

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

NIXA CITY HALL

APRIL 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 Tom Maher, Chris Russell, Aron Peterson, Darlene Graham and Andy Ellis. Andrea Long was absent.

The pledge of allegiance was given.

Mayor Steele called for a moment of silence for former Alderman Charles McCorkle's wife, Joann McCorkle. Ellis said the McCorkles had been married fifty-six (56) years and that during Charles McCorkle's time on the board that Joann had always attended the meetings.

VISITORS:

None

BID AWARD:

Public Works Director Doug Colvin explained that staff had received two (2) bids for the water tower maintenance project. After reviewing the bids, staff attempted to verify the references on the lowest bidder and was unable to get a confirmation. Because of this, Colvin stated the bids have been rejected and this project will be rebid. The bid opens up on April 22nd and the request for bid award will be brought back in May.

Colvin presented the recommendation for the bid award for the 2016 Mill and Overlay project. Colvin said staff had received three (3) qualified bids for this project with Blevins Asphalt coming in as lowest bidder at \$219,083.54. This year twenty-four (24) streets totaling 14,020 feet or 5.31 lane miles will be completed. Staff recommends awarding the 2016 Mill and Overlay bid to Blevins Asphalt. Colvin stated if Council approves this bid, he will be bringing back a contract at the next meeting for their consideration. Ellis made a motion to approve the 2016 Mill and Overlay bid award to Blevins Asphalt with Russell seconding and all Council members voting aye.

BUDGET AMENDMENT:

City Administrator Brian Bingle addressed Council with a request for a budget amendment for the General Fund. Bingle explained the \$6500.00 budget amendment was for an economic development salary stipend to assist the Nixa Chamber of Commerce in hiring an executive director. Bingle explained this appropriation would require Council to authorize a budget amendment. Ellis made a motion to approve the \$6500.00 budget amendment with Graham seconding and all Council members voting aye.

DISCUSSION ITEMS:

Police Chief Jimmy Liles requested Council's permission to accept an unsolicited grant from MoDOT. Liles explained the grant was for the Youth Alcohol Enforcement Campaign from May 5-16 and would reimburse up to \$600.00 for overtime used for this campaign. Russell made a motion to accept the grant with Ellis seconding and all Council members voting aye.

Park Director Matt Crouse presented Council with information regarding a proposed parade route change for the Nixa Sucker Day parade and the Christmas parade. Crouse explained that the current parade route causes Highway 14 to be closed from Missouri Street to Main Street causing safety concerns along with producing traffic congestion. Traffic has become harder to detour and reroute. After discussion with the police department, it was decided to look for an alternative parade route. The alternative parade route would allow for better traffic flow, would keep major corridors open, would reduce the amount of officers needed, would add distance to the parade and would provide more parking. Council discussed several concerns with the proposed route and looked for an alternative route. Liles stated that another concern with the current route is the amount of landlocked homes during the parade. Liles said this becomes a safety issue when emergency personnel are delayed if an emergency occurs during the parade. Nixa Police Corporal Shawn Clark addressed Council with information on the route and the reasoning behind it. Clark explained it was difficult to come up with a viable route and during the process kept the safety issue a priority. Crouse indicated that information on the new route will be sent to residents that live along the new route and that information will be sent out to everyone in Nixa. Crouse plans to send out a mailer to the persons living along the parade route and he also plans to inform residents by utilizing city communications and the newspaper. Council gave direction to proceed with the new parade route.

Crouse next gave Council a park sponsorship update and sample brochure. Crouse explained the park received \$5935.00 in sponsorships in 2013. So far in 2016 the park has received \$18,846.86 in sponsorships. Crouse feels the department is on track to meet or exceed the 2015 amount by estimating a total of \$26,000.00 to \$27,000.00. Crouse informed Council that the sponsorship brochure had been sent out to approximately four hundred (400) Nixa Chamber businesses and will be following up with those businesses trying to schedule a meeting. Council discussed the potential and options for sponsorships and expressed the desire to see a collaboration within the city departments to market the sponsorship as a product.

The next two (2) items of discussion were the Council meeting set-up and Council retreat. Discussion was held on the idea of having Council members sit at the dais for both meetings rather than having one meeting on the dais and one meeting sitting at tables. It was decided Council would remain at the dais at both meetings. City Clerk Cindy Robbins will work out the details for set up. Council retreat was also discussed. Council will send Robbins dates they would be available for the event. It was determined the retreat will be one (1) day at City Hall and meals will be provided. Council was asked to come up with topics for retreats discussion and these topics will be presented at the next meeting.

DEVELOPMENT ACTIVITY:

Planning and Development Director Travis Cossey reported upcoming development activity to Council. Cossey stated at the next meeting he will be bringing a request for a special use permit for a daycare at 1212 West Butterfield. This request is due to the daycare wanting to expand from four (4) children to ten (10) children. Cossey stated Planning and Zoning Commission has met and will present a recommendation for approval for this special use permit.

Cossey also said that he will be bringing to Council for consideration a request for approval for the Kelby Creek Phase V amended preliminary plat. Cossey explained this amendment reduces seven (7) lots down to one (1) lot. Cossey said there are plans for one (1) home on a five (5) acre lot. Council discussed concerns from the homeowners in Kelby Creek and Cossey explained all the issues of concern had been resolved.

INFORMATION:

Liles updated Council on the cyanide incident. Liles reported the city had incurred \$7884.00 in expense for the incident and that insurance had denied the claim because the clean-up was preventative. Liles

thanked the Nixa Fire District for their help and assistance during the incident. Liles said worker's compensation insurance should pay for any expenses for the employees' treatment.

The park land sale is scheduled to close on April 28th, Robbins will be attending that closing. Approximately \$240,574.00 will be placed in park impact fees and \$184,426.00 will go to the general fund. Mayor Steele recommended putting all funds into the park funds and staff will bring back more information about the options available for the funds.

MAYOR AND COUNCIL MEMBER REPORTS:

Council had received complaints on the utility billing disconnect and reconnect process along with complaints about staff rudeness. Council suggested staff review the policy on reconnect fee and to also look into sensitivity training and leadership training for employees. Staff will research the suggested ideas and let Council know the options available.

ADJOURNMENT:

With there being no further business, at 8:05 p.m. Maher made a motion to adjourn with Graham seconding and all Council members voting aye.

Mayor

City Clerk

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

NIXA CITY HALL

April 18, 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, 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 c, with Maher seconding and Long, Russell, Peterson, Graham and Maher voting aye on roll call vote.

VISITORS:

None

ELECTION RESULTS:

City Clerk Cindy Robbins announced the 2016 election results:
Council Member District I-one (1) year term: Kendal Dingus
Council Member District I-two (2) year term: Ryan Keating
Council Member District II: three (3) year term Aron Peterson
Council Member District III: three (3) year term Justin Orf

Mayor Steele expressed his gratitude to outgoing Council member Graham and thanked her for her five (5) years of service. Mayor Steele presented Graham with a clock in appreciation of her service to the community as a Council member.

SWEAR IN COUNCIL MEMBERS:

Robbins swore in the newly elected officials.

ELECTION OF MAYOR PRO TEMPORE

Long made a motion to nominate Russell as Mayor Pro Tempore with Keating seconding and all Council members voting aye.

AUDITOR'S REPORT:

Marshall Decker, Decker and DeGood, addressed Council with a brief update on the 2015 audit, highlighting the Auditor's Report for 2015. Decker stated the City was in a solid cash position. The General Fund saw a \$324,122.00 increase in 2015 for an ending balance of \$5,640,216.00. The Street Fund saw a \$41,561.00 increase with an ending balance of \$3,972,254. The Water Fund experienced an increase of \$592,936.00. The Sewer Fund had an increase of \$527,883.00. The Electric Fund saw a decrease of \$282,099.00. Deckard stated the budget was presented properly, the books were in good shape and the balances all looked good. Finance Director Donna Swatzell will bring back information on the budget to submit for CAFR. A copy of this 2015 budget report is available at City Hall for review.

PRESENTATION:

Swatzell and Robbins addressed Council with information regarding the continuation of collecting out of state motor vehicle sales tax. Swatzell gave background information on the tax and the legislation regarding this tax. SB 182 re-imposes the local sales tax on out of state sales but requires voter approval by November 2016 to continue collecting this tax. Swatzell reported that over one hundred eleven (111) municipalities across the state had this issue on the ballot April 5th and received voter approval. Swatzell provided Council with an estimate of the financial impact Nixa would suffer should the tax be discontinued. Swatzell also mentioned that HB 2809 would require municipalities to cease collecting sales tax on all motor vehicles impacting Nixa by over \$500,000.00. Robbins added that two (2) bills had been introduced to help remedy this situation and she had received an email on Friday confirming that an amended version of HB 2140 had passed and was waiting for the Governor's signature. This bill extends the deadline for voter approval of the continuation of the tax to November 2018. Robbins gave Council information to educate the public on the continuation of the local sales tax should Council decide to move forward. Robbins explained the next option for election was August 2nd and that an ordinance would need to be passed calling for the election. Robbins explained the certification date for that ballot initiative would be May 24th. Council discussed the matter and decided to wait to see if the Governor would sign the bill.

ORDINANCES:

Bill #2016-041 Authorizing the Mayor to Sign a Contract with Blevins Asphalt Company, Inc., for the 2016 Asphalt Mill and Overlay Project was presented. Dingus made a motion to approve Bill #2016-041 on first reading and pass to second with Keating seconding. Public Works Director Doug Colvin informed Council this ordinance was a result of the bid awarded to Blevins Asphalt last meeting for the annual mill and overlay project. The contract is for \$189,936.00 and the project should finish around the last week of August. Colvin explained the contract gives Blevins one hundred twenty (120) day to complete the project and will start within the next thirty (30) days. Colvin provided Council with the list of streets scheduled for the milling and overlay. Colvin explained this project reconditions the existing streets by milling the pavement up to the gutters and then laying a couple of inches of new asphalt over the top. 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 # 2016-041 was presented for final reading. Dingus made a motion to approve Bill #2016-041 on final reading and pass into law with Long seconding and Russell, Peterson, Orf, Keating, Dingus and Long 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. Police Chief Jimmy Liles stated 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. At the last meeting this resolution was presented for Council's consideration and due to their concerns with the agreement, the resolution was postponed and sent to City Attorney Pat Sweeney for revisions. Liles explained Sweeney had made a few minor changes to the agreement but did not feel that individual waivers were needed for this agreement. Liles said he checked with area towns and while Springfield requires agreements and waivers, Republic doesn't require either document. Liles stated his biggest concern with requiring waivers would be the extensive recordkeeping. Council discussed their concerns with the lack of individual waivers and Sweeney assured them the agreement would cover any liability. Mayor Steele opened the public hearing for comments, no comments were made and the public hearing was closed. Mayor Steele called for a motion, Keating made a motion to approve Resolution #2016-031 with Orf seconding and all Council members voting aye.

Resolution #2016-041 Approving the Kelby Creek Subdivision Phase V Amended Preliminary Plat was presented. Planning and Development Director Travis Cossey presented Council with information regarding the amended preliminary plat up for consideration. Cossey explained the preliminary plat was originally approved by the P & Z Commission and City Council in 2005. Kelby Creek Subdivision included one hundred eighty-nine (189) acres with six (6) phases. Three (3) of the phases have developed and three (3) remain undeveloped. Cossey stated that Central Bank of the Ozarks has taken over that project and is in the process of selling those remaining phases. Central Bank of the Ozarks has a potential buyer for Phase V however, the buyer is wanting an amendment to the plat to reduce the seven (7) lots down to one (1) five (5) acre lot. Cossey assured Council utilities were adequate for the request. Cossey said the Planning and Zoning Commission has provided a unanimous recommendation of approval for this request. Council asked about the residents' concerns over the costs of the home owner association costs and was told that all the concerns have been addressed and agreed upon. Mayor Steele opened the public hearing for comments. Lee Viorel, representing Central Bank of the Ozarks, addressed Council. Viorel said Central Bank took this property over after foreclosure. Viorel said Phase V is on the western side of the project and contains high voltage electric lines as well as uneven topography. No streets, curbs or guttering have been put in so they will not be undoing something that has been completed. Viorel reiterated that homeowners in Kelby Creek had initial input but all concerns have been addressed. Central Bank does have a buyer interested in the property but requested the amendment be made prior to a sale. With there being no further comments, the public hearing was closed. Russell made a motion to approve Resolution #2016-041 with Peterson seconding and all Council members voting aye.

Resolution #2016-042 Approving a Special Use permit for a Home-Based Day Care at 1212 West Butterfield Drive was presented. Cossey explained Breanna Donnell, homeowner of 1212 W. Butterfield Drive, had requested approval of a special-use permit to allow for the operation of a homebased day care. Donnell is currently operating a day care for up to four (4) children but is wanting to expand her business. Caring for more than four (4) children but less than ten (10) children requires obtaining a special-use permit from the city and a permit approval from the state fire marshal. Cossey explained Donnell and her home have met all the requirements for the city and the special-use permit would be issued conditional upon approval from the state fire marshal. Cossey said upon review of the application, Planning and Zoning Commission recommended approval. Mayor Steele open the public hearing, no comments were made and the public hearing was closed. Mayor Steele called for a motion and Dingus made a motion to approve Resolution #2016-042 with Keating seconding and all Council members voting aye.

Resolution #2016-043 Adopting the Draft Major Thoroughfare Plan and Design Standards was presented. Cossey provided a brief introduction of Sara Fields, Executive Director for the Ozarks Transportation Organization (OTO). Fields presented information on a transportation circulation plan project Nixa has been working on in conjunction with OTO. Nixa has been proactive in the past by including a traffic circulation plan in the comprehensive plan similar to OTO's plan. Fields explained that OTO is required to plan the regional transportation network in order for that area to be eligible for federal transportation funding from the gas tax. OTO covers northern Christian County and most of Greene County and has proposed the attached draft of the Major Thoroughfare Plan that includes a classification for systems for roads in the OTO area. Tonight's resolution adopts the amendments to the current design standards and the major thoroughfare plan. Council had questions regarding OTO fund appropriation and was told that OTO splits the funds according to population. Field is hoping to announce that Nixa will receive funding for a project later on this year. Cossey explained that OTO is requesting that the City of Nixa pass the resolution adopting the Draft Major Thoroughfare Plan and Design Standards. Mayor Steele open the public hearing, no comments were made and the public hearing was closed. Mayor Steele called for a motion and Russell made a motion to approve Resolution #2016-043 with Long seconding and all Council members voting aye.

DISCUSSION ITEMS:

Colvin presented Council with an update on proposed Northview Road improvements. Colvin explain Nixa has received approval to use \$105,000.00 from the county sales tax for Northview Road improvements. Updated cost estimates for the original intersection improvements are \$379,218.00 and to extend sidewalks across US 160 would add \$98,000.00 for a total estimated cost of \$477,000.00. Colvin stated MoDOT would allow the proposed changes to the existing intersection. Colvin said if this project moves forward, because of engineering and design plans, it would be possible to put out for bid in late2016 or early 2017. Colvin did say that the project would have to have ADA improvements. Colvin reminded Council that the US 160 and SH14 intersection improvement project would include a pedestrian crossing. Bingle told Council that if they should decide to move forward with this project that he would recommend Cossey submit a TIP amendment so that the project is eligible for STP funding. Council was reminded that the county does require the sales tax to be spent in a certain amount of time. Fields recommended waiting on the project for a potential MODOT cost share on intersection improvements. Council gave direction to wait on this project to see if other funding would become available.

Colvin introduced a change order for the SWPA Waterline Project for Council's consideration. Colvin explained Nixa was constructing a new water line to serve the new SWPA Operations Center on the west side of town. Colvin explained the change order covered an addition endcap assembly and extension sleeves for the fire hydrants. Due to elevation changes the sleeves were needed to bring the hydrants up to ground level. The change order is for \$5380.83 but the overall project is well under budget. Colvin stated SWPA will reimburse the city for all costs of the water line extension including the cost of the change order. Council asked if the city had worked with this contractor in the past. After a brief discussion, Long made a motion to approve the SWPA Waterline Contract change order with Peterson seconding and all Council members voting aye.

Colvin next presented a Wastewater Force Main Relocation Contract change order for the US 160 and SH14 intersection improvements. During construction a line did not need to be lowered as much as planned and but another line did causing an equal exchange. However, a water line was discovered in the area that needed to be lowered causing the \$6500.00 change order. Colvin said the contractors also did a ditch cut at the intersection to drain toward Wasson. The only adjustment came from the water line being lowered. Russell made a motion to approve the Wastewater Force Main Relocation Contract change order with Keating seconding and all Council members voting aye.

Robbins inquired about the upcoming Council retreat. Robbins asked for agenda topics and had a tentative schedule from 9:00 a.m. to 4:00 p.m. Council mentioned economic development and an NCIP update as topics of interest.

INFORMATION ITEMS:

The Quarterly Joint Meeting will be held April 28th at the Fire Department at 6:30 p.m.
NCIP will be held April 28th at City Hall at 8:30 a.m.

MAYOR AND COUNCIL REPORTS:

Keller Williams will be sponsoring a Community Day on May 7th. Mayor Steele and the mayor of Ozark will be competing in a dunk tank contest.

Safety Palooza will also be held on May 7th as well as the City-Wide Garage Sale Day.

Nixa's new website is up and running.

ADJOURNMENT

With there being no further business, Russell made a motion to adjourn at 8:30 p.m. with Long seconding and all voting aye.

Mayor

City Clerk

SPECIAL MEETING OF THE NIXA CITY COUNCIL, NIXA FIRE DISTRICT AND NIXA SCHOOL BOARD

FIRE STATION #5 at 1295 W GUINN RD

APRIL 28TH 2016, 6:30 p.m.

The quarterly joint meeting of the Nixa City Council, Nixa School Board, Nixa Fire Department, Christian County Commission and Nixa Chamber was called to order by Fire Chief Jon Trent. City Council members that were in attendance included Mayor Brian Steele, Aron Peterson, Ryan Keating and Chris Russell. Also attending was Brian Bingle, Jill Finney, Cindy Robbins, Matt Crouse and Jimmy Liles.

Trent thanked everyone for attending and encouraged everyone to look around at the new fire station. The new station had been open two (2) weeks and had been built in the area to cut down on call time. Trent said the Fire District will begin Front Porch Friday nights during June and July. These events opens the stations to residents wanting tours.

Mayor Steel introduced the new Council member Ryan Keating in attendance and mentioned Kendal Dingus and Justin Orf were also new members. Due to lack of equipment the NCIP video and new website were unable to be shown. City Administrator Brian Bingle gave a brief update on the progress of the Business Development Corporation. Bingle stated the project was approximately \$18,000.00 shy of meeting the budgeted requirements but once those were met a 501(C)3 will be formed and a County Economic Development Director will be hired. Bingle said the solar farm project was moving forward and would be the largest solar farm in Missouri. Bingle reviewed the road construction projects. Bingle said the projects were finishing up with moving the utilities. Once construction begins, SH14 and US160 will be mostly night work but the Main and Tracker project will have full street closures during the day. Chris Russell stated the city had five (5) new housing developments beginning in the city.

Scott McDonald, Nixa Schools, thanked Jon Trent for hosting and remarked the new facility was beautiful. Dr. Kleinsmith and Dr. Chastain gave an overview of Connected-1 to 1 technology program the school was doing. The school is wrapping up the first year of a four (4) year plan. A chrome book-internet based device will be provided to Nixa students for their use. Chastain explained the kids will log in through the school so there is a filter to provide the students a safe environment.

The next quarterly meeting was scheduled for August 25th at 6:30 p.m. with Nixa School hosting the event.

With there being no further business, the meeting adjourned at 7:30 p.m.

City Clerk