

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF ALDERMEN
CITY OF BRANSON, MISSOURI, JUNE 09, 2003**

The Board of Aldermen of the City of Branson, Missouri met in regular session in the Council Chambers of the City Hall on June 9, 2003 at 7:00 p.m. with the following members present:

Mayor Schaefer presiding, Dick Gass, Stan Barker, Beverly Martin, Ron Huff, David Edie, and Jack Purvis present.

Also in attendance were: City Administrator Terry Dody, Assistant City Administrator Kevin Faught, City Attorney Dan Wichmer, City Clerk Sandra Williams, City Engineer David Miller, Communications Director Jerry Adams, Director of Planning Don Stephens, Director of Finance Deanna Schlegel, Chief of Police Steve Mefford, Director of Economic Development Mike Rankin, Director of Health Linn Smith, Fire Chief Carl Sparks, Director of Public Works Larry VanGilder, Cliff Sain of the Branson Daily News, Chandra Huston of Branson Independent, John Logan, Kathryn Buckstaff of the NewsLeader, Helen Hagler, Bill Hagler, Kelsy Cochran, Ray Roderick, Gloria Roderick, Sandy Steward, Joe Miller, Bob Klein, Sharon Klein, Deana Action, Rick Harrington, Mike Taylor, J. Babcock, Kent Williams, David Nordyke, Blaine Orr, Ricky R. Renfro, Phyllis Wynn, Tom Leonard, Al Moon, Glen Reiser, Paul Rasmussen, Vonda Olson, June Kuechler, Jim Thompson, Bob Warlick, David Taplin, Jack Ashlock, Rich and Joni Milstead, Pat Rose, Cydney White, Jerrie Glenn, Bob Glenn, Mark Flores, Oscar Reid, A. J. Burrus, Doug Mason, Harold Clements, Jackie Clements, Steve Critchfield, Karen Hall, Gayla Roten, Chuck Pennel, Dick Hartley, Dennis Wood, and Dan Ruda.

Mayor Schaefer called the meeting to order with the “Pledge of Allegiance” and Larry VanGilder gave the invocation.

Mayor Schaefer asked for any additions or corrections to the Minutes of the Special Joint Meeting with Taney County Commission of May 5, 2003, special meeting of May 14, 2003, regular meeting of May 27, 2003, and the special meeting of June 4, 2003. Alderman Huff moved to approve the Minutes as presented, seconded by Alderman Barker. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried.

**APPROVAL
OF MINUTES**

At this time, Alderwoman Martin presented the June Employee of the Month Award to Harold Clements, Police Dispatcher in the Police Department. Alderwoman Martin stated, “Harold was being recognized for taking the initiative to volunteer to refinish several floors in the police department. Harold went beyond his normally required duties and between dispatch calls he stripped, waxed, and sealed floors

**EMPLOYEE
OF THE MONTH**

in the dispatch area as well as several adjacent rooms. On behalf of the Mayor and Board of Aldermen it is an honor to present this plaque naming you as June Employee of the Month.” Harold Clements thanked everyone for the award.

CONSENT AGENDA:

Mayor Schaefer asked City Clerk Williams to read the items being considered on the Consent Agenda as presented. City Clerk Williams read the following Consent Agenda items by title:

Final reading of Bill No. 2606, an ordinance approving an agreement between the City of Branson and Yung Design Group pertaining to creation of the Branson Landing Project Planned Development Zoning District, and authorizing the Mayor to enter into the agreement was approved within the Consent Agenda. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried. Ordinance No. 2003-115 was duly enacted.

**BILL NO. 2606
AGREEMENT
YUNG DESIGN GROUP
BRANSON LANDING
PD ZONING DISTRICT
ORD. NO. 2003-115**

Final reading of Bill No. 2607, an ordinance approving an agreement between the City of Branson and Berger Devine Yaeger, Inc. pertaining to the Downtown Branson Phase II Traffic Study related to the Branson Landing Project, and authorizing the Mayor to enter into the agreement was approved within the Consent Agenda. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried. Ordinance No. 2003-116 was duly enacted.

**BILL NO. 2607
AGREEMENT
BERGER DEVINE YAEGER
TRAFFIC STUDY
PHASE II
ORD. NO. 2003-116**

Final reading of Bill No. 2608, an ordinance authorizing the Mayor to execute amendments to the Cost Participation Agreement with the Missouri Highways and Transportation Commission pertaining to the improvements to the Highway 76 Intersections with Roark Valley Road and Highway 65 was approved within the Consent Agenda. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried. Ordinance No. 2003-117 was duly enacted.

**BILL NO. 2608
AMENDMENT
MODOT AGREEMENT
ROARK VALLEY RD.
INTERSECTION
ORD. NO. 2003-117**

Final reading of Bill No. 2609, an ordinance authorizing the Mayor to execute amendments to the Cost Participation Agreement with the Missouri Highways and Transportation Commission pertaining to the Intersection of Fall Creek at Highway 76 was approved within the Consent Agenda.

**BILL NO. 2609
AMENDMENT
MODOT AGREEMENT
INTERSECTION
FALL CREEK RD.**

Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis.
Nays: none. Motion carried. Ordinance No. 2003-118 was
duly enacted.

ORD. NO. 2003-118

Final reading of Bill No. 2610, an ordinance authorizing
the Mayor to execute amendments to the Cost Participation
Agreement with the Missouri Highways and Transportation
Commission pertaining to the improvements to the
Highway 76 Intersection with Green Mountain Drive was
approved within the Consent Agenda. Voting aye: Gass,
Barker, Martin, Huff, Edie, and Purvis. Nays: none.
Motion carried. Ordinance No. 2003-119 was duly enacted.

**BILL NO. 2610
AMENDMENT
MODOT AGREEMENT
INTERSECTION
GREEN MOUNTAIN DR.
ORD. NO. 2003-119**

Final reading of Bill No. 2611, an ordinance authorizing
the Mayor to execute a Municipal agreement with the Missouri
Highway and Transportation Commission was approved
within the Consent Agenda. Voting aye: Gass, Barker, Martin,
Huff, Edie, and Purvis. Nays: none. Motion carried. Ordinance
No. 2003-120 was duly enacted.

**BILL NO. 2611
MUNICIPAL
AGREEMENT
MODOT
ORD. NO. 2003-120**

Mayor Schaefer asked for any corrections on the Consent Agenda. Receiving none,
Mayor Schaefer entertained a motion to approve the Consent Agenda as read. Alderman
Gass made the motion, seconded by Alderwoman Martin. Voting aye: Gass, Barker,
Martin, Huff, Edie, and Purvis. Nays: none. Motion carried.

REGULAR AGENDA:

Petition for Consent to Annex property owned by
Jeffrey Duane and Luz Angela Lansman, located in Red Oak
Subdivision, Branson, Missouri, was read by title by City
Clerk Williams, and Don Stephens provided the staff report.
Mayor Schaefer entertained a motion to accept the petition
for voluntary annexation. Alderman Gass made the motion,
seconded by Alderman Barker. No discussion. Voting aye: Gass,
Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried.

**PETITION
CONSENT
TO ANNEX
JEFFREY DUANE
AND LUZ ANGELA
LANSMAN**

Petition for Consent to Annex property owned by
Jeffrey S. and Christie Jo Bockman, located in Red Oak
Subdivision, Branson, Missouri, was read by title by City
Clerk Williams, and Don Stephens provided the staff report.
Mayor Schaefer entertained a motion to accept the petition
for voluntary annexation. Alderman Barker moved to accept
this petition, seconded by Alderman Huff. No discussion. Voting
aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried.

**PETITION
CONSENT
TO ANNEX
JEFFREY S. AND
CHRISTIE JO
BOCKMAN**

Petition for Consent to Annex property owned by Danny L. and Pamela J. Yancey, located in Rainbow Shoals, Branson, Missouri, was read by title by City Clerk Williams, and Don Stephens provided the staff report. Mayor Schaefer entertained a motion to accept the petition for voluntary annexation. Alderman Huff made the motion, seconded by Alderman Martin. No discussion. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried.

**PETITION
CONSENT
TO ANNEX
DANNY L. AND
PAMELA J.
YANCEY**

Petition for Consent to Annex property owned by Charles M. and Carole E. Meier, located in Rainbow Shoals, Branson, Missouri, was read by title by City Clerk Williams, and Don Stephens provided the staff report. Mayor Schaefer entertained a motion to accept the petition for voluntary annexation. Alderman Gass made the motion, seconded by Alderwoman Martin. No discussion. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried.

**PETITION
CONSENT
TO ANNEX
CHARLES M.
AND CAROLE E.
MEIER**

Petition for Consent to Annex property owned by William and Ami Bernhardt, located in Rainbow Shoals, Branson, Missouri, was read by title by City Clerk Williams, and Don Stephens provided the staff report. Mayor Schaefer entertained a motion to accept the petition for voluntary annexation. Alderman Gass made the motion, seconded by Alderman Barker. No discussion. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried.

**PETITION
CONSENT
TO ANNEX
WILLIAM AND AMI
BERNHARDI**

Petition for Consent to Annex property owned by Cayolyn D. Coe, located in Rainbow Shoals, Branson, Missouri, was read by title by City Clerk Williams and Don Stephens provided the staff report. Mayor Schaefer entertained a motion to accept the petition for voluntary annexation. Alderman Huff moved to accept the petition for annexation, seconded by Alderman Barker. No discussion. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried.

**PETITION
CONSENT
TO ANNEX
CAROLYN D. COE**

Petition for Consent to Annex property owned by David L. and Phyllis E. Johnson, located in Rainbow Shoals, Branson, Missouri, was read by title by City Clerk Williams, and Don Stephens provided the staff report. Mayor Schaefer entertained a motion to accept the petition for voluntary annexation. Alderman Barker moved to accept this petition, seconded by Alderman Gass. No discussion. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried.

**PETITION
CONSENT
TO ANNEX
DAVID L. AND
PHYLLIS E.
JOHNSON**

A resolution approving a Preliminary Subdivision Plat for White River Investments Subdivision was read by title by City Clerk Williams, and Don Stephens provided the staff report. Mayor Schaefer entertained a motion to approve the resolution. Alderman Gass made the motion, seconded by Alderwoman Martin. No discussion. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried. Resolution No. 2003-R008 was approved.

**RESOLUTION
PRELIMINARY
SUBDIVISION PLAT
WHITE RIVER
INVESTMENTS
RESOLUTION NO. 2003-R008**

Public hearing and first reading of Bill No. 2612, an ordinance enacting a Final Subdivision Plat of Branson Landing was read by title by City Clerk Williams. Don Stephens provided the staff report. Mayor Schaefer opened the public hearing, and after some discussion by the Board and audience, closed the public hearing and entertained a motion to approve the first reading of Bill No. 2612. Alderman Gass made the motion, seconded by Alderman Barker. No discussion. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried.

**PUBLIC HEARING
BILL NO. 2612
FINAL SUBDIVISION PLAT
BRANSON LANDING**

Public hearing and first reading of Bill No. 2613, an ordinance enacting a Final Subdivision Plat of Branson Landing North was read by title by City Clerk Williams. Don Stephens provided the staff report. Mayor Schaefer opened the public hearing, and after some discussion by the Board and audience, closed the public hearing and entertained a motion to approve the first reading of Bill No. 2613. Alderman Barker moved to accept this bill on it first reading, seconded by Alderwoman Martin. No discussion. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried.

**PUBLIC HEARING
BILL NO. 2613
FINAL SUBDIVISION PLAT
BRANSON LANDING NORTH**

Public hearing and first reading of Bill No. 2614, an ordinance enacting a Final Subdivision Plat of Branson Landing South was read by title by City Clerk Williams. Don Stephens provided the staff report. Mayor Schaefer opened the public hearing, and after receiving no comments or discussion from the Board or audience, closed the public hearing and entertained a motion to approve the first reading of Bill No. 2614. Alderman Gass made the motion, seconded by Alderman Barker. No discussion. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried.

**PUBLIC HEARING
BILL NO. 2614
FINAL SUBDIVISION PLAT
BRANSON LANDING SOUTH**

Public hearing and first reading of Bill No. 2615, an ordinance enacting a Final Subdivision Plat of White River Investments Subdivision was read by title by City Clerk Williams. Don Stephens provided the staff report.

**PUBLIC HEARING
BILL NO. 2615
FINAL SUBDIVISION PLAT
WHITE RIVER INVESTMENTS**

Mayor Schaefer opened the public hearing, and after receiving no comments or discussion from the Board or audience, closed the public hearing and entertained a motion to approve the first reading of Bill No. 2615. Alderman Gass made the motion, seconded by Alderman Huff. No discussion. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried.

SUBDIVISION

Public hearing and first reading of Bill No. 2616 annexing property owned by M and J Holding Company into the City was read by title by City Clerk Williams. Don Stephens provided the staff report. Mayor Schaefer opened the public hearing, and after receiving no comments or discussion from the Board or audience, closed the public hearing and entertained a motion to approve the first reading of Bill No. 2616. Alderwoman Martin made the motion, seconded by Alderman Gass. No discussion. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried.

**PUBLIC HEARING
BILL NO. 2616
ANNEXATION
M & J HOLDING
COMPANY**

Public hearing and first reading of Bill No. 2617 an ordinance amending the Land Use Regulations for Planned Development PD-97-001, owned by TRI-L, LLC (Maple Creek Cabins), and located at 3864 Green Mountain Drive, Branson, Missouri was read by title by City Clerk Williams. Don Stephens provided the staff report. Mayor Schaefer opened the public hearing, and after receiving no comments or discussion from the Board or audience, closed the public hearing and entertained a motion to approve the first reading of Bill No. 2617. Alderman Barker made the motion, seconded by Alderman Gass. No discussion. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried.

**PUBLIC HEARING
BILL NO. 2617
LAND USE REGULATIONS
MAPLE CREEK CABINS
3864 GREEN MTN. DR.**

Public hearing and first reading of Bill No. 2618 an ordinance amending the Land Use Regulations for Planned Development PD-2002-02, owned by HCW, LLC, and located at 199 Bucanneer Blvd., Branson, Missouri was read by title by City Clerk Williams. Don Stephens provided the staff report. Mayor Schaefer opened the public hearing, and after some discussion by the Board and audience, closed the public hearing and entertained a motion to approve the first reading of Bill No. 2618. Alderman Huff made the motion, seconded by Alderman Edie. No discussion. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried.

**PUBLIC HEARING
BILL NO. 2618
LAND USE REGULATIONS
HCW, LLC
199 BUCANNEER BLVD.**

First reading of Bill No. 2619, an ordinance amending Title IV, Land Use, Chapter 400: General Provisions, Section 400.040: Definitions and Chapter 410: Zoning Districts, Section 410.040: "C" Commercial

**BILL NO. 2619
AMENDING
BRANSON MUNICIPAL
CODE – CHAPTER IV**

District Regulations, of the Branson Municipal Code, by **LAND USE**
amending language pertaining to Theme Parks and adding
definitions for Amusement Parks and Amusement Parlors was read by title by City Clerk
Williams, and Don Stephens provided the staff report. Mayor Schaefer entertained a
motion approving the first reading of Bill No. 2619. Alderman Barker moved to approve
on first reading, seconded by Alderwoman Martin. Discussion was held regarding
clarification of amusement parlors. Voting aye: Gass, Barker, Martin, Huff, Edie, and
Purvis. Nays: none. Motion carried.

First reading of Bill No. 2620, an ordinance **BILL NO. 2620**
amending Chapter 235 of the Branson Municipal Code **AMENDING**
regarding explosives and fireworks by amending Section **BRANSON MUNICIPAL**
105.6.15 Explosives Permit Fees, and adding Section **CODE – CHAPTER 235**
3308.2.3 Fixed Site Displays to the International Fire **EXPLOSIVES**
Prevention Code was read by title by City Clerk Williams, **PERMIT FEES**
and Don Stephens provided the staff report. Mayor
Schaefer entertained a motion approving the first reading of Bill No. 2620. Alderman Edie
moved to approve on first reading, seconded by Alderman Barker. Discussion. Voting aye:
Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried.

Rick Huffman, HCW Development gave an **PRESENTATION**
update on the waterfront project and the results **UPDATE ON**
of the ICSC conference in Las Vegas. Mr. Huffman **WATERFRONT**
introduced the team working on the project which is **PROJECT**
made up of HCW, Crawford Architects, TBS, Urban Retail
Properties and Wet Design. He indicated the project model was presented at the Urban
Retail’s booth, which was about 10,000 square feet. The Downtown Association attended
along with the HCW Design Team, Urban Retail, the Branson Chamber of Commerce, the
Branson Economic Division of the City, and Mayor Pro-Tem, Ron Huff. What we are
presenting to you tonight is the feed-back and the design layout indicated Mr. Huffman.
The project is made up of approximately 505,000 square feet of office space, retail,
entertainment, and restaurants. TVS has done a site plan which is laid out along Sycamore
Street down to Long Street. The team has also done some analysis of parking and have
determined that additional parking is needed, therefore we are currently working with the
structural engineers on providing parking underneath the retail portion of the project.
Plans are for 3,000 parking spaces that does not include the Convention Center parking,
and the 4-o’clock overflow parking. To make the project successful there needs to be
parking in a certain distance of the project. The Boardwalk and the Seawall is under
design, and the engineers have a couple of recommendations of the types of products that
could be used for them. HCW is about to announce the first anchor as they are finalizing
their store per year, and are working on several other anchors, indicated Mr. Huffman. He
then introduce Oscar Reed, President of the Management Division of Urban Retail.

Mr. Reed indicated they had 60 separate appointments with various retailers while in Las Vegas and that it was a tremendous reception. He stated he was truly amazed at what everyone has done with this town. It is just unbelievable, you have more shows here than in Las Vegas and New York combined. With the elements that are going to be in this project, a Hilton Hotel, a Convention Center and Exhibition Center, and a real mixed bag of retail fashion, retail entertainment, terrific restaurants along with the water show, you have all of the elements of a really successful project. Mr. Reed said HCW had indicated they are expecting 4.5 million visitors a year and if you have 8-million visitors now I can't believe that many of them won't walk a block further down to the Landing.

Alderman Huff asked at what point retailers and restaurants start to sign? Mr. Reed replied that probably the restaurants will come first, then the fashion retail will sign up, but will want legitimacy of a fashion anchor, a department store. The second major one will be a high-tech multi-screened stadium seating motion-picture theater. Mr. Reed indicated he could see this happening relatively quickly. Once you announce your majors and hear the majors of your fashion anchor that is going to lend a lot of credence to the project and certainly the hotel and convention.

Alderman Purvis inquired what size of department store facility being considered? Mr. Reed replied he thought they were talking in the range of 100,000 to 120,000 square feet of space.

Alderman Gass asked about the additional people this project would bring? Mr. Reed replied that it was hard to say. You are going to have a lot of new faces in town. It is going to be the talk of the Midwest.

Alderman Barker asked if this was a good mix to go with? Mr. Reed replied he thought so. I look at this as being a 'Life-style Center' in the shopping business and they have become very popular. People like an outdoor atmosphere with a lot of amenities; coffee shops, theaters, book stores, etc. You also have the water entertainment here plus the Convention Center and the Hotel. You have a great mix here, said Mr. Reed.

Alderman Edie said that some time back it was the desire of this organization to have an architecture mix that would favor the Ozarks, and favorable to one of the only lakefront businesses of its kind in the country. It is my understanding now that is out, and we are now looking at being more upscale. Is that what we are now looking at for the architecture? Mr. Huffman replied that as far as Ozark architecture, they have looked for a definition and can't find it. The closest thing to Ozark architecture would be similar to the design of Big Cedar Lodge. That would probably be my idea of what it would be. However, this project is a lineal project. It is very challenging as most people will only walk about 1012 feet in projects, and this project is about 3500 feet in length. One of the challenges is to figure out how to park people around the 3500 feet, and what do we do with them once we get them there. How do we keep their interest level up? That is why we have gone to a zigzag design so each time you turn a corner you have a view of the water with wide-open spaces, grass areas, waterfalls, water festivals, and civic events along the lake's

edge. The other thing is to keep their interest up to pull the people through the center while they are walking all the way down through the project. That is why we have come up with four-different themes: (1) Hometown America; (2) Kids Area; (3) Italian Theme; and (4) one other theme that has not been decided yet. We have learned that with high dwell times there are high sales, and that is one thing that 'Life-style Centers' have proven that works. It creates a longer dwelling time, more gross sales, and a more profitable project. Alderman Edie asked if the highest and best use of this property is urban type retail? Mr. Huffman replied that it is a mixture.

At this time Rick Graf provide a brief video of what was presented in Las Vegas.

Mr. Huffman informed the Board they were working on the 404 Permit; working with Empire Electric and the Federal Energy Regulation Commission and the PUD with Yung Design. The 404 Permit must have the Seawall information in it before the City can get any type of approval of the 404 Permit. We are also working with Empire Electric to buy a little piece of property that protrudes into the project. We hope to wrap up some of these issues real quick, indicated Mr. Huffman.

The next thing HCW is working on is the land for the Convention Center. Since the TIF was announced, the negotiations for the land acquisition have been on going. We are down to approximately 3 owners in that area. The Branson Landing was purchased at a little over \$15 dollars per square foot on an average. There are different situations for each property, and the evaluation is affected by that; such as, Meeks Lumber is an operating business that will rebuild. That is a different price than the shopping center as the owner does not plan to rebuild and therefore does not have the value of an on-going business. Our goal was to achieve the entire project for under \$10-million, and we are still well under that for the entire assembled piece of property. The average price on the property is in the range of \$15 to \$16-dollars per square foot. We have several contracts, but we have two people that have to be dealt with right away. One is a relocation cost, and for Mr. Pennel's property we are far apart from the price. We should be presenting it to the Board by the next Council meeting, indicated Mr. Huffman.

Isabel Chez of WET Design addressed the Board indicating they wanted to present some of their concepts of what could be an ultimately unique development for the water front feature. Patty Lindsey, Project Designer for this project, then spoke indicating their primary goal is to create a spectacular musical water feature for the Branson Landing Project. We were brought on board with the mandate to create a world-class water feature and attraction here in Branson. By building a musical water feature on the shore of Branson Landing, we can celebrate all that is really special about Branson. Ms. Lindsey then presented a power point, story board presentation showing the large central feature

and the supported side features, the alternatives, and described what the features were composed of and where they recommend the features be located.

Mayor Schaefer then opened the floor for questions and comments.

Rex Grady, Lakeshore Drive, Branson, stated he was really excited about this project, and suggested that in order to get Branson's name on all of the Corps of Engineers maps for free to let Branson become a Port, and to get the name Port in the Branson Landing Project.

David Taplin, Captain of the Sammy Lane Pirate Cruise indicated that he was from Maine and one of the things they did was block off the view so it could not be seen, and he said he agrees with Rick Huffman to keep it open.

Chuck Pennel asked what the costs would be on Alternate I and Alternate III on the WET Design? Mr. Huffman replied that these features are estimated at around \$7.5 million to \$8-million, but we are only asking the City to provide what was in the RFP, our company would be doing the balance.

Chuck Pennel spoke and congratulated the Mayor and Board on getting the TIF, and said he had a concern that the downtown district was at risk to suffer from the distance to the new development. Mr. Pennel asked what they expected downtown Branson to look like in 5 years? Mr. Huffman replied there will be a new parking structure that will be located at an elevation to allow cars to park behind the Hilton that will be at ground level with Commercial Street, on the other side of Sycamore that will go up to Business 65. The Phase II Traffic Study is studying how to bring people down through the middle of Branson but that has not been finalized yet. If we can bring 7-million to 9-million into the downtown area the shops that are up there will do nothing but get better.

Chuck Pennel asked for an update on the marketing plan? Mr. Huffman stated that marketing is very important and there is marketing dollars that are in every lease agreement that every tenant will be agreeing to in addition to the lease amount. Our budget is a little over a million dollars in marketing itself annually just for the center itself.

Chuck Pennel then asked Alderman Huff if the Board will have the authority to say yes or no regarding tenants? Alderman Huff indicated they have not discussed that yet, but he was assuming they will have no problem working with the developer regarding that.

Michael Cain addressed the Board indicating word was around that Victoria's Secret was going to be one of the tenants, and said he did not think that would go well in Branson. He also stated some concerns he had were growth in five to ten years and whether Branson has room to expand; also traffic concerns; parking; whether the City has enough law enforcement; and public transportation has not been addressed.

Alderman Purvis asked if the hotel was going to be built by the Hilton Hotel Corporation? Mr. Huffman said, "No it is not. Negotiations are on-going with a private

developer. Hilton has merely indicated they will operate it and will flag it by way of a letter.” Alderman Purvis said it concerned him that our Convention Hotel is being built by a third party as Hilton has an excellent reputation. Mr. Huffman replied that the Hilton is going to be the operator of the hotel, and they are willing to lend their name to the property.

Alderman Purvis stated he understood that 90% of the project is in the flood plain, and asked if that was correct? Mr. Huffman replied yes it was except for the Convention Center piece. Alderman Purvis said the shops appeared to be on ground level, and asked if fill was going to be used to make them that way? Mr. Huffman replied “yes” we have designed parking underneath the shops which will be screened from the lakeside with decks and patios. The Boardwalk is being designed at 708’ to 709’ elevation. You would have to walk up to get into the shops from the Boardwalk which would be a terraced area up to the shops.

Alderwoman Martin asked if the developer could describe the mix of types of shops? Mr. Huff replied they have a pro forma that shows the tenant mix they are going after because we don’t want to accept just any tenant. It is currently planned for eight full service restaurants on the lake side of the project, a fashion anchor at one end, a sporting anchor at the other end, and a family entertainment center.

Alderman Huff asked how much of the project do they anticipate being retail? Mr. Huffman replied there was 505,000 square feet, and they anticipate having 70% retail.

Alderman Edie asked for an update on the aquarium? Mr. Huffman said that at this time the aquarium has not received its financing. We have also taken the aquarium out of the plans. A tenant that we are working with is planning on putting an aquarium in as part of his project, and we should be presenting that to you very soon, replied Mr. Huffman.

Rick Renfro addressed the Board stating that a good time to do a Traffic Study would be at the Adoration Parade when there is a lot of traffic, and it can’t move. Mr. Renfro asked if the parade would be still downtown. Mayor Schaefer replied that we will have the Adoration Parade as in the past. Terry Dody, City Administrator stated that the last three years we have done extensive analysis of the Christmas Parade, because that is our biggest attraction downtown. The last three years that we have monitored the Parade, we have been able to move everyone from the downtown area in 55 minutes.

Cindy Cain, , 46 Hummingbird Lane, Kimberling City, addressed the Board indicating that her family moved here about a year ago from San Diego, California. The reason they came here is that Branson and Kimberling City has something very unique that they have not found anyplace else. It has the beauty of God’s nature. It has the best entertainment. There is something unique here, and I would just ask you to go slow, think clearly, and allow this development to blend in with what is already here. If we lose the uniqueness of Branson with progress we do harm. We need to think, is the progress going

to be good for the whole community?

Mayor Schaefer entertained a motion to accept this updated report. Alderman Huff moved this be entered into the Minutes that the Board received this information, seconded by Alderman Gass. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried.

DISBURSEMENTS:

Mayor Schaefer entertained a motion approving the disbursements as presented. Alderman Barker moved to approve the disbursements as presented, seconded by Alderman Gass. Discussion. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried.

DISBURSEMENTS

OTHER BUSINESS:

Mayor Schaefer asked if there was any other business that a member of the Board of Aldermen would like to introduce as an official agenda item for discussion and action by the Board. Alderman Purvis asked that the Health Department look into all of the bird droppings on the sidewalks downtown.

Mayor Schaefer opened the floor for Aldermen and Administrator's Reports.

ALDERMEN/ADMINISTRATOR'S REPORTS

Alderman Gass thanked the community for attending tonight. As it is very important for them to attend and make comments and ask questions, and we look forward to more presentations like the one tonight.

GASS

Alderman Barker echoed Alderman Gass' gratitude to the community for attending. We are working towards all of the questions and concerns and they are on our minds.

BARKER

Alderwoman Martin also wanted to applaud the audience for attending the meeting and wanted to thank the guests that were present.

MARTIN

Alderman Edie thanked the community for turning out, and wants everyone to know that he really wants the Branson Landing to

EDIE

work and fit in with what we have here, and Mrs. Cain from Kimberling City hit the nail right on the head. I agree wholeheartedly with her, and he thanked everyone for the presentation.

Alderman Purvis said he also wants to say ‘welcome’ to everybody that has come, and would like to acknowledge a special visitor that is here our State Representative Dennis Wood. PURVIS

PUBLIC COMMENT:

Mayor Schaefer stated the next item was Public Comment with Chuck Pennel requesting to speak.

Chuck Pennel addressed the Board indicating that he had entered into negotiations with Rick Huffman, Rick Graf, and Mark Weisz. It is time that we either come to an agreement or the condemnation will take place. Mr. Pennel stated he took a chart from the properties that were purchased on the lakefront and had separate them for his own purposes. He pulled the resorts and Dimitri’s properties out of that list which left the commercial businesses similar to his and have charted them and came up with a total of 72, 263 square feet of property. According to the chart the City paid \$3,318,000 for those properties which is an average of \$45.91 a square foot. The range goes as low as \$21.07 and as high as \$142.59 per square foot. Mr. Pennel indicated his property is not in the flood plain, does have a great lake view, does join Long Street, and he has decided on a price of \$35 a square foot for the commercial property, and \$25 per square foot for the house and the vacant lot. Administrator Dody suggested that the Board not enter into discussion regarding negotiations on land that possible litigation might possibly ensue.

EXECUTIVE SESSION:

Alderman Huff moved to go into Closed Executive Session pursuant to Section 610.021 RSMo., Subsections 1, 2, and 3. Seconded by Alderman Barker. Alderman Edie asked what the subject concerned, and Administrator Dody said it was potential acquisition of land and contract negotiations. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried.

ADJOURN:

Alderman Huff moved to adjourn. Motion was seconded by Alderman Barker. Voting aye were: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: None. Motion carried. Meeting was adjourned at 9:38 p.m.