

# == NOTICE OF MEETING ==

## BOARD OF ALDERMEN

*Study Session – Thursday, August 20, 2020 – 12:30 p.m.*  
Council Chambers – Branson City Hall – 110 W. Maddux

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### AGENDA

- 1) Call to Order.
- 2) Roll Call.
- 3) Discussion on submitting a request to qualified voters to increase the City's Bonding Capacity.
- 4) Discussion on proposed amendments to Municipal Code Chapter 94, pertaining to Special Events.
- 5) Mayor's Report.
- 6) Adjourn.

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*Where Values are the Difference*

**AUGUST: VOLUNTEERISM**

**Making a personal commitment to helping others**

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For more information please visit [www.bransonmo.gov](http://www.bransonmo.gov) or contact:  
Lisa Westfall, City Clerk, 417-337-8522



# STAFF REPORT

**ITEM/SUBJECT:** DISCUSSION ON SUBMITTING A REQUEST TO QUALIFIED VOTERS TO INCREASE THE CITY'S BONDING CAPACITY.

**INITIATED BY:** FINANCE DEPARTMENT

**DATE:** AUGUST 20, 2020

**EXECUTIVE SUMMARY:**

- The city is currently authorized to impose a tourism tax not to exceed 4% on the price paid for rooms, accommodations, amusements and admissions. Additionally, the city also imposes a tax of .5% on the price paid for food and drinks sold at restaurant establishments.
- The tourism tax is a restricted-use tax: 75% of tax receipts may be used for major city infrastructure such as streets, sidewalks, and water/sewer systems. The remaining 25% must be used for marketing and tourism promotion of the city.
- In 1997, the city opted to authorize the tourism tax in a manner in which the city may authorize the issuance of bonds for the purpose of funding permitted projects and impose the tax to pay debt service on the bonds. Once the bonds are paid, the tourism sales tax is terminated and collected funds are permitted to be used for authorized projects until all funds have been expended.
- In order to continue to collect the tourism tax after all existing authorized bonds have been paid, the city needs another election for voters to authorize the continued collection of the tourism tax.

**FINANCIAL IMPACT:**

- No impact/Not applicable
- Budgeted in the current year's budget
- Other (see additional explanation)

**STAFF RECOMMENDATION:**

- Recommended
- Not Recommended
- Neutral/None

**COMMUNITY PLAN 2030:** Good Governance: Supports decision-making with timely and accurate short-term and long-range analysis that enhances vision and planning.

**ATTACHED EXHIBITS:** Exhibit 1 – Bonding Capacity



# Bonding Capacity/ Tourism Tax

## FAQ - Quick Facts

### When will the Tourism Tax stop being collected?

The current Tourism Tax will no longer be collected when the bonds that are currently outstanding are repaid. That is currently expected to happen January 2022.

### How long can Tourism Tax bonds be outstanding?

Not longer than 20 years.

### Is the Tourism Tax commingled with other City revenues?

No, the receipts of the tax received by the City are deposited in a special trust fund. The money in this fund shall not be commingled with any other funds of the City.

### What does the City anticipate using the proceeds of the Bonds for?

The Tourism Tax statute and the ballot questions require that the tax and the bonds be issued for the purpose of funding sidewalks, streets, highways, roads, waterworks, and wastewater including distribution and collection systems. The city has identified more than \$80 million of these types of projects.

### What are the Tourism Tax rates?

The tax currently charges 4% on amusements and lodging and 0.5% on restaurant sales.

## What is Tourism Tax used for?

### Is all of the Tourism Tax revenue used for bond payments or infrastructure?

No, as is currently the case, 25% of the Tourism Tax revenue is used for tourism marketing and promotional purposes. The City also pays for its collection expenses from the proceeds of the tax.

### Why does the city borrow funds to pay for infrastructure?

The two principal reasons are (1) the cost of needed infrastructure improvements is greater than the City's current financial resources, and (2) infrastructure improvements generally have a long useful life and borrowing allows users to pay for the improvement over that long life.

### What is the legal authority for imposing the Tourism Tax?

Sections 94.800 through 94.825 RSMo authorize certain cities to impose these taxes and to issue bonds payable from the taxes.

### How much does the Tourism Tax currently generate?

According to the city's audited financial statements, in Fiscal Year 2018, the Tourism Tax generated a total of \$12,364,279 (adjusted for TIF debt).

# Tourism Bonding

## What happens if the ballot questions do not pass?

If the Tourism Tax is not available and the City cannot issue bonds to fund various infrastructure projects, the completion of these projects will be delayed indefinitely. The City does not have the resources to complete the projects without the continuation of the Tourism Tax and issuance of the bonds.

## Does the City plan on issuing all of the bonds at the same time?

No, the City anticipates that it will continue to develop plans for various needed infrastructure projects and only issue the bonds as they are needed once projects are nearly ready to begin.

## What are the ballot questions?

There are two options for questions that can be placed on the ballot:

### Ballot Option 1

Under Option 1, the tax does not need a sunset applied. Additionally, because the financing obligations under this option would not have a formal pledge of the tax and would be subject to payment from the amounts appropriated on an annual basis, there is no debt limitation on the amount of financing obligations other than the amount of funds available to make payments of the debt service. If authorization for a tourism tax without bonds, the ballot questions would appear similar to the following:

#### Question 1

Shall the municipality of Branson impose a tourism tax of 4.0% on the price paid or charged for rooms or accommodations for thirty days or less at hotels, motels, tourist courts, campground sites, condominium units, time-share interests in condominiums and the price charged for tickets and other charges for admission to or participation in private tourist attractions for the purpose of funding sidewalks, streets, highways, roads, waterworks, and wastewater including distribution and collection systems, which may include the retirement of debt under previously voter-approved bonded indebtedness, and promoting tourism?

YES  NO

#### Question 2

Shall the municipality of Branson impose a tourism tax of 0.5% on the price paid or charged for food and drinks sold in restaurants and other establishments for the purpose of funding sidewalks, streets, highways, roads, waterworks, and wastewater including distribution and collection systems, which may include the retirement of debt under previously voter-approved bonded indebtedness, and promoting tourism?

YES  NO

## Ballot Option 2

Under Option 2, which is the form of the ballot questions the city initially opted for, the city may authorize the issuance of bonds for the purpose of funding permitted projects and impose the tax to pay debt service on the bonds. Once the bonds are paid, the sales tax is terminated and collected funds are permitted to be used for authorized projects until all funds have been expended. Debt limits are limited to 20% of the last completed assessed value of the City. Approval of the tax with bounds, the two ballot questions would appear similar to the following:

### Question 1

Shall the municipality of Branson issue bonds in the amount of \$\_\_\_\_\_ (insert amount) for the purpose of funding sidewalks, streets, highways, roads, waterworks, and wastewater including distribution and collection systems, and shall a tourism tax of 4.0% be imposed on the price paid or charged for rooms or accommodations for thirty days or less at hotels, motels, tourist courts, campground sites, condominium units, time-share interests in condominiums and the price charged for tickets and other charges for admission to or participation in private tourist attractions to repay such bonds or previously voter-approved bonded indebtedness and to promote tourism?

YES       NO

### Question 2

Shall the municipality of Branson issue bonds in the amount of \$\_\_\_\_\_ (insert amount) for the purpose of funding sidewalks, streets, highways, roads, waterworks, and wastewater including distribution and collection systems, (insert type of improvement) and shall a tourism tax of 0.5% be imposed on the price paid or charged for food and drinks sold in restaurants and other establishments to repay such bonds or previously voter-approved bonded indebtedness and promote tourism?

YES       NO

## Voter Information

### What is the required majority for approval?

The approval of 4/7 of the voters voting on the questions is required for passage if voted in April, August or November. If the tourism tax is imposed without bond authorization, a simple majority is required.

### Who can I contact for more information?

Please contact the City of Branson Administration Department at (417) 337-8548 or the Finance Department at (417) 337-8538.



# STAFF REPORT

**ITEM/SUBJECT:** DISCUSSION ON PROPOSED AMENDMENTS TO MUNICIPAL CODE CHAPTER 94, PERTAINING TO SPECIAL EVENTS.

**INITIATED BY:** ADMINISTRATION/PLANNING & DEVELOPMENT

**MEETING DATE:** AUGUST 20, 2020

**EXECUTIVE SUMMARY:**

- Special events have been an active topic of interest and revision over the City’s recent history (Ord. No. 1995-0120, Ord. No. 1998-0038, Ord. No. 2000-0159, Ord. No. 2001-0012, Ord. No. 2002-0053, Ord. No. 2010-0033, Ord. No. 2014-0045, Ord. No. 2015-0008 and Ord. No. 2016-0193). However, the concept of special events and their effect on the community has been around even longer (Ord. No. 1952-0236).
- In September 2019, city staff initiated the formation of a Special Event Team to improve their overall situational awareness regarding potential special events and activities in the region, including the management, leadership and oversight of these types of activities.
- With the assistance of 15 representatives from various city departments, organizations and interests, the Team met on nine separate occasions to share successes and identify opportunities for improvement. In an effort to address the opportunities, the Team has proposed three areas in the Code to update:
  - Modification of the special event definition to include all locations within the City
  - Implementation of three special event levels to address application submission requirements, the review/approval process, and permit fees
  - Review of City’s ability to recoup costs associated with assisting special events
- During the Study Session, staff will provide a presentation summarizing the Team’s process, discussions and proposed changes to the Unified Development Code (Chapter 94). They will also be available for further discussion and questions.

**FINANCIAL IMPACT:**

- No impact/Not applicable**
- Budgeted in the current year’s budget.**
- Other (see additional explanation)**

**STAFF RECOMMENDATION:**

- Recommended**
- Not Recommended**
- Neutral/None**



**COMMUNITY PLAN 2030:** G-3: Transparency

**ATTACHED EXHIBITS:** Exhibit 1 - Presentation

8/4/2020



# City of Branson Board of Aldermen Study Session

## “Special Events”

2020 08 20

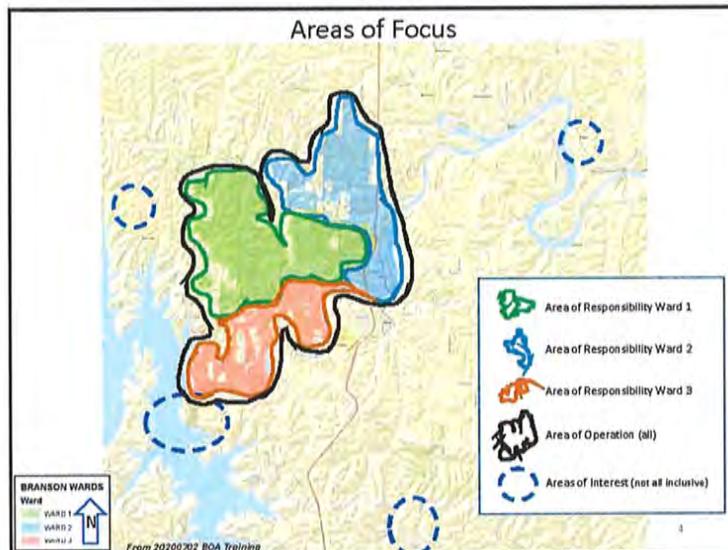
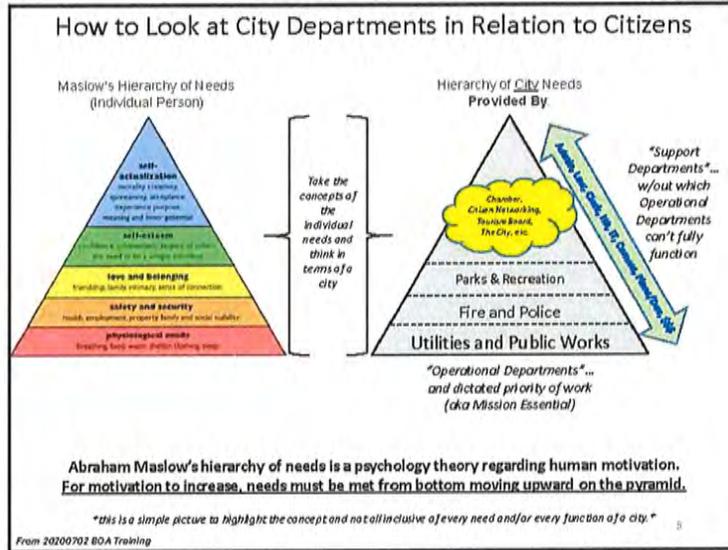
**John Manning**  
Assistant City Administrator  
**Joel Hornickel**  
Director of Planning and Development

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## Agenda

- Two Reminders from Board of Aldermen Training, July 2, 2020 (John)
- Overview of Special Events Planning Team (first meeting/process) (John)
- Proposed Changes for Special Events (Joel)

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# City of Branson Special Events (& Permits)

20191003 (meeting "1.5")	20200108 (meeting 5)	2020528 (meeting 9)
20191023 (meeting 2)	20200129 (meeting 6)	2020624 (meeting 10)
20191118 (meeting 3)	20200226 (meeting 7)	Probably one more to provide results
20191211 (meeting 4)	20202222 (meeting 8)	

*From 20191003 First Meeting City of Branson Special Events (& Permits)*

## Introduction to Issue



Bad things happen



Not all bad things can be prevented



But, we can plan accordingly to reduce risk and prepare for if (or when) something bad happens

*From 20191003 First Meeting City of Branson Special Events (& Permits)*

## What This Is Not

A "Police" or "First Responder" Issue.

When you look at the planning for an event and potential disaster during an event, it is easy to see how every city department would be involved.



Cyclists of Excellence Don't Connect On Their Diagram But Must Connect For The Mission

From 2018 1003 First Meeting City of Branson Special Events (6 Permits)  
And from 20200702 BOA Training

## Roll Call

- **Chamber/Visitors Bureau**
  - Terra Alphonso and Wonne Long
- **City Administration**
  - Administration (John Manning)
  - Finance (Matthew Henry)
  - Fire (Charlie Huston)
  - HR/Risk/Safety (Bob Smither)
  - Parks & Rec (Cindy Shook)
  - Planning & Dev (Joel Hornickel)
  - Police (Sean Barnwell)
  - Public Works (Ben Stabo)
  - Utilities (Tara Norback)
- **Convention Center**
  - Marc Mulherin and Arlen Slavens
- **Taney County Health**
  - Ashton King
- **As Needed (due to function / size)**
  - COB - Attorney
  - COB - Clerk
  - COB - Communications
  - COB - Information Technology

*And many other individuals from each element depending on the topic of the meeting*

From 2018 1003 First Meeting City of Branson Special Events (6 Permits)

**Success**

Plan  
for  
Emergencies



Maintain  
Situational  
Awareness

**Respond Appropriately to Disasters**

Rev# 70191.003 Rev Meeting City of Bonaville Special Events (8/2019)

▪ **Describe the current state...what is going on...what problem are we trying to resolve.**

- "Events" happening in the city with limited awareness and even more limited preparedness
- 4 or 400 "special events" annually...it depends on code definition which might not match common sense
- Temporary Use (public event on private property)
- Special Event (extraordinary use of public property)
- Cost impact to city
- Special Event Code Timeline
- Lackadaisical attitude...it has if it happened here...we've been around since 1912 and all is well
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

▪ **Describe the desired future state...what should be going on.**

- Situational Awareness
- Planned and Orderly Process
- Known Process
- Adhered to Process
- Cost Reduction
- Able to Fully Respond When Disaster Strikes
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

Rev# 70191.003 Rev Meeting City of Bonaville Special Events (8/2019)

- **Develop an approach...what will resolve the problem.**
  - Analysis of the situation
  - Understanding from all involved of the current situation
  - Understanding from all involved of their potential piece of the pie
  - Understanding from all involved of their current role in the code
  - Team to solve the problem
    - Not just fix but also manage for future
    - Easier process, special/type events by process
    - Need more time for staff
    - Booking guidelines for far out planned events
    - Valid quantities/definitions
- **Problem statement** (concise statement of the obstacles preventing an organization from achieving a desired end state)
  - (EXAMPLE) How does the City of Branson plan for and manage "special events" in such a way that we remain open while the event occurs, the citizens and visitors are safe, there is no to limited burden on the staff(s), there is continued support to the process, and the entire city is ready to work "negative" results.

From 20131003 First Meeting City of Branson Special Events (6 Permits)

**Mission statement**

- Who will execute the plan
- What are the essential tasks
- When will we be complete
- Where we will conduct the plan
- Why

WHO	TASKS	WHEN/PHASING	WHERE	WHY
City "Department"				

From 20131003 First Meeting City of Branson Special Events (6 Permits)

## Summary of Assessment

- Over the last 8 months a cross functional group of stakeholders conducted a mission analysis of the City's special event process.
- Today, we have a better understanding of the issues, concerns, and now Joel Hornickel will provide our recommendations on making our process more efficient, effective, and safer.

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## BMC Chapter 94

### IDENTIFIED OPPORTUNITIES:

- Modify definition of **Special Event** to include all locations within the City (not just public property)
- Implement **Special Event** levels (3) to address application submission requirements, the review/approval process, and permit fees
- Review opportunity for the City to recoup costs associated with assisting **Special Events**

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## BMC Chapter 94

### ARTICLE I. - In General (*Definitions*)

*Special event* means a preplanned, single gathering event or series of related consecutive daily gatherings or events, of an entertainment, cultural, recreational, educational, political, religious, sporting, or of any other nature, sponsored by an individual or entity, and ~~proposed to be held at a public facility, and~~ which could result in activity impeding or impairing the normal flow of vehicles and pedestrians on streets, sidewalks or other public facilities used primarily for travel; require the partial closing or obstruction of such; or requires the necessity of public safety or traffic control measures not already provided at the proposed site of the event.

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## BMC Chapter 94

### ARTICLE IV. - Uses (*Special Events*)

- Event levels
  - Level one event (~~(\$111.00)~~ 140.00 (8 staff \* (0.5 hour \* \$35/hour avg))
    - Estimated attendance 1-1,000 and occurs on a single day
    - Minor impacts to surrounding areas and held within existing venue/area
    - Minor transportation needs (minimal removal of parking or rolling closures)
    - Not require public safety staffing beyond normal operations
  - Application submitted not less than 15 days prior to event
    - Exceptions granted by Planning & Development Director

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## BMC Chapter 94

### ARTICLE IV. - Uses *(Special Events)*

- Event levels
  - Level two event (~~(\$411.00)~~ 280.00 (8 staff \* (1.0 hour \* \$35/hour avg))
    - Estimated attendance 1,001-5,000 and occurs over multiple days
    - Moderate impacts to surrounding areas and held within existing venue/area
    - Moderate transportation needs (removal of parking or short term closures)
    - May require public safety staffing beyond normal operations
  - Application submitted not less than 30 days prior to event
    - Exceptions granted by Planning & Development Director

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## BMC Chapter 94

### ARTICLE IV. - Uses *(Special Events)*

- Event levels
  - Level three event (~~(\$411.00)~~ 560.00 (8 staff \* (2.0 hour \* \$35/hour avg))
    - Estimated attendance >5,000 and occurs over multiple and consecutive days
    - Significant impacts to surrounding areas and cannot be held within existing venue/area
    - Significant transportation needs (removal of parking, transportation mitigation plan, offsite parking plan or long term closures)
    - Will require public safety staffing beyond normal operations
  - Application submitted not less than 90 days prior to event
    - Exceptions granted by City Administrator
    - Approval given by Board of Aldermen (Resolution)

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## BMC Chapter 94

### ARTICLE IV. - Uses *(Responsibility for expenses incurred by city)*

The special event sponsors, and any other individuals or organizations named in the permit, ~~may~~ **will** be responsible for any expenses incurred by the city as a result of their event. The city may require a deposit or bond prior to the issuance of a special event permit.

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Crowd Gathers for the Branson Adoration Parade  
By White Grand Valley Historical Foundation