

NOTICE OF MEETING AND BOARD OF ALDERMEN AGENDA



CITY OF OSAGE BEACH BOARD OF ALDERMEN MEETING

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

AMENDED TENTATIVE AGENDA REGULAR MEETING

**June 4, 2020 - 6:00 PM
CITY HALL**

******* Note: Make sure your cell phone is turned off or on a silent tone only. Please sign the attendance sheet located at the podium if you desire to address the Board. Packets are available on the back table and on the City's website at www.osagebeach.org.**

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

MAYOR'S COMMUNICATIONS

CITIZENS' COMMUNICATIONS

- This is a time set aside on the agenda for citizens and visitors to address the Mayor and Board on any topic that is not a public hearing. Although the citizens and visitors will be in listen only mode, questions or comments for the Mayor and Board of Aldermen may be sent to the City Clerk at tberreth@osagebeach.org no later than 10:00 AM, Thursday, April 16, 2020. Submitted questions and comments may be read during the Citizen's Communications section of the agenda; however, 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.

APPROVAL OF CONSENT AGENDA

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

- ▶ Minutes of Board of Aldermen meeting May 21, 2020
Amended Minutes of Board of Aldermen meeting March 17, 2020
- ▶ Bills List - June 4, 2020
- ▶ New Liquor Licenses
Coco's Bistro - 5837 Osage Beach Parkway
Lake of the Ozarks FW LLC, dba First Watch - 4325 Osage Beach Parkway

UNFINISHED BUSINESS

- A. Bill 20-25 - An ordinance of the City of Osage Beach, Missouri, amending the Osage Beach Code of Ordinances by repealing and replacing Chapter 605: Business Licenses and Regulations of the Osage Beach Municipal Code *Second Reading*
- B. Bill 20-26 - An ordinance of the City of Osage Beach, Missouri amending Ordinance No. 19.90 Adopting the 2020 Annual Budget, Transfer of Funds for Necessary Expenses, for multiple projects and funds. *Second Reading*
- C. Bill 20-31 - An ordinance of the City of Osage Beach, Missouri, authorizing the Mayor to execute a contract with AT&T for local phone service. *Second Reading*

NEW BUSINESS

- A. Bill 20-33 - An ordinance of the City of Osage Beach, Missouri, creating a new Section 500.155 requiring grease interceptors and setting out the performance requirements for discharge into the wastewater system and new sections within the wastewater code dealing with same subject matter. *First Reading*
- B. Bill 20-34 - An ordinance of the City of Osage Beach, Missouri, referring the decision concerning opting out of the state imposed "Back to School" sales tax holiday to the Board of Aldermen each year. *First Reading*
- C. Bill 20-35 - An ordinance of the City of Osage Beach, Missouri, amending the procedure in Section 110.300 for the application and distribution of funds from the Community Promotions or Community Event Support Account. *First Reading*
- D. Bill 20-36- An ordinance of the City of Osage Beach, Missouri, authorizing the expenditure of funds for advertising to support the Benne Media Aquapalooza 2020 Event Support Request. *First Reading*
- E. Bill 20-37 - An ordinance of the City of Osage Beach, Missouri, amending the Section 115.390 by adding consideration of skills, training, and experience to the qualifications for a Public Works Director.
- F. Motion to approve the renewal of the Prescription Drug Monitoring Program agreement with the St Louis County Department of Public Health.
- G. Discussion - Citizen's Committed to Economic Recovery
- H. Discussion - Bid Process regarding City's Banking & Investment Agreements
- I. Discussion - Streetlight Design Guidelines

COMMUNICATIONS FROM MEMBERS OF THE BOARD OF ALDERMEN

STAFF COMMUNICATIONS

ADJOURN

Remote viewing link <https://zoom.us/j/96283443662>

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

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

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

MINUTES OF THE REGULAR MEETING OF THE BOARD OF ALDERMEN
OF THE CITY OF OSAGE BEACH, MISSOURI
May 21, 2020

The Board of Aldermen of the City of Osage Beach, Missouri, video conference to conduct a Regular Meeting on Thursday, May 21, 2020 at 6:00 p.m. on video conference. The following were present confirmed by roll call: Mayor John Olivarri, Alderman Phyllis Marose, Alderman Tom Walker, Alderman Tyler Becker, Alderman Richard Ross, Alderman Kevin Rucker, and Alderman Greg Massey. Tara Berreth, City Clerk, was present and performed the duties of that office.

MAYOR'S COMMUNICATIONS

Mayor Olivarri read the Proclamation authorizing the Mayor to proclaim May 25, 2020 as Memorial Day.

CITIZENS' COMMUNICATIONS

None

APPROVAL OF CONSENT AGENDA

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

UNFINISHED BUSINESS

Motion for Board of Aldermen to reconsider Bill 20.27 - Shall the bill pass, the objections of the Mayor where to notwithstanding?

Alderman Ross made a motion stating, "Shall Bill 20.27 pass, the objection of the Mayor where to notwithstanding". Seconded by Alderman Becker. Roll Call Vote:

Alderman Walker - Yes, Alderman Marose - Yes, Alderman Rucker - Yes, Alderman Becker - Yes, Alderman Massey - Yes, Alderman Ross - Yes. Motion passes unanimously.

NEW BUSINESS

Presentation of the City's 2019 Comprehensive Annual Financial Report (CAFR)

Amanda Schultz and Ashley Rollings from Williams Keeper gave a brief synopsis of the 2019 Comprehensive Annual Report

Bill 20-25 - An ordinance of the City of Osage Beach, Missouri, amending the Osage Beach Code of Ordinances by repealing and replacing Chapter 605: Business Licenses and Regulations of the Osage Beach Municipal Code
First Reading

Discussion on whether to make Contractors to list the City as additional insured.

Alderman Becker made a motion to approve the first reading of Bill 20-25 as presented. This motion was seconded by Alderman Walker. Mayor Olivarri asked for a roll call vote. Alderman Rucker - Yes, Alderman Marose - No, Alderman Massey - No, Alderman Ross - No, Alderman Becker - Yes, Alderman Walker - Yes. Tie Vote. Mayor Olivarri exercised his duties under 110.020 and voted in the affirmative to pass the first reading of Bill 20-25.

Bill 20-26 - An ordinance of the City of Osage Beach, Missouri amending Ordinance No. 19.90 Adopting the 2020 Annual Budget, Transfer of Funds for Necessary Expenses, for multiple projects and funds. *First Reading*

Alderman Rucker made a motion to approve the first reading of Bill 20-26. This motion was seconded by Alderman Becker. Motion passes unanimously.

Bill 20-28 - An ordinance of the City of Osage Beach, Missouri, setting the terms for members of the Board of Aldermen, Mayor and City Collector elected in the delayed municipal election of 2020 and creating set terms for future years. *First and Second Reading*

The purpose of this ordinance is to prevent any possible confusion occasioned delay in the April 2020 Municipal General Election due to the Governor's Executive Order 20-03 which delayed that election until June 2, 2020. City ordinances provide for two-year terms. This ordinance sets the terms of those elected in June and restores the 2-year terms running from April to April. All newly elected or re-elected officials shall take office as they are duly elected and qualified.

Alderman Marose made a motion to approve the first reading of Bill 20-28. This motion was seconded by Alderman Walker. Motion passes unanimously.

Alderman Ross made a motion to approve the second reading of Bill 20-28. This motion was seconded by Alderman Rucker. The following roll call was taken to approve the second and final reading of Bill 20-28 and to pass same into ordinance: "Ayes" Alderman Marose, Alderman Walker, Alderman Becker, Alderman Ross, Alderman Massey and Alderman Rucker "Nays" – 0. Bill 20-28 was passed and approved as Ordinance 20-28.

Bill 20-29 - An ordinance of the City of Osage Beach, Missouri, opting out of the State imposed Sales Tax Holiday. *First Reading*

Alderman Rucker made a motion to approve the first reading of Bill 20-29. Motion dies for lack of second.

The Aldermen asked that Bill 20-29 be re-written and brought to the June 4, 2020 meeting.

Bill 20-31 - An ordinance of the City of Osage Beach, Missouri, authorizing the Mayor to execute a contract with AT&T for local phone service. *First Reading*

Alderman Rucker made a motion to approve the first reading of Bill 20-31. This motion was seconded by Alderman Marose. Motion passes unanimously.

Bill 20-32 - An ordinance of the City of Osage Beach, Missouri, amending Chapter 125 Human Resources System (Personnel) Rules and Regulations and the Policies associated with Chapter 125. *First and Second Reading*

Proposed changes: 125 Sections 125.020 Definitions, 125.050.G Individual Employee Pay Adjustment, 125.120.E.9 Occupational Leaves, 125.240. Other Employee Benefits

In response to the pandemic situation and the anticipated decrease in city revenue sources, many expenditure cuts were discussed at the previous Board of Aldermen meeting to re-balance out the budget. Cuts included personnel expenditures needed to meet decreased revenue projection. To accomplish this, amendments to Chapter 125 of the City ordinance are needed. Chapter 125 changes are as follows;

1) To address cash flow, temporary application of overtime, comp. time, tuition, and education incentives are

being requested at my operational discretion, and
2) Permanent change in the application of Holiday Pay is requested.

Alderman Ross made a motion to amend Bill 20-32 to remove section 125.050 G Individual Employee Pay Adjustments and 125.120 E. Occupational Leaves. This motion was seconded by Alderman Marose. Motion passed with a voice vote unanimously.

Alderman Becker made a motion to approve the first reading of amended Bill 20-32 (125.020 Definitions, 125.240. Other Employee Benefits). This motion was seconded by Alderman Ross. Motion passes with a voice vote.

Alderman Walker made a motion to approve the second reading of amended Bill 20-32. This motion was seconded by Alderman Becker. The following roll call was taken to approve the second and final reading of amended Bill 20-32 and to pass same into ordinance: “Ayes” Alderman Marose, Alderman Walker, Alderman Becker, Alderman Ross, Alderman Massey and Alderman Rucker “Nays” – 0. Bill 20-32 was passed and approved as Ordinance 20-32.

Discussion - "Shouse" Zoning

Alderman Rucker got a phone call with concerns about a Shouse being built in a residential zone.

Some concerns: Possible living space, transitional zones, amount of space for garage.

Board of Aldermen directed City Planner Cary Patterson to some research and bring results back to the Board at a future date.

Discussion - Citizen's Committed to Economic Recovery

Alderman Marose asked this agenda item to be moved to the next agenda.

COMMUNICATIONS FROM MEMBERS OF THE BOARD OF ALDERMEN

Alderman Rucker – Misinformation was given out regarding Mace Road and Passover Road. Wants to clarify that there are lights and sidewalks on both sides.

Alderman Ross – Thank Karri Bell for all of her hard work on the 2019 CAFR.

Alderman Marose – Stay safe this weekend.

STAFF COMMUNICATIONS

City Administrator Woods – Public Works/ Airports and City Hall will reopen on Tuesday, May 26th. There have been safety procedures have been put in place for public access to all public buildings. Ongoing screening of all employees will continue until further notice.

City Attorney Rucker – Court is still suspended. Ordinance 20-27 will be returning to the Board at the next meeting for a minor change. Adding multi commercial accounts to the Ordinance.

City Planner Patterson – Busy next few months with 3 new rezones and 1 variance.

ADJOURN

There being no further business to come before the Board, the meeting adjourned at 8:55pm.

I, Tara Berreth, City Clerk of the City of Osage Beach, Missouri, do hereby certify that the above foregoing is a true and complete journal of proceedings of the regular meeting of the Board of Aldermen of the City of Osage Beach, Missouri, held via webcam on May 21, 2020 and approved via webcam on June 4, 2020.

Tara Berreth/City Clerk

John Olivarri/Mayor

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

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

MAYOR'S COMMUNICATIONS

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

CITIZENS' COMMUNICATIONS

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

APPROVAL OF CONSENT AGENDA

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

UNFINISHED BUSINESS

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

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

NEW BUSINESS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**** Discussion - Golf Carts**

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

COMMUNICATIONS FROM MEMBERS OF THE BOARD OF ALDERMEN

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

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

STAFF COMMUNICATIONS

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

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

Police Chief Davis – 15 new cases in Missouri

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

Parks Vandevoot – Sending out emails to cancel sports events.

Airports Dinsdale – No Aviation Day

ADJOURN

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

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

Tara Berreth, City Clerk

John Olivarri, Mayor

**CITY OF OSAGE BEACH
BILLS LIST
June 4, 2020**

Bills Paid Prior to Board Meeting	\$	193,429.30
Payroll Paid Prior to Board Meeting	\$	106,487.40
SRF Transfer Prior to Board Meeting	\$	249,173.79
TIF Transfer Dierbergs	\$	7,453.75
TIF Transfer Prewitt's Pt	\$	108,555.58
Bills Pending Board Approval	\$	128,190.46
Total Expenses	\$	793,290.28

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
NON-DEPARTMENTAL	General Fund	FAMILY SUPPORT PAYMENT CENTER	Case #31550944	138.46
			Case ID41477632	138.46
		MO DEPT OF REVENUE	State Withholding	3,214.00
			Fed WH	9,166.52
		INTERNAL REVENUE SERVICE	FICA	6,396.27
			Medicare	1,495.92
		ICMA	Retirement 401	0.02-
			Loan Repayment	250.00
			Loan Repayment	160.13
			Loan Repayment	200.94
			Loan Repayment	233.04
			Loan Repayment	213.53
			Loan Repayment	80.59
			Loan Repayment	175.08
			Loan Repayment	216.93
			Retirement 457 &	2,077.56
			Retirement 457	1,251.99
			Loan Repayments	204.91
			Loan Repayments	285.54
			Loan Repayments	414.23
			Loan Repayments	215.92
			Loan Repayments	466.72
			Loan Repayments	294.74
			Loan Repayments	81.82
			Loan Repayments	86.89
			Retirement Roth IRA %	42.68
			Retirement Roth IRA	425.00
			HSA Contribution	25.00
		HSA BANK	HSA Family/Dep. Contributi	1,655.16
			BYRD, STEPHENY:10U/8U REFU	120.00
		ONE TIME VENDOR BYRD, STEPHENY	BYRD, STEPHENY:10U/6U REFUN	120.00
			HAERTHER, KATIE:6U REFUND	50.00
		MIHALJ, MELISSA	MIHALJ, MELISSA:10U/6U REF	115.00
			SHAFER, PHIL:PAVILION REFU	35.00
		SHAFAER, PHIL	UXA, ANGELA:6U REFUND	50.00
			BORDERS, WILLIAM:8U/12U RE	120.00
		JOHNS, JACKIE	JOHNS, JACKIE:6U REFUND	50.00
			MAYER, MORGAN:10U/12U REFU	140.00
		MCKAY, BROOKE	MCKAY, BROOKE:8U REFUND	50.00
			STOLTE, SHANNON:FIELD REFU	10.00
			TOTAL:	30,468.01
Mayor & Board	General Fund	INTERNAL REVENUE SERVICE	FICA	168.43
			Medicare	39.42
		ICMA	Retirement 401	163.00
		PITNEY BOWES BANK INC DBA PITNEY BOWES	MAYOR/BOARD POSTAGE	60.50
			TOTAL:	431.35
Collector	General Fund	INTERNAL REVENUE SERVICE	FICA	6.20
			Medicare	1.45
			TOTAL:	7.65
City Administrator	General Fund	INTERNAL REVENUE SERVICE	FICA	496.17
			Medicare	116.04
		ICMA	Retirement 401%	83.34
			Retirement 401	500.00

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
		HSA BANK	HSA Family/Dep. Contributi	225.00
		PITNEY BOWES BANK INC DBA PITNEY BOWES	CITY ADMIN POSTAGE	<u>17.70</u>
			TOTAL:	1,438.25
City Clerk	General Fund	INTERNAL REVENUE SERVICE	FICA	132.09
			Medicare	30.89
		ICMA	Retirement 401%	20.46
			Retirement 401	131.86
		HSA BANK	HSA Contribution	37.50
		PITNEY BOWES BANK INC DBA PITNEY BOWES	CITY CLERK POSTAGE	<u>629.26</u>
			TOTAL:	982.06
City Treasurer	General Fund	INTERNAL REVENUE SERVICE	FICA	562.21
			Medicare	131.48
		ICMA	Retirement 401%	92.90
			Retirement 401	557.32
		HSA BANK	HSA Contribution	37.50
		PITNEY BOWES BANK INC DBA PITNEY BOWES	HSA Family/Dep. Contributi	225.00
			FINANCE POSTAGE	<u>4.15</u>
			TOTAL:	1,610.56
Municipal Court	General Fund	INTERNAL REVENUE SERVICE	FICA	81.76
			Medicare	19.12
		ICMA	Retirement 401%	14.33
			Retirement 401	86.01
		HSA BANK	HSA Family/Dep. Contributi	75.00
		PITNEY BOWES BANK INC DBA PITNEY BOWES	MUNICIPAL POSTAGE	<u>216.10</u>
			TOTAL:	492.32
City Attorney	General Fund	INTERNAL REVENUE SERVICE	FICA	339.76
			Medicare	79.46
		ICMA	Retirement 401%	55.47
			Retirement 401	332.85
		HSA BANK	HSA Family/Dep. Contributi	75.00
		PITNEY BOWES BANK INC DBA PITNEY BOWES	CITY ATTNY POSTAGE	<u>3.40</u>
			TOTAL:	885.94
Building Inspection	General Fund	INTERNAL REVENUE SERVICE	FICA	257.88
			Medicare	60.31
		ICMA	Retirement 401%	41.40
			Retirement 401	255.23
		LOWE'S	MEASURING TAPE	18.99
		AT&T MOBILITY-CELLS	BLDG DEPT CELL PHONE	46.48
		OLIVER, HERSCHEL	MILEAGE REIMB- HEARING 5/1	21.85
		WEX INC	BLDG DEPT FUEL	24.95
			BLDG-VEH MAINT	0.00
		HSA BANK	HSA Contribution	37.50
			HSA Family/Dep. Contributi	187.50
		PITNEY BOWES BANK INC DBA PITNEY BOWES	BUILDING POSTAGE	<u>116.65</u>
			TOTAL:	1,068.74
Building Maintenance	General Fund	AMEREN MISSOURI	FRONT OF CH 4/15-5/14/20	10.49
			CITY HALL 4/15-5/14/20	<u>2,861.62</u>
			TOTAL:	2,872.11
Parks	General Fund	INTERNAL REVENUE SERVICE	FICA	263.01

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
			Medicare	61.51
		ICMA	Retirement 401%	29.17
			Retirement 401	264.11
		LOWE'S	SOCKETS, TAPE	16.19
			SAFETY GLASSES	33.22
			PEST CONTROL, CRACK SEALAN	56.37
			PEST CONTROL	6.29
			PEST CONTROL	17.98
		AT&T MOBILITY-CELLS	PARKS DEPT CELL PHONES	46.43
		WEX INC	PARK DEPT FUEL	426.29
		AMEREN MISSOURI	PP LWR DIAMOND LTS 4/7-5/7	11.06
			PP BALL PK LTS 4/7-5/7/20	13.67
		HSA BANK	HSA Contribution	37.50
			HSA Family/Dep. Contributi	150.00
		PITNEY BOWES BANK INC DBA PITNEY BOWES	PARK POSTAGE	13.50
			TOTAL:	1,446.30
Human Resources	General Fund	INTERNAL REVENUE SERVICE	FICA	175.69
			Medicare	41.09
		ICMA	Retirement 401%	31.97
			Retirement 401	191.83
		HSA BANK	HSA Family/Dep. Contributi	97.91
		PITNEY BOWES BANK INC DBA PITNEY BOWES	HUMAN RESOURCES POSTAGE	36.15
			TOTAL:	574.64
Overhead	General Fund	AT & T/CITY HALL	CH PH SVC 5/05/20	1,075.95
		LOWE'S	CAUTION TAPE - COVID 19	14.24
		WEX INC	CITY HALL GPS	350.00
		XEROX CORPORATION DBA XEROX FINANCIAL	CITY HALL	230.10
		PITNEY BOWES BANK INC DBA PITNEY BOWES	OVERHEAD POSTAGE	29.88
		MITEL CLOUD SERVICES INC	PH SVC 6/1-6/30/20	2,312.59
			TOTAL:	4,012.76
Police	General Fund	INTERNAL REVENUE SERVICE	FICA	2,496.91
			Medicare	583.95
		ICMA	Retirement 401%	318.87
			Retirement 401	2,532.14
		AT&T MOBILITY-CELLS	POLICE LAPTOPS 5/12/20	43.23
		WEX INC	POLICE DEPT FUEL	2,417.98
			POLICE DEPT CAR WASHES	155.29
		XEROX CORPORATION DBA XEROX FINANCIAL	POLICE	206.55
		HSA BANK	HSA Contribution	150.00
			HSA Family/Dep. Contributi	1,177.09
		PITNEY BOWES BANK INC DBA PITNEY BOWES	POLICE POSTAGE	42.00
			TOTAL:	10,124.01
911 Center	General Fund	AT & T/CITY HALL	911 LINE 5/05/20	210.00
		INTERNAL REVENUE SERVICE	FICA	755.25
			Medicare	176.62
		ICMA	Retirement 401%	124.92
			Retirement 401	749.51
		HSA BANK	HSA Contribution	150.00
			HSA Family/Dep. Contributi	225.00
		PITNEY BOWES BANK INC DBA PITNEY BOWES	911 CENTER POSTAGE	2.00
		MITEL CLOUD SERVICES INC	PD RECORDING 6/1-6/30/20	262.38
			TOTAL:	2,655.68

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
Planning	General Fund	INTERNAL REVENUE SERVICE	FICA	201.31
			Medicare	47.09
		ICMA	Retirement 401%	33.29
			Retirement 401	199.71
		HSA BANK	HSA Family/Dep. Contributi	112.50
		PITNEY BOWES BANK INC DBA PITNEY BOWES	PLANNING POSTAGE	41.50
			TOTAL:	635.40
Engineering	General Fund	INTERNAL REVENUE SERVICE	FICA	329.63
			Medicare	77.09
		ICMA	Retirement 401%	35.41
			Retirement 401	329.10
		WEX INC	ENG DEPT FUEL	137.68
		MANKEY, KYLE	REIMB - BATTERY PURCHASE	27.96
		HSA BANK	HSA Contribution	75.00
			HSA Family/Dep. Contributi	150.00
		PITNEY BOWES BANK INC DBA PITNEY BOWES	ENGINEERING POSTAGE	49.41
			TOTAL:	1,211.28
Information Technology	General Fund	INTERNAL REVENUE SERVICE	FICA	129.97
			Medicare	30.40
		ICMA	Retirement 401%	21.51
			Retirement 401	129.03
		AT&T INTERNET/IP SERVICES	LCF INTERNET 5/11/20	1,253.44
			PARKS INTERNET 5/11/20	832.63
			GG AP INTERNET 05/11/20	776.28
		AT&T MOBILITY-CELLS	IT DEPT CELL PHONES	30.95
			INTERNET CONNECTION	3.25
		HSA BANK	HSA Family/Dep. Contributi	75.00
		PITNEY BOWES BANK INC DBA PITNEY BOWES	IT POSTAGE	7.20
			TOTAL:	3,289.66
NON-DEPARTMENTAL	Transportation	MO DEPT OF REVENUE	State Withholding	162.48
			Fed WH	526.20
		INTERNAL REVENUE SERVICE	FICA	614.39
			Medicare	143.69
		ICMA	Retirement 457 &	384.04
			Retirement 457	50.30
		HSA BANK	Retirement Roth IRA	15.30
			HSA Contribution	35.00
			HSA Family/Dep. Contributi	278.31
			TOTAL:	2,209.71
Transportation	Transportation	INTERNAL REVENUE SERVICE	FICA	614.39
			Medicare	143.68
		ICMA	Retirement 401%	68.44
			Retirement 401	630.56
		AT&T MOBILITY-CELLS	TRANS DEPT CELL PHONES	15.49
		MAGRUDER LIMESTONE CO INC	GRAVEL	246.73
		WEX INC	TRANS DEPT FUEL	888.35
			TRANS GPS	316.75
		XEROX CORPORATION DBA XEROX FINANCIAL	TRANSPORTATION	76.70
		AMEREN MISSOURI	PW CT MTR 4/16-5/17/20	153.03
		AMEREN MISSOURI	792 PASSOVER RD LTS 4/15-5	64.09
			1075 NICHOLS RD LTS 4/16-5	157.17
			872 PASSOVER RD LTS 4/15-5	70.61

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
			KK DR PALISADES LTG 4/2-5/	114.28
			MACE RD RNDABT 4/15-5/14/2	40.65
			680 PASSOVER RD LTG 4/15-5	49.26
			MAINT SALT BLDG 4/8-5/10/2	10.49
			STREET LIGHTING SVC 4/1-5/	3,832.67
			CUST OWNED LTG SVC 4/1-5/1	1,408.38
			RELOCATE O/H FAC. MACE RD	35,467.89
		HSA BANK	HSA Contribution	75.00
			HSA Family/Dep. Contributi	325.50
		LONG IV, ROBERT W	MILEAGE REIMB 5/15/20	14.15
		PITNEY BOWES BANK INC DBA PITNEY BOWES	TRANSPORTATION POSTAGE	24.00
			TOTAL:	44,808.26
NON-DEPARTMENTAL	Water Fund	MO DEPT OF REVENUE	State Withholding	155.26
		INTERNAL REVENUE SERVICE	Fed WH	400.12
			FICA	314.34
			Medicare	73.52
		ICMA	Retirment 457 &	117.69
			Retirement 457	14.85
			Retirement Roth IRA	14.85
		HSA BANK	HSA Family/Dep. Contributi	19.80
			TOTAL:	1,110.43
Water	Water Fund	INTERNAL REVENUE SERVICE	FICA	314.34
			Medicare	73.52
		ICMA	Retirement 401%	51.70
			Retirement 401	310.23
		BRENNTAG MID SOUTH INC	CHLORINE & FLUORIDE	1,456.00
		LOWE'S	PARTS FOR REPAIR- STONELED	52.67
		AT&T MOBILITY-CELLS	WATER DEPT CELL PHONES	67.78
		MAGRUDER LIMESTONE CO INC	GRAVEL	247.30
		WEX INC	WATER DEPT FUEL	382.56
			WATER GPS	141.75
		XEROX CORPORATION DBA XEROX FINANCIAL	WATER	76.70
		AMEREN MISSOURI	PW CT MTR 4/16-5/17/20	153.02
		AMEREN MISSOURI	54-29 PARKVIEW WELL 4/15-5	321.66
			BLUFF RD WATER TWR 4/8-5/1	691.63
			COLLEGE WELL 4/7-5/7/20	2,271.95
			COLUMBIA CLG WELL 4/15-5/1	1,893.69
			COLUMBIA TWR POLE 4/15-5/1	127.22
		HSA BANK	HSA Contribution	37.50
			HSA Family/Dep. Contributi	99.75
		DEVORE, CALEB	MILEAGE REIMB 5/6-5/13/20	31.62
		PITNEY BOWES BANK INC DBA PITNEY BOWES	WATER POSTAGE	168.00
		HEGGEMANN, INC	SWISS VLG WELL OB19-010	52,533.10
			TOTAL:	61,503.69
NON-DEPARTMENTAL	Sewer Fund	FAMILY SUPPORT PAYMENT CENTER	Case ID 41434906	136.15
			Case #11345331	319.38
		MO DEPT OF REVENUE	State Withholding	305.26
		INTERNAL REVENUE SERVICE	Fed WH	876.84
			FICA	635.37
			Medicare	148.60
		ICMA	Retirment 457 &	45.93
			Retirement 457	164.85
			Loan Repayments	21.24

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
			Loan Repayments	69.62
			Retirement Roth IRA	34.85
		HSA BANK	HSA Family/Dep. Contributi	<u>119.80</u>
			TOTAL:	2,877.89
Sewer	Sewer Fund	INTERNAL REVENUE SERVICE	FICA	635.37
			Medicare	148.61
		ICMA	Retirement 401%	92.48
			Retirement 401	636.16
		LOWE'S	RUBBER GLOVES	3.98
			MEASURING TAPE	4.73
			CONDUIT PARTS	27.20
			300' ALUM WIRE- DOG DAYS	369.00
		AT&T MOBILITY-CELLS	SEWER DEPT CELL PHONES	120.05
		MAGRUDER LIMESTONE CO INC	GRAVEL	178.88
		STARK, CHAD	MILEAGE REIMB 5/6-5/13/20	117.30
		WEX INC	SEWER DEPT FUEL	539.73
			SEWER GPS	216.50
		XEROX CORPORATION DBA XEROX FINANCIAL	SEWER	76.70
		AMEREN MISSOURI	CLEARWOOD LN S/L 4/5-5/5/2	12.20
			3949 CMPGRND LN G/S 4/8-5/	15.66
			798 MANOR G/P 848 4/15-5/1	12.52
			4631 WINDSOR DR 4/15-5/14/	12.76
			HWY D PREWITTS PT GP 4/7-5	69.83
			5757 CHAPEL DR L/S 4/16-5/	14.07
			PW CT MTR 4/16-5/17/20	153.03
			701 PA HE TSI 4/8-5/10/20	11.55
			GRINDER PUMPS & LIFT STATI	3,821.81
			696 PASSOVER RD G/P 4/15-5	10.66
			1089 OB RD L/S 4/15-5/14/2	10.66
			1902 PROCTER G/P 4/14-5/13	17.37
			5707 OB PKWY 4/15-5/14/20	11.63
			1004 ZEBRA RD G/P 4/5-5/5/	11.22
		HSA BANK	HSA Family/Dep. Contributi	474.75
		WALKER, DUSTIN	MILEAGE REIMB 5/13-5/20/20	109.25
		PITNEY BOWES BANK INC DBA PITNEY BOWES	SEWER POSTAGE	106.40
		OSSOWSKI, SHELBY N	MILEAGE REIMB 5/6-5/13/20	32.20
		LOZ RENTAL EQUIPMENT & SALES LLC	EXCAVATOR RENTAL	<u>263.11</u>
			TOTAL:	8,337.37
NON-DEPARTMENTAL	Ambulance Fund	MO DEPT OF REVENUE	State Withholding	509.00
		INTERNAL REVENUE SERVICE	Fed WH	1,420.68
			FICA	903.60
			Medicare	211.33
		ICMA	Loan Repayment	134.33
		HSA BANK	Retirment 457 &	142.70
			HSA Contribution	200.00
		ONE TIME VENDOR	AMB OVERPAYME	<u>100.00</u>
			TOTAL:	3,621.64
Ambulance	Ambulance Fund	INTERNAL REVENUE SERVICE	FICA	903.60
			Medicare	211.33
		ICMA	Retirement 401%	79.18
			Retirement 401	475.03
		WEX INC	AMB FUEL	214.14
		HSA BANK	HSA Contribution	75.00

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
			HSA Family/Dep. Contributi	75.00
		PITNEY BOWES BANK INC DBA PITNEY BOWES	AMBULANCE POSTAGE	<u>7.00</u>
			TOTAL:	2,040.28
NON-DEPARTMENTAL	Lee C. Fine Airpor	MO DEPT OF REVENUE	State Withholding	60.60
		INTERNAL REVENUE SERVICE	Fed WH	167.90
			FICA	219.44
			Medicare	51.32
		ICMA	Retirment 457 &	10.83
			Retirement 457	<u>89.00</u>
			TOTAL:	599.09
Lee C. Fine Airport	Lee C. Fine Airpor	AMEREN MISSOURI	LCF RD WELL 4/8-5/8/20	10.49
			KAISER TERMINAL BLDG 4/8-5	237.18
			LCF HANGAR 2 4/8-5/8/20	21.31
			LCF NEW AP HANGAR 4/8-5/8/	34.47
		INTERNAL REVENUE SERVICE	FICA	219.44
			Medicare	51.32
		ICMA	Retirement 401%	36.03
			Retirement 401	216.14
		LOWE'S	DOOR HINGE	9.33
		WEX INC	LCF FUEL	48.20
			LCF GPS	50.00
		HSA BANK	HSA Contribution	37.50
			HSA Family/Dep. Contributi	120.00
		PITNEY BOWES BANK INC DBA PITNEY BOWES	LCF POSTAGE	<u>37.40</u>
			TOTAL:	1,128.81
NON-DEPARTMENTAL	Grand Glaize Airpo	MO DEPT OF REVENUE	State Withholding	36.40
		INTERNAL REVENUE SERVICE	Fed WH	81.56
			FICA	109.22
			Medicare	25.54
		ICMA	Retirment 457 &	9.86
			Retirement 457	<u>30.00</u>
			TOTAL:	292.58
Grand Glaize Airport	Grand Glaize Airpo	WALMART COMMUNITY/GEGRB	WATER, SUGAR, ICE	36.54
		INTERNAL REVENUE SERVICE	FICA	109.22
			Medicare	25.54
		ICMA	Retirement 401%	18.66
			Retirement 401	111.96
		LOWE'S	THREAD LOCK, GLOVES, HARDW	22.60
			WEED KILLER	37.96
		CHARTER COMMUNICATIONS HOLDING CO LLC	GG CABLE SVC 5/16-6/15/20	93.42
		WEX INC	GG FUEL	19.13
			GG GPS	25.00
		HSA BANK	HSA Family/Dep. Contributi	180.00
		PITNEY BOWES BANK INC DBA PITNEY BOWES	GG POSTAGE	<u>12.80</u>
			TOTAL:	692.83

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
===== FUND TOTALS =====				
10		General Fund		64,206.72
20		Transportation		47,017.97
30		Water Fund		62,614.12
35		Sewer Fund		11,215.26
40		Ambulance Fund		5,661.92
45		Lee C. Fine Airport Fund		1,727.90
47		Grand Glaize Airport Fund		985.41

GRAND TOTAL:				193,429.30

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DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
City Clerk	General Fund	R&D COMPUTER SYSTEMS LLC	LASERFICHE MAINT 8/2020-8/	540.00
			TOTAL:	540.00
Building Maintenance	General Fund	AB PEST CONTROL INC	CH PEST CONTROL	135.00
		STAPLES BUSINESS ADVANTAGE	PAPER TOWELS	71.37
			TOTAL:	206.37
Parks	General Fund	ADVANCED TURF SOLUTIONS INC	FIELD MAINT SUPPLIES	401.92
		PROFESSIONAL TURF PRODUCTS	OIL/SPIN FILTER - TORO WOR	76.50
		O'REILLY AUTOMOTIVE STORES INC	HYDRAULIC OIL	49.99
			LIGHT/MARKER LIGHT P-4	9.58
			PWR PLUG, MOTOR OIL, GAP G	48.91
			HYDRAULIC OIL	14.99
		MPR SUPPLY CO	PARTS FOR IRRIGATION REPAI	163.41
		AMAZON CAPITAL SERVICES INC	LIGHT BAR - P4	125.00
		DUGAN PAINTS, INC	PAINT THINNER, PRIMER, BRU	120.16
			PAINT THINNER, ROLLER	20.36
			SUPER DOO-Z	4.78
		ONE TIME VENDOR LOZ SCREEN PRINTING	LOZ SCREEN PRINTING:ART LA	30.00
			TOTAL:	1,065.60
Human Resources	General Fund	CHARLESWORTH CONSULTING LLC	INSURANCE CONSULTANT	7,400.00
			TOTAL:	7,400.00
Overhead	General Fund	AMAZON CAPITAL SERVICES INC	DISINFECTING WIPES	99.80
		N. KOHL GROCER CO. dba KOHL WHOLESALE	HAND SANITIZER, GERMICDL C	399.22
			TOTAL:	499.02
Police	General Fund	SUN BADGE CO	BADGE REPAIR	1,204.50
		O'REILLY AUTOMOTIVE STORES INC	WIPER BLADES PD19	44.39
		LAKE OF THE OZARKS MAJOR CASE SQUAD	ANNUAL DUES	100.00
		DALE A DISTLER DBA	C/O DOCKING STATION - PD27	25.00
		HEDRICK MOTIV WERKS LLC	BATTERY REPLACEMENT	26.00
		HYPERTEC USA, INC	(2) PANASONIC PORT REPLICA	559.04
			TOTAL:	1,958.93
Engineering	General Fund	CORE & MAIN LP	LOCATE PAINT	52.80
		LOR ENGINEERING LLC DBA COCHRAN	ENG GENERAL CONSULT SVC 04	7,664.65
			20YR PREVENT PAVEMENT MAIN	4,000.00
			TOTAL:	11,717.45
Information Technology	General Fund	HYPERTEC USA, INC	DELL OPTIPLEX 3070	23,334.28
			DELL DOCKING STATIONS	2,360.54
			TOTAL:	25,694.82
Emergency Management	General Fund	OUTDOOR WARNING CONSULTING LLC	REPAIR ON WARNING SYSTEM	2,275.00
			TOTAL:	2,275.00
Economic Development	General Fund	CAMDENTON AREA CHAMBER OF COMMERCE	ANN MEMBERSHIP RENEWAL	250.00
			TOTAL:	250.00
Transportation	Transportation	PURCELL TIRE & RUBBER CO	TIRE REPAIR - TRL 10	37.45
		FASTENCO INC	FLAT TIRE REPAIR - SWEEPER	21.40
			WORK GLOVES	8.95
			PLUGS	8.81
		ARAMARK UNIFORM & CAREER APPAREL GROUP	TRANS DEPT UNIFORMS	54.95

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
			TRANS DEPT FLOOR MATS	5.71
			TRANS DEPT UNIFORMS	54.95
			TRANS DEPT FLOOR MATS	5.71
		GB MAINTENANCE SUPPLY	PAPER TOWELS, SPOONS	27.09
		ECONO SIGNS & BARRICADE LLC	STREET SIGNS	617.69
		O'REILLY AUTOMOTIVE STORES INC	TIRE VALVE, VALVE STEMS	14.95
			COPPER PLUG, BRAKE/CARB CL	27.91
		PRAIRIEFIRE COFFEE & ROASTERS	PW WATER COOLER RENTAL	11.66
		DAM STEEL SUPPLY	FLAT BAR - TRK 66	12.50
		DELTA GASES, INC	TIGER TY 27 CUT - TRK 66	17.10
		AMAZON CAPITAL SERVICES INC	MOWER REPL BLADES	88.49
		MO DEPARTMENT OF CORRECTIONS	WORK AGREEMENT 1/10-2/10/2	365.82
		TRACKER SOFTWARE CORPORATION dba PUBWO	ANN SUPP/FEE 4/2020-3/2021	1,356.66
		HYPERTEC USA, INC	DELL OPTIPLEX 3070	1,228.12
			TOTAL:	3,965.92
Water	Water Fund	ARAMARK UNIFORM & CAREER APPAREL GROUP	WATER DEPT UNIFORMS	23.07
			WATER DEPT FLOOR MATS	5.71
			WATER DEPT UNIFORMS	23.08
			WATER DEPT FLOOR MATS	5.71
		GB MAINTENANCE SUPPLY	PAPER TOWELS, SPOONS	27.10
		HDR INC	SV WELL #3 CONST ADMIN SVC	1,117.50
		SCHULTE SUPPLY INC	(12) 5/8" METERS & ASSEMBL	2,339.40
		PRAIRIEFIRE COFFEE & ROASTERS	PW WATER COOLER RENTAL	11.67
		DAM STEEL SUPPLY	GRATING - TIMBERLINE MTR P	219.46
		CORE & MAIN LP	TUBING, COUPLING	141.44
			REPL HARDWARE - BLUFF	136.06
			CTS PIPE	44.00
		TRACKER SOFTWARE CORPORATION dba PUBWO	ANN SUPP/FEE 4/2020-3/2021	1,356.67
		HYPERTEC USA, INC	DELL OPTIPLEX 3070	1,228.12
			TOTAL:	6,678.99
Sewer	Sewer Fund	AMOS SEPTIC SERVICE INC	JET SWR LN - 548 ELBOW CAY	180.00
		RP LUMBER INC	WEEDBLOCK UNDERLAY	27.00
			STOCK CHAIN	279.98
		ARAMARK UNIFORM & CAREER APPAREL GROUP	SEWER DEPT UNIFORMS	40.75
			SEWER DEPT FLOOR MATS	5.72
			SEWER DEPT UNIFORMS	40.75
			SEWER DEPT FLOOR MATS	5.71
		GB MAINTENANCE SUPPLY	PAPER TOWELS, SPOONS	27.10
		EWT HOLDINGS III CORP	ODOR CONTROL APR P/S KK114	850.00
			ODOR CONTROL APR L/S 53-1	1,100.00
		TALLMAN COMPANY	SAW BLADES	40.20
			SEALANT, GLUE, CLEANER, CUT O	159.16
		MUNICIPAL EQUIPMENT CO	LINK SEAL FOR 53-1	274.74
			(15) CONTACTORS	2,206.45
			REPAIR/REBUILD KIT- S26 PU	725.35
		O'REILLY AUTOMOTIVE STORES INC	MOTOR OIL	155.94
			HAND TOWELS	15.99
		CONSOLIDATED ELECTRICAL DISTR, INC	ANTI OX COMPOUND, TAP CONNE	105.88
			G/S LIGHT BULBS	21.76
		PRAIRIEFIRE COFFEE & ROASTERS	PW WATER COOLER RENTAL	11.67
		LAKE OZARK-OSAGE BEACH JOINT SEWER PLA	APR MONTHLY FLOWS	40,372.38
		BUTLER SUPPLY CO	REPAIR OF ELECTRICAL SUPPL	417.26
			WIRE - ST 18 @ 3889 OB PKW	14.13
		SYSTEMS MANUFACTURING INC	SCADA REPAIR	1,140.00

DEPARTMENT	FUND	VENDOR NAME	DESCRIPTION	AMOUNT
		JCI INDUSTRIES INC	PUMP REBUILD - ROCKWAY L/S	3,000.00
		LO ENVIRONMENTAL LLC	WATER QUALITY TESTING	75.00
		KIMBALL MIDWEST	HAND CLEANER DISPENSER	6.17
			PLUGS, RECEPTS	140.50
		TRACKER SOFTWARE CORPORATION dba PUBWO	ANN SUPP/FEE 4/2020-3/2021	1,356.67
		HYPERTEC USA, INC	DELL OPTIPLEX 3070	<u>1,228.12</u>
			TOTAL:	54,024.38
Ambulance	Ambulance Fund	HYPERTEC USA, INC	DELL OPTIPLEX 3070	<u>1,228.12</u>
			TOTAL:	1,228.12
Lee C. Fine Airport	Lee C. Fine Airpor	NAEGLER OIL CO	LCF JET FUEL	9,171.39
		O'REILLY AUTOMOTIVE STORES INC	BATTERY	117.74
		HYPERTEC USA, INC	DELL OPTIPLEX 3070	614.06
			DELL DOCKING STATIONS	<u>84.31</u>
			TOTAL:	9,987.50
Grand Glaize Airport	Grand Glaize Airpo	HYPERTEC USA, INC	DELL OPTIPLEX 3070	614.06
			DELL DOCKING STATIONS	<u>84.30</u>
			TOTAL:	698.36

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

10	General Fund	51,607.19
20	Transportation	3,965.92
30	Water Fund	6,678.99
35	Sewer Fund	54,024.38
40	Ambulance Fund	1,228.12
45	Lee C. Fine Airport Fund	9,987.50
47	Grand Glaize Airport Fund	698.36

	GRAND TOTAL:	128,190.46

TOTAL PAGES: 3

City of Osage Beach
1000 City Parkway
Osage Beach, MO 65065
573/302-2000 Phone
573/302-0528 Fax
www.osagebeach-mo.gov



Planning Dept: _____
Sewer Dept: _____
License #: 245971

LIQUOR LICENSE APPLICATION

Date of Application: 5-12-2020 Date Application Received: _____
Name of Establishment: Locois Bistro
Mailing Address: 5837 Osage Beach PKWY Osage Beach MO, 65065
Applicant Name: HECTOR MAGAS
(As it is to appear on license. If corporation, name of corporation and managing officer)

- ☐ Original Applications: Submit a copy of your Missouri voter registration card & background check performed by the Missouri Highway Patrol along with the application.
- ☐ Renewal Applications: Submit completed application **and background check per Ordinance 15.81** (voter registration not required for renewals.) Completed applications must be received by May 1st. Applications received after May 1 are subject to the following late fees: May 2 to May 31 - \$100 late fee; June 1 to June 30 - \$200 late fee; after June 30 - \$300 late fee.

Item	Fee	License Description	City Code
a. ____	375.00	Manufacture and distribution (not sales) of intoxicating malt liquor not more than 5% alcohol by weight.	MDBWT
b. ____	150.00	Distribution or wholesale of intoxicating liquors not more than 5% alcohol by weight.	DBLQWT
c. ____	300.00	Manufacture or distilling of intoxicating liquors in excess of 5% alcohol by weight.	MLQWT
d. ____	750.00	Distribution or wholesale of intoxicating liquors in excess of 5% alcohol by weight.	DLQWT
e. ____	75.00	Retail sales of intoxicating liquors not more than 5% alcohol by weight in original package to be consumed on premises. (Includes Sunday Sales.)	BPR
f. ____	75.00	Retail sales of intoxicating liquors not more than 5% alcohol by weight in original package not to be consumed on premises. (Includes Sunday Sales.)	BPK
g. ____	450.00	Retail sales of intoxicating liquors in excess of 5% alcohol by weight to be consumed on premises.	LDRK1
h. <u>X</u>	750.00	Retail sales of intoxicating liquors in excess of 5% alcohol by weight to be consumed on premises. (Includes Sunday Sales.)	LDRK2
i. ____	150.00	Retail sales of intoxicating liquors in excess of 5% alcohol by weight in original package not to be consumed or opened on premises.	LPKG1
j. ____	450.00	Retail sales of intoxicating liquors in excess of 5% alcohol by weight in original package not to be consumed or opened on premises. (Includes Sunday Sales.)	LPKG2
k. ____	75.00	Retail sales of malt liquor not more than 5% alcohol by weight /or light wines containing in excess of 14% alcohol by weight.	BWDRK1
l. ____	375.00	Retail sales of malt liquor not more than 5% alcohol by weight /or light wines containing in excess of 14% alcohol by weight. (Includes Sunday Sales.)	BWDRK2
m. ____	300.00	Sunday Liquor Sales	LSUN
n. ____	15.00	*Caterer per day.	CTLQDY
o. ____	10.00	*Picnic per day.	PCLQDY
p. ____	N/C	Change of managing officer.	MGO
q. ____	N/C	Wine tasting.	WTG

* If applying for a Caterer or a Picnic license, describe the event in detail and provide the name, location, time and date of the event.

City of Osage Beach
1000 City Parkway
Osage Beach, MO 65065
573/302-2000 Phone
573/302-2039 Fax
www.osagebeach-mo.gov



Planning Dept: _____
Sewer Dept: _____
License #: _____

LIQUOR LICENSE APPLICATION

Date of Application: _____ Date Application Received: May 28th, 2020

Name of Establishment: Lake of the Ozarks FW, LLC DBA: First Watch

Physical Address: 4325 Osage Beach Pkwy N Osage Beach, MO 65065

Mailing Address: 610 E. Battlefield, Suite F Springfield, MO 65807

Applicant Name: Lake of the Ozarks FW, LLC
(As it is to appear on license. If corporation, name of corporation and managing officer)

☒ Original Applications: Submit a copy of your Missouri voter registration card & background check performed by the Missouri Highway Patrol along with the application.

☐ Renewal Applications: Submit completed application and background check per Ordinance 15.81 (voter registration not required for renewals.) **Completed applications must be received by May 1st. Applications received after May 1 are subject to the following late fees: May 2 to May 31 - \$100 late fee; June 1 to June 30 - \$200 late fee; after June 30 - \$300 late fee.**

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n. _____	15.00	*Caterer per day.	CTLQDY
o. _____	10.00	*Picnic per day.	PCLQDY
p. _____	N/C	Change of managing officer.	MGO
q. _____	N/C	Wine tasting.	WTG

*If applying for a Caterer or Picnic License describe the event in detail, including the event name, location and time.

City of Osage Beach
Agenda Item Summary

Date of Meeting: June 4, 2020
Originator: Tara Berreth, City Clerk
Presenter: Tara Berreth, City Clerk
Edward Rucker, City Attorney
Date Submitted: May 26, 2020

Agenda Item:

Bill 20-25 - An ordinance of the City of Osage Beach, Missouri, amending the Osage Beach Code of Ordinances by repealing and replacing Chapter 605: Business Licenses and Regulations of the Osage Beach Municipal Code *Second Reading*

Requested Action:

Second Reading of Bill #20-25

Ordinance Referenced for Action:

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

Deadline for Action:

None

Budgeted Item:

Not Applicable

Department Comments and Recommendation:

Back on February 20, 2020 this item was on the agenda for approval. Based on conversation and comments from the Board changes were made to increase the insurance liability to \$1,000,000 and add a penalty section.

The following changes to the Ordinance include defining the differences between a

Business Licenses and Contractors Licenses, adding all Medical Marijuana categories and Tree Services to the list of occupations. As well as an increase in license application fees. Applications fees were last increased in 2009 from \$20.00 to \$35.00. The increase that is being requested is from \$35.00 to \$50.00. Over the past 21 years, there has been a increase in postage, wages and overall inflation.

City Attorney Comments:

Per City Code 110.230, Bill 20-25 is in correct form.

City Administrator Comments:

The first reading was read and passed by the Board of Aldermen on May 21, 2020.

I concur with the department's recommendation.

AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI AMENDING THE OSAGE BEACH CODE OF ORDINANCES BY REPEALING AND REPLACING CHAPTER 605: BUSINESS LICENSES AND REGULATIONS OF THE OSAGE BEACH MUNICIPAL CODE.

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

Section 1. That the Chapter 605: Business Licenses and Regulations is hereby repealed in its entirety.

Section 2. A new Chapter 605: Business Licenses and Regulations is hereby enacted to read as follows:

Chapter 605: Business Licenses and Regulations

Article I Occupational Licenses

Section 605.010 Definitions.

[R.O. 2006 §605.010; Code 1975 §§52.200, 52.250; CC 1985 §23-26]

The following words, terms and phrases, when used in this Article, shall have the meanings as prescribed to them in this Chapter, except where the context clearly indicates a different meaning:

BUSINESS

Includes any business, trade, profession, occupation, vocation, or calling carried on for a profit, or open to the public and including all activities and any activities reasonably associated with the activities listed in section 605.070 A herein.

CONTRACTOR

Any person, firm, partnership, corporation, association, or other organization, or a combination of them, which undertakes to or offers to undertake to, or submits a bid to, or does himself or by or through others, construct, alter, repair, add to, subtract from, improve, move, wreck, or demolish any building, highway, road, railroad, excavation, or other structure, project, development or improvement, or perform any work to build, erect, construct, improve, repair, remodel, expand or otherwise construct, reconstruct, alter any structure or permanent physical improvement on real property, or to do any part thereof, including the erection of scaffolding or other structure or works in connection therewith and includes subContractor, electrical Contractor, plumbing Contractor, and special trade Contractor including acoustical, air conditioning, and heating insulation.

DEALER

Any person who sells, exposes or offers for sale any article.

LICENSEE

Any person who shall secure a license under the terms of this Chapter.

MERCHANT

Every person, except motor vehicle dealers as defined in Sections 150.010 to 150.015, RSMo., who shall deal in the selling of goods, wares and merchandise at any store, stand or place occupied for that purpose. Every person doing business in this City shall, as a practice in the conduct of such business, make or cause to be made any wholesale or retail sales of goods, wares and merchandise to any person, shall be deemed to be a merchant whether said sales be accommodation sales, whether they be made from a stock of goods on hand or by ordering goods from another source, and whether the subject of said sales be similar or different types of goods than the type, if any, regularly manufactured, processed or sold by said seller. "Merchant" shall include all merchants, commission merchants, grocers, manufacturers and dealers in drugs and medicines, except physicians for medicines used in their practice, whether trading as wholesale or retail dealers.

OCCUPATIONAL LICENSE

Occupational License shall mean any Business License or Contractor License issued under this chapter.

PERSON

Includes an individual, firm, corporation, partnership, association, or other legal entity.

REAL ESTATE AGENT

Any person who or which shall be employed to negotiate loans on real estate. Real estate agent includes any person who sells or aids in the sale of any real or personal property not belonging to such person and receives a commission or compensation for making or aiding in the making of such sale.

Section 605.020 Required.

It shall be unlawful for any person to engage in any such business **within** the City without first having obtained an occupational **(Business License or a Contractor License)** license. ~~therefor.~~

- A. Business License.** A license required by any person engaging in business in the City not otherwise defined as a Contractor.

- B. Contractor Licenses. A license required by any firm, person, or corporation who meets the definition of a Contractor under section 605.010 of this code.

Section 605.030 Requirements For Issuance.

[R.O. 2006 §605.030; CC 1985 §23-27.5; Ord. No. 89.12 §1, 5-18-1989; Ord. No. 93.39 §1, 8-5-1993; Ord. No. 03.06 §1, 3-20-2003; Ord. No. 09.06 §1, 2-5-2009]

- A. No **Occupational** License shall be issued to any firm, person or corporation who shall be in arrears of payment of any debt to the City unless an acceptable payment plan has been approved by the City.
- B. No **Occupational** License shall be issued to any firm, person or corporation which will occupy or transact business on any property or in any structure when the property or structure is assessed a fee, charge or tax by the City and the lessor or owner of such property or structure is in arrears of payment of those fees, charges, taxes or any other debt to the City unless an acceptable payment plan has been approved by the City.
- C. Evidence of Workers' Compensation Insurance Prior To License Issuance. No **Occupational** License required under the provision of this Section shall be issued by the City Clerk to any person until such person produces a copy of a certificate of insurance for Workers' Compensation coverage if the applicant for the license is required to cover his/her liability under Chapter 287, RSMo. It is further made a violation of this Chapter to provide fraudulent information to the City Clerk.
- D. No **Occupational** License required under the provisions of this Section shall be issued by the City Clerk to any person until such person produces a copy of a Missouri Sales Tax License issued by the State of Missouri listing Osage Beach as their place of business. It is further a violation of this Chapter to provide fraudulent information to the City Clerk.
- ~~E.~~ 1. Each applicant for an **Occupational** business License under this Article shall submit a statement from the Missouri Department of Revenue pursuant to Section 144.083.4, RSMo., stating no tax is due, which statement is a prerequisite to the issuance or renewal of a City business license. The statement required by this Section shall be dated within ninety (90) days of submission of the business license application or renewal application.
2. If applicant is not required to hold or maintain a Missouri Sales Tax License by the State of Missouri under Chapter 144 RSMo the applicant shall execute and file with the City Clerk an affidavit stating the business activity that the applicant is pursuing within the city and that such activity is not subject to retail sales tax under Chapter 144 RSMo.
- ~~G.~~ E. The City Administrator may waive the requirements of Section 605.030(C) and 605.030(F) for any firm, person or corporation if the firm, person or corporation: [Ord. No. 17.84 §1, 12-21-2017]

1. Is a member of a recognized religious sect or division thereof and is an adherent of established tenets or teachings of such sect or division and therefore pursuant to those tenets and teachings the firm, person or corporation is conscientiously opposed to the acquisition of insurance benefits, and;
2. Which qualifies under Section 287.804, RSMo., for a Waiver of Worker's Compensation, and;
3. Has filed an Application for Religious Exemption from the provision of the Missouri Workers' Compensation Law pursuant to 8-CSR 50-2.020 (1)(D)1.A and an Employer's Affidavit of Exemption for Workers' Compensation Benefits pursuant to 8-CSR 50-2.020 (1)(D)1. C, and received the division's approval thereof.

Such firm, person, or corporation shall be required to establish irrevocable evidence of creditworthiness for the period of the Contractor's license in the amounts required by 605.030(F).

F. Requirements for Contractor Licenses. No Contractor License as a Contractor shall be issued to any firm, person or corporation without proof of general liability insurance in the form of a Certificate of Insurance providing for ~~limits of not less than three hundred thousand dollars (\$300,000.00) for a single incident~~ **minimum limit of one million dollars (\$1,000,000) combined single limit for bodily injury and property damage.** The Certificate of Insurance shall be dated **within ninety (90) days of submission of the Contractor License application or renewal application.** Said coverage shall be kept in full force and effect for the duration of the Contractor license. [Ord. No. 15.80 §1, 10-1-2015]

Section 605.035 – Penalty for Operating a Business Without a Valid Business License

Any person, firm, corporation or partnership, who shall engage in any business as defined in Section 94.270, RSMo., 1986 within the City limits of the City of Osage Beach, Missouri, without a valid business license as required by Section 605.010 shall, upon conviction, be punished by a fine not to exceed Five Hundred Dollars (\$500.00) and/or imprisonment not to exceed Ninety (90) days, or both such fine and imprisonment. Each day that said violation continues after citation therefor shall be considered a separate offense and shall further be subject to the same penalties therefor.

Section 605.038 – Revocation of Business Licenses – When

All applicants for a City Business license shall be in good standing with the City on all other taxes and fees and in compliance with all ordinances of the City. Delinquent taxes and fees and non-compliance with any ordinances of the city shall be grounds for revocation of a city Business license. Before any revocation of a city business License the City Clerk shall mail certified mail, return receipt requested and U.S. Postage paid a

Notice on intended revocation stating the reason for the proposed revocation and giving the holder of the license 30 days to respond. If no response is received within the 30 days, the license shall stand revoked. If a response is received the city Administrator shall examine the reason for the proposed revocation and the response and may request more information or may revoke or deny the revocation according to the facts and the compliance of the license holder with the terms of all city ordinances and applicable state statutes.

Section 605.040 Separate License for Each Business.

[R.O. 2006 §605.040; Code 1975 §52.220; CC 1985 §23-28]

A separate occupational license shall be obtained for each place of business conducted, operated, maintained or carried on by every person engaged in any occupation, calling, trade, or enterprise for which a license is required by ordinance.

Section 605.050 Multiple Businesses at Same Address.

[R.O. 2006 §605.050; Code 1975 §52.230; CC 1985 §23-29]

Whenever any applicant for any occupation license is engaged in more than one (1) occupation and business at the same address, such applicant shall make application for any occupation license for each business so engaged in.

Section 605.060 City Clerk to Prepare Blank Licenses.

[R.O. 2006 §605.060; Code 1975 §21.420(8); CC 1985 §23-30]

The City Clerk shall prepare blank **Occupational** Licenses for all purposes for which licenses are required to be issued, and when required, shall cause the same to be issued, signing his/her name and affixing the Seal of the City thereto, and shall **inform** ~~keep an account with~~ the City Collector ~~for~~ **of** such licenses and the amount of the license tax thereon.

Section 605.070 Fee.

[R.O. 2006 §605.070; Code 1975 §§52.240, 57.110, 59.010, 60.240; CC 1985 §23-31; Ord. No. 09.06 §2, 2-5-2009; Ord. No. 10.44 §§1 — 2, 8-23-2010]

- A. Every person engaged in any of the following listed occupations, businesses, callings, pursuits, professions or trades, or in the keeping or maintaining of any institution in this Section specified and classified, shall procure from the City an occupational license. Unless otherwise specified, the fee for such license shall ~~be thirty-five dollars (\$35.00).~~ **be Fifty Dollars (\$50.00)**

This schedule includes, but not limited to, the following;

Airport;

Ambulance service;
Antique shop;
Arts and crafts shop;
Asphalt and rock, other road repair service, sand;
Auction house;
Automobile accessory dealer;
Automobile dealer or agency (new or used cars or trucks);
Automobile repair shop (where parts are sold);
Automobile salvage yards;
Bait and tackle store;
Baker, retail;
Banking institution;
Barbershop (if merchandise of any kind is sold);
Beauty shop (if merchandise of any kind is sold);
Boat sales or repairs — marinas;
Bookkeeping service (other than certified public accountant);
Bowling alley;
Bread truck (if bread and bakery products are sold and delivered);
Buildings supply store;
Business supply store;
Butcher, retail;
Carnival (per day);
Concrete or cement mixing, manufacturing or distributing plant;
Confectionery store;
Contractor;
Dairy truck (if milk or other dairy products are sold and delivered);
Dance house;
Delicatessen;
Doctor or dentist, no fee;
Druggist, retail;
Electronic supply store;
Excavating Contractor;
Exterminator;
Florist;
Grocery, retail;
Hardware, retail;
Hatchery;
Heavy equipment sales and service;
Hospital;
Hotel;

Ice cream parlor;
Ice cream truck (if merchandise is sold and delivered);
Ice dealer;
Installment agency (an installment agency is defined to be any person who conducts or carries on the business of selling goods, wares, merchandise on weekly or monthly payments);
Insurance agency maintaining an office in the City;
Junk dealer;
Kennel;
Landscaping service;
Laundromat;
Light industry;
Liquor store or tavern;
Lumber dealer;
Lunch stand or counter;
Manufacturer;
Massage establishment;
Masseuse or massage therapist;
Medical Marijuana Cultivation Facilities
Medical Marijuana Dispensary Facilities
Medical Marijuana -Infused Products Manufacturing Facilities
Medical Marijuana Testing
Merchant, retail;
Miniature golf course;
Motel or motor hotel (where merchandise of any kind is sold);
Movers;
Moving picture show or drive in theater;
Nursery stock, retail;
Oil station, retail;
Optical, retail;
Peanut and popcorn stand;
Pigeon, squab, pheasant and rabbit farm;
Poultry dealer;
Produce dealer;
Produce stand and/or truck (except farmers selling their own produce);
Radio and TV repair shop (if merchandise or parts are sold);
Radio and TV transmission, service or repair;
Real estate broker maintaining an office in the City;

Real estate agent maintaining an office in the City, who is not affiliated with a real estate broker maintaining an office in the City who shall have obtained a license under this Section;

Recreational facility or shop (where goods or services are sold);

Resort;

Restaurant and cafe;

Secondhand store;

Septic tank sales/service/cleaning;

Shoe repair shop (if merchandise of any kind is sold);

Skating rink;

Soft drink stand;

Solid waste haulers: per applicant, per vehicle;

Tailor (if merchandise is sold);

Tree Services

Tin or jewelry shop;

Travel agency;

Truck or vehicle doing contract hauling;

Wholesale house.

- B. In consideration for the rights, privileges and permit hereby granted, and as compensation to the City for the use of its public ways and placed by cable TV, and in lieu of all occupation and license taxes, cable TV shall, on or before the last day of January in each year in which this permit is effective, pay to the City a sum equal to two percent (2%) of the gross subscriber receipts from the sale of community antenna television service within the then existing corporation limits and the City from all consumption for the preceding twelve (12) month period ending on the last day of December. This Subsection shall not be interpreted to preclude the City from charging cable TV for regular permits and licenses including, but not limited to, building permits, electrical permits or paying out fees.

Section 605.075 Penalty For Delinquent Business License Renewals.

[Ord. No. 13.14 §1, 3-8-2013]

In addition to the annual business license renewal fee, any license fee unpaid thirty (30) days after it becomes due and payable as set forth in Section 605.070 shall be subject to a penalty in the amount of five percent (5%) of the amount due on the license with an additional five percent (5%) for each additional month or fraction thereof during which such failure continues, not to exceed twenty-five percent (25%) in the aggregate. For good cause shown, the City Administrator may waive the penalty imposed in this Section.

Section 605.080 Term.

[R.O. 2006 §605.080; Code 1975 §§52.240, 52.280, 52.310; CC 1985 §23-32]

A. All ~~occupational~~ **Business** Licenses except as otherwise specifically provided for by ordinance shall be issued as of May first (1st) of the current year and shall expire on April thirtieth (30th) of the following year. No license shall be issued for more than one (1) year. A license shall become void in the event the licensee shall cease engaging in the City in the licensed business.

B. All Contractor Licenses except as otherwise specifically provided for by ordinance shall be issued as of January first (1st) of the current year and shall expire on December thirty-first (31st) of the year. No licenses shall be issued for more than one (1) year.

Section 605.090 Form and Contents — Display.

[R.O. 2006 §605.090; Code 1975 §52.270; CC 1985 §23-33]

A. An ~~occupational~~ **Business or Contractor** license shall:

1. Bear the date of issuance;
2. Recite the name of the person to whom issued and the fact that it is an ~~occupation~~ **Business or Contractor** license;
3. Be signed by the Mayor and the City Clerk;
4. Bear the Seal of the City; and
5. Otherwise be in the form to be designated by the Board of Aldermen.
6. The license must be displayed in a public place at the location licensed.

Section 605.100 Transfer.

No occupational license shall be assigned or transferred, and no license shall be held to authorize the conduct of the designated business at more than one (1) location in the City at the same time. A licensee may have his/her license amended to authorize conduct of the same business at a different location. The amendment must be approved by the Board of Aldermen.

A separate license shall be obtained for each place of business conducted, operated, maintained, or carried on by every person engaged in any business for which a license is required by this code. The City Clerk's Office shall be notified of any change of address or such place of business within one week of any such change. Nothing contained in this section shall be deemed to require the holder of a business license to obtain another license for the purpose of being an exhibitor at a trade show within the City.

Section 3. That within Section 2 above the City of Osage Beach Chapter 605 Business License and Regulations is hereby amended with new material set out in red and deleted material struck through.

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 judgement 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 by the Mayor.

READ FIRST TIME: May 21, 2020

READ SECOND TIME:

I hereby certify that Ordinance No. 20.25. was duly passed on , by the Board of Aldermen of the City of Osage Beach. The votes thereon were as follows:

Ayes:

Nays:

Abstentions:

Absent:

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

Date

Tara Berreth, City Clerk

Approved as to form:

Edward B. Rucker, City Attorney

I hereby approve Ordinance No. 20.25.

John Olivarri, Mayor

Date

Tara Berreth, City Clerk

City of Osage Beach
Agenda Item Summary

Date of Meeting: June 4, 2020
Originator: Mike Welty, Assistant City Administrator
Presenter: Mike Welty, Assistant City Administrator
Date Submitted: May 26, 2020

Agenda Item:

Bill 20-26 - An ordinance of the City of Osage Beach, Missouri amending Ordinance No. 19.90 Adopting the 2020 Annual Budget, Transfer of Funds for Necessary Expenses, for multiple projects and funds. *Second Reading*

Requested Action:

Second Reading of Bill #20-26

Ordinance Referenced for Action:

Board of Aldermen approval required for budget amendments over \$5,000 per Municipal Code Chapter 135; Article II: Purchasing, Procurement, Transfers, and Sales.

Deadline for Action:

None

Budgeted Item:

Not Applicable

Department Comments and Recommendation:

This ordinance covers budget amendments for multiple projects and funds. Details listed below.

Original Item

Amended Item

B.A. #1 = 10-09-774256 Building Improvements		
\$97,300.00	\$128,002.00	
B.A. #2 = 10-09-774256 Building Improvements		
\$128,002.00	\$186,802.00	
B.A. #3 = 10-10-773278 Park Improvements		\$20,000
\$26,064.20		
B.A. #4 = 10-18-733800 Professional Services		
\$35,000.00	\$120,000.00	
B.A. #5 = 10-19-733610 Maintenance and Support Services		
\$229,105.00	\$202,611.00	
10-19-733800 Professional Services	\$95,000.00	\$80,000.00
10-19-774250 Computer Equipment		\$4,550.00
\$41,961.00		
10-19-774267 Communication Equip. Network		\$9,000.00
\$ 0.00		
10-14-774250 Computer Equipment		\$7,610.00
\$8,169.00		
20-00-774250 Computer Equipment		\$0.00
\$2,377.00		
30-00-774250 Computer Equipment		\$0.00
\$1,535.00		
35-00-774250 Computer Equipment		\$0.00
\$1,535.00		
40-00-774250 Computer Equipment		\$0.00
\$1,315.00		
45-00-774250 Computer Equipment		\$0.00
\$1,163.00		
47-00-774250 Computer Equipment		\$0.00
\$1,163.00		
B.A. #6 = 20-00-773100 Engineering		
\$100,000.00	\$105,100.00	
B.A. #7 = 20-00-773209 Dude Ranch Sidewalk/Trail		\$0.00
\$80,978.00		
B.A. #8 = 20-00-773211 Hwy 54 Sidewalk Improvements		\$0.00
\$19,785.00		

B.A. #9 = 20-00-773223 Mace Road
\$1,100,000.00 \$1,198,653.00

B.A. #10 = 30-00-773170 New Wells
\$100,000.00 \$530,435.00

B.A. #11 = 45-00-773216 Taxiway Project \$0.00
\$57,774.00

1. City Hall Electronic Sign - This is a carry over from the 2019 budget. This purchase was approved at the 11/21/19 BOA meeting Bill # 19.77. Original budget was \$30,000. Actual cost was \$30,702.00. This project is complete.
2. City Hall Bullet Resistant Glass - This is a carry over from the 2019 budget. This purchase was approved at the 12/19/19 BOA meeting Bill #19.89. Original Budget was \$50,000. Actual cost was \$58,800.00 This project is not complete. Glass is ordered and will be installed in late May/Early June.
3. Peanick Park Aerial Utility Burial - This is a carry over from the 2019 budget. The City has spent \$6,064.20 on this project in 2020, but in order to complete the project City Staff estimates it will require an additional \$3,000.00. The Parks Department will work to complete to portion of this projects that has already been paid for in 2020. Additional costs to complete the project will be budgeted for in a future year. This project is not complete.
4. City Engineering Services - At the 03/17/20 BOA meeting the Board approved additional City Engineering services (Cochran) no to exceed \$85,000.00.
5. New PC and Laptop purchase - At the 03/17/20 BOA meeting the Board approved the purchase of new PC's and Laptops to replace the City's existing Virtual Desktop environment. The approved cost was \$50,207.96. This budget amendment accounts for that purchase and the purchase of additional HDMI cabling necessary for completion of the project. The net effect of this budget amendment is a reduction of more than \$3,400.00. This project is not complete.
6. Mace Rd Engineering Phase 2 - This is a carry over from the 2019 budget. Multiple modification for the Mace Rd Engineering project have been made (BOA meeting 01/02/20 Bill #20.01/BOA meeting 11/21/19 Bill #19.74/BOA meeting 03/01/18 Bill #18.07). Total current approved contract amount with Bartlett & West is \$242,900.00. As of the beginning of 2020 \$105,100.00 was still unpaid. This project is not complete.

7. Dude Ranch Sidewalk Project - This is a carry over from the 2019 budget. The final payout for this project was made in late March 2020. \$80,978.00 of this project was paid in 2020. On 07/02/19 Bill # 19.44 the board awarded the Dude Ranch Sidewalk project to Stockman Construction in the amount of \$401,930.00. This project is complete and within budget.
8. Osage Beach Sidewalk Improvement Phase 5 - This is a carry over from the 2019 budget. The final payout for this project was made in late March 2020. \$19,785.00 of this project was paid in 2020. On 09/19/19 Bill #19.65 the Board awarded this project to Hesseling Construction in the amount of \$177,486.09. This project is complete and within budget.
9. Mace Road Construction Phase 2A - This is a carry over from the 2019 budget. One bill and one motion have been approved that make up the total cost of this project (BOA meeting 04/16/20 Bill #20.24 and BOA meeting 04/02/20 motion to approve utility relocates). Total current approved cost is \$1,198,653.00. This project is not complete.
10. Swiss Village Well Project - This is a carry over from the 2019 budget. Multiple modification for this project have been made (BOA meeting 04/02/20 Bill #20.23/BOA meeting 03/17/20 Bill #20.19/BOA meeting 01/16/20 Bill #20.02/BOA meeting 12/19/19/Bill #19.96/BOA meeting 11/7/19 Bill #19.78/BOA meeting 07/18/19 Bill #19.45) Total current approved contract costs are \$744,678.60. As of the beginning of 2020 \$530,435.00 was still unpaid. This project is not complete.
11. LCF Taxiway Phase 2 - This is a carry over from the 2019 budget. The engineering contract was approved on 02/01/18 Bill #18.05. The construction contract was approved on 05/17/18 Bill #18.29. Total combined approved cost is \$1,870,050.25. As of the beginning of 2020 \$57,774.00 was still unpaid. This project will be under budget by \$71,648.55. This project is complete. 90% of the total cost was funded through MODOT Aviation/FAA grants.

I recommend approval.

City Attorney Comments:

Per City Code 110.230, Bill 20-26 is in correct form.

City Administrator Comments:

The first reading was read and passed by the Board of Aldermen on May 21, 2020.

These are the projects/purchases to date that have been approved by the Board of Aldermen that require amendments to the FY2020 Budget. Until recently, once approval from the Board of Aldermen was acquired the project/purchase was initiated and any amendments to the budget was completed once true expenditures were realized. This request does include amendments pre-expenditure realization.

I concur with the recommendation.

AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AMENDING ORDINANCE NO. 19.90 ADOPTING THE 2020 ANNUAL BUDGET, TRANSFER OF FUNDS FOR NECESSARY EXPENSES.

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

Section 1. That the 2020 Annual Budget adopted as Ordinance No. 19.90 is hereby amended by appropriating additional funds or reducing appropriations as follows:

	Original Item	Amended Item
10-09-774256 Building Improvements	\$97,300	\$128,002
10-09-774256 Building Improvements	\$128,002	\$186,802
10-10-773278 Park Improvements	\$20,000	\$26,064.20
10-18-733800 Professional Services	\$35,000	\$120,000
10-19-733610 Maintenance and Support Services	\$229,105	\$202,611
10-19-733800 Professional Services	\$95,000	\$80,000
10-19-774250 Computer Equipment	\$4,550	\$41,961
10-19-774267 Communication Equip. Network	\$9,000	\$0
10-14-774250 Computer Equipment	\$7,610	\$8,169
20-00-774250 Computer Equipment	\$0	\$2,377
30-00-774250 Computer Equipment	\$0	\$1,535
35-00-774250 Computer Equipment	\$0	\$1,535
40-00-774250 Computer Equipment	\$0	\$1,315
45-00-774250 Computer Equipment	\$0	\$1,163
47-00-774250 Computer Equipment	\$0	\$1,163
20-00-773100 Engineering	\$100,000	\$105,100
20-00-773209 Dude Ranch Sidewalk/Trail	\$0	\$80,978
20-00-773211 Hwy 54 Sidewalk Improvements	\$0	\$19,785
20-00-773223 Mace Road	\$1,100,000	\$1,198,653
30-00-773170 New Wells	\$100,000	\$530,435
45-00-773216 Taxiway Project	\$0	\$57,774

Section 2. In all other respects the 2020 Annual Budget adopted in Ordinance No. 19.90 remains in full force and effect.

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

READ FIRST TIME: 05/21/2020

READ SECOND TIME: 06/04/2020

I hereby certify that the above Ordinance No. 20.26 was duly passed on _____ by the Board of Aldermen of the City of Osage Beach. The votes thereon were as follows:

Ayes:

Nays:

Abstain:

Absent:

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

Date

Tara Berreth, City Clerk

Approved as to form:

Edward B. Rucker, City Attorney

I hereby approve Ordinance No. 20.26.

Date

ATTEST:

John Olivarri, Mayor

Tara Berreth, City Clerk

City of Osage Beach
Agenda Item Summary

Date of Meeting: June 4, 2020
Originator: Mike Welty, Assistant City Administrator
Presenter: Mike Welty, Assistant City Administrator
Date Submitted: May 26, 2020

Agenda Item:

Bill 20-31 - An ordinance of the City of Osage Beach, Missouri, authorizing the Mayor to execute a contract with AT&T for local phone service. *Second Reading*

Requested Action:

Second Reading of Bill #20-31

Ordinance Referenced for Action:

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

Deadline for Action:

Yes - The current contract expires on 06/25/2020

Budgeted Item:

Yes

Budget Line Item/Title: 10-13-743102 Telephone Service

FY20 Budgeted Amount:	\$ 42,000.00
Expenditures to Date (05/08/20):	(\$ 15,919.00)
Available:	\$26,081.00
Requested Amount:	\$6,360.00

Budget Line Item/Title: 10-15-753200 911 Expense

FY20 Budgeted Amount:	\$16,800.00
Expenditures to Date (05/08/20):	(\$ 6,014.00)
Available:	\$10,786.00
 Requested Amount:	 \$960.00

Department Comments and Recommendation:

The City uses 20 phone, fax, and data line through a At&T business local calling contract. This contract expires on 06/25/20. This purchase is being considered as a sole source purchase as there are not other carriers that currently have the the infrastructure in place to provide us with these services.

The amounts being requested above represent the total amount of the new contract to be paid in 2020 (\$7,320.00 split between two line item account). The total yearly cost of the contract is estimated to be \$14,640.00 per year. I am asking for a do not exceed amount of \$16,000.00 because there are still some circumstances where we could be charged long distance fees or have fluctuations in taxes and fees.

I was able to lower the estimated value of this contract by \$960.00 per year when compared to the the current contract.

I recommend approval.

City Attorney Comments:

Per City Code 110.230, Bill 20-31 is in correct form.

City Administrator Comments:

The first reading was read and passed by the Board of Aldermen on May 21, 2020.

I concur with the department's recommendation.

AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH AT&T FOR LOCAL PHONE SERVICES AT ALL CITY LOCATIONS NO TO EXCEED \$16,000.00 ANNUALLY

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

Section 1. The Board of Aldermen hereby authorizes the Mayor to execute on behalf of the City a contract with AT&T for local phone service at all City locations, substantially under the terms set forth in the attached contract (Exhibit "A").

Section 2. Total expenditures or liability authorized under this Ordinance shall not exceed Sixteen Thousand Dollars (\$16,000.00) annually.

Section 3. The City Administrator is hereby authorized to take such further actions as are necessary to carry out the intent of this Ordinance and Contract.

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

READ FIRST TIME: May 21, 2020

READ SECOND TIME:

I hereby certify that the above Ordinance No. 20.31 was duly passed on _____ by the Board of Aldermen of the City of Osage Beach. The votes thereon were as follows:

Ayes:

Nays:

Abstain

Absent:

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

Date

Tara Berreth City Clerk

Approved as to form:

Edward B. Rucker, City Attorney

I hereby approve Ordinance No. 20.31.

Date

John Olivarri, Mayor

ATTEST:

Tara Berreth, City Clerk



AT&T BUSINESS LOCAL CALLING
ILEC CONFIRMATION OF SERVICE ORDER
PROVIDED PURSUANT TO STANDARD SERVICE PUBLICATION RATES AND TERMS

Customer CITY OF OSAGE BEACH Street Address: 1000 City Parkway City: Osage Beach State/Province: MO Zip Code: 65065 Country: USA	AT&T The applicable AT&T ILEC Service-Providing Affiliate
Customer Contact (for Notices) Name: Mike Welty Title: Assistant City Administrator Street Address: 1000 City Parkway City: Osage Beach State/Province: MO Zip Code: 65065 Country: USA Telephone: (573)302-2000 Fax: Email: mwelty@osagebeach.org Customer Account Number or Master Account Number: (573)348-5000-342 (816)A14-0707-886	AT&T Contact (for Notices) Name: Stacy Baker Street Address: 2121 E 63 rd Street @ Bldg C, Room C3H City: Kansas City State/Province: MO Zip Code: 64130 Country: USA Telephone: (314)356-8968 Fax: Steven Gallagher Email: sb4152@us.att.com Sales/Branch Manager: SCVP Name: Sales Strata: LGEM Sales Region: SW <u>With a copy (for Notices) to:</u> AT&T Corp. One AT&T Way Bedminster, NJ 07921-0752 ATTN: Master Agreement Support Team Email: mast@att.com
AT&T Solution Provider or Representative Information (if applicable) ☐	
Name: Company Name: Agent Street Address: City: State: Zip Code: Telephone: Fax: Email: Agent Code	

Customer agrees to purchase the Service identified below in accordance with this Confirmation of Service Order ("CSO") subject to the following, which are incorporated by reference: (a) THE TERMS OF THE APPLICABLE STATE TARIFF, IF THE SERVICE IS OFFERED PURSUANT TO TARIFF; OR (b) THE AT&T BUSINESS SERVICES AGREEMENT (BSA) which incorporates applicable Service Publications, found at <http://www.corp.att.com/agreement/> IF THE SERVICE IS NOT OFFERED PURSUANT TO TARIFF. "Service Publication" means a Tariff, Guidebook or Service Guide. The Service is not assignable or otherwise transferable, nor may it be assumed in any manner, unless otherwise required by law or regulation.

The terms and conditions provided in this CSO are provided herein for convenience only and do not supersede or modify any applicable Service Publication in any way. In the event a Service Publication term or condition is changed in any way, the following is hereby modified at the same time to reflect that change.

The applicable AT&T Service Publication(s) for each state are identified in Attachment A.

The Effective Date of this CSO is the date signed by the last party.

AT&T California currently provides billing and collections services to third parties, which may place charges that Customer authorizes on its bill. To the extent that AT&T California makes blocking of such charges available, Customer may block third-party charges from its bill at no cost.

Customer (by its authorized representative)	AT&T (by its authorized representative)
By:	By:
Printed or Typed Name:	Printed or Typed Name:
Title:	Title:
Date:	Date:

**AT&T BUSINESS LOCAL CALLING
ILEC CONFIRMATION OF SERVICE ORDER
PROVIDED PURSUANT TO STANDARD SERVICE PUBLICATION RATES AND TERMS**

1. SERVICE, SERVICE PROVIDER and SERVICE DESCRIPTION

1.1 Service and Service Provider

Business Package ("Service")	Service Providing Affiliate(s) and Service Publication(s), as applicable
AT&T Business Local Calling ("BLC")	Listed in Attachment A

1.2 Service Description - Available Line Option Package(s); Service Components

Identified for the Service in applicable Service Publication(s)

1.3 Eligible Billing Telephone Numbers (BTNs)

See Attachment B

2. TERM and EFFECTIVE DATES

Term	36 Months
Term Start Date	The next calendar day following initial implementation of Service in the applicable AT&T systems
Effective Date of Rates, Discounts and Billing	Per Billing Telephone Number ("BTN"), on the next calendar day immediately following implementation of applicable Line Option Package in the applicable AT&T systems
Rates Following Termination or Expiration of the Term	Applicable Service Publication rates in effect at time of termination or expiration

3. RATES and INITIAL ORDER

3.1. Line Option Packages – Monthly Rates

Package pricing does not include Additional Service Components as identified in the applicable Service Publication.

Line Option Packages	State Availability	Prices Per BLC Access Line, Per Month – 12 Month Term	Prices Per BLC Access Line, Per Month – 24 Month Term	Prices Per BLC Access Line, Per Month – 36 Month Term
Unlimited A (Option A)	AL, AR, CA, FL, GA, IL, IN, KS, KY, LA, MI, MO, MS, NC, NV, OH, OK, SC, TN, TX, WI	\$44.00	\$38.00	\$37.00
Unlimited B (Option B)	AL, AR, CA, FL, GA, IL, IN, KS, KY, LA, MI, MO, MS, NC, NV, OH, OK, SC, TN, TX, WI	\$39.00	\$33.00	\$32.00

**AT&T BUSINESS LOCAL CALLING
ILEC CONFIRMATION OF SERVICE ORDER
PROVIDED PURSUANT TO STANDARD SERVICE PUBLICATION RATES AND TERMS**

3.2. Additional Service Components (Vertical Features) - Monthly Rates and Non-recurring Charges

Each Additional Service Component – Vertical Feature (as identified in the applicable Service Publication)	Monthly Rate	Installation Non-recurring Charge (NRC)
Per BLC access line	\$3.00	As per applicable Service Publication

3.3 Waiver of Non-Recurring Charges (NRCs) During Term

Waived Charges	Month of Term in which Charge is Waived
NRC for establishing a BLC access line	Any
NRC for adding or removing Hunting	Any
NRC for Additional Service Components	First month, only for Customer's initial order

3.4 Quantity Commitment and Shortfall Adjustment Charge

Only BLC access lines associated with a BTN listed in Attachment B or a BTN added to the Service by Customer during the Term contribute to the Quantity Commitment for purposes of calculating the Shortfall Adjustment Charge.

Quantity Commitment	In any month during the Term, Customer must maintain 80% of the applicable Quantity Commitment(s) (active and not on suspension), or the following Shortfall Adjustment Charge applies:
20	$\text{Shortfall Adjustment Charge} =$ $\$10.00 \times ([80\% \times \text{Quantity Commitment}] - \text{current number of access lines contributing to that Quantity Commitment})$

4. EARLY TERMINATION CHARGE

If Customer terminates the CSO before the expiration of the Term, Customer will pay the Early Termination Charge below, unless Customer concurrently replaces this CSO with an AT&T ILEC business local exchange service agreement with a term equal or greater than the Term under this CSO and a line commitment, as determined by AT&T, equal or greater than Quantity Commitment under this CSO.

Service Components	State for Customer's Main BTN identified on Attachment B	Rate for Early Termination Charges
BLC access lines subject to Quantity Commitment	AL, AR, CA, FL, GA, IL, IN, KS, KY, LA, MI, MO, MS, NC, NV, OH, OK, SC, TN, TX, WI	\$15.00
Main BTN: (573)348-5000-342		State of Main BTN: (ex: IL) MO
$\text{Early Termination Charge} =$ $(\text{Rate for Early Termination Charges}) \times (\text{Quantity Commitment}) \times (\text{number of months remaining in Term})$		

The Early Termination Charges above may not apply if Customer terminates all or a portion of the Service for purposes of a migration to a qualifying AT&T Business Voice over IP (BVoIP) Service or AT&T Mobility Service as such migration is defined in the Service Publication.

**AT&T BUSINESS LOCAL CALLING
ILEC CONFIRMATION OF SERVICE ORDER
PROVIDED PURSUANT TO STANDARD SERVICE PUBLICATION RATES AND TERMS**

5. GENERAL PROVISIONS

- Additional BLC access lines under a BLC account may be ordered during the Term.
- BLC access lines subscribed under a Line Option Package may not be placed on Customer-initiated temporary suspension.

Attachments A and B follow

ATTACHMENT A

AT&T ILEC SERVICE PROVIDING AFFILIATES and SERVICE PUBLICATION(S), AS APPLICABLE

Service Provider(s)	Service Publication(s) (incorporated by reference)	Service Publication Location(s)
AT&T Alabama	AT&T Alabama Service Publications, including General Exchange Guidebook, Sec. A3	http://cpr.att.com/pdf/al/product_line.htm
AT&T Arkansas	AT&T Arkansas Guidebook, including Part 4, Sec. 5	http://cpr.att.com/guidebook/ar/index.html
AT&T California	AT&T California Guidebook, including Part 4, Sec. 5 and Part 8, Sec. 8 AT&T California Out of Territory Guidebook, incl. Part 4, Sec. 5 and Part 8, Sec. 8	http://cpr.att.com/guidebook/ca/index.html http://cpr.att.com/guidebook/cf/index.html
AT&T Florida	AT&T Florida Guidebooks, including General Exchange Guidebook, Sec. A3	http://cpr.att.com/pdf/fl/product_line.htm
AT&T Georgia	AT&T Georgia Service Publications, including General Exchange Guidebook, Sec. A3	http://cpr.att.com/pdf/ga/product_line.htm
AT&T Illinois	AT&T Illinois Guidebook, including Part 4, Section 5	http://cpr.att.com/guidebook/il/index.html
AT&T Indiana	AT&T Indiana Guidebook, including Part 4, Sec. 5	http://cpr.att.com/guidebook/in/index.html
AT&T Kansas	AT&T Kansas Guidebook, including Part 4, Section 5	http://cpr.att.com/pdf/ks/index.html
AT&T Kentucky	AT&T Kentucky Service Publications, including General Exchange Guidebook, Sec. A3	http://cpr.att.com/pdf/ky/product_line.htm
AT&T Louisiana	AT&T Louisiana Service Publications, including General Exchange Guidebook, Sec. A3	http://cpr.att.com/pdf/la/product_line.htm
AT&T Michigan	AT&T Michigan Guidebook, including Part 4, Sec. 5	http://cpr.att.com/guidebook/mu/index.html
AT&T Mississippi	AT&T Mississippi Service Publications, including General Exchange Guidebook, Sec. A3	http://cpr.att.com/pdf/ms/product_line.htm
AT&T Missouri	AT&T Missouri Guidebook, including Part 4, Section 5	http://cpr.att.com/guidebook/mo/index.html
AT&T Nevada	AT&T Nevada Guidebook, including Part 2, Sec. 12.19 and Part 8, Sec. 8	http://cpr.att.com/guidebook/nv/index.html
AT&T North Carolina	AT&T North Carolina Service Publications, including General Exchange Guidebook, Sec. A3	http://cpr.att.com/pdf/nc/product_line.htm
AT&T Ohio	AT&T Ohio Guidebook, including Part 4, Sec. 5	http://cpr.att.com/guidebook/oh/index.html
AT&T Oklahoma	AT&T Oklahoma Guidebook, including Part 4, Section 5	http://cpr.att.com/guidebook/ok/index.html
AT&T South Carolina	AT&T South Carolina Service Publications, including General Exchange Guidebook, Sec. A3	http://cpr.att.com/pdf/sc/product_line.htm
AT&T Tennessee	AT&T Tennessee Service Publications, including General Exchange Guidebook, Sec. A3	http://cpr.att.com/pdf/tn/product_line.htm
AT&T Texas	AT&T Texas Guidebook, including Part 4, Section 5	http://cpr.att.com/guidebook/tx/index.html
AT&T Wisconsin	AT&T Wisconsin Guidebook, including Part 4, Sec. 5	http://cpr.att.com/guidebook/wg/index.html

**AT&T BUSINESS LOCAL CALLING
ILEC CONFIRMATION OF SERVICE ORDER
PROVIDED PURSUANT TO STANDARD SERVICE PUBLICATION RATES AND TERMS**

**ATTACHMENT B
BILLING TELEPHONE NUMBER (BTN) LIST**

(All Lines under each BTN must be subscribed to a Line Option Package.)

Region (MW, SW, W, SE)	State (ex. FL)	10-digit BTN
SW	MO	573 302 2043 985
SW	MO	573 348 4770 302
SW	MO	573 348 5000 342
SW	MO	573 348 5410 853

Region (MW, SW, W, SE)	State (ex: FL)	10-digit BTN

If greater than 10 BTNs, list Region / State / BTN in the box below.

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City of Osage Beach
Agenda Item Summary

Date of Meeting: June 4, 2020
Originator: Ron White, Building Official
Edward Rucker, City Attorney
Presenter: Ron White, Building Official
Date Submitted: May 26, 2020

Agenda Item:

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

Requested Action:

First Reading of Bill #20-33

Ordinance Referenced for Action:

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

Deadline for Action:

None

Budgeted Item:

Not Applicable

Not Applicable

Department Comments and Recommendation:

As the introduction of grease, oil, fats and other solids have presented continual challenges for City personnel to maintain our complex sewer system, this ordinance has been created to assemble all aspects of the various adopted codes (International

Building, Plumbing and Property Maintenance Codes) and present the reasoning, regulations and penalties in ordinance form for more efficient reference and added clarity.

City Attorney Comments:

Per City Code 110.230, Bill 20-33 is in correct form.

City Administrator Comments:

I concur with the department's recommendation.

AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, CREATING A NEW SECTION 500.155 REQUIRING GREASE INTERCEPTORS AND SETTING OUT THE PERFORMANCE REQUIREMENTS FOR DISCHARGE INTO THE WASTEWATER SYSTEM AND NEW SECTIONS WITHIN THE WASTEWATER CODE DEALING WITH SAME SUBJECT MATTER

WHEREAS, economic development is a primary mission of the city and the development of a vibrant and secure business climate and economy is in the best interest of the citizens of Osage Beach; and,

WHEREAS, the Board of Aldermen hereby finds that grease and solids in the wastewater system can create significant problems in the pipes and the sewerage treatment plant; and,

WHEREAS, the Board of Aldermen conclude that grease interceptors are an appropriate way to address the issues of grease and solids at their source before they become a problem in the wastewater system:

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

Section 1. That a new Section 500.155 of the Osage Beach Code of Ordinances be and is hereby enacted as follows:

Section 500.155 Grease Interceptor Required.

1) All restaurants, bars, kitchens and any facility which sells or prepares food for the public to be taken away or consumed on the premises shall have installed and properly operating a grease interceptor as described in this chapter. Interceptors and separators shall be provided to prevent the discharge of oil, grease, sand and other substances harmful or hazardous to the public sewer, or the sewage treatment plant or processes.” 2) Grease Interceptor Requirements.

- a) Grease interceptor sizing and installation shall conform to the current edition of the International Plumbing Code. Grease interceptors shall be constructed in accordance with the design approved by the City’s Building Official or designee and shall have a minimum of two compartments with fittings designed for grease retention and a sampling box.
- b) The grease interceptor shall be installed at a location where it shall be easily accessible during regular business hours for inspection, cleaning, and removal of accumulated grease.

- 3) Grease Interceptor Monitoring Requirements. All restaurants, bars, kitchens and any facility which sells or prepares food for the public to be taken away or consumed on the premises shall construct and maintain in proper operating condition a grease interceptor with flow monitoring, constituent monitoring and/or sampling facilities. The location of the monitoring or metering facilities shall be subject to approval by the city building official.
- 4) All establishments are required to provide immediate, clear, safe, and uninterrupted access for the inspectors to the grease interceptor's monitoring and metering facilities.
- 5) Grease interceptors shall be equipped with devices to control the rate of water flow so that the water flow does not exceed the rated flow.
- 6) Grease Interceptor Maintenance Requirements. Grease interceptors shall be maintained in efficient operating condition by periodic removal of the full content of the interceptor including all wastewater, accumulated fats, oils, and grease, floating materials, sludge, and solids.
 - a) Grease interceptors shall be fully pumped out and cleaned at a frequency such that the combined fats, oils, grease, and solids accumulation does not exceed 25% of the total liquid depth of the grease interceptor.
 - b) All food service establishments with a grease interceptor shall maintain their grease interceptor in accordance with the manufacture's specifications.
- 7) No fats, oils, or grease that has accumulated in a grease interceptor shall be allowed to pass into any sewer system, storm drain, or public right-of-way, at any time, and during maintenance activities.
- 8) Dishwasher, steamer units, other high temperature sources, and garbage grinders shall not be piped directly to grease trap/interceptors.
- 9) Disposal of accumulations in grease interceptors shall be made by a duly qualified waste hauling company and disposed off-site properly in accordance with the Federal, State, and/or local laws. Food service establishments are required to obtain and maintain a copy of the waste hauler's documentation which must include:
 1. Name of hauling company;
 2. Date of Service
 3. Name and signature of operator performing the pump out/cleaning;
 4. Documentation of repairs.

- 10) Any establishment complying with the discharge regulations in Section 710.280 shall not be required to install a grease interceptor described in this section. An establishment which violates the discharge regulations in Section 710.280 shall be given a notice and opportunity to correct the discharge within 30 days, before the Building Official may require the installation of a grease interceptor. If a restaurant, bar, kitchen or any other facility is required to have a grease interceptor installed and properly functioning and fails to do so and continues to emit prohibited discharges as set out in Section 710.280 the Building official may suspend the certificate of occupancy.

Section 2. Section 710.280 of Chapter 710 is hereby repealed, and a new Section 710.280 of the Osage Beach Code of Ordinances be and is hereby enacted as follows

Section 710.280. Prohibited Discharges.

No person shall discharge or cause to be discharged to any of the City's wastewater facilities, system or any natural outlet any substances, materials, waters, or wastes in such quantities or concentrations which:

1. Create a fire or explosion hazard including, but not limited to gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas.
2. Cause corrosive damage or hazard to structures, equipment, or personnel of the wastewater facilities, but in no case discharges with the following properties:
 - a. A pH lower than 5.0 or greater than 10.0 for more than ten percent (10%) of the time in a twenty-four (24) hour period.
 - b. A pH lower than 3.5 or greater than 12.0 for any period exceeding fifteen (15) minutes.

These requirements may be modified for facilities designed to accommodate greater ranges.

3. Cause obstruction to the flow in sewers, or other interference with the operation of wastewater facilities due to accumulation of solid or viscous materials.
4. Constitute a rate of discharge or substantial deviation from normal rates of discharge, (slug discharge), sufficient to cause interference in the operation and performance of the wastewater facilities.
5. Contain heat in amounts which will accelerate the biodegradation of wastes, causing the formation of excessive amounts of hydrogen sulfide in the wastewater sewer or inhibit biological activity in the wastewater treatment facilities, but in no case shall the discharge of heat cause the temperature in the City wastewater sewer to exceed fifty- eight degrees Celsius (58°C) (one hundred fifty degrees Fahrenheit (150°F)) or the temperature of the influent to the treatment facilities to exceed forty degrees Celsius (40°C) (one hundred four degrees Fahrenheit (104°F)) unless the facilities can accommodate such heat.

6. Contains more than one hundred (100) milligrams per liter of nonbiodegradable oils or mineral or petroleum origin.
7. Contain floatable oils, fat, or grease.
8. Contain noxious, malodorous gas or substance, which is present in quantities that create a public nuisance or a hazard to life.
9. Contain radioactive wastes in harmful quantities as defined by applicable State and Federal regulations.
10. Contain any garbage that has not been properly shredded.
11. Contain any odor- or color-producing substances exceeding concentration limits which may be established by the superintendent for the purposes of meeting the City's NPDES permit.
12. Contain any hazardous or toxic metal, waste or substance in any form or quantity as defined by Federal law, rules, regulations and guidelines.
13. Contain fats, wax, grease or oils, whether emulsified or not, in excess of one hundred (100) milligrams per liter mg/l or containing substances which may solidify or become viscous at temperatures between 32 and 150 degrees Fahrenheit or 0 and 65 degrees Celsius.
14. Contains substances which are not amenable to treatment or reduction by the sewage treatment processes employed, or substances that are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of the other agencies having jurisdiction over the discharge to the receiving waters.

Section 3. A new Section 710.285 of Chapter 710 is hereby enacted as follows

Section 710.280. Authority to Reject Prohibited Discharges.

1. If any waters or wastes are discharged or are proposed to be discharged to the public sewers which waters containing the substances or possess the characteristics enumerated in Section 710.280 of this Article and which in the judgment of the Building Official and/or Public Works Director may have a deleterious effect upon the sewage works, processes, equipment, or receiving waters or which otherwise create a hazard to life to constitute a public nuisance the Building Official and/or Public Works Director may:

- a. Reject the wastes,
- b. Require pretreatment to an acceptable condition for discharge to the

public sewers

- c. Require control over the quantities and rates of discharge, and/or
- d. Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges.

Section 4. A new Section 710.090 of Chapter 710 is hereby enacted as follows

Section 710.090 Grease Interceptors in Private Living Quarters.

Grease, oil and sand interceptors as required in Section 500.155 of this Code shall not be required for private living quarters or dwelling units.

Section 5. Severability

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

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

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

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

READ FIRST TIME: _____ READ SECOND TIME: _____

I hereby certify that Ordinance No.20.33 was duly passed on _____ by the Board of Aldermen of the City of Osage Beach. The votes thereon were as follows:

Ayes:

Nays:

Abstentions:

Absent:

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

Date

Tara Berreth, City Clerk

Approved as to form:

Edward B. Rucker, City Attorney

I hereby approve Ordinance No.20.33.

John Olivarri, Mayor

Date

Tara Berreth, City Clerk

City of Osage Beach
Agenda Item Summary

Date of Meeting: June 4, 2020
Originator: Edward Rucker, City Attorney
Presenter: Edward Rucker, City Attorney
Date Submitted: May 28, 2020

Agenda Item:

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

Requested Action:

First Reading of Bill #20-34

Ordinance Referenced for Action:

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

Deadline for Action:

None

Budgeted Item:

Not Applicable

Department Comments and Recommendation:

The Ordinance was requested by the Board at the May 20, 2020 Board meeting to refer the decision concerning the Back to School sales tax holiday to the Board of Aldermen each year.

City Attorney Comments:

Per City Code 110.230, Bill 20-34 is in correct form.

City Administrator Comments:

In 2019 the Board reconsidered the decision to opt-in the Back to School Sales Tax Holiday and directed staff to bring to the Board of Aldermen the decision each year. This bill updates City Code to reflect this request.

AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, REFERRING THE DECISION CONCERNING OPTING OUT OF THE STATE IMPOSED “BACK TO SCHOOL” SALES TAX HOLIDAY TO THE BOARD OF ALDERMEN EACH YEAR.

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

Whereas, the Missouri General Assembly has passed and the Governor has signed, House Bill 64 that establishes a so called “Sales Tax Holiday” for the first weekend in August; and

Whereas, the legislation does not provide for the reimbursement to local governments for lost revenues; and

Whereas, the sales tax holiday will significantly reduce local revenues; and

Whereas, municipalities depend on sales tax revenues to provide essential services for the citizens, including police, parks, streets, code enforcement, water, sewer and other services; and

Whereas, these sales taxes were approved by a vote of the people who expect the promised services; and

Whereas, the legislation authorizes local governments to opt out of the “Sales Tax Holiday” by ordinance of the governing body.

Whereas, the Board of Aldermen desires to reserve to itself the duty to make this decision of a yearly basis by ordinance of the governing body:

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

Section 1. Section 140.050 of the Code of Ordinances is hereby repealed.

Section 2. A new section 140.050 of the Code of Ordinances is hereby adopted as follows:

Section 140.050.

Beginning in 2021 and every year thereafter, the City Clerk shall, place upon the agenda of the Board of Aldermen an ordinance addressing the question of opting out of provisions of Section 144.049 RSMo. exempting sales of certain clothing, personal computers, certain computer software, and school supplies that occur within the boundaries of said City beginning at 12:01 a.m. on the first Friday in August and ending at midnight on the Sunday following from local sales taxes. Said ordinance shall appear on the agenda of the Board of Aldermen at the first meeting in May, for final action at the last meeting in May.

Section 3. Severability

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

Section 4. Repeal of Ordinances not to affect liabilities, etc.

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

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

READ FIRST TIME: _____ READ SECOND TIME: _____

I hereby certify that Ordinance No.20.34 was duly passed on _____ by the Board of Aldermen of the City of Osage Beach. The votes thereon were as follows:

Ayes:

Nays:

Abstentions:

Absent:

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

Date

Tara Berreth, City Clerk

Approved as to form:

Edward B. Rucker, City Attorney

I hereby approve Ordinance No.20.34.

John Olivarri, Mayor

Date

Tara Berreth, City Clerk

City of Osage Beach
Agenda Item Summary

Date of Meeting: June 4, 2020
Originator: Edward Rucker, City Attorney
Presenter: Kevin Rucker, Alderman
Date Submitted: May 19, 2020

Agenda Item:

Bill 20-35 - An ordinance of the City of Osage Beach, Missouri, amending the procedure in Section 110.300 for the application and distribution of funds from the Community Promotions or Community Event Support Account. *First Reading*

Requested Action:

First Reading of Bill #20-35

Ordinance Referenced for Action:

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

Deadline for Action:

None

Budgeted Item:

Not Applicable

Department Comments and Recommendation:

This ordinance amends the procedure for application from line item 10-21-754255.

This ordinance changes and strengthens the procedure for application for funds from the community event support monies set aside in the budget. The new language is set out in red and the deleted language is struck through.

City Attorney Comments:

Per City Code 110.230, Bill 20-35 is in correct form.

City Administrator Comments:

Section 110.300 Expenditures From Community Promotions - Community Event Support Budget Item in the City Code of Ordinances was created and adopted by the Board of Aldermen in March 2016, Bill 16.22.

AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AMENDING THE PROCEDURE IN SECTION 110.300 FOR THE APPLICATION AND DISTRIBUTION OF FUNDS FROM THE COMMUNITY PROMOTIONS OR COMMUNITY EVENT SUPPORT ACCOUNT

WHEREFORE the Board of Aldermen is desirous of supporting activities that bring visitors trade and business into the city and which promote the city, and

WHEREFORE the budget as adopted has set aside certain funds for the purpose of bringing visitors trade and business into the city and which promote the city, and

WHEREFORE it is necessary for a regular and clear direction of the Board of Aldermen to create a method to evaluate the applications which may come to the city for the use of the Community Event Support Account

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

Section 1. That Section 110.300 is hereby amended with amendments as set forth below with new material set out in red and deleted material struck through to read as follows:

Section 110.300. Expenditures from Community Promotions or Community Event Support Budget Item.

A. All expenditures from the community Promotions or Community event support funds in account 10-21-754250, or any of its successors shall be spent for the purpose of supporting event activities that bring visitors, trade, and business into the City and shall be spent pursuant to ordinance duly adopted and passed.

B. **Only events sponsored by non-profit/charitable organizations are eligible for funds and support under this section. The use of City property, labor, personnel, services or other "in-kind" contributions may be approved by the Board of Aldermen based on the applicant's need and city's availability. All applicants shall fully and completely disclose any relation to, sponsorship by, or other connection to any other entity, particularly including any governmental body, for-profit business or other private entity.**

C. All applications for support through the use of City property, labor, personnel, services or other "in-kind" contributions shall be for the purpose of supporting event activities that bring visitors, trade, and business into the City and shall be **approved by the board based on the applicants need, city's availability and** pursuant to ordinance duly adopted and passed.

D. Each application for funds from the community Promotions or Community event support account shall be made on an application form attached hereto and incorporated by reference as if fully set out herein which is attached as Exhibit A. The City Administrator shall have the authority to add to and supplement the questions and information required in Exhibit A.

E. All information submitted in Exhibit A and any further or supporting information for any requests made for funding hereunder shall be a public record subject to Chapter 117 of this Code and the requirements of Chapter 610, of the Revised Statutes of Missouri, commonly known as the Sunshine Law and any successors thereto.

F. Upon receipt of a completed application form, the City Administrator shall submit the question of approval of said application to the Board of Aldermen in the form of an ordinance. Along with the ordinance the application shall provide information from the applicant addressing at least the following questions to ~~so~~ be used by the Board of Aldermen for decision on approval:

1. Is the event sponsor/applicant a non-profit/charitable organization? Is the applicant related to, sponsored by, or accountable to or jointly managed by a for profit business or other private entity? Please attach evidence of Federal Tax 501C-3 qualification or Missouri non-profit corporate status. Also explain any and all relations/connections/associations with any other entities.
2. Is the event open to the public, restricted to members, or restricted to those who purchase tickets?
3. Is the content of the proposed event or the message of the sponsor offensive, or overtly political or religious?
4. What are the direct/indirect benefits to the public?
5. Provide a budget and written justification for the need for support from the City and explain the ownership and disposition of any remaining funds at the end of the event.
6. Provide a written explanation of any in-kind support requested from the city and explain the ownership and disposition of any remaining funds at the end of the event.

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

Ayes:

Nays:

Abstentions:

Absent:

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

Date

Tara Berreth, City Clerk

Approved as to form:

Edward B. Rucker, City Attorney

I hereby approve Ordinance No.20.35.

John Olivarri, Mayor

Date

Tara Berreth, City Clerk

City of Osage Beach
Agenda Item Summary

Date of Meeting: June 4, 2020
Originator: Jeana Woods, City Administrator
Presenter: Jeana Woods, City Administrator
Date Submitted: May 20, 2020

Agenda Item:

Bill 20-36- An ordinance of the City of Osage Beach, Missouri, authorizing the expenditure of funds for advertising to support the Benne Media Aquapalooza 2020 Event Support Request. *First Reading*

Requested Action:

First Reading of Bill #20-26

Ordinance Referenced for Action:

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

Deadline for Action:

Yes - Aquapalooza is held July 18, 2020

Budgeted Item:

Yes

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

FY20 Budgeted Amount:	\$13,000.00
Expenditures to Date (05/20/2020):	(\$ 0)
Available:	\$13,000.00
Requested Amount:	\$5,000.00

Department Comments and Recommendation:

Not Applicable

City Attorney Comments:

Per City Code 110.230, Bill 20-36 is in correct form.

City Administrator Comments:

10-21-754255 Community Event Support, \$13,000 is budgeted for event support in FY2020. Per City Code 110.300, the intent is for the purpose of supporting event activities that bring visitors, trade, and business into the City. Applications are submitted to the Administration Office and Board approval is required per ordinance.

Enclosed is the Aquapalooza Event Support Application Form submitted to the City. The request is for \$5,000 for the 2020 event to be held July 18, 2020. We have supported this event in the past with event support funds; FY2019 was \$5,000.

This is a budgeted FY2020 item and no funds have been expended for the program to date; however, due to recent estimation of budget shortfalls due to the current pandemic situation and unknown fiscal impacts of such, I suggest all O & M expenditures, including this line item, be considered and reevaluated to assist in controlling cash flow to meet potential revenue declines.

AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AUTHORIZING THE EXPENDITURE OF FUNDS FOR ADVERTISING TO SUPPORT THE BENNE MEDIA AQUAPALOOZA 2020 EVENT SUPPORT REQUEST

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

Section 1. That the expenditure of funds for advertising in an amount of five thousand dollars (\$5,000.00) is hereby authorized for the Benne Media Aquapalooza to be held on July 18, 2020.

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

Section 3. Severability

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

Section 4. Repeal of Ordinances not to affect liabilities, etc.

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

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

READ FIRST TIME:

READ SECOND TIME:

I hereby certify that the above Ordinance No. 20.36 was duly passed on by the Board of Aldermen of the City of Osage Beach. The votes thereon were as follows:

Ayes:

Nays:

Abstentions:

Absent:

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

Date

Tara Berreth, City Clerk

Approved as to form:

Edward B. Rucker, City Attorney

I hereby approve Ordinance No. 20.36.

Date

John Olivarri, Mayor

ATTEST:

Tara Berreth, City Clerk



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

Requested Amount: \$5000 Silver Sponsor Date of Request: 3/4/20

Organization Information:

Organization Name: Benne Media
Address: 160 Highway 42 - Kaiser, MO. 65047
Phone # 573-348-1958 Fax # 573-348-1923
Contact Name: Greg Sullens
Phone # (cell) 573-280-1154 (Other) _____

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

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

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

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

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

Event Information:

Event Name: Aquapalooza
Event Dates: July 18, 2020
Event Location: 19 mile marker - Dog Days Boardwalk
Description of event: Boating - Rafting - Swimming - Free Concerts

How will the proceeds of this event be used? Pay for outside marketing Bands - Staging - Insurance

How will the City be recognized through this event? Print - Radio - On Stage - Website as Silver Sponsor

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

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

If yes, explain: _____

Total budget for the event: \$47,000

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

In the case of a budget shortfall, how will the loss be covered? Radio Station absorb

How many years has this event been held? 13 years

Estimated attendance this year? 12,000 Last year's attendance, if applicable? 10 to 12,000

Applicant:

Application Completed By: Greg Sullens G.S. M. Benne Media

Contact Phone/Cell: 573-348-1958

Greg Sullens GSM 3/4/20
Signature Print Name Title Date

Send Completed Application and Attachments To:

Email: jwoods@osagebeach.org

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

Internal Use

Date Application Received: _____ By: _____

Date Board Approved/Declined: _____ Amount Approved: _____

Other Information: _____

AQUAPALOOZA LAKE OF THE OZARKS

2020 BUDGETED EXPENSES

ENTERTAINMENT EXPENSE:

Stage	\$13,000.00
Bands	\$9,000.00
Production	\$1,000.00
Band Travel, Lodging	\$700.00

STAGE, PRODUCTION, BANDS		\$23,700.00
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ADVERTISING EXPENSE:

(Provided/Managed By)

Print		\$5,000.00	LO Profile/Lake Media One
Direct Mail		\$3,000.00	Marine Dealers
Web Advertising	in-kind	\$3,000.00	TCLA
Radio	our own	\$23,000.00	Benne Media
Television		\$4,000.00	KRCG TV13
Billboards		\$2,000.00	Lamar Outdoor
Email		\$0.00	
Social Media (Facebook/Twitter)		\$0.00	
			\$40,000.00

INSURANCE		\$2,400.00
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Printing Aquapalooza guide	our own		\$3,900.00
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SOUVENIR GIVEAWAYS	Beach Balls/Can w	\$3,000.00 A-Speicality	\$3,000.00
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Minus in kind and Benne Media marketing	-\$26,000.00
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TOTAL EXPENSES

\$47,000.00

Sponsor, Booth & Print Income

Aqua Guide Sales	\$12,500.00
Booth Sales 6 @ \$500	\$3,000.00
Steves Pest Control	\$5,000.00
Elite Roofing	\$5,000.00
LOMDA	\$5,000.00
Tri-County Lodging	\$5,000.00
YC Power Sports	\$5,000.00
Econo Lift	\$5,000.00
City of Osage Beach	<u>Not confirmed</u> \$5,000.00

\$50,500.00

Net Profit

\$3,500.00

MARKETING GUIDE

The Lake's Largest Family Boating Event

AquaPalooza®



AquaPalooza®

Since 2006 Aquapalooza has been an annual family boating hit. Thousands flock to the 19 mile mark on the lake each year to enjoy a day of music, food, family and friends. By boat or by land, they start showing up in the early morning to get the best spots, and by lunchtime every available space is claimed.

The live music begins at Noon and the crowd gets energized-- visiting the vendors, dancing, dining and rushing to get up close to the on the water stage. Marketing during Aquapalooza is multi-faceted with levels to suit everyone, and the potential to reach this huge engaged consumer group.



AquaPalooza®

TITLE SPONSORSHIP OPPORTUNITY

Limited to One advertiser with top billing

Title Sponsor will also receive:

- On-Stage recognition
- One 5'x40' banner placed on stage
- Two Full Page ads in the official Aquapalooza Event Guide
- 1,400 - :30 sec. announcements
To be used May - September at your descretion,
across all Benne Media stations
- Your logo prominently featured on all billboards, TV ads and print ads
- Billed monthly May - Sept. \$5,000
- Total Investment: \$25,000



AquaPalooza®

PLATINUM SPONSORSHIP OPPORTUNITY

Limited to four advertisers with prominent billing

Sponsors will receive:

- Mentions in on-air promotional advertisements on 7 Benne Media radio stations
- One 4'x8' banner placed on stage
- One Full Page ad in the official Aquapalooza Event Guide
- 700 - :30 sec. announcements

To be used May - September at your discretion, across all Benne Media stations

- Your logo on all billboards, TV ads and print ads
- Billed monthly May - Sept. \$2,500
- Total Investment: \$12,500



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GOLD SPONSORSHIP OPPORTUNITY

Limited to six advertisers

Sponsors will receive:

- Mentions in on-air promotional advertisements on 7 Benne Media radio stations
- One 4'x8' banner placed on shore
- One Full Page ad in the official Aquapalooza Event Guide
- 270 - :30 sec. announcements; 90 per month
To be used June - August at your discretion, across all Benne Media stations
- Your logo on all billboards, TV ads and print ads
- Billed monthly June - August \$2,500
- Total Investment: \$7,500



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SILVER SPONSORSHIP OPPORTUNITY

Sponsors will receive:

- Mentions in on-air promotional advertisements on 7 Benne Media radio stations
- One 4'x8' banner placed on shore
- One Full Page ad in the official Aquapalooza Event Guide
- 160 - :30 sec. announcements; 80 per month
To be used June - July at your discretion, across all Benne Media stations
- Billed monthly June - July \$2,500
- Total Investment: \$5,000



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BRONZE SPONSORSHIP OPPORTUNITY

Sponsors will receive:

- Mentions in a portion of promotional advertisements on 7 Benne Media radio stations
- One 4'x8' banner placed on shore
- One Full Page ad in the official Aquapalooza Event Guide
- 110 - :30 sec. announcements; 55 per month
To be used June - July at your discretion, across all Benne Media stations
- Billed monthly June - July \$1,250
- Total Investment: \$2,500



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AQUAPALOOZA OFFICIAL PUBLICATION

**HUNDREDS OF BOATS... THOUSANDS OF PEOPLE
ONE CHANCE TO REACH THEM ALL**

Join the crowd at the single largest one day boating event at the Lake of the Ozarks. Brought to you by Benne Media and the Barrett Restaurant Group.

You can participate with your business prominently displayed in front of 10's of thousands.

Rates are as follows:

Full = \$695 - Half = \$450

Quarter = \$325

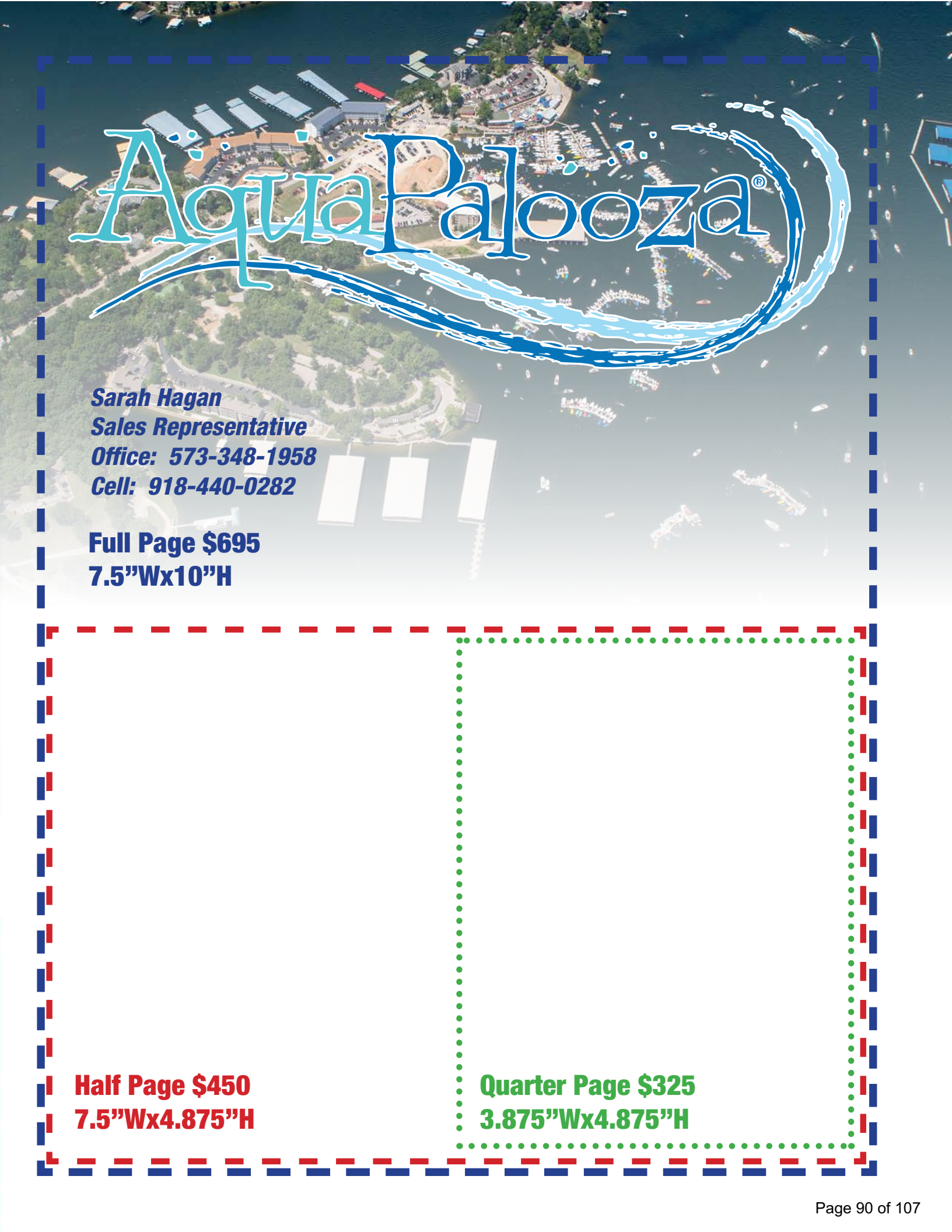
Back Cover = \$875

Inside Back = \$795

Page 3 = \$795

www.funlake.com/aquapalooza





AquaPalooza®

Sarah Hagan
Sales Representative
Office: 573-348-1958
Cell: 918-440-0282

Full Page \$695
7.5"Wx10"H

Half Page \$450
7.5"Wx4.875"H

Quarter Page \$325
3.875"Wx4.875"H

Aquapalooza®

EVENT BOOTH SPACE

Aquapalooza creates a lot of excitement amongst boating enthusiasts and creates tremendous point of sale opportunities at the event itself.

With a 10x10 booth for your business at Aquapalooza, you can capitalize on these opportunities -- displaying your boating and marina-related products and novelties.

Don't Miss Out!

- Total Investment: \$500

Business Name _____

Contact _____

Address _____

City _____ State _____ Zip _____

Phone _____ Email _____

Product _____

Signature _____



AquaPalooza®



City of Osage Beach
Agenda Item Summary

Date of Meeting: June 4, 2020
Originator: Jeana Woods, City Administrator
Presenter: Jeana Woods, City Administrator
Date Submitted: June 2, 2020

Agenda Item:

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

Requested Action:

First Reading of Bill 20-37

Ordinance Referenced for Action:

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

Deadline for Action:

Yes - The interview process continues and to keep the process moving, a change in the ordinance may be needed.

Budgeted Item:

Not Applicable

Department Comments and Recommendation:

Not Applicable

City Attorney Comments:

Per City Code 110.230, Bill 20-37 is in correct form.

City Administrator Comments:

Per Section 115 of the City Code, the Public Works Director shall be a qualified professional engineer. It is being requested to add additional language to this statement in the ordinance to ensure we can consider candidates for the position with a variety of high level skills, training, and experience.

The job description for the Public Works Director outlines the following requirements and it was recently discovered that the ordinance is more restrictive.

- *Bachelor's Degree from accredited college or university with major course work in public administration, construction management, architecture, engineering, or closely related field,

- *An accredited Masters' Degree or registration as a Professional Engineer, Architect, or have an equivalent level of higher education or certification and experience,

- *Must have experience with public or governmental development services and related programs, including management/leadership role,

- *Ten years of progressively responsible experience in Public Works and/or Engineering field,

or,

- *Any combination of education, training, or experience, which would qualify for the position.

The organizational chart was amended to meet our operational needs in Public Works and this change basically created two positions, City Engineer and Public Works Director where one job had both responsibilities previously. In the search to fill the Public Works Director position, a wider range of degree focus, experience, and training is recommended to meet the standards and expectations of the Public Works Director job duties, abilities, and skill.

The change requested to Section 115.390 allows us to consider the best candidate for the position and corrects the conflict between the ordinance and the job description.

AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, AMENDING THE SECTION 115.390 BY ADDING CONSIDERATION OF SKILLS TRAINING AND EXPERIENCE TO THE QUALIFICATIONS FOR A PUBLIC WORKS DIRECTOR

WHEREFORE the Board of Aldermen is desirous of hiring and retaining the best qualified employees is can find to do the work do the city, and

WHEREFORE the skills, training and experience are vital in performing the function of Public Works Director;

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

Section 1. That Section 115.390 is hereby amended with amendments as set forth below with new material set out in red and deleted material struck through to read as follows:

Section 115.390. Appointment — Term — Qualifications.

The Mayor, with the advice and consent of the Board of Aldermen, shall appoint a suitable person as Public Works Director who shall serve at the pleasure of the Mayor and Board of Aldermen and until his/her successor is appointed and qualified. The Public Works Director shall be a qualified professional engineer, **or, in the judgment of the Mayor and the Board of Aldermen, possess the equivalent skills, training, and experience.**

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

Ayes:

Nays:

Abstentions:

Absent:

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

Date

Tara Berreth, City Clerk

Approved as to form:

Edward B. Rucker, City Attorney

I hereby approve Ordinance No.20.37.

John Olivarri, Mayor

Date

Tara Berreth, City Clerk

City of Osage Beach
Agenda Item Summary

Date of Meeting: June 4, 2020
Originator: Jeana Woods, City Administrator
Presenter: Jeana Woods, City Administrator
Date Submitted: May 20, 2020

Agenda Item:

Motion to approve the renewal of the Prescription Drug Monitoring Program agreement with the St Louis County Department of Public Health.

Requested Action:

Motion to Approve

Ordinance Referenced for Action:

Not Applicable

Deadline for Action:

Yes - current agreement is expiring

Budgeted Item:

Not Applicable

Department Comments and Recommendation:

Not Applicable

City Attorney Comments:

Not Applicable

City Administrator Comments:

Bill 18.35, adopted July 2018, established City Code Chapter 250 - Prescription Drug Monitoring Program creating a program to monitor the prescribing and dispensing of Schedule II through IV drugs into the city and authorizing coordination of such program with St. Louis County.

We are a participating jurisdiction of the St. Louis County Drug Monitoring Program (PDMP), which is operated by the St. Louis County Department of Public Health (DPH). The program monitors the prescribing and dispensing of schedule II - IV controlled substances to assist in the identification and prevention of prescription drug misuse and abuse.

Grant funds have been provided to date and will continue through September 2022; therefore, no cost to the City.

Execution of the agreement renewal continues the program with St. Louis County.



RENEWAL-PDMP USER AGREEMENT

This renewal agreement ("**Renewal**") is by and between **City of Osage Beach** ("**Subscriber**") and **St. Louis County, Missouri**, a charter county organized under the laws of the State of Missouri, on behalf of its Department of Public Health, with an address at 6121 North Hanley Road, Berkeley, MO 63134 ("**County**").

WHEREAS, **Subscriber** and **County** are parties to an agreement dated 7/27/2018, ("**Agreement**"); and

WHEREAS, the **County** has a contract with Appriss Inc. ("**Appriss**") for operation of an application for a Prescription Drug Monitoring Program ("**PDMP**"); and

WHEREAS, **County** has adopted Ordinance 26,528 (2017) as amended 27,656 (2019) authorizing the County Executive on behalf of St. Louis County to enter into contracts with the City of St. Louis and Missouri counties, municipalities, and local public health agencies for the purposes stated herein; and

WHEREAS, County and Subscriber desire to renew the Agreement;

WHEREAS, Subscriber is authorized to enter into this Renewal by Ordinance 18.35; and

NOW, THEREFORE, in consideration of the premises and promises hereinafter, the parties agree as follows:

1. The term for this **Renewal** shall begin upon execution and continue through October 28, 2021.
2. All other terms and conditions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Renewal as of the later of the dates set forth below.

CITY OF OSAGE BEACH

Date Executed by City of Osage Beach: _____

By: _____

Printed Name: _____

Title: _____

STATE OF MISSOURI)

)SS

CITY OF OSAGE BEACH)

On this _____ day of _____, 2020, before me a Notary Public in and for said state, personally appeared _____ who acknowledged himself/herself to be the _____ of _____ and that he/she, being authorized so to do, executed the foregoing instrument for the purposes therein contained.

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

Notary Public

(SEAL)

My Commission expires:

St. Louis County Ordinance No. 26,528 (2017) as amended 27,656 (2019)

Date Executed by St. Louis County: _____

ST. LOUIS COUNTY, MISSOURI

By: _____
Printed Name: Sam Page
Title: County Executive

Attest:

Administrative Director

Approved:

Director, Department of Public Health

Approved as to legal form:

County Counselor

I hereby certify that unencumbered balances sufficient to pay the contract sum herein remain in the appropriation account against which this obligation is to be charged.

Accounting Officer

City of Osage Beach
Agenda Item Summary

Date of Meeting: June 4, 2020
Originator: Phyllis Marose, Alderman
Presenter: Phyllis Marose, Alderman
Date Submitted: May 26, 2020

Agenda Item:
Discussion - Citizen's Committed to Economic Recovery

Requested Action:
Discussion

Ordinance Referenced for Action:
Not Applicable

Deadline for Action:
None

Budgeted Item:
Not Applicable

Department Comments and Recommendation:
Not Applicable

City Attorney Comments:
Not Applicable

City Administrator Comments:
This item of discussion was requested by Alderman Marose.

City of Osage Beach
Agenda Item Summary

Date of Meeting: June 4, 2020
Originator: Kevin Rucker, Alderman
Presenter: Kevin Rucker, Alderman
Date Submitted: May 26, 2020

Agenda Item:

Discussion - Bid Process regarding City's Banking & Investment Agreements

Requested Action:

Discussion

Ordinance Referenced for Action:

Not Applicable

Deadline for Action:

None

Budgeted Item:

Not Applicable

Department Comments and Recommendation:

Not Applicable

City Attorney Comments:

Not Applicable

City Administrator Comments:

This item of discussion was requested by Alderman Rucker.

City of Osage Beach
Agenda Item Summary

Date of Meeting: June 4, 2020
Originator: Richard Ross, Alderman
Presenter: Richard Ross, Alderman
Date Submitted: May 28, 2020

Agenda Item:
Discussion - Streetlight Design Guidelines

Requested Action:
Discussion

Ordinance Referenced for Action:
Not Applicable

Deadline for Action:
None

Budgeted Item:
Not Applicable

Department Comments and Recommendation:
Not Applicable

City Attorney Comments:
Not Applicable

City Administrator Comments:
The discussion was requested by Alderman Ross.

