

# MINUTES

THE REGULAR MEETING OF THE  
BOARD OF ALDERMEN  
CITY OF BRANSON, MISSOURI  
September 8, 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 September 8, 2020, at 6:00 p.m. Mayor Akers called the meeting to order with the "Pledge of Allegiance," the Preamble of the Missouri Constitution and Ted Martin gave the invocation.

## ROLL CALL

City Clerk Lisa Westfall called roll: Mayor Akers presiding, Julia King, Jamie Whiteis, Bob Simmons, Bill Skains, Larry Milton and Jeff Seay.

Mayor Akers announced the requirement for City Hall and for the City of Branson when people can't social distance properly inside, is to wear a mask or face covering. He encouraged everyone to wear a face covering. He asked everyone to keep the covering over their nose and mouth.

**The meeting recessed at 6:02 p.m. and reconvened at 6:10 p.m.**

## PUBLIC COMMENT

Mayor Akers read a statement regarding decorum and stated in order to give everyone a chance to speak tonight, I would like to ask if anyone is 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 person. Once public discussion has ended on an item and the Board starts their discussion, no additional comments will be taken from the audience. However, a Board member can ask to call someone back up to the podium. We ask you to please follow the five minute guideline for this section of the public comments. You need to come to the podium, remember to state your name and address and for the purposes of this meeting, it's City taxpayers and residents.

Doug Clark, 121 A Saint Andrews Street, Branson, Missouri, commented on what he's seen here tonight and suggested everyone take a look at Australia and New Zealand to see where the mask ordinance will go from here and what it's done to the citizenry of those countries. He added, they take an innocuous rule to supposedly save people from a disease that may or may not be as dangerous as everybody portrays it to be. They've taken it to the point where they are arresting people and dragging them out of their houses for not wearing a mask and not complying with an ordinance. He feels it will make people really upset to see where this can go from here. Mr. Clark reported the counting methods being done for this disease are about as fraudulent as they can get, yet people are basing everything they're doing on the Centers for Disease Control's (CDC) counts and tracing and tracking people. The CDC just said their counts are skewed; 79 million tests with 6 million positive and 9% of the 79 million are how many people tested positive. He clarified it doesn't mean they're sick, they may be asymptomatic and from the rules about 30 or 40 days ago, it's came up with a third edict on how to figure out who has this disease. With the tracing and tracking methodology, they were counting 15 more people, regardless of whether they were tested or not. People who they think they might have come in contact with. He explained this has allowed them to bump up their counts 15 times. He invited everyone to look at Collin County, Texas' meeting in which its health department

showed the PowerPoint on how it's counting cases. He commented that's exactly what they're doing and he would bet if everything was added up in every county, the people dying from everything from ingrown toenails are being labeled COVID-19. Mr. Clark commented, people are being had and are going to make themselves victims of a police state if this continues to go on. The problem is going to be people are going to reject this sooner or later and mentioned his doctor isn't going to take the vaccine when it comes out. She works for Cox and knows that it's more risky to take the vaccine than it is to actually get this particular disease that they're trying to protect everyone from. Mr. Clark encouraged everyone to look up Judge Chris Hill in Collin County, Texas, to see what they're arguing about there. He's calling the state now on inflating the counts and Texas is one of the states with the biggest numbers right now due to this fictitious counting system that's been put in place. Whether a state is Republican or Democrat it doesn't matter, those are the states that if they go along with the CDC, the National Institutes of Health (NIH) and the World Health Organization's (WHO) suggestions, this is the end result. Mr. Clark said he's almost beside himself and feels it was a little bit too much for him tonight to witness and really kind of sickening. If people want to see the transition from the first time they were telling people how to count this disease, they started out on March 3rd with national vital statistics and doctors were being told to label everything that was coming out of the morgue with COVID-19, regardless of what people were sick with. That was what they allowed them to do and on March 24th they came back again with another mortality rate for what they were supposed to do. April 6th is when the CDC and everyone came out with the advice on the masks. It was advice, and it started out with the World Health Organization, then went down through the National Institutes of Health, then down through all the health departments including Branson's. He explained there are people getting a lot of money from all of this, those who are imposing this on everyone.

Brian Seitz, 1805 Miller Drive, Branson, Missouri, introduced himself as the Republican candidate for the 156th District State Representative and he found the removal of citizens who caused no issues to be extremely disturbing. He mentioned attending the Hollister City Council meeting shortly after attending the City of Branson's Study Session on Thursday. He found here there was a lot of animosity, anger and frustration from both sides of the issue, including the Board of Aldermen. Then he went to Hollister and people were shaking hands, hugging, not wearing masks and people were living like human beings. He would like to see that happen again here and would rather not see the great police force have to escort people from the building due to having a medical issue that doesn't allow them to wear a mask. He would appreciate some thought on that and pointed out contrary to the opinion of some on the Board, he's not here as part of a political grandstand. He explained he's here as a citizen of the City for over 30 years who's recently watched Branson's elected leaders use their power to restrict the freedom of movement of its citizens, even their ability to show their faces, which he finds very disgusting. He feels the Board has failed the City and once more it has the opportunity to allow an ineffective, overreaching government mandate to expire without renewal or alteration. He commented, now is the time to do so; it's time to do the right thing and give the power back to individual citizens and businesses to determine their own response to the COVID-19 issue. He reported on Thursday the Taney County Health Department (TCHD) noted a recent downturn in cases. Alderman Milton then accurately noted that the tourist area of Lake of the Ozarks had almost identical numbers with no mask mandate and is thriving economically. In fact, areas that have no mask mandate often have the same or better numbers than those with forced compliance. In Branson, forced business closures, stay-at-home orders and the mask mandate have crippled its spring and summer as was seen in the second quarter financial update. Conversely, free Hollister continues to see healthy economic growth and increased revenues. Mr. Seitz stated, while the virus is real, the response including media fear-mongering and threats of fines and license removals is a political tactic meant to control behavior. As was heard from hospital representatives during the July meeting, it's about behavior modification of a free people. The Board is playing politics with people's lives and fear has driven this Board to extremes. Those extreme reactions have caused irreparable harm to many of the great businesses in the City; some of the representatives and business owners are here tonight. He added, we the people can make our own decision about whether or not to wear a mask; we don't need our government overlords to tell us what's good for us. He recalled some of the Board members saying it's their job to secure people's health and safety which is not their job. Their job is to secure economic and social liberty, including the liberty to keep people's faces uncovered. Mr. Seitz stated the time is now to end all mandates, initiate a policy of freedom over fear and do what it should do as a small local government: guarantee people the right to life, liberty and the pursuit of happiness without government intervention. He added, leave our

homes, businesses and faces alone; we know what's best to do with the life that God has given us. He asked the Board for no more mask mandates.

Marshall Howden, 106 Rose Oneil Drive, Branson, Missouri, expressed his excitement about the results of the study presented by Sound Diplomacy 12 days ago here in the Council Chambers. He explained the study was on the overall health and direction of Branson's live music show industry which he feels has been a long-time coming; both the study itself and the culmination of many of the shows in general. He's here this evening as part of a group calling for a Music and Theater Commission to be established at City Hall per the direction heard from the Chamber of Commerce's study presented on August 27th. That report alluded to a number of steps forward to ensure the industry's success in the future. Mr. Howden reported some of the steps included addressing the taxation on the ticket resellers' issue, diversifying entertainment offerings and uniting as an industry with common goals. At this meeting, he asked a question of the presenter from Sound Diplomacy about the feasibility and necessity of such a commission and it was answered with strong familiarity. He informed everyone the Music and Theater Commission Proposal isn't his idea, but something music cities have in every part of the country. Sound Diplomacy has worked with many of them in cities such as Austin, Texas, Seattle, Washington, New York City, New York, and Nashville, Tennessee. Mr. Howden explained a Theater Commission is needed to implement any new improvements with unity of vision. There are multiple theater groups that meet including the Chamber Task Force, Theater League and splinter groups. He believes the only way to unite the industry around one goal of improving and sustaining the Branson music tradition is a commission formed at City Hall with a plan and timetable. Currently, there are independent forces moving towards admirable goals, but there's never that next step. Last year, entertainers were meeting with the Governor and state representatives about the issue of taxation on ticket resellers. There's also been theater groups discussing the formation of a co-op for purchasing power and the Chamber of Commerce's task force overseeing this study. A commission could bring all the efforts together with independent advisory meetings and quarterly addresses to City Council every year. Mr. Howden mentioned Shane Shapiro suggested a salaried individual to oversee such a commission, but he knows this might be a hold up due to tough financial times. He expressed interest in volunteering for this position as he's now given eight speeches and a study session report to this Board, submitted drafted bylaws into the record and advocated for the formation of the Commission. He volunteers on the City's Planning and Zoning Commission and would volunteer as a secretary parliamentarian for the Music and Theater Board. He encouraged everyone to not be discouraged by something that calls for service to the City and provided the City Clerk with a document to distribute which is a transcript of the original proposal he gave in April 2019. He mentioned all videos of the speeches he's given on this proposal are online. He feels the Study Session he was granted by this Board is very good to listen to for the healthy question and answer portion. He asked the Board to please consider the adoption of an Advisory Music and Theater Commission with membership approved by the Board of Aldermen to be established at City Hall. (See attached handout)

Glen Green, introduced himself as an Attorney from Springfield, Missouri, who is representing Ozark Plaza Development, LLC. He asked the Board to remove Bill Number 5852 from the Consent Agenda to allow opportunity to speak on behalf of his client relating to the application for rezoning. He explained he wanted to have a chance to comment on that and bring it to the Board's attention.

Ruth Denham, Bramble Lane, Branson, Missouri, expressed concerns over the process for zoning the property known as Fountains on Fall Creek, LLC Dan Ruda. She recalled three properties were presented to the Board of Aldermen for zoning and public hearings on July 28th with final readings on August 11th. Two of the properties went through the proper and required process to be presented to the Planning and Zoning Commission for a hearing and then the Board of Aldermen for public hearings and final readings. She reported the Fountains on Fall Creek, LLC Dan Ruda did not go through the same process. Annexation fees were paid, but the \$636 zoning fee was not paid while the other two properties paid \$988 each for their applications. Due to the request for fee waivers, it's her understanding each City Department included in the permitting process has been asked to provide costs to the City Administrator for what the permit fees would be for Fountains at Fall Creek, LLC Dan Ruda. She mentioned the Planning and Development Department's building permit fees alone are \$50,000, so she'll be making a Sunshine Law request tomorrow for each Department's fees to see which fees are going to be waived for this project. She believes all projects and all citizens should be treated the same and ordinances in place so there's fair

treatment right across the board. Ms. Denham referred to the City's recently published financial report and noted building permit fees were down and this would add another \$50,000 to that amount. She explained nobody else is going to have these fees waived and she requested the City be fair and transparent. She asked that people know exactly how much money is being given away and for what reasons during this very trying time when everyone should be masked up and stuck in their homes. Discussion.

## 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. Glen Green, Attorney representing Ozark Plaza Development, LLC, requested Item Number 3 be removed from the Consent Agenda and placed on the Regular Agenda. 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 as amended. City Clerk Lisa Westfall read the following Consent Agenda items by title.

Approval of Board of Aldermen Minutes:

- a) August 20, 2020 Study Session
- b) August 25, 2020 Regular Meeting

Acknowledge Receipt of Minutes:

- a) Budget & Finance and Capital Improvement Committee joint meeting of July 30, 2020

### **BILL NO. 5853**

**Ord. No. 2020-0097**

**Approving the addendum to the contract with Enterprise Fleet Management pertaining to commercial automobile liability insurance for medium and heavy duty vehicles.**

Final Reading of Bill No. 5853, an ordinance approving the addendum to the contract with Enterprise Fleet Management pertaining to commercial automobile liability insurance for medium and heavy duty vehicles and authorizing the Mayor to execute the contract was read by title by City Clerk Lisa Westfall. Voting aye: King, Whiteis, Simmons, Skains, Milton and Seay. Nays: None. Motion carried. Ordinance No. 2020-0097 was duly enacted.

### **BILL NO. 5854**

**Ord. No. 2020-0098**

**Amending the adopted 2020 Budget for the City of Branson, to adjust monies for the Water Sewer Internal Service Fund.**

Final Reading of Bill No. 5854, an ordinance amending the adopted 2020 Budget for the City of Branson, to adjust monies for the Water Sewer Internal Service Fund was read by title by City Clerk Lisa Westfall. Voting aye: King, Whiteis, Simmons, Skains, Milton and Seay. Nays: None. Motion carried. Ordinance No. 2020-0098 was duly enacted.

### **BILL NO. 5855**

**Ord. No. 2020-0099**

**Accepting the proposal of Cimco Industrial, LLC to repair and seal the interior of the Cliff Drive Water Treatment Facility Clearwells.**

Final Reading of Bill No. 5855, an ordinance accepting the proposal of Cimco Industrial, LLC to repair and seal the interior of the Cliff Drive Water Treatment Facility Clearwells and authorizing the Mayor to execute the contract was read by title by City Clerk Lisa Westfall. Voting aye: King, Whiteis, Simmons, Skains, Milton and Seay. Nays: None. Motion carried. Ordinance No. 2020-0099 was duly enacted.

Mayor Akers opened the floor for a motion to approve all items on the Consent Agenda as amended. Alderman Skains so moved, seconded by Alderman King. Voting aye: King, Whiteis, Simmons, Skains, Milton and Seay. Nays: None. Motion carried.

## REGULAR AGENDA

### BILL NO. 5852

Ord. No. 2020-0096

**Approving a zoning change from Community Commercial (CC) to High Density Residential (HDR) for the property located at 340 Gretna Road, Branson, Missouri.**

Final Reading of Bill No. 5852, an ordinance approving a zoning change from Community Commercial (CC) to High Density Residential (HDR) for the property located at 340 Gretna Road, Branson, Missouri 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. 5852. Alderman Skains so moved, seconded by Alderman Milton. Mayor Akers asked for anyone in the audience wishing to speak regarding this matter.

Glen Green, introduced himself as an attorney from Springfield, Missouri, who represents Ozark Plaza Development, LLC, which owns approximately 18 ½ acres on Francis Road near Gretna. He explained this land is subject to this application and he feels in most situations it's easy to approve a rezoning request when it doesn't appear there's opposition to it. He stated the fact is, there is opposition to this application and mentioned sending a letter on behalf of his client to the City's Planning and Zoning Department on August 11th. It was a five-page letter setting out the reasons for that opposition, but it doesn't appear to have made it to the Board of Aldermen, so he'd like a chance to speak on behalf of his client to state the reasons for opposing it. He commented on the zoning request to change the property from Community Commercial to High Density Residential and pointed out this is not a planned development request. He knows it's going to be tiny homes for affordable housing which is a great objective, but changing the zoning to High Density Residential would allow for the property to be sold. Subsequently, having a mobile home park put in since it's not restricted in the number of units that are going to be put in there because it's whatever the zoning allows. It's not a planned development, but it's going to be restricted by what the current applicant says the intended use of the property is. Mr. Green stated the Preferred Land-Use Plan adopted by the City of Branson designates this property and the property around it as Core Entertainment District. This is defined as being one of the activity centers in the future 2030 vision of Branson and primary transportation corridor, connecting the core of the Downtown to the larger community west of Highway 65. He explained that encompasses entertainment such as theaters, museums, go-kart racing, lodging accommodations and retail uses. The District will be revitalized over time through redevelopment, building rehabilitation and infill development. The Entertainment District will be a priority for public investment and an opportunity to revitalize and encourage new investment in the area. He continued, new buildings will be high quality, distinctive, add to the visual interest and complement existing development, but that clearly is not what this application is seeking to do. He believes the Staff report justifies the deviation from the Core Entertainment District designation to supposedly having Medium Density Residential property in the area to the east. The property owned by his client is the property directly to the east, as well as the property to the east of that across Francis Road. He mentioned those properties are still part of the Core Entertainment District and are not residential. The nearness of this property that supposedly justifies this deviation is not specified in the staff report and he doesn't think it's been justified to show the property should be rezoned. Mr. Green commented, Staff also indicates in the report that it's justified to approve or support this change in zoning by claiming High Density Residential use will not have a negative effect on the surrounding commercial and entertainment uses. His client who owns 18 ½ acres

directly adjacent to this property strongly disagrees with that assertion and believes it will have a negative effect. He reported the neighboring property owner of the campground intended to develop their property, but said they're not going to if this property is approved for rezoning. Mr. Green commented the Board is certainly aware when a city adopts a comprehensive plan, the zoning classifications of property should be observed unless the applicant can demonstrate special circumstances. He explained this means they are consistent with the comprehensive plan, there's a need for the zoning change, it's consistent with surrounding uses and consistent with orderly development of public services. He stated Elevate Branson's application is not even close to the Community Commercial zoning that surrounds that piece of property, which contemplates big box, retail and shopping malls. The staff report notes that all of the surrounding property is a Community Commercial District and that's what's happening; there's a request before this Board for spot zoning. Missouri law is very clear spot zoning is only valid when it's in harmony with the Comprehensive Plan and bears a substantial relationship to the general welfare. He pointed out the Branson Community Plan 2030 states the preferred land use plan will be used as a guide during the review of development requests and the Community Plan designated zoning where each use would be best suited physically in the City. His client, like other developers, rely upon that zoning and plan to protect their investments as they have a lot of money in these properties. They're expecting the Board to help protect their investments by honoring the plan designated for future development of those properties. In their opinion, Staff ignored the immediate surrounding uses and claims the expansion of residential uses in this area is needed. This is despite the fact that the land use plan designated this parcel as Core Entertainment District land and nowhere in the Community Plan 2030 does it designate this area for High Density Residential. Mr. Green stated spot zoning should not be used by this Board or City to modify or abandon its Community Plan. If it needs to amend the plan, that should be done through proper procedures and public hearings so it can be adjusted. That's not what's been taking place, but a spot zoning request is being used to deviate from the Community Plan which is an improper use of zoning. This spot rezoning to High Density Residential is inconsistent with the City's Action Plan which states in Action 1.2.3, affordable housing should be disbursed in the residential areas of the City rather than clustering them in one location. Mr. Green pointed out that is not what would occur with this spot zoning; it would be segregating this affordable housing unit into the Commercial Entertainment District area. It would not be integrating affordable housing into the rest of the community, which is what this City has adopted as its Community Action Plan to help normalize affordable housing with the rest of the community. He believes the City should stand firm on following its own policies set forth in the Community Action Plan and if there are changes needed they would be done through proper procedures, not through this spot zoning request. He welcomed any questions and thanked the Board for its time. In response to the Board's questions, he clarified there's not a particular development plan in place, but the plan is to either develop or sell the property to another developer based on the Community Plan 2030's allowed uses. Whether his client personally develops it or finds another developer that wants to spend money on it, if they don't have protection on the zoning in place from the Community Plan, it allows their investments to deteriorate. He doesn't think any community wants to discourage investments and developers in their community by not protecting property or designated uses established by the community. He explained that discourages people like his client from investing in the property and either seeking to develop it themselves or find another developer to come in. Mr. Green added, it's very difficult to do that if the City can't ensure developers investing their time and capital improving the community won't have these types of things occur through spot zoning, reducing the value of their potential investment. He mentioned the property has steep areas and some alternative entertainment uses have been talked about such as zip lines which have been particularly popular. There are some unique factors to that property which make it more difficult and expensive to develop and is another reason to protect the allowed uses of the land. If the property is devalued and no one can get valuable use out of it, the property will not be worth anything because no one will want to put money into it due to the surrounding uses allowed to incur. Additionally, if it's not attractive to other people, they won't want to spend money if a new use comes in through spot zoning. This discourages people from ever seeing that land become something of value to the community and is why he tried to make the point of integrating it into the residential community which is consistent with the action plan. Discussion.

Joshua Pope, Neihardt Drive, Branson, Missouri, mentioned he's a little angry and finds it absurd that people would rather keep a commercial district than rezone to residential and potentially house people in Branson struggling to find affordable and nice living conditions. That's extremely insulting to him as he's worked with many people at Rib Crib who lived in extended stay hotels, struggling with their kids to survive.

That was the best option they had and it dumbfounds him that someone wouldn't be willing to allow them to do such a thing on their own property, right next to their own facility. He feels Elevate Branson does great things and he's watched it deliver things to people in extended stay hotels every week. It dumbfounds him that someone thinks something like a zip line would be more suitable than having affordable housing for people struggling in this town. Mr. Pope explained affordable housing is not very common in Branson since it's hard to build and there are a lot of hills here. What is common is not very nice, like some of the extended stay hotels, and it's insulting to put the prospect of potential profits over the people who live in this town.

Bryan Stallings, 137 B Lakehills Drive, Branson, Missouri, explained he's the applicant and wants to address the Board's questions about whether the project could go on if this were not approved. Mr. Stallings mentioned it's currently zoned Community Commercial which means multi-family could be put in there. He recognizes there's a huge need to get people out of the dilapidated hotels and is why his organization wants to bring a unique housing project. People would have four walls and be outside of a congregated system like a motel. To develop affordable housing it takes public and private partnerships because it's too expensive to build here without partnerships. Most of the funding for this project is based on tiny house, because it reduces it to a number of 48 which is far less than having multifamily there. With the combined businesses, it will provide people with a dignified income so they can work and will also meet a commercial need at the same time. Mr. Stallings thinks the biggest thing is the dignity and value of having a home versus living in an apartment or a motel. He explained if this doesn't pass, it would be challenging for the project to move forward because of the limited resources available to his non-profit. If someone came along offering \$7 million for that property, his organization would have to dissolve its non-profit and sell-off its assets, so it's not like it could just take that \$7 million and change what it wants to do. He clarified for the Board, these will be permanently built, anchored down structures and the number of houses depends on planning and zoning and he can get 48 in there. Mr. Stallings explained part of the public-private partnership for funding for those types of grants, the sweet spot is 24 units. His organization is hoping to do 24 units in one phase, 24 units in the second phase which is how it gets to 48. Discussion.

Connie Carpenter, 151 McKinley Court, Branson, Missouri, mentioned she lives in an apartment complex which is affordable housing and feels it would be really nice to move out of it. It's considered to have one of the highest crime rates and the Sheriff's Department knows all about it. She would love a tiny home that she could afford and she supports what Elevate Branson is trying to do. She explained affordable housing is just not out there and she's fortunate enough to have a three bedroom apartment. Ms. Carpenter reported there are a lot of sketchy people living at her apartment complex and she feels the privilege of having a tiny home would greatly support the community. She's been a personal care assistant and knows people who unfortunately have to live in a hotel and it's not a good situation; they deal with bed bugs which is not healthy for them or their mental state. If there were something other than hotels and the small options available, it would benefit the community greatly. Ms. Carpenter reported a lot of hotels have been shut down and probably for good reason, but people don't really have anywhere else to go. She added, apparently that's why they live under bridges and she explained there's a whole lot of other situations, so she thinks this would be a great step forward.

Mayor Akers asked for comments from the Board. No discussion. Voting aye: King, Whiteis, Simmons, Skains, Milton and Seay. Nays: None. Motion carried. Ordinance No. 2020-0096 was duly enacted.

#### **BILL NO. 5856**

#### **Approving an amendment to the contract with CDW Government, LLC pertaining to the purchase of computer hardware and software.**

First Reading of Bill No. 5856, an ordinance approving an amendment to the contract with CDW Government, LLC pertaining to the purchase of computer hardware and software and authorizing the Mayor to execute the contract was read by title by City Clerk Lisa Westfall and a staff report was presented by IT Director Chad Forster. Mayor Akers asked for a motion approving Bill No. 5856. 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: King, Whiteis, Simmons, Skains, Milton and Seay. Nays: None. Motion carried.

**BILL NO. 5857**

**Approving a services contract with Highway Safety Solutions pertaining to repair and replacement of guardrail in various locations.**

First Reading of Bill No. 5857, an ordinance approving a services contract with Highway Safety Solutions pertaining to repair and replacement of guardrail in various locations and authorizing the Mayor to execute the contract was read by title by City Clerk Lisa Westfall and a staff report was provided by Public Works Director and City Engineer Keith Francis.

**Alderman Skains left the meeting at 7:15 p.m. and returned at 7:16 p.m.**

Mayor Akers asked for a motion approving Bill No. 5857. Alderman Simmons so moved, seconded by Alderman Whiteis. 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: King, Whiteis, Simmons, Skains, Milton and Seay. Nays: None. Motion carried.

**BILL NO. 5858**

**Approving an agreement with the Missouri Highway and Transportation Commission for bridge deck repair on Route 65.**

First Reading of Bill No. 5858, an ordinance approving an agreement with the Missouri Highway and Transportation Commission for bridge deck repair on Route 65 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. 5858. 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: King, Whiteis, Simmons, Skains, Milton and Seay. Nays: None. Motion carried.

**BILL NO. 5859**

**Approving the contract with Chemtrade Chemicals US, LLC for the purchase of operational chemicals used in the City's water treatment processes.**

First Reading of Bill No. 5859, an ordinance approving the contract with Chemtrade Chemicals US, LLC for the purchase of operational chemicals used in the City's water treatment processes 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. 5859. 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: King, Whiteis, Simmons, Skains, Milton and Seay. Nays: None. Motion carried.

**BILL NO. 5860**

**Ord. No. 2020-0100**

**Repealing Ordinance No. 2020-0087 and re-establishing the annual levy of a property tax for general revenue in the City of Branson, Missouri, a City of the Fourth Class.**

First Reading of Bill No. 5860, an ordinance repealing Ordinance No. 2020-0087 and re-establishing the annual levy of a property tax for general revenue in the City of Branson, Missouri, a City of the Fourth Class 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. 5860. Alderman King so moved, seconded by Alderman Whiteis. 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: King, Whiteis, Simmons, Skains, Milton and Seay. Nays: None. Motion carried. Alderman King moved to read Bill No. 5860 for its final reading due to time constraints, seconded by Alderman Seay. 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: King, Whiteis, Simmons, Skains, Milton and Seay. Nays: None. Motion carried. Final Reading of Bill No. 5860, an ordinance repealing Ordinance No. 2020-0087 and re-establishing the annual levy of a property tax for general revenue in the City of Branson, Missouri, a City of the Fourth Class was read by title by City Clerk Lisa Westfall. Mayor Akers asked for a motion approving Bill No. 5860. Alderman King so moved, seconded by Alderman Whiteis. 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: King, Whiteis, Simmons, Skains, Milton and Seay. Nays: None. Motion carried. Ordinance No. 2020-0100 was duly enacted.

**Alderman Milton left the meeting at 7:33 p.m. and returned at 7:34 p.m.**

**BILL NO. 5861**

**Amending the adopted 2020 Budget for the City of Branson, to adjust monies for the General Fund and the Convention Center Fund.**

First Reading of Bill No. 5861, an ordinance amending the adopted 2020 Budget for the City of Branson, to adjust monies for the General Fund and the Convention Center Fund 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. 5861. Alderman Milton so moved, seconded by Alderman Skains. Mayor Akers asked for anyone in the audience wishing to speak regarding this matter.

Connie Carpenter, 151 McKinley Court, Branson, Missouri, expressed she doesn't understand why the Convention Center needs extra money since it's had Branson Con and other events. She inquired if the Convention Center was connected with the Hilton and asked for clarification about various City funds. Ms. Carpenter commented the Convention Center is still putting on different conventions and bringing in income, so she doesn't understand the need for extra income from the City and its taxpayers. She explained she's asking questions right now since it's going to be voted on right now. She had questions about whether this was the final vote for the Convention Center getting money. Discussion.

Sam Voisin, General Manager of the Branson Convention Center, introduced himself and said he's been there for about four weeks now and has 25 years' experience in the business. He feels there's no place like Branson and he thanked everyone for the hospitable welcome. He reported it's been an unprecedented, extremely bad year with COVID-19 which is what precipitated the funds request and he mentioned additional funds were requested in the past. The business has been depleted by over 50% of revenue from cancellations and reduced spending, which is a huge economic impact to the City of Branson and surrounding businesses. From October through the rest of the year, these funds are needed to continue to operate the convention center as there are 43 more event days to execute. He mentioned getting with the Chamber of Commerce to do a research study from October to December on economic impact and it found it's \$15 million for 43 event days, which is huge. However, it costs money to run the Convention Center's HVAC system and utilities which can cost over \$150 per hour in some cases depending on the weather outside. He added, these funds are requested so the Convention Center can continue operations to satisfy its commitments for these 43 event days. He's done a regional comparison of venues similar in size to the Branson Convention Center's competitive set and Branson is doing much better than those. He reported Evansville, Indiana, South Bend, Indiana, and Shreveport, Louisiana, most of the buildings in those regions have 100% cancellations due to their state requirements. Some have capacity limitations like Louisiana that can only have 25% capacity in any building. He commented that might move up to 50%, but that's still an impact to business. Currently, New Orleans is completely shut down for conventions; they have zero economic impact which is in the hundreds of millions of dollars that COVID has cost the meetings

and convention industry so far. Mr. Voisin reported Branson's doing much better than most, but if the Board decides not to fund the remainder of this year it's looking at a loss of \$15 million in economic impact. It's direct and indirect impacts such as jobs lost, taxes not abated and so on. He added, that's direct sales taxes that go to the City which are also divided up to the County and State that will not be realized. He calculated a 44% return on this funds request for economic impact; \$354,000 in exchange for \$15 million of impact. Mr. Voisin explained convention centers make money for other people, but unfortunately not for itself and that machine would come to a grinding halt. Additionally, there may be some legal ramifications with events not being able to be held.

Bo Dejager, South Drive, Branson, Missouri, mentioned he lives in Ward I and understands the Convention Center is part of the City. He questioned how it's getting extra funds and asked when the City plans to do anything to help give back and lower taxes for the businesses being hurt. He believes he heard it reported through a news outlet that the Mayor had said Branson was a booming City and other businesses have said they're doing better, especially since the mask mandate. Mr. Dejager asked if the City was having better numbers because of all this, why it's having to put more money into the convention center. He asked, should it not be bringing in a fair amount of money on the events it's already had? It's getting help and extra funds and he asked if businesses in town are getting a tax break from the City or other types of kickbacks. He mentioned the City and certain groups are getting CARES Act money and he asked if that's going to roll back on any of the other businesses in town.

Clay Cooper, of the Clay Cooper Theater, responded to Mayor Akers' previous comments and clarified the Mayor's comments were that the town was packed, not booming. Mr. Cooper feels there are a lot of similarities there.

Ritchie Zates, 1029 Cliff Drive, Branson, Missouri, commented all of this is ridiculous because the economy is being destroyed because of the masks and he feels nobody should be wearing masks in the first place. He mentioned having evidence of people having major medical problems like staph infections due to wearing masks. Mr. Zates mentioned talking with people and he received over 500 signatures in only a couple days at the Branson Landing. He reported 90% of the people we're not wearing masks and clarified his point is this has direct reference to what's being talked about, which is giving funds to bail out the Convention Center. He believes if the policies would change, the economy of this town would increase radically as it all pertains to one issue: the masks. Masks are destroying the town, people don't like them, they're an issue regarding the economy and he's tired of seeing businesses go down the tubes. He doesn't think police officers or anyone else should be demanded to wear a mask because it's detrimental and cuts a person's oxygen supply by 20%. Mr. Zates reiterated he's making a point that the mask is directly incorporated into the economy of this town and he urged the Board to allow personal decision. He commented, everyone knows they do not stop COVID-19 as it says so right on the label. Mr. Zates added, if it doesn't stop it from coming in, it certainly doesn't stop it from going out. He mentioned the Board doesn't allow anyone to wear face shields which would keep it out, but a lot of companies and corporations are allowing them. He expressed people do not want the masks and he asked the Board to give him his rights.

**The meeting recessed at 7:54 p.m. and reconvened 8:00 p.m.**

Mayor Akers asked for comments from the Board. Discussion. Voting aye: King, Whiteis, Simmons, Skains, Milton and Seay. Nays: None. Motion carried.

**BILL NO. 5862**

**Ord. No. 2020-0101**

**Extending Ordinance 2020-0072 to slow the community spread of COVID-19.**

First Reading of Bill No. 5862, an ordinance extending Ordinance 2020-0072 to slow the community spread of COVID-19 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. 5862. Alderman King so moved, seconded by Alderman Simmons.

Mayor Akers made an announcement pertaining to public comments regarding Bill No. 5862. He explained the City taxpayer and resident rule is still in place and the time limit for public comment is three minutes. Mayor Akers asked for anyone in the audience wishing to speak regarding this matter.

Bill Large, Meadowbrook Lane, Branson, Missouri, said he's against the mask mandate. He clarified he's not against masking and believes if someone wants to wear a mask, it should be their choice. He's never seen a situation like this in his lifetime where a local government is taking such draconian actions as to tell people that they have to wear a mask. He thinks it's very important the Board understand that science is all over the place on both sides, but the bottom line is COVID-19 is not the big bad wolf that everybody has said it is. He's sad to see the City Attorney has only taken the effort to present one side of the story. He explained he didn't get the other side of the story about the supposed 193,000 deaths out 6,300,000 cases which is only 0.030%. He added, that's less than one-third of 1% and the City wants a mask mandate or to close down the City. He addressed previous comments made about the economy and the Convention Center and how far it's off on money. He asked the Aldermen if they thought it had anything to do with the mask mandate. Mr. Large said he thinks so and thinks it's quite obvious; he's a business man who's been around Branson and knows how Branson is trending. He commented it sure isn't trending up and this mask mandate has not only caused a lot of problems tourism-wise, but a lot of citizens are going to remember how the Board votes. Mr. Large pointed out people are talking about the Tea Party, not just in Branson, but all over the country and people are going to remember and take action based on how they're treated. He explained he's a sovereign person and should get to make the choice on whether or not to wear a mask. This is a joke to him, because it doesn't prevent COVID-19 which is stated right on the box of masks. He mentioned a good friend of his had a heart attack ten years ago, a major stroke five years ago, a year later had major health problems, ended up in a coma from some colon problems, so he shouldn't be here. He was diagnosed with COVID-19 and spent two weeks in the hospital in Springfield, but he's still here and doing fantastic. Mr. Large explained his point is really simple; if a person chooses to wear a mask that's their choice. As an American that's their God-given right, but it's his God-given right as an American not to wear one if he chooses not to.

Audrey Richards, 265 Buzz Street, Branson, Missouri, mentioned she's running against Billy Long to represent Missouri's 7th District in U.S. Congress and as a Branson resident, she feels safer since the mask ordinance was implemented. She believes it limits the spread of COVID-19 and as the City Attorney said, the positivity rates and seven-day rolling case averages have gone down since its implementation. She commented, contrary to the initial fear that the ordinance would drive tourists away, 84% of them said it either had no impact or actually encouraged them to come here. Earlier today she was in Joplin meeting with a City Council member who chose to spend their Labor Day weekend here in Branson and they had a good time. The only reason they chose to come here was because they felt safe coming here due to Branson having a mask ordinance in place. She feels this issue is polarized because people have chosen to make it about politics instead of safety. The loudest voices are often the ones at the polls and she admits there are moments when she gets very angry and passionate. She sees masks as a way of protecting her neighbors which is something she's very passionate about. She explained she tries to take a step back, listen to people concerned about constitutional rights and tries to take a step toward the middle to bring everyone to the table. She feels the exemptions in this bill for things like weddings and funerals can lower the effectiveness of this policy. However, that's part of the compromise, part of sitting at the table and listening without prejudice and the Board listened to the community, understood the realities of the situation and this legislation has so far been proven to be effective. She disagrees with the notion this is about fear and control, but is about public safety. Ms. Richards believes this ordinance proves Branson cares about people.

Joshua Pope, Neihardt Street, Branson, Missouri, mentioned two and a half weeks ago he was diagnosed with COVID-19 so he quarantined himself. He doesn't know where he got it, but recalled traveling extensively due to family matters and estimates he got it because of dumb luck. He believes everybody who supports this mask mandate knows they're not 100% invincible and don't protect people 100% because nothing does. He stated it doesn't matter how safe people are, they can still get this virus. He's not going to oversell and lie to the Board; it wasn't that bad. He cautioned them to listen to what he says and not that one phrase. Mr. Pope explained everything in this world is complex, and while COVID-19 was not bad for him, it could be bad for others. He's fought several terrible diseases in his life and pointed out not everybody

has the same health conditions, which is why this virus has such drastic differences for every person who gets it. What was an easy fight for him might be a death sentence for someone like his grandmother who's on oxygen with non-aggressive lung cancer. He wasn't worried about himself, but about his grandparents or someone else he knows getting it and not surviving. He shared ways he tried to limit exposure to his grandparents such as locking himself in his room, blocking off air vents and wearing a mask the entire time. He feels the mental anguish and guilt of possibly spreading this to his family was beyond anything COVID-19 could have possibly done to him. Mr. Pope explained science says masks work and people must press on and not cut this short just because they are working.

Russell Eugenio, 110 Cottonwood Trail, Branson, Missouri, clarified he's not an attorney, physician, statistician or politician, but a citizen of the City of Branson. He thanked the Mayor and Board for using due diligence and conscience in the decisions it makes. Mr. Eugenio shared the Board's decisions have changed his lifestyle forever as the mask mandate forced him into early retirement. His physician told him he'd have far greater chance of being killed by wearing the mask than from COVID-19. He explained that's because he'd be re-ingesting his own carbon dioxide which should be exhaled, exacerbating other problems. He reported having hallucinations at work due to the lack of oxygen reaching his brain. His physician offered him a medical exemption from wearing a mask, but his employer told him that wasn't good enough, they wouldn't honor it, even though that was in the law the Board passed. He understands the reasoning and feels his corporation did the right thing, but now he's paying the price. He commented on the data provided by the City Attorney which mentioned potential spread and probable cases. He pointed out, these are cases that might be out there, but is used as facts to back up a point of view. Mr. Eugenio stated if he were to be tested for polio right now, he would test positive since he was vaccinated against the disease as a child. The polio virus now lives in him and keeps him healthy against the very disease. He reported a good number of people testing positive for COVID-19 are asymptomatic; they have the disease, but it's not affecting them and they're not likely to spread it to others. He asked the Board to temper judgments with the needs of its citizenry. It has destroyed the economy of this City and he feels the Mayor asked a valid question at one point: what is the fiscal impact of this bill? He asked the Mayor to ask himself what the fiscal impact of his last decision was. He stated many businesses in the City are going under and Mr. Clay Cooper may not have a theater next year because he can't support it.

Darrus Hughes, 150 Tyler Street, Branson, Missouri, stated the information provided in the educational meeting supporting this mask mandate provided correlating data, but not any data that proved causation. He reported McDonald County has had a less than 3% increase in cases without a mask mandate. That doesn't mean masks aren't effective, but it doesn't mean masks are effective. He mentioned Taney County and Greene County, the cities of Springfield and Branson, have both mandated masks. Mr. Hughes reported Taney County had almost a 12% increase in the past 14 days and Greene County, which mandated masks before Branson did, had a 62% increase in cases in the past 14 days. He pointed out this information demonstrates the irrationality of presenting the trend of cases and using correlation and causation to assume masks are the solution. This is a flimsy argument at best; seductive, manipulative and sinister at worst. A principle of good government is any power that cannot be maintained on the scale of an individual should not be maintained on the scale of any form of government. He explained if he cannot force someone else to wear a mask, he should not have the ability to give anyone else that power; including mandating masks. It is within his power to spread information regarding the efficacy of masks, encourage the use of them if he finds them to be effective, but it's not within his power to enforce their use and therefore it's not within the Board's power to mandate them. Every bit of power any office receives comes from the power every individual is given by God and the rights they have. He feels only an illogical and demented mind would use the *Jacobson v. Massachusetts* argument as substance to tell the Board it has a power it doesn't have. Mr. Hughes asked how the Board could pull the power to mandate masks out of thin air.

Bo Dejager, South Drive, Branson, Missouri, said he lives in Ward I and is also a citizen of Branson. He referred to the young man here who's been wearing his mask is the second person here to confirm they got COVID-19 and is pro-mask. Mr. Dejager is sorry he's immune compromised and for all the unfortunate things he's gone through with his health, but pointed out he's still standing here today even though he's extremely high-risk as are many others. He added, so this isn't necessarily all that it's made out to be; many people are getting through this. People are looking so drastically at the cases and deaths versus how many people are actually getting over this. He mentioned emailing many of the Aldermen, but only hearing back

from a couple even though he's a citizen inside City limits. He mentioned the Taney County Health Department Director had made a point he'd like to bring up about doing a fantastic job since cases were being brought down inside nursing homes. He commented, they may be doing their best, but bringing cases down is a whole other argument, because he thought the goal was to save lives from death. Of the recent deaths in Taney County, the last nine have been from inside nursing homes which have been strict on their lockdowns. They've required masks for everybody coming in and don't allow others to come in and he asked how cases and deaths are happening at nursing homes with these restrictions everyone's aiming at targeting. Mr. Dejager said he'd like to know from the Health Department Director what the delay rate is when it comes to infections and reporting, because there are concerns about when the reports are made and how long it takes. He commented he also brings this up on a national level coming from the Centers for Disease Control (CDC) and explained looking back at the past months it's adding more death counts to two months in the past. Not just days or a couple of weeks and those numbers should be set in stone unless there's a major change. Mr. Dejager said he printed off numerous pages and offered to share them with anybody wanting to look at them and he noted three months past deaths have increased throughout the nation. He asked, even though it's supposed to be week-by-week, why wouldn't it add those counts to the current week? He questioned the inflation of the number of deaths and the accuracy of the numbers. He asked when the idea on how masks work changed and pointed out his respirator isn't just a face covering, but allows him to breathe through a filter and breathe out through a non-filter. He explained that's how a mask should properly work and saying a face covering actually stops the spread of the virus is inaccurate.

Carolyn Dejager, Branson, Missouri, said she's not willing to touch anything because it states on Lysol and Clorox wipes they're harmful to humans and pets and to wash hands immediately after touching things like that. She reported her business has plummeted since this mask mandate and mentioned she's into all-natural, plant-based products and is not willing to use the chemicals that are out there. She believes people need to get off of all pharmaceuticals, because they just treat one symptom and lead to another product for another symptom. She commented, people need to know masking is harmful; breathing in carbon dioxide is not healthy and can lead to rashes and other things that are harmful to our bodies. People need to realize what this is doing to them and they need to keep their immunity up. She shared people can do this by going all natural and use plant-based products which are healthy for them. She feels masks are a joke and people need to be able to go see their family members in nursing homes before they die. She asked the Board to consider that masks do not stop the virus and feels people need to stand up and stop this nonsense.

Connie Carpenter, 151 McKinley Court, Branson, Missouri, commented on the decrease in business and reported the business she works for has had people who were very happy to come to Branson when it didn't require masks. Since the mask ordinance, she's heard from a lot of people who have decided to cancel their trip to Branson. She added, because she has to work to pay her bills, she's forced to wear a mask. For some people it's perfectly fine, but for others like herself who have suffered different, unfortunate things, it can bring on PTSD and different anxieties that keep them from going out and living a normal life. She explained just going to the store can bring on some of those things and for her personally, it's caused her to have to take anxiety medicine. Taking in extra carbon dioxide isn't good for people and she asked the Board to stop this nonsense, because they have no idea what this does to people. She added, not only to their rights, but their personal anxieties. She alerted the Board to the dangers of not being able to identify someone abducting a child due to the masks which is a safety issue she wishes the Board would take into consideration.

Jan Dellaruso, 1711 Neihardt Street, Branson, Missouri, mentioned having her mask below her nose and noticed some of the Board members have also at times. She doesn't know how those wearing glasses can see out of their glasses, because it fogs hers up and is why she keeps bringing her mask down. She wants to see the Board members' eyes and smiles and she feels the City has hidden its light in this town and people have lost income because of this. She believes the Board has a responsibility to the citizens of this town to not pass the mandate. Ms. Dellaruso said she's glad someone thinks Branson is getting tourists and explained her husband lost his job because tourists have refused to come into businesses because they have to wear a mask. It does absolutely nothing good for people and she's known people who have died because of masks, but doesn't know one person who has died of COVID-19. She knows a woman in town who got COVID-19 in January. She had a house party, all of her family came, she

cooked all of the main meal, was sick as a dog and she now realizes she had COVID-19, but not one person who ate her food or came to her house got COVID-19. Ms. Dellarusso commented this is not a pandemic, this was a forced-upon-America lie to destroy the economy and destroy what the Democrats couldn't win. She added, they knew they couldn't win because President Donald Trump had brought this economy back up from the last Democrat in office. She urged the Board not to pass this mandate, because it's destroying Branson. She explained she shops outside of Branson because she's not going to wear a mask. She wore it tonight because the City asked her to, but she won't be back because she's not wearing a mask. She asked how the Board dare go against her constitutional right to be able to live her life freely in the United States and said if this passes again, she will be at the polls come April.

Clay Cooper, Clay Cooper Theater, Branson, Missouri, said he wants to open with a direct quote from the Mayor because a few minutes ago he told Connie Carpenter the first time she got up to speak "we represent you." He asked the Board to represent the people now and feels this is a serious situation because people are way more fearful for their livelihoods than they are of catching this virus. He mentioned attending every one of these meetings and the first meeting about 80 people were against the mask mandate, while four spoke in favor of it. The next meeting about 40 people were against it and six or eight were for it. It's been 97% of people against it and he believes Alderman Seay posted on his Facebook that most of the people he reached out to were for the mask mandate. Mr. Cooper commented those constituents are not people who agree with you on the back deck, but the people here are the majority and they don't want to trade their lives and livelihoods. He referred to the poll that said 84% of people either don't mind or are for the mask mandate, but feels that depends on who is being polled and doesn't think any of the people here tonight were polled, because if they were that number wouldn't be that high. He explained polls are only as good as the people polled; you can poll who you want to get the answer you want. He recalled at the Study Session last week, the Director of the Taney County Health Department Lisa Marshall, addressed someone who brought up the CDC's report that said only 6% of people really died from COVID-19. She said that was a false report that the CDC made, but later when someone asked her where the Health Department gets its recommendations from on these things and she said the CDC. Mr. Cooper pointed out she contradicted herself in the same statement; they listen to the CDC when they like what it's saying, but if they don't like what it says, then they discount what it says. He books about 550 to 600 motor coaches a year in his business and he's only seen three so far this year. He doesn't know if he'll be open next month and he can't solely blame that on the mask mandate; it's a bad year. He has 95 employees worried about their jobs, he's worried about his job and feeding his kids. He feels the mask mandate is a reason why people are mean, mad and irate. If the Board wants its citizens back, people to be friendly and love on each other, it should get rid of this and the hostility will go away. He urged the Board not to extend this.

Roy Morris, 393 Dandy Way, Branson, Missouri, explained he's been cutting grass and doing other things because he can't make a living at the shows anymore. There aren't enough people coming in order to pay the bills and whether it's this mask mandate or not, he feels it's a big part of it. Out of all the data presented, he didn't know Branson was in the red zone. He inquired if the City needed to put signs out on Highway 65 that say "stay out of Branson, we're concerned about your health." He asked, if it is in a red zone, how concerned are we? He guesses they should be stopped from coming in if that would do it. He mentioned three weeks ago, he found out from reading an article in the New York Times that hundreds of doctors got together and said the tests are set at 40 which is too high because it's picking up every little thing that a person could possibly have. He reported the tests should be set at 30 to pick up the real positive things and the headline stated, you may have tested positive, but you were really negative. He asked the Board to think about the fact that if the tests were set at 30, 90% of the tests coming back would have been negative. He added, two weeks ago the CDC came out very quietly and said the statistics it's been putting out have been a little bit wrong and misleading. The actual death caused by COVID-19 is 6% or 9,000 out of 153,000 deaths. Mr. Morris explained other conditions are present that enhanced the death, but they will not let that be known. If someone got COVID-19, cancer, heart trouble or whatever, they're naming all of it COVID-19 for some particular reason, whether it's money or political. He told the Board to make its decision based on real facts and not what fits the political end of it.

Ritchie Zates, 1029 Cliff Drive, Branson, Missouri, mentioned spending time in a war zone which is why he's very hyper and explained he loves all the Board members. He clarified people aren't mad at

them, but they don't appreciate these restrictions. When he sees little children who are growing up wearing masks, he knows they need all the oxygen they can get. He mentioned losing his best friend who was burned to death in a house fire because she wouldn't leave due to fear of COVID-19. His heart has been broken over and over and he begged the Board to abolish this and bring some sanity back to this town. Mr. Zates guaranteed people will support the Board if it makes that decision. He stressed the need to eradicate masks because they're nothing more than a restriction on people's breathing of 20% less oxygen and he's seen people pass out. He's gathered a lot of data from people and over 500 signatures against masks. He knows of cases where people went in to test then changed their minds, yet they tested positive and people who never had COVID-19 and tested positive. He explained \$39,000 is a pretty good thing for a checkmark and he pleaded with the Board to have compassion on this town and the people who put them in office. He expressed concerns over Police Chief Jeff Matthews wearing a mask and said he doesn't think he should be wearing it; it doesn't stop anything and the virus goes right through. Mr. Zates shared testimonies from people who have had it while nobody else got it and he asked the Board why it's using insane statistics to go on a course that's not healthy for anyone. He emphasized people need to breathe without restriction and he provided the Board a handout about people getting breakouts on their faces due to wearing masks. He thinks any deaths caused by wearing masks will be on the Board's head, because he believes there's a sowing and reaping in this creation. He wants the Board members to know that God loves them and he asked them to please change this policy. (See attached handout)

**Alderman Skains left the meeting at 8:49 p.m. and returned at 8:50 p.m.**

Glenn Meyer, 547 Quail Road, Branson, Missouri, recalled when the mask mandate was to be first voted upon, four Aldermen stated clearly they were against the mask mandate. A motion was made for a vote, but instead of following through on that motion and voting, the Mayor improperly stopped the proceedings and dismissed the meeting. He feels the Mayor talks about proper procedure, but then steamrolls and ignores the process if he doesn't like the way things are going. Somehow, this emergency was magically paused for two weeks, the Aldermen's minds were mysteriously changed and the mandate passed. He asked what justification the Mayor had for stopping the vote and ignoring the rules of order he says he lives by. He asked the Board if any of them as individuals or the City received or will receive compensation of any kind; monetary or otherwise, for passing this mandate. He asked if the Board members were doing any research for themselves concerning masks, because the facts are out there and they're clear. Mr. Meyer feels they are intelligent people, but are acting irrationally. He thanked Alderman Milton on behalf of his family for sticking up for the people of Branson, even in the face of such blatant disrespect shown to him by the rest of the Board during recent meetings. He addressed the rest of the Board and said it's not their job to oversee his health, but it is their job to serve the people. Instead, they've done a great disservice to the people by infringing upon their freedom to assemble, worship at church, visit loved ones in nursing homes and make a living to feed their families. He addressed the Mayor for removing a lady from the Council Chambers earlier in the meeting for not wearing a mask, yet he himself took the right side of his mask down while he wasn't six feet away from the Alderman sitting next to him. He shamed City Attorney Chris Lebeck for misrepresenting the data, because none of his data is relevant without discussing recovery rates. He reported the vast majority of deaths have happened in nursing homes that were locked down and masked. Mr. Meyer explained all of the City Attorney's data has already been proven false and he ignores the fact that people who have already had COVID-19 can no longer get it or give it.

Amber Thompson, 113 N. Sunshine Street, Branson, Missouri, said she represents the Civil Defense Coalition and has been a citizen of Branson most of her life. She's here today to request the City Council and Mayor have meetings with the Coalition on a regular basis. She mentioned it's currently discussing and analyzing the psyche of the current government which includes President Donald Trump, the CDC, the media and even local news for not exposing this abuse on a higher level. She explained what a criminal does before they attempt to kill someone is they cover up their mouth so they can't speak and she feels the masks are a form of asphyxiation. Ms. Thompson mentioned the California Forensic Psychologist's report analyzed how people move and their reactions and she believes the masks are a gateway order which will lead to higher orders with a much higher or lethal potential. She inquired why there isn't a warning label on the box of masks, just like alcohol bottles, warning individuals of potential dangers. She asked why police officers with guns are running around, driving and operating machinery with masks on. The Occupational Safety and Health Administration (OSHA) has looked into this issue and even has

specialists who test people before they're allowed to wear a mask at work. She added, they have to get a health test and it's been found there's a 2% reduction in oxygen. This is a form of hypoxia which causes poor judgement, mental clarity and people aren't being warned about operating a vehicle, which can cause problems. She expressed the Civil Defense Coalition is angry right now with political activists and about school children having to wear masks, because it will affect their bone growth, body growth and respiratory system development. She feels this is an extreme form of bullying that can lead to lethal death. Ms. Thompson reported the New York Times said the Centers for Disease Control should be banned and are no longer recommending masks be used. She mentioned Protect America First is a part of the election committee that has been on the higher level of attack. She explained it's being promoted for people to become governors who will test for COVID-19 immunity and implement digital chip implantation. She mentioned not receiving a response yet from the Department of Homeland Security or media to expose this and Protect America First.

Dr. Bo Bandy, 411 Wilson Street, Branson, Missouri, introduced himself as a chiropractor in town and asked the Board if it hasn't been paying attention or if it's only listening to one side of the argument. He commented, people, businesses and employees are being hurt by this ordinance and when decisions are made by emotions, no amount of facts, statistics or numbers will change a person's mind. He added, so here we are again making a very important decision based solely on fear and he asked why in the world people are asking their representatives for permission to live freely again. Dr. Bandy commented listening to medical professionals about numbers having anything to do with health is fool hardy at worst; it's a dangerous slippery slope. He explained hospitals are not health care and no one ever goes to the hospital to get healthy or stay healthy because hospitals are sick care. They're very good at saving lives in a crisis, but they are sick care. True health care is nutrition, exercise, breathing, water, positive mental outlook and a healthy functioning nervous system. It's critical people take care of their bodies in a natural way, not in an unnatural way. He hopes the Board realizes the people who take the most drugs are not the healthiest and he asked it to stop listening to hospital spokespeople when it pertains to health decisions. He reiterated hospitals are not about getting people healthy, because healthy people don't make hospitals any money. He urged the Board to stop asking hospitals about health and especially not to listen to attorneys about health, because that's not their area of expertise. It is his area of expertise and the death numbers do not come anywhere close to justifying the decisions that have been made during this debacle. He reported deaths are going down and masks don't work to protect health, but actually do the opposite. However, they do work for controlling people and he asked the Board to let people live their lives freely again. He commented, it's never been his responsibility to protect anyone else's health and asked if food police were next. He asked if he's supposed to knock McDonald's food out of people's hands next time he sees someone eating it. Dr. Bandy expressed it's ridiculous people are even having to talk about this anymore and wearing a mask this late in the game is like making a husband wear a condom to the baby shower.

Tony Arterburn, 827 West Main Street, Branson, Missouri, mentioned attending the meeting this evening with his wife who was his combat medic in the army. He explained they both trained in nuclear, biological and chemical weapons and had to wear a pro mask, because that's the only thing that would protect them in that environment. He's here to talk about life, liberty and the pursuit of happiness, which he feels people really don't talk about much in this country. The masks have made people unrecognizable to each other and has also made freedom unrecognizable; we're no longer the same people. Mr. Arterburn explained people aren't tackling this head on with courage the way they're supposed. There are a lot of so-called experts coming out, touting figures and making people afraid, but he trusts the people here more than he trusts bureaucrats and politicians. He trusts the people to do the right thing to take care of themselves and he feels the Board should too; it should trust its people to make decisions about their health and well-being. He commented, we go to war supposedly to protect our freedoms and rights, but we're not looking so good these days. He has friends who are buried in Arlington cemetery who believed in the idea of America and believed it's a country with God-given rights. When there's a country on lockdown, there's a controlled demolition of the economy and transfer of wealth from the middle class and this multinational corporation is all based off of these figures coming out of Washington. He reported the CDC even came out two weeks ago and said the death count isn't exactly what it was supposed to be on paper; it's more like 8,000 people who died only from COVID-19. He feels this could be argued all day long, but the issue here is liberty itself. People must honor liberty, the Constitution and honor each other, because that's how they'll get through this. It's not going to come from a government mandate. People can go to countries that

are completely safe; people can't commit crimes, own anything or speak out, but they're completely safe. He said he'd like to show up tonight as a business owner and husband to a wife who's hearing impaired from her service and needs to be able to make their own choice about masks.

Pearl Haining, 1440 State Highway 248, Branson, Missouri, commented some people have said those opposed to this ordinance are selfish, yell the loudest or all they care about is money or their rights. She explained that's not true and the only reason they care about their rights is because they care first about their community. The individuals and families that make Branson special are what matters and their right to do what's best for themselves and their families directly contributes to the welfare of Branson. That's why people like herself continue to advocate for individual rights and are against this ordinance. The Board is proposing to extend this ordinance, claiming a downward trend in positive cases proves its effectiveness and importance. Ms. Haining pointed out the Health Department may report a downward trend in cases, yet in just over a month Taney County has more than doubled the amount of positive cases it had accumulated in over 3 months before this ordinance was enacted. She added, but nobody's talking about that and if anything she feels that speaks to the fact that this ordinance has had the exact opposite effect. She referred to Mr. Morris' comments in which he mentioned the amount of amplification applied to the tests being used to detect COVID-19. She explained the amount the tests need amplified before they can detect the virus is up to 1 trillion before there is enough of the virus present to be detected as a positive case. This directly relates to how contagious a person is, yet this number is never reported from the lab to the doctor. She commented as Mr. Morris mentioned, where that information wasn't changed was that it's been found that only 10% of those reported, had enough of viral load to actually be contagious. Applying this number to Taney County, the number of positive cases goes from nearly 1,000 to less than 100. When this number is applied to Branson's population, that's 20 Branson residents that may have had a contagious level of COVID-19 this year. Ms. Haining stated based on what she shared just now, COVID-19 may have affected 20 people.

Damian Rodriguez, 455 Plaza Drive, Branson, Missouri, said he's been a resident of Branson for 20 years and he's glad to be here today to support and help out the masks for the community. He commented the people who shouldn't wear masks are children under two years old or anyone who has trouble breathing. He commented there are a lot of older folks coming this fall who have trouble breathing and they're going to be paranoid over wearing the masks. He believes a lot of things are going to happen with businesses; they'll lose money which the Board knows and if it cares for its people and community, it should do the right thing and take the masks away. He explained there's no reason for them, there's a bigger order behind them and there's a lot more going on behind the scenes which he's sure some people know as well. The CDC even recognized wearing a mask is not possible in every situation and he asked the Board why it's going to force people to wear them in every situation. He pointed out masks can also lead to other medical emergencies such as delusional paranoia and heart attacks. He told the Board members they shouldn't be wearing them either and people want to see their faces. Mr. Rodriguez believes it's just a big nationwide scam and mentioned he was on the west coast, right outside of Portland, Oregon, making really good money before all of this hit. He had a great job, but because of COVID-19 he came back home because money isn't everything. What people mostly have is faith in God and shared with everything going on in the world, there's a bigger agenda and control on different things little-by-little worldwide. He believes a lot of people in the audience don't want the masks and feel it's time to damask them so they can have their freedom. He asked the Board to vote for what's right and said he'd like to end with a little freestyle rap: We're living in the latter days, everyone is trying to get paid, the economy may crash, you see the businesses close. Few people face bigger government trying to control us, control your mind, mask your face, lock us down, put you underground. The true thing is going to come back. Jesus Christ is coming back, riding on that white horse, for a church with no spot or blemish. So you've got to get ready because every knee will bow and every tongue confess that Jesus Christ is Lord. He died and rose on the third day so everyone of you will confess that, either now or on judgment day. God bless you all, peace.

Mayor Akers asked for comments from the Board. Larry Milton provided the Board with a handout (see attached handout). Discussion.

**The meeting recessed at 9:51 p.m. and reconvened at 9:56 p.m.**

Mayor Akers called for a vote on the First Reading of Bill No. 5862. Voting aye: King, Whiteis, Simmons, Skains and Seay. Nays: Milton. Motion carried. Alderman King moved to read Bill No. 5862 for its final reading due to the current ordinance expiring, seconded by Alderman Skains. Discussion. 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: King, Whiteis, Simmons, Skains and Seay. Nays: Milton. Motion carried. Final Reading of Bill No. 5862, an ordinance extending Ordinance 2020-0072 to slow the community spread of COVID-19 was read by title by City Clerk Lisa Westfall. Mayor Akers asked for a motion approving Bill No. 5862. Alderman Skains so moved, seconded by Alderman King. Alderman Skains moved to amend Bill No. 5862 as follows [changes indicated in red]:

Section 1: That the provisions of Section 2 of Ordinance 2020-0072 that have been adopted as a part of the Branson Municipal Code shall not be repealed at 11:59 PM on September 8, 2020, and instead shall remain in full force and effect from and immediately after the passage by the Board of Aldermen and approval by the Mayor of this ordinance and until ~~such further action is taken by the Board of Aldermen upon approval by the Mayor.~~ **October 14, 2020 at 11:59 PM.**

Seconded by Alderman King. Mayor Akers asked for anyone in the audience wishing to speak regarding the amendment. Hearing none, Mayor Akers asked for comments from the Board. No discussion. Voting aye: King, Whiteis, Simmons, Skains, Milton and Seay. Nays: none. Motion carried.

Mayor Akers asked for anyone in the audience wishing to speak regarding Bill No. 5862 as amended.

Pearl Haining, 1440 State Highway 248, Branson, Missouri, appreciates the Board is looking to secure the health and safety of the community, but feels there are many aspects to that and looking only at slowing the spread of COVID-19 is narrow-sighted. She explained this ordinance and situation surrounding COVID-19 as a whole has had a greater negative impact and this ordinance itself has had a greater negative impact than the previous months. Entertainers in town can report a definite drop in ticket and merchandise sales since this ordinance went into effect. People do not feel safer with masks, but they're less willing to visit with entertainers after a show and less willing to buy their products. People can assert that Branson's entertainers are greedy, but they're not. They are looking to feed their families and so many people are impacted by this such as theater staff, theaters, hotels and restaurants and this ordinance is directly responsible for that. She appreciates, understands and believes the Board is looking to do the right thing for the community, but it has a choice right now to end this ordinance and trust its residents to care for each other and help the tourist season. She added, or it can extend this ordinance against the obvious will of the community it was elected to represent. The duty as an Aldermen is to ensure the welfare of the community, which she knows it takes that responsibility seriously, but by extending this ordinance it will ensure the general welfare of merely every family in Branson declines and she believes this ordinance will have a direct effect on that. As a citizen of Branson, people are all peers who love Branson and she urged the Board for the sake of Branson, the community, the people and families, not to extend this ordinance for any length of time. She asked the Board to please do the right thing.

Amber Thompson, 113 N. Sunshine Street, Branson, Missouri, thinks the citizens of Branson have a legal right to know and have in writing from each of the Aldermen who voted for this mandate, why they chose to continue it. She believes it's a civil rights violation and explained the Board members are not physicians and they don't have the healthcare background or experience to make a decision affecting people's health. They're operating out of the scope of their practice. She requested in writing the different reasons they are voting yes and asked if there are underlying psychological conditions which makes them think they have the right to overstep their boundaries. She feels there's a problem and people have a right to push for a lawsuit; specifically against individuals. She addressed Mayor Akers and said as an insurance salesman, he knows a natural act of God cannot be covered under insurance. People cannot control a tornado or a disease and this is not the black death; it's a flu and people have proof. If the Board was willing, wouldn't reject its citizens and had a bigger heart, it would realize the larger effect of this order. She explained this is not an occultist town, it's a righteous, God-fearing town based on the Christian religion, with Christian churches on every corner. It doesn't believe the Board has the ability to overstep its

boundaries, affect people's bodies, tell them what to do with their health care because it doesn't have that right. She restated her request to have a reason in writing, specifically in layman's terms, why the Board members chose to vote yes and force people to potentially kill themselves from suffocation and asphyxiation with a mask. Ms. Thompson explained people are protecting their lives and the Board is risking suffocation of individuals who may not even know they have underlying health conditions. She compared it to giving an alcoholic bottle to a baby or an older person who can't think for themselves sometimes due to health problems or has been trained to follow doctor's orders. Alcohol is not good for them because it can affect other medications they're taking. By mandating mask wearing, the Board is saying it's like a doctor and can tell people what to do, but it can't if it's not putting a warning out, saying masks can induce serious things like heart attacks. She explained the Board would be under serious legal issues and it's putting people in danger.

Bo Dejager, South Drive, Branson, Missouri, expressed he's quite bothered when the Board receives backlash from people who are clearly upset at what's going on, then the Board has similar reactions and makes comments. He believes the Board should be better than that, because people can hear them. Mr. Dejager feels the Board isn't listening and clearly said it's not popular to pass this mandate. He asked, isn't that what we're after, the majority of the people are against it? He feels the pro-masking people should be here talking about this and he doesn't understand how the Board can keep pushing the efficacy of masks. He mentioned hearing about people who have been kicked out of, or chosen to leave restaurants because others weren't wearing masks. He gave an example of wearing a mask into a restaurant, but once seated taking it off and he pointed out the people seated would then be infecting their server. He clarified he's not telling the Board to shut down restaurants, but showing how idiotic it sounds when saying people should wear a mask sometimes, but not other times and it won't affect someone if that's how they believe masks work. He explained homemade masks don't filter this virus and asked why people have to cover their noses if it's spread through spit particles. He doesn't think people spit out of their nose and if they cough and sneeze on somebody, there needs to be better personal responsibility. He believes it's far beyond personal responsibility if the Board is forcing people to wear a mask; it's telling people they're disgusting and not doing a good enough job. Mr. Dejager explained the purpose of a vaccine is to give people antibodies, but by restricting healthy people from getting the virus, they're not building their own immune system and the antibodies needed to slow the spread of this virus. He said for the healthy individuals, it's basically requiring them to get the vaccine because they're not able to build against this at this point in time. That's how people work through viruses generally, except for those who choose to get the flu vaccine which doesn't work 100% either. He added, so the COVID-19 vaccine isn't necessarily going to be the cure all, and then everyone's going to be in the same types of discussions talking about masks. He asked the Board to reconsider how efficient their masks are, because a homemade mask isn't tested or filtered. The same with surgical masks which are used in surgery to stop large droplets, not aerosol particles that come from a virus. He mentioned that's why he keeps bringing his mask, to show everyone there are filters that are easily accessible that work far better. Additionally, the mask can be sealed to the face unlike others that leak out the sides, not doing any sealing.

Brian Seitz, 1805 Miller Drive, Branson, Missouri, said it appears the extended mandate will pass and he is in agreement with the October 14th deadline. He asked all residents to support Branson businesses especially those that do not support mask mandates and reminded that people can grocery shop in Hollister, go to Lowe's and can have unmasked meals at restaurants in Hollister. He encouraged all present and watching to become involved politically in November and then later next year in April.

Joshua Pope, Neihardt Street, Branson, Missouri, felt he needed to address some of the concerns people have discussed. He stated the gentleman's math was incorrect, you don't go by the total cases divided by deaths, you add the total deaths to the total recovered cases which would make the percentage much higher for a death rate. He believes he did not pass it to his family during his travels because he did not start showing symptoms until he was home and able to isolate. He noted the importance of the mental and emotional stress of dealing with the possibility of affecting his family. He added it is very ironic that all of these people are vouching for businesses and their incomes, yet driving out of their way to support businesses not in Branson. He stated some people have told him, Clay Cooper was belittling his experience during this and wanted to point out Mr. Cooper should have done it directly to his face. He added if Mr.

Cooper is wondering why his sales are down its likely not because of the mask mandate, but because of actions like that.

Audrey Richards, 265 Buzz Street, Branson, Missouri, thanked the Board for prioritizing the health and safety of Branson citizens and stated she agrees with Alderman Milton. She finds it very frustrating that the pro mask crowd has not shown up. She expressed the reality is she doesn't want to be in a room of crowded people but showed up because she knew there would be a vast majority opposing this. She pointed out they are less afraid of going out of their homes and being in large groups. She is a fairly young healthy person so is going to bite the bullet and come to advocate for this because she feels the Board needs somebody to say hey there are people out there who want masks. She stated she is one of those people because she believes this is something that helps the community. She expressed her frustration but supports this mandate and appreciates the Board doing what they can to prioritize safety.

Ruth Denham, Bramble Lane, Branson, Missouri, stated she's not for or against masks; she makes them for people who are forced to wear a muzzle. She used to make them to perfection because she thought they actually worked, but after being educated once all of this nonsense came into place, she just makes the fabric ones. She added, because they're as safe as the paper ones that have the warning that they don't work. She said she's against mandating masks and forcing healthy people to wear a muzzle. According to the Association of State and Territorial Health Officials, a state of emergency means, and what Governors and City leaders declare them to be, is a suspension and waiver of rules and regulations and state statutes if allowed. Ms. Denham explained people see what the program is and why the Board is moving forward with this, but none of the people out here are buying it. She expressed her concerns about the Board only listening to one side and asked them if they realized dead people can get COVID-19. She gave an example of the woman from Tennessee who died six months ago and four months ago her son got a letter saying she was diagnosed with COVID-19. Ms. Denham said it's kind of like the dead people who are going to be voting in November.

Ritchie Zates, 1029 Cliff Drive, Branson, Missouri, said he's been removed and had his rights violated as far as being able to speak. He thinks everyone has spoken before and asked the Board if it's going to say he doesn't have the right to speak, despite the fact that he's taken 500 signatures from people in the City. He reported 90% of the people did not want masks and he has actual evidence that the population coming here doesn't want masks. That's why they came to Branson, but then they found out they have to have a mask and is why the numbers keep dropping. He told the Board it's not even addressing the fact masks cannot stop COVID-19. Discussion.

Peggy Haining, 1440 State Highway 248, Branson, Missouri, commented as far as the effectiveness of the masks is concerned, she's been in stores where people pull their masks down to cough or sneeze. Whereas, if they had no mask, common sense would make them sneeze in their elbow to cover it. Her daughter got married last weekend outside city limits where her guests and family were free to show their faces. She reported, two-thirds if not more of the guests were from out-of-state, have been to Branson before, love this town and were looking forward to visiting the shops. When they found out they had to wear muzzles in order to go into the shops, they asked her to let the City know they wanted to shop in Branson, but were taking their money home with them because that's not how they shop. She recalled being at one of the City Council meetings in which someone specifically asked the Mayor about the wording of the ordinance which sounded as though people would have to carry a card to prove their medical conditions. The Mayor specifically said no, that's not what this means, nobody's going to have to carry a card or papers with them to prove anything and it will be on the honor system. Ms. Haining reported she's personally been forbidden to enter stores because she didn't have a card to prove she has a medical condition. She explained she has a medical condition, but that information is between her and her healthcare provider and is documented with her healthcare provider. If this is going to continue, she asked the Mayor to please clarify for the stores in town that there's still some sense of honor in Branson, Missouri, for those people wanting to keep their medical information private.

Mayor Akers asked for comments from the Board. No discussion. Voting aye: King, Whiteis, Simmons, Skains and Seay. Nays: Milton. Motion carried. Ordinance No. 2020-0101 was duly enacted.

## DISBURSEMENTS

Mayor Akers stated the next item is the review of disbursements [(August 7, 2020 through August 27, 2020) See Master File for copies of disbursements] Mayor Akers asked if there were any questions regarding the disbursements. Discussion. Mayor Akers asked for a motion to acknowledge the receipt of disbursements from August 7, 2020 through August 27, 2020. Alderman Skains so moved, seconded by Alderman Milton. Mayor Akers asked for any comments. No discussion. Voting aye: Whiteis, Simmons, Skains, Milton and Seay. Nays: none. Motion carried.

## MAYOR/ALDERMEN/ADMINISTRATOR'S REPORTS

City Administrator Stan Dobbins recognized Darold Donathan of the Police Department for being chosen as the Missouri LAGERS 2020 Local Government Hero Award. He explained COVID-19 has interrupted the presentation to him, but he will be receiving his award. He provided an update on the recycle center and mentioned the City is still working with the County on it and the County informed the City today it's in the process of completing legal paperwork done. Once that's done, the County will move personnel into the recycle center to start training and the recycle center will be back open for the community soon. He commented the City has been advised it will be receiving some CARES Act funds, but he doesn't have a dollar figure yet.

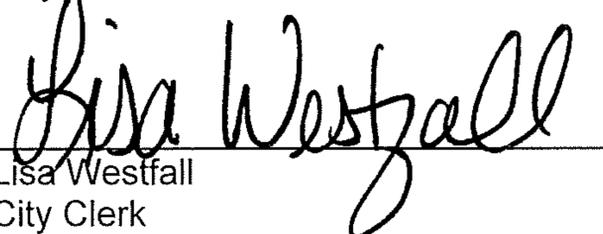
Mayor Akers mentioned the Aldermen have spent a lot of time researching and doing what they feel is important to represent their particular Wards. There are two representatives for each Ward and their primary responsibility is for their Ward and the overall good of the City. He thanked them for the work they do and the extra time they spend reviewing documents before coming to meetings. He reported the economic results for Branson are doing better than expected and he explained the City originally budgeted for four months with no income, not knowing what COVID-19 would do. While they're not where some people would like them, the results are positive indicating people are spending money in the community in different places and some areas are up significantly. Mayor Akers shared he's encouraged by this and that Branson is seeing some people while keeping the virus at bay to avoid another shutdown.

## ADJOURN

Mayor Akers asked for a motion to adjourn. Alderman Milton so moved, seconded by Alderman Skains. Voting aye: King, Whiteis, Simmons, Skains, Milton and Seay. Nays: none. Motion carried. Meeting adjourned at 10:34 p.m.



E. Edd Akers  
Mayor



Lisa Westfall  
City Clerk

Marshall Howden - Public Comment 9/8/20

## **Inauguration 2019 Theatre Board Proposal**

I come before you today to address the Board of Aldermen in this time of elections and inaugurations. Following the guidance our citizens gave on Tuesday we now stand at the precipice of a moment of new vision. And I'm here as the leader of a local political coalition focused on keeping our traditions alive to make a proposal.

There has been an ongoing discussion in our community over the past few years and even further back than that on the overall importance of our live music shows & theatres. In fact, going back to the days of our entertainment boom in the 1990s a litany of proposals has been offered up to address the issues many feel impact this industry. There were splinter group theatre leagues to deviate from the established one, local marketing councils that evolved into the taxing district and contractual relationship the city has today with the CVB, and finally countless task forces including the much-publicized request for a Blue-Ribbon committee at the end of 2016. However, in laying all that out I'm not here to give a personal opinion on whether the latter should have been approved by this board or on whether any of the other concepts should have won the day.

Instead, I'm here as a citizen who sat in many of those meetings, to provide a philosophical counter point, and that is this. Our industry needs to unite, rather than forming separatist groups. In preparation for this speech today I talked to a few Aldermen and the point was brought up to me that if you wished to communicate with the hotel owners and management, the lodging association was an all-encompassing place to accomplish that.

But even in the case of the Blue-Ribbon Task Force proposal, when a petition was presented to this board, we had some percentage in the entertainer community that had nuanced differences with the objectives and course that group wanted to lead us down. You see, that's even often been a criticism of my Song of Hope campaigns, that people mistakenly believe our movement only represents one vision as a solution to our challenges. Well, I'm here to offer a solution that I believe would fix that and benefit us all.

Because, when the final meeting was held to address whether the city would adapt that much discussed task force, it was mentioned that Austin, Texas has a music commission right downtown at their city hall. So, like I always do, I began to study; I've done extensive research into this board in Austin, a similar one in Seattle and most prominently, the Music City Music Commission in Nashville, Tennessee.

I believe a commission like this could be a great asset to Branson, Missouri. Our competitors have it, it could unite the industry, and it would be transparent and open to our citizens. Now keep in mind what I'm proposing is an advisory council

only. These councils in other cities write reports, entertainment State of the Unions if you will. But never discount the importance of symbolism. This committee could heal some of our local divides, shed light on important theatre-based issues, and even institute honorary gestures to celebrate our past such as streets named in honor of our legends or local days of remembrance.

Now, I would like to conclude with the answers to a few reasons we might not institute a board like this. First, I understand our Chamber has a new show task force, but at the end of the day, they are a private entity and there is no guarantee that when the RFP is sent out for the marketing dollars that they will always have the same relationship with the city. My proposal, by definition, is ongoing. Another question might be, who could be on this board? Well, in the same vein as our other city advisory councils, that would be up to the Aldermen themselves, allowing for a cross section of thought within this industry.

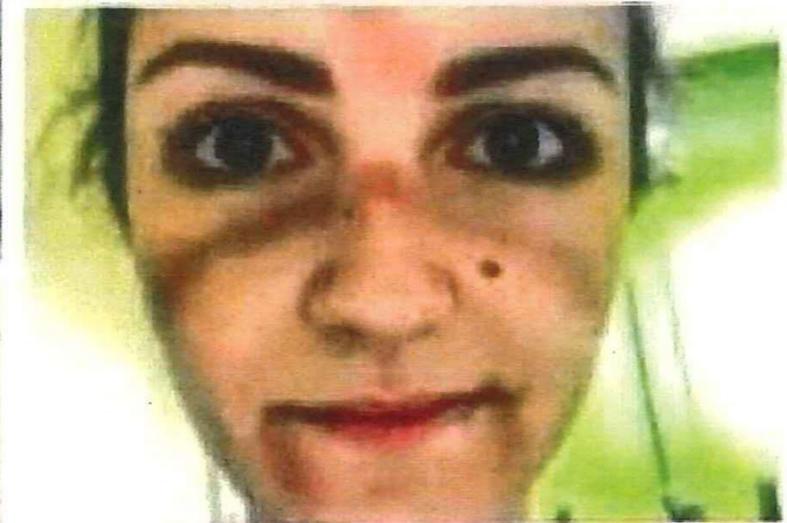
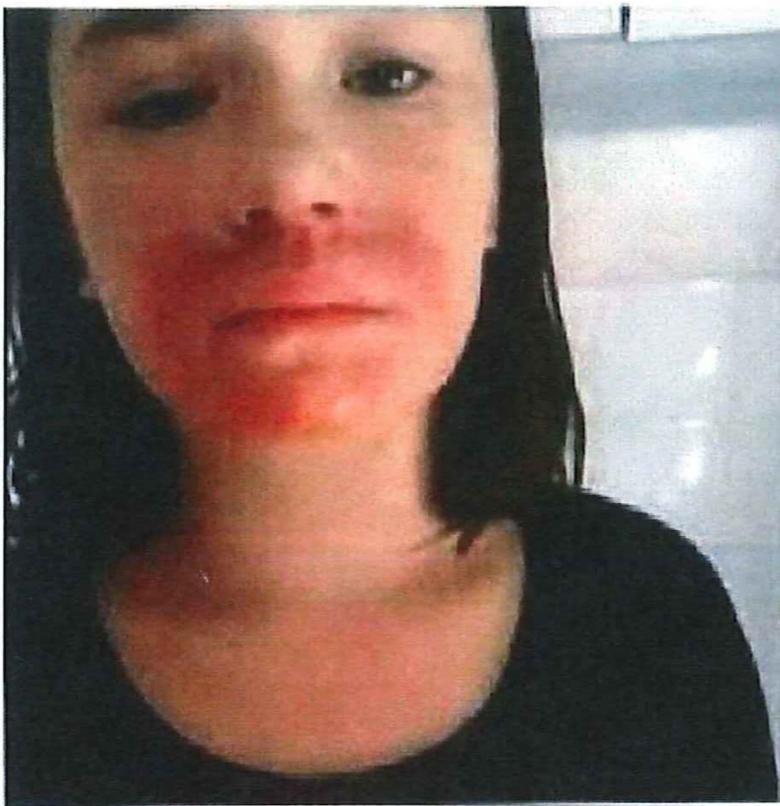
Please consider this proposal backed by our group of entertainers, producers and theatre owners alike so that we can end all the disagreements and get back to the old adage, that the whole town was the show!

Thank You

*Item #13 Ritchie Zates*

**Also serious lung infections and loss of consciousness due to restricted airflow from wearing Masks.**

**Staphylococcus from masks**



Item 13 - Larry Milton handout



**Public Health**  
Prevent. Promote. Protect.  
Taney County Health Department

## Answers to common questions from your Health Department

Current risks of COVID-19 in the area.

**We are currently seeing a rise in COVID-19 cases in Taney County. Many of our cases are Community Spread, which means case investigators are unable to determine how or where people are contracting the disease. The Taney County Health Department is asking that everyone wear a face covering or mask, follow social distancing guidelines, and stay home if you are sick.**

What to do if you believe you have been exposed to someone with COVID-19.

The local health department in the county where a case of COVID-19 resides will perform contact tracing to determine who has been in close contact to the case while they were infectious. If it has been determined that you were in close contact with an infectious case of COVID-19, you will receive a call from that health department with instructions regarding a public health quarantine. If you believe you have been exposed to someone with COVID-19, you should monitor for signs and symptoms of the disease for 14 days from your last date of exposure.

Information regarding COVID-19 testing.

If you are having symptoms of COVID-19, please stay home and contact your healthcare provider to be evaluated for testing. If you do not have a healthcare provider, visit <http://www.coxhealth.com/virtualvisit> and use the code COVID to receive a free virtual visit from a Cox Health provider.

What to do if you have other questions or concerns regarding COVID-19.

If you have other questions or concerns regarding COVID-19, please call the Taney County Health Department at (417) 334-4544, Option 8, then Option 4. There you can leave a message and one of our staff will return your call.

Because we are currently receiving a high volume of COVID-19 calls, it may be 24 hours before a staff member is able to return your call. We thank you for your patience and understanding.

## **Four Taney County residents associated with nursing homes die of COVID-19**

**Jackie Behwald**  
Springfield News-Leader August 11

The Taney County Health Department reported four new COVID-19 related deaths of local residents. These four new deaths are associated with Taney County nursing homes.

"We are sorry to announce four additional COVID-19 deaths of Taney County residents," Lisa Marshall, Director of the Taney County Health Department, said in a news release. "Our hearts go out to these individuals' families."

On Friday, the Taney County Health Department reported that two of the five reported COVID-19 deaths last week were also related to a number of nursing home cases.

**Coronavirus coverage: Sheriff's office confirms 37 inmates, 23 staff have tested positive for COVID-19**

Four nursing-care facilities in the county have experienced at least 72 reported COVID-19 cases, the health department reported last week.

As of Tuesday, Taney County reports 454 confirmed cases, 111 recovered, 177 cases under investigation, and a total of nine deaths.

**The health department is encouraging Taney County residents and visitors to continue wearing masks, practicing social distancing, frequently washing hands, and staying home if you are sick. Human behaviors are the best line of defense against COVID-19 at this time, the release said.**

**CVB Stats**

The August stats are not available for 2020 yet, so I averaged the 2018 and 2019 numbers. These are the estimate visitor counts from the CVB Scout Report.

	July	August	
2018	1,314,000	873,000	
2019	<u>1,476,000</u>	<u>720,000</u>	
2 Year ave	2,790,000	1,593,000	43% LESS visitors in
August v July			