

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF ALDERMEN
CITY OF BRANSON, MISSOURI, MAY 12, 2003**

The Board of Aldermen of the City of Branson, Missouri met in regular session in the Council Chambers of the City Hall on May 12, 2003 at 7:00 p.m. with the following members present:

Mayor Schaefer presiding, Dick Gass, Stan Barker, Beverly Martin, Ron Huff, David Edie, and Jack Purvis 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, Ester Robbins, Larry Milton, Cliff Sain of the Branson Daily News, David Hintz, Helen Hagler, Bill Hagler, Stephen J. Strange, Tim Haynes of KRZK, Gary Fultz, Dave Reynolds, Jim Thompson, Mark Weisz, and Deanna Acton.

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 April 28, 2003.

**APPROVAL
OF MINUTES**

Alderman Huff moved to approve the Minutes as presented, seconded by Alderman Barker. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried.

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:

Final reading of Bill No. 2587, an ordinance approving zoning of “C” Commercial for property owned by Supermart Solutions, LLC and located at 780 South Highway 165, Branson, Missouri was approved within the Consent Agenda. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried. Ordinance No. 2003-098

**BILL NO. 2587
ZONING
C” COMMERCIAL
SUPERMART
SOLUTIONS, LLC
ORD. NO. 2003-098**

Final reading of Bill No. 2588, an ordinance zoning of “C” Commercial for property owned by White River Investments and located at 1055 South Highway 376, Branson, Missouri was approved within the Consent Agenda. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis Nays: none. Motion carried. Ordinance No. 2003-099 was duly enacted.

**BILL NO. 2588
ZONING
“C” COMMERCIAL
WHITE RIVER
INVESTMENTS
ORD. NO. 2003-099**

Final reading of Bill No. 2589, an ordinance approving zoning of “R-1” Single-Family Residential for property known as Black Oak Circle and located in the 1400 block of Bird Road, Branson, Missouri was approved within the Consent Agenda. Voting aye: Gass, Barker Martin, Huff, Edie, and Purvis Nays: none. Motion carried. Ordinance No. 2003-100 was duly enacted.

**BILL NO. 2589
ZONING
“R-1” SINGLE-FAMILY
RESIDENTIAL
BLACK OAK CIRCLE
ORD. NO. 2003-100**

Final reading of Bill No. 2591, an ordinance approving a sewer services and facilities and annexation agreement between Gary and Marsha Shaver and the City of Branson and authorizing the Mayor to enter into the agreement was approved within the Consent Agenda. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried. Ordinance No. 2003-101 was duly enacted.

**BILL NO. 2591
SEWER SERVICES
FACILITIES
ANNEXATION AGREEMENT
GARY & MARSHA
SHAVER
ORD. NO. 2003-101**

Final Reading of Bill No. 2593 an ordinance accepting the proposal of bid award to Absopure Specialty Contracting Corp. to furnish vacuum service to remove and replace spent carbon at Cooper Creek Wastewater Treatment facility and remove sand and gravel from Lift Station #1A and #31 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 approved within the Consent Agenda. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried. Ordinance No. 2003-102 was duly enacted.

**BILL NO. 2593
BID AWARD
ABSOPURE
SPECIALTY
CONTRACTING
VACUUM SERVICE
ORD. NO. 2003-102**

Final Reading of Bill No. 2594 an ordinance accepting the proposal of bid award to Sanborn Inc. for digital orthophotography 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 within the Consent Agenda. Voting

**BILL NO. 2594
BID AWARD
SANBORN INC.
DIGITAL
ORTHOPHOTOGRAPHY
ORD. NO. 2003-103**

aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: None. Motion carried.

Ordinance No. 2003-103 was duly enacted.

Final Reading of Bill No. 2595 an ordinance accepting the proposal of bid award to “Landscapes Awarded” for the Branson Landscaping 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 approved within the Consent Agenda. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: None. Motion carried. Ordinance No. 2003-104 was duly enacted.

**BILL NO. 2595
BID AWARD
“LANDSCAPES
AWARDED”
BRANSON
LANDSCAPING
PROJECT
ORD. NO. 2003-104**

REGULAR AGENDA:

First reading of Bill No. 2596, an ordinance approving an agreement with Supermart Solutions, LLC (Oak Grove Campground), located at 780 South Highway 165, Branson, Missouri was read by title by City Clerk Williams, and Larry VanGilder provided the staff report. Mayor Schaefer entertained a motion approving the first reading of Bill No. 2596. Alderman Barker moved to approve on first reading, seconded by Alderman Edie. No discussion. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried. Alderman Huff moved to read the Bill a second time by unanimous consent, seconded by Alderman Barker. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Motion carried. City Clerk Williams read Bill No. 2596 by title again. Mayor Schaefer entertained a motion approving the final reading of Bill No. 2596. Alderman Purvis made the motion, seconded by Alderman Gass. No discussion. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Ordinance No. 2003-105

**BILL NO. 2596
AGREEMENT
SEWER FACILITIES
SUPERMART
SOLUTIONS, LLC
ORD. NO. 2003-105**

First reading of Bill No. 2597, approving a contractual agreement between Tri-Lakes Port-A-Pottys, Inc. and the City of Branson to authorize the the disposal of special wastes into the City of Branson Wastewater Treatment Plants, and authorizing the Mayor to 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. 2597. Alderman Gass made the motion, seconded by Alderwoman Martin. No discussion. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried.

**BILL NO. 2597
AGREEMENT
TRI-LAKES
PORT-A-POTTYS**

First reading of Bill No. 2598, authorizing a wastewater line across certain property owned by Gary R. Chaffin in the City of Branson, Missouri, declaring the public necessity therefore and of condemning the property rights of the owners, and authorizing the filing of a condemnation action 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. 2598. Alderman Purvis made the motion, seconded by Alderman Barker. Discussion. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried.

**BILL NO. 2598
CONDEMNATION
GARY R. CHAFFIN
PROPERTY**

First reading of Bill No. 2599, an ordinance establishing and readopting a procedure to disclose potential Conflict of Interest and Substantial Interests for certain Municipal Officials was read by title by City Clerk Williams, and Clerk Williams also provided the staff report. Mayor Schaefer entertained a motion to approve the first reading of Bill No. 2599. Alderman Gass made the motion, seconded by Alderman Barker. No discussion. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried.

**BILL NO. 2599
FINANCIAL
DISCLOSURE
ORDINANCE**

First reading of Bill No. 2600 an ordinance approving an agreement between the City of Branson and Harrington & Cortelyou, Inc. for Design and Construction Phase Engineering Services for the Boxcar Willie Drive bridge over Roark Creek, and authorizing the Mayor to enter into the agreement 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. 2600. Alderman Gass made the motion, seconded by Alderman Purvis. Discussion. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried. At this time Alderman Barker moved to read the bill a second time by unanimous consent, seconded by Alderman Huff. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried. City Clerk Williams read Bill No. 2600 by title again. Mayor Schaefer then entertained a motion approving the final reading of Bill No. 2600. Alderman Gass made the motion, seconded by Alderwoman Martin. No discussion. Voting aye were: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Ordinance No. 2003-106 was duly enacted.

**BILL NO. 2600
AGREEMENT
HARRINGTON
& CORTELYOU
BRIDGE DESIGN
ORD. NO. 2003-106**

First reading of Bill No. 2601, an ordinance amending the 2002-03 Budget for the City of Branson, Missouri 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. 2601 amending the 2002-03 Budget by increasing the Tourism Tax Trust Fund in the amount of \$444,000. Alderman Gass made the motion, seconded by Alderman Purvis. No discussion. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried.

**BILL NO. 2601
AMENDING
2002-03 BUDGET**

First reading of Bill No. 2602, an ordinance approving an agreement between Southwestern Bell Wireless, LLC D/B/A Cingular Wireless and the City of Branson, and authorizing the the Mayor to enter into the agreement was read by title by City Clerk Williams, and Terry Dody provided the staff report.

**BILL NO. 2602
AGREEMENT
CINGULAR
WIRELESS
ORD. NO. 2003-107**

Mayor Schaefer entertained a motion to approve the first reading of Bill No. 2602. Alderman Purvis made the motion, seconded by Alderwoman Martin. No discussion. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried. Alderman Barker then moved to read the Bill a second time by unanimous consent, seconded by Alderman Huff. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried. City Clerk Williams read Bill No. 2602 by title again. Mayor Schaefer then entertained a motion approving the final reading of Bill No. 2602. Alderman Edie made the motion, seconded by Alderman Barker. No discussion. Voting aye were: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Ordinance No. 2003-107 was duly enacted.

First reading of Bill No. 2603, a special ordinance approving the temporary use of a mobile structure to be placed at 248 Professional Park, State Highway 248, Branson, Missouri was read by title by City Clerk Williams, and David Miller provided

**BILL NO. 2603
TEMPORARY
MOBILE UNIT
ORD. NO. 2003-108**

the staff report. Mayor Schaefer entertained a motion to approve the first reading of Bill No. 2603. Alderman Purvis made the motion, seconded by Alderman Barker. Discussion. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried. Alderman Huff moved to read the Bill a second time by unanimous consent, seconded by Alderman Gass. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried. City Clerk Williams read Bill No. 2603 by title again. Mayor Schaefer entertained a motion approving the final reading of Bill No. 2603. Alderman Gass made the motion, seconded by Alderman Barker. No discussion. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Ordinance No. 2003-108 was duly enacted.

This item was the appointment of a member to the Planning and Zoning Commission. Mayor Schaefer made a recommendation to appoint Mark Weisz to the Planning and Zoning Commission to fill the unexpired term of David Edie. Alderman Barker moved to

**APPOINTMENT
MARK WEISZ
PLANNING
AND ZONING**

approve the appointment of Mark Weisz until April, 2005. Motion was seconded by Alderman Gass. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried.

COMMISSION

The re-appointment of members to the Advisory Park Board was the next item. Mayor Schaefer recommended the reappointment of Donna Owens, Mark Sill, and Tim Finestead to serve on the

**RE-APPOINTMENT
MEMBERS TO
ADVISORY PARK**

Advisory Park Board for another three-year terms. Alderman **BOARD**
Edie moved to approve the re-appointments, seconded by Alderman
Barker. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion
carried.

BID AWARD:

First Reading of Bill No. 2604 an ordinance accepting the **BILL NO. 2604**
proposal of bid award to APAC-Missouri, Inc. Masters Jackson **BID AWARD**
Branch, Journagan Construction Co. and Table Rock Asphalt **STONE AND**
Construction Co., Inc. for the purchase of stone and cold mix **COLD MIX**
asphalt for the City of Branson, authorizing the preparation **ASPHALT**
of contracts in accordance with the terms of the proposal, and
authorizing the Mayor to execute the agreements was read by title by City Clerk Williams,
and Larry VanGilder provided the staff report. Mayor Schaefer entertained a motion to
approve Bill No. 2604 on its first reading. Alderwoman Martin made the motion, seconded
by Alderman Purvis. Discussion. Voting aye: Gass, Barker, Martin, Huff, Edie, and
Purvis. Nays: none. Motion carried.

DISBURSEMENTS:

Mayor Schaefer entertained a motion approving the **DISBURSEMENTS**
disbursements as presented. Alderman Huff moved to approve
the disbursements as presented, seconded by Alderman Barker. No discussion. Voting
aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. 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.

Alderman Huff moved to hold the regular Board meeting of May 26th to Tuesday,
May 27th since May 26th is Memorial Day. Motion was seconded by Alderman Gass.
Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried.

Hearing no additional business to come before the Board, Mayor Schaefer opened
the floor for Aldermen and Administrator's Reports.

ALDERMEN/ADMINISTRATOR'S REPORTS

Alderman Gass stated he had noticed we volunteered the city to **GASS**

help the other cities that had the disaster hit them, and wondered if we have done anything or sent people or equipment. Administrator Dody replied that as a City we have not but the Branson Believers did last Saturday. David Cook and myself were a part of that and helped some people in Springfield. The City have notified the communities that we have equipment if they desire to use it. Larry VanGilder has worked with them to make sure they are aware of what we have and what we are able to send up, both equipment and human resources. If they need it they just have to notify us.

Alderswoman Martin stated she wanted to give a welcome to Mark Weisz to the Planning and Zoning Commission as it is a good appointment for him. MARTIN

Alderman Edie stated he also wanted to welcome Mark Weisz to the Planning and Zoning Commission. EDIE

Alderman Purvis also gave Mark Weisz a “Welcome aboard”. PURVIS

PUBLIC COMMENT:

Mayor Schaefer stated the next item was Public Comment and there was none.

EXECUTIVE SESSION:

Alderman Purvis moved to go into Closed Executive Session pursuant to Section 610.021 RSMo., Subsections 1, 2, and 3. Seconded by Alderman Edie. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried.

ADJOURN:

Alderman Huff moved to adjourn. Motion was seconded by Alderman Barker. Voting aye were: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: None. Motion carried. Meeting was adjourned at 7:48 p.m.