

MINUTES

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

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

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

Also present from the City were: City Administrator Terry Dody, Assistant City Administrator Frank Schoneboom, City Attorney Paul Link, Assistant City Attorney Matt Thompson, 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 Economic Development Mike Rankin, Fire Chief Carl Sparks, and Assistant Health Officer Phil Pate.

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 27, 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: Gass, Martin, Huff, Edie and Purvis. Absent: Barker. 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:

ACKNOWLEDGEMENT OF MINUTES

Receipt of the Park Board Meeting minutes of January 17, 2006 and the receipt of the Capital Improvement Committee Meeting minutes of February 13, 2006 was acknowledged within the consent agenda. Voting aye: Gass, Martin, Huff, Edie and Purvis. Absent: Barker. Nays: none. Motion carried.

BILL NO. 3200
Ord. No. 2006-026

Enacting a final subdivision plat of Bluebird Mountain Subdivision.

Final 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. Voting aye: Gass, Martin, Huff, Edie and Purvis. Absent: Barker. Nays: none. Motion carried. Ordinance No. 2006-026 was duly enacted.

BILL NO. 3201
Ord. No. 2006-027

Annexing property owned by Ronald and Carol Glorioso.

Final 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. Voting aye: Gass, Martin, Huff, Edie and Purvis. Absent: Barker. Nays: none. Motion carried. Ordinance No. 2006-027 was duly enacted.

BILL NO. 3202
Ord. No. 2006-028

Annexing properties owned by Welk Resort Group, Inc.

Final 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. Voting aye: Gass, Martin, Huff, Edie and Purvis. Absent: Barker. Nays: none. Motion carried. Ordinance No. 2006-028 was duly enacted.

BILL NO. 3203
Ord. No. 2006-029

Annexing property owned by RBD Marketing, LLC.

Final 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. Voting aye: Gass, Martin, Huff, Edie and Purvis. Absent: Barker. Nays: none. Motion carried. Ordinance No. 2006-029 was duly enacted.

Bill NO. 3204
Ord. No. 2006-030

Enacting a final subdivision plat of Branson Hills Development Phase I.

Final reading of Bill No. 3204, an ordinance enacting a final subdivision plat of Branson Hills Development Phase I located in Branson Hills Branson, Missouri. Voting aye: Gass, Martin, Huff, Edie and Purvis. Absent: Barker. Nays: none. Motion carried. Ordinance No. 2006-030 was duly enacted.

BILL NO. 3205
Ord. No. 2006-031

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.

Final reading of Bill No. 3205, an ordinance 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 located in Branson Meadows and situated along Shepherd of the Hills Expressway Branson, Missouri. Voting aye: Gass, Martin, Huff, Edie and Purvis. Absent: Barker. Nays: none. Motion carried. Ordinance No. 2006-031 was duly enacted.

BILL NO. 3206
Ord. No. 2006-032

Amending Chapter 90, Utilities, Section 94 Purchase of Capacity at Treatment Plant of the Branson Municipal Code.

Final 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. Voting aye: Gass, Martin, Huff, Edie and Purvis. Absent: Barker. Nays: none. Motion carried. Ordinance No. 2006-032 was duly enacted.

BILL NO. 3207
Ord. 2006-033

Approving an agreement between the City of Branson and Archer Engineers.

Final 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. Voting aye: Gass, Martin, Huff, Edie and Purvis. Absent: Barker. Nays: none. Motion carried. Ord. 2006-033 was duly enacted.

BILL NO. 3209
Ord. 2006-034

Accepting the proposal of Akers & Arney Insurance Associates for the purchase of municipal insurance.

Final 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. Voting aye: Gass, Martin, Huff, Edie and Purvis. Absent: Barker. Nays: none. Motion carried. Ord. 2006-034 was duly enacted.

Mayor Schaefer opened the floor for a motion to approve the Consent Agenda. Alderman Huff made a motion to approve, seconded by Alderman Purvis. Voting aye: Gass, Martin, Huff, Edie and Purvis. Absent: Barker. 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 #70CC in the amount of \$182,779.80; Request #70MI in the amount of \$298,723.26; Request #70MI-BLB in the amount of \$254,252.23; Request #70MI-SS in the amount of \$296,951.18; Request #70WF in the amount of \$304,546.06; Request #71CC in the amount of \$2,718,072.91; Request #71CC-R in the amount of \$94,783.91; Request #71MI-R in the amount of \$19,951.70 and Request #71WF-R in the amount of 23,752.39, to HCW for expenses incurred on the Branson Landing Project. Discussion.

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

PRESENTATION OF THE QUARTERLY MARKETING REPORT AND 2006 AD CAMPAIGN BY THE BRANSON/LAKES AREA CHAMBER OF COMMERCE, AS REQUIRED BY CONTRACT.

Report given by Ross Summers and Dan Lennon. Discussion. Mayor Schaefer asked if anyone in the audience had any questions. Speakers:

- 1) Rick Huffman, 420 Sunnybrook
- 2) Mark Weisz, 180 Mall Rd., Hollister, MO

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

PRESENTATION OF THE 2005 INDEPENDENT FINANCIAL AUDIT AND COMPREHENSIVE ANNUAL FINANCIAL REPORT.

Report given by Deanna Schlegel, and Karen Keehn of Berberich Trahan & Co., P.A. Discussion. Mayor Schaefer asked for a motion to accept the report as presented. Alderman Gass so moved, seconded by Alderman Purvis. Voting aye: Gass, Martin, Huff, Edie and Purvis. Absent: Barker. Nays: none. Motion carried.

PRESENTATION OF A PETITION FOR CONSENT TO ANNEX PROPERTY OWNED BY BRANSON HILLS DEVELOPMENT COMPANY, LLC REFERRED TO AS THE CEDARVIEW ADDITION.

Presentation of petition for consent to annex property owned by Branson Hills Development Company, LLC, contiguous to Branson Hills Branson, Missouri and referred to as the Cedarview Addition was read by title by Deputy City Clerk McCullough and the staff report was presented by Don Stephens. Mayor Schaefer asked for a motion to accept the petition for voluntary annexation. Alderman Gass so moved, seconded by Alderman Purvis. Voting aye: Gass, Martin, Huff, Edie and Purvis. Absent: Barker. Nays: none. Motion carried.

PRESENTATION OF A PETITION FOR CONSENT TO ANNEX PROPERTY OWNED BY BRANSON HILLS DEVELOPMENT COMPANY, LLC REFERRED TO AS THE GARIPPO ADDITION.

Presentation of petition for consent to annex property owned by Branson Hills Development Company, LLC, contiguous to Branson Hills Branson, Missouri and referred to as the Garippo Addition was read by title by Deputy City Clerk McCullough and the staff report was presented by Don Stephens. Mayor Schaefer asked for a motion to accept the petition for voluntary annexation. Alderman Gass so moved, seconded by Alderman Huff. Voting aye: Gass, Martin, Huff, Edie and Purvis. Absent: Barker. Nays: none. Motion carried.

PRESENTATION OF A PETITION FOR CONSENT TO ANNEX PROPERTY OWNED BY BRANSON HILLS DEVELOPMENT COMPANY, LLC REFERRED TO AS THE MPI ADDITION.

Presentation of petition for consent to annex property owned by Branson Hills Development Company, LLC, contiguous to Branson Hills Branson, Missouri and referred to as the MPI Addition was read by title by Deputy City Clerk McCullough and the staff report was presented by Don Stephens. Mayor Schaefer asked for a motion to accept the petition for voluntary annexation. Alderman Purvis moved to accept the petition as presented, seconded by Alderwoman Martin. Voting aye: Gass, Martin, Huff, Edie and Purvis. Absent: Barker. Nays: none. Motion carried.

BILL NO. 3210

Enacting a final subdivision plat of Country Ridge Estates.

Public hearing and first reading of Bill No. 3210, an ordinance enacting a final subdivision plat of Country Ridge Estates, located on Schaefer Drive 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. 3210. Alderwoman Martin moved to approve, seconded by Alderman Purvis. Voting aye: Gass, Martin, Huff, Edie and Purvis. Absent: Barker. Nays: none. Motion carried.

BILL NO. 3211

Approving a zoning change from "C" Commercial to "PD" Planned Development and approving Land Use Regulations for Planned Development PD-2006-005 for The Shoppes at Branson Hills.

Public hearing and first reading of Bill No. 3211, an ordinance approving a zoning change from "C" Commercial to "PD" Planned Development and approving Land Use Regulations for Planned Development PD-2006-005 for property to be known as The Shoppes at Branson Hills located at the southwest corner of U.S. Highway 65 and Branson Hills Parkway, 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) Rick Huffman, 420 Sunnybrook, representing Branson Hills Development

Speaking in opposition:

None

Mayor Schaefer closed the public hearing and asked for a motion approving the first reading of Bill No. 3211. Alderman Purvis so moved, seconded by Alderwoman Martin. Voting aye: Gass, Martin, Huff, Edie and Purvis. Absent: Barker. Nays: none. Motion carried.

RESOLUTION NO.

2006-R008

Resolution approving a preliminary subdivision plat for The Shoppes at Branson Hills.

A resolution approving a preliminary subdivision plat for The Shoppes at Branson Hills 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 moved to approve, seconded by Alderman Purvis. Voting aye: Gass, Martin, Huff, Edie and Purvis. Absent: Barker. Nays: none. Motion carried. Resolution No. 2006-R008 was adopted.

BILL NO. 3212

POSTPONED

Enacting a final subdivision plat of The Shoppes at Branson Hills.

A motion was made by Alderman Huff to postpone the public hearing and first reading of Bill No. 3212, an ordinance enacting a final subdivision plat of The Shoppes at Branson Hills located at the southwest corner of U.S. Highway 65 and Branson Hills Parkway Branson, Missouri until March 27. Alderman Purvis seconded the motion. Voting aye: Gass, Martin, Huff, Edie and Purvis. Absent: Barker. Nays: none. Motion carried.

BILL NO. 3213 **Amending Section 34 *Water Connection Fees of Chapter 90 Utilities of the Branson Municipal Code.***

First reading of Bill No. 3213, an ordinance amending Section 34 *Water Connection Fees* of Chapter 90 *Utilities* of the Branson Municipal Code by charging appropriate fees for material, labor and equipment costs 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. 3213. Alderman Purvis so moved, seconded by Alderwoman Martin. Voting aye: Gass, Martin, Huff, Edie and Purvis. Absent: Barker. Nays: none. Motion carried.

BILL NO. 3214 **Amending Section 86-622 of the Branson Municipal Code: Schedule II: Speed Limits.**

First reading of Bill No. 3214, an ordinance amending Section 86-622 of the Branson Municipal Code: Schedule II: Speed Limits 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. 3214, Alderman Gass moved to approve, seconded by Alderman Purvis. Voting aye: Gass, Martin, Huff, Edie and Purvis. Absent: Barker. Nays: none. Motion carried.

BILL NO. 3215 **Amending Section 86-621 of the Branson Municipal Code: Schedule I: Stop Signs.**

First reading of Bill No. 3215, an ordinance amending Section 86-621 of the Branson Municipal Code: Schedule I: Stop Signs 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. 3215, Alderman Gass made a motion to approve, seconded by Alderman Purvis. Voting aye: Gass, Martin, Huff, Edie and Purvis. Absent: Barker. Nays: none. Motion carried.

BILL NO. 3216 **Amendment to the Master Lease Agreement between HCW Development Company, LLC and the City of Branson relating to the Branson Landing Project.**

First reading of Bill No. 3216, an ordinance authorizing the Mayor to execute an amendment to the Master Lease Agreement between HCW Development Company, LLC and the City of Branson relating to the Branson Landing Project was read by title by Deputy City Clerk McCullough, and the staff report was presented by Paul Link. Mayor Schaefer asked for a motion approving the first reading of Bill No. 3216, Alderwoman Martin made a motion to approve, seconded by Alderman Purvis. Voting aye: Gass, Martin, Huff, Edie and Purvis. Absent: Barker. Nays: none. Motion carried.

BILL NO. 3217 **Amending the Branson Municipal Code, Section 22-32 Amendments to International Building Code.**

First reading of Bill No. 3217, an ordinance amending the Branson Municipal Code, Section 22-32 *Amendments to International Building Code*, by adding language to Section 22-32(2) exempting Branson R-IV School District from permit fees was read by title by Deputy City Clerk McCullough, and the staff report was presented by Terry Dody. Mayor Schaefer asked for a motion approving the first reading of Bill No. 3217, Alderman Purvis made a motion to approve, seconded by Alderwoman Martin. Voting aye: Gass, Martin, Huff, and Purvis. Absent: Barker. Nays: Edie. Motion carried.

BILL NO. 3218

Accepting the proposal of bid award to General Chemical Performance Products, LLC, Polydyne, Inc, Brenntag Mid-South, Inc, G.S. Robbins, L&J Plumbing Supply, and L&M Distributing.

First reading of Bill No. 3218, an ordinance accepting the proposal of bid award to General Chemical Performance Products, LLC, Polydyne, Inc, Brenntag Mid-South, Inc, G.S. Robbins, L&J Plumbing Supply, and L&M Distributing for chemicals used in the water and wastewater treatment facilities for the Public Works Department for the City of Branson, and authorizing the Mayor to execute the agreements 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. 3218, Alderman Purvis made a motion to approve, seconded by Alderwoman Martin. Voting aye: Gass, Martin, Huff, Edie and Purvis. Absent: Barker. Nays: none. Motion carried.

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: Gass, Martin, Huff, Edie and Purvis. Absent: Barker. 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 stated it was good to be back.

Alderwoman Martin welcomed Alderman Gass back, commented on the Chamber of Commerce report and congratulated Terry Dody and Deanna Schlegel on the Comprehensive Annual Financial Report.

Alderman Huff also welcomed Alderman Gass back.

Alderman Edie thanked the fire and police departments for their efforts during the storms.

Alderman Purvis also welcomed Alderman Gass back.

City Administrator Dody thanked Deanna Schlegel for her efforts in receiving the Certificate of Excellence, thanked the Board for their support of staff, and thanked all City staff for their hard work.

ADJOURN

At this time Mayor Schaefer asked for a motion to adjourn. Alderman Purvis made the motion, seconded by Alderman Huff. Voting aye: Gass, Martin, Huff, Edie and Purvis. Absent: Barker. Nays: none. Motion carried. Mayor Schaefer adjourned the meeting at 9:53 p.m.