

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF ALDERMEN
CITY OF BRANSON, MISSOURI, AUGUST 26, 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 26, 2002 at 7:00 p.m. with the following members present:

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

Also in attendance were: City Administrator Terry Dody, Assistant City Administrator Kevin Faught, City Attorney Deborah Deuster, City Clerk Sandra Williams, Health Director Linn Smith, Director of Planning Don Stephens, Director of Finance Deanna Schlegel, Director of Parks and Recreation Cindy Shook, Fire Department Chief Carl Sparks, Kevin Powell, Bruce W. Bowlin, John Logan, Jim Langham, Ricky R. Renfro, Bill Hagler, Dick Hall, Ross Summers, Robert Vannier, Mark Weitz, Cliff Sain, Terry Gilson, Susan Perkin, June Kuechler, Marlene Post, Faye Douglas, Robert and Barbara Cohn, Tom and Americanna Magness, Bev Martin, John Moore, Jim Brines, Brad Peters, Jim Perkin, and Bud Arnold.

Mayor Pro Tem Huff called the meeting to order with the "Pledge of Allegiance," and Don Stephens gave the invocation.

Mayor Pro Tem Huff asked for any additions or corrections to the minutes of the work session meeting of July 29, 2002 and the special meeting of July 30, 2002. Alderman Warlick moved to approve the minutes of the July 29, 2002 work session meeting and the special meeting of July 30, 2002, as presented. Motion was seconded by Alderman Gass. Voting Aye: Gass, Barker, Taylor, Huff, and Warlick. Nays: None. Absent: Farris. Motion carried.

**APPROVAL
OF MINUTES**

CONSENT AGENDA:

Mayor Pro Tem Huff 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 Bill No. 2421, an ordinance enacting a Final Subdivision Plat for Cobblestone, Phase I was approved within the Consent Agenda. Voting aye: Gass, Barker, Taylor, Huff, and Warlick. Nays: none. Absent: Schaefer and Farris. Ordinance No. 2002-096 was duly enacted.

**BILL NO. 2421
FINAL SUBDIVISION PLAT
COBBLESTONE, PHASE I
ORD. NO. 2002-096**

Final reading of Bill No. 2427, an ordinance approving **BILL NO. 2427**
A first addendum to the annexation agreement with Silver **FIRST ADDENDUM**
Dollar City, Inc. pertaining to the Fall Creek sewer **ANNEXATION AGREEMENT**
trunk main. Voting aye: Gass, Barker, Taylor, **SILVER DOLLAR CITY, INC.**
Huff, and Warlick. Nays: none. Absent: Schaefer **ORD. NO. 2002-097**
and Farris. Ordinance No. 2002-097 was duly enacted.

Final reading of Bill No. 2428, an ordinance **BILL NO. 2428**
amending Section 120.180 of the Branson City Code, Court **AMENDING**
Costs, by enacting the Motorcycle Safety Trust Fund **BRANSON CITY CODE**
and Spinal Cord Injury Trust Fund Court Costs, and **COURT COSTS**
increasing the Crime Victim's Compensation Court Cost. **ORD. NO. 2002-098**
Voting aye: Gass, Barker, Taylor, Huff, and Warlick.
Nays: none. Absent: Schaefer and Farris. Ordinance No. 2002-098 was duly
enacted.

Final reading of Bill No. 2429, an ordinance **BILL NO. 2429**
approving a contract with the City of Hollister, Missouri **CONTRACT**
for environmental public health services within the **HEALTH SERVICES**
City of Hollister. Voting aye: Gass, Barker, Taylor, **HOLLISTER**
Huff, and Warlick. Nays: none. Absent: Schaefer **ORD. NO. 2002-099**
and Farris, Ordinance No. 2002-099 was duly enacted.

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

REGULAR AGENDA:

Public Hearing and First reading of Bill No. 2426, **BILL NO. 2426**
an ordinance for the purpose of establishing the **ANNUAL PROPERTY**
annual levy of a property tax for general revenue in the **TAX LEVY**
City of Branson, Missouri, a city of the fourth class **ORD. NO. 2002-100**
was read by title by City Clerk Williams, and Deanna Schlegel
provided the staff report. Mayor Pro Tem Huff 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.
2426. Alderman Warlick made the motion, seconded by Alderman Barker. No
discussion.

Voting aye: Gass, Barker, Taylor, Huff, and Warlick. Nays: none. Absent: Schaefer and Farris. Motion carried. Alderman Warlick moved to read the bill a second time by emergency due to the September 1st statutory deadline for enacting the levy, seconded by Alderman Barker. Voting aye: Gass, Barker, Taylor, Huff, Farris, and Warlick. Nays: none. Absent: Schaefer and Farris. Motion carried. City Clerk Williams read Bill No. 2426 by title again. Mayor Pro Tem Huff entertained a motion approving the final reading of Bill No. 2426. Alderman Gass made the motion, seconded by Alderman Barker. No discussion. Voting aye: Gass, Barker, Taylor, Huff, and Warlick. Nays: none. Motion carried. Ordinance No. 2002-100 was duly enacted.

First reading of Bill No. 2432, an ordinance approving an agreement between the City of Branson and Branson Arts Council was read by title by City Clerk Williams, and Sandra Williams provided the staff report. Mayor Pro Tem Huff entertained a motion to approve the first reading of Bill No. 2432. Alderman Gass made the motion, seconded by Alderman Warlick. Discussion. Alderman Warlick stated he wanted to commend the Arts Council for the impressive RFP they submitted. Voting aye: Gass, Barker, Taylor, Huff, and Warlick. Nays: none. Absent: Schaefer and Farris. Motion carried.

**BILL NO. 2432
AGREEMENT
BRANSON ARTS
COUNCIL**

First reading of Bill No. 2433, an ordinance approving an agreement between the City of Branson and Christian Action Ministry (CAM) was read by title by City Clerk Williams, and she also provided the staff report. Mayor Pro Tem Huff entertained a motion to approve the first reading of Bill No. 2433. Alderman Barker made the motion, seconded by Alderman Warlick. No discussion. Voting aye: Gass Barker, Taylor, Huff, and Warlick. Nays: none. Absent: Schaefer and Farris. Motion carried.

**BILL NO. 2433
AGREEMENT
CHRISTIAN ACTION
MINISTRY (CAM)**

First reading of Bill No. 2434, an ordinance approving an agreement between the City of Branson and The Salvation Army was read by title by City Clerk Williams, and Sandra Williams provided the staff report. Mayor Pro Tem Huff entertained a motion to approve the first reading of Bill No. 2434. Alderman Gass made the motion, seconded by Alderman Barker. No discussion. Voting aye: Gass Barker, Taylor, Huff, and Warlick. Nays: none. Absent: Schaefer and Farris. Motion carried.

**BILL NO. 2434
AGREEMENT
THE SALVATION
ARMY**

First reading of Bill No. 2435, an ordinance approving a change order to a contract between Gerken Environmental Enterprises, Inc., and the City of Branson, and authorizing the Mayor to enter into the contract was read by title by City Clerk Williams, and Don Stephens provided the staff report. Mayor Pro Tem Huff

**BILL NO. 2435
CHANGE ORDER
CONTRACT
GERKEN ENVIRONMENTAL
ENTERPRISES, INC.
ORD. NO. 2002-101**

entertained a motion to approve the first reading of Bill No. 2435. Alderman Barker made the motion, seconded by Alderman Warlick. Discussion was held. Voting aye: Gass, Barker, Huff, and Warlick. Nays: Taylor. Absent: Schaefer and Farris. Motion carried. Alderman Gass moved to read the bill a second time as an emergency due to the urgency of removing the asbestos from our buildings and beginning demolition, seconded by Alderman Barker. Voting aye: Gass, Barker, Huff, and Warlick. Nays: Taylor. Absent: Schaefer and Farris. Motion carried. City Clerk Williams read Bill No. 2435 by title again. Mayor Pro Tem Huff entertained a motion approving the final reading of Bill No. 2435. Alderman Warlick made the motion, seconded by Alderman Barker. After some discussion, voting aye were: Gass, Barker, Huff, and Warlick. Nays: Taylor. Absent: Schaefer and Farris. Ordinance No. 2002-101 was duly enacted.

First reading of Bill No. 2436, an ordinance approving a change order to a contract between Terracon and the City of Branson, approved May 14, 2002, and authorizing the Mayor to enter into the contract changes was read by title by City Clerk Williams, and Don Stephens

**BILL NO. 2436
CHANGE ORDER
CONTRACT
TERRACON
ORD. NO. 2002-102**

provided the staff report. Mayor Pro Tem Huff entertained a motion to approve the first reading of Bill No. 2436. Alderman Warlick made the motion, seconded by Alderman Barker. After some discussion, voting aye were: Gass, Barker, Huff, and Warlick. Nays: Taylor. Absent: Schaefer and Farris. Alderman Barker moved to read the bill a second time as an emergency due to the urgency of removing the asbestos from our buildings and beginning demolition, seconded by Alderman Warlick. Voting aye: Gass, Barker, Huff, and Warlick. Nays: Taylor. Absent: Schaefer and Farris. Motion carried. City Clerk Williams read Bill No. 2436 by title again. Mayor Pro Tem Huff entertained a motion approving the final reading of Bill No. 2436. Alderman Gass made the motion, seconded by Alderman Barker. No discussion. Voting aye: Gass, Barker, Huff, and Warlick. Nays: Taylor. Absent: Schaefer and Farris. Ordinance No. 2002-102 was duly enacted.

First reading of Bill No. 2437, an ordinance approving an addendum to the Governmental Relations Attorney Agreement, and authorizing the Mayor to execute the agreement was read by title by City Clerk Williams, and Terry Dody provided the staff report. Mayor Pro Tem Huff entertained a motion to approve the first reading of Bill No. 2437. Alderman Warlick made the motion, seconded by Alderman Barker. Discussion. Voting aye: Gass, Barker, Huff, and Warlick. Nays: Taylor. Absent: Schaefer and Farris. Motion carried.

**BILL NO. 2437
ADDENDUM
GOVERNMENTAL
RELATIONS ATTORNEY
AGREEMENT**

First reading of Bill No. 2438, an ordinance approving the First Addendum to the Sewer Services, Facilities, and Annexation Agreement between Cushman Properties, LLC

**BILL NO. 2438
FIRST ADDENDUM
AGREEMENT**

and White River Investments, LLC, and the City of Branson, **CUSHMAN**
and authorizing the Mayor to execute same was read by title **PROPERTIES**
by City Clerk Williams, and Deborah Deuster provided the
staff report. Mayor Pro Tem Huff entertained a motion to approve the first reading
of Bill No. 2438. Alderman Gass made the motion, seconded by Alderman Barker.
No discussion. Voting aye: Gass, Barker, Taylor, Huff, and Warlick. Nays: none.
Absent: Schaefer and Farris. Motion carried.

First reading of Bill No. 2439, an ordinance amending **BILL NO. 2439**
Title VI of the Branson City Code, Business and Occupation, **AMENDING**
Chapter 600 Alcoholic Beverages, Section 600.045, **BRANSON CITY CODE**
Application Procedure, to authorize the issuance of **CHAPTER 600**
a liquor license to the purchaser of an existing licensed
business was read by title by City Clerk Williams, and Deborah Deuster provided
the staff report. Mayor Pro Tem Huff entertained a motion to approve the first
reading of Bill No. 2439. Alderman Gass made the motion, seconded by Alderman
Barker. No discussion. Voting aye: Gass, Barker, Taylor, Huff, and Warlick.
Absent: Schaefer and Farris. Nays: none. Motion carried.

A resolution naming the property formerly known **RESOLUTION**
as the Branson City Campground as the Branson Lakeside **NO. 2002-R25**
RV Park was read by title by City Clerk Williams, and **BRANSON LAKESIDE**
Cindy Shook provided the staff report. Mayor Pro Tem **RV PARK**
Huff entertained a motion to approve the resolution.
Alderman Taylor made the motion, seconded by Alderman Warlick. Discussion.
Voting aye: Gass, Barker, Taylor, Huff, and Warlick. Nays: none. Absent:
Schaefer and Farris. Motion carried. Resolution No. 2002-R25 was approved.

DISBURSEMENTS:

Mayor Pro Tem Huff entertained a motion to approve the disbursement
statement as presented. Alderman Gass made the motion, seconded by Alderman
Barker. No discussion. Voting aye: Gass, Barker, and Huff. Nays: Taylor.
Alderman Warlick abstained. Absent: Schaefer and Farris. Motion carried.

OTHER BUSINESS:

Mayor Pro Tem Huff 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 Pro Tem Huff opened the
floor for Aldermen and Administrator's Reports.

ALDERMEN/ADMINISTRATOR'S REPORTS

No City Aldermen or City Administrator Reports reported.

PUBLIC COMMENT:

No Public Comments.

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, and Warlick. Nays: none. Absent: Farris and Schaefer. Motion carried.

ADJOURN:

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