

MINUTES

THE REGULAR MEETING OF THE
BOARD OF ALDERMEN
CITY OF BRANSON, MISSOURI
January 24, 2017

INTRODUCTORY

The Board of Aldermen of the City of Branson, Missouri, met in regular session in the Council Chambers of the City Hall on January 24, 2017, at 7:00 p.m. Mayor Best called the meeting to order with the "Pledge of Allegiance" and Jamie Rouch gave the invocation.

ROLL CALL

City Clerk Westfall called roll: Mayor Best presiding, Mike Booth, Kirsten Hart, Rick Todd, Rick Castillon and Bob Simmons. Absent: Betsy Seay.

Also present from the City were: City Administrator Bill Malinen, City Clerk Lisa Westfall, City Attorney William Duston, Public Works Director and City Engineer David Miller, IT Director Chad Forster, Police Chief Stan Dobbins, Parks and Recreation Director Cindy Shook, Utilities Administrative Services Manager Loretta Bishop, Human Resources Director Jan Fischer, Planning and Development Director Joel Hornickel, Finance Director Jamie Rouch and Fire Chief Ted Martin.

MAYOR ANNOUNCEMENT

Mayor Best stated in an effort to be more efficient, we request all documents for the Board be delivered to the City Clerk prior to the meeting or handed to the City Clerk at the meeting for her to distribute. To ensure there are enough handouts, please provide 12 copies. She instructed the City Clerk to update the Public Comment Speaker's Sheet to include these instructions.

PUBLIC COMMENT

Mayor Best began the Public Comments section of the Board of Aldermen meeting by stating the Board would hear citizens that signed the Speaker's Sheet in the order they are listed on the sheet.

Nolan Fogle, 3530 W. Highway 76, Branson, Missouri, stated he would like to publicly thank everyone involved with the Benefit the Badge event. He mentioned work has been done over the last several weeks to promote the event and raise money for Law Enforcement Recognition Week and this will be the fourth year for Benefit the Badge. He stated this event brings law enforcement officers to Branson from around the country and is a national event which has passed the first few steps to becoming a state resolution. He asked the Board to continue its support for Benefit the Badge and he explained it's a fundraising mechanism for Law Enforcement Recognition Week. He added, it's a tournament series and the event has received a donation of 50,000 square feet from the Branson Convention Center and participation from the Parks and Recreation Department. He thanked the Board for allowing Police Chief Dobbins to attend the media tours which has helped create a national event for Branson. He asked the Board for their continued support and he thanked them for all they've done. Mr. Fogle stated Governor Greitens has made this event a priority and he knows the Mayor has spoken to him about the event. He

announced Benefit the Badge will be March 31st through April 2nd at the Branson Convention Center and Ballparks of America will be participating as well. He stated the events include sports such as volleyball, basketball, golf, kickball, indoor miniature golf and ladder ball and there will be about 13 events happening simultaneously on the same weekend. He commented this is an event people of all ages and talent levels can participate in. He added, it's a big event with great media exposure and he feels everything has been great. Discussion.

CONSENT AGENDA

Mayor Best asked if there were any citizens that had any items they wished to have removed from the Consent Agenda for further discussion. Hearing none, Mayor Best asked if any member of the Board had any items they wished to have removed from the Consent Agenda. Hearing none, Mayor Best asked City Clerk Westfall to read the items on the Consent Agenda. City Clerk Westfall read the following Consent Agenda items by title.

Approval of Board of Aldermen Minutes:

- a) January 5, 2017 Study Session
- b) January 10, 2017 Regular Meeting

Acknowledge Receipt of Minutes:

- a) Park Board meeting of November 15, 2016

Mayor Best opened the floor for a motion to approve all items on the Consent Agenda. Alderman Todd moved to approve, seconded by Alderman Booth. Voting aye: Booth, Hart, Todd, Castillon and Simmons. Nays: none. Absent: Seay. Motion carried.

REGULAR AGENDA

BILL NO. 5032
POSTPONED

Approving the issuance of Tax Increment Refunding Revenue Bonds, Series 2016A (Branson Shoppes Redevelopment Project) and Subordinate Tax Increment Refunding Revenue Bonds, Series 2016B (Branson Shoppes Redevelopment Project) of the Industrial Development Authority of the City of Branson, Missouri; authorizing the execution of documents by the City related to the issuance of the bonds and authorizing certain other actions in connection with the issuance of said bonds.

Final Reading of Bill No. 5032, an ordinance approving the issuance of Tax Increment Refunding Revenue Bonds, Series 2016A (Branson Shoppes Redevelopment Project) and Subordinate Tax Increment Refunding Revenue Bonds, Series 2016B (Branson Shoppes Redevelopment Project) of the Industrial Development Authority of the City of Branson, Missouri; authorizing the execution of documents by the City related to the issuance of the bonds and authorizing certain other actions in connection with the issuance of said bonds was read by title by City Clerk Westfall. She stated this bill was postponed on its Final Reading during the November 8, 2016 Regular Meeting. It is now ready for additional discussion. A staff report was presented by Jamie Rouch. Mayor Best asked for a motion to postpone the Final Reading of Bill No. 5032 to a date not to exceed March 28, 2017. Alderman Booth so moved, seconded by Alderman Hart. Mayor

Best asked for anyone in the audience wishing to speak regarding this matter. Hearing none, Mayor Best asked for comments from the Board. Discussion. Mayor Best called for a vote on the postponement. Voting aye: Booth, Hart, Todd, Castillon and Simmons. Nays: none. Absent: Seay. Motion carried.

BILL NO. 5094
Ord. No. 2017-0007

Approving a Loan Agreement and Promissory Note between the Missouri Transportation Finance Corporation, the Missouri Highways and Transportation Commission and the City of Branson.

Final Reading of Bill No. 5094, an ordinance approving a Loan Agreement and Promissory Note between the Missouri Transportation Finance Corporation, the Missouri Highways and Transportation Commission and the City of Branson was read by title by City Clerk Westfall. She stated this bill was postponed on its Final Reading during the January 10, 2017 Regular Meeting. It is now ready for additional discussion. A staff report was presented by Jamie Rouch. Mayor Best asked for a motion approving Bill No. 5094. Alderman Castillon moved to approve, seconded by Alderman Booth. Mayor Best asked for anyone in the audience wishing to speak regarding this matter. Hearing none. Mayor Best asked for comments from the Board. No discussion. Voting aye: Booth, Hart, Todd, Castillon and Simmons. Nays: none. Absent: Seay. Motion carried.

RESOLUTION NO.
2017-R001

Approving an Assignment of a Commercial Ground Lease from Morrell Hospitality, LLC and Philip M. Morrell to Branson's Best, Inc., of a portion of city property more commonly known as the Old Branson Airport.

A Resolution approving an Assignment of a Commercial Ground Lease from Morrell Hospitality, LLC and Philip M. Morrell to Branson's Best, Inc., of a portion of city property more commonly known as the Old Branson Airport was read by title by City Clerk Westfall and a staff report was presented by City Attorney Duston. Mayor Best asked for a motion adopting the resolution. Alderman Todd moved to adopt, seconded by Alderman Hart. Mayor Best asked for anyone in the audience wishing to speak regarding this matter. Hearing none, Mayor Best asked for comments from the Board. Discussion.

Karl Finkenbinder, of Schenewerk & Finkenbinder Attorneys at Law, clarified the correct amount is \$2,500,000.00.

Alderman Simmons moved to amend Section 2 of the Resolution to change the amount of \$3,000,000.00 to \$2,500,000.00, seconded by Alderman Booth. Mayor Best asked for anyone in the audience wishing to speak regarding the amendment. Hearing none, Mayor Best asked for comments from the Board. No discussion. Mayor Best called for a vote on the amendment. Voting aye: Booth, Hart, Todd, Castillon and Simmons. Nays: none. Absent: Seay. Motion carried. Mayor Best asked for anyone in the audience wishing to speak regarding the Resolution as amended. Hearing none, Mayor Best asked for comments from the Board. No discussion. Mayor Best called for a vote on the Resolution as amended. Voting aye: Booth, Hart, Todd, Castillon and Simmons. Nays: none. Absent: Seay. Motion carried. Resolution No. 2017-R001 was adopted.

RESOLUTION NO.
2017-R002

Adopting the Branson/Lakes Area Legislative Partnership's 2017 Legislative Priorities.

A Resolution adopting the Branson/Lakes Area Legislative Partnership's 2017 Legislative Priorities was read by title by City Clerk Westfall and a staff report was presented by Administrator Malinen. Mayor Best asked for a motion adopting the resolution. Alderman Simmons moved to adopt, seconded by Alderman Castillon. Mayor Best asked for anyone in the audience wishing to speak regarding this matter.

Hearing none, Mayor Best asked for comments from the Board. No discussion. Mayor Best called for a vote on the Resolution. Voting aye: Booth, Hart, Todd, Castillon and Simmons. Nays: none. Absent: Seay. Motion carried. Resolution No. 2017-R002 was adopted.

**RESOLUTION NO.
2017-R003**

Adopting the City of Branson's Legislative Agenda for the year 2017.

A Resolution adopting the City of Branson's Legislative Agenda for the year 2017 was read by title by City Clerk Westfall and a staff report was presented by Administrator Malinen. Mayor Best asked for a motion adopting the resolution. Alderman Simmons moved to adopt, seconded by Alderman Hart. Mayor Best asked for anyone in the audience wishing to speak regarding this matter. Hearing none, Mayor Best asked for comments from the Board. Discussion. Mayor Best called for a vote on the Resolution. Voting aye: Booth, Hart, Castillon and Simmons. Nays: Todd. Absent: Seay. Motion carried. Resolution No. 2017-R003 was adopted.

BILL NO. 5104

Approving the annexation of the property located at 240 Meadow Ridge, Unit 4, Branson, Missouri.

Public Hearing and First Reading of Bill No. 5104, an ordinance approving the annexation of the property located at 240 Meadow Ridge, Unit 4, Branson, Missouri, was read by title by City Clerk Westfall and a staff report was presented by Joel Hornickel. Mayor Best opened the public hearing and asked if anyone in the audience wished to speak in favor of or opposing this matter. Hearing none, Mayor Best closed the public hearing. Mayor Best asked for a motion approving Bill No. 5104. Alderman Castillon moved to approve, seconded by Alderman Booth. Mayor Best asked for anyone in the audience wishing to speak regarding this matter. Hearing none, Mayor Best asked for comments from the Board. No discussion. Voting aye: Booth, Hart, Todd, Castillon and Simmons. Nays: none. Absent: Seay. Motion carried.

BILL NO. 5105

Approving the annexation of 260 Meadow Ridge, Unit 2, Branson, Missouri.

Public Hearing and First Reading of Bill No. 5105, an ordinance approving the annexation of 260 Meadow Ridge, Unit 2, Branson, Missouri, was read by title by City Clerk Westfall and a staff report was presented by Joel Hornickel. Mayor Best opened the public hearing and asked if anyone in the audience wished to speak in favor of or opposing this matter. Hearing none, Mayor Best closed the public hearing. Mayor Best asked for a motion approving Bill No. 5105. Alderman Castillon moved to approve, seconded by Alderman Hart. Mayor Best asked for anyone in the audience wishing to speak regarding this matter. Hearing none, Mayor Best asked for comments from the Board. Discussion. Voting aye: Booth, Hart, Todd, Castillon and Simmons. Nays: none. Absent: Seay. Motion carried.

BILL NO. 5106

Approving a street vacation for Logan Drive, Chiefs Lane and a portion of Stone Valley Circle.

First Reading of Bill No. 5106, an ordinance approving a street vacation for Logan Drive, Chiefs Lane and a portion of Stone Valley Circle was read by title by City Clerk Westfall and a staff report was presented by David Miller. Mayor Best asked for a motion approving Bill No. 5106. Alderman Booth moved to approve, seconded by Alderman Castillon. Mayor Best asked for anyone in the audience wishing to speak regarding this matter. Hearing none, Mayor Best asked for comments from the Board. Discussion. Voting aye: Booth, Hart, Todd, Castillon and Simmons. Nays: none. Absent: Seay. Motion carried.

BILL NO. 5107

Approving a Final Subdivision Replat for Stone Valley Estates.

First Reading of Bill No. 5107, an ordinance approving a Final Subdivision Replat for Stone Valley Estates was read by title by City Clerk Westfall and a staff report was presented by Joel Hornickel. Mayor Best asked for a motion approving Bill No. 5107. Alderman Castillon moved to approve, seconded by Alderman Simmons. Mayor Best asked for anyone in the audience wishing to speak regarding this matter. Hearing none, Mayor Best asked for comments from the Board. Discussion. Voting aye: Booth, Hart, Todd, Castillon and Simmons. Nays: none. Absent: Seay. Motion carried.

BILL NO. 5108

Approving the renewal of the contract with the Taney County Health Department for Public Health Services.

First Reading of Bill No. 5108, an ordinance approving the renewal of the contract with the Taney County Health Department for Public Health Services and authorizing the Mayor to execute the contract was read by title by City Clerk Westfall and a staff report was presented by Jamie Rouch. Mayor Best asked for a motion approving Bill No. 5108. Alderman Booth moved to approve, seconded by Alderman Castillon. Mayor Best asked for anyone in the audience wishing to speak regarding this matter. Hearing none, Mayor Best asked for comments from the Board. Discussion. Voting aye: Booth, Hart, Todd, Castillon and Simmons. Nays: none. Absent: Seay. Motion carried.

BILL NO. 5109

Amending Section 86-623 of the Branson Municipal Code: Schedule III: Restricted or Prohibited Parking.

First Reading of Bill No. 5109, an ordinance amending Section 86-623 of the Branson Municipal Code: Schedule III: Restricted or Prohibited Parking was read by title by City Clerk Westfall and a staff report was presented by David Miller. Mayor Best asked for a motion approving Bill No. 5109. Alderman Todd moved to approve, seconded by Alderman Hart. Mayor Best asked for anyone in the audience wishing to speak regarding this matter. Hearing none, Mayor Best asked for comments from the Board. No discussion. Voting aye: Booth, Hart, Todd, Castillon and Simmons. Nays: none. Absent: Seay. Motion carried.

BILL NO. 5110

Approving a street vacation for portions of Berry Drive.

First Reading of Bill No. 5110, an ordinance approving a street vacation for portions of Berry Drive was read by title by City Clerk Westfall and a staff report was presented by David Miller. Mayor Best asked for a motion approving Bill No. 5110. Alderman Todd moved to approve, seconded by Alderman Castillon. Mayor Best asked for anyone in the audience wishing to speak regarding this matter. Hearing none, Mayor Best asked for comments from the Board. No discussion. Voting aye: Booth, Hart, Todd, Castillon and Simmons. Nays: none. Absent: Seay. Motion carried.

BILL NO. 5111

Accepting the proposal of Road Runner Safety Services, Inc. for the purchase of two changeable message boards.

First Reading of Bill No. 5111, an ordinance accepting the proposal of Road Runner Safety Services, Inc. for the purchase of two changeable message boards and authorizing the Mayor to execute the contract was read by title by City Clerk Westfall and a staff report was presented by David Miller. Mayor Best asked for a motion approving Bill No. 5111. Alderman Booth moved to approve, seconded by Board of Aldermen

Alderman Todd. Mayor Best asked for anyone in the audience wishing to speak regarding this matter. Hearing none, Mayor Best asked for comments from the Board. Discussion. Voting aye: Booth, Hart, Todd, Castillon and Simmons. Nays: none. Absent: Seay. Motion carried.

BILL NO. 5112

Amending Appendix A of the Branson Municipal Code pertaining to Fee Schedule.

First Reading of Bill No. 5112, an ordinance amending Appendix A of the Branson Municipal Code pertaining to Fee Schedule was read by title by City Clerk Westfall and a staff report was presented by Loretta Bishop. Mayor Best asked for a motion approving Bill No. 5112. Alderman Hart moved to approve, seconded by Alderman Todd. Mayor Best asked for anyone in the audience wishing to speak regarding this matter. Hearing none, Mayor Best asked for comments from the Board. No discussion. Voting aye: Booth, Hart, Todd, Castillon and Simmons. Nays: none. Absent: Seay. Motion carried.

BILL NO. 5113

Approving an addendum to contract with Yakel Painting Company to seal coat the Meadows Water Treatment Plant Clearwell exterior.

First Reading of Bill No. 5113, an ordinance approving an addendum to contract with Yakel Painting Company to seal coat the Meadows Water Treatment Plant Clearwell exterior and authorizing the Mayor to execute the contract was read by title by City Clerk Westfall and a staff report was presented by Loretta Bishop. Mayor Best asked for a motion approving Bill No. 5113. Alderman Simmons moved to approve, seconded by Alderman Castillon. Mayor Best asked for anyone in the audience wishing to speak regarding this matter. Hearing none, Mayor Best asked for comments from the Board. No discussion. Voting aye: Booth, Hart, Todd, Castillon and Simmons. Nays: none. Absent: Seay. Motion carried.

BILL NO. 5114

Accepting the proposal of Matchpoint Water Asset Management, Inc. for a Comprehensive Leak Survey of the City's Water System Mains.

First Reading of Bill No. 5114, an ordinance accepting the proposal of Matchpoint Water Asset Management, Inc. for a Comprehensive Leak Survey of the City's Water System Mains and authorizing the Mayor to execute the contract was read by title by City Clerk Westfall and a staff report was presented by Loretta Bishop. Mayor Best asked for a motion approving Bill No. 5114. Alderman Booth moved to approve, seconded by Alderman Castillon. Mayor Best asked for anyone in the audience wishing to speak regarding this matter. Hearing none, Mayor Best asked for comments from the Board. Discussion. Voting aye: Booth, Hart, Todd, Castillon and Simmons. Nays: none. Absent: Seay. Motion carried.

MAYOR/ALDERMEN/ADMINISTRATOR'S REPORTS

Alderman Hart expressed her appreciation for Mayor Best and Alderman Castillon visiting her in the hospital after her surgery and said she is thankful to be here.

Alderman Castillon encouraged everyone to volunteer for the Benefit the Badge event and mentioned the meetings are held Tuesdays, Wednesdays and Thursdays at CiCi's Pizza at 12:00 p.m. He mentioned seeing a Benefit the Badge video which he strongly recommended everyone see if they haven't already.

Alderman Simmons said he's noticed cars parking within 10 feet of intersections and inquired if the City has an ordinance prohibiting this. He suggested if there is an ordinance, the City should mark this to inform people. He mentioned one of the cars was parked near the intersection just before turning into City Hall's parking lot and he feels it obstructs the view for cars turning the corner. He said he's noticed this happening more in residential neighborhoods due to multiple families living in homes. Alderman Simmons mentioned attending the Park Board meeting and feels they are cheerful meetings. He reported November's financials were discussed and the Park Board and Parks Department Staff are very conscious of their budget. He stated last year there were flood-related expenses that caused them to go over budget. They were very conscious of this and watch their budget constantly. He added, they have good explanations of what's happening with their finances and he feels they do a great job. Alderman Simmons commented the Adopt a Senior Program was discussed and 70 seniors were adopted. He mentioned volunteers visited the seniors' homes and brought them presents to help them have a good Christmas. He added, he feels this is a wonderful thing and the program was successful. He stated there are many programs going on at the Senior Center in response to the City's initiative to have more Parks Department programs for seniors. He reported the Park Board reviewed the legislative platform of the Missouri Park and Recreation Association (MPRA) and he felt it was interesting. He mentioned the MPRA is in favor of increasing cigarette taxes due to health reasons and he reported in the City's case, this money goes to the Park Board. He added, the City should not be dependent upon this money because the hope is this would be a decreasing source of revenue as people quit smoking. He stated the Parks and Recreation Department has a large list of items they have scheduled to complete during the next three months to maintain the parks. He stated, the projects are scheduled each week like a major project schedule and he feels it's a very ambitious schedule as it's a big push to get everything done in time for spring. Mayor Best mentioned the Parks and Recreation Department is in need of velvet ropes for the upcoming Father Daughter Dance as the theme is Hollywood. Alderman Simmons said this event has been divided into two sessions due to its great success in the past.

Administrator Malinen mentioned attending the Pointe Royale Homeowners Association meeting with Mayor Best, Alderman Todd, Alderman Castillon and Alderman Seay in which fire coverage concerns were discussed. He reported the Association expressed its desire for a new fire station and he felt it was a very positive meeting. He mentioned they would like to assist with the public safety tax and do their part to help the legislature move forward with this. He added, these meetings will occur on a quarterly basis. Administrator Malinen stated the City received the results of the Community and Business Survey and mentioned Planning and Development Director Hornickel has been working with the company that conducted the surveys and he's preparing a presentation for the Board. Administrator Malinen commented the survey results are very good and he reported residents and business owners have high satisfaction which he feels is exciting and encouraging. He mentioned he and Mayor Best will attend the 2017 Salute to Missouri Legislators tomorrow and he hopes to have an opportunity to talk with them about some of the City's important issues. He congratulated City Attorney Duston on 10 years of service with the City.

Mayor Best mentioned attending the Legislative meeting at the Chamber of Commerce in which upcoming changes and the new Governor's initiatives were discussed. She mentioned the meeting occurred on Presidential Inauguration Day and she felt it was interesting. She stated she and Police Chief Dobbins met with the Pointe Royale Association President and one of their staff members talked about police interest and what a great job the Police Department is doing. Mayor Best commented she did television and radio interviews for Benefit the Badge yesterday in Springfield and it was really emotional for her to sit by a Taney County Sheriff who was shot in the line of duty. She added, it brings a sense of how important safety and security is and she feels they do a great job and put their lives at risk every day. She encouraged everyone to support Benefit the Badge and mentioned having the opportunity to share about the great things happening in the community with the Branson Daybreakers Rotary Club. Mayor Best mentioned attending the 76 Entertainment Community Improvement District (CID) Board meeting with Administrator Malinen and she felt Jim Martin did a great job recapping the presentation that was made to the Board. She stated she enjoys the partnership with the CID Board and Administrator Malinen informed the Board the attorneys for the CID and the City are moving forward with the Cooperative Agreement. Mayor Best said she's looking forward to going to Jefferson City to keep the City's issues in front of the legislators

and mentioned hosting the freshmen legislators a few months ago. She said it's nice to have relationships established so the legislators have knowledge of our community as they'll be making decisions that affect the entire state.

EXECUTIVE SESSION

Mayor Best asked for a motion to go into closed executive session. Alderman Todd moved to go into closed executive session pursuant to 610.021.3 RSMo for Personnel, seconded by Alderman Castillon. Voting aye: Booth, Hart, Todd, Castillon and Simmons. Nays: none. Absent: Seay. Motion carried.

ADJOURN

Mayor Best asked for a motion to adjourn. Alderman Todd moved to adjourn, seconded by Alderman Booth. Voting aye: Booth, Hart, Todd, Castillon and Simmons. Nays: none. Absent: Seay. Motion carried. Meeting adjourned at 7:59 p.m.



Mike Booth
Acting President



Lisa K. Westfall
City Clerk