

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

NIXA CITY HALL

December 17th, 2024 6:00 P.M.

The regular meeting of the Nixa City Council was called to order by Mayor Jarad Giddens. Attending were Council Members Kelly Morris, Matt Ogden, 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. Graham made a motion to approve the consent agenda as presented, items a through b, with Vess seconding and Ogden, Vess, Graham, Lucas, Morris, and Peterson voting aye on roll call vote.

Service Award:

Mayor Giddens recognized Frank Donohue for his 20 years of service to the city. Joe Campbell, Police Chief, told Council that Donohue has dedicated his life to public safety. Campbell stated that Donohue started with the New York Police Department and retired in 2003. Campbell said that Donohue began his career in Nixa in 2004. Campbell told Council Donohue is known as “The Silver Fox” and has many fans throughout the city. Campbell said that Donohue’s leadership is evident, and he embodies the values of the Nixa Police Department.

Visitors:

Whitney Guison, President and CEO Nixa Chamber of Commerce, provided an update on the Chamber. Guison stated that 2025 has many things to look forward to for the Chamber. Mayor Giddens thanked Guison for all her hard work at the Chamber.

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

Council Bill #2024-39 Amending Chapter 117, Article VII, Section 17-277 of the Nixa City Code for the Purpose of Modifying Provisions Related to Building Height and Building Setbacks. Scott Godbey, Planning and Development Director, stated that before a code amendment in July 2021, there was a uniform building height limit of 35 feet in all zoning districts. Godbey said that with the passage of an amendment in July 2021, building height restrictions were removed in all commercial and industrial zoning districts and residential districts stayed at a 35-foot restriction. Godby provided information on building height and bulk plane regulations. Godbey stated that if the building height is 35 feet or below, the adopted setbacks would be applied. Godbey said that if a building's height is above 35 feet, the building height will determine the setbacks, meaning bulk plan regulations would be applied. Godbey told Council that this amendment was discussed with the Planning and Zoning Commission, the Nixa Fire Department, and the Ozark Fire Department. Godbey provided examples of residential and commercial building heights. Godbey said the Planning and Zoning Commission voted

unanimously to approve. Council asked questions with Godbey responding. Mayor Giddens opened the public hearing for comments, with no comments made, the public hearing was closed.

Council Bill #2024-40 Authorizing the City Administrator to Execute a Wireline Pole Attachment Agreement with Total Highspeed, LLC. Travis Cossey, Assistant Public Works Director, stated this agreement was for pole attachments on our above-ground infrastructure. Cossey told Council this contract would be the same one that was used earlier in the year for Ozark Fiber. Cossey said the fee associated with pole attachments is established through the FCC and would be \$11.14 per attachment. Cossey stated the fee could be updated yearly. Council asked questions with Cossey responding. Mayor Giddens opened the public hearing for comments, with no comments made, the public hearing was closed.

Council Bill #2024-41 Authorizing the Issuance of Not to Exceed \$15,300,00 Principal Amount of Special Obligation Bonds, Series 2025, of the City of Nixa, Missouri and Authorizing Certain Other Documents and Actions by the City. Jennifer Evans, Finance Director, told Council the bond presale summary was provided in the council packet. Evans said the bond public sale would be on January 21st, 2025, and the proceeds would be received in February. Evans stated the City's bond counsel was available for any questions. 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 #2024-37 Renewing the Base Lease Agreement for Real Estate and Existing Facilities with the Bank of New York Mellon Trust Company, N.A. for Refunding Certificates of Participation Series 2013. Evans stated this was the annual ordinance to appropriate this bond payment. Evans said this bond matures in 2026. 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 #2024-37 with Morris seconding and Lucas, Peterson, Graham, Morris, Vess, and Ogden voting aye on roll call vote.

Council Bill #2024-38 Adopting the 2025 Operating and Capital Budget for the City. Evans told Council this was the final reading for the 2025 Operating and Capital budget for the city. Evans said she appreciates the input and participation that Council provided. Evans stated this was a good budget for 2025. Mayor Giddens opened the public hearing, 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 #2024-38 with Morris seconding and Graham, Peterson, Vess, Ogden, Lucas, and Morris voting aye on roll call vote.

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

Resolution #2024-59 Adopting the 2025-2029 Capital Improvement Program. Evans stated this resolution is for the five (5) year CIP Plan. Evans told Council the Planning and Zoning Commission approved of this plan and all of the projects are in the 2025 budget. 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 #2024-59 with Graham seconding and all Council Members voting aye.

Resolution #2024-60 Authorizing the Destruction of Certain Records Which Have Met Retention. Rebekka Coffey, City Clerk, told Council this was the annual resolution to destroy records that have met retention based on the Local Records Retention Schedule. Coffey stated that there were a little over 100 boxes of records being destroyed this year. Council asked questions with Coffey 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 #2024-60 with Vess seconding and all Council members voting aye.

Resolution #2024-61 Authorizing the City Administrator to Solicit Bids for Construction Services for Repairs to a Certain Box Culvert Located Under North Street. Cossey stated that East of Cheyenne on North Street the road is experiencing some erosion. Cossey said that the repairs would include a tow wall that would help to prevent future erosion. 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 #2024-61 with Lucas seconding and all Council Members voting aye.

Mayor and Council Member Reports:

Mayor Giddens thanked the Nixa Parks staff for all the work that went into the Mayor's Tree Lighting and Parade.

Jimmy Liles, City Administrator, said that the employee Christmas party would be Friday December 20th from noon – 1 p.m. at the Public Works shop at 1111 Kathryn. Liles told Council that most city offices would be closed for that hour. Liles stated that all city offices would be closed December 24th and 25th for Christmas and January 1st for the New Year.

Adjournment:

With no further business, Mayor Giddens adjourned the meeting at 6:38 p.m.

Mayor

City Clerk