

MINUTES

THE REGULAR MEETING OF THE BOARD OF ALDERMEN CITY OF BRANSON, MISSOURI May 12, 2020

INTRODUCTORY

The Board of Aldermen of the City of Branson, Missouri, met in regular session in the Council Chambers of the City Hall on May 12, 2020, at 6:00 p.m. Mayor Akers called the meeting to order with the "Pledge of Allegiance" and Ted Martin gave the invocation.

ROLL CALL

City Clerk Lisa Westfall called roll: Mayor Edd Akers presiding, Kevin McConnell, Brian Clonts, Bob Simmons, Bill Skains, Larry Milton and Rick Castillon.

MAYOR'S STATEMENT

Mayor Akers read a statement regarding decorum and stated it is my responsibility as Mayor under state law to take care of the ordinances of our City and the state laws relating to our City that they are complied with. Under one of our ordinances, Branson Municipal Code 2-64, I am tasked with the responsibility of being the Presiding Officer of the Board and am required to preserve strict order and decorum at all meetings. Decorum is often defined by the dictionary as propriety and good taste in conduct or appearance. In one of the many definitions of order is a state of peace, freedom from confused or unruly behavior and respect for law and proper authority. In the past we've had a number of abstentions of votes without proper basis for the abstentions. The citizens of Branson elected us to make decisions on policy matters and to make those decisions by voting. We are obligated to vote unless a conflict of interest prevents us from doing so. The common law in the State of Missouri supports this. Although I cannot force any member of the Board to cast a vote and no member can be required to cast a vote, I do have the ability to control the order and decorum of these meetings. As a result, I'm announcing under my authority to preserve order and decorum at these meetings, that any abstention by any member of the Board during this meeting can be recast as a no vote. In order to give everyone a chance to speak tonight, I would like to ask that if you are speaking on an item that you keep your comments succinct, to the topic and as short as possible. You will be allowed to only speak once on an item and please do not repeat what has already been said by another speaker. Once public discussion has ended on an item and the Board starts their discussion, no additional comments will be taken from the audience. Please remember to speak into the mic, state your name and address for the record. In our own past, we've allowed for Aldermen at the end of the speakers to call someone back up. Please keep the five minute guideline.

PUBLIC COMMENT

Marshall Howden, 106 Rose Oneill Drive, Branson, Missouri, stated he wrote this speech a few months ago, but held off giving it due to COVID-19. He feels now that drive-thru voting has been implemented, he believes this can now be done safely and mentioned as Thomas Jefferson said, we don't have government by the majority, we have government by the majority who participate. Mr. Howden believes there's a bit of contradiction in Branson which isn't unique to the City, but feels it's the kind of place that could reverse it. He reported the last U.S. Census placed Branson's population at 10,520 and he feels

it's safe to say this number will increase with the updated Census. He reported in the last election, the Mayor received 790 votes to 733 votes for the former Mayor. This is a total of 1,555 votes when adding the other challenger's portion, equating to 14.8% of the overall populous. He pointed out, obviously some of these people are below voting age, but with the increase in population it's safe to assume that number is close to accurate. Mr. Howden pointed out this was an election with two well-known candidates and a lot of notoriety. He mentioned when placing his campaign signs out he has to drive down Veterans Boulevard and recalled thinking about how people can't go to a theater without God and Country being honored and how the American flag adorns nearly every address. He doesn't believe there's a reason why this patriotism and civic spirit can't continue to elections. He doesn't know which candidates this will help or hurt, or if it will have any effect whatsoever, but he called on every candidate in the upcoming June 2nd Municipal Election to promote voting efforts. He urged them to help reverse this trend and get citizens more involved. He mentioned President Andrew Jackson once said American's aren't perfect, but we are called to a perfect mission. Mr. Marshall asked everyone to put their patriotism on full display.

CONSENT AGENDA

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

Approval of Board of Aldermen Minutes:

- a) March 19, 2020 Special Meeting
- b) March 23, 2020 Emergency Meeting

Acknowledge Receipt of Minutes:

- a) Planning Commission Study Session of March 3, 2020
- b) Planning Commission Regular Meeting of March 3, 2020

Mayor Akers opened the floor for a motion to approve all items on the Consent Agenda. Alderman Clonts moved to approve all items on the Consent Agenda, seconded by Alderman Milton. Voting aye: McConnell, Clonts, Simmons, Skains, Milton and Castillon. Nays: none. Motion carried.

REGULAR AGENDA

BILL NO. 5782

Ord. No. 2020-0046

Approving the annexation of the property located at 3855 Fall Creek Road, Branson, Missouri.

Final Reading of Bill No. 5782, an ordinance approving the annexation of the property located at 3855 Fall Creek Road, Branson, Missouri, was read by title by City Clerk Lisa Westfall. She stated this bill was postponed on its Final Reading during the March 19, 2020 Regular Meeting. It is in need of a motion, second and a vote. A staff report was presented by Planning and Development Director Joel Hornickel. Mayor Akers asked for a motion approving Bill No. 5782. Alderman Castillon so moved, seconded by Alderman McConnell. Mayor Akers asked for anyone in the audience wishing to speak regarding this matter. Hearing none, Mayor Akers asked for comments from the Board. Discussion. Voting aye:

McConnell, Clonts, Simmons, Skains, Milton and Castillon. Nays: none. Motion carried. Ordinance No. 2020-0046 was duly enacted.

Presentation of the 2020 Financial Update.

A presentation of the 2020 Financial Update was provided by Finance Director Jamie Rouch. Mayor Akers asked for anyone in the audience wishing to speak regarding this matter. Hearing none, Mayor Akers asked for comments from the Board. Discussion.

BILL NO. 5809

Approving the renewal of the contract with Online Solutions LLC d/b/a Citizenserve for a land management software solution.

First Reading of Bill No. 5809, an ordinance approving the renewal of the contract with Online Solutions LLC d/b/a Citizenserve for a land management software solution and authorizing the Mayor to execute the contract was read by title by City Clerk Lisa Westfall and a staff report was presented by Planning and Development Director Joel Hornickel. Mayor Akers asked for a motion approving Bill No. 5809. Alderman Milton so moved, seconded by Alderman Skains. Mayor Akers asked for anyone in the audience wishing to speak regarding this matter. Hearing none, Mayor Akers asked for comments from the Board. Discussion. Voting aye: McConnell, Clonts, Simmons, Milton, Skains and Castillon. Nays: none. Motion carried.

BILL NO. 5810

Approving the renewal of the contract with Arvest Bank for purchase card services.

First Reading of Bill No. 5810, an ordinance approving the renewal of the contract with Arvest Bank for purchase card services and authorizing the Mayor to execute the contract was read by title by City Clerk Lisa Westfall and a staff report was presented by Finance Director Jamie Rouch. Mayor Akers asked for a motion approving Bill No. 5810. Alderman Skains so moved, seconded by Alderman Simmons. Mayor Akers asked for anyone in the audience wishing to speak regarding this matter. Hearing none, Mayor Akers asked for comments from the Board. Discussion. Voting aye: McConnell, Clonts, Simmons, Milton, Skains and Castillon. Nays: none. Motion carried.

BILL NO. 5811

Approving the renewal of the contract with Central Bank for banking services.

First Reading of Bill No. 5811, an ordinance approving the renewal of the contract with Central Bank for banking services and authorizing the Mayor to execute the contract was read by title by City Clerk Lisa Westfall and a staff report was presented by Finance Director Jamie Rouch. Mayor Akers asked for a motion approving Bill No. 5811. Alderman Skains so moved, seconded by Alderman Simmons. Mayor Akers asked for anyone in the audience wishing to speak regarding this matter. Hearing none, Mayor Akers asked for comments from the Board. Discussion. Voting aye: McConnell, Clonts, Simmons, Skains, Milton and Castillon. Nays: none. Motion carried.

BILL NO. 5812

Approving an Intergovernmental Agreement between Taney County and the City of Branson to allow the County to provide funding toward the cost of the City's Planned 2020 Sewer System Improvements.

First Reading of Bill No. 5812, an ordinance approving an Intergovernmental Agreement between Taney County and the City of Branson to allow the County to provide funding toward the cost of the City's Planned 2020 Sewer System Improvements and authorizing the Mayor to execute the contract was read by title by City Clerk Lisa Westfall and a staff report was presented by Utilities Director Mike Ray. Mayor Akers asked for a motion approving Bill No. 5812. Alderman McConnell so moved, seconded by Alderman Milton. Mayor Akers asked for anyone in the audience wishing to speak regarding this matter. Hearing none, Mayor Akers asked for comments from the Board. Discussion. Voting aye: McConnell, Clonts, Simmons, Skains, Milton and Castillon. Nays: none. Motion carried.

BILL NO. 5813

Accepting the proposal of Gulf State Distributors, Inc. to provide ammunition.

First Reading of Bill No. 5813, an ordinance accepting the proposal of Gulf State Distributors, Inc. to provide ammunition and authorizing the Mayor to execute the contract was read by title by City Clerk Lisa Westfall and a staff report was presented by Police Chief Jeff Matthews. Mayor Akers asked for a motion approving Bill No. 5813. Alderman Skains so moved, seconded by Alderman Clonts. Mayor Akers asked for anyone in the audience wishing to speak regarding this matter. Hearing none, Mayor Akers asked for comments from the Board. No discussion. Voting aye: McConnell, Clonts, Simmons, Skains, Milton and Castillon. Nays: none. Motion carried.

BILL NO. 5814

Approving the renewal of the Memorandum of Understanding between the Missouri Department of Public Safety pertaining to the Law Enforcement Support Office Program.

First Reading of Bill No. 5814, an ordinance approving the renewal of the Memorandum of Understanding between the Missouri Department of Public Safety pertaining to the Law Enforcement Support Office Program and authorizing the Mayor to execute the agreement was read by title by City Clerk Lisa Westfall and a staff report was presented by Police Chief Jeff Matthews. Mayor Akers asked for a motion approving Bill No. 5814. Alderman Castillon so moved, seconded by Alderman Clonts. Mayor Akers asked for anyone in the audience wishing to speak regarding this matter. Hearing none, Mayor Akers asked for comments from the Board. Discussion. Voting aye: McConnell, Clonts, Simmons, Skains, Milton and Castillon. Nays: none. Motion carried.

BILL NO. 5815

Accepting the proposal of Under the Wire, LLC pertaining to traffic signal maintenance services for the City.

First Reading of Bill No. 5815, an ordinance accepting the proposal of Under the Wire, LLC pertaining to traffic signal maintenance services for the City and authorizing the Mayor to execute the contract was read by title by City Clerk Lisa Westfall and a staff report was presented by Public Works Director and City Engineer Keith Francis. Mayor Akers asked for a motion approving Bill No. 5815. Alderman Skains so moved, seconded by Alderman McConnell. Mayor Akers asked for anyone in the audience wishing to speak regarding this matter. Hearing none, Mayor Akers asked for comments from the Board. Discussion. Voting aye: McConnell, Clonts, Simmons, Skains, Milton and Castillon. Nays: none. Motion carried.

BILL NO. 5816

Ord. No. 2020-0054

Accepting the proposal of All Sealed Up Sealing and Striping, LLC pertaining to the asphalt seal and striping Ball Parks of America Parking Lot.

First Reading of Bill No. 5816, an ordinance accepting the proposal of All Sealed Up Sealing and Striping, LLC pertaining to the asphalt seal and striping Ball Parks of America Parking Lot and authorizing the Mayor to execute the contract was read by title by City Clerk Lisa Westfall and a staff report was presented by Public Works Director and City Engineer Keith Francis. Mayor Akers asked for a motion approving Bill No. 5816. Alderman Skains so moved, seconded by Alderman Milton. Mayor Akers asked for anyone in the audience wishing to speak regarding this matter. Hearing none, Mayor Akers asked for comments from the Board. Discussion. Voting aye: McConnell, Clonts, Simmons, Skains, Milton and Castillon. Nays: none. Motion carried. Alderman Clonts moved to read Bill No. 5816 for its final reading due to time constraints in the Ground Lease Agreement with Ball Parks of America, seconded by Alderman Simmons. Mayor Akers asked for anyone in the audience wishing to speak regarding this matter. Hearing none, Mayor Akers asked for comments from the Board. No discussion. Voting aye: McConnell, Clonts, Simmons, Skains, Milton and Castillon. Nays: none. Motion carried. Final Reading of Bill No. 5816, an ordinance accepting the proposal of All Sealed Up Sealing and Striping, LLC pertaining to the asphalt seal and striping Ball Parks of America Parking Lot and authorizing the Mayor to execute the contract was read by title by City Clerk Lisa Westfall. Mayor Akers asked for a motion approving Bill No. 5816. Alderman Skains so moved, seconded by Alderman Milton. Hearing none, Mayor Akers asked for comments from the Board. No discussion. Voting aye: McConnell, Clonts, Simmons, Skains, Milton and Castillon. Nays: none. Motion carried. Ordinance No. 2020-0054 was duly enacted.

BILL NO. 5817

Approving a Second Amendment to the contract with Stoneridge Carpet, Inc. d/b/a Stoneridge Flooring Design pertaining to carpet replacement.

First Reading of Bill No. 5817, an ordinance approving a Second Amendment to the contract with Stoneridge Carpet, Inc. d/b/a Stoneridge Flooring Design pertaining to carpet replacement and authorizing the Mayor to execute the contract was read by title by City Clerk Lisa Westfall and a staff report was presented by Public Works Director and City Engineer Keith Francis. Mayor Akers asked for a motion approving Bill No. 5817. Alderman McConnell so moved, seconded by Alderman Clonts. Mayor Akers asked for anyone in the audience wishing to speak regarding this matter. Hearing none, Mayor Akers asked for comments from the Board. Discussion. Voting aye: McConnell, Clonts, Simmons, Skains, Milton and Castillon. Nays: none. Motion carried.

BILL NO. 5818

Approving the Sale of Real Estate to Rodriguez Real Estate Investment LLC.

First Reading of Bill No. 5818, an ordinance approving the Sale of Real Estate to Rodriguez Real Estate Investment LLC and authorizing the Mayor to execute the contract was read by title by City Clerk Lisa Westfall and a staff report was presented by City Attorney Chris Lebeck. Mayor Akers asked for a motion approving Bill No. 5818. Alderman Skains so moved, seconded by Alderman Milton. Mayor Akers asked for anyone in the audience wishing to speak regarding this matter. Hearing none, Mayor Akers asked for comments from the Board. Discussion. Voting aye: McConnell, Clonts, Simmons, Skains, Milton and Castillon. Nays: none. Motion carried. Alderman Skains moved to read Bill No. 5818 for its final reading due to the need to close on the property, seconded by Alderman Clonts. Mayor Akers asked for anyone in the audience wishing to speak regarding this matter. Hearing none, Mayor Akers asked for comments from the Board. Discussion. Voting aye: Milton. Nays: McConnell, Clonts, Simmons, Skains and Castillon. Motion failed. Alderman Milton asked for the record to reflect his vote was a mistake. Alderman Castillon moved to re-vote, seconded by Alderman Skains. Mayor Akers called for a vote on the motion to re-vote. Voting aye: Clonts, Simmons, Skains, Milton and Castillon. Nays: McConnell. Motion carried. Mayor Akers called for a vote on the motion requesting Bill No. 5818 be read for a Final Reading. Voting aye: none. Nays: McConnell, Clonts, Simmons, Skains, Milton and Castillon. Nays: none. Motion failed.

Approving the 2020-2021 Property/Liability and Workers' Compensation Insurance Coverage and premiums paid to Connell Insurance, Inc. with Property/Liability Coverage through Tokio Marine HCC (HCC), and Workers' Compensation coverage through Missouri Employers Mutual Insurance Company (MEM) for the City of Branson.

First Reading of Bill No. 5819, an ordinance approving the 2020-2021 Property/Liability and Workers' Compensation Insurance Coverage and premiums paid to Connell Insurance, Inc. with Property/Liability Coverage through Tokio Marine HCC (HCC), and Workers' Compensation Coverage through Missouri Employers Mutual Insurance Company (MEM) for the City of Branson and authorizing the Mayor to execute the document related thereto was read by title by City Clerk Lisa Westfall and a staff report was presented by Human Resources Director Jan Fischer. Mayor Akers asked for a motion approving Bill No. 5819. Alderman Milton so moved, seconded by Alderman Castillon. Mayor Akers asked for anyone in the audience wishing to speak regarding this matter. Hearing none, Mayor Akers asked for comments from the Board. Discussion. Voting aye: McConnell, Clonts, Simmons, Skains, Milton and Castillon. Nays: none. Motion carried.

MAYOR/ALDERMEN/ADMINISTRATOR'S REPORTS

Alderman Skains reported the issue that's being dealt with by the State regarding unemployment insurance has been remarkable. He expressed appreciation to its state and local staff who managed the entire unemployment insurance system out of their homes. While the system crashed several times, he thinks that was to be expected. He announced the offices will open again on May 13th through 15th for people to access those offices directly. While he's not sure what the Governor's restrictions will be on the number of people allowed in the offices, he hopes these offices will be back open, providing services to citizens of the community as quickly as possible.

City Administrator Stan Dobbins announced applications for positions on Boards such as the Capital Improvements Committee and Budget and Finance Committee will open beginning May 22nd through June 19th. He encouraged anyone from the public desiring to serve on one of these Boards and become even more part of the community, to visit the City's website. He thanked everyone for working with the City over the last couple of months as he knows it's been a difficult time. He expressed gratitude to City Department Directors for all the hard work they've put in which he feels has been wonderful to see and be a part of and he thanked the Board as well.

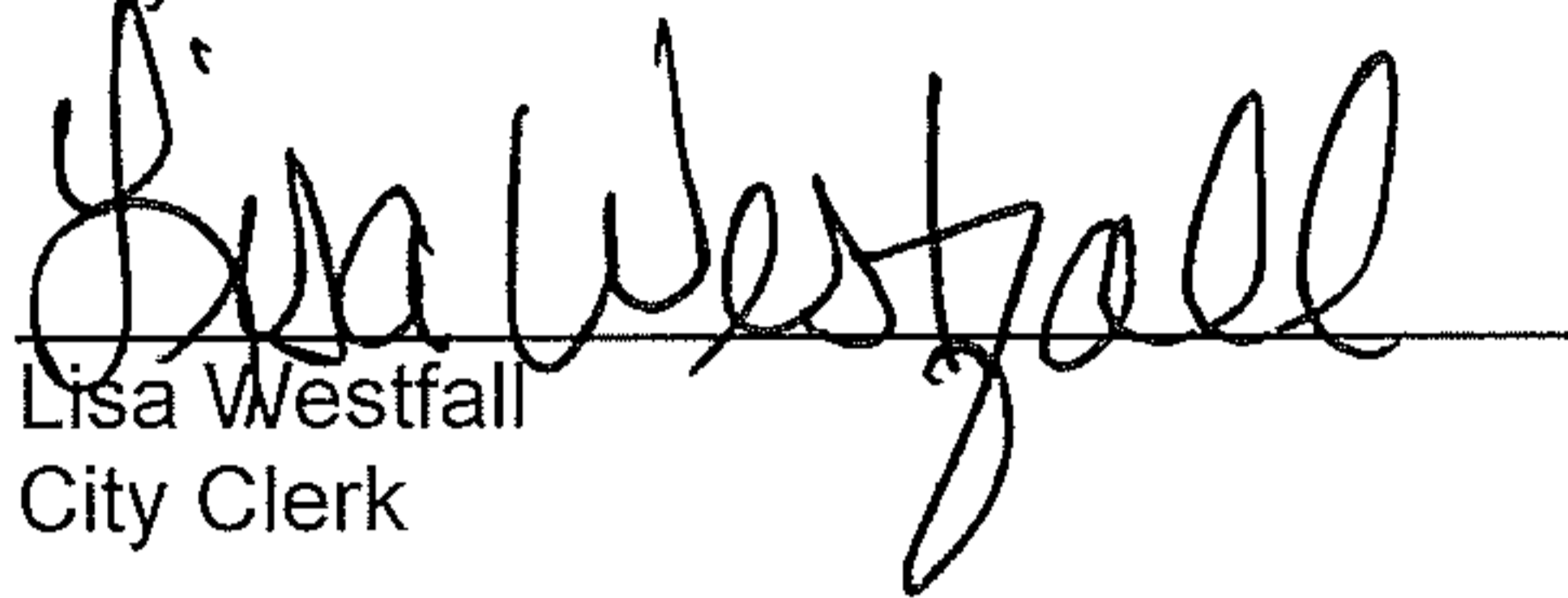
Mayor Akers said his comments are in regard to this community and he expressed his appreciation for the cooperation between the Chamber of Commerce, Health Department and all entities that are stakeholders in the community. He stated the hospital has been very helpful, the medical facilities are excellent and there are good people involved. He reported there's been five areas of concentration and the Chamber put together a task force to meet and discuss reopening Branson. He feels the cooperation and creativity of that group of people who are trying to figure out how to get things open again has been extremely good. He encouraged everyone to look at the reports which were due to the City and he believes they're now on the City's website. He explained these are reports and recommendations for particular industries such as retail and restaurants and he encouraged people to see what the community is trying to do to continue to have good results. Mayor Akers mentioned Branson's beginning to see a few people as the reports showed, in the retail area in particular, there were several people in town. It may have been mostly the local markets who came, but retail shops that were open had a good Friday, Saturday and Sunday. He explained they're opening up gradually which is working well and they seem to be in agreement this is the best way to get Branson going again. He referred to the Governor's analogy of comparing opening up to being a gradual dial rather than the flip of a switch. Mayor Akers shared he's encouraged by the cooperation of people who understand this and are seeking to protect citizens as well as the folks coming to visit Branson.

ADJOURN

Mayor Akers asked for a motion to adjourn. Alderman Milton moved to adjourn, seconded by Alderman Castillon. Voting aye: McConnell, Clonts, Simmons, Skains, Milton and Castillon. Nays: none. Motion carried. Meeting adjourned at 7:31 p.m.



E. Edd Akers
Mayor



Lisa Westfall
City Clerk