

# MINUTES

## THE REGULAR MEETING OF THE BOARD OF ALDERMEN CITY OF BRANSON, MISSOURI January 14, 2008

### INTRODUCTORY

The Board of Aldermen of the City of Branson, Missouri met in regular session in the Council Chambers of the City Hall on January 14, 2008 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 Planning and Zoning Don Stephens, Police Chief Caroll McCullough, Director of Computer Information Services D.J. Cline, Director of Engineering David Miller, Director of Finance Ferris Brown, Director of Health Linn Smith 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 Bob Alexander for his service on the Board of Adjustments.

Mayor Presley introduced Kerri Bell, President of the Missouri Government Finance Officers Association of the United States and Canada (GFOA) who presented the City of Branson former Finance Director Deanna Schlegel the Certificate of Achievement for Excellence in Financial Reporting for its comprehensive annual financial reporting and governmental accounting for 2006.

### PUBLIC COMMENT

Mayor Presley began the Public Comments section of the Board of Aldermen meeting by stating that the Board would hear citizens that signed up to speak in the order of the first person signing the sheet.

The speakers for the evening were:

John Freed, 220 Eagle Point Drive, Branson, Missouri, said he has concerns about two stop lights that he would like staff to address. One is located at Roark Valley Road and comes out to Highway 76. He said that it appears to be red even after it turns green. His other concern is the light at the new Dick Clark roundabout going west to east. He stated that in the morning around 8:30 a.m. you are driving into the sunlight and as you come around the curve it is virtually impossible to see the light. He suggested a caution sign be placed to warn of the upcoming light.

# CONSENT AGENDA

Mayor Presley 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 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 asked City Clerk Westfall to read the items on the Consent Agenda. City Clerk Westfall read the following Consent Agenda items by title.

Approval of the Board of Aldermen Minutes:

December 5, 2007 special meeting.  
December 7, 2007 special meeting.  
December 10, 2007 regular meeting.  
January 8, 2008 special meeting.

Acknowledge receipt of minutes:

Board of Adjustment meeting of September 27, 2007.  
Citizens Survey Committee meeting of October 19, 2007.  
Budget & Finance Committee meeting of October 23, 2007.  
Budget & Finance Committee meeting of November 29, 2007.  
Budget & Finance Committee meeting of December 18, 2007.  
Health Department Service Integration Task Force meeting of October 25, 2007.  
Capital Improvement Committee meeting of November 13, 2007.  
Planning & Zoning Commission meeting of December 4, 2007.

Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Motion carried.

## **BILL NO. 3490**

**Ord. No. 2008-001**      **Approving annexation of property petitioned by Richard Matto located at 202, 209, 212 & 220 Hunter Avenue.**

Final reading of Bill No. 3490, an ordinance approving annexation of property petitioned by Richard Matto located at 202, 209, 212 & 220 Hunter Avenue, Branson Missouri. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Ordinance No. 2008-001 was duly enacted.

## **BILL NO. 3491**

**Ord. No. 2008-002**      **Approving annexation of property petitioned by Aaron & Joy Penrod located at 130 Brookside Court.**

Final reading of Bill No. 3491, an ordinance approving annexation of property petitioned by Aaron & Joy Penrod located at 130 Brookside Court, Branson, Missouri. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Ordinance No. 2008-002 was duly enacted.

**BILL NO. 3493**  
**Ord. No. 2008-003**

**Amending the Branson Municipal Code, Section 62-11 to increase certain park user fees.**

Final reading of Bill No. 3493, an ordinance amending the Branson Municipal Code, Section 62-11 to increase certain park user fees. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Ordinance No. 2008-003 was duly enacted.

**BILL NO. 3494**  
**Ord. No. 2008-004**

**Awarding the bid to Van Wall Equipment and Turf Professionals for purchase of mowers for the City of Branson Parks and Recreation Department.**

Final reading of Bill No. 3494, an ordinance awarding the bid to Van Wall Equipment and Turf Professionals for purchase of mowers for the City of Branson Parks and Recreation Department and authorizing the Mayor to execute the same. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Ordinance No. 2008-004 was duly enacted.

**BILL NO. 3495**  
**Ord. No. 2008-005**

**Awarding the bid to Thomas Brothers Office Furnishings for the purchase of materials, equipment and labor for the reconfiguration of the Planning and Development Office.**

Final reading of Bill No. 3495, an ordinance awarding the bid to Thomas Brothers Office Furnishings for the purchase of materials, equipment and labor for the reconfiguration of the Planning and Development Office and authorizing the Mayor to execute the same. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Ordinance No. 2008-005 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 Barker. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Motion carried.

## **REGULAR AGENDA**

### **FINAL STATUS REPORT FOR THE BRANSON LANDING AND CONVENTION CENTER**

A final status report on the Branson Landing and Convention Center was given by Jim Martin of the Benham Company. Discussion. Mayor Presley asked for a motion to accept the report. Alderman Barker moved to approve, seconded by Alderman Purvis. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Motion carried.

**BILL NO. 3496**

**Approving an agreement between the City of Branson and the Taney County Health Department providing for consolidation of the Health Departments.**

First reading of Bill No. 3496, an ordinance approving an agreement between the City of Branson and the Taney County Health Department providing for consolidation of the Health Departments 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; Jim Berry, Taney County Health Board of Aldermen

Regular Meeting 1-14-08

Page 3 of 7

Department; Glenda Miller, State Department of Health and Senior Services and Kathleen Wojciehowski, Missouri Institute for Community Health. Mayor Presley asked for a motion approving the first reading of Bill No. 3496. Alderman Barker moved to approve, seconded by Alderman Purvis. Mayor Presley then asked for anyone wishing to speak regarding this matter. Hearing none, Mayor Presley asked for comments from the Board. Discussion. Voting aye: Purvis, Barker, McDowell, Gass and Marshall. Nays: Williams. Motion carried.

**BILL NO. 3497**                    **Approving a Municipal Code amendment to Chapter 46 by adding Section 46-2 to the Branson Municipal Code giving authority to the Taney County Health Department.**

First reading of Bill No. 3497, an ordinance approving a Municipal Code amendment to Chapter 46 by adding Section 46-2 to the Branson Municipal Code giving authority to the Taney County Health Department 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. 3497. Alderman Marshall so moved, seconded by Alderman Barker. Mayor Presley then asked for anyone wishing to speak regarding this matter. Hearing none, Mayor Presley asked for comments from the Board. Discussion. Voting aye: Purvis, Barker, McDowell, Gass and Marshall. Nays: Williams. Motion carried.

**BILL NO. 3498**                    **Approving an amended final subdivision plat for Branson Hills Development Phase 5 for properties located at 200 Wing Foot Drive.**

Public hearing and first reading of Bill No. 3498, an ordinance approving an amended Final Subdivision Plat for Branson Hills Development Phase 5 for properties located at 200 Wing Foot 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 of this matter. Hearing none, Mayor Presley closed the public hearing and asked for a motion approving the first reading of Bill No. 3498. Alderman Marshall so moved, seconded by Alderman Gass. Mayor Presley asked for anyone 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. 3499**                    **Approving a Final Subdivision Plat for Branson Commerce Park for properties located at 3001 Highway 248.**

Public hearing and first reading of Bill No. 3499, an ordinance approving a Final Subdivision Plat for Branson Commerce Park for properties located at 3001 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 of this matter. Hearing none, Mayor Presley closed the public hearing and asked for a motion approving the first reading of Bill No. 3499. Alderman Gass so moved, seconded by Alderman Barker. Mayor Presley asked for anyone 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.

**RESOLUTION NO.**  
**2008-R001**                    **Approving a Preliminary Subdivision Plat for Stone Valley Estates Subdivision for properties located at 1351 Branson Hills Parkway.**

A Resolution approving a Preliminary Subdivision Plat for Stone Valley Estates Subdivision for properties located at 1351 Branson Hills Parkway, Branson, Missouri was read by title by City Clerk

Westfall, and the staff report was presented by Don Stephens. Mayor Presley asked for a motion adopting the Resolution. Alderman Gass so moved, seconded by Alderman Marshall. Mayor Presley asked for anyone in the audience wishing to speak regarding this matter. Hearing none, Mayor Presley asked for comments from the Board. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Motion carried. Resolution No. 2008-R001 was adopted.

**BILL NO. 3500**                    **Approving a Final Subdivision Plat for Stone Valley Estates Subdivision for properties located at 1351 Branson Hills Parkway.**

Public hearing and first reading of Bill No. 3500, an ordinance approving a Final Subdivision Plat for Stone Valley Estates Subdivision for properties located at 1351 Branson Hills Parkway, 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. 3500. Alderman Barker moved to approve, seconded by Alderman Purvis. Mayor Presley asked for anyone 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. 3501**                    **Amending Section 86-623 of the Branson Municipal Code: Schedule III: Restricted or Prohibited Parking.**

First reading of Bill No. 3501, 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. 3501. Alderman Purvis so moved, seconded by Alderman Marshall. Mayor Presley then asked for anyone 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. 3492**                    **Authorizing the expenditure of funds from the City's Tourism Tax Contingency Fund to the Branson Lakes Area Chamber of Commerce to be used for marketing for the Billboard World Song Contest Awards Show.**

First reading of Bill No. 3492, an ordinance authorizing the expenditure of funds from the City's Tourism Tax Contingency Fund to the Branson Lakes Area Chamber of Commerce to be used for marketing for the Billboard World Song Contest Awards Show and authorizing the Mayor to execute the agreement was read by title by City Clerk Westfall. Alderwoman Williams, at the request of the Branson Lakes Area Chamber of Commerce, moved to postpone to the January 28, 2008 meeting, seconded by Alderman Gass. Mayor Presley asked for comments from the Board. Discussion. Voting aye: Purvis, Williams, Barker, McDowell and Gass. Nays: Marshall. Motion carried.

**BILL NO. 3502**                    **Awarding the bid to Comforts of Home Services, Inc. to furnish portable restroom trailer to be located at the south end of Lakeside RV Park.**

First reading of Bill No. 3502, an ordinance awarding the bid to Comforts of Home Services, Inc. to furnish a portable restroom trailer to be located at the south end of Lakeside RV Park and authorizing the Mayor to execute a contract 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. 3502. Alderman Barker so moved, seconded by Alderwoman Williams. Mayor Presley then asked

for anyone 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. 3503                    Awarding the bid to Lindsay Chevrolet, Tri Lakes Ford and Friendly Ford for the purchase of vehicles.**

First reading of Bill No. 3503, an ordinance awarding the bid to Lindsay Chevrolet, Tri Lakes Ford and Friendly Ford for the purchase of vehicles and authorizing the Mayor to execute the same was read by title by City Clerk Westfall, and the staff report was presented by Ferris Brown. Mayor Presley asked for a motion approving the first reading of Bill No. 3503. Alderman Purvis so moved, seconded by Alderman Barker. Mayor Presley then asked for anyone wishing to speak regarding this matter. Hearing none, Mayor Presley asked for comments from the Board. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Motion carried.

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

Alderman Marshall said he was pleased to be back.

Alderman Gass stated it was nice to see Deanna Schlegel and the Finance Department receive the GFOA award and this confirms what a great job they have done. He complimented Jim Martin for his accomplishments.

Alderman Barker said he is always proud of the employees and staff at the City and the professionalism they exhibit on a daily basis. He also thanked Jim Martin for this oversight of the Branson Landing and Convention Center.

Alderwoman Williams thanked Linn Smith, Jim Berry, Bob McDowell, Mayor Presley and TCHD for all of their hard work on the Health Department consolidation agreement.

Mayor Presley said the Citizen Survey is on track and should be out in February. Bob Slavin of Slavin Executive Search Firm met with the Board and City Directors, toured Branson and feels that the search for a City Administrator will go well. She reminded everyone about the tour of the new jail and meeting to discuss the Taneycomo Bridge. She said the auditors are finishing up the audit and will meet with the Finance Committee and make a presentation to the Board and citizens.

## **EXECUTIVE SESSION**

Mayor Presley stated, that concluded the Regular Agenda and entertained a motion to adjourn to a closed Executive Session. Alderman Marshall moved to go into Closed Executive Session pursuant to 610.021.1 for litigation and 610.021.2 RSMo for real estate, seconded by Alderwoman Williams. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Motion carried.

# ADJOURN

At this time Mayor Presley asked for a motion to adjourn the Board of Aldermen 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 8:43 p.m.

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Raeanne Presley  
Mayor

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Lisa K Westfall  
City Clerk