

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

NIXA CITY HALL

JANUARY 6, 2016 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 Andrea Long, Chris Russell, Aron Peterson, Darlene Graham and Andy Ellis.

The pledge of allegiance was given.

VISITORS:

Jennifer Ailor with the Christian County Master Gardeners requested Council to consider a room rental fee waiver for Nixa Community Center. For the past several years, the Master Gardeners have held free public seminars at the Nixa Community Center. Ailor stated that there are currently three (3) seminars scheduled for 2016 on January 30th, April 16th and September 17th. The Master Gardeners will offer free gardening information and are expecting from thirty (30) to ninety (90) attendees. Russell made a motion to waive the room rental fees with Ellis seconding and all Council members voting aye.

Kerry Nelson, District Administrator for the Missouri Board of Probation and Parole, addressed Council with a request for a fee waiver for rental of the Community Center on September 30th, 2016, from 7:30 a.m. until 4:30 p.m. Nelson is planning on hosting a professional training session for counselors and is expecting thirty (30) to forty (40) attendees. Ellis made a motion to approve the fee waiver with Graham seconding and all Council members voting aye. Nelson also complimented Police Chief Jimmy Liles and his staff. Nelson stated the department was nice to work with.

EMPLOYEE RECOGNITION:

Liles explained that at the end of each year the department recognizes the accomplishments of the department and issues awards. Liles stated there was no greater accomplishment than receiving the Life Saving Award and he was proud to present two (2) awards for 2015. The first 2015 Life Saving Award was presented to Investigator Jon Huff and Investigator Graham Applegate. Liles said in October 2015 both Huff and Applegate responded to a call to help locate a missing elderly man. The man had been missing for three (3) days and when officers searched the area he was not found. The next morning, Applegate asked Huff to continue searching for the man and during their search decided to search a field located near the person's home. During this search, Huff noticed clothing laying in the field and upon approach found the missing man lying in the field, hungry and suffering from hypothermia. The man had been in the field for the entire three (3) days and if not for Officer Huff and Officer Applegate's actions, the man could have potentially died alone in the field.

Liles presented the second 2015 Life Saving Award to Corporal Shawn Clark and Officer Darrin Whisnant. In March 2015, Whisnant made contact with a male subject that was suicidal. Whisnant had spoken with the subject the night before but did not have enough information to take him into protective custody but told the subject to contact him if he was ever having thoughts of harming himself in the future. The subject called back the next night and asked to speak to Whisnant. Whisnant made contact with the subject, who was threatening to kill himself but wanted to thank Whisnant for the way he had treated him the previous night. Whisnant was able to keep the subject on the phone for over an hour and so that the subject could be located and taken into protective custody. During this hour Whisnant was able to learn what the subject was driving and relayed this information to other officers. Clark drove through the city trying to find the vehicle before the man was able to harm himself. Clark located the vehicle

traveling to Springfield, stopped the car and took the man into protective custody. The male subject possessed a 12 gauge shotgun and one (1) round with plans to kill himself. Liles stated there was no doubt that Whisnant and Clark's actions saved the man's life.

Liles next presented Officer Richard Eutsler with the 2015 Officer of the Year Award. Liles stated Eutsler is an informal leader demonstrating good judgement, positive attitude and sets a great example for others. Eutsler is not afraid to work; oftentimes covering shifts and rearranging his schedule and working overtime to accommodate the department's needs. Eutsler has a lot of knowledge and experience and shares this knowledge by teaching and volunteering to field train officers. Eutsler often volunteers his time outside the department by working with youth proving his moral and ethical standards. Liles stated Eutsler has the overall performance and character that is a great representation of the Nixa Police Department. Liles explained that in 2013 Eutsler was named Drug Officer of the Year and received the Life Saving Award. In 2014, he received the Drug Officer of the Year and the Top Gun Award. And along with receiving the 2015 Officer of the Year Award Eutsler also received Drug Officer of the Year and Top Gun Award.

PRESENTATIONS:

Public Works Director Doug Colvin introduced the Transportation Master Plan to Council. Colvin explained this plan is the result of the Nixa Continuing Improvement Plan (NCIP). This presentation is available for review at City Hall. Colvin explained the plan was developed by CJW Transportation Consultants along with input from city staff and numerous community members. Colvin introduced Jay Wynn and Dane Siler with CJW to give the presentation.

Siler explained the initial step to this plan was to listen to the NCIP Transportation Action Committee to find out what they saw as needs for the community. The committee identified forty-two (42) roadway related projects and forty-four (44) sidewalk related projects. Next, an online survey with five (5) questions was sent out to select and prioritize the top five (5) transportation and sidewalk projects. The survey received nine hundred seventy-four (974) responses with the following selected roadway improvement projects: 1.) Alternative route to Springfield. 2.) North Main Street to CC Highway. 3.) Nicholas and State Highway 14. 4.) US Highway 160 through town. 5.) North Main Street and Aldersgate Drive. The top five (5) sidewalk improvement projects included: 1.) Pedestrian and bicycle crossings at US Highway 160. 2.) Curb and gutter. 3.) North Main Street from 14 to North Street. 4.) Cheyenne to McCauley/North. 5.) High school from north parking lot to football/field. Siler pointed out that several of these top ranked projects would involve state, county or other entities. Siler stated the next question on the survey prioritized transportation categories with improved traffic flow topping the chart; followed by maintain existing streets, safety enhancements, school sidewalks and neighborhoods. Siler said that three hundred four (304) people provided additional comments with bicycle and pedestrian improvements receiving the most comments. Siler next provided information on the technical evaluation by CJW explaining CJW used a point system to analyze the factors and come up with the results for the top ranking existing roadway and sidewalk improvements. It was found that State Highway 14 occupied four (4) of the top five (5) ranked spots including: 1.) SH14 from US160 to M Highway. 2.) US160 and Rosedale intersection. 3.) SH14 from US 160 to Cheyenne. 4.) SH14 and Nicholas intersection and 5.) US160 and South Street intersection. Siler also presented the top scoring sidewalk project and explained a new crosswalk will be completed with the US160 and SH14 intersection improvements. Council discussed potential projects with Wynn and Siler available to answer any questions. Wynn suggested Council consider adding an additional crosswalk in the northern area of US160. The survey results said connectivity, sidewalks, walking trails and bike paths were the community's top choices.

DISCUSSION ITEMS:

Judge Joel Harris addressed Council asking for Council's support in applying for a \$1,050,000.00 grant for proposed implementation and support of the Community Alternative Sentencing Court (CASC). Harris provided Council with a brief overview of what the CASC entailed. Harris explained this idea was

brought to him by Andrea Long and the concept is being done nationwide. Harris stated that Springfield started a homeless court to address obstacles of the homeless within the court system. Harris stated that even though Nixa doesn't have a large homeless population, there are a few homeless along with people with mental health issues, economic issues or with drug or alcohol addiction. Harris explained that through the courts the curative punishment is limited for those in this category. Harris stated that CASC is a collaborative group focused on breaking the cycle seen in court for this small segment of individuals struggling with mental, physical or economic issues. Harris stated that the impact of this program would be great even though the number of individuals participating would be small because this court would give them the opportunity to transform their life. Harris stated a participant would be referred into CASC and screened to see if they are a good candidate. Once it is determined they are a good candidate for the program and they've agreed to enter into the program, they would plead guilty to the charges before them and receive a fine which would be dismissed upon completion of the program. CASC would meet monthly off-site with the candidate and a group of professionals that could assist the participant in receiving assistance from the appropriate agency for treatment or services. Harris stated this concept is progressive and he feels it could make a positive impact on the community. Harris asked for Council support in allowing him to move forward with the submittal of the letter of intent with the grant. Long provided information on the homeless court in Springfield stating there had been three (3) graduates with zero new violations. She feels this holds the individual accountable and helps in their success. Liles told Council he views this as a potential way to save future man hours by stopping the cycle of the offender. After discussion, Ellis made a motion for support of Council for the CASC letter of intent and grant application with Peterson seconding and all Council members voting aye.

City Administrator Brian Bingle presented Council with project ideas for the county sales tax revenue appropriation and asked Council to provide their input and prioritization. Bingle would like to have Council's input so that he can submit the application to Christian County for the appropriation of \$150,000.00 from the county sales tax revenue. The first project idea Bingle presented to Council was the installation of a sidewalk south on Nicholas Road from SH 14 to Tori. This project was identified as one of the top priority projects in the Transportation Master Plan. Staff is looking for Council to provide their feedback on this project and its prioritization. The next two (2) project ideas for submittal are both roadway projects. Bingle explained the first option is to complete the section of Truman Boulevard down to the northern section of the Hedgpeth property where the developer would then be required to complete that section of Truman Boulevard down to Norton Road. Bingle stated one (1) of the advantages of this project is that Nixa already has the construction plans in hand due to the application and appropriation of funds from the County last year. The final project option would be to complete the Northview and Kenneth Street interchange. Bingle stated the last option is a \$385,000.00 project but Nixa would have those funds available if Christian County were to appropriate the full \$150,000.00 request. Bingle stated the application is due no later than January 15th and he would like to receive Council's feedback. Bingle said if Council is in agreement with those recommendations that he feels it would be imperative to sit down with Beth Schaller from MoDOT because the sidewalk project on Nicholas would involve state right-of-way. Council had questions regarding the location of the sidewalk on Nicholas Road and if it were possible to propose all three (3) projects to the County and let County choose the one they would like to see move forward. After deliberation Council gave direction to prioritize the Nicholas sidewalk first followed by Kenneth and Truman.

Colvin presented Council with a list of scheduled sidewalk projects for 2016. This list is available at City Hall.

Bingle informed Council he had met with the Chamber of Commerce and they appreciated Nixa's offer to contribute \$6500.00 to assist in hiring an Executive Director for the Chamber. The offer was well received and the Board plans to discuss the offer and if they feel it is needed they will let us know. The only concern was if this offer would be continued. Kendal Dingus, Chamber Board Member, expressed

the Chamber's appreciation of the offer. Dingus explained the Chamber is still receiving applications for the Executive Director.

Communications Director Jill Finney provided Council with an update and example of the community survey on customer service. Finney explained some of the features Survey Monkey provides during the survey. Finney stated all departments with public contact would be listed. Finney asked for Council's thoughts on the survey and if they had any suggested changes. Council discussed ideas to encourage survey participation. Plans are to go live with the survey by the end of the week and will also go on Nixa's webpage. Suggestions were made to have hard copies available at City Hall, Utility Billing and the Senior Center for customers to fill out.

City Clerk Cindy Robbins addressed Council with a brief overview of potential use tax ballot issues to consider in 2016. Robbins explained Nixa does not currently have a local use tax however, legislation requires local jurisdictions to place an issue on the ballot prior to November 2016 in order to continue receiving tax revenues from vehicles purchased out of state. Robbins explained this issue is confusing and if the initiative were placed on the ballot voters would have to vote no to repeal the tax for the city to continue collecting sales tax on those vehicles purchased out of state. Robbins went on to explain a second issue for consideration would be to place the imposition of a local use tax on the ballot in order to collect a tax on internet purchased. Robbins explained the Marketplace Fairness Act is federal legislation that requires vendors to collect a use tax for their sales; however, on the cities that have a use tax in place would benefit from that legislation. Bingle clarified that it is not the loss of revenue from the out of state vehicles purchases that we are concerned with but the potential loss of revenue should the federal legislation go through on internet purchases. Robbins expressed she wanted to introduce the topic to Council and that she would continue to research the topic and keep Council updated.

Finney provided Council with an update on the e-newsletter. Currently Nixa has 6692 subscribers with a newsletter open-rate of nearly 50%. Popular topics in the newsletter seem to involve the Development Department and Police Department. Finney said her goal will be to send out the e-newsletter one (1) time each month unless directed otherwise.

Bingle told Council that following the last meeting's presentation of the establishment of the Business Development Corporation, Council had requested more time to consider the subject. This corporation would function as a regional economic development agency on behalf of Christian County. Bingle explained that Ozark has not seen the presentation but has been verbally supportive. Ozark would like to schedule a meeting with members of Council to discuss this topic and if everyone is in agreement, send out invitations to the business members of the area to a formal banquet to obtain their support in the Business Development Corporation. Bingle stated this corporation would pool resources to tell a regional story to promote economic development. Christian County Commissioners have expressed their support and commitment. Council gave direction to proceed and are in full support moving forward with the Business Development Corporation. Bingle will be arranging a meeting with Ozark and will forward the time to Council. Bingle explained if everything moves forward, a 501©3 would be established through an attorney and from there a nine (9) member board for the oversight of the hiring and management of the economic development agency.

DEVELOPMENT ACTIVITY:

Planning and Development Director Travis Cossey told Council the McCauley Property Annexation will be brought to the next meeting for their consideration. This property is 77.46 acres at the southeast corner of North Street and Cheyenne Road.

MAYOR AND COUNCIL MEMBER REPORTS:

Joint Meeting will be held January 21 at 6:30 p.m.

Springfield Business Journal announced their *40 Under 40* and Andrea Long was congratulated for being one of those recognized.

Andrea Long will be providing a liaison report in February.

ADJOURNMENT:

Graham made a motion to adjourn at 8:55 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

JANUARY 25TH, 2016, 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 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. Russell made a motion to accept the Consent Agenda as presented, items a through b, with Graham seconding and Russell, Peterson, Graham and Long voting aye on roll call vote.

VISITORS:

None

DECLARATION OF COUNCIL VACANCY:

City Clerk Cindy Robbins announced that there was a vacancy currently on Council for District I and that four (4) people had submitted a letter of interest for position: Kendal Dingus, Ryan Keating, Tom Maher and Greg Irons.

VOTE TO FILL COUNCIL VACANCY:

Mayor Steele invited each of the candidates to speak to Council. Two (2) of the candidates went before Council and gave their reasons for submitting their letter of interest and provided reasons they should be considered for the position. Tom Maher, 502. N Persimmon, told Council he had been a resident of Nixa for thirty-three (33) years and gave a brief overview of his personal background. Maher stated he had previously served on Council for fourteen (14) years and had served on several other boards throughout the years. Maher has no plans to run for the three (3) year term but would like to be considered for this interim position. Robbins explained that Dingus and Keating had both signed up to run for District I City Council member in the April election. Gregory Irons, 402 Deanna Lane, next addressed Council. Irons provided a brief summary of his personal background. Irons stated he had worked for the City of Nixa for twenty-two (22) years and had recently retired. Irons said he is familiar with the working of the city, the budget process and the changes that the city has seen over the past years. After hearing each candidate, Mayor Steele recommended the appointment of Tom Maher for the Council vacancy. Mayor Steele stated Maher had been elected multiple times by District I. Mayor Steele called for a motion and Graham made a motion to appoint Tom Maher as Councilman for District I. Russell seconded the motion. Mayor Steele called for a vote on the motion. Peterson, Graham, Long and Russell voted aye on roll call vote.

SWEAR IN NEW COUNCIL MEMBER:

Robbins swore in newly appointed Councilman for District I Tom Maher.

BID AWARD:

Public Works Director Doug Colvin told Council staff had received two (2) qualifying bids for the Main Street Tie-Line project that ties in electric circuits from the Northeast, Tracker and Downtown

substations. Colvin said that of the two (2) bids, Sellenriek Construction, Inc. came in as lowest bidder at \$425,548.00. Colvin explained Sellenriek came highly recommended and their bid was well within budget. Staff recommends awarding this bid to Sellenriek Construction. Russell made a motion to award the bid to Sellenriek Construction with Long seconding and all Council members voting aye.

ORDINANCES:

Bill #2016-011 Adopting the Final Budget for 2015 was presented. Long made a motion to approve Bill #2016-011 on first reading and pass to second with Peterson seconding. Finance Director Donna Swatzell addressed Council with information about the 2015 final budget and stated the final action for the 2015 Budget is for Council to approve by ordinance. 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# 2016-011 was presented for final reading. Long made a motion to approve Bill #2016-011 on final reading and pass into law with Graham seconding and Graham, Maher, Long, Russell and Peterson voting aye on roll call vote.

RESOLUTIONS:

Resolution #2016-011 Adopting the Christian County Multi-Jurisdictional Natural Hazard Mitigation Plan was presented. Councilman Peterson provided information to Council regarding this topic. Peterson stated he participated in the process of this plan which is actually an update to the 2011 Mitigation Plan. Participation in the process and meeting the requirements of the plan provides Nixa eligibility for FEMA. Mayor Steele opened the public hearing for comments, no comments were made and the hearing was closed. Mayor Steele called for a motion, Graham made a motion to accept Resolution #2016-011 with Russell seconding and all Council members voting aye.

Resolution #2016-012 Authorizing a Cooperative Agreement between the City of Springfield and the City of Nixa for the Acquisition of Imagery and Photography Service was presented. Planning and Development Director Travis Cossey explained \$5000.00 was budgeted in the Nixa 2016 Budget for aerial photography. City of Springfield goes out every two (2) years and obtains aerial photography of Greene and Christian County. Nixa participates every other time and the last data was received in 2012. The cost of this project is \$4984.48 and the authorization of this agreement assures our participation. After a brief Council discussion about the frequency of participation, Mayor Steele opened the public hearing for comments, no comments were made and the hearing was closed. Mayor Steele called for a motion, Maher made a motion to accept Resolution #2016-012 with Peterson seconding and all Council members voting aye.

Resolution #2016-013 Approving the Statutory Compliance for Voluntary Annexation of 77.49 Acres of Property (Known as Cheyenne Valley) was presented. Cossey explained this is a resolution finding the annexation petition in compliance with statutory requirements. Mr. Randy McCauley submitted an annexation petition for 77.49 acres on the southeast corner of North Street and Cheyenne Road. The 77.49 acres is requested for annexation with three (3) zonings: 59.32 acres of single family zoning, 8.473 acres of multi-family zoning and 9.69 acres of general commercial. Cossey explained this action only finds the application in compliance and public hearing. Mayor Steele opened the public hearing for comments, no comments were made and the hearing was closed. Mayor Steele called for a motion, Long made a motion to accept Resolution #2016-013 with Maher seconding and all Council members voting aye.

INFORMATION ITEMS:

Bingle let Council know there is a meeting scheduled with Ozark to introduce the Business Development Corporation on January 26, 2016 at 6:00 p.m.

MAYOR AND COUNCIL MEMBER REPORTS:

Long stated the Alternative Sentencing Court will not be applying for the original grant due to the grant being a matching grant. However, the project is moving forward and a new grant has been located for application.

EXECUTIVE SESSION:

At 7:31 p.m., Long made a motion to move to executive session pursuant to RSMo 610.021.03-Personnel with Peterson seconding and Maher, Long, Russell, Peterson and Graham voting aye on roll call vote.

Council returned to regular session at 8:10 p.m.

ADJOURNMENT

Russell made a motion to adjourn at 8:12 p.m. with Maher seconding and all voting aye.

Mayor

City Clerk