

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF ALDERMEN
CITY OF BRANSON, MISSOURI, OCTOBER 24, 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 24, 2005 at 7:00 p.m. with the following members present:

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

Also present from the City were: City Administrator Terry Dody, Assistant City Administrator Frank Schoneboom, City Attorney Joe Johnson, Assistant City Attorney Matt Thompson, City Clerk Lisa Westfall, Deputy City Clerk Loretta McCullough, Director of Engineering David Miller, Fire Chief Carl Sparks, Director of Economic Development Mike Rankin, Director of Public Works Larry VanGilder, Director of Communications Jerry Adams, Director of Finance Deanna Schlegel, Director of Planning and Zoning Don Stephens, and Police Chief Carroll McCullough.

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 Board of Aldermen meeting and Public Comments meeting of October 10, 2005. Receiving none, Mayor Schaefer entertained a motion to approve the Minutes. Alderman Huff made the motion 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 Deputy City Clerk McCullough to read the items being considered on the Consent Agenda. Deputy City Clerk McCullough read the following Consent Agenda items by title:

Final 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 Deputy City Clerk McCullough and approved within the Consent Agenda. Voting aye: Gass, Barker, Huff, Edie and Purvis. Nays: none. Absent: Martin. Motion carried. Ordinance No. 2005-190 was duly enacted.

**BILL NO. 3156
HEIDEMAN
ASSOCIATES, INC.
PROFESSIONAL
ENGINEERING
SERVICES
ORD. NO. 2005-190**

Final 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 Deputy City Clerk McCullough and approved within the Consent Agenda. Voting aye: Gass, Barker, Huff, Edie and Purvis. Nays: none. Absent: Martin. Motion carried. Ordinance No. 2005-191 was duly enacted.

**BILL NO. 3157
MUNICIPAL CODE
SECTION 62-11
PARK USER FEES
ORD. NO. 2005-191**

Final 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 Deputy City Clerk McCullough and approved within the Consent Agenda. Voting aye: Gass, Barker, Huff, Edie and Purvis. Nays: none. Absent: Martin. Motion carried. Ordinance No. 2005-192 was duly enacted.

**BILL NO. 3158
AMENDMENT
BRANSON
MUNICIPAL CODE
WATERWORKS AND
SEWAGE SYSTEM
ORD. NO. 2005-192**

Final 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 Deputy City Clerk McCullough and approved within the Consent Agenda. Voting aye: Gass, Barker, Huff, Edie and Purvis. Nays: none. Absent: Martin. Motion carried. Ordinance No. 2005-193 was duly enacted.

**BILL NO. 3159
BID AWARD
KENCO FIRE
EQUIPMENT
38 SELF-CONTAINED
BREATHING APPARATUS
ORD. NO. 2005-193**

Mayor Schaefer opened the floor for a motion to approve the Consent Agenda. Alderman Barker moved to approve as presented, seconded by Alderman Purvis. 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 presented an update of the projects. Mayor Schaefer asked for a motion to accept the report.

**STATUS REPORT
BRANSON LANDING
& CONVENTION CENTER**

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

Presentation of a petition for Consent to Annex property owned by XYZ Development Company, Inc., located on Schaefer Drive, Branson, Missouri was read by title by Deputy City Clerk McCullough and the staff report was provided by Don Stephens. Mayor Schaefer asked for a motion to accept the petition for voluntary annexation. Alderman Huff so moved, seconded by Alderman Barker. Voting aye: Gass, Barker, Huff, Edie and Purvis. Nays: none. Absent: Martin. Motion carried.

**PETITION
ANNEX PROPERTY
OWNED BY XYZ
DEV. CO., INC.
ON SCHAEFER
DRIVE**

Public hearing and first reading of Bill No. 3160, an ordinance approving a zoning change from “C” commercial to “PD” planned development and approving land use regulations for planned development PD-2005-005 for property known as The Links at Thousand Hills and located at 310 South Wildwood Drive, Branson, Missouri was read by title by Deputy City Clerk McCullough 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. 3160. Alderman Huff so moved, seconded by Alderman Purvis. Voting aye: Gass, Barker, Huff, Edie and Purvis. Nays: none. Absent: Martin. Motion carried.

**BILL NO. 3160
ZONING CHANGE
“C” COMMERCIAL TO
“PD” PLANNED
DEVELOPMENT
THE LINKS AT
THOUSAND HILLS**

First reading of Bill No. 3161, an ordinance authorizing the opening of a public road and declaring the public necessity for such road, and declaring that such road is necessary and beneficial to the whole of the City of Branson, Missouri, and is an indispensable and integral part of the City road system, and declaring the necessity of condemning the property rights belonging to those persons identified on Exhibit “A” attached hereto, so as to enable the City of Branson, Missouri, to construct said public road across property owned by said parties and herein described, and authorizing the filing of condemnation proceedings in accordance with the laws of the state of Missouri, and authorizing payment of attorney fees and expenses therewith connected was read by title by Deputy City Clerk McCullough and the staff report was provided by David Miller. Mayor Schaefer asked for a motion approving the first reading of Bill No. 3161. Alderman Gass so moved, seconded by Alderman Purvis. Discussion. Voting aye: Gass, Barker, Huff, Edie and Purvis. Nays: none. Absent: Martin. Motion carried.

**BILL NO. 3161
OPENING PUBLIC
ROAD FOR
PUBLIC
NECESSITY**

First reading of Bill No. 3162, an ordinance approving an agreement between the City of Branson and the Missouri Highways and Transportation Commission, pertaining to the Route 65 and Route 248 interchange improvement project, and authorizing the Mayor to execute the cost sharing agreement was read by title by Deputy City Clerk McCullough and the staff report was provided by David Miller. Alderman Huff made motion to amend this ordinance as presented to reflect the new payment deadline by addition of this language: “Paragraph 9(A) of the cost participation agreement shall be amended prior to signing by changing the payment deadline from July 1, 2006 to the newly negotiated date of October 1, 2006”, seconded by Alderman Purvis. Mayor Schaefer asked for a motion to approve the amendment to Bill No. 3162. Voting aye: Gass, Barker, Huff, Edie and Purvis. Nays: none. Absent: Martin. Motion carried. Mayor Schaefer asked for motion approving Bill No. 3162 as amended. Alderman Barker moved to approve on first reading, seconded by Alderman Purvis. Voting aye: Gass, Barker, Huff, Edie and Purvis. Nays: none. Absent: Martin. Motion carried.

**BILL NO. 3162
MO HIGHWAYS
& TRANSPORTATION
COMMISSION
ROUTE 65/ROUTE 248
INTERCHANGE
IMPROVEMENT PROJECT**

First reading of Bill No. 3163, an ordinance accepting the proposal of Michael London for the Royalty-Free license of certain copyrighted artwork titled “Branson’s Famous Highway 76”, authorizing the preparation of a contract in accordance with the terms of the proposal, and authorizing the Mayor to execute the contract was read by title by Deputy City Clerk McCullough and the staff report was provided by Frank Schoneboom. Presentation by Michael London, 1620 Miller Avenue, Branson, Missouri. Mayor Schaefer asked for a motion approving the first reading of Bill No. 3163. Alderman Purvis so moved, seconded by Alderman Barker. Discussion. Voting aye: Gass, Barker, Huff, Edie and Purvis. Nays: none. Absent: Martin. Motion carried.

**BILL NO. 3163
BRANSON’S FAMOUS
HIGHWAY 76
ARTWORK
CONTRACT**

First reading of Bill No. 3164, an ordinance accepting the proposal of bid award for the refurbishing of the Branson Police Department’s Special Operations Vehicle and authorizing the Mayor to execute the same was read by title by Deputy City Clerk McCullough and the staff report was provided by Caroll McCullough. Mayor Schaefer asked for a motion approving the first reading of Bill No. 3164. Alderman Edie so moved, seconded by Alderman Purvis. Discussion. Voting aye: Gass, Barker, Huff, Edie and Purvis. Nays: none. Absent: Martin. Motion carried. Mayor Schaefer asked for the final reading of Bill No. 3164. Bill No. 3164 was read again by title by Deputy City Clerk McCullough. Mayor Schaefer asked for a motion approving the final reading of Bill No. 3164. Alderman Barker so moved, seconded by Alderman Purvis. Voting aye: Gass, Barker, Huff, Edie and Purvis. Nays: none. Absent: Martin. Motion carried. Ordinance No. 2005-194 was duly enacted.

**BILL NO. 3164
BID AWARD
REFURBISHING
POLICE DEPT.
SPECIAL OPERATIONS
VEHICLE
ORD. NO. 2005-194**

First reading of Bill No. 3165, an ordinance accepting the proposal of bid award to General Carbon Corp for activated carbon used in the wastewater treatment facilities for the City of Branson was read by title by Deputy City Clerk McCullough and the staff report was provided by Larry VanGilder. Mayor Schaefer asked for a motion approving the first reading of Bill No. 3165. Alderman Edie so moved, seconded by Alderman Huff. Discussion. Voting aye: Gass, Barker, Huff, Edie and Purvis. Nays: none. Absent: Martin. Motion carried.

**BILL NO. 3165
BID AWARD
GENERAL
CARBON CORP
ACTIVATED CARBON
WASTEWATER
TREATMENT**

Resolution approving a preliminary subdivision plat for Country Ridge Estates was read by title by Deputy City Clerk McCullough and the staff report was provided by Don Stephens. Mayor Schaefer asked for a motion adopting this resolution. Alderman Purvis so moved, seconded by Alderman Gass. Discussion. Voting aye: Gass, Barker, Huff, Edie and Purvis. Nays: none. Absent: Martin. Resolution 2005-R032 was adopted.

**RESOLUTION
APPROVING
COUNTRY RIDGE
ESTATES
PRELIMINARY
SUBDIVISION PLAT
RESOL. NO. 2005-R032**

Resolution approving a preliminary subdivision plat for Branson Meadows Craft Mill was read by title by Deputy City

**RESOLUTION
APPROVING**

Clerk McCullough and the staff report was provided by Don Stephens. Mayor Schaefer asked for a motion adopting this resolution. Alderman Barker moved to adopt this resolution, seconded by Alderman Huff. Voting aye: Gass, Barker, Huff, Edie and Purvis. Nays: none. Absent: Martin. Resolution No. 2005-R033 was adopted.

**BRANSON MEADOWS
CRAFT MILL
PRELIMINARY
SUBDIVISION PLAT
RESOL. NO. 2005-R033**

Resolution authorizing disposition of surplus property was read by title by Deputy City Clerk McCullough and the staff report was provided by David Rockhill. 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. Resolution No. 2005-R034 was adopted.

**RESOLUTION
DISPOSITION OF
SURPLUS
PROPERTY
RESOL. NO. 2005-R034**

Mayor Schaefer said he had the following nominations for appointment to the Branson Housing Authority Board: Barbara Barron – filling the unexpired term of Joyce Clemenson running to October 19, 2008 and Joyce Thompson – replacing Foster Plummer for a 4 year term running to October 29, 2009. Mayor Schaefer asked for a motion approving these appointments. Alderman Huff so moved, seconded by Alderman Purvis. Voting aye: Gass, Barker, Huff, Edie and Purvis. Nays: none. Absent: Martin. Motion carried.

**APPOINTMENTS
BRANSON HOUSING
AUTHORITY BOARD**

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 Gass so moved, seconded by Alderman Purvis. 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 Gass reminded the audience of the groundbreaking Wednesday at 10:45 for the Convention Center and Hilton.

Alderman Barker commended the Taney County Health Department and City Health Department for their joint efforts.

Alderman Huff concurred and congratulated the Health Department.

Alderman Edie complimented the Deputy City Clerk for her work in the meeting.

ADJOURN:

At this time Mayor Schaefer asked for a motion to adjourn. Alderman Purvis made the motion, seconded by Alderman Barker. Voting aye: Gass, Barker, Huff, Edie and Purvis. Nays: none. Absent: Martin. Motion carried. Mayor Schaefer adjourned the meeting at 8:05 p.m.