

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF ALDERMEN  
CITY OF BRANSON, MISSOURI, DECEMBER 12, 2005**

The Board of Aldermen of the City of Branson, Missouri met in regular session in the Council Chambers of the City Hall on December 12, 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 present from the City were: City Administrator Terry Dody, Assistant City Administrator Frank Schoneboom, City Attorney Joe Johnson, Incoming City Attorney Paul Link, Assistant City Attorney Matt Thompson, City Clerk Lisa Westfall, Director of Engineering David Miller, Fire Chief Carl Sparks, 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 Regular meeting and Public Comments meeting of November 28, 2005. Receiving none, Mayor Schaefer entertained a motion to approve the Minutes. 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 moved to move Item #1 from the Consent Agenda to Item #6A on the Regular Agenda, seconded by Alderman Purvis. 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:

Final reading of Bill No. 3169, an ordinance approving a zoning change from "C" Commercial to "PD" Planned Development and approving land use regulations for Planned Development PD-2005-006 for property known as Professional Park and located on Green Mountain Drive, Branson, Missouri. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried. Ordinance No. 2005-206 was duly enacted.

**BILL NO. 3169  
ZONING CHANGE  
"C" COMMERCIAL TO  
"PD" PLANNED  
DEVELOPMENT  
PROFESSIONAL  
PARK  
ORD. NO. 2005-206**

Final reading of Bill No. 3170, an ordinance approving a zoning change from “C” Commercial to “PD” Planned Development and approving land use regulations for Planned Development PD-2005-007 for property known as Branson Hills Development and located in Branson Hills, Branson, Missouri. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried. Ordinance No. 2005-207 was duly enacted.

**BILL NO. 3170  
ZONING CHANGE  
“C” COMMERCIAL TO  
“PD” PLANNED  
DEVELOPMENT  
BRANSON HILLS  
ORD. NO. 2005-207**

Final reading of Bill No. 3171, an ordinance amending the land use regulations to Planned Development #PD-98-04, known as Branson Plaza, located on Highways 165 and 76. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried. Ordinance No. 2005-208 was duly enacted.

**BILL NO. 3171  
AMENDING LAND  
USE REGULATION  
BRANSON PLAZA  
ORD. NO. 2005-208**

Final reading of Bill No. 3173, authorizing a water service line maintenance agreement between the City of Branson, Missouri, and HCW Development Company, L.L.C., and authorizing the Mayor to execute the agreement. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried. Ordinance No. 2005-209 was duly enacted.

**BILL NO. 3173  
HCW WATER  
SERVICE LINE  
MAINTENANCE  
ORD. NO. 2005-209**

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

#### **REGULAR AGENDA:**

Alderman Edie moved to postpone Item #6A to no later than January 23, 2006, seconded by Alderman Barker. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried.

**BILL NO. 3010  
POSTPONED**

Presentation of status report on Branson Landing and Convention Center Projects by Jim Martin of the Benham Company. Mr. Martin reported no disbursements. Rick Huffman of HCW spoke. Discussion. Mayor Schaefer asked for a motion to accept the report. Alderman Huff so moved, seconded by Alderman Barker. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried.

**STATUS REPORT  
BRANSON LANDING  
& CONVENTION CENTER**

Presentation of petition for consent to annex property owned by Tri-State Utility, Inc., Branson, Missouri, was read by title by City Clerk Westfall and the staff report was

**PRESENTATION  
OF PETITION FOR  
ANNEXATION**

provided by Don Stephens. Mayor Schaefer asked for a motion to accept the petition for voluntary annexation. Alderman Gass so moved, seconded by Alderwoman Martin. Voting aye: Gass Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried.

**TRI-STATE UTILITY, INC.  
PROPERTY**

Public hearing and first reading of Bill No. 3175, an ordinance annexing property owned by XYZ Development Company Inc. and Oak Ridge Properties, L.L.C, identified as Taney County ID#18-2.0-03-000-000-004.000 into the City of 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 asked for anyone wishing to speak in favor or opposition of this matter. Speaking in Favor: Orlie Kirsch, Friendly Baptist Church. Hearing no opposition, Mayor Schaefer closed the public hearing and asked for a motion approving the first reading of Bill No. 3175. Alderman Gass so moved, seconded by Alderman Purvis. Voting aye: Gass, Barker, Huff, Martin, Edie and Purvis. Nays: none. Motion carried.

**BILL NO. 3175  
ANNEX PROPERTY  
OWNED BY  
XYZ DEVELOPMENT  
AND OAK RIDGE  
PROPERTIES, L.L.C.**

Public Hearing and First Reading of Bill No. 3176, an ordinance annexing property owned by Reaste, L.L.C., identified as Taney County ID#18-2.0-03-000-000-007.001 and ID#18-2.0-03-000-000-006.000, into the City of 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 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. 3176. Alderman Huff so moved, seconded by Alderwoman Martin. Voting aye: Gass, Barker, Huff, Edie, Martin and Purvis. Nays: none. Motion carried.

**BILL NO. 3176  
ANNEX PROPERTY  
OWNED BY  
REASTE, L.L.C.**

Public hearing and first reading of Bill No. 3177, an ordinance annexing property owned by Redbob Properties, L.L.C., identified as Taney County ID# 18-2.0-03-000-000-005.000, into the City of Branson, Missouri, was read by title by City Clerk Westfall and the staff report was provided by Don Stephens. Mayor Schaefer 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. 3177. Alderman Gass so moved, seconded by Alderman Purvis. Voting aye: Gass, Barker, Huff, Edie, Martin and Purvis. Nays: none. Motion carried.

**BILL NO. 3177  
ANNEX PROPERTY  
OWNED BY  
REDBOB  
PROPERTIES, L.L.C.**

Public Hearing and First Reading of Bill No. 3178, an ordinance enacting a final subdivision plat of Branson Meadows Craft Mill located on Gretna 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

**BILL NO. 3178  
BRANSON MEADOWS  
CRAFT MILL  
FINAL SUBDIVISION  
PLAT**

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. 3178. Alderman Barker moved to approve the bill, seconded by Alderwoman Martin. Discussion. Voting aye: Gass, Barker, Huff, Edie, Martin and Purvis. Nays: none. Motion carried. City Clerk Westfall read Bill No. 3178 by title for the final reading. Mayor Schaefer called for a motion approving the final reading of Bill No. 3178. Alderman Gass so moved, seconded by Alderman Huff. Voting aye: Gass, Barker, Huff, Edie, Martin and Purvis. Motion carried. Ordinance No. 2005-210 was duly enacted.

**ORD. NO. 2005-210**

First reading of Bill No. 3179, an ordinance appointing members to the Tax Increment Financing Commission of the City of Branson, Missouri, was read by title by City Clerk Westfall and she also provided the staff report. Mayor Schaefer asked for a motion to approve the first reading of Bill No. 3179, Alderman Barker so moved, seconded by Alderman Purvis. Mayor Schaefer opened the Public Hearing and asked for anyone wishing to speak regarding this bill. Discussion. Voting aye: Gass, Barker, Huff, Edie, Martin and Purvis. Nays: none. Motion carried. City Clerk Westfall read Bill No. 3179 by title for the final reading. Mayor Schaefer called for a motion approving the final reading of Bill No. 3179. Alderman Purvis so moved, seconded by Alderman Barker. Voting aye: Gass, Barker, Huff, Edie, Martin and Purvis. Nays: none. Motion carried. Ordinance No. 2005-211 was duly enacted.

**BILL NO. 3179  
APPOINTING  
MEMBERS TO THE  
TAX INCREMENT  
FINANCING  
COMMISSION  
ORD. NO. 2005-211**

First reading of Bill No. 3180, an ordinance approving an easement for trail use and authorizing the Mayor to execute said easement for trail use with Jack and Sharon Herschend, was read by title by City Clerk Westfall, staff report was provided by Larry VanGilder. Mayor Schaefer asked for a motion to approve the first reading of Bill No. 3180. Alderman Gass so moved, seconded by Alderman Purvis. Discussion. Voting aye: Gass, Barker, Huff, Edie, Martin and Purvis. Nays: none. Motion carried.

**BILL NO. 3180  
EASEMENT FOR  
TRAIL USE  
HERSCHEND**

First reading of Bill No. 3181, an ordinance approving a retaining wall footing easement to Loyd's Electric Supply, Inc., and authorizing the Mayor to execute the easement, was read by title by City Clerk Westfall, staff report was provided by David Miller. Mayor Schaefer asked for a motion to approve the first reading of Bill No. 3181. Alderman Barker moved to approve the bill seconded by Alderman Purvis. Discussion. Voting aye: Gass, Barker, Huff, Edie, Martin and Purvis. Nays: none. Motion carried.

**BILL NO. 3181  
RETAINING WALL  
FOOTING EASEMENT  
LOYD'S ELECTRIC**

First Reading of Bill No. 3182, an ordinance accepting the proposal of bid award between JLA Enterprises, Inc. and the City of Branson, and authorizing the Mayor to enter into the agreement pertaining to the Stockstill Trail East Project was read by title by

**BILL NO. 3182  
BID AWARD  
JLA  
ENTERPRISES, INC.**

City Clerk Westfall, staff report was provided by David Miller. **STOCKSTILL TRAIL**  
Mayor Schaefer asked for a motion to approve the first  
reading of Bill No. 3182. Alderman Gass so moved, seconded by Alderman Purvis.  
Discussion. Voting aye: Gass, Barker, Huff, Edie, Martin and Purvis. Nays: none. Motion  
carried.

First Reading of Bill No. 3183, an ordinance accepting **BILL NO. 3183**  
the proposal of bid award between JAJ Construction, L.L.C., **BID AWARD**  
for replacing the roof at Fire Station #1 and authorizing the **JAJ**  
Mayor to execute the agreement, was read by title by City **CONSTRUCTION, L.L.C.**  
Clerk Westfall, staff report was provided by Carl Sparks. **REPLACING ROOF**  
Mayor Schaefer asked for a motion to approve the first **FIRE STATION #1**  
reading of Bill No. 3183. Alderman Purvis so moved,  
seconded by Alderman Barker. Discussion. Voting aye: Gass, Barker, Huff, Edie, Martin  
and Purvis. Nays: none. Motion carried.

Resolution approving a preliminary subdivision plat for Branson **RESOLUTION**  
Hills Development, was read by title by City Clerk Westfall and **PRELIMINARY**  
the staff report was provided by Don Stephens. Mayor Schaefer **SUBDIVISION PLAT**  
asked for a motion adopting this resolution. Alderman Gass so **BRANSON HILLS**  
moved, seconded by Alderwoman Martin. Discussion. **DEVELOPMENT**  
Voting aye: Gass, Barker, Huff, Edie, Martin and Purvis. **RESOL. NO. 2005-R037**  
Nays: none. Motion carried. Resolution No. 2005-R037  
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  
asked for a motion to approve the disbursements as presented. Alderman Huff 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 then opened the floor for Aldermen Reports.

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

Alderman Gass commented on the Red Kettle Community challenge for the  
Salvation Army, and also stated this was the last meeting for Attorney Joe Johnson.

Alderman Barker wished everyone a Merry Christmas.

**Alderman Martin gave accolades and wished everyone Happy Holidays.**

**Alderman Huff wished everyone a Merry Christmas and Happy New Year.**

**Alderman Edie commended the Public Works road crew.**

**Alderman Purvis commented on the Red Kettle Day and thank participants in the parade and complimented the Police, and also wished everyone a Merry Christmas and prosperous New Year.**

**Terry Dody introduced the incoming City Attorney Paul Link and wished everyone a Merry Christmas and Happy Holidays.**

**Mayor Schaefer wished everyone a Merry Christmas.**

**ADJOURN:**

**At this time Mayor Schaefer asked for a motion to adjourn. Alderman Gass made the motion, seconded by Alderman Barker. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried. Mayor Schaefer adjourned the meeting at 7:56 p.m.**