

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF ALDERMEN
CITY OF BRANSON, MISSOURI, NOVEMBER 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 November 14, 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, Fire Chief Carl Sparks, Director of Public Works Larry VanGilder, Director of Communications Jerry Adams, Director of Finance Deanna Schlegel, Assistant Director of Planning and Zoning Ruth Denham and Police Chief Caroll 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 Regular meeting and Public Comments meeting of October 24, 2005 and Work Session of October 26, 2005. Receiving none, Mayor Schaefer entertained a motion to approve the Minutes. Alderman Barker 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**

Alderman Huff made a motion to amend the agenda by adding item #7A “A presentation by Thom Harrow of the Branson Airport” and by making the current item #7 item #7B, seconded by Alderman Barker. Voting aye: Gass, Barker, Huff, Edie, and Purvis. Nays: none. Absent: Martin. 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 minutes of the Planning & Zoning Commission meeting of October 4, 2005 and the Park Board meeting of September 20, 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. 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 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. 2005-195 was duly enacted.

**BILL NO. 3160
ZONING CHANGE
“C” COMMERCIAL
TO “PD” PLANNED
DEVELOPMENT
THE LINKS AT
THOUSAND HILLS
ORD. NO. 2005-195**

Final 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 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. 2005-196 was duly enacted.

**BILL NO. 3161
OPENING PUBLIC
ROAD FOR
PUBLIC NECESSITY
ORD. NO. 2005-196**

Final 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 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. 2005-197 was duly enacted.

**BILL NO. 3162
MO HIGHWAYS
& TRANSPORTATION
COMMISSION
ROUT 65/ROUTE 248
INTERCHANGE
IMPROVEMENT PROJECT
ORD. NO. 2005-197**

Final 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 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. 2005-198 was duly enacted.

**BILL NO. 3163
BRANSON’S FAMOUS
HIGHWAY 76
ARTWORK CONTRACT
ORD. NO. 2005-198**

Final 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 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. 2005-199 was duly enacted.

**BILL NO. 3165
BID AWARD
GENERAL
CARBON CORP
ACTIVATED CARBON
WASTEWATER
TREATMENT
ORD. NO. 2005-199**

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

REGULAR AGENDA:

Presentation by Thom Harrow of the Branson Airport. Discussion. Mayor Schaefer asked for a motion to accept the presentation. Alderman Edie moved to accept the presentation, seconded by Alderman Purvis. Voting aye: Gass, Barker, Huff, Edie and Purvis. Nays: none. Absent: Martin. Motion carried.

**PRESENTATION
BRANSON AIRPORT**

Presentation of status report on Branson Landing and Convention Center Projects by Jim Martin of the Benham Company. Mr. Martin reported disbursements as follows: Request #65CC in the amount of \$99,409.32; Request #65CC-R in the amount of \$5,660.82; Request #65CIP \$7,701.49; Request #65MI in the amount of 473,227.69; Request #65MI-R in the amount of \$20,031.12; Request #65WF in the amount of \$1,110,399.33; and Request #65WF-R in the amount of \$37,985.39. Mayor Schaefer asked for a motion to accept the report. Alderman Huff so moved, seconded by Alderman Purvis. Discussion. John Logan 2277 Lake Shore Dr., Branson, Missouri spoke. Voting aye: Gass, Barker, Huff, Edie and Purvis. Nays: none. Absent: Martin. Motion carried.

**STATUS REPORT
BRANSON LANDING
& CONVENTION CENTER**

Public hearing and first reading of Bill No. 3166, an ordinance annexing property owned by XYZ Development Company, Inc., identified as Taney County ID# 18-2.0-03-000-000-034.000, into the City of Branson, Missouri was read by title by City Clerk Westfall and the staff report was provided by Ruth Denham. Mayor Schaefer opened the public hearing and asked for anyone wishing to speak in favor or opposition of this matter. Hearing none, Mayor Schaefer closed the public hearing and asked for a motion approving the first reading of Bill No. 3166. Alderman Gass so moved, seconded by Alderman Huff. Voting aye: Gass, Barker, Huff, Edie and Purvis. Nays: none. Absent: Martin. Motion carried.

**BILL NO. 3166
ANNEX PROPERTY
OWNED BY
XYZ DEVELOPMENT
COMPANY, INC.**

First reading of Bill No. 3167, an ordinance amending Chapter 22 of the Branson City Code, Buildings and Building Regulations, Section 22-32 *Amendments to International Building*

**BILL NO. 3167
CITY CODE
CHAP. 22, SEC. 22-32**

Code by adding a new sub-section (15) that deletes Section 1301 of the International Building Code was read by title by City Clerk Westfall and the staff report was provided by Joe Johnson. Mayor Schaefer asked for a motion approving the first reading of Bill No. 3167. Alderman Purvis so moved, seconded by Alderman Huff.

**AMENDMENTS TO
INTERNATIONAL
BUILDING CODE
ORD. NO. 2005-200**

Voting aye: Gass, Barker, Huff, Edie and Purvis. Nays: none. Absent: Martin. Motion carried. City Clerk Westfall read Bill No. 3167 by title for the final reading. Mayor Schaefer called for a motion approving the final reading of Bill No. 3167. Alderman Purvis so moved, seconded by Alderman Barker. Voting aye: Gass, Barker, Huff, Edie and Purvis. Nays: none. Absent: Martin. Motion carried. Ordinance No. 2005-200 was duly enacted.

First reading of Bill No. 3168, an ordinance amending Chapter 86 of the Branson City Code, Traffic and Vehicles, Article I *In General* by adding a new section 86-3 to establish penalties for moving violations in construction zones was read by title by City Clerk Westfall and the staff report was provided by Carol McCullough and comment by Larry VanGilder. Mayor Schaefer asked for a motion approving the first reading of Bill No. 3168. Alderman Barker moved to approve, seconded by Alderman Purvis. Discussion. Voting aye: Gass, Barker, Huff, Edie and Purvis. Nays: none. Absent: Martin. Motion carried.

**BILL NO. 3168
CITY CODE
CHAPTER 86
PENALTIES FOR
MOVING VIOLATIONS
CONSTRUCTION
ZONES
ORD. NO. 2005-201**

City Clerk Westfall read Bill No. 3168 by title for the final reading. Mayor Schaefer called for a motion approving the final reading of Bill No. 3168. Alderman Huff so moved to approve final reading of Bill No. 3168 to allow immediate enforcement of the law, seconded by Alderman Purvis. Voting aye: Gass, Barker, Huff, Edie and Purvis. Nays: none. Absent: Martin. Motion carried. Ordinance No. 2005-201 was duly enacted.

Resolution authorizing disposition of surplus property was read by title by City Clerk Westfall 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-R035 was adopted.

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

Resolution approving a project for the Skaggs Community Hospital Association and the issuance of bonds therefore by the Industrial Development Authority of the County of Taney, Missouri was read by title by City Clerk Westfall and the staff report was provided by Joe Johnson. Discussion. Rick Davis, chairman of Skaggs Hospital Board and Sherry Clouse Day, CFO spoke.

**RESOLUTION
SKAGGS COMMUNITY
HOSPITAL ASSOC.
PROJECT
RESOL. NO. 2005-R036**

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. Resolution No. 2005-R036 was adopted.

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 disbursement statement as presented, 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 commented on the Salvation Army Bell Ringing Challenge on November 17, 2005.

Alderman Barker stated he was proud of our week long Veteran's Day celebration.

Alderman Huff congratulated Ann McDowell and her team for passage of the Tourism Enhancement Tax.

Alderman Purvis challenged the news media to help out the Bell Ringers.

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 8:35 p.m.