

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF ALDERMEN
CITY OF BRANSON, MISSOURI, MAY 27, 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 27, 2003 at 7:00 p.m. with the following members present:

Mayor Schaefer presiding, Dick Gass, Stan Barker, Beverly Martin, Ron Huff, David Edie present. Absent was Alderman Jack Purvis.

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, Director of Finance Deanna Schlegel, Chief of Police Steve Mefford, Director of Economic Development Mike Rankin, Director of Health Linn Smith, Ted Martin of the Branson Fire Department, Joe Breckenridge of Branson Public Works Department, Larry Milton, Cliff Sain of the Branson Daily News, Tim Haynes of KRZK, Chandra Huston of Branson Independent, John Logan, Gary Groman, Kathryn Buckstaff, NewsLeader, Jim Anderson of General Design, Helen Hagler, Bill Hagler, Mark Weisz, Ricky R. Renfro, Mike Taylor, Bob Warlick, Greg Carttar, Char Harner, Brian Acton, Chuck Pennel, Rich and Joni Milstead, and Bob Glenn.

Mayor Schaefer called the meeting to order with the "Pledge of Allegiance" and Ted Martin of the Branson Fire Department gave the invocation.

Mayor Schaefer stated that it was with great pleasure and excitement to announce that the Missouri Department of Economic Development has approved and signed the City of Branson's State TIF application for the Branson Landing development. Mayor Schaefer spoke on behalf of the Board of Alderman expressing sincere appreciation to Governor Bob Holden and the Director of Economic Development Joe Driskill for their confidence and support that they have shown in supporting this project and the future economic growth of Branson, as well as the state of Missouri.

**ANNOUNCEMENT
TIF APPLICATION**

Mayor Schaefer asked for any additions or corrections to the Minutes of the regular meeting of May 12, 2003. Alderman Huff moved to approve the Minutes as presented, seconded by Alderman Barker. Voting aye: Gass, Barker, Martin, Huff, and Edie. Nays: none. Alderman Purvis 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:

Final reading of Bill No. 2597, an ordinance approving a contractual agreement between Tri-Lakes Port-A-Pottys, Inc. and the City of Branson to authorize the disposal of special wastes into the City of Branson Wastewater Treatment Plants was approved within the Consent Agenda. Voting aye: Gass, Barker, Martin, Huff, and Edie. Nays: none. Alderman Purvis absent. Motion carried. Ordinance No. 2003-110 was duly enacted.

**BILL NO. 2597
AGREEMENT
TRI-LAKES
PORT-A-POTTYS, INC.
ORD. NO. 2003-110**

Final reading of Bill No. 2598, an ordinance authorizing a waste water 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 approved within the Consent Agenda. Voting aye: Gass, Barker, Martin, Huff, and Edie. Nays: none. Alderman Purvis absent. Motion carried. Ordinance No. 2003-111 was duly enacted.

**BILL NO. 2598
CONDEMNATION
ACTION
GARY R. CHAFFIN
ORD. NO. 2003-111**

Final 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 approved within the Consent Agenda. Voting aye: Gass, Barker, Martin, Huff, and Edie. Nays: none. Alderman Purvis absent. Motion carried. Ordinance No. 2003-112 was duly enacted.

**BILL NO. 2599
FINANCIAL
DISCLOSURE
ORD. NO. 2003-112**

Final reading of Bill No. 2601, an ordinance amending the 2002-03 Budget for the City of Branson, Missouri, was approved within the Consent Agenda. Voting aye: Gass, Barker, Martin, Huff, Edie. Nays: none. Motion carried. Alderman Purvis absent. Ordinance No. 2003-113 was duly enacted.

**BILL NO. 2601
AMENDING
2002-03 BUDGET
ORD. NO. 2003-113**

Final Reading of Bill No. 2604, an ordinance accepting the proposal of bid award to APAC-Missouri, Inc. Masters Jackson Branch, Journagan Construction Co.,

**BILL NO. 2604
BID AWARD
STONE & COLD MIX**

and Table Rock Asphalt Construction Co., Inc. for the purchase of stone and cold mix asphalt for the City of Branson, 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, Martin, Huff, and Edie. Nays: none. Alderman Purvis absent. Motion carried. Ordinance No. 2003-114 was duly enacted.

ORD. NO. 2003-114

REGULAR AGENDA:

Petition for Consent to Annex property owned by M and J Holding Company, 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 Martin made the motion, seconded by Alderman Gass. Voting aye: Gass, Barker, Martin, Huff, and Edie. Nays: none. Alderman Purvis absent. Motion carried.

**PETITION
CONSENT
TO ANNEX
M & J HOLDING
COMPANY**

First reading of Bill No. 2606, an ordinance approving an agreement between the City of Branson and Yung Design Group pertaining to creation of the Branson Landing Project Planned Development Zoning District, 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 approving the first reading of Bill No. 2606. Alderman Barker moved to approve on first reading, seconded by Alderwoman Martin. Discussion. Voting aye: Gass, Barker, Martin, Huff, and Edie. Nays: none. Alderman Purvis absent. Motion carried.

**BILL NO. 2606
AGREEMENT
YUNG DESIGN GROUP
BRANSON LANDING
PD ZONING DISTRICT**

First reading of Bill No. 2607, approving an agreement between the City of Branson and Berger Devine Yaeger, Inc. pertaining to the Downtown Branson Phase II Traffic Study related to the Branson Landing Project, 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. 2607. Alderman Gass made the motion, seconded by Alderman Barker. Discussion. Voting aye: Gass, Barker, Martin, Huff, and Edie. Nays: none. Alderman Purvis absent. Motion carried.

**BILL NO. 2607
AGREEMENT
BERGER DEVINE YAEGER
TRAFFIC STUDY
PHASE II**

First reading of Bill No. 2608, authorizing the Mayor to execute amendments to the Cost Participation Agreement with the Missouri Highways and Transportation Commission pertaining to the improvements to the Highway 76 Intersections with Roark Valley Road and Highway 65 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. 2608. Alderman Gass made the motion, seconded by Alderwoman Martin. Discussion. Voting aye: Gass, Barker, Martin, Huff, and Edie. Nays: none. Alderman Purvis absent. Motion carried.

**BILL NO. 2608
AMENDMENT
MODOT AGREEMENT
ROARK VALLEY RD.
INTERSECTION**

First reading of Bill No. 2609, authorizing the Mayor to execute amendments to the Cost Participation Agreement with the Missouri Highways and Transportation Commission pertaining to the Intersection of Fall Creek at Highway 76 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. 2609. Alderman Gass made the motion, seconded by Alderman Barker. No discussion. Voting aye: Gass, Barker, Martin, Huff, and Edie. Nays: none. Alderman Purvis absent. Motion carried.

**BILL NO. 2609
AMENDMENT
MODOT AGREEMENT
INTERSECTION
FALL CREEK RD.**

First reading of Bill No. 2610, authorizing the Mayor to execute amendments to the Cost Participation Agreement with the Missouri Highways and Transportation Commission pertaining to the improvements to the Highway 76 Intersection with Green Mountain Drive 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. 2610. Alderman Barker moved to approve on first reading, seconded by Alderman Huff. No discussion. Voting aye: Gass, Barker, Martin, Huff, and Edie. Nays: none. Alderman Purvis absent. Motion carried.

**BILL NO. 2610
AMENDMENT
MODOT AGREEMENT
INTERSECTION
GREEN MOUNTAIN DR.**

First reading of Bill No. 2611, authorizing the Mayor to execute a Municipal agreement with the Missouri Highway and Transportation Commission 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. 2611. Alderman Huff made the motion, seconded by Alderwoman Martin. Discussion. Voting aye: Gass, Barker, Martin, Huff, and Edie. Nays: none. Alderman Purvis absent. Motion carried.

**BILL NO. 2611
MUNICIPAL
AGREEMENT
MODOT**

A resolution of intent to participate in All-Hazard Mitigation and working toward becoming a Disaster Resistant Community was read by title by City Clerk Williams, and Ted Martin provided the staff

**RESOLUTION
DISASTER RESISTANT
COMMUNITY**

report. Mayor Schaefer entertained a motion to approve the resolution. Alderman Gass made the motion, seconded by Alderman Barker. No discussion. Voting aye: Gass, Barker, Martin, Huff, and Edie. Nays: none. Alderman Purvis absent. Resolution No. 2003-R007 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. Hearing none. Mayor Schaefer opened the floor for Aldermen and Administrator's Reports.

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ALDERMEN/ADMINISTRATOR'S REPORTS

Alderman Gass stated he was very excited about the TIF, and indicated he wanted to thank a number of the people that were on the Board before him, one of them is Bob Warlick who worked hard on this project. This gives us the opportunity to deal with some good people to get them to come into Branson now that we have a convention center coming. **GASS**

Alderman Gass recommended that an update report be give by HCW and City staff at the next meeting about the ICSC Convention they attended. **GASS**

Alderman Barker stated he would like to add to the former Council people that have worked hard to get us to this point, and briefly named John and Barbara Nygard, Walt Stone, Jeannie Hendricks, Eric Farris, and Bob Warlick. Mr. Barker conveyed his thanks to staff and the former Council whom he has had the honor of serving with. **BARKER**

Alderwoman Martin indicated she too cheered the words that her fellow aldermen share, and congratulated the pioneers that hung in there and made sure that this did have its path to success. **MARTIN**

Alderman Huff stated he also was very glad to hear the announcement and felt this was a culmination of a lot of hard work by a lot of people. Mr. Huff indicated he would like to recognize the efforts of our legislators in the House and in the Senate, who have worked very hard helping us with this project, as well as the many people in our community that have supported it. The City staff has worked extremely hard and need to be commended for their efforts. My hope is that as a community we can get together and put aside our differences and work to make this project happen. **HUFF**

Administrator Dody informed the Mayor that Rick Huffman of HCW DODY is present but was not when the announcement was made and might want to hear it.

Mayor Schaefer stated that for the benefit of those individuals SCHAEFER that were not present earlier, the TIF financing application was approved. We certainly want to thank Governor Bob Holden and Director of Economic Development Joe Driskill for the confidence and support in recognizing Branson as a major generator of tourist dollars in our state, and are very happy to receive this wonderful news. Mayor Schaefer commended Administrator Dody for all of his hard work and I believe the entire Board appreciates all that you have done for this project. Our work is just starting to complete what we have been planning for two years.

PUBLIC COMMENT:

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

EXECUTIVE SESSION:

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

ADJOURN:

Alderman Huff moved to adjourn. Motion was seconded by Alderman Gass. Voting aye were: Gass, Barker, Martin, Huff, and Edie. Nays: None. Alderman Purvis absent. Motion carried. Meeting was adjourned at 7:40 p.m.