

MINUTES

THE REGULAR MEETING OF THE BOARD OF ALDERMEN CITY OF BRANSON, MISSOURI February 27, 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 27, 2006 at 7:00 p.m. with the following members present:

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

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, Deputy City Clerk Loretta McCullough, Director of Engineering David Miller, Director of Communications Jerry Adams, Director of Finance Deanna Schlegel, Director of Planning and Zoning Don Stephens, Director of Public Works Larry VanGilder, Police Chief Caroll McCullough, Director of Health Linn Smith, Director of Economic Development Mike Rankin, Fire Chief Carl Sparks and Director of Human Resources Debbie Durler.

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 February 13, 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, Martin, Huff, Edie and Purvis. Absent: Gass. Nays: none. Motion carried.

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:

BILL NO. 3192

Ord. No. 2006-022 Annexing property owned by Scott and Lisa Rossow.

Final reading of Bill No. 3192, an ordinance annexing property owned by Scott and Lisa Rossow, identified by Taney County Parcel ID 18-6.0-14-004-001-017.000, into the City of Branson, Missouri. Voting aye: Barker, Martin, Huff, Edie and Purvis. Absent: Gass. Nays: none. Motion carried. Ordinance No. 2006-022 was duly enacted.

BILL NO. 3193

Ord. No. 2006-023 Annexing properties owned by Good Shepherd Meadows , LP.

Final reading of Bill No. 3193, an ordinance annexing properties 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. Voting aye: Barker, Martin, Huff, Edie and Purvis. Absent: Gass. Nays: none. Motion carried. Ordinance No. 2006-023 was duly enacted.

BILL NO. 3196

Ord. No. 2006-024 Approving an access easement to the Empire District Electric Company.

Final 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. Voting aye: Barker, Martin, Huff, Edie and Purvis. Absent: Gass. Nays: none. Motion carried. Ordinance No. 2006-024 was duly enacted.

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

REGULAR AGENDA

STATUS REPORT ON BRANSON LANDING AND CONVENTION CENTER

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

**Resolution No.
2006-R007**

Resolution approving a preliminary subdivision plat for Bluebird Mountain Subdivision.

A resolution approving a preliminary subdivision plat for Bluebird Mountain subdivision, was read by title by Deputy City Clerk McCullough, and the staff report was presented by Don Stephens. Mayor Schaefer asked for a motion adopting the resolution. Alderman Huff so moved, seconded by Alderwoman Martin. Voting aye: Barker, Martin, Huff, Edie and Purvis. Absent: Gass. Nays: none. Motion carried. Resolution No. 2006-R007 was adopted.

BILL NO. 3200

Enacting a final subdivision plat of Bluebird Mountain Subdivision.

Public hearing and first reading of Bill No. 3200, an ordinance enacting a final subdivision plat of Bluebird Mountain Subdivision located east of State Highway 376 and State Highway 265 Branson, Missouri, was read by title by Deputy City Clerk McCullough 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. 3200. Alderman

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

BILL NO. 3201 Annexing property owned by Ronald and Carol Glorioso.

Public hearing and first reading of Bill No. 3201, an ordinance annexing property owned by Ronald and Carol Glorioso, identified by Taney County ID 18-6.0-14-004-001-013.000 into the City of Branson, Missouri, was read by title by Deputy City Clerk McCullough, 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. 3201. Alderwoman Martin so moved, seconded by Alderman Purvis. Voting aye: Barker, Martin, Huff, Edie and Purvis. Absent: Gass. Nays: none. Motion carried.

BILL NO. 3202 Annexing properties owned by Welk Resort Group, Inc.

Public hearing and first reading of Bill No. 3202, an ordinance annexing properties owned by Welk Resort Group, Inc. identified by Taney County ID's 18-6.0-14-002-003-018.000 and 18-5.0-15-001-001-016.000 into the city of Branson, Missouri, was read by title by Deputy City Clerk McCullough 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. 3202. Alderman Purvis so moved, seconded by Alderman Huff. Voting aye: Barker, Martin, Huff, Edie and Purvis. Absent: Gass. Nays: none. Motion carried.

BILL NO. 3203 Annexing property owned by RBD Marketing, LLC .

Public hearing and first reading of Bill No. 3203, an ordinance annexing property owned by RBD Marketing, LLC. identified by Taney County ID 07-7.0-35-000-000-003.000 into the City of Branson, Missouri, was read by title by Deputy City Clerk McCullough, 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. 3203. Alderwoman Martin so moved, seconded by Alderman Purvis. Voting aye: Barker, Martin, Huff, Edie and Purvis. Absent: Gass. Nays: none. Motion carried.

BILL NO. 3204 Enacting a final subdivision plat of Branson Hills Development Phase I.

Public hearing and first reading of Bill No. 3204, an ordinance enacting a final subdivision plat of Branson Hills Development Phase I located in Branson Hills, Branson, Missouri, was read by title by Deputy City Clerk McCullough 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 asked for a motion approving the first reading of Bill No. 3204, Alderman Huff so moved, seconded by Alderman Purvis. Discussion. Voting aye: Barker, Martin, Huff, Edie and Purvis. Absent: Gass. Nays: none. Motion carried.

BILL NO. 3205 Approving a zoning change from "C" Commercial to "PD" Planned Development and approving Land Use Regulations for Planned Development PD-2006-003 for property to be known as Sight & Sound Theatres.

Public hearing and first reading of Bill No. 3205, an ordinance approving a zoning change from "C" Commercial to "PD" Planned Development and approving Land Use Regulations for Board of Aldermen Minutes
02-27-06 Regular Meeting
Page 3 of 6

Planned Development PD-2006-003 for property to be known as Sight & Sound Theatres located in Branson Meadows and situated along Shepherd of the Hills Expressway Branson, Missouri, was read by title by Deputy City Clerk McCullough 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.

Speaking in favor:

- 1) Glen Eschelma of Sight and Sound Theatres

Speaking in opposition:

None

Mayor Schaefer asked for a motion approving the first reading of Bill No. 3205. Alderman Purvis made a motion to approve, seconded by Alderman Barker. Voting aye: Barker, Martin, Huff, Edie and Purvis. Absent: Gass. Nays: none. Motion carried.

BILL NO. 3206 **Amending the Branson Municipal Code pertaining to sewer capacity fees.**

First reading of Bill No. 3206, an ordinance amending Chapter 90, *Utilities*, Section 94 *Purchase of Capacity at Treatment Plant* of the Branson Municipal Code pertaining to sewer capacity fees, was read by title by Deputy City Clerk McCullough, and the staff report was presented by Larry VanGilder. Mayor Schaefer asked for a motion approving the first reading of Bill No. 3206, Alderman Barker moved to approve, seconded by Alderwoman Martin. Voting aye: Barker, Martin, Huff, Edie and Purvis. Absent: Gass. Nays: none. Motion carried.

BILL NO. 3207 **Approving an agreement with Archer Engineers.**

First reading of Bill No. 3207, an ordinance approving an agreement between the City of Branson and Archer Engineers for design of improvements to Lift Station #30, and authorizing the Mayor to enter into the agreement, was read by title by Deputy City Clerk McCullough, and the staff report was presented by David Miller. Mayor Schaefer asked for a motion approving the first reading of Bill No. 3207, Alderman Purvis made a motion to approve, seconded by Alderman Edie. Voting aye: Barker, Martin, Huff, Edie and Purvis. Absent: Gass. Nays: none. Motion carried.

BILL NO. 3208
Ord. No. 2006-025 **Ordinance naming a certain public street (Branson Landing Boulevard).**

First reading of Bill No. 3208, an ordinance naming a certain public street, was read by title by Deputy City Clerk McCullough, and the staff report was presented by David Miller. Mayor Schaefer asked for a motion approving the first reading of Bill No. 3208, Alderman Purvis made a motion to approve, seconded by Alderman Barker. Voting aye: Barker, Martin, Huff, Edie and Purvis. Absent: Gass. Nays: none. Motion carried. Deputy City Clerk McCullough read Bill No. 3208 by title for the final reading, Mayor Schaefer asked for a motion approving the final reading of Bill No. 3208, Alderman Purvis made a motion to approve, seconded by Alderman Huff. Voting aye: Barker, Martin, Huff, Edie and Purvis. Absent: Gass. Nays: none. Motion carried.

BILL NO. 3209

Accepting the proposal of Akers & Arney Insurance Associates.

First reading of Bill No. 3209, an ordinance accepting the proposal of Akers & Arney Insurance Associates for the purchase of Municipal Insurance for the City of Branson, and authorizing the Mayor to execute the same, was read by title by Deputy City Clerk McCullough and the staff report was presented by Debbie Durler. Mayor Schaefer asked for a motion approving the first reading of Bill No. 3209, Alderman Barker moved to approve, seconded by Alderman Purvis. Voting aye: Barker, Martin, Huff, Edie and Purvis. Absent: Gass. Nays: none. Motion carried.

RESOLUTIONS

RESOLUTION NO.

2006-R005

Resolution authorizing the transfer of franchise from CoxCom to Cebridge Acquisition.

A consent resolution of the City of Branson, Missouri authorizing the assignment of the Cable Television Franchise Agreement from CoxCom, Inc. to Cebridge Acquisition Company, LLC., was read by title by Deputy City Clerk McCullough, and the staff report was presented by Paul Link. Mayor Schaefer asked for a motion adopting the resolution. Alderman Barker moved to approve, seconded by Alderman Purvis. Voting aye: Barker, Martin, Huff, Edie and Purvis. Absent: Gass. Nays: none. Motion carried. Resolution No. 2006-R005 was adopted.

RESOLUTION NO.

2006-R006

Resolution changing the name of Plaza Court.

A resolution changing the name of Plaza Court located in the city of Branson, Missouri, was read by title by Deputy City Clerk McCullough, and the staff report was read by Don Stephens. Mayor Schaefer asked for a motion adopting the resolution. Alderman Huff so moved, seconded by Alderwoman Martin. Discussion. Voting aye: Barker, Martin, Huff, Edie and Purvis. Absent: Gass. Nays: none. Motion carried. Resolution No. 2006-R006 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, Martin, Huff, Edie and Purvis. Absent: Gass. 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 Huff congratulated the DARE graduates and officers and welcomed the gentlemen from Sight and Sound.

Alderman Edie echoed Alderman Huff's comments.

Alderman Purvis also congratulated the DARE graduates and Corporals and welcomed Sight and Sound.

ADJOURN

At this time Mayor Schaefer asked for a motion to adjourn. Alderman Huff made the motion, seconded by Alderman Purvis. Voting aye: Barker, Martin, Huff, Edie and Purvis. Absent: Gass. Nays: none. Motion carried. Mayor Schaefer adjourned the meeting at 7:51p.m.