

September 6, 2016 Springfield, Missouri

The City Council met in regular session September 6, 2016 in the Council Chambers at Historic City Hall. The meeting was called to order by Mayor Bob Stephens. A moment of silence was observed.

Roll Call

Present: Mike Schilling, Craig Fishel, Ken McClure, Jan Fisk, Craig Hosmer, Kristi Fulnecky, Phyllis Ferguson and Bob Stephens. Absent: None. Vacant Seat: Zone 2.

Minutes

There being no additions, deletions or corrections, the minutes of August 22, 2016-Regular, August 23, 2016-Special, and August 30, 2016-Special were approved as presented.

Mayor Pro Tem McClure moved to add the confirmation for the appointment of Bill Hedrick to the Art Museum Board. Councilman Schilling seconded the motion. The appointment was added to the agenda by the following vote: Ayes: Schilling, Fishel, McClure, Fisk, Hosmer, Fulnecky, Ferguson and Stephens. Nays: None. Absent: None. Abstain: None. Vacant Seat: Zone 2.

Consent Agenda

The Consent Agenda was finalized and approved as amended.

Anita Cotter, City Clerk, received a request to remove Council Bill 2016-215 and Council Bill 2016-216 from the Consent Agenda-One Reading Bills. Ms. Cotter noted these bills would be moved under Resolutions and become Item 14.5 and Item 14.75.

The consent agenda was approved by the following vote: Ayes: Schilling, Fishel, McClure, Fisk, Hosmer, Fulnecky, Ferguson and Stephens. Nays: None. Absent: None. Abstain: None. Vacant Seat: Zone 2.

CEREMONIAL MATTERS

Mayor Pro Tem McClure moved that Council Bill 2016-211 be removed from the agenda and remanded to the Finance and Administration Committee for further discussion. The motion was seconded by Councilman Hosmer. Council Bill 2016-211 was removed from the agenda and remanded to the Finance and Administration Committee by the following vote: Ayes: Schilling, Fishel, McClure, Fisk, Hosmer, Fulnecky, Ferguson and Stephens. Nays: None. Absent: None. Abstain: None. Vacant Seat: Zone 2.

City Managers report and responses to questions raised at the previous City Council meeting:

Greg Burris, City Manager, provided updates on questions raised from the previous Council Meeting. Mr. Burris stated in regards to the question raised concerning panhandling laws, a City team met on August 23 to discuss panhandling issues. Mr. Burris noted an update had been provided to Councilwoman Fulnecky regarding the Satan Club. Mr. Burris stated Councilman

Burnett resigned from his Zone 2 City Council seat, leaving a vacancy on Council and added applications are open through September 16 and interviews are scheduled for September 20, 2016. Mr. Burris noted the City of Springfield's September general sales tax is up 3% compared to the amount budgeted. Mr. Burris stated Police Chief Paul Williams provided the August staffing report. Mr. Burris noted there is an upcoming Collective Impact Model Workshop at the Missouri Job Center that will have 100 community leaders representing all sectors in attendance. Mr. Burris stated the Health Department will be bringing forward a \$1,000,000 grant for studying mental health and thanked the Health Department for making mental health among the community's top priorities. Mr. Burris noted the Springfield Cardinals enter the playoffs this week and noted 300 City employees will have the opportunity to attend Thursday night's game at no charge and thanked Mayor Stephens, Mayor Pro Tem McClure, Councilwoman Ferguson, Councilman Fishel and Councilwoman Fisk for their generosity and support.

Mayor Pro Tem McClure asked if the final numbers for Fiscal Year 2016 are available. Mr. Burris responded they will be available as soon as we receive the August numbers.

Councilwoman Fulnecky asked for the Transportation Network Companies meeting to be scheduled as soon as possible. Mr. Burris responded the meeting will be scheduled through the City Clerk's Office.

The following bills appeared on the agenda under Second Reading Bills:

City Utilities Annual Operating Budget

Sponsor: Schilling. Council Bill 2016-196. A special ordinance approving the City Utilities Annual Operating Budget for the Fiscal Year ending September 30, 2017.

Mayor Pro Tem McClure stated the City is now purchasing 66% of our power compared to the 21% power purchased from several years ago and commended City Utilities for being flexible.

Council Bill 2016-196. Special Ordinance 26790 was approved by the following vote: Ayes: Schilling, Fishel, McClure, Fisk, Hosmer, Fulnecky, Ferguson and Stephens. Nays: None. Absent: None. Abstain: None. Vacant Seat: Zone 2.

Resident Off Street Parking

Sponsor: Hosmer. Council Bill 2016-197. A general ordinance amending Chapter 36 of the Springfield, Missouri City Code, known as the Land Development Code, Article III, Division VI, Section 36-483 related to off-street parking area design standards to allow alternative residential off-street parking surfaces.

Council Bill 2016-197. General Ordinance 6302 was approved by the following vote: Ayes: Schilling, Fishel, McClure, Fisk, Hosmer, Fulnecky, Ferguson and Stephens. Nays: None. Absent: None. Abstain: None. Vacant Seat: Zone 2.

Lot Dimensions

Sponsor: Fulnecky. Council Bill 2016-198. A general ordinance amending Chapter 36 of the Springfield, Missouri City Code, known as the Land Development Code, Article II, Division IV, Section 36-247 related to Subdivision Regulations to modify lot dimension and location requirements.

Council Bill 2016-198. General Ordinance 6303 was approved by the following vote: Ayes: Schilling, Fishel, McClure, Fisk, Hosmer, Fulnecky, Ferguson and Stephens. Nays: None. Absent: None. Abstain: None. Vacant Seat: Zone 2.

Amending Chapter 36 to Add Section “Amendments”

Sponsor: Schilling. Council Bill 2016-199. A general ordinance amending Chapter 36 of the Springfield, Missouri, City Code, known as the Land Development Code, Article II, Division I, by adding a new section concerning proposed amendments entitled “Amendments” thereto, said section to be Section 36-214.

Council Bill 2016-199. General Ordinance 6304 was approved by the following vote: Ayes: Schilling, Fishel, McClure, Fisk, Hosmer, Fulnecky, Ferguson and Stephens. Nays: None. Absent: None. Abstain: None. Vacant Seat: Zone 2.

Amended and Restated Plan for an Industrial Development Project with Kraft Heinz Foods Company

Sponsor: McClure. Council Bill 2016-200. A special ordinance authorizing an Amended and Restated Plan for an Industrial Development Project and Cost Benefit Analysis for, and a First Amendment to Performance Agreement with, Kraft Heinz Foods Company, related to \$26,000,000 (Aggregate Maximum Principal Amount) City of Springfield, Missouri, Industrial Development Revenue Bonds (Kraft Foods Group, Inc. Project) Series 2012.

Councilwoman Fulnecky expressed her appreciation for the proposed and thanked the manufacturing companies for their work.

Council Bill 2016-200. Special Ordinance 26791 was approved by the following vote: Ayes: Schilling, Fishel, McClure, Fisk, Hosmer, Fulnecky, Ferguson and Stephens. Nays: None. Absent: None. Abstain: None. Vacant Seat: Zone 2.

Nuisance and Housing Code

Sponsor: McClure. Council Bill 2016-201. A general ordinance amending Springfield City Code Chapter 74, Nuisance and Housing Code, to provide for nuisance-abatement notice to occupants of properties that are not owner-occupied.

Council Bill 2016-201. General Ordinance 6305 was approved by the following vote: Ayes: Schilling, Fishel, McClure, Fisk, Hosmer, Fulnecky, Ferguson and Stephens. Nays: None. Absent: None. Abstain: None. Vacant Seat: Zone 2.

College Street Route 66 Phase 3 Project

Sponsor: Stephens. Council Bill 2016-202. A special ordinance approving the plans and specifications for the College Street Route 66 Phase 2 project, Plan No. 2015PW0074TE; and the College and Broadway West Extension project, Plan No. 2016PW0005WTE; accepting the bid of Hunter Chase & Associates, Inc., in the amount of \$1,145,608.00 for these projects; and authorizing the City Manager, or his designee, to enter into a contract with such bidder.

Councilwoman Fulnecky asked if the proposed was already included in this year’s budget. Dan Smith, Director of Public Works, responded in the affirmative.

Council Bill 2016-202. Special Ordinance 26792 was approved by the following vote: Ayes: Schilling, Fishel, McClure, Fisk, Hosmer, Fulnecky, Ferguson and Stephens. Nays: None. Absent: None. Abstain: None. Vacant Seat: Zone 2.

RESOLUTIONS.

**Moved from Consent
Agenda One Reading
Bills**

Sponsor: McClure. Council Bill 2016-215. A resolution granting a new liquor license to sell retail liquor by the drink, including Sunday sales, to DS GILL, LLC, d/b/a Zayka Indian Cuisine, located at 311 South Jefferson Avenue, Springfield, Missouri, such license to include an enclosed sunroom and a patio measuring 16 feet by 14 feet on the South side of the building.

Councilman Schilling asked what the former location of the proposed was and if they previously had a liquor license. Mr. Burris responded the previous location was Millie's and stated they had a liquor license.

An opportunity was given for citizens to express their views. With no appearances, the discussion was closed.

Council Bill 2016-215. Resolution 10284 was approved by the following vote:
Ayes: Schilling, Fishel, McClure, Fisk, Hosmer, Fulnecky, Ferguson and Stephens.
Nays: None. Absent: None. Abstain: None. Vacant Seat: Zone 2.

**Moved from Consent
Agenda One Reading
Bills**

Sponsor: Fisk. Council Bill 2016-216. A resolution granting a new liquor license to sell retail liquor by the drink, including Sunday sales, to Fresh Ideas Management LLC, located at 900 North Benton, Springfield, Missouri, in Findlay Student Center.

Councilman Schilling asked if Drury had previously sold alcohol before at the Finley Center and expressed his concern for the proposed. Mr. Burris responded this is the first time selling alcohol at the location has been proposed and stated the proposed is at the request of Drury's Board of Trustees.

Councilman Schilling asked if the proposed would be open to the public. Buffee Smith, Director of Licensing, stated the license is predominantly designed so they can cater their own events and will not be open to the public.

Councilwoman Ferguson asked if the proposed will be contained within the facility. Frank Romines, City Attorney, stated the proposed would be held in and around the Finley Center.

Councilman Hosmer asked if churches and schools within 200 feet of the proposed were notified. Mr. Burris stated a notice was sent to all property owners within the area.

Councilman Hosmer asked if there was any response from the church that is within 200 feet of the liquor license near Millie's. Ms. Smith responded the proposed liquor license for the building that was previously Millie's has different requirements including notifying properties within 100 feet from building to building and stated the church is not within 100 feet of the proposed.

Councilman Hosmer asked how far the Finley Center is from Central. Ms. Smith stated the proposed is on school property so by default the school had to give permission to bring the proposed forward.

Councilman Hosmer asked if Springfield Public Schools had input on the proposed. Ms. Smith stated the proposed is not within 200 feet of Springfield Public School property.

An opportunity was given for citizens to express their views. With no appearances, the discussion was closed.

Council Bill 2016-216. Resolution 10285 was approved by the following vote:
Ayes: Schilling, Fishel, McClure, Fisk, Fulnecky and Stephens. Nays: Hosmer and Ferguson. Absent: None. Abstain: None. Vacant Seat: Zone 2.

EMERGENCY BILLS.

PUBLIC IMPROVEMENTS.

GRANTS.

Missouri Foundation for Health Grant

Sponsor: Stephens. Council Bill 2016-209. A special ordinance authorizing the City Manager, or his designee, to apply for and accept a grant from the Missouri Foundation for Health; to support activities aimed at assessing community mental health as well as an action plan to help the Springfield community take the next steps in addressing the myriad challenges that citizens with mental health concerns present; and amending the budget of the Springfield-Greene County Health Department for Fiscal Year 2016-2017 in an amount not to exceed \$1,000,000, to appropriate grant funds.

Clay Goddard, Assistant Director of Public Health, provided a brief overview of the proposed. Mr. Goddard stated the proposed covers the Springfield Community, which includes Greene, Christian and Webster counties. Mr. Goddard noted the health assessment gathered information from primary, secondary and focus group data. Mr. Goddard stated through the course of analysis, three primary health needs were identified that should be addressed over the next three years include lung disease, cardiovascular disease and mental health. Mr. Goddard noted through the course of the health assessment, mental health issues were of significance in the community and according to research from the Kaiser Family Foundation, 45% of people not receiving mental health treatment services list cost as a barrier to their care. Mr. Goddard stated the proposed will be utilized to fund the research necessary to get a clearer picture on how these issues weigh on the community. Mr. Goddard noted the proposed is advantageous to advocate for additional funding if additional state or federal dollars are designated for mental health services. Mr. Goddard noted the proposed will assist funding the research and use the data to impact the community. Mr. Goddard made himself available for questions.

Mayor Pro Tem McClure asked if the proposed is to apply for and accept the grant and asked if there was a guarantee to receive the grant. Mr. Goddard responded in the affirmative and stated there is no guarantee the City will receive the grant, but believes we are in good standing to receive the grant.

Mayor Pro Tem McClure asked if the proposed is \$1,000,000 total. Mr. Goddard responded it is a \$1,000,000 grant which will be divided among three to five successful grant applicants.

Mayor Pro Tem McClure asked if the grant would be available on December 1, 2016. Mr. Goddard responded in the affirmative.

Mayor Pro Tem McClure asked how endowing a community health assessment would work. Mr. Goddard responded the City will bring in a consultant to aid in the complex research.

Mayor Pro Tem McClure asked if the proposed would be used community wide and how long it would take. Mr. Goddard responded in the affirmative and stated the proposed would take eighteen months.

Mayor Pro Tem McClure asked if the completed assessment would aid the City in deciding which course to take to begin working on mental health issues. Mr. Goddard stated the proposed would illustrate issues that are within our span of control and what issues would we need to lobby the State and Federal government for.

Councilwoman Fulnecky asked if the applicants are the ones doing the research. Mr. Goddard responded in the affirmative and stated the research does not have to be done around mental health; it is the topic the Health Department has chosen.

Councilwoman Fulnecky asked if an additional consultant would be hired and would it be funded through the grant. Mr. Goddard responded in the affirmative.

Councilman Hosmer asked if the assessment would help keep people with mental health issues out of the jail and also provide solutions for the issues at hand. Mr. Goddard stated they are very interested in solutions and how it is difficult to look at these issues without seeing the relation between the homeless population, jail population and how mental health affects the community and he noted it will be a wide ranging assessment that tries to encompass how the issue impacts the community.

Councilwoman Fulnecky asked if solutions would be offered once the assessment is completed. Mr. Goddard responded the assessment will be used to help build a community health improvement program where we would assess and develop an improvement plan.

Brian Fogle spoke in favor of the proposed. Mr. Fogle expressed his appreciation for the proposed and stated he was glad to see the community beginning to work on mental health issues.

Councilwoman Ferguson thanked Mr. Fogle for his work on the proposed.

Harold Bengsch spoke in favor of the proposed. Mr. Bengsch stated counties are seeing the toll mental health is taking on the areas. Mr. Bengsch expressed his opinion investing in the proposed will benefit the community.

Paul Thomlinson, Burrell Behavior Health, spoke in favor of the proposed. Mr. Thomlinson stated in his 20 years at Burrell Behavioral Health, he has seen a lot of change and heartache in regards to mental health needs. Mr. Thomlinson noted people with serious mental illness die 25 years earlier than the general population. Mr. Thomlinson thanked Council for their work and made himself available for questions.

Mayor Stephens thanked Commissioner Bengsch for his comments and expressed his opinion the City will be ahead of the curve if the City receives this grant.

An opportunity was given for citizens to express their views. With no appearances, the discussion was closed.

Council Bill 2016-209. Special Ordinance 26793 was approved by the following vote: Ayes: Schilling, Fishel, McClure, Fisk, Hosmer, Fulnecky, Ferguson and Stephens. Nays: None. Absent: None. Abstain: None. Vacant Seat: Zone 2.

AMENDED BILLS.

COUNCIL BILLS FOR PUBLIC HEARING.

The following bills appeared on the agenda under First Reading Bills:

**Contract of Obligation
with the Missouri
Department of Natural
Resources**

Sponsor: Burnett. Council Bill 2016-210. A special ordinance authorizing the City Manager, or his designee, to enter into an amended Contract of Obligation with the Missouri Department of Natural Resources whereby the City agrees to financially secure the future closure and post-closure care of all currently active and previously completed portions of the City's Sanitary Landfill by adding \$178,304 to its existing Contract of Obligation to account for inflation.

Erick Roberts, Superintendent of Solid Waste, provided a brief overview of the proposed. Mr. Roberts stated the proposed is the annual amendment with the Missouri Department of Natural Resources regarding the Springfield Sanitary Landfill. Mr. Roberts stated this contract of obligation is required by state statute and obligates the City to financially secure the future closure and post closure care costs for the landfill. Mr. Roberts noted the amended brings the total obligation to \$12,497,905 and made himself available for questions.

An opportunity was given for citizens to express their views. With no appearances, the public hearing was closed.

**Removed and Remanded
to the Finance and
Administration
Committee**

Sponsor: McClure, Hosmer, Fulnecky, and Schilling. Council Bill 2016-211. A general ordinance amending the Springfield City Code by repealing language contained in Chapter 118 Vehicles for Hire, and adding new regulations for Transportation Network Companies and Drivers. (The Finance and Administration Committee recommends approval.)

Petitions, Remonstrances, and Communications.

The following items appeared under New Business:

UNFINISHED BUSINESS.

MISCELLANEOUS.

The following bills appeared on the agenda under Consent Agenda First Reading Bills:

820 West Brower Street Sponsor: Ferguson. Council Bill 2016-212. A special ordinance approving the transfer of the City's interest in real property located at 820 West Brower Street to the Springfield Community Land Trust.

1436 North Rogers Avenue Sponsor: Burnett. Council Bill 2016-213. A special ordinance approving the transfer of the City's interest in real property located at 1436 North Rogers Avenue to Springfield Community Gardens.

1839 Tyler Avenue Sponsor: Ferguson. Council Bill 2016-214. A special ordinance approving the transfer of the City's interest in real property located at 1839 North Tyler Avenue to Alice Mcgilvry.

The following bills appeared on the agenda under Consent Agenda One Reading Bills:

Moved to Resolutions Item #14.5 Sponsor: McClure. Council Bill 2016-215. A resolution granting a new liquor license to sell retail liquor by the drink, including Sunday sales, to DS GILL, LLC, d/b/a Zayka Indian Cuisine, located at 311 South Jefferson Avenue, Springfield, Missouri, such license to include an enclosed sunroom and a patio measuring 16 feet by 14 feet on the South side of the building.

Moved to Resolutions Item #14.75 Sponsor: Fisk. Council Bill 2016-216. A resolution granting a new liquor license to sell retail liquor by the drink, including Sunday sales, to Fresh Ideas Management LLC, located at 900 North Benton, Springfield, Missouri, in Findlay Student Center.

Missouri Department of Conservation Grant Sponsor: Fulnecky. Council Bill 2016-217. A resolution authorizing the City Manager, or his designee, to apply for a grant in the amount of \$9,960.00 from the Missouri Department of Conservation to support native plant establishment and enhancement on the traffic islands at Sunset Street and Grant Avenue, and Sunset Street and Fort Avenue.

Council Bill 2016-217. Resolution 10286 was approved by the following vote:
Ayes: Schilling, Fishel, McClure, Fisk, Hosmer, Fulnecky, Ferguson and Stephens.
Nays: None. Absent: None. Abstain: None. Vacant Seat: Zone 2.

The following bills appeared on the agenda under Consent Agenda Second Reading Bills:

License Agreement with Environmental Works, Inc. at 3030 South Jefferson Ave Sponsor: Fishel. Council Bill 2016-204. A special ordinance authorizing the City Manager, or his designee, to enter into a License Agreement with Environmental Works, Inc., to install and maintain one monitoring well on a public right-of-way at the Kum & Go, L.L.C., located at 3030 South Jefferson Avenue, to monitor groundwater conditions at no cost to the City.

Council Bill 2016-204. Special Ordinance 26794 was approved by the following vote: Ayes: Schilling, Fishel, McClure, Fisk, Hosmer, Fulnecky, Ferguson and Stephens. Nays: None. Absent: None. Abstain: None. Vacant Seat: Zone 2.

Agreement with Environmental Works, Sponsor: McClure. Council Bill 2016-205. A special ordinance authorizing the City Manager, or his designee, to enter into an agreement with Environmental

Inc. to Install and Maintain Eight Monitoring Wells

Works, Inc., to install and maintain eight monitoring wells on public right-of-ways to monitor groundwater conditions at no cost to the City.

Council Bill 2016-205. Special Ordinance 26795 was approved by the following vote: Ayes: Schilling, Fishel, McClure, Fisk, Hosmer, Fulnecky, Ferguson and Stephens. Nays: None. Absent: None. Abstain: None. Vacant Seat: Zone 2.

Confirmed

Confirm the following appointment to the Public Housing Authority: Cheryl Clay with term to expire April 11, 2018.

Confirmed

Confirm the following appointment to the Art Museum Board: Bill Hedrick with term to expire June 1, 2019.

Adjourn

With no further business to come before Council, the meeting adjourned at approximately 7:25 pm.

Anita J. Cotter, CMC/MRCC
City Clerk

Prepared by Megan Cunningham

DRAFT