

**PUBLIC COMMENTS MEETING
OF THE BOARD OF ALDERMEN
CITY OF BRANSON, MISSOURI, MAY 24, 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 May 24, 2004 at 8:45 p.m. with the following members present:

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

Also in attendance were: Administrator Terry Dody, City Attorney Dan Wichmer, Assistant City Attorney Russ Dempsey and Deputy City Clerk Lisa Westfall.

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, and there were eight people signed up to address the Board.

Dick Bofferding, 238 Peach Lane, Ridgedale, Missouri was the first speaker. He spoke of how people in Branson were cordial, concerned, courteous, and he would like to see the Board of Aldermen keep what this city represents. This City is wholesome, you can bring your kids, your grandkids here, everything is great here, and the theaters have been great. Mr. Bofferding stated that he felt the trend that the city is moving in is one he doesn't like. The city honors this country and veterans in a great way. We should be honoring God too and there are sins that we need to look at. All sins are classified under three classifications; lust, greed or pride and he feels that the city could have the sin of greed take over. He would like to see the Council not take that step toward greed in this town and keep it a wholesome community for our children and our grandchildren to come to.

Charlie Engram, 258 Pathway, Branson, Missouri spoke of the decorum of the meeting that had taken place over the last year. He would like to simply talk like we use to and say what the citizens think and feel and not get so rigid and uptight. Mr. Engram stated that he was disappointed that Alderman Purvis couldn't get a second to discuss his resolution. He remarked that the city needs to stop and relax for a moment and look at what brought us to where we are. He asked the Board to do a gut check about our community, listen to the people, and see what we stand for and make a difference in the community.

John Logan, 2277 Lakeshore Drive, Branson, Missouri saluted Alderman Purvis for his resolution. He stated that Branson has homogenized itself, where we want to be like everybody else. Our Chamber of Commerce is spending right at \$3-million dollars and what they say in their advertising is that we are a family vacation area. There are ample places in this community to buy beer, to consume beer and it's not in our theaters, and it's not in a new motion picture complex on Branson Landing. The Board was asked simply for a statement of your position for this community. You weren't asked for a law. You weren't asked for anything binding, just your position. Mr. Purvis, couldn't get a second for discussion. Mr. Logan continued by stating, second readings are poor prior planning, which creates the necessity to have emergency and second readings all of the time on ordinances. This community has ample staff, ample money to

get the proposals and resolutions on the table without having to have second readings almost 25% to 40% of the time.

Ron Herschend, 1211 Hwy F, Branson, Missouri, wanted to make the Council aware that two of the County Commissioners met with the Chamber of Commerce, and it was decided that they will not be participating in the Branding funding. Mr. Herschend then stated that Mr. VanGilder and himself met early this last week on Fall Creek Road regarding a concern on the southwest end, which is the Highway 165 end. There have been several accidents and after reviewing that with the engineer, the county is currently working on a major redesign of the southwest end to improve the slope width in the intersection with 165. Mr. Herschend also reported that Burns & MacDonnell was not getting the documents needed for the County to secure easements. Last meeting it was reported as of that date, 75% of the easements would be completed by May 15, with the balance done on May 23. As of May 23rd, 240 easements have been turned in to the City of Branson. There are 160 yet to do. The deadline has been missed twice, and he asked for support on determining what needs to happen so the subcontractor can get the documents needed. He made the Council aware of the counties funding deadline, which is September 15. Next, he discussed the issue of a meeting that was held with several Branson officials and other members of the community in which a particular point was made that the county was sitting on millions of dollars in the bank and that the City should tap those funds for projects. I am here to report that is true – the county does have money in the bank and tends to be very conservative. There is 12 million dollars in our general county revenue fund and the county is building a 15 to 16 million dollar court house. There is 15 million dollars in the road and bridge fund, 2004 thru 2008 we have 11 million dollars in our road and bridge improvements planned in excess of our regular scheduled maintenance. Lastly, the county has 8 million dollars in their Sewer Fund. Of that 16 million dollars is being spent on Bee Creek and an additional 1.2 million dollars is being spent on Table Rock acres. The county does not sit around with money that is not allocated.

Chuck Pennel, 353 Quincy Road, Kirbyville, thanked Jack Purvis for taking a stand and bringing the resolution forward and asked the rest of Board to give it some more thought. He stated that he appreciated the Council opening with the Pledge of Allegiance and prayer acknowledging God. He also stated that he believed there were two groups that come to Branson. There are those that purchase and consume alcoholic beverages when they are here and there are those that don't. For those that do, there are ample places, but there is a danger of losing the group that does not consume alcoholic beverages if we continue to expand it into our theaters. Branson is a family destination, and alcohol just doesn't fit here.

Aaron Viveiros, 139 Edwards, Branson, Missouri appeared in support of the resolution that was talked about. The resolution does not limit the sale of alcohol but rather puts the decision making process in the hands of those who actually live in this community. People of this community should have a greater voice in things that pertain to it. Mr. Viverios stated that he didn't envy any one up there on the Board of Aldermen and that it is a heavy responsibility.

Randy Barr, 18 Bradford Place, #514, Branson, Missouri stated he was the co-founder and producer of a nationwide television show called "The Spirit of America Hour". He commented that he would like to see the Chamber of Commerce use some of their seasonal statistics. Branson is special, it is a family place, it is different. It is just about fun, a clean place to come to, they can still go out and have cocktails, but let's leave the theaters for the kids that are going to come to the shows and for the families.

Chris Jordan, 203 Cliff Drive, Branson, Missouri was the last speaker to speak. Mr. Jordan said it was important for us to realize what the Board's job is. There is a separation of different entities and is your job legislating morality? You should allow the licensing of liquor to be controlled by the state because the supply and the demand will finally level itself out. That is what will happen with the theaters and right now, it stands that if they qualify for the restaurant/resort license, no City can regulate whether or not they get that license. If people choose not to take their kids there and if everyone is right and the majority of the people coming here believe that, then those theaters will sit empty and they will get rid of their liquor licenses so that those people will come back. That is how supply and demand works. I really get upset when people stand up here and say that the family values and alcohol consumption are mutually exclusive and for someone to say if you drink alcohol then you don't have family values, that's insulting. You can control alcohol in the theaters, your ushers can remove somebody if they are getting out of control. It is against the law in the State of Missouri to serve someone beyond the point of intoxication and Liquor Control can be notified. Mr. Jordan continued by saying that it is a testament to the system, that if a motion is presented and you don't agree with a motion; it doesn't get seconded, this is our vote.

Mayor Pro Tem Huff responded to the statement that we seem to be rigid in our decorum and rules. "We used to talk back then; I was back then – I've been around here for a long time and I can remember hours of hours and hours of just talking, without alcohol, among other times but we put these rules in over the last year and they seem to work pretty well."

Mayor Pro Tem Huff also responded to the statement of "none of us had the moxy to second this or to take a position on this", "goodness gracious anybody that has attended these meetings that we have taken position after position, after position on this issue. All of us have sitting up here, including Alderman Purvis. I didn't second this resolution because I didn't feel that it was a good one. I'm not sure that we've got a problem in this town. Where is the problem with alcohol in theaters? We've been serving alcohol in theaters since 1982 here. There hasn't been any surge in people getting licenses to serve alcohol in their theaters. This is something that is heavily regulated by State Law. I don't know if we've got that big of a problem here in Branson. I am just worried about if we make a statement such as we don't think that liquor should be served here or served there or over there, I just think that kind of a message can have an adverse affect on Branson. I believe that it could be misinterpreted that if you drink or if you enjoy a glass of wine, you enjoy a beer, that you are not welcome in Branson. And that folks is not the kind of message we want to put out there. I am not speaking on behalf of anyone but myself. This is regulated by State Law and those that are legally permitted to do so have the right to serve it. That is my position on it."

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

EXECUTIVE SESSION:

Alderman Edie 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: Barker, Martin, Huff, Edie, and Purvis. Nays: none. Absent: Gass. Motion carried.

ADJOURN:

Mayor Pro-Tem Huff entertained a motion to adjourn. Alderman Barker moved to adjourn, seconded by Alderman Purvis. Voting aye: Barker, Martin, Huff, Edie, and Purvis. Nays: none. Absent: Gass. Motion carried. Meeting was adjourned at 9:30 p.m.