

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

**NIXA CITY HALL**

**MARCH 9, 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, Andy Ellis, Chris Russell, Aron Peterson, Darlene Graham and Tom Maher.

The pledge of allegiance was given.

## **VISITORS**

Kasha Driskill, with Christian County Ambulance District, explained to Council the upcoming vote on the April 5th ballot. The CCAD is seeking to place a dual annexation measure on the April 5<sup>th</sup> ballot in Christian and Stone counties. The election will require a majority vote from ambulance district members. The tax would be supported by property tax. Expanding the size of the district would help with rate of growth in the area.

Carolyn Crimm addressed Council regarding the stop sign removed at Morning Glory and Milton. She has observed since the removal of the stop sign there is an increase of speeding. This is a safety issue and she is concerned for the children that play in the neighborhood.

Don Emery, a resident in the neighborhood is also concerned about the safety of the children. Mr. Emery feels the absence of a stop sign in a 6-8 block stretch invites motorists to speed.

## **SERVICE AWARDS**

Mayor Steele presented Stephanie Ewing with Human Resources a five (5) year service award. Human Resources Director Sharon Hankison told Council that Ewing was a valuable asset to her department. No other service recipients were present.

## **PROCLAMATION**

Mayor Steele read a proclamation for World Down Syndrome Day. Many families were present to show support of the proclamation.

## **ORDINANCES**

Bill #2016-031 Authorizing the Mayor to Sign a Contract with K&B Equipment, LLC, for the Wastewater Force Main Relocation (US160/SH14) was presented. Russell made a motion to approve Bill #2016-031 on first reading and pass to second with Ellis seconding. Public Works Director Doug Colvin addressed Council regarding the ordinance presented. Colvin stated this contract is to finalize the work to lower the sewer force main for the new road between US 160 and West Street. The contract is slated for completion in thirty (30) days after the signed contract is submitted. Traffic will not be interrupted with this project. 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 #2016-031 was presented for final reading. Peterson made a motion to approve Bill #2016-031 on

final reading and pass into law with Ellis seconding and Ellis, Russell, Peterson, Graham, Maher and Long voting aye on roll call vote.

Bill #2016-032 Authorizing the Mayor to Sign a Contract with Visu-Sewer of Missouri, LLC for the 2016 Wastewater Collection System Improvements Slip Lining was presented. Graham made a motion to approve Bill #2016-032 on first reading and pass to second with Long seconding. Colvin stated this is an annual slip lining project. There will also be additional work on manholes and sewer repair work caused by flooding issues. The project is slated to be completed in seventy-five (75) days. 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 #2016-032 was presented for final reading. Maher made a motion to approve Bill #2016-032 on final reading and pass into law with Peterson seconding and Russell, Peterson, Graham, Maher, Long and Ellis voting aye on roll call vote.

## **DISCUSSION ITEMS**

Police Chief Jimmy Liles, explained to Council initially the Police Department budgeted \$68,000 for in-car camera systems. After phone conferences with TSI the Police Department has been notified of an unanticipated increase. The reason is the type of internet access dump sites that are needed. TSI recommends the Meraki wireless system which will allow officers to download to the server when the car travels within range. The total additional funds needed will be around \$6700.00-\$6800.00. If this project is delayed until a later date there will be an increase to the quote given.

Planning and Development Director Travis Cossey reviewed his research on the Collector Street Policy. Cossey visited with local municipalities to research how they handle collector street when they are adjacent to proposed developments. Currently the only two (2) in this area that have a formal process are Greene County and City of Springfield. A study conducted by staff reviewed the existing monies in escrow. The city traffic engineer was contacted to acquire an estimate of the cost per linear foot of collector streets. Approximately \$417,206.61 is currently in escrow for projects. The data obtained from other cities recommends any development located adjacent to a collector street must perform a traffic impact study. The traffic impact study will determine what improvements are necessary to provide safe travel routes.

City Administrator Brian Bingle, explained to Council the RFP for janitorial services. Staff prepared a study for privatization of janitorial services. There were eight (8) tours given of city facilities. Currently the city pays \$165,519.00 annually for personnel costs. General fund is reimbursed 100% for the public works employee. The enterprise fund is reimbursed 17% for the city hall complex employee being \$7,086.00 in costs. The general fund expends annually \$117,660.00. In addition \$26,400 is spent for materials and maintenance. \$3,688.00 is expended for additional services such as window cleaning and floor stripping. After review of the bids staff recommends to keep the janitorial services in-house. At a later date staff may request an additional employee for parks. Council agreed with staff's recommendation to keep the janitorial services in-house.

Park Director Matt Crouse, gave a brief update regarding the Sky High 4<sup>th</sup> of July. A site is not available even after checking into different locations including Matthews School. The cost for insurance was more than anticipated. Russell would like to show support for Ozark fireworks display.

## **DEVELOPMENT ACTIVITY**

Cossey gave a brief overview of the planning and zoning commission meeting. Two (2) applications were presented to the P&Z commissioners. Kelby Creek Phase V has been postponed to give the HOA the opportunity to visit with Central Bank of the Ozarks. Eagle Park preliminary plat has been approved

by the P&Z commission. A traffic count was performed by CJW Transportation and will be presented at the March 21<sup>st</sup> meeting.

## **MAYOR AND COUNCIL MEMBER REPORTS**

Andrea Long presented Council with her liaison report for the Police Department. Currently the department employs thirty (30) sworn officers. Nixa has an in house academy that familiarizes new hires with the department procedures and policies. Less people are joining law enforcement which is making it difficult for hires. Crime free multi housing has been very successful in reducing the number of calls in specific areas. It has been an annual training that has not only helped Nixa but many other cities as well.

Bingle gave Council a brief update on the Economic Development Corporation.

NIXPO is Saturday March 12, 2016.

Easter egg hunt is March 26<sup>th</sup>.

The Executive session was cancelled.

At 8:56 pm Maher made a motion to adjourn with Peterson seconding and all Council Members voting aye.

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MAYOR

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DEPUTY CITY CLERK

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

**NIXA CITY HALL**

**MARCH 21, 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 Tom Maher, Andrea Long, Chris Russell and Aron Peterson. Darlene Graham and Andy Ellis were 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 d, with Long seconding and Long, Russell, Peterson and Maher voting aye on roll call vote.

## **VISITORS:**

Tammy Mast introduced herself to Council as the Executive Director for the Nixa Chamber of Commerce. Mast explained she was in her fifth week as the Chamber's Executive Director and wanted Council to know she was offering her commitment and support of the city. Mast stated she was looking forward to working with the city for growth and continued community development. When asked what her biggest opportunity was, Mast replied that collaborating with the city for economic development along with growing the chamber membership was her biggest opportunity.

## **BUDGET AMENDMENT:**

Police Chief Jimmy Liles presented Council with a request for a budget amendment for \$7060.00 for the in-car cameras. The funds will allow the purchase of Meraki wireless access points that would allow the in-car videos to download automatically to a server. The funds would also purchase a SQL server and ten (10) device cals so that up to ten (10) officers would have access to the system at a time. Liles explained the WatchGuard software will provide software to allow the department to share videos with the prosecutor's office two hundred eighty-eight (288) times. Liles explained this will give the department time to see if this amount of shares will be sufficient or if monies will need to be budgeted in 2017 for an increase. Lilies stated a live-feed option allowing a supervisor to link into the in-car camera to watch a live feed from their computer is available but does not think this option is needed at this time. Council discussed the amount of shares included in the budgeted amount. Maher made a motion to approve the budget amendment for the in-car camera set up with Peterson seconding and all Council members voting aye.

## **ORDINANCES:**

Bill #2016-033 Approving the Annexation of 33.26 Acres of Land Located on the Southwest Corner of Gregg Road and Northview Road was presented. Russell made a motion to approve Bill #2016-033 with Long seconding. Planning and Development Director Travis Cossey stated Council passed a resolution of compliance for annexation at last month's meeting. The City of Nixa requested this annexation as a result of a purchase offer from developer Stu Stenger. The offer requires the annexation and processing of a preliminary plat for the 33.26 acres located at the southwest corner of Gregg Road and Northview Road. The request for annexation also included requests for two (2) zonings: 20.245 acres of land zoned R1 single-family and 13.01 acres of land zoned R3 multi-family. Delivery of the utilities will be provided by

the city. Water, sewer and electric are in the area and will be easily accessible. The annexation plat includes a dedication of right-of-way for the extension of Northview Road. The Comprehensive Plan and Major Thoroughfare Plan show an extension of Northview Road, west to Gregg Road ultimately making the connection to Nicholas Road. This street will be constructed in conformance with the Nixa Collector Street Policy standards of thirty-six (36) feet wide providing for three (3) lanes. The City of Nixa will provide fifty percent (50%) of the funding for the Northview Road extension as outlined in the contract for sale. The developer will be responsible for the construction of the Northview extension. Cossey stated the property had gone through the P & Z Commission and was found in conformance for annexation and they forwarded a unanimous recommendation for approval. Staff recommends approval of the annexation request as presented for the 33.26 acres and the proposed zonings. Council had Cossey clarify the Collector Street Policy in regards to this development. Council discussed concerns with the projected construction costs for the Northview Road extension. Mayor Steele opened the public hearing for comments.

Craig Snodgrass, 1116 W. Sleepy Hollow, told Council his property backs up to the property up for annexation. Snodgrass asked Council to explain the need for an R3 multi-family zoning component in the area. Snodgrass said he had major concerns with having rental property in the area. Mayor Steele explained that an R3 multi-family senior component has been included in nearly all the recent subdivision plans. Senior components are highly successful in the Nixa area due to demand.

Ernie Smith, 1137 Sleepy Hollow, asked to see the design and dimensions for the planned detention area in the development. Cossey explained the detention area plans had not been completed yet. This was just the annexation, preliminary plat and zoning portion of the development and the detention plans would be available to the public once they were completed. Smith had questions regarding state permits and also about the tree line on the property. Cossey said any permits required would be obtained as part of the construction plans and process.

Stu Stenger developer of Eagle Park, provided Council with a brief summary of proposed development. Stenger indicated the west side of the property that includes the single family lots and the detention area would be the first portion of the property designed and developed. Stenger said the R3 multi-family portion of the property is not planned at this time but unless there is a change, his intentions are to plan a senior living component on the R3 portion of the property. Stenger intends to have a home owner's association formed. The development is scheduled to have a clubhouse and neighborhood pool and a detention area.

With there being no further comments, the hearing was closed. Mayor Steele called for a vote on the motion and all Council members voted aye. Bill# 2016-033 was presented for final reading. Maher made a motion to approve Bill #2016-033 on final reading and pass into law with Peterson seconding and Russell, Peterson, Maher and Long voting aye on roll call vote.

Bill #2016-034 Amending Chapter 115-Subdivisions, Article II-Required Improvements and Design Standards, Division 3-Design Principles, Section 115-133 was presented. Peterson made a motion to approve Bill #2016-034 with Russell seconding. Cossey told Council this ordinance was a result of Council's last discussion regarding Nixa's Collector Street Policy. The amendment for consideration requires a developer to provide a Traffic Impact Study when the development proposed is adjacent to an existing street. Cossey explained that the Traffic Impact Study would have to be done by a Traffic Engineer that was registered in the State of Missouri. Cossey said the document would be submitted to the City of Nixa for review and approval as part of the development review process and this review will assure compliance. Improvements to the street would be based on the impact reported.

City Administrator Brian Bingle clarified that any appeal regarding the Traffic Impact Study would be heard by Council. Mayor Steele opened the public hearing.

Stephanie Stenger-Montgomery addressed Council stating that collector streets benefit the entire community and not just the subdivision.

With there being no further comments, the hearing was closed. Mayor Steele called for a vote on the motion and all Council members voted aye. Bill# 2016-034 was presented for final reading. Russell

made a motion to approve Bill #2016-034 on final reading and pass into law with Long seconding and Peterson, Maher, Long and Russell voting aye on roll call vote.

## **RESOLUTIONS:**

Resolution #2016-031 Authorizing the Mayor to Sign an Indemnification Agreement with Ozark Technical College (OTC) Concerning the Use of the City of Nixa's Firing Range was presented. Liles notified Council that he was contacted by the director of public safety and security for OTC. OTC is asking permission to utilize Nixa's firing range to qualify their armed security officers. Council asked if OTC would be charged to use the facility and was told that there had not been a fee in the past. Council deliberated the request and discussed concerns regarding the liability of the use of the range and the wording in the proposed agreement. Long made a motion to postpone the resolution until the April 18<sup>th</sup> meeting. Russell seconded the motion for postponement and all Council members voted aye.

Resolution #2016-032 Approving the Preliminary Plat for Eagle Park Subdivision was presented. Cossey presented Council with information regarding the preliminary plat up for consideration. Cossey explained the preliminary plat for the Eagle Park Subdivision included fifty (50) R1 single family residential lots, one (1) R3 multi-family lot and two (2) common areas. Cossey explained a stormwater design would be required for the development. Cossey indicated the thirty-six (36) foot right of way for the Northview Road extension is shown and designated on the plat. All utilities will be provided by the City of Nixa and are easily accessible. Sidewalks will be required to be constructed on the side of the street that the water line is placed. Cossey explained that any access for the subdivision designed for Gregg Road will require a Traffic Impact Study. Mayor Steele opened the public hearing for comments. Clayton Hines, project engineer, told Council the detention area designed for the subdivision will be sufficient enough that the new subdivision will not add to the flooding issue already present in the area. With there being no further comments, the public hearing was closed. Maher made a motion to approve Resolution #2016-032 with Peterson seconding and all Council members voting aye.

## **DISCUSSION ITEMS:**

Public Works Director Doug Colvin provided Council with a brief street improvement project update. Colvin stated the US160 and SH14 project was moving forward. Currently all utilities are in the process moving any lines necessary. A pre-construction meeting is scheduled for Wednesday. A map of the intersection improvement plan was displayed during NixPO and received great feedback and seemed to be a success. Colvin anticipates a mid-August completion date with some night work being done. Colvin next presented Council with information about the Tracker and Main intersection improvement project. Colvin said the utilities in the area are in the process of being moved. AT & T have said they should have their lines moved by April 10<sup>th</sup>. A pre-construction meeting is not scheduled at this time. Colvin expects a phasing plan to be submitted soon.

Bingle informed Council that projected costs for improvements to Northview and Main would be brought back in April. Bingle said the county sales tax numbers were now available and could be taken into consideration. During the discussion of the street improvement projects, Council brought up concerns with Walnut Street and was told staff would look into the matter.

Colvin next provided Council with information on the Milton and Morning Glory traffic control issue raised at the last meeting. In November 2014, the all-way stop signs were removed at Milton and Morning Glory leaving only the single stop sign on Morning Glory. Ms. Carolyn Crim had requested Council consider re-installing those all-way stop signs. Because of this request, speed counts have been taken and input was gathered from Police Chief Jimmy Liles, Street Superintendent Jeff Roussell and the most recent Traffic Study by Traffic Engineer with CJW Transportation Dane Seiler. After reviewing the data, recommendations were made to keep the single stop sign on Morning Glory, as is, and not put up any stop signs on Milton. Colvin stated stop signs should control right-of-way or enhance safety but not be used as

speed control. Colvin, Liles and Roussell were all in agreement with the traffic study and the decision to leave the single stop sign on Morning Glory.

Carolyn Crim, 805 Morning Glory, addressed Council saying that Nixa was supposed to be “neighbors committed to an exceptional quality of life”. Crim moved here in 2002 and the all-way stop signs were there. Crim has a list of neighbors that are wanting the stop signs put back up and is willing to provide the list. Crim is concerned with the safety issue because of kids riding small bikes through the drainage ditch and she is worried that one of the kids will get hit by a car. Crim wanted to go on record asking if Council is willing to accept liability for the potential for injury or loss of life because of the cost of two (2) stop signs. Mayor Steele asked if Roussell could check to see if proper signage is in place and directed Liles to address the children playing in the drainage ditch.

Communications Director Jill Finney gave Council a brief web page update and web page launch information. Finney stated a team of employees had been working hard on completion of Nixa’s new website. Finney explained the website will launch on Thursday. Finney plans to make sure all the kinks are worked out with the website prior to any media splash concerning the new website and the new features.

### **INFORMATION ITEMS:**

The Senior Breakfast will be held on Saturday.

The Center’s Easter Egg Hunt will be held Saturday beginning at 10:00 a.m.

The PTA’s Drug Take Back Day is also scheduled for Saturday.

### **EXECUTIVE SESSION:**

At 8:44 p.m., Russell made a motion to move to executive session pursuant to RSMo 610.021.03- Personnel with Long seconding and Maher, Long, Russell and Peterson voting aye on roll call vote.

Council returned to regular session at 9:42 p.m.

### **ADJOURNMENT**

Russell made a motion to adjourn at 9:43 p.m. with Maher seconding and all voting aye.

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Mayor

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City Clerk