

MINUTES

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

February 13, 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 February 13, 2006 at 7:00 p.m. with the following members present:

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

Also present from the City were: Assistant City Administrator Frank Schoneboom, City Attorney Paul Link, Assistant City Attorney Matt Thompson, City Clerk Lisa Westfall, Director of Engineering David Miller, Director of Communications Jerry Adams, Director of Planning and Zoning Don Stephens, Director of Public Works Larry VanGilder, Police Chief Caroll McCullough, and Director of Health Linn Smith.

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

APPROVAL OF MINUTES

Mayor Schaefer asked for any additions or corrections to the Minutes of the Board of Aldermen Regular Meeting and Public Comments Meeting of January 23, 2006. 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: Barker, Huff, Edie and Purvis. Absent: Gass and Martin. Nays: none. Motion carried.

Alderman Purvis moved to move Item No. 6 from the Consent Agenda and place it as Item No. 8A on the Regular Agenda, seconded by Alderman Barker. Voting aye: Barker, Huff, Edie and Purvis. Absent: Gass and Martin. 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 Park Board Meeting minutes of December 13, 2005 and the Capital Improvement Committee meeting minutes of January 9, 2006, was acknowledged within the consent agenda. Voting aye: Barker, Huff, Edie and Purvis. Absent: Gass and Martin.

BILL NO. 3185

Ord. No. 2006-011 **Annexing property owned by CCO Investments, LLC.**

Final reading of Bill No. 3185, an ordinance annexing property owned by CCO Investments, LLC, identified as Taney County ID#08-4.3-19-000-000-005.000, 07-6.0-24-000-000-003.000, 07-6.0-24-000-000-004.001, 07-6.0-24-000-000-021.000, and 07-6.0-24-000-000-020.000, into the City of Branson, Missouri. Voting aye: Barker, Huff, Edie and Purvis. Absent: Gass and Martin. Nays: none. Motion carried. Ordinance No. 2006-011 was duly enacted.

BILL NO. 3186

Ord. No. 2006-012 **Approving a zoning change from “C” Commercial to “PD” Planned Development and approving Land Use Regulations for Planned Development #PD-2006-002 – Grand Legacy II.**

Final reading of Bill No. 3186, an ordinance approving a zoning change from “C” Commercial to “PD” Planned Development and approving land use regulations for Planned Development #PD-2006-002 for property to be known as Grand Legacy II, located on Lot 1A, Thousand Hills First Addition, Branson, Missouri. Voting aye: Barker, Huff, Edie and Purvis. Absent: Gass and Martin. Nays: none. Motion carried. Ordinance No. 2006-012 was duly enacted.

BILL NO. 3187

Ord. No. 2006-013 **Amending Chapter 46 Health and Sanitation, Sections 125, 164 and 167 – Lifeguard Requirements.**

Final reading of Bill No. 3187, an ordinance amending Chapter 46 Health and Sanitation, Sections 125, 164 and 167 Swimming Pools by changing lifeguard requirements. Voting aye: Barker, Huff, Edie and Purvis. Absent: Gass and Martin. Nays: none. Motion carried. Ordinance No. 2006-013 was duly enacted.

BILL NO. 3188

Ord. No. 2006-014 **Amending Section 86-622 of the Branson Municipal Code - Speed Limits.**

Final reading of Bill No. 3188, an ordinance amending Section 86-622 of the Branson Municipal Code: Schedule II: Speed Limits. Voting aye: Barker, Huff, Edie and Purvis. Absent: Gass and Martin. Nays: none. Motion carried. Ordinance No. 2006-014 was duly enacted.

BILL NO. 3191

Ord. No. 2006-016 **Acceptance of bid award for the purchase of vehicles.**

Final reading of Bill No. 3191, an ordinance accepting the proposal of bid award to Putnam Chevrolet, Friendly Ford, Don Vance Ford, Jimmy Michel Motors, Tri-Lakes Ford and Central Dodge for the purchase of vehicles for the City of Branson, and authorizing the Mayor to execute the same. Voting aye: Barker, Huff, Edie and Purvis. Absent: Gass and Martin. Nays: none. Motion carried. Ordinance No. 2006-016 was duly enacted.

Mayor Schaefer opened the floor for a motion to approve the Consent Agenda. Alderman Purvis so moved, seconded by Alderman Edie. Voting aye: Barker, Huff, Edie and Purvis. Absent: Gass and Martin. 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 #69CC in the amount of \$236,472.33. Request #69CIP in the amount of \$3,400.00; Request #69MI in the amount of \$252,274.32; Request #69MI-BLB in the amount of \$205,169.85; Request #69MI-SS in the amount of \$256,102.31; Request #69WF in the amount of \$355,242.39, to HCW for expenses incurred on the Branson Landing Project. Discussion.

Speaker:

John Logan – 2277 Lakeshore Dr., Branson, Missouri

Mayor Schaefer asked for a motion to accept the report as presented. Alderman Huff so moved, seconded by Alderman Purvis. Voting aye: Barker, Huff, Edie and Purvis. Absent: Gass and Martin. Nays: none. Motion carried.

BILL NO. 3190
Ord. No. 2006-015

Vacating streets relating to the construction of the Branson Landing Convention Center.

Final reading of Bill No. 3190, an ordinance vacating streets relating to the construction of the Branson Landing Convention Center, including all portions of right-of-ways and public alleys on Glenn Street, Pacific Street, Maddux Street, and Price Street, in the Branson Landing Subdivision, Branson, Missouri, was read by title by City Clerk Westfall and the staff report was presented by Paul Link and David Miller read into the record a letter from Tri-Lakes Title & Escrow. Mayor Schaefer called for a vote approving the final reading of Bill No. 3190, Alderman Purvis made a motion to approve, seconded by Alderman Huff. Mayor Schaefer asked for anyone wishing to speak regarding this matter. Discussion.

Speakers:

1. John Logan – 2277 Lakeshore Dr., Branson, Missouri

Voting aye: Barker, Huff, Edie and Purvis. Absent: Gass and Martin. Nays: none. Motion carried. Ordinance No. 2006-015 was duly enacted.

PRESENTATION OF PETITION FOR CONSENT TO ANNEX PROPERTY OWNED BY RONALD AND CAROL GLORIOSO.

Presentation of petition for consent to annex property owned by Ronald and Carol Glorioso, located at 1810 Pointe Royale Drive, Pointe Royale Subdivision, Branson, Missouri, was read by title by City Clerk Westfall, and the staff report was presented by Don Stephens. Mayor Schaefer asked for a motion to accept the petition for voluntary annexation, Alderman Purvis so moved, seconded by Alderman Barker. Voting aye: Barker, Huff, Edie and Purvis. Absent: Gass and Martin. Nays: none. Motion carried.

PRESENTATION OF PETITION FOR CONSENT TO ANNEX PROPERTY OWNED BY WELK RESORT GROUP, INC.

Presentation of petition for consent to annex property owned by Welk Resort Group, Inc., located north of the Welk Resort Center Champagne Theatre and Hotel in Branson, Missouri, was read by title by City Clerk Westfall and the staff report was presented by Don Stephens.

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

PRESENTATION OF PETITION FOR CONSENT TO ANNEX PROPERTY OWNED BY RBD MARKETING, LLC.

Presentation of petition for consent to annex property owned by RBD marketing, LLC, located on West State Highway 76 just north of the Shepherd of the Hills Expressway intersection in Branson, Missouri, was read by title by City Clerk Westfall and the staff report was presented by Don Stephens. Mayor Schaefer asked for a motion to accept the petition for voluntary annexation, Alderman Purvis so moved, seconded by Alderman Huff. Voting aye: Barker, Huff, Edie and Purvis. Absent: Gass and Martin. Nays: none. Motion carried.

BILL NO. 3192 Annexing property owned by Scott and Lisa Rossow

Public hearing and first reading of Bill No. 3192, an ordinance annexing property owned by Scott and Lisa Rossow, identified as Taney County parcel ID#18-6.0-14-004-001-017.000 into the City of Branson, Missouri, was read by title by City Clerk Westfall and the staff report was presented 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. 3192. Alderman Purvis so moved, seconded by Alderman Edie. Voting aye: Barker, Huff, Edie and Purvis. Absent: Gass and Martin. Nays: none. Motion carried.

BILL NO. 3193 Annexing properties owned by Good Shepherd Meadows, LP.

Public hearing and first reading of Bill No. 3193, an ordinance annexing property owned by Good Shepherd Meadows, LP., identified by Taney County ID's 07-7.0-25-000-000-002.026, 07-7.0-25-000-000-002.019 and 07-7.0-25-000-000-002.024 into the City of Branson, Missouri, was read by title by City Clerk Westfall, and the staff report was presented 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. 3193. Alderman Purvis so moved, seconded by Alderman Edie. Voting aye: Barker, Huff, Edie and Purvis. Absent: Gass and Martin. Nays: none. Motion carried.

BILL NO. 3194

Ord. No. 2006-017 Amending Land Use Regulations for Planned Development.

Public hearing and first reading of Bill No. 3194, an ordinance amending the Land Use Regulations for Planned Development PD-2004-001, known as Branson Hills Plaza, located on Branson Hills Parkway, was read by title by City Clerk Westfall, and the staff report was presented 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. 3194. Alderman Barker moved to approve first reading, seconded by Alderman Purvis. Voting aye: Barker, Huff, Edie and Purvis. Absent: Gass and Martin. Nays: none. City Clerk Westfall read Bill No. 3194 by title for the final reading, Mayor Schaefer asked for a motion approving the final reading of Bill No. 3194, Alderman Purvis motioned to approve, seconded by Alderman Barker. Voting aye: Barker, Huff, Edie and Purvis. Absent: Gass and Martin. Nays: none. Motion carried. Ordinance 2006-017 was duly enacted.

BILL NO. 3195
Ord. No. 2006-018

Approving zoning change from “C” Commercial to “PD” Planned Development and approving Land Use Regulations for Planned Development.

Public hearing and first reading of Bill No. 3195, an ordinance approving a zoning change from “C” Commercial to “PD” Planned Development and approving Land Use Regulations for Planned Development PD-2006-001 for property known as Branson Craft Mill, 3300 Gretna Road, Branson, Missouri, was read by title by City Clerk Westfall, and the staff report was presented 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. 3195. Alderman Huff so moved, seconded by Alderman Purvis. Voting aye: Barker, Huff, Edie and Purvis. Absent: Gass and Martin. Nays: none. Motion carried. City Clerk Westfall read Bill No. 3195 by title for the final reading, Mayor Schaefer asked for a motion approving the final reading of Bill No. 3195, Alderman Purvis so moved, seconded by Alderman Barker. Voting aye: Barker, Huff, Edie and Purvis. Absent: Gass and Martin. Nays: none. Motion carried. Ordinance 2006-018 was duly enacted.

BILL NO. 3196

Approving an access easement to the Empire District Electric Company.

First reading of Bill No. 3196, an ordinance approving an access easement to the Empire District Electric Company, and authorizing the Mayor to execute the easement pertaining to access to their electric facilities north of Compton Drive, was read by title by City Clerk Westfall, and the staff report was presented by David Miller. Mayor Schaefer asked for a motion approving the first reading of Bill No. 3196, Alderman Barker moved to approve bill, seconded by Alderman Purvis. Voting aye: Barker, Huff, Edie and Purvis. Absent: Gass and Martin. Nays: none. Motion carried.

BILL NO. 3197

Ord. No. 2006-019

Approving an agreement for professional services with MJ Harden Associates, Inc.

First reading of Bill No. 3197, an ordinance approving an agreement for professional services between MJ Harden Associates, Inc. and the City of Branson, and authorizing the Mayor to enter into the agreement pertaining to the digital orthophotography, planimetric and topographic mapping projects, was read by title by City Clerk Westfall, and the staff report was presented by David Miller. Mayor Schaefer asked for a motion approving the first reading of Bill No. 3197, Alderman Purvis so moved, seconded by Alderman Barker. Voting aye: Barker, Huff, Edie and Purvis. Absent: Gass and Martin. Nays: none. Motion carried. City Clerk Westfall read Bill No. 3197 by title for the final reading Mayor Schaefer asked for a motion approving the final reading of Bill No. 3197, Alderman Purvis so moved, seconded by Alderman Edie. Voting aye: Barker, Huff, Edie and Purvis. Absent: Gass and Martin. Nays: none. Motion carried. Ordinance No. 2006-019 was duly enacted.

BILL NO. 3198

Ord. No. 2006-020

Approving a ground lease with Ozark Entertainment, Inc.

First reading of Bill No. 3198, an ordinance approving a ground lease between Ozark Entertainment, Inc. and the City of Branson, and authorizing the Mayor to enter into the ground lease, was read by title by City Clerk Westfall, and the staff report was presented by Paul Link.

Mayor Schaefer asked for a motion approving the first reading of Bill No. 3198, Alderman Barker moved to approve, seconded by Alderman Purvis. Voting aye: Barker, Huff, Edie and Purvis. Absent: Gass and Martin. Nays: none. Motion carried. City Clerk Westfall read Bill No. 3198 by title for the final reading, Mayor Schaefer asked for a motion approving the final reading of Bill No. 3198, Alderman Huff so moved, seconded by Alderman Barker. Voting aye: Barker, Huff, Edie and Purvis. Absent: Gass and Martin. Nays: none. Motion carried. Ordinance 2006-020 was duly enacted.

BILL NO. 3199

Ord. No. 2006-021 Accepting the proposal of bid award to Century Tel.

First reading of Bill No. 3199, an ordinance accepting the proposal of bid award to Century Tel for fiber optic trunk line to support business enterprises of the City of Branson, and authorizing the Mayor to execute the agreement, was read by title by City Clerk Westfall, and the staff report was presented by Frank Schoneboom. Mayor Schaefer asked for a motion approving the first reading of Bill No. 3199, Alderman Barker moved to approve, seconded by Alderman Purvis. Voting aye: Barker, Huff, Edie and Purvis. Absent: Gass and Martin. Nays: none. Motion carried. City Clerk Westfall read Bill No. 3199 by title for the final reading, Mayor Schaefer asked for a motion approving the final reading of Bill No. 3199, Alderman Huff moved to approve the final reading of Bill No. 3199 in order to expedite the installation of this fiber optic trunk line in order to eliminate the frequent business disruptions, seconded by Alderman Purvis. Voting aye: Barker, Huff, Edie and Purvis. Absent: Gass and Martin. Nays: none. Motion carried. Ordinance 2006-021 was duly enacted.

RESOLUTION

RESOLUTION NO.

2006-R003

Resolution correcting the address of property owned by Delbert and Patricia Tate.

A resolution correcting the address of property owned by Delbert and Patricia Tate, from 211 Norwood Drive to 212 Norwood Drive, Branson, Missouri 65616, was read by title by City Clerk Westfall, and the staff report was presented by Don Stephens. Mayor Schaefer asked for a motion adopting the resolution. Alderman Purvis so moved, seconded by Alderman Barker. Voting aye: Barker, Huff, Edie and Purvis. Absent: Gass and Martin. Nays: none. Motion carried. Resolution 2006-R003 was adopted.

RESOLUTION NO.

2006-R004

Resolution establishing September 11 as First Call Responders Recognition Day.

A resolution establishing September 11 as First Call Responders Recognition Day, was read by title by City Clerk Westfall, and Jerry Adams read the staff report and read the resolution. Mayor Schaefer asked for a motion adopting the resolution. Alderman Purvis so moved, seconded by Alderman Huff. Voting aye: Barker, Huff, Edie and Purvis. Absent: Gass and Martin. Nays: none. Motion carried. Resolution 2006-R004 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 made a motion approving the disbursement statement as presented, seconded by Alderman Purvis. Voting aye: Barker, Huff, Edie and Purvis. Absent: Gass and Martin. 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

No Aldermen or Administrator's reports

ADJOURN

At this time Mayor Schaefer asked for a motion to adjourn. Alderman Purvis made the motion, seconded by Alderman Barker. Voting aye: Barker, Huff, Edie and Purvis. Absent: Gass and Martin. Nays: none. Motion carried. Mayor Schaefer adjourned the meeting at 8:08 p.m.