

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF ALDERMEN
CITY OF BRANSON, MISSOURI, AUGUST 11, 2003**

The Board of Aldermen of the City of Branson, Missouri met in regular session in the Council Chambers of the City Hall on August 11, 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.

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 regular meeting of July 28, 2003.

**APPROVAL
OF MINUTES**

Hearing none, Alderman Huff moved to approve the Minutes as presented, seconded by Alderman Edie. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried.

EMPLOYEE OF THE MONTH:

Alderman Edie presented the August Employee of the Month Award to Martie Dunn of the Public Works Department. Alderman Edie stated, "Martie took on the extra responsibility and challenge of coordinating 50 volunteers to work a day at the Lakeside Forest Wilderness Area. Martie, with a crew of two fellow employees, successfully managed these volunteers including organizing tools, mulch, food, drinks and assigning designated work areas. They accomplished the mulching of several hundred feet of existing trail, the cleaning and maintaining of the historic stone steps, and extending the lower trail. All this work was done on Martie's day off. Because of Martie's volunteer work, the Lakeside Forest Wilderness Area remains an attractive natural park to be enjoyed by both visitors and residents."

**EMPLOYEE
OF THE MONTH**

At this time, Alderman Huff requested to add an item to the Agenda as Item No. 27a, an ordinance accepting the emergency purchase of Air Conditioning Equipment for City Hall from Whitney Mechanical and authorizing the Mayor to execute an agreement for the purchase in terms of the proposal. Seconded by Alderman Gass. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried.

CONSENT AGENDA:

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

Final Reading of Bill No. 2635 an ordinance annexing property owned by Gilbert R. and Viola A. Brockmeier into the City was approved within the Consent Agenda. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Ordinance No. 2003-143 was duly enacted.

**BILL NO. 2635
ANNEXATION
GILBERT R. &
VIOLA A.
BROCKMEIER
ORD. NO. 2003-143**

Final Reading of Bill No. 2636 an ordinance annexing property owned by Fredric H. Brown into the City was approved within the Consent Agenda. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Ordinance No. 2003-144 was duly enacted.

**BILL NO. 2636
ANNEXATION
FREDRIC H.
BROWN
ORD. NO. 2003-144**

Final Reading of Bill No. 2637 an ordinance annexing property owned by Tom and Rolene Brumley into the City was approved within the Consent Agenda. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Ordinance No. 2003-145 was duly enacted.

**BILL NO. 2637
ANNEXATION
TOM & ROLENE
BRUMLEY
ORD. NO. 2003-145**

Final Reading of Bill No. 2638 an ordinance annexing property owned by Gary and Peggy Cox into the City was approved within the Consent Agenda. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Ordinance No. 2003-146 was duly enacted.

**BILL NO. 2638
ANNEXATION
GARY & PEGGY
COX
ORD. NO. 2003-146**

Final Reading of Bill No. 2639 an ordinance annexing property owned by Derald C. and Margaret J. Fendley into the City was approved within the Consent Agenda. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Ordinance No. 2003-147 was duly enacted.

**BILL NO. 2639
ANNEXATION
DERALD C. &
MARGARET J. FENDLEY
ORD. NO. 2003-147**

Final Reading of Bill No. 2640 an ordinance annexing property owned by Lloyd M. and Rhonda Ann Fisher into the City was approved within the Consent Agenda. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Ordinance No. 2003-148 was duly enacted.

**BILL NO. 2640
ANNEXATION
LLOYD M. & RHONDA ANN
FISHER
ORD. NO. 2003-148**

Final Reading of Bill No. 2641 an ordinance annexing property owned by Ann Johnson into the City was approved within the Consent Agenda. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Ordinance No. 2003-149 was duly enacted.

**BILL NO. 2641
ANNEXATION
ANN JOHNSON
ORD. NO. 2003-149**

Final Reading of Bill No. 2642 an ordinance annexing property owned by Robert G. and Judy A. Krieg into the City was approved within the Consent Agenda. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Ordinance No. 2003-150 was duly enacted.

**BILL NO. 2642
ANNEXATION
ROBERT G. &
JUDY A. KRIEG
ORD. NO. 2003-150**

Final Reading of Bill No. 2643 an ordinance annexing property owned by Gerry W. and Judy K. Nix into the City was approved within the Consent Agenda. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Ordinance No. 2003-151 was duly enacted.

**BILL NO. 2643
ANNEXATION
GERRY W. &
JUDY K. NIX
ORD. NO. 2003-151**

Final Reading of Bill No. 2644 an ordinance annexing property owned by Robert R. and Carol V. Sutton into the City was approved within the Consent Agenda. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Ordinance No. 2003-152 was duly enacted.

**BILL NO. 2644
ANNEXATION
ROBERT R. &
CAROL V. SUTTON
ORD. NO. 2003-152**

Final Reading of Bill No. 2645 an ordinance annexing property owned by Shoji and Dorothy Tabuchi into the City was approved within the Consent Agenda. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Ordinance No. 2003-153 was duly enacted.

**BILL NO. 2645
ANNEXATION
SHOJI & DOROTHY
TABUCHI
ORD. NO. 2003-153**

Final Reading of Bill No. 2646 an ordinance annexing property owned by Jill A. Turley into the City was approved within the Consent Agenda. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Ordinance No. 2003-154 was duly enacted.

**BILL NO. 2646
ANNEXATION
JILL A. TURLEY
ORD. NO. 2003-154**

Final Reading of Bill No. 2647 an ordinance annexing property owned by Evelyn M. Warner into the City was approved within the Consent Agenda. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Ordinance No. 2003-155 was duly enacted.

**BILL NO. 2647
ANNEXATION
EVELYN M. WARNER
ORD. NO. 2003-155**

Final Reading of Bill No. 2648 an ordinance annexing property owned by Darrel G. Woofter into the City was approved within the Consent Agenda. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Ordinance No. 2003-156 was duly enacted.

**BILL NO. 2648
ANNEXATION
DARREL G. WOOFTER
ORD. NO. 2003-156**

Final Reading of Bill No. 2649 an ordinance annexing property owned by Richard L. Beasley and Theresa C. Beasley into the City was approved within the Consent Agenda. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Ordinance No. 2003-157 was duly enacted.

**BILL NO. 2649
ANNEXATION
RICHARD L. BEASLEY &
THERESA C. BEASLEY
ORD. NO. 2003-157**

Final Reading of Bill No. 2650 an ordinance annexing property owned by Sierra, Inc. into the City was approved within the Consent Agenda. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Ordinance No. 2003-158 was duly enacted.

**BILL NO. 2650
ANNEXATION
SIERRA, INC.
ORD. NO. 2003-158**

Final Reading of Bill No. 2651 an ordinance approving zoning of "R-1" Single-Family Residential for property owned by Jeffrey Duane and Luz Angela Lansman and located at 148 Sunnybrook Lane was approved within the Consent Agenda. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Ordinance No. 2003-159 was duly enacted.

**BILL NO. 2651
ZONING "R-1"
SINGLE-FAMILY
JEFFREY DUANE &
LUZ ANGELA LANSMAN
ORD. NO. 2003-159**

Final Reading of Bill No. 2652 an ordinance approving zoning of "R-1" Single-Family Residential for property owned by Jeffrey S. and Christie Jo Bockman and located at 174 Callaway Court was approved within the Consent Agenda. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Ordinance No. 2003-160 was duly enacted.

**BILL NO. 2652
ZONING "R-1"
SINGLE-FAMILY
JEFFREY S. &
CHRISTIE JO BOCKMAN
ORD. NO. 2003-160**

Final Reading of Bill No. 2653 an ordinance enacting a Final Subdivision Plat of Celebration Plaza was approved within the Consent Agenda. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Ordinance No. 2003-161 was duly enacted.

**BILL NO. 2653
ENACTING FINAL
SUBDIVISION PLAT
CELEBRATION PLAZA
ORD. NO. 2003-161**

Final Reading of Bill No. 2654 a special ordinance approving the temporary use of two mobile structures to be placed at 142 Clubhouse Drive was approved within the Consent Agenda. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Ordinance No. 2003-162 was duly enacted.

**BILL NO. 2654
TEMPORARY USE
TWO MOBILE
STRUCTURES
ORD. NO. 2003-162**

Final Reading of Bill No. 2655 an ordinance amending Section 600.090 of the Branson City Code to change the requirements for grandfathered Liquor Licenses was approved within the Consent Agenda. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Ordinance No. 2003-163 was duly enacted.

**BILL NO. 2655
AMENDING
BRANSON CITY CODE
SECTION 600.090
LIQUOR LICENSES
ORD. NO. 2003-163**

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 Barker. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried.

REGULAR AGENDA:

First reading of Bill No. 2656, an ordinance approving a contract with the City of Hollister, Missouri for Environmental Public Health Services was read by title by City Clerk Williams, and Kevin Faught provided the staff report. Mayor Schaefer entertained a motion approving the first reading of Bill No. 2656. Alderman Purvis made the motion, seconded by Alderman Barker. Discussion. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried.

**BILL NO. 2656
CITY OF HOLLISTER
ENVIRONMENTAL PUBLIC
HEALTH SERVICES
CONTRACT**

First reading of Bill No. 2657, an ordinance approving a contract with Taney County Health Department, providing for the City of Branson Health Department to perform Environmental Health and Child Care Inspections, and authorizing the Mayor to execute the contract was read by title by City Clerk Williams, and Kevin Faught provided the staff report. Mayor Schaefer entertained a motion approving the first reading of Bill No. 2657. Alderman Gass made the motion, seconded by Alderman Purvis. No discussion. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried.

**BILL NO. 2657
TANEY COUNTY HEALTH
ENVIRONMENTAL HEALTH
& CHILD CARE INSPECTIONS
CONTRACT**

First reading of Bill No. 2658, an ordinance approving acceptance of sewer lines from Table Rock Village, and authorizing the Mayor to accept title to the sewer utility lines was read by title by title by City Clerk Williams, and David Miller provided the staff report. Mayor Schaefer entertained a motion approving the first reading of Bill No. 2658. Alderman Barker moved to approve on first reading, seconded by Alderman Purvis. No discussion. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried.

**BILL NO. 2658
ACCEPTANCE OF
SEWER LINES
TABLE ROCK VILLAGE**

First reading of Bill No. 2659, an ordinance amending Section 335.040 of the Branson Municipal Code: Schedule I- Stop Signs, was read by title by City Clerk Williams, and David Miller provided the staff report. Mayor Schaefer entertained a motion approving the first reading of Bill No. 2659. Alderwoman Martin made the motion, seconded by Alderman Purvis. Discussion. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried.

**BILL NO. 2659
AMENDING
MUNICIPAL CODE
STOP SIGNS**

First reading of Bill No. 2660, an ordinance approving an annexation agreement between Richmack, LLC and the City of Branson, and authorizing the Mayor to enter into the agreement was read by title by City Clerk Williams, and Terry Dody provided the staff report. Mayor Schaefer entertained a motion to approve the first reading of Bill No. 2660. Alderman Gass made the motion, seconded by Alderwoman Martin. No discussion. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried. Alderman Huff moved to read the Bill a second time by emergency due to the loss of programs and revenue at Mang Field and the City swimming pool; as well as, the need to begin the annexation process and have it completed prior to commencing work on the Recreation Facilities project, seconded by Alderwoman Martin. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried. City Clerk Williams read Bill No. 2660 by title again. Mayor Schaefer entertained a motion approving the final reading of Bill No. 2660. Alderman Gass made the motion, seconded by Alderwoman Martin. No discussion. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Ordinance No. 2003-164 was duly enacted.

**BILL NO. 2660
ANNEXATION
AGREEMENT
RICHMACK, LLC
ORD. NO. 2003-164**

First reading of Bill No. 2661, an ordinance authorizing HCW to enter into a contract with Berger Devine Yaeger, Inc. for Topographical Surveying on the Branson Landing Project, and authorizing the reimbursement to HCW for the cost of this survey pursuant to the parties Technical Services Agreement was read by title by City Clerk Williams, and David Miller provided the staff report. Mayor Schaefer entertained a motion to approve the first reading of Bill No. 2661. Alderman Barker moved to approve the first reading, seconded by Alderman Edie. No discussion. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried. Alderman Gass moved to read the

**BILL NO. 2661
TOPOGRAPHICAL
SURVEYING
BERGER DEVINE
YAEGER, INC.
ORD. NO. 2003-165**

Bill a second time by unanimous consent, seconded by Alderman Huff. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried. City Clerk Williams read Bill No. 2661 by title again. Mayor Schaefer entertained a motion approving the final reading of Bill No. 2661. Alderman Gass made the motion, seconded by Alderman Barker. No discussion. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Ordinance No. 2003-165 was duly enacted.

First reading of Bill No. 2664, an ordinance accepting the emergency purchase of Air Conditioning Equipment for City Hall from Whitney Mechanical and authorizing the Mayor to execute an agreement for the purchase in the terms of the proposal was in its entirety by City Clerk Williams as it had not been on display 24 hours in advance of the meeting, and Larry VanGilder provided the staff report. Mayor Schaefer entertained a motion to approve the first reading of Bill No. 2664. Alderman Purvis moved to approve the first reading, seconded by Alderman Barker. Discussion. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried. Alderman Gass moved to read the Bill a second time by emergency due to the on-going use of City funds and the health and welfare of City Hall employees, seconded by Alderman Barker. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried. City Clerk Williams read Bill No. 2664 in its entirety again. Mayor Schaefer entertained a motion approving the final reading of Bill No. 2664. Alderman Barker moved to approve the final reading, seconded by Alderwoman Martin. Discussion. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Ordinance No. 2003-166 was duly enacted.

**BILL NO. 2664
AIR CONDITIONING
EQUIPMENT
WHITNEY
MECHANICAL
ORD. NO. 2003-166**

First Reading of Bill No. 2662, an ordinance accepting the proposal of bid award to Don's Concrete for the Curb and Gutter Program for the City of Branson, authorizing the preparation of a contract in accordance with the terms of the proposal, and authorizing the Mayor to execute the agreement, was read by title by City Clerk Williams, and Larry VanGilder provided the staff report. Mayor Schaefer entertained a motion to approve Bill No. 2662 on its first reading. Alderman Purvis made the motion, seconded by Alderwoman Martin. Discussion. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried.

**BILL NO. 2662
BID AWARD
CURB & GUTTER
PROGRAM
DON'S CONCRETE**

First Reading of Bill No. 2663, an ordinance accepting the proposal of bid award to APAC-Missouri Inc. Springfield Branch for the Asphalt Overlay Program for the City of Branson, authorizing the preparation of a contract in accordance with the terms of the proposal, and authorizing the Mayor to execute the agreement, was read by title by City Clerk Williams, and Larry VanGilder provided the staff report. Mayor Schaefer entertained a motion to approve Bill No. 2663 on its first reading. Alderman Gass made the motion, seconded by Alderman Purvis. Discussion.

**BILL NO. 2663
BID AWARD
ASPHALT OVERLAY
APAC-MISSOURI INC.
SPRINGFIELD BRANCH
ORD. NO. 2003-167**

Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried. Alderman Barker moved to read the Bill a second time by unanimous consent, seconded by Alderman Huff. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried. City Clerk Williams read Bill No. 2663 by title again. Mayor Schaefer entertained a motion approving the final reading of Bill No. 2663. Alderman Gass made the motion, seconded by Alderman Barker. No discussion. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Ordinance No. 2003-167 was duly enacted.

A resolution authorizing assignment of the Old Branson Airport Lease with Recreational Investments and Management, Inc. to Union Planters Bank, N.A. was read by title by City Clerk Williams, and Dan Wichmer provided the staff report. Mayor Schaefer entertained a motion to approve the resolution. Alderman Purvis made the motion, seconded by Alderman Edie. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried. Resolution No. 2003-R011 was approved.

**RESOLUTION
ASSIGNMENT
OLD BRANSON
AIRPORT LEASE
UNION PLANTERS BANK
RESOL. NO. 2003-R011**

A resolution approving a Non-Disturbance and Attornment Agreement between the City of Branson and Recreational Investments and Management, Inc., and authorizing the Mayor to enter into the agreement, was read by title by City Clerk Williams, and Dan Wichmer provided the staff report. Mayor Schaefer entertained a motion to approve the resolution. Alderman Gass made the motion, seconded by Alderman Purvis. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried. Resolution No. 2003-R012 was approved.

**RESOLUTION
NON-DISTURBANCE
ATTORNMENT
AGREEMENT
RECREATIONAL
INVESTMENTS &
MANAGEMENT, INC.
RESOL. NO. 2003-R012**

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, Martin, Huff, Edie, and Purvis. Nays: none. 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 Edie stated he had a brief statement addressing the recent Audit, and emphasized that he was speaking for himself only. “This City’s angry responses to the Audit may or may not be justified. Putting that aside, as a long-time member of this community and a first-time member of this Board, I’m disturbed that public concerns about this issue have not been addressed by city administration. Rudeness and bad manners are never excusable. I was there and it embarrassed me and many of you, and for that I am very sorry.”

EDIE

Alderman Purvis said that in the August 6th or 7th edition of the Branson Daily Independent he had recently read a “Letter to the Editor” from Jay Scribner concerning the concert at the Grand Palace. “As a long-time resident of Branson I am very concerned when we have these kind of venues that crosses the line of decency, and the family values we treasure here in Branson. Is this what we have to look forward to when we talk about catering our younger generations? Obviously, our family values are under attack by the very members we have entrusted to preserve Branson’s integrity. First the serving of beer in the theaters, and then the performance by a venue that violates many values we hold dear. What is next? I would challenge the theaters owners and lodging association to establish a code of ethics and conduct that would discourage this kind of behavior and venue. Let’s all stand together in Branson stating that our southwest Missouri conservative Christian values are not for sale in the box office. As an elected member of this governing body, I will go on public record that I am for the preservation of our wholesome reputation as a place for family vacations. That I am against serving certain beverages in our theaters. It is time for releasing the antidote of responsible entertainment before Branson dies from an overdose of x-rated venues destroying our precious theater environment”, stated Alderman Purvis. “Mr. Mayor, at this time I was prepared to come before you and ask that the Board make a motion to enforce all ordinances pertaining to public safety and conduct in public places. That we encourage our theater owners to be selective in the booking of venues that will support our community’s family destination reputation. At this time I will table that, and I will ask that you allow me to bring this forward at the next regular meeting so that we could add discussion from the Board and the floor”, stated Mr. Purvis.

PURVIS

Alderman Huff stated he would like to address Alderman Edie’s comments. “With all regard and respect for Mr. Edie, I would like to state that in my opinion, I do not feel the City’s responses were angry. I think they were dealt with fairly and that in many instances, we have told the State Auditors that we would consider and evaluate, time after time, this was pointed out in our responses. I also would like to point out that these responses were reviewed by each and every one of us. When we got the findings from the State Auditor, we directed staff to do the research and bring it back to us, and we would develop our responses. Each and every one of us sitting up here was part of that process. We all signed off on each and every one of those responses before they were sent to the State Auditors. I just don’t think they were angry. I think, if anything they either agreed or disagreed, and in some instances, we felt that we had to disagree. I stand behind this process. I think there was careful research, and was it

HUFF

carefully thought out. I don't believe that we owe an apology to anyone. I think as City Aldermen we have every right to challenge these findings and respond in the proper manner, and I think we have done that," replied Alderman Huff.

Alderman Gass stated he would also like to comment. "I agree with Alderman Huff. We had the opportunity to look at those, each and every one of us aldermen. We agreed to those responses at the time. Sometimes we would agree and sometimes we would disagree, and that is exactly what happened in this audit. I think we should move forward. The audit is completed; we are moving forward. Some of it we agreed with and are going along with it. Some of it we disagreed with, and that is the way it is." stated Mr. Gass. GASS

Administrator Terry Dody responded to Alderman Edie's comments stating that there were only two ways for the City to respond to an audit opinion; the City either agreed with the opinion or disagreed. Administrator Dody stated that the City did not respond rudely, it simply stated that based on the findings of staff and outside consultants and legal staff that the Board of Aldermen disagreed with the auditors' opinion. Dody encouraged the audience to read the City's responses carefully stating that if they would they would find that those responses were not antagonistic. They would also find that the responses are detailed with documented facts presented for each one of the auditors' findings. Dody stated that additionally, contrary to what some have said, the City did say in its responses that it would further consider the auditors' comments. Dody also pointed out that if you take the time to access the responses of other cities to their state audits on the internet you will find responses that are identical to those of the City of Branson. There is nothing out of the ordinary in the City's responses. Dody also encouraged citizens to meet with city staff on any questions that they had regarding the audit. Dody told the audience that the information and facts are available and that everyone should take the time to thoroughly read the City's responses to the audit. He stated that if they would, they would find that the way the state auditor characterized the City's responses incorrectly. DODY

Administrator Dody also stated that the state auditors were not treated rudely. He advised that the auditors were treated professionally and, if anything, it was the other way around. Dody pointed out the state auditors came onsite at the same time that the City's independent financial audit was underway. The independent audit is the audit that the City is required by law to have performed annually. Dody advised that the state auditors had an expectation that city staff should stop city business activities to immediately produce information when requested. Dody pointed out that the city is a \$39 million a year municipal corporation being ran with a minimal amount of human resources and staff could not stop the conduction of city business in order to immediately respond to the state auditors' request for information. Dody also pointed out that the state audit staff had advised him that they had been directed by their Jefferson City Office to move Branson up to the front of their schedule in order to get the audit completed by February 2003. This unusual request put the state audit staff under extra pressure. Dody stated that the additional pressure on the state auditor's field staff to get the audit done so quickly created tensions that apparently were translated by some, on both sides, as being rude. Dody

stated that there were a lot of displays of rudeness and anger by the state auditors and the whole process was very contentious probably because of the pressure the state auditors were under.

Administrator Dody pointed out that everyone should remember that the independent financial audit that the city is required to have done annually by Missouri law, which is an unbiased, non-political audit done by an independent accounting firm that reports directly to the City Council, gave the City an outstanding report. Dody stated that he could only speculate why the state auditors gave the kind of opinions that they did in the face of all the factual documentation that was presented them by the City. He again encouraged everyone to take the time to ask questions regarding the City's responses and stated that if you take the time to set down, set aside what you heard the auditor say when she had the floor, and take the time to ask questions about the City's responses, get the answers and get the facts, then you will find a different side to what was presented.

Alderman Edie replied, Terry, Ron, and Dick, I appreciate your explaining this to the people in town. The whole thing was to explain this and I think you have done it very well. EDIE

PUBLIC COMMENT:

Mayor Schaefer stated the next item was Public Comment and there was none.

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, and Subsection 17 contracts and litigation. Motion was seconded by Alderman Barker. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried.

ADJOURN:

Alderman Barker moved to adjourn. Motion was seconded by Alderman Purvis. Voting aye were: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: None. Motion carried. Meeting was adjourned at 8:05 p.m.