

A RESOLUTION OF THE NIXA CITY COUNCIL AUTHORIZING THE SELL OR DISTRIBUTION OF BEER AND WINE FOR THE 2023 NIXA SUCKER DAYS MULTI-DAY SPECIAL EVENT

Background:

Section 16-325 of the Nixa City Code requires that any special event that extends across multiple days or involves the sale or distribution of fermented malt beverages (beer) or wine, must first receive authorization from the City Council.

Analysis:

The 2023 Nixa Sucker Days is scheduled for May 19th – May 21st and is planned to involve the use of public property for the temporary sale/distribution of beer and wine during the event. The specific location identified for the consumption of alcohol is the city-owned and maintained parking lot shown on the map enclosed with this exhibit and incorporated into the resolution by reference.

Section 16-325 provides for several conditions that must be satisfied for the sale or distribution of alcohol for special events, including:

1. The applicant must obtain the appropriate permits or licenses from the Missouri Department of Liquor Control.
2. The applicant shall receive a special event permit from the Planning and Development Department prior to the event.
3. The person whose name is on the application shall be present at the special event throughout the event.
4. A designated, fenced area shall be provided with one entrance and one exit. The applicant shall man the facility with adult security personnel who will be responsible for verifying, with proper identification, any patron's legal drinking age.
5. No person who is under or appears to be under the influence of alcohol consumption shall be sold or provided with additional beer or wine.
6. The organizer of the event shall provide enhanced security (auxiliary police, contracted security, or of like-kind personnel) at the expense of the organizer during the event.
7. Beer or wine shall not be distributed or sold after 10:30pm and no alcohol shall be left on the premises after the event closes.

8. The designated area, along with all distribution equipment used for the sale and distribution of beer or wine shall be removed from the facility by noon the following day.

The resolution accompanying this exhibit restates these codified requirements as conditions of the resolution that must be satisfied prior to the commencement of the event or its planned activities.

Recommendation:

The applicant has addressed the requirements of Sec. 16-325 in the information packet for Sucker Days. Staff recommends approval.

MEMO SUBMITTED BY:

Scott Godbey | Director of Planning and Development

sgodbey@nixa.com | 417-725-5850

RESOLUTION NO. 2023-23

A RESOLUTION OF THE COUNCIL OF THE CITY OF NIXA AUTHORIZING THE SALE OR DISTRIBUTION OF ALCOHOL ON CITY PROPERTY AND AUTHORIZING A MULTI-DAY EVENT FOR THE PROPOSED 2023 SUCKER DAYS SPECIAL EVENT.

WHEREAS Chapter 16, Article IX of the Nixa City Code contains the City’s regulations regarding special events; and

WHEREAS said Article authorizes the Director of Planning and Development to issue Special Event Permits under certain terms and conditions; and

WHEREAS Section 16-325 requires City Council’s authorization prior to the issuance of a Special Event Permit for any special event which includes: (1) the selling or distribution of fermented malt beverages on City-owned property or (2) for any multi-day special event; and

WHEREAS it is anticipated that an application for a Special Event Permit will be filed for an event referred to as “2023 Nixa Sucker Days”; and

WHEREAS it is anticipated that said event will include the sale or distribution of fermented malt beverages or wine on City-owned property and that the event will be conducted over the course of multiple days; and

WHEREAS City Council desires to authorize the sale or distribution of alcohol on City-owned property and authorizes the event as a multi-day event, provided that all applicable provisions of the Nixa City Code are complied with.

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

SECTION 1: City Council hereby provides authorization to allow for the sale or distribution of fermented malt beverages or wine upon the City-owned property which comprises the public parking lot generally located at the northeast corner of Main Street and Elm Street and further authorizes a multi-day event, as required by Section 16-325 of the Nixa City Code, for the proposed special event “2023 Nixa Sucker Days,” which is anticipated to occur on May 19, 2023 through May 21, 2023. Said authorization is expressly subject to full compliance with all applicable provisions of the Nixa City Code, including, without limitation, the provisions of Chapter 16, Article IX of the Nixa City Code.

SECTION 2: The City Administrator, or designee, is hereby authorized to do all things necessary or convenient to carry out the terms of this Resolution provided that such actions are consistent with the terms and intent of this Resolution.

SECTION 3: This Resolution shall be in full force and effect from and after its final passage by the City Council and after its approval by the Mayor, subject to the provisions of section 3.11(g) of the City Charter.

RESOLUTION NO. 2023-23

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ADOPTED BY THE COUNCIL THIS 8th DAY OF May, 2023.

ATTEST:

PRESIDING OFFICER

CITY CLERK

APPROVED BY THE MAYOR THIS _____ DAY OF _____, 2023.

ATTEST:

MAYOR

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

SUCKER DAYS 2023

Wednesday 5/17-Monday 5/22 Logistics Requests

Updated 2-21-2023

See Corresponding Map Letter

Sucker Day Beer Garden:

- A) The beer garden will be operated by 4C's Sertoma group in an enclosed area on the parking lot owned by the city at the corner of Main and Elm. There will security for the area will be provided by their team along with one requested Nixa Police patrol officer. We are having a small invitation only VIP party on Thursday from 6-9pm on May 18th. Beer Garden will operate from 1pm-10:30pm on Friday and 12:30pm-10:30pm on Saturday and Sunday 12p-6p.

Live Music:

- B) There will be two stages this year. One stage will be on the parking lot on the corner of Main and Elm. Entertainment will be from 4pm-10:30pm on Friday May 19th. 9a-10:30 pm on Saturday May 21st. The stage will face the west to push the sound towards the commercial and industrial areas of downtown Nixa. Set up will be Friday afternoon and break down will be Saturday night. The music will be a mixture of contemporary, bluegrass, dog show and a talent show.

Gospel Stage and Chairs

- C) This will be on the grass in front of the Faught Administration gym from 4pm-10pm on Friday and 10am to 8pm on Saturday and Sunday 12p-6p run by the Nixa Ministerial Alliance. They will be performing gospel style music. The stage will sit on the private drive of the Nixa Schools and face East. Set up will be Thursday evening and broke down Monday morning by noon.

Live Animals: (farm zone)

- D) There will be a petting zoo and pony rides in the empty private lot across from the Faught Administration Gym. We will have a fenced in area for the animals and waste will be on the grass itself. The petting zoo will be operated by the local Nixa High FFA Chapter.

Security:

Nixa Police: In addition to the FREE booth at Sucker Day, we are requesting a uniformed police officer on location in the entertainment zone Friday night from 7-10pm and on Saturday from 3pm-10pm. Sunday is the cornhole tournament operated by the Citizens Police Academy Alumni Assoc.

Citadel Security will be handling our overnight security both Friday overnight to Saturday morning and Saturday overnight to Sunday. Lt. Fleetwood has already spoken to Justin and it is understood what communication needs to be established.

Emergency Access Roads: Elm Street, Gene Street and the Vinegar Plant driveway.

Nixa Utilities:

We are requesting the help of Nixa Utilities to be on stand-by to assist with power drops and hook up on Thursday to assure safety for vendors and to make sure we protect the power supply from damage if needed.

Parking Lot and Street Closures:

- E) Main Street Parking Lot: Closed Wednesday Night 5/17 after 7:00pm to Monday 5/22 until noon or after the tent is removed. This tent will be the very first tent to come down on Monday morning.
- F) Future Elm St. Parking Lot: Closed Wednesday Night 5/17 after 7:00pm to Sunday 5/21 evening after event. This goal is this will be opened to help with parking for Monday morning business in downtown Nixa.

Closure #1:

- G) All traffic on Main St. South of Hwy 14 to Elm (Elm Remaining Open both ways) starting on Thursday 5/18 at 5pm for rides and some food vendors to be brought in.

Closure #2:

- H) All South Bound Traffic on Main to South Street 5/19 at 6am to Sunday 5/21 evening likely between 8pm-9pm or as soon as the street is clear. NOTE: North bound from South Street will remain open to Elm Street until 12pm before the event starts to allow vendor and some daycare access with proper passes provided by Sucker Day Committee. Residents who live on Main St. North of South will utilize the extended gravel areas in front of their homes to exit southbound all weekend long. We are going to put up special parking tape or cones to identify their access for those specific residents only.

Closure #3:

- I) Glenn Street East bound to Main Street Friday 5/19 at 6am to Sunday 5/21 evening likely between 8pm-9pm or as soon as the street is clear. Local Residents along Glenn will be able to enter and exit off of Water and Meadowlark Streets.

Closure #4:

- J) Elm West Bound Traffic from Water St. No ACCESS Only Exit Friday 5/19 at 6am to Sunday 5/21 evening likely between 8pm-9pm or as soon as the street is clear.

Closure #5:

- K) North Bound Traffic on Main Street from South Street starting as soon as all vendors are in place and after last Nixa Schools students are picked up (around 3pm).

Closure #6:

- L) Gene Street North and South bound to Hwy 14 to Nixa Schools Drive starting 5/19 at 1pm to Sunday 5/21. We will have a person standing and blocking access to Gene Street until we hear from the Vinegar Plant they are done with daily deliveries. VINEGAR PLANT personnel and trucks will have only access.

Safety:

Nixa Fire Protection District will once again maintain Incident Command of Overall Safety. In the event of any major safety circumstances, NFPD will take charge of the event working with Nixa PD.

North Main and Hwy 14 will have concrete barriers in place with access about 12' south to allow for emergency access.

South Main: Requesting City of Nixa equipment to provide security blocking North bound traffic starting Friday as soon as all vendors are in place (3pm or so) to Sunday at 6pm and then we will need to remove for breakdown.

Equipment: Requesting lots of cones, signs, road blockers and whatever else to help secure the closures.

Sanitation and Trash:

BWI will be providing our port-a-pottys this year and will be dumping the units early each morning of the event.

Republic Services will provide trash service with trash containers all throughout the area.

Nixa Sucker Day Parade: The parade will be held again this year on Friday 5/20 starting at 6pm using the approved parade route except for starting at the Nixa Junior high vs the X Center.

