

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF ALDERMEN
CITY OF BRANSON, MISSOURI, APRIL 12, 2004**

The Board of Aldermen of the City of Branson, Missouri met in regular session in the Council Chambers of the City Hall on April 12, 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 from the City were City Administrator Terry Dody, City Attorney Dan Wichmer, City Clerk Sandra Williams, Assistant City Attorney Russ Dempsey, 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, Police Chief Steve Mefford, 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 Special Meeting of March 15, 2004; the Board of Aldermen meeting and public comments meeting of March 22, 2004; the Luncheon Meeting of March 29, 2004; and the special meeting of April 5, 2004. Receiving none, Mayor Schaefer entertained a motion to approve the Minutes stated. Alderman Barker 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**

At this time, Alderman Barker presented the April Employee of the Month Award to Guy Lockridge of Public Works. Alderman Baker stated, "It is an honor for me this evening to present the Employee of the Month award to a member of our Public Works Department - Guy Lockridge. Guy is being recognized for his ingenuity in solving a clogging problem at one of our wastewater lift stations. Grease and other solids that don't dissolve easily in water were continually obstructing the water flow at a life station. Guy came up with the idea of installing a piece of equipment that would periodically agitate the water causing grease and solids to break down and mix with the water to be pumped away. The stirring system was made from spare parts taken from old lift stations not being used. The only money spent by the city was for an inexpensive appliance timer to turn the equipment on and off. The clogging problem that used to happen very frequently has now been eliminated, thanks to Guy. Guy's actions exemplify the Branson's values of responsible stewardship of city resources and a commitment to excellence. Guy, on behalf of the Mayor and the Board of Aldermen, it is an honor to present you with this plaque recognizing you as our April Employee of the Month. Congratulations!"

**EMPLOYEE
OF THE MONTH**

ELECTION RESULTS:

City Clerk Sandra Williams read the Certification of Municipal Election results from the April 8, 2004 election into the record as attached to the Minutes as Exhibit "A". Alderman Huff moved that the results of the April 8, 2004 Municipal Election be certified and entered into the record, seconded by Alderwoman Martin. Voting aye were Gass, Barker, Martin, Huff, Edie and Purvis. Nays: None.

OATHS OF OFFICE:

City Clerk Sandra Williams gave the Oath of Office to Stan Barker, Alderman Ward I, (two-year term), Jack Purvis, Alderman Ward II, (two-year term) and Dick Gass, Alderman Ward III, (two-year term).

Alderman Huff moved to have Item No. 3 removed from the Consent Agenda and placed as Item No. 3 on the Regular Agenda for discussion, seconded by Alderwoman Martin. 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 Capital Improvements Committee meeting of January 26, 2004 was acknowledged within the Consent Agenda. Voting Aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: None.

**ACKNOWLEDGEMENT
OF MINUTES**

Final reading of Bill No. 2825 approving an agreement For Professional Engineering Services between the Benham Companies, Inc., and the City of Branson, pertaining to Construction Management Services on the Branson Landing Project. Voting Aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: None. Motion carried. Ordinance No. 2004-045 was duly enacted.

**BILL NO. 2825
AGREEMENT
BENHAM
COMPANIES, INC.
CONSTRUCTION
MANAGEMENT
BRANSON LANDING
ORD. NO. 2004-045**

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:

Final reading of Bill No. 2744 , amending Section 205.200 of the Branson Municipal Code by redefining the regulations concerning firearms was read by title by City Clerk Williams, and Caroll McCullough provided the staff report indicating this bill was read the first time in October and postponed pending the Supreme Court’s ruling on constitutionality of the state’s conceal and carry law. On March 2, 2004 the Supreme Court upheld the new law and the City should proceed with finalizing this bill. However, as it has changed substantially, staff is requested this bill be vetoed as a new bill is following for the Board’s approval. Mayor Schaefer entertained a motion approving the final reading of Bill No. 2821. Alderman Barker made the motion, seconded by Alderman Purvis. Upon no discussion, Mayor Schaefer called for a vote on the motion. Voting aye: None. Nays: Gass, Barker, Martin, Huff, Edie, and Purvis. Motion failed. Bill No. 2821 was defeated.

**BILL NO. 2744
AMENDING
FIREARM
REGULATIONS
(FAILED)**

First reading of Bill No. 2862, an ordinance amending Section 205.200 of the Branson Municipal Code by redefining the regulations concerning firearms, was read by title by City Clerk Williams, and Caroll McCullough provided the staff report. Mayor Schaefer entertained a motion approving the Martin. Alderman Purvis made the motion, seconded by Alderwoman Martin. No discussion. Voting Aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: None. Motion carried. Alderman Huff then moved to read the bill a second time by an emergency due to the necessity to regulate firearms within the City, seconded by Alderman Purvis. Voting Aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: None. Motion carried. Bill No. 2862 was again read by title by City Clerk Williams. Alderman Barker moved to approve the bill on final reading, seconded by Alderman Purvis. Voting Aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: None. No discussion. Motion carried. Ordinance No. 2004-046 was duly enacted.

**BILL NO. 2826
AMENDING
FIREARM
REGULATIONS
ORD. NO. 2004-046**

Presentation of Petition for Consent to Annex property owned by Robert and Sharon Lepper and located at 430 Caudill Way, Lake Taneycomo Acres Subdivision, 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 Gass made the motion, seconded by Alderwoman Martin. No discussion. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried.

**PETITION
CONSENT TO ANNEX
STANLEY EARL
TIFFANY, TRUSTEE**

Public Hearing and first reading of Bill No. 2827 an ordinance annexing property owned by Robert and Sharon Lepper into the City, was read by title by City Clerk Williams, and Don Stephens provided the staff report. Mayor

**BILL NO. 2827
PUBLIC HEARING
ANNEXATION
ROBERT & SHARON**

Schaefer opened the Public Hearing and after receiving no discussion from the Board or audience, closed the Public Hearing. Mayor Schaefer then entertained a motion to approve the first reading of Bill No. 2827. Alderman Gass made the motion, seconded by Alderman Purvis. No discussion. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried.

LEPPER

First Reading of Bill No. 2828 an ordinance authorizing the Mayor to execute amendments to the Professional Engineering Services agreements with Berger Devine Yeager, Inc. pertaining to the design and construction phase engineering services for the Business 65 traffic roundabout located on the south end of the Lake Taneycomo bridge, 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. 2828. 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. 2828
AMENDMENTS
PROFESSIONAL
ENGINEERING
SERVICES
AGREEMENT

First Reading of Bill No. 2829 vacating a sewer easement to Myron J. and Lorita A. Curtis in the Southeast Quarter of the Northwest Quarter of Section 2 Township 22 North, range 22 West, Taney County, Missouri, was read by title only by City Clerk Williams, and David Miller provided the staff report. Mayor Schaefer entertained a motion approving the first reading of Bill No. 2829. Alderman Barker moved to approve the bill on first reading, seconded by Alderman Purvis. No discussion. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried.

BILL NO. 2829
EASEMENT
MYRON J. &
LORITA A. CURTIS

First Reading of Bill No. 2830, an ordinance accepting the proposal of bid award to Missouri Electric Motors and Controls LLC for the variable frequency drives project for the City of Branson, authorizing the Mayor to execute the agreement 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. 2830. Alderwoman Martin made the motion, seconded by Alderman Purvis. No discussion. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried.

BILL NO. 2830
BID AWARD
VARIABLE
FREQUENCY
DRIVES

First Reading of Bill No. 2831, an ordinance accepting the proposal of bid award to Sunbelt Environmental Services, Inc. for the underground storage tank removals at Uncle Dad's Convenience Store, and authorizing the Mayor to execute 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. 2831. Alderman Gass moved to approve, seconded by Alderman Barker. Discussion.

BILL NO. 2831
BID AWARD
UNDERGROUND
STORAGE TANK
REMOVALS
UNCLE DAD'S
ORD. NO. 2004-047

Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. It was then moved by Alderman Barker that the bill be read a second time by emergency due to the construction deadlines. Motion was seconded by Huff. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried. City Clerk Williams read Bill No. 2831 by title again. Mayor Schaefer entertained a motion approving Bill No. 2831 on its final reading. Alderman Gass made the motion, seconded by Alderman Purvis. No discussion. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Ordinance No. 2004-047 was duly enacted.

A resolution acknowledging Reimbursement No. 19 to HCW for expenses incurred on the Branson Landing Project pursuant to the Technical Services Contract, was read by title by Clerk Williams, and Dan Wichmer provided the staff report. Mayor Schaefer 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. 2004-R011 was adopted.

**RESOLUTION
REIMBURSEMENT
TO HCW
NO. 2004-R011**

A resolution authorizing establishment of accounts, in financial institutions, designating the city personnel who can approve establishment of those accounts and sign for the City of Branson on those accounts, 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 Purvis made the motion, seconded by Alderman Barker. Discussion. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried. Resolution No. 2004-R012 was adopted.

**RESOLUTION
AUTHORIZING
FINANCIAL ACCOUNTS
NO. 2004-R012**

DISBURSEMENTS:

Mayor Schaefer stated the next item was review of the disbursements, and asked if there were any questions regarding the disbursements. After discussion, 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.

DISBURSEMENTS

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 Gass stated that three aldermen, Barker, Purvis, and Gass, attended the Bell Ringing Appreciation dinner given by the Salvation Army recently. The Board was awarded a plaque as it was the highest collection the Salvation Army has ever had in one

day. This started when the Board members challenged the clubs and organizations as to who could collect the most in one day, and it was a great success and will be continued next year. Mayor Schaefer then opened the floor for Aldermen and Administrator's Reports.

ALDERMEN/ADMINISTRATOR'S REPORTS

Alderman Martin said that although it was a day late, she wanted to say that from all of the Board they hoped everyone had a Happy Easter; and also thanked everyone for continually attending the meetings and supporting the Board. **MARTIN**

Alderman Purvis said that since spring is right around the corner it reminds him that it is a privilege to live in the Ozarks, and he is blessed to be a part of Branson, Missouri. **PURVIS**

Mayor Schaefer stated he believes we are all blessed to live here in Branson. **SCHAEFER**

ADJOURN:

At this time, Mayor Schaefer entertained a motion to adjourn. Alderman Purvis made the motion, seconded by Alderman Barker. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: None. Motion carried. Meeting was adjourned at 7:46 p.m.