

MINUTES

THE REGULAR MEETING OF THE BOARD OF ALDERMEN
CITY OF BRANSON, MISSOURI
December 11, 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 December 11, 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.

Also present from the City were: City Administrator Terry Dody, Assistant City Administrator Frank Schoneboom, City Attorney Paul Link, 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, Police Chief Carroll McCullough, Fire Chief Carl Sparks, Director of Planning and Zoning Don Stephens and Director of Public Works Larry VanGilder.

Mayor Schaefer called the meeting to order with the "Pledge of Allegiance" and Larry VanGilder gave the invocation. Mayor Schaefer also read the rules of decorum.

APPROVAL OF MINUTES

Mayor Schaefer asked for any additions or corrections to the Minutes of the Board of Aldermen Special Meeting of November 20, 2006; and the Regular Meeting and Public Comments Meeting of November 27, 2006. Receiving none, Mayor Schaefer asked for a motion approving the Minutes as presented. Alderman Gass so moved to approve minutes as presented, seconded by Alderwoman Martin. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried.

CONSENT AGENDA

Alderman Huff made a motion to move Item #1 from the Consent Agenda which is the final reading of Bill No. 3344 and place it under Item #9 on the Regular Agenda to make it Item #9A, seconded by Alderman Purvis. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried.

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:

BILL NO. 3346

Ord. No. 2006-172 Approving "PD" Planned Development zoning and adopting Land Use Regulations PD-2006-009 to be known as "Branson Commerce Park".

Final reading of Bill No. 3346, an ordinance approving "PD" Planned Development Zoning and adopting Land Use Regulations PD-2006-009 for property to be known as "Branson Commerce Park" located north of Timberlane Drive between State Highway 248 and Sycamore Church Road Branson, Missouri. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried. Ordinance No. 2006-172 was duly enacted.

BILL NO. 3347
Ord. No. 2006-173

Amending Section 66-219(C) of the Branson Municipal Code pertaining to time limits on tree deposit refunds.

Final reading of Bill No. 3347, an ordinance amending Section 66-219(c) of the Branson Municipal Code pertaining to time limits on tree deposit refunds. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried. Ordinance No. 2006-173 was duly enacted.

BILL NO. 3348
Ord. No. 2006-174

Approving “M-H” Mobile Home Community District zoning for properties located near the intersection of Illinois Street and Shady Drive.

Final reading of Bill No. 3348, an ordinance approving “M-H” Mobile Home Community District zoning for properties located near the intersection of Illinois Street and Shady Drive Branson, Missouri. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried. Ordinance No. 2006-174 was duly enacted.

BILL NO. 3349
Ord. No. 2006-175

Approving “PD” Planned Development zoning and adopting Land Use Regulations PD-2006-008 to be known as “The Fuentes Planned Development”.

Final reading of Bill No. 3349, an ordinance approving “PD” Planned Development Zoning and adopting Land Use Regulations PD-2006-008 for property to be known as “The Fuentes Planned Development” located at 1109 West State Highway 76 Branson, Missouri. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried. Ordinance No. 2006-175 was duly enacted.

BILL NO. 3350
Ord. No. 2006-176

Approving an agreement between the City of Branson and Archer Engineering for the Roark Creek and Bee Creek Wastewater Study.

Final reading of Bill No. 3350, an ordinance approving an agreement between the City of Branson and Archer Engineering for the Roark Creek and Bee Creek Wastewater Study, and authorizing the Mayor to enter into the agreement. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried. Ordinance No. 2006-176 was duly enacted.

BILL NO. 3351
Ord. No. 2006-177

Accepting the proposal for rental uniforms, mats and shop towels for Public Works.

Final reading of Bill No. 3351, an ordinance accepting the proposal of bid award to AmeriPride Services for uniform rental, mats and shop towels 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. 2006-177 was duly enacted.

BILL NO. 3352
Ord. No. 2006-178

Accepting the proposal for the purchase of a telephone system for Public Works.

Final reading of Bill No. 3352, an ordinance accepting the proposal for purchase of a telephone system located at the new Public Works offices 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. 2006-178 was duly enacted.

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

REGULAR AGENDA

REPORT ON BRANSON LANDING CONVENTION CENTER CONSTRUCTION SCHEDULE

A report on the Branson Landing Convention Center construction schedule was given by a representative of Turner Construction. Ron Malare gave a PowerPoint presentation. Discussion. Mayor Schaefer asked for a motion to accept the report. Alderman Huff so moved, seconded by Alderman Barker. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried.

BILL NO. 3344

Ord. No. 2006-171 Amending Land Use Regulations for Planned Development PD-98-007 known as "The Point Entertainment Complex".

Final reading of Bill No. 3344, an ordinance amending the Land Use Regulations for Planned Development PD-98-007 known as "The Point Entertainment Complex" located at 448 State Highway 248 Branson, Missouri was read by title by Mayor Schaefer. Alderman Huff moved to put Bill No. 3344 on the floor for final approval to gain public input, seconded by Alderman Gass. Discussion.

The following speakers addressed the Board:

1. John Logan, 2277 Lakeshore Drive, Branson, MO
2. JC Zalog, 1464 Indian Point Road, Branson, MO
3. Shane Seymour, 145 Matthew Lane, Hollister, MO
4. Ronald Key, 109 Shiloh, Branson, MO
5. Mark Weisz, 386 Dalton Drive, Branson, MO
6. Jack Herschend, Silver Dollar City
7. Linda Cherry, 609 Parnell Drive, Branson, MO
8. Kandis Davis, 523 Parsons Parkway, Branson, MO
9. Larry Leimkuehler, 3514 W. Hwy. 76, Branson, MO
10. Patrick Cox, 899 Meadow Lane, Branson, MO
11. Jim Cox, 138 Hampshire, Branson, MO
12. Judy Hartley, 260 Snowden Lane, Blue Eye, MO
13. Chris Myer, 157 Country Bluff Drive, Branson, MO (handouts)
14. Bob Simmons, 918 Valley View, Branson, MO
15. Rick Huffman, HCW Development Company, 302 W. Hwy 76, Branson, MO (handouts)
16. Andrew Vandever, 2685 Sunset Road, Branson, MO
17. Mel Bray, 112 Overlook Drive, Branson, MO
18. Jory Rolf, 1214 W. Main Street, Branson, MO
19. Nancy McConnathy, 159 Acorn Acres
20. Celia Sutton, 360 Schaefer Drive, Branson, MO
21. Jon Seaux, 203 Sherman Way, Branson, MO
22. Jennifer Stafford, 1107-13 Stanley Blvd., Branson, MO
23. Ricky Renfro, 3025 Maple Street, Hollister, MO
24. Gary Allman, 124 Leinhart, Branson, MO
25. Judy Hartley, 260 Snowden Lane, Blue Eye, MO
26. June Kuechler, 275 River Drive, Branson, MO
27. Brian Jones, 93 Westwood Drive, Branson, MO
28. Lance Long, 223 W. Pacific Street, Branson, MO
29. John Logan, 2277 Lakeshore Drive, Branson, MO

30. John Joslyn, 3235 W. Hwy. 76, Branson, MO
31. Al Moon, 70 Willow Court, Branson, MO
32. Kandis Davis, 523 Parsons Parkway, Branson, MO

Alderman Gass departed the meeting at 8:51 p.m. and returned at 8:54 p.m.

Alderman Purvis called the question, then withdrew it. Discussion. City Clerk Westfall read the motion on the floor approving the final reading of Bill No. 3344. Voting aye: Gass, Barker, and Martin. Nays: Edie, Purvis and Huff. Tie vote. Mayor Schaefer voted aye. Motion carried. Ordinance No. 2006-171 was duly enacted.

At 9:40 p.m., Mayor Schaefer called for a recess. The meeting reconvened at 9:50 p.m.

BILL NO. 3353 **Ordering the Branson Commerce Park Neighborhood Improvement District improvements to be made and authorizing other actions.**

Public hearing and first reading of Bill No. 3353, an ordinance ordering the Branson Commerce Park Neighborhood Improvement District improvements to be made and authorizing other actions relating to obtaining financing therefore, was read by title by City Clerk Westfall and the staff report was presented by Paul Link. 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 that public hearing and asked for a motion approving the first reading of Bill No. 3353. Alderman Gass so moved, seconded by Alderman Huff. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried.

RESOLUTION NO.
2006-R031 **Resolution approving a preliminary subdivision plat for property formerly known as "Keeneland" to now be known as "Ashbrooke".**

A resolution approving a preliminary subdivision plat for property formerly known as "Keeneland" to now be known as "Ashbrooke" located immediately north of the intersection of Shepherd of the Hills Expressway and Expressway Lane Branson, Missouri, 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. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried. Resolution No. 2006-R031 was adopted.

BILL NO. 3354
Ord. No. 2006-179 **Enacting a final subdivision plat of Phase 6 of the Ashbrooke Subdivision to be known as "The Cottages at Ashbrooke".**

Public hearing and first reading of Bill No. 3354, an ordinance enacting a final subdivision plat of Phase 6 of the Ashbrooke Subdivision to be known as "The Cottages at Ashbrooke" located immediately north of the intersection of Shepherd of the Hills Expressway and Expressway Lane 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. 3354. Alderman Huff 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. 3354 by title for the final reading. Alderman Huff moved to approve the final reading of Bill No. 3354 due to development deadlines, seconded by Alderman Barker. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried. Ordinance No. 2006-179 was duly enacted.

BILL NO. 3355
Ord. No. 2006-180

Enacting an amended final subdivision plat for property known as Branson Hills Development Phase 2.

Public hearing and first reading of Bill No. 3355, an ordinance enacting an amended final subdivision plat for property known as Branson Hills Development Phase 2 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. 3355. 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. 3355 by title for the final reading. Mayor Schaefer asked for a motion approving the final reading of Bill No. 3355. Alderman Barker moved to approve the final reading of Bill No. 3355 due to development deadlines, seconded by Alderman Purvis. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried. Ordinance No. 2006-180 was duly enacted.

BILL NO. 3356
Ord. No. 2006-181

Extend the Marketing Agreement and domain Name License Agreement with Branson Lakes Area Chamber of Commerce until January 31, 2007.

First reading of Bill No. 3356, an ordinance to extend the Marketing Agreement and domain Name License Agreement with Branson Lakes Area Chamber of Commerce until January 31, 2007, 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. 3356. Alderman Purvis so moved, seconded by Alderman Huff. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried. City Clerk Westfall read Bill No. 3356 by title for the final reading. Mayor Schaefer asked for a motion approving the final reading of Bill No. 3356. Alderman Gass moved to approve the final reading of Bill No. 3356 due to the existing Agreement's expiration on December 31, 2006 and due to the fact that there will not be another Board of Aldermen meeting prior to the expiration date, seconded by Alderman Barker. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried. Ordinance No. 2006-181 was duly enacted.

APPOINTMENTS

Appointment of members to the Branson Housing Authority

Mayor Schaefer made the following appointments to the Branson Housing Authority. City Clerk Westfall read the appointments:

Linn Windle	Appointment, to finish the term of retiring James Arend, for a term ending October 19, 2007.
Don Baker	Reappointment, for a term of four years, ending October 19, 2010.
Bob Sutherland	Reappointment, for a term of four years, ending October 19, 2010.

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

OTHER BUSINESS

Alderman Huff moved to cancel the regular meeting of December 25, 2006 due to the holiday, seconded by Alderman Purvis. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried.

ALDERMEN/ADMINISTRATOR'S REPORTS

Alderman Gass was saddened by the death of Dick Hartley and would like to honor him at this meeting. He reminded everyone of the bell ringing for the Salvation Army Saturday.

Alderman Barker was also saddened by loss of Dick Hartley and asked staff to look into a master plan for our community.

Alderwoman Martin extended wishes for Happy Holidays and for a safe and prosperous New Year.

Alderman Huff stated thoughts and prayers were extended to the Hartley family.

Alderman Purvis thanked Don Baker and Bob Sutherland for their participation on the Branson Housing Authority board. He gave his respects to the Hartley family and asked for a review board to explore where the city wants to go with skyscrapers.

Administrator Dody clarified some recent press concerning comments from the school district about TIF's and asked the City Attorney to comment on the decorum issue from the last meeting.

ADJOURN

Alderman Gass left at 10:19 p.m. At this time Mayor Schaefer asked for a motion to adjourn. Alderman Purvis so moved, seconded by Alderman Huff. Voting aye: Barker, Martin, Huff, Edie and Purvis. Nays: none. Absent: Gass. Motion carried. Meeting adjourned at 10:21 p.m.