

**MINUTES OF THE PUBLIC COMMENT MEETING
OF THE BOARD OF ALDERMEN
CITY OF BRANSON, MISSOURI, JULY 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 July 12, 2004 at 8:15 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 from the City were: Administrator Terry Dody, Assistant Administrator Frank Schoneboom, City Attorney Dan Wichmer, City Clerk Sandra Williams, and Assistant City Attorney Russ Dempsey.

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 was five persons signed up to address the Board.

City Clerk Williams called the first name on the list Bill Skains, 1335 W. Hwy. 76 who was not present to speak. Mrs. Williams then called the next name on the list of Cec Reed, 129 The Bluffs, Bldg. 33, who did not respond. She then called the third name on the list of Ricky R. Renfro.

Ricky Renfro, 108 Fern, Branson, addressed the Board saying he did not believe the steps at Mang Field should have been sold as they were built by the government. He asked how he would be able to get down on the lake front to check on the Liberty Tree when Scotty's Boat Dock entrance was closed. He also inquired about the 404 permit, and Mr. Dody replied we are very close to getting that permit.

John Logan, 2277 Lakeshore Drive, Branson, addressed the Board saying he had several items to bring forth. He indicated that at the Special Meeting held on June 28, 2004 there were five bills, 2873, 2874, 2875, 2876, and 2877 but on this agenda there are only four items. He asked why Bill No. 2874 was not on this agenda. Mr. Dody replied that it is the Redevelopment Agreement which was postponed by the Council at the previous meeting to be brought back at a later date. It has a completely different function from the other bills, and will be brought back completely separate and independent from Items 6, 7, and 8 of this Agenda.

Mr. Logan then spoke about the Branding Study, stating that Mr. Summers of the Chamber of Commerce had indicated that the Branding Study would be done in nine weeks and it would be nine weeks next week, and asked that a meeting be held to inform the citizens of the results of the Study.

He then spoke regarding second readings. He indicated he found it abhorrent that the second readings are put on the Consent Agenda therefore could not be discussed again. If there is a second reading that is controversial, then don't put it on the Consent Agenda and have citizens waste their time coming out to speak, when you know they are there and then don't allow them to speak, indicated Mr. Logan.

The next item Mr. Logan discussed was alcohol in the theaters. He said, you are all on a moral crusade against gambling in Rockaway Beach, and yet you sit here and dictate to a town 15 miles away how their family values should be, but you cannot make a determination for your own citizens regarding alcohol in theaters which have been alcohol free for years and years. Here you are telling Rockaway Beach how to live their family values when you can't even tell our community how you feel regarding alcohol, stated Mr. Logan. Alderman Purvis said he took exception to this as he did not believe this Council has ever made a statement condoning or condemning gambling in Rockaway Beach. Mr. Logan then asked if there was any City money going into the campaign opposing gambling or the Riverboat. Mr. Dody replied the answer is "No".

The last item Mr. Logan brought before the Board, was that Bill and Helen Hagler came to the meetings and they bring their granddaughter Kelsey with them, and she is going to remember the practice of democracy with her grandparents for the rest of her life. Mr. Logan said he would like to see more young people come to the meetings and see how democracy works. He then closed by saying he would still like the Board to come out with a resolution against alcohol in the theaters.

Chuck Pennel, 353 Quincy Road, Kirbyville, addressed the Board saying he was speaking as the Taney County Presiding Commissioner. He informed the Board that the County Commission passed a resolution against the establishment of casino gaming in Taney County, mirrored after the Branson resolution that has already been passed, and he appreciated the Board taking a stand on this issue. In regard to what Mr. Logan had said, he indicated he believed it does say 'the Branson area or the Tri-Lakes area', in the resolution. The Commission feels that it will be detrimental for the economy of Taney County and Branson, and encouraged the Board to take a further stand on this issue.

Mr. Pennel then said that one question he did have was that Williams Cummings, Vice-Chairman of the Sewer Board read a statement regarding the Branson Hills TIF at a previous meeting and he understood it had a question in the statement, and he would appreciate it if the Board would address those comments at the next meeting.

Pertaining to the TIF, the County Commission is concerned about the loss of tax revenue, along with the Developmentally Disabled Board, the School District, and the Taney County Ambulance District who also have voiced concerns with him. Mr. Pennel indicated he felt the TIF use in this project was an abuse of the TIF and wanted to make the Board aware of that. Alderman Huff stated he took exception to the word "abuse" as he didn't see where the City is abusing anything. If it was in reference to the Blight issue, qualified individuals conducted a proper study on this; the City's outside Council looked at this issue; and the City Attorney all agree that it meets the criteria and the definition of blight in the State of Missouri. As far as he was concerned, the Board has done their due diligence.

Mr. Pennel said the other issue on the TIF is that as elected officials they receive an awesome amount of power and responsibility, and the City Council by TIF law, has received the power to take away the taxes of the School District, Ambulance District, Disability Board, Road and Bridge, County General Revenue, and Sewer District, and he questions whether they are using that authority wisely. Mr. Pennel indicated he did not believe that the area in question will stay undeveloped. It may not be what this developer is going to develop, but that area will be developed and therefore you are taking away from the other taxing districts. Alderman Huff said they believe that the creation of the TIF project will produce far more revenue for all of the taxing districts than what is going to occur there normally. We are told that the best use for that area is about 30% residential or multi-family. We are creating much more of a tax revenue by creating a district that is going to be commercial and high-density, so it is just a difference of opinion.

Mr. Pennel then said he would like to follow up on the Roundabout that was on the Agenda previously. If the engineering costs are going to be an additional \$12,000 for the utilities, how much is the construction costs for moving those utilities going to be? Alderman Barker said the Board would not know that cost until they go out for bids on the construction, and that cannot be done until the engineering is completed.

City Clerk Williams stated that completed the list of citizens requesting to speak.

Mayor Schaefer then 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, 610.021.3 for personnel, and 610.021.2 for contract negotiations. The motion was seconded by Alderwoman Martin. 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 Purvis. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried. Meeting was adjourned at 8:45 p.m.