

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF ALDERMEN  
CITY OF BRANSON, MISSOURI, OCTOBER 10, 2005**

The Board of Aldermen of the City of Branson, Missouri met in regular session in the Council Chambers of the City Hall on October 10, 2005 at 7:00 p.m. with the following members present:

Mayor Schaefer presiding, with Dick Gass, Stan Barker, Ron Huff, Dave Edie and Jack Purvis present. Beverly Martin was absent.

Also in attendance from the City were: City Administrator Terry Dody, Assistant Administrator Frank Schoneboom, City Attorney Joe Johnson, Assistant City Attorney Matt Thompson, City Clerk Lisa Westfall, Director of Public Works Larry VanGilder, Director of Economic Development Mike Rankin, Director of Engineering David Miller, Director of Planning & Zoning Don Stephens, Director of Health Linn Smith, Director of Parks and Recreation Cindy Shook, Fire Chief Carl Sparks, and Public Information Director Jerry Adams.

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 Regular meeting and Public Comments meeting of September 26, 2005. Receiving none, Mayor Schaefer asked for a motion approving the Minutes as presented. Alderman Gass moved to approve the Minutes as presented, seconded by Alderman Purvis. Voting aye: Gass, Barker, Huff, Edie and Purvis. Nays: none. Absent: Martin. 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 minutes of the Capital Improvement Committee meeting of September 26, 2005 and the Park Board meeting of August 16, 2005 was acknowledged within the Consent Agenda. Voting aye: Gass, Barker, Huff, Edie and Purvis. Nays: none. Absent: Martin. Motion carried.

**ACKNOWLEDGEMENT  
OF MINUTES**

Final reading of Bill No. 3134 an ordinance annexing property owned by William R. VanSant and Joan VanSant, identified as Taney County ID# 17-3.0-07-000-000-025.001, into the City of Branson, Missouri was read by title by City Clerk Westfall and approved within the Consent Agenda. Voting aye: Gass, Barker, Huff, Edie and Purvis. Nays: none. Absent: Martin. Motion carried. Ordinance No. 2005-168 was duly enacted.

**BILL NO. 3134  
ANNEX PROPERTY  
OWNED BY  
WILLIAM R. & JOAN  
VANSANT  
ORD. NO. 2005-168**

Final reading of Bill No. 3135 an ordinance annexing property owned by Bonnie E. Albright and Ronald Albright, identified as Taney County ID# 17-3.0-07-000-000-024.000, into the City of Branson, Missouri was read by title by City Clerk Westfall and approved within the Consent Agenda. Voting aye: Gass, Barker, Huff, Edie and Purvis. Nays: none. Absent: Martin. Motion carried. Ordinance No. 2005-169 was duly enacted.

**BILL NO. 3135  
ANNEX PROPERTY  
OWNED BY  
BONNIE & RONALD  
ALBRIGHT  
ORD. NO. 2005-169**

Final reading of Bill No. 3136 an ordinance annexing property owned by Ronald G. Vanderlaan, Sr. and Annjean Vanderlaan and Robert G. Vanderlaan, Jr. and Marcia L. Vanderlaan and Randall S. Vanderlaan and Kristy Lynn Vanderlaan, identified as Taney County ID# 17-3.0-07-000-000-023.000, into the City of Branson, Missouri was read by title by City Clerk Westfall and approved within the Consent Agenda. Voting aye: Gass, Barker, Huff, Edie and Purvis. Nays: none. Absent: Martin. Motion carried. Ordinance No. 2005-170 was duly enacted.

**BILL NO. 3136  
ANNEX PROPERTY  
OWNED BY  
RONALD G. & ANNJEAN  
VANDERLAAN, SR.,  
RONALD G. & MARCIA L.  
VANDERLAAN, JR., AND  
RANDALL S. & KRISTY  
VANDERLAAN,  
A GENERAL  
PARTNERSHIP  
ORD. NO. 2005-170**

Final reading of Bill No. 3137 an ordinance annexing property owned by Vanderlaan Partners, identified as Taney County ID# 17-3.0-07-000-000-022.000, into the City of Branson, Missouri was read by title by City Clerk Westfall and approved within the Consent Agenda. Voting aye: Gass, Barker, Huff, Edie and Purvis. Nays: none. Absent: Martin. Motion carried. Ordinance No. 2005-171 was duly enacted.

**BILL NO. 3137  
ANNEX PROPERTY  
OWNED BY  
VANDERLAAN  
PARTNERS  
ORD. NO. 2005-171**

Final reading of Bill No. 3138 an ordinance annexing property owned by Zarko Mirkovic and Anka Mirkovic, identified as Taney County ID# 17-3.0-07-000-000-021.000, into the City of Branson, Missouri was read by title by City Clerk Westfall and approved within the Consent Agenda. Voting aye: Gass, Barker, Huff, Edie and Purvis. Nays: none. Absent: Martin. Motion carried. Ordinance No. 2005-172 was duly enacted.

**BILL NO. 3138  
ANNEX PROPERTY  
OWNED BY  
ZARKO & ANKA  
MIRKOVIC  
ORD. NO. 2005-172**

Final reading of Bill No. 3139 an ordinance annexing property owned by Jerry D. Lilley and Carolyn P. Lilley, identified as Taney County ID# 17-3.0-07-000-000-021.001 and 17-4.0-18-001-004-006-000, into the City of Branson, Missouri was read by title by City Clerk Westfall and approved within the Consent Agenda. Voting aye: Gass, Barker, Huff, Edie and Purvis. Nays: none. Absent: Martin. Motion carried. Ordinance No. 2005-173 was duly enacted.

**BILL NO. 3139  
ANNEX PROPERTY  
OWNED BY  
JERRY D. &  
CAROLYN P. LILLEY  
ORD. NO. 2005-173**

Final reading of Bill No. 3140 an ordinance annexing property owned by Gilbert L. Edmiston and Ardith L. Edmiston, identified as Taney County ID# 17-4.0-18-001-004-007.001, into the City of Branson, Missouri was read by title by City Clerk Westfall and approved within the Consent Agenda. Voting aye: Gass, Barker, Huff, Edie and Purvis. Nays: none. Absent: Martin. Motion carried. Ordinance No. 2005-174 was duly enacted.

**BILL NO. 3140  
ANNEX PROPERTY  
OWNED BY  
GILBERT L. & ARDITH L.  
EDMISTON  
ORD. NO. 2005-174**

Final reading of Bill No. 3141 an ordinance annexing property owned by Dailey, LLC and William Dailey and Janet Dailey, identified as Taney County ID# 18-1.0-02-004-011-002.000, into the City of Branson, Missouri was read by title by City Clerk Westfall and approved within the Consent Agenda. Voting aye: Gass, Barker, Huff, Edie and Purvis. Nays: none. Absent: Martin. Motion carried. Ordinance No. 2005-175 was duly enacted.

**BILL NO. 3141  
ANNEX PROPERTY  
OWNED BY  
DAILEY, L.L.C. AND  
WILLIAM & JANET  
DAILEY  
ORD. NO. 2005-175**

Final reading of Bill No. 3142 an ordinance annexing property owned by Mark Kraatz, Susan Kraatz, Alan F. Strong, Theresa A. Strong, James Andrew Manville, Katherine Manville, Dennis L. Thoune and Sandra L. Thoune, identified as Taney County ID# 18-6.0-23-001-002-021.001, into the City of Branson, Missouri was read by title by City Clerk Westfall and approved within the Consent Agenda. Voting aye: Gass, Barker, Huff, Edie and Purvis. Gass, Barker, Huff, Edie and Purvis. Nays: none. Absent: Martin. Motion carried. Ordinance No. 2005-176 was duly enacted.

**BILL NO. 3142  
ANNEX PROPERTY  
OWNED BY  
MARK & SUSAN  
KRAATZ,  
ALAN F. & THERESA A.  
STRONG,  
JAMES ANDREW &  
KATHERINE MANVILLE,  
DENNIS L. & SANDRA  
THOUNE  
ORD. NO. 2005-176**

Final reading of Bill No. 3143 an ordinance annexing property owned by Good Shepherd Meadows, LP, identified as Taney County ID# 07-7.0-25-000-000-002.018, into the City of Branson, Missouri was read by title by City Clerk Westfall and approved within the Consent Agenda. Voting aye: Gass, Barker, Huff, Edie and Purvis. Nays: none. Absent: Martin. Motion carried. Ordinance No. 2005-177 was duly enacted.

**BILL NO. 3143  
ANNEX PROPERTY  
OWNED BY  
GOOD SHEPHERD  
MEADOWS  
ORD. NO. 2005-177**

Final reading of Bill No. 3144 an ordinance annexing property owned by XYZ Development Company, Inc., identified as Taney County ID# 18-2.0-03-000-000-033.000, into the City of Branson, Missouri was read by title by City Clerk Westfall and approved within the Consent Agenda. Voting aye: Gass, Barker, Huff, Edie and Purvis. Nays: none. Absent: Martin. Motion carried. Ordinance No. 2005-178 was duly enacted.

**BILL NO. 3144  
ANNEX PROPERTY  
OWNED BY  
XYZ DEVELOPMENT  
COMPANY  
ORD. NO. 2005-178**

Final reading of Bill No. 3145 an ordinance enacting an amended subdivision plat for Lots 1 and 2 of Professional Park located at 3864 Green Mountain Drive, Branson, Missouri was read by title by City Clerk Westfall and approved within the Consent Agenda. Voting aye: Gass, Barker, Huff, Edie and Purvis. Nays: none. Absent: Martin. Motion carried. Ordinance No. 2005-179 was duly enacted.

**BILL NO. 3145  
AMENDED  
SUBDIVISION PLAT  
LOTS 1 & 2  
PROFESSIONAL PARK  
ORD. NO. 2005-179**

Final reading of Bill No. 3146 an ordinance approving a zoning change from "PD" Planned Development #2003-126, to "C" Commercial for a parcel of land located in Professional Park, Branson, Missouri was read by title by City Clerk Westfall and approved within the Consent Agenda. Voting aye: Gass, Barker, Huff, Edie and Purvis. Nays: none. Absent: Martin. Motion carried. Ordinance No. 2005-180 was duly enacted.

**BILL NO. 3146  
ZONING CHANGE  
"PD" PLANNED  
DEVELOPMENT #2003-126  
TO "C" COMMERCIAL  
PROFESSIONAL PARK  
ORD. NO. 2005-180**

Final reading of Bill No. 3147 an ordinance approving a contiguous property sewer connection and annexation agreement between Good Shepherd Meadows, LP and the City of Branson 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, Huff, Edie and Purvis. Nays: none. Absent: Martin. Motion carried. Ordinance No. 2005-181 was duly enacted.

**BILL NO. 3147  
GOOD SHEPHERD  
MEADOWS LP  
SEWER CONNECTION  
& ANNEXATION  
AGREEMENT  
ORD. NO. 2005-181**

Final reading of Bill No. 3148 an ordinance authorizing the expenditure of funds from the City's Tourism Tax Contingency Fund to the Branson Lakes Area Chamber of Commerce for the installation of Branson Festival of Lights Stars, authorizing the preparation and execution of the contract was read by title by City Clerk Westfall and approved within the Consent Agenda. Voting aye: Gass, Barker, Huff, Edie and Purvis. Nays: none. Absent: Martin. Motion carried. Ordinance No. 2005-182 was duly enacted.

**BILL NO. 3148  
EXPENDITURE  
TOURISM TAX  
CONTINGENCY FUND  
FOR BRANSON  
FESTIVAL OF LIGHTS  
ORD. NO. 2005-182**

Final reading of Bill No. 3149 an ordinance reviewing and approving renewal of the agreement between Rodney D. Gray of Hendren and Andrae, L.L.C. and the City of Branson was read by title by City Clerk Westfall and approved within the Consent Agenda. Voting aye: Gass, Barker, Huff, Edie and Purvis. Nays: none. Absent: Martin. Motion carried. Ordinance No. 2005-183 was duly enacted.

**BILL NO. 3149  
HENDREN &  
ANDRAE, L.L.C.  
RENEWAL  
AGREEMENT  
ORD. NO. 2005-183**

Final reading of Bill No. 3150 an ordinance amending the Branson Municipal Code *Chapter 86 – Traffic and Vehicles – Article X – Schedules: Stop Signs* by the elimination and addition of specified stop signs was read by title by City Clerk Westfall and approved within the Consent Agenda. Voting aye: Gass, Barker, Huff, Edie and Purvis.

**BILL NO. 3150  
MUNICIPAL CODE  
CHAPTER 86-  
TRAFFIC & VEHICLES,  
ARTICLE X -**

Nays: none. Absent: Martin. Motion carried. Ordinance No. 2005-184 was duly enacted. **SCHEDULES: STOP SIGNS  
ORD. NO. 2005-184**

Final reading of Bill No. 3151 an ordinance authorizing the Mayor to execute a second amendment to the Public Transit Planning Grant Agreement with the Missouri Highways and Transportation Commission was read by title by City Clerk Westfall and approved within the Consent Agenda. Voting aye: Gass, Barker, Huff, Edie and Purvis. Nays: none. Absent: Martin. Motion carried. Ordinance No. 2005-185 was duly enacted. **BILL NO. 3151  
AMEND  
PUBLIC TRANSIT  
PLANNING GRANT  
AGREEMENT  
ORD. NO. 2005-185**

Final reading of Bill No. 3152 an ordinance approving an agreement to exercise power of eminent domain for the Branson Public School District, and authorizing the Mayor to enter into the agreement pertaining to a public roadway project was read by title by City Clerk Westfall and approved within the Consent Agenda. Voting aye: Gass, Barker, Huff, Edie and Purvis. Nays: none. Absent: Martin. Motion carried. Ordinance No. 2005-186 was duly enacted. **BILL NO. 3152  
BRANSON  
PUBLIC SCHOOL  
DISTRICT  
EMINENT DOMAIN  
ORD. NO. 2005-186**

Final reading of Bill No. 3154 an ordinance calling an election and establishing February 7, 2006 as the date of election for involuntary annexation of certain territory located north of Branson and west of State Highway 65 was read by title by City Clerk Westfall and approved within the Consent Agenda. Voting aye: Gass, Barker, Huff, Edie and Purvis. Nays: none. Absent: Martin. Motion carried. Ordinance No. 2005-187 was duly enacted. **BILL NO. 3154  
FEBRUARY 7, 2006  
ELECTION DATE  
INVOLUNTARY  
ANNEXATION  
ORD. NO. 2005-187**

Final reading of Bill No. 3155 an ordinance accepting the proposal of bid award to PDC Laboratories, Inc. for laboratory analysis of required wastewater and lake samples 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 the Consent Agenda. Voting aye: Gass, Barker, Huff, Edie and Purvis. Nays: none. Absent: Martin. Motion carried. Ordinance No. 2005-188 was duly enacted. **BILL NO. 3155  
BID AWARD  
PDC LABORATORIES, INC.  
WASTEWATER  
ANALYSIS  
ORD. NO. 2005-188**

Mayor Schaefer opened the floor for a motion to approve the Consent Agenda as presented. Alderman Purvis so moved, seconded by Alderman Barker. Voting aye: Gass, Barker, Huff, Edie and Purvis. Nays: none. Absent: Martin. Motion carried.

#### **REGULAR AGENDA:**

Presentation of status report on Branson Landing and Convention Center Projects by Jim Martin of the Benham Company. Mr. Martin reported disbursements as follows: **STATUS REPORT  
BRANSON LANDING  
& CONVENTION CENTER**

Request #63CC-R in the amount of \$3,211.19; Request #64CC in the amount of \$5,019.15; Request #64MI in the amount of \$10,061.30; and Request #64WF in the amount of \$10,196.43. Mayor Schaefer asked for a motion to accept the report. Alderman Huff so moved, seconded by Alderman Barker. Discussion. Voting aye: Gass, Barker, Huff, Edie and Purvis. Nays: none. Absent: Martin. Motion carried.

Presentation of the Marketing Budget and an update on the Branding Study by Ross Summers and Dan Lennon of the Branson/Lakes Area Chamber of Commerce. Discussion. Mayor Schaefer asked for a motion to accept the report. Alderman Barker moved to approve the report, seconded by Alderman Huff. Voting aye: Gass, Barker, Huff, Edie and Purvis. Nays: none. Absent: Martin. Motion carried.

**PRESENTATION  
BRANSON/LAKES AREA  
CHAMBER OF COMMERCE  
BRANDING STUDY**

First reading of Bill No. 3126 an ordinance amending the Branson Municipal Code, Chapter 70 *Signs*, by amending description of Sign Overlay Zone Two to include that portion of Gretna Road from Roark Valley Drive to State Highway 248 was read by title by City Clerk Westfall and the staff report was provided by Don Stephens. Mayor Schaefer asked for a motion approving the first reading of Bill No. 3126. Alderman Gass so moved, seconded by Alderman Barker. Voting aye: Gass, Barker, Huff, Edie and Purvis. Nays: none. Absent: Martin. Motion carried. Mayor Schaefer asked for the final reading of Bill No. 3126. The final reading of Bill No. 3126 was read by title by City Clerk Westfall. Mayor Schaefer asked for a motion approving the final reading of Bill No. 3126. Alderman Barker moved to approve the final reading of Bill No. 3126, seconded by Alderman Huff. Voting aye: Gass, Barker, Huff, Edie and Purvis. Nays: none. Absent: Martin. Motion carried. Ordinance No. 2005-189 was duly enacted.

**BILL NO. 3126  
MUNICIPAL CODE  
CHAPTER 70  
SIGNS  
ORD. NO. 2005-189**

First reading of Bill No. 3156. an ordinance approving an agreement for professional engineering services between Heideman Associates, Inc. and the City of Branson, and authorizing the Mayor to enter into the agreement pertaining to engineering design services on the Lift Station 31 project was read by title by City Clerk Westfall and the staff report was provided by David Miller. Mayor Schaefer asked for a motion approving the first reading of Bill No. 3156. Alderman Gass so moved, seconded by Alderman Huff. Voting aye: Gass, Barker, Huff, Edie and Purvis. Nays: none. Absent: Martin. Motion carried.

**BILL NO. 3156  
HEIDEMAN  
ASSOCIATES, INC.  
ENGINEERING DESIGN  
LIFT STATION 31**

First reading of Bill No. 3157, an ordinance amending the Branson Municipal Code, Section 62-11 to increase certain park user fees was read by title by City Clerk Westfall and the staff report was provided by Cindy Shook. Mayor Schaefer asked for a motion approving the first reading of Bill No. 3157. Alderman Purvis so moved, seconded by Alderman Gass. Voting aye: Gass, Barker, Huff, Edie and Purvis. Nays: none. Absent: Martin. Motion carried.

**BILL NO. 3157  
MUNICIPAL CODE  
SECTION 62-11  
PARK USER FEES**

First reading of Bill No. 3158, an ordinance amending Chapter 90 of the Branson Municipal Code *Utilities*, Article II *Combined Waterworks and Sewage System* by amending Section 90-41 *Monthly Water Rates* and Section 90-42 *Monthly Sewer Rates* 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. 3158. Alderman Barker moved to approve, seconded by Alderman Huff. Donna Kennedy, Director of the League of Branson Theaters Owners and Show Producers and Rick Huffman, 420 Sunnybrook addressed the Board. Voting aye: Gass, Barker, Huff, Edie and Purvis. Nays: none. Absent: Martin. Motion carried.

**BILL NO. 3158  
AMENDMENT  
BRANSON  
MUNICIPAL CODE  
WATERWORKS AND  
SEWAGE SYSTEM**

First reading of Bill No. 3159, an ordinance accepting the proposal of bid award to Kenco Fire Equipment Incorporated for the purchase of thirty-eight self-contained breathing apparatus and related equipment for the City of Branson, and authorizing the Mayor to execute the contract agreement was read by title by City Clerk Westfall and the staff report was provided by Carl Sparks. Mayor Schaefer asked for a motion approving the first reading of Bill No. 3159. Alderman Huff so moved, seconded by Alderman Barker. Discussion. Voting aye: Gass, Barker, Huff, Edie and Purvis. Nays: none. Absent: Martin. Motion carried.

**BILL NO. 3159  
BID AWARD  
KENCO FIRE  
EQUIPMENT  
38 SELF-CONTAINED  
BREATHING  
APPARATUS**

A resolution reviewing and approving the renewal of the agreement between the Downtown Branson Main Street Association, Inc. (DBMA) and the City of Branson was read by title by City Clerk Westfall and the staff report was provided by Terry Dody. A presentation was given by Gayla Roten and Stan Best of DBMA. Discussion. Mayor Schaefer asked for a motion adopting this resolution. Alderman Huff moved to adopt this resolution, seconded by Alderman Purvis. Voting aye: Gass, Barker, Huff, Edie and Purvis. Nays: none. Absent: Martin. Motion carried. Resolution No. 2005-R030 was approved.

**RESOLUTION  
DOWNTOWN BRANSON  
MAIN STREET  
ASSOCIATION  
RENEWAL  
AGREEMENT  
RESOL. NO. 2005-R030**

A resolution to support the development of affordable rental housing by Country Ridge Apartments, LLC to be located at 2550 State Highway 248, Branson, Missouri was read by title by City Clerk Westfall and the staff report was provided by Terry Dody. Rick Huffman the developer, explained the resolution. Discussion. Mayor Schaefer asked for a motion adopting this resolution. Alderman Gass so moved, seconded by Alderman Purvis. Voting aye: Gass, Barker, Huff, Edie and Purvis. Nays: none. Absent: Martin. Motion carried. Resolution No. 2005-R031 was approved.

**RESOLUTION  
AFFORDABLE  
RENTAL HOUSING  
RESOL. NO. 2005-R031**

Mayor Schaefer said he had the following nominations for appointment to the Building Code Board of Appeals: Brent Butler – filling the unexpired term of Mark Welytok running to April 2008;

**APPOINTMENTS  
BUILDING CODE  
BOARD OF APPEALS**

Larry Houge – renewing his term for 5 years running to April 2010; and Jim Thompson – replacing Tom Pollo for a 5-year term running to April 2010. Mayor Schaefer asked for a motion approving these appointments. Alderman Barker so moved, seconded by Alderman Edie. Discussion. Voting aye: Gass, Barker, Huff, Edie and Purvis. Nays: none. Absent: Martin. Motion carried.

#### **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 so moved, seconded by Alderman Gass. Voting aye: Gass, Barker, Huff, Edie and Purvis. Nays: none. Absent: Martin. 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 then opened the floor for Aldermen Reports.

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

Alderman Barker commented on our great community.

Alderman Purvis commented on what a privilege it was to live in Branson.

#### **ADJOURN:**

At this time Mayor Schaefer asked for a motion to adjourn. Alderman Huff made the motion, seconded by Alderman Purvis. Voting aye: Gass, Barker, Huff, Edie and Purvis. Nays: none. Absent: Martin. Motion carried. Mayor Schaefer adjourned the meeting at 9:03 p.m.