

**MINUTES OF THE PUBLIC COMMENT MEETING
OF THE BOARD OF ALDERMEN
CITY OF BRANSON, MISSOURI, JANUARY 12, 2004**

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 January 12, 2004 at 9:38 p.m. with the following members present:

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

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

City Clerk Williams said she would like the record to show that Mayor Pro Tem Huff is acting as Mayor as Mayor Schaefer has left due to illness.

Mayor Pro Tem Huff 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.

City Clerk Williams announced there were three citizens that had signed up to speak however the first speaker Bill Skains has already left. The two remaining speakers are Chuck Pennell and John Logan.

Chuck Pennel, 353 Quincy, Kirbyville was the first speaker to address the Board, saying he came once again in regards to the expansion of liquor sales in our theaters. Mr. Pennel explained he was puzzled as to why you have not replied to my previous requests. “I have come before this board numerous times as far as the Branson Landing project, but each time I asked a question the following week, you were courteous to have a response. “I’m puzzled why, after I have asked more than once for either publicly or privately for you to take a stand on this issue. Can you explain this to me,” asked Mr. Pennel. **CHUCK
PENNEL**

Mayor Pro Tem Huff said he believes the Board has taken a stand and our City Attorney has addressed your question on our behalf. Mr. Pennel said he understood what the City Attorney said, but was wanting the elected officials to take a stand on where they stood for the public. I brought to all of you a copy of the petition with 800 signatures, can you explain why you will not speak on this and tell the public where you stand? **HUFF**

Alderman Barker said that at this juncture in time, he would much rather focus his energies on something that is not legal in Taney County, something that we need at all costs to try to deter, and that would be gambling. Although it would be great if the alcohol issue went away, it never will. Taney County is not a dry county. **BARKER**

It is legal to sell and to purchase alcohol. I am not going to discriminate against certain businesses in my community that have a legal right under Missouri law to sell it. That is basically my stand. My personal belief, is something that needs to be discussed when I am not sitting behind this podium. I have to look at what is legal and right in the state of Missouri and Taney County. There is no prohibition in Taney County on the sale of alcohol. However, we don't have gambling and I don't want to see that door opened. I plan on asserting all of my energies towards doing what I can to try to deter that from becoming legal in our county. If a person wants to put in a kennel they have certain guidelines and regulations; there are local regulations, and state regulations. I wouldn't discriminate against the number of kennels in town or the number of motels, restaurants, or music shows. They have a legal right to do so. For me to do anything else is discrimination, in my view.

Alderman Purvis stated he was a teetotaler, and he did not believe in the use of alcohol in any shape, form or fashion. But to the best of his knowledge, my personal opinion has to differentiate from what state laws allows us. I don't know of anything that would allow me to bring my personal belief to this council and push my personal beliefs on anybody else. Personally, I am against serving alcohol in Branson or any place else, because I think it does a lot more harm than it does good. But that is not something I am going to be able to convince other people in this community to do, said Mr. Purvis. **PURVIS**

Alderman Edie said, we cannot take a public stand on something that would be illegal, banning alcohol. If you want to know where I stand; I don't care. I don't think they will sell any more alcohol in any of the theaters, or more, whether I want it or not, so it doesn't matter to me. **EDIE**

Mr. Pennel said he still didn't see what harm a resolution saying that the Board doesn't support that in their community, and to discourage it would do. I am really puzzled about that and again; it makes no sense that you would not pass a resolution, indicated Mr. Pennel. **PENNEL**

Mayor Pro Tem Huff responded by saying he felt a resolution would not be the thing for this council to do. What the actions of this Council, and the things we say are not just confined to our city limits. They are picked up by newspapers throughout the country, and for this Board of Aldermen to stand up here and proclaim that if you are not like us about being against alcohol, we don't want you here in Branson would be wrong. Mr. Huff said he just feels that message would be misconstrued, and he does not think it is the message that we would want to be sent, particularly at a time when we are trying to bring in a wider diversion of people to our area. **HUFF**

The last speaker to address the Board was John Logan, Branson. Mr. Logan said they had another 1500 signatures and would bring them by the next meeting. The reason Branson is so unique and not like California, is because we have standards. It is not unconstitutional for you to say, 'we oppose the expansion of alcohol in our theaters'. It makes good sense. Our brand is that we are a family vacation area. It is not illegal to pass a resolution. This is a family vacation area. It is an amazing phenomena, **JOHN LOGAN**

and we can say our conscience. We are going to be here en masse for a long time. This is a family vacation area. My opinion is backed by a whole lot of people, and they are going to be voting in April. Mr. Logan then asked Mr. Huff if he would support a resolution to stop this nonsense? Mayor Pro Tem Huff replied he had already commented on a resolution. Mr. Gass, will you support a resolution, asked Mr. Logan. Alderman Gass replied, no response. Mr. Logan then asked Alderman Barker, and Alderman Barker responded, if this is a community where those type of people come, then the theaters are not going to sell their alcohol. I don't think they are making any big bucks off of this, and I think it will go away. If this is truly a place where people come that don't want to put up with that, they are not going to visit those theaters. There are theaters that are standing by their guns, and they are not serving alcohol. Those are the theaters people are going to visit, but I am not going to make that choice for other people. Mr. Logan then asked Mrs. Martin. She replied that she did know what family values are and respects each and every one of them, but we also are in reality check, progress continues in every avenue, grocery stores, theaters, drive-ins, you name it. It just boils down to a choice of those people going to that theater whether they want to drink or they don't. I believe that if we took a survey and wrote names on a list of how many went into a theater and brought a drink, it would not fill a page. Next Mr. Logan asked Mr. Edie. Alderman Edie replied, no, I won't support a resolution. Finally, Mr. Logan asked Mr. Purvis. Alderman Purvis said he would support a resolution, and said he would not make one tonight as he believed it would be superfluous. There wouldn't be any point to it at all. I would support a resolution, but I will not initiate a resolution as it would be pointless to do so. Mr. Logan finished addressing the Board by saying, we have got a brand; we are a family vacation area; let's keep it; let's cherish it; let's be different.

Mayor Pro Tem Huff stated, that concluded the Public Comments section and entertained a motion to adjourn to Executive Session.

EXECUTIVE SESSION:

Mayor Pro Tem 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. The motion was seconded by Alderman Purvis. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried.

ADJOURN:

Mayor Pro Tem Huff entertained a motion to adjourn. Alderman Barker made the motion, seconded by Alderwoman Martin. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried. Meeting was adjourned at 9:31 p.m.