

# MINUTES

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

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

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

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

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 July 10, 2006. Receiving none, Mayor Schaefer asked for a motion approving the Minutes as presented. Alderman Gass moved to approve as presented, seconded by Alderman Huff. 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 PETITION

Receipt of petition for property owned by Branson Hills Development Company, LLC, referred to as the Richmack Addition was acknowledged within the Consent Agenda. Voting aye: Gass, Baker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried.

**BILL NO. 3282**  
**Ord. No. 2006-106**

**Accepting the proposal of bid award for construction of curb and gutters along various streets in Branson.**

Final reading of Bill No. 3282, an ordinance accepting the proposal for construction of curb and gutters along various streets in Branson 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. 2006-106 was duly enacted.

**BILL NO. 3283**  
**Ord. No. 2006-107**

**Accepting the proposal of bid award for installation of tile and carpet.**

Final reading of Bill No. 3283, an ordinance accepting the proposal for installation of tile and carpet 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. 2006-107 was duly enacted.

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

## **REGULAR AGENDA**

**BILL NO. 3284**  
**Ord. No. 2006-108**

**Approving the petition for and establishing the Branson Hills Infrastructure and Recreational Facility Community Improvement District.**

Public hearing and first reading of Bill No. 3284, an ordinance of the Board of Aldermen of Branson, Missouri, approving the petition for and establishing the Branson Hills Infrastructure and Recreational Facility Community Improvement District and containing a severability clause, was read by title by City Clerk Westfall, and the report was presented by Rick McConnell with Gilmore & Bell. 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. 3284. Alderman Gass so moved, seconded by Alderwoman Martin. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried. City Clerk Westfall read Bill No. 3284 by title for the final reading. Mayor Schaefer asked for a motion approving the final reading of Bill No. 3284. Alderman Huff moved to approve the final reading of Bill No. 3284 to facilitate development deadlines, seconded by Alderman Barker. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried. Ordinance No. 2006-108 was duly enacted.

**RESOLUTION NO.**  
**2006-R020**

**Approving a preliminary subdivision plat for "The Shoppes at Branson Hills".**

A resolution approving an amendment to the preliminary subdivision plat for "The Shoppes at Branson Hills" 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 Purvis so moved, seconded by Alderman Barker. Mayor Schaefer asked for anyone wishing to speak regarding this matter. Jim Thompson, 89 Beardsley Drive, Blue Eye, MO,

addressed the Board. Discussion. Voting aye: Gass, Barker, Martin, Huff, and Edie. Nays: Purvis. Motion carried. Resolution No. 2006-R020 was adopted.

**BILL NO. 3285**

**Ord. No. 2006-111      Approving an amendment to Planned Development PD-2006-005 for property known as “The Shoppes at Branson Hills”.**

Public hearing and first reading of Bill No. 3285, an ordinance amending the Land Use Regulations for Planned Development PD-2006-005 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 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. 3285. Alderman Gass so moved, seconded by Alderwoman Martin. Mayor Schaefer asked for anyone wishing to speak regarding this matter. John Logan, 2277 Lakeshore Drive, Branson, MO, addressed the Board. Discussion. Voting aye: Gass, Barker, Martin, Huff, and Edie. Nays: Purvis. Motion carried. City Clerk Westfall read Bill No. 3285 by title for the final reading. Mayor Schaefer asked for a motion approving the final reading of Bill No. 3285. Alderman Huff moved to approve the final reading of Bill No. 3285, seconded by Alderwoman Martin. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried. Ordinance No. 2006-111 was duly enacted.

**BILL NO. 3286**

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

Public hearing and first reading of Bill No. 3286, 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, 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:

None

Speaking in opposition:

1. John Logan – 2277 Lakeshore Drive, Branson, MO

Mayor Schaefer closed the public hearing and asked for a motion approving the first reading of Bill No. 3286. Alderman Gass so moved, seconded by Alderman Barker. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried.

**BILL NO. 3287**

**Ord. No. 2006-109      Amending the Land Use Regulations for Planned Development PD-99-008 known as “76 Country Boulevard”**

Public hearing and first reading of Bill No. 3287, an ordinance amending the Land Use Regulations for Planned Development PD-99-008 known as “76 Country Boulevard” located at 2920 West State Highway 76 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. 3287. Alderwoman Martin so moved, seconded by Alderman Huff. Mayor Schaefer asked for

anyone wishing to speak regarding this matter. Discussion. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried. City Clerk Westfall read Bill No. 3287 by title for the final reading. Mayor Schaefer asked for a motion approving the final reading of Bill No. 3287. Alderman Barker moved to approve the final reading of Bill No. 3287 to facilitate development deadlines, seconded by Alderman Purvis. Mayor Schaefer asked for anyone wishing to speak regarding this matter. John Logan, 2277 Lakeshore Drive, Branson, MO, addressed the Board. Discussion. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: None. Motion carried. Ordinance No. 2006-109 was duly enacted.

**BILL NO. 3288**                    **Approving the Commerce Park Master Development Agreement.**

First reading of Bill No. 3288, an ordinance of the Board of Aldermen of the City of Branson, Missouri, approving the Commerce Park Master Development Agreement between Branson Commerce Park, LLC and the City of Branson, Missouri, was read by title by City Clerk Westfall and the staff report was presented by Mike Rankin. Mayor Schaefer asked for a motion approving the first reading of Bill No. 3288. Alderman Gass so moved, seconded by Alderman Purvis. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried.

**BILL NO. 3289**                    **Authorizing to perform criminal background checks for the purpose of hiring employees.**

First reading of Bill No. 3289, an ordinance authorizing the City of Branson, Missouri to perform criminal background checks for the purpose of hiring employees, was read by title by City Clerk Westfall and the staff report was presented by Caroll McCullough. Mayor Schaefer asked for a motion approving the first reading of Bill No. 3289. Alderman Purvis so moved, seconded by Alderman Barker. Discussion. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried.

**BILL NO. 3290**  
**Ord. No. 2006-110**                    **Approving an Inter-Governmental Agreement.**

First reading of Bill No. 3290, an ordinance approving an Inter-Governmental Agreement between the City of Springfield and the City of Branson, and authorizing the Mayor to enter into the agreement, was read by title by City Clerk Westfall and the staff report was presented by Caroll McCullough. Mayor Schaefer asked for a motion approving the first reading of Bill No. 3290. Alderman Purvis so moved, seconded by Alderwoman Martin. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried. City Clerk Westfall read Bill No. 3290 by title for the final reading. Mayor Schaefer asked for a motion approving the final reading of Bill No. 3290. Alderman Barker moved to approve the final reading of Bill No. 3290 due to the need for the agreement to be in place prior to the event, seconded by Alderwoman Martin. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: None. Motion carried. Ordinance No. 2006-110 was duly enacted.

**BILL NO. 3291**                    **Accepting the proposal of bid award for Communications Equipment for the Police Department.**

First reading of Bill No. 3291, an ordinance accepting the proposal of bid award for communications equipment for the Branson Police Department and authorizing the Mayor to execute same, was read by title by City Clerk Westfall and the staff report was presented by Caroll McCullough. Mayor Schaefer asked for a motion approving the first reading of Bill No. 3291. Alderman Gass so moved, seconded by Alderman Purvis. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried.

**BILL NO. 3292**

**Accepting the proposal of bid award for the purchase of In-Car Video Systems for the Police Department.**

First reading of Bill No. 3292, an ordinance accepting the proposal of bid award for the purchase of in-car video systems for the Branson Police Department and authorizing the Mayor to execute same, was read by title by City Clerk Westfall and the staff report was presented by Caroll McCullough. Mayor Schaefer asked for a motion approving the first reading of Bill No. 3292. Alderman Purvis so moved, seconded by Alderman Barker. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried.

## **RESOLUTIONS**

**RESOLUTION NO.**

**2006-R021**

**Resolution authorizing the DBMA to participate in the DREAM Initiative Program.**

A resolution authorizing the Downtown Branson Main Street Association to participate in the Downtown Revitalization Economic Assistance (DREAM) Initiative Program was read by title by City Clerk Westfall, and the staff report was presented by Mike Rankin. Mayor Schaefer asked for a motion adopting the resolution. Alderman Purvis so moved, seconded by Alderman Huff. Discussion. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried. Resolution No. 2006-R021 was adopted.

## **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 Alderman Purvis. Voting aye: Gass, Barker, Huff, Edie and Purvis. Absent: Martin. Nays: none. Motion carried.

## **OTHER BUSINESS**

Mayor Schaefer asked if there was any other business that a member of the Board of Alderman would like to introduce as an official agenda item for discussion and action by the Board. Mayor Schaefer then opened the floor for Aldermen reports.

## **ALDERMEN/ADMINISTRATOR'S REPORTS**

Alderman Gass thanked Empire Electric for the underground utilities from Hwy. 65 into Branson Landing.

Alderman Barker commented on Branson Hills TIF and the downtown sidewalk issues. He also spoke concerning the need for housing in Branson as a positive problem.

Alderwoman Martin mentioned Joe's Crab Shack opening and a reminder that elections will be on August 8th.

Alderman Huff stated that the clearing of the sidewalks in downtown look better.

Alderman Edie encouraged engineering and Mr. Art King of Branson Hills to work with Mr. Thompson on the development.

Alderman Purvis read a letter from Missouri Municipal League that the city of St. Charles require children to wear bicycle helmets, and it would be nice to have a like resolution on a future agenda.

Administrator Dody mentioned that the boat trailers at the roundabout would be moved. He also commented that other cities would love to have our problem of not enough people to fill jobs.

## **ADJOURN**

At this time Mayor Schaefer asked for a motion to adjourn. Alderman Barker so moved, seconded by Alderwoman Martin. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried. Mayor Schaefer adjourned the meeting at 8:14 p.m.