

**SPECIAL COUNCIL COMMITTEE OF
THE CITY OF NIXA, MISSOURI**

NIXA CITY HALL

JUNE 1, 2021 7:30 P.M.

The Special Committee meeting of the Nixa City Council was called to order. Attending were Special Council Committee Members, Darlene Graham, Jarad Giddens and Shawn Lucas. Also attending were Jimmy Liles, Nick Woodman, Joe Campbell, Garrett Tyson and Elizabeth Gibson

Giddens made a motion to approve the minutes from the May 17th meeting with Lucas seconding.

A discussion regarding Section 6-13 f (3) which states: Chickens shall be kept in a secured enclosure or fenced area at all times, herein referred to as “enclosure.” was held. Giddens stated the explanation pertaining to enclosure will be a part of the educational information provided.

Greg Anderson 630 N. Galileo Dr. has researched what Springfield, Branson, and Ozark has in place for their ordinances regarding chickens. Anderson asked for clarification for setbacks and enclosures.

City Administrator Jimmy Liles stated Public Information Officer Drew Douglas will provide information to simplify and explain the requirements.

City Attorney Nick Woodman said the phrase in f(4) fenced area at all times will be stricken from the ordinance and will state herein referred to as “enclosure”. Also, in section f (1) The wings of chickens shall be clipped to ensure that they do not escape their enclosure” will be stricken as well.

Anderson stated the discussion began March 22nd and now seventy-one (71) days later it is still being discussed. When will it be voted on? Graham added the last Council meeting in June. Anderson is frustrated at the time it has taken but appreciates the effort and time given by Council.

Heath Emerson 301 N. Delaware Ave asked if animal control would address chickens and situation such as offensive smells.

Planning and Development Director Garrett Tyson added the reason for the smell would be addressed and asked to be removed and a citation would depend on the situation. Tyson asked about the option of composting.

Liles stated there is not an update on composting yet because Public Works Director Doug Colvin is on vacation but will address when he returns.

Giddens asked since a permit is not required can citizens call and ask if their enclosure is placed properly.

Tyson said to call the Planning and Zoning office for assistance.

Emerson was confused by the verbiage used in the ordinance. He suggested referring citizens to educational sites and provide educational classes at the Parks department.

Woodman stated Council Bill #2021-044 has been referred to the Committee to approve and forward to Council for final approval there will be two (2) additional public hearings to voice opinions and concerns of citizens.

George Reeve 510 N. Montauk added the bird flu started years ago. Currently there is a confirmed case of H1ON3 and he is concerned because it is spread by birds.

Ron Sanders 976 Glen Oaks Dr. said there is a confirmed case in China and it was transmitted from birds to humans. Sanders has worked in agriculture and has seen the type of enclosures used at chicken farms. Sanders asked how an enclosure will be defined.

Lucas read the definition of enclosure. Sanders stated if it is defined it should work and also asked if lack of room would be an issue.

Lucas said it would be left up to the owners to determine the appropriate size for their chickens. Lucas also stated the city will not enforce an HOA's rules and a citizen will need to check with HOA's before getting chickens.

Sanders mentioned there is a small breed of ducks that are easy to maintain and can provide eggs as well.

Police Chief Joe Campbell stated the enforcement will assist with the best practices for care and address if an enclosure is too small. Education will be first (1st) and the next step will be enforcement in the form of a summons. Animal control has researched the health and care for chickens.

Emerson asked about the minimum requirements per chicken.

Campbell stated calls received will review the situation and will assess each situation as a case by case to determine if the size of the enclosure is appropriate or not for the chickens on site.

Reeve researched the Missouri Department of Agriculture for specifications and they recommend a minimum enclosure of 8x8.

Sanders stated officers can not be accused of changing by having an ordinance stating any misrepresentations or uses of the ordinance.

Liles added there is a concern of use of a reasonable standard and that could be open to interpretation.

Sanders stated parameters may limit the size of yard needed.

Lucas made a motion to strike line 91 to remove the phrase or fenced area at all times with Giddens seconding and all Special Council Committee members voting aye.

Sanders requested to have clippings addressed as part of the educational information provided.

Giddens made a motion to approve and forward Council Bill #2021-044 to Council with Lucas seconding and all Special Council Committee members voting aye

At 8:24 p.m. the meeting adjourned.

Darlene Graham, Special Committee Chair

Elizabeth Gibson, Deputy City Clerk