

MINUTES

**THE REGULAR MEETING OF THE BOARD OF ALDERMEN
CITY OF BRANSON, MISSOURI
September 22, 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 September 22, 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, Police Chief Carol McCullough, Parks Director Cindy Shook and Director of Finance Lori Helle.

Mayor Presley called the meeting to order with the "Pledge of Allegiance" and Larry VanGilder gave the invocation and a moment of silence for Mayor Lou Schaefer.

Mayor Presley offered her condolences for the passing of Mayor Lou Schaefer along with Alderman Barker and Alderwoman Williams.

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.

Bill Skains, 805 Mockingbird, Branson, Missouri said he has fond memories of Mayor Schaefer and he will be missed. He invited the Board to attend the Annual Tourism Board meeting on Tuesday, September 30, 2008 at 10:00 a.m. in the Council Chambers of the City Hall, Branson, Missouri.

John Logan, 2277 Lakeshore Drive, Branson, Missouri, stated the Taney County Commission has approved the month of May to be Harold Bell Wright Month and he wanted to inform the Board of tentative plans for May, 2009. He said in conjunction with Dogwood Times a festival with crafts, drawing on pavement and a parade is being planned for Branson. Discussion.

Mayor Presley welcomed William Duston, Assistant City Attorney and Lori Helle, Director of Finance.

CONSENT AGENDA

Mayor Presley asked Administrator Kruithof if he had any comments regarding the Consent Agenda. Mr. Kruithof commented on Items 9 and 10 and asked the Board to approve these two items on second reading. 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. Alderwoman Williams requested Item 3, Bill No. 3564 be removed from the Consent Agenda and placed after Item 11 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:

September 4, 2008 study session
September 6, 2008 special meeting
September 8, 2008 regular meeting

Acknowledge Receipt of Minutes:

Board of Adjustments meeting of April 24, 2008
Liquor Task Force Committee meeting of May 5, 2008
Capital Improvements Committee meeting of May 12, 2008
Budget/Finance Committee meeting of May 27, 2008
Budget/Finance Committee meeting of June 24, 2008
Budget/Finance Committee meeting of July 31, 2008

Bill No. 3588

Ord. No. 2008-093 Ordering a portion of the Branson Commerce Park Neighborhood Improvement District improvements to be made.

Final reading of Bill No. 3588, an ordinance ordering a portion of the Branson Commerce Park Neighborhood Improvement District improvements to be made was read by title by City Clerk Westfall. Voting aye: Barker, Davis, Williams, Marshall, Bohinc and McDowell. Nays: none. Motion carried. Ordinance No. 2008-093 was duly enacted.

Bill No. 3589

Ord. No. 2008-094 Approving the placement of a housecar for temporary class space for properties located at 2527 Highway 248.

Final reading of Bill No. 3589, a special ordinance approving the placement of a housecar for temporary class space for properties located at 2527 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. 2008-094 was duly enacted.

Bill No. 3585

Ord. No. 2008-095 Approving a Planned Development amendment to the Surrey Grand Crown Resort Condominium Land Use Regulations PD-98-02 pertaining to off-street parking for properties located at 300 Golf View Drive.

Final reading of Bill No. 3585, an ordinance approving a Planned Development amendment to the Surrey Grand Crown Resort Condominium Land Use Regulations PD-98-02 pertaining to off-street parking for properties located at 300 Golf View Drive, 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. 2008-095 was duly enacted.

Bill No. 3590
Ord No. 2008-096

Approving a zoning change for property currently zoned R-3 Multi-family to be rezoned C Commercial located at 1120 West Highway 76.

Final reading of Bill No. 3590, an ordinance approving a zoning change for property currently zoned R-3 Multi-family to be rezoned C Commercial located at 1120 West Highway 76, Branson, Missouri was read by title by City Clerk. Voting aye: Barker, Davis, Williams, Marshall, Bohinc and McDowell. Nays: none. Motion carried. Ordinance No. 2008-096 was duly enacted.

Bill No. 3591
Ord. No. 2008-097

Approving a Municipal Code amendment to Chapter 62, Article 1, Section 62-11 of the Branson Municipal Code pertaining to park user fees.

Final reading of Bill No. 3591, an ordinance approving a Municipal Code amendment to Chapter 62, Article 1, Section 62-11 of the Branson Municipal Code pertaining to park user fees was read by title by City Clerk Westfall. Voting aye: Barker, Davis, Williams, Marshall, Bohinc and McDowell. Nays: none. Motion carried. Ordinance No. 2008-097 was duly enacted.

Bill No. 3592
Ord. No. 2008-098

Awarding the bid to Anchor Fence for the purpose of fence supplies to repair fences at Stockstill Park.

Final reading of Bill No. 3592, an ordinance awarding the bid to Anchor Fence for the purpose of fence supplies to repair fences at Stockstill Park and authorizing the Mayor to execute the same was read by title by City Clerk Westfall. Voting aye: Barker, Davis, Williams, Marshall, Bohinc and McDowell. Nays: none. Motion carried. Ordinance No. 2008-098 was duly enacted.

Bill No. 3593
Ord. No. 2008-099

Awarding the bid to Miller's Excavating and Trucking, LLC. for the purchase of infield mix and installation to repair infields at Stockstill Park.

Final reading of Bill No. 3593, an ordinance awarding the bid to Millers Excavating and Trucking, LLC. for the purchase of infield mix and installation to repair infields at Stockstill Park and authorizing the Mayor to execute the same was read by title by City Clerk Westfall. Voting aye: Barker, Davis, Williams, Marshall, Bohinc and McDowell. Nays: none. Motion carried. Ordinance No. 2008-099 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

PRESENTATION OF THE BRANSON/LAKES AREA CHAMBER OF COMMERCE SECOND QUARTER MARKETING REPORT FOR 2008

Dan Lennon, Vice President of Marketing and Public Relations of the Branson/Lakes Area Chamber of Commerce presented the Second Quarter Marketing Report for 2008 as required by Board of Aldermen
Regular Meeting 09-22-08
Page 3 of 7

contract. Mayor Presley asked for a motion to accept the Branson/Lakes Area Chamber of Commerce Second Quarter Marketing Report for 2008 as required by contract. Alderman Marshall so moved, seconded by Alderman Barker. Mayor Presley asked if anyone in the audience had questions or comments. Hearing none, Mayor Presley asked for comments or questions from the Board. Discussion. Voting aye: Barker, Davis, Williams, Marshall, Bohinc and McDowell. Nays: none. Motion carried.

Bill No. 3564 **Approving a Municipal Code amendment by deleting Chapter 10 and enacting a new Chapter 10 of the Branson Municipal Code pertaining to alcoholic beverages.**

Final reading of Bill No. 3564, 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 stated this bill was postponed from the August 11, 2008 meeting and asked for a motion that Bill No. 3594 be considered as a substitute bill and replacement for Bill No. 3564 and that Bill No. 3564 be removed from the agenda. Alderwoman Williams so moved, seconded by Alderman Marshall. Mayor Presley asked if anyone in the audience had questions or comments. Hearing none, Mayor Presley asked for comments or questions from the Board. Voting aye: Barker, Davis, Williams, Marshall, Bohinc and McDowell. Nays: none. Motion carried. City Clerk Westfall stated the record will reflect that Bill No. 3564 has been replaced with Substitute Bill No. 3594.

Substitute Bill No. 3594 **Approving a Municipal Code Amendment by deleting Chapter 10 and enacting a new Chapter 10 of the Branson Municipal Code pertaining to alcoholic beverages.**

First 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 and a staff report was presented by Dean Kruithof. Mayor Presley asked for a motion approving the first reading of Substitute Bill No. 3594. Alderman Marshall 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.

PUBLIC HEARING ON THE BUDGET FOR THE CITY OF BRANSON, MISSOURI FOR THE FISCAL YEAR OCTOBER 1, 2008 THROUGH SEPTEMBER 30, 2009.

Mayor Presley provided an introduction and a staff report was presented by Dean Kruithof. Mayor Presley opened the public hearing and asked for anyone wishing to speak on this matter. Hearing none, Mayor Presley closed the public hearing and asked for comments from the Board. Discussion. Alderwoman Williams made a statement addressing concerns about the Board of Aldermen's response to the City's financial condition. Note: This Public Hearing was advertised and the budget was unable to be completed so the opportunity for comments was offered.

RESOLUTION NO.
2008-R011 **Authorizing the continuation of necessary and essential expenditures of the budget to operate the City of Branson, Missouri through November 3, 2008.**

Resolution authorizing the continuation of necessary and essential expenditures of the budget to operate the City of Branson, Missouri through November 3, 2008 was read by title by City Clerk Board of Aldermen
Regular Meeting 09-22-08
Page 4 of 7

Westfall and a staff report was presented by Dean Kruithof. Mayor Presley asked for a motion adopting the resolution. Alderwoman Bohinc moved to approve the resolution, seconded by Alderman McDowell. Mayor Presley asked for questions or comments from the audience. John Logan, 227 Lakeshore Drive, Branson, Missouri asked who and what caused the lack of information the Board requested. He asked if the TIF payoff could be renegotiated. Chris Jordan, 131 Roark Hills Drive, Branson, Missouri asked if anything inappropriate or illegal was done and if this is a personnel issue. He asked for more clarification so that generalizations will not be taken out of context. John Logan, 227 Lakeshore Drive, Branson, Missouri said Alderwoman Williams stated it was difficult getting the information and he asked why it was difficult. He said people have a right to know what is going on with their government. Mayor Presley asked for questions or comments. Discussion. Voting aye: Barker, Davis, Williams, Marshall, Bohinc and McDowell. Nays: none. Motion carried. Resolution No. 2008-R011 was adopted.

Bill No. 3595 **Annexing property petitioned by Table Rock Investments located at 2389 Highway 248.**

Public hearing and first 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 and a staff report was presented by Dean Kruithof and 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. 3595. Alderman Barker moved to approve, seconded by Alderman McDowell. Mayor Presley asked for anyone wishing to speak regarding this matter. Voting aye: Barker, Davis, Williams, Marshall, Bohinc and McDowell. Nays: none. Motion carried.

Bill No. 3596 **Annexing property petitioned by Tom Boyce Excavating, Inc. located at 175 Dawn Road.**

Public hearing and first 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 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. 3596. Alderwoman Bohinc moved to approve the bill, seconded by Alderman Barker. Mayor Presley asked for anyone wishing to speak regarding this matter. Discussion. Tom Boyce, 231 Grand Summit Point, Branson, Missouri stated at the time they bought the property it was in the county and they acquired the required permits to build from the county. Voting aye: Barker, Davis, Williams, Marshall, Bohinc and McDowell. Nays: none. Motion carried.

RESOLUTIONS

RESOLUTION NO.
2008-R012 **Expressing the Board of Aldermen's support of the Missouri Department of Transportation's "Option A" for the second bridge over Lake Taneycomo.**

Resolution expressing the Board of Aldermen's support of the Missouri Department of Transportation's "Option A" for the second bridge over Lake Taneycomo was read by title by City Clerk Westfall and the staff report was presented by Dean Kruithof. Mayor Presley asked for a motion adopting the resolution. Alderman Barker so moved, seconded by Alderman Marshall. Mayor Presley

asked for questions or comments. Discussion. Voting aye: Barker, Davis, Williams, Marshall, Bohinc and McDowell. Nays: none. Motion carried. Resolution No. 2008-R012 was adopted.

APPOINTMENTS

Mayor Presley requested the following appointment be made:

Chris Lucchi to the Tourism Community Enhancement Board with a term to expire October, 2011.

Mayor Presley also requested the establishment of a Special Committee called the Community Pride Committee. The purpose of this committee will be to identify high visibility property in the City of Branson and coordinate the maintenance and landscaping of this property through the efforts of community volunteers. The committee will be reviewed and reappointments made annually after the April Municipal Elections. Mayor Presley recommended the following appointments be made with terms expiring April 2009:

Judy Hartley
Jack Herschend
Steve Weyher
Jean Cantwell
Ron Hall
Sandra Brooks
Chris Myer
Jerry Gerhart
Dawn Erickson
Jon Albert
JoAnn Burdorf

Board of Aldermen Representative:

Sandra Williams

Mayor Presley asked for a motion approving the appointments. Alderman Davis so moved, seconded by Alderman Marshall. Mayor Presley asked for questions or comments. Voting aye: Barker, Davis, Williams, Marshall, Bohinc and McDowell. Nays: none. Motion carried.

OTHER BUSINESS

Alderwoman Williams moved to reschedule the regular meeting of Tuesday, November 11, 2008 Board of Aldermen meeting to Monday, November 3, 2008 due to Veteran's Day and cancelling the December 23, 2008 meeting due to Christmas, seconded by Alderwoman Bohinc. Mayor Presley asked for questions or comments. Discussion. Voting aye: Barker, Davis, Williams, Marshall, Bohinc and McDowell. Nays: none. Motion carried.

MAYOR/ALDERMEN/ADMINISTRATOR'S REPORTS

Alderman Marshall urged citizens to review the CAFR report.

Alderwoman Bohinc said she appreciated John Logan's information on Harold Bell Wright and urged people to contribute and support this. She welcomed Lori Helle and said she was glad she was here.

Alderman McDowell also thanked Lori Helle and thanked everyone for coming to the meeting.

Administrator Kruihof said he appreciated Lori Helle coming to the meeting and was happy to have her on board.

Mayor Presley reviewed the upcoming calendar.

ADJOURN

At this time Mayor Presley asked for a motion to adjourn. Alderman Barker moved to adjourn, seconded by Alderman Marshall. Meeting adjourned at 8:52 p.m. Voting aye: Barker, Davis, Williams, Marshall, Bohinc and McDowell. Nays: none. Motion carried.

Raeanne Presley
Mayor

Lisa K Westfall
City Clerk