

# **MINUTES**

**THE REGULAR MEETING OF THE BOARD OF ALDERMEN  
CITY OF BRANSON, MISSOURI  
November 3, 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 November 3, 2008 at 7:00 p.m. with the following members present:

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

Also present from the City were: City Administrator Dean Kruithof, Assistant City Attorney William Duston, City Clerk Lisa Westfall, Director of Communications Jerry Adams, Director of Computer Information Services D.J. Cline, Director of Public Works Larry VanGilder, Director of Human Resources Debbie Durler 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.

No speakers for the evening.

## **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 asked that Item 3, Bill No. 3602, be removed from the Consent Agenda and placed as the first item on 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:

October 23, 2008 study session

Acknowledge Receipt of Minutes:

Budget/Finance Committee meeting of October 23, 2008

Capital Improvement Committee meeting of October 23, 2008

**Bill No. 3603**

**Ord. No. 2008-109**

**Approving a Municipal Code amendment to Chapter 2, Article VI, Section 2-121 and Article X, Section 2-410 of the Branson Municipal Code pertaining to the City Clerk and Finance Director.**

Final reading of Bill No. 3603, an ordinance approving a Municipal Code amendment to Chapter 2, Article VI, Section 2-121 and Article X, Section 2-410 of the Branson Municipal Code pertaining to the City Clerk and Finance Director was read by title by City Clerk Westfall. Voting aye: Barker, Davis, Williams, Bohinc and McDowell. Nays: none. Absent: Marshall. Motion carried. Ordinance No. 2008-109 was duly enacted.

**Bill No. 3604**

**Ord. No. 2008-110**

**Vacating a portion of Forsythe Street.**

Final reading of Bill No. 3604, an ordinance vacating a portion of Forsythe Street, Branson, Taney County, Missouri was read by title by City Clerk Westfall. Voting aye: Barker, Davis, Williams, Bohinc and McDowell. Nays: none. Absent: Marshall. Motion carried. Ordinance No. 2008-110 was duly enacted.

**Bill No. 3594A**

**Ord. No. 2008-111**

**Accepting the proposal of Emery Sapp and Sons, Inc., D/B/A Kennedy Ess Contractors pertaining to the Fall Creek Road Extension Project for the City of Branson.**

Final reading of Bill No. 3594A, an ordinance accepting the proposal of Emery Sapp and Sons, Inc., D/B/A Kennedy Ess Contractors pertaining to the Fall Creek Road Extension Project for the City of Branson and authorizing the Mayor to execute a contract was read by title by City Clerk Westfall. Voting aye: Barker, Davis, Williams, Bohinc and McDowell. Nays: none. Absent: Marshall. Motion carried. Ordinance No. 2008-111 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, Bohinc and McDowell. Nays: none. Absent: Marshall. Motion carried.

## **REGULAR AGENDA**

**Bill No. 3602**

**Ord. No. 2008-108**

**Adopting a budget for the City of Branson, Missouri, for the fiscal year October 1, 2008 through September 30, 2009.**

Final reading of Bill No. 3602, an ordinance adopting a budget for the City of Branson, Missouri, for the fiscal year October 1, 2008 through September 30, 2009 was read by title by City Clerk Westfall. Mayor Presley asked for a motion approving the bill. 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. Voting aye: Barker, Davis, Williams, Bohinc and McDowell. Nays: none. Absent: Marshall. Motion carried. Ordinance No. 2008-108 was duly enacted.

**PRESENTATION OF SUPPLEMENTAL ACTUARIAL VALUATION OF ALTERNATE LAGERS  
(Missouri Local Government Employees Retirement System) REPORT**

A presentation of Supplemental Actuarial Valuation of Alternate Lagers (Missouri Local Government Employees Retirement System) report was provided by Dean Kruithof and Debbie Durler. 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. Mayor Presley asked for a motion to accept the report. Alderwoman Williams so moved, seconded by Alderman Barker. Voting aye: Barker, Davis, Williams, Bohinc and McDowell. Nays: none. Absent: Marshall. Motion carried.

**Bill No. 3605**

**Ord. No. 2008-112      Approving an agreement between USCOC of Greater Missouri and the City of Branson.**

First reading of Bill No. 3605, an ordinance approving an agreement between USCOC of Greater Missouri and the City of Branson and authorizing the Mayor to enter into the agreement was read by title by City Clerk Westfall and a staff report was presented by Dean Kruithof. Discussion. Mayor Presley asked for a motion approving the first reading of Bill No. 3605. Alderwoman Bohinc 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, Bohinc and McDowell. Nays: none. Absent: Marshall. Motion carried. Alderwoman Williams moved to do a second reading of Bill No. 3605 due to the length of time to get this signed and approved. Seconded by Alderman Davis. Mayor Presley asked for questions or comments from the audience. Hearing none, Mayor Presley asked for comments from the Board. Discussion. Voting aye: Barker, Davis, Williams, Bohinc and McDowell. Nays: none. Absent: Marshall. Motion carried. Alderwoman asked for the Ordinance to be read in its entirety. City Clerk Westfall read Bill No. 3605 in its entirety for the final reading as follows:

“An ordinance approving an agreement between USCOC of Greater Missouri and the City of Branson, and authorizing the Mayor to enter into the agreement.

Now, therefore, be it ordained by the Board of Aldermen of the City of Branson, as follows:

Section 1: The Board of Aldermen hereby authorizes the Mayor to execute an Agreement with USCOC of Greater Missouri. In substantially the form attached as Exhibit “1”.

Section 2: This ordinance shall be in full force and effect upon and after its passage and approval.

Read the first time on this \_\_\_\_ day of \_\_\_\_\_, 2008.

Read this second time, passed and truly agreed to by the Board of Aldermen of the City of Branson, Missouri this \_\_\_\_ day of \_\_\_\_\_, 2008. With signatures.”

Mayor Presley asked for a motion approving the final reading of Bill No. 3605. Alderman Davis so moved, seconded by Alderman Barker. Mayor Presley asked for questions or comments from the audience. Hearing none, Mayor Presley asked for comments from the Board. Voting aye: Barker, Davis, Williams, Bohinc and McDowell. Nays: none. Absent: Marshall. Motion carried. Ordinance No. 2008-112 was duly enacted.

**Bill No. 3606**

**Awarding the bid to Bus Andrews Equipment, Inc. for the purchase of five salt and aggregate spreaders with installation and one snow plow with installation for the Public Works Department.**

First reading of Bill No. 3606, an ordinance awarding the bid to Bus Andrews Equipment, Inc. for the purchase of five salt and aggregate spreaders with installation and one snow plow with installation for the Public Works Department of the City of Branson and authorizing the Mayor to execute the same was read by title by City Clerk Westfall and a staff report was presented by Dean Kruithof and Larry VanGilder. Mayor Presley asked for a motion approving the first reading of Bill No. 3606. Alderman Barker moved to approve, seconded by Alderman McDowell. 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, Bohinc and McDowell. Nays: none. Absent: Marshall. Motion carried.

**RESOLUTION NO.  
2008-R014**

**Adopting the Branson/Lakes Area Legislative Partnership's 2009 Legislative Priorities.**

A Resolution adopting the Branson/Lakes Area Legislative Partnership's 2009 Legislative Priorities was read by title by City Clerk Westfall and a staff report was presented by Dean Kruithof. Mayor Presley asked for a motion adopting the resolution. Alderwoman Bohinc moved to adopt the resolution, 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, Bohinc and McDowell. Nays: none. Absent: Marshall. Motion carried. Resolution No. 2008-R014 was adopted.

## **APPOINTMENTS**

Mayor Presley requested the following appointment be made:

Tricia Murray to the Public Building Corporation with a term to expire June, 2013.

Mayor Presley asked for a motion approving the appointment. Alderman Davis so moved, seconded by Alderman Barker. Mayor Presley thanked Al Moon for his many years of service to the Public Building Corporation. Mayor Presley asked for questions or comments. Voting aye: Barker, Davis, Williams, Bohinc and McDowell. Nays: none. Absent: Marshall. Motion carried.

## **DISBURSEMENTS**

Mayor Presley stated the next item was review of disbursements for September 23, 2008 through October 23, 2008 and asked if there were any questions regarding the disbursements. [See Master File for copies of disbursements.] Mayor Presley asked for a motion acknowledging the receipt of disbursements. Alderwoman Williams moved to recognize the disbursements, seconded by Alderman McDowell. Voting aye: Barker, Davis, Williams, Bohinc and McDowell. Nays: none. Absent: Marshall. Motion carried.

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

Alderwoman Bohinc stated the Festival of Lights kickoff was well attended and encouraged everyone to get in the holiday spirit.

Alderman Barker said he hopes everyone is enjoying the new light pole displays. He said the LED lights will last longer and save electricity.

Alderman Davis stated he was appreciative of the commitment in the 2009 budget for some pedestrian way improvements. He requested Ruth Denham, Planning and Zoning; Mr. Harris, Chairman of the Planning and Zoning Commission; Matt Filice, Engineering and Larry VanGilder, Public Works have an informal meeting with Dean Kruithof to review the plan and how to best use those funds for making an impact in that endeavor.

Alderwoman Williams said she toured the Festival of Lights and commented on the many new displays this year. She said the Branson Landing lights are up and look very nice. She hopes to keep going forward in replacing the old stars. She said as you drive into town and see the two displays at the round-a-bout you literally see the Christmas Spirit.

Administrator Kruithof said on Monday, November 10, 2008 at 9:00 a.m. the Capital Improvements Committee will be touring a number of the capital projects the Board has been discussing and he would like to confirm with Board members in order to properly post notice of the meeting.

Mayor Presley said she attended the Missouri Housing Development Commission public hearing and Branson had the most representation there. She stated Veterans Week starts Wednesday, November 6, 2008 and there are several events the Board may be interested in attending. She said the 75<sup>th</sup> Anniversary Veterans Parade will be on Tuesday, November 11, 2008. Mayor Presley said the next Board meeting will be November 25, 2008. Mr. Kruithof discussed the agenda for the November 6, 2008 study session.

## **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 Alderman Davis. Voting aye: Barker, Davis, Williams, Bohinc and McDowell. Nays: none. Absent: Marshall. Motion carried.

## **ADJOURN**

At this time Mayor Presley asked for a motion to adjourn. Alderwoman Williams moved to adjourn, seconded by Alderwoman Bohinc. Meeting adjourned at 7:35 p.m. Voting aye: Barker, Davis, Williams, Bohinc and McDowell. Nays: none. Absent: Marshall. Motion carried.

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Raeanne Presley  
Mayor

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Lisa K Westfall  
City Clerk