

# **MINUTES**

## **THE REGULAR MEETING OF THE BOARD OF ALDERMEN CITY OF BRANSON, MISSOURI**

**January 9, 2006**

### **INTRODUCTORY**

The Board of Aldermen of the City of Branson, Missouri met in regular session in the Council Chambers of the City Hall on January 9, 2006 at 8:00 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 Paul Link, Assistant City Attorney Matt Thompson, City Clerk Lisa Westfall, Director of Engineering David Miller, Fire Chief Carl Sparks, Director of Communications Jerry Adams, Director of Finance Deanna Schlegel, Assistant Director of Planning and Zoning Ruth Denham, Police Chief Carol McCullough, Director of Health Linn Smith, and Director of Economic Development Mike Rankin.

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

### **EMPLOYEE OF THE MONTH**

Alderman Edie presented the January Employee of the Month Award to Jim Nivens of the Fire Department. Jim was presented the award for his calm and collective actions in dealing with a man threatening suicide who called into our fire department.

### **APPROVAL OF MINUTES**

Mayor Schaefer asked for any additions or corrections to the Minutes of the Board of Aldermen Special Meeting of December 9, 2005, Regular Meeting and Public Comments Meeting of December 12, 2005 and Special Meeting of December 19, 2005. Receiving none, Mayor Schaefer entertained a motion to approve the Minutes. 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.

### **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:

#### **ACKNOWLEDGEMENT OF MINUTES**

Receipt of the Planning & Zoning Commission meeting minutes of November 1, 2005, and the receipt of the Park Board Meeting minutes of October 25, 2005, was acknowledged within the consent agenda. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis.

**BILL NO. 3010**

**Ord. No. 2006-001**     **Annexing property owned by Missouri Partners, located adjacent to State Highway 165, south of Fall Creek Road.**

Final reading of Bill No. 3010, an ordinance annexing property owned by Missouri Partners, located adjacent to State Highway 165, south of Fall Creek Road, Branson, Missouri, into the city. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried. Ordinance No. 2006-001 was duly enacted.

**BILL NO. 3175**

**Ord. No. 2006-002**     **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.**

Final 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. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried. Ordinance No. 2006-002 was duly enacted.

**BILL NO. 3176**

**Ord. No. 2006-003**     **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.**

Final 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. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried. Ordinance No. 2006-003 was duly enacted.

**BILL NO. 3177**

**Ord. No. 2006-004**     **Annexing property owned by Redbob Properties, L.L.C., identified as Taney County ID#18-2.0-03-000-000-005.000.**

Final 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. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried. Ordinance No. 2006-004 was duly enacted.

**Bill No. 3180**

**Ord. No. 2006-005**     **An easement for trail use with Jack and Sharon Herschend.**

Final 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. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried. Ordinance No. 2006-005 was duly enacted.

**Bill No. 3181**

**Ord. No. 2006-006**     **A retaining wall footing easement to Loyd's Electric Supply, Inc.,**

Final 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. Voting aye:

Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried. Ordinance No. 2006-006 was duly enacted.

**Bill No. 3182**

**Ord. No. 2006-007**      **Proposal of bid award to JLA Enterprises, Inc. pertaining to the Stockstill Trail East Project.**

Final 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. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried. Ordinance No. 2006-007 was duly enacted.

**Bill No. 3183**

**Ord. No. 2006-008**      **Proposal of bid award to JAJ Construction, L.L.C., for replacing the roof at Fire Station #1.**

Final reading of Bill No. 3183, an ordinance accepting the proposal of bid award to JAJ Construction, L.L.C., for replacing the roof at Fire Station #1 and authorizing the Mayor to execute the agreement. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried. Ordinance No. 2006-008 was duly enacted.

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, Martin, Huff, Edie and Purvis. Nays: none. Motion carried.

## **REGULAR AGENDA**

### **STATUS REPORT ON BRANSON LANDING AND CONVENTION CENTER**

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 #67CC in the amount of \$113,410.33; Request #67CC-R in the amount of \$3,781.78; Request #67MI in the amount of \$119,871.43; Request #67MI-BLB in the amount of \$283,923.24; Request #67WF in the amount of \$310,806.92; Request #67WF-R in the amount of \$8,444.07; Request #68MI-R in the amount of \$17,851.29; Request #68WF-R in the amount of \$26,444.37, to HCW for expenses incurred on the Branson Landing Project. Discussion. Mayor Schaefer asked for a motion to accept the report as presented. Alderman Barker so moved, seconded by Alderwoman Martin. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Motion carried.

### **PRESENTATION OF CONSENT TO ANNEX PROPERTY OWNED BY CCO INVESTMENTS.**

Presentation of petition for consent to annex property owned by CCO Investments, L.L.C. located west of State Highway 248 and north of Shepherd of the Hills Expressway, Branson, Missouri, was read by title by City Clerk Westfall and the staff report was presented by Ruth Denham. Mayor Schaefer asked for a motion to accept the petition for voluntary annexation. Alderman Purvis so moved, seconded by Alderwoman Martin. Voting aye: Barker, Martin, Huff, Edie and Purvis. Alderman Gass abstained. Nays: none. Motion carried.

**BILL NO. 3184**

**Annexing property owned by Tri-State Utility, Inc., identified as Taney County ID#18-2.0-03-000-000-005.001.**

Public hearing and first Reading of Bill No. 3184, an ordinance annexing property owned by Tri-State Utility, Inc. identified as Taney County ID#18-2.0-03-000-000-005.001, into the City of Branson, Missouri, was read by title by City Clerk Westfall and the staff report was presented 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. 3184. Alderman Gass so moved, seconded by Alderman Purvis. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried.

## RESOLUTIONS

**RESOL. NO.**                    **Resolution approving the renewal of contract with Branson Walk of Stars.**  
**2006-R001**

A resolution reviewing and approving the renewal of the Contract Services Agreement between Branson Walk of Stars and the City of Branson, was read by title by City Clerk Westfall and the staff report was presented by Paul Link. Mayor Schaefer asked for a motion adopting the resolution. Alderman Huff so moved, seconded by Alderwoman Martin. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried. Resolution No. 2006-R001 was adopted.

**RESOL. NO.**                    **Resolution approving the City of Branson's Legislative Agenda.**  
**2006-R002**

A resolution approving the City of Branson's Legislative Agenda for the year 2006, was read by title by City Clerk Westfall and the staff report was presented by Terry Dody. Mayor Schaefer asked for a motion adopting the resolution. Alderman Huff so moved, seconded by Alderman Barker. Mayor Schaefer asked for anyone wishing to speak regarding this matter.

Speakers:                    1) John Logan – 2277 Lakeshore Dr., Branson, Missouri  
                                     2) Chris Meyer – 157 Country Bluff Dr., Branson, Missouri  
                                     3) Ron Herschend – 1211 Hwy. F., Branson, Missouri

Discussion. Mayor Schaefer called for a vote approving the resolution. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried. Resolution 2006-R002 was adopted.

## DISBURSEMENTS

Mayor Schaefer stated the next item was review of 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 Barker. 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 Alderman 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 Alderman reports.

## ALDERMAN/ADMINISTRATOR'S REPORTS

Alderman Gass commented on the accomplishments of 2005.

Alderman Barker echoed Alderman Gass's comments.

Alderman Martin congratulated the employee of the month and stated she was looking to the new year for continued growth.

Alderman Huff expressed his excitement for 2006 and the opening of Branson Landing. He also stated he was proud for the naming of the airplane after Branson at Whiteman Air Force Base.

Alderman Edie concurred with Alderman Huff on the recognition of Branson with the naming of the airplane.

Alderman Purvis expressed his appreciation for the trail easement and also the appreciation given Branson with the dedication of the airplane made him proud of Branson.

Administrator Dody stated that there had been a lot of accomplishments in 2005 for Branson and a lot more to be accomplished in 2006.

## **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, Martin, Huff, Edie and Purvis. Nays: none. Motion carried. Mayor Schaefer adjourned the meeting at 7:51 p.m.