE MACHINE	74.69
		MIDWEST PUBLIC RISK	DEDUCTIBLE CLAIM #MPR18118	1,000.00
			DEDUCTIBLE CLAIM #MPR20087	1,000.00
		STAPLES BUSINESS ADVANTAGE	COPY PAPER	464.98
		HOOD & ASSOCIATES CPAS PC	2022 AUDIT BILLING	<u>3,300.00</u>
			TOTAL:	6,092.17
Police	General Fund	MARKS MOBILE GLASS INC	WINDSHIELD REPAIR- PD 29	361.09
		MCCLAIN RADAR SERVICE LLC	RADAR & LIDAR CERTIFICATIO	910.00
		MO POLICE CHIEFS ASSC	CHIEFS SUMMER CON- DAVIS	350.00
			CHIEFS SUMMER CON- TAYLOR	350.00
			CHIEFS SUMMER CON- O'DAY	350.00
		LEON UNIFORM CO INC	FLASHLIGHT BATTERIES	113.00
			FLASHLIGHT BATTERIES	59.00
		MO MUNICIPAL LEAGUE	MML WEBINAR- T. DAVIS	10.00
		LAKE OF THE OZARKS MAJOR CASE SQUAD	2023 MAJOR CASE SQUAD DUES	200.00
		STAPLES BUSINESS ADVANTAGE	MEMO PADS & PAPER	<u>83.50</u>
			TOTAL:	2,786.59
911 Center	General Fund	MO STATE HWY PATROL INFO & COMM TECH D	MULES CHARGES JAN-MARCH 20	<u>210.00</u>
			TOTAL:	210.00
Engineering	General Fund	LAKE SUN LEADER 81525 & 1586450	INV TO BID- ENGINEERING	125.30
		COCHRAN ENGINEERING	ENG GENERAL CONSULT 12/202	4,641.25
			WATER MAIN LOOPING ENG 12/	848.75
			TAN TAR A L/S ENG 12/2022	2,995.00
			SIDEWALK/DRIVEWAY ENG 12/2	131.25
			CITY PARK IRRIG ENG 12/202	367.50
			ROAD PAVING MAINT 12/2022	3,120.00
			PRECISION PAINT WORK 12/20	315.00
			GENERAL INSPECTIONS 12/202	1,320.00
			ENGINEERING 12/2022	2,571.25
			OB COMMONS ENG 12/2022	<u>52.50</u>
			TOTAL:	16,487.80
Information Technology	General Fund	TYLER TECHNOLOGIES INC	INCODE ICD MIGRATION	2,145.00
			INCODE ICD MIGRATION	<u>1,170.00</u>
			TOTAL:	3,315.00
Economic Development	General Fund	DAM STEEL SUPPLY	PARTS- HOLIDAY LIGHTS	180.00
		GILMORE & BELL PC	SVC-PRESERVE @ SYCAMORE CR	<u>15,000.00</u>
			TOTAL:	15,180.00
Transportation	Transportation	FASTENAL CO	BOLTS & NUTS- SNOW PLOWS	155.30

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
		KNAPHEIDE TRUCK INC	BLADE GUIDE & FLAG- SNOW P	195.00
			HEADLIGHT- TRK 63	465.00
			CABLE ASSEMBLY- TRK 59	45.19
			BOLT & BLADE GUIDES-SNOW P	633.00
		O'REILLY AUTOMOTIVE STORES INC	PIPE WRAP KIT- TRK 59	25.99
			OIL FILTER WRENCHES	26.98
			WIPER BLADES- VAN	35.97
			PIPE WRAP KIT- TRK 59	25.99
			BREAKER BAR & OIL ABSORBEN	119.92
			LOCKING PLIERS	19.99
			RETURN OIL FILTER- TRACTOR	3.69-
			BRAKE ROTORS & DIESEL ANTI	2,431.94
			VACUUM CONNCTR & TUBE-TRAC	15.81
			BACKUP ALARM- TRK 63	73.24
			TIE ROD END- VAN	54.48
		LAKE SUN LEADER 81525 & 1586450	INV TO BID-DRAINAGE IMPROV	98.35
			INV TO BID- PAVEMENT OVERL	103.60
			INV TO BID- PAVEMENT SEALI	103.60
		CROWN POWER & EQUIPMENT	BLWR, CHAINSAW, 2 TREE TRIMM	2,449.96
			3 STIHL SAWS	1,139.97
			GAS STRUT- BACKHOE	63.25
			CASE & PIPE- EXCAVATOR	1,416.49
			RETURN CASE & PIPE- EXCAVA	1,375.22-
			FILTERS- SKID STEER 95	138.80
			RETURN FILTERS- KUBOTA 95	49.06-
		DAM STEEL SUPPLY	FLAT BAR- TRK 63	143.00
		DULLE OVERHEAD DOORS INC	SVC CALL- SHOP DOOR	135.00
		OLD DOMINION BRUSH INC	RADIATOR- BIG LEAF VAC	1,036.89
		CINTAS CORPORATION	TRANSPO DEPT UNIFORM RENTA	1.10
			TRANSPO DEPT UNIFORM RENTA	1.10
			TRANS DEPT UNIFORMS	165.40
			TRANS DEPT FLOOR MATS	10.33
			TRANSPO DEPT UNIFORM RENTA	1.10
			TRANS DEPT UNIFORMS	165.40
			TRANS DEPT FLOOR MATS	10.33
		MEYER ELECTRIC CO INC	SIGNAL REPAIR-VARIOUS PLAC	9,836.00
			DETECTION REPAIR- DIERBERG	1,373.93
		AMAZON CAPITAL SERVICES INC	GLOVES	11.86
			COFFEE, TRSH BAGS, TOILET PA	133.96
			PAPER TOWELS	12.16
		COCHRAN ENGINEERING	INDUSTRIAL DR PRJCT SUPP #	7,229.00
		NICK'S TRUE VALUE HARDWARE	SCREWS- LICENSE PLATE LEAF	22.00
			SCREWS- LICENSE PLATES	11.20
		CUSHMAN DIESEL & EQUIPMENT	DOT INSPECTION- TRK 66	242.48
		HUTCHINSON SALT CO, INC	ROAD SALT	1,955.83
			ROAD SALT	2,015.55
			TOTAL:	32,923.47
Water	Water Fund	TYLER TECHNOLOGIES INC	WATER INSITE TRANSACTION F	1,605.00
		LAKE SUN LEADER 81525 & 1586450	RFP- SOFTWARE	67.55
		AMERICAN PUBLIC WORKS ASSOC	APWA MEMB 4/2023-3/2024	191.00
		DETROIT INDUSTRIAL TOOL	MACHITA BLADE	254.33
		CINTAS CORPORATION	WATER DEPT UNIFORM RENTAL	1.10
			WATER DEPT UNIFORM RENTAL	1.25
			WATER DEPT UNIFORMS	129.82
			WATER DEPT FLOOR MATS	10.32

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
			WATER DEPT UNIFORM RENTAL	1.10
			WATER DEPT UNIFORMS	129.82
			WATER DEPT FLOOR MATS	10.32
		AMAZON CAPITAL SERVICES INC	GLOVES	11.85
			COFFEE,TRSH BAGS,TOILET PA	133.95
			PAPER TOWELS	12.16
		GFI DIGITAL	UB PRNTR MAINT 1/11-2/10/2	9.38
		SPRINGFIELD WINWATER WORKS COMPANY	FINANCE CHARGE	<u>134.13</u>
			TOTAL:	2,703.08
Sewer	Sewer Fund	USABBLUEBOOK	PARTS- MANHOLE REPAIR	715.95
		MUNICIPAL EQUIPMENT CO	REPLACEMENT PUMPS- KK114	100,720.64
			REPLACEMENT PUMPS- HERON B	32,318.54
		TYLER TECHNOLOGIES INC	SEWER INSITE TRANSACTION F	1,605.00
		CONSOLIDATED ELECTRICAL DISTR, INC	ELECTRICAL TAPE	35.80
		LAKE OZARK-OSAGE BEACH JOINT SEWER PLA	DEC MONTHLY FLOWS	41,117.33
		BOWLING ELECTRIC MACHINE	TITAN CONTACTOR- INVENTORY	342.00
			CAPACITORS- INVENTORY	575.00
			CONTACTORS	396.00
		AMERICAN PUBLIC WORKS ASSOC	APWA MEMB 4/2023-3/2024	382.00
		CORE & MAIN LP	PARTS FOR REPAIR- SUNSET D	801.54
			PARTS FOR REPAIR- CASE RD	245.06
			COUPLINGS- CASE RD	275.62
		CINTAS CORPORATION	SEWER DEPT UNIFORM RENTAL	1.25
			SEWER DEPT UNIFORM RENTAL	1.10
			SEWER DEPT UNIFORMS	228.81
			SEWER DEPT FLOOR MATS	10.33
			SEWER DEPT UNIFORM RENTAL	1.25
			SEWER DEPT UNIFORMS	228.81
			SEWER DEPT FLOOR MATS	10.33
		AMAZON CAPITAL SERVICES INC	SCRWDRVRS,CLAMP MTR,CUTTER	2,857.76
			GLOVES	11.85
			COFFEE,TRSH BAGS,TOILET PA	133.96
			BTRY BCKUP,KEYBOARD,KEY B	246.27
			PAPER TOWELS	12.17
		REEVES-WIEDEMAN COMPANY	PVC- GREENWOOD CIRCLE	38.90
			PVC- BLUFF DR SWR CAN #62	14.03
			PVC COUPLING & FITTING	31.00
			PVC- SWR CAN 661A/CAN 469	57.53
			PVC PIPE- ELBOW CAY	38.90
			BLADES	132.16
			CHECK VALVES- INVENTORY	295.14
		AESTHETIX ELECTRIC	SVC CALL- PASSOVER L/S	775.00
			SVC CALL- MARGARITAVILLE L	250.00
			SVC CALL- NICHOLS RD L/S	250.00
			SVC CALL- NICHOLS RD L/S	250.00
		GFI DIGITAL	UB PRNTR MAINT 1/11-2/10/2	9.37
		NICK'S TRUE VALUE HARDWARE	LIGHT BULB- SPRING ST	<u>4.29</u>
			TOTAL:	185,420.69
Ambulance	Ambulance Fund	O'REILLY AUTOMOTIVE STORES INC	CAR WSH CLNR & BUG REMOVER	21.48
			TIRE SHINE & CAR WASH CLNR	<u>34.96</u>
			TOTAL:	56.44
Lee C. Fine Airport	Lee C. Fine Airpor	NAEGLER OIL CO	LCF EQUIP CHR & SATELLITE	46.00
		CINTAS CORPORATION	LCF UNIFORM RENTAL	8.99

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
			LCF UNIFORM RENTAL	8.99
			LCF UNIFORM RENTAL	8.99
		S & W PROPANE INC	449 GAL PROPANE	1,257.48
			425 GAL PROPANE	<u>1,190.28</u>
			TOTAL:	2,520.73
Grand Glaize Airport	Grand Glaize Airpo	NAEGLER OIL CO	GG EQUIP CHRG & SATELLITE	46.00
		CINTAS CORPORATION	GG UNIFORM RENTAL	3.97
			GG UNIFORM RENTAL	3.97
			GG UNIFORM RENTAL	3.97
		O'REILLY AUTOMOTIVE STORES INC	WIPER BLADE	<u>12.79</u>
			TOTAL:	70.70

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

10	General Fund	69,137.89
20	Transportation	32,923.47
30	Water Fund	2,703.08
35	Sewer Fund	185,420.69
40	Ambulance Fund	56.44
45	Lee C. Fine Airport Fund	2,520.73
47	Grand Glaize Airport Fund	70.70

 GRAND TOTAL: 292,833.00

TOTAL PAGES: 5

City of Osage Beach
Agenda Item Summary

Date of Meeting: February 2, 2023
Originator: Edward Rucker, City Attorney
Presenter: Edward Rucker, City Attorney

Agenda Item:

Bill 23-02 - An ordinance of the City of Osage Beach, Missouri, adopting new Sections 110.300 et seq. providing for Rules of Procedure for conduct of business in meetings of the Board of Aldermen and repealing Resolution 03-16-06-001 that previously set out such rules and renaming and renumbering Article IV Community Event Support. *Second Reading*

Requested Action:

Second Reading of Bill #23-02

Ordinance Referenced for Action:

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

Deadline for Action:

None

Budgeted Item:

Not Applicable

Budget Line Information (if applicable):

Not Applicable

Department Comments and Recommendation:

Recommend Adoption

City Attorney Comments:

Per City Code 110.230, Bill 23-02 is in correct form.

City Administrator Comments:

The first reading was read and approved on January 19, 2023. I concur with the department's recommendation.

AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, ADOPTING NEW SECTIONS 110.300 ET SEQ. PROVIDING FOR RULES OF PROCEDURE FOR CONDUCT OF THE BUSINESS IN MEETINGS OF THE BOARD OF ALDERMEN AND REPEALING RESOLUTION 03-16-06-001 THAT PREVIOUSLY SET OUT SUCH RULES AND RENAMING AND RENUMBERING ARTICLE IV COMMUNITY EVENT SUPPORT

WHEREAS, The Board of Aldermen is desirous of adopting rules for the proceeding of the Board and simplifying the procedures for the conduct of the Board's meeting including consideration of ordinances, resolutions, motions, and all other public business that comes before the Board and,

WHEREAS, the Board of Aldermen hereby finds Resolution 03-16-06-001 is in need of updating and the use and presence of electronic media making remote participation a reality mandates the creation of a clear set of rules for such participation and,

WHEREAS, the Board of Aldermen conclude that clear rules of proceeding will reduce the possibility of confusion and aid the public and staff in following and understanding the Board's work on behalf of the City and its residents:

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

Section 1. That Resolution 03-16-06-001 previously adopted on March 16, 2006 for the purpose of setting out rules of procedure for the conduct of the business and meeting of the Board of Aldermen be and is hereby repealed. Section 110.220 is hereby repealed.

Section 2. That existing ARTICLE IV. MISCELLANEOUS REGULATIONS containing Section 110.300. Expenditures From Community Promotions — Community Event Support Budget Item contained within Chapter 110 of the Code of Ordinances be and is hereby renamed and renumbered as ARTICLE V COMMUNITY EVENTS and existing Section 110.300 is hereby renumbered as Section 110.400 Expenditures From Community Promotions-Community Event Support Budget Item.

Section 3. A new ARTICLE IV MEETINGS OF THE BOARD OF ALDERMEN containing new Sections 110.300 et seq is hereby enacted as follows:

Section 110.300 Procedures for the Conduct of Business - Purpose.

These rules are intended to provide a clear set of procedures for the governance of business of the Board of Aldermen and any subcommittees of the Board of Aldermen and all other committees established by the City. These rules replace provisions of Roberts Rules of Order, except that Roberts Rules may, in the discretion of the Chair of the

meeting, be used to inform the decision of the presiding officer if these rules do not address a procedural question. Only procedural motions set out below within these rules shall be entertained. Any procedural motions contained in Robert's Rules of Order but not created within these rules shall be ruled out of order. The intent of these rules and the decisions of the Chair shall be guided by the following principles:

1. The Board of Aldermen must act as a body.
2. The Board of Aldermen should proceed in the most efficient manner possible.
3. The Board of Aldermen must act by at least a majority of the members of the body.
4. Every member must have an equal opportunity to participate in decision making.
5. These rules of procedure must be followed consistently.
6. The Board retains the right to act with unanimous consent on any matter provided such action is permitted by and consistent with the laws of the State of Missouri.

Section 110.310. - Time of Board of Aldermen meeting and calling of special meetings.

The Board of Aldermen shall meet in regular session in the Board room of the City Hall at the hour of 6:00 P.M. on the first and third Thursdays of each month. When any such meeting day is a holiday, the regular meeting shall be held at such time as may be provided by the Board. The Board may, by motion, dispense with any regular meeting, but at least one (1) meeting, regular or special, must be held in each calendar month. A videoconference meeting or any meeting in which some or all members participate through videoconference as permitted by Section 110.125, shall count as a regular public meeting. The Mayor, upon the Mayor's own motion, may, or at the request of two (2) members of the Board of Aldermen shall, call a special meeting of the Board of Aldermen.

Section 110.320 - Quorum.

At least four (4) of the members of the Board of Aldermen shall constitute a quorum for its business, but a smaller number may meet to compel the attendance of absent members in the manner and subject to the penalties prescribed by ordinance, and the names of the absentees shall be noted by the City Clerk upon the journal.

Section 110.330 - Presiding officer.

The Mayor shall be Presiding Officer of the Board of Aldermen. During any absence or disability of the Mayor, the President of the Board of Aldermen shall assume the powers and duties of the Mayor. If neither the Mayor nor the President of the Board of Aldermen shall be in attendance at any meeting of the Board of Aldermen, the Board of Aldermen members present, a quorum being found, shall elect from among their number a presiding

officer until the conclusion of that meeting or until the Mayor or the President of the Board of Aldermen shall be present.

Section 110.340 - Order of business.

A. The order of business in a regular Board of Aldermen meeting shall be contained in the official agenda published in accordance with the Missouri Sunshine Law. Such agenda items included herein below shall be included in the agenda and shall be in the following order unless amended by the Mayor as provided by Subsection B herein below:

1. Call to order by the Mayor.
2. Pledge of Allegiance
3. Roll Call
4. Mayor's opening remarks
5. Public comments. Each speaker shall be limited to three (3) minutes unless the presiding officer shall extend the time which in any event shall not be extended more than twice.
6. Approval of consent agenda. Items on the consent agenda are routine business matters; or, proposed ordinances approved unanimously by the Board of Aldermen on First Reading. Consent agenda items shall be removed upon the request of any Aldermen prior to approval of the agenda for discussion as part of the regular agenda. A consent agenda item shall be removed from the consent agenda after approval of the agenda upon the consent of the Board of Aldermen.
7. Old Business Ordinances on the agenda for second reading or items held over from a prior meeting
8. New Business Proposed ordinances for approval and are presented to the Board of Aldermen for two (2) readings and adoption.
9. Staff comments.
10. Board of Aldermen comments.
11. Mayor's concluding comments.
12. Adjournment. Unless determined otherwise by the Mayor and Board of Aldermen, no new agenda items shall be considered after 11:00 p.m.

B. The order of business described above may be changed by the Mayor at any time prior to the approval of the agenda by the Board of Aldermen if, in the Mayor's discretion, he or she believes that such a change would allow for a smoother transaction of business.

Section 110.350. - Public Comments

During public comments section of the meeting, the public may address Board of Aldermen on any matter listed in the Board of Aldermen agenda for the meeting or directly related to the operations of the City of Osage Beach, except for those matters that are the subject of a public hearing requiring that testimony be sworn. Any person

requesting time to speak to the Board of Aldermen during the public comments portion of the meeting must sign in giving the speaker's name and address. Remarks must be confined to the items on the agenda or the general subject of the operations of the City of Osage Beach. The person will be given no more than three (3) minutes to speak. Should the speaker yield to a question from an Aldermen, the time yielded shall not be included in the three (3) minutes. Members of the public will be ruled out of order if their comments stray from the agenda item(s) or general subject related to the operations of the City of Osage Beach. During public comments Aldermen may address a speaker on the speaker's issue, unless such matter is the subject of current litigation involving the City.

Section 110.360 - Board of Aldermen comments.

The Board of Aldermen comments section of the agenda is reserved for discussions among the Board of Aldermen. Any member of Board of Aldermen may use this time to comment on items on the agenda or the general subject of the operations of the City of Osage Beach. At the discretion of the presiding officer, directions to staff, including requests for legal opinions, may result from these discussions.

Section 110.370 - Staff comments.

The staff comments are reserved for items of general interest, community announcements and other such information. Staff may ask for clarification or direction from the Board of Aldermen related to items on the agenda or for items of an emergency nature for which insufficient time exist for adding to the agenda. During staff comments staff may address a public comment, unless such matter is the subject of current litigation involving the City.

Section 110.370 - Rules of order.

The following rules of order shall be used to govern the transaction of business for the Board of Aldermen and any Committee created by the board or Aldermen of the city code:

Rule 1. *Action by the Board of Aldermen.* The Board of Aldermen shall proceed by motion unless otherwise provided for herein. Any member of the Board of Aldermen may make a motion except the Mayor. The President of the Board of Aldermen when presiding may, however, make a motion. A substantive motion is a motion to adopt an ordinance or resolution, a motion to approve an expenditure previously authorized by the ordinance adopting the annual budget. A procedural motion is a motion concerning the business of the board or any other motion not defined as a substantive motion.

Rule 2. *Second required.* A second to any motion shall be required to allow consideration and debate on any procedural or substantive motion.

Rule 3. *Positive Motions.* All motions shall be offered in a positive manner such as a "Motion to approve, or Motion to Adopt." Negative motions, motions to not

do an act or disapprove shall be out of order as applied to bills, ordinances, or resolutions on the agenda. As to any item properly noticed on the agenda the Board may make a motion to express its disapproval of an idea or a concept, but such motion shall have no force of effect upon any substantive bill, ordinance or resolution.

Rule 4. *One (1) motion at a time.* An Aldermen may make only one (1) motion at a time.

Rule 5. *Substantive motion.* A substantive motion is out of order while another substantive motion is pending.

Rule 6. *Adoption by a majority vote.* Any substantive motion to adopt any ordinance or resolution may be adopted only by a majority of the entire Board of Aldermen including the Mayor, unless a greater number of votes are required by these Rules, or the Charter or State law provisions. Thus a substantive motion must pass by at least four out of the six currently authorized members of the Board or in the case of a three to three tie vote, the mayor's voting in the affirmative. Any procedural motion may be adopted by a majority of the Board of Aldermen present and voting.

Rule 7. *Voting.* All votes taken during any Board of Aldermen meeting or Board of Aldermen Committee meeting shall be cast by members of the Board of Aldermen physically present and in attendance at the meeting or by a member attending electronically as such voting may be permitted by Section 110.125 of this Code. Voting shall be either by voice vote or roll call vote and the ayes and nays shall be recorded in the journal. In all roll call votes the names of the members of the Board of Aldermen shall be called randomly. A majority of the members of the Board of Aldermen shall constitute a quorum for its business, but a smaller number may meet to compel the attendance of absent members in the manner and subject to the penalties prescribed by ordinance. Except as otherwise provided in this Charter, the affirmative vote of a majority of the entire Board of Aldermen shall be necessary to adopt any ordinance. Any ordinance to amend the Code of Ordinances which is defeated shall not be reintroduced within the next six months.

Rule 8. *Debate.* The Chair shall state the motion and then open the floor to debate. The Chair shall preside over the debate according to the following general principles:

The maker of the motion is entitled to speak first.

A member who has not spoken on the issue shall be recognized before someone who has already spoken.

Rule 9. *Ratification of Actions.* To the extent permitted by law, the Board of Aldermen may ratify actions taken on its behalf but without its prior approval. A motion to ratify is a substantive motion.

Rule 910 *Procedural motions.*

(a) *Only Certain motions allowed.* In addition to substantive proposals, only the following procedural motions, and no others, are in order. Unless otherwise noted, each motion is debatable, may be amended, and requires a majority of the votes cast, a quorum being present, for adoption. Procedural motions are in order while a substantive motion is pending and at other times, except as otherwise noted.

(b) *Order of priority of motions.* In order of priority (if applicable), the procedural motions are:

Motion 1. *To adjourn.* This motion may be made only at the conclusion of action on a pending substantive matter; it may not interrupt deliberation of a pending matter. A motion to adjourn to a time and place certain shall state the time and place when the meeting shall reconvene provided that such time and location comply with the requirements of R.S.Mo.. Ch. 610. If a motion to adjourn is made without reference to a time and place certain, the Board of Aldermen shall reconvene at such time and place as stated in the previously approved meeting schedule.

Motion 2. *To take a brief recess.* This motion may be made to allow a short recess of the Board of Aldermen. In no event shall a motion to recess provide for a recess longer than thirty (30) minutes. The Mayor may call for a brief recess following completion of an agenda item but for no longer than fifteen (15) minutes unless a specific reason for a longer recess is stated.

Motion 3. *To suspend the rules.* The Board of Aldermen may suspend any procedural rule not required by statute, the City Charter or any other law upon motion and the affirmative vote of a two-thirds ($\frac{2}{3}$) majority of the entire Board of Aldermen. This motion is debatable but may not be amended.

Motion 4. *To postpone (to postpone to a date certain).* The Board of Aldermen may defer a substantive motion or item of business for later consideration at a specified date. Any such motion shall state the specific date where the item will be considered. The item will then return to the agenda on the specified date without further action by the Board of Aldermen. If a motion to postpone does not contain a specific date for the return of the item to the agenda the City Clerk shall place the item as Old Business upon the next agenda.

Motion 5. *To amend.*

- (a) An amendment to a motion must be pertinent to the subject matter of the main motion. An amendment is improper if adoption of the motion with that amendment added would have the same effect as rejection of the original main motion. A proposal to substitute completely different wording for a motion or an amendment shall be treated as a motion to amend.
- (b) Only one motion to amend may be considered at a time. A motion to amend must be adopted or rejected before a subsequent motion to amend will be considered.
- (c) Any amendment to a proposed ordinance or resolution shall be reduced to writing by the City Clerk and read back to the Board before the vote on the amendment.
- (d) No motion or proposition on a subject different from that under consideration shall be allowed or permitted as a proposed amendment.

Motion 6. *To end debate.* The motion, upon approval, shall cause the immediate end of debate on the item. The motion is debatable but may not be amended. The motion is not in order until there have been at least twenty (20) minutes of debate and every member has had an opportunity to speak once. No such motion shall be effective unless it shall receive a second and the affirmative vote of two-thirds ($\frac{2}{3}$) of the entire Board of Aldermen including the Mayor.

Motion 7. *To reconsider.* The Board of Aldermen may vote to reconsider its action on a matter. The motion to do so must be made by a member who voted with the prevailing side. In the event of a tie, those voting "no" shall be considered on the prevailing side. Motions to reconsider actions taken by the Board of Aldermen may be made at the same regular or special session meeting of the Board of Aldermen where the vote being moved to be reconsidered was taken; or, at the next regular or special session meeting of the Board of Aldermen after the meeting where the vote being moved to be reconsidered was taken. The motion cannot interrupt deliberation on a pending matter but is in order at any time before final adjournment of the meeting. Upon approval, any such motion shall cause the item to be placed on the agenda as old business at the next regular meeting of the Board of Aldermen.

Motion 8. *To direct the City Administrator or other appointed Official.* Any Aldermen may make a motion to direct the City Administrator or other appointed official to take such action as the Board of Aldermen deems proper and necessary for the efficient governance of the City provided such direction is otherwise consistent with the Charter of the

City. The motion requires the affirmative vote of a majority of the entire Board of Aldermen to be adopted.

Motion 9. *To go into closed session.* The Board of Aldermen may go into closed session only for one (1) or more of the permissible purposes listed in R.S.Mo.. Ch. 610 or as otherwise provided by law. The Board of Aldermen shall commence a closed session only after a motion to go into closed session has been made and adopted by the roll call vote of a majority of those present and voting during an open meeting. The motion shall state the purpose of the closed session. The Board of Aldermen shall terminate the closed session by a majority roll call vote, using a motion to adjourn or upon the finding of the Chair that there is unanimous consent of the Board the meeting is adjourned and shall be recorded in the minutes as so agreeing.

Rule 10. *Withdrawal of motion or second.* Any motion or second may be withdrawn by the maker without the consent of the other at any time before it is amended or before the chair puts the motion to a vote, whichever occurs first.

Rule 11. *Duty to vote.* Each Aldermen shall vote upon every question. A member may abstain from voting only after disclosure, to be recorded in the minutes, of the actual or potential conflict of interest. In all cases, an abstention shall be treated as a vote that is not cast for or against the motion and shall not be counted for the purpose of determining the result of the vote.

Rule 12. *Special rules of procedure.* The Board of Aldermen may adopt special rules of procedure for matters constituting special circumstances. Any such rule shall be adopted only upon the affirmative vote of two-thirds ($\frac{2}{3}$) of the members of the entire Board of Aldermen including the Mayor.

Section 4. 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 5. 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 6. That this Ordinance shall be in full force and effect from and after the date of passage and approval of the Mayor.

READ FIRST TIME: January 19, 2023 READ SECOND TIME: _____

I hereby certify that Ordinance No. 23.02 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. 23.02.

Michael Harmison, Mayor

Date

Tara Berreth, City Clerk

City of Osage Beach
Agenda Item Summary

Date of Meeting: February 2, 2023
Originator: Cary Patterson, City Planner
Presenter: Cary Patterson, City Planner

Agenda Item:
Public Hearing - Rezoning Case 420 Rusina Hoffman.

Requested Action:
Public Hearing for Rezoning Case 420

Ordinance Referenced for Action:
The 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:
This is the Public Hearing For Rezoning Case 420, a request by Rusina Hoffman to rezone a parcel of land, located in the Corporate City Limits of Osage Beach, from C-1 (General Commercial) to I-1 (Light Industry).

City Attorney Comments:
Not Applicable

City Administrator Comments:
I concur with the department's recommendation.

City of Osage Beach
Agenda Item Summary

Date of Meeting: February 2, 2023
Originator: Cary Patterson, City Planner
Presenter: Cary Patterson, City Planner

Agenda Item:

Bill 23-03 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. 420. *First Reading*

Requested Action:

First Reading of Bill #23-03

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 January 10, 2023 and have forwarded it to the Board with a unanimous recommendation for approval.

City Attorney Comments:

Per City Code 110.230, Bill 23-03 is in correct form.

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 .83 ACRES AS DESCRIBED IN REZONING CASE NO. 420.

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 .83 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. 420.

See Exhibit A: Property Boundary Description.

Section 2. That the development as described herein and referred to as Case 420 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. 23.03 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 23.03.

Michael Harmison, Mayor

Date

ATTEST:

Tara Berreth, City Clerk

EXHIBIT A

LOT 1 "HOFFMAN SUBDIVISION"

**PLANNING DEPARTMENT REPORT
TO THE
PLANNING COMMISSION**

Date:	January 10, 2023	Case Number:	420
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Applicant: Rusina Hoffman

Location: 987 Village Lane

Petition: Rezoning from C-1 (General Commercial) to I-1 (Light Industry)

Existing Use: Commercial Property

Existing Zoning: C-1 (General Commercial)

Tract Size: 36,004.58 Sq. Ft.

	<u>Surrounding Zoning:</u>	<u>Surrounding Land Use:</u>
<u>North:</u>	C-1 General Commercial	Bar/ Tavern
<u>South:</u>	C-1 General Commercial	Vacant Commercial Property
<u>East:</u>	C-1 General Commercial	Commercial Multi Use
<u>West:</u>	C-1 General Commercial	Auto Sales

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

<u>Rezoning History</u>	<u>Date</u>
--------------------------------	--------------------

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 from Osage Beach Parkway via ingress/egress easement known as Village Lane.

Analysis:

1. The applicant is the owner of the .83-acre parcel in question. The entire parcel is zoned C-1 as it was zoned with the initial zoning of the community in the 1980's.
2. The property is second tier from Osage Beach Parkway within the area between Highway KK and Nichols Road. The corridor contains a mixture of commercial and Industrial uses ranging from retail to the Airport and Hospital.
3. Currently the subject property has one existing structure that serves as the grandfathered, long-time, residence of the applicant. The subject property was once the home of a tow yard that was owned and operated by the owner/applicant and her late husband Don Hoffman.
4. The applicant and family intend to use the exiting tow yard and enclosure for a secure boat storage facility. This intended use requires the property be rezoned to I-1 (Light Industry).
5. The Zoning Code addresses uses of this type as appropriate for the I-1 (Light Industrial) zone. The reasoning is that uses of this kind can be both large scale and impact properties differently than other retail or rental uses. Storage of large boats and use of tractors or tow equipment to move them by nature is not suitable to require hard surfacing for parking and drive areas because of the damage that is imposed when moving it. In these cases, it is more practical to allow gravel surfacing for the storage areas while still requiring hard surfacing for customer and employee parking areas, including those with accessibility needs.

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 properties that are already zoned I-1 (Light Industry) as can be seen on the enclosed "Surrounding Zoning" map, along with a number of activities that are compatible with the uses allowed within the I-1 zone, such as, the storage facilities, airport, and other boat service and storage facilities. 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, laundry mats etc. This particular property was the location of a tow yard for much of its time being

used within the community. While the use as a tow yard was established prior to the Zoning Code being adopted by the City, if it were to be reestablished today, the subject property would need to be rezoned to I-1 (light Industry) as is being requested currently. 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: 12/15/22
Case #: 420
Jan. 10, 2023

REZONING/SPECIAL USE PERMIT APPLICATION

1. Name of property owner: Rusina Hoffman Phone: 573.348.5489

Address: 987 Village Lane 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:

See attached list

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

Address: 987 Village Lane City: Osage Beach State MO Zip: 65065

3. All correspondence relative to this application should be directed to whom? Justin Hoffman

Address: City: State Zip:

4. General location of property to be rezoned or for which special use permit is sought (include street numbers for existing structures):

Address: 987 Village Lane City: Osage Beach State MO Zip: 65065

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

Explain all uses: Boat and trailer storage within existing enclosure

6. Area of property in square feet or acres: 34,004.58 Sq Ft

7. Current zoning classification: C-1 (General Commercial)

8. Sources of utilities: Water: city Gas:

Sewer: city Electric:

9. Proposed zoning classification: I-1 (Light Commercial)

10. How long have you owned this property? 1985 to present

11. Current use of property (describe all improvements): Not in use

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

South: YMCA East: Strip Mall West: Car Dealership

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?

Subject property is adjacent to the south Lot 2 and is 8.03 acres. we are unsure of it's future use possibilities

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.

There will be more car traffic on the easement from Osage Beach PKWY to subject property

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

There are no foreseeable issues

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):

Best use of existing structure and property with the second tier location from the Osage Beach PKWY corridor

Notary Information

State of Missouri }

ss

County of Camden }

I, RUSINA HOFFMAN, 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.

Rusina Hoffman
Signature Owner/Applicant:

Date:

12-14-2022

Subscribed and sworn to before me on this

14th

day of

DECEMBER

, 20

22

Notary Public:

Pamela S Campbell

My Commission Expires:

3-11-2024

PAMELA S CAMPBELL
Notary Public - Notary Seal
STATE OF MISSOURI
Comm. Number 20562455
Camden County
My Commission Expires: Mar. 11, 2024

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

TO: City of Osage Beach, Planning Commission

FROM: Justin Hoffman

DATE: 14 December 2022

RE: Rezoning of subject property

Planning Commission:

Hello. My name is Justin Hoffman. I grew up here in Osage Beach, going to Osage Beach Elementary and graduating from Camdenton High School. My family purchased the subject property discussed in this proposal in 1985. My mother and father created and operated a towing and storage business called Village Towing until my father's retirement in 2010. My father passed away in 2018, and since then I have been working on the property to prepare it for a new business. That time has come, which is why I am requesting this rezoning. Very little change is necessary to the property from the previous business and this new business is much more applicable to the area in 2022. Thank you for your time and consideration on this matter.

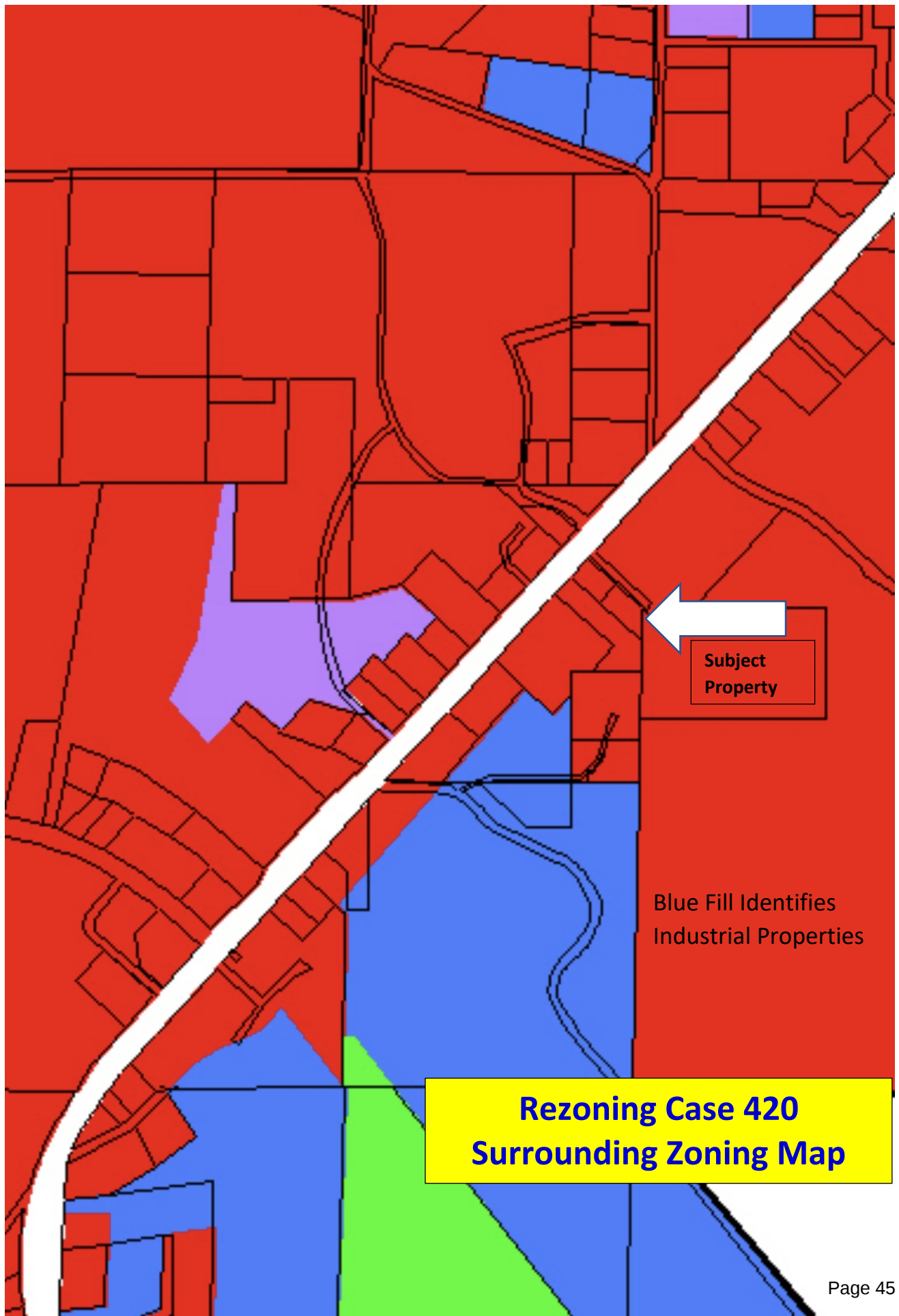
Cordially,



Justin Hoffman



Rezoning Case 420
Location Map



Subject
Property

Blue Fill Identifies
Industrial Properties

**Rezoning Case 420
Surrounding Zoning Map**

Note:

- Bearings and Distances in parenthesis are from recorded deed(s) and/or plat(s).
 - All monuments set and found are 1/2" Iron Pins, unless otherwise noted.
 - Setbacks not shown on this plat.
- See Osage Beach Land Use Regulations for building setbacks.

HOFFMAN SUBDIVISION

Part of Sec.15 and 16-T39N-R16W Camden County, MO

SURVEY DATE:	10/21/22
REVISIONS:	
DRAWN BY:	BFH
SCALE:	1" = 50'
PROJECT #:	MC 22-209
SHEET:	1 OF 1
FIELD BOOK:	BK306
MO LSC NO.	2011027104

LAND DESCRIPTION

A tract of land lying in part of Sections 15 and 16, Township 39 North, Range 16 West, Camden County, Missouri, and being more particularly described as follows:

"Commencing at the West Quarter Corner of said Section 15, run along and with the west line of said Section 15, South 00 degrees 06 minutes 00 seconds East a distance of 535.20 feet to an existing bolt for the POINT OF BEGINNING; thence departing the said west line, South 49 degrees 22 minutes 00 seconds East a distance of 172.55 feet (deed = 173.4 feet) to an existing 5/8" iron pin; thence North 77 degrees 39 minutes 20 seconds East a distance of 529.21 feet to an "X" chiseled in concrete; thence North 89 degrees 57 minutes 00 seconds East a distance of 151.40 feet to a cotton spindle; thence South 00 degrees 02 minutes 13 seconds East a distance of 498.94 feet (deed = South 00 degrees 06 minutes East a distance of 500.0 feet) to an existing spike; thence South 89 degrees 53 minutes 38 seconds West a distance of 798.77 feet (deed = South 89 degrees 55 minutes West a distance of 800.0 feet) to another existing spike on the said West line of Section 15; thence along and with the said West line, North 00 degrees 06 minutes 00 seconds West a distance of 305.29 feet to an iron pin; thence departing the said West line, North 49 degrees 16 minutes 21 seconds West a distance of 275.78 feet (deed = 275.6 feet) to another existing iron pin; thence North 40 degrees 36 minutes 36 seconds East (deed = North 40 degrees 37 minutes East) a distance of 100.00 feet to another existing iron pin; thence South 49 degrees 23 minutes East a distance of 189.1 feet, to another existing spike on the said West line of Section 15; thence along and with the said West line, North 00 degrees 06 minutes 00 seconds West a distance of 61.52 feet returning to the point of beginning."

Containing 8.86 Acres
Subject to any rights-of-ways, restrictions, reservations, condition easements and exceptions of record.

OWNER'S CERTIFICATE

I hereby certify that Donald C. Hoffman and Rusina G. Hoffman, husband and wife, are the owners of the property described on this plat, and have caused the same to be resurveyed in the manner shown on the accompanying plat and shall hereafter be known as "HOFFMAN SUBDIVISION".

I further certify that I have caused the said lots to be surveyed into two (2) lots as shown on the accompanying plat and shall hereafter be known as "HOFFMAN SUBDIVISION".

Donald C. Hoffman (husband)

Rusina G. Hoffman (wife)

STATE OF MISSOURI)
COUNTY OF CAMDEN)SS

On this ____ day of _____, 2022, before me appeared Donald C. Hoffman and Rusina G. Hoffman, husband and wife, and that the foregoing instrument was signed on behalf of themselves and said instrument to be the free act and deed of themselves.

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

Notary Public

My commission expires: _____

ACCEPTANCE BY THE CITY OF OSAGE BEACH

The foregoing plat was approved and accepted by the City of Osage Beach pursuant to Ordinance no. 96.35 of the Code of Ordinances of the City of Osage Beach, Missouri on the ____ day of _____, 2022.

Michael Harmison
Mayor

Tara Berreth
City Clerk

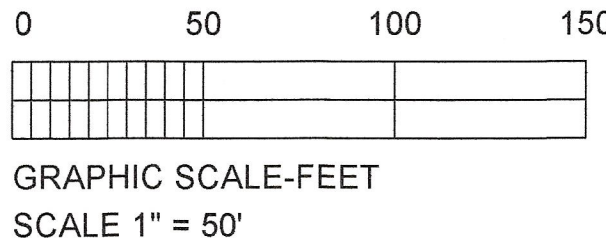
STATE OF MISSOURI)
COUNTY OF CAMDEN)SS

On this ____ day of _____, 2022, before me, a Notary Public, personally appeared Michael Harmison and Tara Berreth, to me personally known, who being by me duly sworn did say that they are respectively the City Mayor and the City Clerk of the City of Osage Beach, Missouri, a Missouri municipal corporation and that the foregoing instrument was signed by them on behalf of said city.

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

Notary Public

My commission expires: _____



SURVEYOR'S CERTIFICATE

I, Ricky L. Wilson, a registered Land Surveyor in the State of Missouri, during the month of October, 2022, by order of Justin Hoffman, did survey and monument HOFFMAN SUBDIVISION. The attached plat is a representation of said survey. The survey was performed in accordance with the requirements of the standards for property boundary surveys adopted by the Missouri Board of Architects, Professional Engineers and Land Surveyors, contingent upon accurate and complete deed, easement and/or title information supplied to me by the client.

In Witness Whereof, I have hereunder signed and sealed the foregoing this 21 day of October, 2022.

Ricky L. Wilson
Ricky L. Wilson
MO. REG. NO. L.S. 2638

Hoffman Subdivision
Sections 15 and 16, Township 39 North, Range 16 West, Camden County, MO

MILLER COMPANIES
Engineering • Land Surveying • Environmental Services
P.O. BOX 282 OSAGE BEACH, MO 65055
Eng. (673)348-8769 Surv. (673)348-5552 Fax (673)348-2864
www.themillerco.com



City of Osage Beach

Agenda Item Summary

Date of Meeting: February 2, 2023
Originator: Cary Patterson, City Planner
Presenter: Cary Patterson, City Planner

Agenda Item:

Bill 23-04 - An ordinance of the City of Osage Beach, Missouri, amending sections 405.586, 405.130, 405.210 and 405.240 of the Osage Beach Code of Ordinances relating to the zoning ordinances regarding marijuana facilities. *First Reading*

Requested Action:

First Reading of Bill #23-04

Ordinance Referenced for Action:

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

Deadline for Action:

None

Budgeted Item:

Not Applicable

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 January 1, 2023, and they have sent it forward to the Board of Aldermen with a unanimous recommendation for approval.

City Attorney Comments:

Per City Code 110.230, Bill 23-04 is in correct form.

City Administrator Comments:

I concur with the department's recommendation.

AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AMENDING SECTION 405.586, 405.130, 405.640, 405.210, AND 405.240 OF THE OSAGE BEACH CODE OF ORDINANCES RELATING TO THE ZONING ORDINANCE REGARDING MARIJUANA FACILITIES.

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

Section 1. That Section 405.586 of the Osage Beach Code of Ordinances is hereby amended to read as follows:

SECTION 405.586: Marijuana Facilities

- 1 "Purpose". The Marijuana Facilities regulations are established to promote the health, safety, morals, and general welfare of the citizens, visitors, and businesses of the City. This Section is intended to govern and provide locations within the City of Osage Beach where Marijuana Facilities can successfully provide their intended services to the citizens and visitors of Osage Beach while maintaining the standard of life to which they have become accustomed.
- A. "Comprehensive Marijuana Dispensary Facility". This use will only be permitted in the "C-1", "I-1" and "I-2" zoning districts after meeting the following minimum requirements:
 1. No Comprehensive Marijuana Dispensary Facility shall be permitted within two hundred (200) feet, measured from property line to property line, of any religious institution, elementary or secondary school, or child daycare facility.
 2. Properties proposed to contain a Comprehensive Marijuana Dispensary Facility must be located in one of the previously established zones and also meet one of the following:
 - A. Be located within two thousand (2,000) feet of the Osage Beach Parkway Public Right of Way or the Interchange Right of Way for the Highway 54 Expressway or;
 - B. Be located within one thousand (1,000) feet from the State Highway 42 or State Highway KK Public Right of Way.
 3. No Comprehensive Marijuana Dispensary Facility shall be permitted on a property that is contiguous with the Lake of the Ozarks.
- B. "Comprehensive Marijuana Cultivation Facility". This use will only be permitted in the "A-1" and "I-2" zoning districts after meeting the following minimum requirements:
 1. Properties proposed to contain a Comprehensive Marijuana Cultivation Facility must be located in one of the previously established zones and also meet the following:
 - A. The facility, measured from its outer walls, must be a minimum of one thousand (1,000) feet from any property containing a religious institution, elementary or secondary school, or child daycare facility.

- B. The facility, measured from its outer walls, must be a minimum of one thousand (1,000) feet from any property that is zoned residential. This will also include properties zoned “A-1” that contains a previously established residential use and properties zoned “C-1” that have been approved for a Special Use Permit for a residential use in a commercial zone.
- 2. No Comprehensive Marijuana Cultivation Facility shall be permitted on a property that is contiguous with the Lake of the Ozarks.
- C. "Comprehensive Marijuana Infused Products Manufacturing Facility". This use will only be permitted in the "I-2" zoning district after meeting the following minimum requirements:
 - 1. Properties proposed to contain a Comprehensive Marijuana Infused Products Facility must be located in the previously established zone and also meet the following:
 - A. The facility, measured from its outer walls, must be a minimum of one thousand (1,000) feet from any property containing a religious institution, elementary or secondary school, or child daycare facility.
 - B. The facility, measured from its outer walls, must be a minimum of one thousand (1,000) feet from any property that is zoned residential. This will also include properties zoned “A-1” that contain a previously established residential use and properties zoned “C-1” that have been approved for a Special Use Permit for a residential use in a commercial zone.
 - 2. No Comprehensive Marijuana Cultivation Facility shall be permitted on a property that is contiguous with the Lake of the Ozarks.
- D. “Marijuana Testing Facility”. This use will only be permitted in the "I-2" zoning district after meeting the following minimum requirements:
 - 1. Properties proposed to contain a Marijuana Testing Facility must be located in the previously established zone and also meet the following:
 - A. The facility, measured from its outer walls, must be a minimum of one thousand (1,000) feet from any property containing a religious institution, elementary or secondary school, or child daycare facility.
 - B. The facility, measured from its outer walls, must be a minimum of one thousand (1,000) feet from any property that is zoned residential. This will also include properties zoned “A-1” that contain a previously established residential use and properties zoned “C-1” that have been approved for a Special Use Permit for a residential use in a commercial zone.
 - 2. No Marijuana Testing Facility shall be permitted on a property that contiguous with the Lake of the Ozarks.
- E. Parking For Marijuana Facilities. Parking for Medical Marijuana Facilities will be governed by the provisions of Chapter 405 Article IX “Off Street Parking and Loading Requirements.”

- F. Signage For Marijuana Facilities. Signage for Medical Marijuana Facilities will be governed by the provisions of Chapter 405 Article V “Signs.”
- G. Marijuana Facilities shall not negatively affect adjacent and surrounding properties by means of being noxious or offensive by reason of vibration, noise, odor, dust, smoke, gas, light, or glare.
- H. Marijuana Facilities that propose having more than one type of facility on the same property or within the same building, will be required to follow the regulations for the more restricted facility. (For example; as adopted in 2019, a facility containing both a dispensary and cultivation, would be required to locate in the “I-2” zone with the distance requirements for a cultivation facility.)
- I. All other applicable regulations not specifically addressed in this section will be governed by the provisions of the zoning district in which the facility is proposed to be located.
- J. No marijuana facility shall discharge or emit any odor, dust, smoke, gas or other noxious or offensive fume smell or substance.

Section 2. That Section 405.640 of the Osage Beach Code of Ordinances is hereby amended to read as follows:

SECTION 405.640 “Off-Street Parking Criteria”

Comprehensive Marijuana Dispensary Facility - One (1) space for each three hundred fifty (350) square feet of total building floor area, plus one (1) space for each employee on maximum shift.

Microbusiness Dispensary Facility - One (1) space for each three hundred fifty (350) square feet of total building floor area, plus one (1) space for each employee on maximum shift.

Section 3. That Section 405.210 of the Osage Beach Code of Ordinances is hereby amended to read as follows:

SECTION 405.210 “C-1 General Commercial District”

Comprehensive Marijuana Dispensary Facilities subject to the use provisions outlined in Section 405.586

Microbusiness Dispensary Facilities subject to the use provisions outlined in Section 405.586

Section 4. That Section 405.240 of the Osage Beach Code of Ordinances is hereby amended to read as follows:

SECTION 405.240 “I-2 Heavy Industrial District”

Comprehensive Marijuana Cultivation Facilities subject to the use provisions outlined in Section 405.586

Comprehensive Marijuana Infused Products Manufacturing Facilities subject to the use provisions outlined in Section 405.586

Comprehensive Marijuana Testing Facilities subject to the use provisions outlined in Section 405.586

Microbusiness Wholesale Facilities subject to the use provisions outlined in Section 405.586

Section 5. That Section 405.130 of the Osage Beach Code of Ordinances is hereby amended to read as follows:

SECTION 405.130 “A-1 General Agricultural District”

Comprehensive Marijuana Cultivation Facilities subject to the use provisions outlined in Section 405.586

Section 7. 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 8. 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 9. The Mayor of the City of Osage Beach is hereby authorized to take all actions which may be necessary to fully enact this Ordinance.

READ FIRST TIME:

READ SECOND TIME:

I hereby certify that the above Ordinance No. 23.04 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. 23.04

Date

Michael Harmison, Mayor

ATTEST:

Tara Berreth, City Clerk

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PLANNING DEPARTMENT REPORT
TO THE
PLANNING COMMISSION

Hearing Date: January 10, 2023

Case Number: none

Action: Addition of 405.586 “Marijuana Facilities” to Chapter 405 “Zoning Regulations.”

Analysis:

This is the initial draft document addressing the regulation of Marijuana Facilities within the Cooperate City Limits of Osage Beach. The regulations were written in answer to the approval of legalizing adult marijuana use in the State of Missouri as passed by the voters during the election held November 8, 2022.

The City Attorney has not been able to do his complete review of the enclosed regulations and additions at this point, so there may be some further additions or amendments to the enclosed document prior to the meeting. If there are any amendments the City Attorney wants made to the enclosed document, we will get it to you as soon as possible or if necessary, those changes will be presented at the meeting with the necessary information as to why the subject changes are necessary.

Addition to Article VI Additional Zoning District Regulations

Division 3 Marijuana Facilities

Section 405.585: Medical Marijuana Facilities

SECTION 405.586: Marijuana Facilities

- 1** **"Purpose".** The Marijuana Facilities regulations are established to promote the health, safety, morals, and general welfare of the citizens, visitors, and businesses of the City. This Section is intended to govern and provide locations within the City of Osage Beach where Marijuana Facilities can successfully provide their intended services to the citizens and visitors of Osage Beach while maintaining the standard of life to which they have become accustomed.

- A.** **"Comprehensive Marijuana Dispensary Facility".** This use will only be permitted in the "C-1", "I-1" and "I-2" zoning districts after meeting the following minimum requirements:
 1. No Comprehensive Marijuana Dispensary Facility shall be permitted within two hundred (200) feet, measured from property line to property line, of any religious institution, elementary or secondary school, or child daycare facility.
 2. Properties proposed to contain a Comprehensive Marijuana Dispensary Facility must be located in one of the previously established zones and also meet one of the following:
 - A. Be located within two thousand (2,000) feet of the Osage Beach Parkway Public Right of Way or the Interchange Right of Way for the Highway 54 Expressway or;
 - B. Be located within one thousand (1,000) feet from the State Highway 42 or State Highway KK Public Right of Way.
 3. No Comprehensive Marijuana Dispensary Facility shall be permitted on a property that is contiguous with the Lake of the Ozarks.

- B.** **"Comprehensive Marijuana Cultivation Facility".** This use will only be permitted in the "A-1" and "I-2" zoning districts after meeting the following minimum requirements:
 1. Properties proposed to contain a Comprehensive Marijuana Cultivation Facility must be located in one of the previously established zones and also meet the following:

- A. The facility, measured from its outer walls, must be a minimum of one thousand (1,000) feet from any property containing a religious institution, elementary or secondary school, or child daycare facility.
 - B. The facility, measured from its outer walls, must be a minimum of one thousand (1,000) feet from any property that is zoned residential. This will also include properties zoned “A-1” that contains a previously established residential use and properties zoned “C-1” that have been approved for a Special Use Permit for a residential use in a commercial zone
- 2. No Comprehensive Marijuana Cultivation Facility shall be permitted on a property that is contiguous with the Lake of the Ozarks.
- C. **"Comprehensive Marijuana Infused Products Manufacturing Facility"**. This use will only be permitted in the "I-2" zoning district after meeting the following minimum requirements:
 - 1. Properties proposed to contain a Comprehensive Marijuana Infused Products Facility must be located in the previously established zone and also meet the following:
 - A. The facility, measured from its outer walls, must be a minimum of one thousand (1,000) feet from any property containing a religious institution, elementary or secondary school, or child daycare facility.
 - B. The facility, measured from its outer walls, must be a minimum of one thousand (1,000) feet from any property that is zoned residential. This will also include properties zoned “A-1” that contain a previously established residential use and properties zoned “C-1” that have been approved for a Special Use Permit for a residential use in a commercial zone.
 - 2. No Comprehensive Marijuana Cultivation Facility shall be permitted on a property that is contiguous with the Lake of the Ozarks.
- D. **"Marijuana Testing Facility"**. This use will only be permitted in the "I-2" zoning district after meeting the following minimum requirements:
 - 1. Properties proposed to contain a Marijuana Testing Facility must be located in the previously established zone and also meet the following:
 - A. The facility, measured from its outer walls, must be a minimum of one thousand (1,000) feet from any property containing a religious institution, elementary or secondary school, or child daycare facility.

- B. The facility, measured from its outer walls, must be a minimum of one thousand (1,000) feet from any property that is zoned residential. This will also include properties zoned “A-1” that contain a previously established residential use and properties zoned “C-1” that have been approved for a Special Use Permit for a residential use in a commercial zone.
- 2. No Marijuana Testing Facility shall be permitted on a property that contiguous with the Lake of the Ozarks.
- E. **Parking For Marijuana Facilities.** Parking for Medical Marijuana Facilities will be governed by the provisions of Chapter 405 Article IX “Off Street Parking and Loading Requirements”
- F. **Signage For Marijuana Facilities.** Signage for Medical Marijuana Facilities will be governed by the provisions of Chapter 405 Article V “Signs”
- G. Marijuana Facilities shall not negatively affect adjacent and surrounding properties by means of being noxious or offensive by reason of vibration, noise, odor, dust, smoke, gas, light, or glare.
- H. Marijuana Facilities that propose having more than one type of facility on the same property or within the same building, will be required to follow the regulations for the more restricted facility. (For example; as adopted in 2019, a facility containing both a dispensary and cultivation, would be required to locate in the “I-2” zone with the distance requirements for a cultivation facility.)
- I. All other applicable regulations not specifically addressed in this section will be governed by the provisions of the zoning district in which the facility is proposed to be located.
- J. No marijuana facility shall discharge or emit any odor, dust, smoke, gas or other noxious or offensive fume smell or substance.

City of Osage Beach
Agenda Item Summary

Date of Meeting: February 2, 2023
Originator: Tara Berreth, City Clerk
Presenter: Cary Patterson, City Planner

Agenda Item:

Bill 23-05 - An ordinance of the City of Osage Beach, Missouri, amending section 405.020, of the Osage Beach Code of Ordinances relating to the amendments and changes to the zoning ordinance regarding definitions. *First Reading*

Requested Action:

First Reading of Bill #23-05

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 January 1, 2023, and they have sent it forward to the Board of Aldermen with a unanimous recommendation for approval.

City Attorney Comments:

Per City Code 110.230, Bill 23-05 is in correct form.

City Administrator Comments:

I concur with the department's recommendation.

AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AMENDING SECTION 405.020, OF THE OSAGE BEACH CODE OF ORDINANCES RELATING TO THE CHANGES TO THE ZONING ORDINANCE REGARDING DEFINITIONS

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

Section 1. That Section 405.020 of the Osage Beach Code of Ordinances is hereby amended to add new definitions to read as follows:

"Comprehensive Facility" means a comprehensive marijuana cultivation facility, comprehensive marijuana dispensary facility, or a comprehensive marijuana-infused products manufacturing facility.

"Comprehensive Marijuana Cultivation Facility" means a facility licensed by the Missouri Department of Health and Senior Services to acquire, cultivate, process, package, store on site or off site, transport to or from, and sell marijuana, marijuana seeds, marijuana vegetative cuttings (also known as clones) to a medical facility, comprehensive facility, or marijuana testing facility. A comprehensive marijuana cultivation facility need not segregate or account for its marijuana products as either non-medical marijuana or medical marijuana. A comprehensive marijuana cultivation facility's authority to process marijuana shall include the creation of prerolls. but shall not include the manufacture of marijuana-infused products.

"Comprehensive Marijuana Dispensary Facility" means a facility licensed by the Missouri Department of Health and Senior Services to acquire, process, package, store on site or off site, sell, transport to or from, and deliver marijuana, marijuana seeds, marijuana vegetative cuttings (also known as clones), marijuana-infused products, and drug paraphernalia used to administer marijuana as provided for in this section to a qualifying patient or primary caregiver, as those terms are defined in Article XIV, Section 2.6(5) of the Missouri State Constitution, or to a consumer, anywhere on the licensed property or to any address as directed by the patient. primary caregiver or consumer and consistent with the limitations of Article XIV, Section 2.6(5) of the Missouri State Constitution, and as otherwise allowed by law to a comprehensive facility, a marijuana testing facility, or a medical facility. Comprehensive dispensary facilities may receive transaction orders at the dispensary directly from the consumer in person, by phone, or via the internet including from a third party. A comprehensive marijuana dispensary facility need not segregate or account for its marijuana products as either non-medical marijuana or medical marijuana but shall collect all appropriate tangible personal property sales tax for each sale as set forth in Article XIV, Section 2.6(5) of the Missouri State Constitution and provided for by general or local law. A comprehensive marijuana dispensary facility's authority to process marijuana shall include the creation of prerolls.

"Comprehensive Marijuana-Infused Products Manufacturing Facility" means a facility licensed by the Missouri Department of Health and Senior Services to acquire, process, package, store, manufacture, transport to or from a medical facility, comprehensive

facility, or marijuana testing facility and sell marijuana-infused products, prerolls, and infused prerolls to a marijuana dispensary facility, a marijuana testing facility, or another marijuana-infused products manufacturing facility. A comprehensive marijuana-infused products manufacturing facility need not segregate or account for its marijuana products as either non-medical marijuana or medical marijuana.

"Entity" means a natural person, corporation, professional corporation, nonprofit corporation, cooperative corporation, unincorporated association, business trust, limited liability company, general or limited partnership, limited liability partnership, joint venture, or any other legal entity.

"Flowering plant" means a marijuana plant from the time it exhibits the first signs of sexual maturity through harvest.

"Infused Preroll" means a consumable or smokable marijuana product, generally consisting of: (1) a wrap or paper, (2) dried flower, buds, and/or plant material, and (3) a concentrate, oil, or other type of marijuana extract, either within or on the surface of the product. Infused prerolls may or may not include a filter or crutch at the base of the product.

"Marijuana" or "marihuana" means *Cannabis indica*, *Cannabis sativa*, and *Cannabis ruderalis*, hybrids of such species, and any other strains commonly understood within the scientific community to constitute marijuana, as well as resin extracted from the marijuana plant and marijuana-infused products. "Marijuana" or "marihuana" does not include industrial hemp, as defined by Missouri statute, or commodities and products manufactured from industrial hemp.

"Marijuana accessories" means any equipment, product, material, or combination of equipment, products, or materials, which is specifically designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, ingesting, inhaling, or otherwise introducing marijuana into the human body.

"Marijuana Facility" means a comprehensive marijuana cultivation facility, comprehensive marijuana dispensary facility, marijuana testing facility, comprehensive marijuana-infused products manufacturing facility, microbusiness wholesale facility, microbusiness dispensary facility, or any other type of marijuana-related facility or business licensed or certified by the Missouri Department of Health and Senior Services pursuant to this section but shall not include a medical facility licensed under Article XIV of the Missouri State Constitution.

"Marijuana-Infused Products" means products that are infused, dipped, coated, sprayed, or mixed with marijuana or an extract thereof, including, but not limited to, products that are able to be vaporized or smoked, edible products, ingestible products, topical products, suppositories, and infused prerolls.

"Marijuana Microbusiness Facility" means a facility licensed by the Missouri Department of Health and Senior Services as a microbusiness dispensary facility or

microbusiness wholesale facility as defined in Article XIV, Section 2.6(5) of the Missouri State Constitution.

"Microbusiness Dispensary Facility" means a facility licensed by the Missouri Department of Health and Senior Services to acquire, process, package, store on site or off site, sell, transport to or from, and deliver marijuana, marijuana seeds, marijuana vegetative cuttings (also known as clones), marijuana-infused products, and drug paraphernalia used to administer marijuana as provided for in Article XIV, Section 2.6(5) of the Missouri State Constitution to a consumer, qualifying patient (as that term is defined in Article XIV of the Missouri State Constitution), or primary caregiver, as that term is defined in Article XIV of the Missouri State Constitution, anywhere on the licensed property or to any address as directed by the consumer, qualifying patient, or primary caregiver and, consistent with the limitations of Article XIV of the Missouri State Constitution and as otherwise allowed by law, a microbusiness wholesale facility, or a marijuana testing facility. Microbusiness dispensary facilities may receive transaction orders at the dispensary directly from the consumer in person, by phone, or via the internet, including from a third party. A microbusiness dispensary facility's authority to process marijuana shall include the creation of prerolls.

"Microbusiness Wholesale Facility" means a facility licensed by the department to acquire, cultivate, process, package, store on site or off site, manufacture, transport to or from, deliver, and sell marijuana, marijuana seeds, marijuana vegetative cuttings (also known as clones), and marijuana infused products to a microbusiness dispensary facility, other microbusiness, wholesale facility, or marijuana testing facility. A microbusiness wholesale facility may cultivate up to 250 flowering marijuana plants at any given time. A microbusiness wholesale facility's authority to process marijuana shall include the creation of prerolls and infused prerolls.

"Marijuana Testing Facility" means a facility certified by the department to acquire, test, certify, and transport marijuana, including those originally certified as a medical marijuana testing facility.

"Owner" means an individual who has a financial (other than a security interest, lien, or encumbrance) or voting interest in ten percent or greater of a marijuana facility.

"Preroll" means a consumable or smokable marijuana product, generally consisting of: (1) a wrap or paper and (2) dried flower, buds, and/or plant material. Prerolls may or may not include a filter or crutch at the base of the product.

Section 2. The chapters, sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional or otherwise invalid by the valid judgment or degree of any Court of any competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance since the same would have been enacted by the Board of Aldermen without the incorporation in this ordinance of any such unconstitutional or invalid phrase, clause, sentence, paragraph or section.

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

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

Section 4. That this Ordinance shall be in full force and effect from and after the date of passage and approval of the Mayor.

READ FIRST TIME:

READ SECOND TIME:

I hereby certify that Ordinance No.23.05 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:

Ed Rucker/City Attorney

I hereby approve Ordinance NO. 23.05.

Michael Harmison/Mayor

Date

Tara Berreth/City Clerk

Additions to Section 405.020 “Definitions”

"Comprehensive Facility" means a comprehensive marijuana cultivation facility, comprehensive marijuana dispensary facility, or a comprehensive marijuana-infused products manufacturing facility.

"Comprehensive Marijuana Cultivation Facility" means a facility licensed by the Missouri Department of Health and Senior Services to acquire, cultivate, process, package, store on site or off site, transport to or from, and sell marijuana, marijuana seeds, marijuana vegetative cuttings (also known as clones) to a medical facility, comprehensive facility, or marijuana testing facility. A comprehensive marijuana cultivation facility need not segregate or account for its marijuana products as either non-medical marijuana or medical marijuana. A comprehensive marijuana cultivation facility's authority to process marijuana shall include the creation of prerolls. but shall not include the manufacture of marijuana-infused products.

"Comprehensive Marijuana Dispensary Facility" means a facility licensed by the Missouri Department of Health and Senior Services to acquire, process, package, store on site or off site, sell, transport to or from, and deliver marijuana, marijuana seeds, marijuana vegetative cuttings (also known as clones), marijuana-infused products, and drug paraphernalia used to administer marijuana as provided for in this section to a qualifying patient or primary caregiver, as those terms are defined in Article XIV, Section 2.6(5) of the Missouri State Constitution, or to a consumer, anywhere on the licensed property or to any address as directed by the patient. primary caregiver or consumer and consistent with the limitations of Article XIV, Section 2.6(5) of the Missouri State Constitution, and as otherwise allowed by law to a comprehensive facility, a marijuana testing facility, or a medical facility. Comprehensive dispensary facilities may receive transaction orders at the dispensary directly from the consumer in person, by phone, or via the internet including from a third party. A comprehensive marijuana dispensary facility need not segregate or account for its marijuana products as either non-medical marijuana or medical marijuana but shall collect all appropriate tangible personal property sales tax for each sale as set forth in Article XIV, Section 2.6(5) of the Missouri State Constitution and provided for by general or local law. A comprehensive marijuana dispensary facility's authority to process marijuana shall include the creation of prerolls.

"Comprehensive Marijuana-Infused Products Manufacturing Facility" means a facility licensed by the Missouri Department of Health and Senior Services to acquire, process, package, store, manufacture, transport to or from a medical facility, comprehensive facility, or marijuana testing facility and sell marijuana-infused products, prerolls, and infused prerolls to a marijuana dispensary facility, a marijuana testing facility, or another marijuana-infused products manufacturing facility. A comprehensive marijuana-infused products manufacturing facility need not segregate or account for its marijuana products as either non-medical marijuana or medical marijuana.

"Entity" means a natural person, corporation, professional corporation, nonprofit corporation, cooperative corporation, unincorporated association, business trust, limited liability company, general or limited partnership, limited liability partnership, joint venture, or any other legal entity.

"Flowering plant" means a marijuana plant from the time it exhibits the first signs of sexual maturity through harvest.

"Infused Preroll" means a consumable or smokable marijuana product, generally consisting of: (1) a wrap or paper, (2) dried flower, buds, and/or plant material, and (3) a concentrate, oil, or other type of marijuana extract, either within or on the surface of the product. Infused prerolls may or may not include a filter or crutch at the base of the product.

"Marijuana" or "marihuana" means *Cannabis indica*, *Cannabis sativa*, and *Cannabis ruderalis*, hybrids of such species, and any other strains commonly understood within the scientific community to constitute marijuana, as well as resin extracted from the marijuana plant and marijuana-infused products. "Marijuana" or "marihuana" does not include industrial hemp, as defined by Missouri statute, or commodities and products manufactured from industrial hemp.

"Marijuana accessories" means any equipment, product, material, or combination of equipment, products, or materials, which is specifically designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, ingesting, inhaling, or otherwise introducing marijuana into the human body.

"Marijuana Facility" means a comprehensive marijuana cultivation facility, comprehensive marijuana dispensary facility, marijuana testing facility, comprehensive marijuana-infused products manufacturing facility, microbusiness wholesale facility, microbusiness dispensary facility, or any other type of marijuana-related facility or business licensed or certified by the Missouri Department of Health and Senior Services pursuant to this section but shall not include a medical facility licensed under Article XIV of the Missouri State Constitution.

"Marijuana-Infused Products" means products that are infused, dipped, coated, sprayed, or mixed with marijuana or an extract thereof, including, but not limited to, products that are able to be vaporized or smoked, edible products, ingestible products, topical products, suppositories, and infused prerolls.

"Marijuana Microbusiness Facility" means a facility licensed by the Missouri Department of Health and Senior Services as a microbusiness dispensary facility or microbusiness wholesale facility as defined in Article XIV, Section 2.6(5) of the Missouri State Constitution.

"Microbusiness Dispensary Facility" means a facility licensed by the Missouri Department of Health and Senior Services to acquire, process, package, store on site or off site, sell, transport to or from, and deliver marijuana, marijuana seeds, marijuana vegetative cuttings (also known as clones), marijuana-infused products, and drug paraphernalia used to administer marijuana as provided for in Article XIV, Section 2.6(5) of the Missouri State Constitution to a consumer, qualifying patient (as that term is defined in Article XIV of the Missouri State Constitution), or primary caregiver, as that term is defined in Article XIV of the Missouri State Constitution, anywhere on the licensed property or to any address as directed by the consumer, qualifying patient, or primary caregiver and, consistent with the limitations of Article XIV of the Missouri State Constitution and as otherwise allowed by law, a microbusiness wholesale facility, or a marijuana testing facility. Microbusiness dispensary facilities may receive transaction orders at the dispensary directly from the consumer in person, by phone, or via the internet, including from a third party. A microbusiness dispensary facility's authority to process marijuana shall include the creation of prerolls.

"Microbusiness Wholesale Facility" means a facility licensed by the department to acquire, cultivate, process, package, store on site or off site, manufacture, transport to or from, deliver, and sell marijuana, marijuana seeds, marijuana vegetative cuttings (also known as clones), and marijuana infused products to a microbusiness dispensary facility, other microbusiness, wholesale facility, or marijuana testing facility. A microbusiness wholesale facility may cultivate up to 250 flowering marijuana plants at any given time. A microbusiness wholesale facility's authority to process marijuana shall include the creation of prerolls and infused prerolls.

"Marijuana Testing Facility" means a facility certified by the department to acquire, test, certify, and transport marijuana, including those originally certified as a medical marijuana testing facility.

"Owner" means an individual who has a financial (other than a security interest, lien, or encumbrance) or voting interest in ten percent or greater of a marijuana facility.

"Preroll" means a consumable or smokable marijuana product, generally consisting of: (1) a wrap or paper and (2) dried flower, buds, and/or plant material. Prerolls may or may not include a filter or crutch at the base of the product.

Additions to Section 405.640 "Off-Street Parking Criteria"

"Comprehensive Marijuana Dispensary Facility" One (1) space for each three hundred fifty (350) square feet of total building floor area, plus one (1) space for each employee on maximum shift.

"Microbusiness Dispensary Facility" One (1) space for each three hundred fifty (350) square feet of total building floor area, plus one (1) space for each employee on maximum shift.

City of Osage Beach

Agenda Item Summary

Date of Meeting: February 2, 2023
Originator: Mike Welty, Assistant City Administrator
Presenter: Mike Welty, Assistant City Administrator

Agenda Item:

Bill 23-06 - An ordinance of the City of Osage Beach, Missouri, accepting Autumn Lane into City inventory. *First and Second Reading*

Requested Action:

First & Second Reading of Bill #23-06

Ordinance Referenced for Action:

Board of Aldermen approval required for acceptance of a street into the public road system per Municipal Code Section 510.035 Acceptance of New Streets into the City Public Road System.

Deadline for Action:

No

Budgeted Item:

Not Applicable

Budget Line Information (if applicable):

Not Applicable

Department Comments and Recommendation:

Construction of Autumn Lane was completed in July of 2022 and a letter of substantial completion of the project was sent to the contractor on July 22, 2022. A short punch list was attached to the letter and all of the items listed on that punch list have been completed by the contractor. The road is ready to be accepted into City inventory. A list of the recorded deeds is attached.

I would also note that in 2021, City Code Chapter 510.030 was amended allowing staff to bypass the Planning Commission when a road comes to us through improvement agreements that we have made with the Osage Beach Special Road District.

City Attorney Comments:

Per City Code 110.230, Bill 23-06 is in correct form.

City Administrator Comments:

I concur with the department's recommendation.

AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, ACCEPTING AUTUMN LANE INTO CITY INVENTORY

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

Section 1. The Board of Aldermen of the City of Osage Beach, Missouri, does hereby find and declare that it is in the best interest of the City to accept Autumn Lane into the City's street inventory as described in the attached Exhibit A.

Section 2. That the right-of-way described in Exhibit A being and the same is hereby accepted.

Section 3. That the City Clerk of Osage Beach, Missouri, is hereby authorized and directed to acknowledge this ordinance as deeds are acknowledged, and to cause this ordinance to be filed for record in the Recorder's Office in Camden County, Missouri.

Section 4. All ordinances or parts of ordinances in conflict with this ordinance are, in so much as they conflict with this ordinance, hereby repealed.

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

READ FIRST TIME:

READ SECOND TIME:

I hereby certify that the above Ordinance No. 23.06 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. 23.06.

Michael Harmison, Mayor

Date

ATTEST:

Tara Berreth, City Clerk

ACKNOWLEDGMENT

STATE OF MISSOURI)

COUNTY OF CAMDEN)

On this _____ day of _____, 2023, before me, the undersigned Notary Public, personally appeared Tara Berreth, to me known, who being by me duly sworn, did say that she is the City Clerk of the City of Osage Beach, Missouri, a municipal corporation, and that the seal affixed to the foregoing Ordinance is the municipal seal of the City of Osage Beach, and that said Ordinance was signed and sealed in behalf of said corporation by authority of its Board of Aldermen, and said Tara Berreth acknowledged said Ordinance to be the free act and deed of said municipality.

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

Notary Public

—

Printed
Name _____

—

My commission expires: _____

EXHIBIT A

Recorded in Camden County, Missouri



Recording Date/Time: 04/25/2022 at 03:12:56 PM

Book: 870

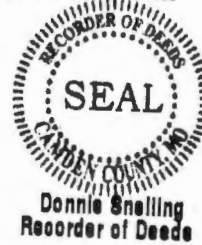
Page: 386

Type: EASE

Pages: 8

Fee: \$81.00 N 20220008073

CITY OF OSAKE BEACH



THIS DEED made and entered into this 22 day of March, 2022, by and between Ronald Edward Waddell, whose address is 1201 Greenwood Circle, Osage Beach, MO 65065, (GRANTOR), and City of Osage Beach, of the County of Camden, State of Missouri, party of the second part. (Mailing address of said party of the second part is: (City of Osage Beach, Attn. City Clerk, 1000 City Parkway, Missouri 65065.) (GRANTEE).

Witnesseth, that the Grantor, for and in consideration of the sum of One Dollar (\$1.00), paid by the said Grantee, the receipt of which is hereby acknowledged, does by these presents Grant, Bargain, Sell and Convey unto the said Grantee, A Perpetual Non-Exclusive Easement for the following purposes:

a permanent Drainage Easement to perform grading activities and construct drainage structures, facilities, pipelines, and appurtenances thereto, and alter the lands within the easement for the purpose of drainage, storing, redirecting, detaining, and transferring water over, under, and upon the easement area as required to provide drainage as necessary, with right of way of ingress and egress to and from the same, on, over, and under the following described lands laying in CAMDEN COUNTY, MISSOURI, to-wit:

(See Exhibit A attached hereto and incorporated herein by reference)

The drainage easement area depicted and described on Exhibit A attached hereto, such land is part of a larger tract of land being recorded in Book 863 and Page 32, situated in the County of Camden and State of Missouri.

together with a temporary construction easement as shown to be used for the initial installation of the main located on either or both sides of the perpetual non-exclusive easement together with the right of ingress to and egress from the perpetual non-exclusive easement and temporary construction easement or the premises of the Grantor adjoining the perpetual non-exclusive easement and temporary construction easement and the right of traveling over said perpetual non-exclusive easement and temporary construction easement for the purpose of gaining ingress to and egress from the rights of way or easements owned by the Grantee



Page 1 of 4

Ronald E. Waddell

Recorded in Camden County, Missouri
Recording Date/Time: 04/25/2022 at 03:12:46 PM
Book: 870 Page: 376
Type: WD
Pages: 9
Fee: \$70.00 N 20220008073
CITY OF OSAQE BEACH
SEAL
Donnie Snelling
Recorder of Deeds

Missouri Warranty Deed

This indenture, made on the 9th day of November, 2021 by and between **Bonita Green**, of the State of Missouri parties of the first part, and **City of Osage Beach**, of the County of Camden, State of Missouri, party of the second part. (Mailing address of said party of the second part is: **(City of Osage Beach, Attn. City Clerk, 1000 City Parkway, Missouri 65065.)**)

Witnesseth, that the said parties of the first part, owners of the following described real estate, lying, being and situated in the county of Camden and State of Missouri, to-wit:

An undivided one-half interest as tenants in common in Lot C. as designated on the Plat of a division of Lots 7 thru 9, in Lake Center Subdivision Number 1 from a survey made October 6, 1965 and more particularly described as follows; That part of Lots 8 and 9 of Lake Center Subdivision No. 1, described as follows:

From the intersection of the North line of Lot 9 of said Lake Center Subdivision No. 1 and the centerline of road, run South 7 degrees 30 minutes West along the centerline of said road 78.6 feet for the place of beginning; thence leaving the road South 83 degrees 59 minutes East 149.6 feet to an iron pin set near the shoreline of the Lake of the Ozarks; thence along the shoreline South 4 degrees 23 minutes East 75.0 feet; thence leaving the shoreline North 84 degrees 21 minutes West 165.3 feet to the point on the tangent of a 6 degree curve to the left; thence along the tangent and semi-tangent of said curve North 7 degrees 30 minutes East 75.0 feet to the place of beginning. Intending to convey all land to the variable waters edge on the Lake of the Ozarks, Together with all improvements thereon;

do hereby in the consideration of the sum of ten and no/100 dollars, and other valuable considerations, to them paid by the said party of the second part, and 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, heirs and assigns,



Recording Date/Time: 04/25/2022 at 03:12:45 PM

Book: 870

Page: 375

Type: DEED

Pages: 5

Fee: \$36.00 & 20220006073



CITY OF OSAGE BEACH

RIGHT OF WAY CONVEYANCE

This indenture

made and entered into this 19th day of November, 2021, by and between

Donna I. Loghry, a single person, of the State of Missouri, party of the first part, Grantor, and **City of Osage Beach**, of the County of Camden, State of Missouri, party of the second part, whose mailing address is City of Osage Beach, 1000 City Parkway, Osage Beach, Missouri 65065, Attn. City Clerk, Grantee.

Witnesseth, that the said parties (party) of the first part, owners (owner) of the following described real estate, lying, being and situated in the County of Camden and State of Missouri, to-wit:

Sect:04 Township:39N Range:16W
Lake CENTER SUBDIVISION #1 (0)
LOT 33

do hereby in consideration of the sum of Ten and no/100 Dollars, and other valuable considerations, to them (him) (her) paid by the said party of the second part, and the receipt of which is hereby acknowledged, do by these presents, grant, bargain, remise, release, quitclaim, convey and confirm, unto the said party of the second part, its successors, heirs and assigns, any and all right, title or interest they (he) (she) may have or to which it may be entitled by common law, statute or subdivision plat in any portion of the road known as Autumn Lane set out as illustrated in Exhibit "A" attached hereto which abuts the above described property and is set out in the Plat of Lake Center Subdivision No. 1, duly recorded with the Camden County Recorder of Deeds at Book 5, Page 22.

To have and to hold the premises aforesaid, with all and singular rights, privileges, appurtenances and immunities hereto belonging, or in anywise appertaining, unto the said party of the second part and unto its successors, heirs and assigns forever, so that neither Grantor(s) nor their (his) (her) heirs or assigns, nor any other person or persons, for whom or in whose name or behalf, will hereinafter claim or demand any right or title to the described premises or any part thereof, but they and each of them shall, by these presents, be excluded and forever barred. The said first parties (party) hereby covenanting that they are lawfully seized of a duly created interest in the premises herein conveyed, that they (he) (she) have (has) good right to convey the same, that said premises are free and clear of any encumbrances done or suffered by them (him) (her) or those under whom they (he) (she) claim.

Recorded In Camden County, Missouri



Recording Date/Time: 04/25/2022 at 03:12:47 PM

Book: 870

Page: 377

Type: DEED

Pages: 5

Fee: \$36.00 \$ 20220006073

CITY OF OSAQE BEACH



RIGHT OF WAY CONVEYANCE

This indenture made and entered into this 10th day of November, 2021, by and between **David L. Zerrer and Paula K. Zerrer, Trustees of the David L. Zerrer and Paula K. Zerrer Revocable Living Trust u/t/a dated June 7, 2014**, of the State of Missouri, parties of the first part, Grantors, and **City of Osage Beach**, of the County of Camden, State of Missouri, party of the second part, whose mailing address is City of Osage Beach, 1000 City Parkway, Osage Beach, Missouri 65065, Attn. City Clerk, Grantee.

Witnesseth, that the said parties of the first part, owners of the following described real estate, lying, being and situated in the County of Camden and State of Missouri, to-wit:

Lot Ten (10) in the LAKE CENTER SUBDIVISION NO. ONE (1), County of Camden, State of Missouri, thereof on file and of record in Plat Book 5, Page 22, Camden County Records.

And

All that part of Lot 29 in Lake Center Subdivision No. 1, described as follows: Commencing at the intersection of the 660 foot contour elevation line of the Lake of the Ozarks, and the South Line of said Lot 29; thence West along the South Line of said Lot 29, a distance of 56.8 feet to the East right of way of the subdivision road; thence in a northerly direction along said East right of way of subdivision road, a distance of 40 feet; thence East parallel to the South Line of said Lot 29 to and intersecting the 660 foot contour elevation line of the Lake of the Ozarks; thence in a generally southerly direction along said 660 foot contour elevation line to the point of beginning. All according to the plat thereof of said subdivision on file and of record in Plat Book 5, page 22, Recorder's Office of Camden County, Missouri;

do hereby in consideration of the sum of Ten and no/100 Dollars, and other valuable considerations, to them paid by the said party of the second part, and the receipt of which is hereby acknowledged, do by these presents, grant, bargain, remise, release, quitclaim, convey and confirm, unto the said party of the second part, its successors, heirs and assigns, any and all right, title or interest the trust may have or to which it may be entitled by common law, statute or subdivision plat in any portion of the road known as Autumn Lane set out as illustrated in Exhibit "A" attached hereto which abuts the above described property and is set out in the Plat



Recording Date/Time: 04/25/2022 at 03:12:48 PM

Book: 870 Page: 378
Type: EASE
Pages: 4
Fee: \$33.00 S 20220006073

CITY OF OSAGE BEACH



EASEMENT DEED

THIS DEED made and entered into this 5th day of March, 2022, by and between Karen Kiske-Zimmerman and Wayne M. Zimmerman, Trustees of the Karen Kiske-Zimmerman Revocable Trust U/T/S June 27, 1996, whose address is 106 Wimbledon Court, O'Fallon, MO 63368 (GRANTOR), and City of Osage Beach, of the County of Camden, State of Missouri, party of the second part. (Mailing address of said party of the second part is: (City of Osage Beach, Attn. City Clerk, 1000 City Parkway, Missouri 65065.) (GRANTEE).

Witnesseth, that the Grantor, for and in consideration of the sum of One Dollar (\$1.00), paid by the said Grantee, the receipt of which is hereby acknowledged, does by these presents Grant, Bargain, Sell and Convey unto the said Grantee, A Perpetual Non-Exclusive Easement for the following purposes:

a permanent Drainage Easement to perform grading activities and construct drainage structures, facilities, pipelines, and appurtenances thereto, and alter the lands within the easement for the purpose of drainage, storing, redirecting, detaining, and transferring water over, under, and upon the easement area as required to provide drainage as necessary, with right of way of ingress and egress to and from the same, on, over, and under the following described lands laying in CAMDEN COUNTY, MISSOURI, to-wit:

(See Exhibit A attached hereto and incorporated herein by reference)

The drainage easement area depicted and described on Exhibit A attached hereto, such land is part of a larger tract of land being recorded in Book 430 and Page 624 situated in the County of Camden and State of Missouri.

together with a temporary construction easement as shown to be used for the initial installation of the facilities located on either or both sides of the perpetual non-exclusive easement together with the right of ingress to and egress from the perpetual non-exclusive easement and temporary construction easement or the premises of the Grantor adjoining the perpetual non-exclusive easement and temporary construction easement and the right of traveling over said perpetual non-exclusive easement and temporary construction easement for the purpose of gaining

Recorded in Camden County, Missouri



Recording Date/Time: 04/25/2022 at 03:12:49 PM

Book: 870

Page: 379

Type: DEED

Pages: 3

Fee: \$30.00 8 20220006073

CITY OF OSAGE BEACH



RIGHT OF WAY CONVEYANCE

This indenture made and entered into this 8 day of November, 2021, by and between **Karen Kiske-Zimmerman and Wayne M. Zimmerman, Trustees of the Karen Kiske-Zimmerman Revocable Trust U/T/S June 27, 1996**, of the State of Missouri, parties of the first part, Grantor(s), and **City of Osage Beach**, of the County of Camden, State of Missouri, party of the second part, whose mailing address is **City of Osage Beach, 1000 City Parkway, Osage Beach, Missouri 65065, Attn. City Clerk, Grantee**.

Witnesseth, that the said parties of the first part, owners of the following described real estate, lying, being and situated in the County of Camden and State of Missouri, to-wit:

Lot 29 in Lake Center Subdivision #1, except that part heretofore conveyed to Leo Vaughn and Betty Vaughn and described as follows: All of Lot 31 in Lake Center Subdivision #1 and that part of Lot 29 in Lake Center Subdivision #1, described as follows: Commencing at the Intersection of the 660 foot contour elevation line of the Lake of the Ozarks, and the South line of said Lot 29, a distance of 56.8 feet to the East right of way of the Subdivision road; thence in a Northerly direction along said East right of way line of Subdivision road a distance of 40 feet; thence East parallel to the South line of said Lot 29 to and intersecting the 660 foot contour elevation line of the Lake of the Ozarks; thence in a general Southerly direction along said 660 foot contour elevation line to a point of beginning; together with all improvements thereon consisting of a four room frame home in Camden County, Missouri.

do hereby in consideration of the sum of Ten and no/100 Dollars, and other valuable considerations, to them paid by the said party of the second part, and the receipt of which is hereby acknowledged, do by these presents, grant, bargain, remise, release, quitclaim, convey and confirm, unto the said party of the second part, its successors, heirs and assigns, any and all right, title or interest they may have or to which it may be entitled by common law, statute or subdivision plat in any portion of the road known as Autumn Lane set out as illustrated in Exhibit "A" attached hereto which abuts the above described property and is set out in the Plat of Lake Center Subdivision No.1, duly recorded with the Camden County Recorder of Deeds at Book 5, Page 22.

To have and to hold the premises aforesaid, with all and singular rights, privileges, appurtenances and immunities hereto belonging, or in anywise appertaining, unto the said party of the second part and unto its successors, heirs and assigns forever, so that neither Grantor(s) nor their heirs or assigns, nor any other person or persons, for whom or in whose name or behalf, will hereinafter claim or demand any right or title to the described premises or any part thereof, but they and each



Recording Date/Time: 04/25/2022 at 03:12:50 PM

Book: 870 Page: 380

Type: EASE

Pages: 4

Fee: \$33.00 8 20220006073

CITY OF OSAGE BEACH



EASEMENT DEED

THIS DEED made and entered into this 14th day of MARCH, 2022 by and between **Timothy M. McLaren and Cathy A. McLaren**, whose address is **1195 Greenwood Circle, Osage Beach, MO 65065, (GRANTOR)**, and **City of Osage Beach**, of the **County of Camden, State of Missouri**, party of the second part. (Mailing address of said party of the second part is: **(City of Osage Beach, Attn. City Clerk, 1000 City Parkway, Missouri 65065.) (GRANTEE)**).

Witnesseth, that the **Grantor**, for and in consideration of the sum of One Dollar (\$1.00), paid by the said **Grantee**, the receipt of which is hereby acknowledged, does by these presents **Grant, Bargain, Sell and Convey** unto the said **Grantee, A Perpetual Non-Exclusive Easement** for the following purposes:

a permanent Drainage Easement to perform grading activities and construct drainage structures, facilities, pipelines, and appurtenances thereto, and alter the lands within the easement for the purpose of drainage, storing, redirecting, detaining, and transferring water over, under, and upon the easement area as required to provide drainage as necessary, with right of way of ingress and egress to and from the same, on, over, and under the following described lands laying in CAMDEN COUNTY, MISSOURI, to-wit:

(See Exhibit A attached hereto and incorporated herein by reference)

The drainage easement area depicted and described on Exhibit A attached hereto, such land is part of a larger tract of land being recorded in Book 819 and Page 478, situated in the County of Camden and State of Missouri.

together with a temporary construction easement as shown to be used for the initial installation of the main located on either or both sides of the perpetual non-exclusive easement together with the right of ingress to and egress from the perpetual non-exclusive easement and temporary construction easement or the premises of the **Grantor** adjoining the perpetual non-exclusive easement and temporary construction easement and the right of traveling over said perpetual non-exclusive easement and temporary construction easement for the purpose of gaining ingress to and egress from the rights of way or easements owned by the **Grantee**

Recorded in Camden County, Missouri



Recording Date/Time: 04/25/2022 at 03:12:51 PM

Book: 870 Page: 381

Type: WD

Pages: 8

Fee: \$45.00 8 20220008073

CITY OF OSAGE BEACH



Missouri Warranty Deed

This indenture, made on the 24 day of MARCH, 202² by and between **Michelle R Spencer, Dawn Spencer Rayoum & Tina Spencer Ryan**, of the **State of Missouri** parties of the first part, and **City of Osage Beach**, of the **County of Camden, State of Missouri**, party of the second part. (Mailing address of said party of the second part is: **(City of Osage Beach, Attn. City Clerk, 1000 City Parkway, Missouri 65065.)**)

Witnesseth, that the said parties of the first part, owners of the following described real estate, lying, being and situated in the county of Camden and State of Missouri, to-wit:

All of Lot Thirty-One (31) in Lake Center Subdivision #1, and that part of Lot Twenty-nine (29) in Lake Center Subdivision #1, described as follows:

Commencing at the intersection of the 660 foot contour elevation line of the Lake of the Ozarks, and the South line of said Lot Twenty nine, thence West along the South line of said Lot Twenty nine a distance of 56.8 feet to the East right-of-way of the subdivision road; thence in a Northerly direction along said East right-of-way line of Subdivision road a distance of 40 feet; thence East parallel to the South Line of said Lot Twenty-nine to and intersecting the 660 foot contour elevation line of the Lake of the Ozarks; thence in a general Southerly direction along said 660 foot contour elevation line to the point of beginning. All according to the plat thereof of said subdivision on file and of record in the Office of the Recorder of Deeds for Camden County, Missouri.

Subject to all restrictions reservations, conditions, easements and exceptions of record.

do hereby in the consideration of the sum of ten and no/100 dollars, and other valuable considerations, to them paid by the said party of the second part, and 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, heirs and assigns,

Recorded in Camden County, Missouri
Recording Date/Time: 04/25/2022 at 03:12:52 PM
Book: 870 Page: 382
Type: WD
Pages: 8
Fee: \$39.00 & 20220008073
CITY OF OSAGE BEACH
SEAL
Donnie Snelling
Recorder of Deeds

Missouri Warranty Deed

This indenture, made on the 2nd day of November, 2021 by and between **Renato N Tomasella & Carol A Tomasella, trustees of the Renato N. Tomasella and Carol A. Tomasella Revocable Living Trust dated May 7, 1992 of the State of Missouri** parties of the first part, and **City of Osage Beach, of the County of Camden, State of Missouri**, party of the second part. (Mailing address of said party of the second part is: **(City of Osage Beach, Attn. City Clerk, 1000 City Parkway, Missouri 65065.)**)

Witnesseth, that the said parties of the first part, owners of the following described real estate, lying, being and situated in the county of Camden and State of Missouri, to-wit:,

Lot D, as designated on the plat of a division of Lots 7 thru 9 of Lake Center Subdivision No. 1, a subdivision in Camden County, Missouri, according to the plat thereof on file and of record at Plat Book 5, Page 22, Camden County Recorder's office, from a survey made October 6, 1965, and more particularly described as follows:

That part of Lot 9 of Lake Center Subdivision No.1, described as follows:

From the intersection of the North line of Lot 9 of said subdivision and the centerline of a road for the point of beginning; thence run South 83 degrees 25 minutes East a distance of 122.9 feet to an iron pin set neat the shoreline of the Lake of the Ozarks; thence along the shoreline South 11 degrees 23 minutes East 80.1 feet; thence leaving the shoreline North 83 degrees 59 minutes West 149.6 feet to a point on the tangent of a 6 degree curve to the left; thence along the tangent and semi-tangent of said curve North 7 degrees 30 minutes East 78.6 feet to the place of beginning. Intending to convey all land to the variable waters edge of the Lake of the Ozarks.,

Recorded In Camden County, Missouri



Recording Date/Time: 04/25/2022 at 03:12:53 PM

Book: 870 Page: 383

Type: WD

Pages: 4

Fee: \$33.00 8 20220006073

CITY OF OSAQE BEACH



Missouri Warranty Deed

This indenture, made on the 8 day of OCT, 2021 by and between **Daymond R. Graham and Ethel V. Graham**, of the **State of Missouri** parties of the first part, and **City of Osage Beach**, of the **County of Camden, State of Missouri**, party of the second part. (Mailing address of said party of the second part is: **(City of Osage Beach, Attn. City Clerk, 1000 City Parkway, Missouri 65065.)**)

Witnesseth, that the said parties of the first part, owners of the following described real estate, lying, being and situated in the county of Camden and State of Missouri, to-wit:,

All of Lots 26 and 27 of Lake Center Subdivision No. 1, a subdivision in Camden County, Missouri, according to the plat thereof recorded in Plat Book 5, Page 22 in the Office of the Recorder of Deeds, Camden County, Missouri.

do hereby in the consideration of the sum of ten and no/100 dollars, and other valuable considerations, to them paid by the said party of the second part, and 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, heirs and assigns,

Recorded In Camden County, Missouri



Recording Date/Time: 04/25/2022 at 03:12:54 PM

Book: 870

Page: 384

Type: WD

Pages: 6

Fee: \$39.00 8 20220006073

CITY OF OSAGE BEACH



Missouri Warranty Deed

This indenture, made on the 8th day of November, 2021 by and between **Tyler W. Franz (Deceased) and Dwain W Franz (Deceased) and Linda D Franz**, of the **State of Missouri** parties of the first part, and **City of Osage Beach**, of the **County of Camden, State of Missouri**, party of the second part. (Mailing address of said party of the second part is: **(City of Osage Beach, Attn. City Clerk, 1000 City Parkway, Missouri 65065.)**)

Witnesseth, that the said parties of the first part, owners of the following described real estate, lying, being and situated in the county of Camden and State of Missouri, to-wit:,

All of Lot No. 25 of Lake Center Subdivision No. 1, a subdivision in Camden County, Missouri, according to the plat thereof on file and of record at Plat Book 5, page 22, Camden County Recorder's Office.

Subject to all easement, restrictions, reservations and conditions of record and to all existing roads and power lines, whether of record or not.

do hereby in the consideration of the sum of ten and no/100 dollars, and other valuable considerations, to them paid by the said party of the second part, and 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, heirs and assigns,

Recorded in Camden County, Missouri



Recording Date/Time: 04/25/2022 at 03:12:55 PM

Book: 870

Page: 385

Type: DEED

Pages: 3

Fee: \$30.00 & 20220008073

CITY OF OSAGE BEACH



RIGHT OF WAY CONVEYANCE

This indenture, made and entered into this 28th day of September, 2021, by and between **David L. Zerrer and Paula K. Zerrer, Trustees of the David L. Zerrer and Paula K. Zerrer Revocable Living Trust u/t/a dated June 7, 2014**, of the State of Missouri, parties of the first part, Grantors, and **City of Osage Beach**, of the County of Camden, State of Missouri, party of the second part, whose mailing address is City of Osage Beach, 1000 City Parkway, Osage Beach, Missouri 65065, Attn. City Clerk, Grantee.

Witnesseth, that the said parties of the first part, owners of the following described real estate, lying, being and situated in the County of Camden and State of Missouri, to-wit:

Lot Ten (10) in the LAKE CENTER SUBDIVISION NO. ONE (1), County of Camden, State of Missouri, thereof on file and of record in Plat Book 5, Page 22, Camden County Records.

And

All that part of Lot 29 in Lake Center Subdivision No. 1, described as follows: Commencing at the intersection of the 660 foot contour elevation line of the Lake of the Ozarks, and the South Line of said Lot 29; thence West along the South Line of said Lot 29, a distance of 56.8 feet to the East right of way of the subdivision road; thence in a northerly direction along said East right of way of subdivision road, a distance of 40 feet; thence East parallel to the South Line of said Lot 29 to and intersecting the 660 foot contour elevation line of the Lake of the Ozarks; thence in a generally southerly direction along said 660 foot contour elevation line to the point of beginning. All according to the plat thereof of said subdivision on file and of record in Plat Book 5, page 22, Recorder's Office of Camden County, Missouri;

do hereby in the consideration of the sum of Ten and no/100 Dollars, and other valuable considerations, to them paid by the said party of the second part, and the receipt of which is hereby acknowledged, do by these presents, grant, bargain, remise, release, quitclaim, convey and confirm, unto the said party of the second part, its successors, heirs and assigns, any and all right, title or interest the trust may have or to which it may be entitled by common law, statute or

City of Osage Beach

Agenda Item Summary

Date of Meeting: February 2, 2023
Originator: Michael Harmison, Mayor
Presenter: Michael Harmison, Mayor

Agenda Item:

Bill 23-07 - An ordinance of the City of Osage Beach, Missouri, appointing Cole Bradbury Law Firm LLC as the Interim City Attorney/City Prosecutor. *First and Second Reading*

Requested Action:

First & Second Reading of Bill #23-07

Ordinance Referenced for Action:

The Mayor, with the advice and consent of the Board of Aldermen, shall appoint a suitable person or firm as City Attorney who shall hold office at eh pleasure of the Mayor and Board of Aldermen and until a successor is appointed and qualified, per City Code Article VI City Attorney.

Deadline for Action:

Yes - It is in the best interest of the City to proceed with City Attorney appointment due to the recent resignation of the current City Attorney.

Budgeted Item:

Yes - Funds are budgeted under the Personnel section of the FY2023 currently; contracted services will be an Operations & Maintenance expenditure and coded accordingly.

Budget Line Information (if applicable):

Budget Line Item/Title: 10-07-733800 Professional Services

FY2023 Budgeted Amount: \$ 0

FY2023 Expenditures to Date (01/31/2023): (\$ 0)

FY2023 Available: \$ 0

FY2023 Requested Amount: \$ TBD

Department Comments and Recommendation:

Not Applicable

City Attorney Comments:

City Administrator Comments:

Per City Codes, a Request for Qualifications (RFQ) was published earlier in the month, and closed on Friday, January 27, 2023, for the purpose of soliciting individuals/firms to be considered for City Attorney services until such time the vacant employment position can be filled.

As stated above, funds are budgeted under the Personnel section of the FY2023 currently due to employing a City Attorney; contracted services will be an Operations & Maintenance expenditure and coded accordingly. A budget amendment will follow at a later date to appropriately recognize the expenditure of this contracted service. A net zero effect on the department's (10-07) total expenditures is anticipated.

AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, APPOINTING COLE BRADBURY LAW FIRM LLC AS INTERIM CITY ATTORNEY/CITY PROSECUTOR.

WHEREAS; the Mayor has appointed Cole Bradbury as interim City Attorney/City Prosecutor pursuant to City Ordinances Sections 115.300 and 115.350 and the consent of the Board is required for such appointment:

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

Section 1. The Board of Alderman consents to the appointment of Cole Bradbury as Interim City Attorney/City Prosecutor pursuant to City Ordinances sections 115.300 and 115.350. The Board of Aldermen hereby authorizes the Mayor to execute on behalf of the City an agreement with Cole Bradbury Law Firm LLC substantially under the terms set forth in the attached contract identified as Exhibit A.

Section 2. Severability

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

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

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

Section 4. That this Ordinance shall be in full force and effect from and after the date of passage and approval of the Mayor.

READ FIRST TIME: _____ READ SECOND TIME: _____

I hereby certify that Ordinance No. 23.07 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. 23.07.

Michael Harmison, Mayor

Date

Tara Berreth, City Clerk

MUNICIPAL ATTORNEY SERVICES AGREEMENT

THIS AGREEMENT (the “Agreement”) is dated effective as of the 31st day of January 2023, by and between the City of Osage Beach (“City”), and **COLE BRADBURY LAW FIRM L.L.C.** (“Contractor”), a professional attorney practicing in Camden County, Missouri.

WHEREAS, the contractor is a licensed attorney in the State of Missouri and qualified to serve as City Attorney; and

WHEREAS, the City desires that the contractor provide such municipal attorney services to the City.

NOW, THEREFORE, in consideration of the premises and of the mutual covenants and agreements hereinafter set forth; the Parties hereto have agreed, and do hereby agree as follows:

1. Term of Appointment. The Mayor appoints, and the Board of Aldermen confirms, contractor for a period commencing on the effective date hereof and continuing on a month-to-month basis. Contractor hereby accepts such appointment and agrees to perform the services hereinafter described all upon the terms and conditions herein stated.

2. Scope of Services to be Provided. Contractor is hereby appointed as City Attorney and will be responsible for the following duties. Contractor shall comply with all the laws of the State of Missouri and Osage Beach Municipal Code.

A. **Municipal Attorney Scope of Services:** Performance of services as required by the City shall be in a professional and timely manner. Services will vary by project and may include, but are not limited to, the following tasks:

- Serve as legal advisor to and counsel for the Mayor, Board of Aldermen, City Administrator, Special Committees, Boards/Commissions, Department Managers, and the City employees engaged in City business when authorized by the Mayor or City Administrator.
- Land use rights in Missouri - Ability to draft, review, and present legal documents relative to acquisitions, easements, variances, right-of-way, and other land uses to include property acquisition, annexations, and zoning.
- advise the Board on any matters relating to compliance with State Statutes, City Code and policies, and Roberts Rules of Order.
- Performs legal research, fieldwork, and other work and communicates the results to the appropriate person.
- Negotiates, reviews, and prepares contracts, agreements, and conveyances, such as service agreements, lease agreements, franchise agreements, easements, purchase contracts, and other legal documents on behalf of the City.
- Reviews, analyzes, drafts, and revises ordinances, policies, manuals, and other memoranda for the City and its various departments to ensure they are coherent, enforceable, and

consistent with State and Federal law; advises the Board of Aldermen, the City Administrator, and City departments when revisions and changes need to be made.

- Researches, interprets, and applies laws, court decisions, and other legal authority in the preparation of opinions and briefs; prepares formal legal opinions upon request of the Board of Aldermen, City Administrator, or City staff.
- Drafts or supervises drafting of ordinances and resolutions for the Board of Aldermen, explains the foregoing to the Board of Aldermen, and answers questions related thereto.
- Analyzes legislation including proposed State and Federal legislation affecting the City.
- Engages in litigation-related matters including drafting, discovery, court-attendance, mediation, investigation, hearings and trials, and similar activities.
- Prepares for and attends the Board of Aldermen meetings, Board of Adjustment meetings, and other boards and committee meetings of the City.
- Supervises acquisition of real property interests for the City to include title review, interdepartmental communications, negotiations, and litigation.
- Performs other such duties as may be required by virtue of this position as City Attorney and as directed by the Board of Aldermen.
- Provide schedule that attorney or firm will be available on premises.

B. Prosecuting Attorney Scope of Work: Responsibilities include reviewing, prosecuting, and trying cases submitted by the City and County law/code enforcement agencies and personnel. The Osage Beach Municipal Court is held monthly at the Osage Beach City Hall.

- Representing the City in all municipal court cases.
- Provide legal advice to the City staff and police officers related to violations of State and City criminal codes.
- Be available to review and sign probable cause statements, warrant requests, bond requests and other court, detention, and bond documents.
- Review all citations and summons presented to the municipal court; determines prosecution decision, dismiss summons as needed, signs and forwards valid charges to municipal court personnel.
- Attends and represents the City at all regular municipal court sessions.
- Attends and represents the City at all special arraignments or special municipal court sessions.

3. Fees. For the services rendered pursuant to this Agreement, contractor shall submit an invoice to the City for services. Contractor shall be paid Fifty-Five Dollars (\$55.00) per hour contracted and will receive a Form 1099 at the end of the year. Contractor shall be responsible for paying all taxes due on such compensation. Contractor shall submit to the Mayor or his designee a weekly statement of hours worked but shall not be required to keep records of time spent on particular duties or projects. Contractor shall be paid every two weeks.

4. Professional Training. Contractor agrees to attend all required continuing municipal attorney education training sessions, at his own cost and expense, and will provide documentation of said training to the City upon request.

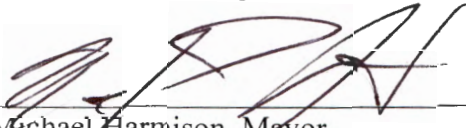
5. Independent Contractor. In performing the services herein specified, contractor is acting as an independent contractor and shall not be considered an employee of the City.

6. Voluntary Termination. Notwithstanding herein to the contrary, either party may elect to terminate this Agreement, upon written notice of at least thirty (30) days. The Contractor shall not assign, transfer or sub-contract any work either in whole or in part.

7. Entire Agreement; Modification. This Agreement contains the entire understanding of the parties with respect to the subject matter hereof and supersedes all prior agreements, oral or written, and all other communications between the parties relating to such subject matter. This Agreement may not be amended or modified except by mutual written agreement. All continuing covenants, duties and obligations shall survive the expiration or earlier termination of this Agreement.

For the City of Osage Beach

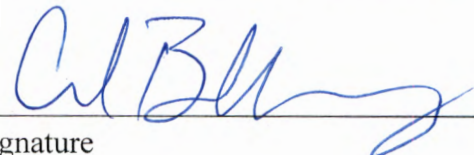
1-31-23
Date



Michael Harmison, Mayor

Contractor: Bradbury Law Firm LLC

1/31/23
Date



Signature

City of Osage Beach
Agenda Item Summary

Date of Meeting: February 2, 2023
Originator: Kevin Crooks, Public Works Operations Manager
Presenter: Kevin Crooks, Public Works Operations Manager

Agenda Item:

Motion to approve the purchase of a lift station control panel for CL-01 from Municipal Equipment for an amount not to exceed \$49,101.45.

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:

Yes - panel is trouble prone and outdated.

Budgeted Item:

Yes

Budget Line Information (if applicable):

Budget Line Item/Title: 35 00-743300 Repair of System

FY2023 Budgeted Amount: \$ 975,000

FY2023 Expenditures to Date (01/25/23): \$ 39,551

FY2023 Available: \$ 935,449

FY2023 Requested Amount: \$49,101.45
.00

Department Comments and Recommendation:

Motion to approve a replacement lift station control panel for CL-01 from Municipal Equipment Co.Inc. for a not to exceed price of \$49,101.45. CL-01 is located on Nichols Road and serves the Heron Bay Condos Area. This panel dates back to the mid 1980's and has a recent history of malfunctions, which included an electrical fire that damaged a 25HP submersible pump (now replaced). This panel has several major malfunctioning components and was recommended to be replaced by subcontracted electricians. This panel was slated to be replaced with the now-denied ARPA grants. It was determined by city staff that replacing the panel components individually would not be cost effective. **Note- ECC is also part of this quote as a supplier/ designer and is a part of the Municipal Pump Co. Inc group.**

City Attorney Comments:

Not Applicable

City Administrator Comments:

I concur with the department's recommendation.

QUOTE

Mr. Josh Pritchett
City of Osage Beach, MO

January 10, 2023

RE: CL-01 Control Panel

Dear Josh,

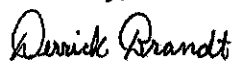
Following are prices for the requested equipment for the referenced project:

One (1) Duplex 25 horsepower, 460 volt 3 phase control panel with solid state motor starters with bypass contactors, transducer control with back up float system, Shark unit power monitor and in stainless steel enclosure PER THE ATTACHED ECC SCOPE

PRICE.....\$49,101.45

I look forward to hearing from you. Please let me know if there are any questions or comments concerning this item.

Sincerely,



Derrick Brandt

General Notes and Comments:

- The prices shown above include associated freight costs
- The prices are firm for 60 days from the date of the proposal
- Delivery is 10-12 weeks from submittal approval and notice to proceed
- Submittals will be provided 4-6 weeks after receipt of order
- Payment terms for this order would be: **NET 30 Days**
- Visa and MasterCard are accepted with a 4.5% processing fee
- The prices shown above DO NOT include installation
- The prices shown above include start up service
- The prices shown above do not include applicable taxes.
- Municipal Equipment Company **shall not, in any event, be liable** for indirect, special, consequential, or liquidated damages or penalties of any kind for any reason.
- Note that the pricing validity is for 30 days. Freight costs, material costs, and **delivery time frames are extremely volatile** at this time.

-The Infrastructure Investment and Jobs Act signed into law on November 15, 2021, includes substantive changes to Buy America requirements compared to those specified in the preceding American Iron and Steel Act. As with previous legislation, we are awaiting any additional guidance for the US Environmental Protection Agency or other Agencies for further clarification relating to current Buy America requirements. As of now, the industry at large is unable to ascertain the parameters of the Buy America requirement. We cannot make any guarantee that this scope of supply will be in compliance with any Buy America requirements under the Infrastructure Investment and Jobs Act. Accordingly, any offer for sale, proposal, or budgetary quote/estimate submitted should not be construed as meeting such Buy America requirements - unless explicitly stated otherwise.

If you would like to place an order for this equipment, please sign below and return to our office.

Accepted by

Company

Date



13633 Lakefront Drive
Earth City, MO U.S.A. 63045

Tel: (314) 645-2300
Fax: (314) 645-5309

January 10, 2023

Municipal Equipment Company, Inc.
13625 Lakefront Drive
Earth City, MO 63045

Attn: Mr. Derrick Brandt

Project Name: CL-01 Lift Station
Osage Beach, MO

Re: Pump Control Panel

ECC Quote #: 230105NLC01

Dear Mr. Brandt,

Per your request, Electric Controls Company, Inc. is pleased to provide the following scope of work for your consideration:

1 Equipment/Services Provided by Electric Controls Company

(1) Control Panel

Incoming Power: ~80 A, 480 VAC, 3-Phase, 3 wire, (Panel rated for max 5 KA SCCR)

Panel to Control:

- A) (2) Wastewater pumps 24.8 HP, 32.3 FLA (37.145 A @ 1.15 Service Factor), 480 VAC, 3-Phase motors via solid state starters/with backup FVNR across-the-line contactors

- B) (1) Air mixer via 120 vac output to panel mounted receptacle

Enclosure: NEMA 4X wall-mount enclosure

- Constructed of 304 stainless steel (brushed #4 finish)
- With painted steel subpanel(s)
- With painted steel inner door

Includes:

- A) Main incoming power distribution block
- B) SPD (Surge Protection Device)
- C) Phase monitor
- D) Power monitor (Shark 50) with display mounted through inner door
- E) Circuit breaker short circuit protection for each pump
- F) 3 KVA transformer and 120 vac circuit breakers to accommodate control panel loads
- G) Interior service light, GFI duplex receptacle, and condensation heater
- H) 120 vac power filter
- I) Process display/controller for wetwell level with primary/backup control mode selection

**Challenged to Excel
Recognized for Achievement**

Designers and Builders Of Custom Electrical Control Systems specializing in the fresh water and wastewater field.

Distributors of High Performance Electrical Products.

- J) Intrinsically safe barrier(s) for level sensor connection (4 floats and 1 submersible transmitter)
- K) Process Control Mode (Process Controller/Auto/Float) selector switch and pilot lights, with auto failover to float mode.
- L) HOA switches, elapsed time meters, pump run/starter fault/seal fault/thermal fault/high level pilot lights mounted through inner door
- M) Control circuit for air mixer consisting of circuit breaker, HOA switch, 24 hr. timeclock, contactor and external GFI receptacle with in-use cover.
- N) External alarm light
- O) Dry contacts provided (for remote alarm monitoring by others): phase fault, high level (process controller), high level (float), pump run indication, starter fault/overload, thermal fault, seal fault
- P) ECC installation of ABS/Sulzer pump protection unit/display (thermal/leakage/bearing/vibration) in panel (equipment provided by Municipal Equipment Company)
- Q) ECC to provide and install battery bracket, and provide installation of telemetry unit (High Tide) in control panel, wired to monitored monitored/status points (High Tide unit, battery, and power/communications peripherals provided by Municipal Equipment Company)
- R) Panel to be designed/built similar to Osage Beach Indian Pointe ECC drawing #390801
- S) Engineering Services: Panel design, testing

Designation:

A) Duplex Pump Control Panel

Notes:

- A) Price does not include installation. Control panel provided for installation/wiring on project site by others.
- B) Price does not include ABS/Sulzer specialized pump protection unit/display (thermal/leakage/bearing/vibration) or ancillary equipment (such as current/voltage sensors/CT's/PT's/communication cables, intrinsically safe barriers for seal/thermal/bearing sensors), or equipment configuration/programming/set-up/start-up. Pump protection units/equipment to be provided by Municipal Equipment for ECC to install in control panel. Other ancillary equipment described above to be provided by Municipal Equipment for ECC or others to install in or external to ECC control panel.
- C) Price does not include High Tide telemetry unit or battery. All components and communications/power peripherals for this unit to be provided to ECC by Municipal Equipment Company for ECC installation in the control panel. All telemetry equipment configuration/programming/set-up/start-up to be provided by Municipal Equipment Company.

(1) Submersible Level Transmitter

Manufacturer: Keller

Includes:

- A) Transmitter w/ 60' cable

Designation:

A) Wetwell Level

Notes:

- A) All equipment provided loose for installation by others
- B) Price does not include equipment installation or pipe tap/corp stop/process connection – to be provided by others.

- C) Price does not include junction box, mounting strut, water tight cord connector(s), equipment to hang/secure transducer (such as ceramic/metal rod, stainless steel bracket/hook assembly, stainless steel cable/clamps/strain relief devices/mounting hardware), seal fittings, conduit, wire.
- D) Where required, additional cable on level transducer may be ordered at an additional charge of \$2.00 per foot. Transducer cable to be terminated at control panel or junction box.
- E) Price does not include additional twisted/shielded cable between junction box and control panel.
- F) Price does not include stilling well (~ 4" - 6" diameter PVC pipe w/ 1" holes drilled every 12", set ~6" off bottom of wetwell, if req'd).

2 **Delivery:**

1. Submittals could be provided within 4 - 6 weeks after receipt of purchase order by ECC.
2. **Estimated** equipment delivery 8 – 10 weeks after receipt of approved submittal by ECC. These terms subject to change based on market volatility and delivery of parts by ECC suppliers.
3. Please contact estimator BEFORE or AT TIME OF QUOTE if other arrangements are required.

3 **Terms/Notes/Exclusions:**

1. System Warranty
 - A. System warranty against defects in material and workmanship is the earlier of 18 months after the date of shipment or 1 year after the date of installation.
 - B. Warranty excludes surge/transient damage.
 - C. Warranty includes parts only for ECC-provided equipment included in this scope of work for which ECC does not perform start-up services.
 - D. ECC is not liable for loss, damage, or expense directly or indirectly from the use of its products or services, or from any other cause.
2. Price does **not** include any applicable taxes or fees. Tax exempt certificate must accompany purchase order, or sales tax will be charged.
3. Price valid for 60 days.
4. Payment Terms
 - A. Net 30 days with 1 ½% per month add.
 - B. 100% of each invoice is due within 30 days of invoice date.
 - C. Retainage of any invoiced amount is unacceptable unless **specifically** agreed to in writing by ECC at the time of order, and shall in no case exceed a period of 90 days.
 - D. If payments are not timely received by ECC, and this account is turned over to an attorney for collections, Customer agrees to pay all reasonable costs and attorney fees incurred in collection of the past due amounts.
 - E. Payment as the project progresses is expected.
 - F. Back charges are not accepted by ECC unless prior written authorization is obtained from ECC.
5. Prices quoted are for ECC to be a supplier, not a subcontractor or general contractor. Additional fees may be charged if ECC is required to be a subcontractor or general contractor.
6. Additional fees may be charged if ECC is required to provide additional bonding/insurance beyond ECC standard for this project.
7. Freight
 - A. **Price does not include freight.** If shipped by ECC, freight is FOB Factory, pre-paid and added to invoice. Equipment may also be picked up or shipped by customer.
 - B. Price does not include equipment unloading/setting/proper storage.
8. Price does **not** include specialized pump motor stator over temperature relay/seal leakage-monitoring device for protection of each submersible pump motor. If specialized relays/sensors

are required by the pump manufacturer, the units shall be as specified and provided by the pump manufacturer, to assure that the pump and motor warranty is not compromised. Wiring diagrams for the units shall be provided by the pump supplier to the systems integrator (ECC) for submittal purposes. The units shall be provided by the contractor/pump supplier to the systems integrator prior to panel construction, who shall install the units in the control panel. The contractor/pump supplier shall provide start-up/documentation/training services as required for this equipment.

9. Price only includes items described in above scope of work. Items not specifically described in above scope, but which may be required, are assumed to be provided by others, and may result in additional cost to this contract if ECC is to provide. **Price does not include the following, unless specifically mentioned in the scope:**
- A. Spare parts
 - B. Equipment/mounting brackets/hardware/services/installation.
 - C. Performance/Payment bond.
 - D. Process instrumentation (air, water, etc.) tubing, connections, or pipe taps external to control panel, heat tape or above-grade freeze protection.
 - E. Level/Pressure/Flow/Temperature/Chemical sensors/gauges/switches.
 - F. Cord connectors/support brackets/hooks/strain relief devices/mounting hardware, seal fittings for any equipment, not limited to pump cord/floats/level sensors.
 - G. Telephone line/Internet service connection or coordination.
 - H. Any utility charges, inspection fees, or permits.
 - I. Video documentation.
 - J. Conduit/wire runs.
 - K. Termination of wiring.
 - L. Incoming utility service transformer, electric service meter/disconnect/CT-PT cabinet/generator/transfer switch/junction boxes, and associated conduit/strut/wiring/installation, etc.
 - M. Pumps/motors/junction boxes/mechanical piping/valves/actuators/solenoids or installation thereof.
 - N. Hoisting for pumps/mechanical piping/equipment unloading/setting.
 - O. Demolition/removal of existing equipment.
 - P. Equipment racks or concrete pole bases.
 - Q. Excavation/trenching/backfill, asphalt/concrete/rebar/housekeeping pad work, core drilling/cutting/grouting/firestopping of holes in vaults/wetwells/concrete/masonry structures for conduit/piping or other equipment, welding.
 - R. Electrical service/temporary electric service.
 - S. Locks of any type.
 - T. Back-up/bypass pumping/operation of station(s) (such as during installation/start-up).
 - U. Painting or coatings of any kind.
 - V. Chemicals of any type.
 - W. Drawings of any kind (conduit/wire layout, loop drawings, etc.), other than control panel drawings for equipment provided above.
 - X. Nameplates/labelling for equipment provided by others.
 - Y. Studies/reports of any kind (coordination/short circuit/protection device/arc flash/harmonic analysis, other than those specifically detailed above.
 - Z. Any required anchorage/seismic design/calculations/structural engineer seal. (ECC will provide electrical gear manufacturer's standard anchoring/installation instructional data sheets.)
10. **Price does not include start-up/on-site services.** This service, if required, is at additional cost to the above scope of work per ECC's Service Contract schedule of prices – please contact ECC to discuss.
11. Cancellation of purchase order after submittals have been prepared will result in cancellation fee of 25% of order.

Nicholas L. Crowe
Electric Controls Company, Inc.

City of Osage Beach

Agenda Item Summary

Date of Meeting: February 2, 2023
Originator: Kevin Crooks, Public Works Operations Manager
Presenter: Kevin Crooks, Public Works Operations Manager

Agenda Item:

Motion to approve the purchase of water meters and associated annual inventory from Schulte Supply, Inc. for a not to exceed amount of \$428,559.27.

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:

Yes- The Water Department has no replacement water meters in inventory, and currently, 13 failed meters awaiting replacement.

Budgeted Item:

Yes.

Budget Line Information (if applicable):

Budget Line Item/Title: 30-00-743300 Repair of System

FY2023 Budgeted Amount:	\$ 990,000
FY2023 Expenditures to Date (01/25/23):	\$ 0
FY2023 Available:	\$ 990,000
FY2023 Requested Amount:	\$428,559.27

Department Comments and Recommendation:

Motion to approve the purchase of water meters and associated annual inventory from Schulte Supply, Inc. for a not to exceed price of \$428,559.27. As previously presented to the board, the installed water meter inventory in Osage Beach is aging and in a failure "bell curve". In previous years, the Water Department has been focused only on replacing failed meters and pressure reducing valves (PRV's) in a reactive mode. This 2023 proposed inventory represents a proactive approach focusing on replacing the remaining installed meters older than 10 years and 80% of our meters older than 7 years. Meters of this age, aside from being prone to failure, do not have data logging capability that is valuable for customer service issues and determining when leaks are

present on the customer side of the connection. With this enhanced pro-active approach, we will greatly free up Water and Billing Department staff time.

City Attorney Comments:

Not Applicable.

City Administrator Comments:

I concur with the department's recommendation.

Schulte Supply, Inc.
 5998 Redbud Lane
 PO Box 388
 Edwardsville IL 62025
 618-656-8383 Fax 618-656-8750

Quotation

QUOTE DATE	QUOTE NUMBER
01/10/23	S1195413
ORDER TO: Schulte Supply, Inc. 5998 Redbud Lane PO Box 388 Edwardsville IL 62025	PAGE NO. 1

QUOTE TO: 573-302-2020 Fax 573-302-2043
 City of Osage Beach, MO
 5757 Chapel Drive
 Osage Beach, MO 65065

SHIP TO:
 City of Osage Beach, MO
 5757 Chapel Drive
 Osage Beach, MO 65065

CUSTOMER NUMBER	CUSTOMER ORDER NUMBER	RELEASE NUMBER	SALESPERSON		
1731			Tom Brickey		
WRITER		SHIP VIA	TERMS	BID DATE	FREIGHT ALLOWED
Jeff Kinkel		FREE DELIVERY	NET 30 DAYS	01/10/23	Yes
ORDER QTY	PART NO	DESCRIPTION		Net Pric	Ext Pric
908ea	8869	ED2B31RWG1 (ED2B31RWG3) 5/8" x 3/4" Neptune Trident 10 Water Meter with Integrated R900i Radio Register in Gallons for Pit Applications		304.640	276613.12
85ea	10438	ED2F11RWG1 1" Neptune Trident 10 Water Meter with Integrated R900i Radio Register in Gallons for Pit Applications		449.190	38181.15
36ea	48924	EU2A2G1SG89 1 1/2" Flanged Neptune MACH 10 Ultrasonic Water Meter with Integrated R900i Radio Register in Gallons for Pit Applications with 6' Antenna 13" Laying Length		993.000	35748.00
52ea	48925	EU2E2G1SG89 2" Neptune MACH 10 Ultrasonic Water Meter with Integrated R900i Radio Register in Gallons for Pit Applications with 6' Antenna 17" Laying Length		1173.000	60996.00
4ea	52695	EU3B2G1SG89 3" Neptune Mach 10 Ultrasonic Water Meter With Integrated R900I Radio Read Register Gallon Pit Applications With 6' Antenna 17" Lay Length Flanged		3200.250	12801.00
1ea	52696	EU3C2G1SG89 4" Neptune Mach 10 Ultrasonic		4220.000	4220.00
*** Continued on Next Page ***					

Schulte Supply, Inc.
 5998 Redbud Lane
 PO Box 388
 Edwardsville IL 62025
 618-656-8383 Fax 618-656-8750

Quotation

QUOTE DATE	QUOTE NUMBER
01/10/23	S1195413
ORDER TO: Schulte Supply, Inc. 5998 Redbud Lane PO Box 388 Edwardsville IL 62025	PAGE NO. 2

QUOTE TO: 573-302-2020 Fax 573-302-2043
 City of Osage Beach, MO
 5757 Chapel Drive
 Osage Beach, MO 65065

SHIP TO:
 City of Osage Beach, MO
 5757 Chapel Drive
 Osage Beach, MO 65065

CUSTOMER NUMBER	CUSTOMER ORDER NUMBER	RELEASE NUMBER	SALESPERSON		
1731			Tom Brickey		
WRITER	SHIP VIA	TERMS	BID DATE	FREIGHT ALLOWED	
Jeff Kinkel	FREE DELIVERY	NET 30 DAYS	01/10/23	Yes	
ORDER QTY	PART NO	DESCRIPTION	Net Pric	Ext Pric	
		Water Meter With Integrated R900I Radio Read Register Gallon Pit Applicatons With 6' Antenna 14" Lay Length Flanged ** Nonstock item ** TAXES NOT INCLUDED			

This is a Quotation.

Prices are subject to change without notice.
 Applicable taxes extra.

Subtotal	428559.27
S&H CHGS	0.00
Amount Due	428559.27

City of Osage Beach

Agenda Item Summary

Date of Meeting: February 2, 2023
Originator: Kevin Crooks, Public Works Operations Manager
Presenter: Kevin Crooks, Public Works Operations Manager

Agenda Item:

Motion to approve the purchase of Sewer Department inventory items from Municipal Pump co, Inc. for a not to exceed price of \$119,372.75, plus freight charges.

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:

Yes - These materials are necessary for immediate maintenance needs.

Budgeted Item:

Yes

Budget Line Information (if applicable):

Budget Line Item/Title: 35-00-743300 Repair of System.

FY2023 Budgeted Amount: \$ 975,000

FY2023 Expenditures to Date (01/25/23): \$ 39,551

FY2023 Available: \$ 935,449

FY2023 Requested Amount: \$119,372.75

Department Comments and Recommendation:

Motion to approve the purchase of Sewer Department inventory items from Municipal Pump co, Inc. for a not to exceed price of \$119,372.75 (plus freight). This proposal is an annual bulk purchase of many commonly used sewer maintenance items. Some, like the pumps and electrical panels, are sole-source items while others are available elsewhere but are price checked for pricing competitiveness. This helps reduce the amount of small incidental purchases, and keeps a ready inventory on the shelf for immediate use. I recommend approval.

City Attorney Comments:

Not Applicable

City Administrator Comments:

I concur with the department's recommendation.

QUOTE

Mr. Josh Pritchett
City of Osage Beach, MO

January 23, 2023

RE: 2023 Stock Inventory

Dear Josh,

Following are prices for the requested equipment for the referenced project:

Quantity	Name		Unit cost	Value
<u>Electrical Parts</u>				
20	Tape ¾" x 66' Red electrical		\$4.17	\$83.40
20	Tape ¾" x 66' White electrical		\$4.17	\$83.40
20	Tape ¾" x 66' Green electrical		\$4.17	\$83.40
20	Tape ¾" x 66' Black electrical		\$4.17	\$83.40
50	Capacitor, Run, 20 MFD	TRCF20	\$6.84	\$342.00
50	Capacitor, Run, 60 MFD	TRCF60	\$16.68	\$834.00
50	Capacitor, Run, 80 MFD	TRCF80	\$21.50	\$1,075.00
50	Capacitor, Start, 161-193 MFD	PRMJ161	\$11.46	\$573.00
50	Capacitor, Start, 216-259 MFD	PRMJ216	\$13.04	\$652.00
50	Capacitor, Start, 270-324 MFD	PRMJ270	\$15.10	\$755.00
75	Relay, 4 prong,	3271621	\$91.99	\$6,899.25
75	Relay, 3 prong,	V37-00471	\$85.80	\$6,435.00
50	Alternating relay,	ARP43S	\$70.00	\$3,500.00
100	Float, small, normally open, 40'	SM40NO	\$40.40	\$4,040.00
			Total Price	\$25,438.85 (w/o FRT)
<u>Control Panels</u>				
5	Simplex, 3.5 HP, 230 V, 1 PH panel	500738-172	\$4,888.05	\$24,440.25
5	Duplex, 3.5 HP, 230 V, 1 PH panel	500738-175	\$6,098.60	\$30,493.00
5	Simplex, 6 HP, 230 V, 1 PH panel	500738-188	\$4,953.05	\$24,765.25
3	Duplex, 6 HP, 230 V, 1 PH panel	500738-183	\$6,228.00	\$18,865.80
			Total Price	\$98,384.30 (w/ FRT)
<u>Sewer Materials</u>				
10	1 ¼" SS pressure hub	BOC125SS	\$125.40	\$1,254.00
5	1 ½" SS pressure hub	BOC150SS	\$128.26	\$641.30
200	1 ¼" profile gasket	43070179	\$16.22	\$3,244.00
100	1 ¼" check ball	44270051	\$25.39	\$2,539.00
			Total Price	\$7,678.30 (w/o FRT)

Sewer Material stainless steel

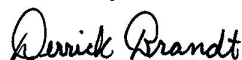
4	1 ¼" stainless steel Tee		\$32.40	\$129.60
7	1 ¼" stainless steel 90 elbow		\$20.45	\$143.15
4	1 ¼" stainless steel union		\$54.80	\$219.20
7	2" stainless steel Tee		\$50.82	\$355.74
5	2" stainless steel union		\$73.04	\$365.20
4	1 ½" x 1 ¼" stainless steel bushing		\$17.58	\$70.32
11	2" x 1 ¼" stainless steel bushing		\$26.79	\$294.69
3	2" x 2" stainless steel nipple		\$12.30	\$36.90
12	2" x 2 ½" stainless steel nipple		\$13.65	\$163.80
13	2" x 3" stainless steel nipple		\$15.69	\$203.97
11	2" x 3 ½" stainless steel nipple		\$18.23	\$200.53
10	2" x 4" stainless steel nipple		\$20.60	\$206.00
2	2" x 5" stainless steel nipple		\$25.31	\$50.62
2	2" 5 ½" stainless steel nipple		\$27.68	\$55.36
2	2" x 6" stainless steel nipple		\$30.02	\$60.04
Total				\$2,555.12 (w/o FRT)

Sewer pumps

20	2 Horsepower, 230 volt 1 phase	S20/2W	\$1,901.10	\$38,022.00
10	6 horsepower, 230 volt 1 phase	PE45/2W	\$5,768.15	\$57,681.50
3	10.7 horsepower, 460 volt 3 phase	PE80/2	\$7,889.75	\$23,669.25
Total				\$119,372.75 (w/ FRT)

I look forward to hearing from you. Please let me know if there are any questions or comments concerning this item.

Sincerely,



Derrick Brandt

General Notes and Comments:

- The prices shown include associated freight costs as listed above
- The prices are firm for 60 days from the date of the proposal
- Delivery is _____ weeks from order
- Payment terms for this order would be: **NET 30 Days**
- Visa and MasterCard are accepted with a 4.5% processing fee
- The prices shown above DO NOT include installation
- The prices shown above include start up service
- The prices shown above do not include applicable taxes.
- Municipal Equipment Company **shall not, in any event, be liable** for indirect, special, consequential, or liquidated damages or penalties of any kind for any reason.
- Note that the pricing validity is for 30 days. Freight costs, material costs, and **delivery time frames are extremely volatile** at this time.
- The Infrastructure Investment and Jobs Act signed into law on November 15, 2021, includes substantive changes to Buy America requirements compared to those specified in the preceding American Iron and Steel Act. As with previous legislation, we are awaiting any additional guidance for the US Environmental Protection Agency or other Agencies for further clarification relating to current Buy America requirements. As of now, the industry at large is unable to ascertain the parameters of the Buy America requirement. We cannot make any guarantee that this scope of supply will be in compliance with any Buy America requirements under the Infrastructure Investment and Jobs Act. Accordingly, any offer for sale, proposal, or budgetary quote/estimate submitted should not be construed as meeting such Buy America requirements - unless explicitly stated otherwise.

If you would like to place an order for this equipment, please sign below and return to our office.

Accepted by

Company

Date

City of Osage Beach
Agenda Item Summary

Date of Meeting: February 2, 2023
Originator: Mike Welty, Assistant City Administrator
Presenter: Mike Welty, Assistant City Administrator

Agenda Item:
Discussion - Sands Gravity Main Replacement

Requested Action:
Discussion

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:
As you know, on Wednesday September 21st, the gravity main that runs down Basin Road to the Sand Liftstation failed. The clean up, the temporary sewer bypass, and the rental of multiple pieces of equipment needed to mitigate this issue ended up costing the City close to \$160,000 to date. Prior to this happening, we had already put together an estimate to improve the manhole on Basin Road and those costs were included in the 2023 budget. (\$241,862.00). Attached you will find a drawing and cost estimate for the permanent solution to this issue. Dave Van Leer will walk you through the permanent fix for this issue.

Unless further direction is given by the Board of Aldermen, we intend to bid this work out as soon as possible in order to get this permanently fixed quickly.

City Attorney Comments:
Not Applicable

City Administrator Comments:

The engineer's cost estimate presented in this discussion is \$400,428, approximately \$159,000 over amounts included in the FY2023 budget. Should the bids come in over budgeted amounts, funding for the project will need to be addressed.



**COST ESTIMATE
SANDS GRAVITY MAIN REPLACEMENT
CITY OF OSAGE BEACH
PROJECT NO. OB22-015
DECEMBER 20, 2022**

<u>ITEM</u>	<u>QUANTITY</u>	<u>UNIT</u>	<u>UNIT COST</u>	<u>TOTAL</u>
Mobilization/Demobilization/Start-Up/Permits/Bonds	1	LS	\$31,000.00	\$31,000.00
Clearing and Grubbing	1	LS	\$8,000.00	\$8,000.00
48-inch dia. Sanitary Sewer Manhole (Manhole #3 & #4)	2	EA	\$5,000.00	\$10,000.00
16-inch dia. PVC Gravity Sewer Main	324	LF	\$200.00	\$64,800.00
16-inch dia. PVC Force Main	75	LF	\$200.00	\$15,000.00
16-inch dia. 45-degree M.J. Bend	1	EA	\$1,000.00	\$1,000.00
Connection to Existing 16-inch dia. PVC Force Main	2	EA	\$5,000.00	\$10,000.00
By-Pass Pumping	1	DAYS	\$10,000.00	\$10,000.00
Removal of Existing Manhole "G"	1	LS	\$7,500.00	\$7,500.00
48-inch dia. Sanitary Sewer Manhole (Manhole #1)	1	EA	\$10,000.00	\$10,000.00
Gravity Sewer Flow Meter & Manhole (Manhole #2)	1	LS	\$50,000.00	\$50,000.00
Existing Utility Adjustments	1	LS	\$15,000.00	\$15,000.00
Compacted Granular Backfill	87	Ton	\$50.00	\$4,350.00
Asphalt Pavement Repair	34	SY	\$60.00	\$2,040.00
1-inch Clean Gravel for Manhole Abandonment	4	EA	\$3,000.00	\$12,000.00
Controlled Low Strength Material for Pipe Abandonment	50	CY	\$400.00	\$20,000.00
By-Pass Pumping Manhole	2	EA	\$10,000.00	\$20,000.00
Removal of Manhole "A" & Force Mains	1	LS	\$15,000.00	\$15,000.00
Andy's Parking Lot Restoration	1	LS	\$10,000.00	\$10,000.00
Finish Grading and Seeding	0.20	AC	\$15,000.00	\$3,000.00
Force Account	1	LS	\$15,000.00	\$15,000.00
SUBTOTAL				\$333,690.00
Contingencies (20%)				\$66,738.00
GRAND TOTAL				\$400,428.00

Notes:

1. This estimate does not include solid rock excavation
2. This estimate does not include easement acquisition

City of Osage Beach
Agenda Item Summary

Date of Meeting: February 2, 2023
Originator: Jeana Woods, City Administrator
Presenter: Jeana Woods, City Administrator

Agenda Item:

Discussion -Water and Wastewater User Charge Modification - To Be Effective May 1, 2023

Requested Action:

Discussion

Ordinance Referenced for Action:

Not Applicable

Deadline for Action:

None

Budgeted Item:

Not Applicable

Budget Line Information (if applicable):

Not Applicable

Department Comments and Recommendation:

Not Applicable

City Attorney Comments:

Not Applicable

City Administrator Comments:

Enclosed is a summary of water and wastewater (sewer) user charge modifications for the Board of Aldermen's consideration, to be effective date of May 1, 2023. The stated rate adjustments will adequately fund our water and wastewater (sewer) systems. This is discussion for the purpose of explanation, and allows time for further information to be provided, if needed, prior to a bill being presented to the Board of Aldermen.

I recommend an average, combined water and sewer rate increase of 12% (Water = 11%/Sewer = 13%) to adequately fund the operations of each system and provide

adequate reserves for depreciation and replacement. Cost estimates used in the calculation for each fund were based on recent cost trends and forecasted data for a three-year period.

A thirty-day notice of a Public Hearing is required for such changes to our user charges. Said notice will be published on or prior to February 1, 2023, for a Public Hearing to be held on March 2, 2023, followed by a first reading of a bill for approval.



City of Osage Beach Water and Sewer User Charges

Jeana Woods
City Administrator
February 2, 2023

Water & Sewer User Charge Systems

- Provide clean, safe, and affordable water to our community
- Operate our water and sewer systems in a safe, lawful, and financially sound manner
- Requirements
 - Fair and Equitable Rate for all users (*SRF, DNR*)
 - Combined Water & Sewer - < 4.5% of MHI requirements apply per EPA
 - Collect adequate revenues *annually* for O&M, Retiring Debt, Depreciation and Replacement Reserve, Improvements and Extensions (*SRF, DNR*)
 - Ensure system generates adequate revenues for operation and maintenance

Current Position

■ Water

- Majority of system was built in early 2000s
- Nearly 250 miles of water line, 8 wells, 4 towers, and 999 fire hydrants to maintain
- Nearly 6,100 users - *5.4% increase since 2019*
 - *Residential users = 87% - 5% increase since 2019*
 - *151 non-metered users*
 - *Commercial users = 13% - 4% increase since 2019*
 - *41 non-metered users*
- Since 2019 – Overall decrease in non-metered customers; overall decrease in Out-of-City customers (Current - In-City=85%; Out-of-City=15%)
- Billed Consumption – FY2022 = 346 million gallons, average 3% growth annually since 2019
- In-City build-out nearly 100% (less than 25 users unserved)

Current Position

■ Sewer

- ❑ Majority of the system was built in the mid-1980s
- ❑ Approximately 153 miles of sewer line, over 1,200 grinder stations, and 59 lift stations to maintain
- ❑ Nearly 7,100 users – 4.7% growth since 2019
 - *Residential users = 86% - 5% increase since 2019*
 - ❑ *Over 1,100 non-metered users*
 - *Commercial users = 14% - 4% increase since 2019*
 - ❑ *Nearly 270 non-metered users*
- ❑ Since 2019 – Overall decrease in non-metered customers; overall decrease in Out-of-City customers (Current - In-City=84%; Out-of-City=16%)
- ❑ WWTP Flows – FY2022 = 388 million gallons; average 8% decrease in flows annually since 2019
- ❑ In-City build-out nearly at 100% (less than 50 users unserved)

Review Analysis

■ Water

□ Rate Increase History

- FY2007 – Revamped entire user charge system methodology (DNR Approved)
- FY2010 (12.9%); FY2012 (3.5%); FY2014 (4.0%); FY2016 (15.0%); FY2018 (5.0%).
- **Rate Increase needed at 11%**

■ Depreciation and Replacement (D & R) Account

- MoDNR require adequate reserves for asset management & replacement – Adjustments to funding needed
- 20-year schedule updated - Includes Repair of System; Tower, Tank, & Well Improvements; Other Operating Capital Schedules (i.e. equipment, truck replacements, etc.) – Excludes Infrastructure Expansion
- Current balance \$1,117,833; Current annual contribution - \$225,000
- Proposed annual contribution - \$525,000
- \$9,600,000 – 20-year investment (*present value increase = 26% since 2018*)

Review Analysis

■ Sewer

□ Rate Increase History

- FY2007 – Revamped entire user charge system methodology (DNR Approved)
- FY2010 (15.7%); FY2012 (4.6%); FY2014 (2.8%); FY2016 (4.0%); FY2018 (3.0%).
- **Current Rate Increases needed at 13%**
- A Rate Review to be reanalyzed upon the completion of the financial analysis for system improvements needed at the Tan-Tar-A Estates

■ Depreciation and Replacement (D & R) Account

- MoDNR require adequate reserves for asset management & replacement – Adjustments to funding needed
- 20-year schedule adjusted for inflation and interest (future value calculation) - Includes Repair of System; Pumps & Panels; Other Operating Capital or Improvement Schedules (i.e. other system improvements, equipment, truck replacements, etc.) – Excludes Infrastructure Expansion
- Current balance \$445,399; Current annual contribution - \$654,000
- Proposed annual contribution - \$1,500,000
- \$25,300,000 - 20-year investment (*present value increase = 200% since 2018*)

Review Analysis

■ Proposed Water Rates

	Current		May 1, 2023	
	In-City	Out-of-City	In-City	Out-of-City
5/8"	\$20.48	\$88.29	\$22.73	\$98.00
1"	\$28.24	\$123.13	\$31.35	\$136.67
1 1/2"	\$35.98	\$157.97	\$39.94	\$175.35
2"	\$57.30	\$253.76	\$63.60	\$281.67
3"	\$214.38	\$959.17	\$237.96	\$1,064.68
4"	\$272.40	\$1,220.43	\$302.36	\$1,354.68
6"	\$330.54	\$1,481.69	\$366.90	\$1,644.68
Volumetric (1,000 gal)	\$1.21		\$1.34	
Aggregate % Increase			11.0%	

Review Analysis

■ Proposed Sewer Rates - METERED

	Current		May 1, 2023	
	In-City	Out-of-City	In-City	Out-of-City
5/8"	\$16.11	\$35.03	\$18.20	\$39.58
1"	\$21.64	\$48.15	\$24.45	\$54.41
1 1/2"	\$27.20	\$61.28	\$30.74	\$69.25
2"	\$42.46	\$97.36	\$47.98	\$110.02
3"	\$154.85	\$363.08	\$174.98	\$410.28
4"	\$196.48	\$461.49	\$222.02	\$521.48
6"	\$238.11	\$559.92	\$269.06	\$632.71
Volumetric (1,000 gal)	\$2.23		\$2.52	
Aggregate % Increase			13.0%	

Review Analysis

■ Proposed Sewer Rates – NON-METERED (Flat Rate)

	Current		January 1, 2018	
	In-City	Out-of-City	In-City	Out-of-City
A	\$29.50	\$46.53	\$33.34	\$52.58
B	\$186.77	\$211.05	\$294.56	\$332.85
C	\$303.40	\$479.23	\$343.40	\$541.53
D	\$653.84	\$1,031.10	\$738.84	\$1,165.14
E	\$1,268.27	\$2,000.08	\$1,433.15	\$2,260.09
F	\$3,541.16	\$5,584.49	\$4,001.51	\$6,310.47
G	\$5,256.24	\$8,289.17	\$5,939.55	\$9,366.76
Aggregate % Increase			13.0%	

Review Analysis

■ Sewer Classes (Flat Rate)

	Description	Equiv Meter	Equiv Demand
A	Single Family < 2.5 baths, Small Commercial offices/retail, MF/MU – per unit basis, Max continuous demand < 10 gpm, No laundries or laundromats. No restaurants.	5/8"	1 to 20 gpm
B	Large residences, swimming pools, lawn irrigation w/ lawns < 6,000 sq.ft., Hotel/Motel < 15 rooms, Small restaurants < 75 seats, FF w/ drive-thru, Other Small – Medium Commercial, Max continuous demand < 25 gpm	1"	3 to 50 gpm
C	Hotel/Motel < 35 units, Medium restaurants > 75 seats, no outdoor seating, Other Medium Commercial, Max continuous demand < 50 gpm	1 ½"	5 to 100 gpm
D	Hotel/Motel < 70 units, Large restaurants > 175 seats, outdoor seating, Other Medium – Large Commercial, Max continuous demand < 80 gpm	2"	8 to 160 gpm
E	Hotel/Motel < 150 units, Other Large Commercial, Max continuous demand < 160 gpm	3"	4 to 320 gpm
F	Hotel/Motel < 300 units, Commercial/Domestic uses w/continuous demand < 250 gpm	4"	6 to 500 gpm (10 to 1,200 gpm turbine)
G	Hotel/Motel > 301 units, Commercial/Domestic uses w/continuous demand > 1000 gpm	6"	6 to 500 gpm (10 to 1,200 gpm turbine)

Sample Billing

- Residential, In-City – 5/8” Metered Water & Sewer

	<i>Current</i>	<i>Proposed</i>		<i>Monthly Increase</i>	<i>Annual Increase</i>
Gallons	5,000				
Water	\$25.32	\$28.09	11%	\$2.77	\$33.24
Sewer	\$25.03	\$28.28	13%	\$3.25	\$39.00
TOTAL	\$50.35	\$56.37	12%	\$6.02	\$72.24

Sample Billing

- M/F – 16 unit, In-City – Metered Water & Sewer

	<i>Current</i>	<i>Proposed</i>		<i>Monthly Increase</i>	<i>Annual Increase</i>
Units	16				
Gallons	60,000				
Water	\$380.93	\$422.64	11%	\$41.71	\$500.52
Sewer	\$355.88	\$402.08	13%	\$46.20	\$554.40
TOTAL	\$736.81	\$824.72	12%	\$87.91	\$1,054.92
Per Unit	\$46.05	\$51.55	12%	\$5.50	\$66.00

Sample Billing

- Commercial, In-City – 1” Metered Water & Sewer

	<i>Current</i>	<i>Proposed</i>		<i>Monthly Increase</i>	<i>Annual Increase</i>
Gallons	18,000				
Water	\$48.81	\$54.13	11%	\$5.32	\$63.84
Sewer	\$59.55	\$67.29	13%	\$7.74	\$92.88
TOTAL	\$108.36	\$121.42	12%	\$13.06	\$156.72

Sample Billing

- Commercial, In-City – 2” Metered Water & Sewer

	<i>Current</i>	<i>Proposed</i>		<i>Monthly Increase</i>	<i>Annual Increase</i>
Gallons	68,000				
Water	\$138.37	\$153.38	11%	\$15.01	\$180.12
Sewer	\$191.87	\$216.82	13%	\$24.95	\$299.40
TOTAL	\$330.24	\$370.20	12%	\$39.96	\$479.52

Comparisons

- Residential - In-City, 5,000 gallons

	Camdenton	Osage Beach	Lake Ozark	Eldon	Laurie	Sunrise Beach
Water	\$18.40	\$28.09	\$31.20	\$26.14	\$49.24	\$57.39
Sewer	\$18.20	\$28.28	\$28.24	\$37.64	\$45.30	\$88.00
Total	\$36.60	\$56.37	\$59.44	\$63.78	\$94.54	\$145.39