

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

NIXA CITY HALL

April 8th, 2025 6:00 P.M.

The regular meeting of the Nixa City Council was called to order by Mayor Giddens. Attending were Council Members Kelly Morris, Shawn Lucas, Aron Peterson, Darlene Graham and Zern Vess.

The Pledge of Allegiance was given.

Proclamation:

Mayor Giddens read a proclamation proclaiming April 25th, 2025, as Arbor Day. Justin Homes, with the Missouri Department of Conservation, accepted the proclamation. Mayor Giddens stated that the Public Works Department would be at the Gardens of Woodfield on April 25th to celebrate Arbor Day with a tree planting.

Visitors (Speaker Card Required; Comments Limited to 5 Minutes):

None scheduled.

Ordinances (First Reading and Public Hearing; Comments Limited to 5 Minutes; No Council Vote Anticipated):

Council Bill #2025-10 Amending Chapter 111, Article V, Section 111-207 of the Nixa City Code for the Purpose of Providing a Standard for Approving Acceptable Hard Surfaces Other Than Asphalt and Concrete. Brendan Justin, City Planner, told Council that this bill is regarding vehicle accommodations area surfaces within public spaces. Justin said that the current code says that the vehicle accommodation areas should be graded and surfaced with asphalt, concrete, or other hard surfaces. Justin stated that the terms “other hard surfaces” have caused some confusion and questions about alternative types of hard surface materials. Justin told Council that the proposed changes set a minimum standard that any proposed hard surface must accommodate any emergency response vehicle and would require the approval of the Director of Planning and Development. Justin stated that the Planning and Zoning Commission voted unanimously to recommend approval, and staff also recommends approval. Council asked questions, with Justin responding. Mayor Giddens opened the public hearing for comments, with no comments made, the public hearing was closed.

Council Bill #2025-11 Approving the Preliminary Plat of the Subdivision Known as the Village of Cloverhill at Wicklow Which is Generally Located Near the 800 Block of East Tracker Road and Authorizing Certain City Officials to Take Certain Actions Upon the Filing of the Final Plat. Justin told Council that this is Phase 7 and the final phase of residential zoning for Wicklow. Justin stated that this subdivision will create 52 R-1 lots and two (2) common area lots. Justin said this subdivision will be located south of Tracker and west of Old Castle. Justin stated that the property is 20 acres that was annexed in 2003 with a multifamily zoning. Justin said in 2014, the property was rezoned to single-family and platted as Wicklow School. Justin told Council

that the Nixa School District acquired the property in 2014 as well. Justin said that the property is vacant and bounded on all sides by single-family zoning. Justin stated that both common areas are dedicated to the homeowner's association and discussed each common area's purpose. Justin said that the main entry to the subdivision will be off Tracker. Justin told Council that the existing stormwater drainage area is designed for all phases of the Wicklow development. Justin said that all lots are served by city utilities and are readily available. Justin stated that concerned citizens attending the Planning and Zoning Commission meeting and asked questions about the development. Justin said that the Planning and Zoning Commission voted unanimously to recommend approval, and staff also recommends approval. Council asked questions, with Justin responding. Council and staff held a discussion. Mayor Giddens opened the public hearing for comments.

Judy Brown, 1120 N Walleye Street, asked about the property near her fence. Scott Godbey, Planning and Development Director, responded to Brown's question.

Jason McCullough, 836 E Abbey Ct., discussed stormwater easements. Godbey responded to McCullough's comments and questions.

Clayton Hines, Shaffer & Hines Inc., stated he was the civil engineer on this project and provided information on the stormwater easements on the property.

Danielle Johnston, 830 E Abbey Ct., asked questions about the height of the fences allowed within the subdivision. Mayor Giddens responded to Johnston's comments. Godbey provided additional information.

With no further comments, Mayor Giddens closed the public hearing.

Council Bill #2025-12 Rezoning the Real Property Generally Located at the Northeast Corner of North Main Street and State Highway CC a General Commercial (GC) District to a Planned Unit Development – Commercial (PUD-C) District. Godbey told Council the nine-and-a-half (9.5) acre property was annexed in 2020 and zoned as General Commercial. Godbey provided information on the PUD-C zoning district. Godbey said the property will have four (4) commercial buildings that will be built similar to the existing buildings. Godbey told Council that this property will be impacted by the MODOT roundabout project. Godbey stated that MODOT will be expanding the detention basin near the property. Godbey said that city water and sewer are available; however, city electric is not onsite. Godbey stated the primary request for rezoning is to PUD-C with M1 and discussed the future land use map. Godbey provided information on MODOT's roundabout affecting this property. Godbey stated that the Planning and Zoning Commission voted unanimously to recommend approval, and staff also recommends approval. Council asked questions, with Godbey responding. Mayor Giddens opened the public hearing for comments.

Tim Wilson, Property Owner, stated he was available for any questions. Council asked Wilson questions with Wilson responding.

With no further comments, the public hearing was closed.

Mayor Giddens called for a 5-minute break at 6:48 p.m. The meeting was called back to order at 6:58 p.m.

Ordinances (Second Reading and Public Hearing; Comments Limited to 5 Minutes; Council Vote Anticipated):

Council Bill #2025-08 Amending Chapter 12, Article II, Division 1, Section 12-21 of the Nixa City Code to Provide Certain Exceptions to the City's Business License Requirements. Rebekka Coffey, City Clerk, told Council that in August 2024, the business license code was updated. Coffey stated this update requires all businesses performing a service or conducting retail sales within the city limits, regardless of physical location, to obtain a business license. Coffey said the proposed update will add "for profit" to the definition of business. Coffey stated there would also be a clarification in the definition of business that states that the city's code shall not apply to activities of charitable or non-profit organizations and shall not apply to a business operating as a part of an approved special event, as authorized by the City of Nixa code. Mayor Giddens opened the public hearing for comments, with no comments made, the public hearing was closed. Mayor Giddens called for a motion to approve the council bill. Vess made a motion to approve Council Bill #2025-08, with Peterson seconding and Lucas, Vess, Graham, Morris, and Peterson voting aye on roll call vote.

Council Bill #2025-09 Amending the 2025 Annual Budget to Appropriate Funds for a Splash Pad at the Nixa Aquatic Center. Matt Crouse, Parks Director, stated that this budget amendment is for some aesthetic changes to the splash pad. Crouse said that a concrete pad would be poured around the splash pad that is within the current budget. Crouse told Council that the added seating around the splash pad is not within the budget. Crouse said the \$15,000 for seating would be coming out of Park impact fees. Mayor Giddens opened the public hearing for comments, with no comments made, the public hearing was closed. Mayor Giddens called for a motion to approve the council bill. Graham made a motion to approve Council Bill #2025-09 with Morris seconding and Lucas, Graham, Peterson, Vess, and Morris voting aye on roll call vote.

Mayor and Council Member Reports:

Mayor Giddens stated that Saturday, April 12th, from 9 a.m. – noon would be the Volunteer Day at Gardens of Woodfield that Legacy City Church is sponsoring. Mayor Giddens said the 1st Annual Hands On Nixa event would be at the High School on Saturday, April 12th, from 4 p.m. – 7 p.m. in the south parking lot.

Coffey stated that candidate filing for the open District 1 seat would be April 8th – April 29th.

Joe Campbell, Police Chief, told Council the Nixa has been ranked sixth (6th) safest city list with Safewise.

Crouse stated that the annual Easter Egg Hunt would be April 19th beginning at 9a.m. at McCauley Park. Crouse said that the Parks Department would be holding open interviews on April 9th.

Closed Session:

Peterson made a motion to adjourn to closed session pursuant to RSMO 610.021 (1) in which the Council will discuss legal actions, causes of action, and confidential and privileged communications with their attorney with Lucas seconding and Morris, Lucas, Peterson, Graham, and Vess voting aye on roll call.

Adjournment:

The meeting will be considered closed at the close of the closed session.

Mayor

City Clerk

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

NIXA CITY HALL

April 22nd, 2025 6:00 P.M.

The regular meeting of the Nixa City Council was called to order by Mayor Giddens. Attending were Council Members Kelly Morris, Shawn Lucas, Aron Peterson, Darlene Graham and Zern Vess.

The Pledge of Allegiance was given.

Resolution #2025-21 Declaring the Results of the April 8th, 2025, General Municipal Election. Rebekka Coffey, City Clerk, told Council that pursuant to Section 9.3 of the Charter, City Council is required to declare the results of all municipal elections. Coffey said that the County Clerk has certified the election results. Coffey stated that Aron Peterson was reelected to District 2 and Kelly Morris was reelected to District 3. Mayor Giddens opened the public hearing for comments, with no comments made, the public hearing was closed. Mayor Giddens called for a motion to approve the resolution. Lucas made a motion to approve Resolution #2025-21, with Graham seconding and all Council Members voting aye.

Swear in Newly Elected Council Members:

Coffey swore in Aron Peterson as Council Member, District 1. Coffey swore in Kelly Morris as Council Member, District 3.

Mayor Pro-Tempore Election:

Lucas nominated Peterson to be Mayor-Pro-Tempore and Vess agreed that Peterson should be Mayor Pro-Tempore. Graham made a motion to make Peterson Mayor Pro-Tempore with Morris seconding, and Peterson, Morris, Graham, Lucas, and Vess voting aye on roll call vote.

Consent Agenda:

Mayor Giddens called for a motion to approve the consent agenda. Peterson made a motion to approve the consent agenda, items a through b, with Lucas seconding and Vess, Lucas, Graham, Morris, and Peterson voting aye on roll call vote.

Service Awards:

Mayor Giddens recognized Brent Forgey for his 30 years of service to the city. Joe Campbell, Police Chief, read an award nomination that Forgey received for a Lifetime Achievement Award. Campbell stated that the nomination captured Forgey's service to the community. Campbell said that Forgey is a vital member of the Police Department and is dedicated to the citizens of Nixa. Mayor Giddens discussed Forgey's service to the community.

Mayor Giddens recognized Jay Gallivan for his 10 years of service to the city. Matt Crouse, Parks Director, told Council that Gallivan is dedicated to the community and has helped to improve the programs within the Parks Department. Crouse stated that Gallivan manages the

concession stand and enrichment programs. Crouse said that he is thankful for Gallivan's service. Mayor Giddens spoke about Gallivan's service to the community.

Mayor Giddens recognized Nick Woodman for his five (5) years of service to the city. Mayor Giddens stated that Woodman was the city's first (1st) full-time legal counsel, and his presence has been formative. Mayor Giddens said that Woodman has been instrumental in updating the city's ordinances. Mayor Giddens stated that Woodman has meticulous attention to detail and is reliable and persistent. Mayor Giddens thanked Woodman and said he looked forward to many more years of service.

Presentation -Western County Commissioner – Johnny Williams:

Williams stated that he will be attending quarterly Council meetings to provide updates to Council and answer any questions that they might have. Williams said that Christian County is the 12th highest populated county within the state. Williams told Council that the E911 Police Department radio project will be completed in September/October 2025. Williams discussed Senate Bill 190/756 and provided information about the county's 40-acre campus. Williams said that the campus will have a health clinic for employees that was built with ARPA funds. Williams stated that there are four (4) lots left on the campus; two (2) are under contract, and two (2) are still for sale. Williams provided information on the Green, Red, and Hawkins bridge updates. Williams told Council that there will be \$13 million in stormwater projects within the four (4) quadrants of the county. Williams provided information on a roundabout that is being built in Highlandville, the Library Board, and the Holder Road Clouser Hearing. Williams stated he has been holding town hall meetings in Nixa, Ozark, Clever, Bruner, Chadwick, Sparta, and Billings. Williams said he is working with the city on a USA Agreement. Council asked questions, with Williams responding.

Visitors (Speaker Card Required; Comments Limited to 5 Minutes):

Ron Sanders, 976 Glen Oaks Dr., discussed the tax rates of Ozark, Springfield, Nixa, and Nixa's CID.

Ordinance (First Reading and Public Hearing; Comments Limited to 5 Minutes; No Council Vote Anticipated):

Council Bill #2025-13 Vacating Certain Right-of-Way Within the Subdivisions of the Village of Woodenbridge at Wicklow, Wicklow School (Village of Cloverhill), and Old Castle Estates Phase 7. Scott Godbey, Planning and Development, told Council this right-of-way was granted to the city in 1996 by the original property owner before Wicklow was developed. Godbey said the right-of-way was meant to be another north/south corridor. Godbey stated that the right-of-way goes through homes that have been developed. Godbey told Council the right-of-way was forgotten about, and it doesn't appear on any plats. Godbey stated that Old Castle began the main corridor in that area. Godey said that staff is in favor of vacating the right-of-way. Godbey told Council that the Planning and Zoning Commission voted 6-0 to vacate. Mayor Giddens opened the public hearing for comments, with no comments made, the public hearing was closed.

Ordinances (Second Reading and Public Hearing; Comments Limited to 5 Minutes; Council Vote Anticipated):

Council Bill #2025-10 Amending Chapter 111, Article V, Section 111-207 of the Nixa City Code for the Purpose of Providing a Standard for Approving Acceptable Hard Surfaces Other Than Asphalt and Concrete. Brendan Justin, City Planner, told Council that this council bill is to update the code that pertains to vehicle accommodation surfaces, such as parking lots. Justin stated that the city was approached about different surfaces for a green/natural feel. Justin said that “other hard surfaces” is not defined within the code. Justin stated that the proposed changes set a minimum standard that any proposed hard surface must accommodate any emergency response vehicle and would require the approval of the Director of Planning and Development. Justin stated that the Planning and Zoning Commission voted unanimously to recommend approval, and staff also recommends approval. Council held a discussion on amending the council bill to add ADA compliance to the council bill. Mayor Giddens called for a motion to amend the council bill. Morris made a motion to amend Council Bill #2025-10 with Peterson seconding and all Council Members voting aye. Mayor Giddens called for a motion to approve the council bill as amended. Lucas made a motion to approve Council Bill #2025-10 as amended, with Morris seconding and Lucas, Morris, Vess, Peterson, and Graham voting aye on roll call vote.

Council Bill #2025 -11 Approving the Preliminary Plat of the Subdivision Known as the Village of Cloverhill at Wicklow Which is Generally Located Near the 800 Block of East Tracker Road and Authorizing Gerain City Officials to Take Certain Actions Upon the Filing of a Final Plat. Justin told Council that this is the seventh (7th) phase of Wicklow. Justin stated this subdivision will have 52 buildable lots and two (2) common area lots, and is located south of east Tracker and west of Old Castle. Justin said that this subdivision is 20 acres and was annexed in 2003. Justin told Council that in 2014 the property was rezoned to R1, and in 2014 the school district purchased the property. Justin stated that the current zoning is appropriate for the proposed subdivision. Justin said that there is R1 zoning all around the property. Justin stated the two (2) common areas are dedicated to the HOA. Justin said the first (1st) will be for utility maintenance, and the second (2nd) is for emergency access. Justin told Council that the primary access to the subdivision will be off of Tracker Road. Justin discussed citizen concerns, including traffic, crosswalks, and stormwater basins. Justin said that all municipal utilities are available. Justin stated that the Planning and Zoning Commission voted 6-0 to recommend approval, and staff also recommends approval. Council asked questions, with Justin responding. Mayor Giddens opened the public hearing for comments, with no comments made, the public hearing was closed. Mayor Giddens called for a motion to approve the council bill. Peterson made a motion to approve Council Bill #2025-11 with Morris seconding, and Vess, Lucas, Graham, Peterson, and Morris voting aye on roll call vote.

Council Bill #2025-12 Rezoning the Real Property Generally Located at the Northeast Corner of North Main Street and State Highway CC a General Commercial (GC) District to a Planned Unit Development – Commercial (PUD-C) District. Godbey told Council the property was annexed into the city in 2020 with a general commercial zoning. Godbey said that the request contained in the PUD-C is to add M1 light industrial zoning to the commercial zoned district. Godbey stated that the requested zoning will be used to match existing structures and uses. Godbey said that the

future land use map shows that this property should be zoned GC. Godbey stated that the Planning and Zoning Commission voted 6-0 to recommend approval, and staff also recommends approval. Mayor Giddens opened the public hearing for comments, with no comments made, the public hearing was closed. Mayor Giddens called for a motion to approve the council bill. Vess made a motion to approve Council Bill #2025-12 with Lucas seconding and Graham, Lucas, Vess, Peterson, and Morris voting aye on roll call vote.

Resolutions (Public Hearing; Comments Limited to 5 Minutes; Council Vote Anticipated):

Resolution #2025-22 Authorizing the City Administrator to Solicit Bids for Painting Services for Water Tower No. 7 Located at 1355 North Street. Jason Stutesmun, Water Superintendent, told Council that the water tower painting is a part of the strategic plan. Stutesmun stated that the water tower being painted will be the tower by High Pointe Elementary School. Mayor Giddens opened the public hearing, with no comments made, the public hearing was closed. Council asked questions with Colvin responding. Mayor Giddens called for a motion to approve the resolution. Peterson made a motion to approve Resolution #2025-22, with Graham seconding and all Council Members voting aye.

Resolution #2025-23 Authorizing the Sale or Distribution of Alcohol on City Property for the 2025 Nixa Sucker Days Multi-Day Special Event. Godbey stated this is the annual request from the Nixa Chamber of Commerce to allow alcohol sales on the city parking lot for Sucker Days. Godbey said that the city code requires that alcohol sales on city property be approved by Council. Council asked questions, with Godbey responding. Mayor Giddens opened the public hearing for comments.

Whitney Guison, President & CEO Nixa Chamber of Commerce, stated that Sucker Days will be May 16th and 17th. Guison said that there would be a beer garden with live music like last year's festival. Guison stated that there would be a new ride vendor.

With no further comments, the public hearing was closed. Mayor Giddens called for a motion to approve the resolution. Vess made a motion to approve the resolution, with Morris seconding and all Council Members voting aye.

Resolution #2025-24 Authorizing the Mayor to Execute an Amended and Restated Employment Agreement between the City of Nixa and Jimmy D. Liles. Woodman told Council that Mayor Giddens had directed Council to review Mr. Liles' employment contract. Woodman stated that Mr. Liles was appointed in 2018 and no review of his employment contract had taken place since that appointment. Woodman said that the presented employment would continue Mr. Liles' employment, add termination language, and update benefit terms. Woodman told Council staff recommends approval. Mayor Giddens opened the public hearing for comments, with no comments made, the public hearing was closed. Mayor Giddens called for a motion to approve the resolution. Lucas made a motion to approve Resolution #2025-24, with Peterson seconding and all Council Members voting aye.

Resolution #2025-25 Authorizing the City Administrator to Solicit Qualifications or Insurance Brokerage Services. Liles told Council that the city uses brokerage firms for its health and

commercial liability insurance. Liles stated that in 2020 the city had a bid for its liability insurance brokerage, however, it had been over 10 years since a bid for the health insurance brokerage. Liles said that it benefits the city to go out for bid for these brokerage every five (5) years. Liles told Council that the city has no issues with its current brokerage firms, and this bid is not a reflection of their current service. Liles stated that the RFQ was written in a way that would allow for all requested services under one (1) brokerage firm or for the services to be split between two (2) brokerage firms. Liles said that staff recommends approval. Council asked questions with Liles responding. Mayor Giddens opened the public hearing for comments.

Ron Sanders, 976 Glen Oaks Drive, discussed insurance brokers.

With no further comments, the public hearing was closed. Mayor Giddens called for a motion to approve the resolution. Peterson made a motion to approve Resolution #2025-25 with Vess seconding and all Council Members voting aye.

Discussion Item – Double Parking Ordinance:

Liles stated that he has had discussions about parking on city-owned parking lots. Liles stated that the discussion for Council would be about individuals who park in two (2) spots instead of one (1). Liles asked Council if parking across two (2) spaces instead of one (1) should be made illegal, and if so, should that be enforced on just city-owned parking lots or all private lots as well. Council asked questions with Liles responding. Council held a discussion. Council gave direction for staff to draft an ordinance to make it illegal to park in two (2) spaces in city-owned parking lots.

Mayor and Council Member Reports:

Summer Rascoll, Communications Director, reminded Council about signing up for the city's Sucker Days booth. Rascoll said that the city has new giveaways and signage for the event. Mayor Giddens thanked the Communications Department for all of their work.

Joe Campbell, Police Chief, told Council that the Police Department has \$657 in grant funds available from the Nixa Community Foundation for ballistic shields. Campbell stated that a letter was drafted to the Nixa Community Foundation offering to return the money or asking if the money could be used to apply for a therapy dog program. Campbell said that the Police Department was authorized to use the money for a therapy dog program.

Liles stated that the Nixa Community Foundation is an affiliate of the Community Foundation. Liles said that the Nixa Community Foundation applied for a grant on behalf of the Nixa Parks Department for benches and trail head signage for the Eoff Century Family Farm. Liles stated that the Parks Department has been awarded the grant.

Mayor Giddens announced that the Nixa Police Department has been awarded the Blue Shield City designation.

Coffey told Council that candidate filing is still open for the vacant seat in District 1 and will close Tuesday, April 29th at 5 p.m.

Peterson stated that Drug Take Back Day will be April 26th from 10 a.m. – 2 p.m. at Alps Pharmacy.

Closed Session:

Peterson made a motion to go into closed session pursuant to RSMO 610.021 (3) & (13) in which the Council will discuss the hiring, firing, disciplining, or promoting of particular employees and personal information about the employees is to be discussed; and individually identifiable personnel records, performance rating or records pertaining to the employee are to be discussed, with Lucas seconding and Graham, Vess, Morris, Lucas, and Peterson voting aye on roll call vote.

Adjournment:

This meeting will be considered closed at the close of the closed session.

Mayor

City Clerk