

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF ALDERMEN  
CITY OF BRANSON, MISSOURI, MARCH 8, 2004**

The Board of Aldermen of the City of Branson, Missouri met in regular session in the Council Chambers of the City Hall on March 8, 2004 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 Public Works Larry VanGilder, Fire Chief Carl Sparks, 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.

Mayor Schaefer asked for any additions or corrections to the Minutes of the Board of Aldermen meeting and public comments meeting of February 23, 2004. Receiving none, Mayor Schaefer entertained a motion to approve the Minutes stated. Alderman Huff made the motion to approve the Minutes as presented, 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:

Final reading of Bill No. 2813, an ordinance authorizing the Mayor to execute an amendment to the Professional Services Agreement with Rozell Engineering for the design of Branson Hills Parkway and the Sanitary Sewer serving the Recreation Center, 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. 2004-034 was duly enacted.

**BILL NO. 2813  
AMENDMENT  
PROFESSIONAL  
SERVICES AGREEMENT  
ROZELL ENGINEERING  
DESIGN OF  
BRANSON HILLS  
PARKWAY &  
SANITARY SEWER  
RECREATION CTR.  
ORD. NO. 2004-034**

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, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried.

**REGULAR AGENDA:**

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

Ross Summers, Executive Vice President of

the Chamber gave a presentation of the campaign they

have established for 2004 and introduced Tom Kalahar of Camelot Communications, who is the media firm chosen to do the media campaign for 2004. Mr. Kalahar addressed the Board stating there are 48.5 million people that are in a 500 miles radius to pull Branson's visitors from. There are a sizable number of people in this radius that statistically look similar to the visitors that are coming today, and those are the people we need to get to come. Then we can work on the outer markets by accessing large potential in the outer markets by acquiring more visitors who look similar to what we have, and by taking the cream of our visitor profile on a cost effective basis. Mr. Kalahar also discussed the visitor profile; socio-economic segmentation by core markets, primary markets, and outer markets; visitor life stages by season visitor demographics by season: first time visitors; Branson positioning; festivals; and the guiding principles required to do an effective media campaign. Discussion was then held by members of the Board and the audience. Mayor Schaefer then entertained a motion accepting this report. Alderman Huff made the motion, seconded by Alderman Barker. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried.

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

Public Hearing and first reading of Bill No. 2815 annexing property owned by Empire District Electric Company into the City 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, closed the Public Hearing. Mayor Schaefer then entertained a motion to approve the first reading of Bill No. 2815. Alderman Gass made the motion, seconded by Alderman Purvis. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried.

**BILL NO. 2815  
PUBLIC HEARING  
ANNEXING  
EMPIRE DISTRICT  
ELECTRIC CO.**

Public Hearing and first reading of Bill No. 2816 annexing property owned by Cooper Creek Resort and Campground, Inc. and Robert H. & Fritz B. Fletcher into the City 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, closed the Public Hearing. Mayor Schaefer then entertained a

**BILL NO. 2816  
PUBLIC HEARING  
ANNEXING  
COOPER CREEK RESORT  
& CAMPGROUND  
ROBERT H. & FRITZ B.  
FLETCHER**

**motion to approve the first reading of Bill No. 2816. Alderman Purvis made the motion, seconded by Alderman Barker. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried.**

**Public Hearing and first reading of Bill No. 2817 annexing property owned by Linda White into the City 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, closed the Public Hearing. Mayor Schaefer then entertained a motion to approve the first reading of Bill No. 2817. Alderman Barker moved to approve the first reading, seconded by Alderman Purvis. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried.**

**BILL NO. 2817  
PUBLIC HEARING  
ANNEXING  
LINDA WHITE**

**Public Hearing and first reading of Bill No. 2818 annexing property owned by Glenn E. and Jacqueline S. Pyle into the City was read by title by City Clerk Williams, and Don Stephens provided the staff report. Mayor Schaefer opened the Public Hearing and after receiving some discussion regarding the eliminating of the septic tanks, closed the Public Hearing. Mayor Schaefer then entertained a motion to approve the first reading of Bill No. 2818. Alderman Gass made the motion, seconded by Alderman Purvis. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried.**

**BILL NO. 2818  
PUBLIC HEARING  
ANNEXING  
GLENN E. &  
JACQUELINE S. PYLE**

**First reading of Bill No. 2819, an ordinance amending Section 215.100 of the Branson Municipal Code to increase Park User Fees was read by title by City Clerk Williams, and Cindy Shook provided the staff report. Mayor Schaefer entertained a motion to accept the first reading of Bill No. 2819. Alderman Huff made the motion, seconded by Alderman Purvis. Discussion was held regarding what the fees covered. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried.**

**BILL NO. 2819  
AMENDING  
BRANSON MUNICIPAL  
CODE-SECTION 215.100  
PARK USER FEES**

**First reading of Bill No. 2820, an ordinance authorizing a Power Line Easement located on property known as Lakeside Forest Wilderness Area-Fall Creek Road, Branson, Taney County, Missouri and authorizing the Mayor to sign the easement, was read by title by City Clerk Williams, and Larry VanGilder provided the staff report. Discussion was held pertaining to the damage of the trees. Mayor Schaefer then entertained a motion to approve the first reading of Bill No. 2820.**

**BILL NO. 2820  
POWER LINE  
EASEMENT  
LAKESIDE FOREST  
WILDERNESS AREA  
ORD. NO. 2004-035**

**Alderwoman Martin made the motion, seconded by Alderman Purvis. Discussion was held on the clearing of the land. 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, motion was seconded by Alderman Purvis. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried. City Clerk Williams read**

Bill No. 2820 by title again. Mayor Schaefer entertained a motion to approve the final reading of Bill No. 2820. Alderman Gass made the motion, seconded by Alderman Purvis. No discussion. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried. Ordinance No. 2004-035 was duly enacted.

First reading of Bill No. 2821, an ordinance authorizing the Mayor to execute an amendment to the Professional Engineering Services Agreement with Burns & McDonnell Engineering Company, Inc. pertaining to the Branson Landing Sewer Realignment Project was read by title by City Clerk Williams, and David Miller provided the staff report, and outlined in detail the steps taken regarding the low bidder. Mayor Schaefer entertained a motion approving the first reading of Bill No. 2821. Alderman Barker moved to approve on first reading, seconded by Alderwoman Martin. Discussion was held regarding why the City was responsible for the bills and not HCW. David Miller responded by saying that part of the problem is that the City does not know how much soil is contaminated by the old refinery area northwest of Rocky's Restaurant. We are trying to figure out some way to determine the cubic yard cost of removing the contaminated soil only, based on the testing done. It is very complex, and if we say they only have to dewater it, and dispose of the water we still do not know how much dewatering will have to be done. We are struggling with how to bid it so the City gets the lowest price and yet the contractor gets paid for the exact amount he removes. Discussion was also held on where geographically the sewer line is to be placed. Mr. Miller also explained, the square, the boardwalk, the other public portions of the project will be our responsibility, and in effect our portion is being done separate and in advance of the rest of the work because we have to get our work done first to keep from holding the construction portion of the project. The storm water portion of the Pollution Prevention Plan (\$6,800 dollars) is the City's portion because we are responsible for the public infrastructure of the project. In effect a portion of our percentage is just being done separate and in advance of the rest of the work we are responsible for. If we held off on this project, the problem we would run into would be putting our sewer down while they were doing construction and we would have a conflict. Mr. Miller also stated, it was determined that it would be better to have a smaller outdoor system than a two-story large building that would be on the edge of the parking lot. It will make the project more esthetic looking, and by switching from a building to an outdoor system we save the City about \$50,000 dollars. After the discussion, Mayor Schaefer called for a vote. Voting aye: Gass, Barker, Martin, and Huff. Nays: Edie and Purvis. Motion carried.

**BILL NO. 2821  
AMENDMENT  
BURNS & MCDONNELL  
ENGINEERING  
AGREEMENT  
BRANSON LANDING  
SEWER REALIGNMENT  
PROJECT**

First reading of Bill No. 2822, an ordinance accepting the proposal of bid award to Freesen, Inc. for the Recreation Center and Branson Hills Parkway Rough Grading 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 read by title by City Clerk Williams, and David Miller provided the staff report. Mayor

**BILL NO. 2822  
BID AWARD  
FREESSEN, INC.  
ROUGH GRADING  
PROJECT  
RECREATION CTR.  
BRANSON HILLS**

Schaefer entertained a motion to approve the first reading of Bill No. 2822. Alderman Gass made the motion, seconded by Alderwoman Martin. Discussion. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried. Alderman Gass 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. 2822 by title again. Mayor Schaefer entertained a motion to approve the final reading of Bill No. 2822. Alderman Huff made the motion, seconded by Alderman Purvis. No discussion. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried. Ordinance No. 2004-036 was duly enacted.

**PARKWAY  
ORD. NO. 2004-036**

First reading of Bill No. 2823, an ordinance accepting the proposal of bid award to Dell Incorporated for the purchase of two servers 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 Kevin Faught provided the staff report. Mayor Schaefer entertained a motion to approve the first reading of Bill No. 2823. Alderman Purvis made the motion, seconded by Alderman Barker. 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 emergency due to the critical state of our current file server, seconded by Alderman Purvis. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried. City Clerk Williams read Bill No. 2823 by title again. Mayor Schaefer entertained a motion to approve the final reading of Bill No. 2823. Alderman Gass made the motion, seconded by Alderman Purvis. No discussion. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried. Ordinance No. 2004-037 was duly enacted.

**BILL NO. 2823  
BID AWARD  
DELL, INC.  
TWO COMPUTER  
SERVERS  
ORD. NO. 2004-037**

First Reading of Bill No. 2824, an ordinance accepting the proposal of bid award to L&M Distributing, H2O Technical Services, Inc., DPC Enterprises, L.P., Calciquist, Inc., Polydyne, Inc., Brenntag Mid-South, Inc., Univar USA, Inc., G.S. Robbins & Company, and V.L. Clark Chemical Company, Inc., for the Chemicals used in the Water and Wastewater Treatment Facilities for the City of Branson, 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 then entertained a motion to approve the first reading of Bill No. 2824. Alderman Barker moved to approve, seconded by Alderwoman Martin. No discussion. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried.

**BILL NO. 2824  
BID AWARD  
CHEMICALS  
WATER &  
WASTEWATER  
TREATMENT  
FACILITIES**

A resolution acknowledging the Reimbursement No. 16 and No. 17 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.

**RESOLUTION  
REIMBURSEMENT  
TO HCW  
NO. 2004-R007**

**Alderwoman Martin made the motion, seconded by Alderman Huff. No discussion. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried. Resolution No. 2004-R007 was adopted.**

#### **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 Huff made the motion, 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. Hearing none, Mayor Schaefer opened the floor for Aldermen and Administrator's Reports.**

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

**Alderman Gass said he was very impressed with the marketing presentation GASS and stated that it was really nice to have someone in that type of business address the Board and to answer any questions that arise.**

**Alderman Barker stated he also wanted to compliment the Chamber BARKER for the direction they are heading. We have a great area here, we just have to get the word out, said Mr. Barker.**

**Alderman Barker also thanked David Miller, City Engineer for his BARKER detailed report on the bids that were taken and came in so close. It is always tough when you have good qualified bidders, and especially when the difference in the bids are really close. However, the City has a great system and it works.**

**Alderwoman Martin said she would like to commend the Police MARTIN Department for assisting our tourists and making it a safe time for them, and also as the upcoming season grows.**

**Alderman Huff said he would like to lighten up the meeting a bit, by HUFF heeding Dr. Spears advise which was to never engage with anyone that buys ink by the barrel. Mr. Huff then went on to say he just wanted to share a few thoughts with Mr. Logan and Mr. Groman, and said, "It is just not fair that we should have all of**

the fun right here in Branson. You guys do great cartoons and great editorials but it is mostly about Branson and this City Council. There is some elected officials out there in the County that feel neglected and lonely. They just toil away in obscurity. Some people don't even know their names. You don't ever do any cartoons about them or write any editorials about them. They just don't feel appreciated. Just think about being an Alderman in Forsyth or Hollister, all that hard work and no cartoons. What about our Taney County commissioners? Have you noticed the long, sad faces on them recently? They are just real, real unhappy that you don't come to their meetings and do some work on them. I know you favor us and believe me we deeply appreciate it. I know you think it will hurt our feelings if you go out and do some cartoons or write some editorials about somebody besides us, but we will understand. We are not greedy. We want to share you with other people. So just think about it. Share them up and make them feel appreciated, they will love you for it."

Alderman Edie stated he would like to point out the incredible accomplish- EDIE  
ment the Branson Fire and Rescue has done, and thank them for their endeavors.  
The year end report shows the total fire losses were only \$131 thousand dollars in 2003 .  
The Fire Department has also attained an ISO Class 3 rating which they have been  
working on for a long time. Mr. Edie said, Branson is very lucky to have the professionals  
that we have.

Alderman Purvis said that with a deep sense of loss he wanted to PURVIS  
announce that Virginia Roberts Cohen passed away last Friday and her  
memorial service was held today. Mrs. Cohn was a long time resident of Branson and her  
husband Ron Cohen was the administrator of Silver Dollar City. She was known for her  
great hospitality, and was the hospitality queen of Branson, and she will be missed.

**ADJOURN:**

At this time, Mayor Schaefer entertained a motion to adjourn. Alderman Purvis  
made the motion, seconded by Alderwoman Martin. Voting aye: Gass, Barker, Martin,  
Huff, Edie, and Purvis. Nays: None. Motion carried. Meeting was adjourned at 8:55 p.m.