

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

NIXA CITY HALL

October 10th, 2023 6:00 P.M.

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

The Pledge of Allegiance was given.

Mayor Giddens was presented a trophy for winning the “Backyard Brawl” Mayor’s Blood Drive Challenge.

Budget Draft Presentation:

Jennifer Evans, Finance Director, presented changes that were made to the operational and revenue budgets since the last budget meeting in September.

Evans discussed the **Personnel Budget**. Jimmy Liles, City Administrator, provided information on the compensation study. According to the study, Liles told Council that 30% of employees are behind in compensation, and 70% are close to where they should be. Liles stated that staff is still looking into an additional COLA raise for all employees. Evans discussed the additional budgeted positions in the following departments: Electric, Wastewater, Streets, Administration, Parks, and Public Works. Matt Crouse, Parks Director, provided information on the requested administrative assistant for the Parks Department. Liles discussed the Public Works executive assistant and project manager positions. Council asked questions, with Liles responding. Evans discussed the unfunded positions from the following departments: Communications, Legal, and Police. Liles discussed the unfunded positions within the Police Department, and Joe Campbell, Police Chief, provided additional information. Council asked questions, with Campbell responding. Liles provided information on the Police Department expansion. Council asked questions about the unfunded Communications Department position, with Liles responding. Council discussed a video producer position. Drew Douglas, Communications Director, discussed the Communications Department. Liles discussed the unfunded Assistant Attorney position in the Legal Department, and Nick Woodman, City Attorney, provided additional information. Evans compared the 2023 personnel budget to the proposed 2024 personnel budget. Evans said the 2024 budget will increase by \$1,391,265 or 9.75%. Evans stated that health insurance had no increase, and Lile provided additional information on employee health insurance. Council asked questions, with Evans responding.

Evans discussed the **Capital Projects**. Evans said at the first budget meeting that staff had requested a total of \$27,694,032 in capital projects, after cuts were made, staff is now requesting \$18,332,236 in capital projects.

Evans stated that most of the unfunded projects for 2024 were moved into subsequent years. Evans told Council the Electric department moved \$1,955,000 worth of projects to 2025, the Water and Wastewater Departments moved no projects to 2025, Administration moved \$250,000

worth of projects to 2025, the Police Department moved \$483,641 worth of projects to 2025, the Parks Department moved all but two (2) of their projects to 2025, and Planning and Development moved no projects to 2025. Liles provided information on the City Hall remodel project. Evans said the Street Department moved \$185,000 worth of projects to 2025 and added \$30,000 to the 2024 project list for new mowers. Liles provided additional information on the CIP projects. Council asked questions, with Jason Stutesman, Water Superintendent, responding.

Evans discussed **Operations as a Percentage of Revenue**. Evans said the operations as a percentage of revenue for the General Fund is 97%, Street Department is 52.34%, Electric Department is 98.29%, Water Department is 82.12%, and Wastewater is 76.78%. Liles provided information on the operations as a percentage of revenue in the General Fund.

Mayor Giddens called for a 10-minute break at 6:50 p.m. The meeting was called back to order at 7:03 p.m.

Visitors:

No visitors spoke.

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

Council Bill #2023-45 Amending Several Sections of the Nixa City Code for the Purpose of Consolidating and Modifying Provisions Related to the City's Fees. Woodman told Council this council bill would establish a fee ordinance. Woodman discussed user fees and other city fees currently scattered through code or in uncodified ordinances. Woodman said this council bill would consolidate fees into code section 2-151. Woodman stated that this code section would be a central reference point for staff and citizens. Woodman said that staff recommends approval. 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 #2023-43 Authorizing the Mayor to Execute a Missouri Highways and Transportation Commission Transportation Enhancement Funds Program Agreement for the Cheyenne Road Multi-Use Path Project. Jeff Roussell, Streets Superintendent, told Council this bill has two (2) different components. Roussell said the first (1st) component is the program agreement. Roussell stated that this program agreement references the reimbursable project for the Cheyenne Valley Multi-Use Path. Roussell said the City's portion of that project is \$176,191. Roussell told Council the second (2nd) portion of this bill is the budget amendment for the project. Roussell stated that even though this project is reimbursable, and the City's portion is only \$176,191, the City still has to have the full amount available to qualify for the reimbursement. Roussell said ARPA funds will be used for this project. Council asked 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 council bill. Ogden made a motion to approve Council Bill #2023-43 with Vess seconding and Ogden, Lucas, Peterson, Graham, and Vess voting aye on roll call.

Council Bill #2023-44 Amending Chapter 107 of the Nixa City Code for the Purpose of Updating the City's Regulations Related to Floodplain Management. Scott Godbey, Planning and Development Director, told Council the City participates in the National Flood Insurance Program. Godbey stated that the City has to update the FEMA floodplain management plan. Godbey discussed flood insurance rate maps. Godbey said the changes being made are the minimum language needed to continue participating in the National Flood Insurance Program. Godbey stated that most of the language came from a draft ordinance the State Emergency Management Agency provided. Godbey told Council another change that is being made is to allow any qualified person to be the floodplain administrator, and the City Administrator will select that person based on qualifications. Godbey said that staff recommends 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. Lucas made a motion to approve Council Bill #2023-44, with Peterson seconding and Lucas, Peterson, Graham, Vess, and Ogden voting aye on roll call.

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

Resolution #2023-51 Authorizing the Issuance of a Beautification Façade Grant for Proposed Improvements at 108 East Mount Vernon Street. Godbey told Council this façade grant would be for work being done at 108 East Mount Vernon Street. Godbey reminded Council that the grant only applies to work that is being done on the outside of the building. Godbey stated that the applicant supplied the City with three (3) bids, and the lowest bid was \$16,020. Godbey said the building is currently vacant, and if it is not occupied within three (3) months of the work being completed, then the money would be refunded back to the City. Godbey stated that no one approached the Planning and Zoning Commission about this item. Godbey told Council that the Planning and Zoning Commission didn't determine a dollar amount the applicant was eligible to receive. Godbey stated that the applicant is eligible for the full \$7,500. Godbey said that staff recommends approval. Council asked questions, with Godbey responding and Woodman providing additional information. Council held a discussion. Council gave direction for Godbey to look at occupancy requirements for this grant. Mayor Giddens opened the public hearing for comments.

Tristin Jackson, Property Owner, and Applicant, discussed his excitement about the project. Jackson provided a timeline for the project and getting a tenant in the building. Council asked questions, with Jackson responding.

With no further comments, the public hearing was closed. Council asked questions about funding amounts, with Evans responding. Mayor Giddens called for a motion to approve the resolution. Lucas made a motion to approve Resolution #2023-51, with Graham seconding and all Council Members voting aye.

Mayor and Council Member Reports:

Liles provided information on the State of the Community Event on October 24th.

Mayor Giddens discussed liaison reports. Mayor Giddens provided information on the “Can the Tigers” food drive for Least of These on October 20th.

Crouse told Council that Spooktacular will be October 27th at McCauley Park from 5:30 p.m. to 8:30 p.m. Crouse said the Mayor’s Tree Lighting will be December 1st at 6:00 p.m. and the Christmas Parade will be December 3rd at 2:00 p.m.

Adjournment:

With no further business, Mayor Giddens adjourned the meeting at 7:32 p.m.

Mayor

City Clerk

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

NIXA CITY HALL

October 23rd, 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 Jesse Brooks for his five (5) years of service to the City. Brooks was not in attendance. Joe Campbell, Police Chief, stated that Brooks was a patrol corporal in the operations division. Campbell said that Brooks has received the Springfield Business Journal's 40 under 40 award. Campbell stated that Brooks was hard-working and looked forward to the future.

Budget Draft Presentation:

Jennifer Evans, Finance Director, presented changes made to the 2024 budget. Evans discussed **Revenues**. Evans stated that the projected sales tax revenue was reduced from four percent (4%) to two percent (2%) over actuals. Evans said that interfund services were adjusted to reflect personnel changes. Evans discussed **Expenses**. Evans told Council that the assistant attorney position was added to the budget for an additional \$87,587.50. Evans said operations added \$40,000 for videographer services and expenses associated with additional staff positions. Evans stated that the debt increased by \$538,325 to pay off the PBC lease. Evans told Council transfers was adjusted for interfund services due to personnel additions. Evans said capital increased with the addition and allocation of the City Hall remodel. Jimmy Liles, City Administrator, discussed the City Hall remodel. Liles presented Council with the remodel blueprints. Liles reminded Council that this remodel is to accommodate Utility Billing into City Hall so the current Utility Billing building can be demolished to make room for the new Police station. Liles noted that staff is growing and needs more office space, and the Council Chambers need additional space to accommodate the public. Liles discussed the three (3) remodel packages and add-on options and the associated costs. Evans stated the operation as a percentage of revenue for the General Fund is 98.31%, the Street Department is 52.73%, the Water Department is 80.09%, the Electric Department is 98.65%, and the Wastewater Department is 77.98%. Liles provided additional information on the operations as a percentage of revenue. Council asked questions, with Liles responding.

Visitors:

Ron Sanders, 976 Glen Oaks Dr., discussed the government and its effect on people.

Barbara Fleming, 907 Yellowstone St., discussed the apartments being built near Eagle Park and the original developer's plan for the development. Fleming said she attended the Planning and Zoning Commission meeting. Mayor Giddens responded to Fleming's comments. Scott Godbey, Planning and Development Director, provided additional information on the development. Fleming discussed her traffic concerns.

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

Emergency Council Bill #2023-46 Amending the 2023 Annual Budget to Appropriate Funds for Engineering Services Related to the Acquisition of a Certain Drainage Easement; and Declaring an Emergency Pursuant to Section 3.11(F) of the City Charter. Nick Woodman, City Attorney, stated that this emergency council bill and easement are needed for litigation defense purposes. Woodman told Council the City tried to obtain the public drainage easement voluntarily but has been unable to do so at this time. Woodman stated that staff is beginning to explore the condemnation process, and engineering services are needed to start that process. Woodman said this council bill is being declared an emergency due to the ongoing litigation. Woodman stated that staff recommended 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 Emergency Council Bill #2023-46, with Vess seconding and Lucas, Peterson, Graham, Vess, Morris, and Ogden voting aye on roll call vote.

Emergency Council Bill #2023-47 Amending Section 107-103 of the Nixa City Code for the Purpose of Updating the City's Regulations Related to Floodplain Management; and Declaring an Emergency Pursuant to Section 3.11(F) of the City Charter. Godbey told Council the floodplain management ordinance was updated at the last meeting. Godbey said a section of the code discussing floodway management was inadvertently stricken. Godbey stated that when the ordinance was provided to the State NFIP Coordinator, they stated that the stricken portion would make the ordinance noncompliant with FEMA requirements. Godbey said the ordinance passed at the last meeting was provided to the NFIP Coordinator without any comments until after it had passed.

Godbey told Council that this council bill is considered an emergency due to having the updated bill to the State before the FIRM panels are effective on November 6th. Godbey said that if we don't meet that deadline of November 6th, citizens wouldn't be able to renew their flood insurance. Godbey stated that staff recommends 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 emergency council bill. Lucas made a motion to approve Emergency Council Bill #2023-47, with Peterson seconding and Peterson, Graham, Vess, Moris, Ogden, and Lucas voting aye on roll call vote.

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

Council Bill #2023-45 Amending Several Sections of the Nixa City Code for the Purpose of Consolidating and Modifying Provisions Related to the City's Fees. Woodman told Council this bill was first read at the meeting on October 10th. Woodman said this bill would consolidate user fees into one (1) section of the City Code, making it easier for staff and citizens to access. Woodman stated that staff recommends approval. Mayor Giddens thanked Woodman for his work on this bill. 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 #2023-45 with Morris seconding and Graham, Vess, Morris, Ogden, Lucas, and Peterson voting aye on roll call vote.

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

Resolution #2023-52 Authorizing the City Administrator to Solicit Proposals for New SCADA Infrastructure at City Water Well Sites. Travis Cossey, Assistant Public Works Director, told Council this bill would authorize posting RFP documents for the existing SCADA program. Cossey said this RFP project was included as a 2023 CIP project. Cossey stated that the current SCADA system is over 20 years old, and the RDE and Tuscan Hills systems are unmonitored. Cossey told Council the new SCADA system would monitor 12 wells and 11 towers between the City, RDE, and Tuscan Hills systems. Cossey stated that due to the project's complexity, Olsson & Associates was hired to help prepare the bid specifications. Cossey said the RFP documents would be posted in the morning if the resolution was approved. Cossey stated there would be a pre-contract meeting for the project on November 9th. Council asked questions, with Cossey responding. Cossey explained what the SCADA system does for the City. 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 #2023-52, with Graham seconding and all Council Members voting aye.

Mayor and Council Reports:

Katie Buford, Assistant Parks Director, told Council that Spooktacular would be Friday, October 27th, at McCauley Park from 5:30 p.m. – 8:30 p.m.

Mayor Giddens stated that Nixa beat Ozark at the Backyard Brawl at both football and the food drive.

Liles reminded Council that the State of the Community would be the following night.

Peterson stated that Drug Take Back Day would be Saturday, October 28th, at CVS pharmacy from 10:00 a.m. to 2 p.m. Peterson said the Veterans Day Ceremony would be on November 4th at 9 a.m. at the XCenter.

Graham said Creepin' at the Crossroads would be on Saturday, October 28th, from 4 p.m. to 10 p.m. in Downtown.

Cindy Robbins, Assistant City Administrator, stated there would be 1,000 yard flags available to pick up at the XCenter to honor veterans.

Closed Session:

Peterson made a motion to go to closed session pursuant to section 610.021(1) (3) & (13) RSMo in which the Council will discuss legal actions, causes of action, and confidential and privileged communications with their attorney and discuss the hiring, firing, disciplining, or promotion of 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 with Lucas seconding and Vess, Morris, Ogden, Lucas, Peterson, and Graham voting aye on roll call vote.

Adjournment:

This meeting will be considered closed at the conclusion of the closed session.

Mayor

City Clerk