

**MINUTES OF THE PUBLIC COMMENT MEETING
OF THE BOARD OF ALDERMEN
CITY OF BRANSON, MISSOURI, OCTOBER 27, 2003**

The Board of Aldermen of the City of Branson, Missouri, met in the Public Comments session in the Council Chambers of the City Hall on October 27, 2003 at 8:35 p.m. with the following members present:

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

Also in attendance were: Administrator Terry Dody, Assistant Administrator Kevin Faught, City Attorney Dan Wichmer, and City Clerk Sandra Williams.

Mayor Schaefer called the Public Comments meeting to order and stated the Board would hear citizens that signed up to speak in the order of the first person signing the sheet, and there were four people signed up to address the Board.

Gary Groman, 230 River Point Road, Hollister, addressed the Board. Mr. Groman stated he had a concern regarding the extension of the City's marketing agreement with the Branson Lakes Area Chamber of Commerce. His concern was not with the Chamber but that there was not adequate notice of this item on the Agenda, and felt more notice should have been given. Mr. Groman also asked about the asset purchase of the Lake Queen docks and inquired about the Sammy Lane dock that is several miles down Lake Taneycomo.

Administrator Dody replied that the asset purchase is primarily for the lease rights of the Lake Queen. There was no way the City could control the dock structure and remove it without purchasing the lease rights from the person that had them. They had the right to be somewhere on the lakefront property under the existing lease unless the lease rights were obtained.

Jim Thomas, 3431 West Hwy. 76, addressed the Board. Mr. Thomas asked if the Board knew who HCW were, and stated it was an important issue that HCW is a Limited Liability Company or Corporation. Their assets are limited by law and the manner in which they signed the contract with the City was a concern of his. The City is putting \$56-million dollars worth of land with this developer who is only an LLC, and he just wanted to bring this to the City's attention, indicated Mr. Thomas.

Alderman Gass asked the City Attorney if Mr. Thomas has signed personally or did he sign as a corporation for his existing lease with the City. City Attorney Dan Wincher replied that Mr. Thomas has only signed in a corporate capacity on both of his contracts.

Alderman Gass asked what the difference was between Mr. Thomas' lease and Mr. Huffman's lease? Mr. Wichmer replied that in terms of the issue that Mr. Thomas raised there is no difference in an LLP, a LLC or a Corporation, in terms of a liability issue under Missouri law.

Ron Herschend, 1211 Hwy. "F", Branson addressed the Board indicating he would like the Board to think about whether they have the very best option for Branson planned on the lakefront. Mr. Herschend encouraged them to challenge everything, and think whether it is really going to bring incremental people to Branson.

Rick Huffman, HCW Development Company, LLC, addressed the Board indicating he just wanted to address a couple of Mr. Thomas' comments. Mr. Huffman stated his company has put up approximately \$1.8-million dollars in capital in HCW, LLC and is capitalized. The company has to perform by putting up the necessary equity within the Development Company, to finance the project improvements, which is an estimated amount of \$60-million dollars. Although HCW has a lease agreement which allows them to move forward and secure tenants for the project, HCW is still working on more studies. HCW is very concerned that the right product is down there and that the number of incremental visitors must increase or the project won't be successful for the City or HCW.

Chuck Pennel, 353 Quincy Road, Kirbyville, addressed the Board regarding the issue of allowing liquor in theaters. Mr. Pennel indicated he asked for a comment in regards to this issue and had not heard from the Board. Mr. Pennel then read 217 names of people who had signed a petition against allowing liquor in theaters.

Mayor Schaefer stated that concluded the Public Comments section and entertained a motion to adjourn to Executive Session.

EXECUTIVE SESSION:

Alderman Huff moved to go into closed Executive Session pursuant to Section 610.021.1 RSMo for litigation, 610.021.2 for real estate and 610.021.3 for personnel. Motion was seconded by Alderman Barker. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried.

ADJOURN:

Mayor Schaefer entertained a motion to adjourn. Alderman Barker made the motion, seconded by Alderman Huff. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried. Meeting was adjourned at 9:15 p.m.