

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF ALDERMEN  
CITY OF BRANSON, MISSOURI, FEBRUARY 9, 2004**

The Board of Aldermen of the City of Branson, Missouri met in regular session in the Council Chambers of the City Hall on February 9, 2004 at 7:00 p.m. with the following members present:

Mayor Schaefer presiding, Dick Gass, Stan Barker, Ron Huff, David Edie, and Jack Purvis present. Beverly Martin absent.

Also present were City Administrator Terry Dody, Assistant City Administrator Kevin Faught, Assistant City Attorney Russ Dempsey, City Clerk Sandra Williams, Director of Engineering David Miller, Director of Public Works Larry VanGilder, Fire Dept. Division Chief Ted Martin, Director of Communications Jerry Adams, Finance Director Deanna Schlegel, Director of Planning and Zoning Don Stephens, Parks Director Cindy Shook, Director of Economic Development Mike Rankin, and Director of Health Linn Smith.

Mayor Schaefer called the meeting to order with the "Pledge of Allegiance" and Larry VanGilder gave the invocation.

At this time, Mayor Schaefer stated he wanted to recognize Daniel Anderson, Eagle Scout from the Boy Scout Troop #978, who is working on his Citizenship of Community Merit Badge, and congratulated Daniel for his endeavors.

**DANIEL  
ANDERSON**

Mayor Schaefer asked for any additions or corrections to the Minutes of the Board of Aldermen meeting and public comments meeting of January 26, 2004. Receiving none, Mayor Schaefer entertained a motion to approve the Minutes stated. Alderman Purvis made the motion to approve the Minutes as presented, seconded by Alderman Huff. Voting aye: Gass, Barker, Huff, Edie and Purvis. Nays: none. Martin absent. Motion carried.

**APPROVAL  
OF MINUTES**

At this time, Alderman Gass presented the February Employee of the Month Award to Paul Harkins and Mike McCarty of the Fire Department. Alderman Gass stated, It's an honor for me this evening to present the Employees of the Month award to two members of our fire department – Captain Paul Harkins and Engineer Mike McCarty. Paul and Mike invested many hours of their own time to organize and serve as instructors in the department's first-ever Community Emergency Response Team or CERT program conducted last fall. This program trains ordinary citizens in needed life saving and rescue skills following a major disaster, before professional emergency personnel arrive on the scene. Together, Paul and Mike built the props and training aids, ordered program supplies and secured two state grants totaling \$7,000 to fund the program. In addition, they have formed partnerships between the fire department and several local businesses to co-sponsor this community training program. Through their efforts, Branson and its citizens are better prepared in the event of a disaster situation. Paul and Mike, on behalf

**EMPLOYEE  
OF THE MONTH**

of the Mayor and Branson Board of Aldermen, we commend you for your service and dedication to our city, and for your desire to make Branson a safer place in which to live, work and visit. I am proud to present each of you with a plaque recognizing you as our Employees of the Month. Congratulations!”

**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:

Final Reading of Bill No. 2801, an ordinance enacting a Final Subdivision Plat of Villas at Hideaway located in the 200 block of Tyler Street, Branson, Missouri, was approved within the Consent Agenda. Voting aye: Gass, Barker, Huff, Edie, and Purvis. Nays: none. Martin absent. Motion carried. Ordinance No. 2004-025 was duly enacted.

**BILL NO. 2801  
FINAL SUBDIVISION  
PLAT-VILLAS AT  
HIDEAWAY  
ORD. NO. 2004-025**

Final reading of Bill No. 2803, an ordinance approving an agreement between the City of Branson and Missouri Highways and Transportation Commission pertaining to a Road Relinquishment Agreement for transfer of ownership of Business Route 65 to the City of Branson, and authorizing the Mayor to enter into the agreement, was approved within the Consent Agenda. Voting aye: Gass, Barker, Huff, Edie, and Purvis. Nays: none. Martin absent. Motion carried. Ordinance No. 2004-026 was duly enacted.

**BILL NO. 2803  
AGREEMENT  
MISSOURI HIGHWAYS  
& TRANSPORTATION  
ROAD RELINQUISHMENT  
BUSINESS RT. 65  
ORD. NO. 2004-026**

Final reading of Bill No. 2804, an ordinance approving a Lease Agreement between the City of Branson and Table Rock Asphalt pertaining to the Recreation Center construction access road and authorizing the Mayor to enter into the agreement, was approved within the Consent Agenda. Voting aye: Gass, Barker, Huff, Edie, and Purvis. Nays: none. Martin absent. Motion carried. Ordinance No. 2004-027 was duly enacted.

**BILL NO. 2804  
AGREEMENT  
TABLE ROCK  
ASPHALT  
RECREATION CTR.  
CONSTRUCTION  
ACCESS ROAD  
ORD. NO. 2004-027**

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

## **REGULAR AGENDA:**

**Presentation by Representatives from the American Resort Development Association (ARDA) was next on the agenda and City Administrator Terry Dody gave an introduction, and David Evans Senior Council for the American Resort Development Association gave the presentation. Mr. Evans stated they were a Trade Association based in Washington, DC, and Orlando, Florida. They represent the “Vacation Ownership Industry” which ranges from entrepreneurs who run single site resorts to branded companies such as Bluegreen, Marriott, and Fairfield. Currently they are beginning to be more “hospitality oriented” rather than just real estate/timeshare. Mr. Evans began talking about the real estate/timeshare as that is what is in Branson. For the last month they have been working with Senator Childers and Representative Wood to craft a bill that would adequately cover the travel club providers. When someone buys something from us it is regulated by the State with rights like in a condominium or a home-owners association where there is a vote and decisions made. What the travel clubs do is basically get pools and inventory of rental rooms or condominiums, and then sell the right to come at a discounted rate. They are in some aspects, buying clubs, discount clubs; they are not timeshare clubs. We want to make sure we aren’t confused with that aspect of the travel and tourism industry, stated Mr. Evans. An overview was then given, indicating there were about 6,000 resorts worldwide with sales in the entire world of about \$9.5-billion dollars, with the U.S. sales being \$5.5-billion; and \$6.5-million dollars in consumers in resorts in about 95 countries. The Consumer still has the underlying real estate interest, and they can go all over the world. They can buy extra time or save their time for the next year. There are developers in the industry that are incredibly well capitalized such as Disney World, Marriott, Hyatt, Hilton, Embassy, and Starwood which is all of the Sheraton brands. As hospitality providers we have seen the hotel and timeshare companies merge. Most consumers now stay about 10.5 days in most parts of the country. The last U.S. survey done showed 85% customer satisfaction with our product, and right now current timeshare owners are one in every six new timeshare purchases. Next Mr. Evans provided some unscientific statistics about Branson. He indicated these were facts obtained over the telephone and some of the numbers were averaged. In 2003 their developers purchased almost 200,000 hotel room nights; expended about \$9.9-million dollars on local hotel room nights; employed about 2,300 people full-time and about 400 part-time with a total annual payroll of about \$54-million dollars. There was about \$27-million dollars of construction; \$10-million dollars spent on local attraction tickets and discount coupons; and they brought about 153,000 new people into Branson. After the presentation, discussion and questions were held by the Board. Mayor Schaefer then entertained a motion to accept the presentation. Motion was made by Alderman Purvis, seconded by Alderman Barker. Voting aye: Gass, Barker, Huff, Edie, and Purvis. Nays: none. Martin absent. Motion carried.**

## **PRESENTATION AMERICAN RESORT DEVELOPMENT ASSOCIATION**

**Presentation by the James River Basin Partnership was next on the agenda and Terry Dody gave a summary indicating the City of Branson is still a member of this partnership, and the Executive Director Holly Neal gave an update on**

## **PRESENTATION JAMES RIVER BASIN PARTNERSHIP**

what the partnership is doing. Ms. Neal indicated the James River Basin Partnership was formed in 1996, and Branson was a part of the founding sponsors. She indicated they are a membership based partnership and are supported by the memberships, sponsors, and grant money. Currently they are working on three projects, and just finished one project on Bull Creek and Swan Creek that was a biological inventory. They had partnered with SMSU to do, and was funded through the National Fish & Wildlife Service. They have just received monies from EPA to do a Poultry Brand, and will be working with the Poultry Industry trying to utilize the excess amounts of nutrients available safely and cautiously on farm land in the area. Nutrients can be a big problem especially in areas where there is poultry and also beef cow farming, and they are trying to find a way to utilize it in a safe way. They also have a Forest Service Grant to show how the James River Basin has changed; how the forest cover has changed over the years, by using historical data and current data. This will be a good educational tool to use in the future. The funds received from Branson have been used on their 319 Grant which goes until 2006. This grant focuses on long point pollution that has educational components, a restoration project component, and also works with landowners. When working with the landowners they are creating buffers on all of the waterways within the Basin, by planting trees along the stream areas that helps to prevent the non-point pollution from getting into our waterways. They are working on decommissioning wells to help protect the ground water and building a relationship with the landowners in order to protect the waterways. The other component is the education component where they get out mass information such as public service announcements, work with school groups, work with communities, do river clean-ups, and all of the Branson Schools will be participating in the Festival they will be doing. Ms. Neal then showed a map of the basin area which is about a million acres, and indicated that it is important to note that where their lines were doesn't mean that is it. All of the waters are connected and they connect into Table Rock Lake, and that is why they are working to protect it and to improve it. Discussion was then held by the Board. Mayor Schaefer then entertained a motion to accept the presentation. Motion was made by Alderman Barker, seconded by Alderman Purvis. Voting aye: Gass, Barker, Huff, Edie, and Purvis. Nays: none. Martin absent. Motion carried.

First reading of Bill No. 2808, an ordinance approving an agreement for Professional Engineering Services between Walter P. Moore and Associates, Inc. and the City of Branson, and authorizing the Mayor to enter into the agreement pertaining to Engineering Design Services on the South Boxcar Willie Drive Improvement Project, 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. 2808.

**BILL NO. 2808  
AGREEMENT  
WALTER P. MOORE  
ENGINEERING  
DESIGN  
S. BOXCAR WILLIE  
ORD. NO. 2004-028**

Alderman Huff made the motion, seconded by Alderman Barker. Discussion was held by members of the audience. Voting aye: Gass, Barker, Huff, Edie, and Purvis. Nays: none. Martin absent. Motion carried. Alderman Huff moved to read the bill a second time by emergency due to scheduling needed to get the engineering requirements done, motion was seconded by Alderman Barker. Voting aye: Gass, Barker, Huff, Edie, and Purvis. Nays: none. Martin absent. Motion carried. City Clerk Williams read Bill No. 2808 by title again. Mayor Schaefer entertained a motion to approve the final reading of Bill No. 2808.

**Alderman Gass moved to approve on the second reading, seconded by Alderman Barker. No discussion. Voting aye: Gass, Barker, Huff, Edie, and Purvis. Nays: none. Martin absent. Motion carried. Ordinance No. 2004-028 was duly enacted.**

**First reading of Bill No. 2809, an ordinance approving an agreement for Appraisal Services between the Reed & Associates Inc. and the City of Branson, and authorizing the Mayor to enter into the agreement pertaining to the James F. Epps Road Extension Project 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. 2809. Alderman Purvis made the motion, seconded by Alderman Barker. No discussion. Voting aye: Gass, Barker, Huff, Edie, and Purvis. Nays: none. Martin absent. Motion carried.**

**BILL NO. 2809  
AGREEMENT  
REED & ASSOCIATES  
APPRAISAL SERVICES  
EPPS RD. EXTENSION**

**First reading of Bill No. 2810, an ordinance approving an agreement for Engineering Services between the Larkin Group, Inc. and the City of Branson, and authorizing the Mayor to enter into the agreement pertaining to the Water Supply System at the Recreation Center Project, 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. 2810. Alderman Purvis made the motion, seconded by Alderman Gass. Discussion. Voting aye: Gass, Barker, Huff, Edie, and Purvis. Nays: none. Martin absent. Motion carried. Alderman Barker moved to read the bill a second time by emergency due to motion was seconded by Alderman Purvis. Voting aye: Gass, Barker, Huff, Edie, and Purvis. Nays: none. Martin absent. Motion carried. City Clerk Williams read Bill No. 2810 by title again. Mayor Schaefer entertained a motion to approve the final reading of Bill No. 2810. Alderman Purvis moved to approve on the second reading, seconded by Alderman Barker. No discussion. Voting aye: Gass, Barker, Huff, Edie, and Purvis. Nays: none. Martin absent. Motion carried. Ordinance No. 2004-029 was duly enacted.**

**BILL NO. 2810  
AGREEMENT  
LARKIN GROUP  
ENGINEERING  
SERVICES  
WATER SUPPLY  
SYSTEM  
RECREATION CTR.  
ORD. NO. 2004-029**

**First Reading of Bill No. 2811, an ordinance approving a lease between Skaggs Community Hospital and the City of Branson, and authorizing the Mayor to enter into the agreement, was read by title by City Clerk Williams, and Cindy Shook provided the staff report. Ms, Shook presented a slide presentation showing the location of the recreation center complex; the overall site lay-out on the 40 acres, including the Recreation Center, the Aquatic Park, Soccer Fields, Ballfields Complex, Playground, Trails, and Parking; the site Master Plan lay-out of the 40 acres; the lay-out of the Recreation Center itself and the Skaggs Fitness Center lay-out; the Aquatics Park features along with the Leisure pool and zero depth pool area; Soccer Fields; Baseball/Softball Fields; and Park areas. She then introduced Mike Pierce of Skaggs Community Hospital. Mr. Pierce, Chief Operator and Officer at Skaggs Community Health Center said that Skaggs has provided quality medical care to the**

**BILL NO. 2811  
APPROVING  
LEASE  
SKAGGS COMMUNITY  
HOSPITAL**

families, neighbors and visitors for more than 50 years and in recent years emphasis has grown to include program support on the overall health and wellness of our community. He stated their vision is a community of well people, and it is exciting to partner with the City of Branson to develop the community's Fitness Center. They intend to place top of the line exercise equipment and staff trained and experienced in a wide range of fitness and wellness programs in the Center. In affiliation with their centers of heart, orthopedics, and women's services, and will extend the cardio-pulmonary base services, performance and sports medicine, and expectant mother exercise classes to the Fitness Center. Mr. Pierce then thanked Terry Dody and Cindy Shook for their great leadership as they worked with them, and he believes it will be a great asset to the community and one the community residents will be proud of. Mayor Schaefer then entertained a motion to approve the first reading of Bill No. 2811. Alderman Gass made the motion, seconded by Alderman Purvis. Discussion. Voting aye: Gass, Barker, Edie, and Purvis. Nays: none. Martin absent. Alderman Huff abstained as he serves on the Skaggs Community Hospital Board. Motion carried.

A resolution acknowledging the Reimbursement No. 14 to HCW for expenses incurred on the Branson Landing Project pursuant to the Technical Services Contract, was read by title by Clerk Williams, and Kevin Faught provided the staff report. Mayor Schaefer entertained a motion to approve the resolution. Alderman Gass made the motion, seconded by Alderman Huff. No discussion. Voting aye: Gass, Barker, Huff, Edie, and Purvis. Nays: none. Martin absent. Motion carried. Resolution No. 2004-R004 was adopted.

**RESOLUTION  
REIMBURSEMENT  
TO HCW  
NO. 2004-R004**

#### **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 Barker moved to approve the disbursements as presented, seconded by Alderman Edie. No discussion. Voting aye: Gass, Barker, Huff, Edie, and Purvis. Nays: none. Martin absent. 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 stated we lost a dear friend in Cliff Wagner who was very involved in this community and would be greatly missed.

**GASS**

**Alderman Gass stated he was glad to see the Fire Chief back, and was glad that he is doing well. GASS**

**Alderman Barker stated he also would like to send his condolences to the Cliff Wagner’s family as he was a great part of the community and will truly be missed. BARKER**

**Alderman Barker indicated he thought the community center was a great milestone coming together. He personally wanted to see this since his children were small, and we had to beg and borrow gymnasiums and fields to play basketball and baseball. This spells great things for the future of this community and the people who live here. BARKER**

**Alderman Huff indicated he wanted to say “Thanks” to Larry VanGilder and the Public Works crew for a great job on our streets this past snow and ice storms. Good job. HUFF**

**Alderman Edie said he too would like to mention what a great job the crew did on taking care of the City’s streets. EDIE**

**Alderman Edie stated he was really pleased that Skaggs Hospital is going to operate the Fitness Center. EDIE**

**Alderman Purvis said he agreed with everything that had been said, they had to carpool to get their children to the different places, so this is a great asset for our folks in the community. PURVIS**

**Administrator Dody stated he would just like to echo that the partnership between Skaggs and the City is producing a fantastic opportunity for not only the City but the entire Tri-Lakes Region with the type of facility and the management of the Fitness Center by Skaggs, and the expertise they already have is going to produce a great asset for this entire area. DODY**

## **ADJOURN:**

**At this time, Mayor Schaefer entertained a motion to adjourn. Alderman Purvis made the motion, seconded by Alderman Huff. Voting aye: Gass, Barker, Huff, Edie, and Purvis. Nays: None. Martin absent. Motion carried. Meeting was adjourned at 8:25 p.m.**