

**MINUTES OF THE SPECIAL MEETING OF THE BOARD OF ALDERMEN
CITY OF BRANSON, MISSOURI, DECEMBER 20, 2004**

The Board of Aldermen of the City of Branson, Missouri met in special session in the Council Chambers of the City Hall on December 20, 2004 at 6:00 p.m. with the following members present:

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

Also present from the City were: City Administrator Terry Dody, City Attorney Dan Wichmer, City Clerk Sandra Williams, Assistant City Administrator Frank Schoneboom and Finance Director Deanna Schlegel.

Mayor Schaefer called the meeting to order with the "Pledge of Allegiance" and Sandra Williams provided the invocation. Mayor Schaefer stated, "the purpose of this special Board of Aldermen meeting is to hold a Public Hearing regarding the establishment of the proposed Branson Hills Community Improvement District, and consideration of an ordinance establishing the district." Mayor Schaefer then recessed the meeting until 6:30 p.m. explaining that the attorney Jim Grice was presently driving from the airport as his plane was delayed.

Mayor Schaefer reconvened that meeting at 6:30 p.m.

Jim Grice, Law firm of Spencer, Fayne, Britton, Brown provided the report for this stating the CID is a district being created as a part of the financing package for the Branson Hills TIF Bond issue that we are working on. First point of order, the petition that was filed with the clerk has a need for a slight amendment and that is to correct the term of the district. The change that is being made in the First Amendment Petition from the original petition that is on file is to correct a typographical error in the paragraph referring to "the Life of the District". Originally the life of the district referenced a "four year" life, this is a twenty year plus financing. The life is supposed to be "fifty years". So that correction has been made. A First Amendment Petition has been re-executed by the owners that executed the petition and they would like the record to reflect that notice has been given of that change, and a original copy of the First Amended Petition was given to the City Clerk at this time.

Jim Grice responded by saying that they had been working very closely with Rick McConnell's firm in connection with this petition. Mr. Grice then said that the CID is a district that is established to enable the property owners to self impose a sales tax that would be relied upon to augment the financing that is put in place to finance the TIF Package. There will be some details that we will have to work with your City Attorney in the structuring. It is a critical piece to the financing and so we requested this special meeting to keep the time line marching forward. It is a request for a political subdivision

and that is the only way that you can levy a sales tax. The boundaries of the district are attached on a map that is essentially the Project I boundary of the Branson Hills TIF plan area.

Rick McConnell pointed out that essentially 98% of the property owners in the district have submitted petitions; statute requires 50% of the per capita owners and 50% of the assessed valuation. There is ownership on the common area, which is a drainage easement area, which they did not seek to secure signatures from that ownership.

At this time, Mayor Schaefer opened the meeting into a public hearing to take public comments.

Alderman Gass asked the staff, as this was just Phase I if they would have to go through this again for Phase II and Phase III?

Jim Grice responded saying yes this is limited to Phase I and indicated the existing landowners in Phases II and III did not want this district created until the financing was imminent. He went on to say, since we are in the Public Hearing, that we make specific reference to change in the First Amended Petition, which is to change to paragraph Roman Numeral IV on page 3 of the original file petition has been changed from four-years to fifty-years.

First reading of Bill No. 2968, an ordinance of the Board of Aldermen of Branson, Missouri approving a agreement for implementation of the Branson Hills Tax Community Improvement District, and authorizing the Mayor to execute the same, was read by title by City Clerk Williams. Mayor Schaefer asked for a motion to approve the first reading of Bill No. 2968. Alderman Gass made the motion and

**BILL NO. 2968
BRANSON HILLS
CID AGREEMENT
ESTABLISHING THE
CID DISTRICT
ORD. NO. 2004-179**

Alderwoman Martin made the second. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Motion carried. At this time, Alderman Huff moved to read the bill again by unanimous consent in order to meet the time requirements of the anchor tenants and due to inevitable winter construction problems and so the developers are requesting a second reading, and Alderman Gass made the second. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Nays: none. Motion carried. Mayor Schaefer called for the second and final reading of Bill No. 2968. City Clerk Williams read Bill No. 2968 by title again. Mayor Schaefer then entertained a motion approving Bill No. 2968 for final reading. Alderwoman Martin made the motion, seconded by Alderman Gass. Voting aye: Gass, Barker, Martin, Huff, Edie and Purvis. Nays: none. Ordinance No. 2004-179 was duly enacted.

ADJOURN:

Mayor Schaefer entertained a motion to adjourn. Alderman Huff made the motion, seconded by Alderwoman Martin. Voting aye: Gass, Barker, Martin, Huff, Edie, and Purvis. Meeting adjourned at 7:05 p.m.