



Memorandum Regarding Council Bill No. 2025-05: An Ordinance Calling for a Special Election on August 5, 2025, to fill a vacancy in the office of City Councilmember for District 1.

Background:

District 1 Councilmember Matt Ogden has resigned his seat on the City Council. This has created a vacancy on the City Council.

Analysis:

Section 3.6 of the City Charter requires the City Council to call for a special election when a vacancy on the City Council occurs and if the period of vacancy exceeds 1 year. With Mr. Ogden's resignation, the Council seat will be open for longer than 1 year. This requires the City Council to, by ordinance, call for a special election at the next available election date.

The earliest time that the Council can hold a special election is August 5, 2025.

Recommendation:

Since the Council's obligation to call a special election is mandatory, staff recommends approval of Council Bill No. 2025-05.

MEMO SUBMITTED BY:

Nick Woodman | City Attorney

Attachments:

Council Bill No. 2025-05.

1 **AN ORDINANCE OF THE COUNCIL OF THE CITY OF NIXA CALLING FOR A**
2 **SPECIAL ELECTION ON AUGUST 5, 2025, TO FILL A VACANCY IN THE OFFICE OF**
3 **CITY COUNCILMEMBER FOR DISTRICT 1 AND AUTHORIZING THE CITY CLERK TO**
4 **DO ALL THINGS NECESSARY OR CONVENIENT TO SUBMIT SAID ELECTION.**

5
6 **WHEREAS** District 1 Councilmember Matt Ogden has resigned from the City
7 Council; and

8
9 **WHEREAS** Councilmember Ogden’s seat has a term that expires in April of 2026;
10 and

11
12 **WHEREAS** Section 3.6 of the City Charter provides that if a City Council vacancy
13 exceeds 1 year, the Council is to call a special election to fill the vacancy for the unexpired
14 term; and

15
16 **WHEREAS** Section 9.1 of the City Charter requires the Council to call special
17 elections by ordinance; and

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19 **WHEREAS** the next available election date, as determined by the election laws of
20 the State of Missouri, is August 5, 2025; and

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22 **WHEREAS** Section 9.2 of the City Charter requires candidates to file a Declaration
23 of Candidacy with the City Clerk; and

24
25 **WHEREAS** the election laws of the State of Missouri set the first day for candidate
26 filing for this election shall be April 8, 2025, and the last day for candidate filing shall be
27 April 29, 2025; and

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29 **WHEREAS** the Council desires to call for a special election on August 5, 2025, to
30 fill a vacancy in District 1.

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32 **NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF**
33 **NIXA, AS FOLLOWS, THAT:**

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35 **SECTION 1:** The City Council hereby calls and orders that a special election shall
36 be held within District 1 of the City of Nixa on August 5, 2025, to fill a vacancy in the
37 District 1 Council position vacated by Matt Ogden with a term expiring in April of 2026.

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39 **SECTION 2:** The City Clerk is hereby authorized and directed to establish a
40 procedure for prospective candidates to file a Declaration of Candidacy during a period
41 to begin April 8, 2025, and ending at 4:00 p.m. on April 29, 2025. The City Clerk is also
42 authorized and directed to notify the Christian County Clerk of the adoption of this
43 Ordinance as soon as practicable but no later than 5:00 p.m. on the tenth Tuesday prior
44 to August 5, 2025. The City Clerk shall include in the notification all the terms and
45 provisions required by Chapter 115 RSMo. or any other law and names of all qualified
46 candidates who have filed a Declaration of Candidacy to be listed on the ballot. The City

47 Clerk is further authorized and empowered to do all things that are necessary or
48 convenient to ensure that the election referenced in Section 1 herein is properly and timely
49 submitted to the qualified voters on August 5, 2025.
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51 **SECTION 3:** This Ordinance shall be in full force and effect from and after its final
52 passage by the City Council and after its approval by the Mayor, subject to the provisions
53 of section 3.11(g) of the City Charter.
54

55
56 **ADOPTED BY THE COUNCIL THIS _____ DAY OF March 2025.**

57
58 ATTEST:

59
60 _____
61 PRESIDING OFFICER

60 _____
61 CITY CLERK

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63
64 **APPROVED BY THE MAYOR THIS _____ DAY OF _____ 2025.**

65
66 ATTEST:

67
68 _____
69 MAYOR

68 _____
69 CITY CLERK

70
71
72 APPROVED AS TO FORM:

73
74 _____
75 CITY ATTORNEY