

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF ALDERMEN
CITY OF BRANSON, MISSOURI, MARCH 24, 2003**

The Board of Aldermen of the City of Branson, Missouri met in regular session in the Council Chambers of the City Hall on March 24, 2003 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, Acting City Attorney Dan Wichmer, City Clerk Sandra Williams, City Engineer David Miller, Communications Director Jerry Adams, Director of Planning Don Stephens, Fire Chief Carl Sparks, Director of Public Works Larry VanGilder, Director of Finance Deanna Schlegel, Chief of Police Steve Mefford, Director of Economic Development Mike Rankin, Chandra Huston of Branson Independent, Larry Milton, Steve Bradford, Helen Hagler, Bill Hagler, Tara McCloud, Ricky Renfro, Barbara, Bonnie & Robert F. Feuerborn, Tim Haynes, Kent Williams, Jim, Thompson, Jerrie Glenn, Bob glenn, Kenny Burgess, Cliff Sain of the Branson Daily News, Jack Purvis, Ray Wilson, Devon Ellis, Dustin Ellis, Deana Acton, Chuck Pennel, Melvin Lay, Harriett Lay, Mark Weisz and Gayla Rotten.

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 work session with Taney County Commission meeting of March 6, 2003, the regular meeting of March 10, 2003, and the special meeting with Taney County Commission of March 13, 2003. Alderman Warlick moved to approve the Minutes as presented, seconded by Alderman Huff. Voting aye: Gass, Barker, Taylor, Huff, Farris, and Warlick. Nays: none. Alderman Gass abstained from voting on the March 10, 2003 as he was 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 February 4, 2003 Planning and Zoning Commission meeting. Alderman Huff moved to approve the Minutes as presented, seconded by Alderman Barker. Voting aye: Gass, Barker, Taylor, Huff, Farris, and Warlick. Nays: none. Motion carried.

**ACKNOWLEDGEMENT
OF
MINUTES**

Final reading of Bill No. 2519, annexing property known as Fall Creek Condominiums into the City, was approved within the Consent Agenda. Voting aye: Gass, Barker, Taylor, Huff, Farris, and Warlick. Nays: none. Ordinance No. 2003-033 was duly enacted.

**BILL NO. 2519
ANNEXATION
FALL CREEK
CONDOMINIUMS
ORD. NO. 2003-033**

Final reading of Bill No. 2520, annexing property known as Fall Creek RV Estates into the City, was approved within the Consent Agenda. Voting aye: Gass, Barker, Taylor, Huff, Farris, and Warlick. Nays: none. Ordinance No. 2003-034 was duly enacted.

**BILL NO. 2520
ANNEXATION
FALL CREEK
RV ESTATES
ORD. NO. 2003-034**

Final reading of Bill No. 2526, annexing property known as Black Oak Circle into the City, was approved within the Consent Agenda. Voting aye: Gass, Barker, Taylor, Huff, Farris, and Warlick. Nays: none. Ordinance No. 2003-035 was duly enacted.

**BILL NO. 2526
ANNEXATION
BLACK OAK
CIRCLE
ORD. NO. 2003-035**

Final reading of Bill No. 2527, annexing property owned by Supermart Solutions LLC into the City, was approved within the Consent Agenda. Voting aye: Gass, Barker, Taylor, Huff, Farris, and Warlick. Nays: none. Ordinance No. 2003-036 was duly enacted.

**BILL NO. 2527
ANNEXATION
SUPERMART
SOLUTIONS LLC
ORD. NO. 2003-036**

Final reading of Bill No. 2528, an ordinance approving zoning from “R-3” Multi-Family Residential to “PD” Planned Development for property owned by Marvin Halbert located on Tyler Street, Branson, Missouri was approved within the Consent Agenda. Voting aye: Gass, Barker, Taylor, Huff, Farris, and Warlick. Nays: None. Ordinance No. 2003-037 was enacted.

**BILL NO. 2528
ZONING CHANGE
“R-3” to “PD”
HALBERT
TYLER STREET
ORD. NO. 2003-037**

Final reading of Bill No. 2529, an ordinance vacating a portion of Wright Avenue, Branson, Missouri was approved within the Consent Agenda. Voting aye: Gass, Barker, Taylor, Huff, Farris, and Warlick. Nays: None. Ordinance No. 2003-038 was enacted.

**BILL NO. 2529
VACATING
PORTION OF
WRIGHT AVENUE
ORD. NO. 2003-038**

Final reading of Bill No. 2530, an ordinance amending Title IV of the Branson Municipal Code, Land Use, Chapter 400: General Provisions, Section 400.040:Definitions and Chapter 410: Zoning Districts, Section 410:040 “C” Commercial District Regulations by adding language pertaining to Amusement/Theme Parks was approved within the Consent Agenda. Voting aye: Gass, Barker, Taylor, Huff, Farris, and Warlick. Nays: none. Ordinance No. 2003-039 was duly enacted.

**BILL NO. 2530
AMENDING TITLE IV
BRANSON MUNICIPAL
CODE – DEFINITIONS
PERTAINING TO
AMUSEMENT/THEME PARKS
ORD. NO. 2003-039**

Final reading of Bill No. 2531, an ordinance amending Section 215.100D of the Branson Municipal Code, Campground User Fees, to increase certain campground daily and weekly site rentals for certain site rentals for the Branson Lakeside RV Park was approved within the Consent Agenda. Voting aye: Gass, Barker, Taylor, Huff, Farris, and Warlick. Nays: none. Ordinance No. 2003-040 was duly enacted.

**BILL NO. 2531
AMENDING
BRANSON MUNICIPAL
CODE – CAMPGROUND
USER FEES
ORD. NO. 2003-040**

Final Reading of Bill No. 2532 an ordinance accepting the proposal of bid award to V.L. Clark Chemical Company, Inc., DPC Enterprises, L.P., Univar USA, Inc., Polydyne, Inc., G.S. Robins and Company and Brenntag Mid-South, Inc. for Chemicals used in the Water and Wastewater Treatment Facilities, authorizing the preparation of contracts in accordance with the terms of the proposal, and authorizing the Mayor to execute the agreements was approved within the Consent Agenda. Voting aye: Gass, Barker, Taylor, Huff, Farris and Warlick. Nays: none. Ordinance No. 2003-041 was duly enacted.

**BILL NO. 2532
BID AWARD
CHEMICALS
WATER &
WASTEWATER
TREATMENT
FACILITIES
ORD. NO. 2003-041**

REGULAR AGENDA:

Petition for Consent to Annex properties located in Rainbow Shoals, Branson, Missouri, was read by title by City Clerk Williams, and Don Stephens provided the staff report. Mayor Schaefer entertained a motion to accept the petition for voluntary annexation. Alderman

**PETITION
CONSENT
TO ANNEX
RAINBOW
SHOALS**

Warlick made the motion, seconded by Alderman Barker. Voting aye: Gass, Barker, Taylor, Huff, Farris, and Warlick. Nays: none. Motion carried.

Public Hearing and first reading of Bill No. 2533 annexing property owned by Cushman Properties into the City, was read by title by City Clerk Williams, and Don Stephens provided the staff report. Mayor Schaefer opened the Public Hearing and after no discussion from the audience and the Board, closed the Public Hearing. Mayor Schaefer then entertained a motion to approve the first reading of Bill No. 2533. Alderman Gass made the motion, seconded by Alderman Farris. No discussion. Voting aye: Gass, Barker, Taylor, Huff, Farris, and Warlick. Nays: none. Motion carried.

**BILL NO. 2533
PUBLIC HEARING
ANNEXATION
CUSHMAN
PROPERTIES**

Public Hearing and first reading of Bill No. 2534 annexing property known as Fall Creek Cabins into the City, was read by title by City Clerk Williams, and Don Stephens provided the staff report. Mayor Schaefer opened the Public Hearing and after receiving no discussion from the audience or the Board, Mayor Schaefer closed the Public Hearing. Mayor Schaefer then entertained a motion to approve the first reading of Bill No. 2534. Alderman Farris made the motion, seconded by Alderman Huff. Voting aye: Gass, Barker, Taylor, Huff, Farris, and Warlick. Nays: none. Motion carried. At this time 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. City Clerk Williams read Bill No. 2534 by title again. Mayor Schaefer then entertained a motion approving the final reading of Bill No. 2534. Alderman Barker made the motion, seconded by Alderman Taylor. No discussion. Voting aye were: Gass, Barker, Taylor, Huff, Farris, and Warlick. Nays: none. Ordinance No. 2003-042 was duly enacted.

**BILL NO. 2534
PUBLIC HEARING
ANNEXATION
FALL CREEK
CABINS
ORD. NO. 2003-042**

Public Hearing and first reading of Bill No. 2535 an ordinance approving "PD" Planned Development zoning for property owned by Mary A. Hart, located at 243 Clubhouse Drive #1, Branson, Missouri, was read by title by City Clerk Williams, and Don Stephens provided the staff report. Mayor Schaefer opened the Public Hearing and after some discussion from the audience and the Board, closed the Public Hearing. Mayor Schaefer then entertained a motion to approve the first reading of Bill No. 2535. Alderman Gass moved to approve the bill on first reading, seconded by Alderman Barker. No discussion. Voting aye: Gass, Barker, Taylor, Huff, Farris, and Warlick. Nays: none. Motion carried.

**BILL NO. 2535
PUBLIC HEARING
ZONING CHANGE
"R-3" to "PD"
HALBERT
TYLER STREET**

Public Hearing and first reading of Bill No. 2536 an ordinance approving zoning of "R-1" Single-Family Residential for property owned by Dawn M. Taghon and

**BILL NO. 2536
PUBLIC HEARING
ZONING**

Randy E. Gideon located at 141 River Drive, Branson, Missouri, was read by title by City Clerk Williams, and Don Stephens provided the staff report. Mayor Schaefer opened the Public Hearing and after no discussion from the audience and the Board, closed the Public Hearing. Mayor Schaefer then entertained a motion to approve the first reading of Bill No. 2536. Alderman Barker moved to approve the bill on first reading, seconded by Alderman Warlick. No discussion. Voting aye: Gass, Barker, Taylor, Huff, Farris, and Warlick. Nays: none. Motion carried.

**“R-1” SINGLE-FAMILY
TAGHON & GIDEON
RIVER DRIVE**

First reading of Bill No. 2537, an ordinance amending the Branson Municipal Code, Chapter 445: Sign Regulations, Section 445.080: Overlay Zones, by expanding the current Overlay Zones to include newly annexed property, 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. 2537. Alderman Huff made the motion, seconded by Alderman Barker. Some discussion. Voting aye: Gass, Barker, Taylor, Huff, Farris, and Warlick. Nays: none. Motion carried.

**BILL NO. 2537
AMENDING
MUNICIPAL CODE
CHAPTER IV
OVERLAY ZONES**

BID AWARD:

First Reading of Bill No. 2538 an ordinance accepting the proposal of bid award to Utility Service Company, Inc., for Water Tower Painting and Repairs 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, and David Miller provided the staff report. Mayor Schaefer entertained a motion to approve Bill No. 2538 on its first reading. Alderman Warlick made the motion, seconded by Alderman Huff. No discussion. Voting aye: Gass, Barker, Taylor, Huff, Farris, and Warlick. Nays: none. Motion carried. At this time Alderman Barker moved to read the bill a second time by unanimous consent, seconded by Alderman Gass. Voting aye: Gass, Barker, Taylor, Huff, Farris, and Warlick. Nays: none. Motion carried. City Clerk Williams read Bill No. 2538 by title again. Mayor Schaefer then entertained a motion approving the final reading of Bill No. 2538. Alderman Gass made the motion, seconded by Alderman Barker. No discussion. Voting aye were: Gass, Barker, Taylor, Huff, Farris, and Warlick. Nays: none. Ordinance No. 2003-043 was duly enacted.

**BILL NO. 2538
BID AWARD
WATER TOWER
PAINTING &
REPAIRS
UTILITY SERVICE
COMPANY
ORD. NO. 2003-043**

A resolution approving a Preliminary Subdivision Plat for Villas at Hideaway was read by title by City Clerk Williams, and Don Stephens provided the staff report. Mayor Schaefer entertained a motion to approve the resolution. Alderman Farris made the motion, seconded by Alderman Gass. Some discussion.

**RESOLUTION
PRELIMINARY
SUBDIVISION PLAT
VILLAS AT HIDEAWAY
NO. 2003-R002**

Voting aye: Gass, Barker, Taylor, Huff, Farris, and Warlick. Nays: none. Resolution No. 2003-R002 was approved.

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 Warlick stated he had had the privilege of attending some of the Design Charettes for the Branson Landing project and moved to hear a report from the developer on that. Motion was seconded by Alderman Huff. Voting aye: Gass, Barker, Taylor, Huff, Farris, and Warlick. Motion carried.

Rick Huffman with HCW Development Company, 3027 W. Hwy. 76 addressed the Board with an update on some of the developments since the award of the Redevelopment Agreement. HCW arranged the Design Charettes with all of the architects which are TVS, Crawford Architects, and Butler Rosenberry, and started working on the plans to come up with public domain areas and some proposed Convention Center locations and site layouts and size diagrams. He hopes to present drawings in two weeks. A firm, YPD&R out of Orlando, Florida who is in partnership with a firm called IDEAS which is owned by YPDR and Disney, has been hired as the public relations and marketing firm for the private portion of the project. One of the things YPD&R did was two weeks ago they held a National Press Release which received national exposure regarding the project in Branson. From this we have received several phone calls and over a hundred E-mails from all over the world inquiring about the project. It was also announced at the Urban Land Institute at the National Los Angeles Convention in California several weeks ago. A article in the Real Estate Developers Report was printed, and it has also been mentioned in several national publications through out the United States. HCW attended the Urban Land Institute, along with the architects.

**RICK HUFFMAN
UPDATE REPORT**

TVS has been assigned mainly to the Convention Center, with Crawford's and Butler Rosenberry working on the public and the lakefront areas. At this time Rick Graff gave a slide presentation. Mr. Huffman stated they are trying to pay particular attention to the road routing and the movement of traffic throughout the whole project. They are also looking at the environment, and the creating of a destination. That is the most important thing we are focusing on. We have made quite a bit of progress, and if you would like, in two weeks we would be happy to present it to you. This project is very important to Branson and is very important to us. We are going to keep working on it until we have the world class project that we expect it to be, stated Mr. Huffman. Alderman Farris moved to accept the report from HCW on the Branson Landing. Motion was seconded by Alderman Gass. Voting aye: Gass, Barker, Taylor, Huff, Farris, and Warlick. Motion carried.

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

ALDERMEN/ADMINISTRATOR'S REPORTS

Alderman Gass complimented staff and the manager for the progress made on the 2003 Goals and Objectives Status Report. GASS

Alderman Barker echoed Alderman Gass's comments. BARKER

Alderman Farris announced the arrival of the City's newest and smallest resident, Isabella Grace Farris, born Wednesday, March 19, 2003 and thanked Dr. Afshar and Nurse Donna Caulfield for a smooth delivery. FARRIS

PUBLIC COMMENT:

Mayor Schaefer stated the next item was Public Comment with Larry Milton, Gary Groman, Ricky Renfro, and Chuck Pennel requesting to speak.

**Larry Milton, 102 Vixen, Branson, addressed the Board regarding the Branson web site and asked if staff could place the Agendas on the web? MILTON
Mr. Milton also suggested the Aldermen review the City of Springfield's web site as it is very easy to access, has a great search feature, and has an amazing amount of information available. The second topic of Mr. Milton's was regarding the Traffic Study Presentation and the need for improving communications. He encouraged the Board to set up quarterly open dialog meetings so the community and businesses could be more involved.**

Gary Groman, 230 Riverpoint Road, Hollister, addressed the Board indicating he went to both meetings of the Traffic Study and was given different information at each meeting. One stated that Phase I did not cover the Convention Center, and at the second meeting it was stated that "Yes" it did cover the Convention Center. Mr. Groman also said that the lakefront businesses that are still there are having a tougher time now, and he wondered if consideration could be made abating their rent or reducing their rent until such time it is developed down there. GROMAN

Ricky Renfro, 108 Fern Street, Branson, addressed the Board regarding allowing alcohol in theaters in Branson. Don't put beer and alcohol in the theaters; that is just wrecking the outcome of Branson and what it really stands for, indicated Mr. Renfro. RENFRO

Chuck Pennel, 353 Quincy Road, Kirbyville, addressed the Board asking them to consider the effect of taking the Sycamore Street businesses PENNEL

out will have on the rest of downtown Branson businesses as he felt it was going to make a negative impact on the other downtown businesses. Mr. Pennel also requested again, for the Board to consider an open air platform pavilion for a temporary attraction on the lake front to bring more traffic there.

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 Farris. Voting aye were: Gass, Barker, Taylor, Huff, Farris, and Warlick. Nays: None. Motion carried. Meeting was adjourned at 9:03 p.m.