



Issue: RESOLUTION No. 2021-051. A RESOLUTION OF THE COUNCIL OF THE CITY OF NIXA ESTABLISHING A SPECIAL COMMITTEE OF THE COUNCIL; SETTING FORTH THE MEMBERSHIP OF SAID COMMITTEE; AND REFERRING COUNCIL BILL No. 2021-044 TO SAID COMMITTEE.

Date: April 27, 2021

Submitted By: Nick Woodman, City Attorney

Background

At City Council's April 26, 2021 regular meeting, Council took up Council Bill No. 2021-044 for first reading and public comment. Council Bill No. 2021-044 is a bill which modifies the provisions of Chapter 6 of the Nixa City Code to allow chickens to be kept in residential areas of the City under certain regulations.

After the public comment period for this bill, and after discussion from Councilmembers, it was the consensus of Council that a Special Committee be formed to further consider Council Bill No. 2021-044.

Council adopted a similar legislative approach regarding the legislative process of Ordinance No. 2171. Ordinance No. 2171 modified portions of the Nixa City Code to address truck-tractor parking in residential areas of the City.

During the discussion of forming a Special Committee to review Council Bill No. 2021-044, Council also agreed that Councilmember Darlene Graham should be appointed to the Committee as Chair. Additionally, it was agreed that Mayor Pro Tempore Jarad Giddens and Councilmember Shawn Lucas be appointed to the Committee.

Analysis

Because there are no established committees of City Council at this time, City Council must create Committees as the need arises.

Resolution No. 2021-051 would establish a Special Committee of City Council, refer Council Bill No. 2021-044 to the Committee for further deliberation, appoint members to the Committee, and empower the Committee to conduct its business on behalf of the Council.

The Resolution states that the Committee and the authority granted to the Committee shall dissolve on October 31, 2021. Council may grant extensions of the Committee's term and should the Committee be unable to complete its work by this time, Council Bill No. 2021-044 would be returned to Council's legislative docket.

1 **RESOLUTION NO. 2021-051**

2
3 **A RESOLUTION OF THE COUNCIL OF THE CITY OF NIXA ESTABLISHING A**
4 **SPECIAL COMMITTEE OF THE COUNCIL; SETTING FORTH THE MEMBERSHIP**
5 **OF SAID COMMITTEE; AND REFERRING COUNCIL BILL NO. 2021-044 TO SAID**
6 **COMMITTEE.**
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8
9 **WHEREAS** during the April 26, 2021 regular City Council meeting, City Council
10 held a first reading and public comment on Council Bill No. 2021-044; and
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12 **WHEREAS** said Council Bill contains modifications to the Nixa City Code which
13 would allow for the keeping of chickens in residential areas of the City under certain
14 regulations; and
15

16 **WHEREAS** during the discussion of said Council Bill, the consensus of Council
17 was to establish a Committee of the Council to review the bill and report to Council on
18 recommended amendments; and
19

20 **WHEREAS** City Council desires to establish a Special Committee of the Council
21 to review Council Bill No. 2021-044; and
22

23 **WHEREAS** the Mayor, pursuant to authority contained in Nixa City Charter
24 section 4.4(f), desires to appoint Councilmember Darlene Graham as Chair of the
25 Committee; and
26

27 **WHEREAS** the Mayor, pursuant to authority contained in Nixa City Charter
28 section 4.4(f), desires to appoint Mayor Pro Tempore Jarad Giddens and
29 Councilmember Shawn Lucas to said Committee; and
30

31 **WHEREAS** City Council consents to the Mayor's appointments to the
32 Committee.
33

34 **NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF**
35 **NIXA, AS FOLLOWS, THAT:**
36

37 **SECTION 1:** City Council hereby establishes a Special Committee of the City
38 Council. Said Committee is charged with reviewing Council Bill No. 2021-044, making
39 any amendments the Committee deems advisable to said bill, reporting the bill back to
40 the full City Council for further deliberations, and exercising any other powers or duties
41 deemed advisable by the Committee to carry out the charge set forth herein. City
42 Council hereby refers Council Bill 2021-044 to the Special Committee established
43 herein.
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45 **SECTION 2:** City Council hereby consents to the Mayor's appointment of
46 Darlene Graham as Chair of said Committee. The Council also consents to the Mayor's

47 appointment of Mayor Pro Tempore Jarad Giddens and Councilmember Shawn Lucas
48 to said Committee. Said members are hereby appointed to the Committee and shall
49 serve until the dissolution of the Committee.
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51 **SECTION 3:** The Chair of the Committee shall preside over all meetings of the
52 Committee, set the agenda of the Committee, and perform any other functions or duties
53 that the Committee may provide. The Committee shall meet upon the call of the Chair,
54 provided that notice is provided to the other members of the Committee and an agenda
55 for the meeting is provided. The Committee is authorized to establish rules of order and
56 decorum for the conduct of its meetings, which shall be enforced by the Chair, and may,
57 at the discretion of the Committee, take public testimony on any item considered by the
58 Committee. The Committee is further authorized and empowered to do all things which
59 may be necessary or convenient to carry out the terms and intent of this Resolution.
60

61 **SECTION 4:** This Resolution shall be in full force and effect from and after its
62 final passage by the City Council and after its approval by the Mayor, subject to the
63 provisions of section 3.11(g) of the City Charter. The Committee established herein
64 shall dissolve, and any authority granted herein shall terminate, on October 31, 2021,
65 unless otherwise repealed or extended by City Council. Upon the termination of the
66 Committee, Council Bill No. 2021-044 shall be returned to Council's legislative docket
67 for consideration at Council's next available regular meeting, unless said Council Bill
68 has been referred to the Council by the Committee prior to the Committee's termination.
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71 **ADOPTED BY THE COUNCIL OF THE CITY OF NIXA THIS 10TH DAY OF MAY 2021.**
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73
74 ATTEST:

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76 _____
77 CITY CLERK

75
76 _____
77 PRESIDING OFFICER

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80 **APPROVED BY THE MAYOR THIS _____ DAY OF _____ 2021.**
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82
83 ATTEST:

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85 _____
86 CITY CLERK

84
85 _____
86 MAYOR

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88
89 APPROVED AS TO FORM:

90
91 _____
92 CITY ATTORNEY