

MINUTES

BOARD OF ALDERMEN

CITY OF BRANSON, MISSOURI

April 16, 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 April 16, 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 Computer Information Services D.J. Cline, Director of Engineering David Miller, Director of Public Works Larry VanGilder, Fire Chief Carl Sparks and Police Chief Carroll McCullough.

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

EMPLOYEE OF THE MONTH

Alderman Gass presented the April Employee of the Month to Corporal Matt Gregory of the Branson Police Department (in absentia) for organizing an Abduction Child Alert program for Branson which allows for voluntary participation by citizens within a hundred miles radius of Branson to better protect area children.

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.

Bob Schanz, 269 Hillman Drive, Branson, Missouri stated his concerns with the Taneycomo Bridge and the recent events with the flooding. He said if a new bridge is built it should not be close to the current bridge.

Ron Herschend, 1211 Highway F, Branson, Missouri said he is addressing the Board as a Taney County Commissioner. He requested a sixty day extension to the County/City agreement regarding the Bee Creek sewer line hook up connection fee. He said due to the wet weather some of the work has been postponed. Commissioner Herschend publicly apologized that County Government was unable to respond as quickly as it has in the past with regards to certification of election results and the inconveniences it caused. He said the Commission is looking into it.

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. Alderman McDowell asked that Bill No. 3532 be brought down for further discussion and Alderman Barker asked that Bill No. 3534 be brought down to the Regular Agenda for further discussion. 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:

March 24, 2008 regular meeting
April 2, 2008 special meeting
April 8, 2008 special meeting

Acknowledge receipt of minutes:

Board of Adjustment meeting of October 25, 2007
Planning & Zoning Commission meeting of March 4, 2008
Budget/Finance Committee meeting of February 11, 2008
Budget/Finance Committee meeting of February 26, 2008
Budget/Finance Committee meeting of February 27, 2008
Budget/Finance Committee meeting of March 25, 2008
Liquor Task Force meeting of March 31, 2008

Bill No. 3525

Ord. No. 2008-035 **Approving a Municipal Code amendment to Chapter 70, Section 70-4 (7) of the Branson Municipal Code pertaining to vehicle sign projections.**

Final reading of Bill No. 3525, an ordinance approving a Municipal Code amendment to Chapter 70, Section 70-4 (7) of the Branson Municipal Code pertaining to vehicle sign projections was read by title by City Clerk Westfall. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Motion carried. Ordinance No. 2008-035 was duly enacted.

Bill No. 3526

Ord. No. 2008-036 **Zoning property located at 4633 Fall Creek Road to "R-3" Multi-Family Dwelling District.**

Final reading of Bill No. 3526, an ordinance zoning property located at 4633 Fall Creek Road, Branson, Missouri, to "R-3" Multi-Family Dwelling District was read by title by City Clerk Westfall. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: None. Motion carried. Ordinance No. 2008-036 was duly enacted.

Bill No. 3527

Ord. No. 2008-037 **Zoning property located at 1000 Schaefer Drive to “R-1” One-Family Dwelling District.**

Final reading of Bill No. 3527, an ordinance zoning property located at 1000 Schaefer, Branson, Missouri, to “R-1” One-Family Dwelling District was read by title by City Clerk Westfall. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Motion carried. Ordinance No. 2008-037 was duly enacted.

Bill No. 3528

Ord. No. 2008-038 **Zoning property located at 202, 209, 212, 217 and 220 Hunter Avenue to “R-1” One-Family Dwelling District.**

Final reading of Bill No. 3528, an ordinance zoning property located at 202, 209, 212, 217 and 220 Hunter Avenue, Branson, Missouri, to “R-1” One-Family Dwelling District was read by title by City Clerk Westfall. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Motion carried. Ordinance No. 2008-038 was duly enacted.

Bill No. 3529

Ord. No. 2008-039 **Approving a Final Subdivision Replat for the Branson Ridge Winery for properties located at 648 Sunrise Drive.**

Final reading of Bill No. 3529, an ordinance approving a Final Subdivision Replat for the Branson Ridge Winery for properties located at 648 Sunrise Drive, Branson, Missouri, was read by title by City Clerk Westfall. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Motion carried. Ordinance No. 2008-039 was duly enacted.

BILL NO. 3530

Ord. No. 2008-040 **Authorizing the Mayor to execute a Consent and Agreement related to an existing development agreement between the City, Branson Shoppes Development Company and Ozark Diversified Development Company.**

Final reading of Bill No. 3530, an ordinance authorizing the Mayor to execute a Consent and Agreement related to an existing development agreement between the City, Branson Shoppes Development Company and Ozark Diversified Development Co. and authorizing actions related thereto was read by title by City Clerk Westfall. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Motion carried. Ordinance No. 2008-040 was duly enacted.

BILL NO. 3531

Ord. No. 2008-041 **Appointing Thomas Motley as Municipal Court Judge.**

Final reading of Bill No. 3531, an ordinance appointing Thomas Motley as Municipal Court Judge and authorizing the Mayor to execute the contract was read by title by City Clerk Westfall. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Motion carried. Ordinance No. 2008-041 was duly enacted.

BILL NO. 3533
Ord. No. 2008-043

Approving a Municipal Code amendment to Chapter 90, Article II, Section 90-38 of the Branson Municipal Code pertaining to account adjustments.

Final reading of Bill No. 3533, an ordinance approving a Municipal Code amendment to Chapter 90, Article II, Section 90-38 of the Branson Municipal Code pertaining to account adjustments was read by title by City Clerk Westfall. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Motion carried. Ordinance No. 2008-043 was duly enacted.

BILL NO. 3535
Ord. No. 2008-045

Awarding the bid to Springfield Freightliner Sales for the purchase of two dump trucks for the Public Works Department.

Final reading of Bill No. 3535, an ordinance awarding the bid to Springfield Freightliner Sales for the purchase of two dump trucks 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. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Motion carried. Ordinance No. 2008-045 was duly enacted.

BILL NO. 3536
Ord. No. 2008-046

Awarding the bids to BWI Companies Inc., Pennington Seed and Hummert International for the purchase of agriculture supplies used in park facilities.

Final reading of Bill No. 3536, an ordinance awarding the bids to BWI Companies Inc., Pennington Seed and Hummert International for the purchase of agriculture supplies used in park facilities for the Parks and Recreation Department and authorizing the Mayor to execute the same was read by title by City Clerk Westfall. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Motion carried. Ordinance No. 2008-046 was duly enacted.

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

REGULAR AGENDA

BILL NO. 3534
Ord. No. 2008-044

Approving a Municipal Code amendment to Chapter 90, Article II, Section 90-51 of the Branson Municipal Code pertaining to drilling or use of water wells.

Final reading of Bill No. 3534, an ordinance approving a Municipal Code amendment to Chapter 90, Article II, Section 90-51 of the Branson Municipal Code pertaining to drilling or use of water wells was read by title by City Clerk Westfall and the staff report was presented by Paul Link. Mayor Presley then asked for a motion approving the final reading of Bill No. 3534. Alderman Marshall so

moved, seconded by Alderman Barker. Mayor Presley then asked for anyone in the audience wishing to speak regarding this matter. Hearing none, Mayor Presley asked for comments from the Board. Alderwoman Williams moved to amend the Ordinance in Section 90-51.3 to delete the words "governed by the Public Service Commission of Missouri" and the words "within a Planned Development Zoning District that is", seconded by Alderman Purvis. Mayor Presley then asked for anyone in the audience wishing to speak regarding the amendment. Hearing none, Mayor Presley asked for comments from the Board. Mayor Presley called for a vote on the amendment. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Motion carried. Mayor Presley called for a vote on Bill 3534 as amended. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Motion carried. Ordinance No. 2008-044 was duly enacted.

BILL NO. 3532

Ord. No. 2008-042

Authorizing the Mayor to execute an amendment to the Professional Architectural Services Agreement with Treat Associates P.C. pertaining to architectural design services on the Fire Station #4 Project.

Final reading of Bill No. 3532, an ordinance authorizing the Mayor to execute an amendment to the Professional Architectural Services Agreement with Treat Associates P.C. pertaining to architectural design services on the Fire Station #4 Project was read by title by City Clerk Westfall. Mayor Presley asked for a motion approving the final reading of Bill No. 3532. Alderman Gass so moved, seconded by Alderman Purvis. Mayor Presley then asked for anyone in the audience wishing to speak regarding this matter. Rick Davis, 914 Cliff Drive, Branson, Missouri requested an attempt be made to make this project an energy efficiency design. Mayor Presley asked for comments from the Board. Discussion. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Motion carried. Ordinance No. 2008-042 was duly enacted.

DISBURSEMENTS

Mayor Presley stated the next item was review of disbursements for February 28, 2008 through March 13, 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. Alderman Marshall moved to recognize the disbursements, seconded by Alderwoman Williams. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Motion carried.

ANNOUNCEMENT OF ELECTION RESULTS

City Clerk Westfall read the Certification of Municipal Election results from the April 8, 2008 election into the record (attached).

RECOGNITION OF OUTGOING BOARD OF ALDERMEN MEMBERS

Mayor Presley recognized and presented a plaque to Alderman Purvis and Alderman Gass for their years of service to the City of Branson.

ADJOURN

At this time Mayor Presley asked for a motion to adjourn. Alderman Purvis so moved, seconded by Alderwoman Williams. Voting aye: Purvis, Williams, Barker, McDowell, Gass and Marshall. Nays: none. Motion carried. Meeting adjourned at 7:37 p.m.

Raeanne Presley
Mayor

Lisa K Westfall
City Clerk



TANEY COUNTY CLERK
Donna J. Neeley



CERTIFICATION OF ELECTION RESULTS
By Donna Neeley, Taney County Clerk
 (FOR CANDIDATES)

To: City of Branson

The following is an Official Certificate of Election Results of the General Municipal Election held in Taney County, Missouri, on April 8, 2008, upon the following:

FOR ALDERMAN – WARD 1

TWO YEAR TERM
 Vote for ONE

CANDIDATES	VOTES RECEIVED
Stan Barker	178

CERTIFICATE OF ELECTION RESULTS

I, Donna Neeley, County Clerk and Election Authority of Taney County, Missouri, do hereby certify that the foregoing is a full and accurate return of all votes cast at said election as certified to me by the duly qualified and acting judges of said election.

Certified this 15th day of April, 2008

Donna Neeley
 County Clerk and Election Authority
 Taney County, Missouri
Stacey Clemans,
 Deputy Clerk

Taney County Courthouse Annex • P. O. Box 156 • Forsyth, MO 65653
 (417) 546-7200 • Fax: (417) 546-2519



TANEY COUNTY CLERK
Donna J. Neeley



CERTIFICATION OF ELECTION RESULTS
By Donna Neeley, Taney County Clerk
 (FOR CANDIDATES)

To: City of Branson

The following is an Official Certificate of Election Results of the General Municipal Election held in Taney County, Missouri, on April 8, 2008, upon the following:

FOR ALDERMAN – WARD 2

TWO YEAR TERM
 Vote for ONE

CANDIDATES	VOTES RECEIVED
Jack Purvis	110
Cris Bohinc	172

CERTIFICATE OF ELECTION RESULTS

I, Donna Neeley, County Clerk and Election Authority of Taney County, Missouri, do hereby certify that the foregoing is a full and accurate return of all votes cast at said election as certified to me by the duly qualified and acting judges of said election.

Certified this 15th day of April, 2008

Donna Neeley
 County Clerk and Election Authority
 Taney County, Missouri

Stacey Clemans,
 Deputy Clerk

Taney County Courthouse Annex • P. O. Box 156 • Forsyth, MO 65653
 (417) 546-7200 • Fax: (417) 546-2519



TANEY COUNTY CLERK
Donna J. Neeley



CERTIFICATION OF ELECTION RESULTS
By Donna Neeley, Taney County Clerk
 (FOR CANDIDATES)

To: City of Branson

The following is an Official Certificate of Election Results of the General Municipal Election held in Taney County, Missouri, on April 8, 2008, upon the following:

FOR ALDERMAN – WARD 3

TWO YEAR TERM
 Vote for ONE

CANDIDATES	VOTES RECEIVED
Rick Davis	309
Marc L. Williams	125

CERTIFICATE OF ELECTION RESULTS

I, Donna Neeley, County Clerk and Election Authority of Taney County, Missouri, do hereby certify that the foregoing is a full and accurate return of all votes cast at said election as certified to me by the duly qualified and acting judges of said election.

Certified this 15th day of April, 2008

Donna Neeley
 County Clerk and Election Authority
 Taney County, Missouri
Stacey Clemans,
 Deputy Clerk

Taney County Courthouse Annex • P. O. Box 156 • Forsyth, MO 65653
 (417) 546-7200 • Fax: (417) 546-2519