

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

NIXA CITY HALL

September 23rd, 2025 6:00 P.M.

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

Mayor Giddens asked Boy Scout Troop 200 to lead the Pledge of Allegiance.

Consent Agenda:

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

Service Awards:

Mayor Giddens recognized Josh Gibson for his 20 years of service to the city. Scott Godbey, Planning and Development Director, stated that Gibson has served as the code enforcement officer for the past year and was previously the animal control officer. Godbey said that Gibson is a utility player for the department and is very valuable.

Proclamation:

Mayor Giddens read a proclamation proclaiming September 28th, 2025, as Gold Star Family Day.

Presentation:

Anna Evans, Show Me Christian County, provided an update to the Council. Evans said that she would provide a copy of the presentation to the Council. Evans told Council that Show Me Christian County is currently working on seven (7) active economic development projects, 11 potential business attraction leads, and one (1) local business expansion project within Nixa. Evans provided specific information about the Nixa business expansion project. Evans discussed grant applications that Show Me Christian County is assisting the city in completing. Evans said that Show Me Christian County is now an advisory member of the Downtown Revitalization Committee and Chamber of Commerce. Evans provided information on the Show Me Christian County website and other marketing initiatives to promote Christian County. Evans invited the Council to attend the Show Me Christian County meetings that take place on the first (1st) Tuesday of the Month.

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

Michael Vavruska, Midwest Infrastructure Coatings, thanked Council for the opportunity to speak. Vavruska stated that Midwest Infrastructure Coatings worked with the city for several years. Vavruska said that Midwest Infrastructure Coatings worked on a clarification project at the wastewater treatment plant in 2024 that received national recognition. Vavruska presented

Jason Stutesmun and Kirk Farris with a plaque to recognize them for their work on the 2024 project. Farris provided information on the clarification project.

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

Council Bills #2025-28 and #2025-29 were read together because the bills concern the same property.

Council Bill #2025-28 Annexing Approximately 96 Acres of Real Property Generally Located at the Southwest Corner of the Intersection of State Highway CC and North Cheyenne Road; Zoning Portions of Said Property to the Single Family Residential (R-1) Zoning District and the General Commercial (GC) Zoning District; and Amending Chapter 2, Article II, Division 1, Section 2-26 of the Nixa City Code.

Council Bill #2025-29 Approving the Preliminary Plat of the Subdivision Known as Moore Estates Which is Generally Located at the Southwest Corner of the Intersection of State Highway CC and North Cheyenne Road, and Authorizing Certain City Officials to Take Certain Actions Upon the filing of a Final Plat.

Godbey stated that the property discussed within the council bills is located at the southwest corner of Highway CC and Cheyenne. Godbey said that the property is three (3) parcels with 93 acres of R-1 zoning and 2.7 acres of general commercial zoning. Godbey told Council that to the south of the property is R-1 zoning, to the west is R-1 zoning, multi-family zoning, and general commercial zoning, and to the west is R-1 zoning and land located in the county. Godbey said that the property discussed in the council bills is located within tier 1 of the comprehensive plan and said that tier 1 is not identified as a priority annexation. Godbey told Council that the traffic impact study shows that the developer would have to install a right in/out onto Highway CC and expand Cheyenne to the West. Godbey stated that there are nine (9) known sinkholes on the property according to a 2024 sinkhole study. Godbey said that the presence of a FEMA Floodplain in the southeast portion of the property requires the development to conform with applicable city regulations concerning development in and around FEMA Floodplains. Godbey stated that at the August 5th Planning and Zoning Commission meeting, the Commission received additional information and tabled the item until the September meeting. Godbey stated that the preliminary plat has 240 buildable lots, seven (7) common areas, and one (1) general commercial lot at the corner of Highway CC and Cheyenne. Godbey said that there is a 12-inch sewer main that is sufficient to serve the development, and capacity into the lift station will have to be purchased by the developer. Godbey stated that the developer will be keeping the existing home on the property, and the electric for that home will be served by a different provider. Godbey stated at the September 2nd Planning and Zoning Commission meeting, the developer spoke about the 12-inch sewer line, and citizens discussed their concerns with the development. Godbey said that the Planning and Zoning Commission voted 3-2 to recommend approval to Council. Godbey told Council they were provided with the information that the Planning and Zoning Commission had from the developer and staff. Godbey said that on March 19, 2025, the city received a technical memo from Olsson regarding the water system within the development, and staff based their recommendations on this technical memo. Godbey stated that staff is

recommending a 16-inch waterline, and the developer is proposing a 12-inch waterline. Godbey told Council that staff is recommending denial of the annexation and preliminary plat based on the waterline installation and potential impact to existing customers, even though the development meets city requirements for annexation.

Godbey introduced Jarad Rasmussen with Olsson Engineering. Rasmussen told Council that Olsson completed two (2) different reports for this development, one (1) on behalf of the city and one (1) on behalf of the developer. Rasmussen provided information on each report. Rasmussen stated that the 12-inch waterline is not adequate for commercial fire flow but is adequate for residential use. Council asked questions with Rasmussen responding. Mayor Giddens opened the public hearing for Council Bill #2025-28.

Brian Wade, 3810 S. Sunshine Springfield, stated he represents the developer. Wade told Council that the subdivision meets the requirements of the city code, and the Planning and Zoning Commission voted to approve it in September. Wade asked why 3500psi fire flow was required for this project when the standard in the code is 1500psi. Wade stated that there is no other 16-inch water line within the city. Council asked questions, with Wade responding.

Clayton Hines, PO Box 493, Nixa, stated he is with Shaffer & Hines Engineers. Hines discussed the water studies performed by Olsson and provided exhibits to Council. Hines provided information on a 12-inch water line and fire flows.

Julie Tobash, PO Box 14248, Springfield, stated she was the developer, and she also developed Wicklow. Tobash stated she was confused about the issue with this development. Tobash discussed ways to increase water pressure to Wicklow, and the water study provided by Olsson. Tobash stated that she submitted the application for the annexation and preliminary plat in December 2024.

William Hegner, 605 Penzance Dr., asked Council to slow development down within Nixa. Hegner discussed his concerns with the development.

Jack Karnes, 622 N. Maplewood, discussed water pressure issues and infrastructure within the city.

Andrew Mills, 339 Collins Road, Ozark, stated he represents the family that is selling the property of the proposed Moore Estates. Mills discussed the difficulty of running a farm on the property due to the growth of Nixa.

Linda White, 878 E. Galloway Ct., discussed the water pressure issues near the development and asked Council to deny the annexation and preliminary plat.

Kristin Canady, 877 E. Galloway Ct., discussed the comprehensive plan and the 16-inch proposed water line. Canady stated that it was a risk to undersize the water infrastructure. Canady discussed the traffic study for this development.

Mayor Giddens closed the public hearing for Council Bill #2025-28. Mayor Giddens opened the public hearing for Council Bill #2025-29 with no comments made the public hearing was closed for Council Bill #2025-29.

Mayor Giddens called for a 5-minute break at 7:28 p.m. Mayor Giddens called the meeting back at 7:43 p.m.

Council Bill #2025-30 Approving the Preliminary Plat of the Subdivision Known as Cobble Creek 4th Addition Which is Generally Located at the South of the Cobble Creek 2nd and 3rd Additions Along South Ozark Road and Authorizing Certain City Officials to Take Certain Actions Upon the filing of a Final Plat. Brendan Justin, City Planner, stated this subdivision is south of Cobble Creek 2nd and 3rd Addition with is southwest of Old Bittersweet and Ozark Road. Justin said the subdivision was approved in 2000, and the most recent phase was completed in 2017. Justin told Council that there have been no significant changes to the plat since 2000; however, due to the age of the approval, staff felt the reapproval was necessary. Justin said that there are 74 R-1 zoned lots and one (1) non-buildable lot for an existing lift station. Justin stated that there would be a new access point to the subdivision on Ozark Road. Justin stated that no traffic impact study was performed for the initial phases of Cobble Creek; however, due to Ozark Road being a secondary arterial roadway, a traffic impact study will be required. Justin told Council that the Planning and Zoning Commission voted 5-0 to recommend approval to Council, 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 #2025-31 Authorizing the Mayor to Execute a Missouri Highways and Transportation Commission Transportation Alternatives Program Supplemental Agreement. Jeff Roussell, Street Superintendent, told Council that in 2023 the city was awarded an alternative funds grant for the Cheyenne Vally Multi-Use Path. Roussell said that the money for this project will be the same amount, but will be coming from the STBG fund instead of the TAP fund. Mayor Giddens opened the public hearing for comments, with no comments made, the public hearing was closed.

Council Bill #2025-32 Adding Section 16-272 to the Nixa City Code for the Purpose of Adopting a Prohibition Against Falsely Representing a City Employee or Agent. Nick Woodman, City Attorney, told Council that the city is having an enforcement issue with solicitors' licenses. Woodman said that recently, there was a solicitor without a license who was representing themselves as a city employee. Woodman stated that to enforce the issue of falsely representing a city employee in municipal court, the city must have a city code prohibiting the action. Woodman said that staff recommends approval. Mayor Giddens opened the public hearing for comments, with no comments made, the public hearing was closed.

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

Resolution #2025-43 Authorizing the City Administrator to Solicit Proposals for Auditing Services. Jennifer Evans, Finance Director, stated that the current Auditing Services Contract is

with Decker & DeGood and told Council that Decker & DeGood passed their contract to a new section of their company, Decker & Pace. Evans said that Decker & Pace were not the original bidders of the contract, and because of that, the city will need to obtain a new contract for auditing services. Council asked questions with Evans 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 #2025-43, with Morris seconding and all Council Members voting aye.

Resolution #2025-44 Authorizing the City Administrator to Execute a Contract, in an Amount not to Exceed \$23,340.00, with SMICO Contracting Group LLC for Sewer Lining Services. Jason Stutesmun, Water Superintendent, stated that this contract is for the city's annual I&I program. Stutesmun said that the section of sewer being lined is an 8-inch line located between Raintree Road and Northview Road. 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 #2025-44, with Vess seconding and all Council Members voting aye.

Resolution #2025-45 Authorizing the City Administrator to Execute a Contract, in an Amount not to Exceed \$353,889.00, with Ozark Electric Cooperative, Inc., for Certain Utility Relocations. Roussell stated that this contract is for the Main Street project and that the cost of moving the utility falls on the city. Roussell said that portions of the utilities must be moved underground and which raised the prices of the contract. Roussell said that staff recommends approval. Roussell told Council that staff is exploring \$206,000.00 worth of funds to help offset the project costs. 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 resolution. Morris made a motion to approve Resolution #2025-45 with Peterson seconding and all Council Members voting aye.

Discussion Items – Charter Amendments:

Woodman stated that at the Council Workshop, staff and Council discussed potential City Charter amendments to section 3.6(c) regarding how council vacancies are filled. Woodman said there are two (2) potential amendments for this section and discussed the potential amendments. Woodman said the next general municipal election would be April 1, 2026, and the final certification date to add items to that election ballot is January 27, 2026. Council asked questions, with Woodman responding. Council and staff held a discussion. Council gave direction to move forward with the first (1st) amendment option for inclusion on the April 1, 2026, election.

Mayor and Council Member Reports:

Mayor Giddens thanked everyone for their help at the Multicultural Festival.

Matt Crouse, Parks Director, stated that the next Movies at the Park would be Wicked on September 27th. Crouse said that the next Volunteer Day would be on October 4th. Crouse told Council that the last day for the Splash Pad would be September 30th.

Joe Campbell, Police Chief, said that the groundbreaking for the new police building will be on September 30th at 5:00 p.m.

Peterson stated that the Mayor's Challenge Blood Drive would be September 25th from 10:30 a.m. – 4:30 p.m. at Aldersgate Church.

Mayor Giddens stated that the October 28th Council meeting would be moved to October 27th due to the State of the Community Dinner.

Jimmy Liles, City Administrator, said that the budget workshop meeting will be on October 21st at 6:00 p.m.

Adjournment:

With no further business, Mayor Giddens adjourned the meeting at 8:19 p.m.

Mayor

City Clerk