

A RESOLUTION OF THE NIXA CITY COUNCIL AUTHORIZING THE SALE AND DISTRIBUTION OF BEER AND WINE ON CITY PROPERTY FOR THE CREEPIN' AT THE CROSSROADS SPECIAL EVENT

Background:

Creepin' at the Crossroads is an annual Halloween and Fall festival located in downtown Nixa. The event is scheduled for 10/28/2023 from 10am to 10pm. Clearing the event and opening all roads is expected to be completed by 6am on 10/29/2023. The event qualifies as a special event according to the provisions of Section 16-320 of the Nixa City Code and is, therefore, required to obtain a Special Events Permit for the event. The event sponsor is the Nixa Downtown Revitalization Committee.

Section 16-325 of the Nixa City Code requires the City Council to authorize multi-day events and for events that involve the sale or distribution of alcohol on city-owned property.

Analysis:

The special event is planned to involve the sale and distribution of alcohol on city-owned property and is considered a multi-day event because cleanup is expected to extend into the following day. The specific location for the sale and distribution of alcohol is the public parking lot located at the northeast corner of South Main Street and East Elm Street. The applicant is in pursuit of a Picnic Liquor License to be issued by the Missouri Division of Alcohol and Tobacco Control to sell and consume alcohol within the confines of the event. Should the picnic license not be issued by the State, the authorization provided by the resolution shall become void.

The event plan involves the temporary closure of South Main Street and East Elm Street, along with the closing of the public parking lot.

Recommendation:

Staff recommends the authorization of the sale and consumption of alcohol and the authorization of a multi-day event on the condition that all other requirements of Chapter 16 are satisfied and that the Missouri Division of Alcohol and Tobacco Control issues the appropriate license(s) for the event.

MEMO SUBMITTED BY:

Scott Godbey | Director of Planning and Development
sgodbey@nixa.com | 417-725-5850

RESOLUTION NO. 2023-44

1 **A RESOLUTION OF THE COUNCIL OF THE CITY OF NIXA AUTHORIZING THE SALE**
2 **OR DISTRIBUTION OF ALCOHOL ON CITY PROPERTY AND AUTHORIZING A**
3 **MULTI-DAY EVENT FOR THE PROPOSED “CREEPIN’ AT THE CROSSROADS”**
4 **SPECIAL EVENT.**

5 _____
6
7 **WHEREAS** Chapter 16, Article IX of the Nixa City Code contains the City’s
8 regulations regarding special events; and
9

10 **WHEREAS** said Article authorizes the Director of Planning and Development to
11 issue Special Event Permits under certain terms and conditions; and
12

13 **WHEREAS** Section 16-325 requires City Council’s authorization prior to the
14 issuance of a Special Event Permit for any special event which includes: (1) the selling
15 or distribution of fermented malt beverages on City-owned property or (2) for any multi-
16 day special event; and
17

18 **WHEREAS** an application has been filed, which is attached hereto as “Resolution
19 Exhibit A,” for a Special Event Permit for an event referred to as “Creepin’ at the
20 Crossroads”; and
21

22 **WHEREAS** said application states that the special event is to include the sale or
23 distribution of fermented malt beverages or wine on City-owned property and that the
24 event will be conducted over the course of multiple days; and
25

26 **WHEREAS** City Council desires to authorize the sale or distribution of alcohol on
27 City-owned property and authorized the event as a multi-day event, provided that all
28 applicable provisions of the Nixa City Code are complied with.
29

30 **NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF**
31 **NIXA, AS FOLLOWS, THAT:**
32

33 **SECTION 1:** City Council hereby provides authorization to allow for the sale or
34 distribution of fermented malt beverages or wine on City-owned property and
35 authorization for a multi-day event, as required by Section 16-325 of the Nixa City Code,
36 for the proposed special event “Creepin’ at the Crossroads,” said event being more
37 particularly described on the Special Events Permit Application attached hereto, and
38 incorporated herein by this reference, as “Resolution Exhibit A.” Said authorization is
39 expressly subject to full compliance with all applicable provisions of the Nixa City Code,
40 including, without limitation, the provisions of Chapter 16, Article IX of the Nixa City Code.
41

42 **SECTION 2:** The City Administrator, or designee, is hereby authorized to do all
43 things necessary or convenient to carry out the terms of this Resolution provided that
44 such actions are consistent with the terms and intent of this Resolution.
45

RESOLUTION NO. 2023-44

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

49

50 **ADOPTED BY THE COUNCIL THIS 25th DAY OF September, 2023.**

51

ATTEST:

52

53

54

55 _____
PRESIDING OFFICER

56 _____
CITY CLERK

57

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

59

ATTEST:

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61

62

63 _____
MAYOR

64 _____
CITY CLERK

65

66 APPROVED AS TO FORM:

67

CITY ATTORNEY

RESOLUTION EXHIBIT A

SPECIAL EVENTS PERMIT

Applicant Information			
Date of Application 8.28.23	Permit No.		
Applicant Name NDRC			
Mailing Address - Street Name/Number (Applicant) PO Box 1533	City Nixa	State Mo	Zip Code 65714
Applicant Phone Number 417-848-2733	Applicant Email Address crossroads@downtownnixa.com		
Address or location of Special Event (Please submit a map showing location) South of 14 on Main st. to Glenn, East to Water on Elm & city parking lots (see map for road closure request)			
Sponsor Information			
Sponsor Name Mark Anderson			
Mailing Address - Street Name/Number (Applicant) 301 S. West st	City Nixa	State MO	Zip Code 65714
Sponsor Phone 41788482733	Sponsor Email mark@onsideconstruction.com		

- | | | | | |
|--|-----|-------------------------------------|----|-------------------------------------|
| 1. Estimated number of participants. | | 5000 | | |
| 2. Will there be off-premise advertising? | Yes | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> |
| 3. Will there be off-premise vendors? | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> |
| 4. Will there be a live band or sound system, lighting or loud speakers during the event? (If yes, please provide a plan or description for the location of equipment) | Yes | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> |
| 5. Will there be animals present for the event? | Yes | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> |
| 6. Will there be provision for disposal of sanitary waste sewage for the event including toilet facilities, and the disposal of garbage, trash, and refuse? | Yes | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> |
| 7. Will you be serving alcohol? * | Yes | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> |
| 8. Are you going to close the street for the event? ** | Yes | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> |

*Multi-Day events or any event serving or distributing alcohol will require approval from Nixa City Council.

** For events requiring the closure or blockage of any street, alley, or road; or the use of any city-owned property or right of way areas, submission of a liability policy in the amount of one million dollars (\$1,000,000) for any injury to any person, including death, arising out of one incident. The City of Nixa shall be an additional named insure for each of the above-referenced policies and the special event sponsor(s) shall execute a Hold Harmless Agreement indemnifying the City of Nixa.



The cost of City services or equipment that is used for the event will be incurred by the applicant.

Purpose and /or Description of Event
 6th annual Creep'n at the Crossroads Fall Festival... Our event has grown into a fall festival that will include vendors along with our extraordinary trick or treat booths. The event will consist of but not limited to games, contests, live music, beer garden, dog show, dancers, local business promotions and vendors. Actual event open to the public times are 10am-10pm

Start Date & Time 10/28/23 at 6:00am	End Date & Time 10/29/23 at 6:00am
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I hereby certify that the answers and other information on this application are true and correct and I have read and understand the above procedures and requirements as they pertain to City Special Events Regulations and by signing this form, acknowledge compliance with these rules.

Signature of Applicant 	Date
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Printed Name
 Mark Anderson President NTRC

For Office Use Only

Approved **Denied**

City Planner Signature	Date
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Parks Director Signature	Date
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Notes

Police Chief Signature	Date
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Notes

Public Works Director Signature	Date
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Notes

Approved by City Council Resolution Number:	Date
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