

MEETING OF THE COUNCIL MEMBERS OF THE CITY OF NIXA, MISSOURI

NIXA CITY HALL

April 10th, 2023 7:00 P.M.

The regular meeting of the Nixa City Council was called to order by Mayor Brian Steele. Attending were Council Members Seth Balogh, Shawn Lucas, Jarad Giddens, Aron Peterson, Darlene Graham, and Matt Ogden.

The Pledge of Allegiance was given.

Proclamation:

Mayor Steele read a proclamation proclaiming April 23rd through April 29th as National Library Week. Staff members from the Nixa branch of the Christian County Library accepted the proclamation. Brandon Jason, Nixa branch Manager, stated that the Nixa branch had been open for five (5) years in May. Jason discussed the support the library provides to the community, library innovation, and how libraries help to build the community. Jason stated that the Nixa branch was a polling location. Jason thanked Council for the proclamation.

Visitors:

Ron Sanders, 976 Glen Oaks Dr., discussed the Home Rule Charter changes that passed during the April 4th election and the number of citizens that speak at Council Meetings.

Jack Karnes, 622 N Maplewood Hills Rd., addressed Mayor Steele.

Ordinances (First Reading and Public Hearing; Comments Limited to 5 Minutes; No Council Vote Anticipated):

Council Bill #2023-22 Amending Chapter 2 of the Nixa City Codey by Modifying Section 2-80 and Adding a New Article to Establish Procedures Related to the Sunshine Law. Nick Woodman, City Attorney, discussed the Sunshine Law and stated that this ordinance would codify the City's processes and formalize the records destruction and request process. Woodman said the City Clerk and Chief of Police would be named records custodians. Woodman stated that the updated code would have provisions to allow fees to be paid for fulfilling records requests. Council asked questions about the Chief of Police being named a records custodian, with Woodman responding. Mayor Steele opened the public hearing for comments.

Ron Sanders, 976 Glen Oaks Dr., asked questions about the Sunshine Law, with City Clerk, Rebekka Coffey, responding.

With no further comments, the public hearing was closed. Woodman provided additional information about the locations of fees within the council bill.

Ordinances (Second Reading and Public Hearing; Comments Limited to 5 Minutes; Council Vote Anticipated):

Council Bill #2023-16 Authorizing the City Administrator to Execute a Contract with Missouri Public Utility Alliance Resource Services Commission for Certain Materials and Services that May be Requested in the Future. Doug Colvin, Assistant City Administrator, and Public Works Director, stated that this council bill is for a Master Service Agreement with the Missouri Public Utility Alliance (MPUA). Colvin said this service agreement would be for obtaining materials or utilizing service providers. Colvin stated there is no cost associated with the main agreement, and any cost would come from a contract for work contract with a subcontractor. Colvin told Council there is no term length for the agreement. Mayor Steele opened the public hearing for comments, with no comments made, the public hearing was closed. Mayor Steele called for a motion to approve the council bill. Giddens made a motion to approve Council Bill #2023-16 with Peterson seconding and Lucas, Giddens, Peterson, Graham, Ogden, and Balogh voting aye on roll call.

Council Bill #2023-17 Amending the 2023 Annual Budget to Appropriate Funds for the Wastewater Collection Inflow and Infiltration Reduction Program. Travis Cossey, Assistant Public Works Director, stated this was for a budget amendment for the 2023 inflow and infiltration reduction program. Cossey said the inflow and infiltration reduction program is a yearly budgeted item. Cossey told Council the 2022 project invoice was not received until after the beginning of 2023, causing the 2023 budgeted amount to be used for the 2022 work. Cossey said the \$225,000 is needed for the 2023 work, which would include 900 vertical feet of sewer lines and 137 manholes. Mayor Steele opened the public hearing for comments, with no comments made, the public hearing was closed. Mayor Steele called for a motion to approve the council bill. Graham made a motion to approve Council Bill #2023-17 with Ogden seconding and Giddens, Peterson, Graham, Ogden, Balogh, and Lucas voting aye on roll call.

Council Bill #2023-18 Authorizing the City Administrator to Execute an Agreement with Enterprise Developments, LLC, to Warrant the Completion of Certain Public Improvements. Cossey told Council this council bill is for an agreement that would allow the City to accept an extended warranty with the developer of Copperleaf phase 6 for a roadway that doesn't meet the City's standards. Cossey said a roadway in Copperleaf Phase 6 failed inspections, and the subcontractor poured the roadway despite the failure. Cossey stated that the extended warranty is a letter of credit with a four percent (4%) interest per year. Cossey provided three (3) alternatives to the warranty/letter of credit and the council bill. Council asked questions, with Cossey responding. Discussion followed between staff and Council. Mayor Steele opened the public hearing for comments, with no comments made, the public hearing was closed. Mayor Steele called for a motion to approve the council bill. Ogden made a motion to approve Council Bill #2023-18 with Giddens seconding and Peterson, Graham, Ogden, Balogh, Lucas, and Giddens voting nay on roll call. Council Bill #2023-18 failed.

Council Bill #2023-19 Rezoning the Real Property Generally Located at the 1400 Block of West Mount Vernon Street From a General Commercial (GC) District to a High Density Multi-Family Residential (R-3) District. Scott Godbey, Planning and Development Director, told Council this council bill is for lot 12 of Auburn Heights, which is 1.87 acres. Godbey said there is R-1 zoning to the south and west, GC zoning to the east, and Highway 14 to the north. Godbey stated there is

immediate access to City utilities; however, there are delays with the Oakmont Lift Station and transformers. Godbey said this lot does contain a stormwater detention basin that flows into the MoDOT right-of-way. Godbey told Council at the February Planning and Zoning Commission meeting that neighbors voiced concerns with the rezoning. Godbey said the Planning and Zoning Commission voted 4-1 to approve. Godbey stated that at the February Council meeting Council voted 3-1 to approve, which caused the bill to fail. Godbey said that because the original bill failed, Council asked for this item to be brought back before the whole Council. Godbey stated staff recommended approval. Mayor Steele opened the public hearing for comments.

Brenda Barber, 405 N. Missouri, stated she represents her father, Bob Barber. Barber voiced her concerns with the stormwater runoff.

Derek Lee, Property Owner, stated the new zoning would allow for less impervious area than what it is currently zoned. Lee thanked Council for hearing this bill again.

Ron Sanders, 976 Glen Oaks Dr., asked about Highway 14 road access.

Brenda Barber, 405 N. Missouri, asked an additional question, with Mayor Steele responding.

With no further comments, the public hearing was closed. Mayor Steele called for a motion to approve the council bill. Ogden made a motion to approve Council Bill #2023-19 with Giddens seconding and Graham, Ogden, Lucas, Giddens, and Peterson voting aye on roll call. Balogh voting nay.

Council Bill #2023-20 Amending Chapter 22, Article IV, Section 22-310 of the Nixa City Code to Amend the Implementation Date for the Energy Cost Adjustments Applied to City Electric Rates. Colvin stated that this change would occur to the current electric rate ordinance. Colvin said the current rate adjustment is set to take place in February; however, this bill will change the month to April to provide more accurate data. Colvin told Council that no other changes were being requested, and staff recommends approval. Mayor Steele opened the public hearing for comments.

Ron Sanders, 976 Glen Oaks Dr., asked about the rate change process, with Colvin responding.

With no further comments, the public hearing was closed. Mayor Steele called for a motion to approve the council bill. Giddens made a motion to approve Council Bill #2023-20 with Ogden seconding and Ogden, Balogh, Lucas, Giddens, Peterson, and Graham voting aye on roll call.

Council Bill #2023-21 Authorizing the Execution of Several Agreements Related to a Certain Solar Power Electric Generating Facility. Colvin stated that this council bill has three (3) agreements associated with the solar farm, with the first (1st) being a termination agreement, the second (2nd) an interconnection & authorization agreement, and the third (3rd) a power purchase agreement. Colvin discussed solar renewable energy credits that would be a benefit to the City under the new agreements. Colvin stated there would be an estimated \$2.7 million in savings with the new contract. Council held a discussion. Mayor Steele opened the public hearing for comments, with no comments made, the public hearing was closed. Mayor Steele called for a

motion to approve the council bill. Giddens made a motion to approve Council Bill #2023-21 with Balogh, Lucas, Giddens, Peterson, Graham, and Ogden voting aye.

Resolutions (Public Hearing; Comments Limited to 5 Minutes: Council Vote Anticipated):

Resolution #2023-17 Authorizing the City Administrator to Execute a Contract with DynaTouch Corporation for Payment Kiosks. Jennifer Evans, Finance Director, stated that this contract is for the Utility Billing payment kiosks and states the terms and conditions that the City has agreed to with DynaTouch. Evans stated there would be three (3) kiosks; one (1) at City Hall, Utility Billing, and the X-Center. Evans told Council that the kiosks would be able to accept cash, checks, and credit cards. Jimmy Liles, City Administrator, provided additional information about the location of the kiosks. Council asked questions, with Evans responding. Mayor Steele opened the public hearing for comments, with no comments made, the public hearing was closed. Mayor Steele called for a motion to approve the resolution. Peterson made a motion to approve Resolution #2023-17, with Graham seconding and all Council Members voting aye.

Mayor and Council Member Reports:

Liles reminded Council that the Council Workshop is later in the month.

Graham discussed trash service issues, with Liles responding to Graham’s comments.

Drew Douglas, Communications Director, reminded Council of the reception for Mayor Steele and incoming Council Members before the next Council meeting.

Peterson stated that Drug Take Back Day would be April 22nd at Alps Pharmacy from 10 a.m. – 2 p.m.

Adjournment:

Mayor Steele called for a motion to adjourn the meeting. Giddens made a motion to adjourn at 8:17 p.m. with Ogden seconding and all Council Members voting aye.

Mayor

City Clerk

REGULAR MEETING OF THE COUNCIL MEMBERS OF THE CITY OF NIXA, MISSOURI

NIXA CITY HALL

April 24th, 2023 7:00 P.M.

The regular meeting of the Nixa City Council was called to order by Mayor Brian Steele. Attending were Council Members Shawn Lucas, Jarad Giddens, Aron Peterson, Darlene Graham, and Matt Ogden. Seth Balogh was absent.

The Pledge of Allegiance was given.

Mayor Steele addressed Nixa's citizens and Council about his time and service to the City.

Resolution #2023-18 Declaring the Results of the April 4, 2023 General Municipal Election. Rebekka Coffey, City Clerk, told Council it is required by Charter that Council declare the results of elections after the election authority has certified the election results. Coffey said the Christian County Clerk had certified the results which had been provided to Council. Mayor Steele opened the public hearing for comments, with no comments made, the public hearing was closed. Mayor Steele called for a motion to approve the resolution. Giddens made a motion to approve Resolution #2023-18, with Graham seconding and all Council Members voting aye.

Giddens presented Mayor Brian Steele with a gavel commemorating his time on Council. Mayor Steele presented Giddens with a gavel to begin his term as Mayor.

Swear in Newly Elected Council Members:

Coffey swore in the newly elected Mayor Jarad Giddens, Council Member District 1 Matt Ogden, Council Member District 1 Zern Vess, Council Member District 3 Darlene Graham, and Council Member District 3 Kelly Morris.

Mayor Giddens addressed Nixa's citizens and Council thanking Mayor Steele for his guidance and what he hopes to achieve as Mayor.

Mayor Pro-Tempore Election:

Mayor Giddens called for nominations for Mayor Pro-Tempore. Peterson nominated Lucas for Mayor Pro-Tempore, with Graham seconding and all Council Members voting aye.

Consent Agenda:

Mayor Giddens called for a motion to approve the consent agenda. Lucas made a motion to approve the consent agenda as presented, items a through b, with Peterson seconding and Morris, Ogden, Lucas, Peterson, Graham, and Vess voting aye on roll call.

Service Award:

Mayor Giddens recognized Britany Findley for her five (5) years of service to the City. Findley was not in attendance. Joe Campbell, Police Chief, stated Findley was with the Patrol Division

and held the lead for the number of calls for service answered. Campbell said that Findley was proactive, a Field Training Officer, and a defensive tactic instructor.

Awards and Recognition:

Doug Colvin, Assistant City Administrator and Public Works Director, stated that the Electric Department received the 2023-2026 RP3 Award. Colvin said this award is the platinum-level award. Colvin told Council that Chris Huett, Assistant Electric Superintendent, will accept the award in Arizona. Colvin provided information about the RP3 award.

Colvin told Council that the Electric Department also was awarded the APPA Certificate of Excellence in Reliability. Colvin stated that this award is due to the quick response rates by the electric crew.

Mayor Giddens called for a 5-minute break at 7:42 p.m. Mayor Giddens called the meeting back to order at 7:52 p.m.

Visitors:

Ron Sanders, 976 Glen Oaks, Dr., welcomed the newly elected Mayor and Council Members. Sanders invited everyone to Lincoln Days.

Ordinances (Second Reading and Public Hearing; Comments Limited to 5 Minutes; Council Vote Anticipated):

Council Bill #2023-22 Amending Chapter 2 of the Nixa City Code by Modifying Section 2-80 and Adding a New Article to Establish Procedures Related to the Sunshine Law. Nick Woodman, City Attorney, stated this council bill was first read at the April 10th Council meeting and would add provisions on how the City handles records requests. Woodman said that staff is recommending approval. Mayor Giddens opened the public hearing for comments, with no comments made, the public hearing was closed. Mayor Giddens called for a motion to approve the council bill. Ogden made a motion to approve Council Bill #2023-22 with Lucas seconding and Ogden, Lucas, Peterson, Graham, Vess, and Morris voting aye on roll call.

Resolutions (Public Hearing; Comments Limited to 5 Minutes: Council Vote Anticipated):

Resolution #2023-19 Authorizing the City Administrator to Execute Contracts with Paymentech LLC, Paypal, and InvoiceCloud for Payment Processing Services Related to the Enterprise Resources Planning Conversion. Jennifer Evans, Finance Director, stated that this resolution was for contracts associated with payment processors. Evans told Council the new ERP system would allow for new payment processors and provided a background on payment processing. Evans stated that the new systems would become live in June when the ERP system became active. Mayor Giddens opened the public hearing for comments, with no comments made, the public hearing was closed. Mayor Giddens called for a motion to approve the resolution. Lucas made a motion to approve Resolution #2023-19, with Peterson seconding and all Council Members voting yes.

Mayor and Council Member Reports:

Mayor Giddens told Council Liaison assignments would take place at a later meeting.

Peterson asked about the ribbon cutting for the new McCauley Park Playground. Crouse stated the ribbon cutting would be May 2nd from 5 p.m. – 7 p.m.

Peterson stated that Drug Take Back Day accepted 150lbs of drugs.

Jimmy Liles, City Administrator, told Council the Council workshop would be Friday the 28th and Saturday the 29th.

Drew Douglas, Communications Director, told Council on May 8th at 6 p.m. Council would have headshots and portraits done.

Adjournment to Closed Session:

Peterson made a motion to go to closed session at 8:01 p.m. pursuant to section 610.021(1), (2), (3), (12), & (13) RSMo in which the Council will discuss legal actions, causes of action and confidential and privileged communications with their attorney, the Council will discuss the leasing, purchase or sale of real estate, the Council will discuss a negotiated contract, and the Council will discuss the hiring, firing, disciplining, or promoting or particular employees and personal information about the employees is to be discussed; and individually identifiable personnel records, performance rating or records pertaining to the employee are to be discussed. The meeting will be considered adjourned at the end of the closed session, Lucas seconded, and Lucas, Peterson, Graham, Vess, Morris, and Ogden voted aye on roll call.

Mayor

City Clerk

COUNCIL WORKSHOP OF THE COUNCIL MEMBERS OF NIXA, MISSOURI

Hilton Branson Convention Center Hotel, 200 E. Main Street, Branson, MO 65616

April 28th, 2023 8:00 a.m.

The Nixa City Council Workshop was called to order by Mayor Jarad Giddens at 8:00 a.m. Attending were Council Members Kelly Morris, Matt Ogden, Shawn Lucas, Aron Peterson, Darlene Graham, and Zern Vess. Also attending were Jimmy Liles, Cindy Robbins, Doug Colvin, Rebekka Coffey, Nick Woodman, Jennifer Evans, Amanda Hunsucker, Scott Godbey, Matt Crouse, Joe Campbell, and Drew Douglas.

Introductions:

Liles started the meeting with introductions.

Council Policy and Procedures Presentation:

Coffey provided information about Council policies and procedures. Council and staff held a discussion.

Gilmore & Bell Economic Development Incentives Presentation:

Gilmore & Bell provided an overview of economic development incentives. A specific discussion was held on Special Taxing Districts, including Community Improvement Districts (CID), Neighborhood Improvement Districts (NID), and Transportation Development Districts (TDD). Another specific discussion was held on Redirection of Taxes, including Tax Increment Financing (TIF) and Tax Reimbursement Agreements. The last discussion was held on Property Tax Abatements, including Industrial Development, Real Property Tax Abatements, Chapter 100 Tax Abatements, and Chapter 353 Tax Abatements. Council and staff held additional discussions.

Working Lunch:

During a working lunch, Mayor Giddens provided his thoughts on what serving on Council means and discussed his goals for the future. Mayor Giddens held a question-and-answer session with Council, and Council and staff held a discussion.

Finance Basics Presentation:

Evans provided finance basics to Council.

Economic Development Roundtable:

An Economic Development roundtable discussion was held. Liles held additional discussion with staff and Council about economic development.

Adjournment:

Mayor Giddens adjourned the meeting at 4:30 p.m.

Team Building Exercise:

Council and staff attended dinner and a team-building exercise beginning at 6:00 p.m.

Mayor

City Clerk

COUNCIL WORKSHOP OF THE COUNCIL MEMBERS OF NIXA, MISSOURI

Hilton Branson Convention Center Hotel, 200 E. Main Street, Branson, MO 65616

April 29th, 2023 8:30 a.m.

The Nixa City Council Workshop was called to order by Mayor Jarad Giddens at 8:30 a.m. Attending were Council Members Kelly Morris, Matt Ogden, Shawn Lucas, Aron Peterson, Darlene Graham, and Zern Vess. Also attending were Jimmy Liles, Cindy Robbins, Doug Colvin, Rebekka Coffey, Nick Woodman, Jennifer Evans, Amanda Hunsucker, Scott Godbey, Matt Crouse, Joe Campbell, and Drew Douglas.

ARPA Fund Discussion:

Liles presented information on ARPA funds. Council and staff held a discussion on ARPA funds and how to allocate those funds. Council and staff also discussed grant opportunities.

Sunshine Law Presentation:

Coffey provided information on the Sunshine Law. Coffey answered questions from Council and staff.

Working Lunch – Strategic Plan Update:

Douglas discussed the City's Strategic Plan during a working lunch. Council asked questions, with Douglas responding.

Conflict of Interest Presentation:

Woodman provided information on conflicts of interest. Council and staff asked questions, with Woodman responding.

Parks Department Business Plan:

Crouse provided the Parks Department Business Plan. Crouse discussed the Parks participation capacity and rates. Council and staff held a discussion.

Council and Staff Discussion:

Staff provided updates on projects within their departments. Council and staff discussed various projects.

Adjournment:

Mayor Giddens adjourned the meeting at 4:30 p.m.

Mayor

Council