

**MINUTES**  
**REGULAR COUNCIL MEETING**  
**WEST PLAINS CITY HALL COUNCIL CHAMBERS**

Monday, August 21, 2023

5:30 p.m. – Public Hearing followed by Regular Session

The West Plains City Council met in regular session on August 21, 2023, in the council chambers at City Hall, 1910 Holiday Lane, with the following members present: Mayor Mike Topliff, Councilman Johnny Murrell, Mayor Pro-Tem Jessica Nease, Councilman John Niesen and Councilman Greg Collins. City Administrator Sam Anselm, City Attorney Charls Cantrell and City Clerk Allison Skinner also were present.

**I. Preliminaries**

Mayor Topliff called the meeting to order and gave the invocation followed by the Pledge of Allegiance.

**II. Public Hearing**

Ad Valorem (property) tax levy for General Fund  
No one attended to speak for or against the issue.

**III. Consent Agenda**

Councilman John Niesen made a motion to accept the consent agenda, with the exception of removing Matt Legler's name from the list of Parks Board members to be approved for new terms for a separate discussion, seconded by Jessica Nease. Motion passed. Councilman Niesen then made a motion to accept Matt Legler's new term to the Parks Board, seconded by Councilwoman Nease. Mayor Topliff abstained as Legler is his son-in-law. Motion passed.

**IV. Recognition of Guests**

- a. Debra Hart gave a presentation on planned development and letter of support request for future development.

**V. Ordinances**

- a. **Bill 4740 to become Ordinance 4740** – Second Reading. An Ordinance changing the official zoning map of the City of West Plains, Missouri, and defining the boundaries of the area to be changed on said official zoning map by this ordinance (a section of property owned by the West Plains Country Club). Councilman Murrell made a motion to approve, seconded by Councilman Niesen. Motion passed.
- b. **Bill 4741 to become Ordinance 4741** – Second Reading. An Ordinance to annex a section of property owned by Seth and Mallory Johnson into the city limits of West Plains. Councilman Murrell made a motion to approve, seconded by Councilman Niesen. Motion passed.
- c. **Bill 4742 to become Ordinance 4742** – First Reading. An Ordinance of the City of West Plains, Missouri, to establish a procedure to disclose potential conflicts of interest and substantial interests for certain officials. Councilman Murrell made a motion to approve, seconded by Councilman Collins. Motion passed.
- d. **Bill 4743 to become Ordinance 4743** – First Reading. An Ordinance providing for

the levying and collection of a tax for the general revenue fund within the City of West Plains, Missouri for the year 2023, upon all real, personal, and mixed property within the corporate limits of the City of West Plains, Missouri, subject to taxation. Councilman Murrell made a motion to approve, seconded by Councilman Niesen. Motion passed.

- e. **Bill 4744 to become Ordinance 4744 - First Reading.** An Ordinance by the City of West Plains, Missouri, to amend and replace the following existing section of the City Code: Chapter 28, Offenses, Article III – Offenses against public health and safety, Section 28-77 Rockets, Missiles and Projectiles. Councilman Murrell made a motion to approve, seconded by Councilman Collins. Motion passed.
- f. **Bill 4745 to become Ordinance 4745 - First Reading.** An Ordinance by the City of West Plains, Missouri, to add the following section to the City Code: Chapter 28, Offenses, Article III – Offenses against public health and safety, Section 28-83 Discharge of Firearms. Councilman Murrell made a motion to approve, seconded by Councilman Niesen. Motion passed.
- g. **Bill 4746 to become Ordinance 4746.** First Reading. An Ordinance of the City of West Plains, Missouri, to amend and replace four sections of City Code: Chapter 4, Alcoholic Beverages, Section 4-20 approval of application, Section 4-23 (a) Sale on Premises of Charitable, Fraternal, Religious, Service or Veterans’ Organizations, Section 4-29 issuance, and 4-41 Prerequisites for Renewal. Councilman Murrell made a motion to approve, seconded by Councilman Niesen. Motion passed.

## **VI. Resolutions**

- a. **Resolution 2023-18** – A Resolution of the City of West Plains, Missouri, to approve a Center for Excellence Memorandum of Understanding among the City of West Plains, Missouri, Missouri State University-West Plains, and the West Plains chamber of Commerce, to establish a new use of the property at the corner of Howell Avenue and Jackie D. Garrett Drive (formerly the Greater Ozarks Center of Advanced Technology.) Councilman Murrell made a motion to approve, seconded by Councilman Niesen. Motion passed.
- b. **Resolution 2023-19** – A Resolution to adopt a comprehensive land use plan, “Connect West Plains,” to serve as a guiding document for the future development and growth of the city of West Plains. Councilman Murrell made a motion to approve, seconded by Councilman Niesen. Motion passed.
- c. **Resolution 2023-20** – A Resolution of the City of West Plains, Missouri, authorizing the City Administrator to execute an administrative contract agreement between the City of West Plains, Missouri, and the South Central Ozark Council of Governments (SCOCOG) for the Garner Villas project being funded by the Community development Block Grant (CDBG.) Councilman Murrell made a motion to approve, seconded by Councilman Collins. Motion passed.
- d. **Resolution 2023-21** – A Resolution of the City of West Plains, Missouri, authorizing the City Administrator to execute a contract agreement between the City of West Plains, Missouri, and Horner and Shifrin for engineering services for the Garner Villas project being funded by the Community development Block Grant (CDBG.) Councilman Murrell made a motion to approve, seconded by Councilman

Niesen. Motion passed.

**Resolution 2023-22** – A Resolution of the City of West Plains, Missouri, in support for the proposed 48 unity development of senior attached patio homes known as Garner Villas Phase II, which will be located adjacent to Garner Villas Phase I, at the newly constructed Garner Road extension and county Road 6460. Councilman Murrell made a motion to approve, seconded by Councilman Collins. Motion passed.

- e. **Resolution 2023-23** – A Resolution by the City of West Plains, Missouri, approving the City Purchasing agent to participate through membership in the Region VIII Education Service Center for the Interlocal Purchasing System (TIPS), a national cooperative purchasing program. Councilman Murrell made a motion to approve, seconded by Councilman Niesen. Motion passed.

**VII. Council Action**

- a. West Plains R-7 fireworks request. Councilman Murrell made a motion to approve, seconded by Councilman Niesen. Motion passed.
- b. Scott McWilliams –Missouri Department of Conservation Wildlife Damage Biologist – permission to use pellet gun or rubber buck shot to remove black vultures from the Summit Street area. Councilman Niesen made a motion to approve, seconded by Councilman Collins. Motion passed.

**VIII. City Administrator's Report**

City Administrator Sam Anselm stressed the importance of safety during the recent days of extreme temperatures. He also thanked all who attended the ribbon-cutting ceremony of the recently improved Butler Children's Park.

**IX. Adjourn**

The meeting adjourned at 6:10 p.m.