

# MINUTES

THE REGULAR MEETING OF THE  
BOARD OF ALDERMEN  
CITY OF BRANSON, MISSOURI  
July 14, 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 July 14, 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 Westfall called roll: Mayor Akers presiding, Jamie Whiteis, Bob Simmons, Bill Skains, Larry Milton and Jeff Seay. Absent: Kevin McConnell.

## AWARDS / RECOGNITIONS

### Employee of the Month

Alderman Larry Milton presented Corey Powell of the Public Works and Engineering Department as the July Employee of the Month in recognition for displaying City of Branson Values.

## PUBLIC COMMENT

Mayor Akers began the Public Comments section of the Board of Aldermen meeting and stated in order to give everyone a chance to speak tonight I would like to ask if you are speaking on an item that you keep your comments succinct, to the topic and as short as possible. You will be allowed to only speak once on an item and please do not repeat what has already been said by another person. Once public discussion has ended on the item and the Board starts their discussion, no additional comments will be taken from the audience unless an Alderman wishes to call someone back up for clarification. Please remember to speak into the mic, state your name and address for the record. We do have a five minute time limit, we try to keep as sharp to that as we can so as you come forward as your name is called, you have five minutes and it will be up on the board for you to keep track.

Doug Clark, 121 A St. Andrew's Street, Branson, Missouri, expressed his concerns about testing for COVID-19. He explained there are a lot of variabilities in measuring testing, testing results and mechanics of tests. It's so convoluted and there is really no empirical data that adds up to give the information people should have. He addressed the issue of contact tracing and tracking that's been implemented and he mentioned one of the maintenance men where he lives has a neighbor who tested positive and he's now being quarantined for two weeks. Mr. Clark said he doesn't know how far this will be taken, but feels it could be a situation where there's going to be a large number of people if these particular tests are used. His main complaint about these tests is they really don't do what they're supposed to do. The PCR test does not measure a virus, but measures a particle of a DNA and is very inaccurate with about 80% negatives and 30% positives. Within the last couple of days, Florida Atlantic University tested 3,500 people and almost all of them were positive tests which is almost impossible. He explained people are also given a second test, a serology test, which tests for antibodies, so neither one of these tests actually tests for the specific COVID-19 virus. He stated he's not a scientist, but he reads

a lot of scientific material and feels it's a problem that people are trying to find something they can't identify or specifically say it's an actual virus causing all this stuff. He mentioned seeing a discussion from the city council of Collin, Texas, in which they were discussing new requirements for counting cases. He was astounded and explained it really didn't make sense to start with, but the PowerPoint presentation from their county's health department contained a new cases definition and new criteria for death. Mr. Clark explained it's basically if it's a probable case, there are two criteria and he gave an example of if someone tests positive, tracers and trackers will ask them everywhere they've been. If there are 15 people in their circle of influence, and again it's a PCR test, they don't even test these people within 14 days. They don't count those people as a case until they get asymptomatic, maybe even symptomatic, and these are the new rules. If there's a person not showing any symptoms with the same number of people involved with, they also do not count the case or test these people either, but yet they're counted as an actual case number. He clarified the problem is if one person tests positive, then there are 15 more they're counting and is the reason for the explosion of counts. He added, there's more to it than this even, because deaths are being counted the same way. If someone dies and it's thought they died from COVID-19, it doesn't matter what the death certificate says initially. They're just going to plug COVID-19 in and the only thing these people were worried about at the city council meeting was how it was going to embarrass them if they had to describe this to the public. Mr. Clark feels people need to rethink about what's being done because there's a lot more to this than meets the eye. If he were one of the people considering doing what the Board's considering doing on Thursday, he would want to have all information from all sources he could find in order to make a decision.

Leah Parker, 120 Forest Bluff Drive, Walnut Shade, Missouri, thanked the Board for allowing her to speak and introduced herself as a registered nurse and naturopath. She's lived in Branson, chose to raise her children and grandchildren here and she loves this town. The reason she's here tonight is to voice her concerns about the mask issue since the Board's been tasked with the decision-making. The reason she's concerned is not for people to wear masks, but because of what she's seeing from people coming to her who are forced to wear masks and now have headaches or no longer feel good. She clarified, not everyone, because everyone's genetics are not the same and everyone will be affected differently. She expressed her concerns that the Board is talking about this because she's studied Kary Mullis extensively who was the creator of polymerase chain reaction. He passed away last year and said emphatically it is never to be used for diagnostics, because it's impossible to isolate the entire viral sequence. It only tests for fragments after amplification and it's not to be used for diagnostics and she questioned the people that are reportedly passing away from this. She clarified she's not saying there's not a COVID-19, but is saying people don't have accurate testing for that. Living in America, she believes adults and business owners should have the freedom and choice to decide whether or not to wear a mask and as a nurse she'll tell the Board it's not as healthy as people would think. Ms. Parker explained they get dirty, there are viruses on them and tests have shown the amount of carbon dioxide in them is way above the level that's good for the body. She understands adults should know if they're sick to stay home, and yes, there are going to be people who might not do that, but as a tourist town people are not going to want to come if they have to wear a mask. She added, they're just not and that's the way it is because she's heard it over and over as her husband has a business in town. Ms. Parker said they've chosen to make this their home, they love it here and don't want to have to go somewhere else, but she's concerned about the health of the businesses and people. She believes freedom is freedom and that should be taken into consideration when making a decision for an entire town. She believes whatever God people pray to and are held accountable to, that they pray about this tough situation here. Ms. Parker commented if people were dropping dead from COVID-19 in Branson without any other symptoms, people would know about it, but there isn't accurate testing. She encouraged the Board to read about Kary Mullis and feels they should take the time to do that.

Kimberly Vaughn, 3080 Bluebird Road, Merriam Woods, Missouri, mentioned last month she addressed the Board and discussed banning the sale and display of Confederate memorabilia within Branson's family-friendly Entertainment District. She gave the Board and Mayor historical contexts from experts and examples of bans from people she thought they respected, such as military and congressmen. She reported with the exception of two members, the Board, Mayor and other City officials chose inaction, evasion, tokenism, denial and even the seating of misinformation. She explained the Mayor claimed he didn't recognize anyone as being local. Ms. Vaughn said like Nazi symbolism, Confederate memorabilia is the epitome of subjugation, murder and the oppression of millions. Anything to the contrary has been proven to be the teachings of the Confederates' lost-cause narrative that has been perpetuated by those who either had the privilege of not being oppressed or those who are actively

seeking to continue the oppression. She feels the sale of confederate symbolism is abhorrent and asked the Board if it could imagine a couple with active ties to Nazis coming to set up shop on 76 Country Boulevard to sling Nazi memorabilia under the guise of celebrating their heritage. She inquired if the Mayor and Board would still choose to turn their heads and she explained Confederate memorabilia belongs in a museum like its counterpart, Nazi memorabilia. Ms. Vaughn mentioned the Mayor, Board of Aldermen and the City's Planning and Zoning Commission have the power to prevent any type of business or sale in the display of any items within any district they so choose. They have proven this by amending zoning regulations to prevent strip clubs, sex shops and medicinal cannabis dispensaries from the Entertainment District. She feels when presented with new facts and information, it's imperative as an evolving human to change opinions accordingly. She believes the Board is being given the chance to do what's right and she promised that she and others will continue to show up to every meeting to remind the Board what and who it's protecting. Until it either has a change of heart or is simply so embarrassed by its blatant protection of a racist symbol that it chooses to act and amend zoning regulations to ensure the community's so-called values. Ms. Vaughn commented with seven to nine million visitors each year, Branson needs to be a welcoming community to all people which she feels right now is just not the case. She explained this store and their merchandise are not only a stain on the town and to the Board's careers at this point, but also a clear statement on where its morals or lack thereof lie. She commented the time is always right to do what is right and she asked the Board to ban the sale and display of Confederate memorabilia within Branson's Entertainment District, with the exception of museums.

Kelsey Allen, 163 Country Ridge Way, Branson, Missouri, reported a small victory when most of the Confederate flags came down at Dixie Outfitters. However, she noticed nowhere on the agenda is there anything about banning Confederate memorabilia in the Entertainment District and asked why that is. She pointed out the Board is already aware it's happening right in the middle of the City and she asked if that's what it supports. Ms. Allen commented, right now we are in the middle of a Civil Rights Movement and she understands it's unconstitutional to shut this place down. She explained what is constitutional is banning Confederate memorabilia in the Entertainment District with the exception of museums, which would ensure another business of this nature can't pop up later down the road. She provided the definition of anti-racism which includes beliefs, actions, movements and policies adopted or developed to oppose racism. She asked the Board if it was going to allow the City of Branson to be a safe haven for racists, or if the community could unify efforts to stand with anti-racism. She agreed with Ms. Vaughn's comment that the time is always right to do what is right. (See attached handout)

Teresa Nguyen, 314 North Fork, Branson, Missouri, explained she'll be talking about the protest on June 26<sup>th</sup> and her experiences about it. She mentioned attending the protest to close Dixie Outfitters or get rid of Confederate memorabilia and she noticed most of the people supporting Dixie Outfitters and the Confederate flag were not wearing masks during a pandemic while most of the protesters were wearing masks. She also noticed there were at least five counter-protesters who brought guns and assault rifles to the protest. She reported a lot of counter protesters were insulting the protesters and threatening people of color, so protesters had to hide people of color behind them to protect them. She was included even though she doesn't think it was at her, but more at her black friends. She mentioned some of the protesters were shouting insults as well to start a fight with the counter-protesters, but fortunately other protesters would quiet them down to prevent fights from starting and maybe have the police against the protesters. Ms. Nguyen felt the most interesting thing she noticed was when the protestors began shouting the Hail Mary prayer, counter-protestors began cranking up their patriotic music to cover up the prayers. She commented if Dixie Outfitters is trying to promote southern heritage, faith, family and freedom she believes its supporters aren't proving those values. She feels if cranking up patriotic music to cover up people praying is supposed to promote faith, it's not very convincing. If Dixie Outfitters' supporters are bringing guns to scare the protesters from expressing their freedom of speech, that's not a convincing argument either. If threatening violence against people of color in front of tourists is supposed to promote Dixie Outfitters being family-friendly, she believes that's also not a convincing argument. She and many others believe Dixie Outfitters is promoting hatred and racism rather than the values it has been boasting about. Branson is already known for a viral video that promoted racism, the Confederate flag and supported Dixie Outfitters. She and many others have said they don't want Branson to be a safe haven for racists and hatred. She believes if Branson wants to be known as a family-friendly town, then it has to close Dixie Outfitters and while she knows that's not constitutional, she feels Confederate memorabilia should be banned.

Dylan Ochoa, 215 College View Drive, Hollister, Missouri, introduced himself as a life-long citizen of Branson. He was born and raised here, went to College of the Ozarks, is still here and never left. He cares very much about the people of the community, the people as a whole and the people it brings in. He thinks it serves in the best interest of everybody that everyone's well-being is protected at any cost. He explained with his comments he doesn't mean to be rude, but bold, because this is how it is. In this country the government is ran by the people and for the people which means the government works for the people to serve their best interests. Mr. Ochoa pointed out everyone on the Board works for him, everybody in the audience and they have a duty to serve and protect. He firmly believes it's in the best interest of everybody to mandate provisions that will require the usage of not just face masks, but also social distancing in town. Mr. Ochoa commented Branson is a petri dish for COVID-19 and according to Branson Tourism Center, it has approximately 7.2 million visitors each year. While he can't say how many Branson has had so far this year, he can say business has been booming in the last few weeks. He currently works in hospitality and his employer is taking provisions to ensure that everyone is safe; however, it's not taking precautions to cause customers to come in and just make sure that not just their safety is protected, but that employees are as well. He explained employees have to wear masks, there are glass coverings in front of their desks, but several customers step to the side and come face to face with him to talk with no mask on them. He expressed that is not something that's safe and not something that's going to stop the spread of the COVID-19 virus. Mr. Ochoa explained to everyone present and those watching the livestream that being asked to wear a mask is not a retraction of liberties. People aren't under a communist system when the government asks them to take precautions to prevent the spread of a virus. He added, it isn't even a year old, people hardly know anything about it and he feels it's better to be safe than sorry. Mr. Ochoa feels being asked to be considerate of others' safety in the wake of a pandemic that he, his friends, the City and his family have never seen before is not a retraction of Liberties. These precautions are vital to containing and stopping the spread of this virus and he called on the Board because it's here to serve the best interest of the community, it's people and the people who travel to it. He believes when it neglects the safety and interests of the people it's chosen to serve, it's not just betraying the people in the City, but the country. He urged the Board to make the right decision, require masks in public, require these provisions and keep Branson safe.

Josh Fracol, 301 Woodland Hills Drive, Walnut Shade, Missouri, explained he'll be speaking about banning Confederate memorabilia in Branson and COVID-19 precautions. He mentioned attending the first protest in Branson and feels his experience was kind of weird. He believes Branson should ban the selling of merchandise with the Confederate flag and the Confederate flag. He recalled at the first protest there were multiple police officers at the Branson Scenic Railway who were kind of just staring at the protestors. He noticed at the third protest they were there supporting the protestors and he asked why they weren't there the first two times. He personally found this very odd, off-putting and upsetting. As far as these protests go with Dixie Outfitters, he doesn't believe the City should shut it down as that's unconstitutional, but thinks it should ban Confederate flag memorabilia in Branson. Mr. Fracol inquired if Branson's going to call itself a community that serves the public and is family-friendly, why is it supporting that if it's not going to support it in the school districts or anything else.

Adele Groote, 471 Table Rock Heights, Hollister, Missouri, thanked the Board for allowing her to remove her mask while speaking. She commented everyone is living in a time where unruly crowds and violence command attention on a daily basis. Since the last Aldermen meeting of June 23<sup>rd</sup>, she's viewed two videos involving the Branson Police Department. One video from a news source showing a great deal of footage of a protest occurring on West 76 Country Boulevard regarding a local business. The other was a social media post dealing with a nail salon patron in Branson causing a disturbance over wearing a mask. She feels the Branson police force in both instances displayed the highest standards of service and professionalism in dealing with both of these extremely agitated situations. She commended the Police Department for living out their values and striving to provide and conduct themselves with integrity, compassion and accountability when it would be so easy to not do so. She also commended Police Chief Jeff Matthews as he was present in both of these videos. She expressed her appreciation to be a citizen of this County and to watch an officer and Chief lead by example. Ms. Groote believes personal leadership is fundamental in providing positive teamwork and structure.

# CONSENT AGENDA

Mayor Akers stated it's my responsibility as Mayor under state law to take care of the ordinances of our City and the state laws regarding our City are complied with. Under one of our ordinances, Branson Municipal Code 2-64, I am tasked with the responsibility of being the Presiding Officer of the Board and am required to preserve strict order and decorum at all meetings of the Board. Decorum is often defined by the dictionary as proprietary or good taste in conduct or appearance and one of the many definitions of order is the state of peace, freedom from confusion or unruly behavior and respect for law and proper authority. We've had in the past abstentions. The citizens of Branson elected us to make decisions on policy matters and we make those decisions by voting. We are obligated to vote unless a conflict of interest prevents us from doing so. The common law of the State of Missouri supports this. Although I cannot force any member of the Board to cast a vote, and no member can be required to cast a vote, I do have the ability to control the order and decorum of these meetings. As a result, I'm announcing under my authority to preserve order and decorum of these meetings that any abstention by any member of the Board during the meeting can be recast as a no vote.

Mayor Akers asked if there were any citizens who had any items they wished to have removed from the Consent Agenda for further discussion. Marcia Schemper-Carlock, 113 Winged Foot Drive, Branson, Missouri, Director of Taney Hills Library requested Item Number 4 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. City Clerk Lisa Westfall announced City Staff has requested Item Number 3 be removed from the Consent Agenda and placed as the first item on the Regular Agenda. 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) June 18, 2020 Study Session
- b) June 23, 2020 Regular Meeting
- c) July 7, 2020 Special Meeting

#### Acknowledge Receipt of Minutes:

- a) Planning Commission Regular Meeting of May 5, 2020
- b) Planning Commission Study Session of June 2, 2020
- c) Planning Commission Regular Meeting of June 2, 2020

#### **BILL NO. 5827**

**Ord. No. 2020-0071**

#### **Amending Chapter 2 Section 28 of the Branson Municipal Code pertaining to Administrative/supervisory committees.**

Final Reading of Bill No. 5827, an ordinance amending Chapter 2 Section 28 of the Branson Municipal Code pertaining to Administrative/supervisory committees was read by title by City Clerk Lisa Westfall. Voting aye: Whiteis, Simmons, Skains, Milton and Seay. Nays: none. Absent: McConnell. Motion carried. Ordinance No. 2020-0071 was duly enacted.

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

# REGULAR AGENDA

**BILL NO. 5825**

**Ord. No. 2020-0069**

**Approving the modification of the Energy Performance Loan with Central Bank of Branson.**

Final Reading of Bill No. 5825, an ordinance approving the modification of the Energy Performance Loan with Central Bank of Branson 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. 5825. Alderman Skains so moved, seconded by Alderman Milton. Mayor Akers asked for anyone in the audience wishing to speak regarding this matter. Hearing none, Mayor Akers asked for comments from the Board. Discussion. Alderman Simmons moved to amend Bill No. 5825 by replacing Exhibit "1" of the ordinance with Revised Exhibit "1" dated July 15, 2020, seconded by Alderman Skains. 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. Mayor Akers called for a vote on the amendment. Voting aye: Whiteis, Simmons, Skains, Milton and Seay. Nays: none. Absent: McConnell. Motion carried. Mayor Akers asked for anyone in the audience wishing to speak regarding Bill No. 5825 as amended. Hearing none, Mayor Akers asked for comments from the Board. No discussion. Voting aye: Whiteis, Simmons, Skains, Milton and Seay. Nays: None. Absent: McConnell. Motion carried. Ordinance No. 2020-0069 was duly enacted.

**BILL NO. 5826**

**Ord. No. 2020-0070**

**Approving the contract with Branson Housing Authority pertaining to the transfer of ownership of property from the Branson Housing Authority to the City of Branson.**

Final Reading of Bill No. 5826, an ordinance approving the contract with Branson Housing Authority pertaining to the transfer of ownership of property from the Branson Housing Authority to the City of Branson was read by title by City Clerk Lisa Westfall. Mayor Akers asked for a motion approving Bill No. 5826. Alderman Skains so moved, seconded by Alderman Seay. Mayor Akers asked for anyone in the audience wishing to speak regarding this matter.

Marcia Schemper-Carlock, mentioned the last time the Board met on this issue she had a question about whether or not this was going to be a public parking lot. She thought the language in the contract was going to be changed to reflect that, but she doesn't see any changes. She explained as she pointed out the last time, there is a parking issue at the Taney Hills Library. Ms. Schemper-Carlock commented a number of thrift shop workers park their cars along that street and because of the slope and amount of traffic, they would greatly appreciate having a lot where they could park their cars more safely and cross the street. She said she doesn't see that language and is looking for clarification. She inquired if there will be signs saying public parking or available to the public and she looks forward to this coming up again. Discussion.

Mayor Akers asked for comments from the Board. Discussion. Voting aye: Whiteis, Simmons, Skains and Seay. Nays: Milton. Absent: McConnell. Motion carried. Ordinance No. 2020-0070 was duly enacted.

**RESOLUTION NO.**

**2020-R013**

**Approving a Special Event Permit for the 47<sup>th</sup> Autumn Daze Arts, Crafts and Music Festival.**

A Resolution approving a Special Event Permit for the 47th Autumn Daze Arts, Crafts and Music Festival was read by title by City Clerk Lisa Westfall and a staff report was provided by Planning and Development Director Joel Hornickel. Mayor Akers asked for a motion adopting the resolution. Alderman Skains moved to adopt, 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. Discussion. Mayor Akers called for a vote on the resolution. Voting aye: Whiteis, Simmons, Skains,

Milton and Seay. Nays: none. Absent: McConnell. Motion carried. Resolution No. 2020-R013 was adopted.

**BILL NO. 5828**

**Approving an Easement for Right of Way for recreational trails, trailhead and parking located on the Preserve Property and authorizing the Mayor to execute said Easement with the Lezah Stenger Foundation, 75% and the Fall Creek Partners, LLC 25%.**

First Reading of Bill No. 5828, an ordinance approving an Easement for Right of Way for recreational trails, trailhead and parking located on the Preserve Property and authorizing the Mayor to execute said Easement with the Lezah Stenger Foundation, 75% and the Fall Creek Partners, LLC 25% 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. 5828. Alderman Whiteis so moved, seconded by Alderman Skains. Mayor Akers asked for anyone in the audience wishing to speak regarding this matter.

Marshall Howden, 106 Rose Oneil Drive, Branson, Missouri, inquired which trail was the most recent trail before this one to be instituted in Branson. Discussion.

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

**BILL NO. 5829**

**Accepting the proposal of Central Salt, LLC pertaining to the purchase of sodium chloride (rock salt) and enhanced deicer.**

First Reading of Bill No. 5829, an ordinance accepting the proposal of Central Salt, LLC pertaining to the purchase of sodium chloride (rock salt) and enhanced deicer 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. 5829. Alderman Simmons 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: Whiteis, Simmons, Skains, Milton and Seay. Nays: none. Absent: McConnell. Motion carried.

**BILL NO. 5830**

**Amending the contract with Central Square Technologies pertaining to the purchase of an online module for employee self service.**

First Reading of Bill No. 5830, an ordinance amending the contract with Central Square Technologies pertaining to the purchase of an online module for employee self service and authorizing the Mayor to execute the contract was read by title by City Clerk Lisa Westfall and a staff report was presented by Finance Director Jamie Rouch. Mayor Akers asked for a motion approving Bill No. 5830. Alderman Skains so moved, seconded by Alderman Seay. Mayor Akers asked for anyone in the audience wishing to speak regarding this matter.

Audrey Richards, 265 Buzz Street, Branson, Missouri, mentioned having a couple of technical questions and recalled a year ago the Board passed a bill to upgrade the servers to 2012 software and she asked if this was correct. She inquired if the upgrade had been completed yet and if this was hosted by Central Square Technologies. She expressed her concerns about hosting certain data with private companies, because she was assuming the City was hosting it with its servers. Ms. Richards asked about the duration of the software license and if Central Square Technologies has provided good technical support. She had contacted them and in response to her questions she was given the run-around which made her concerned as to the level of support, accuracy and efficacy they're willing to give to the City of Branson and she inquired if the City was comfortable with that level of support. She

asked the City to consider the seriousness of its technological infrastructure as she doesn't believe it's considered a priority when it should be. Ms. Richards expressed concerns over the City having vulnerabilities since the 2012 software went end of life in February and the R2 software went end of life in 2018. The lack of investment in the technological infrastructure of the City worries her and is why anytime something like this comes up, she wants to make sure the City understands it's a priority. Ms. Richards mentioned working for the Treasury Department and understands how important technological infrastructure is when it comes to government and she doesn't see that reflected in the City's priorities. She reiterated this is her concern and she understands the need to fund things that are also priorities, but doesn't believe this has been reflected. She added, especially when the IT Department is not necessarily happy with it, because it meets the bare minimum standards of staying online and doing what it's supposed to do. She believes taxpayer dollars should go to something a little bit more than that and clarified she understands confidentiality, but her question was more of a general nature. She explained she was under the impression it was going to be operating on the City's servers and was simply asking about compatibility issues. Discussion.

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

**BILL NO. 5831**

**Amending the contract with Central Square Technologies pertaining to the purchase of Central Square payment processing technology.**

First Reading of Bill No. 5831, an ordinance amending the contract with Central Square Technologies pertaining to the purchase of Central Square payment processing technology and authorizing the Mayor to execute the contract was read by title by City Clerk Lisa Westfall and a staff report was presented by Finance Director Jamie Rouch. Mayor Akers asked for a motion approving Bill No. 5831. Alderman Skains so moved, seconded by Alderman Milton. Mayor Akers asked for anyone in the audience wishing to speak regarding this matter. Hearing none, Mayor Akers asked for comments from the Board. Discussion. Voting aye: Whiteis, Simmons, Skains, Milton and Seay. Nays: none. Absent: McConnell. Motion carried.

**BILL NO. 5832**

**Amending the contract with Central Square Technologies pertaining to the purchase of an online module for business licenses and tourism tax payments.**

First Reading of Bill No. 5832, an ordinance amending the contract with Central Square Technologies pertaining to the purchase of an online module for business licenses and tourism tax payments and authorizing the Mayor to execute the contract was read by title by City Clerk Lisa Westfall and a staff report was presented by Finance Director Jamie Rouch. Mayor Akers asked for a motion approving Bill No. 5832. Alderman Milton 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: Whiteis, Simmons, Skains, Milton and Seay. Nays: none. Absent: McConnell. Motion carried.

**BILL NO. 5833**

**Accepting the proposal of JCI Industries, Inc. for the rebuild or replacement of lift station pumps.**

First Reading of Bill No. 5833, an ordinance accepting the proposal of JCI Industries, Inc. for the rebuild or replacement of lift station pumps 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. 5833. Alderman Skains so moved, 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. Discussion. Voting aye: Whiteis, Simmons, Skains, Milton and Seay. Nays: none. Absent: McConnell. Motion carried.

**BILL NO. 5834**

**Amending Section 2-136 of the Branson Municipal Code pertaining to dealings with employees by Board or Mayor.**

First Reading of Bill No. 5834, an ordinance amending Section 2-136 of the Branson Municipal Code pertaining to dealings with employees by Board or Mayor 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. 5834. Alderman Seay 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: Whiteis, Simmons, Skains and Seay. Nays: Milton. Absent: McConnell. Motion carried.

**BILL NO. 5835**

**Amending Section 2-77 of the Branson Municipal Code pertaining to Abstentions.**

First Reading of Bill No. 5835, an ordinance amending Section 2-77 of the Branson Municipal Code pertaining to Abstentions 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. 5835. Alderman Skains so moved, seconded by Alderman Seay. Mayor Akers asked for anyone in the audience wishing to speak regarding this matter.

Marshall Howden, 106 Rose Oneill Drive, Branson, Missouri, said he'd like to respectfully be blunt in his comments and referred to when there's talk about any two members of the Board. He mentioned hearing a lot about one alderman doesn't equate to the Board, but feels that's somewhat of an opinion. By his estimation, one alderman does have prerogative to bring up or advocate for something and he thinks it would be easier to define what he's trying to say if people didn't run as independents like they do in Branson. He gave an example of a Board with three Democrat and three Republican Aldermen and said if there was kind of a three to three split on some issues, in that case the Mayor would caucus with one of the sides as well as the City Administrator and City Attorney. He feels the Board should be careful in what it's trying to allude to and believes it sounds a lot like trying to discourage dissent on the Board of Aldermen by saying it has to be the whole Board. He explained in that case, the whole Board is not always going to agree on everything and he asked the Board to be careful with that language. Mr. Howden commented it's basically eliminating the filibuster which is something that's talked about in Congress. He asked the Board not to think this isn't just as much a parliamentary procedure as the ones used before. Discussion.

Mayor Akers asked for comments from the Board. Discussion. Voting aye: Whiteis, Simmons, Skains and Seay. Nays: Milton. Absent: McConnell. Motion carried.

**BILL NO. 5836**

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

First Reading of Bill No. 5836, an ordinance approving the Sale of Real Estate to Rodriguez Real Estate Investment LLC and authorizing the Mayor to execute the contract was read by title by City Clerk Lisa Westfall and a staff report was presented by City Attorney Chris Lebeck. Mayor Akers asked for a motion approving Bill No. 5836. 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: Whiteis, Simmons, Skains, Milton and Seay. Nays: none. Absent: McConnell. Motion carried.

# APPOINTMENTS

Mayor Akers stated this appointment process is in accordance with the Board and Committee Appointments Procedure. Mayor Akers asked if any Aldermen would like for any appointment to be pulled off the slate to be voted on individually. Hearing none, Mayor Akers requested the following slate of appointments be made for Category 1:

## Category 1:

### Advisory Park Board:

Scott Wuest, Appointment to the Advisory Park Board with a term expiring June 2023.

Candace Sullinger, Appointment to the Advisory Park Board with a term expiring June 2023.

Jennifer Holder, Appointment to the Advisory Park Board replacing Garrett Vanderpool with a term expiring June 2023.

Mica Farley, Appointment to the Advisory Park Board replacing Jamie Whiteis with a term expiring June 2023.

### Planning Commission:

Phillip Loyd, Appointment to the Planning Commission with a term expiring April 2024.

Chuck O'Day, Appointment to the Planning Commission with a term expiring April 2024.

Mayor Akers asked for a motion approving the appointments as listed for Category 1. Alderman Skains so moved, seconded by Alderman Whiteis. Mayor Akers asked for comments from the Board. No discussion. Voting aye: Whiteis, Simmons, Skains, Milton and Seay. Nays: none. Absent: McConnell. Motion carried.

## Category 2:

Mayor Akers stated next are the appointments to be made for Category 2. The following names will be voted on as a slate by the Board instead of a ballot due to there being 3 vacancies and 3 applicants. Mayor Akers asked if any Aldermen would like for an appointment to be pulled off the slate to be voted on individually. Hearing none, Mayor Akers requested the following slate of appointments be made for Category 2:

### Board of Appeals:

Allen Johnson, Appointment to the Board of Appeals with a term expiring April 2025.

Billy Ong, Appointment to the Board of Appeals replacing Larry Houge with a term expiring April 2025.

Jennifer Deall, Appointment to the Board of Appeals replacing Scott Beanland with a term expiring April 2025.

Mayor Akers asked for a motion approving the appointments as listed for Category 2. Alderman Skains so moved, seconded by Alderman Simmons. Mayor Akers asked for comments from the Board. No discussion. Voting aye: Whiteis, Simmons, Skains, Milton and Seay. Nays: none. Absent: McConnell. Motion carried.

## Category 3:

Mayor Akers stated next are the appointments to be made for Category 3. He stated Appointments to the Budget and Finance Committee will be voted on by ballot. The 2 applicants

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receiving the most votes by the Mayor and Board will be approved as the appointments to the Budget and Finance Committee with terms expiring April 2021. Mayor Akers asked for a motion to vote by ballot on the following applicants for the Budget and Finance Committee:

**Budget and Finance Committee:**

Samuel Virnig

Stephen Marshall

Rod Romine

Richard Dalba

Pamela Yancey

David Cushman

Alderman Skains so moved, seconded by Alderman Seay. Mayor Akers asked for any comments from the Board. No discussion. Voting aye: Whiteis, Simmons, Skains, Milton and Seay. Nays: none. Absent: McConnell. Motion carried. Mayor Akers stated the Board will be voting by ballot and the City Clerk will read the results. He asked the Aldermen to please vote for 2 applicants. City Clerk Lisa Westfall read the results of the vote: Alderman Milton voted for Stephen Marshall and Rod Romine, Alderman Skains voted for Pamela Yancey and David Cushman, Mayor Akers voted for Rod Romine and Pamela Yancey, Alderman Simmons voted for Rod Romine and Pamela Yancey, Alderman Whiteis voted for Pamela Yancey and David Cushman and Alderman Seay voted for Rod Romine and David Cushman. The result of the vote is Stephen Marshall – 1 vote, Rod Romine – 4 votes, Pamela Yancey – 4 votes, David Cushman – 3 votes. Rod Romine and Pamela Yancey will serve on the Budget and Finance Committee for the City of Branson with terms expiring April 2021.

Mayor Akers stated next are the appointments to be made for Capital Improvement Committee to be voted on by ballot. The 2 applicants receiving the most votes by the Mayor and Board will be approved as the appointments to the Capital Improvement Committee with terms expiring April 2021. Mayor Akers asked for a motion to vote by ballot on the following applicants for the Capital Improvement Committee:

**Capital Improvement Committee:**

Samuel Virnig

Jerry Buckley

Michael Pinkley

Alderman Skains so moved, seconded by Alderman Milton. Mayor Akers asked for any comments from the Board. No discussion. Voting aye: Whiteis, Simmons, Skains, Milton and Seay. Nays: none. Absent: McConnell. Motion carried. Mayor Akers stated the Board will be voting by ballot and the City Clerk will read the results. He asked the Aldermen to please vote for 2 applicants. City Clerk Lisa Westfall announced the results of the vote: Alderman Milton voted for Jerry Buckley and Michael Pinkley, Alderman Skains voted for Jerry Buckley and Michael Pinkley, Mayor Akers voted for Jerry Buckley and Michael Pinkley, Alderman Simmons voted for Jerry Buckley and Michael Pinkley, Alderman Whiteis voted for Samuel Virnig and Michael Pinkley and Alderman Seay voted for Jerry Buckley and Michael Pinkley. The result of the vote is Jerry Buckley – 5 votes, Michael Pinkley – 6 votes, Samuel Virnig – 1 vote. Jerry Buckley and Michael Pinkley will serve on the Capital Improvement Committee for the City of Branson with terms expiring April 2021.

Mayor Akers stated next are the appointments to be made for Human Resources Committee to be voted on by ballot. The 2 applicants receiving the most votes by the Mayor and Board will be approved

as the appointments to the Human Resources Committee with terms expiring April 2021. Mayor Akers asked for a motion to vote by ballot on the following applicants for the Human Resources Committee:

**Human Resources Committee:**

Kenn Tilus

Christina Matney

David Wood

Dale Smith

Bryan Cossiboom

Alderman Skains so moved, seconded by Alderman Milton. Mayor Akers asked for any comments from the Board. No discussion. Voting aye: Whiteis, Simmons, Skains, Milton and Seay. Nays: none. Absent: McConnell. Motion carried. Mayor Akers stated the Board will be voting by ballot and the City Clerk will read the results. He asked the Aldermen to please vote for 2 applicants. Alderman Milton voted for Christina Matney and Bryan Cossiboom, Alderman Skains voted for Kenn Tilus and Christina Matney, Mayor Akers voted for Kenn Tilus and Bryan Cossiboom, Alderman Simmons voted for Kenn Tilus and Bryan Cossiboom, Alderman Whiteis voted for Kenn Tilus and Bryan Cossiboom, Alderman Seay voted for Kenn Tilus and Bryan Cossiboom. The result of the vote is Ken Tilus – 5 votes, Bryan Cossiboom – 5 votes and Christina Matney – 2 votes. Kenn Tilus and Bryan Cossiboom will serve on the Human Resources Committee for the City of Branson.

## **DISBURSEMENTS**

Mayor Akers stated the next item is the review of disbursements [(June 4, 2020 through June 26, 2020) See Master File for copies of disbursements] Mayor Akers asked if there were any questions regarding the disbursements. No discussion. Mayor Akers asked for a motion to acknowledge the receipt of disbursements from June 4, 2020 through June 26, 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. Absent: McConnell. Motion carried.

## **MAYOR/ALDERMEN/ADMINISTRATOR'S REPORTS**

Alderman Whiteis shared he enjoyed his training with the Missouri Municipal League (MML) last Friday.

Alderman Simmons expressed his appreciation for the Mayor sending the Board all of the information he's received with comments from the public about masks and the meeting on Thursday. He said he certainly appreciates that input and is sure everyone on the Board is reading everything they can get their hands on.

Alderman Skains said he'd like to reiterate the same thing that he and Alderman Milton said at the previous meeting and that is they abhor the actions of the Ku Klux Klan (KKK). He reported the things the lady said on film she did apologize for and he thinks there are at least two Aldermen who were mischaracterized who sit in front. He explained it was their first meeting and he feels they were gob smacked by that and he thought they were treated unfairly by people who said some things.

Alderman Milton commented he'd like to publicly acknowledge he's had numerous inquiries about the meeting on Thursday and the question of it being set at 2:00 p.m. Many people have expressed how important of a decision this is and how much they want to share their opinion with the Board. They felt it was uninviting to set a meeting at 2:00 p.m. on a Thursday in the middle of the week when many people have to work. Some comments were maybe it's convenient for the Board or the

Mayor, but it sure isn't convenient if the Board truly wants to ask for public input. He recalled when the initial invite went out, he had asked if the meeting time could be changed from 2:00 p.m. to 5:30 p.m. or 6:00 p.m. Everyone can see what the result was, so he just wanted to make it public that at least he tried asking to change the time.

Alderman Seay encouraged everyone to send the Board emails and mentioned the Board is getting a lot of them, but can handle it. He doesn't specifically think people have to email their Ward Aldermen since the Board is all one big ward on this and he asked for them to keep coming.

City Administrator Stan Dobbins said he just wants to make sure everybody hears his comments and he told Marshall Howden he doesn't speak for him. He emphasized he never has the authority to speak for him and explained the Board gives him tasks and if four of them want something done, he tries to get it done and Howden doesn't have any idea how he thinks or what he believes. He commented there are some young ladies sitting here that he completely supports, but he also has to support the Constitution of this great country. He thinks there's a way to get done what they want done, but it has to be worked about in a different fashion. He encouraged everyone to please come back and talk to the Board to see what can be done to be productive. City Administrator Dobbins explained he doesn't have an opinion about how the Board votes on anything that he shares with anyone. He mentioned being raised in a very small town where a man's word meant something and no one could lie about him or lie to him because their parents or the community took care of the problem. He said he only came into this world with his name and that's the only thing anyone is going out with is their name. He asked people to never think they can speak for anyone except themselves, because people can use, lie and manipulate them and he asked Mr. Howden to not allow anyone to do this as he's too good of a person for that.

Mayor Akers expressed his appreciation for the training and felt there was a great meeting that City Staff went to a lot of work to put together. He mentioned going to Jefferson City to visit with people and meet others from fourth class cities which he feels is important. He stressed the importance of getting the information the Board needs to be able to do its job here and he mentioned having one person inquire about the 2:00 p.m. meeting time. Mayor Akers said he was the one who set that time, so if there's anyone to blame it's him. He explained his reasoning was 2:00 p.m. isn't around meal time so a lot of restaurant businesses might be able to make it, theaters have shows at night and can't come in the evening and the biggest factor being Department Directors who work at the City have to stay late when there's a late meeting. He pointed out there's the meeting tonight and they're all here, so he set the 2:00 p.m. meeting on purpose and he takes full responsibility for it. He commented this City is everyone's home and is not going to get anywhere unless everyone starts working together and communicating. He mentioned putting out a proclamation sharing his problem with hate issues going on in the community as well as additional information in regard to not allowing or tolerating any racism. He added, but he hasn't heard anyone say any acknowledgement about that. It was a statement against some of the things that happened, but we work by law and try to do what's right and we have good people who are working hard to do stuff.

## ADJOURN

Mayor Akers asked for a motion to adjourn. Alderman Skains moved to adjourn, seconded by Alderman Milton. Voting aye: Whiteis, Simmons, Skains, Milton and Seay. Nays: none. Absent: McConnell. Motion carried. Meeting adjourned at 9:01 p.m.



E. Edd Akers  
Mayor



Lisa Westfall  
City Clerk

**Handout Submitted During Public Comment by Kelsey Allen**

I know Branson Dixie Outfitters' owners Anna and Nathan Robb have downplayed their role in the KKK as something they did in their youth.

How long ago was their youth? Was it 2008 (a year AFTER opening their store when Nathan was 37 and Anna was 32 and Nathan was the "emcee" for the Klan's white nationalist event called "The Faith and Freedom Conference" at the KKK's compound? The same year that Anna's picture was featured on the KKK's blog attending the KKK's youth night Pizza and Bowling party with her children? Or how about when interviewed in 2013, Thomas Robb, the father of Nathan and the Grand Wizard of the KKK was quoted stating that all of his children and their families are active members? Were they still children then at the age of 42 and 37? Or how about in 2016, at the ages of 45 and 40, according to public court documents they retained Nathan's brother, Jason Robb, active member and lawyer for the KKK, to represent them in a case in Arkansas?

If need be, I can send in the links to the blog posts and pictures to back up these claims.