

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF ALDERMEN
CITY OF BRANSON, MISSOURI, OCTOBER 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 October 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, and Jack Purvis present.

Also present were City Administrator Terry Dody, Assistant City Administrator Kevin Faught, City Attorney Dan Wichmer, City Clerk Sandra Williams, Director of Engineering David Miller, Director of Communications Jerry Adams, Finance Director Deanna Schlegel, Police Chief Steve Mefford, Director of Planning and Zoning Don Stephens, and Director of Health Linn Smith.

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 October 10, 2003, the public meeting of October 13, 2003, the regular meeting and public comments meetings of October 13, 2003, and the special meeting of October 14, 2003, receiving none, Alderman Gass then made the motion to approve the Minutes as presented of the public meeting of October 10, 2003, the public meeting of October 13, 2003, the regular meeting and public comments meetings of October 13, 2003, and the special meeting of October 14, 200, seconded by Alderman Purvis. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried.

**APPROVAL
OF MINUTES**

CONSENT AGENDA:

Mayor Schaefer then asked City Clerk Williams to read the items being considered on the Consent Agenda. City Clerk Williams read the following Consent Agenda items by title:

Receipt of the minutes of the Park Board meeting of August 26, 2003, Planning and Zoning Commission meeting of September 2, 2003, and the Capital Improvements Committee meetings of August 11, 2003 and September 22, 2003 were acknowledged within the Consent Agenda. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nay: none. Motion carried.

**ACKNOWLEDGEMENT
OF
MINUTES**

Final reading of Bill No. 2741 a special ordinance approving the temporary use of a mobile structure to be placed at Skaggs Community Health Center located at Business 65 and Skaggs Road, Branson, Missouri was approved within the Consent Agenda. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Ordinance No. 2003-250 was duly enacted.

**BILL NO. 2741
TEMPORARY USE
MOBILE STRUCTURE
SKAGGS HEALTH CTR.
ORD. NO. 2003-250**

Final reading of Bill No. 2742 an ordinance approving a Declaration of Restrictive Covenant and Grant of Access and a Voluntary Cleanup Program Institutional Control Contract between the Missouri Department of Natural Resources and the City of Branson, and authorizing the Mayor to enter into the Declaration and the contract was approved within the Consent Agenda. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Ordinance No. 2003-251 was duly enacted.

**BILL NO. 2742
DECLARATION
RESTRICTIVE
COVENANT,
GRANT OF ACCESS
ORD. NO. 2003-251**

Final reading of Bill No. 2746 an ordinance approving a Second Amended and Restated Technical Services Contract between HCW Development Company, LLC and the City of Branson relating to the Branson Landing Project, and Authorizing the Mayor to enter into the contract was approved within the Consent Agenda. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Ordinance No. 2003-252 was duly enacted.

**BILL NO. 2746
AMENDED TECHNICAL
SERVICES CONTRACT
HCW DEVELOPMENT
ORD. NO. 2003-252**

Final reading of Bill No. 2747 an ordinance approving a First Amended and Restated Redevelopment Contract between the City of Branson and HCW Development Company, LLC, concerning the Branson Landing Project, 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. Ordinance No. 2003-253 was duly enacted.

**BILL NO. 2747
AMENDED RESTATED
REDEVELOPMENT
CONTRACT
HCW DEVELOPMENT
ORD. NO. 2003-253**

Final reading of Bill No. 2748 an ordinance approving a Master Lease Agreement between HCW Development Company, LLC and the City of Branson relating to the Branson Landing Project, and authorizing the Mayor to enter into the agreement was approved within the Consent Agenda. Voting aye: Gass, Barker, Martin, Huff, and Purvis. Nays: Edie. Ordinance No. 2003-254 was duly enacted.

**BILL NO. 2748
MASTER LEASE
AGREEMENT
HCW DEVELOPMENT
ORD. NO. 2003-254**

Mayor Schaefer asked for any corrections on the Consent Agenda as read. After receiving none, Mayor Schaefer entertained a motion to approve the Consent Agenda as presented. Alderman Gass made the motion, seconded by Alderman Barker. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried.

At this time Alderman Huff made a motion of remove Item No. 7 “Presentation by HCW Development company to address questions and comments about the Branson Landing Project raised at the October 20, 2003, Board of Aldermen Public Meeting” from the Agenda; and make a new Item No. 7 as “Resolution authorizing the extension of the City’s Marketing Agreement with the Branson Lakes Area Chamber of Commerce, and the creation of a Committee to evaluate the Requests for Proposals for the City’s new out-of-area marketing contract. Motion seconded by Alderman Purvis. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried.

REGULAR AGENDA:

<p>A resolution authorizing the extension of the City’s Marketing Agreement with the Branson Lakes Area Chamber of Commerce, and the creation of a committee to evaluate requests for proposals for the City’s new out-of-area Marketing Contract was read by title by City Clerk Williams, and Terry Dody provided the staff report. Mr. Dody indicated the resolution extended the present contract for 90 days to allow time to review the RFP’s the City has received for the new contract. Also being considered is the creation of a committee that would review the RFP’s and make a recommendation to the Board. Mr. Dody suggested for the Board’s consideration the committee be made up of one person chosen by each organization of the Lodging Association, Theater Association, Downtown Business Association, Veterans Association; one member selected from the retail-at-large in the community; one member from representing the restaurants from the community; and two or three Board members. Mayor Schaefer entertained a motion to approve the resolution. Alderman Gass made the motion, seconded by Alderman Barker. Mayor Schaefer entertained comments from the audience or the Board. Hearing none, Mayor Schaefer called for a vote on the resolution. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried. Resolution No. 2003-R019 was approved.</p>	<p>RESOLUTION MARKETING AGREEMENT EXTENSION BRANSON LAKES AREA CHAMBER OF COMMERCE RESOL. NO. 2003-R019</p>
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<p>Public Hearing and first reading of Bill No. 2749 an ordinance enacting a Final Subdivision Replat of Lot A of Lot 1 of Second Addition to Rainbow Shoals located at 133 Walker Road, Branson, Missouri was read by title by City Clerk Williams. Don Stephens provided the staff report. Mayor Schaefer opened the Public Hearing and after receiving no comments or discussion from the Board or audience, closed the Public Hearing. Mayor Schaefer then entertained a motion to approve the first reading of Bill No. 2749. Alderman Gass made the motion, seconded by Alderwoman Martin. No discussion. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried.</p>	<p>BILL NO. 2749 PUBLIC HEARING FINAL SUBDIVISION REPLAT-133 WALKER RD</p>
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<p>Public Hearing and first reading of Bill No. 2750 an ordinance enacting a Final Subdivision Plat of Black Oak</p>	<p>BILL NO. 2750 PUBLIC HEARING</p>
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Estates Phase 3 located in the 1600 block of Bird Road, 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 receiving no comments or discussion from the Board or audience, closed the Public Hearing. Mayor Schaefer then entertained a motion to approve the first reading of Bill No. 2750. Alderman Barker moved to approve on first reading, seconded by Alderman Huff. No discussion. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried.

**FINAL SUBDIVISION
PLAT-BLACK OAK
ESTATES PHASE 3**

First reading of Bill No. 2751 an ordinance amending a Sewer Services and Facilities Agreement between Table Rock Village and the City of Branson, and authorizing the Mayor to Enter into the agreement 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. 2751. Alderman Gass made the motion, seconded by Alderwoman Martin. Discussion. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried.

**BILL NO 2751
SEWER SERVICES
& FACILITIES
TABLE ROCK
VILLAGE**

First reading of Bill No. 2752 a special ordinance approving the placement of a caboose and a passenger car on track sections on property located at 206 E. Main Street, Branson, Missouri was read by title by City Clerk Williams, and Don Stephens provided the staff report. Mayor Schaefer entertained a motion approving the first reading of Bill No. 2752. Alderman Barker moved to approve on first reading, seconded by Alderman Purvis. No discussion. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried.

**BILL NO 2752
CABOOSE &
PASSENGER CAR
206 E. MAIN ST.**

First reading of Bill No. 2753 an ordinance approving a Consultant Agreement between Rodney D. Gray of Hendren and Andrae, L.L.C. and the City of Branson, and authorizing the Mayor to enter into the agreement was read by title by City Clerk Williams. Terry Dody provided the staff report. Mayor Schaefer entertained a motion to approve the first reading of Bill No. 2753. Alderman Gass made the motion, seconded by Alderman Purvis. Discussion. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried.

**BILL NO. 2753
AGREEMENT
RODNEY D. GRAY
HENDREN & ANDRAE**

First reading of Bill No. 2754 an ordinance approving a Sewer Services and Facilities and Annexation Agreement between Cooper Creek Resort and Campground, Inc., and Robert H. & Fritz B. Fletcher and the City of Branson and authorizing the Mayor to enter into the agreement 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. 2754. Alderman Huff 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

**BILL NO 2754
SEWER SERVICES &
FACILITIES &
ANNEXATION
AGREEMENT
ORD. NO. 2003-255**

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. 2754 by title again. Mayor Schaefer then entertained a motion approving the final reading of Bill No. 2754. Alderman Gass made the motion, seconded by Alderman Purvis. No discussion. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Ordinance No. 2003-255 was duly enacted.

First reading of Bill No. 2755 an ordinance approving an Asset Purchase Agreement between HCW Development Company, LLC and the City of Branson relating to the Branson Landing Project, and authorizing the Mayor to enter into the agreement was read by title by City Clerk Williams, and Terry Dody provided the staff report. Mayor Schaefer entertained a motion to accept the first reading of Bill No. 2755. Alderman Purvis made the motion, seconded by Alderman Barker. No discussion. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried.

**BILL NO 2755
ASSET PURCHASE
AGREEMENT
HCW DEVELOPMENT**

First reading of Bill No. 2756 an ordinance accepting the proposal of bid award to Cheyenne Constructions Co. for the construction of additions to Facility Maintenance buildings 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 Larry VanGilder provided the staff report. Mayor Schaefer entertained a motion to accept the first reading of Bill No. 2756. Alderwoman Martin made the motion, seconded by Alderman Huff. 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 Purvis. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried. City Clerk Williams read Bill No. 2756 by title again. Mayor Schaefer entertained a motion approving the final reading of Bill No. 2756. Alderman Gass made the motion, seconded by Alderman Purvis. No discussion. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Ordinance No. 2003-256 was duly enacted.

**BILL NO 2756
BID AWARD
BUILDING ADDITIONS
FACILITY
MAINTENANCE
CHEYENNE
CONSTRUCTION
ORD. NO. 2003-256**

Petitions for Consent to Annex properties located in Taneycomo Heights, Branson, Missouri, were read by City Clerk Williams as follows: Wesley G. and Darlene A. Bleed, Dorothy M. and Mark Allan Burleson, Charles C. Earls & Associates, Inc., Hubert L. and Barbara L. Terrill, and Rita Jolene Wall. Don Stephens provided the staff report. Mayor Schaefer entertained a motion to accept the petitions for voluntary annexation. Alderwoman Martin made the motion, seconded by Alderman Purvis. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried.

**PETITIONS
CONSENT
TO ANNEX
PROPERTIES IN
TANEYCOMO
HEIGHTS**

A resolution approving the Public Health Emergency Plan, Taney County Health Department and City of Branson Health Department dated June, 2003 was read by title by City Clerk Williams, and Kevin Faught provided the staff report. Brenda Hollier, Regional Epidemiology Specialist

**RESOLUTION
PUBLIC HEALTH
EMERGENCY PLAN
RESOL. NO. 2003-R020**

and Kevin Huddleston, Regional Response Planner addressed the Board. Ms. Hollier stated the purpose of this document is to provide a coordinated response to deal with occurrences that create a public health emergency. The plan was produced in collaboration with the City of Branson Health Department and the Taney County Health Department. We were directed to complete the plan that was begun by the Taney County Bioterrorism Task Force, and the Task Force have reviewed the plan, and have approved the final document. The plan covers the areas of Preparedness, Awareness, Response, and Communications from the perspective of public health, and integrates into the City's and County's emergency plans. The plan is made to coordinate with other local, state, and federal plans.

The first major section of the plan deals with preparedness, and as part of preparedness they assessed what the status of Taney County was. As part of the assessment, the City of Branson and Taney County Health Department completed a prescribed assessment that was provided by the Department of Health and Senior Services. The plan also indicates that there is a significant amount of interagency collaboration that will be required between health care providers, emergency responders, local and state government, and public health departments. Any response that will be needed will be between the City of Branson's Health Department, and the Taney County Health Department, and a 'Chain of Command' from both organizations is included in this plan as attachment "G". The federal government has established a Strategic National Stockpile (SNS) that is addressed under the preparedness portion. The SNS provides a variety of pharmaceuticals and medical supplies that would be designated to address the health emergency if one occurs. The "push package" are located throughout the country and could be sent to this distribution point within 12 hours of when federal deployment orders are enacted. Taney County Health Department and Branson City Health Department would be responsible for transporting the allotment of supplies to a designated secure location within the county. Vendor manage inventory is addressed in the plan, and it will provide additional doses of medication, ventilators, surgical supplies or other medical supplies needed by the county. Surveillance is also addressed in the plan, and it is the ongoing systematic collection and analysis of data that is collected so that if there are actions that public health need to take to control an infectious disease. Currently Taney County Health Department and the City of Branson have a strong surveillance program in place.

Kevin Huddleston, Regional Response Planner addressed the Board to present the Response and the Communication portions of the Plan. Mr. Huddleston indicated that under the Response Plan the authority to declare an event, or emergency would rest with the Administrator of the Taney County Health Department and the Branson Health Department jointly. They would consult prior to making a 'Declaration of Event', and would also consult with elected officials, city administration, and emergency management directors for both the county and the city. Once the event has been declared, it is

imperative that proper documentation follows. If we are to expect any form of reimbursement from FEMA or SEMA, or any other federal or state agencies it will be necessary to document what we are doing and maintained in such a manner that we can secure reimbursement. That includes the use of supplies, equipment, overtime, travel, and other things. Once an event has been declared it would trigger intensified surveillance throughout the county to ascertain whether that event is actually occurring in the county, and whether additional work would have to be incurred in the county. Additionally a detailed epidemiological investigation would have to be enacted for the same purposes, and any form of decontamination or disinfection measures would have to be undertaken.

In regard to the medical response the role of public health would be to guide the health care providers, primarily Skaggs and surrounding hospitals, by providing the necessary information regarding the threat to the health care providers. Along with that would be guidance to what kind of biological or other form of infectious agent they might be dealing with.

The mass prophylaxis plan is attached to this plan and would prescribe a response requiring whatever form of distribution of medication or vaccinations that would be conducted in Taney County. The plan calls for four (4) distribution dispensing sites around Taney County, and in addition to those sites there would be one that would likely be set up for non-residences or out-of-area visitors. Additionally there would be one team that would be set up as a mobile team being dispatched to various areas around the county.

Taney County Health Department and the City of Branson Health Department have the responsibility and authority to control the spread of communicable diseases. Additionally, state statute allows for quarantine of an area within a five-mile radius of a city of the fourth-class, including Branson. The responsibility to impose restrictions on the freedom of movement and the freedom to congregate will be assumed by the Administrator of the Taney County Health Department or the Director of the Branson Health Department and should be conducted jointly. The Taney County Sheriff's Department, the City of Branson Police Department and the police departments within the municipalities of other Taney County cities will enforce these limitations. Responsibility for mass patient care will remain with Skaggs and surrounding hospitals as public health is not equipped or set up to conduct mass patient care. Public health will work with these health care providers to identify infectious organisms, control the spread of the disease, and to prevent further infection of the public.

Attached to this plan is a full Communication Plan, which has been provided previously. The primary authority for public information, even though this may be a national event, will remain a local authority. Taney County Health Department and the City of Branson's Public Information Officers will be assisted if necessary, by a regional public information officer from the regional Bioterrorism/Emergency Response Team, known as the BERT Team who is located in Springfield, Missouri. Mr. Huddleston explained that this plan as it is currently written is not static. It is intended to be revised and will be revised after a scheduled exercise of the plan that is coming up in January, 2004.

Mayor Schaefer then entertained a motion to approve the resolution. Alderman Huff made the motion, seconded by Alderman Barker. Discussion. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried. Resolution No. 2003-R020 was approved.

A resolution acknowledging the reimbursement to HCW for expenses incurred on the Branson Landing Project Pursuant to the Technical Services Contract, was read by title by City Clerk Williams, and Terry Dody provided the staff report. Mayor Schaefer entertained a motion to approve the resolution. Alderman Barker moved to approve, seconded by Alderman Huff. Discussion. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried. Resolution No. 2003-R021 was approved.

**RESOLUTION
REIMBURSEMENT
HCW-EXPENSES
BRANSON LANDING
RESOL. NO. 2003-R021**

A resolution approving Acceptance of Grant Funds, if awarded, from the Land and Water Conservation Fund 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 Purvis made the motion, seconded by Alderwoman Martin. Discussion. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried. Resolution No. 2003-R022 was approved.

**RESOLUTION
ACCEPTANCE
GRANT FUNDS
LAND & WATER
CONSERVATION
RESOL. NO. 2003-R022**

A resolution authorizing disposition of Surplus Property was read by title by City Clerk Williams, and Deanna Schlegel provided the staff report. Mayor Schaefer entertained a motion to approve the resolution. Alderman Barker made the motion, seconded by Alderman Purvis. Discussion. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried. Resolution No. 2003-R023 was approved.

**RESOLUTION
SURPLUS PROPERTY
RESOL. NO. 2003-R023**

A resolution declaring the Intent to Annex certain unincorporated property to the City of Branson, Missouri 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 Gass made the motion, seconded by Alderwoman Martin. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried. Resolution No. 2003-R024 was approved.

**RESOLUTION
INTENT TO ANNEX
UNINCORPORATE
PROPERTY
RESOL. NO. 2003-R024**

Petition for Consent to Annex property owned by Branson R-IV School District located at 935 Buchanan Road, Taney County, Missouri, was read by City Clerk Williams and Don Stephens provided the staff report. Mayor Schaefer entertained a motion to accept the petition

**PETITIONS
CONSENT TO ANNEX
BRANSON R-IV
SCHOOL DISTRICT**

for voluntary annexation. Alderman Purvis made the motion, seconded by Alderwoman Martin. No discussion. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried.

DISBURSEMENTS:

Mayor Schaefer stated the next item was review of the disbursements, and asked if there were any questions regarding the disbursements. Hearing none, Mayor Schaefer entertained a motion to approve the disbursements. Alderman Gass made the motion, seconded by Alderwoman Martin. 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. Hearing none, Mayor Schaefer opened the floor for Aldermen and Administrator's Reports.

ALDERMEN/ADMINISTRATOR'S REPORTS

Alderman Gass asked for the thoughts and support of the families that lost family members and homes in the fires in California. **GASS**

Alderwoman Martin stated it was great to see such a crowd present and encouraged everyone to continue coming to the meetings. **MARTIN**

Alderman Purvis said he also wanted to thank everyone for coming and asked them to come back. **PURVIS**

ADJOURN:

At this time, Mayor Schaefer entertained a motion to adjourn. Alderman Gass moved to adjourn, seconded by Alderman Purvis. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: None. Motion carried. Meeting was adjourned at 8:30 p.m.