

# **MINUTES**

**THE REGULAR MEETING OF THE  
BOARD OF ALDERMEN  
CITY OF BRANSON, MISSOURI  
August 9, 2011**

## **INTRODUCTORY**

The Board of Aldermen of the City of Branson, Missouri met in regular session in the Council Chambers of the City Hall on August 9, 2011, at 7:00 p.m. Mayor Presley called the meeting to order with the "Pledge of Allegiance" and Jerry Adams gave the invocation.

## **ROLL CALL**

City Clerk Westfall called roll: Mayor Presley presiding, Bob Simmons, Rick Davis, Rick Todd, Patrick Parnell and Mike Booth present. Absent: Cris Bohinc.

Also present from the City were: City Administrator Dean Kruithof, City Attorney William Duston, City Clerk Lisa Westfall, Communications Director Jerry Adams, Information Technology Director D.J. Cline, Public Works Director and City Engineer David Miller, Parks and Recreation Director Cindy Shook, Utilities Director Mike Ray, Economic Development Director Garrett Anderson, Planning and Development Director Jim Lawson, Police Chief Kent Crutcher, Finance and Personnel Director Lori Helle and Fire Chief Ted Martin.

## **EMPLOYEE OF THE MONTH**

Alderman Todd presented Marsha Fulton of the Parks and Recreation Department as the August Employee of the Month in recognition for her extra efforts during the orientation of seasonal employees this summer.

## **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 this 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. Hearing none, Mayor Presley asked City Clerk Westfall to read the items on the Consent Agenda. City Clerk Westfall read the following Consent Agenda items by title.

Approval of the Board of Aldermen Minutes:

- a) July 21, 2011 Study Session
- b) July 26, 2011 Regular Meeting

Acknowledge Receipt of Minutes:

- a) Advisory Park Board meeting of April 25, 2011
- b) Tree Board meeting of May 4, 2011
- c) Board of Adjustment meeting of May 26, 2011
- d) Budget and Finance Committee meeting of June 23, 2011

**BILL NO. 3957**

**Ord. No. 2011-0079**

**Approving an amendment to the agreement between the City of Branson and Olsson Associates for Operation & Maintenance Manuals and Welding Inspections at the Compton Wastewater Treatment Plant Improvements.**

Final reading of Bill No. 3957, an ordinance approving an amendment to the agreement between the City of Branson and Olsson Associates for Operation & Maintenance Manuals and Welding Inspections at the Compton Wastewater Treatment Plant Improvements and authorizing the Mayor to enter into the agreement was read by title by City Clerk Westfall. Voting aye: Simmons, Davis, Todd, Parnell and Booth. Nays: none. Absent: Bohinc. Motion carried. Ordinance No. 2011-0079 was duly enacted.

**BILL NO. 3958**

**Ord. No. 2011-0080**

**Approving an amendment to the agreement between the City of Branson and HDR/Archer, Inc. for the development of the Comprehensive Water and Wastewater Cost of Service Rate Design and Capacity Fee Study.**

Final reading of Bill No. 3958, an ordinance approving an amendment to the agreement between the City of Branson and HDR/Archer, Inc. for the development of the Comprehensive Water and Wastewater Cost of Service Rate Design and Capacity Fee Study and authorizing the Mayor to enter into the agreement was read by title by City Clerk Westfall. Voting aye: Simmons, Davis, Todd, Parnell and Booth. Nays: none. Absent: Bohinc. Motion carried. Ordinance No. 2011-0080 was duly enacted.

**BILL NO. 3959**

**Ord. No. 2011-0081**

**Accepting the proposal of Hunter Chase & Associates pertaining to the Roark Creek Trail Facilities Maintenance Segment Project for the City of Branson.**

Final reading of Bill No. 3959, an ordinance accepting the proposal of Hunter Chase & Associates pertaining to the Roark Creek Trail Facilities Maintenance Segment Project for the City Board of Aldermen  
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of Branson and authorizing the Mayor to execute a contract was read by title by City Clerk Westfall. Voting aye: Simmons, Davis, Todd, Parnell and Booth. Nays: none. Absent: Bohinc. Motion carried. Ordinance No. 2011-0081 was duly enacted.

**BILL NO. 3960**

**Ord. No. 2011-0082**

**Accepting the proposal of Diamond International of Springfield pertaining to the purchase of a cab and chassis truck.**

Final reading of Bill No. 3960, an ordinance accepting the proposal of Diamond International of Springfield pertaining to the purchase of a cab and chassis truck and authorizing the Mayor to execute the contract was read by title by City Clerk Westfall. Voting aye: Simmons, Davis, Todd, Parnell and Booth. Nays: none. Absent: Bohinc. Motion carried. Ordinance No. 2011-0082 was duly enacted.

**BILL NO. 3961**

**Ord. No. 2011-0083**

**Accepting the proposal of Donelson Construction Company, LLC pertaining to roadway microsurfacing.**

Final reading of Bill No. 3961, an ordinance accepting the proposal of Donelson Construction Company, LLC pertaining to roadway microsurfacing and authorizing the Mayor to execute the contract was read by title by City Clerk Westfall. Voting aye: Simmons, Davis, Todd, Parnell and Booth. Nays: none. Absent: Bohinc. Motion carried. Ordinance No. 2011-0083 was duly enacted.

Mayor Presley opened the floor for a motion to approve all items on the Consent Agenda. Alderman Davis moved to approve, seconded by Alderman Todd. Voting aye: Simmons, Davis, Todd, Parnell and Booth. Nays: none. Absent: Bohinc. Motion carried.

## **REGULAR AGENDA**

### **PRESENTATION OF QUARTERLY UPDATE FROM BILL DERBINS ON THE CONVENTION CENTER, AS REQUIRED BY CONTRACT.**

Administrator Kruihof provided the introduction and a presentation of quarterly update on the Convention Center, as required by contract was made by Bill Derbins and Bill Tirone. 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.

### **UPDATE BY LORI HELLE ON MONTHLY FINANCIAL REPORTS.**

Administrator Kruihof provided the introduction and an update on monthly financial reports was presented by Lori Helle. Mayor Presley asked if anyone in the audience had questions or comments. Hearing none, Mayor Presley asked for comments or questions from the Board. No discussion.

**BILL NO. 3962**

**Establishing the annual levy of a property tax for general revenue in the City of Branson, Missouri, a City of the Fourth Class.**

Public Hearing and First Reading of Bill No. 3962, an ordinance establishing the annual levy of a property tax for general revenue in the City of Branson, Missouri, a City of the Fourth Class was read by title by City Clerk Westfall and a staff report was presented by Administrator Kruithof and Lori Helle. Mayor Presley opened the public hearing and asked if anyone in the audience wished to speak in favor of or opposing this matter. Hearing none, Mayor Presley closed the public hearing. Mayor Presley asked for a motion approving Bill No. 3962. Alderman Simmons so moved, 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: Simmons, Davis, Todd, Parnell and Booth. Nays: none. Absent: Bohinc. Motion carried.

**BILL NO. 3963**

**Amending the adopted 2011 budget for the City of Branson, to adjust monies for the Construction Fund, Capital Project Planning Fund, Tourism Fund, and General Fund.**

First Reading of Bill No. 3963, an ordinance amending the adopted 2011 budget for the City of Branson, to adjust monies for the Construction Fund, Capital Project Planning Fund, Tourism Fund, and General Fund and authorizing the Mayor to execute the same was read by title by City Clerk Westfall and a staff report was presented by Administrator Kruithof and Lori Helle. Mayor Presley asked for a motion approving Bill No. 3963. Alderman Parnell moved to approve, seconded by Alderman Booth. 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: Simmons, Davis, Todd, Parnell and Booth. Nays: none. Absent: Bohinc. Motion carried.

**The meeting recessed at 8:21 p.m. and reconvened at 8:33 p.m.**

**BILL NO. 3964**

**Approving an amendment to the agreement between the City of Branson and Black & Veatch Corporation for the Cooper Creek Wastewater Treatment Plant Antidegradation Study.**

First Reading of Bill No. 3964, an ordinance approving an amendment to the agreement between the City of Branson and Black & Veatch Corporation for the Cooper Creek Wastewater Treatment Plant Antidegradation Study and authorizing the Mayor to enter into the agreement was read by title by City Clerk Westfall and a staff report was presented by Administrator Kruithof and David Miller. Mayor Presley asked for a motion approving Bill No. 3964. Alderman Todd moved to approve, seconded by Alderman Parnell. 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: Simmons, Davis, Todd, Parnell and Booth. Nays: none. Absent: Bohinc. Motion carried.

**BILL NO. 3965**

**Approving a lease agreement between the Missouri Department of Conservation and the City of Branson.**

First Reading of Bill No. 3965, an ordinance approving a lease agreement between the Missouri Department of Conservation and the City of Branson and authorizing the Mayor to execute the contract was read by title by City Clerk Westfall and a staff report was presented by Administrator Kruithof and Mike Ray. Mayor Presley asked for a motion approving Bill No. 3965. Alderman Davis moved to approve, seconded by Alderman Simmons. 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: Simmons, Davis, Todd, Parnell and Booth. Nays: none. Absent: Bohinc. Motion carried.

**BILL NO. 3966**

**Accepting the proposal of Corporate Business Systems pertaining to managed print services for the City of Branson.**

First Reading of Bill No. 3966, an ordinance accepting the proposal of Corporate Business Systems pertaining to managed print services for the City of Branson and authorizing the Mayor to execute the contract was read by title by City Clerk Westfall and a staff report was presented by Administrator Kruithof and DJ Cline. Mayor Presley asked for a motion approving Bill No. 3966. Alderman Booth moved to approve, seconded by Alderman Simmons. 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: Simmons, Davis, Todd, Parnell and Booth. Nays: none. Absent: Bohinc. Motion carried.

**BILL NO. 3967**

**Accepting the proposal of Cargill Deicing Technologies pertaining to deicing salt.**

First Reading of Bill No. 3967, an ordinance accepting the proposal of Cargill Deicing Technologies pertaining to deicing salt and authorizing the Mayor to execute the contract was read by title by City Clerk Westfall and a staff report was presented by Administrator Kruithof and David Miller. Mayor Presley asked for a motion approving Bill No. 3967. Alderman Todd moved to approve, seconded by Alderman Booth. 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: Simmons, Davis, Todd, Parnell and Booth. Nays: none. Absent: Bohinc. Motion carried.

**Alderman Simmons left the meeting at 8:59 p.m.**

**BILL NO. 3968**

**Accepting the proposal of Table Rock Asphalt Construction Company, Inc. pertaining to the Street Mill and Overlay Project.**

First Reading of Bill No. 3968, an ordinance accepting the proposal of Table Rock Asphalt Construction Company, Inc. pertaining to the Street Mill and Overlay Project and authorizing the Mayor to execute the contract was read by title by City Clerk Westfall and a staff report was presented by David Miller. Mayor Presley asked for a motion approving Bill No. 3968. Alderman Davis moved to approve, seconded by Alderman Todd. 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. Alderman Davis moved to amend Bill No. 3968 by removing clause

#23 from the contract, Exhibit 1, seconded by Alderman Parnell. Mayor Presley asked for anyone in the audience wishing to speak regarding this amendment. Hearing none, Mayor Presley asked for comments from the Board on the amendment. Discussion. Mayor Presley called for a vote on the amendment. Voting aye: Davis, Todd, Parnell and Booth. Nays: none. Absent: Bohinc and Simmons. Motion carried. Mayor Presley asked for anyone in the audience wishing to speak regarding Bill No. 3968 as amended. Hearing none, Mayor Presley asked for comments from the Board. No discussion. Mayor Presley called for a vote on the bill as amended. Voting aye: Davis, Todd, Parnell and Booth. Nays: none. Absent: Bohinc and Simmons. Motion carried.

**Alderman Simmons returned to the meeting at 9:13 p.m.**

**RESOLUTION NO.**

**2011-R019**

**Approving the special event permit application for the K-Swiss Ironman 70.3 Triathlon.**

A Resolution approving the special event permit application for the K-Swiss Ironman 70.3 Triathlon was read by title by City Clerk Westfall and a staff report was presented by Administrator Kruithof and Jim Lawson. Discussion. Mayor Presley asked for a motion adopting the resolution. Alderman Davis moved to adopt, seconded by Alderman Simmons. Mayor Presley asked for anyone in the audience wishing to speak regarding this matter. Hearing none, Mayor Presley asked for comments from the Board. No discussion. Mayor Presley called for the vote on the Resolution. Voting aye: Simmons, Davis, Todd, Parnell and Booth. Nays: none. Absent: Bohinc. Motion carried. Resolution No. 2011-R019 was adopted.

**RESOLUTION NO.**

**2011-R020**

**Approving the City of Branson to proceed with the Hazard Mitigation Grant Program (HMGP) Buyout.**

A Resolution approving the City of Branson to proceed with the Hazard Mitigation Grant Program (HMGP) Buyout and authorizing the Mayor to execute all documents and other actions in connection with the process was read by title by City Clerk Westfall and a staff report was presented by Administrator Kruithof, Jim Lawson and Tim Bonner. Mayor Presley asked for a motion adopting the resolution. Alderman Todd moved to adopt, seconded by Alderman Booth. 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 called for the vote on the Resolution. Voting aye: Simmons, Davis, Todd, Parnell and Booth. Nays: none. Absent: Bohinc. Motion carried. Resolution No. 2011-R020 was adopted.

**RESOLUTION NO.**

**2011-R021**

**Approving the City of Branson to proceed with the Community Development Block Grant (CDBG).**

A Resolution approving the City of Branson to proceed with the Community Development Block Grant (CDBG) and authorizing the Mayor to execute all documents and other actions in connection with the process was read by title by City Clerk Westfall and a staff report was presented by Administrator Kruithof and Jim Lawson. Mayor Presley asked for a motion adopting the resolution. Alderman Todd moved to adopt, seconded by Alderman Simmons. Mayor Presley asked for anyone in the audience wishing to speak regarding this matter. Hearing none, Mayor Presley asked for comments from the Board. No discussion. Mayor Presley called for the vote on the Resolution. Voting aye: Simmons, Davis, Todd, Parnell and Booth. Nays: none. Absent: Bohinc. Motion carried. Resolution No. 2011-R021 was adopted.

## **APPOINTMENTS**

Mayor Presley requested the following appointment be made:

Chris Lucchi, appointment to the Tourism Community Enhancement Board with a term expiring October 2014.

Mayor Presley asked for a motion approving the appointments. Alderman Todd moved to approve, seconded by Alderman Parnell. Mayor Presley asked for comments. No discussion. Voting aye: Simmons, Davis, Todd, Parnell and Booth. Nays: none. Absent: Bohinc. Motion carried.

## **DISBURSEMENTS**

Mayor Presley stated the next item was review of disbursements for June 23, 2011, through July 22, 2011, 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 from June 23, 2011, through July 22, 2011. Alderman Booth so moved, seconded by Alderman Todd. Voting aye: Simmons, Davis, Todd, Parnell and Booth. Nays: none. Absent: Bohinc. Motion carried.

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

Alderman Davis mentioned attending the Hiawatha Heights neighborhood social in which members of the neighborhood requested the City apply reflective yellow striping on the neighborhood's speed humps and asked for the signage with the neighborhood's logo on it be installed. Alderman Davis stated citizens have concerns with traffic pattern changes on Lee Street resulting in more cut through traffic and inappropriate behavior has been reported at the end of the cul-de-sac. He added a citizen who resides on the corner of Shawnee and Pocahontas Streets reported having firework remnants in their yard and inquired whether parking should be allowed near these two streets. Alderman Davis requested a presentation at an upcoming meeting regarding the City's strategic plan in order to discuss sustainability efforts for the City. He stated he is interested in learning more about changes in emphasis regarding community policing and asked other Aldermen to meet at 6 p.m. prior to upcoming Board of Aldermen meetings to discuss chapters of the Community Plan.

Alderman Todd provided an update from this week's Capital Improvements Committee meeting and stated the committee reviewed the City's 5-year Capital Plan and staff is updating the formula for the plan. He added staff is coordinating the Capital Plan with the Strategic and Community plans and are making progress. Alderman Todd reported David Miller and the Engineering Department created an accident study program with data compiled from 2009-2011 and stated the next step in the study is analyzing severity and frequency of accidents. Alderman Todd added he appreciates David Miller and his staff for their efforts and mentioned the Capital Improvements Committee discussed the storm sewer plan and is expecting a letter from the DNR that will provide an update on the City's requirements. Alderman Todd mentioned Administrator Kruithof and Staff met with the DNR to discuss clean water and developments on Highways 165 and 265 and proposed a partnership with the DNR in order to improve some of the City's water treatment plants. He stated the latest capital projects update reported projects are on time with the exception of a few projects that may need to go back to the contractor.

Alderman Booth mentioned attending the Taney County Airport Board meeting today and reported an operating profit last month and stated in September or October they are hoping to

complete a resurfacing project at the airport with assistance from MoDOT. He added they also sent out an RFP for a flight school, which would benefit the community.

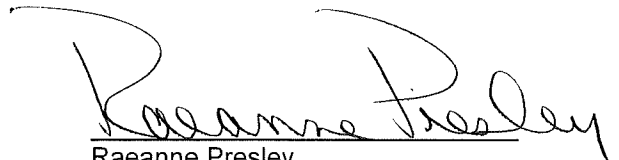
Alderman Simmons commented although the Park Board budget has more expenditures than anticipated, he feels the RecPlex, pool and ball games are doing well, with the exception of the campground as it was closed due to the recent flooding. He added the increases in expenditures are mostly associated with the flooding.

Administrator Kruithof stated the City has annexed property over the years that might be on either side of a state highway, but the actual roadway itself has not been annexed which makes it difficult from a public safety standpoint. He stated the City sent notification through MoDOT to indicate an interest in annexing the highway into the City as this would provide clarification to dispatch on which agency to send to an accident and will help with record keeping. Administrator Kruithof stated there will be further discussion regarding this issue at a future study session in September. He reported meeting today with Mayor Presley, Presiding Commissioner Houseman, Fire Chief Ted Martin, Police Chief Kent Crutcher and Dave Woolery, who was hired by the county to do an assessment of 911 in Taney County. Administrator Kruithof stated Taney County 911 is currently supported by fees on landline telephones and fewer people use landline telephones and money is not being collected on cell phones. He added there are a number of issues related to this such as structure, operation and efficiencies of 911 and feels solutions to many of these issues may require going to the public and asking for a vote. Administrator Kruithof stated this issue is urgent since the 911 reserves are down to about ½ million dollars and it is anticipated there may not be any funds left in about 2 years. He stated the City officially owns the former Branson High School as the property closed today and mentioned AIA is coming and he hopes to have staff meetings beforehand. Administrator Kruithof stated the reception for the new Police Chief Kent Crutcher is this Friday.

Mayor Presley thanked Vicki McFarland and Sonja Paden for volunteering to help children pick out back to school supplies through the Salvation Army and reminded everyone MML is in September. Mayor Presley stated the City of Hollister is hosting the Sewer Summit on August 24-25. She said she toured the Branson House which is a new bed and breakfast and stated Thursday is the unveiling of the new White River building and the tentative date for Thompson Neighborhood meeting is August 30.

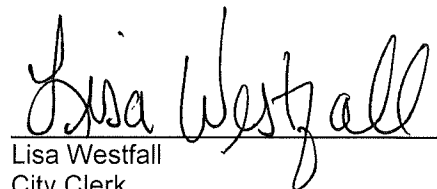
## ADJOURN

Mayor Presley asked for a motion to adjourn. Alderman Davis moved to adjourn, seconded by Alderman Todd. Voting aye: Simmons, Davis, Todd, Parnell and Booth. Nays: none. Absent: Bohinc. Motion carried. Meeting adjourned at 10:04 p.m.



Raeanne Presley

Raeanne Presley  
Mayor



Lisa Westfall

Lisa Westfall  
City Clerk