

MINUTES

THE REGULAR MEETING OF THE BOARD OF ALDERMEN CITY OF BRANSON, MISSOURI October 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 October 14, 2008 at 7:00 p.m. with the following members present:

Mayor Presley presiding, Stan Barker, Rick Davis, Sandra Williams, Stephen Marshall, Cris Bohinc and Bob McDowell present.

Also present from the City were: City Administrator Dean Kruithof, Assistant City Administrator Frank Schoneboom, Assistant City Attorney William Duston, City Clerk Lisa Westfall, Director of Communications Jerry Adams, Director of Computer Information Services D.J. Cline, Director of Engineering David Miller, Director of Public Works Larry VanGilder, Fire Chief Carl Sparks, Director of Planning and Zoning Don Stephens and Police Chief Carol McCullough.

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

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.

Dan Ruda, 103 Gailwood, Branson, Missouri commented on the blasting issues the Board is considering. He asked the Board to remember what they are trying to accomplish but not to take it too far so the changes can be enforceable and beneficial to the community as a whole. He also stated the budget needs to be at the top of the list for the Boards consideration with the revenues being down.

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. Alderwoman Williams requested that Item 3, Substitute Bill No. 3594 be moved to the first item under the Regular Agenda. 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.

Approval of the Board of Aldermen Minutes:

September 16, 2008 special meeting
September 18, 2008 study session
September 22, 2008 special meeting
September 22, 2008 regular meeting

Acknowledge Receipt of Minutes:

Capital Improvements Committee meeting of July 14, 2008
Capital Improvements Committee meeting of August 11, 2008
Community Pride Committee meeting of September 19, 2008

Bill No. 3595

Ord. No. 2008-101 **Annexing property petitioned by Table Rock Investments located at 2389 Highway 248.**

Final reading of Bill No. 3595, an ordinance annexing property petitioned by Table Rock Investments located at 2389 Highway 248, Branson, Missouri was read by title by City Clerk Westfall. Voting aye: Barker, Davis, Williams, Marshall, Bohinc and McDowell. Nays: none. Motion carried. Ordinance No. 2008-101 was duly enacted.

Bill No. 3596

Ord. No. 2008-102 **Annexing property petitioned by Tom Boyce Excavating, Inc. located at 175 Dawn Road.**

Final reading of Bill No. 3596, an ordinance annexing property petitioned by Tom Boyce Excavating, Inc. located at 175 Dawn Road, Branson, Missouri was read by title by City Clerk Westfall. Voting aye: Barker, Davis, Williams, Marshall, Bohinc and McDowell. Nays: none. Motion carried. Ordinance No. 2008-102 was duly enacted.

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

REGULAR AGENDA

Substitute Bill No. 3594

Ord. No. 2008-100 **Approving a Municipal Code Amendment by deleting Chapter 10 and enacting a new Chapter 10 of the Branson Municipal Code pertaining to alcoholic beverages. (Substitute)**

Final reading of Substitute Bill No. 3594, an ordinance approving a Municipal Code Amendment by deleting Chapter 10 and enacting a new Chapter 10 of the Branson Municipal Code pertaining to alcoholic beverages was read by title by City Clerk Westfall. Mayor Presley asked for a motion approving the final reading of Substitute Bill No. 3594. Alderwoman Williams 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. Discussion. Alderwoman Williams moved to amend Substitute Bill No. 3594, Section 2 of the ordinance to read as follows: "This ordinance shall be in full force and effect from and upon January 1, 2009", seconded by Alderwoman Bohinc. Mayor Presley asked anyone in the audience wishing to speak regarding this amendment. Hearing none, Mayor Presley asked for comments from the Board. Voting aye: Barker, Davis, Williams, Marshall, Bohinc and McDowell. Nays: none. Motion carried. Mayor Presley asked for comments or questions regarding the Bill as amended. Voting aye: Barker, Davis, Williams, Marshall, Bohinc and McDowell. Nays: none. Motion carried. Ordinance No. 2008-100 was duly enacted.

Bill No. 3597

Approving an amended final subdivision plat for Branson Hills Development Phase 10 for properties located at 1401 Branson Hills Parkway.

Public hearing and first reading of Bill No. 3597, an ordinance approving an amended final subdivision plat for Branson Hills Development Phase 10 for properties located at 1401 Branson Hills Parkway, Branson, Missouri was read by title by City Clerk Westfall and a 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. 3597. Alderman Barker moved to approve, 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. Discussion. Voting aye: Barker, Davis, Williams, Marshall, Bohinc and McDowell. Nays: none. Motion carried.

Bill No. 3598

Amending Section 86-621 of the Branson Municipal Code: Schedule I: Stop Signs.

First reading of Bill No. 3598, an ordinance amending Section 86-621 of the Branson Municipal Code: Schedule I: Stop Signs was read by title by City Clerk Westfall and a staff report was presented by David Miller. Mayor Presley asked for a motion approving the first reading of Bill No. 3598. Alderman McDowell 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 from the Board. Discussion. Voting aye: Barker, Davis, Williams, Marshall, Bohinc and McDowell. Nays: none. Motion carried.

Bill No. 3599

Amending Section 86-622 of the Branson Municipal Code: Schedule II: Speed Limits.

First reading of Bill No. 3599, an ordinance amending Section 86-622 of the Branson Municipal Code: Schedule II: Speed Limits was read by title by City Clerk Westfall and a staff report was presented by David Miller. Mayor Presley asked for a motion approving the first reading of Bill No. 3599. Alderman Barker moved to approve, 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. Voting aye: Barker, Davis, Williams, Marshall, Bohinc and McDowell. Nays: none. Motion carried.

Bill No. 3600

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

First reading of Bill No. 3600, 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 a staff report was presented by Dean Kruithof. Mayor Presley asked for a motion approving the first reading of Bill No. 3600. Alderman Davis 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: Barker, Davis, Williams, Marshall, Bohinc and McDowell. Nays: none. Motion carried.

First reading of Bill No. 3601, an ordinance renaming a public street currently known as Motley Drive to be known as Sight & Sound Drive was read by title by City Clerk Westfall and a staff report was presented by Dean Kruithof. Mayor Presley asked for a motion approving the first reading of Bill No. 3601. Alderman Barker moved to approve, seconded by Alderman Davis. 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: Barker, Davis, Williams and Bohinc. Nays: Marshall and McDowell. Motion carried.

DISBURSEMENTS

Mayor Presley stated the next item was review of disbursements for September 4, 2008 through September 18, 2008 and special run checks for June 12, 2008 and July 11, 2008 and asked if there were any questions regarding the disbursements. [See Master File for copies of disbursements.] Discussion. Mayor Presley asked for a motion acknowledging the receipt of disbursements. Alderman Marshall so moved, seconded by Alderman McDowell. Voting aye: Barker, Davis, Williams, Marshall, Bohinc and McDowell. Nays: none. Motion carried.

MAYOR/ALDERMEN/ADMINISTRATOR'S REPORTS

Alderman McDowell stated in work sessions the Board had the opportunity to speak openly and understand each other's positions on items that were coming before them. He understands they are trying to move away from that but he feels their highest and best use is to discuss any concerns there might be. He asked for some consideration in that. He said he appreciates Mr. Ruda's comments regarding the financing and maybe not looking at a flat line budget but the potential for our revenues to be off. Alderman McDowell said he would like to stay ahead of any financial situations. He appreciated Lori Helle sharing her vision on how to organize the Finance Department so the Board understands the checks and balances that are in place to protect the public, the employees and the funds of the City.

Alderman Barker thanked the Fire, Police and Public Works Departments for their quick response and hard work during the last storm.

Alderman Davis recognized the "Gift of Green, Blossoms of Branson" garden at the corner of Roark Valley and Hwy. 76 and thanked Ben Kennel and the group that take care of the area for making it a nice welcome to our community. He reiterated his concern for winter shelters for the homeless this winter and asked for a report on this at a future meeting. He requested a possible presentation regarding the general economy trends in revenue projections and asked for staff to further educate the community about projections of increasing debt load from the Branson Landing and Convention Center and give some idea as to what sort of economic performance might be required to meet those obligations. He asked staff to look into the evaluation and accuracy of the formulas used to project visitors coming to Branson.

Alderwoman Williams stated her concern about the bond issues and asked staff to look if there is a limit to bond indebtedness and if there is not a limit if it is just interest to be paid. She said there are several big projects coming up in the future and the only available way to do them is with bonds. She said she also misses the review of agenda items in a work session and asked if it was possible to spend time discussing them during the study session.

Alderwoman Bohinc told Mr. Ruda the Budget is foremost in the workload and concerns because right now it's the most important thing being done for the community and it is not being taken lightly.

Administration Kruithof asked David Miller to provide an update on the Roark Valley Road closure. David Miller said Forsythe Road from Roark Valley Road to Hwy. 76 was opened on October 10, 2008 with a few loose ends to clean up. He said Oak Creek Drive is open from the roundabout past Tanger Mall and over to Wildwood with some striping left to do. He announced to the Board at the last Study Session the worst case scenario for Roark Valley Road closure would be to close it soon and it may be closed for some time. He said good progress has been made and it appears at this point the road will not be closed until after Thanksgiving and for two days and maybe less. Mr. Kruithof stated this announcement was made to the Lodging Association.

Mayor Presley thanked the Community Partnership of the Ozarks for hosting server training for businesses serving alcohol in the community. She said there was a good turnout and Chief McCullough and other City staff attended. She thanked CenturyTel for the purchase of the butterfly at the Christian Action Ministry Fundraiser and placing it at City Hall. She congratulated Stephen Marshall and the Chateau for the Gold Key Award from Meetings and Conventions Magazine and the Association Meetings Inner Circle Award. The Mayor reminded everyone of upcoming events. She recognized David and T. Swanson, Boy Scouts from Troup #2001, who are earning their Citizenship for their Community Badge by attending this Board of Aldermen meeting.

EXECUTIVE SESSION

Mayor Presley stated, that concluded the Regular Agenda and entertained a motion to adjourn to a closed Executive Session. Alderman Barker moved to go into Closed Executive Session pursuant to 610.021.3 RSMo for personnel, seconded by Alderwoman Williams. Voting aye: Barker, Davis, Williams, Marshall, Bohinc and McDowell. Nays: none. Motion carried.

ADJOURN

At this time Mayor Presley asked for a motion to adjourn. Alderman Davis moved to adjourn, seconded by Alderman Marshall. Meeting adjourned at 7:54 p.m. Voting aye: Barker, Davis, Williams, Marshall, Bohinc and McDowell. Nays: none. Motion carried.

Raeanne Presley
Mayor

Lisa K Westfall
City Clerk