

# MINUTES

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

May 22, 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 22, 2006 at 7:00 p.m. with the following members present:

Mayor Schaefer presiding, Dick Gass, Stan Barker, Beverly Martin, Ron Huff, Dave Edie and Jack Purvis. Absent: None.

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 Parks and Recreation Cindy Shook.

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 May 8, 2006. Receiving none, Mayor Schaefer entertained a motion to approve the Minutes. Alderman Barker moved to approve the Minutes as presented, seconded by Alderman Huff. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried.

Alderman Gass made a motion to remove Item No. 6 from the Agenda. Alderman Huff seconded the motion. Voting aye: Gass, Barker, Martin, Huff, Edie 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 Planning & Zoning Commission meeting minutes of January 3, 2006 and April 4, 2006 was acknowledged within the Consent Agenda. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried.

**BILL NO. 3249**

**Ord. No. 2006-076**     **Annexing property owned by Steven Dixon identified by Taney County ID 18-1.0-11-001-002-005.000.**

Final 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. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried. Ordinance No. 2006-076 was duly enacted.

**BILL NO. 3251**

**Ord. No. 2006-077**     **Authorizing the water service line maintenance agreement between the City of Branson and HCW Development Company, LLC for the Hilton Hotels Corporation.**

Final 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. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried. Ordinance No. 2006-077 was duly enacted.

**BILL NO. 3253**

**Ord. No. 2006-078**     **Accepting the proposal of bid award to Reavis Water Well for new submersible pumping equipment at ground water well #9.**

Final 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. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried. Ordinance No. 2006-078 was duly enacted.

Mayor Schaefer opened the floor for a motion to approve the Consent Agenda. Alderman Purvis moved to approve, seconded by Alderwoman Martin. Voting aye: Gass, Barker, Martin, Huff, Edie 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. Discussion. Mr. Martin reported disbursements as follows: Request #73CC-R in the amount of \$3,311.04; #74CC-R in the amount of \$33,697.16, #74MI-R in the amount of \$11,036.92, and #74WF-R in the amount of \$21,504.82. Mayor Schaefer asked for a motion to accept the report as presented. Alderman Huff so moved, seconded by Alderman Barker. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried.

**BILL NO. 3254**     **Enacting final Subdivision Plat of The Shoppes at Branson Hills.**

Removed from the agenda.

**BILL NO. 3255**  
**Ord. No. 2006-079**

**Approving a Planned Development and approving Land Use Regulations for Planned Development PD-2006-007 for Liberty Bank.**

Public hearing and first reading of Bill No. 3255, an ordinance approving a Planned Development and approving Land Use Regulations for Planned Development PD-2006-007 for property to be known as Liberty Bank located at 513 State Highway 165 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.

Speaking in favor:

1. Jeffrey Butler of Butler, Rosenbury & Partner; 300 S. Jefferson Ave, Springfield, MO

Speaking in opposition:

None

Mayor Schaefer closed the public hearing and asked for a motion approving the first reading of Bill No. 3255. Alderwoman Martin so moved, seconded by Alderman Purvis. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried. City Clerk Westfall read Bill No. 3255 by title for the final reading. Mayor Schaefer asked for a motion approving the final reading of Bill No. 3255. Alderman Purvis moved to approve the final reading of Bill No. 3255, seconded by Alderwoman Martin. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried. Ordinance No. 2006-079 was duly enacted.

**BILL NO. 3256**

**Approving "C" Commercial Zoning for property known as Bluebird Mountain located at the Southeast corner of State Highway 376 and State Highway 265.**

Public hearing and first reading of Bill No. 3256, an ordinance approving "C" Commercial Zoning for property known as Bluebird Mountain located at the Southeast corner of State Highway 376 and State Highway 265 Branson, Missouri and identified by Taney County ID 18-2.0-03-000-000-004.000, 18-2.0-03-000-000-004.001, 18-2.0-03-000-000-005.000, 18-2.0-03-000-000-006.000, 18-2.0-03-000-000-007.000 and 18-2.0-03-000-000-007.001 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. 3256. Alderman Gass so moved, seconded by Alderman Purvis. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried.

**BILL NO. 3257**

**Approving "PD" Planned Development Zoning for property located at 1810 Pointe Royale Drive.**

Public hearing and first reading of Bill No. 3257, an ordinance approving "PD" Planned Development Zoning for property located at 1810 Pointe Royale Drive, Branson, Missouri and identified by Taney County ID 18-6.0-14-004-001-013.000 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. 3257. Alderman Barker so moved to approve, seconded by Alderman Purvis. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried.

**BILL NO. 3258**                    **Approving “PD” Planned Development Zoning for property located adjacent to Branson Hills, referred to as the Cedarview Addition.**

Public hearing and first reading of Bill No. 3258, an ordinance approving “PD” Planned Development Zoning for property located adjacent to Branson Hills, Branson, Missouri and identified by Taney County ID 08-4.0-18-000-000-001.002 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. 3258. Alderman Gass so moved, seconded by Alderwoman Martin. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried.

**BILL NO. 3259**                    **Approving “PD” Planned Development Zoning for property located adjacent to Branson Hills, referred to as the Garippo Addition.**

Public hearing and first reading of Bill No. 3259, an ordinance approving “PD” Planned Development Zoning for property located adjacent to Branson Hills, Branson, Missouri and identified by Taney County ID 08-4.0-18-000-000-005.003 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. 3259. Alderwoman Martin so moved, seconded by Alderman Huff. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried.

**BILL NO. 3260**                    **Approving “PD” Planned Development Zoning for property located adjacent to Branson Hills, referred to as the MPI Addition.**

Public hearing and first reading of Bill No. 3260, an ordinance approving “PD” Planned Development Zoning for property located adjacent to Branson Hills, Branson, Missouri and identified by Taney County ID 08-4.0-17-000-000-024.000 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. 3260. Alderman Gass so moved, seconded by Alderwoman Martin. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried.

**BILL NO. 3261**                    **Amending Branson Municipal Code, Chapter 62, Parks and Recreation, Article I, In General, by amending Section 62-11 relating to Campground Fees.**

First reading of Bill No. 3261, an ordinance amending the Branson Municipal Code Chapter 62, *Parks and Recreation*, Article 1, *In General*, by amending Section 62-11 relating to campground fees was read by title by City Clerk Westfall and the staff report was presented by Cindy Shook. Mayor Schaefer asked for a motion approving the first reading of Bill No. 3261. Alderman Barker moved to approve, seconded by Alderman Purvis. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried.

**BILL NO. 3262**                    **Appointing Thomas Motley as Municipal Court Judge for a two year term.**

First reading of Bill No. 3262, an ordinance appointing Thomas Motley as Municipal Court Judge for a two year term 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. 3262, Alderman Purvis so moved, seconded by Alderman Barker. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried.

**BILL NO. 3263**                    **Vacating an ingress/egress easement to J.C. Cain.**

First reading of Bill No. 3263, an ordinance vacating an ingress/egress easement to J.C. Cain in the Northwest Quarter of the Southeast Quarter of Section 2, Township 22 North, Range 22 West, Taney County, Missouri 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. 3263, Alderman Gass so moved, seconded by Alderman Purvis. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried.

**BILL NO. 3264**                    **Amending an agreement between the City of Branson and Berger Devine Yaeger, Inc. for design of the Business 65 traffic roundabout.**

First reading of Bill No. 3264, an ordinance authorizing the Mayor to execute an amendment to the agreement between the City of Branson and Berger Devine Yaeger, Inc. for design of the Business 65 traffic roundabout located on the south end of the Lake Taneycomo bridge 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. 3264, Alderman Purvis so moved, seconded by Alderman Barker. Discussion. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried.

**BILL NO. 3265**                    **Amending the Branson Municipal Code, Chapter 10, Alcoholic Beverages, Article II, Licenses, Section 10-31, by adding a Wine Manufacturers License.**

First reading of Bill No. 3265, an ordinance amending the Branson Municipal Code, Chapter 10, *Alcoholic Beverages*, Article II, *Licenses*, Section 10-31, by adding a wine manufacturer's license 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. 3265, Alderman Huff so moved, seconded by Alderwoman Martin. Voting aye: Gass, Barker, Martin, and Huff. Nays: Purvis. Motion carried.

## **RESOLUTIONS**

**RESOLUTION NO.**  
**2006-R016**                    **Resolution approving a preliminary subdivision plat for Club Welk Branson Villas.**

A resolution approving a preliminary subdivision plat for Club Welk Branson Villas 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 moved to amend the resolution by replacing Exhibit "B" with a new Exhibit "B" which indicates street names, seconded by Alderwoman Martin. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried. Alderman Barker moved to approve the Resolution as amended, seconded by Alderman Huff. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried. Resolution No. 2006-R016 was adopted.

# APPOINTMENTS

## Appointment of Committee and Board Members

Mayor Schaefer made the following Committee and Board Members appointments:

David Edie	Reappointment to serve on the Planning and Zoning Committee
Jack Purvis	Reappointment to serve on the Advisory Council on Disabilities Board
Beverly Martin	Reappointment to serve on the Park Board

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

# OTHER BUSINESS

Mayor Schaefer asked if there was any other City 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. Alderwoman Martin asked about the schedule for painting street lines. Alderman Huff asked about the mowing along state right-of-ways. Discussion. Mayor then opened the floor for Aldermen reports.

# ALDERMEN/ADMINISTRATOR'S REPORTS

Alderman Gass looking forward to the Grand Opening on Friday and in mid-June of Branson Landing and thanked everyone for making this possible.

Alderman Barker complimented City employees on trash pick-up. He also commented on the Grand Opening Friday. He thanked the community for the support of the project and thanked his wife.

Alderwoman Martin asked for an update on the litter cleanup program.

Alderman Huff discussed the handling of the traffic, parking etc. for the Grand Opening.

Alderman Edie stated he was anxious for the Branson Landing opening and thanked staff for their extra work over the years.

Alderman Purvis agreed with other Council Members and welcomed Dennis Wood, State of Missouri Representative of the 62<sup>nd</sup> District.

City Administrator Terry Dody thanked the Council for their comments.

Mayor Schaefer stated Jerry Adams and himself were congratulated from a group of fourteen people from Korea on the Branson Landing project.

## **ADJOURN**

At this time Mayor Schaefer asked for a motion to adjourn. Alderman Huff so moved, seconded by Alderman Barker. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried. Mayor Schaefer adjourned the meeting at 8:16 p.m.