

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF ALDERMEN  
CITY OF BRANSON, MISSOURI, OCTOBER 14, 2002**

The Board of Aldermen of the City of Branson, Missouri met in regular session in the Council Chambers of the City Hall on October 14, 2002 at 7:00 p.m. with the following members present:

Mayor Schaefer presiding, Stan Barker, Larry Taylor, Ron Huff, Eric Farris, and Bob Warlick present. Dick Gass 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, Fire Chief Carl Sparks, Director of Planning Don Stephens, Director of Finance Deanna Schlegel, Director of Public Works Larry VanGilder, Director of Economic Development Mike Rankin, Bruce W. Bowlin, James Barker, Cliff Sain, Ricky Renfro, Bill Groninger, Lynn Groninger, Susan Perkin, Jim Perkin, Chris White, Jeff Parton, Kent Williams, Rodney Wright, Randy and Carol Sledd, Rich and Joni Milstead, Chuck Pennel, Dean Ertel, Mark Weisz, and Grant Haden.

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 public meeting of August 27, 2002, the City/County Quarterly meeting of September 17, 2002, the regular meeting of September 23, 2002, the special meeting of September 26, 2002, and the special meeting of October 8, 2002. Alderman Huff moved to approve the minutes of the August 27, 2002 public meeting, September 17, 2002 City/County Quarterly meeting, September 23, 2002 regular meeting, September 26, 2002 special meeting, and the October 8, 2002 special meeting, as presented. Motion was seconded by Alderman Farris. Voting Aye: Barker, Taylor, Huff, Farris, and Warlick. Nays: None. Gass absent. Motion carried.

**APPROVAL  
OF MINUTES**

**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 August 21, 2002 was acknowledged within the Consent Agenda. Voting aye were: Barker, Taylor, Huff, Farris, and Warlick. Nays: none. Gass absent. Motion carried.

**ACKNOWLEDGE  
RECEIPT OF  
MINUTES**

**Final reading of Bill No. 2446, an ordinance reviewing and approving the consultant agreement between Rodney D. Gray of Hendren and Andrae, L.L.C. and the City of Branson and authorizing the Mayor to approve the renewal for the third year term was approved within the Consent Agenda. Voting aye were: Barker, Taylor, Huff, Farris, and Warlick. Nays: none. Gass absent. Motion carried. Ordinance No. 2002-116 was duly enacted.**

**BILL NO. 2446  
AGREEMENT  
RODNEY D. GRAY  
HENDREN & ANDRAE  
ORD. NO. 2002-116**

**Final reading of Bill No. 2447, an ordinance approving zoning of "PD" Planned Development for property owned by Muza Florine Weisz and located at 192 Lancashire Drive, Branson, Missouri was approved within the Consent Agenda. Voting aye: Barker, Taylor, Huff, Farris, and Warlick. Nays: none. Gass absent. Motion carried. Ordinance No. 2002-117 was duly enacted.**

**BILL NO. 2447  
ZONING  
MUZA FLORINE  
WEISZ  
ORD. NO. 2002-117**

**Final reading of Bill No. 2448, an ordinance approving zoning of "PD" Planned Development for property owned by Vernon and Connie Cooper and located at 120 Eagle Pointe Drive, Branson, Missouri was approved within the Consent Agenda. Voting aye: Barker, Taylor, Huff, Farris, and Warlick. Nays: none. Gass absent. Motion carried. Ordinance No. 2002-118 was duly enacted.**

**BILL NO. 2448  
ZONING  
VERNON and CONNIE  
COOPER  
ORD. NO. 2002-118**

**Final reading of Bill No. 2449, an ordinance approving zoning of "PD" Planned Development for property owned by Alan A. and Illa D. Kamp and located at 214 Eagle Pointe Drive, Branson, Missouri was approved within the Consent Agenda. Voting aye: Barker, Taylor, Huff, Farris, and Warlick. Nays: none. Gass absent. Motion carried. Ordinance No. 2002-119 was duly enacted.**

**BILL NO. 2449  
ZONING  
ALAN A. and ILLA D.  
KAMP  
ORD. NO. 2002-119**

**Final reading of Bill No. 2450, an ordinance approving zoning of "PD" Planned Development for property owned by Affiliated Investors, Inc. and located at 1569 Pointe Royale Drive, Branson, Missouri was approved within the Consent Agenda. Voting aye: Barker, Taylor, Huff, Farris, and Warlick. Nays: none. Gass absent. Motion carried. Ordinance No. 2002-120 was duly enacted.**

**BILL NO. 2450  
ZONING  
AFFILIATED  
INVESTORS, INC.  
ORD. NO. 2002-120**

Final reading of Bill No. 2451, an ordinance approving zoning of “PD” Planned Development for property owned by James R. Haught and located at 129 The Bluffs #5, Branson, Missouri was approved within the Consent Agenda. Voting aye: Barker, Taylor, Huff, Farris, and Warlick. Nays: none. Gass absent. Motion carried. Ordinance No. 2002-121 was duly enacted.

BILL NO. 2451  
ZONING  
JAMES R. HAUGHT  
ORD. NO. 2002-121

Final reading of Bill No. 2452, an ordinance approving zoning of “PD” Planned Development for property owned by Jay and Kate P. Orr and located at 158 Troon Drive #4, Branson, Missouri was approved within the Consent Agenda. Voting aye: Barker, Taylor, Huff, Farris, and Warlick. Nays: none. Gass absent. Motion carried. Ordinance No. 2002-122 was duly enacted.

BILL NO. 2452  
ZONING  
JAY and KATE P. ORR  
ORD. NO. 2002-122

Final reading of Bill No. 2453, an ordinance approving zoning of “PD” Planned Development for property owned by William R. and Jennifer A. Surles and located at 318 Wimbledon Drive #8, Branson, Missouri was approved within the Consent Agenda. Voting aye: Barker, Taylor, Huff, Farris, and Warlick. Nays: none. Gass absent. Motion carried. Ordinance No. 2002-123 was duly enacted.

BILL NO. 2453  
ZONING  
WILLIAM and JENNIFER  
SURLES  
ORD. NO. 2002-123

Final reading of Bill No. 2454, an ordinance approving zoning of “PD” Planned Development for property owned by James O. Doyle, Trustee and located at 138 Doyle Court, Branson, Missouri was approved within the Consent Agenda. Voting aye: Barker, Taylor, Huff, Farris, and Warlick. Nays: none. Gass absent. Motion carried. Ordinance No. 2002-124 was duly enacted.

BILL NO. 2454  
ZONING  
JAMES O. DOYLE  
TRUSTEE  
ORD. NO. 2002-124

Final reading of Bill No. 2455, an ordinance approving zoning of “C” Commercial for property owned by G. L. Investments, Inc. and located at 4988 Fall Creek Road, Branson, Missouri was approved within the Consent Agenda. Voting aye: Barker, Taylor, Huff, Farris, and Warlick. Nays: none. Gass absent. Motion carried. Ordinance No. 2002-125 was duly enacted.

BILL NO. 2455  
ZONING  
“C” COMMERCIAL  
G.L. INVESTMENTS, INC.  
ORD. NO. 2002-125

Final reading of Bill No. 2457, an ordinance amending Title IV of the Branson Municipal Code, Chapter 415, Section 415.010 by adding language

BILL NO. 2457  
AMENDING TITLE IV  
BRANSON MUNICIPAL

related to security necessary for issuance of Certificate of Occupancy was approved within the Consent Agenda. Voting aye: Barker, Taylor, Huff, Farris, and Warlick. Nays: none. Gass absent. Motion carried. Ordinance No. 2002-126 was duly enacted.

**CODE, CHAPTER 415  
ORD. NO. 2002-126**

Final reading of Bill No. 2458, an ordinance amending Section 430.020 of the Branson Municipal Code by adding a definition of Private Restrictions affecting the Subdivision was approved within the Consent Agenda. Voting aye: Barker, Taylor, Huff, Farris, and Warlick. Nays: none. Gass absent. Motion carried. Ordinance No. 2002-127 was duly enacted.

**BILL NO. 2458  
AMENDING  
BRANSON MUNICIPAL  
CODE, SECT. 430.020  
ORD. NO. 2002-127**

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 Warlick moved to approve the Consent Agenda as presented, seconded by Alderman Barker. Voting aye: Barker, Taylor, Huff, Farris, and Warlick. Nays: none. Gass absent. Motion carried.

#### **REGULAR AGENDA:**

First reading of Bill No. 2460, 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 Schaefer entertained a motion to approve the first reading of Bill No. 2460. Alderman Taylor made the motion, seconded by Alderman Farris. Voting aye: Barker, Taylor, Huff, and Warlick. Nays: none. Gass absent. Motion carried.

**BILL NO. 2460  
ADDENDUM  
GOVERNMENTAL  
RELATIONS ATTORNEY  
AGREEMENT**

A resolution declaring support for the Branson Veterans Task Force "Grateful City Program", as a part of the Arlington Project was read by title by City Clerk Williams, and Terry Dody provided the staff report indicating that Bill Groninger of the Branson Veterans Task Force was here to address the Board. Mr. Groninger informed the Board that "The Arlington Project" is a partnership between the Branson Veterans Task Force, Trees America and the National Tree Trust, to assure the continued beauty of our nation's most sacred shrine, Arlington National Cemetery. Planting 5,000 trees are living monuments and over the next five years will reinforce and bring more serenity to the 4-million people that visit the Arlington National Cemetery each year and to the 275,000 souls that rest in that hollowed

**RESOLUTION  
NO. 2002-R27  
"GRATEFUL CITY  
PROGRAM"**

ground. There are 25 new souls brought to rest there nearly every day, and they deserve the same peaceful gratitude as those that passed before them. The “Grateful City Program” is part of our Arlington Project. The three entities are involved with reinforcing Arlington. All three of these entities are not for profit or 501C3. The National Tree Trust is out of Washington DC, and the Trees America is out of Wichita, Kansas. Trees America has a contract to reinforce Arlington, and they came to the Veterans approved.

First reading of Bill No. 2461, an ordinance accepting the proposal of bid award from Midland Wrecking for the Lakefront Demolition Project, and authorizing the Mayor to execute the demolition contract was read by title by City Clerk

**BILL NO. 2461  
BID AWARD  
MIDLAND WRECKING  
ORD. NO. 2002-128**

Williams, and David Miller provided the staff report. Mr. Miller informed the Board that the contractor will be responsible for removing all of its structures and properly disposing of material in an approved manner. The structures that are associated with Mang Field or the Campground are included in the contract, which has a time-limit of 90 days. Mayor Schaefer entertained a motion to approve the first reading of Bill No. 2461. Alderman Huff made the motion, seconded by Alderman Warlick. Alderman Huff stated there are some businesses that are still open on the lakefront, and they are very concerned that their business is not interrupted or shut off in any way, due to this process. He then asked how that will be handled? Are you planning on phasing this, or is it going to be one large project? How are they going to do this and keep the streets open and the traffic able to flow through the project area? Mr. Miller informed the Board, the City will not be removing any of the streets of asphalts. The roads will be kept open all of the time. It will be sectionalized. They are required to finish the area where they are working. The way the plans are laid out is they work in one area and finish that and then move to another. Also on the utilities, they are required to cap it off at each building but not disturb the main line for water/sewer. We will keep the utilities and roads open at all times, and then sectionalize so as not to disturb the businesses as much as possible. After discussion, Alderman Warlick moved to read the bill a second time by emergency due to the potential safety issues, seconded by Alderman Farris. Voting aye: Barker, Taylor, Huff, Farris, and Warlick. Nays: none. Gass absent. Motion carried. City Clerk Williams read Bill No. 2461 by title again. Mayor Schaefer then entertained a motion approving the final reading of Bill No. 2461. Alderman Warlick made the motion, seconded by Alderman Huff. Ricky Renfro addressed the Board asking if they were to accidentally dig up some type of artifact, would that stop the project? Mr. Miller stated, “It would on all City projects, even sewer lines across town. If we ever hit Indian Burial Grounds or anything of that nature, we stop and notify the proper authorities.” After no further discussion, voting aye were: Barker, Taylor, Huff, Farris, and Warlick. Nays: none. Gass absent. Ordinance No. 2002-128 was duly enacted.

First reading of Bill No. 2462, an ordinance accepting the proposal of bid award to JMT, Inc. to furnish activated carbon for Cooper Creek Wastewater Treatment Facility for the City of Branson, and authorizing the Mayor to

**BILL NO. 2462  
BID AWARD  
JMT, INC.**

execute the agreement was read by title by City Clerk Williams, and Larry VanGilder provided the staff report. Mayor Schaefer entertained a motion to approve the first reading of Bill No. 2462. Alderman Barker made the motion, seconded by Alderman Warlick. Discussion. Voting aye were: Barker, Taylor, Huff, Farris, and Warlick. Nays: none. Gass absent. Motion carried.

#### **DISBURSEMENTS:**

Mayor Schaefer entertained a motion to approve the disbursement statement as presented. Alderman Huff made the motion, seconded by Alderman Farris. No discussion. Voting aye: Barker, Taylor, Huff, and Farris. Nays: none. Alderman Warlick abstained. Gass absent. Motion carried.

#### **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.

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

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

Alderman Farris stated that we've given out a citizens award, **FARRIS**  
an employee award, and passed a resolution for the Veterans Task  
Force, and he just wanted to offer appreciation and thanks to our Mayor Lou Schaefer,  
fellow members of the Board, our City Administrator Terry Dody, all City Department  
Heads, and all employees of the City who act in any type of supervisory position within the  
City for their hard work, vision, and the examples they set in leading our City.

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

**ADJOURN:**

**Alderman Huff moved to adjourn. Motion was seconded by Alderman Farris. Voting aye were: Barker, Taylor, Huff, Farris, and Warlick. Nays: None. Gass absent. Motion carried. Meeting was adjourned at 7:35 p.m.**