

MINUTES

THE REGULAR MEETING OF THE BOARD OF ALDERMEN CITY OF BRANSON, MISSOURI June 9, 2008

INTRODUCTORY

The Board of Aldermen of the City of Branson, Missouri met in regular session in the Council Chambers of the City Hall on June 9, 2008 at 7:00 p.m. with the following members present:

Mayor Presley presiding, Stan Barker, Rick Davis, Sandra Williams, Stephen Marshall, Cris Bohinc and Bob McDowell present.

Also present from the City were: Acting City Administrator Frank Schoneboom, City Attorney Paul Link, City Clerk Lisa Westfall, Director of Computer Information Services D.J. Cline, Director of Public Works Larry VanGilder, Fire Chief Carl Sparks, Director of Planning and Zoning Don Stephens and Police Chief Carol McCullough.

Mayor Presley called the meeting to order with the "Pledge of Allegiance" and Larry VanGilder gave the invocation.

SPECIAL RECOGNITION

Mayor Presley presented a plaque to Rick Davis for his years of service on the Planning and Zoning Commission.

PUBLIC COMMENT

Mayor Presley began the Public Comments section of the Board of Aldermen meeting by stating that the Board would hear citizens that signed up to speak in the order of the first person signing the sheet.

Darin Coden stated he would speak later.

Ron Herschend, 1211 Highway F, Branson, Missouri asked what the policy is regarding campaign signs on city right-of-way. He informed the Board a race track located about one mile north of the city limits is in the final approval process and the county does not have a noise ordinance. He wanted the City to be aware of the race track. Mr. Herschend thanked the Board for passing the Bee Creek extension.

CONSENT AGENDA

Mayor Presley asked if there were any citizens that had any items they wished to have removed from the Consent Agenda for further discussion. Hearing none, Mayor Presley asked if any member of the Board had any items they wished to have removed from the Consent Agenda for further

discussion. Alderwoman Williams asked that Item 3, Bill No. 3546 be pulled down and placed as the first item on the Regular Agenda. Mayor Presley asked City Clerk Westfall to read the items on the Consent Agenda as amended. City Clerk Westfall read the following Consent Agenda items by title.

Approval of the Board of Aldermen Minutes:

May 27, 2008 regular meeting
June 3, 2008 special meeting

Acknowledge Receipt of Minutes:

Planning & Zoning Commission meeting of April 1, 2008
Planning & Zoning Commission meeting of May 6, 2008
Budget and Finance Committee meeting of April 29, 2008

BILL NO. 3547

Ord No. 2008-057

Approving an Amended Final Subdivision Plat for Branson Hills Development Phase 7 for properties located at 100 Augusta Drive.

Final reading of Bill No. 3547, an ordinance approving an Amended Final Subdivision Plat for Branson Hills Development Phase 7 for properties located at 100 Augusta Drive, Branson, Missouri was read by title by City Clerk Westfall. Voting aye: Barker, Davis, Williams, Marshall, Bohinc and McDowell. Nays: none. Motion carried. Ordinance No. 2008-057 was duly enacted.

BILL NO. 3548

Ord. No. 2008-058

Zoning un-zoned property, located at 1693 Shepherd of the Hills Expressway to "C Commercial" District.

Final reading of Bill No. 3548, an ordinance zoning un-zoned property, located at 1693 Shepherd of the Hills Expressway Branson, Missouri to "C Commercial" District was read by title by City Clerk Westfall. Voting aye: Barker, Davis, Williams, Marshall, Bohinc and McDowell. Nays: none. Motion carried. Ordinance No. 2008-058 was duly enacted.

BILL NO. 3549

Ord. No. 2008-059

Approving an agreement between the City of Branson and Hoefler Wysocki Architects, LLC for the study and design of the Police and Court Departments' expansion.

Final reading of Bill No. 3549 an ordinance approving an agreement between the City of Branson and Hoefler Wysocki Architects, LLC for the study and design of the Police and Court Departments' expansion and authorizing the Mayor to enter into the agreement was read by title by City Clerk Westfall. Voting aye: Barker, Davis, Williams, Marshall, Bohinc and McDowell. Nays: none. Motion carried. Ordinance No. 2008-059 was duly enacted.

Mayor Presley opened the floor for a motion to approve all items on the Consent Agenda as amended. Alderwoman Williams so moved, seconded by Alderman Marshall. Voting aye: Barker, Davis, Williams, Marshall, Bohinc and McDowell. Nays: none. Motion carried.

REGULAR AGENDA

BILL NO. 3546
Ord. No. 2008-056

Approving a Development Agreement between the City of Branson and The TanStone Group, LLC and two Cooperative Agreements attached thereto; authorizing the Mayor to sign the Development Agreement and the Cooperative Agreements; authorizing the conveyance of certain property of the City; amending the Fiscal Year 2007-2008 Budget of the City; and authorizing the execution of documents and the taking of actions consistent therewith.

Final reading of Bill No. 3546, an ordinance approving a Development Agreement between the City of Branson and The TanStone Group, LLC and two Cooperative Agreements attached thereto; authorizing the Mayor to sign the Development Agreement and the Cooperative Agreements; authorizing the conveyance of certain property of the City; amending the Fiscal Year 2007-2008 Budget of the City; and authorizing the execution of documents and the taking of actions consistent therewith was read by title by City Clerk Westfall and the staff report was presented by Paul Link. Mayor Presley asked for a motion approving the final reading of Bill No. 3546. Alderman Marshall so moved, seconded by Alderman Barker. Alderwoman Bohinc moved to amend Exhibit 1, Development Agreement, of Bill No. 3546 as follows: First, in Section 2.02(c), to change the name of the referenced case number to 07 AF-CV00888. Second, in Section 9.02 and 9.03(b) to change the time period from 30 to 60 days to allow the City additional time to cure any default under the agreement and Third, to amend Article 10 of the agreement to specify that (i) prior to completion of construction of the public improvements, an assignment of the agreement must be approved by the Board of Aldermen, the City Administrator and the City Attorney and such approval will be given provided that a bank financing letter is provided, (ii) that the request for assignment will be considered by the Board of Aldermen at a meeting no more than 20 days after the request is received, (iii) that an assignment will be deemed approved if no acceptance or rejection is given by the City in 20 days instead of 10 days, and (iv) that after completion of the public improvements the City must be presented with an assumption of obligation instrument 20 days prior to the closing of the assignment rather than 60 days after, and the assumption may be conditional on the closing, seconded by Alderman Barker. Mayor Presley asked if anyone in the audience wished to speak regarding the amendment. Hearing none, Mayor Presley asked for questions from the Board. Voting aye: Barker, Davis, Williams, Marshall, Bohinc and McDowell. Nays: none. Motion carried. Mayor Presley asked for questions or comments from the audience regarding Bill No. 3546 as amended. Hearing none, Mayor Presley asked for comments from the Board. Discussion. Stephen Bradford, 301 W. Pacific, Branson, Missouri representing Patobin Enterprises informed the Board a resolution has been reached between the parties and an agreement concerning access and easements has been executed. He showed a drawing of the defined road which at a later date will be shown on the final plat that will be subject to City approval. Chris DeJohn, The TanStone Group, L.L.C. stated the deeded easements will be recorded prior to the final plat being submitted to the City. He said the timeline for building the road has also been addressed. Mr. DeJohn said any signage for the private road will need to go before Planning and Zoning. Rick Ash, Attorney for The TanStone Group said they have a signed Easement Agreement that references the handout shown by Stephen Bradford, which has been executed by Patobin Enterprises and The TanStone Group. Voting aye: Barker, Davis, Williams, Marshall, Bohinc and McDowell. Nays: none. Motion carried. Ordinance No. 2008-056 was duly enacted.

Bill No. 3550

Approving a Municipal Code amendment to Chapter 26, Article III, Division 1, Section 26-61 of the Branson Municipal Code pertaining to the definition of "solicit".

First reading of Bill No. 3550 an ordinance approving a Municipal Code amendment to Chapter 26, Article III, Division 1, Section 26-61 of the Branson Municipal Code pertaining to the definition of "solicit" was read by title by City Clerk Westfall and the staff report was presented by Paul Link. Mayor Board of Aldermen
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Presley asked for a motion approving the first reading of Bill No. 3550. Alderman Barker moved to approve, seconded by Alderman Marshall. Mayor Presley then asked for anyone in the audience wishing to speak regarding this matter. Bill Stephenson, 208 Mead Road, Kirbyville, Missouri asked if everyone was familiar with the Central Hudson test and how it applied to these types of ordinances. He stated he had the criteria for the test set forth by the Supreme Court for ordinances that deal with commercial speech, in which the Supreme Court defines commercial speech as expression related solely to the economic interest of the speaker and the audience. To regulate commercial speech that is neither misleading or unlawful the Court established a four part test (Central Hudson test) determining whether the restrictions on commercial speech are constitutionally permissible. The criteria for the Central Hudson test are; 1) the state has to assert a substantial interest to be achieved in regulating the speech, 2) the regulation must be in proportion to that interest, 3) the regulation must directly advance the state interest and 4) the regulation must create a reasonable fit between means and ends, with the means narrowly tailored to achieve the desired objective. He said this is the standard the current ordinance must meet. He then read some statements by the Supreme Court that relate to commercial speech and solicitation ordinances. Mr. Stephenson said unless the Board fully understands what is required for this ordinance to pass the Central Hudson test then the Board must vote no simply for the reason that they cannot expose the city to costly litigation. He said recently an article quoted the city attorney as saying the complaints were not necessarily from citizens or tourists shopping downtown and Police Sergeant Sean Barnwell indicated there have been no substantial violations in almost two years. He said this clearly indicates the City has no real substantial interest in passing this ordinance and therefore it fails the very first of the Central Hudson test. He wanted to remind the Board it is their duty as elected leaders to research, to learn and to understand the limits and obligations of their power to regulate. He said to better understand solicitors' rights and the city's obligations and limits, the ACLU has been contacted and they are currently investigating the City of Branson's ordinances regarding solicitation. He submitted a copy of a letter from the ACLU for the Board's review. Grant Johnson, 107 E. Main St. Branson, Missouri stated he has been solicited on the sidewalk by various groups with timeshares and feels the previous speaker is trying to use threats and intimidation against the City. He said in the last month the solicitation problem downtown has gotten better since this came to the attention of everyone but it has been an ongoing problem. It needs to be addressed with either a new ordinance or enforcement of the current one. Pat Joyce, 580 Samarus, Hollister, Missouri stated for eleven years he has had a tourist information center at Main and Commercial and didn't know of any problems downtown. He said it appears there are more booths because merchants are hurting so they are renting out space. He feels the current ordinance is fine and if a solicitor is inappropriate, then the business owner needs to be told so it can be discussed. Dave King, 115 Brook Court, Branson, Missouri stated his store, Branson Bills Emporium at 110 West Main, is within fifteen feet of a business that solicits from their door. He is not here to deny someone making a living but feels the process some solicitors are using is deceptive. He urged the Board to vision what downtown Branson would look like if all businesses had someone standing in their front door with something to offer to get people inside their store. He felt it would resemble a carnival midway. He suggested the use of signs and window dressings to encourage people to come in rather than soliciting them on the sidewalk. Rick Ash, local counsel for Westgate Resorts, 1786 S. Deer Ridge Dr., Nixa, Missouri stated when he was contacted about the proposed change, it was thought it was intended as a ban on solicitation and it is his understanding that is not the case. He said there is some bad conduct that needs to be dealt with and the proposed changes appear to do that. He asked for clarification to insure this is not intended to apply to private property or other settings but is strictly limited to municipal property. Gary Groman, 230 River Point Rd., Hollister, Missouri questioned if the word solicit was used anywhere else in the ordinance. He said the ordinance is enforceable now but will become more restrictive because the definition being proposed is for free or discounted items at this time. Jackie Stephenson, 208 Mead Road, Kirbyville, Missouri said she feels the vagueness of the proposed change could shut down the whole industry. She questioned if a public sidewalk in the City is a public forum and if there was commercial free speech. She also asked if she could stand inside the doorway to her business and say "hey, can I show you what we are doing today". Grant Johnson, 107 E. Main, Branson, Missouri asked if the ordinance said within ten feet of the doorway. Darin Coden, 206 S. Commercial, Branson, Missouri said there was an environment of scarcity downtown and one way to help would be to look at a way to increase business. He stated many of the business owners put their own money marketing

downtown and he feels the City needs to help them. He said other groups are subsidized and the Historic Downtown Branson Business Association is an organization that should be helped with funds. Joe Merrifield, 165 Norwood, Branson, Missouri stated his family has owned and operated a retail business in downtown Branson for 16 years and rented out a solicitation booth for many years. He said he eventually created his current marketing business and he is an advocate against on-street solicitation. He is in the industry and does not believe in the tactics and the approaches that are being taken. He said the merchants downtown are systematically being ruined by on-street solicitors. Mr. Merrifield said a lot of hard work and effort is put into encouraging visitors to come to Branson and their experience should not be ruined by continually pitching to them. He said this may be the Board's opportunity to try to limit how much on-street solicitation occurs downtown. Ron Herschend, 1211 Highway F, Branson, Missouri said the timeshare industry brings in people that spend more days in this market place than in the past and there are more people in downtown Branson because people are staying six days instead of three. He cautioned not to bite the hand that feeds us but he applauded the idea of trying to get the perception of panhandling off the City's streets. Janice Batts, 116 W. Main Street, Branson, Missouri said it is true timeshares do bring a lot of people into Branson but that is not the issue; the issue is soliciting on the sidewalk. She has no problem with these types of businesses as long as they conduct their business in their store but if they are allowed to stand in their door ways and say "Hi, how are you, can I show you something today", then every business is going to do it. Mayor Presley asked for comments from the Board. Discussion. Alderwoman Williams moved to amend the definition of the word 'Solicit' to read as follows, "*Solicit* means to initiate contact with a member of the public by the offer of any goods or services, whether at full price, discounted or free, in exchange for any action on the part of that member of the general public", seconded by Alderman Davis. Mayor Presley asked for comments on the amendment from the audience. Bill Stephenson, 208 Mead Road, Kirbyville, Missouri reiterated the Central Hudson test needed to be considered. He said the vague nature of the ordinance along with the vague amended language throws up red flags as far as constitutional law. Alderman Marshall moved to postpone until June 23, 2008, seconded by Alderman McDowell. Discussion. Voting aye: Barker, Davis, Williams, Marshall, Bohinc and McDowell. Nays: none. Motion carried. Bill No. 3550 was postponed until June 23, 2008.

Bill No. 3551

Approving a Municipal Code amendment to Chapter 2, Article VI, Section 2-121 of the Branson Municipal Code pertaining to the City Clerk.

First reading of Bill No. 3551 an ordinance approving a Municipal Code amendment to Chapter 2, Article VI, Section 2-121 of the Branson Municipal Code pertaining to the City Clerk was read by title by City Clerk Westfall and the staff report was presented by Alderwoman Williams. Mayor Presley asked for a motion approving the first reading of Bill No. 3551. Alderwoman Williams so moved, seconded by Alderman Davis. Mayor Presley then asked for anyone in the audience wishing to speak regarding this matter. Lucy Combs, 211 Riverbend Road, Branson, Missouri commented in regards to all three ordinances. She was glad to see the proposed changes. She said Branson is a 4th class city in a 1st class county and her problem in following government actions in this area is the State Statutes are not being used. She asked for new codes that meet the standards of the State and support lawmakers. Dave Edie, 129 Stoneridge Dr., Branson, Missouri stated he believes it is time to put these ordinances back to where they were before and hopes the Board will support the changes. Pam Dapprich, 414 Buchannan Rd., Branson, Missouri stated she believes control needs to be put back into the voter's hands by having the City Attorney, City Clerk and City Administrator held accountable to the Board and make the removals by majority vote. She said this would be seen as representation of the voters and supports Alderwoman Williams's proposals. Ron Herschend, 1211 Highway F, Branson, Missouri said he applauds this effort and believes it will lead to better information for the Board with more freedom for those that report directly to the Board to share information. Jim Lekander, 602 Kings Way, Branson, Missouri, thanked the Aldermen for bringing this up. He said this is the first step of bringing Branson into consistency and agrees with the changes in all three ordinances. He also commended the Board on the handling of TanStone. Mayor Presley asked for comments from the Board. Discussion. Voting aye: Barker, Davis, Williams, Marshall, Bohinc and McDowell. Nays: none. Motion carried.

Bill No. 3552**Approving a Municipal Code amendment to Chapter 2, Article V, Section 2-101 of the Branson Municipal Code pertaining to the City Attorney.**

First reading of Bill No. 3552 an ordinance approving a Municipal Code amendment to Chapter 2, Article V, Section 2-101 of the Branson Municipal Code pertaining to the City Attorney was read by title by City Clerk Westfall and the staff report was presented by Alderwoman Williams. Mayor Presley asked for a motion approving the first reading of Bill No. 3552. Alderwoman Williams so moved, seconded by Alderwoman Bohinc. Mayor Presley then asked for anyone in the audience wishing to speak regarding this matter. Ron Herschend, 1211 Highway F, Branson, Missouri stated he works in a situation where the county counselor reports to three commissioners. He said the individuals in these positions can't take direction from seven different people so consideration should be given to providing the process by which they are evaluated and given direction. Lucy Combs, 211 River Bend Rd., Branson, Missouri stated in the statutes there are the words shall, will or should and that makes a difference and gives leverage as to which way to go. Darin Coden, 206 South Commercial, Branson, Missouri asked if anyone on the Board was currently consulting or in the past worked for another city. He said the city attorney currently provides special counsel to the Board so he doesn't see why the Board would need to have an attorney report to them. He said he also sees a conflict of interest if members of the Board are working for potentially competing cities. He asked about the individual liability of the Aldermen for the decisions they make while on the Board. He said it would be hard to work for two masters and the potential for someone to report to one and have another decide whether they are hired or fired may create a mess for the city and its citizens. Mayor Presley asked for comments from the Board. Discussion. Mark Weisz, 386 Dalton Dr., Branson, Missouri stated this may be one to leave with one boss because it would be difficult to be put in a position to report to seven people who may not always agree with different issues. Discussion. Voting aye: Davis, Williams, and Bohinc. Nays: Barker, Marshall and McDowell. Tie vote. Mayor Presley voted aye. Motion carried.

Bill No. 3553**Approving a Municipal Code amendment to Chapter 2, Article IV, Section 2-81 of the Branson Municipal Code pertaining to the City Administrator.**

First reading of Bill No. 3553 an ordinance approving a Municipal Code amendment to Chapter 2, Article IV, Section 2-81 of the Branson Municipal Code pertaining to the City Administrator was read by title by City Clerk Westfall and the staff report was presented by Alderwoman Williams. Mayor Presley asked for a motion approving the first reading of Bill No. 3553. Alderwoman Williams so moved, seconded by Alderman Marshall. Mayor Presley then asked for anyone in the audience wishing to speak regarding this matter. Hearing none, Mayor Presley asked for comments from the Board. Discussion. Voting aye: Barker, Davis, Williams, Marshall, Bohinc and McDowell. Nays: none. Motion carried.

Bill No. 3554**Approving a planned development for Bay Harbor for properties located at 1168 Sunset Road.**

First reading of Bill No. 3554 an ordinance approving a planned development for Bay Harbor for properties located at 1168 Sunset Road, Branson, Missouri was read by title by City Clerk Westfall.

The meeting recessed at 9:06 p.m. and reconvened at 9:16 p.m.

The staff report was presented by Don Stephens. Mayor Presley asked for a motion approving the first reading of Bill No. 3554. Alderman Barker moved to approve, seconded by Alderwoman Williams. Mayor Presley then asked for anyone in the audience wishing to speak regarding this matter. Stephen Bradford, 301 W. Pacific, Branson, Missouri representing Jack and Sherry Herschend, owners of the adjacent property to the west, stated one concern Mr. and Mrs. Herschend have is the fifty foot height

which they do not feel is compatible with the area. Their primary concern is access to their property on the west. Mr. Bradford said this planned development would allow a city street to be built and terminated at a point where it turns into a private drive. He stated Mr. and Mrs. Herschend have no present plans to develop this property but this would effectively landlock the Herschend property without access to it. Ron Herschend, 1211 Highway F, Branson, Missouri stated he was speaking as a Commissioner who has dealt with floods. He said he believes the city street was under water during the flooding and was concerned about emergency access to nine homes in another flood situation. He also comes as a citizen who has concerns about planned developments being used as a tool to circumvent planning and zoning. Mr. Herschend said the City has good employees in the Planning and Zoning Department and they don't feel this is appropriate. Jim Lekander, 602 Kings Way, Branson, Missouri said he was concerned with the planned development being able to do what ever they want. He stated the upper level is on a bluff that would most likely need some blasting and he is concerned it may cause problems for the houses above the bluff. Mayor Presley asked for comments from the Board. Discussion. Bob Huels said they have gone as far as they can with the Corps of Engineers until the City gives their approval. He stated the Corps doesn't actually approve the process. They have to see the plans and then they have to concur there will be no restriction of water flow. He said the cliffs are high enough the homes won't be visible by the neighbors. Mr. Huels said they met with Larry VanGilder and are creating a fifty feet construction easement that will be redefined when easement of the trail is done which will connect at the west end. He said there's a twenty feet platted right-of-way on the plat issued by the City and Sunset Road goes all the way through to the property. He said the City is requesting a twenty eight feet road. Bill Yung, 110 W. Adams, Branson, Missouri stated PD's are a zoning change but are used to take a specific piece of land and design a product for that land that would be restricted under conventional zoning. He said the project is still single family R-1, done in a better fashion than it could be done otherwise. Jim Mortenson, representing Mr. Coverdell on this project, 1360 E. Bradford Parkway, Springfield, Missouri stated he looked at the Statute and there is a requirement if public funds are spent on the acquisition of public property and to his knowledge there have been no public funds spent on this property. Voting aye: Barker, Marshall and McDowell. Nays: Davis, Williams and Bohinc. Tie vote. Mayor Presley voted aye. Motion carried.

Bill No. 3555

Awarding the bid to Key Equipment & Supply Co. for the purchase of a six yard rear load refuse truck for the Public Works Department.

First reading of Bill No. 3555 an ordinance awarding the bid to Key Equipment & Supply Co. for the purchase of a six yard rear load refuse truck for the Public Works Department of the City of Branson and authorizing the Mayor to execute the same was read by title by City Clerk Westfall and the staff report was presented by Larry VanGilder. Mayor Presley asked for a motion approving the first reading of Bill No. 3555. Alderman Barker moved to approve, seconded by Alderman Marshall. Mayor Presley then asked for anyone in the audience wishing to speak regarding this matter. Hearing none, Mayor Presley asked for comments from the Board. Voting aye: Barker, Davis, Williams, Marshall, Bohinc and McDowell. Nays: none. Motion carried.

DISBURSEMENTS

Mayor Presley stated the next item was review of disbursements for April 24, 2008 through May 22, 2008 and asked if there were any questions regarding the disbursements. [See Master File for copies of disbursements.] Mayor Presley asked for a motion acknowledging the receipt of disbursements. Alderman Marshall moved to recognize the disbursements, seconded by Alderwoman Williams. Voting aye: Barker, Davis, Williams, Marshall, Bohinc and McDowell. Nays: none. Motion carried.

ALDERMEN/ADMINISTRATOR'S REPORTS

Alderman Davis noted the water quality report was good and we are fortunate to have such a resource and encouraged looking into the future needs of the water supply.

Alderwoman Williams asked Paul Link if approval of the contract for the City Administrator should be done in public since it was already signed. Mr. Link responded the contract was signed but still open to negotiation until approved by the Board, therefore it can be done in closed session.

Alderman Marshall said the City of Branson has produced a comprehensive annual financial report and he urged all citizens, and especially business leaders to read it. He stated there is some good information in it that could be used in their decision making process. A lot of work went into it and he thanked Mr. Schoneboom and his team for getting it done. He said he feels 2008 is going to be a challenging year and we may start seeing some numbers we aren't accustomed to.

Alderwoman Bohinc said it was wonderful to see Greg Brock up and about and it was good to see that TanStone and the Patobin group were able to work things out.

Alderman McDowell said he was also glad to see Patobin and TanStone work out the easement issue and he is anxious to see the road open up. He thanked Don Stephens for his presentation that helped clarify a difficult issue.

Alderman Barker complimented city staff for always doing such a good job. He said the new City Administrator will be walking into a very capable group of people. He also thanked Don Stephens for his hard work on tonight's items.

Administrator Schoneboom stated the comprehensive financial plan is on the City of Branson website.

Mayor Presley asked if any members of the Board are going to miss a regular meeting to please let Administration and/or herself know so she can make sure there will always be a quorum. She said Mr. Slavin has reported the application deadline for the finance director position has closed and they have 47 applications.

EXECUTIVE SESSION

Mayor Presley stated, that concluded the Regular Agenda and entertained a motion to adjourn to a closed Executive Session. Alderwoman Williams moved to go into Closed Executive Session pursuant to 610.021.1 RSMo for litigation and 610.021.3 RSMo for personnel, seconded by Alderwoman Bohinc. Voting aye: Barker, Davis, Williams, Marshall, Bohinc and McDowell. Nays: none. Motion carried.

ADJOURN

At this time Mayor Presley asked for a motion to adjourn. Alderman Barker moved to adjourn, seconded by Alderman Marshall. Voting aye: Barker, Davis, Williams, Marshall, Bohinc and McDowell. Nays: none. Motion carried. Meeting adjourned at 10:52 p.m.

Raeanne Presley
Mayor

Lisa K Westfall
City Clerk