

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF ALDERMEN
CITY OF BRANSON, MISSOURI, APRIL 25, 2005**

The Board of Aldermen of the City of Branson, Missouri met in regular session in the Council Chambers of the City Hall on April 25, 2005 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 in attendance from the City were: City Administrator Terry Dody, Assistant Administrator Frank Schoneboom, City Attorney Dan Wichmer, City Clerk Lisa Westfall, Assistant City Attorney Matt Thompson, Director of Economic Development Mike Rankin, Director of Public Works Larry VanGilder, Division Chief Charlie Huston, Director of Engineering David Miller, Director of Finance Deanna Schlegel, Director of Health Linn Smith, Director of Planning & Zoning Don Stephens and Public Information Director Jerry Adams.

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

Alderman Purvis presented the March Employee of the Month Award to Paula Morgan of the Parks & Recreation Department for providing her expertise in computer layout and design to assist city administration in creating the first annual Citizens Report for the City of Branson. **EMPLOYEE
OF THE MONTH**

Next, Fire Department Division Chief Charlie Huston gave special employee recognition awards to Captain Chris Morgan, Volunteer Captain Jeff Wilcox, Engineer Jason Gagnepain, Fire Fighter Robert Luta and Fire Fighter Andy Dicken. **SPECIAL
EMPLOYEE
RECOGNITION**

Mayor Schaefer asked for any additions or corrections to the Minutes of the Board of Aldermen meeting and Public Comments meeting of April 11, 2005 and the Special Meeting of April 18, 2005. Receiving none, Mayor Schaefer asked for a motion approving all of the Minutes as presented. Alderman Huff moved 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**

Alderman Huff made a motion to move Item No. 9 from the Consent Agenda and place it as Item No. 9 in the Regular Agenda. Alderman Gass seconded the motion. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried.

CONSENT AGENDA:

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

Receipt of the Park Board meeting minutes of February 16, 2005 and Capital Improvement Committee meeting minutes of March 28, 2005 was acknowledged within the Consent Agenda. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried.

**ACKNOWLEDGEMENT
OF MINUTES**

Final reading of Bill No. 3009 an ordinance approving the Cooperative Agreement between the Branson Landing Transportation Development District and the City of Branson, Missouri was read by title by City Clerk Westfall and approved within the Consent Agenda. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried. Ordinance No. 2005-047 was duly enacted.

**BILL NO. 3009
CO-OP AGREEMENT
BRANSON LANDING
TRANSPORTATION
DEVELOPMENT
ORD. NO. 2005-047**

Final reading of Bill No. 3011 an ordinance amending Section 215.080 of the Branson Municipal Code by adding a new Sub-Section prohibiting groups or individuals from using park facilities or equipment without first obtaining a permit was read by title by City Clerk Westfall and approved within the Consent Agenda. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried. Ordinance No. 2005-048 was duly enacted.

**BILL NO. 3011
AMENDING
BRANSON MUNICIPAL
CODE-PERMITS
PARK FACILITIES
OR EQUIPMENT
ORD. NO. 2005-048**

Final reading of Bill No. 3012 an ordinance amending Title II of the Branson Municipal Code, by amending Chapter 205 Offenses, Section 205.215 Regulation of Mailboxes and other Structures on the right-of-way was read by title by City Clerk Westfall and approved within the Consent Agenda. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried. Ordinance No. 2005-049 was duly enacted.

**BILL NO. 3012
AMENDING
BRANSON MUNICIPAL
CODE TITLE II
CHAPTER 205
MAILBOXES
ORD. NO. 2005-049**

Final reading of Bill No. 3013 an ordinance establishing and readopting a procedure to disclose potential conflict of interest and substantial interests for certain municipal officials was read by title by City Clerk Westfall and approved within the Consent Agenda. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried. Ordinance No. 2005-050 was duly enacted.

**BILL NO. 3013
READOPTING
PROCEDURE
CONFLICT OF
INTEREST
ORD. NO. 2005-050**

Final reading of Bill No. 3014 an ordinance approving an agreement for Professional Architectural Services between Treat Associates P.C. and the City of Branson, and authorizing the Mayor to enter into the agreement pertaining to architectural design services on the Fire Station #4 Project was read by

**BILL NO. 3014
AGREEMENT
TREAT ASSOCIATES
ARCHITECTURAL
DESIGN**

title by City Clerk Westfall and approved within the Consent Agenda. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried. Ordinance No. 2005-051 was duly enacted.

**FIRE STATION #4
ORD. NO. 2005-051**

Final reading of Bill No. 3015 an ordinance approving an agreement between Alamosa PCS and the City of Branson, and authorizing the Mayor to enter into the agreement was read by title by City Clerk Westfall and approved within the Consent Agenda. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried. Ordinance No. 2005-052 was duly enacted.

**BILL NO. 3015
AGREEMENT
ALAMOSA PCS
PCS TOWER
ORD. NO. 2005-052**

Final reading of Bill No. 3017 an ordinance accepting the proposal of bid award to the Middleton Group/MEMCO, Pippin Wholesale Company, Hillyard Floor Care, Pyramid School Products and Interboro Packaging Corporation for the janitorial supplies used in the parks, campground and city facilities for the City of Branson, and authorizing the Mayor to execute the agreements was read by title by City Clerk Westfall and approved within the Consent Agenda. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried. Ordinance No. 2005-053 was duly enacted.

**BILL NO. 3017
BID AWARD
PIPPIN WHOLESALE CO.,
HILLYARD FLOOR CARE,
PYRAMID SCHOOL
PRODUCTS & INTERBORO
PACKAGING
JANITORIAL SUPPLIES
ORD. NO. 2005-053**

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

REGULAR AGENDA:

Alderman Gass moved to postpone the final reading of Bill No. 3010 until no later than December 31, 2005, seconded by Alderwoman Martin. Mayor Schaefer called for a vote. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried.

Presentation of status report on Branson Landing and Convention Center Projects by Jim Martin of the Benham Company. Martin reported disbursements as follows: Request #54CC in the amount of \$58,602.00; Request #54CIP in the amount of \$2,998.30; Request #54MI in the amount of \$194,377.57; and Request #54WF in the amount of \$572,687.37. After and update on the Branson Landing Project, Mayor Schaefer asked for a motion to accept the report as presented. Alderman Barker made the motion, seconded by Alderman Purvis. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried.

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

A resolution approving a Preliminary Subdivision Plat for Neihardt Heights Subdivision, Branson, Missouri was read by title by City Clerk Westfall and the staff report was provided by Don Stephens. Mayor Schaefer asked for a motion adopting this resolution. Alderman Barker moved to approve the motion, seconded by Alderwoman Martin. Discussion. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried. Resolution No. 2005-R012 was approved.

**RESOLUTION
ADOPT PRELIMINARY
SUBDIVISION PLAT
NEIHARDT HEIGHTS
SUBDIVISION
RESOL. NO. 2005-R012**

A resolution approving a Preliminary Subdivision Plat for 248 Plaza, Branson, Missouri was read by title by City Clerk Westfall and the staff report was provided by Don Stephens. Mayor Schaefer asked for a motion adopting this resolution. Alderman Gass made the motion, seconded by Alderman Purvis. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried. Resolution No. 2005-R013 was approved.

**RESOLUTION
ADOPT PRELIMINARY
SUBDIVISION PLAT
248 PLAZA
RESOL. NO. 2005-R013**

Public hearing and first reading of Bill No. 3018 approving a zoning change from “R-1” Single-Family Residential to “R-3” Multi-Family Residential for property located at 1290 Hillcrest Place, located adjacent to Berry Road, Branson, Missouri was read by title by City Clerk Westfall and the staff report was provided by Don Stephens. Mayor Schaefer opened the public hearing and after no discussion, closed the public hearing. Mayor Schaefer asked for a motion approving the first reading of Bill No. 3018. Alderman Gass made the motion, seconded by Alderwoman Martin. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried.

**BILL NO. 3018
ZONING CHANGE
“R-1” RESIDENTIAL TO
“R-3” RESIDENTIAL
1290 HILLCREST PLACE**

Public hearing and first reading of Bill No. 3019 an ordinance amending the Land Use Regulations for Planned Development PD-92-82, known as Branson Pointe, located north and south of Roark Valley Road, Branson, Missouri was read by title by City Clerk Westfall and the staff report was provided by Don Stephens. Mayor Schaefer opened the public hearing, and after no discussion, closed the public hearing. Mayor Schaefer asked for a motion approving the first reading of Bill No. 3019. Alderwoman Martin made the motion, seconded by Alderman Purvis. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried.

**BILL NO. 3019
LAND USE
REGULATIONS
BRANSON POINTE**

Public hearing and first reading of Bill No. 3020 an ordinance approving Land Use Regulations for Planned Development PD-2005-001 for property known as Branson Landing Convention Center, Branson, Missouri was read by title by City Clerk Westfall and the staff report was provided by Don Stephens. Mayor Schaefer opened the public hearing, and after no discussion, closed the public hearing. Mayor Schaefer asked for a motion approving the first reading of Bill No. 3020. Alderman Gass made the motion, seconded by Alderman Purvis.

**BILL NO. 3020
LAND USE
REGULATIONS
BRANSON POINTE**

Discussion by the Board and members of the audience. Alderman Edie made a motion to amend the bill by amending the Planned Development on page 12 by removing item #12 on parcel 1 and removing item #10 on parcel 2, seconded by Alderman Huff. Alderman Huff then made a motion to amend the amendment by eliminating item #10 from parcel 2, keeping item #12 on parcel 1, seconded by Alderman Barker. Voting on the amendment to the amendment, aye: Gass, Barker, Martin and Huff. Nays: Edie and Purvis. Motion carried. Voting on the first amendment, aye: Gass, Barker, Martin, Huff, Edie and Purvis. Motion carried. Voting on the original bill as amended (removing item #10 on parcel 2), aye: Gass, Barker, Martin, Huff, Edie and Purvis. Motion carried.

Public hearing and first reading of Bill No. 3021 an ordinance enacting a Final Subdivision Plat of Neihardt Heights Subdivision, located on Neihardt Avenue, adjacent to Truman Drive, Branson, Missouri was read by title by City Clerk Westfall and the staff report was provided by Don Stephens. Mayor Schaefer opened the public hearing, and after no discussion, closed the public hearing. Mayor Schaefer asked for a motion approving the first reading of Bill No. 3021. Alderman Barker moved to approve the bill, seconded by Alderman Purvis. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried.

**BILL NO. 3021
ENACTING FINAL
SUBDIVISION PLAT
NEIHARDT HEIGHTS
SUBDIVISION**

Public hearing and first reading of Bill No. 3022 an ordinance enacting a Final Subdivision Plat of 248 Plaza, located at 2570 West Highway 248, Branson, Missouri was read by title by City Clerk Westfall and the staff report was provided by Don Stephens. Mayor Schaefer opened the public hearing, and after no discussion, closed the public hearing. Mayor Schaefer asked for a motion approving the first reading of Bill No. 3022. Alderwoman Martin so moved, seconded by Alderman Huff. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried.

**BILL NO. 3022
ENACTING FINAL
SUBDIVISION PLAT
2570 WEST HIGHWAY 248**

First reading of Bill No. 3023 an ordinance amending the Branson Municipal Code, Chapter 445 *Sign Regulations* by adding language related to real estate signs was read by title by City Clerk Westfall and the staff report was provided by Don Stephens. Mayor Schaefer called for a motion approving the first reading of Bill No. 3023. Alderman Barker made the motion, seconded by Alderman Purvis. Alderman Gass made a motion to amend the ordinance by replacing the word “announce” with “advertise” and by changing “telephone number of the agent” to “telephone number of the broker and agent”, seconded by Alderman Barker. Discussion. Voting on the amendment, aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried. Voting on the original bill as amended, aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried.

**BILL NO. 3023
MUNICIPAL CODE
CHAPTER 445
REAL ESTATE SIGNS**

First reading of Bill No. 3024 an ordinance amending Title V of the Branson Municipal Code by adding language to the International Plumbing Code 2003 relating to minimum

**BILL NO. 3024
MUNICIPAL CODE
INTERNATIONAL**

plumbing facilities was read by title by City Clerk Westfall and the staff report was provided by David Miller.

**PLUMBING CODE 2003
PLUMBING FACILITIES**

Mayor Schaefer called for a motion approving the first reading of Bill No. 3024. Alderman Huff made the motion, seconded by Alderwoman Martin. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried.

First reading of Bill No. 3025 an ordinance accepting the proposal of bid award to Springfield Freightliner Sales for a truck cab and chassis for the Public Works Department for the City of Branson, and authorizing the Mayor to execute the agreement was read by title by City Clerk Westfall and the staff report was provided by Larry VanGilder.

**BILL NO. 3025
BID AWARD
SPRINGFIELD
FREIGHTLINER SALES
CAB AND CHASSIS**

Mayor Schaefer called for a motion approving the first reading of Bill No. 3025. Alderman Gass so moved, seconded by Alderman Purvis. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried.

A resolution declaring the intent to annex certain unincorporated property to the City of Branson, Missouri was read by title by City Clerk Westfall, and Don Stephens provided the staff report. Mayor Schaefer called for a motion adopting this resolution. Alderman Huff made the motion, seconded by Alderman Purvis. Mayor Schaefer asked for discussion and then called for a vote. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Resolution No. 2005-R014 was adopted.

**INTENT TO ANNEX
UNINCORPORATED
PROPERTY
RESOL. NO. 2005-R014**

A resolution declaring the intent to annex certain unincorporated property to the City of Branson, Missouri was read by title by City Clerk Westfall, and Don Stephens provided the staff report. Mayor Schaefer called for a motion adopting this resolution. Alderman Huff made the motion, seconded by Alderman Purvis. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Resolution No. 2005-R015 was adopted.

**INTENT TO ANNEX
UNINCORPORATED
PROPERTY
RESOL. NO. 2005-R015**

Mayor Schaefer read the following nomination to be considered for the Planning and Zoning Commission: Appointment of Brenda Romine filling the unexpired term of Brent Butler for a term that will run until April, 2007; reappointment of Patrick Parnell to the Board of Adjustment for a five-year term running until April, 2010. Mayor Schaefer then asked for a motion approving these appointments. Alderman Barker moved to approve, seconded by Alderwoman Martin. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried.

**APPOINTMENT
P&Z COMMISSION
BOARD OF ADJUSTMENT
MEMBERS**

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 made the motion to approve as presented, seconded by Alderman Gass. 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.

The Board of Aldermen read Exhibit A into the minutes.

ALDERMEN

Larry VanGilder read Exhibit B into the minutes.

VANGILDER

ALDERMEN/ADMINISTRATOR'S REPORTS:

Alderwoman Martin congratulated the firefighter story and stated how proud she was that the firefighters served us.

MARTIN

Alderman Huff stated it was Dan Wichmer's last meeting and wished him all the best.

HUFF

ADJOURN:

At this time Mayor Schaefer asked for a motion to adjourn. Alderman Gass so moved, seconded by Alderman Huff. Mayor Schaefer called for the vote. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried. Meeting was adjourned at 8:55 p.m.