

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF ALDERMEN  
CITY OF BRANSON, MISSOURI, NOVEMBER 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 November 24, 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 regular meeting and public comments meetings of November 10, 2003, the special work session with the Park Advisory Board of November 13, 2003, and the special meeting of November 21, 2003, receiving none, Alderman Gass then made the motion to approve the Minutes as presented of the regular meeting and public comments meetings of November 10, 2003, the special work session with the Park Advisory Board of November 13, 2003, and the special meeting of November 21, 2003, seconded by Alderman Purvis. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried.

**APPROVAL  
OF MINUTES**

At this time, Alderman Gass made a motion to remove Item No. 2 and Item No. 19 from the Consent Agenda and placing them on the Regular Agenda, Item No. 19 remaining as Item 19 and Item No. 2 being renumbered as Item No 19A. Seconded by Alderman Huff. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried.

**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 Capital Improvements Committee meetings of August 11, 2003 and September 22, 2003, and the Planning and Zoning Commission meeting of October 7, 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. 2758 an ordinance enacting a Final Subdivision Plat of Manchester Village (formerly Highway 248 Plaza) located at 800 Highway 248, Branson, Missouri was approved within the Consent Agenda. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Ordinance No. 2003-265 was duly enacted.**

**BILL NO. 2758  
FINAL SUBDIVISION  
PLAT - MANCHESTER  
VILLAGE  
ORD. NO. 2003-265**

**Final reading of Bill No. 2759 an ordinance enacting a Final Subdivision Plat of Schmoll Subdivision located at 1610 S. Highway 165, Branson, Missouri was approved within the Consent Agenda. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Ordinance No. 2003-266 was duly enacted.**

**BILL NO. 2759  
FINAL SUBDIVISION  
PLAT-SCHMOLL  
SUBDIVISION  
ORD. NO. 2003-266**

**Final reading of Bill No. 2760 an ordinance enacting a Final Subdivision Plat of PRG Subdivision located at 1600 Bird Road, Branson, Missouri was approved within the Consent Agenda. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Ordinance No. 2003-267 was duly enacted.**

**BILL NO. 2760  
FINAL SUBDIVISION PLAT  
PRG SUBDIVISION  
ORD. NO. 2003-267**

**Final reading of Bill No. 2761 an ordinance enacting a Final Subdivision Plat of Summit At Branson located at 199 Buccaneer Boulevard, Branson, Missouri was approved within the Consent Agenda. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Ordinance No. 2003-268 was duly enacted.**

**BILL NO. 2761  
FINAL SUBDIVISION PLAT  
SUMMIT AT BRANSON  
ORD. NO. 2003-268**

**Final reading of Bill No. 2762 an ordinance adopting the Trails Master Plan for the City of Branson, Missouri was approved within the Consent Agenda. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Ordinance No. 2003-269 was duly enacted.**

**BILL NO. 2762  
ADOPTING  
TRAILS MASTER PLAN  
ORD. NO. 2003-269**

**Final reading of Bill No. 2763 an ordinance annexing property owned by Rita Jolene Wall, Trustee into the City was approved within the Consent Agenda. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Ordinance No. 2003-270 was duly enacted.**

**BILL NO. 2763  
ANNEXATION  
RITA JOLENE  
WALL-TRUSTEE  
ORD. NO. 2003-270**

Final reading of Bill No. 2764 an ordinance annexing property owned by Hubert L. and Barbara L. Terrill into the City was approved within the Consent Agenda. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Ordinance No. 2003-271 was duly enacted.

**BILL NO. 2764  
ANNEXATION  
HUBERT L. & BARBARA L.  
TERRILL  
ORD. NO. 2003-271**

Final reading of Bill No. 2765 an ordinance annexing property owned by Charles C. Earls & Associates, Inc. into the City was approved within the Consent Agenda. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Ordinance No. 2003-272 was duly enacted.

**BILL NO. 2765  
ANNEXATION  
CHARLES C. EARLS  
& ASSOC., INC.  
ORD. NO. 2003-272**

Final reading of Bill No. 2766 an ordinance annexing property owned by Dorothy M. Burleson and Mark Allan Burleson into the City was approved within the Consent Agenda. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Ordinance No. 2003-273 was duly enacted.

**BILL NO. 2766  
ANNEXATION  
DOROTHY M. &  
MARK ALLAN  
BURLESON  
ORD. NO. 2003-273**

Final reading of Bill No. 2767 an ordinance annexing property owned by Wesley G. and Darlene A. Bleed, Trustees into the City was approved within the Consent Agenda. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Ordinance No. 2003-274 was duly enacted.

**BILL NO. 2767  
ANNEXATION  
WESLEY G. &  
DARLENE A. BLEED  
TRUSTEES  
ORD. NO. 2003-274**

Final reading of Bill No. 2768 an ordinance annexing property owned by Branson R-IV Schools District into the City was approved within the Consent Agenda. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Ordinance No. 2003-275 was duly enacted.

**BILL NO. 2768  
ANNEXATION  
BRANSON R-IV  
SCHOOL DISTRICT  
ORD. NO. 2003-275**

Final reading of Bill No. 2769 an ordinance approving a "PD" Planned Development zoning and approving Land Use Regulations for Planned Development PD-2003-003 for property known as Branson Landing, Branson, Missouri was approved within the Consent Agenda. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Ordinance No. 2003-276 was duly enacted.

**BILL NO. 2769  
"PD" ZONING &  
LAND USE  
REGULATIONS  
BRANSON LANDING  
ORD. NO. 2003-276**

Final reading of Bill No. 2770 an ordinance approving "PD" Planned Development zoning and approving Land Use Regulations for Planned Development PD-2003-004 for property to be known as Roark Hills Development, Branson, Missouri was approved within the Consent Agenda. Voting aye: Gass,

**BILL NO. 2770  
"PD" ZONING &  
LAND USE  
REGULATIONS  
ROARK HILLS**

**Barker, Martin, Huff, Edie, and Purvis. Nays: None.  
Ordinance No. 2003-277 was duly enacted.**

**DEVELOPMENT  
ORD. NO. 2003-277**

**Final reading of Bill No. 2772 an ordinance authorizing a waste water line across certain property owned by certain parties 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, Edie, and Purvis. Nays: None. Ordinance No. 2003-278 was duly enacted.**

**BILL NO. 2772  
WASTER WATER LINE,  
PUBLIC NECESSITY  
FILING  
CONDEMNATION  
ACTION  
ORD. NO. 2003-278**

**Final reading of Bill No. 2773 an ordinance amending Section 215.100 of the Branson Municipal Code to increase certain Park User Fees was approved within the Consent Agenda. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Ordinance No. 2003-279 was duly enacted.**

**BILL NO. 2773  
AMENDING  
BRANSON MUNICIPAL  
SECTION 215.100  
PARK USER FEES  
ORD. NO. 2003-279**

**Final reading of Bill No. 2774 an ordinance amending Section 645.120 of the Branson Municipal Code by revising the Tourism Tax Code was approved within the Consent Agenda. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Ordinance No. 2003-280 was duly enacted.**

**BILL NO. 2774  
AMENDING  
BRANSON MUNICIPAL  
SECTION 645.120  
TOURISM TAX CODE  
ORD. NO. 2003-280**

**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 amended. Alderman Barker made the motion, seconded by Alderwoman Martin. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried.**

#### **REGULAR AGENDA:**

**Final reading of Bill No. 2775 an ordinance approving a Sewer and Water Services and Facilities and Annexation Agreement between Dailey LLC and William & Janet Dailey 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 final reading of Bill No. 2775. Alderman Huff made the motion, seconded by Alderman Purvis. Alderman Gass then made a motion to replace Exhibit "1" with a new amended Exhibit "1", seconded by Alderman Huff. Mayor Schaefer called for a vote on the amendment. Voting aye: Gass, Barker, Martin, Huff, Edie**

**BILL NO. 2775  
SEWER & WATER  
SERVICES & FACILITIES  
& ANNEXATION  
AGREEMENT  
DAILEY LLC  
ORD. NO. 2003-281**

and Purvis. Nays: none. Motion carried. Mayor Schaefer then called for a vote on the final reading of Bill No. 2775 with the amended agreement attached. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried. Ordinance No. 2003-281 was duly enacted.

Final reading of Bill No. 2757 an ordinance enacting a Final Subdivision Replat of Lots 1-7, Block 7, West Branson Heights First Addition located on Neihardt Avenue, Branson, Missouri was read by title by City Clerk Williams. Alderman Huff made a motion to postpone Bill No. 2757 until the December 8, 2003 meeting of the Board of Aldermen, seconded by Alderman Purvis. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried.

**BILL NO. 2757  
FINAL SUBDIVISION  
REPLAT-WEST BRANSON  
HEIGHTS-FIRST  
ADDITION**

A presentation of the Quarterly Marketing Report by the Branson/Lakes Area Chamber of Commerce was the next item on the Agenda.

**PRESENTATION  
QUARTERLY MARKETING  
REPORT-CHAMBER  
OF COMMERCE**

Ross Summers, Executive Vice President of the Chamber made the presentation. Before beginning his presentation Mr. Summers introduced the people that were present from the Chamber: Chris Myer, Chairman of the Marketing Advisory Council; Dan Lennon, Vice President of Marketing and Public Relations; and Bethany Thomas, Vice President of Membership and Funding. Mr. Summers then addressed the Board stating that although the year started off slow, Branson has not had a bad year. Most of the customers that came to Branson were concerned about the economy and uncertainty about their jobs, and therefore were looking for the best deal on purchases and reservations. Mr. Summers then presented information regarding the following items: (1) National hotel room demand year-to-date percentages; (2) Year-to-date percentages of other destinations; (3) Branson room demand percentages compared to the state and to nationally which shows that Branson is doing very well nationally and against Missouri as a whole; (4) Visitor composition percentages which showed that Branson lost in families but were replaced with adults, and the total visitorship is made up of 70% adults and 30% families; (5) Repeat visits picked up almost 200,000 repeat visitors which is a good number, but we were down in first timers; (6) Average Adult Age went up from 54.4 % to 55.7%; (7) Activity participation show that most go to at least one show, followed by shopping, theme parks, and then other activities; (8) Estimated number of visitors attending one or more shows went up by 1.8% from last year; (9) The number of shows being seen by the visitor has dropped, therefore more visitors came to town seeing one show but overall people who usually saw shows went to a fewer number of shows than they have in the past; (10) Sales/Tourism Tax revenue divided by dining, attractions, lodging, retail, and theaters; (11) Percentage on spending per person is down about 15% but that is also a national trend; and (12) First time visitors percent of decline.

Mr. Summers stated that some areas of concern are (1) changing consumer values making the future difficult to predict; (2) growth has slowed; and (3) first-time visitation in long-term decline. The growth patterns does not look good for Branson, but the travel

volume is up from last year. We were up in visitorship about 1.1% but compared to where we started we are fortunate that the numbers are now up. However they are seeing fewer shows, participating in fewer activities, and spending less money. In summary, the world is changing; Branson has a long history of success; our travel volume is ahead; and travel patterns have worked in Branson's favor over the past two years. Our conclusion is that we will have to return to the basics, the 3 R's of (1) Research; (2) Re-Invent; and (3) Re-Launch. After questions from the audience and the Board members were answered by the Chamber, Mayor Schaefer entertained a motion to accept this quarterly marketing report. Alderman Gass made a motion to accept the report, seconded by Alderman Purvis. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried.

Petition for Consent to Annex properties located in Pointe Royale, Branson, Missouri, was read by City Clerk Williams, and Don Stephens provided the staff report. Mayor Schaefer entertained a motion to accept the petitions for voluntary annexation. No discussion. Alderman Gass made the motion, seconded by Alderman Purvis. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried.

PETITION  
CONSENT TO ANNEX  
POINTE ROYALE

Petition for Consent to Annex properties located in Rainbow Shoals, Branson, Missouri, was read by City Clerk Williams, and Don Stephens provided the staff report. Mayor Schaefer entertained a motion to accept the petitions for voluntary annexation. After some discussion, Alderman Huff made the motion, seconded by Alderman Barker. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried.

PETITION  
CONSENT TO ANNEX  
RAINBOW SHOALS

Petition for Consent to Annex properties located in Taneycomo Heights, Branson, Missouri, was read by City Clerk Williams, and Don Stephens provided the staff report. Mayor Schaefer entertained a motion to accept the petitions for voluntary annexation. After hearing no discussion from the audience or aldermen, Alderman Purvis made the motion, seconded by Alderman Huff. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried.

PETITION  
CONSENT TO ANNEX  
RAINBOW SHOALS

First reading of Bill No. 2777 an ordinance approving an agreement between the City of Branson and Robert E. Schmoll and Barbara H. Schmoll for the purchase of real estate, and authorizing the Mayor to enter into the agreement was read by title by City Clerk Williams, and Carl Sparks provided the staff report. Mayor Schaefer entertained a motion to accept the first reading of Bill No. 2777. 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 2777  
AGREEMENT  
REAL ESTATE  
ROBERT E. &  
BARBARA H. SCHMOLL

First reading of Bill No. 2778 an ordinance amending Chapter 115 of the Branson Municipal Code by adding a new Section 115.050 describing the duties of the City Clerk was read by title by City Clerk Williams, and Kevin Faught provided the staff report. Mayor Schaefer entertained a motion to accept the first reading of Bill No. 2778.

**BILL NO 2778  
AMENDING  
BRANSON MUNICIPAL  
CODE-CHAPTER 115  
CITY CLERK DUTIES**

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

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 Edie made the motion, seconded by Alderman Huff. No discussion. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried. Resolution No. 2003-R033 was adopted.

**RESOLUTION  
REIMBURSEMENT  
HCW-EXPENSES  
BRANSON LANDING  
RESOL. NO. 2003-R033**

#### **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 Alderman Purvis. 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 made a motion to cancel the regular meeting of December 22<sup>nd</sup>. Motion was seconded by Alderman Purvis. No discussion. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried. Mayor Schaefer then opened the floor for Aldermen and Administrator's Reports.

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

Alderman Gass wished the Mayor, Aldermen, staff and everyone in Branson a happy and safe Thanksgiving holiday.

**GASS**

Alderman Gass said that at a past meeting Alderman Purvis had challenged him to ringing the bells for the Salvation Army. The alderman have agreed to ring the bells on December 13<sup>th</sup>, and are challenging the service clubs, and

**GASS**

**Chamber Board to do the same that day. Golden Corral is sponsoring a “Counting Party” at the end of the night to see who the winner is. Bob Warlick of Naturegraphics is donating a trophy for the team that collects the most money. This trophy will be kept by the winner for a year and then will be passed on next year when we do the bell ringing again.**

**Alderman Barker wished everyone a great Thanksgiving and hoped everyone has a safe one and enjoy your families. It is a time when we need to be thankful for our families and our community. I am very thankful that I have grown up in this community and have had the opportunity to raise my family here. This community was built on people willing to give of their time and energy and of themselves and that is why our community is what it is today. I am very grateful for that.** **BARKER**

**Alderwoman Martin said she also wanted to convey her Thanksgiving greetings to everyone. She also stated she would like to take a few minutes to congratulate Mayor Schaefer and to give praise to him for his 150% efforts he gave during Veterans week of non-stop activities while acting as our Ambassador for the City of Branson and the Board and wanted to tell him they appreciate his efforts very much.** **MARTIN**

**Alderman Huff wished everyone a HAPPY THANKSGIVING.** **HUFF**

**Alderman Edie thanked Ross Summers and his people for the presentation as it was very enlightening.** **EDIE**

**Alderman Purvis also wished everyone a safe and happy holidays. He said he also grew up in Branson and appreciate the environment and the wholesome community in which he was able to raise his children, and is thankful they have taken that with them since they left Branson.** **PURVIS**

**Mayor Schaefer wished everyone a HAPPY THANKSGIVING and said he hoped everyone takes time to enjoy their families.** **SCHAEFER**

**ADJOURN:**

**At this time, Mayor Schaefer entertained a motion to adjourn. Alderman Purvis moved to adjourn, seconded by Alderwoman Martin. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: None. Motion carried. Meeting was adjourned at 8:50 p.m.**