

# **MINUTES**

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

**May 8, 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 May 8, 2006 at 7:00 p.m. with the following members present:

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

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 Economic Development Mike Rankin, Director of Public Works Larry VanGilder, Police Chief Carroll 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.

### **EMPLOYEE OF THE MONTH**

Alderman Gass presented the May Employee of the Month to Linda Randolph of the Health Department for assisting another city employee with a medical problem and insuring that proper treatment was obtained, staying with the employee during treatment and assisting afterwards.

### **PUBLIC SERVICE RECOGNITION AWARDS**

Alderman Huff presented the Public Service Recognition Awards to Amber Lonchar-Cherry and Kassey Krutsinger for their volunteerism in the community.

### **APPROVAL OF MINUTES**

Mayor Schaefer asked for any additions or corrections to the Minutes of the Board of Aldermen Regular Meeting of April 10, 2006 – Addendum and Board of Aldermen Regular Meeting of April 24, 2006 and Public Comments Meeting of April 24, 2006. Receiving none, Mayor Schaefer entertained a motion to approve the Minutes. Alderman Barker moved to approve the Minutes as presented, seconded by Alderman Gass. Voting aye: Gass, Barker, Huff, and Edie. Absent: Martin 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 RECEIPT OF MINUTES

Receipt of the Park Board meeting minutes of February 28, 2006 was acknowledged within the Consent Agenda. Voting aye: Gass, Barker, Huff, and Edie. Absent: Martin and Purvis. Nays: none. Motion carried.

### **BILL NO. 3234**

**Ord. No. 2006-060**      **Annexing property owned by Cedar Greens, LLC being a part of parent parcel 08-4.0-18-000-000-001.000.**

Final 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. Voting aye: Gass, Barker, Huff, and Edie. Absent: Martin and Purvis. Nays: none. Motion carried. Ordinance No. 2006-060 was duly enacted.

### **BILL NO. 3235**

**Ord. No. 2006-061**      **Annexing property owned by John Gregg identified by Taney County ID 18-6.0-23-001-005-022.000.**

Final 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. Voting aye: Gass, Barker, Huff, and Edie. Absent: Martin and Purvis. Nays: none. Motion carried. Ordinance No. 2006-061 was duly enacted.

### **BILL NO. 3237**

**Ord. No. 2006-062**      **Approving Planned Development #PD-2006-006 to be known as Club Welk Branson Villas located immediately north of the Welk Resort.**

Final 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. Voting aye: Gass, Barker, Huff, and Edie. Absent: Martin and Purvis. Nays: none. Motion carried. Ordinance No. 2006-062 was duly enacted.

### **BILL NO. 3238**

**Ord. No. 2006-063**      **Enacting a final subdivision plat of Gretna Corners located between State Highway 248 and Gretna Road Branson, Missouri.**

Final 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. Voting aye: Gass, Barker, Huff, and Edie. Absent: Martin and Purvis. Nays: none. Motion carried. Ordinance No. 2006-063 was duly enacted.

**BILL NO. 3239**

**Ord. No. 2006-064**     **Enacting a final subdivision plat of Centre Point Square located at the southeast corner of Gretna Road and Rosalee Street.**

Final 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. Voting aye: Gass, Barker, Huff, and Edie. Absent: Martin and Purvis. Nays: none. Motion carried. Ordinance No. 2006-064 was duly enacted.

**BILL NO. 3240**

**Ord. No. 2006-065**     **Enacting a final subdivision plat of Branson 248 Commercial Park being a part of Tract 2 of the Wehr Industrial Center Investments Subdivision.**

Final 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. Voting aye: Gass, Barker, Huff, and Edie. Absent: Martin and Purvis. Nays: none. Motion carried. Ordinance No. 2006-065 was duly enacted.

**BILL NO. 3241**

**Ord. No. 2006-066**     **Enacting a final subdivision plat of Branson Hills Development Phase 3 located in Branson Hills Branson, Missouri.**

Final reading of Bill No. 3241, an ordinance enacting a final subdivision plat of Branson Hills Development Phase 3 located in Branson Hills Branson, Missouri. Voting aye: Gass, Barker, Huff, and Edie. Absent: Martin and Purvis. Nays: none. Motion carried. Ordinance No. 2006-066 was duly enacted.

**BILL NO. 3242**

**Ord. No. 2006-067**     **Enacting a final subdivision plat of Branson Hills Development Phase 4 located in Branson Hills Branson, Missouri.**

Final reading of Bill No. 3242, an ordinance enacting a final subdivision plat of Branson Hills Development Phase 4 located in Branson Hills Branson, Missouri. Voting aye: Gass, Barker, Huff, and Edie. Absent: Martin and Purvis. Nays: none. Motion carried. Ordinance No. 2006-067 was duly enacted.

**BILL NO. 3243**

**Ord. No. 2006-068**     **Enacting a final subdivision plat of Branson Hills Development Phase 5 located in Branson Hills Branson, Missouri.**

Final reading of Bill No. 3243, an ordinance enacting a final subdivision plat of Branson Hills Development Phase 5 located in Branson Hills Branson, Missouri. Voting aye: Gass, Barker, Huff, and Edie. Absent: Martin and Purvis. Nays: none. Motion carried. Ordinance No. 2006-068 was duly enacted.

**BILL NO. 3244**

**Ord. No. 2006-069**     **Enacting a final subdivision plat of Branson Hills Development Phase 6 located in Branson Hills Branson, Missouri.**

Final reading of Bill No. 3244, an ordinance enacting a final subdivision plat of Branson Hills Development Phase 6 located in Branson Hills Branson, Missouri. Voting aye: Gass, Barker, Huff, and Edie. Absent: Martin and Purvis. Nays: none. Motion carried. Ordinance No. 2006-069 was duly enacted.

**BILL NO. 3245**

**Ord. No. 2006-070**     **Enacting a final subdivision plat of Branson Hills Development Phase 7 located in Branson Hills Branson, Missouri.**

Final reading of Bill No. 3245, an ordinance enacting a final subdivision plat of Branson Hills Development Phase 7 located in Branson Hills Branson, Missouri. Voting aye: Gass, Barker, Huff, and Edie. Absent: Martin and Purvis. Nays: none. Motion carried. Ordinance No. 2006-070 was duly enacted.

**BILL NO. 3246**

**Ord. No. 2006-071**     **Enacting a final subdivision plat of Branson Hills Development Phase 8 located in Branson Hills Branson, Missouri.**

Final reading of Bill No. 3246, an ordinance enacting a final subdivision plat of Branson Hills Development Phase 8 located in Branson Hills Branson, Missouri. Voting aye: Gass, Barker, Huff, and Edie. Absent: Martin and Purvis. Nays: none. Motion carried. Ordinance No. 2006-071 was duly enacted.

**BILL NO. 3247**

**Ord. No. 2006-072**     **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.**

Final 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. Voting aye: Gass, Barker, Huff, and Edie. Absent: Martin and Purvis. Nays: none. Motion carried. Ordinance No. 2006-072 was duly enacted.

**BILL NO. 3248**

**Ord. No. 2006-073**     **Amending the Branson Municipal Code Chapter 46, Health and Sanitation, Sections 46-61, Fee Schedule; Payment of Fees and Section 46-339, Claiming Impounded Animals.**

Final 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. Voting aye: Gass, Barker, Huff, and Edie. Absent: Martin and Purvis. Nays: none. Motion carried. Ordinance No. 2006-073 was duly enacted.

Mayor Schaefer opened the floor for a motion to approve the Consent Agenda. Alderman Gass so moved to approve, seconded by Alderman Huff. Voting aye: Gass, Barker, Huff, and Edie. Absent: Martin 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 and Rick Huffman of HCW addressed the Board. David Miller gave a staff update. Discussion. Mr. Martin reported disbursements as follows: Request #73CC

in the amount of \$517,996.09; #73MI in the amount of \$190,647.09, #73MI-BLB in the amount of \$176,020.66, #73MI-SS in the amount of \$431,408.68 and #73WF in the amount of \$49,028.33. Mayor Schaefer asked for a motion to accept the report as presented. Alderman Huff so moved, seconded by Alderman Edie. Voting aye: Gass, Barker, Huff, and Edie. Absent: Martin and Purvis. Nays: none. Motion carried.

**BILL NO. 3249**                    **Annexing property owned by Steven Dixon identified by Taney County ID 18-1.0-11-001-002-005.000.**

Public hearing and first reading of Bill No. 3249, an ordinance annexing property owned by Steven Dixon identified by Taney County ID 18-1.0-11-001-002-005.000 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. 3249. Alderman Gass so moved, seconded by Alderman Huff. Voting aye: Gass, Barker, Huff, and Edie. Absent: Martin and Purvis. Nays: none. Motion carried.

**BILL NO. 3250**  
**Ord. No. 2006-074**                    **Amending Chapter 22, Article VII of the Branson Municipal Code, Section 22-182, Amendments to the International Property Maintenance Code.**

First reading of Bill No. 3250, an ordinance amending Chapter 22, Article VII of the Branson Municipal Code, Section 22-182, Amendments to the International Property Maintenance Code was read by title by City Clerk Westfall, and the staff report was presented by Don Stephens. Mayor Schaefer asked for a motion approving the first reading of Bill No. 3250. Alderman Barker moved to approve, seconded by Alderman Edie. Voting aye: Gass, Barker, Huff, and Edie. Absent: Martin and Purvis. Nays: none. Motion carried. City Clerk Westfall read Bill No. 3250 by title for the final reading. Mayor Schaefer asked for a motion approving the final reading of Bill No. 3250. Alderman Huff moved to approve the final reading of Bill No. 3250, to avoid any delay in enforcement processes for overgrown weeds and vegetation, seconded by Alderman Edie. Voting aye: Gass, Barker, Huff, and Edie. Absent: Martin and Purvis. Nays: none. Motion carried. Ordinance No. 2006-074 was duly enacted.

**BILL NO. 3251**                    **Authorizing the water service line maintenance agreement between the City of Branson and HCW Development Company, LLC for the Hilton Hotels Corporation.**

First reading of Bill No. 3251, an ordinance authorizing a water service line maintenance agreement between the City of Branson, Missouri, and HCW Development Company, LLC, for the Hilton Hotels Corporation and authorizing the Mayor to execute the agreement was read by title by City Clerk Westfall, and the staff report was presented by Larry VanGilder. Mayor Schaefer asked for a motion approving the first reading of Bill No. 3251. Alderman Gass so moved, seconded by Alderman Edie. Voting aye: Gass, Barker, Huff, and Edie. Absent: Martin and Purvis. Nays: none. Motion carried.

**BILL NO. 3252**  
**Ord. No. 2006-075**                    **Ratifying the execution of an agreement with Taney County, Missouri related to reimbursements for qualified expenses for the County General Aviation Airport.**

First reading of Bill No. 3252, an ordinance ratifying the execution of an agreement with Taney County, Missouri related to reimbursements for qualified expenses for the County General Board of Aldermen Minutes  
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Aviation Airport was read by title by City Clerk Westfall, and the staff report was presented by Terry Dody. Mayor Schaefer asked for a motion approving the first reading of Bill No. 3252. Alderman Barker moved to approve, seconded by Alderman Huff. Mayor Schaefer asked for anyone wishing to speak regarding this matter. Dave Woolery, 101 River Lane, Branson, addressed the Board. Voting aye: Gass, Barker, Huff, and Edie. Absent: Martin and Purvis. Nays: none. Motion carried. City Clerk Westfall read Bill No. 3252 by title for the final reading. Mayor Schaefer asked for a motion approving the final reading of Bill No. 3252. Alderman Gass moved to approve the final reading of Bill No. 3252 due to the airport incurring qualified expenses, seconded by Alderman Barker. Voting aye: Gass, Barker, Huff, and Edie. Absent: Martin and Purvis. Nays: none. Motion carried. Ordinance No. 2006-075 was duly enacted.

**BILL NO. 3253**                    **Accepting the proposal of bid award to Reavis Water Well for new submersible pumping equipment at ground water well #9.**

First reading of Bill No. 3253, an ordinance accepting the proposal of bid award to Reavis Water Well to furnish and install new submersible pumping equipment at ground water well #9 for the Public Works Department for 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 Larry VanGilder. Mayor Schaefer asked for a motion approving the first reading of Bill No. 3253. Alderman Gass so moved, seconded by Alderman Edie. Voting aye: Gass, Barker, Huff, and Edie. Absent: Martin and Purvis. Nays: none. Motion carried.

## **RESOLUTIONS**

**RESOLUTION NO.**  
**2006-R015**                    **Resolution establishing a downtown and convention center district.**

A resolution establishing a downtown and convention center district was read by title by City Clerk Westfall, and the staff report was presented by David Miller. Mayor Schaefer asked for a motion adopting the resolution. Alderman Huff so moved, seconded by Alderman Barker. Voting aye: Gass, Barker, Huff, and Edie. Absent: Martin and Purvis. Nays: none. Motion carried. Resolution No. 2006-R015 was adopted.

## **APPOINTMENTS**

**Appointment of members to the Advisory Park Board**

Mayor Schaefer made the following appointments to the Advisory Park Board:

Julie Wolfe	Reappointment to serve another three-year term running until June 2009.
Mark Sill	Reappointment to serve another three-year term running until June 2009.
Teresa Givens	Reappointment to serve another three-year term running until June 2009.

Mayor Schaefer asked for a motion approving these appointments. Alderman Barker so moved, seconded by Alderman Edie. Voting aye: Gass, Barker, Huff, and Edie. Absent: Martin and Purvis. 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. Alderman Huff made a motion approving the disbursement statement as presented, seconded by Alderman Barker. Voting aye: Gass, Barker, Huff, and Edie. Absent: Martin and Purvis. 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 Barker complimented the airport board for a great job.

## **ADJOURN**

At this time Mayor Schaefer asked for a motion to adjourn. Alderman Huff so moved, seconded by Alderman Edie. Voting aye: Gass, Barker, Huff, and Edie. Absent: Martin and Purvis. Nays: none. Motion carried. Mayor Schaefer adjourned the meeting at 7:44 p.m.