

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

**NIXA CITY HALL**

**May 13<sup>th</sup>, 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.

## **Proclamations:**

Mayor Giddens read a proclamation proclaiming May 18th, 2025 as Head Start Day. Diane Bauer, OACAC Head Start Assistant Program Director, was in attendance to accept the proclamation.

Mayor Giddens read a proclamation proclaiming May 2025 as ALS Awareness Month.

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

Ashley Copley, Nixa Public Schools, provided information on the One Nixa One Read program. Copley stated that the 2025 book selection was Charlotte's Web. Brandon Jason, Nixa Branch of the Christian County Library, said that the kickoff event for this year will be at the Nixa Library on Thursday, May 22nd, 5 p.m. – 7 p.m. Jason asked for Council to come cook and serve food at that event. Jason told Council the wrap-up event would be on June 28th in conjunction with a Movies in the Park. Copley said that there would be a farmer's market along with many other fun activities.

Barbara Fleming, 907 Yellowstone St., discussed the Greg Road closure and detour that went through the neighborhood she lives in. Fleming also discussed the zoning of the apartments being built on Greg Road. Mayor Giddens responded to Fleming's comments.

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

**Council Bill #2025-14** Amending Chapter 2, Article VI, Division 2 of the Nixa City Code by Adding Thereto a New Section to Provide Authority to the City Administrator for the Settlement of Certain Claims. Nick Woodman, City Attorney, stated that city code section 2-190 allows the city administrator to enter into contracts that are less than \$5,000. Woodman said that this section would be used to settle minor claims to keep them off the city's insurance. Woodman told Council that the amendment to the code would authorize the city administrator to enter into settlement agreements not to exceed \$15,000. Woodman said that as part of this authority, the city administrator would be required to have a complete release of any claims related to the incident and the city attorney would be required to report to the mayor monthly about the settled claims. Woodman stated that these updated provisions would not limit the Council's authority to

settle any claims made against the city. Mayor Giddens opened the public hearing for comments, with no comments made the public hearing was closed.

**Council Bill #2025-15** Amending Chapter 14 of the Nixa City Code for the Purpose of Providing More Efficiency to the Enforcement of Tall Grass Violations and Administrative Hearings Related to Nuisances. Woodman told Council that the current code requires staff to have a hearing before a hearing officer for all nuisance violations. Woodman said those hearings cannot occur unless there has been a 10 days' notice to the property owner and no enforcement can happen until the hearing has been held. Woodman stated that the current process has unnecessary delays. Woodman said that the modified code allows for a hearing only at the request of the property owner. Woodman told Council that of all the nuisance hearings in 2024, no property owner attended. Woodman stated that the code update would make the nuisance enforcement more efficient. Council asked questions with Woodman responding. Scott Godbey, Planning and Development Director, provided additional information. Mayor Giddens opened the public hearing for comments, with no comments made, the public hearing was closed.

**Council Bill #2025-16** Amending Chapter 2, Article VI, Division 1, Sections 2-175, 2-176, & 2-180 of the Nixa City Code to Increase the Various Purchasing Thresholds Contained Therein. Woodman said that the city has three (3) purchasing thresholds and provided information on those thresholds. Woodman stated that this council bill will all for the modification of the purchasing thresholds and discussed the new threshold limits. Woodman said that the proposed code change would also modify the threshold for when cooperative purchases require Council approval. Woodman stated that an additional modification would exempt the purchase of supplies, materials, or equipment from the requirement for City Council approval. Council held a discussion. Mayor Giddens opened the public hearing for comments, with no comments made, the public hearing was closed.

**Council Bill #2025-17** Authorizing the Mayor To Execute a Missouri Highways and Transportation Commission Transportation Enhancement Funds Supplemental Agreement for the Purpose of Fundin the Cheyenne Road Multi-Use Path Project. Jeff Roussell, Street Superintendent, told Council that the city applied for a grant for the Cheyenne Road Multi-Use Path in 2023. Roussell stated that there are stipulations within the grant that progress must be made during the engineering stage for eligibility for future construction grant funding. Roussell said that if the council bill is passed, the new agreement will replace the previous agreement and provide reimbursement of up to 80% for the construction of the ten-foot-wide multi-use path. Council asked questions with Roussell responding. Mayor Giddens opened the public hearing, 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 #2025-13** 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. Godbey stated that the right-of-way was dedicated in 1996 and was intended to be a north/south road. Godbey said that the right-of-way was never used and homes have been built in the right-of-way. Godbey told Council that the Planning and Zoning Commission voted

unanimously to approve. 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. Lucas made a motion to approve Council Bill #2025-13 with Peterson seconding and Graham, Lucas, Peterson, Morris, and Vess voting aye on roll call vote.

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

**Resolution #2025-26** Authorizing the City Administrator to Purchase a New Backyard Bucket Machine for Use by the City's Electric Department. Brain Denney, Electric Superintendent, said this resolution is for a backyard bucket machine with a material handle. Denney stated that this purchase was approved in the 2025 budget and would be purchased with a Sourcewell contract. Denney told Council that the material handler is very important. Council asked questions with Denney 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 resolution. Morris made a motion to approve Resolution #2025-26 with Graham seconding and all Council Members voting aye.

**Resolution #2025-27** Authorizing the City Administrator to Purchase a New Bucket Truck for Use by the City's Electric Department. Denney stated that this purchase is for a full bucket truck that was approved in the 2025 CIP budget. Denney told Council that this truck would be replacing a 10-year-old truck that has had several issues. Denney said that this truck would be purchased with a Sourcewell contract and is within budget. Council asked questions with Denney 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 resolution. Vess made a motion to approve Resolution #2025-27 with Peterson seconding and all Council Members voting aye.

**Resolution #2025-28** Authorizing the City Administrator to Purchase a New Excavator for Use by the City's Water Department. Travis Cossey, Assistant Public Works Director, stated that this excavator was approved in the 2025 CIP Budget and will be the first excavator in the Water Department's fleet. Cossey said that the excavator will have a depth down to 15 feet. Cossey told Council that the excavator will be purchased through a Sourcewell contract for \$150,000. Council asked questions with Cossey 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 resolution. Peterson made a motion to approve Resolution #2025-28 with Vess seconding and all Council Members voting aye.

### **Mayor and Council Member Reports:**

Mayor Giddens discussed the issues with the McCroskey CID report that was provided as an informational item. Mayor Giddens stated he would like to see what the money was being spent on. Jimmy Liles, City Administrator, provided information on the report and said he would reach out to the McCroskey CID Board to get more information.

Mayor Giddens congratulated Graham on retiring from the Nixa Chamber of Commerce and thanked her for serving the community. Mayor Giddens thanked the Nixa FFA for the banquet

invitation and commended them for their knowledge. Mayor Giddens congratulated Jackson Cartwell on signing with Miami. Mayor Giddens congratulated the graduating class of 2025. Mayor Giddens reminded Council that Sucker Days would be Friday, May 16th, and Saturday, May 17th, and asked them to volunteer at the City's booth. Mayor Giddens stated that One Nixa One Read flyers would be available at City Hall.

Graham asked when the mosquito truck would begin spraying and Doug Colvin, Public Works Director, responded.

Rebekka Coffey, City Clerk, told Council that there was one (1) candidate for the August 5th election for the open seat in District 1. Coffey stated that there was an empty seat on the Appointments Committee that needed to be filled. Mayor Giddens asked Vess to serve on the Appointments Committee and Vess agreed.

Matt Crouse, Parks Director, told Council that the pool will open on May 24th at noon. Crouse provided an update on the splash pad and said an opening date would be shared soon. Mayor Giddens asked questions with Crouse and Summer Rascoll, Communications Director, responding.

### **Closed Session:**

Peterson made a motion to adjourn to 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 employee 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, Peterson, Lucas, Vess, and Morris voting aye on roll call vote.

### **Adjournment:**

This meeting will be considered closed as the end of the closed session.

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Mayor

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City Clerk

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

**NIXA CITY HALL**

**May 27th, 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.

## **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 Vess seconding and Morris, Lucas, Vess, Graham, and Peterson voting aye on roll call vote.

## **Service Awards:**

Mayor Giddens recognized Sam Gallardo for his five (5) years of service to the city. Joe Campbell, Police Chief, stated that Corporal Gallardo demonstrates professionalism and leadership and is dedicated to learning. Campbell said that Gallardo was awarded the 2024 Officer of the Year award and has earned numerous training certificates. Campbell thanked Gallardo for his excellent service.

Mayor Giddens recognized Eric Wolfe for his five (5) years of service to the city. Wolfe was not in attendance. Campbell said that Corporal Wolfe is a member of the operations bureau and an assistant squad leader. Campbell stated that Wolfe is reliable and an outstanding team member.

Mayor Giddens recognized Clay Roberson for his 20 years of service to the city. Roberson was not in attendance. Jason Stutesmun, Water Superintendent, told Council that Roberson started in the wastewater treatment plant and now works in the clean water side of the department. Stutesmun said that Roberson is a reliable worker.

## **Awards and Recognition:**

Jimmy Liles, City Administrator, recognized Cindy Robbins, Assistant City Administrator, for winning the Richard R. Noll Award. Liles provided information on the Richard. R. Noll Award. Liles said that Robbins was hired by the city in 1989 and read her nomination form. Mayor Giddens discussed Robbin's service to the city and community.

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

Ron Sanders, 976 Glen Oaks Dr., discussed the city and provided information on a Republican Central Committee event.

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

**Council Bill #2025-18** Amending Chapter 16, Article IV, Division 4, Section 16-197 and 16-200 of the Nixa City Code for the Purpose of Expanding the Authorized Period to Sell and Discharge Fireworks. Liles stated that this code amendment was to update the times when fireworks can be discharged and sold within the city limits. Liles told Council this code change was brought up by citizens who contacted the mayor with the request. Liles stated the current code allows for fireworks to be sold June 20 – July 2, 8:00 a.m. to 11:00 p.m. and July 3-4 from 6:00 a.m. - to midnight and fireworks to be discharged July 3 and 4 from 2:00 p.m. to 11:00 p.m. Liles told Council the proposed amendment would allow fireworks to be sold June 20 – July 2, 8:00 a.m. to 11:00 p.m. and July 3-5 from 6:00 a.m. – midnight and fireworks to be discharged July 3-5 from 2:00 p.m. to 11:00 p.m. Liles said that by extending the hours, the police department may see fewer calls for service. Mayor Giddens provided information on the benefits of extending the hours of selling and discharging fireworks. Mayor Giddens opened the public hearing for comments, with no comments made, the public hearing was closed.

**Council Bill #2025-19** Amending Chapter 20, Article VII, Division 2 of the Nixa City Code by Adding Thereto a New Section to Prohibit Parking Across Parking Lines on City Owned Property. Nick Woodman, City Attorney, said this council bill was generated from conversations with Council. Woodman stated that this code amendment would make it an ordinance violation for people to park across lines on city-owned property. Woodman said that staff recommends approval. Mayor Giddens opened the public hearing for comments. Ron Sanders, 976 Glen Oaks Dr., asked questions about the proposed amendment with Mayor Giddens responding.

With no further comments, the public hearing was closed.

**Council Bill #2025-20** Authorizing the Mayor to Execute a Water Storage Agreement with the Southwest Missouri Joint Municipal Water Utility Commission for the Purpose of Providing the City with an Allocation of Water from Stockton Lake. Travis Cossey, Assistant Public Works Director, provided a background on Southwest Missouri Water (SWMO) which includes 11 organizations. Cossey stated that in January the Corps of Engineers approved the application request for a 90,790 acre-feet storage of water which equates to 38 million gallons of water per day. Cossey told Council that the city is requesting two-point six percent (2.6%) of the anticipated allocation space yielding approximately 1 million gallons of water per day. Cossey stated that the agreement contained within the council bill will provide a yearly payment of approximately \$53,277 for 30 years for the water allocation. Cossey said that the agreement is effectively permanent as it will remain in effect as long as the Stockton Reservoir remains operational. Cossey stated that the 30-year payment will also include a 25% premium, over the principal, to cover any anticipated operations and maintenance costs (O&M) to the Corp for the percentage of interest in the Stockton Reservoir. Cossey told Council the city will continue to pay the O&M costs of \$10,655 after the 30-year contract ends. Cossey said that the 2025 budget included the funding necessary to pay for the first installment of the 30-year contract and the current water rate structure was adopted with this 30-year payment included. Cossey told Council that the contract that will be signed will be substantially similar to the contract attached to the council bill because the final contract can't be determined until the Corp finalizes the number of entities and their allocations of water. Cossey stated that staff recommends approval.



Council asked questions with Cossey responding. Mayor Giddens opened the public hearing, 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 #2025-14** Amending Chapter 2, Article VI, Division 2 of the Nixa City Code by Adding Thereto a New Section to Provide Authority to the City Administrator for the Settlement of Certain Claims. Woodman said that the first (1st) reading of this council bill took place at the May 13th meeting. Woodman stated that this code amendment would allow the city administrator to settle claims that don't exceed \$15,000. Woodman said that 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 council bill. Peterson made a motion to approve Council Bill #2025-14 with Morris seconding and Peterson, Graham, Lucas, and Morris voting aye on roll call vote. Vess voted nay on roll call vote.

**Council Bill #2025-15** Amending Chapter 14 of the Nixa City Code for the Purpose of Providing More Efficiency to the Enforcement of Tall Grass Violations and Administrative Hearings Related to Nuisances. Woodman stated that this council bill was first (1st) read at the May 13th meeting. Woodman said that the proposed amendment would require that a nuisance hearing for tall grass violations would only occur at the request of the property owner. Mayor Giddens asked questions with Woodman responding. Mayor Giddens opened the public hearing for comments.

Ron Sanders, 976 Glen Oaks Dr., asked questions about the abatement process. Mayor Giddens responded to Sanders' comments and Woodman provided additional information.

With no further comments, the public hearing was closed. Council asked questions with Scott Godbey, Planning and Development Director, responding. Mayor Giddens called for a motion to approve the council bill. Graham made a motion to approve Council Bill #2025-15 with Vess seconding and Graham, Peterson, Vess, Morris, and Lucas voting aye on roll call vote.

**Council Bill #2025-16** Amending Chapter 2, Article VI, Division 1, Section 2-175, 2-176, & 2-180 of the Nixa City Code to Increase the Various Purchasing Thresholds Contained Therein. Woodman stated that the first (1st) reading of this council bill was at the May 13th meeting. Woodman said that the amendment would increase the current purchasing thresholds. Woodman stated that any purchase over \$20,000 would be brought to council and any purchase between \$10,000 and \$19,999 would have to go through the formal solicitation process. Mayor Giddens commented on the proposed changes. 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. Lucas made a motion to approve Council Bill #2025-16 with Peterson seconding and Peterson, Lucas, Graham, and Morris voting aye on roll call vote. Vess voted nay on roll call vote.

**Council Bill #2025-17** Authorizing the Mayor to Execute a Missouri Highways and Transportation Commission Transportation Enhancement Funds Supplemental Agreement for

the Purpose of Funding the Cheyenne Road Multi-Use Path Project. Jeff Roussell, Street Superintendent, told Council that staff applied for and received grant funding for engineering for the Cheyenne Road Multi-Use Path in 2023. Roussell stated that staff and Olsson Engineering have met the requirements for construction funding as required by the grant. Roussell said that the 2025 budget has the funds available for this project and staff recommends approval. Council asked questions with Roussell 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. Vess made a motion to approve Council Bill #2025-17 with Graham seconding and Peterson, Graham, Vess, Lucas, and Morris voting aye on roll call vote.

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

**Resolution #2025-29** Consenting to the Mayor's Appointment of Councilmember Zern Vess to the City Council Appointments Committee. Woodman told Council that city code section 2-40 established the Appointments Committee to fill vacancies on the Planning and Zoning Commission. Woodman said that staff recommends approval of the resolution. 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 #2025-29 with Morris seconding and all Council Members voting aye.

### **Mayor and Council Member Reports:**

Mayor Giddens asked for an update on the McCroskey Street CID documents and Liles responded. Mayor Giddens thanked everyone involved with Sucker Days for all of their work and said the event was a great success. Mayor Giddens said the One Nixa One Read kicked-off event was great. Mayor Giddens stated that the grand opening of the Nixa Splash Pad went well and Matt Crouse, Parks Director, provided information on the arrival of the tables and benches for the splash pad.

Peterson said that the Parks Volunteer Day would be June 7th. Crouse provided additional information on the event.

Lucas stated he received notice of a public hearing for Spire Gas on their proposed rate increases.

### **Adjournment:**

With no further business, Mayor Giddens adjourned the meeting at 7:02 p.m.

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Mayor

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City Clerk