

# MINUTES

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

April 24, 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 April 24, 2006 at 7:00 p.m. with the following members present:

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

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, Director of Communications Jerry Adams, Director of Planning and Zoning Don Stephens, Director of Finance Deanna Schlegel, Director of Public Works Larry VanGilder, Police Chief Carol McCullough, Fire Chief Carl Sparks 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 April 10, 2006 and Special Meeting of April 19, 2006. Receiving none, Mayor Schaefer entertained a motion to approve the Minutes. Alderman Gass moved to approve the Minutes as presented, seconded by Alderman Purvis. Voting aye: Gass, Barker, Martin, Huff, and Purvis. Absent: Edie. 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 PETITION

Filing of petition for consent to annex property owned by Steven Dixon was acknowledged within the Consent Agenda. Voting aye: Gass, Baker, Martin, Huff, and Purvis. Absent: Edie. Nays: none. Motion carried.

#### BILL NO. 3212

Ord. No. 2006-057

**Approving a contract with the Missouri Department of Health and Senior Services for Summer Food Program inspections at locations within Taney County.**

Final reading of Bill No. 3212, an ordinance approving a contract with the Missouri Department of Health and Senior Services for Summer Food Program inspections at locations

within Taney County. Voting aye: Gass, Barker, Martin, Huff, and Purvis. Absent: Edie. Nays: none. Motion carried. Ordinance No. 2006-057 was duly enacted.

**BILL NO. 3232**

**Ord. No. 2006-058**      **Accepting the proposal of bid award to the Middleton Group/Memco, Pippin Wholesale Company, Hillyard Floor Care, Corporate Express, Pyramid School Products, and Interboro Packaging Corporation for the janitorial supplies.**

Final Reading of Bill No. 3232, an ordinance accepting the proposal of bid award to the Middleton Group/MEMCO, Pippin Wholesale Company, Hillyard Floor Care, Corporate Express, Pyramid School Products, and Interboro Packaging Corporation for the janitorial supplies used in the city parks, city campground, the new Rec Plex and other city facilities for the City of Branson, and authorizing the Mayor to execute the agreements. Voting aye: Gass, Barker, Martin, Huff, and Purvis. Absent: Edie. Nays: none. Motion carried. Ordinance No. 2006-058 was duly enacted.

Mayor Schaefer opened the floor for a motion to approve the Consent Agenda. Alderman Barker moved to approve, seconded by Alderman Purvis. Voting aye: Gass, Barker, Martin, Huff, and Purvis. Absent: Edie. 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 no disbursements. Rick Huffman and Linda Antus of HCW also addressed the Board. Mayor Schaefer asked for a motion to accept the report as presented. Alderman Purvis moved to approve, seconded by Alderman Barker. Discussion. Voting aye: Gass, Barker, Martin, Huff, and Purvis. Absent: Edie. Nays: none. Motion carried.

**BILL NO. 3234**      **Annexing property owned by Cedar Greens, LLC – Cedar Greens, LLC being a part of parent parcel 08-4.0-18-000-000-001.000.**

Public hearing and first reading of Bill No. 3234, an ordinance annexing property owned by Cedar Greens, LLC being a part of parent parcel 08-4.0-18-000-000-001.000 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. 3234. Alderman Purvis so moved, seconded by Alderwoman Martin. Voting aye: Gass, Barker, Martin, Huff, and Purvis. Absent: Edie. Nays: none. Motion carried.

**BILL NO. 3235**      **Annexing property owned by John Gregg identified by Taney County ID 18-6.0-23-001-005-022.000.**

Public hearing and first reading of Bill No. 3235, an ordinance annexing property owned by John Gregg identified by Taney County ID 18-6.0-23-001-005-022.000 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. 3235. Alderman Barker

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

**BILL NO. 3236**

**Ord. No. 2006-059**      **Amending the Land Use Regulations for Planned Development PD-2003-003 known as Branson Landing located along Branson Landing Boulevard.**

Public hearing and first reading of Bill No. 3236, an ordinance amending the Land Use Regulations for Planned Development PD-2003-003 known as Branson Landing located along Branson Landing Boulevard 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. 3236. Alderman Barker moved to approve, seconded by Alderman Purvis. Voting aye: Gass, Barker, Martin, Huff, and Purvis. Absent: Edie. Nays: none. Motion carried. City Clerk Westfall read Bill No. 3236 by title for the final reading. Mayor Schaefer asked for a motion approving the final reading of Bill No. 3236. Alderman Gass moved to approve the final reading of Bill No. 3236, to facilitate the signage needs of businesses that are preparing to open at Branson Landing, seconded by Alderman Barker. Voting aye: Gass, Barker, Martin, Huff, and Purvis. Absent: Edie. Nays: none. Motion carried. Ordinance No. 2006-059 was duly enacted.

**BILL NO. 3237**

**Approving Planned Development #PD-2006-006 to be known as Club Welk Branson Villas located immediately north of the Welk Resort.**

Public hearing and first reading of Bill No. 3237, an ordinance approving a Planned Development and approving Land Use Regulations for Planned Development PD-2006-006 for property to be known as Club Welk Branson Villas located immediately north of the Welk Resort Branson, Missouri was read by title by City Clerk Westfall, and the staff report was presented by Don Stephens. Mayor Schaefer stepped out at 7:42 p.m. Mayor Pro-tem Huff opened the public hearing and asked for anyone wishing to speak in favor or opposition of this matter. Hearing none, Mayor Pro-tem Huff closed the public hearing and asked for a motion approving the first reading of Bill No. 3237. Alderman Gass so moved, seconded by Alderman Purvis. Voting aye: Gass, Barker, Martin, Huff, and Purvis. Absent: Edie. Nays: none. Motion carried.

**RESOLUTION NO.  
2006-R010**

**Resolution approving a preliminary subdivision plat for Gretna Corners located between State Highway 248 and Gretna Road.**

A resolution approving a preliminary subdivision plat for Gretna Corners was read by title by City Clerk Westfall, and the staff report was presented by Don Stephens. Mayor Pro-tem Huff asked for a motion adopting the resolution. Alderwoman Martin so moved, seconded by Alderman Purvis. Voting aye: Gass, Barker, Martin, Huff, and Purvis. Absent: Edie. Nays: none. Motion carried. Resolution No. 2006-R010 was adopted.

**BILL NO. 3238**

**Enacting a final subdivision plat of Gretna Corners located between State Highway 248 and Gretna Road Branson, Missouri.**

Public hearing and first reading of Bill No. 3238, an ordinance enacting a final subdivision plat of Gretna Corners located between State Highway 248 and Gretna Road Branson, Missouri was read by title by City Clerk Westfall, and the staff report was presented by Don Stephens. Mayor Schaefer returned at 7:45 p.m. 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. 3238. Alderman Gass so moved, seconded by Alderman Purvis. Voting aye: Gass, Barker, Martin, Huff, and Purvis. Absent: Edie. Nays: none. Motion carried.

**RESOLUTION NO.  
2006-R011**

**Resolution approving a preliminary subdivision plat for Centre Point Square located at the southeast corner of Gretna Road and Rosalee Street.**

A resolution approving a preliminary subdivision plat for Centre Point Square 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 Gass so moved, seconded by Alderman Purvis. Voting aye: Gass, Barker, Martin, Huff, and Purvis. Absent: Edie. Nays: none. Motion carried. Resolution No. 2006-R011 was adopted.

**BILL NO. 3239**

**Enacting a final subdivision plat of Centre Point Square located at the southeast corner of Gretna Road and Rosalee Street.**

Public hearing and first reading of Bill No. 3239, an ordinance enacting a final subdivision plat of Centre Point Square located at the southeast corner of Gretna Road and Rosalee Street 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. 3239. Alderman Barker moved to approve, seconded by Alderwoman Martin. Voting aye: Gass, Barker, Martin, Huff, and Purvis. Absent: Edie. Nays: none. Motion carried.

**BILL NO. 3240**

**Enacting a final subdivision plat of Branson 248 Commercial Park being a part of Tract 2 of the Wehr Industrial Center Investments Subdivision.**

Public hearing and first reading of Bill No. 3240, an ordinance enacting a final subdivision plat of Branson 248 Commercial Park being a part of Tract 2 of the Wehr Industrial Center Investments Subdivision 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. 3240. Alderman Gass so moved, seconded by Alderman Purvis. Voting aye: Gass, Barker, Martin, Huff, and Purvis. Absent: Edie. Nays: none. Motion carried.

**BILL NO. 3241**

**Enacting a final subdivision plat of Branson Hills Development Phase 3 located in Branson Hills Branson, Missouri.**

Public hearing and first reading of Bill No. 3241, an ordinance enacting a final subdivision plat of Branson Hills Development Phase 3 located in Branson Hills 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. 3241. Alderwoman Martin so moved, seconded by Alderman Purvis. Voting aye: Gass, Barker, Martin, Huff, and Purvis. Absent: Edie. Nays: none. Motion carried.

**BILL NO. 3242**                    **Enacting a final subdivision plat of Branson Hills Development Phase 4 located in Branson Hills Branson, Missouri.**

Public hearing and first reading of Bill No. 3242, an ordinance enacting a final subdivision plat of Branson Hills Development Phase 4 located in Branson Hills 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. 3242. Alderman Gass so moved, seconded by Alderman Purvis. Voting aye: Gass, Barker, Martin, Huff, and Purvis. Absent: Edie. Nays: none. Motion carried.

**BILL NO. 3243**                    **Enacting a final subdivision plat of Branson Hills Development Phase 5 located in Branson Hills Branson, Missouri.**

Public hearing and first reading of Bill No. 3243, an ordinance enacting a final subdivision plat of Branson Hills Development Phase 5 located in Branson Hills 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. 3243. Alderman Barker moved to approve, seconded by Alderman Purvis. Voting aye: Gass, Barker, Martin, Huff, and Purvis. Absent: Edie. Nays: none. Motion carried.

**BILL NO. 3244**                    **Enacting a final subdivision plat of Branson Hills Development Phase 6 located in Branson Hills Branson, Missouri.**

Public hearing and first reading of Bill No. 3244, an ordinance enacting a final subdivision plat of Branson Hills Development Phase 6 located in Branson Hills 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. 3244. Alderman Huff so moved, seconded by Alderman Barker. Voting aye: Gass, Barker, Martin, Huff, and Purvis. Absent: Edie. Nays: none. Motion carried.

**BILL NO. 3245**                    **Enacting a final subdivision plat of Branson Hills Development Phase 7 located in Branson Hills Branson, Missouri.**

Public hearing and first reading of Bill No. 3245, an ordinance enacting a final subdivision plat of Branson Hills Development Phase 7 located in Branson Hills 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. 3245. Alderman Barker moved to approve the bill, seconded by Alderwoman Martin. Voting aye: Gass, Barker, Martin, Huff, and Purvis. Absent: Edie. Nays: none. Motion carried.

**BILL NO. 3246**                    **Enacting a final subdivision plat of Branson Hills Development Phase 8 located in Branson Hills Branson, Missouri.**

Public hearing and first reading of Bill No. 3246, an ordinance enacting a final subdivision plat of Branson Hills Development Phase 8 located in Branson Hills 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. 3246. Alderman Gass so moved, seconded by Alderman Purvis. Voting aye: Gass, Barker, Martin, Huff, and Purvis. Absent: Edie. Nays: none. Motion carried.

**RESOLUTION NO.  
2006-R012**

**Approving a plan of operation for a public transit system – Branson Sightseeing Bus, Inc.**

Public hearing and resolution approving a plan of operation for a public transit system was read by title by City Clerk Westfall, and the staff report was presented by David Miller. Mayor Schaefer opened the public hearing and asked for anyone wishing to speak in favor or opposition of this matter.

Speaking in favor:

- 1) Robert J. Haswell, 713 Briarwood Lane, Nixa, Missouri  
President and CEO of Branson Sightseeing Bus, Inc.
- 2) Renee Wilhite, Vice President of Sales & Marketing
- 3) Chris Loderhouse, Vice President of Operations

Speaking in opposition:

None

Mayor Schaefer closed the public hearing and asked for a motion adopting this resolution. Alderman Purvis so moved, seconded by Alderman Barker. Voting aye: Gass, Barker, Martin, Huff, and Purvis. Absent: Edie. Nays: none. Motion carried. Resolution No. 2006-R012 was adopted.

**BILL NO. 3247**

**Amending the Branson Municipal Code Chapter 46, Health and Sanitation, adding a new Section 294 relating to Migratory Bird Feeding Areas.**

First reading of Bill No. 3247, an ordinance amending the Branson Municipal Code Chapter 46, *Health and Sanitation*, Article IV, *Health Codes and Regulations*, Division 6, *Animals*, by adding a new Section 294 relating to migratory bird feeding areas 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. 3247, Alderman Gass so moved, seconded by Alderwoman Martin. Voting aye: Gass, Barker, Martin, Huff, and Purvis. Absent: Edie. Nays: none. Motion carried.

**BILL NO. 3248**

**Amending the Branson Municipal Code Chapter 46, Health and Sanitation, Sections 61, Fee Schedule and Section 339 Impounded Animals.**

First reading of Bill No. 3248, an ordinance amending the Branson Municipal Code Chapter 46, *Health and Sanitation*, Section 46-61, *Fee Schedule; Payment of Fees* and Section 46-339, *Claiming Impounded Animals* by reducing the time an animal is impounded and establishing an impound fee was read by title by City Clerk Westfall, and the staff report was reported by Frank Schoneboom. Mayor Schaefer asked for a motion approving the first reading

of Bill No. 3248, Alderman Purvis so moved, seconded by Alderwoman Martin. Voting aye: Gass, Barker, Martin, Huff, and Purvis. Absent: Edie. Nays: none. Motion carried.

**RESOLUTION NO.  
2006-R013**

**Support of a regional Class A Biosolids Facility.**

Resolution for the support of a regional Class A Biosolids Facility was read by title by City Clerk Westfall, and the staff report was presented by Larry VanGilder. Mayor Schaefer asked for a motion adopting the resolution. Mayor Schaefer asked for anyone wishing to speak in favor or opposition of this matter.

Speaking in favor:

- 1) Dave Woolery, DNR

Speaking in opposition:

None

Alderman Purvis so moved, seconded by Alderman Barker. Voting aye: Gass, Barker, Martin, Huff, and Purvis. Absent: Edie. Nays: none. Motion carried. Resolution No. 2006-R013 was adopted.

**RESOLUTION NO.  
2006-R014**

**Approving a preliminary subdivision plat for Deer Valley Estates Phase 2.**

Resolution approving a preliminary subdivision plat for Deer Valley Estates Phase 2 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. Alderwoman Martin so moved, seconded by Alderman Barker. Voting aye: Gass, Barker, Martin, Huff, and Purvis. Absent: Edie. Nays: none. Motion carried. Resolution No. 2006-R014 was adopted.

**Appointment of Council Members to the Committees of Budget, Personnel and Capital Improvements**

Mayor Schaefer made the following Committee, Board and Commission appointments:

Ron Huff	Budget Committee
Dick Gass	Budget Committee
Stan Barker	Personnel Committee
Beverly Martin	Personnel Committee
David Edie	Capital Improvements Committee
Jack Purvis	Capital Improvements Committee

Mayor Schaefer asked for a motion approving these appointments. Alderman Huff moved to approve the appointments, seconded by Alderman Barker. Voting aye: Gass, Barker, Martin, Huff, and Purvis. Absent: Edie. Nays: none. Motion carried.

**Appointment of members to the Planning and Zoning Commission  
and Board of Adjustment.**

Mayor Schaefer made the following appointments to the Planning and Zoning Commission and Board of Adjustment:

Tom Boyce	Planning & Zoning Commission, with his term running until April 2010
Brent Butler	Planning & Zoning Commission, with his term running until April 2010
Glenn Robinson	Board of Adjustment, with his term running until April 2011

Mayor Schaefer asked for a motion approving these appointments. Alderman Barker moved to approve the appointments, seconded by Alderman Purvis. Voting aye: Gass, Barker, Martin, Huff, and Purvis. Absent: Edie. 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, Barker, Martin, Huff, and Purvis. Absent: Edie. 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 how much Economic Development Branson is experiencing.

Alderman Barker is excited about the synergy and Branson Sightseeing Tours wanting to come here.

Alderwoman Martin stated there is excitement everywhere about Branson.

Alderman Huff commented most of the economic activities trace back to the commitment to Branson Landing and approval of that TIF. Branson is now balanced with the amount of residential and commercial properties in the city.

## **ADJOURN**

At this time Mayor Schaefer asked for a motion to adjourn. Alderman Barker made the motion, seconded by Alderwoman Martin. Voting aye: Gass, Barker, Martin, Huff, and Purvis. Absent: Edie. Nays: none. Motion carried. Mayor Schaefer adjourned the meeting at 8:49 p.m.