

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

NIXA CITY HALL

May 8th, 2023 7:00 P.M.

The regular meeting of the Nixa City Council was called to order by Mayor Jarad Giddens. Attending were Council Members Kelly Morris, Matt Ogden, Shawn Lucas, Aron Peterson, Darlene Graham, and Zern Vess.

The Pledge of Allegiance was given.

Presentation:

Marshall Decker, Decker & DeGood, provided Council with the audit report. Decker discussed the 2022 budget and audit. Decker told Council that the finance department is doing a good job at handling the City's finances. Decker stated that the City is in a strong financial position.

Visitors:

Ashley Copley, Nixa Public Schools, invited Brandon Jason, Nixa Library Branch Manager, and Drew Douglas, Communications Director, to speak with her. Copley discussed the One Nixa One Read campaign. Jason stated that One Nixa One Read would begin June 29th at the Nixa Branch Library and end at the July 26th Movies at the Park. Douglas stated that the book being read is Wonder, and there will be book discussions live-streamed. Copley said One Nixa One Read has a Facebook page. Mayor Giddens asked for information on sponsorships.

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

Council Bill #2023-23 Declaring the Necessity of Acquiring by Condemnation Certain Property Rights Over, Under, and Through Certain Property for the Purpose of Constructing and Maintaining Storm Water Infrastructure as Part of the Cherry Street Stormwater Project; and Authorizing Certain City Officials to do All Things Necessary or Convenient to Carry Out the Terms and Intent of this Ordinance. Jeff Roussell, Street Superintendent, told Council this ordinance relates to the Cherry Street Project, which was started in 2020. Roussell stated that staff has been working on getting easements for this project but is having issues with obtaining an easement from the resident at 310 N. Missouri. Roussell said that staff had sent three (3) certified letters and two (2) face-to-face meetings, and the resident had failed to return the needed information for the easement. Roussell stated that the improvements for the Cherry Street project would start at Rice Street and run to the Jr. High. Roussell told Council that this project would help with stormwater issues. Council asked questions, with Roussell responding. Mayor Giddens opened the public hearing for comments, with no comments made, the public hearing was closed.

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

Resolution #2023-20 Authorizing the City Administrator to Apply for and Accept a Transportation Alternatives Program Grant Provided by the Ozarks Transportation Organization to Fund Alternative Transportation Needs. Roussell told Council this resolution would allow staff to apply for and accept a grant for sidewalk improvements from Summit Elementary south on Cheyenne. Roussell stated the project cost is \$800,239.00, and the grant is an 80/20 grant, with the City's portion of the project being \$176,047.86. Roussell told Council this project was identified as a need in the Strategic Plan, and staff is recommending approval. Council asked questions, with Roussell responding. Jimmy Liles, City Administrator, said that the City is considering using ARPA funds for this project. Council asked additional questions, with Roussell responding. 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. Graham made a motion to approve Resolution #2023-20, with Lucas seconding and all Council Members voting aye.

Resolution #2023-21 Authorizing the City Administrator to Apply for and Accept a Bulletproof Vest Partnership Grant Provided by the Bureau of Justice Assistance to Reimburse a Portion of the Cost of Purchased Bulletproof Vests. Joe Campbell, Chief of Police, told Council this is an annual grant for the Police Department. Campbell said that up to 50% of the vest cost would be covered, and there would be an estimated reimbursement amount of \$11,329.80. Campbell stated that this grant helps purchase new vests and replace existing vests. Council asked questions, with Campbell responding. 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. Ogden made a motion to approve Resolution #2023-21, with Vess seconding and all Council Members voting aye.

Resolution #2023-22 Authorizing the City Administrator to Apply for and Accept an Electric Vehicle Charging Infrastructure Grant Provided by the Ozarks Transportation Organization to Fund Level 2 Electric Vehicle Charging Stations at Various City Locations. Travis Cossey, Assistant Public Works Director, told Council there are grant funds available from the Ozarks Transportation Organization from the Carbon Reduction Act. Cossey stated that the City had identified three (3) potential locations: City Hall, the X-Center, and the municipal parking lot downtown. Cossey said there would be four (4) parking spots at each location. Cossey told Council the cost of the project is \$133,287.00. Cossey stated that this grant is an 80/20 grant, and if the City received the grant, the City would receive \$106,629.60 for the project. Council asked questions, with Cossey responding. Liles stated that the City is also considering using ARPA funds for this project. Doug Colvin, Public Works Director, provided additional information. Council asked additional questions, with Cossey responding. Mayor Giddens opened the public hearing for comments.

Ron Sanders, 976 Glen Oaks Dr., asked about the number of electric vehicles the Police Department and Public Works have, with Campbell and Colvin responding. Sanders provided his thoughts on the electric charging stations and discussed grants.

With no further comments, the public hearing was closed. Mayor Giddens called for a motion to approve the resolution. Ogden made a motion to approve Resolution #2023-22, with Lucas seconding and all Council Members voting aye.

Resolution #2023-23 Authorizing the Sale or Distribution of Alcohol on City Property and Authorizing a Multi-Day Event for the Proposed 2023 Sucker Days Special Event. Scott Godbey, Planning and Development Director, told Council that section 16-325 of the Nixa City Code requires special events to get permission from Council to have alcohol sales. Godbey said that Sucker Days would be May 19th-21st, and there would be alcohol sales on the municipal parking lot downtown. Godbey discussed the requirements listed in 16-325. Godbey stated that the Chamber of Commerce provided additional information about Sucker Days. Godbey said that staff recommends approval. Council asked questions, with Godbey responding. 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. Peterson made a motion to approve Resolution #2023-23, with Lucas seconding and all Council Members voting aye.

Resolution #2023-24 Granting a Permit to Nixa Public Schools to Authorize the Display of Fireworks for the 2023 High School Football Season. Godbey told Council that the resolution would approve fireworks during all of the home football games by AM Pyrotechnics, the same company that provided fireworks last year. Godbey said that the school district had provided a copy of AM Pyrotechnics insurance. Godbey stated that staff recommends approval. Council asked questions, with Godbey and Liles responding. 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. Ogden made a motion to approve Resolution #2023-24, with Peterson seconding and all Council Members voting aye.

Resolution #2023-25 Authorizing the City Administrator to Execute a Contract with Belvins Asphalt Construction Company, Inc. for the Expansion of the Roundabout at the Intersection of Gregg Road and Northview Road and for the Expansion of a Portion of Northveiw Road. Roussell stated that this resolution is for two (2) CIP projects. Roussell told Council the Roundabout expansion will help with traffic deflection, and the Northview widening will allow for a turn lane and sidewalk connectivity. Roussell said the projects were bid on in conjunction to allow for a better bid response. Roussell stated that the lowest bid for the project was \$734,083.53, and 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 resolution. Lucas made a motion to approve Resolution #2023-25, with Graham seconding and all Council Members voting aye.

Resolution #2023-26 Authorizing the City Administrator to Apply for and Accept Grant Funding Provided by the Missouri Department of Social Services. Campbell told Council ARPA funds had been made available to address crimes against children. Campbell stated that the Police Department has identified six (6) items to help with investigations in this area for \$46,616.90. Campbell said the grant is 100% funded grant. Campbell told Council that the Police Department has a willingness to share the resources with partnering agencies. Council asked questions, with Campbell responding. 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. Graham made a motion to approve Resolution #2023-26, with Ogden seconding and all Council Members voting aye.

Mayor and Council Member Reports:

Mayor Giddens stated he appreciates staff's work on finding grants. Mayor Giddens discussed the electric vehicle grant approved in Resolution #2023-22.

Lucas asked questions about fireworks and the 4th of July. Liles provided information on the City Code update from 2022. A discussion followed. Council gave direction to bring back an ordinance to update the City Code to allow for fireworks on July 3rd and 4th.

Liles provided an RBI Board update.

Adjournment:

Mayor Giddens called for a motion to adjourn the meeting. Lucas made a motion to adjourn at 8:04 p.m. with Ogden seconding and all Council Members voting aye.

Mayor

City Clerk

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

NIXA CITY HALL

May 22nd, 2023 7:00 P.M.

The regular meeting of the Nixa City Council was called to order by Mayor Jarad Giddens. Attending were Council Members Kelly Morris, Matt Ogden, Shawn Lucas, Aron Peterson, Darlene Graham, and Zern Vess.

The Pledge of Allegiance was given.

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 Graham seconding and Ogden, Lucas, Peterson, Graham, Vess, and Morris voting aye on roll call vote.

Service Awards:

Mayor Giddens recognized Lucas Howard for his five (5) years of service to the City. Howard was not in attendance. Doug Colvin, Assistant City Administrator, and Public Works Director, stated that Howard started in 2018 as a part of the building and grounds maintenance crew. Colvin said that Howard moved to his current position as a utility worker in 2022. Colvin stated that Howard was a hard worker and willing to help other departments.

Mayor Giddens recognized AJ Caraway for his 10 years of service to the City. Jason Stutesmun, Water Superintendent, stated that Caraway started in the Street Department as a mower and moved over to the Water Department five (5) years ago. Stutesmun said that Caraway has his A Operator's License. Stutesmun told Council that Caraway is a hard worker and a credit to the City.

Mayor Giddens recognized Craig Trantham for his 25 years of service to the City. Stutesmun said that Trantham started in the Recycling Center and has worked in the Wastewater Treatment Plant for 15 years. Stutesmun stated that Trantham takes care of well testing and is a hard worker.

Mayor Giddens recognized Joe Ripple for his 25 years of service to the City. Ripple was not in attendance. Scott Godbey, Planning and Development Director, stated that Ripple spent seven (7) years with the Water Department before transferring to Planning and Development. Godbey said the Ripple is a wealth of knowledge and is valuable to the City.

Visitors:

None.

Emergency Ordinance (First Reading and Public Hearing; Comments Limited to 5 Minutes; Council Vote Anticipated):

Council Bill #2023-24 Amending the 2023 Annual budget to Appropriate Funds for the Purchase of a Replacement Pool Pump; and Declaring an Emergency Pursuant to Section 3.11 (F) of the City Charter. Matt Crouse, Parks Director, stated that the main pool pump was scheduled for routine maintenance this year. Crouse said that during this maintenance, the company had to stop their work due to too much deterioration to continue with the cleaning. Crouse discussed the main circulation pump and what it does for the pool. Crouse told Council it would cost \$17,500 to replace the pool pump. Council asked questions, with Crouse responding. Crouse discussed the additional issues with leakage at the pool and the amount of water being lost. Crouse stated that there may have to be a delay in opening the pool. Council asked additional questions, with Crouse responding. 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. Peterson made a motion to approve Council Bill #2023-24 with Graham seconding and Lucas, Peterson, Graham, Vess, Morris, and Ogden voting aye on roll call vote.

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

Council Bill #2023-25 Amending Section 16-200 of the Nixa City Code to Authorize the Discharge of Fireworks within the City Limits on July 3rd. Cindy Robbins, Assistant City Administrator, stated at the May 8th Council Meeting that Council directed staff to bring an amendment to the fireworks City Code. Robbins discussed the previous code and amendments made to that code. Robbins stated that the update presented in this council bill would allow for fireworks 3rd and 4th every year. Robbins said that fireworks would still be prohibited during burn bans. Mayor Giddens opened the public hearing for comments, with no comments made, the public hearing was closed.

Council Bill #2023-26 Amending the 2023 Annual Budget to Appropriate Funds to Hire Two Additional Police Officers Beginning July 1, 2023. Joe Campbell, Police Chief, stated that the citizens of Nixa passed a sales tax initiative in April for public safety. Campbell said that at the request of the Mayor and Council, he is bringing this budget amendment to hire two (2) additional officers mid-year. Campbell stated it would cost \$90,000 to fund the positions and discussed the breakdown of the \$90,000. Campbell said that due to a vehicle shortage, a vehicle had not been budgeted for at this time. Council asked questions, with Campbell responding and providing additional information. Mayor Giddens opened the public hearing for comments, with no comments made, the public hearing was closed.

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

Council Bill #2023-23 Declaring the Necessity of Acquiring by Condemnation Certain Property Rights, Over, Under, and Through Certain Property for the Purpose of Constructing and Maintaining Storm Water Infrastructure as Part of the Cherry Street Stormwater Project; and Authorizing Certain City Officials to do All Things Necessary or Convenient to Carry Out the Terms and Intent of this Ordinance. Doug Colvin, Assistant City Administrator, and Public

Works Director, stated that this council bill would give authorization to proceed with condemnation, if necessary, for a drainage easement at 308 N. Missouri. Colvin said the Cherry Street project would help with stormwater runoff and discussed the project's current phase. Colvin told Council that the property owner at 308 N. Missouri had been non-responsive until recently; however, contact had been made, and an agreement was reached last week. Colvin asked Council to pass the council bill in case communications cease again with the property owner. Council asked questions, with Colvin and Nick Woodman, City Attorney, responding. 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 #2023-23, with Vess seconding and Peterson, Graham, Vess, Morris, Ogden, and Lucas voting aye on roll call vote.

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

Resolution #2023-27 Accepting the Bid of Robinson Fence Company for the Tree Farm Fence Project and Authorizing the City Administrator to Execute a Contract for Same. Colvin stated that the tree farm is a CIP project for 2023. Colvin provided information on tree vouchers given to citizens if a tree was trimmed or removed from their property. Colvin stated that the idea behind the tree farm is to provide trees instead of a voucher. Colvin said the project would place a 100x100 foot tree farm with a six-foot (6ft) tall fence around the farm. Colvin discussed the trees that would be offered. Colvin stated that four (4) responses were received to the bid, and the lowest was \$11,200. 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. Peterson made a motion to approve Resolution #2023-27 with Lucas seconding and all Council Members voting aye.

Resolution #2023-28 Authorizing the City Administrator to Apply for and Accept a Coalition for Roadway Safety Grant Provided by the Missouri Department of Transportation to Assist with Highway Safety Initiatives. Campbell told Council that the MoDOT grant was being offered through the Coalition for Roadway Safety. Campbell stated that this grant is non-matching. Campbell said that normally the Police Department uses this grant to get equipment or signage; however, this year, the Police Department wanted to try to fund educational aspects for children on highway safety. Campbell stated the total requested amount was \$4,359.60 to be able to buy items in bulk. 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. Graham made a motion to approve Resolution #2023-28 with Lucas seconding and all Council Members voting aye.

Resolution #2023-29 Accepting the Bid of Hamby Construction LLC for the Construction of a Police Firing Range Building and Authorizing the City Administrator to Execute a Contract for the Same. Campbell told Council the Police Department is in the second (2nd) phase of the firing range project that, includes the training building. Campbell discussed the project and bid. Campbell stated that the highest bid received was \$553,736.58, and the lowest was \$345,328.13. Campbell said the City was going to select the co-op contract to save money at a bid of \$269,818.42. Campbell stated that the construction would begin in June. Council asked

questions, with Campbell responding. 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. Ogden made a motion to approve Resolution #2023-29, with Vess seconding and all Council Members voting aye.

Resolution #2023-30 Authorizing the Sale or Distribution of Alcohol on City Property for the Rotary Club of Nixa's 2023 Party in the Park Special Event. Godbey told Council this is the third (3rd) annual Party in the Park special event to be held June 3rd at McCauley Park. Godbey stated that this event benefits the Christian County 100 Club. Godbey discussed code requirements from section 16-325. Godbey stated a map of the proposed location for alcohol sales was provided with the resolution. Godbey said 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 resolution. Lucas made a motion to approve Resolution #2023-30 with Morris seconding and Morris, Ogden, Lucas, Peterson, and Vess voting aye, and Graham voting nay.

Mayor and Council Member Reports:

Giddens discussed Republic Services. Liles provided additional information about missed trash pick-ups and updates from Republic Services. Council asked questions, with Liles responding.

Adjournment to Closed Session:

Peterson made a motion to adjourn to closed session pursuant to section 610.021(1) RSMo in which the Council will discuss legal actions, causes of action, and confidential and privileged communications with their attorney, Lucas seconded and Graham, Vess, Morris, Ogden, Lucas, and Peterson voting aye on roll call vote.

The Council Meeting will stand adjourned at the conclusion of the closed session.

Mayor

City Clerk