

MINUTES

THE REGULAR MEETING OF THE BOARD OF ALDERMEN CITY OF BRANSON, MISSOURI September 24, 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 24, 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, Assistant Director of Planning and Zoning Ruth Denham, Police Chief Caroll McCullough, Fire Chief Carl Sparks, Director of Health Linn Smith, Director of Computer Information Services D.J. Cline, Parks Director Cindy Shook and Director of Public Works Larry VanGilder.

Mayor Presley called the meeting to order with the "Pledge of Allegiance" and Larry VanGilder gave the invocation.

SPECIAL RECOGNITION

Mayor Presley presented a plaque to Joe Sullivan for his service as the City of Branson Representative on the Tax Enhancement District Board.

APPROVAL OF MINUTES

Mayor Presley asked for any additions or corrections to the minutes of the Board of Aldermen September 4, 2007 special meeting, September 13, 2007 regular meeting and public comments meeting, September 17, 2007 lunch meeting and September 18, 2007 special meeting. Hearing none, Mayor Presley asked for a motion approving the minutes. Alderman Gass moved to approve, seconded by Alderman Purvis. 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. Alderman Barker asked that Item No. 3 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.

ACKNOWLEDGEMENT OF MINUTES

Receipt of minutes for the May 2, 2006 Planning and Zoning Commission meeting and the August 28, 2007 Capital Improvement Committee meeting were acknowledged within the Consent Agenda. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Motion carried.

ACKNOWLEDGMENT RECEIPT OF PETITION

Receipt of petition filed by Samuel Coryell located at 1693 Shepherd of the Hills Expressway, Branson, Missouri was acknowledged within the Consent Agenda. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Motion carried.

BILL NO. 3445

Ord. No. 2007-088 **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.**

Final 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. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Ordinance No. 2007-088 was duly enacted.

BILL NO. 3446

Ord. No. 2007-089 **Approving a final subdivision plat for Roark Hills Phase 3 for properties located at 1851 Highway 248.**

Final 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. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Ordinance No. 2007-089 was duly enacted.

BILL NO. 3447

Ord. No. 2007-090 **Approving a contract with Taney County Health Department, providing for the City of Branson Health Department to perform environmental health and child care inspections.**

Final 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. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Ordinance No. 2007-090 was duly enacted.

BILL NO. 3448

Ord. No. 2007-091 **Approving a contract with the City of Hollister, Missouri for environmental public health services within the City of Hollister.**

Final 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. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Ordinance No. 2007-091 was duly enacted.

BILL NO. 3449

Ord. No. 2007-092 **Amending Section 86-621 of the Branson Municipal Code: Schedule I: Stop Signs.**

Final 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. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Ordinance No. 2007-092 was duly enacted.

BILL NO. 3450

Ord. No. 2007-093 **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.**

Final 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. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Ordinance No. 2007-093 was duly enacted.

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

REGULAR AGENDA

BILL NO. 3444

Ord. No. 2007-094 **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.**

Final 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 Ruth Denham. Mayor Presley asked for a motion approving the final reading of Bill No. 3444. Alderman Gass so moved, seconded by Alderman Barker. Mayor Presley asked for anyone in the audience wishing to speak regarding this matter. Hearing none, Mayor Presley asked for comments or questions from the Board. Alderman Gass moved to amend Bill No. 3444 by amending the Land Use Regulations by adding a sentence to the last bullet of Section 1.11 to read, "This exemption will apply only to the designated agricultural areas and commercial parking lot area." Seconded by Alderman Barker. Mayor Presley asked for any one wishing to speak regarding this amendment. Hearing none, Mayor Presley called for a vote on the amendment. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Motion carried. Mayor Presley then asked for anyone wishing to speak regarding the amended bill. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Ordinance No. 2007-094 was duly enacted.

BILL NO. 3440

Amending Chapter 86 of the Branson Municipal Code Traffic and Vehicles, Article III Operation of Vehicles, Section 86-112 Operation of Bicycles; Riding Motorized Bicycle on Sidewalk.

Mayor Presley stated that this Bill was postponed from the August 27 meeting. At that meeting it had a First Reading, Motion to Approve and Second. She stated the Board was now ready to have additional discussion and called on Chief McCullough to provide an update on this item. Paul Link added some additional explanations. Alderwoman Williams moved to amend Bill No. 2440 as follows:

In the title to Section 86-112 the words "skates," and "and scooters" should be stricken.

Paragraph (d) shall be stricken in its entirety.

Paragraph (f) shall have the following amended:

In the first line, the phrase "any non-motorized skate," should be stricken and "a" added after "ride".

In the first line continuing into the second line, the phrase "or scooter, or any type of non-motorized vehicle" should be stricken.

Continuing in the second line, the phrase "parking lot" followed by a comma should be stricken.

Paragraph (g) shall be stricken in its entirety and the following paragraph added:

"The term skateboard shall be defined as a four wheeled device, with a platform on which to stand, powered by the user."

Lastly, after the language has been changed, the paragraphs need to be re-lettered with paragraphs (e), (f), and (g) becoming (d), (e), and (f).

Seconded by Alderman Barker. Mayor Presley asked for anyone wishing to speak regarding the amendment. Clint Sawyer, 278 Julie Lane, Rockaway Beach, Missouri, stated that he understood the situation with regards to public safety and destruction of property sometimes caused by skateboarding but he is concerned with the wording. He said that he felt it was important to address that skateboards are not just used for entertainment but are used for transportation for those who choose to do so. They do their grocery shopping and go to the laundry mat and use their skateboard as their personal vehicle. He acknowledged that there were parks in the area for recreational skateboarding but that doesn't do anything for people who are trying to travel to different places. He noted that there needs to be a balance between respecting people and property as well as respecting the skateboarders as people. Mayor Presley asked for questions or comments from the Board. Discussion. Mayor Presley called for a vote on the amendment. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Motion carried. Mayor Presley asked if anyone wished to speak regarding the bill as amended. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Motion carried.

BILL NO. 3451

Amending Chapter 2 of the Branson Municipal Code Administration, Article III Board of Aldermen, Sections 2-54 Regular Meetings and Public Comment Meetings.

First reading of Bill No. 3451, an ordinance amending Chapter 2 of the Branson Municipal Code Administration, Article III Board of Aldermen, Sections 2-54 Regular Meetings and 2-55 Public Comment Meetings was read by title by City Clerk Westfall, and the staff report was presented by Paul Board of Aldermen

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Link. Mayor Presley asked for a motion approving the first reading of Bill No. 3451. Alderman Marshall so moved, seconded by Alderwoman Williams. Mayor Presley asked for anyone in the audience wishing to speak regarding this matter. Hearing none, Mayor Presley asked for comments from the Board. Discussion. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Motion carried.

BILL NO. 3452 **Approving a Planned Development for TanStone Plaza and adopting Land Use Regulations PD-07-006 for properties located at 284 Forsythe Boulevard.**

Public hearing and first reading of Bill No. 3452, an ordinance approving a Planned Development for TanStone Plaza and adopting Land Use Regulations PD-07-006 for properties located at 284 Forsythe Boulevard, Branson, Missouri was read by title by City Clerk Westfall, and the staff report was presented by Ruth Denham. Mayor Presley 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:

Anna Coling, 197 Sassafras Court, Hollister, Missouri stated she was concerned with the traffic on Hwy. 76 and questioned what the plan is to deal with the traffic that will be generated with this new project. She was concerned with the need for the Branson Mall entrance to line up with Forsythe Road and the need for a stoplight. She didn't think that it has been planned carefully enough to have the outcome be what it needs to be. Discussion. She stated she was not worried about what Wal-Mart can live with; she's concerned about what we can live with. There needs to be an alignment.

Dayle Goldsworthy, 2506 Victor Church Road, Branson, Missouri questioned why permits are just now being requested when work has been taking place for six months. She also inquired if it was standard for the removal of all of the trees and rock. She said the intersection of 76 and Forsythe Road affects all directions not just those trying to get to Wal-Mart. It is not a good intersection and she feels a traffic light will make it worse. Discussion.

Sherri Harris, 403 Lake Drive, Branson, Missouri recalled for the Board that the same property had been destroyed in 1991 and a comprehensive tree and landscape ordinance was then developed. She said the Developer wrote a five page letter apologizing for not having all of the permits as required and the City stood by and did nothing. She feels that they need to be held accountable and there should be a cost for disobeying the rules of the city. Discussion.

Patricia Rose, representing Patoben Enterprises, Inc., DBA The Waterchute, 2115 W. Hwy. 76, Branson, Missouri, wanted to go on record saying she does not oppose this project. She is concerned about how it has happened and developed without proper permits. She questioned how it happens that work started in March, 2007, with trees cut and burned without proper permits and six months later the project is coming up for approval of the planned development. She said DNR requires a permit for any land disturbance over an acre. The permit from DNR was requested on August 1, 2007, five months after the project was started. She also inquired as to why they are not required to be licensed and bonded like other developers that come into Branson. She has been having extreme difficulty with blasting and the damage it has done to her home and business, and she knows of no pre-blasting evaluation that has been done. Another concern she has is regarding water drainage and her access to a public road. She has to go through a private drive to get to a public road. She also has concerns about the entrance at Forsythe Road and Highway 76. She stated she's very concerned and there are many unanswered questions. Glen Robinson, owner of the Grand Country, who was unable to come to the meeting, wanted her to pass along that the blasting has been a problem for his business also and he has had some damage.

Evan Shark, 105 Grand Summit Point, Branson, Missouri, stated there were a lot of permits they didn't get and the issues with the intersection need to be worked out before finalizing anything. He said it appears to him that the City Engineer is more concerned about what Wal-Mart is going to do than the citizens. This developer is building without consideration of what is in the ordinance. There were no projected traffic studies for Highway 76 or the road to Tanger. He suggested the city, property owners and developer sit down with the Highway Department and resolve the issues so it benefits everyone.

Mayor Presley with the consent of the Board extended the time limit on the public hearing.

Liz Nguyen, 2105 W. Hwy 76, Branson, Missouri, asked the city to please make sure the entrance to her building was not blocked. She has invested a lot of money into her building and needs access to it.

Lori Conner, 140 Loma Linda Lane, Branson, Missouri, representing the Rosebud Inn stated they were not opposed to the development but said their concerns are Roark Valley Road and the fact that the three lanes and sidewalks end at their driveway. They would like to see the three lanes continue to the intersection to avoid congestion.

Mayor Presley closed the public hearing and asked for a motion approving the first reading of Bill No. 3452. Alderman Gass so moved, seconded by Alderman Barker. Mayor Presley asked for anyone wishing to speak regarding this matter. Discussion. Chris DeJohn, TanStone Group, P.O. Box 235, Hollister, Missouri said that the Company looked at the intersection of Highway 76 and Forsythe Road and brought it to the table at the first meetings with City staff. As the developer, he is willing to work with City to be part of the solution. He said they have met with the landowners in the area to work on solutions to the easement questions and will continue to work toward a satisfactory outcome. The current Planned Development does not address the nail salon entrance because that property is not involved and there is not a proposal to shut off any of their access which is on Highway 76. Spencer Jones, Great River Engineering, 2026 South Ingram Mill, Springfield, Missouri said that there is a disconnect between the existing right-of-way and the proposed right-of-way. They are proposing to overcome that gap with an access easement. Pat Rose inquired if the easement was from her driveway to Forsythe Road because she does not want an easement through commercial property. She also said she has concerns regarding the grade. Bill Yung, Yung Design Group, Inc. 110 West Adams, Ste. 102, Branson, Missouri said that the easement is an open space, dedicated green space, where the driveway will go through. He also said upon approval of the PD, the parcel will be green space forever unless it comes back before the Board and they agree to change it. Discussion. Alderman Marshall moved to postpone the item until staff comes back with complete information. Seconded by Alderwoman Williams. Mayor Presley asked for any last comments from the audience. Bill Yung said the two different projects are connected because they share the same piece of land. The first is construction of a public street and if it is held up because of the intersection, it will cause a significant hardship on the client. Secondly the property is currently zoned commercial and the PD was voluntary, not mandatory, on the part of the Developer to try to make the project better. Pat Rose said she is willing to sell her piece of property to the Developers if they want it and then they would not have to worry about an easement for her. Chris DeJohn stated they have been working with the city and will continue to do so but wants to see this project move forward. Postponing this will cause hardships on the scheduling for having Forsythe Road open over Thanksgiving. Randy Winskey, TanStone partner questioned if it is possible to continue to work to complete the portion of Forsythe Road needed for Thanksgiving. Discussion. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Motion carried. Bill No. 3452 was postponed.

Mayor Presley called for a break at 8:44 pm and the meeting resumed at 8:57pm.

BILL NO. 3453**Approving a Planned Development amendment to the Sight & Sound Land Use Regulations PD-2006-003 for properties located at 1001 Shepherd of the Hills Expressway.**

Public hearing and first reading of Bill No. 3453, an ordinance approving a Planned Development amendment to the Sight and Sound Land Use Regulations PD-2006-003 for properties located at 1001 Shepherd of the Hills Expressway, Branson, Missouri was read by title by City Clerk Westfall, and the staff report was presented by Ruth Denham. Mayor Presley opened the public hearing and asked for anyone wishing to speak in favor or opposition of this matter. Hearing none, Mayor Presley closed the public hearing and asked for a motion approving the first reading of Bill No. 3453. Alderman Barker moved to approve, 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. 3454**Approving a final subdivision plat for Branson 248 Commercial Park for properties located at 1001 Highway 248.**

Public hearing and first reading of Bill No. 3454, an ordinance approving a final subdivision plat for Branson 248 Commercial Park for properties located at 1001 Highway 248, Branson, Missouri was read by title by City Clerk Westfall, and the staff report was presented by Ruth Denham. Mayor Presley 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:

Don Ingram, P.O. Box 1105, Branson, Missouri, speaking on behalf of Janet Dailey, (handout) said that the 4 to 3 vote at Planning and Zoning is indicative of the contentions over this particular development. The big concern is the storm water retention and storm water management problems with regards to this entire development and the impact it was going to have on the Branson North neighborhood. He suggested that there needs to be a master storm water retention plan or storm water management plan for the entire development. The way it is left now the developer plans to let each lot owner take care of his own storm water. He said he thinks the whole project needs to be turned down and sent back to Planning and Zoning for further study and further consideration, particularly on the storm water issue. He said the impact on the neighborhood by development that has already taken place shows the water runoff is not being taken care of. The citizens of Branson North are not being protected. He stated he had personally gone out and looked at the storm water retention basins on several of the projects that are already in place. They are not doing the job currently and this will add more problems by allowing piece meal development in the area without a master storm retention plan, which is a disservice to the citizens of this community.

Shawn Bousheri, 104 Briarcliff, Branson, Missouri stated that he has provided some pictures to the Mayor's office in the past and that the City has done some digging that helped but the heavy rains a couple of weeks ago caused the same problem. It was not a problem prior to the development and he is worried that even more development will cause more of a problem if something is not done.

Carmen Lawson, 108 Briarcliff, Branson, Missouri said that she has more concerns tonight than she has had in the past. She asked what will protect their area from not having the 100 foot buffer of trees accidentally removed. She is concerned with future damages with flooding, noise and even damage to foundations due to blasting and possible roads being built. She questioned if more flooding occurs who is accountable and to whom should she go to. Discussion.

Mayor Presley closed the public hearing and asked for a motion approving the first reading of Bill No. 3454. Alderman Barker so moved, seconded by Alderman Marshall. Mayor Presley asked for anyone wishing to speak regarding this matter. Hearing none, she asked for comments from the Board. Discussion. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Motion carried.

BILL NO. 3455 **Amending Section 66-220 of the Branson Municipal Code, pertaining to Landscape Security Requirement.**

Public hearing and first reading of Bill No. 3455, an ordinance amending Section 66-220 of the Branson Municipal Code, pertaining to Landscape Security Requirements was read by title by City Clerk Westfall, and the staff report was presented by Ruth Denham. Mayor Presley opened the public hearing and asked for anyone wishing to speak in favor or opposition of this matter. Hearing none, Mayor Presley closed the public hearing and asked for a motion approving the first reading of Bill No. 3455. Alderman Barker moved to approve, seconded by Alderman Marshall. 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. 3456 **Amending the 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. 3456, an ordinance amending the Branson Municipal Code Chapter 62, *Parks and Recreation*, Article I, *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 Presley asked for a motion approving the first reading of Bill No. 3456. Alderman Gass 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. 3457 **Amending Section 86-623 of the Branson Municipal Code: Schedule III: Restrictive and Prohibited Parking.**

First reading of Bill No. 3457, an ordinance amending Section 86-623 of the Branson Municipal Code: Schedule III: Restricted or Prohibited Parking 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. 3457. 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. 3458 **Approving a pipeline crossing agreement between the Union Pacific Railroad Company and the City of Branson, and authorizing the Mayor to enter into the agreement pertaining to a sanitary sewer line crossing for Branson Commerce Park.**

First reading of Bill No. 3458, an ordinance approving a pipeline crossing agreement between the Union Pacific Railroad Company and the City of Branson, and authorizing the Mayor to enter into the agreement pertaining to a sanitary sewer line crossing for Branson Commerce Park 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. 3458. Alderman Purvis so moved, seconded by

Alderman Barker. 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. 3459 **Accepting the proposal of Bid Award for a Sport Utility Vehicle for the Parks and Recreation Department.**

First reading of Bill No. 3459, an ordinance accepting the proposal of Bid Award for a Sport Utility Vehicle for the Parks and Recreation Department for 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 Cindy Shook. Mayor Presley asked for a motion approving the first reading of Bill No. 3459. Alderman Barker 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.

RESOLUTION NO.
2007- R016 **Approving the renewal of the ExploreBranson domain name license agreement between the Branson Lakes Area Tourism Community Enhancement District and the City of Branson.**

A Resolution reviewing and approving the renewal of the ExploreBranson domain name license agreement between the Branson Lakes Area Tourism Community Enhancement District and the City of Branson was read by title by City Clerk Westfall, and a staff report was presented by Paul Link. Mayor Presley asked for a motion adopting the Resolution. Alderman Purvis so moved, seconded by Alderman Barker. 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-R016 was adopted.

RESOLUTION **Approving a Preliminary Subdivision Plat for TanStone Plaza for properties located at 284 Forsythe Boulevard.**

A Resolution approving a Preliminary Subdivision Plat for TanStone Plaza for properties located at 284 Forsythe Boulevard, Branson, Missouri was read by title by City Clerk Westfall, and a staff report was presented by Ruth Denham. Mayor Presley asked for a motion adopting the Resolution. Alderman Gass so moved, seconded by Alderman Barker. Mayor Presley asked for anyone wishing to speak regarding this matter. Discussion. Alderwoman Williams moved to postpone until the Planned Development comes before the Board. Seconded by Alderman Marshall. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. This Resolution was postponed.

APPOINTMENTS

Mayor Presley made the following Board and Committee appointments:

Dave Edie to the Capital Improvement Committee, term expiring April 2008.

Chuck Adams to the Capital Improvement Committee, term expiring April 2008.

Jeff Justus reappointment to the Advisory Park Board, term expiring June 2010.

Joe McDowell reappointment to the Advisory Park Board, term expiring June 2010.

Dan Ruether reappointment to the Branson Hills Community Improvement District, term expiring January 2, 2011.

Joe Priesmeyer to the Branson Hills Community Improvement District, replacing Julie Feagan, term expiring January 2, 2011.

John Austin Moore to the Branson Hills Community Improvement District replacing James Thompson, term expiring January 2, 2011.

Mayor Presley asked for a motion approving these appointments. Alderman Barker moved to approve the appointments as presented, seconded by Alderwoman Williams. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Motion carried.

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 Barker moved to recognize the disbursements, seconded by Alderman Marshall. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Motion carried.

ALDERMEN/ADMINISTRATOR'S REPORTS

Alderman Marshall said that he had done some research on nightly and weekly condo rentals in Branson and noticed that there were various tax rates charged by the different owners. He suggested that staff contact condo owners to let them know that the tax rate is 11.6% and that 4% is tourism tax that needs to be submitted to the city for nightly and weekly rentals. He feels that many owners may not understand or be aware of what the tax is. He asked that Ferris Brown prepare a report explaining how the city handles tourism tax collections on condo rentals.

Alderman Gass said that Alderman Marshall brought up a good point and noted that Carl Garrett does a great job and it would surprise him if he does not know about this.

Alderman McDowell stated that he was pleased to see Joe Sullivan recognized and stated he does a lot on behalf of the community.

Alderman Barker echoed what Alderman McDowell said about Joe Sullivan and said that he appreciates him.

Alderwoman Williams said that she wanted to thank Mr. VanGilder and staff for removing the dead trees from the round about. She said that she hoped that they would be replaced in the spring.

Alderman Purvis acknowledged the participation of the members of the Liquor Task Force and commented it was a very amicable meeting with a lot of positive input and good questions. He said he felt that the ground work had been laid for some modifications to the ordinance.

Mayor Presley stated she also thought that the Liquor Task Force meeting had gone well. The Personnel Committee will be meeting to review the nine firms that submitted for the Administrator search. The Finance Committee will meet on Tuesday, September 25, 2007 at 10:00 a.m. and the Tourism Tax Enhancement District will have their annual meeting in the Council Chambers Wednesday, September 26, 2007 at 1:30 p.m.

SPECIAL AGENDA ITEM

The Transportation Development District held a concurrent meeting. (see attached minutes).

ADJOURN

At this time Mayor Presley asked for a motion to adjourn the Board of Alderman meeting. Alderman Barker so moved, seconded by Alderman Purvis. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Motion carried. Meeting adjourned at 10:26 p.m.