

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF ALDERMEN  
CITY OF BRANSON, MISSOURI, JUNE 10, 2002**

The Board of Aldermen of the City of Branson, Missouri met in regular session in the Council Chambers of the City Hall on June 10, 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, Finance Director Deanna Schlegel, Communications Director Jerry Adams, Health Director Linn Smith, Director of Economic Development Mike Rankin, Fire Chief Carl Sparks, Court Administrator Lisa Westfall, Purchasing Agent David Rockhill, Dick Hall, Father Richard Kellogg, Sharon Klein, Bob Klein, John Logan, Chuck Pennel, Kathryn Buchstaff, Bruce W. Bowlin, Cliff Sain, Mark Weisz, Gary J. Groman, Herold W. Wilson, and Bill Hagler.

Mayor Schaefer called the meeting to order with the "Pledge of Allegiance," and Father Richard Kellogg, from the Shepherd of the Hills Episcopal Church gave the invocation.

Mayor Schaefer asked for any additions or corrections to the Minutes of the May 28, 2002 regular meeting. Alderman Farris moved to approve the Minutes of the May 28, 2002 regular meeting, and Alderman Gass seconded the motion. Discussion was held by Alderman Taylor. Voting aye: Gass, Barker, Huff, Farris, and Warlick. Nay: Taylor. Motion carried.

**APPROVAL  
OF MINUTES**

**CONSENT AGENDA:**

At this time Alderman Warlick moved to removed Item #6 from the Agenda. Motion was seconded by Alderman Huff. Voting aye: Gass, Barker, Taylor, Huff, Farris, and Warlick. Nays: none. Motion carried.

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

Receipt of minutes of the Park Board meeting of April 16, 2002 was acknowledged within the Consent Agenda.

**ACKNOWLEDGE  
RECEIPT OF MINUTES**

Final reading of Bill No. 2397, an ordinance annexing property owned by G. L. Investments, Inc. into the City was approved within the Consent Agenda. Ordinance No. 2002-071 was duly enacted.

**BILL NO. 2397  
ANNEXATION  
G. L. INVESTMENTS  
ORD. NO. 2002-071**

Final 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 approved within the Consent Agenda. Ordinance No. 2002-072 was duly enacted

**BILL NO. 2398  
AGREEMENT  
BURNS & McDONNELL  
STUDY OF SLUDGE  
ORD. NO. 2002-072**

Final reading of Bill No. 2399, an ordinance of the City of Branson, Missouri, amending Chapter 235 Fire Prevention Code, Section 235.020 Additions, Inspections, and Changes, Section 307.7 Special Permits, was approved within the Consent Agenda. Ordinance No. 2002-073 was duly enacted.

**BILL NO. 2399  
AMENDING  
MUNICIPAL CODE  
FIRE PREVENTION  
CODE  
ORD. NO. 2002-073**

Mayor Schaefer asked for any corrections on the Consent Agenda. Receiving none, Mayor Schaefer then entertained a motion to approve the Consent Agenda as read. Alderman Farris moved to approve the Consent Agenda as presented, seconded by Alderman Gass. Voting aye: Gass, Barker, Huff, Farris, and Warlick. Nay: Taylor. Motion carried.

#### **REGULAR AGENDA:**

First reading of Bill No. 2402, an ordinance authorizing a wastewater line across certain property owned by ENS Corporation in the City of Branson, Missouri, declaring the public necessity therefore and of condemning the property rights of the owners, and authorizing the filing of a condemnation action, was read by title by City Clerk Williams, and David Miller provided the staff report. Mayor Schaefer entertained a motion to approve the first reading of Bill No. 2402. Alderman Gass made the motion, seconded by Alderman Warlick. No discussion. Voting aye: Gass, Barker, Taylor, Huff, Farris, and Warlick. Nays: none. Motion carried. Alderman Huff moved to read the bill a second time by unanimous consent, seconded by Alderman Barker. Voting aye: Gass, Barker, Taylor, Huff, Farris, and Warlick. Nays: none. Motion carried unanimously. City Clerk Williams read Bill No. 2402 by title again. Mayor Schaefer entertained a motion approving the final reading of Bill No. 2402. Alderman Gass made the motion, seconded by Alderman Warlick. No discussion. Voting aye: Gass, Barker, Taylor, Huff, Farris, and Warlick. Nays: none. Ordinance No. 2002-074 was duly enacted.

**BILL NO. 2402  
ENS CORPORATION  
WASTEWATER LINE  
CONDEMNATION  
ORD. NO. 2002-074**

First reading of Bill No. 2404, an ordinance modifying and amending the Traffic Code of the City of Branson, Missouri to remove two-hour parking restrictions east of the Union Pacific railroad tracks to Lake Taneycomo, was read by City Clerk Williams, and Steve Mefford provided the staff Report. Mayor Schaefer entertained a motion to approve the first reading of Bill No. 2404. Alderman Warlick made the motion, seconded by Alderman Gass. Alderman Barker

**BILL NO. 2404  
AMENDING  
TRAFFIC CODE  
PARKING ON  
LAKEFRONT**

moved to amend Bill No. 2404, page three, the words “Boxcar Willie Street between east Main Street and to the southwest corner of the Scout Building at the City Campground. No Parking at any time.” are shown with strike through indicating deletion, be undeleted and shown without strike through so they are left in the ordinance. Motion was seconded by Alderman Huff. Voting aye: Gass, Barker, Taylor, Huff, Farris, and Warlick. Nays: none.

A resolution approving and authorizing disposition of Surplus Property, was read by title by City Clerk Williams, and David Rockhill provided the staff report. Mayor Schaefer entertained a motion to approve the resolution. Alderman Barker made the motion, seconded by Alderman Huff. No discussion. Voting aye: Gass, Barker, Taylor, Huff, Farris, and Warlick. Nays: none. Resolution No. 2002-R21 was approved

**RESOLUTION  
SURPLUS  
PROPERTY  
NO. 2002-R21**

The next item was a report from Administrator Dody regarding outstanding warrants. Mr. Dody informed the Board staff had studied the outstanding warrants and reviewed whether an amnesty program would work in Branson, and Steve Mefford would be presenting the report. Mr. Mefford indicated he had some statistical information which was compiled as of May 15, 2002, which consists of the 565 warrants outstanding as of that date. Chief Mefford then broke down the total warrants into those inside the City limits; those outside City limits but in Taney County; those in the state of Missouri but outside Taney County; those outside the state of Missouri. 105 of these warrants are for addresses within the City limits of Branson with 67 people being responsible for the 105 warrants, indicated Mr. Mefford. Of the 67 people, 25 of the addresses are not good addresses. 42 had valid addresses that have been checked, but they are not there now. Questions were asked by Aldermen Huff, Gass, Barker, and Warlick, and Mayor Schaefer. After additional discussion occurred, Alderman Warlick moved to accept the report as presented. Motion was seconded by Alderman Barker. Voting aye: Gass, Barker, Taylor, Huff, Farris, and Warlick. Nays: none. Motion carried.

**REPORT  
OUTSTANDING  
WARRANTS**

#### **CLAIMS:**

Mayor Schaefer entertained a motion approving the claims as presented. Alderman Taylor stated he wanted the record to show that in his opinion the Board is not approving claims but are being asked to ratify expenditures that have already been paid, and as he was not able to review the claims before tonight’s meeting he would not be approving them. Alderman Taylor also indicated that in the future the Board needs to clarify the claims process in that we are approving paid expenditures that have already been paid, and that it should be changed to “Ratification of Paid Claims, or Invoices or Bills”. After additional discussion, Alderman Warlick moved to postpone the approval of the claims until the next meeting, allowing time for review of the claims. Motion was seconded by Alderman Farris. Voting aye: Gass, Barker, Taylor, Farris, and Warlick. Nay: Huff. Motion carried.

**CLAIMS**

## **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 Taylor stated he had some comments concerning the Minutes of the May 28, 2002 meeting. It was my intention that on the Consent Agenda to vote “No” for Items #2 and #4 only, and he just wanted to make that comment for the record.**

**Alderman Huff stated he would like to respond to Bill Hagler’s questions raised on May 28, 2002.**

- 1) I would like to know if there is a timetable on the waterfront development?**

**The response to that is the Request for Proposals (RFP’s) for a master developer has been published and responses are due back to the City by July 15<sup>th</sup> of this year. The City will need approximately 60 days to evaluate these proposals, approximately another 60 days to negotiate a development agreement. Ideally, I say ideally, construction could begin early 2003.**

- 2) The second question was how long will it take to get a permit from the Corps of Engineers?**

**Our response to that is the 404 Permit from the Corps still requires the Hydrology Study before final approval can be given. The Hydrology Study will only be undertaken after redevelopment plans have been finalized with the Developer.**

- 3) Your next question: How long to clear the land and how long to build up the Land to get it out of the flood plain?**

**As you know, demolition has begun on some of the properties that the City has purchased. The demolition on the remaining property will begin as soon as the Historical documentation has been completed, which will take approximately 30 days. In addition asbestos materials will also have to be abated which will take approximately 30 days. Once the abatement is finished the demolition will begin and it too, should take approximately 30 days to complete.**

**The flood plain issues will be addressed when the final design documents are generated by the chosen Master Developer. It should be noted, that not all of the development area is in the flood plain and additionally, structures can be built in the flood plain.**

- 4) Your next question is how much is all of this going to cost?**

**The City estimated that demolition would cost approximately 1 ½ million dollars. The cost regarding the flood plain question cannot be answered because it may not be necessary to build up the land. Depends on our**

**final plans, and redevelopment plans down there.**

- 5) The next question was how much would it cost for Box Car Willie Drive and a bridge across Roark Creek?**

**The preliminary cost estimates from the City's consulting engineers estimate the cost to be approximately 6 million dollars.**

- 6) Next question was when is all of this going to be finished?**

**Of course the completion date depends on the proposals received during the RFP process which we are going through now.**

- 7) Your final question was, we could have already been building on the Branson Meadows site and the Mel Tillis site is all ready there. Is it going to be worth waiting on the lakefront site?**

**Our response is that it is not correct that the city could have already been building at the Branson Meadows site. Had the city continued with the Branson Meadows site, the feasibility study, the RFP, for architectural and engineering services, the contract for A & E, the completion of the A & E, legal work, financial structuring would have taken just as long and may still have been in process.**

**There is one additional item that you raised that was not at the last meeting; it was at a previous meeting that had to do with the Branson Meadows site. I believe your statement was or your question was, "Why did the Convention Center Committee all of a sudden drop the Branson Meadows site as a potential site for the Convention Center?" I am going to ask Mr. Dody to respond to that because I think there is some confusion to actually what role the Convention Center Commission played in this process.**

**Administrator Dody indicated the confusion is, it was stated in the papers that the Committee was formed to select the site. That is not true. The Branson Meadows site had been selected by both the City of Branson and the Taney County Commission, prior to the creation of the Convention Center Commission. The Convention Center Commission was selected to assist the City Administration in developing and requesting the RFP for the Feasibility Study for the Branson Meadows site. So, when the alternative plan was adopted by both the City Council and the Taney County Commission the function of the Convention Center Commission, for both the City and the County, was dissolved. Because the ordinance that created the Commission, both in the City and in the County, was amended by the later City/County resolutions and there was no longer authority, for what the Commission was assigned to do. The Convention Center Commission was selected for the singular purpose of developing the RFP for the Feasibility Study for the Branson Meadows site.**

## **CITY ALDERMEN AND CITY ADMINISTRATOR'S REPORTS:**

**Alderman Farris asked staff to take a close look at the U. S. flags that are FARRIS on display through out the City as there is a frayed flag down at the cemetery, particularly with the 4<sup>th</sup> of July coming up, and the patriotic nature of our City.**

**Alderman Warlick stated he had received a call from a citizen requesting WARLICK the Board look at establishing a bow hunting permit within the City limits for deer and turkey. Other cities have done this and request that staff look at doing this.**

## **PUBLIC COMMENT:**

**Chuck Pennel, 353 Quincy Road, Kirbyville, Missouri addressed PENNEL the Board with some questions about the Branson Landing. Mr. Pennel asked in the Public Hearings the Board previously voted to have were scheduled yet or a time frame made? At this time, Alderman Huff suggested that if Mr. Pennel had a number of questions, we may have to let him finish his five minutes and ask all of the questions, then if we can respond we will or we may have to get back to him at the next meeting. Mr. Pennel then asked if they still think they have overwhelming support for the project from the citizens? Has any kind of budget been set to hold the City to the total cost of 130 million dollars? I would like to see the plan for the Box Car Willie improvements and the bridge improvement and how did you determine the figure of 8 million dollars?**

## **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 Farris. Voting aye: Gass, Barker, Taylor, Huff, Farris, and Warlick. Nays: none. Motion carried.**

## **ADJOURN:**

**Alderman Huff moved to adjourn. Motion was seconded by Alderman Barker. Voting aye were: Gass, Barker, Taylor, Huff, Farris and Warlick. Nays: None. Motion carried. Meeting was adjourned at 8:10 p.m.**