

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF ALDERMEN
CITY OF BRANSON, MISSOURI, MAY 28, 2002**

The Board of Aldermen of the City of Branson, Missouri met in regular session in the Council Chambers of the City Hall on May 28, 2002 at 7:00 p.m. with the following members present:

Mayor Schaefer presiding, Dick Gass, Stan Barker, Larry Taylor, Ron Huff, Eric Farris, and Bob Warlick present.

Also in attendance were: City Administrator Terry Dody, Assistant City Administrator Kevin Faught, City Attorney Deborah Deuster, City Clerk Sandra Williams, Police Chief Steve Mefford, Public Works Director Larry VanGilder, City Engineer David Miller, Director of Planning Don Stephens, Finance Director Deanna Schlegel, Communications Director Jerry Adams, Health Director Linn Smith, Director of Economic Development Mike Rankin, Ted Martin, Cliff Sain, Bruce W. Bowlin, C.B. Konkowski, Jonathan Derby, John Logan, Herold W. Wilson, Bill Hagler, Jim Langham, Kathryn Buckstaff, Dick Hall, Rev. Larry Craig, Chuck Pennel, Jerrie Glenn, Bob Glenn, Gary J. Groman, Sharon Klein, Elizabeth Farris, Dimitri Tsahiridis, and Bob Klein.

Mayor Schaefer called the meeting to order with the "Pledge of Allegiance," and Reverend Larry Craig of Skyline Baptist Church gave the invocation.

Mayor Schaefer asked for any additions or corrections to the Minutes of the May 2, 2002 special meeting and the May 13, 2002 regular meeting. Alderman Gass moved to approve the Minutes of the May 2, 2002 special meeting, and the May 13, 2002 regular meeting, and Alderman Farris seconded the motion. After some discussion, Alderman Huff moved to amend the Minutes of the May 2, 2002 meeting to include some of the dialogue made by the Council, seconded by Alderman Gass. Voting aye: Gass, Barker, Taylor, Huff, Farris, and Warlick. Nays: none. Motion carried. Mayor Schaefer then called for a vote on approving the Minutes as amended. Voting aye: Gass, Barker, Taylor, Huff, Farris, and Warlick. Nays: none. Minutes were approved as amended.

**APPROVAL
OF MINUTES**

VISITORS:

Chuck Pennel, 353 Quincy Road, Kirbyville, Missouri addressed the Board asking various questions regarding the downtown lakefront development.

CHUCK PENNEL

Jo Stacey Albers did not appear at the meeting.

JO STACEY ALBERS

Bill Hagler, 285 Expressway Lane, Branson, addressed the Board with questions about the status of the lakefront project, and indicating the idea for a convention center was to help the businesses of Branson, it is not going to help them if they all go bankrupt waiting for someone to make up their mind.

BILL HAGLER

CONSENT AGENDA:

Mayor Schaefer asked City Clerk Williams to read the items being considered on the Consent Agenda as presented. City Clerk Williams read the following Consent Agenda items by title:

Final reading of Substitute Bill No. 2359, an ordinance amending Section 105.020 of the Branson Municipal Code, by revising the order of business and by allowing visitors an additional five (5) minutes of time when granted by two-thirds (2/3) majority vote of the Board of Aldermen, was approved within the Consent Agenda. Ordinance No. 2002-051 was duly enacted.

**SUBSTITUTE
BILL NO. 2359
AMENDING CITY CODE
SECTION 105.020
VISITORS ON AGENDA
ORD. NO. 2002-051**

Final reading of Bill No. 2376, an ordinance authorizing Administrative staff to accept a grant from Country Mart for the purpose of acquiring a fire safety trailer, was approved within the Consent Agenda. Ordinance No. 2002-052 was duly enacted.

**BILL NO. 2376
GRANT
COUNTRY MART
FIRE SAFETY
TRAILER ORD. NO. 2002-052**

Final reading of Bill No. 2377, an ordinance amending the Branson Municipal Code by repealing Section 405.060, of Chapter 405, Zoning Rules and Regulations, Title IV, Land Use, enacting a new Article V, Special Event Permits, of Chapter 625, Title VI, Miscellaneous Business Regulations, and revising Sections 205.190, 205.210, 205.430, 215.020, 215.030, 215.040, 215.070, 215.080, 340.250, 445.020, 610.050, and 625.030 of the Branson Municipal Code to conform to the new Article V, Special Events Permits, was approved within the Consent Agenda. Ordinance No. 2002-053 was duly enacted.

**BILL NO. 2377
AMENDING
MUNICIPAL CODE
SPECIAL EVENTS
ORD. NO. 2002-053**

Final reading of Bill No. 2379 an ordinance annexing property owned by Muza Florine Weisz into the City was approved within the Consent Agenda. Ordinance No. 2002-054 was duly enacted.

**BILL NO. 2379
ANNEXATION
MUZA FLORINE WEISZ
ORD. NO. 2002-054**

Final reading of Bill No. 2380 an ordinance annexing property owned by Vernon and Connie Cooper into the City was approved within the Consent Agenda. Ordinance No. 2002-055 was duly enacted.

**BILL NO. 2380
ANNEXATION
VERNON AND
CONNIE COOPER
ORD. NO. 2002-055**

Final reading of Bill No. 2381 an ordinance annexing property owned by Alan A. and Illa D. Kamp into the City was approved within the Consent Agenda. Ordinance No. 2002-056 was duly enacted.

**BILL NO. 2381
ANNEXATION
ALAN A. & ILLA
KAMP, ORD. NO. 2002-056**

Final reading of Bill No. 2382 an ordinance annexing property owned by Affiliated Investors, Inc. into the City was approved within the Consent Agenda. Ordinance No. 2002-057 was duly enacted.

**BILL NO. 2382
ANNEXATION
AFFILIATED
INVESTORSS, INC.
ORD. NO. 2002-057
BILL NO. 2383
ANNEXATION
JAMES R. HAUGHT
ORD. NO. 2002-058**

Final reading of Bill No. 2383 an ordinance annexing property owned by James R. Haught into the City was approved within the Consent Agenda. Ordinance No. 2002-058 was duly enacted.

Final reading of Bill No. 2384 an ordinance annexing property owned by Jay and Kate P. Orr into the City was approved within the Consent Agenda. Ordinance No. 2002-059 was duly enacted.

**BILL NO. 2384
ANNEXATION
JAY & KATE P. ORR
ORD. NO. 2002-059**

Final reading of Bill No. 2385 an ordinance annexing property owned by William R. and Jennifer A. Surles into the City was approved within the Consent Agenda. Ordinance No. 2002-060 was duly enacted.

**BILL NO. 2385
ANNEXATION
WILLIAM R. AND
JENNIFER A. SURLES
ORD. NO. 2002-060**

Final reading of Bill No. 2386 an ordinance annexing property owned by Joseph and Mary Dwyer into the City was approved within the Consent Agenda. Ordinance No. 2002-061 was duly enacted.

**BILL NO. 2386
ANNEXATION
JOSEPH AND
MARY DWYER
ORD. NO. 2002-061**

Final reading of Bill No. 2387 an ordinance annexing property owned by James O. Doyle, Trustee into the City was approved within the Consent Agenda. Ordinance No. 2002-062 was duly enacted.

**BILL NO. 2387
ANNEXATION
JAMES O. DOYLE,
TRUSTEE
ORD. NO. 2002-062**

Final reading of Bill No. 2388 an ordinance amending Ordinance No. 99-303 annexing property owned by Dale W. Sullens and Robert V. Burke into the City was approved within the Consent Agenda. Ordinance No. 2002-063 was duly enacted.

**BILL NO. 2388
AMEND ORD. NO. 99-303
ANNEXATION
DALE W. SULLENS &
ROBERT V. BURKE
ORD. NO. 2002-063**

Final reading of Bill No. 2389 an ordinance amending Ordinance No. 99-223 annexing property owned by Paul F. and Karen S. Nord was approved within the Consent Agenda. Ordinance No. 2002-064 was duly enacted.

**BILL NO. 2389
AMEND ORD. NO. 99-223
ANNEXATION
PAUL & KAREN NORD
ORD. NO. 2002-064**

Final reading of Bill No. 2390 an ordinance amending Ordinance No. 99-051 annexing property owned by Dale R. & Faye R. Bevard and Franklin E. & Nancy L. Smith was approved within the Consent Agenda. Ordinance No. 2002-065 was Duly enacted.

**BILL NO. 2390
AMEND ORD. NO. 99-051
ANNEXATION
DALE & FAYE BEVARD
FRANKLIN & NANCY SMITH
ORD. NO. 2002-065**

Final reading of Bill No. 2391 an ordinance amending Ordinance Nos. 99-072 and 99-073 annexing property owned by Ronnie C. and Shermalyne E. Chambers was approved within the Consent Agenda. Ordinance No. 2002-066 was duly enacted.

**BILL NO. 2391
AMENDING
ORD. NOS. 99-072 & 99-073
ANNEXATION
RONNIE & SHERMALYNE
CHAMBERS
ORD. NO. 2002-066**

Final reading of Bill No. 2394, an ordinance approving an agreement between Tom Boyce Excavating, Inc. and the City of Branson for the Fire Station #2 Phase II Parking Slab Repair Project, and authorizing the Mayor to enter into the agreement, was approved within the Consent Agenda. Ordinance No. 2002-067 was duly enacted.

**BILL NO. 2394
AGREEMENT
TOM BOYCE
FIRE STATION #2
PARKING REPAIR
ORD. NO. 2002-067**

Final reading of Bill No. 2396, an ordinance accepting the proposal of bid award to Panasonic Document Systems for a document imaging system for the City of Branson, authorizing the Mayor to execute the agreement, was approved within the Consent Agenda. Ordinance No. 2002-068 was duly enacted.

**BILL NO. 2396
AGREEMENT
DOCUMENT IMAGING
PANASONIC
ORD. NO. 2002-068**

Mayor Schaefer asked for any corrections on the Consent Agenda. Alderman Taylor moved that Item No. 2 be removed from the Consent Agenda and placed under Regular Agenda to be voted on separately at this meeting, seconded by Alderman Farris. Voting aye: Taylor and Farris. Nays: Gass, Barker, Huff, and Warlick. Motion failed. Alderman Taylor moved that Item No. 4 be removed from the Consent Agenda and placed under Regular Agenda as Item No. 19a to be voted on separately at this meeting. Receiving no second the motion failed. Mayor Schaefer then entertained a motion to approve the Consent Agenda as read. Alderman Huff made the motion, seconded by Alderman Warlick. Voting aye: Gass, Barker, Huff, Farris, and Warlick. Nay: Taylor. Motion carried.

REGULAR AGENDA:

Final reading of Bill No. 2378, an ordinance repealing Title II Public Health, Safety and Welfare of the Branson Municipal Code, Chapter 260 Pool Code, and enacting a new Chapter 260 Public and Semi-Public Pool, Spa, Water Recreation Attraction and Natural Bathing, was read by

**BILL NO. 2378
ORDINANCE
POOL CODE
POSTPONED**

title by City Clerk Williams, and Terry Dody provided the staff report. Mayor Schaefer entertained a motion approving the final reading of the bill. Alderman Warlick moved to postpone the bill indefinitely, seconded by Alderman Farris. No discussion. Voting aye: Gass, Barker, Taylor, Huff, Farris, and Warlick. Nays: none. Motion carried. Bill No. 2378 was postponed.

Public Hearing and first reading of Bill No. 2397 an ordinance annexing property owned by G. L. Investments, Inc. into the City was read by title by City Clerk Williams. Don Stephens provided the staff report. Mayor Schaefer opened the public hearing, and after receiving no comments or discussion from the Board or audience, closed the public hearing and entertained a motion to approve the first reading of Bill No. 2397. Alderman Gass made the motion, seconded by Alderman Huff. No discussion. Voting aye: Gass, Barker, Taylor, Huff, Farris, and Warlick. Nays: none. Motion carried.

**PUBLIC HEARING
BILL NO. 2397
ANNEXATION
G. L. INVESTMENTS, INC.**

First reading of Bill No. 2398, an ordinance approving an agreement between Burns & McDonnell Engineering Company, Inc. and the City of Branson, pertaining to the study of wastewater sludge and disposal methods, and authorizing the Mayor to enter into the agreement, was read by title by City Clerk Williams, and Don Stephens provided the staff report. Mayor Schaefer entertained a motion to approve the first reading of Bill No. 2398. Alderman Barker made the motion, seconded by Alderman Farris. No discussion. Voting aye: Gass, Barker, Taylor, Huff, Farris, and Warlick. Nays: none. Motion carried.

**BILL NO. 2398
AGREEMENT
BURNS & MCDONNELL
WASTEWATER
SLUDGE STUDY**

First reading of Bill No. 2399 an ordinance amending Section 307.7 Special Permits, was read by title by City Clerk Williams. Carl Sparks provided the staff report. Mayor Schaefer entertained a motion to approve the first reading of Bill No. 2399. Alderman Warlick made the motion, seconded by Alderman Barker. Discussion. Voting aye: Gass, Barker, Taylor, Huff, Farris, and Warlick. Nays: none. Motion carried.

**BILL NO. 2399
AMENDING
SECTION 307.7
SPECIAL PERMITS
OPEN BURNING**

First reading of Bill No. 2400 an ordinance amending the 2002 Operating and Capital Budget for the City of Branson was read by title by City Clerk Williams and Deanna Schlegel provided the staff report. Mayor Schaefer entertained a motion to approve the first reading of Bill No. 2400. Alderman Huff made the motion, seconded by Alderman Barker. Cindy Shook and Larry VanGilder provided a report on the damages to the park. Voting aye: Gass, Barker, Taylor, Huff, Farris, and Warlick. Nays: none. Motion carried. Alderman Barker moved to read the bill a second time by emergency due to the need to repair extensive damage, and to reestablish City recreational programs, seconded by Alderman Barker. Voting aye: Gass, Barker, Taylor, Huff, Farris, and Warlick. Nays: none. Motion carried. City Clerk Williams read Bill No. 2400 again. Mayor Schaefer

**BILL NO. 2400
AMENDING
2002 BUDGET
STOCKSTILL PARK
FLOODING
ORD. NO. 2002-069**

entertained a motion to approve the final reading of Bill No. 2400. Alderman Gass made the motion, seconded by Alderman Farris. Voting aye: Gass, Barker, Taylor, Huff, Farris, and Warlick. Nays: none. Ordinance No. 2002-069 was duly enacted.

BID AWARDS:

First reading of Bill No. 2401, an ordinance accepting the proposal of bid award to Berry Tractor & Equipment for the purchase of a motor grader for the City of Branson, authorizing the preparation of a contract in accordance with the terms of the proposal, and authorizing the Mayor to enter into the agreement, was read by title by City Clerk Williams. Larry VanGilder provided the staff report. Mayor Schaefer entertained a motion to approve Bill No. 2401 on its first reading. Alderman Warlick made the motion, seconded by Alderman Barker. No discussion. Voting aye: Gass, Barker, Taylor, Huff, Farris, and Warlick. Nays: none. Motion carried. Alderman Farris moved to read the bill a second time by unanimous consent, seconded by Alderman Huff. Voting aye: Gass, Barker, Taylor, Huff, Farris, and Warlick. Nays: none. Motion carried. City Clerk Williams read Bill No. 2401 by title again. Mayor Schaefer entertained a motion to approve the final reading of Bill No. 2401. Alderman Gass made the motion, seconded by Alderman Barker. No discussion. Voting aye: Gass, Barker, Taylor, Huff, Farris, and Warlick. Nays: none. Ordinance No. 2002-070 was duly enacted.

**BILL NO. 2401
BID AWARD
BERRY TRACTOR
& EQUIPMENT
MOTOR GRADER
ORD. NO. 2002-070**

A resolution approving and authorizing the issuance of a Request For Proposals for the master development of the Branson Landing Project, was read by title by City Clerk Williams, and Terry Dody provided the staff report. Mayor Schaefer entertained a motion to approve the resolution. Alderman Gass made the motion, seconded by Alderman Farris. No discussion. Voting aye: Gass, Barker, Taylor, Huff, Farris, and Warlick. Nays: none. Resolution No. 2002-R20 was approved.

**RESOLUTION
NO. 2002-R20
ISSUE RFP
BRANSON LANDING
PROJECT**

Appointment of members to the Advisory Park Board was the next item up for consideration, and Mayor Schaefer made the the following appointments: Re-appointment of Candy Sullinger, Wes Stoner, and Kent Vanderpool for three-year terms expiring June, 2005. Appointment of Mitch Holmes for a three-year term expiring June, 2005. Mayor Schaefer then entertained a motion to approve the appointments. Alderman Taylor made the motion, seconded by Alderman Barker. No discussion. Voting aye: Gass, Barker, Taylor, Huff, Farris, and Warlick. Nays: none. Motion carried.

**APPOINTMENTS
ADVISORY PARK
BOARD**

OTHER BUSINESS:

Mayor Schaefer asked if there was any other business that a member of the Board of Aldermen would like to introduce as an official agenda item for discussion and action by the Board.

Alderman Huff asked Fire Chief Carl Sparks to comment on the issue of Home Land Security and our preparedness, particularly in the event of some kind of terrorism attack. How would we notify our citizens and how would we respond to these sorts of things? Mr. Sparks stated one of the things that they constantly hear when they go to conferences and seminars based on terrorism and emergency preparedness in general, is that no one is immune to terrorist attacks and all preparations that can be taken must be taken. We approached that from several areas, for example, in Branson we have a group comprised of the Health Department, Emergency Management directors, law enforcement, and Skaggs Hospital that meets regularly to discuss what is new in the area of bio-terrorism, and what, most importantly, are the communication links. A network has been established of health providers, and professionals that are the first line when there is a bio-terrorism incident. Their network is designed that if there's any potential outbreak suspected about bio-terrorism or suspected poison of any kind, that meets the set parameters, they would be able to get the word to all the health providers and to the health department. Then we determine what type of quarantine or actions should be taken from there. Of course, chemical terrorism, bombs, and those kinds of things, go along with immediate response. Those actions and preparations we can make as an immediate response. In that regard we make sure our mutual aid agreements, all of our resources, everything that would be needed, are available. We maintain a very active, and current list. Alertness and being vigilant is the most important thing. Branson signed off on the Federal government's proposed step by step notification plan, and we implemented something very similar, so we know if it is something immediate and requires notification of any given area. There are drafts for evacuation for the City in general, that the public needs to be aware of or be advised of. We can use our emergency alert system, and public radio for emergency alert to make a rapid notification of the citizens, and visitors. We also have our alert storm warning sirens, which have public address capabilities and give a short message in that way. Alderman Huff moved to accept the report on emergency preparedness, seconded by Alderman Barker. No discussion. Voting aye: Gass, Barker, Taylor, Huff, Farris, and Warlick. Nays: none. Motion carried.

CITY ALDERMEN AND CITY ADMINISTRATOR'S REPORTS:

Alderman Gass asked Mark Weisz to tell his mother that we are glad to have her annexed into our City. **GASS**

Alderman Barker thanked everyone that had kept him and his family in their thoughts and prayers these past weeks. It has meant a lot to us, and he wanted to tell everybody "Thank You". **BARKER**

Alderman Farris asked for some staff feedback on the Branson Motorcycle Rally and how well it went, the turn out, and law enforcement perspective. Police Chief Mefford stated he thought it was a successful rally as far as law enforcement was concerned. There were no complaints or problems. Alderman Farris asked if staff had any idea of what kind of turnout they had. Chief Mefford said they were told initially that there were over 800 registered participants. **FARRIS**

Administrator Dody stated he wanted to reiterate what Cindy so correctly DODY said, thanking everybody that turned out at Stockstill Park. However, Cindy Shook and Larry VanGilder also deserve a lot of thanks because they put in an enormous amount of time down there. Mr. Dody said he wanted to thank them in particular for the time they spent and also bringing their staff members down to help clean the park up.

EXECUTIVE SESSION:

Alderman Warlick moved to go into Closed Executive Session pursuant to Section 610.021 RSMo., subsections 1, 2, and 3. Seconded by Alderman Barker. Voting aye: Gass, Barker, Taylor, Huff, Farris, and Warlick. Nays: none. Motion carried.

ADJOURN:

Alderman Huff moved to adjourn. Motion was seconded by Alderman Farris. Voting aye were: Gass, Barker, Taylor, Huff, Farris and Warlick. Nays: None. Motion carried. Meeting was adjourned at 8:05 p.m.