

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF ALDERMEN  
CITY OF BRANSON, MISSOURI, AUGUST 12, 2002**

The Board of Aldermen of the City of Branson, Missouri met in regular session in the Council Chambers of the City Hall on August 12, 2002 at 7:00 p.m. with the following members present:

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

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, City Engineer David Miller, Communications Director Jerry Adams, Health Director Linn Smith, Director of Planning Don Stephens, Director of Economic Development Mike Rankin, Bruce W. Bowlin, John Logan, Dennis Wood, Jim Perkin, Susan Perkin, Jim Langham, Ross Summers, Robert and Barbara Cohn, A.L. and Lucille Pinkston, Herold W. Wilson, Ricky R. Renfro, Bill Hagler, Dick Hall, Bob Klein, Sharon Klein, Jim Brines, Jonathan Derby, Sue Ann Clark, Mike Booth, Amy Lancaster, Sue Ruckman, Richard Ruckman, Ray Wilson, Will Westley, Phil Bucher, Richard Clark, Robert Vannier, Jack Plumpton, Keith Phillips, Norma Phillips, Terry Martin, Mary Martin, Kelly Trimble, Lucy Combs, Mark Weitz, Gayla Roten, Glenda Redmond, Joe McDowell, Kent Williams, Chuck Pennel, Gail Myer, Rick Harrison, Larry Frazier, Cliff Sain, and Terry Roeder.

Mayor Schaefer called the meeting to order with the "Pledge of Allegiance," and Monsignor Phillip Bucher of Our Lady of the Lakes Catholic Church gave the invocation.

Mayor Schaefer asked for any additions or corrections to the Minutes of the work session meeting of July 1, 2002 and the regular meeting of July 22, 2002. Alderman Huff moved to approve the Minutes of the July 1, 2002 work session meeting and the July 22, 2002 regular meeting, as presented. Motion was seconded by Alderman Barker. Voting aye: Gass, Barker, Huff, Farris, and Warlick. Nays: None. Motion carried.

**APPROVAL  
OF MINUTES**

At this time, Alderman Warlick presented the August Employee of the Month Award to C. B. Aldridge who is a maintenance superintendent in the Public Works Department. C.B. was nominated because of his additional work to assist with the waterfront property on the clearing, securing, maintaining and mowing of the land, as well as the clean-up challenges resulting from the flooding of Stockstill Park which were all outside of his normal duties and responsibilities of his division. Alderman Warlick commended C.B. for his leadership which has been displayed during the past several months in serving the citizens of Branson.

**EMPLOYEE  
OF THE MONTH**

At this time Mayor Schaefer stated he was honored to welcome to our community and to our meeting tonight, the new Executive Vice President of the Branson Lakes Area Chamber of Commerce, Ross Summer.

**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:

Receipt of the Minutes of the Park Board Meeting of June 18, 2002 and the Board of Adjustments Meeting of March 28, 2002 was acknowledged within the Consent Agenda. Voting aye: Gass, Barker, Huff, Farris, and Warlick. Nays: none. Absent: Taylor.	<b>ACKNOWLEDGE RECEIPT OF MINUTES</b>
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Final reading of Bill No. 2420, an ordinance enacting a Final Subdivision Plat for Summer Wood Estates First Addition was approved within the Consent Agenda. Voting Aye: Gass, Barker, Huff, Farris, and Warlick. Nays: none. Absent: Taylor. Ordinance No. 2002-093 was duly enacted	<b>BILL NO. 2420 FINAL SUBDIVISION PLAT SUMMER WOOD ESTATES FIRST ADDITION ORD. NO. 2002-093</b>
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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 Gass moved to approve the Consent Agenda as presented, seconded by Alderman Farris. Voting aye: Gass, Barker, Huff, Farris, and Warlick. Nays: none. Motion carried.

**REGULAR AGENDA:**

City Clerk Williams informed the Board that the next item, up for consideration, Bill No. 2421 was last considered on July 22, 2002 and in order for this item to be brought before the Board there must be a motion to reconsider, which must pass with a two-thirds majority vote. Alderman Huff moved to reconsider Bill No. 2421, seconded by Alderman Barker. Voting aye: Gass, Barker, Huff, Farris, and Warlick. Nays: none. Absent: Taylor. Motion Carried.

First reading of Bill No. 2421, an ordinance enacting a Final Subdivision Plat for Cobblestone, Phase I, 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. 2421. Alderman Huff made the motion, seconded by Alderman	<b>BILL NO. 2421 FINAL SUBDIVISION PLAT FOR COBBLESTONE PHASE I</b>
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Gass. Alderman Huff indicated that when this item came before the Board previously, additional time was needed to have the developer meet with the residents of Branson North, to resolve questions and concerns they might have. This meeting has been done, so the Board needs to move forward on this item. At this time Alderman Huff asked if any residents of Branson North still had any questions to please come forward. After no one from the audience appeared to speak, Mayor Schaefer called for a vote. Voting aye: Gass, Barker, Warlick, Huff. Nays: Farris. Absent: Taylor. Motion carried.

First reading of Bill No. 2427, and ordinance approving a first addendum to the annexation agreement with Silver Dollar City, Inc. pertaining to the Fall Creek sewer trunk main, 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. 2427. Alderman Barker made the motion, seconded by Alderman Warlick. No discussion. Voting aye: Gass, Barker, Huff, Farris, and Warlick. Nays: none. Absent: Taylor. Motion carried.

**BILL NO. 2427  
FIRST ADDENDUM  
ANNEXATION AGREEMENT  
SILVER DOLLAR CITY  
SEWER TRUNK MAIN**

First Reading of Bill No. 2428, an ordinance amending Section 120.180 of the Branson City Code, court costs, by enacting the Motorcycle Safety Trust Fund and Spinal Cord Injury Trust Fund court costs, and increasing the Crime Victim's Compensation Court Cost, was read by title by City Clerk Williams, and Deborah Deuster provided the staff report. Mayor Schaefer entertained a motion to approve the first reading of Bill No. 2428. Alderman Farris made the motion, seconded by Alderman Gass. No discussion. Voting aye: Gass, Barker, Huff, Farris, and Warlick. Nays: none. Absent: Taylor. Motion carried.

**BILL NO. 2428  
AMENDING  
BRANSON CITY CODE  
COURT COSTS**

First Reading of Bill No. 2429, an ordinance approving a contract with the City of Hollister, Missouri for environmental public health services within the City of Hollister, was read by title by City Clerk William, and Kevin Faught provided the staff report. Mayor Schaefer entertained a motion to approve the first reading of Bill No. 2429. Alderman Gass made the motion, seconded by Alderman Barker. No discussion. Voting aye: Gass, Barker, Huff, Farris, and Warlick. Nays: none. Absent: Taylor. Motion carried.

**BILL NO. 2429  
CITY OF HOLLISTER  
HEALTH DEPARTMENT  
CONTRACT**

A resolution authorizing the issuance to the Federal Communications Commission of a Notice of Intent to withdraw Certification to Regulate Basic Cable Service Rates, was read by title by City Clerk Williams, and Deborah Deuster provided the staff report. Mayor Schaefer entertained a motion to approve the resolution. Alderman Gass made the motion, seconded by Alderman Warlick. Discussion. Gail Myer, 317 River Bluff Drive, asked for a basic package for hotels at a reasonable rate and encouraged the Board to take into account how much this increase would affect the hotel industry before a final

**RESOLUTION  
NO. 2002-R24  
WITHDRAW CERTIFICATION  
CABLE SERVICE RATES**

resolution was approved. Alderman Huff opposed the resolution as it would take away the public forum that allows citizens to express their opinions on the cable rates and service, and as the franchising granting authority, which the City is, we need to stay on top of how our citizens feel about their cable service and these rate increases. I believe the only way to do this is through public dialog, and this resolution takes the City completely out of the picture. Alderman Farris also indicated that he would like the Board to really encourage the cable company to work hard and earnestly with the City and to come up with a very basic plan. Administrative Dody stated he wanted to reiterate what Alderman Farris requested to be sure staff understood. Staff is to be working with the cable company for a basic plan, instead of a limited basic which we have now, or the extended basic, and this should include hotels along with the residential. Administrative Dody stated staff would keep the Board informed and will have Cox Cable appear before the Board within a year for a progress report. Mayor Schaefer then called for the vote. Voting aye: Gass, Barker, and Warlick. Nays: Huff and Farris. Absent: Taylor. Motion carried.

**BID AWARDS:**

<p>First reading of Bill No. 2430, an ordinance accepting the proposal of bid award to Journagan Constuction Company to furnish materials and labor to construct curb and gutters and concrete flatwork for Aaron’s Way Street Reconstruction Project for the City of Branson, authorizing the preparation of a contract in accordance with the terms of the proposal, and authorizing the Mayor to execute 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. 2430 on its first reading. Alderman Huff made the motion, seconded by Alderman Farris. No discussion. Voting aye: Gass, Barker, Huff, Farris, and Warlick. Nays: none. Absent: Taylor. Motion carried. Alderman Warlick moved to read the bill a second time as an emergency due to the current unsafe condition of Aaron’s Way and also due to the timing of the contract in relation to the construction season, seconded by Alderman Farris. Voting aye: Gass, Barker, Huff, Farris, and Warlick. Nays: none. Absent: Taylor. Motion carried. City Clerk Williams read Bill No. 2430 by title again. Mayor Schaefer entertained a motion to approve the final reading of Bill No. 2430. Alderman Gass made the motion, seconded by Alderman Barker. No discussion. Voting aye: Gass, Barker, Huff, Farris, and Warlick. Nays: none. Absent: Taylor. Ordinance No. 2002-094 was duly enacted.</p>	<p><b>BILL NO. 2430 BID AWARD JOURNAGAN CONST. CURB &amp; GUTTER ORD NO. 2002-094</b></p>
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<p>First reading of Bill No. 2431, an ordinance accepting the proposal of bid award to APAC-Missouri, Inc. to furnish materials and labor to overlay Aaron’s Way for the Aaron’s Way Street Reconstruction Project for the City of Branson, authorizing the preparation of a contract in accordance with the terms of the proposal, and authorizing the Mayor to execute 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. 2431 on its first reading. Alderman Gass</p>	<p><b>BILL NO. 2431 BID AWARD APAC-MISSOURI, INC. AARON’S WAY ASPHALT OVERLAY ORD. NO. 2002-095</b></p>
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made the motion, seconded by Alderman Farris. Discussion. Voting aye: Gass, Barker, Huff, Farris, and Warlick. Nays: none. Absent: Taylor. Motion carried. Alderman Warlick moved to read the bill a second time as an emergency due to the current unsafe condition of Aaron's Way and also due to the timing of the contract in relation to the construction season, seconded by Alderman Barker. Voting aye: Gass, Barker, Huff, Farris, and Warlick. Nays: none. Absent: Taylor. Motion carried. City Clerk Williams read Bill No. 2431 by title again. Mayor Schaefer entertained a motion to approve the final reading of Bill No. 2431. Alderman Barker made the motion, seconded by Alderman Huff. No discussion. Voting aye: Gass, Barker, Huff, Farris, and Warlick. Nays: none. Absent: Taylor. Ordinance No. 2002-095 was duly enacted.

#### **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. Hearing none. Mayor Schaefer opened the floor for Aldermen and Administrator's Reports.

#### **ALDERMEN/ADMINISTRATOR'S REPORTS**

Alderman Huff made mention to the audience that there is a **HUFF**  
Public Meeting on Tuesday at 7:00 pm regarding the Requests for Proposals,  
with a further update for the public, on what those proposals contain.

Alderman Warlick commended all the candidates on the **WARLICK**  
removal of election signs.

Mayor Schaefer announced the Advisory Council on **SCHAEFER**  
Disabilities appointments and reappointments. Reappoint Pat **ADVISORY COUNCIL**  
Cramer for a three year term until June, 2005. Appoint **ON DISABILITIES**  
Tom Eisel to fill the unexpired term of Sandy Simpson to **APPOINTMENTS**  
June, 2004. Appoint Joni Milstead for a three year term until  
June, 2005. Appoint Beverly O'Neil for a three year term until June, 2005.

#### **PUBLIC COMMENT:**

Ricky Renfro, 108 Fern Street, Branson, addressed the Board **RENFRO**  
voicing his objection to destroying the historical part of downtown Branson,  
and to inform the Board that he is presently working on the depot as he would like to keep  
the historic downtown.

**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, Huff, Farris, and Warlick. Nays: none. Absent: Taylor. Motion carried.**

**ADJOURN:**

**Alderman Huff moved to adjourn. Motion was seconded by Alderman Farris. Voting aye were: Gass, Barker, Huff, Farris and Warlick. Nays: None. Absent: Taylor. Motion carried. Meeting was adjourned at 7:50 p.m.**