

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

NIXA CITY HALL

April 8th, 2024 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.

Mayor Giddens stated that Drew Douglas, Communications Director, has resigned as the City's Communications Director. Mayor Giddens thanked Douglas for all his hard work for the City of Nixa. Jimmy Liles, City Administrator, discussed Douglas's service to the City. Liles thanked Douglas for all the work he had done.

Visitors:

None scheduled.

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

Council Bill #2024-12 Amending Chapter 12, Article IV & Chapter 117, Article IV of the Nixa City Code for the Purpose of Modifying the City's Regulations Related to Garage Sales. Scott Godbey, Planning and Development Director, stated that this amendment will clean up the code. Godbey said in 2022, the City authorized a second (2nd) City Wide Garage Sale during the fourth (4th) weekend in September. Godbey told Council that the code update removes redundancy in Chapter 117 and links the code back to Chapter 12, which references garage sales. Godbey said during the Planning and Zoning Commission meeting that no one approached the Commission about this issue, and the Commission voted six to zero (6-0) to recommend approval. Godbey stated staff also recommends approval. Mayor Giddens opened the public hearing for comments.

Ron Sanders, 976 Glen Oaks Dr., discussed the spring city-wide garage sale dates being on Mother's Day. Liles responded to Sander's comments.

With no further comments, the public hearing was closed.

Council Bill #2024-13 Amending the 2024 Annual Budget for the Purpose of Funding the Purchase of a Vehicle for the Police Department. Joe Campbell, Police Chief, stated this budget amendment would allow the Police Department to buy a vehicle for the DEA task force officer. Campbell told Council that in March of 2024, there was an opportunity for one of the Nixa police officers to become a DEA task force officer. Campbell stated that the agreement with the DEA says that the City will provide the officer's vehicle. Campbell said leasing this vehicle isn't an option due to the limited vehicle choices. Campbell stated that the Police Department can use

impact fees to purchase the vehicle and that the impact fees needed to be spent this year were \$24,968.74. Campbell said the budget amendment being requested was \$50,000. Campbell discussed the budget amendment and the vehicle purchase. Campbell told Council that the purchased vehicle would be on the same schedule as the leased vehicles. Mayor Giddens opened the public hearing for comments.

Ron Sanders, 976 Glen Oaks Dr., discussed the FBI and other Federal Agencies.

With no further comments, the public hearing was closed.

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

Resolution #2024-18 Authorizing the City Administrator to Execute a Contract with the United States Department of Justice, Drug Enforcement Administration ("DEA") to Authorize the City's Participation in a DEA Taskforce. Campbell stated this contract would allow the Police Department to assign an officer to the DEA task force. Campbell described the goal of the DEA task force. Campbell told the Council that the DEA heads the task force, which is federally funded, and that the task force was administered through the Highway Patrol. Campbell discussed the breakdown of the grant funding for the task force officer. Campbell stated the task force officer would be for three to five (3-5) years but could go longer if the grant funding is available. Campbell said the officer would work out of the Springfield DEA office and that many agencies are involved in this task force. Campbell stated that the City may see a portion of the forfeiture money if the Nixa officer worked on that case. Campbell discussed how this position would impact and help the citizens of Nixa. Council asked questions, with Campbell responding. Liles asked Campbell to provide more information on the plan to backfill the open positions. Campbell provided information on adding additional personnel to fill the vacant position the appointed DEA officer would leave. Council asked additional 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. Lucas made a motion to approve Resolution #2024-18, with Morris seconding and all Council Members voting aye.

Resolution #2024-19 Authorizing the City Administrator to Solicit Qualifications or Engineering Services Related to the Remodel of Nixa City Hall. Justin Orf, Project Facilitator, stated this resolution is for RFQ documents for the architectural and engineering plan for the city hall remodel. Orf said that Council approved \$2.2 million for the remodel in December 2023. Orf told Council that the remodel would move Utility Billing into city hall, which will improve Utility Billing supervision issues. Orf said the remodel would also allow for more office space for new employees, expand the Council chambers, update the parking layout and lighting, and allow for a Utility Billing payment kiosk in the parking lot. Orf stated that staff recommends approval. Council asked questions, with Orf responding. Council held a discussion. 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 #2024-19, with Ogden seconding and all Council Members voting aye.

Resolution #2024-20 Authorizing the City Administrator to Execute a Contract with Southwest Valuation LLC for Property Valuation Services Related to the Main Steet Expansion Project. Jeff Roussell, Street Superintendent, stated this contract would be for getting estimates for acquiring right-of-way and temporary easements for the street expansion project from Tracker to Highway CC. Roussell said that Southwest Valuation is on the preapproved list by MoDOT and provided the City with a \$25,000 quote for the work. Roussell told Council that the City had used Southwest Valuation for previous projects. 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 #2024-20, with Morris seconding and all Council Members voting aye.

Resolution #2024-21 Authorizing the City Administrator to Execute a Contract with Norton Powe Systems, LLC for the Purchase and Installation of Electric Generators for Water Wells 11 & 12. Jason Stutesmun, Water Superintendent, told Council that the RDE and Tuscany Hills water systems have no backup electricity. Stutesmun said that both systems need generators, so when the power goes down, they still have power to pump water to the customers. Stutesmun stated that staff had budgeted \$70,000 for well #11 and \$100,000 for well #12. Stutesmun said the actual costs for the generators would be \$75,790 for well #11 and \$96,220 for well #12. Stutesmun told Council that the money left over from well #12 would go to pay for the overage of well #11, and the remainder would be paid for with a budget amendment. Stutesmun said Norton Power Systems is already under contract with the City for generator maintenance. 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 #2024-21, with Vess seconding and all Council Members voting aye.

Resolution #2024-22 Authorizing the City Administrator to Solicit Qualifications for Engineering Services Related to the Construction of a New Water Tower. Stutesmun stated that the water tower described in this resolution would be built on Ashley Drive in the RDE water system. Stutesmun discussed the current RDE water system water storage. Stutesmun said the water masterplan indicated that a 1-million-gallon water tower was needed. Stutesmun told Council this resolution was for the design of the water tower. 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 #2024-22, with Lucas seconding and all Council Members voting aye.

Resolution #2024-23 Authorizing the City Administrator to Solicit Qualifications for Engineering Services Related to the Construction of New Holding Tank for the City's Wastewater Treatment Plant. Stutesmun told Council that the last sludge basin at the treatment plant was built in 2003. Stutesmun discussed the current holding basin sizes and said the new basin would be 950,000 gallons. Stutesmun said this resolution is for the engineering and design services. Council asked questions, with Stutesmun 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 #2024-23, with Morris seconding and all Council Members voting aye.

Resolution #2024-24 Authorizing the City Administrator to Solicit Proposals for Services Related to the Painting of Water Tower #6 and #7. Stutesmun stated that the current strategic plan stated that the City needs to update the water tower painting and that the City is in the fourth (4th) year of doing these updates. Stutesmun told Council that tower #6 is by Inman School and tower #7 is by Highpoint School. Stutesmun said the process to update the towers would be to wash and clean the tower, then paint them gray. Stutesmun stated that after being painted gray, tower #6 would have the City Utility logo, and tower #7 would have the Nixa Utility logo on one side and the school mascot/eagle on the other side. Council asked questions, with Stutesmun responding. Mayor Giddens opened the public hearing for comments.

Ron Sanders, 976 Glen Oaks Dr., addressed staff.

With no further comments, the public hearing was closed. Mayor Giddens called for a motion to approve the resolution. Lucas made a motion to approve Resolution #2024-24 with Ogden seconding and all Council Members voting aye.

Resolution #2024-25 Authorizing the Sale or Distribution of Alcohol on City Property for the 2024 Nixa Sucker Days Multi-Day Special Event. Godbey stated that section 16-325 allows for multi-day events and events with alcohol sales on city property with Council's approval. Godbey said that Nixa Suckers Days will be on May 17 – 19, 2024. Godbey told Council that the Chamber is requesting a larger beer garden than in previous years. Godbey discussed the City code regarding the City's code on alcohol sales and the beer garden barriers. Godbey provided information on how the Chamber is planning to contain the alcohol within the beer garden. Council held a discussion, and Godbey provided additional information on the beer garden. Mayor Giddens opened the public hearing for comments.

Whitney Guison, Nixa Chamber of Commerce President and CEO, stated kids would be allowed within the beer garden barriers. Guison said the barriers will be a metal gate on the south side of the event. Guison discussed why Sucker Days is wanting to expand the beer garden and why the expanded beer garden area was selected. Council asked questions, with Guison responding. Campbell and Rebekka Coffey, City Clerk, provided additional information.

With no further comments, the public hearing was closed. Mayor Giddens called for a motion to approve the resolution. Lucas made a motion to approve Resolution #2024-25 with Morris seconding and Morris, Lucas, Ogden, Peterson, and Vess voting aye and Graham voting nay.

Resolution #2024-26 Authorizing the Sale or Distribution of Alcohol on City Property for the Rotary Club of Nixa's 2024 Party in the Park Special Event. Godbey stated this event is not a multi-day event; however, it does have alcohol sales on City property. Godbey said this is the fourth (4th) annual event for the Rotary Club. Godbey told Council this event is normally held at McCauley Park; however, this year, it will be at Rotary Park, and the alcohol sales will be within the barrier. Godbey said that staff recommends approval. Council asked questions, with Godbey responding. Matt Crouse, Parks Director, provided additional information on the event. Mayor Giddens called for a motion to approve the resolution. Vess made a motion to approve Resolution #2024-26, with Morris seconding and all Council Members voting aye.

Resolution #2024-27 Ratifying the Execution of a Real Estate Purchase and Sale Agreement for Certain Real Estate Related to the West Regional Collection System. Travis Cossey, Assistant Public Works Director, said that in January Council passed an ordinance to condemn property for the West Regional Lift Station. Cossey stated that even with this ordinance, staff continued negotiating with property owners to acquire the needed property. Cossey told Council that staff had been able to come to an agreement with some of the property owners. Cossey stated that the closing date for the property associated with this resolution would be April 19th. Cossey said that the real estate agreement would be ratified by approving this resolution and that the closing could move forward. 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. Vess made a motion to approve Resolution #2024-27, with Graham seconding and all Council Members voting aye.

Liaison Report:

Mayor Giddens stated that April 18th, from noon to 4:00 p.m., would be a Strategic Plan update at City Hall. Mayor Giddens provided information on Liaison Reports.

Morris said her liaison report would be on Human Resources (HR) and Finance. Morris said the HR department's staff is Amanda Hunsucker, the director, and Christina Matney, the administrative assistant. Morris provided an overview of the HR Department. Morris said the City has 158 full-time employees and 50ish part-time employees. Morris stated that 12 full-time employees have been hired between January and March of this year. Morris said the City added three (3) new positions in 2024. Morris discussed HR's biggest projects in 2024. Morris discussed the Finance Department staff, including Jennifer Evans as Director and Laurie Wilkerson, Jenni Gerhauser, Autumn Manning, Lisa Moore, and Stephanie Ewing as staff. Morris provided an overview of the Finance Department. Morris said that Utility Billing is a part of the Finance Department. Morris discussed the staff members of Utility Billing. Morris stated that the Finance Department created a finance advisory committee to help improve city staff's internal customer service experience. Morris provided information on the awards the Finance Department has won.

Mayor and Council Member Reports:

Crouse discussed the Easter Egg Hunt and said that there were over 1,000 people in attendance. Crouse provided a pool update. Council asked questions about Movies in the Park, with Crouse responding.

Coffey provided an update on the April 2, 2024 election.

Cossey provided an update on the electric outage that occurred on Friday, April 5th. Cossey commended the Electric Department for working hard to keep all the lights on for the City.

Liles said the grand opening for the Fire Department's new Fire Station #1 would be on Sunday, April 14th, at 2:00 p.m. Liles stated that the new Ambulance building for Christian County Ambulance District would be on Wednesday, April 10th, at 11:30 a.m.

Adjournment:

With no further business Mayor Giddens adjourned the meeting at 8:33 p.m.

Mayor

City Clerk

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

NIXA CITY HALL

April 22nd, 2024 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.

Resolution #2024-28 Declaring the Results of the April 2, 2024, General Municipal Election. Rebekka Coffey, City Clerk, told Council it is required by Charter that Council declare election results after the election authority has certified the results. Coffey said the Christian County Clerk had certified the results from the April 2nd, 2024 election, which had been provided to Council. Mayor Giddens opened the public hearing, 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 #2024-28, with Peterson seconding and all Council Members voting aye.

Swear in Newly Elected Council Members:

Coffey swore in newly elected Council Member District 1 Zern Vess and Council Member District 2 Shawn Lucas.

Mayor Pro-Tempore Election:

Mayor Giddens called for a nomination for Mayor Pro-Tempore. Lucas stated he would like to see Peterson as Mayor Pro-Tempore. Graham made a motion to nominate Peterson as Mayor Pro-Tempore with Vess seconding and Ogden, Morris, Lucas, Graham, Peterson, and Vess voting aye on roll call vote. Mayor Giddens thanked Lucas for his work as Mayor Pro-Tempore in 2023.

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

Service Awards:

Mayor Giddens recognized Doug Colvin for his 20 years of service to the City. Jimmy Liles, City Administrator, told Council the Colvin has been instrumental in the City's growth. Liles said that Colvin wears many hats and has helped the City through many hard times and projects.

Liles thanked Colvin for his many years of hard work. Mayor Giddens discussed Colvin's contributions to the City.

Mayor Giddens recognized Linda Galligher for her 20 years of service to the City. Jennifer Evans, Finance Director, said that Galligher has been in many positions during her time with Utility Billing and is currently the Utility Billing Supervisor. Evans stated that Galligher is a steady face of knowledge. Evans told Council that since Galligher took over as Utility Billing Supervisor, there have been many improvements within the department. Evans stated that Galligher genuinely cares about Nixa's customers and that the City is fortunate to have her. Mayor Giddens thanked Galligher for her hard work and said the City is lucky to have her step into the supervisor role.

Presentations:

No presenters were present.

Visitors:

Ron Sanders, 976 Glen Oaks Dr., discussed freedom of association and Title 9. Sanders stated that people judge others based on their friends. Sanders said Nixa has good people.

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

Council Bill #2024-12 Amending Chapter 12, Article IV & Chapter 117, Article IV of the Nixa City Code for the Purpose of Modifying the City's Regulations Related to Garage Sales. Scott Godbey, Planning and Development Director, told Council this was a simple code change. Godbey said in August 2022, City Council approved a second (2nd) city-wide garage sale. Godbey stated that in 2022, Chapter 117 was not changed, and this council bill will link back to Chapter 12, which references garage sales. Godbey said the Planning and Zoning Commission voted unanimously to approve and staff also recommends approval. Council asked questions, with Godbey responding. Nick Woodman, City Attorney, provided additional information. 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. Morris made a motion to approve Council Bill #2024-12 with Vess seconding and Peterson, Morris, Ogden, Lucas, Vess, and Graham voting aye on roll call vote.

Council Bill #2024-13 Amending the 2024 Annual Budget for the Purpose of Funding the Purchase of a Vehicle for the Police Department. Joe Campbell, Police Chief, told Council that in March 2024, the Police Department had the opportunity to assign an officer to the DEA task force. Campbell said the contract with the DEA states that the City has to provide a vehicle for the task force officer. Campbell told Council that this is a partially funded position, however a vehicle is not provided. Campbell said that impact fees would cover the vehicle purchase. Campbell stated that \$24,000 of impact fees had to be spent this year and that \$50,000 had been allocated for the purchase. Campbell said that the Police Department had looked into leasing the vehicle; however, there were no vehicles that would meet their needs. 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. Graham made a motion to approve Council Bill #2024-13 with Lucas seconding and Lucas, Ogden, Vess, Graham, Morris, and Peterson voting aye on roll call vote.

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

Resolution #2024-29 Authorizing the City Administrator to Solicit Proposals for Stump Grinding Services as Part of the City's Vegetation Management Operations. Colvin stated that a resolution for the same services was passed in January 2024; unfortunately, due to the bid specifications, no bids were received. Colvin discussed the insurance requirements that were a part of the January bid documents and the insurance requirements in the bid documents attached to the resolution. Colvin said the updated bid documents do not have the OCPE liability coverage requirements. Council asked questions, with Colvin 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 #2024-29, with Morris seconding and all Council Members voting aye.

Liaison Report:

Mayor Giddens discussed the informational items on the agenda. Lucas stated that his liaison report was on Planning and Development. Lucas said the P&Z group is a fun group that likes to have fun. Lucas said that P&Z is made up of Planning and Development and GIS mapping. Lucas stated Planning and Development's staff was Scott Godbey, Brendan Justing and Lisa Brown. Lucas said the staff members work hard to get a yes for the customers they help. Lucas stated that Planning and Development works on property projects and the new ERP system works great. Lucas told Council that the GIS mapping technician was Travis Carr. Lucas stated that Carr makes sure all the City's maps are online and discussed the types of maps Carr is currently working on. Lucas said there were three (3) building inspectors. Lucas said that the new ERP system is making the inspection process easier. Lucas told Council the Code Enforcement Officer was Nate Hartsell. Lucas discussed nuisance violations and said that Hartsell is working with the Legal Department to overhaul the nuisance code. Lucas told Council that the new Project Facilitator Position doesn't report to the Planning and Zoning Director, but he does help the Planning and Development Department. Lucas stated that the Project Facilitator is Justin Orf. Lucas said that Orf coordinates all third (3rd) party reviews and reviews all commercial projects submitted to Planning and Development. Lucas discussed all of the pending residential and commercial projects.

Mayor and Council Member Reports:

Graham asked about stormwater issues near Becky Circle. Colvin responded to Graham's question. Council held a discussion.

Peterson stated the Drug Take Back Day would be April 27th, 10 a.m. to 2 p.m., at Alps Pharmacy.

Mayor Giddens stated that April 23rd was First Responder Night at the Nixa baseball game located on the field on North Street

Campbell said the Police Department is celebrating 40 years of DARE in 2024. Campbell told Council Officer Forgey had taught 20,000 students in that time. Council held a discussion.

Matt Crouse, Parks Director, gave an update on the pool. Crouse said the project was on track. Couse provided information on the swim programs that would be available this year.

Closed Session:

Peterson made a motion to go to closed session pursuant to section 610.021 (1) & (2) RSMo in which the Council will discuss legal actions, causes of action and confidential and privileged communications with their attorney and the leasing, purchase or sale of real estate by a public governmental body where public knowledge of the transaction might adversely affect the legal consideration therefore with Lucas seconding and Vess, Lucas, Graham, Morris, Peterson, and Ogden voting aye on roll call vote.

Adjournment:

The meeting will be considered adjourned at the end of the closed session.

Mayor

City Clerk