

# MINUTES

REGULAR MEETING OF THE PLANNING COMMISSION  
CITY OF BRANSON, MISSOURI  
NOVEMBER 1, 2022

## CALL TO ORDER

The Planning Commission of the City of Branson, Missouri, met in Regular Session in the Council Chambers of the City Hall on November 1, 2022 at 6:00 PM. The meeting was called to order.

## ROLL CALL

Commissioners Present: Ruth Denham, Brenda Romine, Chuck O'Day, Rick Davis, Gary Groman, Rick DeJager, Brad Gore. Commissioners Absent: Gregg Richards, Phil Loyd.

NOTE: Rick Davis arrived after roll call at 6:08 P.M.

## PUBLIC COMMENT:

Chairperson O'Day asked if anyone was present wishing to speak to any items not on the agenda. He set a time limit of five minutes for each speaker.

Ms. Cherry Webster, 118 Country Bluff Drive, Branson, MO 65616, asked for clarification on the protocol for regular agenda items and public comments. Acting City Attorney, Jim Meadows stated that there are some difference in the Rules of Order for the Planning and Zoning Commission, as opposed to the Board of Alderman, but this is not one of them. The public comment section, is for comment on matters that aren't on the agenda. On the agenda, it is the same as you typically do; you introduce and go through the measure, you then call the speakers on that particular matter. Ms. Webster then indicated that she would like to speak to item number two on the regular agenda.

Chairperson O'Day asked if there was any other public comment. Hearing none, the meeting moved to the Regular Agenda items.

## REGULAR AGENDA:

1. APPROVAL OF THE PLANNING COMMISSION MINUTES FOR THE OCTOBER 4, 2022 REGULAR MEETING.

Gary Groman moved to approve the minutes as presented, seconded by Rick DeJager.

Voting aye: Denham, Romine, O'Day, Groman, DeJager, Gore. Nays: none. Abstain: . Motion Carried.

2. ELECTION OF VICE-CHAIRPERSON.

Chairperson O'Day noted that this position was a replacement for Cathy Stepp, the new City Administrator. He then opened the meeting up for public comment.

Ms. Cherry Webster, 118 Country Bluff Drive, Branson, MO 65616 spoke. At last month's P&Z meeting, Chairman O'Day you were not present; neither was Vice Chairman Stepp, who had been promoted the day before to be our new City Administrator. So Commissioner Davis was nominated and elected to chair the meeting for that evening. Tonight's agenda includes an item to elect a new Vice Chair to hold office until the annual elections next April. Will Commissioner Davis be nominated again to fill that office? Consider Davis's past performance as Chairman. Since August of 2021, I have observed the kind of behavior I would not want to see from a member of any Board, or any Commission. For example, the residents that spoke during the public hearings were treated differently. He warmly welcomed to the podium, speakers who supported his personal viewpoints. But those who didn't, they got the cold shoulder, and for some, their comments were even berated by the Chairman. Several Country Bluff residents came to ask for this Commission's help from a certain developer who circumvented County and State DNR procedures during an annexation process. That developer, to this day, has been using two lots within the Country Bluff's subdivision as their stormwater detention pond, for the developer's 50 acre parcel. The residents brought proposed changes to the code, city code, and asked the commission to implement those changes so that a repeat performance of past circumventions could not reoccur from yet another property, a little further upstream. Instead of assistance, Chairman Davis rebuked the residents, stating that only the City Attorney and Director of Planning were capable of making any code changes. I repeat, instead of assistance, Chairman Davis rebuked the residents, stating that only the City Attorney and Director of Planning were capable of making any code changes. Well, where are the two illustrious leaders now? For that same developer, they facilitated an illegal zoning by way of annexation plan of intent, bypassing the state required P&Z hearing process. In the documenting of their actions, their seats got so hot they left City employment. As citizens, are we not competent to suggest code? How did the delineation of the process to remove a P&Z Chairman or Vice Chairman from office, come to be added to the recently revised city code? It was a citizen's suggestion. This past February, again as Chairman, Davis asked that the former City Administrator to remove Alderman Denham from the P&Z Commission. In doing so, he demonstrated how to ignore the Board of Alderman's public hearing procedures. The same procedures that Davis himself enforced at P&Z hearings. Davis refused to speak at the time of the agenda item assigned to his removal request. Instead, he and a neighbor decided it was okay to circumvent procedure and speak during the public comment period. The two then exited the building and left Alderman Skeins to pull his parliamentary tactic of call the questions, so as to eliminate any other discussion on his removal request. Mr. Davis is a detriment to the public hearing and public comment process. What city resident would want the level of integrity of this behavior to even be on this Commission, let alone serve as its Vice-Chair. And a Commissioner that would nominate or vote for Davis to fill this office would be giving tacit approval to such egregious actions. What would that say about the integrity of those Commissioners? Please represent the City's twelve thousand plus residents as you fill this vacant office. Thank you Mr. Chairman for allowing public comments.

Chairperson O'Day asked if there were any other public comment. Hearing none, he entertained nominations to fill the vacant Vice-Chairman position on the Planning and Zoning Commission.

Commissioner DeJager nominated Mr. Groman. Commissioner Groman accepted the nomination. Hearing no other nominations, Chairperson O'Day called for a vote. The result of the vote was unanimous, Commissioner Groman will serve as the Vice Chairperson of the Planning Commission.

Voting aye: Denham, Romine, O'Day, Davis, Groman, DeJager, Gore. Nays: None.

## **PUBLIC HEARING:**

### **3. REQUEST FOR A SPECIAL USE PERMIT FOR RECREATION AND ENTERTAINMENT, OUTDOOR, FOR SANTA ADVENTURELAND LOCATED AT 3125 GREEN MOUNTAIN DRIVE, BRANSON, MISSOURI.**

Senior Planner Thompson presented the item as recommended by staff. Chairperson O'Day asked the applicant to provide details on the business and recognized that the applicant has other locations in operation.

The applicant, Mr. Eddie Grant, 3824 NW 32<sup>nd</sup> Street, Newcastle, OK 73065 provided additional details about Santa Adventureland including his background, plans and goals for operations, details about the attractions and activities, and information about licensing requirements for the animals.

Chairperson O'Day asked if the Commissioners had any questions. Commissioners asked questions about the attendance, crowds caring for the animals, and safety concerns. Mr. Grant responded.

Chairperson O'Day opened the meeting up for public comment. Hearing none, he called for a vote.

Rick DeJager moved to approve the resolution as presented, seconded by Gary Groman.

Voting aye: Denham, Romine, O'Day, Davis, Groman, DeJager, Gore. Nays: none. Motion Carried.

## **REPORTS**

Interim Planning and Development Director, Michael Woods spoke about the openings through the Clerks office for the Board of Appeals, Industrial Development, and the Planning Commission. In regards to staffing, the Planning Director position is open and interviews will be performed soon. A new building inspector has been hired and is working with the existing inspector. Cody Stice has been hired as the new Customer Service Liaison for a position that was nominated by the Board of Alderman. Jennifer Thompson recently attended an event by the Missouri Planning Association. The Parks Campground received support from The Board of Alderman and will require one more hearing.

Chairperson O'Day asked if Commissioners had any reports to share.

Alderman Denham thanked the Planning and Development Department for providing thorough and detailed information for a recent application from a developer requesting support for affordable housing within the City of Branson through the MHDC, Missouri Housing Development Commission.

Chairperson O'Day addressed issues with the staff time involved with generating meeting minutes and suggested mimicking a format similar to the Board of Alderman Minutes. Other Commissioners expressed support for revising the format of the meeting minutes.

## **ADJOURN**

Gary Groman moved to adjourn the meeting at 6:45 P.M., seconded by Brad Gore.

Voting aye: Denham, Romine, O'Day, Davis, Groman, DeJager, Gore. Nays: none.  
Motion Carried.

  
Acting Chairperson - Gary Groman

  
City Staff  
MICHAEL WOODS  
ACTING DIRECTOR