

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF ALDERMEN  
CITY OF BRANSON, MISSOURI, JULY 14, 2003**

The Board of Aldermen of the City of Branson, Missouri met in regular session in the Council Chambers of the City Hall on July 14, 2003 at 7:00 p.m. with the following members present:

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

Also in attendance were: City Administrator Terry Dody, Assistant City Administrator Kevin Faught, City Attorney Dan Wichmer, City Clerk Sandra Williams, Communications Director Jerry Adams, Director of Planning Don Stephens, Director of Finance Deanna Schlegel, Assistant Police Chief McCullough, Director of Economic Development Mike Rankin, Fire Chief Carl Sparks, Director of Public Works Larry VanGilder, Cliff Sain of the Branson Daily News, Chandra Huston of Branson Independent, John Logan, Larry Milton, Bob Shanz, Mary Lou Shepherd, M. D. Maxwell, Helen Maxwell, Dewey Atchison, Ricky Renfro, Helen Hagler, Bill Hagler, Wayne Lindsay, June Kuecher, Vonda Olson, Greg Pyron, Lynn and Bill Groninger, Kathryn Buckstaff of the NewsLeader, Sandy Steward, John McCarthy, Amy L. Bogue-Gray, Ross Summers of the Chamber of Commerce, Chuck Pennel, Al Moon, Donna Moon, Ray and Gloria Roderick, James Roder, Diana Acton, Lucy Combs, Benny Compton, Kent Edwards, David Murphy, Stacy Jones, Dan Ruda, Linda Purvis, James Barker, Kent Williams, Bob Warlick, David Cushman, Rick Graff, and Mark Weisz.

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 meeting of June 23, 2003, and the regular meeting of June 23, 2003. Hearing none, Alderman Huff moved to approve the Minutes as presented, seconded by Alderman Barker. Voting aye: Gass, Barker, Huff, and Purvis. Nays: none. Absent: Martin and Edie. Motion carried.

**APPROVAL  
OF MINUTES**

**EMPLOYEE OF THE MONTH:**

At this time, Alderman Huff presented the July Employee of the Month Award to Benny Compton and Kent Edwards, Public Works employees. Alderman Huff stated, “Benny and Kent

**EMPLOYEE OF  
THE MONTH**

are being recognized for taking the initiative by volunteering to tackle the downtown sidewalk problem due to bricks coming loose. They successfully repaired the sidewalks, even in the aftermath of a snowstorm and cold weather, outside of their normal job duties. On behalf of the Mayor and Board of Aldermen we are proud to present each of you with a plaque representing your commitment and naming each of you as July's Employee of the Month."

**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. 2621 an ordinance amending the Branson Municipal Code, Chapter 255: Title II Public Health Safety and Welfare Food Code Section by adding a new Section 255.040: Penalty was approved within the Consent Agenda. Voting aye: Gass Barker, Huff, and Purvis. Nays: none. Absent: Martin and Edie. Ordinance No. 2003-129 was duly enacted.

**BILL NO. 2621  
AMENDING  
MUNICIPAL CODE  
CHAPTER FOOD  
CODE: PENALTY  
ORD. NO. 2003-129**

Final Reading of Bill No. 2622 an ordinance amending Section 250.130 of the Branson Municipal code for Health Permit Fees, establishing Food Permit Fees for Theme Parks and Laboratory Fees for Federal Bathing Beach Samples, was approved within the Consent Agenda. Voting aye: Gass, Barker, Huff, and Purvis. Nays: none. Absent: Martin and Edie. Ordinance No. 2003-130 was duly enacted.

**BILL NO. 2622  
AMENDING  
BRANSON MUNICIPAL  
CODE-SECTION 250.130  
PERMIT FEES  
ORD. NO. 2003-130**

Final Reading of Bill No. 2623 an ordinance approving an agreement between the City of Branson and Burns and McDonnell Engineering Company, Inc. for design phase engineering of the Bee Creek Sewer Project, and authorizing the Mayor to enter into the agreement, was approved within the Consent Agenda. Voting aye: Gass, Barker, Huff, and Purvis. Nays: none. Absent: Martin and Edie. Ordinance No. 2003-131 was duly enacted.

**BILL NO. 2623  
AGREEMENT  
BURNS & McDONNELL  
BEE CREEK  
SEWER PROJECT  
ORD. NO. 2003-131**

Final Reading of Bill No. 2624 an ordinance accepting the proposal of bid award to Key Equipment and Supply Company for a self-contained vacuum trailer used in the Sewer Collection Division of the City of Branson, authorizing the preparation of a contract in accordance

**BILL NO. 2624  
BID AWARD  
KEY EQUIPMENT  
SELF CONTAINED  
VACUUM TRAILER**

with the terms of the proposal, and authorizing the Mayor to execute the agreement. Ordinance No. 2003-132 was duly enacted.

ORD. NO. 2003-132

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

**REGULAR AGENDA:**

Petitions for Consent to Annex properties located in Pointe Royale, Branson, Missouri, were read by City Clerk Williams as follows: Gilbert R. and Viola A. Brockmeier, Fredrick H. Brown, Tom Brumley, Gary Cox and Peggy Cox, Derald C. Fendley and Margaret J. Fendley, Lloyd M. Fisher and Rhonda Ann Fisgher, Ann Johnson, Robert G. Krieg and Judy A. Krieg, Gerry W. Nix and Judy K. Nix, Robert R. Sutton and Carol V. Sutton, Shoji Tabuchi and Dorothy Tabuchi, Jill A. Turley, Evelyn M. Warner, and Darrell G. Woofter. Don Stephens provided the staff report. Mayor Schaefer entertained a motion to accept the petitions for voluntary annexation. Alderman Barker made the motion, seconded by Alderman Huff. Voting aye: Gass, Barker, Huff, and Purvis. Nays: none. Absent: Martin and Edie. Motion carried.

**PETITIONS  
CONSENT  
TO ANNEX  
PROPERTIES IN  
POINTE ROYALE**

Petitions for Consent to Annex properties located in Rainbow Shoals, Branson, Missouri, were read by City Clerk Williams as follows: Theresa Beasley and Richard Beasley, and Sierra, Inc., Branson, Missouri, and Don Stephens provided the staff report. Mayor Schaefer entertained a motion to accept the petitions for voluntary annexation. Alderman Gass made the motion, seconded by Alderman Purvis. Voting aye: Gass, Barker, Huff, and Purvis. Nays: none. Absent: Martin and Edie. Motion carried.

**PETITIONS  
CONSENT  
TO ANNEX  
PROPERTIES IN  
RAINBOW SHOALS**

Public Hearing and first reading of Bill No. 2625, annexing property owned by Jeffrey Duane and Luz Angela Lansman into the City, was read by title by City Clerk Williams and 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. 2625. Alderman Gass made the motion, seconded by Alderman Purvis. No discussion. Voting aye: Gass, Barker, Huff, and Purvis. Nays: none. Absent: Martin and Edie. Motion carried.

**PUBLIC HEARING  
BILL NO. 2625  
ANNEXING  
JEFFREY DUANE &  
LUZ ANGELA  
LANSMAN**

Public Hearing and first reading of Bill No. 2626, annexing property owned by Jeffrey S. and Christie Jo Bockman into the City, was read by title by City Clerk Williams, and 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. 2626. Alderman Purvis made the motion, seconded by Alderman Huff. No discussion. Voting aye: Gass, Barker, Huff, and Purvis. Nays: none. Absent: Martin and Edie. Motion carried.

PUBLIC HEARING  
BILL NO. 2626  
ANNEXING  
JEFFREY S. AND  
CHRISTIE JO  
BOCKMAN

Public Hearing and first reading of Bill No. 2627, annexing property owned by William and Ami Bernhardt into the City, was read by title by City Clerk Williams, and 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. 2625. Alderman Gass made the motion, seconded by Alderman Purvis. No discussion. Voting aye: Gass, Barker, Huff, and Purvis. Nays: none. Absent: Martin and Edie. Motion carried.

PUBLIC HEARING  
BILL NO. 2627  
ANNEXING  
WILLIAM &  
AMI BERNHARDI

Public Hearing and first reading of Bill No. 2628, annexing property owned by Carolyn C. Coe into the City, was read by title by City Clerk Williams, and 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. 2628. Alderman Gass made the motion, seconded by Alderman Purvis. No discussion. Voting aye: Gass, Barker, Huff, and Purvis. Nays: none. Absent: Martin and Edie. Motion carried.

PUBLIC HEARING  
BILL NO. 2628  
ANNEXING  
CAROLYN C. COE

Public Hearing and first reading of Bill No. 2629, annexing property owned by Phyllis Johnson and David Leonard Johnson into the City, was read by title by City Clerk Williams, and Don Stephens provided the staff report. Mayor Schaefer opened the public hearing, and after receiving no discussion from the Board or audience, closed the public hearing, and entertained a motion to approve the first reading of Bill No. 2629. Alderman Purvis made the motion, seconded by Alderman Barker. No discussion. Voting aye: Gass, Barker, Huff, and Purvis. Nays: none. Absent: Martin and Edie. Motion carried.

PUBLIC HEARING  
BILL NO. 2629  
ANNEXING  
PHYLLIS AND DAVID  
LEONARD JOHNSON

Public Hearing and first reading of Bill No. 2630, annexing property owned by Charles M. and Carole E. Meier into the City, was read by title by City Clerk Williams

PUBLIC HEARING  
BILL NO. 2630  
ANNEXING

and 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.

**CHARLES M. AND  
CAROLE E.  
MEIER**

2630. Alderman Purvis made the motion, seconded by Alderman Barker. No discussion. Voting aye: Gass, Barker, Huff, and Purvis. Nays: none. Absent: Martin and Edie. Motion carried.

Public Hearing and first reading of Bill No. 2631, annexing property owned by Danny L. and Pamela J. Yancey into the City, was read by title by City Clerk Williams and 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.

**PUBLIC HEARING  
BILL NO. 2631  
ANNEXING  
DANNY L. AND  
PAMELA J.  
YANCEY**

2631. Alderman Gass made the motion, seconded by Alderman Purvis. No discussion. Voting aye: Gass, Barker, Huff, and Purvis. Nays: none. Absent: Martin and Edie. Motion carried.

Public Hearing and first reading of Bill No. 2632, annexing property owned by Fall Creek Realty LLC into the City, was read by title by City Clerk Williams, and and 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. 2632. Alderman Gass made the motion, seconded by Alderman Purvis. No discussion. Voting aye: Gass, Barker, Huff, and Purvis. Nays: none. Absent: Martin and Edie. Motion carried.

**PUBLIC HEARING  
BILL NO. 2632  
ANNEXING  
FALL CREEK  
REALTY LLC**

First reading of Bill No. 2633, an ordinance amending Section 335.040 of the Branson Municipal Code: Schedule I- Stop Signs, was read by title by City Clerk Williams, and Larry VanGilder provided the staff report. Mayor Schaefer entertained a motion approving the first reading of Bill No. 2633. Alderman Barker moved to approve the bill on first reading, seconded by Alderman Huff. After discussion, Voting aye were: Gass, Barker, Huff, and Purvis. Nays: none. Absent: Martin and Edie. Motion carried.

**BILL NO. 2633  
AMENDING  
MUNICIPAL CODE  
STOP SIGNS**

First reading of Bill No. 2634, an ordinance amending Section 115.030.10 of the Branson Municipal Code authorizing that Personal Property which has been declared to be Surplus, and which had an original purchase price of \$1,500.00 or less may be sold or disposed of by the City Administrator, 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.

**BILL NO. 2634  
AMENDING  
MUNICIPAL CODE  
SECTION 115.030.10  
SURPLUS PROPERTY**

2634. Alderman Purvis made the motion, seconded by Alderman Barker. No discussion. Voting aye: Gass, Barker, Huff, and Purvis. Nays: none. Absent: Martin and Edie. Motion carried.

The next item was the recommendation by the Branson Housing Authority Board to appoint Joyce Clemenson to the Branson Housing Authority Board to fill the vacancy left by the death of Vonee Hammers. Mayor Schaefer entertained a motion to appoint Joyce Clemenson to the Branson Housing Authority Board with the term to expire on the 19<sup>th</sup> day of October, 2004. Alderman Purvis made the motion, seconded by Alderman Barker. No discussion. Voting aye: Gass, Barker, Huff, and Purvis. Nays: none. Absent: Martin and Edie. Motion carried.

**APPOINTMENT  
BRANSON HOUSING  
BOARD  
JOYCE CLEMENSON**

A presentation by HCW for approval of the architectural design of the Boardwalk and Seawall for the Branson Landing project was the next item. Rick Huffman of HCW Development Company addressed the Board indicating they would be presenting the conceptual design for the Boardwalk along the edge of Lake Taneycomo in order to move further into the design with the architects. Mr. Huffman indicated that David Murphy of Crawford Architects, and some additional architects will be making the presentation and then gave the floor to Mr. Murphy.

**PRESENTATION  
HCW DEV. CO.  
BOARDWALK  
& SEAWALL**

David Murphy of Crawford Architects said they would be giving the Board an update on the master planning and concept design for the Boardwalk and Town Square and open space components of the Branson Landing project, and would be asking for the Board's approval of the concept and the overall footprint of the master plan of the Boardwalk and the Town Square. Mr. Murphy indicated that his partners Stacey Jones and Tom Proebstle and staff members Beatrice Panna and Joe Kervayah would be handling the PowerPoint portion of the presentation. We are focusing on the components of the Town Square at the termination of Main Street and the Boardwalk that runs along Lake Taneycomo north and south along the development, and have a variety of project components that make up the major focus of the project. There were a variety of drawings and illustrations on the walls of the documents in process, and a series of models that are conceptual studies for the Board and audience to review, informed Mr. Murphy. Now we are focused in on the components of the Town Square at the termination of Main Street and the boardwalk that runs along Lake Taneycomo north and south along the development. Some of the very important components of the project is to reinforce connection to Main Street and to Commercial Street businesses as well as downtown as a whole; to maintain and enhance the Liberty Tree; to salvage and reuse the stone steps; and more importantly, the entire Lake Taneycomo waterfront will be available and open to the public. In addition, we will be integrating the current bike and recreational trails that come into the site from the south, and will connect it through the site to the north, somewhere around Roark Creek Bridge. The key feature to the site is to create a world-class destination. Mr. Murphy turned the presentation over to Stacey Jones of Crawford Architects.

Stacey Jones addressed the Board saying that what they were trying to do is to demonstrate in the design attractions that will bring people down to the waterfront. One of our consultants, Premier Designer, Wet Designs from Los Angeles who is renowned for signature water fountains around the country and internationally has been brought on board to design three fountains. The main fountain focuses on Main Street with a very significant water feature with shooters, fireballs, gyrating elements of water. It will be a major attraction by shooting water into the air up to 120-feet with music and a light display with the Town Square in the center and two smaller nodes to the north and south. The center fountain is 300-feet long and 60-feet wide and each of the two secondary fountains are 200-feet long and 40-feet wide. All together they will be creating an experience that has not been seen before. This has not happened in any other commercial development to our knowledge, at least not in this country and not to this scale. This will be something quite unique. The Town Square has been a fundamental paradigm in the design from the very first day. It has a couple of attractors: (1) it is the termination of Main Street, and (2) it has an amphitheater that has seating for 1,500 people, a focus to the main water fountain, and a gathering space that could easily accommodate a crowd of 5,000 people in an area roughly 2 ½ acres in size. There will be provided a new roadway that goes across the front of the Town Square as it is very important to provide some light vehicular traffic to the public, and to provide access to the residential areas above the flanking buildings to the north and south. The two secondary nodes to the north and south are also public access places as well. The one to the south provides bus drop off from the new box Car Willie Drive. It allows passenger busses to pull in and have a direct and immediate access to the restaurants and get a wonderful panorama of the waterfront, informed Mr. Jones.

David Murphy stated they were working with the Corps of Engineers and a variety of other agencies to develop the waterfront, and they were starting to look more closely at North Beach Park regarding a more natural-edge versus a very hard-edge. The hard-edge is where we are creating a new fill-line essentially at the waters edge, so a Seawall could be constructed out of bulkhead of a variety of materials. Another option is brick pavers or a tile or stamped concrete which would create a contiguous path that could accommodate promenade walking as well as bicycles, rollerblading or a variety of other popular things in a park and recreational trail program. Those are the variety of options we are looking at for the Seawall. We are looking at the existing seawall evaluating its structural life, and its ability to stay in north of Main Street. We are also looking at a new Boardwalk with a pier to get some of the curve shapes that was shown in some of the earlier plans. At the same time, when you are in a boat, we want this waterfront and Seawall to really look good. We want it to be not more than 20 feet above the water, and to find ways to transition down and make it a very accessible waterfront. A place that when you walk along the water you experience the water and the waters edge. There is going to be a variety of docks in different areas, and also the dinner cruise boat at an area right adjacent to North Beach Park. We are also going to be looking at options for marinas, at the Bass Pro anchor location, and potentially one to the south. We are wrapping up the 404 Permit process as we get into the final stages of hydrology and analysis, and as we have a firm concept in place, we can go that next step with the Army Corps. We are getting it ready to go into

schematic design but also to communicate to the variety of consultants doing the hydrology and the Army Corps. Also, we are starting to look at the overall first Phase of the Convention Center with the exhibition halls, ballrooms, and hotels. This is a highly integrated effort, as we advance the Seawall, the Boardwalk, the Town Square, we are advancing all of these other things so that we are not letting one component get ahead of the other one.

Tom Proebstle presented the two different models and indicated that basically they were building the massing up to Main Street, feathering it back out north and south so that the edges get softer on the ends, and they get taller and larger more massive toward the center. Feathering out the massing towards the water so that the mass of the buildings and the program is a little bit larger along Box Car Willie and it thins out toward the water. One very nice feature is that we have a component of housing above the upper portion of these components, indicated Mr. Proebstle.

David Murphy summarized the presentation stating, “we have fixed the ‘Footprint’ for the waters edge; we have identified and worked with the Corps in finalizing the 404 Permit; we are building and keeping all of the development within the existing floodway with anything that would jet into the floodway on piers and structures that has been approved by the Corps; we have identified how the fountains and the open spaces begin to work; and we have the overall concept of how to deal with the town Square and the waters edge. At this point we would like to have feedback, and to hear comments and discussion, indicated Mr. Murphy.

Mayor Schaefer stated that in order for everyone in the audience and the Board to have an opportunity to look at the models and all of the drawings, there will be a 5 to 10 minute break at this time.

After the break, Mayor Schaefer opened the meeting up for comments from the audience and the Board.

Ricky Renfro, 108 Fern Street, Branson, addressed the Board asking if the playgrounds and picnic tables would be taken out of North Beach Park? Rick Huffman of HCW responded that “No they would not. In fact money had been allocated for new irrigation and new equipment to go into the park.” Mr. Renfro also discussed the Seawall as to how much would go out into the water, and up on the bank. Mr. Huffman replied that nothing will be protruding into the water but there may be some poles in the water where the Boardwalk does extend over the water. There will be very little digging and no blasting.

Alderman Barker moved to accept the architectural designs for the Boardwalk and the Seawall for the Branson Landing project. Motion was seconded by Alderman Gass. Voting aye: Gass, Barker, Huff, and Purvis. Nays: none. Absent: Martin and Edie. Motion carried.

## **DISBURSEMENTS:**

Mayor Schaefer stated the next item was review of the disbursements, and asked if there were any questions regarding the disbursements. Hearing none, Mayor Schaefer entertained a motion to approve the disbursements. Alderman Barker moved to approve the disbursements as presented, seconded by Alderman Huff. Voting aye: Gass, Barker, Huff, and Purvis. Nays: none. Absent: Martin and Edie. Motion carried.

## **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. Hearing none, Mayor Schaefer opened the floor for Aldermen and Administrator's Reports.

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

Alderman Gass said that due to the storm and high winds there are a **GASS** lot of trees and limbs down and asked if the City was going to assist in any manner. Public Works Director Larry VanGilder informed the Board that a News Release was going out informing the residents that crews would be picking up limbs and brush on Monday, August 4, 2003.

## **PUBLIC COMMENT:**

Mayor Schaefer stated those requesting to make public comments were Bob Schanz and Lynn & Bill Groninger.

Bob Schanz addressed the Board stating, "This is a fourth class **BOB SCHANZ** city and according to 79.450, aldermen shall enact ordinances to restrain and prohibit noises – those are explosions, that's the noise. That is your duty as aldermen. 79.120-79.200 commands the Mayor to be active and vigilant in the enforcing all laws, ordinances and statutes. You had an ordinance that said, fireworks explosions will be on July 3<sup>rd</sup> and 4<sup>th</sup>, and now they are on a nightly basis. There is a statute 574.010 that says, "A person commits a crime of peace disturbance – unreasonably and knowingly disturbs or alarms another person by loud noise." You have to stop this because now on the Branson Landing you are going to have laser light shows and explosions. Celebration City is disturbing the peace and tranquility of a lot of people, something has to be done. The first time is a Class B misdemeanor, and the second time is a Class A misdemeanor and the third time it is a fine of \$1,000 to \$5,000 dollars.

Lynn and Bill Groninger, owners of Branson Shenanigans  
RV Park, also addressed the Board regarding the fireworks and

**GRONINGER'S**

noise. Mr. Groninger informed the Board that they cater to the retired traveler. Many of them like to retire to bed early, and also have pets. You can imagine how upset they become when their pets are terrified by the fireworks at Celebration City. We recently had a service man who was on leave having served in Iraq, and you can imagine the impact on him when the fireworks went off. He thought he was going to have a relaxing time off which he didn't, and besides that their two large dogs had to be sedated because of the fireworks. For ten years we have drawn people to our business, promoting that we are close to the strip yet surrounded by woods where it is nice and quiet. Not any more, we have received complaints from people saying they will not be coming back, and we can only guess at the number who leave unhappy, and will not only refuse to come back but will tell everyone headed our way to avoid us, indicated Mrs. Groninger. Bill Groninger stated, "It is not our purpose to oppose community growth, nor to oppose a new venue in town. Our purpose is to keep our RV Park in a profitable position. City Clerk Williams informed the Groninger's their time was up. Bill Groninger requested an additional three minutes. Alderman Huff made the motion, second by Alderman Gass. Voting aye: Gass, Barker, Huff, and Purvis. Nays: none. Absent: Martin and Edie. Motion carried. Mr. Groninger stated, "I stand here and speak very quietly to you because that is being courteous to all of you, the noise at Celebration City does not have a courteous impact on Branson Shenanigans RV Park and its visitors. We initially made it clear to the Fire Department that the noise is annoying, but it could be tolerated until we start losing customers. Unfortunately, the time has arrived as we are losing customers, indicated Mr. Groninger. Alderman Gass commented that he went out to the location and they are beautiful but there are times when there are some very large 'bangs'. I have to agree it is very loud. Could this be a neighborly thing that can be settled between the businesses privately as there are only about six or seven blasts and the rest are very nice? Mr. Groninger replied, "They very much would like to do that and reach a resolution. It is not our intent to ask them to stop but to lessen the noise. We had one telephone interview, a number of our campers have gone over to talk to them and we did send them a registered letter attempting to explain the situation, and it was not accepted on three different occasions. If there is another way, we agree this is a neighborly community, and it needs to be a neighborly issue, but we are having a problem handling it in that manner. Mayor Schaefer asked that the Groninger's follow through and do it that way if they possibly could.

#### **EXECUTIVE SESSION:**

Mayor Schaefer entertained a motion to go into Closed Executive Session. Alderman Huff moved to go into Closed Executive Session pursuant to Section 610.021 RSMo., Subsections 1, 2, and 3. Motion was seconded by Alderman Barker. Voting aye: Gass, Barker, Huff, and Purvis. Nays: none. Absent: Martin and Edie. Motion carried.

**ADJOURN:**

**Alderman Barker moved to adjourn. Motion was seconded by Alderman Purvis. Voting aye were: Gass, Barker, Huff, and Purvis. Nays: None. Absent: Martin and Edie. Motion carried. Meeting was adjourned at 9:00 p.m.**