

MINUTES

THE REGULAR MEETING OF THE BOARD OF ALDERMEN CITY OF BRANSON, MISSOURI October 8, 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 October 8, 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, City Engineer David Miller, Director of Planning and Zoning Don Stephens, Police Chief Caroll McCullough, Division Fire Chief Ted Martin, Director of Health Linn Smith, Director of Computer Information Services D.J. Cline 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.

APPROVAL OF MINUTES

Mayor Presley asked for any additions or corrections to the minutes of the Board of Aldermen September 24, 2007 regular meeting and public comments meeting and October 2, 2007 special meeting. Hearing none, Mayor Presley asked for a motion approving the minutes. Alderman Purvis so moved, seconded by Alderwoman Williams. 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. Hearing none, 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 presented. City Clerk Westfall read the following Consent Agenda items by title.

ACKNOWLEDGEMENT OF MINUTES

Receipt of minutes for the August 7, 2007 and September 4, 2007 Planning and Zoning Commission meeting, the August 21, 2007 Park Board Meeting and the Health Department Service Integration Task Force meeting of September 6, 2007 were acknowledged within the Consent Agenda. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Motion carried.

BILL NO. 3440
Ord. No. 2007-094

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

Final reading of Bill No. 3440, an ordinance amending Chapter 86 of the Branson Municipal Code *Traffic and Vehicles, Article III Operation of Vehicles, Section 86-112 Operation of Bicycles; Skateboards; Riding Motorized Bicycle on Sidewalk* was read by title by City Clerk Westfall. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Ordinance No. 2007-094 was duly enacted.

BILL NO. 3451
Ord. No. 2007-095

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.

Final 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. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Ordinance No. 2007-095 was duly enacted.

BILL NO. 3453
Ord. No. 2007-096

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.

Final 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. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Ordinance No. 2007-096 was duly enacted.

BILL NO. 3454
Ord. No. 2007-097

Approving a final subdivision plat for Branson 248 Commercial Park for properties located at 1001 Highway 248.

Final 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. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Ordinance No. 2007-097 was duly enacted.

BILL NO. 3455
Ord. No. 2007-098

Amending Section 66-220 of the Branson Municipal Code, pertaining to Landscape Security Requirement.

Final 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. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Ordinance No. 2007-098 was duly enacted.

BILL NO. 3456

Ord. No. 2007-099

Amending the Branson Municipal Code Chapter 62, Parks and Recreation, Article I, In General, by amending Section 62-11 relating to campground fees.

Final 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. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Ordinance No. 2007-099 was duly enacted.

BILL NO. 3457

Ord. No. 2007-100

Amending Section 86-623 of the Branson Municipal Code: Schedule III: Restricted or Prohibited Parking.

Final 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. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Ordinance No. 2007-100 was duly enacted.

BILL NO. 3458

Ord. No. 2007-101

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.

Final 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. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Ordinance No. 2007-101 was duly enacted.

BILL NO. 3459

Ord. No. 2007-102

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

Final 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. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Ordinance No. 2007-102 was duly enacted.

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

REGULAR AGENDA

UPDATE ON AREA WORKFORCE

A report on area workforce was given by Tom Leonard, Manager of the Missouri Career Center, 2720 Shepherd of the Hills Expressway, Branson, Missouri. Mayor Presley asked if anyone had questions or comments. Discussion. Mayor Presley asked for a motion to accept the update. Alderwoman Williams so moved, seconded by Alderman Purvis. 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.**

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. Mayor Presley said that this Bill was postponed from the September 24, 2007 meeting. At that meeting it had a Public Hearing, first reading, motion to approve and second. She said that the Board was now ready to have additional discussion and asked for anyone in the audience wishing to speak regarding this bill. Hearing none, Mayor Presley then asked for comments from the Board. Discussion. Ann Morrissey, representing Liz Nguyen, questioned the existing alignment and plans for the Highway 76 intersection. Discussion. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Motion carried.

BILL NO. 3460 **Annexing property petitioned by Samuel Coryell located at 1693 Shepherd of the Hills Expressway.**

Public hearing and first reading of Bill No. 3460, an ordinance annexing property petitioned by Samuel Coryell located at 1693 Shepherd of the Hills Expressway, 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 of this matter. Hearing none, Mayor Presley closed the public hearing and asked for a motion approving the first reading of Bill No. 3460. 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. 3461 **Authorizing the Mayor to execute a Transportation Enhancement Funds Program Agreement with the Missouri Highways and Transportation Commission pertaining to Trail Construction.**

First reading of Bill No. 3461, an ordinance authorizing the Mayor to execute a Transportation Enhancement Funds Program Agreement with the Missouri Highways and Transportation Commission pertaining to Trail Construction was read by title by City Clerk Westfall, and the staff report was presented by David Miller. Discussion. Mayor Presley asked for a motion approving the first reading of Bill No. 3461. Alderman Barker moved to approve, 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. 3462 **Accepting the proposal for purchase of waterline construction material for the Water Distribution Division of the Public Works Department for the City of Branson.**

First reading of Bill No. 3462, an ordinance accepting the proposal for purchase of waterline construction material for the Water Distribution Division of the Public Works Department for the 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 Larry VanGilder. Mayor Presley asked for a motion approving the first reading of Bill No. 3462. Alderman Gass so moved, seconded by Alderwoman Williams. 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. 3463 **Accepting the proposal of bid for the purchase of tactical body armor vests for the Branson Police Department.**

First reading of Bill No. 3463, an ordinance accepting the proposal of bid for the purchase of tactical body armor vests 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 Presley asked for a motion approving the first reading of Bill No. 3463. 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. 3464 **Accepting the proposal of bid award for the purchase of console workstations for the Branson Police Department's Communication Center.**

First reading of Bill No. 3464, an ordinance accepting the proposal of bid award for the purchase of console workstations for the Branson Police Department's Communication Center 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 Presley asked for a motion approving the first reading of Bill No. 3464. 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.

BILL NO. 3465 **Accepting the proposal of bid for the purchase of communications equipment for the Branson Police Department.**

First reading of Bill No. 3465, an ordinance accepting the proposal of bid for the purchase of 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 Presley asked for a motion approving the first reading of Bill No. 3465. Alderman Gass 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. 3466 **Accepting the proposal of bid award to Rosetta Construction, LLC pertaining to the Lift Station #31 Upgrade Project for the City of Branson.**

First reading of Bill No. 3466, an ordinance accepting the proposal of bid award to Rosetta Construction, LLC pertaining to the Lift Station #31 Upgrade Project for the City of Branson and

authorizing the Mayor to execute a contract in accordance with the terms of the proposal for bids 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. 3466. 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. 3467 **Accepting a proposal for the provision of services between the City of Branson and Branson Arts Council.**

First reading of Bill No. 3467, an ordinance accepting a proposal for the provision of services between the City of Branson and Branson Arts Council and authorizing the Mayor to enter into the agreement was read by title by City Clerk Westfall, and the staff report was presented by Lisa Westfall. Mayor Presley asked for a motion approving the first reading of Bill No. 3467. Alderman Gass 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. 3468 **Accepting a proposal for the provision of services between the City of Branson and Christian Action Ministry (CAM).**

First reading of Bill No. 3468, an ordinance accepting a proposal for the provision of services between the City of Branson and Christian Action Ministry (CAM) and authorizing the Mayor to enter into the agreement was read by title by City Clerk Westfall, and the staff report was presented by Lisa Westfall. Mayor Presley asked for a motion approving the first reading of Bill No. 3468. 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.

BILL NO. 3469 **Accepting a proposal for the provision of services between the City of Branson and the Salvation Army.**

First reading of Bill No. 3469, an ordinance accepting a proposal for the provision of services between the City of Branson and the Salvation Army and authorizing the Mayor to enter into the agreement was read by title by City Clerk Westfall, and the staff report was presented by Lisa Westfall. Mayor Presley asked for a motion approving the first reading of Bill No. 3469. Alderman Purvis so moved, seconded by Alderwoman Williams. Mayor Presley asked for anyone wishing to speak regarding this matter. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Motion carried.

RESOLUTION NO.
2007- R017 **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. Mayor Presley stated that this Resolution was postponed from the September 24, 2007 meeting. At that meeting it had a first reading, motion to approve and second. She said that the Board was now ready to have additional discussion and asked for anyone wishing to speak regarding this matter. Hearing none, Mayor Presley called for a vote. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Resolution No. 2007-R017 was adopted.

**RESOLUTION NO.
2007-R018**

Accepting the September 27, 2007 Resolution by the Service Integration Task Force and the continuing intent by the Branson Board of Aldermen to explore service integration between the City of Branson Health Department and the Taney County Health Department.

A Resolution accepting the September 27, 2007 Resolution by the Service Integration Task Force and the continuing intent by the Branson Board of Aldermen to explore service integration between the City of Branson Health Department and the Taney County Health Department was read by title by City Clerk Westfall and a report was presented by Mayor Presley. Mayor Presley asked for a motion adopting the resolution. Alderman Barker moved to adopt the resolution, seconded by Alderwoman Williams. Mayor Presley asked for anyone wishing to speak regarding this matter. Discussion. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Resolution No. 2007-R018 was adopted.

**RESOLUTION NO.
2007-R019**

Approving assignment of lease agreement from Forever Together Incorporated. DBA, Scotty's Trout Dock to Patton Companies, LLC and its members Lamar Patton and Kerrie Nell Patton of a portion of shoreline as more particularly described in the lease agreement dated March 28, 2005.

A Resolution approving assignment of lease agreement from Forever Together Incorporated, DBA, Scotty's Trout Dock to Patton Companies, LLC and its members Lamar Patton and Kerrie Nell Patton of a portion of shoreline as more particularly described in the lease agreement dated March 28, 2005 was read by title by City Clerk Westfall and a report was presented by Alderwoman Williams. Mayor Presley asked for a motion adopting the resolution. Alderman Purvis so moved, seconded by Alderwoman Williams. Mayor Presley asked for anyone wishing to speak regarding this matter. Lamar Patton, 220 Wilshire Drive, Hollister, Missouri introduced himself and his family and said that they are asking the Board to reassign the lease to them so that they can close the transaction by the end of October. Discussion. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Resolution No. 2007-R019 was adopted.

DISBURSEMENTS

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

OTHER BUSINESS

Alderwoman Williams moved to reschedule the regular meeting of November 12, 2007 to November 13, 2007 due to Veterans' Day and to cancel the regular meeting of December 24, 2007 due to Christmas Eve, seconded by Alderman Barker. Mayor Presley called for a vote. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Motion carried.

ALDERMEN/ADMINISTRATOR'S REPORTS

Alderman Gass said he attended the Home Show at the Convention Center and thanked Mark Hartman for doing such a professional job.

Alderman McDowell stated the Capital Improvements Committee met and the downtown traffic issue, the round-about and the bridge is continuing to be discussed. He also commended Mark Hartman on the Home Show.

Alderman Barker congratulated the Milstead's on their retirement and thanked them for being such an important part of the community.

Alderwoman Williams also thanked Rich and Jonie Milstead for doing such a wonderful job all these years.

Alderman Purvis told the Milstead's they were a great neighbor and he was truly going to miss them.

Frank Schoneboom said on September 28th the Directors held an employee appreciation luncheon that was well received and successful. He acknowledged D. J. Cline, Director of CIS and City Clerk Lisa Westfall for their work on the wireless response system.

Mayor Presley noted there will be interviews with the Auditing Firms, the Executive Search Firms and the Citizen Survey Firms. She said a lot that the Board has been planning and talking about is now coming into place.

ADJOURN

At this time Mayor Presley asked for a motion to adjourn the Board of Alderman meeting. Alderman Purvis so moved, seconded by Alderwoman Williams. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Motion carried. Meeting adjourned at 8:58 p.m.