

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF ALDERMEN
CITY OF BRANSON, MISSOURI, SEPTEMBER 9, 2002**

The Board of Aldermen of the City of Branson, Missouri met in regular session in the Council Chambers of the City Hall on September 9, 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, Assistant City Clerk Linda Sewell, Police Chief Steve Mefford, City Engineer David Miller, Communications Director Jerry Adams, Health Director Linn Smith, Fire Chief Carl Sparks, Director of Human Resources Deb Durler, Director of Planning Don Stephens, Director of Finance Deanna Schlegel, Director of Public Works Larry VanGilder, Bruce W. Bowlin, John Logan, Jim Langham, Bill Hagler, Jay Wilson, Ross Summers, Mark Weitz, Cliff Sain, Kelly Trimble, Bob Klein, Sharon Klein, John Moore, Pat Rose, Dick Hall, David Cook, and Dave Willard.

Mayor Schaefer called the meeting to order with the "Pledge of Allegiance," and Larry VanGilder gave the invocation.

Mayor Schaefer asked for any additions or corrections to the minutes of the regular meeting of August 12, 2002, the public meeting of August 13, 2002, the public meeting of August 15, 2002, and the regular meeting of August 26, 2002. Alderman Huff moved to approve the minutes of the August 12, 2002 regular session meeting, the August 13, 2002 public meeting, the August 15, 2002 public meeting, and the August 26, 2002 regular meeting, as presented. Motion was seconded by Alderman Barker. Voting Aye: Gass, Barker, Taylor, Huff, Farris, and Warlick. Nays: None. Motion carried.

**APPROVAL
OF MINUTES**

CONSENT AGENDA:

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

Receipt of the Minutes of the Park Board Meeting of July 23, 2002 was acknowledged within the Consent Agenda.

**ACKNOWLEDGE
RECEIPT OF
MINUTES**

Final reading of Bill No. 2432, an ordinance approving an agreement between the City of Branson and Branson Arts Council was approved within the Consent Agenda. Ordinance No. 2002-103 was duly enacted.

**BILL NO. 2432
AGREEMENT
BRANSON ARTS
COUNCIL
ORD. NO. 2002-103**

Final reading of Bill No. 2433, an ordinance approving an agreement between the City of Branson and Christian Action Ministry (CAM) was approved within the Consent Agenda. Ordinance No. 2002-104 was duly enacted.

**BILL NO. 2433
AGREEMENT
CHRISTIAN ACTION
MINISTRY (CAM)
ORD. NO. 2002-104**

Final reading of Bill No. 2434, an ordinance approving an agreement between the City of Branson and The Salvation Army was approved within the Consent Agenda. Ordinance No. 2002-105 was duly enacted.

**BILL NO. 2434
AGREEMENT
THE SALVATION ARMY
ORD. NO. 2002-105**

Final 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 approved within the Consent Agenda. Ordinance No. 2002-106 was duly enacted.

**BILL NO. 2437
ADDENDUM
GOVERNMENTAL
RELATIONS ATTORNEY
AGREEMENT
ORD. NO. 2002-106**

Final reading of Bill No. 2438, an ordinance approving the First Addendum to the Sewer Services, Facilities, and Annexation Agreement between Cushman Properties, LLC and White River Investments, LLC, and the City of Branson, and authorizing the Mayor to execute same was approved within the Consent Agenda. Ordinance No. 2002-107 was duly enacted.

**BILL NO. 2438
FIRST ADDENDUM
AGREEMENT
CUSHMAN
PROPERTIES
ORD. NO. 2002-107**

Final reading of Bill No. 2439, an ordinance amending Title VI of the Branson City Code, Business and Occupation, Chapter 600 Alcoholic Beverages, Section 600.045, Application Procedure, to authorize the issuance of a liquor license to the purchaser of an existing licensed business was approved within the Consent Agenda. Ordinance No. 2002-108 was duly enacted.

**BILL NO. 2439
AMENDING
BRANSON CITY CODE
CHAPTER 600
ORD. NO. 2002-108**

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

REGULAR AGENDA:

A resolution authorizing the adoption of an amendment to the Flexible Benefits Plan for the City of Branson, Missouri, and authorizing the City Administrator to execute same was read by title by Assistant City Clerk Sewell, and Deb Durler provided the staff report.

**RESOLUTION
NO. 2002-R26
FLEXIBLE BENEFITS
PLAN**

Mayor Schaefer entertained a motion to approve the resolution. Alderman Warlick made the motion, seconded by Alderman Barker. No discussion. Voting aye: Gass, Barker, Taylor, Huff, Farris, and Warlick. Nays: none. Motion carried. Resolution No. 2002-R26 was approved.

Public Hearing and First reading of Bill No. 2440, an ordinance adopting a budget for the City of Branson, Missouri, for the fiscal year October 1, 2002, through September 30, 2003, and providing that certain amounts shown in the budget document are appropriated for the various departments specified in said budget was read by

**BILL NO. 2440
ADOPTING BUDGET
OCTOBER 1, 2002
THROUGH
SEPTEMBER 30, 2003**

title by Assistant City Clerk Sewell, and Terry Dody provided the staff report stating this bill adopts the 2002-2003 Operating and Capital budgets and appropriates the amounts for the purpose as set forth therein. This proposed budget is presented on a "Program" planning tool as well as a spending control document. Budget highlights were outlined by Administrator Dody along with the capital improvements for a total budget of \$38,865,531. Mayor Schaefer opened the Public Hearing and entertained comments from the Board and the audience. Alderman Huff inquired about the projected interest in revenues for 2003, and inquired if the new fire equipment would make our ISO rating better. Finance Director Deanna Schlegel replied that in the past they had under anticipated the interest earned on investments, and now they have adjusted them up accordingly, and Administrator Dody indicated the new equipment would not make the ISO rating better. Alderman Taylor indicated he had two comments. (1) He stated he certainly would like to state his appreciation to Staff and Administrator Dody for efforts of compiling the Budget for the fiscal year coming up, and believed they had done an outstanding job and commended them for it. (2) Mr. Taylor also stated he had some reservations concerning the budget and the debt service obligations pertaining to the Bond Anticipation Notes, and at this reading will have to oppose the passing of the Budget. Hopefully, a meeting with Counsel regarding the debt service requirements will satisfy him as to the responsibility of budgeting the debt service requirements for the bond anticipation Notes due in March. Alderman Warlick inquired when the City converted to Class A Sludge if Branson could contract with other cities for their sludge. Public Works Director Larry VanGilder indicated that the idea is to look at a regional concept so that we can cover the needs of other cities that are having the same difficulty, and then to be able to charge a fee for that service. The City will be actually reducing hauling from 1-million gallons a year to about 70 dump truck loads. Alderman Gass asked who would respond if a

fire occurred in Pointe Royale when we had station #4 completed, the City or Western Taney County. Fire Chief Sparks indicated we presented have an automatic aid agreement with Western Taney County and possibly both agencies would respond. Alderman Huff asked Administrator Dody to provide an update on the process on the recreational facility. Administrator Dody indicated they were looking at 40 acres as that seems to be about the ideal size for the complex, ball fields, swimming pool and a recreational center. The ideal piece is up in Branson Hills area and has been tied in with the RFP proposals from H.C.W. Development Company regarding the convention center. At this point we are working out some details regarding the gifting of the land. We have to make sure that the City has ingress and egress and the sewer has to be able to reach the land, we will have a better understanding of where we are exactly in the next 30 days. The City has now accumulated, with this budget figure, \$2-Million, and the financing of the balance could be done at least two ways; 1) go out for a bond issue, 2) use some of the balances that we currently have, that might be able to be redirected for that project, as we are probably looking at a total of about \$5-Million.

After hearing no additional discussion from the Board or audience, Mayor Schaefer closed the Public Hearing and entertained a motion to approve the first reading of Bill No. 2440. Alderman Warlick made the motion, seconded by Alderman Farris. Voting aye: Gass, Barker, Huff, Farris, and Warlick. Nays: Taylor. Motion carried.

BILL NO. 2440
2002-2003
BUDGET

First reading of Bill No. 2441, an ordinance approving an addendum to the contractual agreement between Boerman's Septic Service and the City of Branson to authorize the disposal of holding tank and special wastes into the City of Branson Wastewater Treatment Plants, and authorizing the Mayor to execute the agreement was read by title by Assistant City Clerk Sewell, and Larry VanGilder provided the staff report. Mayor Schaefer entertained a motion to approve the first reading of Bill No. 2441. Alderman Farris made the motion, seconded by Alderman Huff. No discussion. Voting aye were: Gass, Barker, Taylor, Huff, Farris, and Warlick. Nays: none. Alderman Barker moved to read the bill a second time by unanimous consent, seconded by Alderman Warlick. Voting aye: Gass, Barker, Taylor, Huff, Farris, and Warlick. Nays: none. Motion carried. Assistant City Clerk Sewell read Bill No. 2441 by title again. Mayor Schaefer entertained a motion approving the final reading of Bill No. 2441. Alderman Gass made the motion, seconded by Alderman Farris. No discussion. Voting aye: Gass, Barker, Taylor, Huff, Farris, and Warlick. Nays: none. Ordinance No. 2002-109 was duly enacted.

BILL NO. 2441
ADDENDUM
CONTRACTUAL
AGREEMENT
BOERMAN'S SEPTIC
SERVICE
ORD. NO. 2002-109

First reading of Bill No. 2442, an ordinance approving a contractual agreement between S & S Pumping Service,

BILL NO. 2442
CONTRACTUAL

Inc. and the City of Branson to authorize the disposal of holding tank and special wastes into the City of Branson Wastewater Treatment Plants, and authorizing the Mayor to execute the agreement was read by title by Assistant City Clerk Sewell, and Larry VanGilder provided the staff report. Mayor Schaefer entertained a motion to approve the first reading of Bill No. 2442. Alderman Barker made the motion, seconded by Alderman Taylor. No discussion. Voting aye were: Gass, Barker, Taylor, Huff, Farris, and Warlick. Nays: none. Alderman Farris 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. Assistant City Clerk Sewell read Bill No. 2442 by title again. Mayor Schaefer entertained a motion approving the final reading of Bill No. 2442. Alderman Gass made the motion, seconded by Alderman Warlick. No discussion. Voting aye: Gass, Barker, Taylor, Huff, Farris, and Warlick. Nays: none. Ordinance No. 2002-110 was duly enacted.

**AGREEMENT
S & S PUMPING
SERVICE, INC.
ORD. NO. 2002-110**

First reading of Bill No. 2443, an ordinance amending Section 710.300 (C) of the Branson Municipal Code pertaining to fee schedule for sewer capacity for public spa and Jacuzzi of less than 1,000 gallons was read by title by Assistant City Clerk Sewell, and Larry VanGilder provided the staff report. Mayor Schaefer entertained a motion to approve the first reading of Bill No. 2443. Alderman Warlick made the motion, seconded by Alderman Farris. No discussion. Voting aye were: Gass, Barker, Taylor, Huff, Farris, and Warlick. Nays: none. Alderman Warlick 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. Assistant City Clerk Sewell read Bill No. 2443 by title again. Mayor Schaefer entertained a motion approving the final reading of Bill No. 2443. Alderman Gass made the motion, seconded by Alderman Taylor. No discussion. Voting aye: Gass, Barker, Taylor, Huff, Farris, and Warlick. Nays: none. Ordinance No. 2002-111 was duly enacted.

**BILL NO. 2443
AMENDING BRANSON
MUNICIPAL CODE
SECTION 710.300 (C)
ORD. NO. 2002-111**

First reading of Bill No. 2444, an ordinance accepting the proposal of bid award to Joplin Industrial Electric to provide materials and installation of two adjustable frequency drives and one dissolved oxygen sensor for the the Compton Drive Wastewater Treatment Facility for the City of Branson, authorizing the preparation of a contract

**BILL NO. 2444
BID AWARD
JOPLIN INDUSTRIAL
ELECTRIC
ORD. NO. 2002-112**

in accordance with the terms of the proposal, and authorizing the Mayor to execute the agreement was read by title by Assistant City Clerk Sewell, and Larry VanGilder provided the staff report. Mayor Schaefer entertained a motion to approve the first reading of Bill No. 2444. Alderman Gass made the motion, seconded by Alderman Huff. Discussion. Voting aye: Gass, Barker, Taylor, Huff, Farris, and Warlick. Nays: none. Alderman Barker moved to read the bill a second time by unanimous consent, seconded by Alderman Farris. Voting aye: Gass, Barker, Taylor, Huff, Farris, and Warlick. Nays: none. Motion carried. Assistant City Clerk Sewell read Bill No. 2444 by title again. Mayor Schaefer entertained a motion approving the final reading of Bill No. 2444. Alderman Gass made the motion, seconded by Alderman Taylor. No discussion. Voting aye: Gass, Barker, Taylor, Huff, Farris, and Warlick. Nays: none. Ordinance No. 2002-112 was duly enacted.

First reading of Bill No. 2445, an ordinance accepting the proposal of bid award to Murphy Tractor & Equipment Co. for the purchase of a backhoe 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 Assistant City Clerk Sewell, and Larry VanGilder provided the staff report. Mayor Schaefer entertained a motion to approve the first reading of Bill No. 2445. Alderman Barker made the motion, seconded by Alderman Warlick. Discussion. Voting aye were: Gass, Barker, Taylor, Huff, Farris, and Warlick. Nays: none. Alderman Huff moved to read the bill a second time by unanimous consent, seconded by Alderman Farris. Voting aye: Gass, Barker, Taylor, Huff, Farris, and Warlick. Nays: none. Motion carried. Assistant City Clerk Sewell read Bill No. 2445 by title again. Mayor Schaefer entertained a motion approving the final reading of Bill No. 2445. Alderman Gass made the motion, seconded by Alderman Warlick. No discussion. Voting aye: Gass, Barker, Taylor, Huff, Farris, and Warlick. Nays: none. Ordinance No. 2002-113 was duly enacted.

**BILL NO. 2445
BID AWARD
MURPHY TRACTOR
& EQUIPMENT
ORD. NO. 2002-113**

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 Farris stated that in light of the news of recent abduction of children across our country, which either end in happy or tragic endings, he believed that it was imperative that the City and the community do whatever they could, both to prevent a possible abductor from achieving his goal and provide immediate response to rescue any child which is abducted. Mr. Farris proposed that we fully explore and implement, whatever steps can be taken by the City to protect the children and families in our community. Such as the “Alert System” adopted in southwest Missouri counties; and the recently proposed creation of a statewide “Amber Alert System”, proposed by the State Attorney General.

These alert systems could assist area law enforcement and citizens alike in helping to apprehend child abductors and to rescue any child who has been subject to these crimes. We must do more than just respond to the crimes, and we must do what we can to prevent these abductions by knowing whom we have in our midst and to know who the dangerous people are that may be prone to abducting children. One such tool in the state-mandated registration of all convicted sex offenders. These persons must register with the sheriff and the County of their residence every 90-days. Alderman Farris stated that for the record, he would like to put in the minutes a copy of the current list of all sexual offenders that have registered in Taney County with the Sheriff's Department. This list is available to the public and is very informative as it contains the names and current addresses of all convicted sex offenders registered in our County. Including, rapists, child molesters, and many other types of sexual offenders. Efforts to make the public aware have included the list on a law enforcement portion of the city or county website. In conclusion, Alderman Farris moved to request City staff explore and report back to the Board how the City can implement an "Alert System" in the event of a child abduction; how to implement posting a sexual offender list on our website, or how to link it to the Sheriff's Department if it is posted there; and how else we may take other steps to protect the children in our community from being abducted. Motion was seconded by Alderman Warlick. Voting aye: Gass, Barker, Taylor, Huff, Farris, and Warlick. Nays: none. Motion carried.

Mayor Schaefer then opened the floor for Aldermen and Administrator's Reports.

ALDERMEN/ADMINISTRATOR'S REPORTS

Alderman Barker complimented City staff on the new sound system. **BARKER**

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 Gass. 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 8:10 p.m.