

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF ALDERMEN
CITY OF BRANSON, MISSOURI, FEBRUARY 14, 2005**

The Board of Aldermen of the City of Branson, Missouri met in regular session in the Council Chambers of the City Hall on February 14, 2005 at 7:00 p.m. with the following members present:

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

Also present from the City were: City Administrator Terry Dody, Assistant City Administrator Frank Schoneboom, City Attorney Dan Wichmer, Deputy City Clerk Westfall, City Clerk Sandra Williams, Director of Engineering David Miller, Fire Chief Carl Sparks, Director of Economic Development Mike Rankin, Director of Communications Jerry Adams, Director of Finance Deanna Schlegel, Director of Planning and Zoning Don Stephens, 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.

At this time, Mayor Schaefer recognized Richard Miles group leader, and the boy scouts of the Branson/Hollister Boy Scout Troop #290. Mayor Schaefer welcomed them to the meeting and thanked them for attending. He also indicated this was Alderman Purvis's former troop.

Next, Alderman Huff presented the February Employee of the Month Award to Blake Ringberg, an officer in the Branson Police Department. Alderman Huff said Blake was being recognized for his lifesaving efforts when he responded to a medical emergency involving an apparent heart attack victim. Using an Automated External Defibrillator (AED) he kept the victim alive until medical personnel arrived, and continued CPR in the ambulance all the way to the hospital, where hospital doctors credited him with saving the victim's life. Alderman Huff stated, his actions demonstrate the attitude of city employees when they find themselves in extraordinary situations and go above and beyond the call of duty in order to serve and protect our residents and visitors.

**EMPLOYEE
OF THE MONTH**

Mayor Schaefer asked for any additions or corrections to the Minutes of the Board of Aldermen meeting and Public Comments meeting of January 24, 2005, and the Special Board meeting of January 28, 2005. Receiving none, Mayor Schaefer entertained a motion to approve the Minutes as presented. Alderman Huff made the motion to approve the Minutes as presented, seconded by Alderman Purvis. Voting aye: Barker, Martin, Huff, and Purvis. Nays: none. Gass abstained. Absent: Edie. Motion carried.

**APPROVAL
OF MINUTES**

CONSENT AGENDA:

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

Receipt of the Planning and Zoning Commission meeting of January 4, 2005 was acknowledged within the Consent Agenda. Voting aye: Gass, Barker, Martin, Huff, and Purvis. Nays: none. Absent: Edie. Motion carried.

**ACKNOWLEDGEMENT
OF MINUTES**

Final Reading of Bill No. 2974 an ordinance approving a zoning change from "R-1" Single Family Residential to "C" Commercial for a parcel of land located at Little Pete's Road; Tract G, Music Country First Addition, Branson, Missouri, was approved within the Consent Agenda. Voting aye: Gass, Barker, Martin, Huff, and Purvis. Nays: none. Absent: Edie, Motion carried. Ordinance No. 2005-011 was duly enacted.

**BILL NO. 2974
ZONING CHANGE
"R-1" RESIDENTIAL
TO "C" COMMERCIAL
MUSIC COUNTRY
FIRST ADDITION
ORD. NO. 2005-011**

Final reading of Bill No. 2975 an ordinance vacating the alley connecting 3rd Street with 4th Street, located in Block 7, Branson Subdivision, Branson, Taney County, Missouri, was approved within the Consent Agenda. Voting aye: Gass, Barker, Martin, Huff, and Purvis. Nays: none. Absent: Edie. Motion carried. Ordinance No. 2005-012 was duly enacted.

**BILL NO. 2975
VACATING ALLEY
3RD & 4TH STREETS
ORD. NO. 2005-012**

Final reading of Bill No. 2976 an ordinance amending Title IV, *Land Use*, of the Branson Municipal Code, Chapter Chapter 445, *Sign Code*, by allowing temporary signage to replace signs that are temporarily removed to facilitate major construction projects, and to provide for announcements of new businesses coming as a result of new construction projects, was approved within the Consent Agenda. Voting aye: Gass, Barker, Martin, Huff, and Purvis. Nays: none. Absent: Edie. Motion carried. Ordinance No. 2005-013 was duly enacted.

**BILL NO. 2976
AMENDING
BRANSON MUNICIPAL
CODE-SIGN CODE
ORD. NO. 2005-013**

Final reading of Bill No. 2977 an ordinance approving an agreement between the Motion Picture Hall of Fame Foundation (D/B/A Branson Walk of Stars) and the City of Branson, and authorizing the Mayor to execute the agreement, was approved within the Consent Agenda. Voting aye: Gass, Barker, Martin, Huff, and Purvis. Nays: none. Absent: Edie. Motion carried. Ordinance No. 2005-014 was duly enacted.

**BILL NO. 2977
APPROVING
AGREEMENT
WALK OF STARS
ORD. NO. 2005-014**

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

REGULAR AGENDA:

The first item on the regular agenda was a status report on Branson Landing and Convention Center Projects. Jim Martin of the Benham Company provided an update on the Landing project and reviewed the various disbursement as follows. Request #50CC in the amount of \$69,210.00; Request #50CC-R in the amount of \$3,366.05; Request #50MI in the amount of \$2,150.45; Request #50WF in the amount of \$189,456.06; and Request #50WF-R in the amount of \$956.22. After considerable discussion, Mayor Schaefer entertained a motion accepting the report as presented. Alderman Purvis made the motion, seconded by Alderman Gass. Voting aye: Gass, Barker, Martin, Huff, and Purvis. Nays: none. Absent: Edie. Motion carried.

**STATUS REPORT
BRANSON LANDING &
CONVENTION CENTER
PROJECTS**

At this time, Rick Huffman of HCW Developers, LLC provided an update on the Convention Center and presented a schematic design of the Convention Center. Discussion was held regarding the square footage of the Exhibit Hall and the Ball Room. Mr. Huffman indicated that it was easier to adjust the size of the rooms at this point in the design phase, and that the Ball Room space is a key factor based upon the CS&L Study and the research they have done. He stated a decision would need to be made in the near future. Mayor Schaefer entertained a motion to accept the report as presented. Alderman Barker moved to approve the report as presented, seconded by Alderwoman Martin. Voting aye: Gass, Barker, Martin, Huff, and Purvis. Nays: none. Absent: Edie. Motion carried.

**UPDATE REPORT
CONVENTION CENTER**

Presentation of a Petition for Consent to Annex property owned by Majestic Pointe, LTD, located off of Hwy. 265 on Table Rock Lake, Branson, Missouri, was read by title by Deputy City Clerk Westfall, and Don Stephens provided the staff report. Mayor Schaefer entertained a motion to accept the petition for voluntary annexation. Alderman Huff made the motion, seconded by Alderwoman Martin. Voting aye: Gass, Barker, Martin, Huff, and Purvis. Nays: none. Absent: Edie. Motion carried.

**PRESENTATION
CONSENT TO ANNEX
MAJESTIC POINTE**

First reading of Bill No. 2981 an ordinance approving an Electric Power easement to the Empire District Electric Company, and authorizing the Mayor to execute the easement pertaining to the Skaggs Road roundabout property, was read by title by Deputy City Clerk Westfall, and David Miller provided the staff report. Mayor Schaefer entertained a motion to approve the first reading of Bill No. 2981. Alderman Gass made the motion, seconded by Alderman Purvis. Voting aye: Gass, Barker, Martin, Huff, and Purvis. Nays: none. Absent: Edie. Motion carried.

**BILL NO. 2981
EASEMENT TO
EMPIRE DISTRICT
ELECTRIC COMPANY**

First reading of Bill No. 2982 an ordinance amending the Branson Municipal Code, Chapter 610, *Peddler's License* by adding language related to Public Solicitation; Chapter 205 *Offenses* by adding language related to handbills; and Chapter 605 *Merchant Licenses and Regulations* by changing the license fees, was read by title by Deputy City Clerk Westfall, and Don Stephens provided the staff report. Mayor Schaefer entertained a motion to approve the first reading of Bill No. 2982. Alderman Huff made the motion, seconded by Alderman Purvis. Discussion was held by members of the audience and Board regarding the "legal recognized publication" and the requirement that it takes three years to become a "legal recognized publication". City Attorney Dan Wichmer replied that the issue is trying to prohibit the distribution of handbills. He indicated he understood Mr. Logan's concerns and would look into that matter. Mr. Wichmer then stated that as part of the record he would like to submit the meetings of the Work Session and Public Hearing on November 3, 2004 and January 28, 2005, where citizens testified regarding the dangers they experienced. What it comes down to is the prohibition is being put into place because it became a safety issue for tourist and citizens walking on sidewalks. Given the narrowness of the sidewalks as well as the streets and the volume of traffic, the City thought the best way to go was a flat prohibition on that type of activity. He concluded by offering the documents into the record. Deputy City Clerk Westfall stated they were accepted into the record. Alderman Purvis then called for the question. Mayor Schaefer called for the vote on the first reading of Bill No. 2982. Voting aye: Gass, Barker, Martin, Huff, and Purvis. Nays: none. Absent: Edie. Motion carried.

**BILL NO. 2982
AMENDING
BRANSON MUNICIPAL
CODE-CHAPTERS 610, 205
AND 605-PEDDLER'S LICENSE
OFFENSES AND MERCHANT
LICENSES & REGULATIONS**

First reading of Bill No. 2983 an ordinance amending Title VII of the Branson Municipal Code, Chapter 710, by repealing Section 710.130 *Interceptors* and adopting a new Section 710.130 the *Fats, Oils, and Grease Management Program*, was read by title by Deputy City Clerk Westfall and Larry VanGilder provided the staff report. Mayor Schaefer entertained a motion to approve the first reading of Bill No. 2983. Alderman Gass made the motion, seconded by Alderwoman Martin. Discussion. Voting aye: Gass, Barker, Martin, Huff, and Purvis. Nays: none. Absent: Edie. Motion carried.

**BILL NO. 2983
AMENDING
BRANSON MUNICIPAL
CODE-CHAPTER 710
FATS, OILS & GREASE
MANAGEMENT PROGRAM**

First reading of Bill No. 2984 an ordinance amending the Branson Municipal Code, Section 215.100 to increase certain Park User Fees, was read by title by Deputy City Clerk Westfall, and Cindy Shook provided the staff report. Mayor Schaefer entertained a motion to approve the first reading of Bill No. 2984. Alderman Purvis made the motion, seconded by Alderwoman Martin. Discussion. Voting aye: Gass, Barker, Martin, Huff, and Purvis. Nays: none. Absent: Edie. Motion carried.

**BILL NO. 2984
AMENDING
BRANSON MUNICIPAL
CODE-SECTION 215
PARK USER FEES**

First reading of Bill No. 2985 an ordinance accepting the proposal of bid award to Turf Professionals Equipment Company, First Choice Farm & Lawn, Van Wall Equipment, and Race Brothers for maintenance equipment used at the Branson RecPlex for the City of Branson, and authorizing the Mayor to execute the agreements, was read by title by Deputy City Clerk Westfall, and Cindy Shook provided the staff report. Discussion. Voting aye: Gass, Barker, Martin, Huff, and Purvis. Nays: none. Absent: Edie. Motion carried.

**BILL NO. 2985
BID AWARD
REC/PLEX
EQUIPMENT**

First reading of Bill No. 2986 an ordinance accepting the proposal of bid award between PCIT Company, Inc. and the City of Branson, and authorizing the Mayor to enter into the agreement pertaining to the Phase I Convention Center Site Demolition Project, was read by title by Deputy City Clerk Westfall, and David Miller provided the staff report. Mayor Schaefer entertained a motion to approve the first reading of Bill No. 2986. Alderman Barker moved to approve the bill on first reading, seconded by Alderman Purvis. No discussion. Voting aye: Gass, Barker, Martin, Huff, and Purvis. Nays: none. Absent: Edie. Motion carried.

**BILL NO. 2986
BID AWARD
PHASE I DEMOLITION
CONVENTION CENTER
SITE PROJECT**

APPOINTMENT:

Mayor Schaefer said he had a recommendation to reappoint Joyce Clemenson to the Branson Housing authority Board to serve for a term expiring October 19, 2008, and entertained a motion approving this reappointment. Alderman Gass moved to approve the reappointment of Joyce Clemenson to the Branson Housing Authority Board for a term to expire October 19, 2008, seconded by Alderman Barker. Voting aye: Gass, Barker, Martin, Huff, and Purvis. Nays: none. Absent: Edie. Motion carried.

**BRANSON HOUSING
AUTHORITY BOARD
REAPPOINTMENT
JOYCE CLEMENSON**

DISBURSEMENTS:

Mayor Schaefer stated the next item was review of the disbursements, and asked if there were any questions regarding the disbursements. Receiving none, Mayor Schaefer entertained a motion to approve the disbursements as presented. Alderman Huff moved to approve the disbursements as presented, seconded by Alderman Purvis. No discussion. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Absent: Edie. 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 Barker said he wanted to recognize Blake Ringberg, the Employee of the Month, and also Bob Warlick for spearheading the project of obtaining the Automated External Defibrillator for the police vehicles.

BARKER

Administrator Dody said he hoped everyone would have a chance to drive out and look at the Rec Center as it is coming along so fantastically well. The road is open enough that you can drive out there if you are careful. If you would like to take a tour of it Cindy Shook would be glad to schedule an appointment to take you.

DODY

ADJOURN:

At this time, Mayor Schaefer entertained a motion to adjourn. Alderman Purvis made the motion to adjourn, seconded by Alderman Barker. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Absent: Edie. Motion carried. Meeting was adjourned at 8:35 p.m.