

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF ALDERMEN
CITY OF BRANSON, MISSOURI, MAY 9, 2005**

The Board of Aldermen of the City of Branson, Missouri met in regular session in the Council Chambers of the City Hall on May 9, 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 Clerk Lisa Westfall, Assistant City Attorney Matt Thompson, Director of Public Works Larry VanGilder, Director of Engineering David Miller, Director of Finance Deanna Schlegel, Director of Health Linn Smith, Fire Division Chief Ted Martin and Director of Planning & Zoning Don Stephens.

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

Alderman Gass presented the May Employee of the Month Award to Dennis Brunner an Engineer in the Fire Department for initiating a program that provides a pre-fire plan on every commercial building in the City of Branson.

**EMPLOYEE
OF THE MONTH**

Mayor Schaefer asked for any additions or corrections to the Minutes of the Board of Aldermen Special meeting of April 18, 2005; Special meeting of April 22, 2005; Branson/Hollister Luncheon meeting of April 22, 2005; Regular meeting and Public Comments meeting of April 25, 2005; and the Special meeting of May 2, 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 Barker. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried.

**APPROVAL OF
MINUTES**

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 Planning & Zoning Commission meeting minutes of April 5, 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. 3018 approving a zoning change from "R-1" Single-Family Residential to "R-3" Multi-Family Residential for property located at 1290

**BILL NO. 3018
ZONING CHANGE
"R-1" RESIDENTIAL TO**

Hillcrest Place, located adjacent to Berry Road, 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. 2005-054 was duly enacted.

**“R-3” RESIDENTIAL
1290 HILLCREST PLACE
ORD. NO. 2005-054**

Final 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 approved within the Consent Agenda. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried. Ordinance No. 2005-055 was duly enacted.

**BILL NO. 3019
AMENDING
LAND USE
REGULATIONS
BRANSON POINTE
ORD. NO. 2005-055**

Final Reading of Bill No. Bill No. 3020 an ordinance approving “PD” Planned Development zoning and approving Land Use Regulations for Planned Development PD-2005-001 for property known as the Branson Landing Convention Center, 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. 2005-056 was duly enacted.

**BILL NO. 3020
APPROVING
LAND USE
REGULATIONS
BRANSON LANDING
CONVENTION CENTER
ORD. NO. 2005-056**

Final 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 approved within the Consent Agenda. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried. Ordinance No. 2005-057 was duly enacted.

**BILL NO. 3021
ENACTING FINAL
SUBDIVISION PLAT
NEIHARDT HEIGHTS
SUBDIVISION
ORD. NO. 2005-057**

Final 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 approved within the Consent Agenda. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried. Ordinance No. 2005-058 was duly enacted.

**BILL NO. 3022
ENACTING FINAL
SUBDIVISION PLAT
2570 WEST HIGHWAY 248
ORD. NO. 2005-058**

Final 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 approved within the Consent Agenda. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion

**BILL NO. 3023
AMENDING
MUNICIPAL CODE
CHAPTER 445
REAL ESTATE SIGNS
ORD. NO. 2005-059**

carried. Ordinance No. 2005-059 was duly enacted.

Final 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 plumbing facilities 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. 2005-060 was duly enacted.

**BILL NO. 3024
MUNICIPAL CODE
INTERNATIONAL
PLUMBING CODE 2003
PLUMBING FACILITIES
ORD. NO. 2005-060**

Final 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 approved within the Consent Agenda. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried. Ordinance No. 2005-061 was duly enacted.

**BILL NO. 3025
BID AWARD
SPRINGFIELD
FREIGHTLINER SALES
CAB AND CHASSIS
ORD. NO. 2005-061**

Mayor Schaefer opened the floor for a motion to approving 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:

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-R in the amount of \$1,002.97; Request #54WF-R in the amount of \$3,747.97; Request #55CC in the amount of \$2,138.00; Request #55L in the amount of \$370.00; Request #55MI in the amount of \$4,614.41; and Request #55WF in the amount of \$15,375.79. After Mr. Martin gave an update on the Branson Landing Project a slide show was given by John Stevenson of TVS architecture. An overview of the convention center and proposed design was given. The Board asked questions concerning the design. Administrator Dody explained that this was Phase I – the design phase – of the convention center and that Phase II would be the construction phase. Mr. Dody stated that a motion was needed to accept the design documents and to direct the city administration to proceed with the architect DDS into the construction documents – Phase II. Alderman Gass made the motion, seconded by Alderwoman Martin. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried. Mayor Schaefer then asked for a motion to accept the complete report on the Branson Landing and Convention Center. Alderman Barker made the motion to accept the report on the Branson Landing and Convention Center project, seconded by Alderman Purvis. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried.

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

Next item on the agenda was a presentation by Dan Lennon of the Branson/Lakes Area Chamber of Commerce requesting the use of the 2% Tourism Tax Contingency Fund. A power point presentation was given with an overview of the proposed Kansas City campaign. This campaign would be in partnership with the *Kansas City Star* and would include an internet promotional give away to 4 winners which would include 10 additional friends with each winner. The prize would be a trip to Branson. The Chamber would support the project with \$10,000 to \$12,000. There was discussion by the Board concerning the project. Mayor Schaefer then asked for a motion to accept the report. Alderman Purvis made the motion, seconded by Alderman Barker. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried.

**CHAMBER OF
COMMERCE REPORT
CONTINGENCY FUND
REQUEST**

Resolution authorizing the expenditure of funds from the City's Tourism Tax Contingency Fund for a Branson Promotion with the *Kansas City Star* with an amount not to exceed \$54,680 was read by title City Clerk Westfall and the staff report was provided by Terry Dody. 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-R016 was approved.

**RESOLUTION
TOURISM TAX
CONTINGENCY FUND
FOR KANSAS CITY
STAR PROMOTION
RESOL. NO. 2005-R016**

First reading of Bill No. 3026 an ordinance approving the Amended Branson Landing Tax Increment Financing Plan was read by title by City Clerk Westfall and the staff report was provided by Rick McConnell. Mayor Schaefer called for a motion approving the first reading of Bill No. 3026.

**BILL NO. 3026
BRANSON LANDING
TAX INCREMENT
FINANCING PLAN**

Alderman Barker moved to approve, seconded by Alderwoman Martin. Discussion. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried.

First reading of Bill No. 3027 an ordinance approving and designating Redevelopment Project 1 (Waterfront Entertainment District) of the Branson Landing Tax Increment Financing Plan as a Redevelopment Project and adopting Tax Increment Financing therein was read by title by City Clerk Westfall and the staff report was provided by Rick McConnell. Mayor Schaefer called for a motion approving the first reading of Bill No. 3027. Alderman Purvis so moved, seconded by Alderwoman Martin. Discussion. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried.

**BILL NO. 3027
BRANSON LANDING
TAX INCREMENT
FINANCING PLAN
REDEVELOPMENT
PROJECT 1**

First reading of Bill No. 3028 an ordinance approving and designating Redevelopment Project 2 (Convention Center) of the Branson Landing Tax Increment Financing Plan as a Redevelopment Project and adopting Tax Increment Financing therein was read by title by City Clerk Westfall and the staff

**BILL NO. 3028
BRANSON LANDING
TAX INCREMENT
FINANCING PLAN
REDEVELOPMENT**

report was provided by Rick McConnell. Mayor Schaefer called for a motion approving the first reading of Bill No. 3028. Alderman Gass made the motion, seconded by Alderman Purvis. Discussion. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried.

PROJECT 2

First reading of Bill No. 3029 an ordinance approving and designating Redevelopment Project 3 (North Parcel) of the Branson Landing Tax Increment Financing Plan as a Redevelopment Project and adopting Tax Increment Financing therein was read by title by City Clerk Westfall and the staff report was provided by Rick McConnell. Mayor Schaefer called for a motion approving the first reading of Bill No. 3029. Alderman Huff so moved, seconded by Alderman Purvis. Discussion. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried.

**BILL NO. 3029
BRANSON LANDING
TAX INCREMENT
FINANCING PLAN
REDEVELOPMENT
PROJECT 3**

First reading of Bill No. 3030 an ordinance approving and designating Redevelopment Project 4 (Bass Pro Pad) of the Branson Landing Tax Increment Financing Plan as a Redevelopment Project and adopting Tax Increment Financing therein was read by title by City Clerk Westfall and the staff report was provided by Rick McConnell. Mayor Schaefer called for a motion approving the first reading of Bill No. 3030. Alderman Gass so moved, seconded by Alderman Barker. Mayor Schaefer asked for discussion and then called for a vote. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried.

**BILL NO. 3030
BRANSON LANDING
TAX INCREMENT
FINANCING PLAN
REDEVELOPMENT
PROJECT 4**

At 8:45 p.m., Mayor Schaefer called for a 5 minute recess. The meeting reconvened at 8:50 p.m.

First reading of Bill No. 3031 an ordinance authorizing the renewal of the Electric Franchise Agreement between the Empire District Electric Company and the City of Branson was read by title by City Clerk Westfall and the staff report was provided by Terry Dody. Mayor Schaefer called for a motion approving the first reading of Bill No. 3031. Alderman Purvis moved to approve on first reading, seconded by Alderman Huff. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried.

**BILL NO. 3031
RENEWAL OF
EMPIRE DISTRICT
ELECTRIC COMPANY
FRANCHISE
AGREEMENT
ORD. NO. 2005-062**

Alderman Huff moved to read Bill No. 3031 a second time by emergency due to the current agreement expiring May 11, 2005, seconded by Alderman Purvis. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried. Final reading of Bill No. 3031 an ordinance authorizing the renewal of the Electric Franchise Agreement between the Empire District Electric Company and the City of Branson was read by title by City Clerk Westfall. Mayor Schaefer asked for a motion approving this bill. Alderman Purvis so moved, seconded by Alderwoman Martin. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried. Ordinance No. 2005-062 was duly enacted.

First reading of Bill No. 3032 an ordinance authorizing and providing for the renewal of the Municipal Electric Service Agreement (MESA) between the City of Branson and the Empire District Electric Company was read by title by City Clerk Westfall and the staff report was provided by Terry Dody. Mayor

**BILL NO. 3032
RENEWAL OF
MESA AGREEMENT
ORD. NO. 2005-063**

Schaefer asked for a motion approving the first reading of Bill No. 3032. Alderman Gass so moved, 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. Motion carried. Alderman Huff moved to read Bill No. 3032 a second time by emergency due to the current agreement expiring May 11, 2005, seconded by Alderman Purvis. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried. Final reading of Bill No. 3032 an ordinance authorizing the renewal of the Electric Franchise Agreement between the Empire District Electric Company and the City of Branson was read by title by City Clerk Westfall. Mayor Schaefer asked for a motion approving this bill. Alderman Purvis so moved, seconded by Alderwoman Martin. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried. Ordinance No. 2005-063 was duly enacted.

First reading of Bill No. 3033 an ordinance approving a real estate transfer agreement between the City of Branson, Missouri and the Empire District Electric Company was read by title by City Clerk Westfall and the staff report was provided by Terry Dody. Mayor Schaefer asked for a motion approving the first reading of Bill No. 3033. Alderwoman Martin so moved, seconded by Alderman Purvis. Mayor Schaefer called for a vote. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried. Alderman Barker moved to read Bill No. 3033 a second time by unanimous consent, seconded by Alderman Huff. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried. Final reading of Bill No. 3033 an ordinance approving a real estate transfer agreement between the City of Branson, Missouri and the Empire District Electric Company was read by title by City Clerk Westfall. Mayor Schaefer asked for a motion approving this bill. Alderwoman Martin made the motion, seconded by Alderman Gass. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried. Ordinance No. 2005-064 was duly enacted.

**BILL NO. 3033
EMPIRE DISTRICT
ELECTRIC COMPANY
REAL ESTATE
TRANSFER
AGREEMENT
ORD. NO. 2005-064**

First reading of Bill No. 3034 an ordinance approving a contribution agreement between the City of Branson, Missouri and the Empire District Electric Company was read by title by City Clerk Westfall and the staff report was provided by Terry Dody. Mayor Schaefer asked for a motion approving the first reading of Bill No. 3034. Alderman Purvis so moved, seconded by Alderwoman Martin. Mayor Schaefer asked for discussion and then called for a vote. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried. Alderman Gass moved to read Bill No. 3034 a second time by unanimous consent, seconded by Alderman Huff. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried. Final reading of Bill No. 3034 an ordinance approving a contribution agreement between the City of Branson, Missouri and the Empire

**BILL NO. 3034
CONTRIBUTION
AGREEMENT WITH
EMPIRE DISTRICT
ELECTRIC COMPANY
ORD. NO. 2005-065**

District Electric Company was read by title by City Clerk Westfall. Mayor Schaefer asked for a motion approving this bill. Alderman Gass made the motion, seconded by Alderman Purvis. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried. Ordinance No. 2005-065 was duly enacted.

First reading of Bill No. 3035 an ordinance approving a contract with the Missouri Department of Health and Senior Services for summer food program inspections at locations within Taney County was read by title by City Clerk Westfall and the staff report was provided by Frank Schoneboom. Mayor Schaefer asked for a motion approving the first reading of Bill No. 3035. Alderman Barker moved to approve, seconded by Alderman Purvis. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried.

**BILL NO. 3035
APPROVING
DEPARTMENT OF
HEALTH SUMMER
FOOD PROGRAM
INSPECTIONS**

First reading of Bill No. 3036 an ordinance accepting the proposal of bid award to APAC-Missouri, Inc. and Table Rock Const. Co., Inc. for asphalt overlays for the City of Branson, and authorizing the Mayor to execute the agreements was read by title by City Clerk Westfall and the staff report was provided by Larry VanGilder. Mayor Schaefer asked for a motion approving the first reading of Bill No. 3036. Alderman Barker moved to approve, 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. Motion carried.

**BILL NO. 3036
BID AWARD
ASPHALT OVERLAYS
APAC-MISSOURI,
INC. & TABLE ROCK
CONST. CO.**

First reading of Bill No. 3037 an ordinance accepting the proposal of awarding a contract to Ozark Mountain Bank for banking and investment services, authorizing the preparation of the contract and the Mayor to execute the agreement was read by title by City Clerk Westfall and the staff report was provided by Deanna Schlegel. Mayor Schaefer asked for a motion approving the first reading of Bill No. 3037. Alderman Gass so moved, seconded by Alderman Barker. Mayor Schaefer asked for discussion and then called for a vote. Voting aye: Gass, Barker, Martin, Edie and Purvis. Abstain: Huff. Motion carried.

**BILL NO. 3037
CONTRACT AWARD
OZARK MOUNTAIN
BANK BANKING &
INVESTMENT
SERVICES**

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 Barker so moved, seconded by Alderman Purvis. 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 Reports.

ALDERMEN/ADMINISTRATOR'S REPORTS:

Alderman Gass thanked the County for the work they have done on the intersection at Hwy. 165 and Fall Creek Rd. GASS

Alderman Barker expressed his excitement over moving forward on the construction phase of the convention center. BARKER

Alderwoman Martin was impressed with the *Kansas City Star* and convention center presentations. Also, congratulations to Larry VanGilder and welcomed Dave Abner of the *Branson Daily Independent* newspaper. MARTIN

Alderman Purvis reported he had visited Alexander Park and he was thankful for the ball fields and impressed with the positive encouragement from the coaches with the kids. PURVIS

Administer Dody reported that RecPlex is on schedule for a mid-June opening and encouraged everyone to go out and visit it. DODY

ADJOURN:

At this time Mayor Schaefer asked for 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 9:15 p.m.