



## **RE: DECLARING THE RESULTS OF THE APRIL 4, 2023 GENERAL MUNICIPAL ELECTION**

### **Background:**

According to Section 9.3 of the Charter, the City Council is required to declare the results of all municipal elections. Council is required to declare those results at the next regularly scheduled City Council meeting after the election authority has certified the election results.

The Christian County Clerk, the election authority for Christian County and the City, has provided the certification of the election to the City.

### **Analysis:**

Now that the City is in receipt of the certified election results, the Council is required by Charter to declare those results. The individuals who received the most votes are required to be sworn into office.

### **Recommendation:**

Staff recommends approval of the resolution due to the Charter requirement that Council declare the results of the election.

### **MEMO SUBMITTED BY:**

**Rebekka Coffey** | City Clerk

rcoffey@nixa.com | 417-725-3785

**RESOLUTION NO. 2023-18**

**A RESOLUTION OF THE COUNCIL OF THE CITY OF NIXA DECLARING THE RESULTS OF THE APRIL 4, 2023, GENERAL MUNICIPAL ELECTION.**

**WHEREAS** a Municipal Election was held within the City of Nixa on April 4, 2023; and

**WHEREAS** the official returns of said election have been certified by the Christian County Clerk and provided to the City, said certification is attached hereto as "Resolution Exhibit A;" and

**WHEREAS** Section 9.3 of the City Charter requires the City Council to declare the results of any municipal election following certification of said election at the next regularly scheduled Council meeting; and

**WHEREAS** to comply with the requirements of the City Charter and State Law, the City Council desires to declare the results of said election.

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

**SECTION 1:** The election herein referred to has been found to have been held in all respects as required by the laws of the State of Missouri and the City of Nixa, at designated voting places, that all qualified electors of the City and no others were permitted to vote, and that the results of the elections are found and declared as follows:

Mayor – Three Year Term

Jarad Giddens – Number of Votes – 2,761

Council Member District I – Three Year Term

Matthew Ogden – Number of Votes – 986

Council Member District I – One Year Term

Zern Vess – Number of Votes – 976

Council Member District III – Three Year Term

Darlene Graham – Number of Votes – 472

Robert Aven – Number of Votes – 338

Council Member District III – Two Year Term

Kelly Morris – Number of Votes – 429

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47 Seth Balogh – Number of Votes – 304

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49 Proposition 1

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51 Yes – Number of Votes – 2,599

52 No – Number of Votes – 1,001

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54 Proposition 2

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56 Yes – Number of Votes – 2,077

57 No – Number of Votes – 1,272

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59 Proposition 3

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61 Yes – Number of Votes – 2,215

62 No – Number of Votes – 1,272

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64 Question

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66 Yes – Number of Votes – 2,220

67 No – Number of Votes – 1,484

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69 **SECTION 2:** Attached and incorporated hereto as “Resolution Exhibit A” is the full,  
70 true, and correct copy of the election certification for the April 4, 2023, election as provided  
71 by the Christian County Clerk. Said certification is the final certification of said election  
72 results and constitutes the official returns pursuant to Section 115.507, RSMo.

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74 **SECTION 3:** It is accordingly found and declared that the candidates receiving the  
75 most votes are hereby elected to their respective offices and shall be inducted into their  
76 respective offices. Additionally, it is accordingly found and declared that the Propositions  
77 and Question submitted to the qualified voters referenced herein did receive the required  
78 majority for adoption.

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80 **SECTION 4:** This Resolution shall be in full force and effect from and after its final  
81 passage by the City Council and after its approval by the Mayor, subject to the provisions  
82 of section 3.11(g) of the City Charter.

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85 **ADOPTED BY THE COUNCIL THIS 24<sup>th</sup> DAY OF April 2023.**

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PRESIDING OFFICER

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ATTEST:

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CITY CLERK

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93 **APPROVED BY THE MAYOR THIS 24<sup>th</sup> DAY OF JUNE 2023.**

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ATTEST:

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MAYOR

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CITY CLERK

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101 APPROVED AS TO FORM:

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CITY ATTORNEY

**RESOLUTION EXHIBIT A**

**CERTIFICATION OF ELECTION RESULTS  
BY CHRISTIAN COUNTY CLERK**

To: Bekka Coffey, City Clerk of the City of Nixa, Christian County, Missouri.

The following is the Official Certificate of Election Results of the General Municipal Election held on April 4, 2023, in Christian County, Missouri, and certified on April 7, 2023.

I, Paula Brumfield, Christian County Clerk, do hereby certify the election returns for the City of Nixa, Christian County, Missouri.

**MAYOR  
THREE YEAR TERM**

JARAD GIDDENS 2,761 VOTES CAST

**FOR COUNCIL MEMBER DISTRICT I  
FOR THREE YEAR TERM**

MATTHEW OGDEN 986 VOTES CAST

**FOR COUNCIL MEMBER DISTRICT I  
FOR ONE YEAR TERM**

ZERN VESS 976 VOTES CAST

**FOR COUNCIL MEMBER DISTRICT III  
FOR THREE YEAR TERM  
VOTE FOR ONE**

DARLENE GRAHAM 472 VOTES CAST  
ROBERT AVEN 338 VOTES CAST

**FOR COUNCIL MEMBER DISTRICT III  
FOR TWO YEAR TERM  
VOTE FOR ONE**

KELLY MORRIS 429 VOTES CAST  
SETH BALOGH 304 VOTES CAST

**PROPOSITION 1**

Shall Section 3.7 of the Nixa City Charter be amended as set forth in Ordinance No. 2285 to grant the City Council the power to remove elected officers from office when the officer has been charged with conduct constituting grounds for forfeiture of office?

YES 2,599 VOTES CAST

NO 1,001 VOTES CAST

**PROPOSITION 2**

Shall Article VI and Section 15.2 of the Nixa City Charter be amended as set forth in Ordinance No. 2285 to modify said provisions to account for changes to Missouri law regarding Municipal Courts by: (1) modifying Article VI to authorize the Council to establish a Municipal Court or elect to have ordinance violation heard by a Circuit Judge; (2) require the Council to review the decision to have a Circuit Judge hear ordinance violations every four years; (3) authorize the position of an elected chief Municipal Judge, who shall be the presiding judge of the Municipal Court; (4) allow for the Council to establish elected Associate Judges; (5) include incapacitation as grounds for vacancy in the office of Municipal Judge; (6) authorize the Council to appoint substitute judges to act in the absence or conflict of interest in a Municipal Judge; (7) provide an applicability clause for Section 6.2 of the Charter; (8) remove Section 6.3 in its entirety; and (9) remove section 15.2(d) in its entirety?

YES 2,077 VOTES CAST

NO 1,272 VOTES CAST

**PROPOSITION 3**

Shall Section 10.3 of the Nixa City Charter be amended as set forth in Ordinance No. 2285 to modify section 10.3(a)iii to require recall petitions to receive signatures from 10% of qualified voters registered to vote in the last election for such office instead of 10% of total votes cast in the last election for such office and remove unconstitutional language in section 10.3 (c) regarding the voting and residency status of circulators?

YES 2,215 VOTES CAST

NO 1,272 VOTES CAST

**QUESTION**

Shall the City of Nixa, Missouri, impose a city general sales tax of three-fourths of one percent (3/4%) to fund public safety?

YES 2,220 VOTES CAST

NO 1,484 VOTES CAST

**CERTIFICATION OF ELECTION RESULTS**

I, Paula Brumfield, County Clerk/Election Authority of Christian County, Missouri, do hereby certify that the foregoing is a full and accurate return of all votes cast at the above-named polling place for all CANDIDATES and FOR and AGAINST all propositions at said election as certified to me by the duly qualified and acting judges of said election.

  
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County Clerk/Election Authority

Christian County Missouri

