

# **MINUTES**

## **THE REGULAR MEETING OF THE BOARD OF ALDERMEN CITY OF BRANSON, MISSOURI September 13, 2007**

### **INTRODUCTORY**

The Board of Aldermen of the City of Branson, Missouri met in regular session in the Council Chambers of the City Hall on September 13, 2007 at 7:00 p.m. with the following members present:

Mayor Presley presiding, Jack Purvis, Sandra Williams, Stan Barker, Bob McDowell, Dick Gass and Stephen Marshall present.

Also present from the City were: Acting City Administrator Frank Schoneboom, City Attorney Paul Link, City Clerk Lisa Westfall, Director of Communications Jerry Adams, Director of Finance Ferris Brown, City Engineer David Miller, Director of Planning and Zoning Don Stephens, Police Chief Caroll McCullough, Fire Chief Carl Sparks, Director of Health Linn Smith and Director of Computer Information Services D.J. Cline.

Mayor Presley called the meeting to order with the "Pledge of Allegiance" and Chief Carl Sparks gave the invocation.

### **EMPLOYEE OF THE MONTH**

Alderman Gass presented the September Employee of the Month to Mel Lawson of the Public Works Department for sacrificing his own time to ensure the comfort of fellow employees at city hall.

### **APPROVAL OF MINUTES**

Mayor Presley asked for any additions or corrections to the minutes of the Board of Aldermen August 27, 2007 special meeting and the August 27, 2007 regular meeting and public comments meeting. Hearing none, Mayor Presley asked for a motion approving the minutes. Alderman Barker moved to approve as presented, seconded by Alderman Marshall. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Motion carried.

### **CONSENT AGENDA**

Mayor Presley asked if any member of the Board had any items they wished to have removed from the Consent Agenda for further discussion. Alderwoman Williams asked that Item No. 1 on the Consent Agenda, Acknowledge Receipt of Minutes, be removed and placed on the Regular Agenda. Mayor Presley then asked if there were any citizens that had any items they wished to have removed from the Consent Agenda for further discussion. Hearing none, Mayor Presley asked City Clerk Westfall to read the items on the Consent Agenda as amended. City Clerk Westfall read the following Consent Agenda items by title.

**BILL NO. 3436**  
**Ord. No. 2007-081**

**Annexing property petitioned by the Lezah Stenger Foundation located at 598 Animal Safari Road Branson, Missouri.**

Final reading of Bill No 3436, an ordinance annexing property petitioned by the Lezah Stenger Foundation located at 598 Animal Safari Road, Branson, Missouri. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Ordinance No. 2007-081 was duly enacted.

**BILL NO. 3437**  
**Ord. No 2007-082**

**Approving a final subdivision plat for Turtle Creek Phase 1 and 2 for properties located at 2581 Highway 248 Branson, Missouri.**

Final reading of Bill No 3437, an ordinance approving a final subdivision plat for Turtle Creek Phase 1 and 2 for properties located at 2581 Highway 248, Branson, Missouri. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Ordinance No. 2007-082 was duly enacted.

**BILL NO. 3439**  
**Ord. No. 2007-083**

**Adopting an investment policy for the City of Branson.**

Final reading of Bill No. 3439, an ordinance adopting an investment policy for the City of Branson, Missouri and authorizing actions in connection therewith. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Ordinance No. 2007-083 was duly enacted.

**BILL NO. 3441**  
**Ord. No. 2007-084**

**Vacating a sanitary sewer easement in the Thousand Hills Subdivision.**

Final reading of Bill No. 3441, an ordinance vacating a sanitary sewer easement in the Thousand Hill Subdivision, Branson, Missouri. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Ordinance No. 2007-084 was duly enacted.

**BILL NO. 3442**  
**Ord. No. 2007-085**

**Approving a Parking Garage Management Agreement and authorizing actions in connection therewith.**

Final reading of Bill No. 3442, an ordinance approving a Parking Garage Management Agreement and authorizing actions in connection therewith. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Ordinance No. 2007-085 was duly enacted.

**BILL NO. 3443**  
**Ord. No. 2007-086**

**Accepting the proposal of bid award for the fall asphalt overlay contract for the Public Works Department.**

Final reading of Bill No. 3443, an ordinance accepting the proposal of bid award for the fall asphalt overlay contract for the Public Works Department for the City of Branson and authorizing the Mayor to execute the agreement. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Ordinance No. 2007-086 was duly enacted.

Mayor Presley opened the floor for a motion to approve all items on the Consent Agenda. Alderman Gass so moved, seconded by Alderman Purvis. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Motion carried.

## **REGULAR AGENDA**

### **ACKNOWLEDGEMENT OF MINUTES**

Mayor Presley asked for a motion acknowledging Receipt of Minutes for the June 1, 2007 Personnel Committee meeting; June 6, 2006 and July 11, 2006 Planning and Zoning Commission meetings; July 17, 2007 Park Board meeting; August 13, 2007 Capital Improvement Committee meeting and August 17, 2007 Health Department Service Integration Task Force meeting. Alderman Barker moved to approve, seconded by Alderwoman Williams. Discussion. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Motion carried.

**BILL NO. 3444**      **Approving a Planned Development for Branson Ridge Winery and Marketplace and adopting Land Use Regulations PD-07-005 for properties located at 648 Sunrise Drive.**

Public hearing and first reading of Bill No. 3444, an ordinance approving a Planned Development for Branson Ridge Winery and Marketplace and adopting Land Use Regulations, PD-07-005 for properties located at 648 Sunrise Drive, Branson, Missouri was read by title by City Clerk Westfall, and the staff report was presented by Don Stephens. Mayor Presley opened the public hearing and asked for anyone wishing to speak in favor or opposition to this matter. Hearing none, Mayor Presley closed the public hearing and asked for a motion approving the first reading of Bill No. 3444. Alderman Gass so moved, seconded by Alderman Barker. Mayor Presley asked for anyone wishing to speak regarding this matter. Discussion. Bill Yung, 110 W. Adams, Suite 102, Branson, Missouri of Yung Design Group and Jacob Fleig, 469 College Drive, Branson, Missouri, Director of Operations answered questions from the Board regarding the Event Lawn size, parking area, private roadway, entrances to the project and type of road surface. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Motion carried.

**BILL NO. 3445**      **Approving a Planned Development amendment to the Branson Hills Development Land Use Regulations PD-2005-007 Section 1.25 Signage Regulations for properties located at 100 North Payne Stewart Drive.**

Public hearing and first reading of Bill No. 3445, an ordinance approving a Planned Development amendment to the Branson Hills Development Land Use Regulations PD-2005-007 Section 1.25 Signage Regulations for properties located at 100 North Payne Stewart Drive, Branson, Missouri was read by title by City Clerk Westfall, and the staff report was presented by Don Stephens. Mayor Presley opened the public hearing and asked for anyone wishing to speak in favor or opposition to this matter. Hearing none, Mayor Presley closed the public hearing and asked for a motion approving the first reading of Bill No. 3445. Alderman Purvis so moved, seconded by Alderman Gass. Mayor Presley asked for anyone wishing to speak regarding this matter. Discussion. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Motion carried.

**RESOLUTION NO.  
2007- R013**

**Approving a preliminary subdivision plat for Roark Hills Phase 3 for properties located at 1851 Highway 248.**

A Resolution approving a preliminary subdivision plat for Roark Hills Phase 3 for properties located at 1851 Highway 248, Branson, Missouri was read by title by City Clerk Westfall, and a staff report was presented by Don Stephens. Mayor Presley asked for a motion adopting the Resolution. Alderman Purvis so moved, seconded by Alderman Marshall. Mayor Presley asked for anyone wishing to speak regarding this matter. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Resolution No. 2007-R013 was adopted.

**BILL NO. 3446**

**Approving a final subdivision plat for Roark Hills Phase 3 for properties located at 1851 Highway 248.**

Public hearing and first reading of Bill No. 3446, an ordinance approving a final subdivision plat for Roark Hills Phase 3 for properties located at 1851 Highway 248, Branson, Missouri was read by title by City Clerk Westfall, and the staff report was presented by Don Stephens. Mayor Presley opened the public hearing and asked for anyone wishing to speak in favor or opposition to this matter. Hearing none, Mayor Presley closed the public hearing and asked for a motion approving the first reading of Bill No. 3446. Alderman Gass so moved, seconded by Alderman Marshall. Mayor Presley asked for anyone wishing to speak regarding this matter. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Motion carried.

**BILL NO. 3447**

**Approving a contract with Taney County Health Department, providing for the City of Branson Health Department to perform environmental health and child care inspections.**

First reading of Bill No. 3447, an ordinance approving a contract with Taney County Health Department, providing for the City of Branson Health Department to perform environmental health and child care inspections, and authorizing the Mayor to enter into the agreement was read by title by City Clerk Westfall, and the staff report was presented by Linn Smith. Mayor Presley asked for a motion approving the first reading of Bill No. 3447. Alderman Barker moved to approve, seconded by Alderman Purvis. Mayor Presley asked for anyone wishing to speak regarding this matter. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Motion carried.

**BILL NO. 3448**

**Approving a contract with the City of Hollister, Missouri for environmental public health services within the City of Hollister.**

First reading of Bill No. 3448, an ordinance approving a contract with the City of Hollister, Missouri for environmental public health services within the City of Hollister was read by title by City Clerk Westfall, and the staff report was presented by Linn Smith. Mayor Presley asked for a motion approving the first reading of Bill No. 3448. Alderwoman Williams so moved, seconded by Alderman Purvis. Mayor Presley asked for anyone wishing to speak regarding this matter. Discussion. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Motion carried.

**BILL NO. 3449**                    **Amending Section 86-621 of the Branson Municipal Code: Schedule I: Stop Signs.**

First reading of Bill No. 3449, an ordinance amending Section 86-621 of the Branson Municipal Code: Schedule I: *Stop Signs* was read by title by City Clerk Westfall, and the staff report was presented by David Miller. Mayor Presley asked for a motion approving the first reading of Bill No. 3449. Alderman Gass so moved, seconded by Alderman Purvis. Mayor Presley asked for anyone wishing to speak regarding this matter. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Motion carried.

**BILL NO. 3450**                    **Adopting a budget for the City of Branson, Missouri, for the fiscal year October 1, 2007, through September 30, 2008, and providing that certain amounts shown in the budget document are appropriated for the various departments specified in said budget.**

Public hearing and first reading of Bill No. 3450, an ordinance adopting a budget for the City of Branson, Missouri, for the fiscal year October 1, 2007, through September 30, 2008, and providing that certain amounts shown in the budget document are appropriated for the various departments specified in said budget was read by title by City Clerk Westfall, and the staff report was presented by Frank Schoneboom. Mayor Presley opened the public hearing and asked for anyone wishing to speak in favor or opposition to this matter. Hearing none, Mayor Presley closed the public hearing and asked for a motion approving the first reading of Bill No. 3450. Alderman Barker moved to approve, seconded by Alderman Marshall. Mayor Presley asked for anyone wishing to speak regarding this matter. Gail Myer, 365 Whisper Ridge, Branson, Missouri, inquired about the Tourism Tax Revenues and expenditures and reminded the Board of the promise to retire bond debt with the extra Tourism Tax funds and consider the raised water rates for Commercial. Discussion. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Motion carried.

**RESOLUTION NO.**  
**2007- R014**                    **Approving the operation of a photography service by the Historic Downtown Branson Business Organization to motor coaches, touring Historic Downtown Branson.**

A Resolution approving the operation of a photography service by the Historic Downtown Branson Business Organization to motor coaches, touring Historic Downtown Branson, Missouri was read by title by City Clerk Westfall, and a staff report was presented by Frank Schoneboom. Mayor Presley asked for a motion adopting the Resolution. Alderwoman Williams so moved, seconded by Alderman Marshall. Mayor Presley asked for anyone wishing to speak regarding this matter. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Resolution No. 2007-R014 was adopted.

**RESOLUTION NO.**  
**2007- R015**                    **Related to parking in the downtown Branson area.**

A Resolution of the Board of Aldermen of the City of Branson, Missouri, related to parking in the downtown Branson area was read by title by City Clerk Westfall, and a staff report was presented by Raeanne Presley. Mayor Presley asked for a motion adopting the Resolution. Alderwoman Williams so moved, seconded by Alderman Gass. Mayor Presley asked for anyone wishing to speak regarding this matter. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Resolution No. 2007-R015 was adopted.

## **DISBURSEMENTS**

Mayor Presley stated the next item was review of disbursements, and asked if there were any questions regarding the disbursements. Mayor Presley asked for a motion acknowledging the receipt of disbursements. Alderman Gass so moved, seconded by Alderman Marshall. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Motion carried.

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

Alderman Purvis stated that he was very pleased with the ribbon cutting and dedication of the convention center. He also said that the bicycle race today was interesting, and he thanked the local business sponsors.

Alderwoman Williams said that she also attended the Branson Tour of Missouri time trials and stated that there were 43 countries represented. She commented that it was a success and thanked the volunteers and sponsors.

Alderman Barker concurred that it has been an exciting couple of weeks and recognized that it is possible because of the professionalism and quality people that make up the City of Branson staff. He gave special thanks to the Finance Department for the great job they did on the budget and to Frank Schoneboom for his leadership.

Alderman McDowell said he attended the Value Engineering Study regarding the Taneycomo Bridge. He thanked Fire Chief Sparks for the presentation at the work session on emergency response times. He stated that the Board has had considerable discussions on tonight's agenda items. He would like to see the Convention Center opened up to the general public and suggested having a Council Meeting there. He also said that he appreciated Gail Myer's comments on water rates but the City needs to keep the rates in line. He mentioned attending the MML Conference and a session regarding a paperless council. He encouraged the Board and City to accelerate that.

Alderman Gass echoed what the other Board said about City of Branson staff and the great job they do. He said the Hilton people are a tremendous group of professionals that did an outstanding job on the Convention Center opening. He also said that he had attended the Tour of Missouri Race and was told that a school in one of the cities along the tour had let some of their students attend. He would like to recommend that our schools do that if possible.

Alderman Marshall added that he had read that one of the cyclists was felled by a dead armadillo and that that may be a first in the Tour history. He also stated that he feels very blessed to live in this community. With the wonderful weather, the opening of the Convention Center and the Branson Landing, Branson is in full bloom. He sees great things ahead for Branson. He thanked the City staff for helping the Council do their job better.

Frank Schoneboom thanked the Board for their comments regarding City staff. He also wanted to thank Health Director Linn Smith and her staff, Fire Chief Sparks and his team and especially Police Chief McCullough for their work in the Branson portion of the Tour of Missouri.

Mayor Presley told the Board that three firms responded to the Citizen Survey bid request. Mr. McDowell is working on a team to review those. The process continues for a search firm to go forward with hiring a new Administrator. The Liquor Task Force has a meeting scheduled with the Attorney from Kansas City. A request for a new Audit Firm is out for bid. She also reminded everyone about the joint lunch meeting with Hollister at the College of the Ozark's Keeter Center, the Park Board meeting and the Pie Bake Off.

## **ADJOURN**

At this time Mayor Presley asked for a motion to adjourn. Alderman Purvis so moved, seconded by Alderman Barker. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Motion carried. Meeting adjourned at 8:31 p.m.