

**REGULAR MEETING OF THE HOME RULE CHARTER COMMISSION OF THE  
CITY OF NIXA, MISSOURI**

**NIXA CITY HALL**

**November 2nd, 2022 6:00 P.M.**

**Due to a scheduling conflict, the November 1st, 2022 Home Rule Charter Commission meeting was moved to November 2nd, 2022.**

The Home Rule Charter Commission meeting was called to order by Chairman Mark Hartsock. Attending Commissioners were Kiri Horne, Ruth-Ann Maynard, David Larsen, Greg Anderson, Karen Keever, Charlotte Stapleton, Andrew Carl, and Kevin Auberry. Attending staff were Jimmy Liles, Cindy Robbins, Nick Woodman, Drew Douglas, and Rebekka Coffey.

Hartsock called for a motion to approve the minutes from the October 18th meeting. Auberry made a motion to approve the minutes, with Larsen seconding and all commissioners voting aye.

Hartsock opened the public hearing for Articles 11-15. Hartsock stated there was no one in attendance and said the commission would move on to the new business on the agenda.

Keever asked to revisit the discussions from October 18th on Article 10 and recall. Keever gave out a handout to the commission and read the information that was provided. Hartsock responded to Keever's comments and a discussion on voter turnout, elections, and recalls. Hartsock stated that a vote would be taken on what is being proposed for Article 10 and if there is no consensus, the commission would rediscuss. Hartsock thanked Keever for her comments and asked if anyone else had any additional comments. Liles provided information on the City's code.

**Proposition 1 Discussion:**

Douglas discussed the voter education language provided in the handout and discussed ways to educate the public on the proposed changes. Douglas suggested looking at the ballot language and draft ordinance that Woodman was presenting before changing the education language. Hartsock asked Woodman to discuss the ballot language that was being proposed. Woodman provided information on the draft ordinance and how he drafted the language within it. Woodman said each Charter change must be captured in the ballot language. Woodman told the commission that he used the tentatively approved language to draft the ordinance.

Hartsock read through proposition 1 and asked the commission to review and make sure they were ok with the changes. Woodman provided additional information on how the ordinance would receive its ordinance number. Woodman also told the commission that section 3 would need to add instructions to the voters before the ordinance is submitted to Council.

Hartsock asked for the commission's opinion on proposition 1 and stated he didn't think any changes needed to be made since the last meeting. Carl asked about the language on page 2, line 58, and if it could apply to any other officer than elected officers. Woodman stated there is no concern as the entire provision references elected officers.

Hartsock asked to look at the education language for proposition 1 and read that out loud. Hartsock provided background on why the commission suggested the Charter change.

Hartsock called for a roll call vote to approve proposition 1. Carl made a motion to approve proposition 1 with Auberry seconding and Horne, Maynard, Larsen, Anderson, Keever, Hartsock, Stapleton, Carl, and Auberry voting aye.

### **Proposition 2 Discussion:**

Hartsock stated that proposition 2 would update Article 6 and section 15.2. Hartsock read the education language for proposition 2. Hartsock asked the commission to read through the ballot language for proposition 2. Hartsock read through the section on potential changes to Article 6.1 and stated it looked like the commission had discussed. Hartsock read through the proposed changes to 6.2 and stated it looked like the commission had discussed.

Keever asked questions regarding the changes being proposed to 6.2 language. Hartsock responded to Keever's comments and provided information on what underlined and stricken language means in the draft ordinance.

Auberry asked questions about the language in proposition 2, with Woodman responding.

Keever asked additional questions about the difference between ballot language and ordinance language, with Woodman responding. Woodman said that there has to be a legal document that shows the proposed changes that would be made, so the public will know what is being changed. Keever asked why the unchanged sections are being included, with Woodman responding. Douglas provided information on what would be seen on the ballot and the voter education information.

Hartsock discussed the presentation to Council and the importance of having a full legal document showing all the changes. Hartsock said the ordinance would be a record of the changes.

Carl asked questions about page 4, line 166, and the wording that is currently in place and made a suggested change. Woodman stated he liked the change and would update the language. Hartsock called for a roll call vote to approve proposition 2. Anderson made a motion to approve proposition 2 with Larsen seconding and Horne, Maynard, Larsen, Anderson, Keever, Hartsock, Stapleton, Carl, and Auberry voting aye.

### **Proposition 3 Discussion:**

Hartsock read proposition 3 and the education material. Hartsock discussed the reasons for the changes to 10.3(iii), asked the commission to review the ballot language, and asked for any comments.

Auberry asked questions about the education material for 10.3(iii) concerning the circulating of petitions and asked for additional information on why the language used was selected. Hartsock and Anderson also asked for further information. A discussion on petitions and percentages needed for petition signatures and voter turnout.

Keever provided her thoughts on voter turnout, and additional discussion followed on voter turnout, elections, percentages for signatures on petitions, and recalls. Hartsock said at the October 18th meeting that the commission voted for the current proposed language and would call for a roll call vote to approve the proposed language in proposition 3.

Hartsock closed the public hearing at 7:02 p.m. and called for a 5-minute break. The meeting was called back to order at 7:06 p.m.

Hartsock asked a question on the proposition 3 education language and the intent behind the wording choices. A discussion on recalls and petitions followed.

Carl asked about the commission's intent in the education language, with Douglas responding why he selected the current language in the education material. A discussion followed. Douglas said education material can always be updated but said the commission should focus on the ballot language approval, and the education material can be updated after the ballot language approval. A discussion followed. Liles reminded the commission that staff is only allowed to educate the public while the commission can discuss the "why" behind the changes.

Keever discussed the number of qualified voters who have voted in each district in the previous elections.

Hartsock asked for other comments on proposition 3 and discussed the commission's reasoning behind the potential changes to 10.63(iii). Hartsock called for a roll call vote to approve proposition 3. Auberry made a motion to approve proposition 3 with Horne seconding and Horne, Maynard, Larsen, Anderson, Hartsock, Stapleton, Carl, and Auberry voting aye. Keever voting nay.

Hartsock discussed the presentation that would be presented to Council and discussed the education language for proposition 3. Staff recommended potential new language for the education material for proposition 3. Douglas provided information on communication strategies and ethics. Larsen gave his opinions on the education language for proposition 3, and a discussion followed about education language. Douglas read an updated education language piece for proposition 3. Douglas reminded the commission that this would be the official educational language that the City would use, and the commission could use whatever language they would like. Hartsock asked for the commission's thoughts on the updated educational language for proposition 3 and a discussion followed. The commission reached a consensus on the language they wanted to see in the educational language. Douglas asked for additional feedback from the commission and a discussion followed.

Liles provided information on the November 14th Council meeting presentation and first reading of the ordinance for proposed changes. Liles said there would be one (1) more meeting on the 14th to finalize the minutes from this meeting. Liles stated that the second reading of the ordinance for the proposed changes would be November 28th.

Hartsock said the next meeting would be November 14th at 6:30 p.m. to approve minutes and provided an overview of the November 14th Council meeting. Liles thanked the commission for their time and hard work, and Hartsock also thanked the commission and staff for their time and hard work.

Hartsock called for a motion to adjourn. Horne made a motion to adjourn at 8:08 p.m. with Keever seconding and all commissioners voting aye.

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Chairman Hartsock

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City Clerk