

# MINUTES

## THE REGULAR MEETING OF THE BOARD OF ALDERMEN CITY OF BRANSON, MISSOURI September 8, 2009

### 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 8, 2009 at 7:00 p.m. with the following members present:

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

Also present from the City were: City Administrator Dean Kruithof, City Clerk Lisa Westfall, Assistant City Attorney William Duston, 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, Economic Development Director Garrett Anderson, Director of Planning and Zoning Jim Lawson, Police Chief Carol McCullough and Finance & Personnel Director Lori Helle.

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 the Board would hear citizens that signed the Speaker's Sheet in the order they are listed on the sheet.

There were 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. Alderman Bohinc asked that Item No. 5, Bill No. 3676 be removed from the Consent Agenda and placed as the first item on the Regular Agenda for additional 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:

August 20, 2009 study session  
August 25, 2009 regular meeting

Acknowledge Receipt of Minutes:

Capital Improvement Committee meeting of April 27, 2009  
Capital Improvement Committee meeting of June 8, 2009  
Budget & Finance Committee meeting of July 28, 2009  
Planning & Zoning Commission meeting of August 4, 2009

**BILL NO. 3673**  
**Ord. No. 2009-063**

**Authorizing the Mayor to execute a Cost Apportionment Agreement with the Missouri Highways and Transportation Commission pertaining to sidewalk and curb ramp improvements to Highway 76 from Roark Valley Road to Sixth Street.**

Final reading of Bill No. 3673, an ordinance authorizing the Mayor to execute a Cost Apportionment Agreement with the Missouri Highways and Transportation Commission pertaining to sidewalk and curb ramp improvements to Highway 76 from Roark Valley Road to Sixth Street was read by title by City Clerk Westfall. Voting aye: Marshall, Williams, Davis, Bohinc, Barker and Simmons. Nays: none. Motion carried. Ordinance No. 2009-063 was duly enacted.

**BILL NO. 3675**  
**Ord. No. 2009-064**

**Approving a Final Subdivision Plat for the Woods for property located at 2201 Roark Valley Road.**

Final reading of Bill No. 3675, an ordinance approving a Final Subdivision Plat for the Woods for property located at 2201 Roark Valley Road, Branson Missouri was read by title by City Clerk Westfall. Voting aye: Marshall, Williams, Davis, Bohinc, Barker and Simmons. Nays: none. Motion carried. Ordinance No. 2009-064 was duly enacted.

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

## **REGULAR AGENDA**

**BILL NO. 3676**

**Amending the Land Use Regulations regarding Section 1.20, signage regulations, tenant signs, for the Planned Development PD-2003-003 known as Branson Landing for properties located at 100 Branson Landing Boulevard.**

Final reading of Bill No. 3676, an ordinance amending the Land Use Regulations, regarding Section 1.20, signage regulations, tenant signs, for the Planned Development PD-2003-003 known as Branson Landing for properties located at 100 Branson Landing Boulevard, Branson, Missouri 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 final reading of Bill No. 3676. Alderman Williams moved to postpone the final reading of this Bill to a date not to exceed October 31, 2009, seconded by Alderman Barker. Mayor Presley then asked for anyone in the audience wishing to speak regarding the postponement of this Bill. Hearing none, Mayor Presley asked for comments from the Board regarding the postponement. Voting aye: Marshall, Williams, Davis, Bohinc, Barker and Simmons. Nays: none. Motion carried.

## **PRESENTATION OF THE BRANSON/LAKES AREA CHAMBER OF COMMERCE SECOND QUARTER MARKETING REPORT FOR 2009**

Ross Summers, President/CEO provided an introduction and Dan Lennon, Vice President of Marketing and Public Relations of the Branson/Lakes Area Chamber of Commerce presented the Second Quarter Marketing Report for 2009 as required by contract. 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.

## **PRESENTATION BY LORI HELLE**

Lori Helle, Director of Finance, provided an update on monthly financial reports. 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.

### **BILL NO. 3678            Amending Chapter 90 of the Branson Municipal Code *Utilities, Article II Combined Waterworks and Sewage System* by amending Section 90-41 *Monthly Water Rates* and Section 90-42 *Monthly Sewer Rates*.**

Public hearing and first reading of Bill No. 3678, an ordinance amending Chapter 90 of the Branson Municipal Code *Utilities, Article II Combined Waterworks and Sewage System* by amending Section 90-41 *Monthly Water Rates* and Section 90-42 *Monthly Sewer Rates* was read by title by City Clerk Westfall and a staff report was presented by Larry VanGilder. 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. 3678. Alderman Davis so moved, seconded by Alderman Williams. 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. Discussion. Voting aye: Marshall, Williams, Davis, Bohinc, Barker and Simmons. Nays: none. Motion carried.

### **BILL NO. 3679            Adopting a budget for the City of Branson, Missouri, for October 1, 2009 through December 31, 2009.**

Public hearing and first reading of Bill No. 3679, an ordinance adopting a budget for the City of Branson, Missouri, for October 1, 2009 through December 31, 2009 was read by title by City Clerk Westfall and a staff report was presented by Dean Kruithof. 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. 3679. Alderman Barker moved to approve, seconded by Alderman Simmons. 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. Discussion. Voting aye: Marshall, Williams, Davis, Bohinc, Barker and Simmons. Nays: none. Motion carried.

### **BILL NO. 3680            Adopting a budget for the City of Branson, Missouri, for January 1, 2010 through December 31, 2010.**

Public hearing and first reading of Bill No. 3680, an ordinance adopting a budget for the City of Branson, Missouri, for January 1, 2010 through December 31, 2010 was read by title by Board of Aldermen  
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City Clerk Westfall. 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. 3680. Alderman Marshall so moved, seconded by Alderman Simmons. 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. Discussion. Voting aye: Marshall, Williams, Davis, Bohinc, Barker and Simmons. Nays: none. Motion carried.

**BILL NO. 3681**                    **Amending Section 86-621 of the Branson Municipal Code: Schedule I: Stop Signs.**

First reading of Bill No. 3681, 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 Dean Kruithof and David Miller. Mayor Presley asked for a motion approving the first reading of Bill No. 3681. Alderman Bohinc so moved, seconded by Alderman Williams. 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. Discussion. Voting aye: Marshall, Williams, Davis, Bohinc, Barker and Simmons. Nays: none. Motion carried.

**BILL NO. 3682**                    **Approving the lease of city property to Jeanne Hendricks d/b/a Branson Lock.**

First reading of Bill No. 3682, an ordinance approving the lease of city property to Jeanne Hendricks d/b/a Branson Lock 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. 3682. Alderman Barker moved to approve, seconded by Alderman Davis. Mayor Presley then asked for anyone in the audience wishing to speak regarding this matter. Jeanne Hendricks said they are a mom and pop business in downtown Branson. They have maintained the lot, it is paved, guttered, kept clean and used for private parking. She said she appreciated the Boards consideration. Jerry Emory, 148 Loganberry Road, Branson, Missouri asked if the lease was for \$240.00 a year and what the annual property tax is on a partial that size. Mayor Presley asked for comments from the Board. Discussion. Voting aye: Marshall, Williams, Davis, Bohinc, Barker and Simmons. Nays: none. Motion carried.

**BILL NO. 3683**                    **Authorizing the expenditure of funds from the City's Tourism Tax Contingency Fund to the Branson Lakes Area Chamber of Commerce for the Branson Area Festival of Lights (BAFOL).**

First reading of Bill No. 3683, an ordinance authorizing the expenditure of funds from the City's Tourism Tax Contingency Fund to the Branson Lakes Area Chamber of Commerce for the Branson Area Festival of Lights (BAFOL) and authorizing the Mayor to execute the agreement was read by title by City Clerk Westfall and a staff report was presented by Dean Kruithof and Alderman Williams. Mayor Presley asked for a motion approving the first reading of Bill No. 3683. Alderman Marshall so moved, seconded by Alderman Williams. 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. Discussion. Voting aye: Marshall, Williams, Davis, Barker and Simmons. Nays: Bohinc. Motion carried.

The meeting recessed at 9:00 and reconvened at 9:08 p.m.

**BILL NO. 3684**

**Approving a Domain Name License Agreement between the Branson Lakes Area Tourism Community Enhancement District and the City of Branson.**

First reading of Bill No. 3684, an ordinance approving a Domain Name License Agreement between the Branson Lakes Area Tourism Community Enhancement District 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 and DJ Cline. Mayor Presley asked for a motion approving the first reading of Bill No. 3684. Alderman Barker moved to approve, seconded by Alderman Davis. Mayor Presley then asked for anyone in the audience wishing to speak regarding this matter. Bill Skains, 805 Mockingbird, Branson, Missouri, Secretary of the Tourism Board, stated this would be a continuation of the agreement they currently have with the City. He said the Tourism Board has used close to \$1 Million in marketing funds to send people directly to the ExploreBranson.com, .net and .org websites. A web specialist has been hired who works at the Convention and Visitors Bureau. He said there has been over a 100% increase in traffic which is substantial and he asked the Board to approve this bill. He said they are also changing from a fiscal year to a calendar year. Dan Lennon stated explorebransonmeetings.com is owned by TCED. He said explorebranson.com was used before the existence of the TCED and was funded by marketing funds. He said they continue to use that site which markets the entire area including Branson. Mayor Presley asked for comments from the Board. Discussion. Voting aye: Marshall, Williams, Davis, Bohinc, Barker and Simmons. Nays: none. Motion carried.

**BILL NO. 3685**

**Accepting the proposal of Branson Lakes Area Chamber of Commerce pertaining to Tourism Marketing.**

First reading of Bill No. 3685, an ordinance accepting the proposal of Branson Lakes Area Chamber of Commerce pertaining to Tourism Marketing and authorizing the Mayor to execute the contract 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. 3685. Alderman Barker moved to approve, seconded by Alderman Simmons. 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. Discussion. Voting aye: Marshall, Williams, Davis, Bohinc, Barker and Simmons. Nays: none. Motion carried.

## **APPOINTMENTS**

Mayor Presley requested the following appointments be made:

Julie Wolfe, re-appointment to the Advisory Park Board with a term expiring June, 2012.

Gabe Miller, appointment to the Advisory Park Board with a term expiring June, 2012.

Brian Blankenship, appointment to the Budget & Finance Committee with a term expiring April, 2010.

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

## **DISBURSEMENTS**

Mayor Presley stated the next item was review of disbursements for July 24, 2009 through August 21, 2009 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 so moved, seconded by Alderman Simmons. Voting aye: Marshall, Williams, Davis, Bohinc, Barker and Simmons. Nays: none. Motion carried.

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

Alderman Barker thanked Lori Helle, her staff and the rest of City staff for their work changing the fiscal year. He said it is a huge task and he appreciated their willingness to take it on and make it happen. He commented on the recent announcement of Larry VanGilder's retirement and said Larry can relate to most working people because he has done it all. He worked his way up to where he is and has served the City in fine fashion. He said the Public Works Department had tremendous growth and Larry has had a huge responsibility and will be missed.

Alderman Simmons said he was here when Larry VanGilder first came to the City and for about the first two or three weeks he knew more about roads than Larry but he quickly overtook him and has done a wonderful job over the years and everyone appreciates it. He said he is proud to live in this thriving, lively community and is pleased to know people are satisfied when they come Branson.

Alderman Marshall sent a "shout out" to his sister Jane in Oakville who is listening to the meeting this evening. He stated there would be a party for Larry before his retirement later in the year.

Alderman Williams said there will be plenty of time in the next few months to go over memories and stories with Larry. She hopes he enjoys his retirement as much as she has. She said she attended the Veteran's Memorial Garden dedication, it was wonderful and she encouraged everyone to stop and walk through. She thanked the volunteers who work and fund it.

Mayor Presley stated Ben Kinel wants to expand the park into the City's property next to the Fire Station and down Roark Road.

Administrator Kruthof said Ben Kinel also requested signs to direct people to parking so they can walk through the garden.

Alderman Davis echoed his sentiments to Larry VanGilder and said he is proud to be associated with him. He thanked everyone involved with the latest meeting regarding the Nature Center. He said it is moving forward and taking a life of its own. He thanked David Miller for continuing to look for an outside funding source

Mayor Presley said she walked through Lakeside Forest and saw a number of dead trees and asked what the plan is for clean up.

Alderman Williams said she would like to see some Dogwood and Redbud trees planted to keep the wilderness look. Larry VanGilder stated he was working on a bid to clean it up.

Alderman Bohinc stated the Veteran's Memorial Garden is great and she thanked all of the volunteers. She said another area she continues to work with is the Downtown and she recently attended a conference in Kansas City. She said she learned a lot and plans to share it at an upcoming meeting. She told Larry VanGilder it will be a sad day when he leaves and she is glad it is not for a few months. She said she gets a lot of mail from people praising the Police Department. She thanked Chief McCullough and the Police Officers for what they do for the Community.

Mayor Presley reminded everyone about the 9-11 remembrance ceremony at the Grand Palace. She said the American Bus Association listed its Top 100 Events in the Nation and Branson has two events listed for next year, Ozark Mountain Christmas and Branson Veteran's Week. She asked the Board for its approval to send a letter to the Governor concerning the decision to cut the tourism budget.

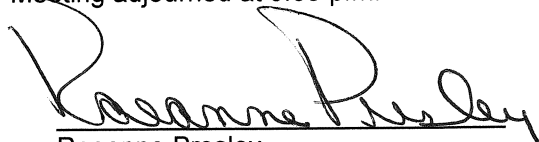
Alderman Marshall noted the American Bus Association's Board of Directors will be meeting in Branson next year.

## EXECUTIVE SESSION

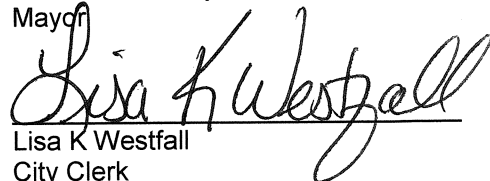
Mayor Presley stated, that concluded the Regular Agenda and entertained a motion to adjourn to a closed Executive Session. Alderman Williams moved to go into Closed Executive Session pursuant to 610.021.1 RSMo for litigation, seconded by Alderman Davis. Voting aye: Marshall, Williams, Davis, Bohinc,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

## ADJOURN

At this time Mayor Presley asked for a motion to adjourn. Alderman Barker moved to adjourn, seconded by Alderman Marshall. Voting aye: Marshall, Williams, Davis, Bohinc, Barker and Simmons. Nays: none. Motion carried. Meeting adjourned at 9:36 p.m.



Raeanne Presley  
Mayor



Lisa K Westfall  
City Clerk

