

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

NIXA CITY HALL

February 6th, 2024 7:00 P.M.

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

Mayor Giddens asked the visiting Boy Scout Troop 200 to lead the Pledge of Allegiance.

Mayor Giddens asked to postpone Resolution #2024-03 to the February 19th, 2024, Special Council meeting due to a lack of quorum for that bill. Giddens stated Vess sits on the Chamber board, and Graham works for the Chamber, which means they have to recuse themselves from voting on that item. Lucas made a motion to postpone Resolution #2024-03, with Peterson seconding. Lucas, Peterson, Graham, Vess, and Morris voted aye on roll call vote.

Visitors:

Ron Sanders, 976 Glen Oaks Dr., discussed the importance of the word home and how growth affects the home.

Whitney Guison, President and CEO of Nixa Chamber of Commerce discussed Sucker Days. Guison said that 4C SERTOMA has asked if the beer garden could expand this year and asked Council to consider if expanding alcohol sales at Sucker Days would work. Council asked questions, with Guison responding. Jimmy Liles, City Administrator, provided additional information. Council held a discussion. Council asked Guison if she would provide Council a draft map of the Sucker Days layout.

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

Council Bill #2024-05 Rezoning the Real Property Generally Located at the Northeast Corner of South Highway 160 and West Sunrise Drive from an Office (O) District to a General Commercial (GC) District. Scott Godbey, Planning and Development Director, stated that this rezone was located in the Shady Acres PUD, which was platted in 1994. Godbey discussed the 1994 PUD documents. Godbey stated that the lot up for rezoning was lot 34. Godbey told Council that north of lot 34 was a vacant lot and highway commercial zoning, to the south, was a vacant lot and general commercial zoning, to the east was an office-zoned lot and single-family housing, and to the west was Highway 160. Godbey said that lot 34 was vacant and had all utilities available at good capacity. Godbey stated that the lot was serviced by local road West Sunrise Drive, which features a 60-foot right-of-way corridor and a 40-foot road surface. Godbey told Council that a traffic impact study would not be required on this road due to code section 115-133. Godbey said there was a sidewalk on the south side of Sunrise Drive. Godbey stated that a regional detention basin does not serve the property because the original developers paid a fee in lieu of detention in 1994. Godbey told Council at the Planning and Zoning Commission

meeting concerned citizens addressed the Commission about safety and traffic issues and the fill material that was used to help create the lots. Godbey stated that staff was aware of the fill material that was used to create lot 34 and would require a compaction test. Godbey said that considering all the comments, the Planning and Zoning Commission voted to approve combining lots 33, 35, and 36 into one (1) lot. Godbey stated that the entrance to the combined lots would have to align with South Canyon Lane. Godbey said that the plat for the combined lots would only be recorded if Council approved this council bill. Godbey told Council that the Planning and Zoning Commission voted to approve the rezoning of lot 33. Council asked questions, with Godbey responding. Godbey told Council that Sunrise Drive is a local road, and the city code doesn't require local roads to have a traffic impact study. Godbey stated that the rezoning of the lot conforms to the future land use map. Council asked additional questions, with Godbey responding. Mayor Giddens opened the public hearing.

Kimberly Moyna, 234 Shady Acres Cir., asked Council not to approve the rezoning. Moyna discussed the potential commercial business that would occupy the lots. Moyna discussed her concerns with trash, large trucks, increased speeding on Sunrise Dr., a decrease in property value, a decrease in safety, and an increase in traffic accidents. Moyna stated there was a school bus stop at Sunrise and Canyon.

Cory Collins, 3810 E. Sunshine Springfield, told Council he represented the developer. Collins stated that commercial use of the property was an appropriate use of the zoning. Collins discussed the city code, comprehensive plan, and traffic concerns. Collins said this requested zoning is the highest and best use of the property. Collins read a portion of the neighborhood covenants.

Lin Henderson, 192 Shady Acres Cir., stated she opposed the rezoning. Henderson discussed safety concerns due to the school bus stop near the property.

Maria Anderson, 113 W. Shady Oaks, discussed the Shady Acres covenants. Anderson stated she was proud of her home. Anderson said that if the lots were kept separate there would be less traffic the neighborhood. Anderson discussed her concerns about safety.

Carol Lafferty, 197 Shady Acres Cir., told Council that this rezoning would open the door for a large commercial business. Lafferty discussed the wooded acres behind the property and the church located across the street. Lafferty stated she was opposed to the rezoning.

Scott Jones, 194 W. Shady Oaks, discussed the Planning and Zoning Commission and their vote to combine the three (3) lots into one (1). Jones discussed his concerns with the school bus stop and traffic. Jones stated that the property was created using fill materials and dirt, and core samples should be looked at before building.

Mike Gates, 248 W Sunrise Dr., stated he attended the Planning and Zoning Commission meeting and discussed his views of the meeting. Gates said he would like a moratorium on this issue. Gates told Council that big box stores are hurting infrastructure. Gates discussed his concerns with traffic and stormwater. Gates asked Council to put a hold on the council bill for six (6) months.

Joyce Moss, 253 W. Canyon Ct., discussed the Shady Acres covenants, the bus stop on Sunrise, and the police presence in the area. Moss told Council about her concerns with traffic and kidnapping. Moss asked Council to consider affordable housing and stated she was against the rezone.

Shelley Gates, 248 Sunrise Dr., stated she was against rezoning this property.

Greg Lafferty, 192 Shady Acres, said the current zoning isn't a mistake. Lafferty discussed his concerns with semi-trucks and traffic. Lafferty stated he was opposed to combining the three (3) lots into one (1).

Rhonda Cole, 218 Shady Acres Cir., discussed the Planning and Zoning Commission and their meeting, the current zoning for the property. Cole said she was opposed to big businesses going into those lots. Cole discussed the sewer treatment plant and traffic issues.

Ron Sanders, 976 Glen Oaks Dr., discussed the zoning process, the current zoning on the property, and Shady Acres covenants. Sanders asked what best fit the needs of the city. Sanders stated he was opposed to the rezoning.

Whitney Guison, President and CEO of Nixa Chamber of Commerce, stated that when businesses are patronized, they grow. Guison discussed the potential for growth in Nixa. Guison stated that chain-style businesses benefit the economy.

Joyce Moss responded to Guison's comments.

Mayor Giddens thanked everyone for their comments. With no further comments, the public hearing was closed.

Council Bill #2024-06 Authorizing the Mayor to Execute a Missouri Public Utility Alliance ("MPUA") Mutual Aid Agreement for the Purpose of Allowing the City to Participate in the MPUA Mutual Aid Program. Doug Colvin, Assistant City Administrator and Public Works Director, stated that the City has a current agreement with MPUA, and this is an update to that agreement. Colvin said that it is a requirement of FEMA to have a mutual aid agreement to receive reimbursements for storm damage. Colvin discussed the mutual aid agreement process. Colvin told Council there hadn't been an update to the MPUA agreement since 2005. Colvin stated that the City had used mutual aid three (3) times, and it is valuable. Colvin said the changes would include allowing for the adoption of new crews, adding new memberships, removing the arbitration section, adding insurance requirements, and adding policy limits. Colvin stated that staff recommends approval. Mayor Giddens opened the public hearing, with no comments made, the public hearing was closed.

Council Bill #2024-07 Amending Chapter 22, Article II, Division 3, Section 22-79 for the Purpose of Amending the Backflow Device Inspection Provisions. Jason Stutesmun, Water Superintendent, told Council that the Department of Natural Resources requires yearly backflow testing. Stutesmun described how a backflow device works. Stutesmun discussed the City's issue

with collecting backflow tests from citizens and commercial businesses. Stutesmun stated that this resolution would allow the City to hire a contractor to test backflow devices in a timely manner if the citizen or commercial business is delinquent in turning in their testing. Council asked questions, with Stutesmun responding. Colvin provided additional information. Mayor Giddens opened the public hearing for comments, with no comments made, the public hearing was closed.

Council Bill #2024-08 Amending Chapter 22, Article II, Division 2, Section 22-46 for the Purpose of Amending the City's Water Rates Through 2030. Travis Cossey, Assistant Public Works Director, told Council water rates are looked at every five (5) years to ensure the water rates cover operation expenses. Cossey discussed the 2017 master water plan. Cossey said that Olsson and Associates updated the master water plan due to the addition of RDE and Tuscany Hills water systems. Cossey stated that after the update to the master water plan, Shaffer and Hines were hired to conduct the rate study. Cossey told Council that the rate study proposed incremental increases throughout the year, and the proposed increase was for the base rate only. Cossey discussed the spreadsheets of proposed rate increases that were provided to Council and what was looked at during a water rate study. Cossey stated that the City tries to keep 15 million in the reserves balance in case of an emergency in the water system. Cossey told Council that the Water Department will be very capital project intensive in the next five (5) years. Council asked questions, with Cossey responding. Council held a discussion. 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 #2024-04 Declaring the Necessity of Acquiring by Condemnation Certain Property Rights Over, Under, and Through Real Estate for the Purpose of Construction and Maintaining Stormwater and Erosion Control Improvements; and Authorizing Certain City Officials to do all Things Necessary or Convenient to Carry Out the Terms and Intent of This Ordinance. Nick Woodman, City Attorney, told Council the first (1st) reading of this council bill was held during the January 24th Council meeting. Woodman stated that staff recommends approval. 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 council bill. Graham made a motion to approve Council Bill #2024-04 with Lucas seconding and Lucas, Peterson, Graham, Vess, and Morris voting aye on roll call.

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

Resolution #2024-08 Authorizing the City Administrator to Solicit Proposals for Creative Professional Services, Including Graphic Design, Photography, and Video Production. Drew Douglas, Communications Director, stated that this resolution will allow him to bid out professional services. Douglas said all submission portfolios will be reviewed before contracts are executed. Douglas told Council there are no specific projects at this time. Douglas discussed the various communications projects and needs. Douglas stated that these contracts would supplement his department. Douglas said that staff recommends approval. Douglas stated that

each contractor will be capped at \$45,000 per year. Mayor Giddens opened the public hearing for comments.

Ron Sanders, 976 Glen Oaks Dr., discussed video services.

With no further comments, the public hearing was closed. Mayor Giddens called for a motion to approve the resolution. Peterson made a motion to approve Resolution #2024-08 with Graham seconding and all Council Members voting aye.

Resolution #2024-09 Authorizing the City Administrator to Apply for and Accept Grant Funding Provided by the Missouri Department of Transportation for Certain Traffic Safety Programs. Joe Campbell, Police Chief, stated that these grants are non-matching and annual grants that are applied for by the Police Department. Campbell said the amount for the Hazardous Moving Violation grant being applied for is \$11,500, and the amount for the DWI grant being applied for is \$8,500. Campbell told Council the grants are applied for as combined, but the grants are two (2) separate grants. Campbell said the grants will help keep the roads safer. Campbell discussed how the grants would be used, and without the grants, the department's efforts would be limited. Campbell 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 resolution. Graham made a motion to approve Resolution #2024-09 with Vess seconding and all Council Members voting aye.

Resolution #2024-10 Authorizing the City Administrator to Solicit Proposals for Stump Grinding Services as Part of the City's Vegetation Management Operations. Colvin told Council that occasionally there is a stump that will need gridding due to a tree removal to accommodate power lines. Colvin said there would be no set number of stumps to this contract, but it would be determined by the workload. Colvin stated there is no set budget due to the fluctuating volume of stumps, but the payments for the contract would come out of the tree trimming line item. Colvin 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 resolution. Vess made a motion to approve Resolution #2024-10, with Morris seconding and all Council Members voting aye.

Resolution #2024-11 Authorizing the City Administrator to Execute a Contract with Norton Power Systems, LLC., for the Purchase and Installation of Certain Power Generators. Stutesmun stated that the 2024 Capital Improvement budget has two (2) new generators, one (1) for Timber Creek lift station and one (1) for Bentwater. Stutesmun said unfortunately, between budget time and now, the Wellington Park generator has gone bad and needs to be replaced as soon as possible. Stutesmun told Council that staff would like to wait to purchase the Bentwater generator and move forward with replacing the generator at Wellington Park instead. Stutesmun stated that the City had budgeted \$55,000 a piece for the generators. Stutesmun said that through Sourcewell Cooperative, Norton Power Systems was able to provide a bid price of \$20,130 for the Wellington Park generator and \$50,950 for the Timber Creek generator. Stutesmun told Council that Norton Power Systems had previously done work for the City, and staff recommends approval. Council asked questions, with Stutesmun responding. Mayor Giddens

called for a motion to approve the resolution. Peterson made a motion to approve Resolution #2024-11, with Morris seconding and all Council Members voting aye.

Mayor and Council Member Reports:

Mayor Giddens stated that the next meeting will be February 19th. Mayor Giddens discussed why the meetings in February were rescheduled. Mayor Giddens congratulated Douglas on being named a SBJ 40 under 40 recipient.

Vess said Big Brothers and Big Sisters is looking for "Bigs" for their lunch buddy program. Vess stated that the 2024 Comprehensive Plan survey is closed, but the results would be at NIXPO. Vess said NIXPO would be held on March 16th at the high school. Vess stated a Strategic Plan update would be on April 18th from 12-4 p.m. Mayor Giddens provided additional information on the Strategic Plan update. Vess said the Community Update at the Senior Center is the last Thursday of the month.

Liles thanked the Chamber for the extra table at NIXPO. Liles reminded Council that the NIXIES were Saturday, February 10th at 6:00 p.m.

Mayor Giddens discussed pending legislation at the State level.

Adjournment to Closed Session:

Peterson made a motion to adjourn to closed session pursuant to RSMo 610.021 (1) (2) 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 with Lucas seconding and Lucas, Peterson, Graham, Vess, and Morris voting aye on roll call vote.

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

Mayor

City Clerk

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

NIXA CITY HALL

February 19th, 2024 7:00 P.M.

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

Proclamation:

Mayor Giddens read a proclamation proclaiming February 12th – 18th, 2024, as Ronald McDonald House Week. Justin Wilson with the Ronald McDonald House was in attendance to accept the proclamation.

Mayor Giddens discussed the Lavenous Day Proclamation that was read on February 17th, 2024, at the Aetos Center for the Performing Arts.

Visitors:

Ron Sanders, 976 Glen Oaks Dr., discussed Robert's Rules of Order.

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

Council Bill #2024-05 Rezoning the Real Property Generally Located at the Northeast Corner of South Highway 160 and West Sunrise Drive from an Office (O) District to a General Commercial (GC) District. Scott Godbey, Planning and Development Director, told Council he provided an updated memo and map in the Council packet for this meeting. Godbey discussed the changes to the map. Godbey stated that the rezoning request is for lot 24 of Shady Acres PUD and provided information on the PUD documents. Godbey told Council that north of lot 34 was a vacant lot and highway commercial zoning, to the south, was a vacant lot and general commercial zoning, to the east was an office-zoned lot and single-family housing, and to the west was Highway 160. Godbey stated that the lot to the east will remain as office zoning. Godbey said all utilities are available. Godbey stated that Sunrise Drive was a local road, and per City code section 115-133, a traffic impact study would not be required; however, the City's technical specifications would allow staff to ask for one once construction plans had been submitted. Godbey told Council that a regional detention basin does not serve the property due to the original developers paying a fee in lieu of detention in 1994. Godbey said at the Planning and

Zoning Commission meeting where citizens addressed the Commission about their concerns. Godbey stated that with all things considered, the Planning and Zoning Commission voted unanimously to recommend the rezone, and staff also recommended approval. Council asked questions, with Godbey responding. Mayor Giddens opened the public hearing for comments.

Jacob Stauffer, 1906 E. Battlefield, Springfield, stated he was the developer of the property. Stauffer stated that the discussion is only about the zoning of the property, and zoning is transitional. Stauffer stated the rezoning request was consistent with the City's plan for growth. Stauffer told Council he was here to invest in the community.

Justin Daugherty, 220 Shady Acres Cir., discussed moving to Nixa, his neighbors, and the citizens that were in attendance to speak on the council bill.

Lin Henderson, 192 Shady Acres, discussed moving to Nixa, Nixa's growth, and her safety concerns regarding a bus stop near the property.

Jerry DuVall, 925 Canyon Ln., stated he was the Pastor for the church that is across the street from the property and provided information on what the church property is zoned. DuVall discussed his concerns with traffic, the 160 and Sunrise intersection, commercial businesses, and the bus stop near the property. DuVall stated that this rezoning would affect the church. Duvall asked Council to vote no or postpone the council bill.

Maria Anderson, 113 W Shady Oaks Dr., stated there was no sound on part of the video from the last Council meeting on YouTube. Anderson discussed the comments made by the previous speakers. Anderson discussed her concerns with traffic, documents that had been provided to Council, the original zoning of the property, and the Shady Acres covenants. Anderson provided her thoughts on the January 2nd, 2024, and February 5th, 2024 Planning and Zoning Commission meetings.

Mike Gates, 248 Sunrise Dr., discussed the citizens that were in attendance to speak on the council bill, the Shady Acres neighborhood, the Planning and Zoning Commission, and the roadways and creek near the property. Gates played an audio recording for Council.

Gina Grigsby, 232 Shady Acres, discussed her home and said she was against the rezoning. Grigsby asked Council what information they were provided about the rezoning. Grigsby discussed her concerns with traffic, road maintenance, large trucks, noise and lights, the safety of the children in the neighborhood, and decreased property values. Grigsby asked Council to vote against the rezoning.

Mayor Giddens addressed the audience, reminding them of the Rules of Order for the meeting.

Bryan Wade, 3810 E. Sunshine, Springfield, stated he represented the developer. Wade discussed the original development of the property, the Shady Acres covenants, the rezoning and combining of the lots, traffic concerns, and Nixa's comprehensive plan. Wade provided his thoughts on the Planning and Zoning Commission and staff recommendations.

Rhonda Cole, 218 Shady Acres Cir., discussed her issues with rezoning, the Shady Acres covenants, commercial businesses near the neighborhood, traffic, noise, and trash. Cole asked Council not to approve the rezoning.

Bruce Cole, 218 Shady Acres Cir., discussed the intersection of Sunrise Drive and Highway 160 and traffic issues.

Carol Lafferty, 192 Shady Acres Cir., thanked Council for listening to everyone's comments. Lafferty stated she didn't think the Planning and Zoning Commission made the right decision.

Kimberly Moyna, 234 Shady Acres Cir., told Council she had emailed her statements from the last meeting and wanted to respond to some of the comments from the last meeting. Moyna discussed the property's current zoning, traffic, the City's comprehensive plan, and Godbey's memo to Council. Moyna provided her thoughts on one (1) large commercial building versus four (4) small stores. Moyna asked Council to keep the current zoning.

Danny Morton, 515 S. Robert St., discussed the church near the property and stated that the church was thinking about building a Christian school near the church. Morton discussed the safety of children in the area and property taxes.

Joyce Moss, 253 W. Canyon, discussed the previous speaker's comments. Moss stated she was against the rezoning. Moss discussed her concerns with traffic, children, and property values.

Ashley Daugherty, 220 Shady Acres, discussed the Christian school proposed by the nearby church and commercial businesses.

Angel Dickerson, 296 W. Canyon, discussed the Shady Acres neighborhood, her grandkids, and traffic. Dickerson stated she would like to keep the small-town feel.

With no further comments, Mayor Giddens closed the public hearing. Mayor Giddens discussed the reported traffic accident at Sunrise and Highway 160 since 2010. Council asked questions, with Godbey responding. Council asked additional questions, and members of the audience responded. Mayor Giddens called for a motion to approve the council bill. Ogden made a motion to approve Council Bill #2024-05 with Lucas seconding and Ogden, Vess, Lucas, and Peterson voting aye on roll call vote. Graham and Morris voting no on roll call vote. Council Bill #2024-05 passed with a four to two (4-2) vote.

Mayor Giddens called for a five (5) minute recess at 8:22 p.m. Mayor Giddens called the meeting back to order at 8:34 p.m.

Council Bill #2024-06 Authorizing the Mayor to Execute a Missouri Public Utility Alliance ("MPUA") Mutual Aid Agreement for the Purpose of Allowing the City to Participate in the MPUA Mutual Aid Program. Doug Colvin, Assistant City Administrator and Public Works Director, told Council that the City has been a part of the MPUA mutual aid program since 2005. Colvin stated that the City has been a recipient of mutual aid three (3) times and has helped multiple times in numerous states. Colvin said that if the City provides mutual aid, the City is

reimbursed for staff's time. Colvin stated that the current MPUA mutual aid agreement was last updated in 2015. Colvin told Council that the council bill would allow for four (4) updates to the agreement and discussed those updates. Colvin said staff recommends approval. 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 council bill. Ogden made a motion to approve Council Bill #2024-06 with Peterson seconding and Vess, Peterson, Graham, Lucas, Morris, and Ogden voting aye on roll call vote.

Council Bill #2024-07 Amending Chapter 22, Article II, Division 3, Section 22-79 for the Purpose of Amending the Backflow Device Inspection Provisions. Jason Stutesmun, Water Superintendent, stated that this council bill would allow the City to hire a subcontractor to test backflow devices when the required backflow inspection isn't turned in on time. Stutesmun said the City would be reimbursed for the cost of the inspections by the customers. 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 council bill. Morris made a motion to approve Council Bill #2024-07 with Vess seconding and Ogden, Vess, Peterson, Lucas, Morris, and Graham voting aye on roll call vote.

Council Bill #2024-08 Amending Chapter 22, Article II, Division 2, Section 2-46 for the Purpose of Amending the City's Water Rates Through 2030. Travis Cossey, Assistant Public Works Director, told Council that this council bill was first (1st) read at the February 6th meeting. Cossey said this council bill would update the water rates for 2024-2030. Cossey stated that the City updated the City's Water Master Plan in 2023 and worked with Shaffer and Hines on a water rate study. Cossey told Council that the water rates are studied every five (5) years. Cossey discussed the base water rate and the consumption rate. Cossey said the base rate would increase one dollar and fifty cents (\$1.50) in 2024 and 2025. Cossey stated that the base rate would increase by fifty cents (\$0.50) from 2026 through 2030. Cossey told Council the rate increase would go into effect on April 1st, 2024. 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 #2024-08 with Morris seconding and Morris, Graham, Peterson, Vess, Ogden, and Lucas voting aye on roll call votes.

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

Vess and Graham recused themselves from Resolution #2024-03. Mayor Giddens provided information on why Vess and Graham recused themselves.

Resolution #2024-03 Authorizing the City Administrator to Execute a Contract with the Nixa Chamber of Commerce. Cindy Robbins, Assistant City Administrator, told Council the current contract with the Chamber of Commerce has expired. Robbins stated the contract stipulates that the City will provide the Chamber of Commerce with \$44,000 per year in exchange for receiving the benefits of a marketing partner, an increase in Luncheon tickets, an increase in WWIN tickets, a table at NIXIES, and a table at NIXPO. Robbins said that Sucker Days and the Sky High Fireworks are not a part of this contract but would have separate contracts for each event.

Robbins told the Council that money has been budgeted for both Sucker Days and Sky High Fireworks. Robbins invited Chamber of Commerce President and CEO, Whitney Guison to speak. Mayor Giddens opened the public hearing for comments.

Guison stated the Chamber would like to continue its relationship with the City. Guison said this contract is very similar to the expired contract. Mayor Giddens thanked Guison for her work with the Chamber.

Nicholas Gerdes, 384 N. Niangua Dr., told Council he was Nixa's American Legion Post Commander. Gerdes stated he hopes that the Chamber will support all businesses and non-profits.

Kimberly Moyna, 234 Shady Acres Cir., asked if the Chamber of Commerce presents a plan for attracting businesses to the City. Mayor Giddens responded to Moyna's comments, and Robbins provided additional information.

With no further comments, the public hearing was closed. Mayor Giddens called for a motion to approve the resolution. Peterson made a motion to approve Resolution #2024-03 with Lucas seconding and all Council Members voting aye.

Vess and Graham rejoined the meeting.

Resolution #2024-12 Authorizing the City Administrator to Execute a Contract with Waterplay for the Purchase of Pool Play Structures and Fixtures. Matt Crouse, Parks Director, stated that at the January 22nd Council meeting, the pool bid was discussed. Crouse told Council the City is going to purchase and provide the contract with certain products for the pool upgrades. Crouse stated that the City purchasing the products allows for better pricing and a head start on the project lead time. Crouse stated the play structure for the pool will be purchased with ARPA funds, and the splash pad fixtures will be purchased with impact fees. Crouse said this resolution would allow staff to place the order. Council asked questions, with Crouse 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 #2024-12, with Vess seconding and all Council Members voting aye.

Resolution #2024-13 Consenting to the Mayor's Appointment of Nicholas Gerdes to the Planning and Zoning Commission. Godbey stated that the Planning and Zoning Commission has been one (1) member short since August 2023. Godbey discussed the Appointments Committee and stated they met on February 9th, 2024, and interviewed five (5) candidates. Godbey said the Committee unanimously approved Gerdes as the Planning and Zoning Commissioner. Godbey said Gerdes' term would run from November 2023 to November 2027. Mayor Giddens discussed the applicants and the Appointments Committee. Mayor Giddens opened the public hearing for comments.

Kimberly Moyna, 234 Shady Acres Cir., asked about the commission date. Godbey and Rebekka Coffey, City Clerk, provided information.

With no further comments, the public hearing was closed. Lucas thanked the Appointments Committee for their work. Mayor Giddens called for a motion to approve the resolution. Lucas made a motion to approve Resolution #2024-13 with Ogden seconding and all Council Members voting aye.

Discussion Item – Alcohol Sales During Special Events:

Godbey stated that staff had discussed alcohol sales during special events. Godbey provided information on the special event process and still needs direction from Council. Godbey said the updates being proposed by staff include increasing the insurance limit and increasing the submittal deadline to 45 days before the event. Godbey stated that other items that were discussed included the cost to the Police Department, signage, and a way to identify who can carry alcohol around the special event. Godbey told Council that all costs associated with the special event would be placed on the event organizer. Godbey discussed Ozark's special event process. Godbey stated that the current special event process allows for an increase in the beer garden by increasing the fencing around the garden. Council held a discussion with staff. Council asked what staff recommends with staff responding. Godbey stated that staff was looking for direction on the fencing requirements. Council and staff held an additional discussion. Mayor Giddens asked for public comments.

Ron Sanders, 976 Glen Oaks Dr., discussed his views on fencing at special events.

No further comments were made. Council and staff held an additional discussion. Council gave direction to leave the special event process as is besides the changes to the increased insurance limits and increased submittal deadline to 45 days.

Adjournment:

With no further business, Mayor Giddens adjourned the meeting at 9:39 p.m.

Mayor

City Clerk