



# City of Ozark Missouri

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## February 21, 2012 Board of Aldermen Regular Legislative Session

The Ozark Board of Aldermen met in Regular Session at 7:00 p.m. at the Ozark City Hall in Ozark, Missouri. Mayor Shane L. Nelson presided over the meeting: Alderman Eddie Campbell, Alderman Rick Gardner, Alderman Chris Snyder, Alderman James Haik, III, Alderman Mark Spinabella and Alderman Dennis Sparrow were present. Also attending City Administrator Steve Childers, City Attorney David Collignon and City Clerk Lana Wilson.

### Pledge of Allegiance

**7:00 p.m.**

### Roll Call:

Alderman Mark Spinabella	Here	Alderman Dennis Sparrow	Here
Alderman Eddie Campbell	Here	Alderman Rick Gardner	Here
Alderman James J. Haik, III	Here	Alderman Chris Snyder	Here

At this time Alderman Chris Snyder resigned from his elected seat as Ward I Alderman effective immediately. Chris Snyder removed himself from the quorum. Mayor Shane L. Nelson stated he will appoint Jim Stewart to serve out the rest of Chris Snyder's term as Ward I Alderman during the March 5, 2012 Regular Legislative Session.

### Approval of the Minutes of the Previous Meeting(s): Approval of the February 6, 2012 Regular Session and February 13, 2012 Noon Work Session Minutes.

Motion was made by Alderman Campbell to approve the February 6, 2012 Regular Session and the February 13, 2012 Noon Work Session Minutes as written, seconded by Alderman Gardner with all present voting aye.

### CEREMONIAL MATTERS:

**BILLS OPEN FOR PUBLIC DISCUSSION:**

**A. BILLS REQUIRING A PUBLIC HEARING:**

**B. FIRST READING BILLS:**

**1. Bill #2583-An Ordinance Amending the Code of Ordinances of the City of Ozark by Deleting One Chapter of Title I “Government Code” Relating to “Park and Recreation/Tree Board”.**

Motion was made by Alderman Haik to place Bill #2583 on its first reading by title and description only, seconded by Alderman Spinabella with all present voting aye.

Alderman Haik stated since his appointment as the Park Board liaison there has been no progress or actions taken by the Park/Tree Board, many times there hasn't even been a quorum present. In his opinion there is no longer a need for the Park Board.

Mayor Shane L. Nelson stated while visiting with some of the Park Board Members about the possible disbandment some of them showed interest in serving on other City Boards.

Alderman Gardner stated the Park/Tree Board Members service to the City was greatly appreciated. The City may have initiated their lack of interest by limiting their authority.

Bill #2583 will be held over until the March 5, 2012 Regular Board of Aldermen Legislative Session.

**2. Bill #2584-An Ordinance Amending the Code of Ordinances of the City of Ozark by Adding One New Section to Title III “Traffic Code”; Chapter 315: “Traffic Control Devices” by Adding One New Section Relating to the Operation of a Vehicle on Public Property in Such a Fashion as to Avoid a Traffic Control Device.**

Motion was made by Alderman Spinabella to place Ordinance #2584 on its first reading by title and description only, seconded by Alderman Campbell with all present voting aye.

City Administrator Childers stated recently the City has been receiving complaints from business owners concerning vehicles cutting through their parking lot to avoid traffic control devices. The business owners have indicated this has become a nuisance and could become a potential liability to their business. They are requesting the City's assistance by enforcing this law after its enacted.

**Mike Hartley-201 W. South St.**

Mike Hartley stated he is a business owner located at the S. 3<sup>rd</sup> Street and South Street intersection; he has been experiencing excess traffic cutting through his parking lot to avoid the traffic control device at the intersection.

Bill #2584 will be held over until the March 5, 2012 Regular Board of Aldermen Legislative Session.

**C. RESOLUTIONS:**

**D. EMERGENCY BILLS:**

**E. PUBLIC IMPROVEMENT BILLS (TAX BILLS):**

**F. GRANTS:**

**G. AMENDED BILLS:**

**SECOND READING AND FINAL PASSAGE OF BILLS. NO PUBLIC DISCUSSION, BOARD DISCUSSION ONLY:**

- 1. Bill #2581-An Ordinance of the Board of Aldermen of the City of Ozark, Missouri Authorizing the Issuance of a Conditional Use Permit of All/Or Part of Property in a Particular Zoning District in the City of Ozark. Property Location-6151 N. 21<sup>st</sup> Street. Property Owners-Church Brothers Management, Inc. Conditional Use-Retail in the Front of the Structure, and Fabrication of Retail Products in the Rear of the Structure.**

Motion was made by Alderman Campbell to dispense with the second reading and place Bill #2581 on its third and final reading by title and description only, seconded by Alderman Gardner with all present voting aye.

City Administrator Childers stated the property in question was formerly the Dodge Dealership north of Ozark. There are two (2) structures located on the property, the Conditional Use Permit is being granted for the northern structure on the property allowing retail in the front portion and light related manufacturing in the rear of the structure. Regarding the use of the most southern structure the property owner will have to follow the C-2 Zoning regulations.

Motion was made by Alderman Campbell to adopt Bill #2581 as Ordinance #12-008, seconded by Alderman Spinabella with all present voting by roll call vote:

Alderman Eddie Campbell	Aye
Alderman Rick Gardner	Aye
Alderman James Haik, III	Aye
Alderman Mark Spinabella	Aye
Alderman Dennis Sparrow	Aye

- 2. Bill #2582-An Ordinance Amending the Code of Ordinances of the City of Ozark by Adding One (1) New Chapter Relating to Special Events Within the City.**

Motion was made by Alderman Haik to dispense with the second reading and place Bill #2582 on its third and final reading by title and description only, seconded by Alderman Gardner with all present voting aye.

City Administrator Childers stated the well thought-out process staff followed to introduce the Special Event Code to the individual groups who annually host events in the Finley River Park was very successful. The Special Event Code will apply to any Special Event held within the City of Ozark; staff will administer the applications accordingly.

Motion was made by Alderman Haik to adopt Bill #2582 as Ordinance #12-009, seconded by Alderman Campbell with all present voting by roll call vote:

Alderman Eddie Campbell	Aye
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Alderman James Haik, III	Aye
Alderman Mark Spinabella	Aye
Alderman Dennis Sparrow	Aye
Alderman Rick Gardner	Aye

**Report of Officers, Boards and Committees:**

**1. Administrative:** City Administrator Steve Childers.

**1. Jack Dillingham, Piper Jaffray-Discuss Refinancing 2005 Waterworks Sewerage System Bonds.**

City Administrator Childers spoke in the absence of Jack Dillingham about refinancing all of the Bonds of the Series 2005 in the amount of \$440,000. Staff has been diligently working to identify opportunities to refinance debt, while doing so, it was found the Combined Waterworks and Sewerage System Refunding Bonds of the Series 2005 maturity dates were 2012-2025. The Bond's current interest rate is 5.57%, by refinancing the Bonds the City can obtain a 3.80% interest rate, saving the City an estimated savings of \$44,800.00 over that same period of time. With prior authorization from the Board of Aldermen, Jack Dillingham from Piper Jaffray and Bond Counsel Carson Elliff will prepare the necessary documents in Ordinance form and present them during the March 5, 2012 Regular Legislative Session for first reading.

Alderman Campbell asked if the refinancing included a deferred option. City Administrator Childers stated the City was paying interest only payments on LCRA loans for the redevelopment properties. The Banks have since then eliminated that option and the City is currently paying both principal and interest on those loans.

Alderman Sparrow asked what amount was anticipated for the Closing Costs. City Administrator Childers stated he would know the amount anticipated for Closing Costs by the March 5, 2012 Regular Legislative Session. The anticipated Closing Date is April 1, 2012.

**2. Public Safety:** Police Chief Lyle Hodges.

**3. Public Works:** Public Works Director Larry Martin.

Public Works Director Martin stated the City's snow removal cost was \$8,024.00 during the last snow storm, so far this year our snow removal cost has been less than \$12,000.00. Normally by this time of year the City has incurred \$50,000.00 to \$60,000.00 in snow removal costs.

The City is in the process of requesting bids for our Wastewater Treatment Plant's Sludge Aeration Improvements the bids are due and will be opened March 1, 2012. The City is moving forward with the Duck Stadium storm water project the bid will be let out after Steve Eoff executes the required documents.

The City is preparing bid specifications for the 2012 Street Paving Projects. We are hoping to receive the bids prior to any expected petroleum increases.

The dirt piles in front of the Community Center are scheduled to be compacted and

placed prior to letting out the sidewalk construction bid.

An update on the Missouri Foundation of Health Grant the City obtained to connect the sidewalk at the Finley River Park to the MoDot project at the W. Jackson Street and W. 3<sup>rd</sup> Street intersection, the final plans are in the process of being evaluated this will be done prior to letting out the project for bid.

The 3<sup>rd</sup> Street Improvements Project is moving forward. MoDot has acquired the final easement with some required modifications to the plans by the Grantee. MoDot's Engineers are in the process of making the final modifications.

Alderman Campbell asked Public Works Director Martin if the stored dirt piles on the property north of the Duck Stadium are in the drainage area.

Public Works Director Martin stated the dirt piles are not in the drainage area. It is his understanding Steve Eoff is storing the dirt piles removed from the major development at Evans Road and St. Highway 65. The dirt piles are expected to be removed within six (6) months.

**4. Parks:** Parks Director Sam Wagner.

**Unfinished Business:**

**New Business/Board of Aldermen Comments:**

Alderman Gardner stated he would like to identify an appropriate way for the City to honor the late Neal Grubaugh and asked the Mayor and Board of Aldermen for suggestions.

Mayor Shane L. Nelson stated he would like to honor Neal Grubaugh, if anyone has any suggestions they can be discussed during the February 27, 2012 Noon Work Session.

City Attorney Collignon stated while reading past Minute Books the City should consider honoring both Neal and Betty Grubaugh. Betty Grubaugh was the City's first Alderwoman.

Mayor Shane L. Nelson publicly thanked Chris Snyder for the two terms he served as an Alderman.

**Pay Bills-**

Motion was made by Alderman Sparrow to adjourn, seconded by Alderman Campbell with all present voting aye.

The February 21, 2012 Regular Legislative Session adjourned at 7:30 p.m.

Minutes Written By:

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Lana Wilson, City Clerk

Approval of Minutes By:

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