

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

**NIXA CITY HALL**

**NOVEMBER 4, 2015 6:00 P.M.**

The regular monthly meeting of the Nixa City Council was called to order by Mayor Brian Steele. Attending were Council Members Jay Farr, Chris Russell, Aron Peterson and Darlene Graham. Andrea Long and Andy Ellis were absent.

The pledge of allegiance was given.

## **SERVICE AWARDS:**

Mayor Steele presented Craig Donaldson with the Utility Billing Department a fifteen (15) year service award. Finance Director Donna Swatzell told Council that Donaldson had started working for the Police Department as a dispatcher in 2000 and had transferred to the Utility Billing Department in 2005. Donaldson worked as a meter reader from 2005 until his promotion to lead meter reader in 2012. Swatzell added that Donaldson is Nixa's utility locator and works with all the departments at Public Works. City Clerk Cindy Robbins, Donaldson's former supervisor, added that Donaldson was a pleasure to work with, was proficient in his meter reading and led by example.

## **VISITORS:**

Keith Harp, 601 E. Mt. Vernon, addressed Council on behalf of the Sucker Day Committee with a request to change the Sucker Day celebration from a one (1) day event to a two (2) day event to help increase the revenue for the non-profit organization. Harp explained the committee is wanting to change the event into a two (2) day craft show with the fish fry still occurring on Saturday. The tentative 2016 date for the event is May 15-16. Harp explained that before the committee can proceed with plans for this event that he needed Council's permission for a two (2) day street closure. Wendy Hager, 412 E. Slim Wilson, and Candace McIntosh, 414 E. Slim Wilson, addressed Council in support of the proposed craft festival. Council directed staff to check with the businesses affected on Main Street to see what the impact would be upon their business if any. A resolution will be drafted and this topic will be revisited at the next regularly scheduled meeting.

## **PRESENTATIONS:**

Donna Hartman and Jeff Daugherty with REMAX, presented the real estate review of Nixa. They compared the real estate activity of Nixa with Ozark and Republic. Information included number of homes sold along with median sales price. Data provided showed that five hundred eighty-seven (587) homes have been sold year-to-date with a median sales price of \$190,667.00. Hartman explained that the number of bankruptcies are down and that short sales are nearly non-existent. Records show that closings are up 10.8% with the average sales price up 8.4%, average days on the market are down 44.6% and there are approximately 2.9 months of housing inventory available. This presentation is available for review at City Hall.

Andy Ellis arrived at 6:27 p.m.

Planning and Development Director Travis Cossey provided Council with the most recent lot inventory for Nixa. Cossey stated Nixa is low on lots and it is a seller's market at this time. Cossey is seeing developers moving forward with lot development. Cossey stated the west side of Nixa is fully developed with no available lots, however; the northeast quadrant of Nixa is showing growth with the most lots

available. Cossey stated Columns of Century Park is basically sold out and Nixa is extremely low in lot inventory. Normally Nixa would see approximately fifteen hundred (1500) lots available for sale but currently estimates show approximately four hundred (400) lots available for sale. Cossey covered the anticipated and known development including: Wicklow Phase 3 with eighty-seven (87) lots, Wicklow Phase 4 with one hundred twenty-five (125) lots, Copperleaf Phase 4 with eighty-four (84) lots, Old Castle Estates Phase 2 with forty-four (44) lots currently under construction, and the development of Summit Meadows. Cossey explained that Mr. Stu Stenger has purchased seventy (70) acres located in the area of North and Cheyenne and will petition for annexation of that property. Cossey explained Mr. Stenger has also purchased sixty (60) acres off the Hedgpath Estate and has later plans to develop that property as well. Cossey said a commercial property lot inventory is currently in process. Once the information has been compiled, plans are to have it placed on a map available for review.

### **BID AWARDS:**

Cossey presented Council with a bid award request for GIS services. Cossey explained this is an asset management inventory process to geo-locate Nixa's water and electric meter infrastructure. Cossey explained that a \$40,000.00 capital improvement project was budgeted in 2015 (\$20,000.00 from the Electric Department budget and \$20,000.00 from the Water Department budget) as a continuation of the water and electric infrastructure location project. Cossey stated that Nixa received eight (8) responses to the request for proposal (RFP) for this project. After reviewing the submitted proposals, staff recommends awarding the contract to LEE Inspection for \$41,620.00. This recommendation is based on a significant difference in the equipment used by LEE during the information along with the downloadable data. Ellis made a motion to award the bid to LEE Inspection with Graham seconding and all Council members voting aye.

Public Works Director Doug Colvin presented Council with a bid award request for a project to enclose the north end of the headworks at the wastewater treatment plant. Colvin explained this project will help operations especially in the winter by protecting the equipment. Colvin stated that staff had received three (3) bids and after review, staff recommends awarding the bid to Hambey Construction with the lowest bid of \$29,928.25. Colvin said the total budget for this project was \$50,000.00 and even with engineering costs the bid from Hambey Construction keeps the project well within budget. Peterson made a motion to award the bid to Hambey Construction with Farr seconding and all Council members voting aye.

### **DISCUSSION ITEMS:**

City Administrator Brian Bingle explained to Council that the McCroskey Street Community Improvement District Board of Directors recently nominated Curtis Jared, Tim Cobb and Brent Kemble as successor directors for a four (4) year term. Bingle explained the Board is requesting confirmation and approval of the appointments. Russell made a motion to approve the request with Peterson seconding and all Council members voting aye.

Bingle introduced the next topic on the agenda Council compensation and stated staff had pulled together information from Nixa's Home Rule Charter and a comparison of other jurisdictions. Council deliberated the pros and cons of having Council as a paid position, clarified the reasoning behind the suggestion and clarified that if Council decided to make the position non-paid that it would not go into effect until April 2016. After discussion it was stated that while it would make a good faith show toward budget cuts, Council compensation does not have a big impact on the overall budget and does not begin to cover all the time spent during the term.

Colvin introduced a tree trimming policy for the Electric Department for Council's consideration. The Tree Trimming Policy would set minimum standards the department would follow during tree trimming

and would be in compliance with any federal or state statute. Colvin explained these standards would not only meet applicable standards for electrical safety but also aid in limiting power interruptions. Colvin pointed out that trees located near a high voltage line would be pruned to maintain a minimum clearance of ten (10) feet from any conductor. Colvin briefly described the general public complaints when the department is trimming trees and the need for a written tree trimming policy that the department can follow to provide customer service and maintain the integrity of the electric lines. Council stated they would want to see a written policy on notification of the landowner of the affected property before adopting an ordinance enforcing the tree trimming procedure. Council also stated that public communication and a roll-out notification would need to be stressed for customer service. Candace McIntosh, 414 Slim Wilson, and Wendy Hager, 412 Slim Wilson, both spoke in support of the tree trimming policy because of their experience with outages due to the area neighbors not wanting their tree limbs cut. Greg Irons, 402 Deanna, asked about the possibility of burying electric lines in the affected area. Patrick Pearce, Electric Department, addressed Council with concerns about public safety issues. Pearce stated that he has seen a large amount of vegetation growth this year due to the high amount of rain. Council gave direction to bring back a policy with more specific and structured verbiage on the notification of the property owners. Ms. Hager asked Council when the tree trimming policy would be implemented. Council directed Hager to call after forty-five (45) days and they would be able to provide that information.

At 7:38 p.m. Mayor Steel call a five (5) minute recess. The meeting resumed at 7:48 p.m.

## **2016 BUDGET ITEMS:**

Mayor Steele gave a brief presentation on historical (from 2012) and future analysis (2016-on) of the budget and capital improvement program (CIP). Mayor Steele stated that since 2012 Nixa has exceeded the expected five percent (5%) growth, has new revenue sources and much of the short-term debt has been paid off as planned. Prior to 2012 Nixa had experienced an increase in operating expenses in nearly every department and a plan was put into place to reduce percentage of operating expense to revenue. This reduction would open up additional funds for strategic and capital improvement items. Steele stated that the same plan needs to happen today by increasing revenue and decreasing operating expenses. Steele proposed that CIPs be separated into two (2) groups: Strategic Plan CIPs where long-term city improvements such as road improvements or sidewalks are funded; and operational CIPs such as trucks, computers and other equipment are funded. Steele emphasized that currently the goals of the budget are being met but continued effort and efficiency needs to be made to reduce the percentage of operations to revenue. Steele provided Council with projected 2021 budget numbers after repayment of the McCauley Park bond. Those projections showed \$11,000,000.00 in revenue at an eighty percent (80%) operation expense would leave \$2,000,000.00 available to invest in Strategic Plan CIPs. Steele estimated that over the next five (5) years this would allow Nixa to gain \$5,000,000.00 in CIP funds from the General Fund and along with CIP funds from the Street Department and Nixa's annual STP allotment that \$9,250,000.00 would be available to put toward the strategic plan goals such as street and sidewalk projects, park expansions and small scale storm water projects. Council discussed the option of earmarking unrestricted funds each year for large scale strategic plan projects.

Finance Director Donna Swatzell presented Council with the proposed 2016 Enterprise Fund Budget. This presentation is available for review at City Hall. All enterprise budget included a potential three percent (3%) merit raise for employees but no cost of living adjustment. Swatzell started by briefly covering outstanding Public Works Debt. Street Department has no debt; Wastewater Department will be paying off the 1994 State Revolving Fund loan leaving three (3) debts; and the Electric Department and Water Department both have one (1) debt remaining. Swatzell emphasized that most of the remaining debts will be paid off within eight (8) years. Swatzell introduced the Street Fund budget by explaining that their revenue is generated by sales tax and motor vehicle tax. Bingle explained he is checking into

Christian County's intentions for improvements to Nicholas and State Highway 14 and the possibility of earmarking \$150,000.00 of county tax funds for that project. Bingle proposed the idea to forgo the request of those funds with an intergovernmental agreement including a timeframe for the county to complete that project. Otherwise Nixa would proceed with the annual \$150,000.00 request from County and apply those funds to another project. Street's proposed 2016 total revenue is estimated at \$3,252,004.00 with operational costs estimated at \$1,542,750.00 and an operational percentage of 72.87%. The proposed budget would leave approximately \$574,250.00 available for CIPs. Swatzell stated that \$350,000.00 has been allocated to the Street Department maintenance program; \$250,000.00 for milling and overlay, \$23,000.00 for sidewalks and the remainder for other maintenance projects. Colvin explained that traffic marking improvements will be another focus of the department in 2016. Swatzell provided Council with a complete listing of 2016 capital projects on the Street Department schedule. Swatzell next covered the Electric Fund. Electric's proposed 2016 total revenue is estimated at \$18,152,500.00 with operational costs estimated at \$17,403,625.00 and an operational percentage of 95.87%. Swatzell clarified that the solar farm, contractor's underground payments and the potential 69kV asset sale was not taken into account when composing the budget. Swatzell further explained that increases in transmission costs are expected and once the 69kV asset sale is decided a rate study may be required to adjust electric rates. After discussion, staff was directed to bring back numbers for consideration to increase the base electric rate to assist in paying for the increase in transmission fees. Greg Irons, 402 Deanna, voiced his concerns of the potential sale of the 69kV line. Swatzell provided Council with a complete listing of 2016 capital projects on the Electric Department schedule and reviewed information about the reserve accounts. Swatzell next covered the Water Fund. Water's proposed 2016 total revenue is estimated at \$2,359,000.00 with operational costs estimated at \$1,496,411.00 and an operational percentage of 69.01%. Swatzell mentioned the construction on Water Tower #8 has been pushed back and during 2016 the potential need for a revenue bond to construct the tower will be evaluated. Swatzell provided a list of the 2016 Water Department capital projects and gave a brief recap of reserves. In conclusion Swatzell presented the Wastewater-Recycle Fund. Wastewater's proposed 2016 total revenue is estimated at \$3,186,500.00 with operational costs estimated at \$1,933,753.00 and an operational percentage of 63.16%. Swatzell also supplied a list of capital projects slated for 2016 and a summary of reserves. Swatzell told Council she needed direction on how to proceed with the proposed merit increase, insurance benefit and any other concerns Council may have before entering the final numbers for the proposed budget and Council instructed her to proceed as directed.

## **MAYOR AND COUNCIL REPORTS:**

Council discussed a phone issue that occurred with the recent power outage. Options to alleviate this problem included adding an additional recording, adding a mailbox to leave a message or forwarding the call to a different department.

## **EXECUTIVE SESSION:**

At 9:45 p.m. Ellis made a motion to move to executive session pursuant to RSMo 610.021.1-Litigation, with Russell seconding and Russell, Peterson, Graham, Ellis and Farr voting aye on roll call vote.

Council returned to regular session at 10:23 p.m.

## **ADJOURNMENT:**

Farr made a motion to adjourn at 10:24 p.m. with Ellis seconding and all voting aye.

---

Mayor

---

City Clerk

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

**NIXA CITY HALL**

**NOVEMBER 16, 2015 7:00 P.M.**

The regular monthly meeting of the Nixa City Council was called to order by Mayor Brian Steele, Attending were Council Members Jay Farr, Andrea Long, Chris Russell, Aron Peterson and Darlene Graham. Andy Ellis was absent.

The pledge of allegiance was given.

## **CONSENT AGENDA:**

Mayor Steele called for a motion on the Consent Agenda. Graham made a motion to accept the Consent Agenda as presented, items a through c, with Peterson seconding and Long, Russell, Peterson, Graham and Farr voting aye on roll call vote.

## **VISITORS:**

None

## **BUDGET AMENDMENT:**

Finance Director Donna Swatzell presented Council with a budget amendment for consideration. Swatzell explained the budget amendment was to cover a shortfall in the Building Inspection fund. Originally a \$20,000 budget transfer was budgeted for 2015 but income from building permits and plan review fees had been less than anticipated. While the department has seen an increase in activity, Swatzell said it would be difficult to meet the budget revenue needed to cover the transfer. Swatzell proposed a \$45,000.00 budget amendment to allow up to a \$65,000.00 budget transfer to cover any revenue deficiencies. Swatzell explained the transfer would not take place until the end of the year so it is possible the entire amount may not be needed. Long made a motion to approve the budget amendment with Farr seconding and all Council members voting aye.

## **ORDINANCES:**

Bill #2015-111 Authorizing the Mayor to Sign a Contract with Hambey Construction LLC for Wastewater Treatment Plant Headworks Enclosure Improvements was presented. Peterson made a motion to approve Bill #2015-111 on first reading and pass to second with Long seconding. Public Works Director Doug Colvin addressed Council regarding the ordinance presented. Colvin stated this contract is a result of the bid awarded to Hambey Construction for \$29,928.25 for the enclosure of the north end of the headworks at the Wastewater Treatment Plant. Colvin stated the project was well within budget and Hambey Construction would have forty-five (45) days to achieve substantial completion and sixty (60) days for final completion. Mayor Steele opened the public hearing for comments, no comments were made and the hearing was closed. Mayor Steele called for a vote on the motion and all Council members voted aye. Bill# 2015-111 was presented for final reading. Russell made a motion to approve Bill #2015-111 on final reading and pass into law with Peterson seconding and Russell, Peterson, Graham, Farr and Long voting aye on roll call vote.

Bill #2015-112 Authorizing the Use of Eminent Domain by the City of Nixa for the Purpose of Obtaining Land for a Perpetual Utility Easement and Rights in Land Necessary for the Construction of SWPA

Waterline was presented. Long made a motion to approve Bill #2015-112 on first reading and pass to second with Graham seconding. City Administrator Brian Bingle explained this ordinance was needed for the acquisition of property to build the SWPA waterline located at State Highway 14 and Carlisle, west to the northeast corner Maynard Road. Nixa has obtained all easements needed to construct the waterline except for one. Currently the property is owned by Rick Gregg under GFT Properties. Bingle explained multiple efforts had been made to contact Mr. Gregg and his representatives without success. Bingle said condemnation is the only chance to obtain rights to move forward with the build of the waterline. Bingle clarified this is for a utility easement only and the property owner would have the option to hook on to the line. Mayor Steele opened the public hearing for comments, no comments were made and the hearing was closed. Mayor Steele called for a vote on the motion and all Council members voted aye. Bill # 2015-112 was presented for final reading. Long made a motion to approve Bill #2015-112 on final reading and pass into law with Graham seconding and Peterson, Graham, Farr, Long and Russell voting aye on roll call vote.

## **RESOLUTIONS:**

Resolution #2015-111 Expressing the Intent to Close of Portions of South Main, Elm, Glenn Street and the City parking lot for the Sucker Day Celebration was presented. Planning and Development Director Travis Cossey informed Council that Keith Harp on behalf of the Sucker Day Committee had requested permission to make the Sucker Day celebration a two (2) day event to include a craft festival. This resolution would cover the needed street closures and fee waiver needed to proceed with the two (2) day event planning. Cossey further explained that a letter notifying affected businesses had been sent out and no opposition was received. Mayor Steele opened the public hearing for comments, no comments were made and the hearing was closed. Mayor Steele called for a motion, Russell made a motion to accept Resolution #2015-111 with Farr seconding and all Council members voting aye.

Resolution #2015-112 Adopting the City of Nixa Electric Department Tree Trimming Policy was presented. Colvin addressed Council regarding the proposed tree trimming policy. Colvin said the policy includes information mainly for overhead power, a ten (10) foot clearance around conductors and includes sample notification letters. Colvin stated the policy outlines the notification of customers with varying levels based on the request of the customer. Colvin also stated the department is in the process of developing a pamphlet that will be used as a handout.

Andy Ellis joined the meeting at 7:23 p.m.

Council discussed concerns with the recommended policy not including a specific process for customer notification. Council is looking more for a clear cut policy with due process. Council gave direction to bring back a modified policy with a step-by-step process for notification. Council tabled the resolution until the next meeting with no vote taken.

## **DISCUSSION ITEMS:**

Colvin briefly reviewed the updated Snow Route Map. Colvin clarified that no change was made to the policy but there were a few changes made to the map. Colvin highlighted map changes that included a primary route added through Old Castle and the addition of a couple of secondary routes including Old Wilderness behind Aldi's. An additional secondary will be added in the Arlington/Gretchen area. Colvin pointed out that county routes are now marked on the route map.

Swatzell next presented three (3) options for recoupment of electric transmission charges. This information request originated during budget discussion. Currently electric transmission charges are averaging around \$39,000.00 each month. Swatzell's first option for recoupment would divide the cost equally between all customers which would result in a \$4.17 increase on all bills. The second option

divided the cost by customer classification and the third option divided the cost by a combined customer classification. Bingle addressed Council assuring them the City is not losing money each month because the rates cover the costs. Bingle said an electric rate study is planned to analyze cost and should eliminate any shortages. Bingle said he believes a rate increase is premature and staff recommends waiting to see if the 69kV asset sale happens before proceeding.

**INFORMATION ITEMS:**

November 17<sup>th</sup>-NEDC meeting at 6:30 p.m.-Discussion on asset mapping  
December 3<sup>rd</sup>-Meeting for creation of County Business Development Corporation  
Budget discussion will come back next week and will include the new TSI bid that may eliminate the proposed IT position along with information on outsourcing janitorial services.

**MAYOR AND COUNCIL MEMBER REPORTS:**

Discussion has begun between Judge Harris, Council and the Police Department on the possibility of a Community Alternative Sentencing Court. Also under discussion is the potential for a Police Foundation.

**EXECUTIVE SESSION:**

At 7:57 p.m. Russell made a motion to move to executive session pursuant to RSMo 610.021.2-Real Estate, with Ellis seconding and Graham, Ellis and Farr, Long, Russell and Peterson voting aye on roll call vote.

Council returned to regular session at 8:21 p.m.

**ADJOURNMENT:**

Graham made a motion to adjourn at 8:22 p.m. with Farr seconding and all voting aye.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk