



Agenda City Council Meeting

City Council Chambers
Historic City Hall, 830 Boonville

Robert Stephens, Mayor

Zone Councilmembers

Phyllis Ferguson, Zone 1
Tom Prater, Zone 2
Mike Schilling, Zone 3
Craig Fishel, Zone 4

General Councilmembers

Jan Fisk, General A
Craig Hosmer, General B
Kristi S. Fulnecky, General C
Ken McClure, General D

Upcoming Council Meeting Agenda October 17, 2016 - 6:30 p.m.

**Speakers must sign up with the City Clerk to speak to an issue on the agenda.
Speakers are to limit their remarks to three to five minutes.**

Note: Sponsorship does not denote Council member approval or support.

- 1. ROLL CALL.**
- 2. APPROVAL OF MINUTES. October 3, 2016**

Documents:

[10-03-2016.PDF](#)

- 3. FINALIZATION AND APPROVAL OF CONSENT AGENDAS. CITIZENS WISHING TO SPEAK TO OR REMOVE ITEMS FROM THE CONSENT AGENDAS MUST DO SO AT THIS TIME.**
- 4. CEREMONIAL MATTERS.**
- 5. Council Bill 2016-229. (Council)**

A resolution recognizing Sheila Maerz for her dedicated years of service to the City of Springfield upon the occasion of her retirement.

Documents:

[2016-229.PDF](#)

6. **CITY MANAGER REPORT AND RESPONSES TO QUESTIONS RAISED AT THE PREVIOUS CITY COUNCIL MEETING.**

7. **SECOND READING AND FINAL PASSAGE. Citizens Have Spoken. May Be Voted On.**

8. **Council Bill 2016-226. (Ferguson)**

A special ordinance establishing a budget for the Commercial Street Tax Increment Financing District Special Allocation Fund for Fiscal Year 2016-17 in the amount of \$570,035.53; approving expenditures from said Special Allocation Fund for property acquisition costs and certain public improvement projects within the Commercial Street Increment Financing District in an amount not to exceed \$400,000.00; and also using certain rail credits obtained in the sale of the West Wye to BNSF in the amount of \$707,849.57 to partially fund the acquisition of a portion of Frisco Lane in connection with the aforementioned public improvement projects.

Documents:

[2016-226.PDF](#)

9. **RESOLUTIONS. Citizens May Speak. May Be Voted On.**

10. **Council Bill 2016-230. (Stephens)**

A resolution approving the Mayor's appointment of six members to the Tax Abatement and Tax Increment Financing Advisory Commission.

Documents:

[2016-230.PDF](#)

11. **EMERGENCY BILLS.**

12. **PUBLIC IMPROVEMENTS.**

13. **GRANTS.**

14. **AMENDED BILLS.**

15. **COUNCIL BILLS FOR PUBLIC HEARING.**

16. **FIRST READING BILLS. Citizens May Speak. Not Anticipated To Be Voted On.**

17. **Council Bill 2016-231. (Fisk)**

A general ordinance amending the Springfield City Code, Chapter 2, Administration, Article I, In General, Section 2-5, Bonds on public works projects, by increasing the minimum dollar amount of construction contracts that require performance, labor and materials bonds to \$50,000.00.

Documents:

[2016-231.PDF](#)

18. **Council Bill 2016-232. (Hosmer)**

A general ordinance amending the Springfield City Code, Chapter 2, Administration, Article VI, Finances, Division 2, Purchasing, Section 2-401, known as the Purchasing Manual, by amending Subsection 13-3.104, Paragraph 8, Contract Performance and Payment Bonds, by increasing the minimum dollar amount of construction contracts that require performance, labor and materials bonds to \$50,000.00 in the City's Purchasing Manual.

Documents:

[2016-232.PDF](#)

19. **Council Bill 2016-233. (Fulnecky)**

A general ordinance amending the Springfield City Code, Chapter 98, Streets, Sidewalks and Public Places, Article VI, Improvements, Division 1, generally, by repealing Sections 98-224, 'Authority to suspend or debar bidders'; 98-225, 'Procedure for suspension or debarment of bidders'; and 98-226, 'Grounds for suspension or debarment of bidders'; in their entirety, and reserving these sections for future use.

Documents:

[2016-233.PDF](#)

20. **Council Bill 2016-234. (McClure)**

A general ordinance amending the Springfield City Code, Chapter 2, Administration, Article VI, Finances, Division 2, Purchasing, Section 2-401, known as the Purchasing Manual, by amending Subsections 13-3.401 and 13-3.402, relating to procedures to suspend and/or debar bidders.

Documents:

[2016-234.PDF](#)

21. **Council Bill 2016-235. (Ferguson)**

A special ordinance authorizing the City Manager, or his designee, to enter into a Cost Share Program Third Supplemental Agreement with the Missouri Highway and Transportation Commission and Greene County, for the purpose of allocating costs and establishing a contingency fund for additional costs for the City with respect to the Chestnut Expressway Overpass Bridge Improvement, Project No. 8P2196 and 8P2196B over the Burlington Northern Santa Fe Railway Company, Thayer Line, approximately 0.22 miles west of Route 65; and amending the 2016-2017 Fiscal Year budget for the Department of Public Works in the amount of \$1,286,899 to appropriate funds for this project.

Documents:

[2016-235.PDF](#)

22. **Council Bill 2016-236. (Schilling)**

A special ordinance authorizing the City Manager, or his designee, to enter into an Intergovernmental Agreement for a road improvement project with Greene County, Missouri, for the purpose of constructing roadway improvements on Republic Road between Golden Avenue and Route FF in the amount of \$1,248,000.

Documents:

[2016-236.PDF](#)

23. **PETITIONS, REMONSTRANCES, AND COMMUNICATIONS.**

24. **NEW BUSINESS.**

The Mayor recommends the following reappointments to the Mayor's Commission on Human Rights and Community Relations: Larry Dinges and Angela Myers with terms to expire October 1, 2019.

As per RSMo. 109.230 (4), City records that are on file in the City Clerk's office and have met

the retention schedule will be destroyed in compliance with the guidelines established by the Secretary of State's office.

25. **UNFINISHED BUSINESS.**

26. **MISCELLANEOUS.**

27. **CONSENT AGENDA – FIRST READING BILLS.**

28. **CONSENT AGENDA – ONE READING BILLS. See Item #3.**

29. **Council Bill 2016-237. (Schilling)**

A special ordinance to levy and assess a special tax against the lots, blocks, and parcels of ground hereinafter described to pay for the cost of the construction of sanitary sewers in the City of Springfield, Missouri, in Sanitary Sewer District No. 183 of Section No. 16, in the general vicinity of Grand Street and West Bypass as shown in "Exhibit A," providing for inclusion of said district in the City Sewer Financial Assistance Program, and authorizing the City Clerk to issue special tax bills and deliver the same to the Director of Finance to be registered in his office in accordance with this Ordinance; and declaring that this bill qualifies for approval in one reading.

Documents:

[2016-237.PDF](#)

30. **CONSENT AGENDA – SECOND READING BILLS. Citizens Have Spoken. May Be Voted On.**

31. **Council Bill 2016-227. (Fisk)**

A general ordinance amending the Springfield City Code Chapter 36 Land Development Code, Article 1 – Administration and Enforcement of Codes, Division 4 Permits and Fees, Section 36-128, 'When permit is required'; and 36-146 'Fees,' to correct inaccurate cross-references.

Documents:

[2016-227.PDF](#)

32. **BOARD CONFIRMATIONS.**

Confirm the following appointments to the Tree City USA Citizen Advisory Committee: Zach Clapper with term to expire December 1, 2016 and Mindy Spitz with term to expire December 1, 2017.

Confirm the following appointment, who has been serving as an alternate, to the Board of Adjustment: Derek Lee with term to expire January 1, 2017.

Confirm the following reappointments to the Park Board: Sarah McCallister with term to expire June 1, 2018, and Sidney Needem with term to expire June 1, 2019.

33. **END OF CONSENT AGENDA.**

34. **ADJOURN.**

Persons addressing City Council are asked to step to the microphone and clearly state their name and address before speaking.

All meetings are recorded.

In accordance with ADA guidelines, if you need special accommodations when attending any City meeting, please notify the City Clerk's Office at 864 - 1443 at least 3 days prior to the scheduled meeting.

October 3, 2016
Springfield, Missouri

The City Council met in regular session October 3, 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: Ken McClure, Jan Fisk, Craig Hosmer, Kristi Fulnecky, Phyllis Ferguson, Mike Schilling, Tom Prater, Craig Fishel and Bob Stephens. Absent: None.

Minutes There being no additions, deletions or corrections, the minutes of September 19, 2016 – Regular, September 20, 2016 – Special, and September 27, 2016 - Special were approved as presented.

Consent Agenda The Consent Agenda was finalized and approved as presented.

CEREMONIAL MATTERS

Oaths Kelly Guenther and Nick Baker were sworn in to the Tree City USA Citizen Advisory Committee.

Mayor Stephens acknowledged Jackson Baskins from Eagle Scouts Troop 200 and thanked him for attending the Council Meeting.

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 City Staff is currently working on a time to discuss Together Springfield with Council and noted an e-mail had been sent to Council concerning the Weller Neighborhood Clean-Up. Mr. Burris noted the Springfield-Greene County Park Board is expected to receive full accreditation from the Commission for Accreditation of Park and Recreation Agencies this Thursday evening at the National Recreation and Park Association Annual Conference. Mr. Burris stated the Greater Springfield Community Olympic Development Program (CODP) held its second annual Athlete of the Year reception on Sunday, October 2nd at the Davis House. Mr. Burris noted four youth athletes were honored, one each from the four Greater Springfield CODP sports programs. Mr. Burris stated several hundred people enjoyed the annual Jazz Festival, held on September 24 at Park Central East and the Historic Gillioz Theatre. Mr. Burris thanked the additional sponsors including the Downtown CID, Bear State Bank, Missouri Arts Council, Springfield Regional Arts Council, Missouri State University and The Network. Mr. Burris noted after 22 years with the City of Springfield, Barbara Lucks, Sustainability Officer, will be leaving to work full time as a local, private consultant. Mr. Burris stated Ms. Lucks is responsible for planning, implementing and overseeing the public education and information components of the City's environmental outreach and wished Ms. Lucks good luck in her future endeavors. Mr. Burris congratulated KY3 Manager Brian McDonough and his team for winning several Emmy awards last night in Branson during the Regional Emmy Awards and noted Jeff and Michelle

Houghton and crew of The Mystery Hour also earned two of the statues. Mr. Burris noted Springfield News-Leader took home an impressive number of awards at the annual Missouri Press Association Award Ceremony in Branson last weekend, including five first place awards and two major awards including the Community Service Award and reporter Jackie Rehwald received the Excellence in Legal Journalism award from the Missouri Bar Association. Mr. Burris also congratulated John Jungmann for being named the Missouri School Board Association 2017 Superintendent of the Year and noted Springfield Public Schools also brought home the top Early Childhood award and Springfield Public Schools board member Gerry Lee was named the winner of the Paul Morris Community Service Award. Mr. Burris made himself available for questions.

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

222 East Primrose

Sponsor: Hosmer. Council Bill 2016-220. A general ordinance amending the Springfield Land Development Code, Section 36-306, Zoning Maps, by rezoning approximately 0.90 acres of property, generally located at 222 East Primrose Street, from Planned Development 21 Amendment 1 District, to a GR, General Retail District; and adopting an updated Official Zoning Map.

Council Bill 2016-220. General Ordinance 6306 was approved by the following vote: Ayes: McClure, Fisk, Hosmer, Fulnecky, Ferguson, Schilling, Prater, Fishel and Stephens. Nays: None. Absent: None. Abstain: None.

1811 East Sunset Drive

Sponsor: Fishel. Amended Council Bill 2016-221. A general ordinance amending the Springfield Land Development Code, Section 36-306, Zoning Maps, by rezoning approximately 0.6 acres of property, generally located at 1811 East Sunset Drive, from Planned Development No. 97, to O-1, Office District; and adopting an updated Official Zoning Map.

Amended Council Bill 2016-221. General Ordinance 6307 was approved by the following vote: Ayes: McClure, Fisk, Hosmer, Fulnecky, Ferguson, Schilling, Prater, Fishel and Stephens. Nays: None. Absent: None. Abstain: None.

1606 East Blaine Avenue

Sponsor: Fulnecky. Council Bill 2016-222. A general ordinance amending the Springfield Land Development Code, Section 36-306, Zoning Maps, by rezoning approximately 2.4 acres of property, generally located at 1606 East Blaine Avenue, from R-SF, Single-Family Residential District, to R-LD, Low-Density Multi-Family Residential District with Conditional Overlay District No. 110; and adopting an updated Official Zoning Map.

Anita Cotter, City Clerk, noted a protest petition was received for the proposed, however, the protest petition was found to be insufficient at 10.30%. Ms. Cotter noted a copy of the letter noting the percentage and supplemental explanation sheet has been provided at the places of Council and the record will reflect it will become part of the bill, Ms. Cotter noted a super majority for passage of the proposed is not required.

Councilman Hosmer stated he will be voting in opposition of the proposed and expressed his concerns for sanitary sewer and stormwater issues in the proposed area.

Councilman Schilling expressed his concern for increased stormwater issues and stated he will not be supporting the proposed.

Councilwoman Ferguson stated she will be voting in opposition of the proposed and expressed her concern for stormwater and sanitary sewers issues in the proposed area.

Councilman Hosmer expressed his concern for the proposed and stated he will be voting in opposition.

Mayor Pro Tem McClure asked when water and sewer improvements are scheduled for the proposed area. Mr. Burris responded it will take two years before they can correct the bottleneck at Division.

Mayor Pro Tem McClure expressed his concern for the impact of the water issues in the proposed area.

Councilwoman Fulnecky expressed her concern for the proposed and stated she would be voting in opposition of the proposed.

Mayor Stephens expressed his concern for permeable space in the proposed location and stated we, as the City, need to fix the water issues. Mayor Stephens noted he will vote in opposition of the proposed.

Council Bill 2016-222 failed by the following vote: Ayes: None. Nays: McClure, Fisk, Hosmer, Fulnecky, Ferguson, Schilling, Prater, Fishel and Stephens. Absent: None. Abstain: None.

RESOLUTIONS.

EMERGENCY BILLS.

PUBLIC IMPROVEMENTS.

GRANTS.

Youth Homeless Demonstration Program Grant

Sponsor: McClure. Council Bill 2016-225. A special ordinance authorizing the City Manager, or their designee, to apply for and accept a Youth Homeless Demonstration Program Grant from the Department of Housing and Urban Development, in an amount not to exceed \$2,000,000, with funds to be used for the development and implementation of a coordinated community plan to end youth homelessness; to execute any sub-grant agreements that may be necessary or convenient, and to exercise any and all powers necessary or convenient to implement the grant; and declaring that this bill qualifies for approval in one reading.

Brendan Griesemer, Planning and Development Manager, provided a brief overview of the proposed. Mr. Griesemer stated the proposed is a resolution to apply for a youth homeless project demonstration grant. Mr. Griesemer noted the primary goal of the proposed is to develop and implement a coordinated community plan. Mr. Griesemer stated the proposed is a competitive grant that

will require us to evaluate our barriers in assisting the homeless and positively impact the youth homeless in the community. Mr. Griesemer noted the amount of the grant is dependant upon a formula calculated by considering the amount and size of the youth population in the community.

Randy McCoy, The Kitchen's Director of Housing, stated the proposed is a great way for the community to prevent homelessness. Mr. McCoy noted the proposed is a competitive grant and expressed his belief the City of Springfield is in good standing to earn the grant. Mr. McCoy stated the grant will be submitted on November 30, 2016 and noted The Kitchen is currently writing the narrative and will include a community input.

Councilwoman Fulnecky asked if solutions were going to be proposed through the grant. Mr. McCoy responded the solutions come after gauging the communities' needs in regards to homelessness. Mr. McCoy noted the proposed will work with agencies in the community to design the plan within the first six months that must then be submitted to Housing and Urban Development.

Mayor Pro Tem McClure asked how many dollars are available nationally. Mr. McCoy responded \$33 million will be split amongst ten nationwide awards.

Mayor Pro Tem McClure asked if a match was required. Mr. McCoy responded in the negative and responded the grant requires you indicate if potential funding to assist the program locally is available.

Mayor Pro Tem McClure asked if City money would be pledged as a match. Mr. Griesemer responded in the negative.

Councilwoman Ferguson stated the recent trip to Greenville, South Carolina illustrates how their community works together to help the homeless community and expressed her appreciation for the proposed.

Council Bill 2016-225. Special Ordinance 26801 was approved by the following vote: Ayes: McClure, Fisk, Hosmer, Fulnecky, Ferguson, Schilling, Prater, Fishel and Stephens. Nays: None. Absent: None. Abstain: None.

AMENDED BILLS.

COUNCIL BILLS FOR PUBLIC HEARING.

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

Commercial Street Tax Increment Financing District Special Allocation Fund

Sponsor: Ferguson. Council Bill 2016-226. A special ordinance establishing a budget for the Commercial Street Tax Increment Financing District Special Allocation Fund for Fiscal Year 2016-17 in the amount of \$570,035.53; approving expenditures from said Special Allocation Fund for property acquisition costs and certain public improvement projects within the Commercial Street Increment Financing District in an amount not to exceed \$400,000.00; and also using certain rail credits obtained in the sale of the West Wye to BNSF in the amount of \$707,849.57 to partially fund the acquisition of a portion of Frisco Lane in connection with the aforementioned public improvement projects.

Sarah Kerner, Interim Economic Development Director, provided a brief overview of the proposed. Ms. Kerner stated the proposed is bringing forward proposals on how to spend the funding for the Commercial Street Tax Increment Financing District (TIF). Ms. Kerner stated the revenues collected to date amount to \$570,035.53 total, collected mostly from property tax increments. Ms. Kerner stated the three recommendations include acquiring Frisco Lane and relocate rail lines, preliminary construction work on Frisco Lane to stabilize and secure the property and improvements to one alley. Ms. Kerner noted acquiring Frisco Lane and relocation of rail lines will cost \$976,000. Ms. Kerner added there is \$707,849.57 in City rail credits and \$268,150.43 in TIF revenues to go towards relocating the rail lines. Ms. Kerner stated the preliminary construction work will include grating to reduce stormwater against buildings, easier access for service vehicles and employee parking until the location is fully paved and build a safety fence, estimated to cost \$80,000. Ms. Kerner noted the final item includes improvements to an alley, estimated to cost \$50,000 after improving linkage from Commercial Street to the public parking to the South and improving the image of the street from the South. Ms. Kerner stated the requested Council action is to allocate \$398,150.43 from the Commercial Street TIF Special Allocation Fund to construct public improvements. Ms. Kerner made herself available for questions.

Councilman Fishel asked if there are train tracks located in the easement. Ms. Kerner responded in the affirmative.

Councilman Fishel asked if the railroad company will remove the railroad tracks. Ms. Kerner responded in the affirmative.

Councilman Fishel asked if the railroad tracks will be relocated. Ms. Kerner responded in the affirmative and stated the railroad track relocation should occur prior to acquiring the property.

Mayor Pro Tem McClure asked if any action would be required by Burlington Northern Santa Fe (BNSF). Ms. Kerner responded there will be a real-estate contract which will be brought forward to Council to purchase the property and stated the negotiation has already begun.

Mayor Pro Tem McClure asked if permission is required to use credits. Ms. Kerner responded they are aware the City wants to use the credits.

Mayor Pro Tem McClure asked if the proposed passes will the City take this contract to them, endorse the contract and go from there. Ms. Kerner responded in the affirmative and stated the contract will say we are going to buy this property from you, move the rail line and how the City will be paying for the proposed.

Councilwoman Fulnecky asked if there are safety issues in the parking lot or streets. Ms. Kerner responded the surface varies which is why fresh gravel will be added to even out the lots.

Councilwoman Fisk asked where employees currently park. Ms. Kerner responded some employees park on the street and on the parking lots to the South.

Councilwoman Ferguson asked if the proposed will create 60 additional parking spaces along Frisco Lane. Mr. Smith responded it could be over 100 parking spots if angled parking is implemented.

Mary Collette spoke in favor of the proposed. Ms. Collette expressed her appreciation for the proposed. Ms. Collette noted the proposed will create additional parking, stormwater relief and new utility access. Ms. Collette thanked the City for their work on the proposed.

Councilman Schilling asked if there is currently public access to the rail line. Ms. Collette responded in the affirmative.

Councilman Schilling asked if an owner on Commercial Street had previously asked to put an exhaust on their cook stove out on the North side, but the railroad denied the request. Ms. Collette responded in the affirmative and stated the company would not allow odors to be vented near the tracks.

Councilman Schilling asked if owners can not have access to the North side of their properties. Ms. Collette responded in the affirmative.

Councilwoman Ferguson stated the area where they wanted to put the exhaust fans ended up costing the owner \$24,000 instead of \$8,000 because the rail line would not allow the owner to vent their cooking odors onto the railroad property.

Paden Chambers spoke in favor of the proposed. Mr. Chambers stated he worked with the Commercial Club on a vision project for Frisco Lane years ago and expressed his appreciation for the proposed.

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

Petitions, Remonstrances, and Communications.

Did Not Appear

Ms. Madison Weiler wishes to address City Council.

Ms. Cotter noted Ms. Weiler contacted the City Clerk's Office to notify us she would not be in attendance at tonight's meeting.

The following items appeared under New Business:

Recommended

The Mayor recommends the following appointments to the Tree City USA Citizen Advisory Committee: Zach Clapper with term to expire December 1, 2016 and Mindy Spitz with term to expire December 1, 2017.

Recommended

The City Manager recommends the following appointment, who has been serving as an alternate, to the Board of Adjustment: Derek Lee with term to expire January 1, 2017.

Recommended

The City Manager recommends the following reappointments to the Park Board: Sarah McCallister with term to expire June 1, 2018, and Sidney Needem with term to expire June 1, 2019.

As per RSMo. 109.230 (4), City records that are on file in the City Clerk's office and have met the retention schedule will be destroyed in compliance with the guidelines established by the Secretary of State's office.

UNFINISHED BUSINESS.

MISCELLANEOUS.

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

Chapter 36, Permits and Fees, 'When Permit is Required', 'Fees'

Sponsor: Fisk. Council Bill 2016-227. A general ordinance amending the Springfield City Code Chapter 36 Land Development Code, Article 1 – Administration and Enforcement of Codes, Division 4 Permits and Fees, Section 36-128, 'When permit is required'; and 36-146 'Fees,' to correct inaccurate cross-references.

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

2800 and 3000 Blocks of West Republic Street

Sponsor: Schilling. Council Bill 2016-228. A resolution declaring the intent of the City of Springfield to annex approximately 4.7 acres of Greene County right-of-way; which annexation has been petitioned by the property owners, generally located between the 2800 and 3000 blocks of West Republic Street, and is more fully described in this resolution, generally referenced as Annexation A-2-16.

Council Bill 2016-228. Resolution 10288 was approved by the following vote: Ayes: McClure, Fisk, Hosmer, Fulnecky, Ferguson, Schilling, Prater, Fishel and Stephens. Nays: None. Absent: None. Abstain: None.

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

1436 North Rogers Avenue

Sponsor: Stephens. 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.

Council Bill 2016-213. Special Ordinance 26802 was approved by the following vote: Ayes: McClure, Fisk, Hosmer, Fulnecky, Ferguson, Schilling, Prater, Fishel and Stephens. Nays: None. Absent: None. Abstain: None.

3830 South Glenstone Avenue

Sponsor: Ferguson. Council Bill 2016-223. A special ordinance authorizing the Director of Planning and Development to accept the dedication of the public streets and easements to the City of Springfield, Missouri, as shown on the Preliminary Plat of Andy Land Subdivision, generally located at 3830 South Glenstone Avenue, upon the applicant filing and recording a final plat that substantially conforms to the preliminary plat; and authorizing the City Clerk to sign the final plat upon compliance with the terms of this ordinance.

Council Bill 2016-223. Special Ordinance 26803 was approved by the following vote: Ayes: McClure, Fisk, Hosmer, Fulnecky, Ferguson, Schilling, Prater, Fishel

and Stephens. Nays: None. Absent: None. Abstain: None.

Adjourn to Closed Session

Councilman Hosmer moved to hold a closed meeting to discuss legal actions, causes of action, litigation, privileged and confidential communications pursuant to Section 610.021 (1), RSMo.; and this meeting, record, and vote shall be closed and the City Council shall stand adjourned at the end of the closed session.

Councilman Fishel seconded the motion and it was approved by the following vote: Ayes: McClure, Fisk, Hosmer, Fulnecky, Ferguson, Schilling, Prater, Fishel and Stephens. Nays: None. Absent: None. Abstain: None.

With no further business to come before Council, the meeting adjourned at approximately 7:30 p.m.

Anita J. Cotter, CMC/MRCC
City Clerk

Prepared by Megan Cunningham

DRAFT

One-rdg. X
Public Hearing
Pgs. 3
Filed: 10-11-2016

Sponsored by: Council

COUNCIL BILL NO. 2016 - 229

RESOLUTION NO.

A RESOLUTION

1 RECOGNIZING Sheila Maerz for her dedicated years of service to the City of
2 Springfield upon the occasion of her retirement.
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4

5 WHEREAS, Sheila Maerz began her career at the City of Springfield as the
6 Human Resources Director in October 1998; and
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8 WHEREAS, Sheila Maerz has been responsible for employment, classification,
9 salary administration, payroll, benefits administration, employee relations, training and
10 development, labor relations, risk management, safety and workers' compensation; and
11

12 WHEREAS, Sheila considers her work negotiating the City's first collective
13 bargaining agreements with the International Association of Fire Fighters (IAFF) and
14 Springfield Police Officers' Association/FOP (SPOA), as well as her role in shepherding
15 the City's self-insured health plan through the storm of health care reform, to be among
16 her career's most rewarding and challenging accomplishments; and
17

18 WHEREAS, the City of Springfield recognizes her leadership in moving the City
19 towards becoming an "employer of choice"; and
20

21 WHEREAS, for eighteen years, the City of Springfield, the City Council, Council
22 Committees, and numerous Boards and Commissions, and City Staff have benefitted
23 from her sound advice; and
24

25 WHEREAS, Sheila is extremely knowledgeable in her field and is consulted for
26 advice by her co-workers and peers within the field.
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28 NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF
29 SPRINGFIELD, MISSOURI, as follows, that:
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31 The City Council hereby recognizes and honors Sheila Maerz for her service to
32 the City of Springfield, the City Council, Springfield Human Resources Department, and
33 the citizens of this community, and congratulates her upon the occasion of her
34 retirement.

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Passed at meeting: _____

Mayor

Attest: _____, City Clerk

Filed as Ordinance: _____

Approved as to form: Franklin Don Burt II, City Attorney

Approved for Council Action: Guy Burt, City Manager

54 **EXPLANATION TO COUNCIL BILL NO: 2016- 229**

55
56 FILED: 10/11/16

57
58 ORIGINATING DEPARTMENT: City Council

59
60 PURPOSE: To recognize Sheila Maerz for her dedicated years of service to the City of
61 Springfield upon the occasion of her retirement.

62
63
64 BACKGROUND INFORMATION: Sheila Maerz began her career at the City of
65 Springfield as the Human Resources Director in October 1998. During her eighteen
66 years of service, she has been responsible for employment, classification, salary
67 administration, payroll, benefits administration, employee relations, training and
68 development, labor relations, risk management, and safety and workers' compensation.

69
70 Sheila's key role in the City's inaugural collective bargaining agreements with the
71 International Association of Fire Fighters (IAFF) and Springfield Police Officers'
72 Association/FOP (SPOA) is considered one of her key successes. The challenges and
73 opportunities that each process provided built and strengthened working relationships
74 that will be remembered for years to come.

75
76 Sheila takes particular pride in her role in shepherding the City's Health
77 Insurance Committee. Her leadership helped the City stabilize and build a critical
78 employee benefit with a solid financial position, all while navigating the many mandates
79 and changes required within the past decade and will benefit the City for years to come.

80
81 Sheila is recognized throughout the City, by her staff members, by her peers, and
82 throughout the larger Springfield community, as an accomplished leader in the HR
83 profession.

84
85 Approved by:

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87 _____
88 Greg Burris, City Manager

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One-rdg. _____
P. Hrngs. _____
Pgs. 36
Filed: 09-27-16

Sponsored by: Ferguson

First Reading: _____

Second Reading: _____

COUNCIL BILL NO. 2016-226

SPECIAL ORDINANCE NO. _____

AN ORDINANCE

1 ESTABLISHING a budget for the Commercial Street Tax Increment Financing District
2 Special Allocation Fund for Fiscal Year 2016-17 in the amount of
3 \$570,035.53; approving expenditures from said Special Allocation
4 Fund for property acquisition costs and certain public improvement
5 projects within the Commercial Street Increment Financing District in
6 an amount not to exceed \$400,000.00; and also using certain rail
7 credits obtained in the sale of the West Wye to BNSF in the amount of
8 \$707,849.57 to partially fund the acquisition of a portion of Frisco
9 Lane in connection with the aforementioned public improvement
10 projects.

11 _____
12
13 WHEREAS, on April 7, 2008, the City Council adopted the Commercial Street
14 Tax Increment Financing (TIF) District Plan by Special Ordinance No. 25373, and
15 designated the Redevelopment Area, described therein, as a blighted area; and
16

17 WHEREAS, said Plan requires that City Staff seek input and comment from
18 property owners, business owners, and residents in the Redevelopment Area on the
19 use of the Special Allocation Fund, and that City Staff then make recommendations to
20 City Council on the use of the Special Allocation Fund; and
21

22 WHEREAS, after two public stakeholder meetings, which occurred on August 11,
23 2016 and September 8, 2016, City staff has made certain recommendations, based on
24 input received which is more fully described in Exhibits "A," "B," and "C;" attached
25 hereto and incorporated herein by this reference.

26
27 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
28 SPRINGFIELD, MISSOURI, as follows, that:

29
30 Section 1 –City Council hereby approves the following expenditures and projects
31 in the following amounts:
32

- 33 a) Acquisition of property for proposed Frisco Lane as identified on “Exhibit
34 C” (“Frisco Lane Property”) from Burlington Northern Santa Fe, LLC,
35 (BNSF) and relocation of rail lines on the acquired property. Estimated
36 cost of \$976,000, shall be paid for by City rail credits obtained in the sale
37 of the West Wye to BNSF (\$707,849.57) and funds from the Special
38 Allocation Fund (not to exceed \$268,150.43).
39
- 40 b) Construction work needed in Frisco Lane after acquisition in order to
41 stabilize and secure the property for use as a service lane and employee
42 parking area, which work shall be paid for using funds from the Special
43 Allocation Fund (not to exceed \$80,000.00).
44
- 45 c) Improvements to the alleyway which connects Commercial Street and
46 Blaine Street located between Campbell Avenue and Boonville Avenue,
47 that will provide an accessible pedestrian walkway from Commercial
48 Street to the public parking lot at Campbell and Blaine, which work shall
49 be paid for with funds from the Special Allocation Fund (not to exceed
50 \$50,000.00).
51

52 Section 2 – The City Manager, or their designee, is hereby authorized to do all
53 things necessary or convenient to carry out the intent of this ordinance, including the
54 execution of any required contracts, provided that said contracts have been approved
55 by the City Manager’s and the City Attorney’s respective offices.
56

57 Section 3 – A budget adjustment for said Special Allocation Fund is hereby
58 submitted for Fiscal Year 2016-17, in the accounts and in the amounts as shown on
59 Budget Adjustment No. 0011, a copy of which is attached hereto and incorporated
60 herein by reference as “Exhibit D.”
61

62 Section 4 – The City Council hereby finds that the budget adjustment described
63 in “Exhibit D” has been recommended by the City Manager.
64

65 Section 5 – The City Manager is hereby directed to cause the appropriate
66 accounting entries to be made in the books and records of the City to reflect the budget
67 adjustment described in “Exhibit D.”
68

69 Section 6 - This Ordinance shall be in full force and effect from and after
70 passage.
71

72 Passed at meeting: _____
73

74 _____
75 Mayor

76 Attest: _____, City Clerk
77
78

79 Filed as Ordinance: _____

80
81 Approved as to form: Richard T. Widen, Assistant City Attorney

82
83 Approved for Council action: Greg Burt, City Manager

EXPLANATION TO COUNCIL BILL NO: 2016- 226

FILED: 09-27-16

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: to establish a budget for the Commercial Street Tax Increment Financing District Special Allocation Fund for Fiscal Year 2016-17 in the amount of \$570,035.53; approving expenditures from said Special Allocation Fund for property acquisition costs and certain public improvement projects within the Commercial Street Increment Financing District in an amount not to exceed \$400,000.00; and also using certain rail credits obtained in the sale of the West Wye to BNSF in the amount of \$707,849.57 to partially fund the acquisition of a portion of Frisco Lane in connection with the aforementioned public improvement projects. (Staff recommends approval.)

BACKGROUND INFORMATION: The Commercial Street Historic District Strategy for Success was accepted by Council by Resolution No. 7338 on February 6, 2006. The Strategy recommended use of a TIF for sustained redevelopment and revitalization. Council directed city staff to prepare a TIF Redevelopment Plan for the area.

City Council approved the Commercial Street TIF Plan by Special Ordinance No. 25373 on April 7, 2008 ("Commercial Street Plan"). The purpose of the Commercial Street Plan is to establish a process by which public improvements within the area will occur and establish a process and reason for redevelopment to occur. The basic philosophy behind the Commercial Street Plan was that public investment in key projects would provide incentives for sustained private investment and redevelopment in the area.

The Commercial Street Plan outlines the projects the TIF funds may be used for and the process by which funds captured by the TIF may be expended. First, the plan requires that an annual public meeting with Commercial Street property owners, business owners, and residents be held, in which City staff provides information about the Special Allocation Fund balance and makes recommendations for projects based on available funding. At the same meeting, the Commercial Street stakeholders are afforded an opportunity to review the material and identify their recommendations. After this meeting, City staff finalizes recommendations to City Council taking into account stakeholder input, project priorities, projects to be funded, and financing. City Council then makes an annual decision regarding expenditures from the Special Allocation Fund.

REMARKS: City staff held stakeholder meetings on August 11, 2016 and September 8, 2016, in order to gather input from Commercial Street property owners, business owners, and residents prior to making recommendations. Summaries of each meeting as well as copies of comment cards from meeting participants are attached as "Exhibit A" and "Exhibit B."

The overwhelming majority of participants stated their preference was to spend all or some of the funds currently available in the Special Allocation Fund. The top priority

identified in the TIF Plan in 2008 was echoed by participants in the two public meetings in August and September 2016: Acquire property from BNSF Railroad for construction of proposed Frisco Lane.

Staff Recommendations: Based on the input received at the two stakeholder meetings we conducted, city staff recommends that City Council approve expenditure of the Special Allocation Fund for the following projects:

- Acquisition of BNSF property for proposed Frisco Lane (35' wide and approximately 1900 linear feet, see survey attached as "Exhibit C") from BNSF and relocation of rail lines on the property, at an estimated cost of \$976,000, to be paid for by City rail credits obtained in the sale of the West Wye to BNSF (\$707,849.57) and TIF funds (approximately \$268,150.43).
- Construction work needed in Frisco Lane after acquisition in order to stabilize and secure the property for use as a service lane and employee parking area, to be paid for with TIF funds of approximately \$80,000.
- Improve one alleyway, which will provide an accessible pedestrian walkway from Commercial Street to the public parking lot at Campbell and Blaine, to be paid for with TIF funds of approximately \$50,000.

In total, staff recommends projects to be completed with an approximate cost of \$400,000. This will leave approximately \$140,000 in the Special Allocation Fund to be allocated for future projects. City staff plans to hold the next Commercial Street TIF stakeholder meeting in the summer of 2017 to provide an update on these projects, provide information on the balance of the Special Allocation Fund, and discuss additional projects.

Because a budget has never been formally established for the Special Allocation Fund, this bill also adjusts the budget of the Special Allocation Fund for the full amount available in the Fund, in order to establish the Fund's budget.

This ordinance supports the following Field Guide 2030 goal(s): Chapter 3, Economic Development; Major Goal 2, Aggressively use Economic Development Incentives to encourage investment in the community and to encourage job creation and retention; Objective 2a, Continue to explore creative and flexible methods of funding infrastructure costs associated with new development. Currently, private developers are responsible for funding major infrastructure costs for new development projects. Limitation of funding to private sources can result in a significant impediment to moving vital projects forward in a timely and economic manner. The City should look at creative ways to assist developers with these large "up-front" costs to spread the financial impact over a longer period of time that mirrors the economic benefit derived from the improvements.

Submitted by:



Sarah Kerner,
Interim Economic Development Director

Recommended by:



Mary Lilly Smith, Director of Planning

Approved by:



Greg Burris, City Manager

Commercial Street TIF District

Summary of Public Meeting
August 11, 2016



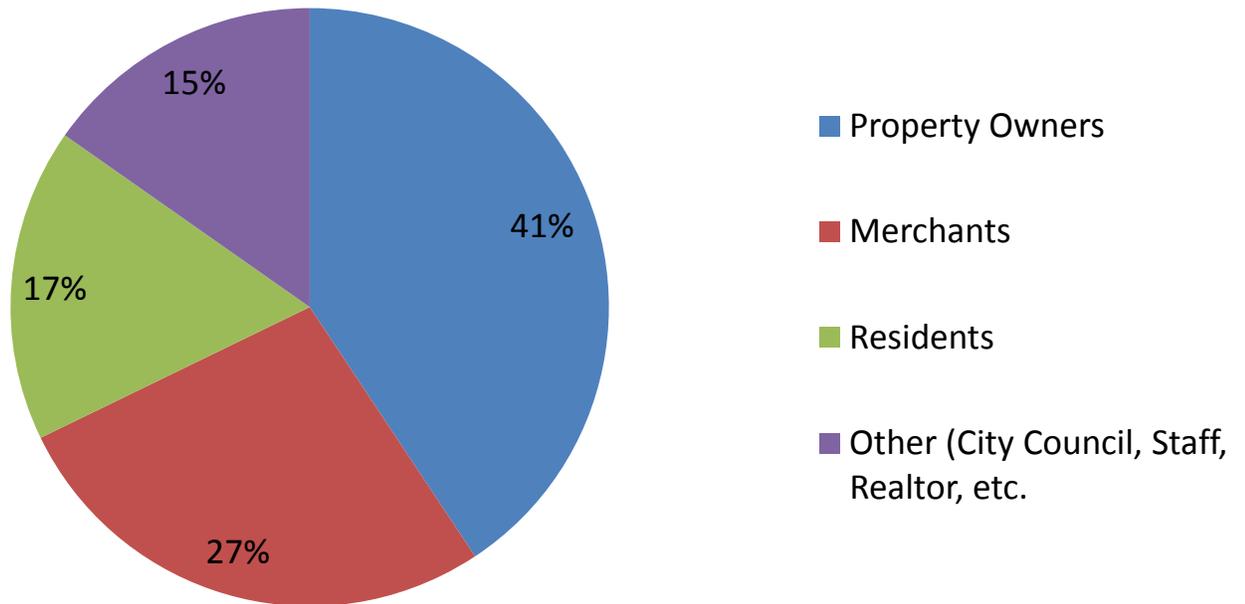
A public meeting was held on Thursday August 11, 2016, from 5:30 to 7:00 PM, at White River Brewing Co, 505 West Commercial Street, to provide information and receive input on the TIF Special Allocation Fund and proposed projects for the Commercial Street TIF District. Approximately 50 people attended the meeting based on an informal head count and 42 people signed the attendance sheet. A Meeting Notice was mailed to property owners, merchants, and residents within the TIF District and the Public Information Office issued a press release the week prior to the meeting resulting in ample media coverage leading up to and during the input session. The Meeting Notice was also posted with the City Clerk and sent to City Council members.

Meeting Format

The Meeting format consisted of a welcome by Zone 1 Councilwoman Phyllis Ferguson followed by a City Staff presentation that included an overview of the TIF Redevelopment Plan and status of the Special Allocation Fund. Revenues collect to date total \$564,072.53. The list of projects and options for use of funds were presented with an update on the Frisco Lane project and cost estimates. The second portion of the meeting was to gauge the current priorities for stakeholders in the district. Comment Cards were provided to all participants and a question and answer period allowed for discussion of alternatives and verbal input. A summary of the discussion is included in a following section along with results from the Comment Cards. The Comment Card was also posted on the City website and Staff allowed until August 25th to complete and return the cards. 24 Comment Cards were completed at the meeting and one property owner provided comments via phone call and another interested party mailed in written notes attached to the August 6th newspaper article. **1 card** was submitted following the meeting. Public Works also provided a two page Project Update publication about the Streetscape and Roundabout construction including the historic brick discovery, Jefferson Avenue Footbridge rehabilitation, and the Reverse-angle Parking Pilot. An aerial photo showing the TIF boundary was on display and a power point was used for the staff presentation.



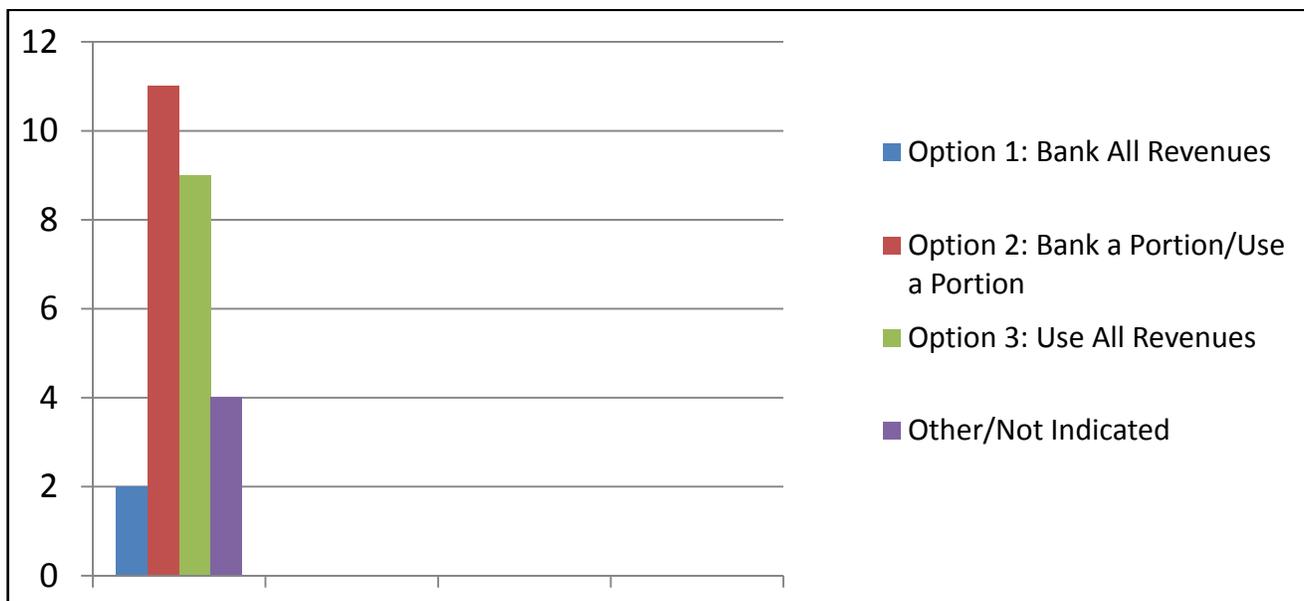
Meeting Attendance



Results of Public Comment

Participants were asked to choose which of the following options for expending revenue that they were most likely to support:

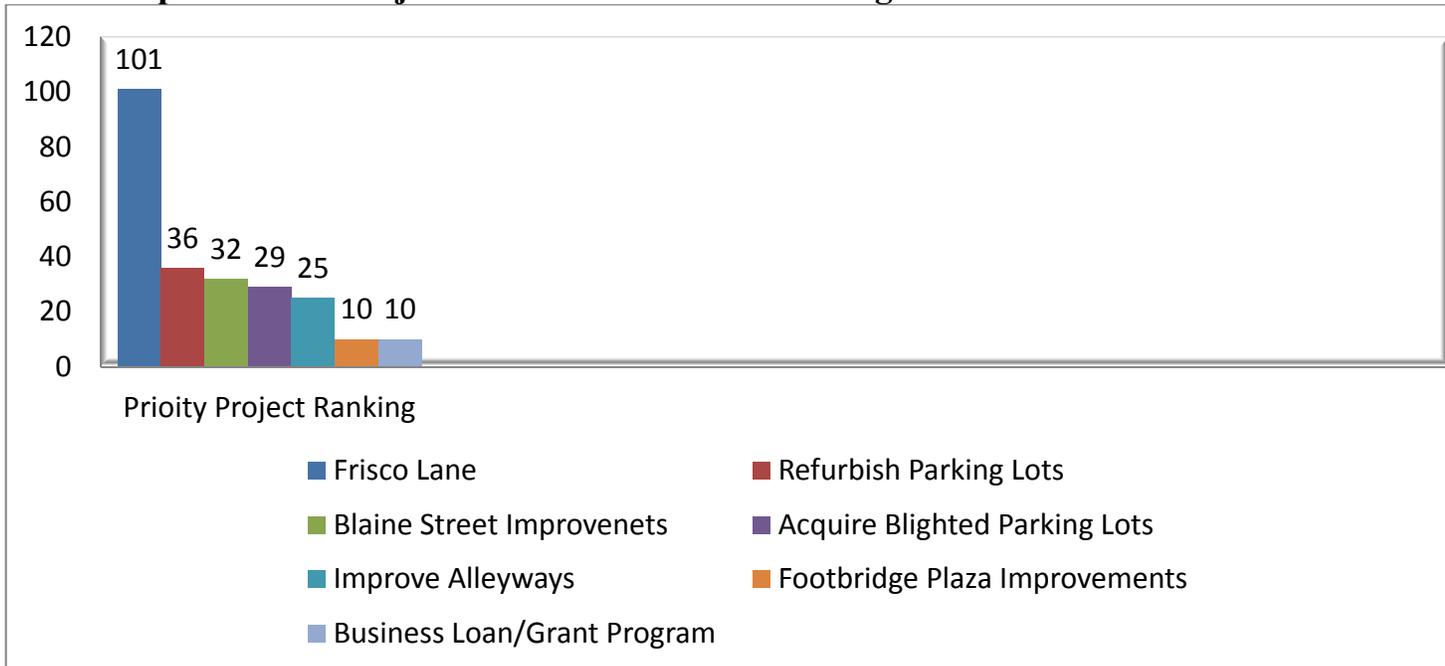
- Option 1: Bank all of the revenues for a project(s) to be completed in the future
- Option 2: Bank a portion of the revenues for future project(s) and use a portion of revenue to complete one or more project(s)
- Option 3: Use all of the revenues collected to-date on project(s)



Option 2 was the most popular, followed by Option 3, indicating the popular choice is to spend revenues rather than banking them for the future. The chart above shows the breakdown of results. Several people did not indicate their preference, while a few wrote in their own option, left this question blank, or added notes about using Bond Financing or other financing with TIF as the repayment method to accomplish projects faster.

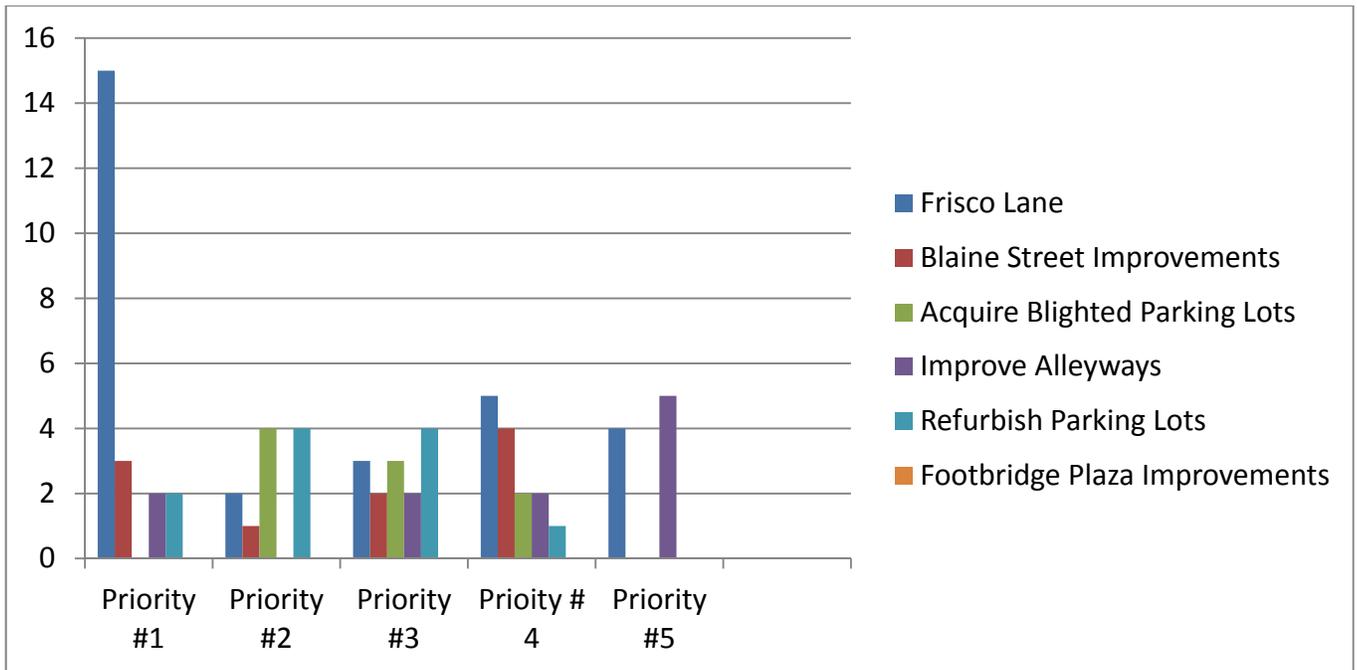
Next stakeholders were asked to rank their Top 5 projects from the TIF Redevelopment Plan they support in priority order. The following chart shows the results, with the Frisco Lane project continuing to be the highest priority project for the district. Parking is the greatest concern overall as the second highest priority was to refurbish existing parking lots and the fourth highest was to acquire blighted parking lots for public parking. Blaine Street improvements and alleyway improvements received similarly high rankings.

Public Improvement Projects: Comment Card Ranking*



*Participants ranked projects with a #1 indicating their highest priority followed by #2 for second highest and so on. Projects receiving a #1 were allocated five points, number 2 were given a four point value, three received three points, four rankings received two points and a fifth priority received one point, thus the values were determined for the above chart.

The following table shows the breakdown of how many #1 rankings each project received, #2 rankings, and so on through the 5th priority. As the chart below illustrates, the Frisco Lane project received the most #1 priority rankings as well as the most priority #4 rankings, and also received several priority 2, 3, and 5 rankings. Blaine Street Improvements received the second most #1 priority #1 rankings followed by Improve Alleyways and Refurbish Parking Lots.



The following projects are eligible for funding with TIF revenues:

<u>Public Improvement Projects</u>	<u>2007 Estimated Cost</u>
Frisco Lane (pave, add 60 parking spaces, landscaping and fencing)	\$1,200,000
Streetscapes	\$1,350,000
Refurbish Parking Lots	\$200,000
Business Loan Grant Program	\$250,000
Public Restrooms	\$30,000
Acquire Blighted parking Lots (willing seller)	\$150,000
Renovate Commercial Club Building	\$250,000
Blaine Street Improvements	\$470,000
Public Art	\$30,000
Acquire Blighted Buildings (willing seller)	\$600,000
Footbridge Plaza Improvements (stage, lighting, landscaping, sound system, etc.)	\$150,000
Public Radio Station	\$30,000
Improve Alleyways	\$500,000
Planters	\$10,000
Gateways/Entryways (3)	\$220,000
Directional Signage	\$7,000

Park Benches (10)	\$5,000
Cab Stands (4)	\$4,000
Total Estimated Project Costs	\$5,456,000

Summary of Written Comments from Comment Cards

Below is a summary of the main points from the comment cards collected. Comment Cards will be attached to the City Council report. The overall consensus appears to be that Frisco Lane should be purchased and the rail lines relocated, but additional improvements should either be funded under another source or completed in the future. Remaining TIF funds should be used to improve existing parking lots and/or Blaine Street and the adjoining alleyways.

1. Regarding Frisco Lane – Purchase and acquire land along with relocation of the rail lines, but no development at this time.
2. I like the option of purchasing the railroad property but leaving a portion of the TIF for other C-Street projects.
3. What benefits the north side of Commercial Street will benefit the south side of the street. Frisco Lane is a priority as long as it goes forward and doesn't get delayed in negotiations with the railroad for many more years. However, I wouldn't want to see funds held for Frisco Lane for years and other items on the list waiting for more TIF to accrue. Can we get the land deal done asap?
4. Creating more parking for public use is very important, and to develop existing and to make sure these are plenty of signs to inform the public they can park in the back space.
5. It's about time that we finished paving the alleys to make the parking behind the south buildings more attractive.
6. Parking and alleys should be prioritized because parking and c-street has been hard to find especially on Saturday mornings with the Market. At night the alleyway improvements would make me, as a resident, feel safer about parking further from my home. Better lighting on Blaine and in alleyways. I believe that it would be extremely beneficial to local businesses to have Frisco Lane. It would also solve some parking issues on the street as well.
7. I am strongly in favor of purchasing Frisco Lane and developing it to the point that it is usable by workers and residents. It really doesn't need to be pretty, so I'd rather not see all of the TIF money spent on the project.
8. Need a MIC for speakers in the future – could not hear public improvement projects.
9. From hearing all the comments, we should acquire Frisco Lane and relocate the rail. Additional funds should be used to improve the image of the south parking lots and Blaine St. this is the most visible entrance to the street.
10. Blaine is the “Front” of Commercial Street and looks run down. Aesthetically it is preferential to give the street a new face to south Springfield.
11. Perhaps our fair city council could pony up some matching funds to help make Frisco Lane happen.
12. Acquire blighted buildings – solar power! Increase property value, 30% tax in MO, local solar power installation business “Missouri Sun Solar”, provide electricity to Jefferson Ave Footbridge and Stage. Looks good for businesses to be more progressive. Push forward green living. Can be rooftop or ground. Rooftop agriculture. Community co-op gardens can be lit with solar power. Recirculation rain water.
13. How much parking becomes available if we refurbish existing lots? Enough for local businesses? Would this give time to decide on Frisco Lane? Could we rent parking lots?

14. Should acquire Frisco Lane and make businesses eligible for opening, but should not put all our eggs in one basket – hold off on construction.
15. With removal of the center turn lane, consideration needs to be made for how property owners/businesses/residents/visitors circulate through the district. Though parking at the front of businesses is efficient, with more people visiting the district focus should be made on existing city-owned lots to the south. Improvements to Blaine and alleyway pass-through to C-Street. This is the “Front Door” to C-Street. For people traveling from the South it looks shabby and not the image we want to portray. This would also incentivize people to walk the streets for exercise and enjoyment rather than parking at the front door. We are installing art in one alleyway so there is obvious benefit to their redevelopment.
16. Frisco Lane is a huge benefit to the north side of the street. I am curious about banking a portion of the funds and then seeking further funding elsewhere. Would this qualify for grants?

TIF Schedule and Next Steps

Meeting participants were informed of the following next steps in the process during the staff presentation:

1. **A follow-up public meeting will be held in one month** to present the results of this public input and to solicit feedback on staff recommendations for use of TIF revenues. This will be another opportunity for input planned for early September.
2. **Staff will make a formal recommendation to City Council** following stakeholder input at an open public hearing. Stakeholders are invited to speak at the public hearing tentatively planned for early October.
3. **City Council Votes** on the allocation of funds.
4. **Staff implements projects** as directed by Council.

Summary of Q&A at the Public Meeting

The following are some of the questions and comments raised at the public meeting along with responses. These do not necessarily include all of the questions raised at the meeting due to space.

Question: How likely is it that BNSF will agree to sell the property to the City?

Question: Could we consider Bond Financing to allow projects to be completed faster?

Question: What other funding is available to meet the financing gap for Frisco Lane?

Question: Who makes the decision on which TIF projects to fund?

Question: Parking is a huge need and there are plenty of parking lots south of Commercial Street, so why can't we acquire and renovate some of those lots. What would the cost comparison be on doing that versus Frisco Lane which requires the rail relocation?

Question: When was the Frisco Lane Plan created/where did this recommendation come from?

Question: Does Staff have a recommendation on how to proceed with allocating funds?

Question: How long do we have to complete the TIF Projects?

Question: How accurate are the 2007 project cost estimates?

Question: Can Frisco Lane be purchased without relocating the rail lines?

Question: Does Frisco Lane qualify for Brownfields Grants?

Comment: I don't believe Frisco Lane benefits properties on the south side of the street. Could property owners on the north help finance the Frisco Lane project?

Comment: We need Frisco Lane so that the buildings on the north side can get building permits and be compatible with City code for emergency exits and have parking and access from the rear.

Question: Shouldn't we consider purchasing blighted building for environmentally sustainable rehabilitation with the TIF?

Question: What planning has taken place for Commercial Street?

Question: What public input was there to create the TIF District?

Question: Where is Blaine Street located?



PUBLIC MEETING NOTICE

THURSDAY, AUG. 11

Commercial Street Tax Increment Financing Plan

White River Brewing Co.

505 W. Commercial St, Event Room

5:30 – 7:00p.m.

AGENDA

1. Gathering Time & Open House – 5:30 – 5:45 p.m.
 - a. Maps and other information about the TIF will be available for review
2. Welcome from Zone 1 City Council Member, Phyllis Ferguson – 5:45 p.m.
3. Presentation - 6:00 - 6:30 p.m.
 - a. Overview of TIF
 - b. Overview of Commercial Street TIF
 - c. Update on Balance of C-Street TIF Special Allocation Fund
 - d. Proposed Use for C-Street TIF Special Allocation Fund
4. Public Comment Period & Collection of Comment Cards 6:30 – 7:00 p.m.
 - a. All interested parties will be given an opportunity to provide verbal or written comments on the proposed use of TIF revenues collected to date

For questions please contact Sarah Kerner at (417) 864-1035 or skerner@springfieldmo.gov

In accordance with ADA guidelines, if you need special accommodations when attending any City meeting, please notify the City Clerk's Office at 864-1443 at least 3 days prior to the scheduled meeting.



COMMERCIAL STREET TIF



Commercial Street TIF Public Meeting August 11, 2016

Participant Comment Card

Name: _____ Business Owner Property Owner Resident Other

Note: Only Public Improvement Projects identified within the adopted Redevelopment Plan may be implemented with TIF Revenues

Instructions: Please mark the box next to the option you are most likely to support.

- Option 1:** Bank all of the revenues for a project(s) to be completed in the future.
- Option 2:** Bank a portion of the revenues for future project(s) and use a portion of revenue to complete one or more project(s).
- Option 3:** Use all of the revenues collected to-date on project(s).

Instructions: Please rank the **TOP 5 Projects** you support in priority order, using “1” for your first priority, “2” for your second priority, and so on.

Public Improvement Projects	Priority Ranking
Frisco Lane	
Streetscapes	
Refurbish Parking Lots	
Business Loan Grant Program	
Public Restrooms	
Acquire Blighted Parking Lots	
Renovate Commercial Club Building	
Blaine Street Improvements	
Public Art	
Acquire Blighted Buildings	
Footbridge Plaza Improvements	
Public Radio Station	
Improve Alleyways	
Planters	
Gateways/Entryways (3)	
Directional Signage	
Park Benches (10)	
Cab Stands (4)	

**Comment Cards need to be submitted
to the City at the address below by
Thursday, August 25, 2016**



Planning and Development Department
840 Boonville Avenue, Springfield, MO 65802
(417) 864-1037 Fax: (417)864-1030 www.springfieldmo.gov

Commercial Street TIF District

Summary of 2nd Public Meeting
September 8, 2016



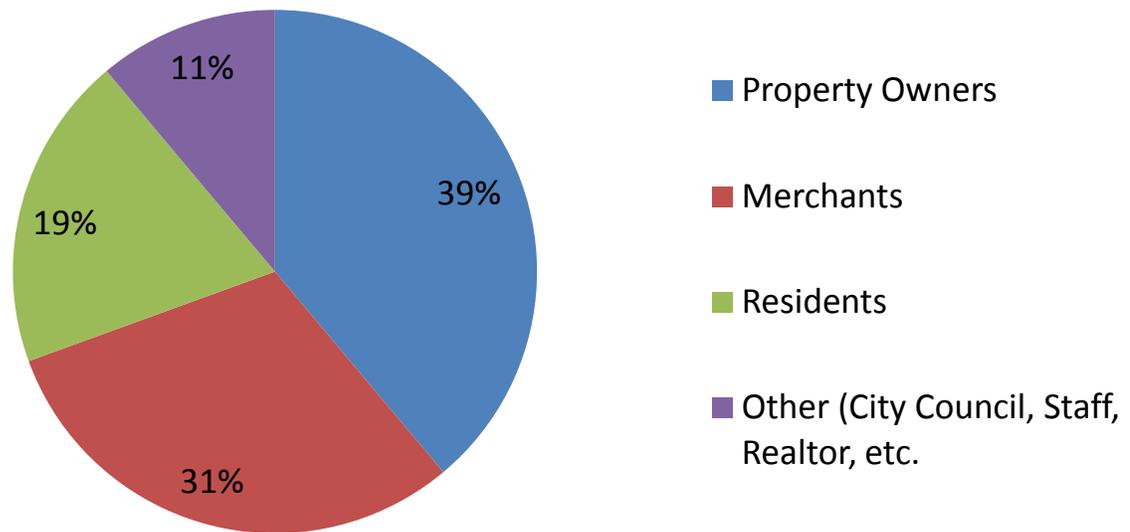
A public meeting was held on Thursday September 8, 2016, from 5:30 to 7:30 PM, at White River Brewing Co, 505 West Commercial Street, to provide information and receive input on the TIF Special Allocation Fund and proposed projects for the Commercial Street TIF District. Approximately 30 people attended the meeting based on an informal head count and 23 people signed the attendance sheet. A Meeting Notice was mailed to property owners, merchants, and residents within the TIF District along with a summary of the input results from the first meeting on August 11th. The Public Information Office issued a press release the week of the meeting. News outlets posted the meeting information and KY3 attended the event and interviewed staff and stakeholders. The Meeting Notice was also posted with the City Clerk and sent to City Council members.

Meeting Format

The meeting format consisted of Welcome Remarks by Zone 1 Councilwoman Phyllis Ferguson, followed by a City Staff presentation that included the results of the public input received via comment cards and statements resulting from the August 11th meeting. Staff presented three options for use of TIF funds and distributed comment cards to determine preferences. The list of projects for use of funds was posted on a board, along with a map showing the proposed Frisco Lane acquisition, which was the highest priority identified by the public. The second portion of the meeting Public Works Staff discussed reverse angle parking and provided an update on the footbridge conditions. Comment cards were provided to all participants and a question and answer period allowed for discussion of alternatives and verbal input. A summary of the discussion is included in a following section along with results from the comment cards. Participants were given until September 15 to complete and return the comment cards to the city. 11 Comment Cards were completed at the meeting and one pre-written statement was provided from the Commercial Club and two comment cards were received on the 15th.



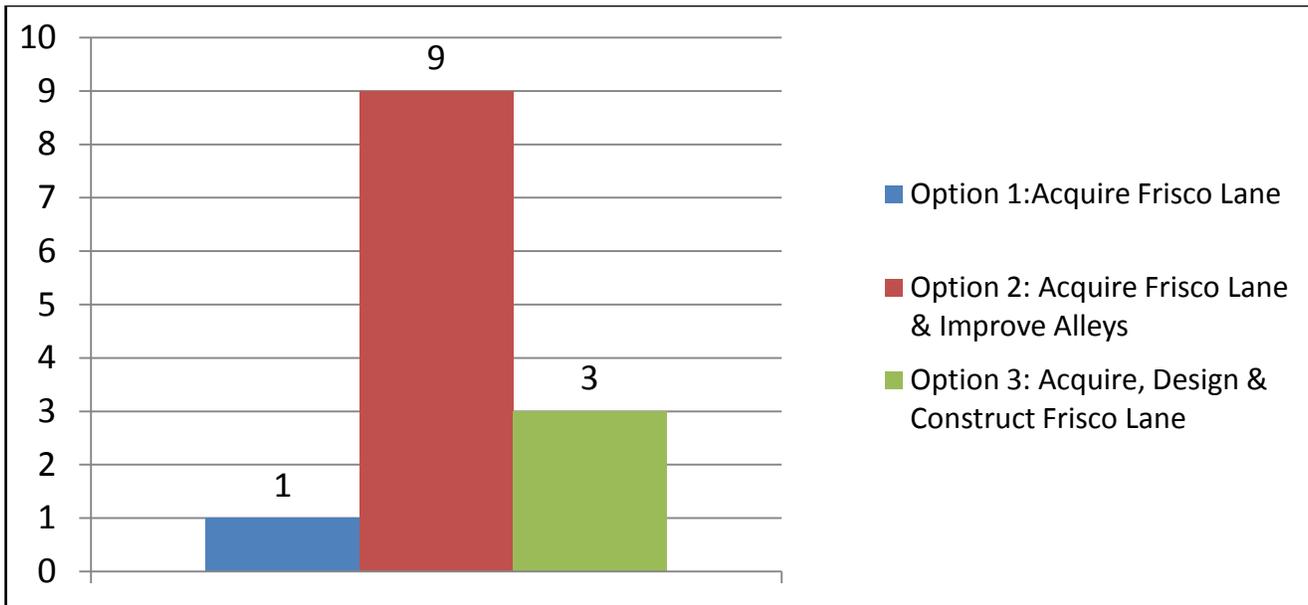
Meeting Attendance



Results of Public Comment

Participants were asked to choose which of the following options for expending revenue that they were most likely to support:

- Option 1: Acquire Frisco Lane
 - Acquire Frisco Lane and relocate rail lines
 - Bank remaining revenues
- Option 2: Acquire Frisco Lane and improve alleys
 - Acquire Frisco Lane and relocate rail lines
 - Use remaining funds to improve 2 alleyways
- Option 3: Acquire, design, and construct Frisco Lane
 - Acquire Frisco Lane and relocate rail lines
 - Use remaining TIF funds and commit future TIF funds for construction of Frisco Lane



Option 2, to Acquire Frisco Lane and relocate the rail lines and also improve alleyways was the most popular. Participants would like to see Frisco Lane improvements completed, but do not want to dedicate all of their TIF funds to the second phase of the project. Comments focused on considering alternative funding and also focusing on ways to address the stormwater issues caused by runoff from the railroad property to the rear of the building on the north side of the street. The chart above shows the breakdown of results.

Summary of Written Comments from Comment Cards

Below is a summary of the written comments provided on the cards collected. Comment cards will be attached to the City Council report. The overall consensus appears to be that Frisco Lane should be purchased and the rail lines relocated, but additional improvements should either be funded under another source or completed in the future. Remaining TIF funds should be used to improve alleyways connecting existing public parking lots to Commercial Street which would also address some of the aesthetic concerns raised about Blaine and the view of the district from the south as well as encourage utilization of the parking lots to the south.

1. The alley between Jefferson and Roberson is used as a drive all the time.
2. Thanks for all you do!
3. We want to hear about all the potential funding sources.
4. The Blaine alleyway between Jefferson and Roberson is a major vehicle thoroughfare, including service by delivery vehicles to the C-Street businesses on that stretch. It should not be limited only to pedestrians in the renovation – for example by placing light poles in the center of the alley.

TIF Schedule and Next Steps

Meeting participants were informed of the following next steps in the process during the staff presentation:

1. Comment Cards will be collected through Thursday, September 15, 2016
2. Staff will make a formal recommendation to City Council on **October 3rd** at an open public hearing.

- a. City Council Meeting begins at 6:30p.m.
 - b. Stakeholders are invited to speak at the public hearing
3. City Council will vote on the allocation of funds on **October 17th**.
 4. Staff implements projects as directed by City Council.
 5. Next public meeting, August 2017

Summary of Q&A at the Public Meeting

The following are some of the questions and comments raised at the public meeting along with staff responses. These do not necessarily include all of the questions raised at the meeting due to space.



Question: What is the possibility of using bond financing and what would the cost be? *Several general statements were made in regards to the desire to consider all financing available to help achieve projects and this was the sentiment expressed in the letter provided by the Commercial Club.*

Response: The City will continue to consider all financing that could be used to further the priority projects for the district. Staff worked with the Finance Department to determine that \$1 million in bond financing for Frisco Lane would likely require 4% interest and 14 annual payments of \$94,669 from the TIF, leaving approximately \$50,000 annually for other projects with a cost in interest of \$325,265.64. Bonding would be subject to City Council and other approvals.

Question: Have all the potential projects been considered?

Response: Only projects listed in the TIF Redevelopment Plan are eligible for funding. Top priorities were determined following public input at the August 11th meeting and staff has provided three recommendations based on stakeholder priorities.

Question: Will the stormwater runoff issue be addressed as part of the first phase of Frisco Lane? This is a problem as rainwater flows from the railroad to the back of the buildings on the north side. Can BNSF fix this?

Response: Staff will look into this issue and determine how to best address this. It could potentially be part of the work BNSF does when they relocate the rail lines, or it may need to be done by the City. This will need to be negotiated with BNSF and there will be a cost associated with it.

Comment: The alley near Jefferson is used regularly for vehicle traffic. If the light poles are in the center it will cause issues for delivery truck that use it.

Response: Staff will consider these comments before changing that alley to pedestrian only and allow for further public input on design.

Comment: City owned public parking lots still could use some aesthetic enhancements since not everyone feels safe parking there. Consider improved landscaping, lighting, signage and linkages to the alleys and Commercial Street which will help make it safer and more attractive for visitors.

Response: Staff understands your point and will look into this and improving the alley(s) may be a feasible first step toward making the parking and connection more attractive.

Question: How long will it take to relocate the rail lines for Frisco Lane and how long will access be limited during this process (as this is a concern)?

Response: BNSF will relocate the rail lines and based on their past performance on projects like this they move quickly with the actual site-work. One month is a general estimate, but staff will find out and notify folks impacted.

Commercial Street TIF Public Meeting September 8, 2016

Participant Comment Card

Name: MAX HATZ Business Owner Property Owner Resident Other

Note: Only Public Improvement Projects identified within the adopted Redevelopment Plan may be implemented with TIF Revenues

Instructions: Please mark the box next to the option you are most likely to support.

- Option 1:** Acquire Frisco Lane
 - Acquire Frisco Lane and relocate rail lines
 - Bank remaining revenues

- Option 2:** Acquire Frisco Lane and Improve Alleys
 - Acquire Frisco Lane and relocate rail lines
 - Use remaining funds to improve 2 alleyways

- Option 3:** Acquire, Design and Construct Frisco Lane
 - Acquire Frisco Lane and relocate rail lines
 - Use remaining TIF funds and commit future TIF funds for construction of Frisco Lane

**Comment Cards need to be submitted to the City at the address below by
THURSDAY, SEPTEMBER 15, 2016**

Additional Comments:



Planning and Development Department
840 Boonville Avenue, Springfield, MO 65802
(417) 864-1037 Fax: (417)864-1030 www.springfieldmo.gov

Commercial Street TIF Public Meeting September 8, 2016

Participant Comment Card

Name: Martha A. Cray Business Owner Property Owner Resident Other

Note: Only Public Improvement Projects identified within the adopted Redevelopment Plan may be implemented with TIF Revenues

Instructions: Please mark the box next to the option you are most likely to support.

- Option 1:** Acquire Frisco Lane
 - Acquire Frisco Lane and relocate rail lines
 - Bank remaining revenues
- Option 2:** Acquire Frisco Lane and Improve Alleys
 - Acquire Frisco Lane and relocate rail lines
 - Use remaining funds to improve 2 alleyways
- Option 3:** Acquire, Design and Construct Frisco Lane
 - Acquire Frisco Lane and relocate rail lines
 - Use remaining TIF funds and commit future TIF funds for construction of Frisco Lane

**Comment Cards need to be submitted to the City at the address below by
THURSDAY, SEPTEMBER 15, 2016**

Additional Comments:

The alley between Jefferson & Roberson is used
as a drive all the time



Planning and Development Department
840 Boonville Avenue, Springfield, MO 65802
(417) 864-1037 Fax: (417) 864-1030 www.springfieldmo.gov

Commercial Street TIF Public Meeting September 8, 2016

Participant Comment Card

Name: Paul Parker Business Owner Property Owner Resident Other

Note: Only Public Improvement Projects identified within the adopted Redevelopment Plan may be implemented with TIF Revenues

Instructions: Please mark the box next to the option you are most likely to support.

- Option 1:** Acquire Frisco Lane
 - Acquire Frisco Lane and relocate rail lines
 - Bank remaining revenues
- Option 2:** Acquire Frisco Lane and Improve Alleys
 - Acquire Frisco Lane and relocate rail lines
 - Use remaining funds to improve 2 alleyways
- Option 3:** Acquire, Design and Construct Frisco Lane
 - Acquire Frisco Lane and relocate rail lines
 - Use remaining TIF funds and commit future TIF funds for construction of Frisco Lane

**Comment Cards need to be submitted to the City at the address below by
THURSDAY, SEPTEMBER 15, 2016**

Additional Comments:

Thanks for all you do.



Planning and Development Department
840 Boonville Avenue, Springfield, MO 65802
(417) 864-1037 Fax: (417)864-1030 www.springfieldmo.gov

Commercial Street TIF Public Meeting September 8, 2016

Participant Comment Card

Name: Gina Business Owner Property Owner Resident Other

Note: Only Public Improvement Projects identified within the adopted Redevelopment Plan may be implemented with TIF Revenues

Instructions: Please mark the box next to the option you are most likely to support.

- Option 1:** Acquire Frisco Lane
 - Acquire Frisco Lane and relocate rail lines
 - Bank remaining revenues
- Option 2:** Acquire Frisco Lane and Improve Alleys
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 - Acquire Frisco Lane and relocate rail lines
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**Comment Cards need to be submitted to the City at the address below by
THURSDAY, SEPTEMBER 15, 2016**

Additional Comments:



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Commercial Street TIF Public Meeting September 8, 2016

Participant Comment Card

Name: PIZZA HOUSE Business Owner Property Owner Resident Other

Note: Only Public Improvement Projects identified within the adopted Redevelopment Plan may be implemented with TIF Revenues

Instructions: Please mark the box next to the option you are most likely to support.

- Option 1:** Acquire Frisco Lane
 - Acquire Frisco Lane and relocate rail lines
 - Bank remaining revenues
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 - Use remaining funds to improve 2 alleyways
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 - Use remaining TIF funds and commit future TIF funds for construction of Frisco Lane

**Comment Cards need to be submitted to the City at the address below by
*THURSDAY, SEPTEMBER 15, 2016***

Additional Comments:



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(417) 864-1037 Fax: (417)864-1030 www.springfieldmo.gov

Commercial Street TIF Public Meeting September 8, 2016

Participant Comment Card

Name: ELLEN MCLEAN Business Owner Property Owner Resident Other

Note: Only Public Improvement Projects identified within the adopted Redevelopment Plan may be implemented with TIF Revenues

Instructions: Please mark the box next to the option you are most likely to support.

- Option 1:** Acquire Frisco Lane
 - Acquire Frisco Lane and relocate rail lines
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- Option 2:** Acquire Frisco Lane and Improve Alleys
 - Acquire Frisco Lane and relocate rail lines
 - Use remaining funds to improve 2 alleyways

- Option 3:** Acquire, Design and Construct Frisco Lane
 - Acquire Frisco Lane and relocate rail lines
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**Comment Cards need to be submitted to the City at the address below by
*THURSDAY, SEPTEMBER 15, 2016***

Additional Comments:



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(417) 864-1037 Fax: (417)864-1030 www.springfieldmo.gov

Commercial Street TIF Public Meeting September 8, 2016

Participant Comment Card

Name: JOHN HOSFIELD Business Owner Property Owner Resident Other

Note: Only Public Improvement Projects identified within the adopted Redevelopment Plan may be implemented with TIF Revenues

Instructions: Please mark the box next to the option you are most likely to support.

- Option 1:** Acquire Frisco Lane
 - Acquire Frisco Lane and relocate rail lines
 - Bank remaining revenues

- Option 2:** Acquire Frisco Lane and Improve Alleys
 - Acquire Frisco Lane and relocate rail lines
 - Use remaining funds to improve 2 alleyways

- Option 3:** Acquire, Design and Construct Frisco Lane
 - Acquire Frisco Lane and relocate rail lines
 - Use remaining TIF funds and commit future TIF funds for construction of Frisco Lane

**Comment Cards need to be submitted to the City at the address below by
*THURSDAY, SEPTEMBER 15, 2016***

Additional Comments:



Planning and Development Department
840 Boonville Avenue, Springfield, MO 65802
(417) 864-1037 Fax: (417)864-1030 www.springfieldmo.gov

Commercial Street TIF Public Meeting September 8, 2016

Participant Comment Card

Name: MARY COLLETTE Business Owner Property Owner Resident Other

Note: Only Public Improvement Projects identified within the adopted Redevelopment Plan may be implemented with TIF Revenues

Instructions: Please mark the box next to the option you are most likely to support.

- Option 1:** Acquire Frisco Lane
 - Acquire Frisco Lane and relocate rail lines
 - Bank remaining revenues
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- Option 3:** Acquire, Design and Construct Frisco Lane
 - Acquire Frisco Lane and relocate rail lines
 - Use remaining TIF funds and commit future TIF funds for construction of Frisco Lane

**Comment Cards need to be submitted to the City at the address below by
*THURSDAY, SEPTEMBER 15, 2016***

Additional Comments:

WE WANT TO HEAR ABOUT ADDITIONAL POTENTIAL
FUNDING SOURCES



Planning and Development Department
840 Boonville Avenue, Springfield, MO 65802
(417) 864-1037 Fax: (417)864-1030 www.springfieldmo.gov

Commercial Street TIF Public Meeting September 8, 2016

Participant Comment Card

Name: Ryan Villgraw Business Owner Property Owner Resident Other

Note: Only Public Improvement Projects identified within the adopted Redevelopment Plan may be implemented with TIF Revenues

Instructions: Please mark the box next to the option you are most likely to support.

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 - Acquire Frisco Lane and relocate rail lines
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**Comment Cards need to be submitted to the City at the address below by
THURSDAY, SEPTEMBER 15, 2016**

Additional Comments:



Planning and Development Department
840 Boonville Avenue, Springfield, MO 65802
(417) 864-1037 Fax: (417)864-1030 www.springfieldmo.gov

Commercial Street TIF Public Meeting September 8, 2016

Participant Comment Card

Name: Ramona Pieron Business Owner Property Owner Resident Other

Note: Only Public Improvement Projects identified within the adopted Redevelopment Plan may be implemented with TIF Revenues

Instructions: Please mark the box next to the option you are most likely to support.

Option 1: Acquire Frisco Lane
➤ Acquire Frisco Lane and relocate rail lines
➤ Bank remaining revenues

Option 2: Acquire Frisco Lane and Improve Alleys
➤ Acquire Frisco Lane and relocate rail lines
➤ Use remaining funds to improve 2 alleyways — *Amend to include improving the existing parking lots (lighting, signage etc.)*

Option 3: Acquire, Design and Construct Frisco Lane
➤ Acquire Frisco Lane and relocate rail lines
➤ Use remaining TIF funds and commit future TIF funds for construction of Frisco Lane

**Comment Cards need to be submitted to the City at the address below by
THURSDAY, SEPTEMBER 15, 2016**

Additional Comments:



Planning and Development Department
840 Boonville Avenue, Springfield, MO 65802
(417) 864-1037 Fax: (417)864-1030 www.springfieldmo.gov

Commercial Street TIF Public Meeting September 8, 2016

Participant Comment Card

Name: Robin Calmore Business Owner Property Owner Resident Other

Note: Only Public Improvement Projects identified within the adopted Redevelopment Plan may be implemented with TIF Revenues

Instructions: Please mark the box next to the option you are most likely to support.

- Option 1:** Acquire Frisco Lane
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Comment Cards need to be submitted to the City at the address below by
THURSDAY, SEPTEMBER 15, 2016

Additional Comments:



Planning and Development Department
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(417) 864-1037 Fax: (417)864-1030 www.springfieldmo.gov

Commercial Street TIF Public Meeting September 8, 2016

Participant Comment Card

Name: Rick Gilmore Business Owner Property Owner Resident Other

Note: Only Public Improvement Projects identified within the adopted Redevelopment Plan may be implemented with TIF Revenues

Instructions: Please mark the box next to the option you are most likely to support.

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 - Acquire Frisco Lane and relocate rail lines
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 - Use remaining TIF funds and commit future TIF funds for construction of Frisco Lane

**Comment Cards need to be submitted to the City at the address below by
THURSDAY, SEPTEMBER 15, 2016**

Additional Comments:



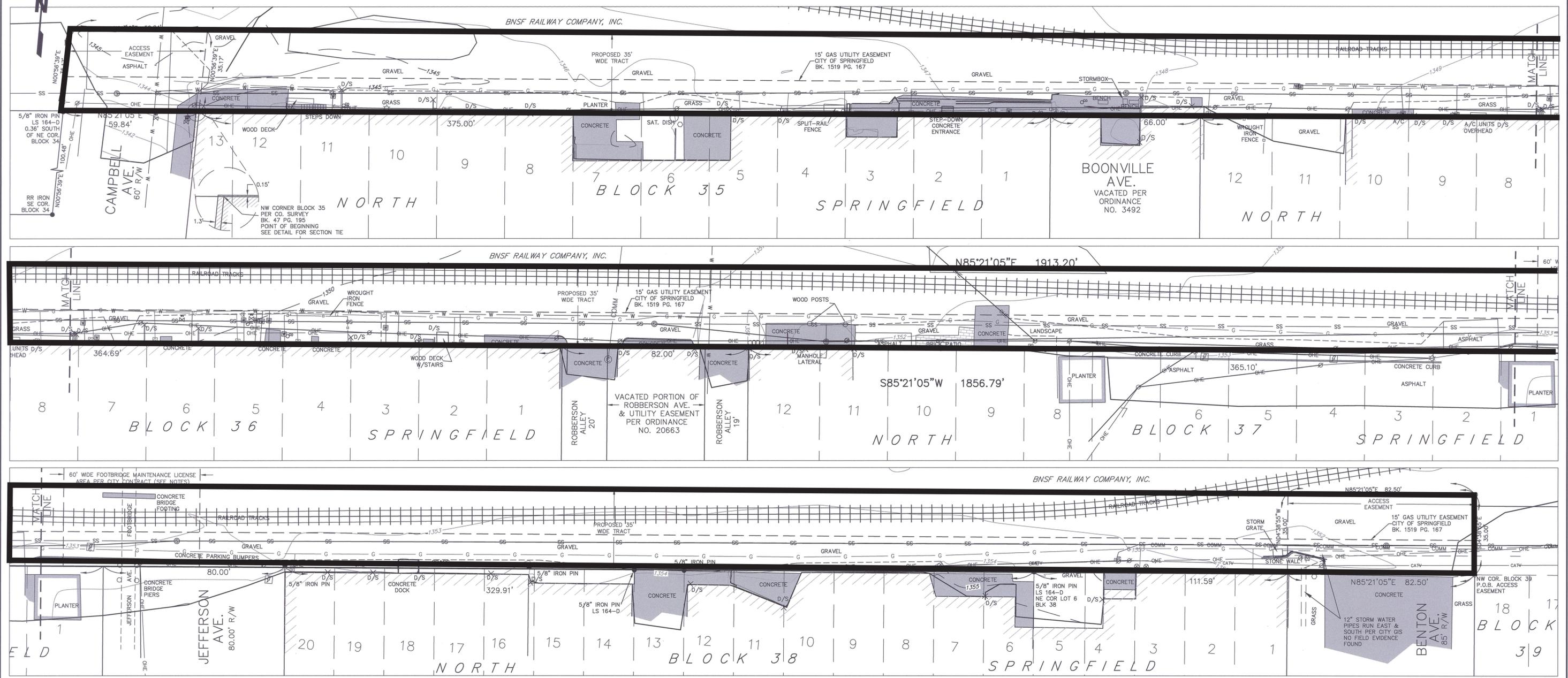
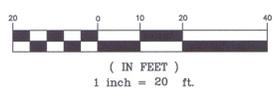
Planning and Development Department
840 Boonville Avenue, Springfield, MO 65802
(417) 864-1037 Fax: (417)864-1030 www.springfieldmo.gov

ALTA/NSPS LAND TITLE SURVEY
FOR
BNSF RAILWAY COMPANY, INC.
NORTH YARD, CUBA SUBDIVISION, PART OF SECTIONS
11 & 12, TWP. 29 N. RNG. 22 W., SPRINGFIELD, GREENE COUNTY, MISSOURI

Exhibit C

VERTICAL DATUM:
NORTH AMERICAN VERTICAL DATUM 1988
PER CITY OF SPRINGFIELD VERTICAL CONTROL NETWORK
CITY BENCHMARK: REED (AT CAMPBELL & ATLANTIC)
ELEVATION = 1357.79'
CONTOUR INTERVAL = 1'

GRID NORTH
MISSOURI COORDINATE
SYSTEM 1983
CENTRAL ZONE



LEGEND

●	EXISTING IRON PIN	⊕	TELEPHONE PEDESTAL
○	SET IRON PIN CAPPED LC-238	⊙	COMMUNICATION MANHOLE
—	WROUGHT IRON FENCE	—	SANITARY SEWER LINE
—	CHAINLINK FENCE	⊙	SANITARY SEWER MANHOLE
☆	LIGHT POLE	○	CLEAN OUT
—	OVERHEAD ELECTRIC LINE	○	EXISTING POST
—	ELECTRIC METER	⊕	AIR CONDITIONER
—	ELECTRIC RISER	⊕	DOWNSPOUT
—	ELECTRIC MANHOLE	⊕	EXISTING BOLLARD
—	POWER POLE		
—	GUY ANCHOR		
—	ELECTRIC PULLBOX		
—	SECONDARY PEDESTAL		
—	OVERHEAD CABLE TV LINE		
—	UNDERGROUND WATER LINE		
—	FIRE HYDRANT		
—	WATER VALVE		
—	WATER METER		
—	UNDERGROUND GAS LINE		
—	GAS VALVE		
—	GAS METER		
—	BUILDING LIMITS		
—	EXISTING CONCRETE		

SECTION TIE DETAIL (N.T.S.)

PROPERTY BOUNDARY DESCRIPTION

A PART OF SECTIONS 11 AND 12, IN TOWNSHIP 29 NORTH, RANGE 22 WEST, IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 12; THENCE SOUTH 02 DEGREES 39 MINUTES 10 SECONDS WEST, A DISTANCE OF 3943.97 FEET TO THE NORTHWEST CORNER OF BLOCK 35 OF NORTH SPRINGFIELD, A SUBDIVISION IN GREENE COUNTY, (AS SHOWN ON A COUNTY SURVEY RECORDED IN SURVEY RECORD BOOK 47, PAGE 195), FOR A POINT OF BEGINNING; THENCE SOUTH 85 DEGREES 21 MINUTES 05 SECONDS WEST, A DISTANCE OF 59.84 FEET TO THE NORTHEAST CORNER OF BLOCK 34 OF SAID NORTH SPRINGFIELD SUBDIVISION; THENCE NORTH 00 DEGREES 56 MINUTES 39 SECONDS EAST, A DISTANCE OF 35.17 FEET; THENCE NORTH 85 DEGREES 21 MINUTES 05 SECONDS EAST, A DISTANCE OF 1913.20 FEET; THENCE SOUTH 04 DEGREES 38 MINUTES 55 SECONDS EAST, A DISTANCE OF 35.00 FEET TO THE NORTHWEST CORNER OF BLOCK 39 OF SAID NORTH SPRINGFIELD; THENCE SOUTH 89 DEGREES 21 MINUTES 05 SECONDS WEST, A DISTANCE OF 1856.78 FEET TO THE POINT OF BEGINNING. BEARINGS ARE BASED ON GRID NORTH, MISSOURI COORDINATE SYSTEM OF 1983, CENTRAL ZONE.

ACCESS EASEMENT DESCRIPTION

A PERPETUAL ACCESS EASEMENT, BEING A PART OF SECTIONS 11 AND 12, IN TOWNSHIP 29 NORTH, RANGE 22 WEST, IN THE CITY OF SPRINGFIELD, GREENE COUNTY, MISSOURI, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 12; THENCE SOUTH 02 DEGREES 38 MINUTES 10 SECONDS WEST, A DISTANCE OF 3943.97 FEET TO THE NORTHWEST CORNER OF BLOCK 35 OF NORTH SPRINGFIELD, A SUBDIVISION IN GREENE COUNTY, (AS SHOWN ON A COUNTY SURVEY RECORDED IN SURVEY RECORD BOOK 47, PAGE 195), FOR A POINT OF BEGINNING; THENCE SOUTH 85 DEGREES 21 MINUTES 05 SECONDS WEST, A DISTANCE OF 59.84 FEET TO THE NORTHEAST CORNER OF BLOCK 34 OF SAID NORTH SPRINGFIELD; THENCE NORTH 00 DEGREES 56 MINUTES 39 SECONDS EAST, A DISTANCE OF 35.17 FEET; THENCE NORTH 85 DEGREES 21 MINUTES 05 SECONDS EAST, A DISTANCE OF 1913.20 FEET; THENCE SOUTH 04 DEGREES 38 MINUTES 55 SECONDS EAST, A DISTANCE OF 35.00 FEET TO THE POINT OF BEGINNING. BEARINGS ARE BASED ON GRID NORTH, MISSOURI COORDINATE SYSTEM OF 1983, CENTRAL ZONE. CONTAINING A TOTAL OF 0.11 ACRES (4982 SQ. FT.) OF PERPETUAL ACCESS EASEMENT.

NOTES

THIS SURVEY IS FOR THE PURPOSE OF CREATING A NEW TRACT OF LAND THAT WILL BE SPLIT FROM THE BNSF RAILWAY COMPANY'S "CUBA SUBDIVISION, NORTH YARD" PROPERTY (PARENT TRACT), AND CONVEYED TO THE CITY OF SPRINGFIELD, MISSOURI. CITY OF SPRINGFIELD PLANNING DEPARTMENT STATED THAT BECAUSE THE PROPERTY IS CURRENTLY OWNED BY THE RAILROAD, NO ADMINISTRATIVE SUBDIVISION PROCESS WAS REQUIRED FOR THIS NEW TRACT TO BE CONSIDERED A LEGAL TRACT OF RECORD.

TITLE COMMITMENT NO. MS150478 BY MERIDIAN TITLE COMPANY, DATED APRIL 15, 2015, WAS PROVIDED BY THE CITY OF SPRINGFIELD FOR USE ON THIS SURVEY. THE TITLE COMMITMENT SHOWS FEE SIMPLE INTEREST IN THE PARENT TRACT AS BEING HELD BY "BURLINGTON NORTHERN INC.". THE COMMITMENT DOES NOT PROVIDE A PROPERTY DESCRIPTION OF THE PARENT TRACT, BUT EXHIBITS INCLUDED IN THE COMMITMENT INDICATE THAT ALL OF THE SUBJECT PROPERTY IS COVERED BY THIS COMMITMENT.

SCHEDULE B - SECTION II OF THE COMMITMENT HAS BEEN EXAMINED, I MAKE NOTE OF THE FOLLOWING SURVEY RELATED ITEMS:

ITEM 8: A COPY OF THE DOCUMENT RECORDED IN BOOK Z AT PAGE 121 WAS PROVIDED WITH THE COMMITMENT. THE APRIL, 1871 DOCUMENT APPEARS TO CONVEY A PORTION OF THE CURRENT RIGHT-OF-WAY TO THE SOUTH PACIFIC RAILROAD. I FOUND NO OTHER EASEMENT BEING CONVEYED AS INDICATED IN THIS SCHEDULE B. THE "RIGHT-OF-WAY" CONVEYED HAS PRESUMABLY BEEN SINCE CONVEYED OR TRANSFERRED TO BURLINGTON NORTHERN INC.

ITEM 9: THE GAS UTILITY EASEMENT IS SHOWN HEREON AS DESCRIBED (SEE NOTES CONCERNING ENCROACHMENTS FOR ADDITIONAL INFORMATION ABOUT THE STATUS OF THIS EASEMENT).

A COPY OF A CONTRACT GRANTING A LICENSE FROM THE BURLINGTON NORTHERN AND SANTA FE RAILWAY COMPANY TO THE CITY OF SPRINGFIELD WAS PROVIDED BY THE CITY OF SPRINGFIELD. THIS LICENSE ALLOWS ACCESS TO A 60 FEET WIDE STRIP OF LAND ACROSS THE PARENT TRACT FOR MAINTENANCE OF THE JEFFERSON AVENUE FOOTBRIDGE. THE STRIP OF LAND IS SHOWN HEREON AS DESCRIBED IN THE LICENSE.

UTILITIES SHOWN HEREON WERE LOCATED AS OBSERVED IN THE FIELD. UNDERGROUND UTILITIES WERE LOCATED BY MARKINGS OF THE MISSOURI ONE-CALL LOCATOR SERVICE PER CALL TICKET NUMBERS: 153520720, 15352030, 153520734, 153520747, 153520735, AND 153520755. THE LOCATOR SERVICE FAILED TO MARK MANY OF THE EXISTING UNDERGROUND FACILITIES, AND THE DATA WAS SUPPLEMENTED HEREON USING UTILITY MAPPING PROVIDED BY CITY UTILITIES OF SPRINGFIELD, MISSOURI.

NUMEROUS ENCROACHMENTS WERE FOUND ALL ALONG THE SUBJECT PROPERTY. THESE ENCROACHMENTS INCLUDE BUILDINGS EXTENDING OVER THE PROPERTY LINE, LOADING DOCKS, STAIRWELLS TO BASEMENT ENTRANCES, CONCRETE PADS, WOOD DECKS, PLANTERS, BENCHES, AND FENCES. REFER TO THE GRAPHICS HEREON FOR EXTENTS OF THESE ENCROACHMENTS.

APPARENT UTILITY ENCROACHMENTS WERE ALSO FOUND:

A 15' WIDE "GAS UTILITY EASEMENT" TO THE CITY OF SPRINGFIELD IS SHOWN HEREON AS DESCRIBED IN DEED BOOK 1519 PAGE 167. THAT DEED SPECIFICALLY LIMITS THE EASEMENT TO USE FOR GAS FACILITIES. OTHER UTILITIES WERE FOUND WITHIN THE EASEMENT INCLUDING WATER LINES, OVERHEAD ELECTRIC LINES, SANITARY SEWER LINES, AND COMMUNICATION LINES. IT IS RECOMMENDED THAT THE DEED BE REVIEWED TO DETERMINE THE STATUS OF THESE UTILITIES THAT LIE WITHIN THE EASEMENT.

ALSO, NORTH-SOUTH RUNNING UTILITY LINES CROSS THE PROPERTY WITHOUT ANY BENEFIT OF AN EASEMENT, THESE INCLUDE: WATER LINES NEAR CAMPBELL AND ROBBERTSON AVENUES; A COMMUNICATION LINE NEAR ROBBERTSON AVENUE; AND AN OVERHEAD ELECTRIC LINE ABOUT 100 FEET EAST OF ROBBERTSON AVENUE.

CERTIFICATION

TO BNSF RAILWAY COMPANY, INC. AND MERIDIAN LAND TITLE:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS AND INCLUDES ITEMS 1, 4, 5, 8, 11 & 19 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON MAY 12, 2016.

Peter W. Stevens
PETER W. STEVENS, MISSOURI L.S. No. 2401
CRAWFORD, MURPHY & TILLY, INC.
MISSOURI PROFESSIONAL LAND SURVEYING CORPORATION, LC 238

DATE PREPARED: 6/22/16



UTILITY DISCLAIMER

INFORMATION SHOWN ON THIS DRAWING CONCERNING TYPE AND LOCATION OF UNDERGROUND AND OTHER UTILITIES IS NOT GUARANTEED TO BE ACCURATE OR ALL-INCLUSIVE. CONTRACTORS ARE RESPONSIBLE FOR MAKING THEIR OWN DETERMINATION AS TO THE TYPE AND LOCATION OF UTILITIES AS MAY BE NECESSARY TO AVOID DAMAGE THERETO. INFORMATION SHOWN IS FROM MAPS PROVIDED OR DISCOVERED FROM UTILITY PROVIDERS.

CMT
Crawford, Murphy & Tilly
Engineers and Consultants
1631 W Ellifdale, Springfield, Missouri 65807
tel 417-869-6009 fax 417-869-8129
06/22/2016 15352-10-00-ALTA.dwg

CITY OF SPRINGFIELD, MO
BUDGET ADJUSTMENT

Exhibit D

BA Number 0011

Revenues:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
43050	17	60010	414110	000000	00000	570,035.53	Commercial Street TIF
Net Revenue Adjustment						570,035.53	

Expenditures:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
43050	17	60010	502460	000000	00000	570,035.53	Commercial Street TIF
Net Expenditure Adjustment						570,035.53	

Fund Balance Appropriation:

Fund	Title	Amount

Explanation: This budget adjustment is to establish a budget for the Commercial Street TIF.

Requested By:

Mary Lill Smith 9/27/16
Department Head Date

Approved By:

DL Hill 9/27/16
Interim Director of Finance Date

Authorization:

Council Bill No. 2016-226
Ordinance No. _____
1st Reading _____
2nd Reading _____
Journal Imp No. _____

City Manager Date

One-rdg. X
P. Hrngs. _____
Pgs. 4
Filed: 10-11-16

Sponsored by: Stephens

COUNCIL BILL NO. 2016- 230

RESOLUTION NO. _____

A RESOLUTION

1 APPROVING the Mayor's appointment of six members to the Tax Abatement and
2 Tax Increment Financing Advisory Commission.
3
4

5 WHEREAS, the City of Springfield, Missouri has created a Tax Abatement and
6 Tax Increment Financing Advisory Commission in Sec. 2-241 of the Springfield City
7 Code (the "Code").
8

9 WHEREAS, the Mayor is authorized by § 99.820 RSMo. and Sec. 2-241 of the
10 Code to appoint six of the nine members of the Tax Abatement and Tax Increment
11 Financing Advisory Commission (the "Commission"); and
12

13 WHEREAS, under § 99.820 RSMo. and Sec. 2-241 of the Code, a majority of the
14 City Council must consent to said appointments; and
15

16 WHEREAS, Sec. 2-241 of the Code requires that of the six members appointed
17 by the Mayor, one member shall be from the Springfield/Greene County Library Board,
18 and one member shall be from the City Council; and
19

20 WHEREAS, the Mayor has submitted a list of six appointees for approval by the
21 City Council.
22

23 NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF
24 SPRINGFIELD as follows, that:
25

26 Section 1 – The City Council hereby approves the Mayor's appointment of six
27 members of the Tax Abatement and Tax Increment Financing Advisory Commissions,
28 whose names are as follows for the term indicated immediately following each name:
29

30 a) Councilman Ken McClure, with term to expire on May 31, 2019,
31

32 b) Jeff Schrag, with term to expire on May 31, 2019,
33

34 c) Ron Hawley, with term to expire on May 31, 2018,
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- d) Tim Rosenbury, with term to expire on May 31, 2018,
- e) Regina Cooper (Springfield/Greene County Library Board representative), with term to expire on May 31, 2017, and
- f) Brian Fogle, with term to expire on May 31, 2017.

Section 2 - This Resolution shall be effective immediately upon adoption.

Passed at meeting: _____

Mayor

Attest: _____ City Clerk

Filed as Resolution _____

Approved as to form: *A. Charles T. Wicker*, Assistant City Attorney

Approved for Council action: *Greg Burt*, City Manager

EXPLANATION TO COUNCIL BILL NO: 2016- 230

FILED: 10-11-16

ORIGINATING DEPARTMENT: Planning and Development Department

PURPOSE: A resolution approving the appointment of six members of the Tax Abatement and Tax Increment Financing Advisory Commission (TIF Commission). (Staff recommends approval.)

BACKGROUND INFORMATION: Section 2-241 of the Springfield City Code establishes the creation of the Tax Abatement and Tax Increment Financing Advisory Commission. The Code also establishes the membership of the TIF Commission in accordance with State law. The Mayor appoints six of the eleven member of the Commission with the consent of the City Council. Of the six, one of the members appointed by the Mayor is to be a member of City Council, one member from the Springfield/Greene County Library board, and three from the public at large. The final appointment is not restricted by membership in any organization or other requirement. The remaining five members are appointed by Greene County (2 members), the affected school board (2 members), and by all other taxing jurisdictions that levy ad valorem taxes (1 member). The Mayoral appointments are made for a specific term and are eligible for reappointment. The members who are appointed by the affected school district, Greene County, and the other taxing jurisdictions are appointed for a term to coincide with the length of time the redevelopment plan is considered for approval by the TIF Commission. The recommended appointments to the TIF Commission are as follows:

Ken McClure, Council representative
Regina Cooper, Library representative
Brian Fogle
Tim Rosenbury
Jeff Schrag
Ron Hawley

This Resolution supports the following Field Guide 2030 goal(s): Chapter 3, Economic Development; Major Goal 2, Aggressively use Economic Development Incentives to encourage investment in the community and to encourage job creation and retention; Objective 2a, Continue to explore creative and flexible methods of funding infrastructure costs associated with new development.

REMARKS: Passage of this resolution will grant the consent of the City Council to the Mayoral appointments. Staff recommends approval.

Submitted by:



Sarah Kerner, Interim Economic
Development Director

Recommended by:



Mary Lilly Smith, Planning &
Development Director

Approved by:



Greg Burris, City Manager

One-rdg. _____
P. Hrngs. _____
Pgs. 4
Filed: 10-11-16

Sponsored by: Fisk

First Reading: _____

Second Reading: _____

COUNCIL BILL NO. 2016- 231

GENERAL ORDINANCE NO. _____

AN ORDINANCE

1 AMENDING the Springfield City Code, Chapter 2, Administration, Article I, In General,
2 Section 2-5, Bonds on public works projects, by increasing the minimum
3 dollar amount of construction contracts that require performance, labor
4 and materials bonds to \$50,000.00.
5
6

7 BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SPRINGFIELD,
8 MISSOURI, as follows, that:
9

10 NOTE: Language being added is underlined and language being removed is
11 ~~stricken~~.
12

13 Section 1 – The Springfield City Code, Chapter 2, Administration, Article I, In
14 General, Section 2-5, Bonds on public works projects, is hereby amended as follows:
15
16

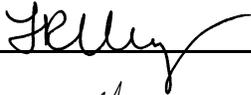
17 Sec. 2-5. - Bonds on public works projects.

- 18 (a) Whenever the city shall make a contract in excess of
19 ~~\$25,000.00~~\$50,000.00 with a contractor for public works as defined by
20 RSMo 107.170, it shall be the duty of the city manager to provide for and
21 to secure from the public works contractor a bond with good and sufficient
22 sureties in the full amount of the contract, which bond, among other
23 conditions which may be established in the specifications for the work,
24 shall be conditioned for the payment of costs of any and all materials,
25 lubricants, oil, gasoline, grain, hay, feed, coal and coke, repairs on
26 machinery, groceries and foodstuffs, equipment and tools consumed or
27 used in connection with the construction of the work, and all insurance
28 premiums both for compensation and for all other kinds of insurance on the
29 work, and for all labor performed in the work, whether by subcontractor or
30 otherwise.
31 (b) All bonds executed and furnished under the provisions of this section shall
32 be deemed to contain the requirements and conditions as set out in this
section, regardless of whether the requirements and conditions are set

79 Filed as Ordinance: _____

80

81

82 Approved as to form: _____  _____, Assistant City Attorney

83

84

85 Approved for Council action: _____  _____, City Manager

EXPLANATION TO COUNCIL BILL NO: 2016- 231

FILED: 10-11-16

ORIGINATING DEPARTMENT: Finance

PURPOSE: To amend the Springfield City Code, Chapter 2, Administration, Article I, In General, Section 2-5, Bonds on public works projects, by increasing the minimum dollar amount of construction contracts that require performance, labor and materials bonds to \$50,000.00.

BACKGROUND: In Late 2014, in an effort to provide relief to contractors, the State of Missouri passed modifications to Missouri's Public Prompt Pay Act (34.057 RSMo) and Public Works Bonding Act (107.170 RSMo). These provisions revised and expanded the scope of Missouri's Public Prompt Payment Act and, among other benefits for contractors working on public works projects, reduced delays in payments due from public owners, provided clarification of the professionals protected through these Acts, and raised the floor value for requiring construction contractors to furnish a bond from \$25,000.00 to \$50,000.00. The immediate ordinance will update the City's bonding requirement, set out in Chapter 2, Article 1, Section 2-5 of the City Code, to match Missouri's statutory requirements by requiring bonds for construction contracts with the City that are estimated to exceed \$50,000.00. Depending upon the type and nature of the construction project, Section 2-5, Subsection (3) will continue to allow the City, in its discretion, to require a bond for projects with estimated costs of \$50,000.00 or less.

REMARKS: In conjunction with the immediate ordinance, a similar council bill is being presented to City Council to simultaneously amend the corresponding section of the City's Purchasing Manual, Subsection 13-3.104, Paragraph 8, Contract Performance and Payment Bonds, by increasing the minimum dollar amount of construction contracts that require performance, labor and materials bonds to \$50,000.00 in the Purchasing Manual also.

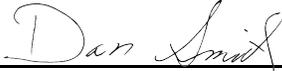
RECOMMENDATION: The Departments of Finance, Public Works, and Environmental Services recommend approval of the proposed amendments.

Submitted by:



Interim Director of Finance

Recommended by:



Dan Smith, Director of Public Works

Approved by:



City Manager



Steve Meyer, Director of Environmental Services

One-rdg. _____
P. Hrngs. _____
Pgs. 3
Filed: 10-11-16

Sponsored by: Hosmer

First Reading: _____

Second Reading: _____

COUNCIL BILL NO. 2016-232

GENERAL ORDINANCE NO. _____

AN ORDINANCE

1 AMENDING the Springfield City Code, Chapter 2, Administration, Article VI, Finances,
2 Division 2, Purchasing, Section 2-401, known as the Purchasing Manual,
3 by amending Subsection 13-3.104, Paragraph 8, Contract Performance
4 and Payment Bonds, by increasing the minimum dollar amount of
5 construction contracts that require performance, labor and materials
6 bonds to \$50,000.00 in the City's Purchasing Manual.
7
8

9 BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SPRINGFIELD,
10 MISSOURI, as follows, that:

11 NOTE: Language being added is underlined and language being removed is
12 ~~stricken~~.
13

14
15 Section 1 – the Springfield City Code, Chapter 2, Administration, Article VI,
16 Finances, Division 2, Purchasing, Section 2-401, Subsection 13-3.104, Paragraph 8,
17 Contract Performance and Payment Bonds, is hereby amended as follows:
18

19 13-3.104 REGULATIONS GOVERNING COMPETITIVE BIDDING
20

21 8. Contract Performance and Payment Bonds - When a construction contract is
22 awarded, for an amount exceeding ~~\$25,000.00~~\$50,000.00, a bond shall be delivered
23 to the City and shall become binding on the parties upon the execution of the
24 contract; which bond shall be a performance, labor and materials bond satisfactory
25 to the City, executed by a surety company authorized to do business in this state or
26 otherwise secured in a manner satisfactory to the City, in an amount equal to 100%
27 of the price specified in the contract. If the amount of the contract is less than
28 ~~\$25,000.00~~\$50,000.00, such bond may be required at the recommendation of the
29 contracting department or the City Purchasing Agent.
30

31 Section 2 – Severability Clause. If any section, subsection, sentence, clause or
32 phrase of this ordinance is for any reason held to be invalid, such decision shall not
33 affect the validity of the remaining portions of this ordinance. The City Council hereby

34 declares that it would have adopted the ordinance and each section, subsection,
35 sentence, clause, or phrase thereof, irrespective of the fact that any one or more
36 sections, sentences, clauses, or phrases be declared invalid.

37
38 Section 3 – Savings Clause. Nothing in this ordinance shall be construed to
39 affect any suit or proceeding now pending in any court or any rights acquired or liability
40 incurred nor any cause or cause of action occurred or existing, under any act or
41 ordinance repealed hereby. Nor shall any right or remedy of any character be lost,
42 impaired, or affected by this ordinance.

43
44 Section 4 – This ordinance shall be in full force and effect from and after
45 passage.

46
47 Passed at meeting: _____

48
49
50 _____
51 Mayor

52
53
54 Attest: _____, City Clerk

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56 Filed as Ordinance: _____

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58
59 Approved as to form: , Assistant City Attorney

60
61 Approved for Council action: , City Manager
62
63

EXPLANATION TO COUNCIL BILL NO: 2016- 232

FILED: 10-11-16

ORIGINATING DEPARTMENT: Finance

PURPOSE: To amend the Springfield City Code, Chapter 2, Administration, Article VI, Finances, Division 2, Purchasing, Section 2-401, known as the Purchasing Manual, by amending Subsection 13-3.104, Paragraph 8, Contract Performance and Payment Bonds, by increasing the minimum dollar amount of construction contracts that require performance, labor and materials bonds to \$50,000.00 in the City's Purchasing Manual.

BACKGROUND: In Late 2014, in an effort to provide relief to contractors, the State of Missouri passed modifications to Missouri's Public Prompt Pay Act (34.057 RSMo) and Public Works Bonding Act (107.170 RSMo). These provisions revised and expanded the scope of Missouri's Public Prompt Payment Act and, among other benefits for contractors working on public works projects, reduced delays in payments due from public owners, provided clarification of the professionals protected through these Acts, and raised the floor value for requiring construction contractors to furnish a bond from \$25,000.00 to \$50,000.00. The immediate ordinance will update the City's bonding requirement, set out in Subsection 13-3.104, Paragraph 8 of the City's Purchasing Manual, to match Missouri's statutory requirements by requiring bonds for construction contracts with the City that are estimated to exceed \$50,000.00. Depending upon the type and nature of the construction project, Paragraph 8 of Subsection 13-3.104 will continue to allow the City, if needed, to require a bond for projects with estimated costs of \$50,000.00 or less, if recommended by the City Purchasing Agent or the contracting department.

REMARKS: In conjunction with the immediate ordinance, a similar council bill is being presented to City Council to simultaneously amend the corresponding section of the City Code, Chapter 2, Administration, Article I, In General, Section 2-5, Bonds on public works projects, by increasing the minimum dollar amount of construction contracts that require performance, labor and materials bonds to \$50,000.00 in the City Code also.

RECOMMENDATION: The Departments of Finance, Public Works, and Environmental Services recommend approval of the proposed amendments.

Submitted by:



Interim Director of Finance

Recommended by:

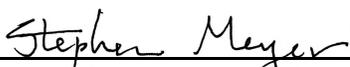


Dan Smith, Director of Public Works

Approved by:



Greg Burris, City Manager



Steve Meyer, Director of Environmental Services

One-rdg. _____
P. Hrngs. _____
Pgs. 4
Filed: 10-11-16

Sponsored by: Fulnecky

First Reading: _____

Second Reading: _____

COUNCIL BILL NO. 2016- 233

GENERAL ORDINANCE NO. _____

AN ORDINANCE

1 AMENDING the Springfield City Code, Chapter 98, Streets, Sidewalks and Public
2 Places, Article VI, Improvements, Division 1, generally, by repealing
3 Sections 98-224, 'Authority to suspend or debar bidders'; 98-225,
4 'Procedure for suspension or debarment of bidders'; and 98-226, 'Grounds
5 for suspension or debarment of bidders'; in their entirety, and reserving
6 these sections for future use.

7 _____
8
9 BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SPRINGFIELD,
10 MISSOURI, as follows, that:

11
12 NOTE: Language being added is underlined and language being removed is
13 ~~stricken~~.

14
15 Section 1 – The Springfield City Code, Chapter 98, Streets, Sidewalks and Public
16 Places, Article VI, Improvements, Division 1, Generally, is hereby amended by repealing
17 Sections 98-224, Authority to suspend or debar bidders; 98-225, Procedure for
18 suspension or debarment of bidders; and 98-226, Grounds for suspension or debarment
19 of bidders; in their entirety, and reserving these sections for future use:

20
21 ~~Sec. 98-224. – Authority to suspend or debar bidders.~~

22
23 ~~—The purchasing committee established pursuant to chapter 4 of the city~~
24 ~~purchasing manual shall have authority to suspend or debar a person from~~
25 ~~consideration for bid awards involving any public works improvement project of the~~
26 ~~city, including boards and agencies. A suspension may be for up to six months. A~~
27 ~~debarment may be from six months to two years in length.~~

28
29 ~~Sec. 98-225. – Procedure for suspension or debarment of bidders.~~

30
31 ~~(a) Notice of suspension or debarment under section 98-224 shall be given by~~
32 ~~certified mail from the city manager or the chairperson of the board or agency at~~
33 ~~least 14 days prior to the effective date of the suspension or debarment.~~

- 34 ~~(b) The person to be suspended or debarred has a right to a hearing, if requested,~~
35 ~~within 14 days after mailing of notice.~~
- 36 ~~(c) The hearing shall be held promptly thereafter before the hearing officer. A~~
37 ~~hearing officer will be appointed by the city manager for this purpose. The~~
38 ~~hearing officer shall have all powers necessary to conduct the hearing.~~
- 39 ~~(d) The city attorney, on behalf of the city, or any party to the proceeding may~~
40 ~~request that the hearing officer issue subpoenas for witnesses or subpoenas~~
41 ~~duces tecum. The hearing officer shall cause a record of the case to be kept, and~~
42 ~~copies shall be made available to any interested person upon the payment of a~~
43 ~~fee. The hearing need not be conducted according to the rules of evidence. Any~~
44 ~~relevant matter may be admitted and considered by the hearing officer if it is the~~
45 ~~sort of evidence on which reasonable persons are accustomed to rely in the~~
46 ~~conduct of serious affairs. Objections to evidence shall be noted, and the hearing~~
47 ~~officer may rule on such objections.~~
- 48 ~~(e) The decision of the hearing officer shall be in writing and shall be subject to~~
49 ~~appeal under RSMo ch. 536. All decisions of the hearing officer shall be final~~
50 ~~decisions 30 days after the mailing of personal service of the decision.~~
- 51 ~~(f) Suspension or debarment will not be stayed during the pendency of any hearing~~
52 ~~or appeal except by an order of the circuit court.~~

53
54 ~~Sec. 98-226. – Grounds for suspension or debarment of bidders.~~

55 ~~The causes for suspension or debarment under section 98-224 include the following:~~

- 56 ~~(1) Conviction within the last ten years for commission of a criminal offense as an~~
57 ~~incident to obtaining or attempting to obtain a public or private contract or~~
58 ~~subcontract, or in the performance of such contract or subcontract.~~
- 59 ~~(2) Conviction within the last ten years under state or federal statutes for~~
60 ~~embezzlement, theft, forgery, bribery, falsification or destruction of records,~~
61 ~~receiving stolen property, or any other offense indicating a lack of business~~
62 ~~integrity or business honesty which affects responsibility as a contractor.~~
- 63 ~~(3) Conviction within the last ten years under state or federal statutes arising out of~~
64 ~~the submission of bids or proposals.~~
- 65 ~~(4) Violation within the last two years of contract provisions, as follows, of a~~
66 ~~character which is regarded by the director of the contracting department or~~
67 ~~board to be so serious as to justify debarment action:~~
- 68 ~~— a. Deliberate failure without good cause to perform in accordance with the~~
69 ~~specifications or within the time limit provided in the contract; or~~
- 70 ~~— b. A record of failure to perform or of unsatisfactory performance in accordance~~
71 ~~with the terms of one or more contracts, provided that failure to perform or~~
72 ~~unsatisfactory performance caused by acts beyond the control of the~~
73 ~~contractor shall not be considered to be a basis for debarment.~~

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~~(5) Violation of general ethical standards in relation to gratuities or kickbacks involving city contracts.~~

~~(6) Any other cause the director of the contracting department, board or agency determines to be so serious and compelling as to affect responsibility as a contractor.~~

Section 2 – Sections 98-224, 98-225 and 98-226 shall be reserved for future use.

Section 3 – Savings Clause. Nothing in this ordinance shall be construed to affect any suit or proceeding now pending in any court or any rights acquired or liability incurred nor any cause or cause of action occurred or existing, under any act or ordinance repealed hereby. Nor shall any right or remedy of any character be lost, impaired, or affected by this ordinance.

Section 4 – This ordinance shall be in full force and effect from and after passage.

Passed at meeting: _____

Mayor

Attest: _____, City Clerk

Filed as Ordinance: _____

Approved as to form: J Kelly, Assistant City Attorney

Approved for Council action: Greg Burt, City Manager

EXPLANATION TO COUNCIL BILL NO: 2016- 233

FILED: 10-11-16

ORIGINATING DEPARTMENT: Finance

PURPOSE: Amending the Springfield City Code, Chapter 98, Streets, Sidewalks and Public Places, Article VI, Improvements, Division 1, generally, by repealing Sections 98-224, Authority to suspend or debar bidders; 98-225, Procedure for suspension or debarment of bidders; and 98-226, Grounds for suspension or debarment of bidders; in their entirety, and reserving these sections for future use.

BACKGROUND: The City Purchasing Manual addresses suspending and debarring bidders and is available for all City contracts, regardless of the department that issued the bid or contract. In conjunction with this Ordinance, the City Purchasing Manual is being amended and, as such, Chapter 98, Streets, Sidewalks and Public Places, Article VI, Improvements, Division 1, generally, by repealing Sections 98-224, Authority to suspend or debar bidders; 98-225, Procedure for suspension or debarment of bidders; and 98-226, Grounds for suspension or debarment of bidders, are no longer needed and would be duplicative. Sections 98-224, 98-225 and 98-226 are being added to Sections 98-227 - 98-240 as Reserved for future use.

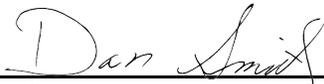
RECOMMENDATION: The Departments of Finance, Public Works, and Environmental Services recommend approval of the proposed amendments.

Submitted by:



Interim Director of Finance

Recommended by:



Dan Smith, Director of Public Works

Approved by:



City Manager



Steve Meyer, Director of Environmental Services

One-rdg. _____
P. Hrngs. _____
Pgs. 4
Filed: 10-11-16

Sponsored by: McClure

First Reading: _____

Second Reading: _____

COUNCIL BILL NO. 2016- 234

GENERAL ORDINANCE NO. _____

AN ORDINANCE

1 AMENDING the Springfield City Code, Chapter 2, Administration, Article VI, Finances,
2 Division 2, Purchasing, Section 2-401, known as the Purchasing Manual,
3 by amending Subsections 13-3.401 and 13-3.402, relating to procedures
4 to suspend and/or debar bidders.
5 _____
6

7 BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SPRINGFIELD,
8 MISSOURI, as follows, that:

9
10 NOTE: Language being added is underlined and language being removed is
11 ~~stricken~~.

12
13 Section 1 – the Springfield City Code, Chapter 2, Administration, Article VI,
14 Finances, Division 2, Purchasing, Section 2-401, Subsection 13-3.401 is hereby
15 amended as follows:

16
17 13-3.401 RESOLUTION OF PROTEST

18
19 Whenever the City Purchasing Agent requests, the City ~~Purchasing~~Review
20 Committee shall meet and resolve contested solicitation or awards. The City
21 ~~Purchasing~~Review Committee shall be comprised of the following, or authorized
22 representatives from their respective Departments: (1) the City Manager; (2) the
23 Director of Finance; (3) the City Attorney; (4) and the City Purchasing Agent, or their
24 authorized representatives; and (5) the Director of the Department for which the
25 solicitation or award was made. The City ~~Purchasing~~Review Committee shall have
26 no authority to overturn bid awards, but may advise the City Purchasing Agent, ~~or~~
27 the Director of the Department for which the solicitation or award was made, and/or
28 the appropriate Administrative contracting department or boardBoard of changes or
29 guidelines to follow in the future.
30

31 Section 2 – the Springfield City Code, Chapter 2, Administration, Article VI,
32 Finances, Division 2, Purchasing, Section 2-401, Subsection 13-3.402 is hereby
33 amended as follows:

34
35 13-3.402 AUTHORITY TO SUSPEND OR DEBAR
36

37 The ~~City Purchasing Review~~ Committee shall have authority to suspend or debar a
38 person or company from consideration from bid awards. A suspension may be for
39 up to six months. A debarment may be from six (6) months up to two (2) five (5)
40 years in length.
41

42 Section 3 – Severability Clause. If any section, subsection, sentence, clause or
43 phrase of this ordinance is for any reason held to be invalid, such decision shall not
44 affect the validity of the remaining portions of this ordinance. The City Council hereby
45 declares that it would have adopted the ordinance and each section, subsection,
46 sentence, clause, or phrase thereof, irrespective of the fact that any one or more
47 sections, sentences, clauses, or phrases be declared invalid.
48

49 Section 4 – Savings Clause. Nothing in this ordinance shall be construed to
50 affect any suit or proceeding now pending in any court or any rights acquired or liability
51 incurred nor any cause or cause of action occurred or existing, under any act or
52 ordinance repealed hereby. Nor shall any right or remedy of any character be lost,
53 impaired, or affected by this ordinance.
54

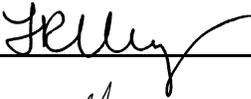
55 Section 5 – This Ordinance shall be in full force and effect from and after
56 passage.
57

58 Passed at meeting: _____
59

60
61 _____
62 Mayor
63

64
65 Attest: _____, City Clerk
66

67 Filed as Ordinance: _____
68

69
70 Approved as to form: , Assistant City Attorney
71

72
73 Approved for Council action: , City Manager

EXPLANATION TO COUNCIL BILL NO: 2016- 234

FILED: 10-11-16

ORIGINATING DEPARTMENT: Finance

PURPOSE: To amend the Springfield City Code, the Springfield City Code, Chapter 2, Administration, Article VI, Finances, Division 2, Purchasing, Section 2-401, known as the Purchasing Manual, by amending Subsections 13-3.401 and 13-3.402, relating to procedures to suspend and/or debar bidders.

BACKGROUND: This Ordinance will update the title of the City Review Committee (previously known as the City Purchasing Committee), involved with the resolution of protests involving prospective bidders, offerors or contractors, and for the handling of suspension and/or debarment from consideration for bid awards, and to reflect the Committee's purpose and membership makeup. It will add an additional member to the Committee for the Department involved with the solicitation or award, and allows for alternate representatives for each committee member. Additionally, it will increase the potential time of debarment. Currently, a bidder may be suspended for up to six months and debarred for six months to two years. The period of suspension is not being changed, but the potential debarment is being increased to a new maximum of five years – i.e., a debarment will be possible from six months up to five years with the passage of this Ordinance. This increased duration will better reflect the severity of conduct that results in being debarred from City bids, projects and contracting.

REMARKS: Since the Purchasing Manual is available and applicable for all City contracts, regardless of the department that issued the bid or contract, Chapter 98, Sections 98-224, Authority to suspend or debar bidders; 98-225, Procedure for suspension or debarment of bidders; and 98-226, Grounds for suspension or debarment of bidders; are not needed and are duplicative to the Purchasing Manual provisions referenced above. Therefore, in conjunction with the immediate Ordinance, these duplicative sections of the City Code are being repealed and reserved for future use by a separate ordinance. The Purchasing Division will continue to be responsible for monitoring compliance with all of the Purchasing Manual requirements.

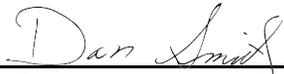
RECOMMENDATION: The Departments of Finance, Public Works, and Environmental Services recommend approval of the proposed amendments.

Submitted by:



Interim Director of Finance

Recommended by:

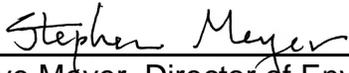


Dan Smith, Director of Public Works

Approved by:



Greg Burris, City Manager



Steve Meyer, Director of Environmental Services

One-rdg. _____
P. Hrngs. _____
Pgs. 37
Filed: 10-11-16

Sponsored by: Ferguson

First Reading: _____

Second Reading: _____

COUNCIL BILL NO. 2016-235

SPECIAL ORDINANCE NO. _____

AN ORDINANCE

1 AUTHORIZING the City Manager, or his designee, to enter into a Cost Share Program Third
2 Supplemental Agreement with the Missouri Highway and Transportation
3 Commission and Greene County, for the purpose of allocating costs and
4 establishing a contingency fund for additional costs for the City with respect
5 to the Chestnut Expressway Overpass Bridge Improvement, Project No.
6 8P2196 and 8P2196B over the Burlington Northern Santa Fe Railway
7 Company, Thayer Line, approximately 0.22 miles west of Route 65; and
8 amending the 2016-2017 Fiscal Year budget for the Department of Public
9 Works in the amount of \$1,286,899 to appropriate funds for this project.

10 _____
11
12 WHEREAS, City Council authorized the City to enter into an agreement with the
13 Missouri Highway and Transportation Commission (MHTC) and Greene County (County)
14 pursuant to Ordinance No. 26142 in 2012, attached hereto as "Exhibit A;" and
15

16 WHEREAS, in 2014 the City entered into a first supplemental agreement to the
17 original agreement pursuant to Ordinance No. 26503 attached hereto as "Exhibit B;" and
18

19 WHEREAS, the City entered into a second supplemental agreement (see "Exhibit
20 C") that amended the original agreement which split the project into two phases; and
21

22 WHEREAS, the City, MHTC, and County wish to enter into a third supplemental
23 agreement to amend the existing cost apportionment and establish a contingency fund; and
24

25 WHEREAS, an amendment to the budget of the Department of Public Works for the
26 Fiscal Year 2016-2017 has been approved and recommended by the City Manager.
27

28 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
29 SPRINGFIELD, MISSOURI, as follows, that:
30

31 Section 1 – The City Manager, or his designee, is hereby authorized to enter into a
32 Cost Share Program Third Supplemental Agreement with the Missouri Highway and
33 Transportation Commission and Greene County, Missouri, said agreement to be in
34 substantially the form as that document attached hereto and incorporated herein by
35 reference as "Exhibit D."
36

37 Section 2 – A Summary of the Estimated Actual Cost is attached hereto as “Exhibit
38 E” which describes project estimates and cost share amounts.

39
40 Section 3 – The site for the improvement project described herein is identified on the
41 map attached hereto as “Exhibit F.”

42
43 Section 4 – The Department of Public Works budget for Fiscal Year 2016-2017 is
44 hereby amended in the accounts and in the amounts as shown on Budget Adjustment No.
45 0012, a copy of which is attached hereto and incorporated herein by reference as "Exhibit
46 G."

47
48 Section 5 – The City Council finds that the budget adjustment made above has been
49 recommended by the City Manager.

50
51 Section 6 – The City Manager is directed to cause the appropriate accounting entries
52 to be made in the books and records of the City.

53
54 Section 7 – This Ordinance shall be in full force and effect from and after passage.

55
56 Passed at meeting: _____

57
58
59
60 _____
61 Mayor

62 Attest: _____, City Clerk

63
64 Filed as Ordinance: _____

65
66
67 Approved as to form: Amanda R. Callaway, Assistant City Attorney

68
69 Approved for Council action: [Signature], City Manager
70

EXPLANATION TO COUNCIL BILL NO: 2016- 235

FILED: 10-11-16

ORIGINATING DEPARTMENT: Public Works

PURPOSE: To authorize the City Manager, or his designee, to enter into a Cost Share Program Third Supplemental Agreement with the Missouri Highway and Transportation Commission and Greene County ("County") for the purpose of allocating costs and establishing a contingency fund for additional costs for the City with respect to the Chestnut Expressway Overpass Bridge Improvement, Project No. 8P2196 and 8P2196B over the Burlington Northern Santa Fe Railway Company, Thayer Line, approximately 0.22 miles west of Route 65; and amending the 2016-2017 Fiscal Year budget for the Department of Public Works in the amount of \$1,286,899 to appropriate funds for this project.

BACKGROUND INFORMATION: The MHTC, County and the City desire to revise the original Cost Share Agreement the First Supplemental Agreement, and the Second Supplemental Agreement. This proposed Third Supplemental Agreement increases the City's total investment in the project by \$1,599,346 over the amount in the previous agreements, and provides funding of the City's additional costs will be split between federal STP grant funds (61.3%) and local funds (38.7%). Therefore, the additional City investment of \$1,599,346 will be funded by budgeting additional STP federal grant funds (\$980,399) for this project with the remaining amount (\$618,947) to be funded by the 1/8-Cent Transportation Sales Tax that is already budgeted. This Third Supplemental Agreement also increases the MHTC's share in an equally similar amount.

The updated estimated total project cost is \$18,030,848. The MHTC's Multimodal - Railroad Division will contribute \$3,000,000. The remaining estimated cost of \$15,030,848 will be funded 50% by MHTC (\$7,515,424), approximately 45% by the City (\$6,772,547), approximately 2.7% by the County (\$400,000), and approximately 2.3% by the BNSF Railway Company (\$342,877). Based on this proposed Third Supplemental Agreement, the City's share (\$6,772,547) will be funded by STP federal grant funds (\$4,153,600) with the remaining (\$2,618,947) funded by the 1/8-Cent Transportation Sales Tax.

The past agreements for this project and this proposed Third Supplemental Agreement provide for 50/50 sharing of additional costs between the MHTC and the City if costs are incurred greater than the estimate. Due to the size and scope of this project, a contingency is also being budgeted to cover the City's share of potential additional costs greater than the current estimate of \$18,030,848. Additional STP federal grant funds (\$306,500) are being budgeted with this Council bill as a contingency if needed. Local 1/8-Cent Transportation Sales Tax funds (\$193,500) are already budgeted to cover the 38.7% match as set forth in this proposed agreement. Together, this will provide a total of \$500,000 for the City's share of contingencies if needed. The attached budget adjustment (Exhibit G") with this Council bill is for a total of \$1,286,899 to appropriate additional STP federal grant funds for this project (\$980,399 based on the current

estimate, plus \$306,500 for contingencies).

Supports the following Field Guide 2030 goals: Chapter 12, Transportation; Major Goal 2, Operations and Maintenance The City of Springfield should continue to maintain streets, sidewalks, trails, and the airport, using the most effective strategies to maximize the efficient operation of the existing systems, keeping in mind safety, accessibility, sustainability, and collaboration; Objective 2a, Keep streets and sidewalks and trails in good condition with an emphasis on arterial streets; Objective 2c, Crash rates should be reduced on street system projects; Objective 2d, The City of Springfield should coordinate operations and maintenance efforts with Greene County, the State of Missouri, rail, and transit to ensure a seamless connection to the regional system.

REMARKS: Public Works recommends approval of this Council bill and budget adjustment.

Submitted by:



Kirk Juranas, Assistant Director of Public Works

Recommended by:



Dan Smith, Director of Public Works

Approved by:



Greg Burris, City Manager

Exhibit A

Emer. _____
P. Hrngs. _____
Pgs. 12
Filed: 09-18-12

Sponsored by: Rushefsky

First Reading: September 24, 2012

Second Reading: October 8, 2012

COUNCIL BILL NO. 2012-279

SPECIAL ORDINANCE NO. 26142

AN ORDINANCE

1 AUTHORIZING the City Manager, or his designee, to enter into a Cost Share
2 Agreement with the Missouri Highways and Transportation
3 Commission (MHTC) and Greene County for the purpose of
4 coordinating participation by the City in the cost of the Chestnut
5 Expressway Overpass Bridge Improvement, MHTC Project No.
6 8P2196. and amending the budget of the Public Works Department
7 for Fiscal Year 2012-2013, in the amount of \$3,159,784.
8
9

10 WHEREAS, the City, Missouri Highways and Transportation Commission
11 (MHTC), and Greene County desire to convert the at-grade crossing of Chestnut
12 Expressway and the BNSF Thayer Line (approximately 0.22 miles west of Highway 65)
13 into an overpass; and
14

15 WHEREAS, MHTC will administer the project design, right-of-way acquisition,
16 and construction for this project, with the City contributing approximately 46.2 percent of
17 the total project cost; and
18

19 WHEREAS, the total estimated cost of the project is \$11,832,156; and
20

21 WHEREAS, the City's estimated cost for the project is \$5,464,078 plus 50
22 percent of cost overruns; and
23

24 WHEREAS, a portion of the City's share will be funded by the Federal Surface
25 Transportation Program funds (\$2,325,663), and reimbursement funds from MHTC
26 related to the City's advance funding of the National Avenue and James River Freeway
27 interchange improvements (\$834,121); and
28

29 WHEREAS, the remainder of City's share will be funded by the 1/8th-Cent
30 Transportation Sales Tax (\$2,304,294), which will be budgeted in a separate Council
31 bill.
32

33 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
34 SPRINGFIELD, MISSOURI, as follows, that:

35
36 Section 1 – The City Manager, or his designee, is hereby authorized to enter into
37 a Cost Share Agreement, said agreement to be substantially in the form and content as
38 that document attached hereto and incorporated herein by reference as "Exhibit I", with
39 the Missouri Highways and Transportation Commission and Greene County.

40
41 Section 2 – The budget for Fiscal Year 2012-2013 of the Public Works
42 Department is hereby amended in the accounts and in the amounts as shown on
43 Budget Adjustment No. 0017, a copy of which is attached hereto and incorporated
44 herein by reference as "Exhibit II."

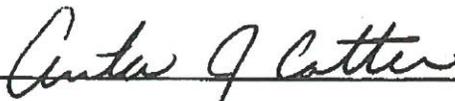
45
46 Section 3 – The City Council hereby finds that the budget adjustment made
47 above has been recommended by the City Manager.

48
49 Section 4 – The City Manager is directed to cause the appropriate accounting
50 entries to be made in the books and records of the City.

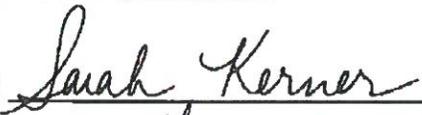
51
52 Section 5 – This ordinance shall be in full force and effect from and after
53 passage.

54
55 Passed at meeting: October 8, 2012

56
57 
58 _____
59 Mayor

60
61 Attest:  _____, Assistant
62 City Clerk

63 Filed as Ordinance: October 8, 2012

64
65
66 Approved as to form:  _____, Assistant City Attorney

67
68
69 Approved for Council action:  _____, City Manager

70
71
72
73 N:\SHARE\CBILLS - 2012\09-24-12\65 & Chestnut BNSF_ord.docx

EXPLANATION TO COUNCIL BILL NO. 2012 - 279

FILED: 09-18-12

ORIGINATING DEPARTMENT: Public Works

PURPOSE: To authorize the City Manager, or his designee, to enter into a Cost Share Agreement (Exhibit I) with the Missouri Highways & Transportation Commission (MHTC) and Greene County, and to coordinate participation by the City in the cost of the Chestnut Expressway Overpass Bridge Improvement, Project No. 8P2196, over the BNSF Railway Company (Railroad) Thayer Line, approximately 0.22 miles west of U.S. Highway 65. This Council bill will also approve a budget adjustment to amend the Fiscal Year 2012-2013 budget of the Public Works Department in the amount of \$3,159,784.

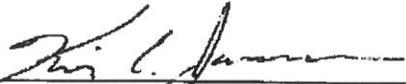
BACKGROUND INFORMATION: The MHTC, the City, and Greene County need to enter into an agreement for the purpose of coordinating the cost of design and construction of the Chestnut Expressway Overpass Bridge Improvement. The agreement will accelerate this high-priority transportation project to provide enhanced safety and capacity by converting the existing at grade crossing into an overpass.

REMARKS: The agreement will allow the MHTC to coordinate the cost of design and construction of the improvements designated as Job No. 8P2196. The estimated total project cost is \$11,832,156. The cost of the project will be shared 50 percent by MHTC (\$5,916,078), approximately 46.2 percent by the City (\$5,464,078), approximately 3.4 percent by Greene County (\$400,000), and by separate agreement with MHTC the Railroad will contribute approximately 0.4 percent (\$52,000). The City's share will be funded by the 1/8-Cent Transportation Sales Tax (\$2,304,294), Federal Surface Transportation Program (STP) grant funds (\$2,325,663), and the MHTC's reimbursement to the City for providing advance funding of the National Avenue and James River Freeway Interchange Improvements (\$834,121) completed in 2010. This budget adjustment will appropriate the MHTC reimbursement funds, which have been received by the City, and the ST.P funds. The 1/8-Cent Transportation Sales Tax funding for this project is part of the 2013-2017 projects listed in the 1/8-Cent Transportation Sales Tax funding recently approved by voters and will be budgeted by a separate Council bill and budget adjustment.

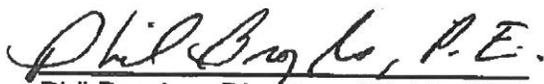
The agreement will allow the MHTC to administer the project design, right-of-way acquisition, and construction; total cost savings will be shared by MHTC, the City, and Greene County according to each party's initial investment in the project. Any cost overruns will be shared, 50 percent by the City and 50 percent by the Commission.

RECOMMENDATIONS: Public Works recommends passage of this Council bill and budget adjustment.

Submitted by:


Kirk Juranas, Assistant Director of Public Works

Approved by:


Phil Broyles, Director of Public Works

Approved by:


Greg Burris, City Manager

CCO Form: FS08
Approved: 03/04 (BDG)
Revised: 06/12 (AR)
Modified:

Business Rte. 65, Greene County
Project No. 8P2196
City of Springfield, Greene Co.

**MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION
COST SHARE AGREEMENT**

THIS AGREEMENT is entered into by the Missouri Highways and Transportation Commission (hereinafter, "Commission"), the City of Springfield (hereinafter, "City") and Greene County (hereinafter, "County").

WITNESSETH:

WHEREAS, the City and County applied to the Commission's Cost Share Committee for participation in the Commission's *Cost Share Program*; and

WHEREAS, on July 20, 2010, the Cost Share Committee approved the City's application to the *Cost Share Program* subject to the terms and conditions of this Agreement.

NOW, THEREFORE, in consideration of the mutual covenants, promises and representations in this Agreement, the parties agree as follows:

(1) **PURPOSE:** The purpose of this Agreement is to co-ordinate the participation by the City of Springfield and Greene County in the cost of the Commission's Project 8P2196, a railroad grade separation on Chestnut Expressway in Springfield.

(2) **LOCATION:** The transportation improvement that is the subject of this Agreement is contemplated at the following location:

The crossing of Business Route 65, or Chestnut Expressway, over the Burlington Northern Santa Fe Railway's Thayer Line, approximately 0.22 mile west of the Route 65/Business Route 65 interchange in Greene County, Missouri.

The general location of the project is shown on attachment marked "Exhibit A" and incorporated herein by reference.

(3) **AMENDMENTS:** Any change in this Agreement, whether by modification or supplementation, must be accomplished by a formal contract amendment signed and approved by the duly authorized representatives of the City, County and the Commission.

(4) COMMISSION REPRESENTATIVE: The Commission's District Engineer is designated as the Commission's representative for the purpose of administering the provisions of this Agreement. The Commission's representative may designate by written notice other persons having the authority to act on behalf of the Commission in furtherance of the performance of this Agreement.

(5) ASSIGNMENT: The City and/or County shall not assign, transfer or delegate any interest in this Agreement without the prior written consent of the Commission.

(6) LAW OF MISSOURI TO GOVERN: This Agreement shall be construed according to the laws of the State of Missouri. The City and County shall comply with all local, state and federal laws and regulations relating to the performance of this Agreement.

(7) CANCELLATION: The Commission may cancel this Agreement at any time for a material breach of contractual obligations by providing the City and County with written notice of cancellation. Should the Commission exercise its right to cancel this Agreement for such reasons, cancellation will become effective upon the date specified in the notice of cancellation sent to the City and County.

(8) PLANS AND CONSTRUCTION: The Commission shall be responsible for preparation of plans, specifications, acquisition of right-of-way and construction for the herein improvements. This includes design, letting of project, and inspection of project. The plans shall be prepared in accordance with and conform to Commission requirements.

(9) FINANCIAL RESPONSIBILITIES: With regard to work under this Agreement, the City agrees as follows:

(A) The City and County will be responsible for fifty percent (50%) of the total project cost. The total project cost will include preliminary engineering, right of way and right of way incidentals, utilities, construction and inspection. The current estimate of the City's and County's combined responsibilities is five million, nine hundred sixteen thousand, seventy-eight dollars (\$5,916,078.00).

(i) Of the City's and County's responsibilities, the County shall be responsible for \$400,000 of the current estimated total cost. The County agrees that the Commission may program up to \$400,000 of STP-Urban funds allocated to the County by the Ozarks Transportation Organization in fulfillment of the County's responsibilities under this agreement by the end of State Fiscal Year 2015.

(ii) The City and County will also receive local cost participation credit for funds contributed by the Burlington Northern Santa Fe Railway (hereinafter, "Railroad") for elimination of an at-grade rail crossing, currently estimated to be fifty-two thousand dollars (\$52,000). These funds will be contributed by way of a separate

agreement between the Railroad and the Commission. If the Railroad fails to make payment, the City will increase its cash contribution to fulfill the City and County requirement to pay for fifty percent of the project cost.

(iii) The City shall be responsible for the remainder of the City's and County's responsibilities, currently estimated to be five million, four hundred sixty-four thousand, seventy-eight dollars (\$5,464,078). The City's contribution will be composed of STP-Urban funds, a credit for Burlington Northern Sante Fe Railway funds contributed to the project, and local funds.

(iv) The City agrees that the Commission may program up to \$2,325,663 of STP-Urban funds allocated to the City by the Ozarks Transportation Organization in partial fulfillment of the City's responsibilities under this agreement. STP-Urban funds will be programmed by the end of State Fiscal Year 2015.

(v) The remainder of the City's contribution will be made in cash. The City will make two payments for State Fiscal Years 2014 and 2015. The City shall remit a check in the amount of two million dollars (\$2,000,000) by July 1, 2013. The City shall also remit a check in the amount of one million, one hundred thirty-eight thousand, four hundred fifteen dollars (\$1,138,415) no later than 21 days prior to advertisement of the project for construction. Both checks should be made payable to the *Missouri Highway and Transportation Commission - Local Fund*. If the City fails to make either deposit, the Commission is under no obligation to continue with the project.

(B) The Commission will pay for 50% of the total project cost, currently estimated at five million, nine hundred sixteen thousand, seventy-eight dollars (\$5,916,078). Of this amount, four million, eight hundred forty-six thousand, five hundred twenty-three dollars (\$4,846,523) will come from the Commission's Cost Share program, available in State Fiscal Year 2015, and one million, sixty-nine thousand, five hundred fifty-five (\$1,069,555) dollars will come from in-kind expenses for engineering and incidentals.

(C) The City and the Commission will each be equally responsible for the balance of the project in excess of eleven million, eight hundred thirty-two thousand, one hundred fifty-six dollars (\$11,832,156). The Commission's share of any cost over runs will come from its Southwest District funds distributed to the Ozarks Transportation Organization area. The City and Commission will each share savings equally if the project costs less than eleven million, eight hundred thirty-two thousand, one hundred fifty-six dollars (\$11,832,156). If the Commission programs less than two million, seven hundred twenty-five thousand, six hundred sixty-three (\$2,725,663) of STP-Urban funds attributed to the City and County for the project, both the City and County agree that the City and County will be each credited with a proportional share of the STP-Urban savings relative to their initial investment of STP-Urban funding.

(10) COMMINGLING OF FUNDS: The City agrees that all funds deposited by the City, pursuant to this Agreement with the Commission, may be commingled by the

Commission with other similar monies deposited from other sources. Any deposit may be invested at the discretion of the Commission in such investments allowed by its Investment Policy. All interest monies shall be payable to the fund and credited to the project. If the amount deposited plus any applicable credited interest with the Commission shall be less than the actual obligation of the City for this project, the City, upon written notification by the Commission, shall tender the necessary monies to the Commission to completely satisfy its obligation. Upon completion of the project, any excess funds or interest credited to the City shall be refunded to the City based on its pro rata share of the investment.

(11) COMMISSION RIGHT OF WAY: All improvements made within the state-owned right-of-way shall become the Commission's property, and all future alterations, modifications, or maintenance thereof, will be the responsibility of the Commission.

(12) VENUE: It is agreed by the parties that any action at law, suit in equity, or other judicial proceeding to enforce or construe this Agreement, or regarding its alleged breach, shall be instituted only in the Circuit Court of Cole County, Missouri.

(13) SOLE BENEFICIARY: This Agreement is made for the sole benefit of the parties hereto and nothing in this Agreement shall be construed to give any rights or benefits to anyone other than the Commission and the City.

(14) NO INTEREST: By contributing to the cost of this project or improvement, the City gains no interest in the constructed roadway or improvements whatsoever. The Commission shall not be obligated to keep the constructed improvements or roadway in place if the Commission, in its sole discretion, determines removal or modification of the roadway or improvements, is in the best interests of the state highway system. In the event the Commission decides to remove the landscaping, roadway, or improvements, the City shall not be entitled to a refund of the funds contributed by the City pursuant to this Agreement.

(15) AUTHORITY TO EXECUTE: The signers of this Agreement warrant that they are acting officially and properly on behalf of their respective institutions and have been duly authorized, directed and empowered to execute this Agreement.

(16) SECTION HEADINGS: All section headings contained in this Agreement are for the convenience of reference only and are not intended to define or limit the scope of any provision of this Agreement.

(17) ADDITIONAL FUNDING: In the event the Commission obtains additional federal, state, local, private or other funds to construct the improvement being constructed pursuant to this Agreement that are not obligated at the time of execution of this Agreement, the Commission, in its sole discretion, may consider any request by the City and/or County for an off-set for the deposited funds, a reduction in obligation, or a return of, a refund of, or a release of any funds deposited by the City and/or County with the Commission pursuant to this Agreement. In the event the Commission agrees to

IN WITNESS WHEREOF, the parties have entered into this Agreement on the date last written below.

Executed by the City this ____ day of _____, 20__.

Executed by the County this 30th day of August, 2012.

Executed by the Commission this ____ day of _____, 20__.

**MISSOURI HIGHWAYS AND
TRANSPORTATION COMMISSION**

CITY OF SPRINGFIELD

Title _____

By _____
Title _____

ATTEST:

ATTEST:

Secretary to the Commission

By _____
Title _____

Approved as to Form:

Approved as to Form:

Commission Counsel

Title: _____

Ordinance No _____

GREENE COUNTY

By [Signature]
Presiding Commissioner

ATTEST:

By [Signature]

By [Signature]
Associate Commissioner

Title: County Clerk

By [Signature]
Associate Commissioner

Approved as to Form:

[Signature]
Title: County Counselor

EXHIBIT "A"

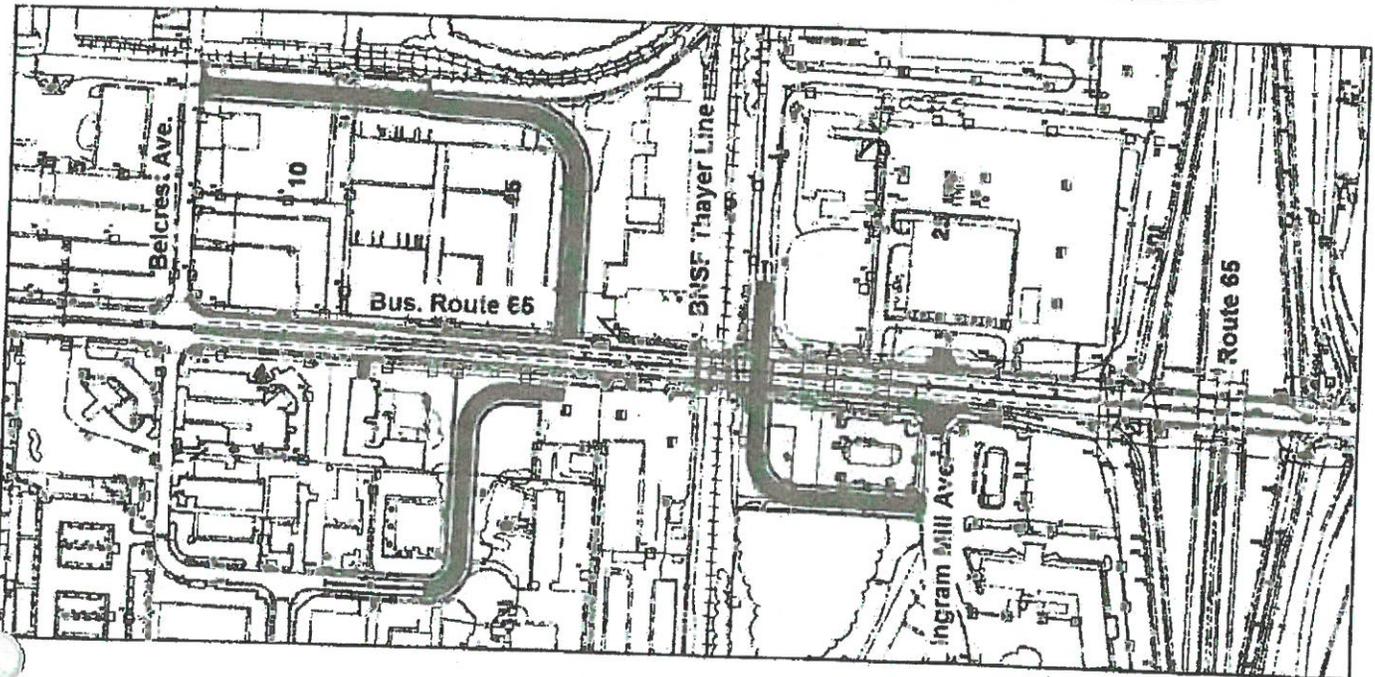
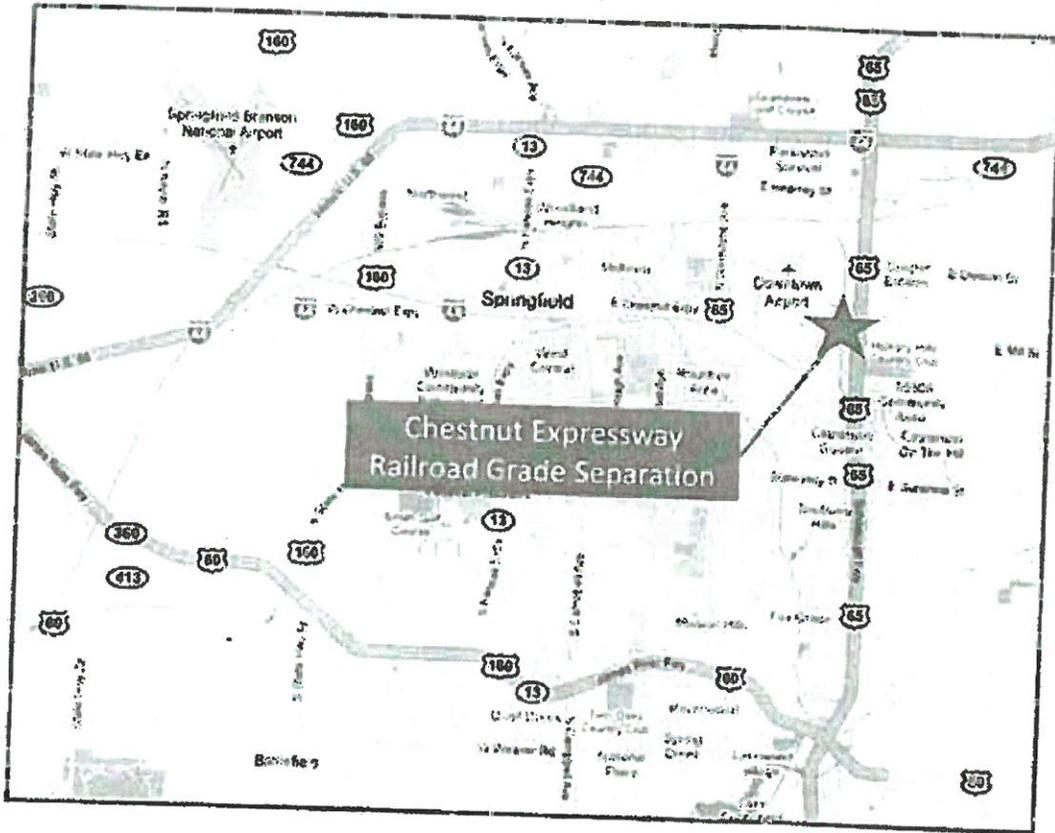


EXHIBIT "B"

Project Name: Chestnut Railroad Grade Separation
MoDOT Job Number: 8P2196

Description: Construct a railroad grade separation on Chestnut Expressway (BU65) west of Route 65.

Definition of "Total Project" for Cost Sharing Includes:

PE Costs	ROW	ROW Incidentals
Construction	Inspection	

Definition of "Total Project" for Cost Sharing Excludes:

Cost to Accelerate Project		
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Project Estimate

	Current Estimate	Cost Share Eligible
Preliminary Engineering	\$ 534,216	\$ 534,216
Right-of-way	\$ 3,722,000	\$ 3,722,000
Right-of-way Incidentals	\$ 49,970	\$ 49,970
Utilities	\$ 500,000	\$ 500,000
Construction	\$ 5,342,000	\$ 5,342,000
Contingency	\$ 106,840	\$ 106,840
Non-contractuals	\$ -	\$ -
Inflation (2011-2015)	\$ 1,150,003	\$ 1,150,003
Inspection and Letting	\$ 427,127	\$ 427,127
Total	\$ 11,832,156	\$ 11,832,156

Project Responsibilities

Preliminary Engineering	MoDOT
ROW Acquisition	MoDOT
Letting	MoDOT
Inspection	MoDOT

Financial Responsibilities

City of Spfd. local funds	\$ 3,138,415
City of Spfd STP-U	\$ 2,325,863
Greene Co. STP-U	\$ 400,000
BNSF Contribution	\$ 52,000
MoDOT/D8 in-kind	\$ 1,069,555
Cost Share Program	\$ 4,846,523

How are overruns and underruns handled?

MoDOT and the City of Springfield will share cost overruns equally. MoDOT, the City of Springfield and Greene County will share cost savings from underruns in proportion to the initial investment, with the ROW donation split between City and County equally (MoDOT 50%, City 46%, County 4%)

BA
Finance Number 0017

CITY OF SPRINGFIELD, MO
BUDGET ADJUSTMENT

Revenues: TC 24 & 77

FUND	ORG.	ACCT.	LOCATION	ACTIVITY	AMOUNT	DESCRIPTION	F/G
4312	4059	48011	0000	2994	2,325,663	STP-Urban Federal Highway Grant Funds	
NET REVENUE ADJUSTMENT					2,325,663		

Expenditures: TC 27 & 77

FUND	ORG.	ACCT.	LOCATION	ACTIVITY	AMOUNT	DESCRIPTION	F/G
4312	4059	58810	0000	2994	2,325,663	Chestnut Exp./BNSF Railroad Overpass Bridge	
4312	4059	58810	0000	2994	834,121	Chestnut Exp./BNSF Railroad Overpass Bridge	
NET EXPENDITURE ADJUSTMENT					3,159,784		

FUND BALANCE:

FUND	FUND TITLE	AMOUNT
4312	Public Works Improvement Fund	(834,121)

Explanation: To appropriate the City's STP-Urban Federal Highway Grant Funds for partial funding of the Chestnut Expressway and BNSF Overpass Bridge improvements as identified by the Cost Share Agreement between the City, MoDOT, and Greene County. Also to appropriate \$834,121 for partial funding of this project from reimbursement funds previously received from MoDOT for the City providing advance funding of the National/James River Freeway interchange improvements completed in 2010. Remaining city share (\$2,304,294) will be funded by the 2013-2017 1/8 Cent Sales Tax Program recently approved by voters and will be budgeted by a separate council bill and budget adjustment.

REQUESTED BY:

APPROVED BY:

AUTHORIZATION

D. J. Boyd 9/6/12
DEPARTMENT HEAD DATE

Mary Keenan Doherty
DIRECTOR OF FINANCE DATE

COUNCIL BILL NO. _____ DATE _____

CITY MANAGER

EFFECTIVE DATE

Exhibit B

One-rdg. _____
P. Hrngs. _____
Pgs. 9
Filed: 12-09-14

Sponsored by: Rushefsky

First Reading: December 15, 2014

Second Reading: January 12, 2015

COUNCIL BILL NO. 2014- 297

SPECIAL ORDINANCE NO. 26503

AN ORDINANCE

1 AUTHORIZING the City Manager, or his designee, to enter into a Cost Share
2 Program First Supplemental Agreement with the Missouri Highways
3 and Transportation Commission (MHTC) and Greene County for the
4 purpose of coordinating participation in the cost of the Chestnut
5 Expressway Overpass Bridge Improvement, Project No. J8P2196;
6 and amending the budget of the Department of Public Works for the
7 Fiscal Year 2014-2015, in the amount of \$847,538, to appropriate
8 additional Surface Transportation Program (STP) federal grant funds
9 for this project.

10 _____
11
12 WHEREAS, the City, MHTC, and Greene County entered a Cost Share
13 Agreement (Special Ordinance No. 26142) to convert the at-grade crossing of Chestnut
14 Expressway and the BNSF Railway Company’s Thayer Line, approximately 0.22 miles
15 west of Route 65, into an overpass; and

16
17 WHEREAS, MHTC, Greene County, and the City want to revise the original Cost
18 Share Agreement for the purpose of coordinating the updated cost of design and
19 construction of the project; and

20
21 WHEREAS, the First Supplemental Agreement will reduce the amount of the
22 City’s local funds invested in the project by \$1,138,415 and increase the amount of the
23 City’s federal STP grant funds invested in the project by \$847,538, resulting in an
24 overall net decrease in the City’s total investment in the project by \$290,877; and

25
26 WHEREAS, an amendment to the budget of the Department of Public Works for
27 the Fiscal Year 2014-2015 has been approved and recommended by the City Manager.

28
29 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
30 SPRINGFIELD, MISSOURI, as follows, that:

31
32 Section 1 – The City Manager, or his designee, is hereby authorized to enter into
33 a Cost Share Program First Supplemental Agreement with MHTC and Greene County,

EXPLANATION TO COUNCIL BILL NO: 2014- 297

FILED: 12-09-14

ORIGINATING DEPARTMENT: Public Works

PURPOSE: To authorize the City Manager, or his designee, to enter into a Cost Share Program First Supplemental Agreement with the Missouri Highways and Transportation Commission (MHTC) and Greene County (County) to coordinate participation by the City in the cost of the Chestnut Expressway Overpass Bridge Improvement, Project No. J8P2196, over the BNSF Railway Company (Railroad) Thayer Line, approximately 0.22 miles west of Route 65; and amend the budget the Department of Public Works for the Fiscal Year 2014-2015, in the amount of \$847,538 in order to appropriate additional Surface Transportation Program (STP) federal grant funds for this project.

BACKGROUND INFORMATION: The MHTC, the County, and the City want to revise the original Cost Share Agreement (Special Ordinance No. 26142) for the purpose of coordinating the updated cost of design and construction of the project. This First Supplemental Agreement will reduce the amount of the City's local funds invested in the project by \$1,138,415 while increasing the amount of the City's federal STP grant funds invested in the project by \$847,538. As a result, the First Supplemental Agreement will require an overall net decrease in the City's total investment in the project by \$290,877.

The updated, estimated total project cost is \$14,832,156. The MHTC's Multimodal – Railroad Division will contribute \$3,000,000. The remaining total project cost of \$11,832,156 will be shared 50 percent by the MHTC (\$5,916,078), approximately 43.7 percent by the City (\$5,173,201), approximately 3.4 percent by the County (\$400,000), and by separate agreement with the MHTC, the Railroad will contribute approximately 2.9 percent (\$342,877). The City's share (\$5,173,201) will be funded by the 1/8-Cent Transportation Sales Tax funds (\$2,000,000) that are already budgeted and the STP federal grant funds (\$3,173,201). Of the \$3,173,201 STP grant funds, \$2,325,663 was previously budgeted with the original Cost Share Agreement for this project with the additional \$847,538 being budgeted by this ordinance.

This project supports Field Guide 2030 goals: Chapter 12, Transportation, Major Goal 2, Operations and Maintenance; Objective 2a, Keep streets, sidewalks and trails in good conditions with an emphasis on arterial streets, Objective 2c, Crash rates should be reduced on street system projects, Objective 2d, The City of Springfield should coordinate operations and maintenance efforts with Greene County, the State of Missouri, rail, and transit to ensure a seamless connection to the regional system.

REMARKS: Public Works recommends approval of this ordinance.

Submitted by:


Kirk Juranas
Assistant Director of Public Works

Approved by:


Greg Burris
City Manager

CCO Form:
Approved:
Revised:
Modified: 08/14 (AR)

Greene County
City of Springfield
Project J8P2196

**MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION
COST SHARE PROGRAM
FIRST SUPPLEMENTAL AGREEMENT**

THIS FIRST SUPPLEMENTAL AGREEMENT is entered into by the Missouri Highways and Transportation Commission (hereinafter, "Commission"), the City of Springfield (hereinafter, "City"), and the County of Greene (hereinafter, "County").

WITNESSETH:

WHEREAS, on November 2, 2012 the Commission, the City, and the County previously entered into a Cost Share Agreement as to public improvements designated as J8P2196, for the construction of a railroad grade separation on Chestnut Expressway in Springfield, (hereinafter, "Original Agreement"); and

WHEREAS, the Commission, the City, and the County now desire to revise the Original Agreement as provided in this First Supplemental Agreement.

NOW, THEREFORE, in consideration of the mutual covenants, promises and representations contained herein, the parties agree as follows:

(1) REVISION: Paragraph (9) of the Original Agreement is hereby removed in its entirety and replaced with the following:

(9) FINANCIAL RESPONSIBILITIES: With regard to work under this Agreement, the parties agree as follows:

(A) The total project cost is currently estimated at fourteen million eight hundred thirty-two thousand one hundred fifty-six dollars (\$14,832,156). The total project cost will include preliminary engineering, right of way and right of way incidentals, utilities, construction and inspection.

(B) The Commission's Multimodal – Railroad Division will contribute three million dollars (\$3,000,000).

(C) The City and County will be responsible for fifty percent (50%) of the total project cost in excess of the three million dollar (\$3,000,000) contribution of Multimodal – Railroad Division funds. The current estimate of the City's and County's

combined responsibilities is five million, nine hundred sixteen thousand, seventy-eight dollars (\$5,916,078.00).

(i) Of the City's and County's responsibilities, the County shall be responsible for \$400,000 of the current estimated total cost. The County agrees that the Commission may program up to \$400,000 of STP-Urban funds allocated to the County by the Ozarks Transportation Organization in fulfillment of the County's responsibilities under this agreement by the end of State Fiscal Year 2015.

(ii) The City and County will also receive local cost participation credit for funds contributed by the BNSF Railway Company (hereinafter, "Railroad") for elimination of an at-grade rail crossing, currently estimated to be three hundred forty two thousand eight hundred seventy-seven dollars (\$342,877). These funds will be contributed by way of a separate agreement between the Railroad and the Commission. If the Railroad fails to make payment, the City will increase its cash contribution to fulfill the City and County share of the project cost.

(iii) The City shall be responsible for the remainder of the City's and County's responsibilities, currently estimated to be five million one hundred seventy-three thousand two hundred one dollars (\$5,173,201). The City's contribution will be composed of STP-Urban funds, a credit for BNSF Railway Company funds contributed to the project, and local funds.

(iv) The City agrees that the Commission may program up to three million one hundred seventy-three thousand two hundred one dollars (\$3,173,201) of STP-Urban funds allocated to the City by the Ozarks Transportation Organization in partial fulfillment of the City's responsibilities under this agreement. STP-Urban funds will be programmed by the end of State Fiscal Year 2015.

(v) For the remainder of the City's contribution, and as the required 20% match of STP-Urban funds, the City shall remit a check in the amount of two million dollars (\$2,000,000) no later than 21 days prior to the letting of the project. The check should be made payable to the *Missouri Highway and Transportation Commission – Local Fund*. If the City fails to make this deposit, the Commission is under no obligation to continue with the project.

(D) The Commission will pay for fifty percent (50%) of the total project cost in excess of the three million dollar (\$3,000,000) contribution of Multimodal – Railroad Division funds, currently estimated at five million nine hundred sixteen thousand seventy-eight dollars (\$5,916,078). Of this amount, four million eight hundred forty-six thousand five hundred twenty-three dollars (\$4,846,523) will come from the Commission's Cost Share program, available in State Fiscal Year 2015. One million sixty-nine thousand five hundred fifty-five (\$1,069,555) dollars will come from in-kind expenses for engineering and incidentals.

(E) The City and the Commission will each be equally responsible for the balance of the project in excess of fourteen million, eight hundred thirty-two thousand, one hundred fifty-six dollars (\$14,832,156). The Commission's share of any cost over runs will come from its Southwest District funds distributed to the Ozarks Transportation Organization area. The City's share of any cost over runs will be paid with cash. The City and Commission will each share savings equally if the project costs less than fourteen million eight hundred thirty-two thousand one hundred fifty-six dollars (\$14,832,156). If the Commission programs less than three million five hundred seventy-three thousand two hundred one dollars (\$3,573,201) cumulative of STP-Urban funds attributed to both the City and County for the project, both the City and County agree that the City and County will be each credited with a proportional share of the STP-Urban savings relative to their initial investment of STP-Urban funding.

(2) REVISION TO EXHIBIT "B" OF THE ORIGINAL AGREEMENT: Exhibit "B" of the Original Agreement is hereby deleted in its entirety and replaced with the Exhibit "B" to the First Supplemental Agreement, attached hereto and made part hereof.

(3) ORIGINAL AGREEMENT: Except as otherwise modified, amended, or supplemented by this First Supplemental Agreement, the Original Agreement between the parties shall remain in full force and effect and shall extend and apply to this First Supplemental Agreement as if fully written in this First Supplemental Agreement.

[Remainder of Page Intentionally Left Blank; Signatures Appear on Following Page]

IN WITNESS WHEREOF, the parties have entered into this First Supplemental Agreement on the date last written below.

Executed by the City this ____ day of _____, 20__.

Executed by the County this ____ day of _____, 20__.

Executed by the Commission this ____ day of _____, 20__.

**MISSOURI HIGHWAYS AND
TRANSPORTATION COMMISSION**

CITY OF SPRINGFIELD

Title _____

By _____
Title _____

ATTEST:

ATTEST:

Secretary to the Commission

By _____
Title _____

Approved as to Form:

Approved as to Form:

Commission Counsel

Title: _____

Ordinance No _____

GREENE COUNTY

By _____
Presiding Commissioner

ATTEST:

By _____

By _____
Associate Commissioner

Title: _____

By _____
Associate Commissioner

Approved as to Form:

Title: _____

“Exhibit B to the First Supplemental Agreement”

Description:	Construct a railroad grade separation on Chestnut Expressway (BU65) west of Route 65.	
Definition of "Total Project" for Cost Sharing Includes:		
PE Costs	ROW	ROW Incidentals
Construction	Inspection	
Definition of "Total Project" for Cost Sharing Excludes:		
Cost to Accelerate Project		
Project Estimate		
	Current Estimate	Cost Share Eligible
Preliminary Engineering	\$ 534,216	\$ 534,216
Right-of-way	\$ 3,722,000	\$ 3,722,000
Right-of-way Incidentals	\$ 49,970	\$ 49,970
Utilities	\$ 500,000	\$ 500,000
Construction	\$ 8,342,000	\$ 8,342,000
Contingency	\$ 106,840	\$ 106,840
Non-contractuals	\$ -	\$ -
Inflation (2011-2015)	\$ 1,150,003	\$ 1,150,003
Inspection and Letting	\$ 427,127	\$ 427,127
Total	\$ 14,832,156	\$ 14,832,156
Project Responsibilities		
Preliminary Engineering	MoDOT	
ROW Acquisition	MoDOT	
Letting	MoDOT	
Inspection	MoDOT	
Financial Responsibilities		
City of Spfd 1/8 Cent	\$ 2,000,000	
City of Spfd STP-U	\$ 3,173,201	
Greene Co. STP-U	\$ 400,000	
BNSF Contribution	\$ 342,877	
Local Reserved 5	\$ -	
Local Reserved 6		
MoDOT/D8 in-kind	\$ 1,069,555	
Cost Share Program	\$ 4,846,523	
MoDOT Section 130 Funds	\$ 2,250,000	
MoDOT Grade Crossing Safety Account	\$ 750,000	
How are overruns and underruns handled?		
MoDOT and the City of Springfield will share cost overruns and underruns equally. If less than \$3,573,201 of STP-Urban funds are programmed, the City and County will each be credited with a porportional share relative to their initial investment.		

CITY OF SPRINGFIELD, MO
BUDGET ADJUSTMENT

Exhibit 2

BA Number 0030

Revenues:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
46040	20	73020	416010	100197	00000	847,538	STP-Urban Federal Grant Funds
Net Revenue Adjustment						847,538	

Expenditures:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
46040	20	73020	509110	100197	00000	847,538	Chestnut Exp/BNSF Railroad Overpass Bridge Improvement
Net Expenditure Adjustment						847,538	

Fund Balance Appropriation:

Fund	Title	Amount

Explanation: To appropriate federal grant funds for partial funding of the Chestnut/BNSF Railroad Overpass Bridge Improvement project in partnership with MoDOT and Greene County per the Supplemental Cost Share Agreement.

Requested By:

Approved By:

Authorization:

[Signature] 11/26/2014
for Department Head Date

Mary Mann Dackar 11/26/2014
Director of Finance Date
[Signature] 1/12/2015
City Manager Date

Council Bill No. 2014-297
Ordinance No. 26503
1st Reading 12/15/14
2nd Reading 1/12/15
Journal Imp No. _____

Exhibit C

CONTRACT
2012-1264-02

	Routing Order	Date	Initials
Director of Finance	MARY MANNIX-DECKER	12/02/2015	MMD
Contract Administrator	MARILYN DAY	12/02/2015	MD
Assistant City Attorney	AMANDA CALLAWAY	12/01/2015	ARC
City Manager	GREG BURRIS	12/01/2015	GB

City Clerk ANITA COTTER

New Contract Contract Renewal Addendum

12/3/15 CM
Change Order 5 to PW
1-5-16 CM

Type Of Contract: INTERGOVERNMENTAL

Contractor: MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION AND GREENE COUNTY

Originating Dept: PUBLIC WORKS

Contact Person: KIRK JURANAS

Effective Date: 10/10/2012

Termination Date:

Amount: \$ 5,464,078.00 Requisition: PO:

Additional Amt: \$.00

Notes: STATE PROJECT NO. 8P2196; PROJECT SPLIT INTO TWO PHASES

Description: COST SHARE AGREEMENT - BUSINESS ROUTE 65 PR CHESTNUT OVER BNSF THAYER LINE

Council Bill: 2014-297

Ordinance No. 26503

5 to Kirk Juranas to fully execute
1 copy received

CCO Form:
Approved:
Revised: 09/15 (AR)

Greene County
City of Springfield
Project J8P2196 & J8P2196B

**MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION
COST SHARE PROGRAM
SECOND SUPPLEMENTAL AGREEMENT**

THIS SECOND SUPPLEMENTAL AGREEMENT is entered into by the Missouri Highways and Transportation Commission (hereinafter, "Commission"), the City of Springfield (hereinafter, "City"), and the County of Greene (hereinafter, "County").

WITNESSETH:

WHEREAS, on November 2, 2012 the Commission, the City, and the County entered into a Cost Share Agreement as to public improvements designated as Job No. J8P2196, for the construction of a railroad grade separation on Chestnut Expressway in Springfield, (hereinafter, "Original Agreement"); and

WHEREAS, on February 9, 2015 the Commission, the City, and the County entered into a Cost Share Program First Supplemental Agreement, revising the Original Agreement as provided therein, (hereinafter, "First Supplemental Agreement"); and

WHEREAS, the Commission and the City now desire to revise the Original Agreement and the First Supplemental Agreement as provided in this Second Supplemental Agreement.

NOW, THEREFORE, in consideration of the mutual covenants, promises and representations contained herein, the parties agree as follows:

(1) REVISION: The Parties agree that the public improvements that are the subject to the Original Agreement, as revised by the First Supplemental Agreement, will be constructed in two phases, with the first phase being designated as Commission Job No. J8P2196B, and the second phase being designated as Commission Job No. J8P2196. The Original Agreement and the First Supplemental Agreement are hereby revised to replace all the references to job number "J8P2196" with job numbers "J8P2196 and J8P2196B".

(2) REVISION TO EXHIBIT "B" OF THE FIRST SUPPLEMENTAL AGREEMENT: Exhibit "B" to the First Supplemental Agreement is hereby deleted in its entirety and replaced with the Exhibit "B" to the Second Supplemental Agreement, attached hereto and made part thereof.

(3) ORIGINAL AGREEMENT: Except as otherwise modified, amended, or supplemented by this Second Supplemental Agreement, the Original Agreement and all previous Supplemental Agreements between the parties shall remain in full force and effect and shall extend and apply to this Second Supplemental Agreement as if fully written in this Second Supplemental Agreement.

[Remainder of page intentionally left blank; Signatures appear on following page]

Missouri Highways and Transportation Commission
Cost Share Agreement – Second Supplemental Agreement
Project No. 8P2196
Business Route 65 (Chestnut Expressway)
Crossing BNSF west of Route 65/Business Route 65 interchange

CERTIFICATE OF DIRECTOR OF FINANCE

I certify that the expenditure contemplated by this document is within the purpose of the appropriation to which it is to be charged and that there is an unencumbered balance of appropriated and available funds to pay therefor.

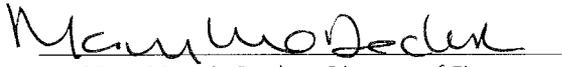

Mary Mannix-Decker, Director of Finance

Exhibit "B" to the Second Supplemental Agreement

Project Name: Chestnut Railroad Grade Separation
MoDOT Job Number: 8P2196

Description: Construct a railroad grade separation on Chestnut Expressway (BU65) west of Route 65.

Definition of "Total Project" for Cost Sharing Includes:

PE Costs	ROW	ROW Incidentals
Construction	Inspection	

Project Split: 8P2196
 Phase II roadwork, right-of-way, utilities by others

Definition of "Total Project" for Cost Sharing Excludes:

Cost to Accelerate Project		

Project Split: 8P2196B
 Phase I roadwork, utilities by contract

Project Estimate		
	Current Estimate	Cost Share Eligible
Preliminary Engineering	\$ 536,216	\$ 536,216
Right-of-way	\$ 4,067,000	\$ 4,067,000
Right-of-way Incidentals	\$ 49,970	\$ 49,970
Utilities	\$ 50,000	\$ 50,000
Construction	\$ 9,456,000	\$ 9,456,000
Contingency	\$ 190,000	\$ 190,000
Non-contractuals	\$ -	\$ -
Inflation (2011-2015)	\$ -	\$ -
Inspection and Letting	\$ 427,127	\$ 427,127
Total	\$ 14,776,313	\$ 14,776,313

Split Project Estimate		
	8P2196	8P2196B
	\$ 396,800	\$ 139,416
	\$ 4,067,000	\$ -
	\$ 49,970	\$ -
	\$ 50,000	\$ -
	\$ 6,998,000	\$ 2,458,000
	\$ 140,611	\$ 49,389
	\$ -	\$ -
	\$ -	\$ -
	\$ 318,437	\$ 108,690
Total	\$ 12,020,818	\$ 2,755,495

Project Responsibilities

Preliminary Engineering	MoDOT
ROW Acquisition	MoDOT
Letting	MoDOT
Inspection	MoDOT

Financial Responsibilities

City of Spfd 1/8 Cent	\$ 2,000,000
City of Spfd STP-U	\$ 3,173,201
Greene Co. STP-U	\$ 400,000
BNSF Contribution	\$ 342,877
Local Reserved 5	\$ -
Local Reserved 6	
MoDOT/D8 in-kind	\$ 1,013,313
Cost Share Program	\$ 4,846,922
MoDOT Section 130 Funds	\$ 2,250,000
MoDOT Grade Crossing Safety Account	\$ 750,000

Financial Responsibilities - Split		
	8P2196	8P2196B
	\$ 2,000,000	\$ -
	\$ 2,458,612	\$ 714,589
	\$ -	\$ 400,000
	\$ 342,877	\$ -
	\$ -	\$ -
	\$ -	\$ -
	\$ 765,207	\$ 248,106
	\$ 3,454,122	\$ 1,392,800
	\$ 2,250,000	\$ -
	\$ 750,000	\$ -
Total	\$ 12,020,818	\$ 2,755,495

How are overruns and underruns handled?

MoDOT and the City of Springfield will share cost overruns equally. MoDOT, the City of Springfield and Greene County will share cost savings from underruns in proportion to the initial investment, with the ROW donation split between City and County Equally.

Exhibit D

CCO Form:
Approved:
Revised: 09/15 (AR)

Greene County
City of Springfield
Project J8P2196 & J8P2196B

**MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION
COST SHARE PROGRAM
THIRD SUPPLEMENTAL AGREEMENT**

THIS THIRD SUPPLEMENTAL AGREEMENT is entered into by the Missouri Highways and Transportation Commission (hereinafter, "Commission"), the City of Springfield (hereinafter, "City"), and the County of Greene (hereinafter, "County").

WITNESSETH:

WHEREAS, on November 2, 2012 the Commission, the City, and the County entered into a Cost Share Agreement as to public improvements designated as Job No. J8P2196, for the construction of a railroad grade separation on Chestnut Expressway in Springfield, (hereinafter, "Original Agreement"); and

WHEREAS, on February 9, 2015 the Commission, the City, and the County entered into a Cost Share Program First Supplemental Agreement, revising the Original Agreement as provided therein, (hereinafter, "First Supplemental Agreement"); and

WHEREAS, on December 14th, 2015 the Commission, the City, and the County entered into a Cost Share Program Second Supplemental Agreement, revising the Original Agreement as provided therein, (hereinafter, "Second Supplemental Agreement"); and

WHEREAS, the Commission and the City now desire to revise the Original Agreement and the Second Supplemental Agreement as provided in this Third Supplemental Agreement.

NOW, THEREFORE, in consideration of the mutual covenants, promises and representations contained herein, the parties agree as follows:

(1) REVISION: Paragraph 9 "FINANCIAL RESPONSIBILITIES" subparagraphs (C) (iv) and (E) are deleted in their entirety and replaced with the following:

(C) (iv) The City agrees that the Commission may program up to 61.3% of its responsibility of the total project cost with STP-Urban funds allocated to the City by the Ozarks Transportation Organization, currently estimated to be three million one hundred seventy-three thousand two hundred one dollars (\$3,173,201).

(E) The City and the Commission will each be equally responsible for the balance of the project in excess of fourteen million, eight hundred thirty-two thousand, one hundred fifty-six dollars (\$14,832,156). The Commission's share of any cost over runs will come from its Southwest District funds distributed to the Ozarks Transportation Organization area. The City's share of any cost over runs will be paid with 61.3% STP-Urban funds and 38.7% cash. The City and Commission will each share savings equally if the project costs less than fourteen million eight hundred thirty-two thousand one hundred fifty-six dollars (\$14,832,156). If the Commission programs less than three million five hundred seventy-three thousand two hundred one dollars (\$3,573,201) cumulative of STP-Urban funds attributed to both the City and County for the project, both the City and County agree that the City and County will be each credited with a proportional share of the STP-Urban savings relative to their initial investment of STP-Urban funding.

(2) ORIGINAL AGREEMENT: Except as otherwise modified, amended, or supplemented by this Third Supplemental Agreement, the Original Agreement and all previous Supplemental Agreements between the parties shall remain in full force and effect and shall extend and apply to this Third Supplemental Agreement as if fully written in this Third Supplemental Agreement.

[remainder of this page intentionally left blank]

IN WITNESS WHEREOF, the parties have entered into this Third Supplemental Agreement on the date last written below.

Executed by the City this _____ day of _____, 20____.

Executed by the County this _____ day of _____, 20____.

Executed by the Commission this _____ day of _____, 20____.

**MISSOURI HIGHWAYS AND
TRANSPORTATION COMMISSION**

CITY OF SPRINGFIELD

Title: _____

By _____
Title: _____

ATTEST:

Secretary to the Commission

ATTEST:
By _____
Title: _____

Approved as to Form:

Commission Counsel

Approved as to Form:

Title: _____
Ordinance No.: _____

GREENE COUNTY

By _____
Presiding Commissioner

ATTEST:
By _____

By _____
Associate Commissioner

Title: _____

By _____
Associate Commissioner

Approved as to Form:

Title: _____

Exhibit E

Summary With Estimated Actual Cost

Project Name: Chestnut Railroad Grade Separation
MoDOT Job Number: 8P2196, 8P2196B

Description: Construct a railroad grade separation on Chestnut Expressway (BU65) west of Route 65.

Definition of "Total Project" for Cost Sharing Includes:

PE Costs	ROW	ROW Incidentals
Construction	Inspection	

Definition of "Total Project" for Cost Sharing Excludes:

Cost to Accelerate Project		

Project Estimate

	Current Estimate	Cost Share Eligible
Preliminary Engineering	\$ 1,373,725	\$ 1,373,725
Right-of-way	\$ 4,854,160	\$ 4,854,160
Right-of-way Incidentals	\$ 129,146	\$ 129,146
Utilities	\$ 50,000	\$ 50,000
Construction	\$ 10,567,106	\$ 10,567,106
Contingency	\$ -	\$ -
Non-contractuals	\$ -	\$ -
Inflation (2011-2015)	\$ -	\$ -
Inspection and Letting	\$ 1,056,711	\$ 1,056,711
Total	\$ 18,030,848	\$ 18,030,848

Project Responsibilities

Preliminary Engineering	MoDOT
ROW Acquisition	MoDOT
Letting	MoDOT
Inspection	MoDOT

Financial Responsibilities

City of Spfd 1/8 Cent	\$ 2,618,947	Total Local Share
City of Spfd STP-U	\$ 4,153,600	\$ 7,515,424
Greene Co. STP-U	\$ 400,000	
BNSF Contribution	\$ 342,877	
	\$ -	
MoDOT/Southwest Flexible	\$ 109,319	
MoDOT/D8 in-kind	\$ 2,559,582	Total MoDOT Share
Cost Share Program	\$ 4,846,523	\$ 10,515,424
MoDOT Section 130 Funds	\$ 2,250,000	
MoDOT Grade Crossing Safety Account	\$ 750,000	

How are overruns and underruns handled?

Multimodal funds pay the first \$3 million of project costs. MoDOT and the City of Springfield will share cost overruns equally. MoDOT, the City of Springfield and Greene County will share cost savings from underruns in proportion to the initial investment, with the ROW donation split between City and County Equally.

Exhibit F



CITY OF SPRINGFIELD, MO
BUDGET ADJUSTMENT

Exhibit G

BA Number 0012

Revenues:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
46040	20	73020	416010	100197	00000	1,286,899	STP-Urban Federal Grant Funds
Net Revenue Adjustment						1,286,899	

Expenditures:

Fund	Dept	Org	Account	P&G	Location	Amount	Description
46040	20	73020	509110	100197	00000	1,286,899	Chestnut Exp/BNSF Railroad Overpass Bridge Improvement
Net Expenditure Adjustment						1,286,899	

Fund Balance Appropriation:

Fund	Title	Amount

Explanation: To appropriate additional federal STP grant funds for partial funding of the Chestnut/BNSF Railroad Overpass Bridge Improvement project in partnership with MoDOT and Greene County per the Third Supplemental Cost Share Agreement, including a contingency per the council bill explanation sheet. Third Supplemental Agreement provides that 61.3% of cost overruns applicable to the city will be funded by the City's STP Funds.

Requested By:

Don Smith 10/12/16
Department Head Date

Approved By:

DL Hill 10/12/16
Director of Finance Date

Authorization:

Council Bill No. 2016-235
Ordinance No. _____
1st Reading _____
2nd Reading _____
Journal Imp No. _____

City Manager Date

One-rdg. _____
P. Hrngs. _____
Pgs. 8
Filed: 10-11-16

Sponsored by: Schilling

First Reading: _____

Second Reading: _____

COUNCIL BILL NO. 2016- 236

SPECIAL ORDINANCE NO. _____

AN ORDINANCE

1 AUTHORIZING the City Manager, or his designee, to enter into an Intergovernmental
2 Agreement for a road improvement project with Greene County, Missouri,
3 for the purpose of constructing roadway improvements on Republic Road
4 between Golden Avenue and Route FF in the amount of \$1,248,000.
5 _____
6

7 WHEREAS, the City and Greene County ("County") desire to enter into an
8 agreement to share costs associated with completing roadway improvements from Golden
9 Avenue to Route FF on Republic Road as part of the West Republic Road Project; and
10

11 WHEREAS, these roadway improvements include a five-lane curb and gutter
12 roadway, stormwater drainage system, pedestrian sidewalks, and utility relocations; and
13

14 WHEREAS, these improvements will be of benefit to the citizens of the City and the
15 County.
16

17 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
18 SPRINGFIELD, MISSOURI, as follows, that:
19

20 Section 1 – The City Manager, or his designee, is hereby authorized to enter into an
21 Intergovernmental Cooperative Agreement with Greene County, Missouri, said agreement
22 to be in substantially the form as that document attached hereto and incorporated herein by
23 reference as "Exhibit A."
24

25 Section 2 – This Ordinance shall be in full force and effect from and after passage.
26

27 Passed at meeting: _____
28
29
30

31 _____
32 Mayor

33 Attest: _____, City Clerk
34

35 Filed as Ordinance: _____
36

37

38 Approved as to form: Amanda R. Callaway, Assistant City Attorney

39

40

41 Approved for Council action: Greg Burt, City Manager

EXPLANATION TO COUNCIL BILL NO: 2016- 236

FILED: 10-11-16

ORIGINATING DEPARTMENT: Public Works

PURPOSE: To authorize the City Manager, or his designee, to enter into an Intergovernmental Cooperative Agreement with Greene County ("County"), as described in "Exhibit A" and attached hereto for reference, for the purpose of sharing costs for the Republic Road improvement project between Golden Avenue and Route FF.

BACKGROUND INFORMATION: Republic Road serves both County and City residents as a primary arterial roadway and the County and City desire to enter into a Intergovernmental Cooperative Agreement for the purpose of improving same. Republic Road between Golden Avenue and Route FF represents a continuation of recent transportation improvements being performed by the City and the County and the County and the City have a mutual interest in improving and sharing the cost of the improvements. These improvements include: a five-lane curb and gutter roadway, a stormwater drainage system, pedestrian sidewalks and utility relocations ("Improvements").

The estimated total project cost for the Improvements is \$6,000,000. The total project cost will be shared approximately 79.2% by the County (\$4,752,000) and approximately 20.8% by the City (\$1,248,000). The City's share will be partially funded by the Springfield-Greene County Parks Sales Tax for Stormwater and Waterways (\$328,000) from funds previously budgeted for stormwater and waterway improvements. The remaining City portion (\$920,000) will be funded from budgeted reimbursement funds previously received from the Missouri Department of Transportation (MoDOT) for the City's advance funding of the National Avenue and James River Freeway Interchange Improvements completed in 2010.

The City intends to eventually annex the road affected by the Improvements in connection with the City's major thoroughfare plan.

This Ordinance Supports the following Field Guide 2030 goal(s): Chapter 12, Transportation; Major Goal 2, Operations and Maintenance The City of Springfield should continue to maintain streets, sidewalks, trails, and the airport, using the most effective strategies to maximize the efficient operation of the existing systems, keeping in mind safety, accessibility, sustainability, and collaboration; Objective 2a, Keep streets and sidewalks and trails in good condition with an emphasis on arterial streets; Objective 2d, The City of Springfield should coordinate operations and maintenance efforts with Greene County, the State of Missouri, rail, and transit to ensure a seamless connection to the regional system. Major Goal 3, Economic Development Encourage economic growth and vitality for Springfield and the region by providing transportation infrastructure and facilities that ensure opportunities for future economic development and promote desired growth; Objective 3b, Continue the development of north/south and east/west corridors that would facilitate linkages and relief routes within Springfield and between

surrounding communities. Develop a process for the continued planning and preservation of new roadway corridors and alignments in anticipation of future development, to improve connectivity, and to relieve congestion. Developing connections between Springfield and the surrounding communities should be a high priority and a collaborative effort, specifically through the coordination of each community's Major Thoroughfare Plan.

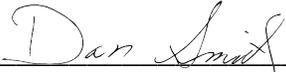
REMARKS: Public Works recommends approval of this Council bill.

Submitted by:



Kirk Juranas, Assistant Director of Public Works

Recommended by:



Dan Smith, Director of Public Works

Approved by:



Greg Burris, City Manager

Exhibit A

**INTERGOVERNMENTAL COOPERATIVE AGREEMENT
Republic Road (Farm Road 170) between Golden Avenue and Route FF**

THIS AGREEMENT made and entered into this ____ day of _____, 2016, by and between the CITY OF SPRINGFIELD, MISSOURI (hereinafter referred to as "City"), and GREENE COUNTY, MISSOURI (hereinafter referred to as "County"):

WITNESSETH:

WHEREAS, Section 70.220, RSMo. (2000) authorizes governments to cooperate with one another in various matters, and;

WHEREAS, Republic Road, also known as Farm Road 170, serves both County and City residents as a Primary Arterial roadway, and;

WHEREAS, the Republic Road corridor supports the economic vitality of the Springfield region by providing transportation accessibility and mobility for both people and freight, and;

WHEREAS, the section of Republic Road located between Golden Avenue and Route FF represents a continuation of recent transportation improvements being performed by both the City and County, and;

WHEREAS, The County and City have a mutual interest in improving Republic Road between Golden Avenue and Route FF (hereinafter referred to as the West Republic Road Project), and;

WHEREAS, The County and City have also have a mutual interest in sharing the cost of said improvements to the West Republic Road Project;

NOW, THEREFORE, the parties do hereby mutually covenant and agree as follows:

1. **ENGINEERING AND DESIGN BY THE COUNTY:** County shall, at its sole cost and expense, engineer and design all necessary improvements for the West Republic Road Project. These improvements shall include construction of a five-lane curb and gutter roadway, a stormwater drainage system, pedestrian sidewalks and utility relocations along West Republic Road, from Golden Avenue to Route FF, a total distance of approximately 5,900 feet, said improvements are shown on Exhibit A, attached hereto and incorporated herein by reference ("Improvements").

2. **RIGHT OF WAY ACQUISITION BY COUNTY:** County shall, at its sole cost and expense, acquire all necessary right of way and easements for said improvements.

3. **CONSTRUCTION OF IMPROVEMENTS BY COUNTY:** County shall, at its sole cost and expense, construct and inspect the Improvements . County shall also, at its sole cost and expense, reimburse the

various utility companies for any relocation of their facilities currently in private easement due to the Improvements. The estimated cost of construction and utility relocations is \$6,000,000.

4. **REIMBURSEMENT OF COST:** The City shall be responsible for \$1,248,000 of the cost of the construction of the Improvements. The City agrees to pay the County the sum of \$1,248,000 no later than 30-days after the Notice of Award of the construction contract by the County.

5. **PREVAILING WAGES:** Greene County acknowledges that all labor utilized in the construction of the aforementioned project shall be paid a wage of no less than the "prevailing hourly rate of wages" for work of a similar character in this locality, as established and amended at any time by the Department of Labor and Industrial Relations of the State of Missouri.

6. **CONFLICT OF INTEREST:** In accepting this contract, Greene County certifies that no member or officer of its firm or corporation is an officer or employee of the City of Springfield, Missouri, or any of its boards or agencies, and further that no officer or employee of the City has any financial interest, direct or indirect, in this contract. All applicable federal regulations and provisions of RSMo Section 105.450 et seq. shall not be violated.

7. **ASSIGNMENT:** Greene County shall not assign any interest in this contract, and shall not transfer any interest in the same (whether by assignment or novation), without prior written consent of the City thereto.

8. **NOTICES:** All notices required or permitted hereinunder and required to be in writing may be given by FAX or by first class mail addressed to City and Greene County. The date of delivery of any notice given by mail shall be the date falling on the second full day after the day of its mailing. The date of delivery of notice by FAX transmission shall be deemed to be the date transmission occurs, except where the transmission is not completed by 5:00 p.m. on a regular business day at the terminal of the receiving party, in which case the date of delivery shall be deemed to fall on the next regular business day for the receiving party.

9. **ENTIRE AGREEMENT:** This agreement contains the entire agreement of the parties. No modification, amendment, or waiver of any of the provisions of this agreement shall be effective unless in writing specifically referring hereto, and signed by both parties.

10. **JURISDICTION:** This agreement and every question arising hereunder shall be construed or determined according to the laws of the State of Missouri. Should any part of this agreement be adjudicated, venue shall be proper only in the Circuit Court of Greene County, Missouri.

11. **INDEPENDENT PARTIES:** The parties are independent, and nothing contained herein shall constitute or designate Greene County, or any of Greene County's contractors, agents, or employees, as agents or employees of the City.

12. **DISCRIMINATION:** Greene County agrees in the performance of this contract not to discriminate on the ground or because of race, creed, color, national origin or ancestry, sex, religion, handicap, age, status as a protected veteran or status as a qualified individual with a disability, or political opinion or affiliation.

IN WITNESS WHEREOF the parties have caused this instrument to be duly executed the date first written above.

CITY OF SPRINGFIELD, MISSOURI

By:

Assistant City Manager

Date: _____

CERTIFICATE OF DIRECTOR OF FINANCE

I certify that the expenditure contemplated by this document is within the purpose of the appropriation to which it is to be charged and that there is an unencumbered balance of appropriated and available funds to pay therefore.

Director of Finance or Acting Director

APPROVED AS TO FORM

City Attorney or Assistant City Attorney

GREENE COUNTY

By: _____
Bob Cirtin, Presiding Commissioner

By: _____
Harold Bengsch, Commissioner 1st District

By: _____
Roseann Bentley, Commissioner 2nd District

By: _____
Rick Artman, Administrator
Greene County Highway Department

Attest: _____
Shane Schoeller, County Clerk

AUDITOR CERTIFICATION

I, Cindy S. Stein, the duly appointed and acting Auditor of Greene County, Missouri, and in that capacity, do hereby certify on this ____ day of _____, 201__, that there is an unencumbered balance to the credit of the appropriation which is to be charged for the County's share of the costs described in the Agreement sufficient to meet the County's obligations under this Agreement and an unencumbered cash balance in the County treasury to the credit of the fund from which the County's financial obligation described in the Agreement shall be paid sufficient to meet the County's obligations under the Agreement.

Cindy Stein, Greene County Auditor

APPROVED AS TO FORM

John W. Housley, Greene County Counselor

Exhibit B

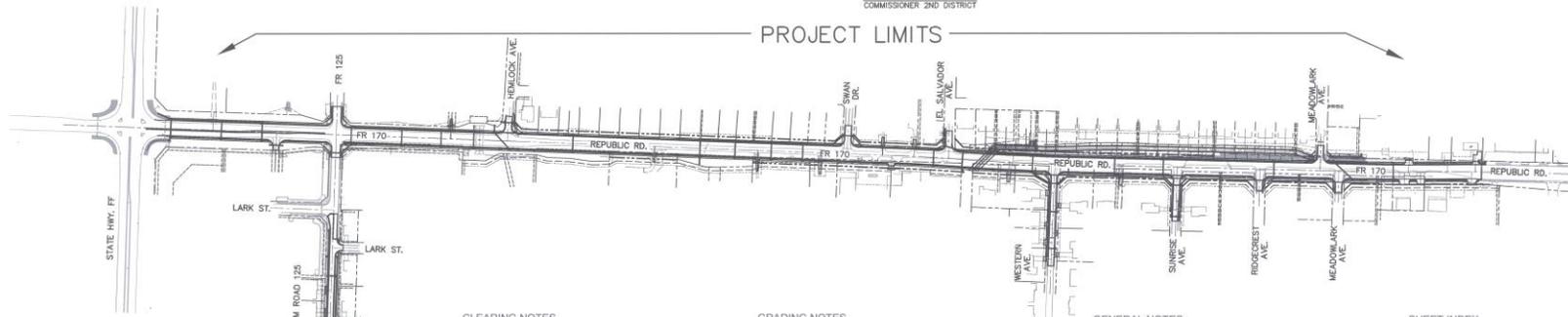
DESIGN DESIGNATION	
A.S.T. - 2007	FARM ROAD 170
V -	12,500 VPD
FUNCTIONAL CLASSIFICATION	45 MPH PRIMARY ARTERIAL
LENGTH OF PROJECT	
END OF PROJECT FR 170	STA 11+18
BEGINNING OF PROJECT FR 170	STA 69+45
APPROX. LENGTH	5867 FEET
TOTAL CORRECTIONS	0 FEET
NET LENGTH OF PROJECT	5867 FEET

GREENE COUNTY, MISSOURI HIGHWAY DEPARTMENT WEST REPUBLIC ROAD = FR 170 PAVING & DRAINAGE IMPROVEMENTS (Highway FF to Golden Ave.)

PROJECT No. 08039
BID No. 16-10546

GREENE COUNTY COMMISSION

ROBERT CURTIN
PRESIDING COMMISSIONER
HAROLD BENGSOCH
COMMISSIONER 1ST DISTRICT
ROSEANN BENTLEY
COMMISSIONER 2ND DISTRICT



LEGEND

	= EX. OVERHEAD ELECTRIC SERVICE		= EX. FIRE HYDRANT
	= EX. UNDERGROUND COMMUNICATIONS		= EX. MAILBOX
	= EX. POWER POLE		= EX. TREE
	= EX. GUY ANCHOR		= EX. SHRUB
	= EXISTING MANHOLE & SANITARY SEWER LINE		= EX. IRON PIN (PROPERTY CORNER)
	= EX. WATER MAIN		= EX. SIGN
	= EX. WATER VALVE		= EX. LIGHT POLE
	= EX. WATER METER (POINT TRENCH)		= NEW WOOD PRIVACY FENCE
	= EX. WATER-GAS (POINT TRENCH)		= NEW CHAIN LINK FENCE
	= EX. GAS MARKS		= EX. GAS VALVE
	= EX. GAS MARKS		= EX. TELEPHONE RISER

UTILITY CONTACTS

CU (WATER) MARK LOGAN	* 417-831-6246
CU (EAS) ALLEN CAPPIS	* 417-831-6246
CU (ELEC) ERIC COCHRAN	* 417-831-8812
SANITARY SEWERS (SWS) BRIAN SHYRE	* 417-836-2887
AT&T (TELE) JOE CRW	* 417-836-2851
MEDIA/COM (CABLE) KYLIE KELLER	* 417-486-8577
OZARK ELECTRIC (ELEC) DAN LOKAMP	* 417-724-5007

CLEARING NOTES

1) CONTRACTOR SHALL REMOVE ALL TREES WITHIN THE RIGHT-OF-WAY UNLESS OTHERWISE BY THE ENGINEER.
CLEARING SHALL CONSIST OF THE SATISFACTORY DISPOSAL OF VEGETATION BRUSH, BRUSH AND RUBBISH OCCURRING WITHIN THE AREAS TO BE CLEARED.
GRUBBING SHALL CONSIST OF THE REMOVAL AND DISPOSAL OF ALL STUMPS AND ROOTS LARGER THAN 3 INCHES IN DIAMETER TO A DEPTH OF NOT LESS THAN 12 INCHES BELOW THE EXISTING GROUND SURFACE, AND MATTED ROOTS, AND OTHER VEGETATION WITHIN THE CLEARED AREAS. ALL EXCAVATIONS MADE FOR GRUBBING OPERATIONS SHALL BE BACKFILLED WITH SUITABLE MATERIALS AND COMPACTED IN THE MANNER SPECIFIED BELOW.
2) THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ANY NECESSARY BURNING PERMITS OR FOR DISPOSAL OF CLEARED MATERIAL OFF-SITE IF A BURNING PERMIT CANNOT BE OBTAINED FOR THE SITE.
3) ANY EXISTING STRUCTURES, FENCES, RUBBLE, FOUNDATIONS, ETC., WITHIN THE LIMITS OF GRUBBING SHALL BE REMOVED AND DISPOSED OF, OFF-SITE BY THE CONTRACTOR.

CONSTRUCTION SITE HOUSEKEEPING

1) CONSTRUCTION SITE SHALL INCLUDE ALL AREAS WITHIN THE LIMITS OF CONSTRUCTION AND SHALL INCLUDE ALL RIGHTS-OF-WAY, PERMANENT EASEMENTS, AND TEMPORARY CONSTRUCTION ELEMENTS. THE CONTRACTOR SHALL KEEP THE AREA NEAT AND CLEAN AT ALL TIMES. THE AREA SHALL BE LEFT FREE OF CONSTRUCTION DEBRIS AND LITTER DURING THE LENGTH OF THE PROJECT. AREAS SHALL BE MOVED AND RESS SHALL BE KEPT IN CHECK FOR THE FOLLOWING INSTRUCTIONS:
A) URBAN AREAS, UNLESS OTHERWISE DIRECTED BY THE ENGINEER, GRASS WITHIN THE CONSTRUCTION LIMITS SHALL BE KEPT AT A HEIGHT THAT CLOSELY MATCHES THE ADJACENT PRIVATE PROPERTIES.
B) RURAL AREAS, UNLESS OTHERWISE DIRECTED BY THE ENGINEER, GRASS WITHIN THE CONSTRUCTION LIMITS SHALL BE KEPT AT A HEIGHT THAT CLOSELY MATCHES THE ADJACENT PRIVATE PROPERTIES OR MATCHES THE HEIGHT OF THE ADJACENT COUNTY MAINTAINED RIGHT-OF-WAY.
NO ADDITIONAL PAYMENTS WILL BE MADE FOR THE COMPLETION OF THIS WORK. THIS ITEM IS CONSIDERED INCIDENTAL TO THE SCOPE OF THE PROJECT.

GRADING NOTES

1) TOPSOIL WITHIN ALL AREAS TO BE CUT OR FILLED SHALL BE STRIPPED TO A DEPTH BELOW THE ROOTS OR EXISTING GROUND COVER.
TOPSOIL SHALL BE STOCKPILED & USED FOR FINISHED GRADING.
2) THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING EARTH WORK QUANTITIES.
3) EXCESS EXCAVATED MATERIAL, IF ANY, SHALL BE DEPOSITED OF BY THE CONTRACTOR.
NO CLASSIFICATION OF EXCAVATED MATERIALS WILL BE MADE. EXCAVATION WORK SHALL INCLUDE THE REMOVAL AND SUBSEQUENT HANDLING OF ALL MATERIALS EXCAVATED OR OTHERWISE REMOVED IN PERFORMANCE OF THE WORK, REGARDLESS OF THE TYPE CHARACTER COMPOSITION OR CONDITION THEREOF.
4) THE CONTRACTOR SHALL COMPLY WITH ALL LABEL ORDINANCES APPLICABLE SAFETY CODE REQUIREMENTS, AND REGULATIONS RELATIVE TO THE HANDLING, STORAGE, AND USE OF EXPLOSIVES AND THE PROTECTION OF LIFE AND PROPERTY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL DAMAGE CAUSED BY THE BLASTING OPERATIONS. SUITABLE METHODS SHALL BE EMPLOYED TO CONFINE ALL MATERIALS STORED BY BLASTING WITHIN THE LIMITS OF THE EXCAVATION.
5) GRADING, CUT OR FILL, IN AREAS NOT INDICATED TO BE RESEDED OR SOODED, THE CONTRACTOR SHALL MAINTAIN ADEQUATE COVER OR SANITARY AND STORM SEWER IMPROVEMENTS.
6) THE CONTRACTOR SHALL LIMIT ANY AND ALL CONSTRUCTION ACTIVITIES WITHIN THE STREAM CHANNEL BETWEEN STA. 47+00-01 AND STA. 69+45-01 TO LOW FLOW PERIODS IN ORDER TO MANAGE SEDIMENT DISTURBANCE WITHIN THE CHANNEL.
7) CARE SHALL BE TAKEN TO KEEP ALL MACHINERY AND MATERIALS OUT OF THE WATERWAY BETWEEN STA. 47+00-01 AND STA. 69+45-01 AS MUCH AS POSSIBLE. FUEL, OIL AND OTHER PETROLEUM PRODUCTS, EQUIPMENT, CONSTRUCTION MATERIALS, AND ANY SOLID WASTE SHALL NOT BE STORED BELOW THE ORDINARY HIGH WATER MARK AT ANY TIME OR ANYWHERE WITHIN THE FLOODWAY BEYOND NORMAL WORKING AREAS.
8) THE CONTRACTOR SHALL RESTORE ALL STREAM BANKS BETWEEN STA. 47+00-01 AND STA. 69+45-01 TO A STABLE CONDITION IN ORDER TO PROTECT WATER QUALITY AS SOON AS POSSIBLE. SEEDING, MULCHING, FERTILIZATION AND EROSION/SEDIMENT INSTALLATION MEASURES SHALL BE COMPLETED INSIDE OF THE STREAM CHANNEL WITHIN THREE (3) DAYS OF THE COMPLETION OF FINAL CONSTRUCTION WORK.

GREENE COUNTY COMPACTION NOTES:

ALL ROADWAY EMBANKMENT INCLUDING CURB AND SIDEWALK AREAS SHALL BE PROPERLY COMPACTED IN LAYERS NOT EXCEEDING 6 INCHES (LOOSE MEASUREMENT) AT THE RECOMMENDED MOISTURE CONTENT WITH COMPACTION TEST RESULTS PROVIDED TO THE GREENE COUNTY HIGHWAY DEPARTMENT. DENSITY AND MOISTURE REQUIREMENTS SHALL BE IN ACCORDANCE WITH THE MAXIMUM DENSITY AND OPTIMUM MOISTURE AS DETERMINED BY A STANDARD PROCTOR COMPACTION TEST. COMPACTION SHALL BE AT LEAST 90 PERCENT OF MAXIMUM DENSITY FOR EMBANKMENT UP TO WHEN IS FINISHED. THE SUBGRADE EMBANKMENT SHALL BE COMPACTED TO AT LEAST 90 PERCENT OF THE MAXIMUM DENSITY. ALL EMBANKMENT WITHIN 50 FEET OF ANY BRIDGE OR BOX CULVERT SHALL BE COMPACTED TO AT LEAST 90 PERCENT OF THE MAXIMUM DENSITY FOR A DEPTH OF 10 INCHES BELOW SUBGRADE. ALL AGGREGATE BASE ROCK SHALL BE COMPACTED TO AT LEAST 90 PERCENT OF MAXIMUM DENSITY.
ALL BACKFILL OF TRENCHES UNDER ANY ROADBED, CURB, SIDEWALK, OR ANY TRENCH WITHIN 2 FEET OF ANY OF THESE SHALL BE BACKFILLED WITH 1/2" TO 3/4" OF CLEAN SANDS, AGGREGATE OR FAVORABLE CONCRETE FILL. BACKFILL OF TRENCHES IN OTHER AREAS SHALL BE FAVORABLE CONCRETE FILL OR EARTH FILL COMPACTED TO AT LEAST 90 PERCENT OF MAXIMUM DENSITY.
COMPACTION TESTS WILL BE REQUIRED AT ANY TIME DEEMED NECESSARY BY THE GREENE COUNTY HIGHWAY DEPARTMENT. GREENE COUNTY HIGHWAY DEPARTMENT WILL ARRANGE FOR THE TESTS TO BE CONDUCTED AT NO EXPENSE TO THE CONTRACTOR, UNLESS A TEST FAILS TO MEET SPECIFIED COMPACTION. RE-TESTING IN AREAS THAT FAIL THE INITIAL TEST WILL BE AT THE CONTRACTOR'S EXPENSE AS AN ABSOLUTE MINIMUM, ONE TEST SHALL BE PERFORMED HORIZONTALLY EVERY 300 LINEAL FEET.

GENERAL NOTES:

1) IT IS THE CONTRACTOR'S RESPONSIBILITY TO DETERMINE THE EXACT HORIZONTAL AND VERTICAL LOCATION OF EXISTING UNDERGROUND FACILITIES PRIOR TO BEGINNING INSTALLATION OF NEW FACILITIES. CONTACT THE ENGINEER FOR INSTRUCTIONS UNLESS ANY CORRECTIONS ARE DISCOVERED.
2) IT IS THE CONTRACTOR'S RESPONSIBILITY TO CORRECT ANY DAMAGE TO UNDERGROUND UTILITIES OR OTHER OBSTRUCTIONS WHICH IS DUE TO HIS OPERATIONS.
3) STREETS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE LATEST EDITION OF THE "DESIGN STANDARDS FOR PUBLIC IMPROVEMENTS, GREENE COUNTY, MISSOURI," THE "MISSOURI STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION YEAR 2011 AND LATEST REVISIONS" ISSUED BY THE MISSOURI HIGHWAY AND TRANSPORTATION COMMISSION & THE CITY OF SPRINGFIELD "DESIGN STANDARDS FOR PUBLIC IMPROVEMENTS".
4) THE CONTRACTOR IS TO CONTACT THE CONSTRUCTION OFFICE OF THE GREENE COUNTY HIGHWAY DEPARTMENT (PHONE 417-869-8129) PRIOR TO ANY CONSTRUCTION FAILURE TO DO SO MAY RESULT IN REJECTION OF ANY WORK PRIOR TO CONTACT.
5) THE CONTRACTOR WILL KEEP THE PROJECT NEAT AND ORDERLY AT ALL TIMES WHILE BEING IN TAKING PLACE. ACCESS STREETS TO THE PROJECT SHALL BE KEPT CLEAN OF ALL DEBRIS, PAPER AND WASTE MATERIAL AT ALL TIMES. THE PROPER AMOUNT OF INSPECTIONS SHALL BE CALLED FOR AT THEIR PROPER TIMES, OR ANY OR ALL WORK MAY BE SELECTED.
6) THE CONTRACTOR SHALL COORDINATE CONSTRUCTION ACTIVITY FOR STREETS WITH THE APPROPRIATE UTILITY COMPANIES TO ALLOW INSTALLATION OF WATER MAINS, GAS MAINS, ELECTRIC LINES, TELEPHONE LINES, AND COMMUNICATION LINES AS NEEDED.
7) ALL CONSTRUCTION ACTIVITIES, INCLUDING PLACEMENT AND STORAGE OF MATERIALS, VEHICULAR AND PEDESTRIAN MOVEMENT, SHALL BE CONFINED TO THE LIMITS OF THE RIGHTS-OF-WAY AND EASEMENTS SHOWN ON THESE PLANS.

SHEET INDEX

1)	COVER SHEET
2, 2A, 2B, 2C, 2D, 2E, 2F, 2G, 2H, 2I, 2J & 2K)	DETAIL SHEETS
3-13)	RIGHT-OF-WAY SHEETS
14-30)	PLAN & PROFILE SHEETS
40-60)	CROSS SECTION SHEETS
61)	INTERSECTION SHEET
62-65)	DRAINAGE SHEETS
67-74)	SOILING & STRIPING SHEETS
75-78)	EROSION & SEDIMENT CONTROL SHEETS
79)	TRAFFIC CONTROL SHEETS



APPROVED DATE 9-6-16
GREENE COUNTY
STORMWATER ENGINEER

GREENE COUNTY HIGHWAY DEPARTMENT
SPRINGFIELD, MISSOURI
W. REPUBLIC RD. - FARM ROAD 170
COVER SHEET

PAVING & DRAINAGE IMPROVEMENTS
APPROVED DATE 9-6-16
HIGHWAY ADMINISTRATOR

SURVEY BY	DESIGN	DATE	SCALE	SHEET NO.
CMT	CMT	9-6-16	AS SHOWN	1
FIELD BY	DRAWN	CHECKED	HOR. NO.	SHEET 1
LEVEL BY	CHECKED	CMT	VERT. NO.	OF 79 SHEETS

CMT
Crawford, Murphy & Tilly
Engineers and
Consultants
1631 W. Jefferson, Springfield, Missouri 65807
Tel: 417-869-8009 Fax: 417-869-8129
09/26/2016 12:34:01-03

32 Section 4 - Said tax bills shall be payable in 15 equal annual installments
33 becoming due, together with interest at the rate set forth below, on each anniversary
34 date after the issuance thereof for a period of 15 years respectively after the date of
35 issuance of the tax bills; provided, however, that each person paying such tax bills shall
36 have the right to pay the same in part or in full within 30 days after the issuance thereof
37 with no interest and shall have the further right to pay any combination of annual
38 principal payments or the unpaid balance of said tax bills with interest thereon up to the
39 date of payment, within 30 days after the end of any yearly period when any installment
40 is due. In addition to the above, tax bills may be paid in full at any time during the year
41 with interest thereon up to the date of payment.
42

43 Tax bills so issued shall be payable in accordance herewith. If any annual
44 installment of principal and interest thereof is not paid within 30 days of the due date,
45 then all the remaining installments with interest thereon shall at once become due and
46 payable, and payment of the entire amount of such tax bill remaining unpaid may be
47 demanded and enforcement measures may be taken by the City. The lien thereof shall
48 continue for 16 years from the date of passage of this Ordinance, or 1 year after the last
49 installment becomes due, unless sooner paid in full, or in the event litigation is brought
50 to enforce the collection of such special tax bill under such lien, then until the litigation is
51 fully and finally adjudicated.
52

53 Section 5 - The City Council hereby sets the interest rate on the sewer tax bills to
54 be issued by the City for Sanitary Sewer District No. 183 of Section No. 16 to be the
55 same percentage rate of annual interest that is payable by the United States of America
56 on 10-year treasury notes at the most recent auction before the date of the issuance of
57 the sewer tax bills, as is set forth in Section 88.812 of the Revised Statutes of Missouri.
58

59 Section 6 - The City Manager has caused to be computed the entire cost and
60 expense of the aforesaid improvement, including any cost or expense incurred by the
61 City, and the amounts herein charged, assessed, and levied have likewise been so
62 computed and are assessed and levied ratably against all lots and tracts of land within
63 the district in proportion to the area thereof and are as follows:
64

65 Tax Bill No: 53340A
66 Owner(s): Eli Avila-Velazquez
67

68 Legal Description: All of Lot 14, Block 6, in West Highlands Subdivision, a subdivision
69 in the City of Springfield, Greene County, Missouri, recorded at Book 17, Page 383, in
70 the Recorder's Office of Greene County, Missouri. (19,800.00 sq. ft.)
71

72	Square Foot Assessment (District Sewer 183 of 16)	\$ 10,901.84
73	Connection Fee	\$ 0.00
74	Total Assessment	\$ 10,901.84

75

76 Tax Bill No: 53341A
77 Owner(s): Eli Avila-Velazquez

78
79 Legal Description: All of Lots 10, 11, 12, and 13, Block 6, in West Highlands
80 Subdivision, a subdivision in the City of Springfield, Greene County, Missouri,
81 Recorded at Book 17, Page 383, in the Recorder's Office of Greene County, Missouri.
82 (79,200.00 sq. ft.)

83
84 Square Foot Assessment (District Sewer 183 of 16) \$ 43,607.35
85 Connection Fee \$ 0.00
86 Total Assessment \$ 43,607.35

87
88 Tax Bill No: 53342A
89 Owner(s): Cheston Doran

90
91 Legal Description: All of Lot 14, Block 3, in West Highlands Subdivision, a subdivision
92 in the City of Springfield, Greene County, Missouri, recorded at Book 17, Page 383, in
93 the Recorder's Office of Greene County, Missouri. (19,800.00 sq. ft.)

94
95 Square Foot Assessment (District Sewer 183 of 16) \$ 10,901.84
96 Connection Fee \$ 0.00
97 Total Assessment \$ 10,901.84

98
99 Tax Bill No: 53343A
100 Owner(s): Cheston Doran

101
102 Legal Description: All of Lot 15, Block 3, in West Highlands Subdivision, a subdivision
103 in the City of Springfield, Greene County, Missouri, recorded at Book 17, Page 383, in
104 the Recorder's Office of Greene County, Missouri. (19,800.00 sq. ft.)

105
106 Square Foot Assessment (District Sewer 183 of 16) \$ 10,901.84
107 Connection Fee \$ 300.00
108 Total Assessment \$ 11,201.84

109
110 Tax Bill No: 53344A
111 Owner(s): Daniel Walker and Vera Walker

112
113 Legal Description: All of Lot 7, Block 3, in West Highlands Subdivision, a subdivision in
114 the City of Springfield, Greene County, Missouri, recorded at Book 17, Page 383, in the
115 Recorder's Office of Greene County, Missouri. (19,800.00 sq. ft.)

116
117 Square Foot Assessment (District Sewer 183 of 16) \$ 10,901.84
118 Connection Fee \$ 0.00
119 Total Assessment \$ 10,901.84

120
121 Tax Bill No: 53345A
122 Owner(s): Wise Homes LLC

123

124 Legal Description: All of Lot 10, Block 3, in West Highlands Subdivision, a subdivision
125 in the City of Springfield, Greene County, Missouri, recorded at Book 17, Page 383, in
126 the Recorder's Office of Greene County, Missouri. (19,800.00 sq. ft.)
127

128	Square Foot Assessment (District Sewer 183 of 16)	\$ 10,901.84
129	Connection Fee	\$ 300.00
130	Total Assessment	\$ 11,201.84

131
132 Tax Bill No: 53346A
133 Owner(s): Virginia Shisler
134

135 Legal Description: All of Lot 11, Block 3, in West Highlands Subdivision, a subdivision
136 in the City of Springfield, Greene County, Missouri, recorded at Book 17, Page 383, in
137 the Recorder's Office of Greene County, Missouri. (19,800.00 sq. ft.)
138

139	Square Foot Assessment (District Sewer 183 of 16)	\$ 10,901.84
140	Connection Fee	\$ 300.00
141	Total Assessment	\$ 11,201.84

142
143 Tax Bill No: 53347A
144 Owner(s): Cheston Doran
145

146 Legal Description: All of Lot 12, Block 3, in West Highlands Subdivision, a subdivision
147 in the City of Springfield, Greene County, Missouri, recorded at Book 17, Page 383, in
148 the Recorder's Office of Greene County, Missouri. (19,800.00 sq. ft.)
149

150	Square Foot Assessment (District Sewer 183 of 16)	\$ 10,901.84
151	Connection Fee	\$ 0.00
152	Total Assessment	\$ 10,901.84

153
154 Tax Bill No: 53348A
155 Owner(s): Cheston Doran
156

157 Legal Description: All of Lot 13, Block 3, in West Highlands Subdivision, a subdivision
158 in the City of Springfield, Greene County, Missouri, recorded at Book 17, Page 383, in
159 the Recorder's Office of Greene County, Missouri. (19,800.00 sq. ft.)
160

161	Square Foot Assessment (District Sewer 183 of 16)	\$ 10,901.84
162	Connection Fee	\$ 0.00
163	Total Assessment	\$ 10,901.84

164
165 Tax Bill No: 53349A
166 Owner(s): Richard Baumgarte and Siriwan Baumgarte
167

168 Legal Description: All of Lot 14, Block 2, in West Highlands Subdivision, a subdivision
169 in the City of Springfield, Greene County, Missouri, recorded at Book 17, Page 383, in
170 the Recorder's Office of Greene County, Missouri. (19,300.00 sq. ft.)

171

172	Square Foot Assessment (District Sewer 183 of 16)	\$ 10,626.54
173	Connection Fee	\$ 300.00
174	Total Assessment	\$ 10,926.54

175

176 Tax Bill No: 53350A

177 Owner(s): Minor Hollan and Sharron Hollan

178

179 Legal Description: All of Lot 15, Block 2, in West Highlands Subdivision, a subdivision
180 in the City of Springfield, Greene County, Missouri, recorded at Book 17, Page 383, in
181 the Recorder's Office of Greene County, Missouri. (19,300.00 sq. ft.)

182

183	Square Foot Assessment (District Sewer 183 of 16)	\$ 10,626.54
184	Connection Fee	\$ 300.00
185	Total Assessment	\$ 10,926.54

186

187 Tax Bill No: 53351A

188 Owner(s): Brian Stiles

189

190 Legal Description: All of Lot 16, Block 2, in West Highlands Subdivision, a subdivision
191 in the City of Springfield, Greene County, Missouri, recorded at Book 17, Page 383, in
192 the Recorder's Office of Greene County, Missouri. (19,300.00 sq. ft.)

193

194	Square Foot Assessment (District Sewer 183 of 16)	\$ 10,626.54
195	Connection Fee	\$ 300.00
196	Total Assessment	\$ 10,926.54

197

198 Tax Bill No: 53352A

199 Owner(s): Diversified Products Company, LLC

200

201 Legal Description: All of Lot 17, Block 2, in West Highlands Subdivision, a subdivision
202 in the City of Springfield, Greene County, Missouri, recorded at Book 17, Page 383, in
203 the Recorder's Office of Greene County, Missouri. (19,300.00 sq. ft.)

204

205	Square Foot Assessment (District Sewer 183 of 16)	\$ 10,626.54
206	Connection Fee	\$ 300.00
207	Total Assessment	\$ 10,926.54

208

209 Tax Bill No: 53353A

210 Owner(s): Ronald Ousley and Wanda Ousley

211

212 Legal Description: All of Lot 9, Block 2, in West Highland Gardens Subdivision, a
213 subdivision in the City of Springfield, Greene County, Missouri, recorded at Book 17,

214 Page 383, in the Recorder's Office of Greene County, Missouri; plus all of the vacated
215 public right-of-way of Madison Street north of Lots 8 and 9 in said West Highland
216 Gardens Subdivision; plus all of Lots 6, 7, 8, and 9, Block 9, in Highland Gardens
217 Subdivision, a subdivision in the City of Springfield, Greene County, Missouri, recorded
218 at Book 7, Page 1107, in the Recorder's Office of Greene County, Missouri.
219 187,300.00 sq. ft.

220		
221	Square Foot Assessment (District Sewer 183 of 16)	\$103,126.97
222	Connection Fee	\$ 0.00
223	Total Assessment	\$103,126.97
224		

225 Tax Bill No: 53354A
226 Owner(s): Donna Henry

227
228 Legal Description: All of Lots 10, 11, 12, and 13, Block 2, in West Highlands
229 Subdivision, a subdivision in the City of Springfield, Greene County, Missouri, recorded
230 at Book 17, Page 383, in the Recorder's Office of Greene County, Missouri.
231 (77,200.00 sq. ft.)

232		
233	Square Foot Assessment (District Sewer 183 of 16)	\$ 42,506.15
234	Connection Fee	\$ 300.00
235	Total Assessment	\$ 42,806.15
236		

237 Tax Bill No: 53355A
238 Owner(s): Johnnie Hartin and Donna Hartin (Trustees)

239
240 Legal Description: All of Lots 10, 11, and 12, Block 9, in Highland Gardens Subdivision,
241 a subdivision in the City of Springfield, Greene County, Missouri, recorded at Book 7,
242 Page 1107, in the Recorder's Office of Greene County, Missouri. (126,400.00 sq. ft.)

243		
244	Square Foot Assessment (District Sewer 183 of 16)	\$ 69,595.56
245	Connection Fee	\$ 0.00
246	Total Assessment	\$ 69,595.56
247		

248 Tax Bill No: 53356A
249 Owner(s): Clyde Bryant and Lillie Bryant

250
251 Legal Description: All of the north half of Lot 5, Block 9, in Highland Gardens
252 Subdivision, a subdivision in the City of Springfield, Greene County, Missouri, recorded
253 at Book 7, Page 1107, in the Recorder's Office of Greene County, Missouri.
254 (21,000.00 sq. ft.)

255		
256	Square Foot Assessment (District Sewer 183 of 16)	\$ 11,562.55
257	Connection Fee	\$ 300.00
258	Total Assessment	\$ 11,862.55
259		

260 Tax Bill No: 53357A
261 Owner(s): Jesse Nimmo and Thelma Nimmo
262
263 Legal Description: All of Lots 7, 8, 9, and 10, Block 4, in Highland Gardens Subdivision,
264 a subdivision in the City of Springfield, Greene County, Missouri, recorded at Book 7,
265 Page 1107, in the Recorder's Office of Greene County, Missouri. (168,000.00 sq. ft.)
266
267 Square Foot Assessment (District Sewer 183 of 16) \$ 92,500.43
268 Connection Fee \$ 300.00
269 Total Assessment \$ 92,800.43

270
271 Tax Bill No: 53358A
272 Owner(s): Lawrence Mooneyham and Kathy Davis
273
274 Legal Description: All of the south half of Lot 6, Block 4, in Highland Gardens
275 Subdivision, a subdivision in the City of Springfield, Greene County, Missouri, recorded
276 at Book 7, Page 1107, in the Recorder's Office of Greene County, Missouri.
277 (21,000.00 sq. ft.)
278
279 Square Foot Assessment (District Sewer 183 of 16) \$ 11,562.55
280 Connection Fee \$ 300.00
281 Total Assessment \$ 11,862.55

282
283 Section 7 - Said sanitary sewer has been completed according to the contract
284 therefore and is hereby accepted from the contractor, Hamilton and Dad, Inc. The total
285 cost of construction of said sanitary sewer, including any cost or expense incurred by
286 the City, is \$636,036.84, and the total amount assessed for the payment of said
287 construction is \$636,036.84. As provided for by Special Ordinance No. 26677, passed
288 by the City Council on December 22, 2015, and Resolution No. 10246, passed by the
289 City Council on November 9, 2015, the rate of assessment levied against each property
290 in the district is in proportion to the square footage of the property. This rate of
291 assessment is \$550.5978 per thousand square feet.

292
293 Section 8 - This Ordinance shall be in full force and effect from and after its
294 passage.

295
296
297 Passed at meeting: _____

298
299
300
301 _____
302 Mayor

303
304 Attest: _____, City Clerk

305

306

307 Filed as ordinance: _____

308

309

310 Approved as to form: , Assistant City Attorney

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313 Approved for Council action: , City Manager

EXPLANATION TO COUNCIL BILL NO. 2016-237

FILED: 10-11-16

ORIGINATING DEPARTMENT: Environmental Services

PURPOSE: to levy a special tax against the lots, blocks, and parcels of ground hereinafter described to pay for the cost of the construction of sanitary sewers in the City of Springfield, Missouri, in Sanitary Sewer District No. 183 of Section No. 16, in the general vicinity of Grand Street and West Bypass as shown in "Exhibit A," providing for inclusion of said district in the City Sewer Financial Assistance Program, and authorizing the City Clerk to issue special tax bills and deliver the same to the Director of Finance to be registered in his office in accordance with this Ordinance.

BACKGROUND:

1. The project was scheduled for construction as part of the City's sewer construction program, as established in Resolution No. 7995, to eliminate septic tanks within the City limits and to encourage infill by providing sanitary sewer service. This project is funded by sewer improvement bonds that are already budgeted. It makes sewer available to 19 tracts, which eliminates 15 septic systems from within the City limits of Springfield.
2. Special Ordinance No. 26450, passed by City Council on September 22, 2014, established and defined the boundaries for Sanitary Sewer District No. 183 of Section No. 16.
4. Plans, specifications, and a cost estimate were prepared by Environmental Services and are on file in the Director's office.
4. Wastewater from this district will flow to the Southwest Treatment Plant.
5. The project was advertised in the *Daily Events* on September 19, 2015, through September 21, 2015.
6. Bids were opened in the Busch Building on October 14, 2015, at 10:00 a.m. The following bids were received:

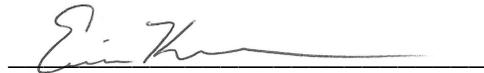
<u>CONTRACTOR</u>	<u>BID AMOUNT</u>
Hamilton and Dad, Inc.	\$ 611,994.18
Gillespie Excavating Company, LLC	\$ 713,975.89
Rosetta Construction, LLC	\$ 774,024.00
Flat Creek Excavating, LLC	\$ 809,357.75
Engineer's Estimate	\$ 667,982.50

7. The lowest responsible and responsive bidder for Sanitary Sewer District No. 183 of Section No. 16 was Hamilton and Dad, Inc. Hamilton and Dad, Inc., is a local contractor.
8. Resolution No. 10246, passed by City Council on November 9, 2015, declared it necessary to construct sanitary sewers in Sanitary Sewer District No. 183 of Section No. 16.
9. Resolution No. 10246 was published in the *Daily Events* on November 14, 2015, through November 18, 2015. A resolution was also posted in three locations within the district. A valid remonstrance was not filed.
10. Special Ordinance No. 26677, passed by City Council on December 22, 2015, accepted the bid of Hamilton & Dad, Inc., in the amount of \$611,994.18.
11. Construction has been completed and the project accepted. The actual total cost of construction, including any cost or expense incurred by the City, is \$636,036.84.
12. The tax bill rate based on actual construction costs for Sanitary Sewer District No. 183 of Section No. 16 is \$550.5978 per thousand square feet of property owned.
13. The City will hold the tax bills for all properties within the district at 1.60% interest for 15 years.
14. Programs are available to assist property owners with the costs associated with the sewer tax bill and sewer hookup. The City Sewer Financial Assistance Program offers single-family residential property owners a maximum cap per tract on the tax bill amount. The Clean Water Services Division of the Department of Environmental Services offers a low-interest loan to help with costs for hookup to the sewer. The Sanitary Sewer Installation and Connection Assistance Program offers two types of assistance for low- and moderate-income families: a deferred, no-interest loan for sewer hookup costs and a direct grant to offset the cost of the tax bill. The City also provides a 15-year, low-interest payback arrangement for tax bill costs.
15. Letters have been mailed to property owners in the district with information regarding their tax bill amount and available assistance programs.
16. This ordinance is for a public improvement, where a special tax bill is issued, and should be a one-reading bill under City Charter Section 2.12.
17. This ordinance supports the following Field Guide 2030 goal(s): Chapter 6, Growth Management and Land Use; Major Goal 5, Protect and preserve our natural resources for future generations; Objective 5b, Maintain high water

quality and increase water quantity by securing and improving water resources for future generations; and Objective 5c, Protect our caves and karst ecosystems which contain plants, animals, and natural communities that depend on the surrounding land and water to thrive and survive. Chapter 10, Public Health; Major Goal 5, Develop and ensure safe and healthy environments both indoors and outdoors; Objective 5c, Ensure a clean and sustainable water supply.

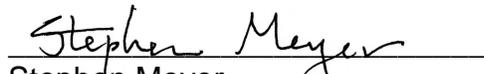
REMARKS: Environmental Services recommends passage of this Council bill.

Submitted by:



Errin Kemper
Assistant Director of Environmental Services

Recommended by:



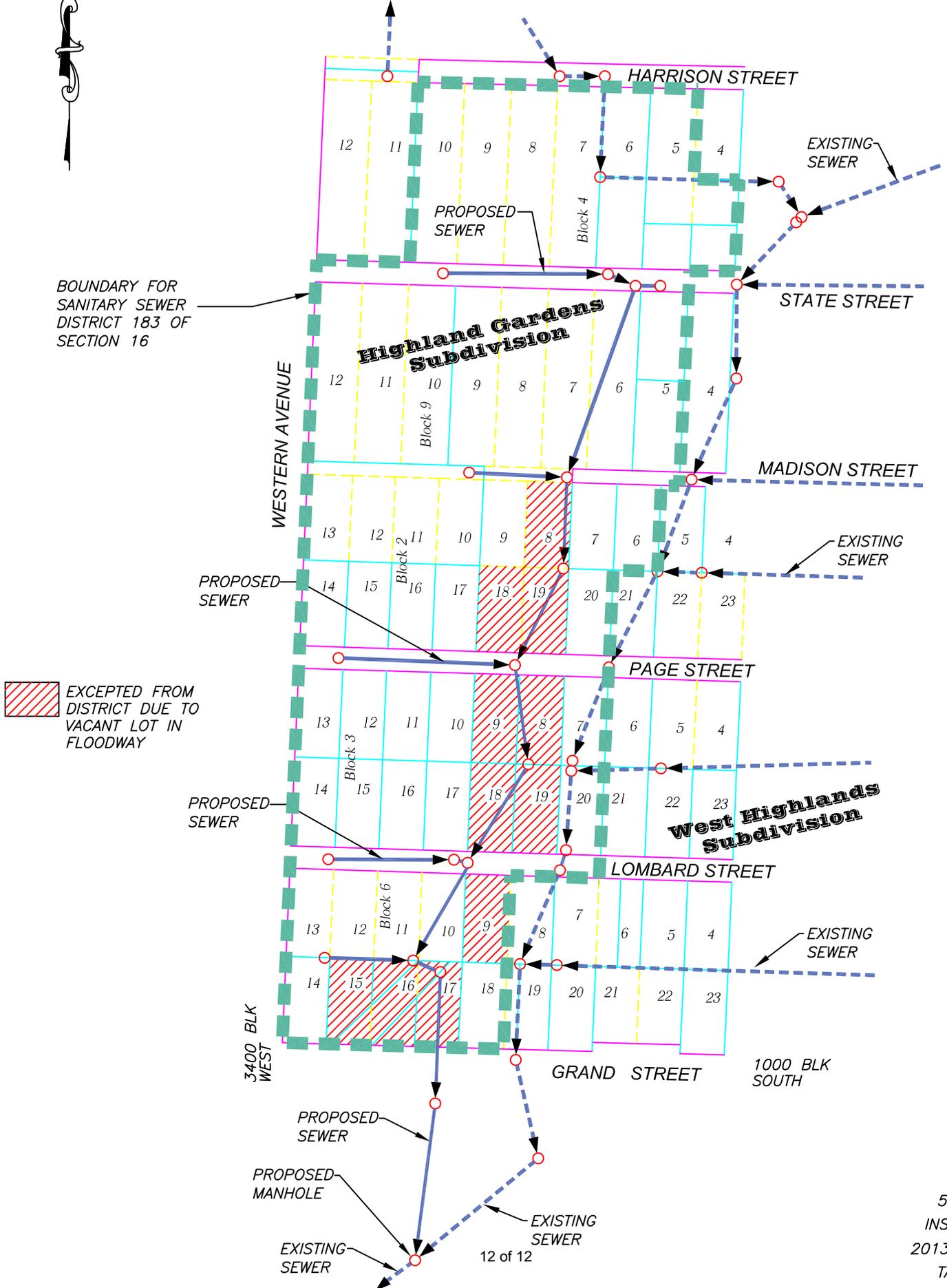
Stephen Meyer
Director of Environmental Services

Approved by:



Greg Burris
City Manager

SANITARY SEWERS DISTRICT 183 OF SECTION 16



One-rdg. _____
P. Hrngs. _____
Pgs. 4
Filed: 09-27-16

Sponsor: Fisk

First Reading: _____

Second Reading: _____

COUNCIL BILL NO. 2016- 227

GENERAL ORDINANCE NO. _____

AN ORDINANCE

1 AMENDING the Springfield City Code Chapter 36 Land Development Code, Article 1 –
2 Administration and Enforcement of Codes, Division 4 Permits and Fees,
3 Section 36-128, ‘When permit is required’; and 36-146 ‘Fees,’ to correct
4 inaccurate cross-references.
5
6

7 WHEREAS, Springfield City Code Section 36-128 and Section 36-146 contain
8 incorrect cross-references; and,
9

10 WHEREAS, the correct cross-reference in said sections should be to "the fee
11 schedule on file with the City Clerk."
12
13
14

15 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
16 SPRINGFIELD, MISSOURI, that:
17

18 NOTE: Language to be added is underlined and language to be deleted is
19 ~~stricken~~.
20

21 Section 1 – The Springfield City Code, Chapter 36 - Land Development Code of
22 the City of Springfield, Missouri, Article I. - Administration and Enforcement of Codes,
23 Division 4. - Permits and Fees, Section 36-128. - When permit is required, is hereby
24 amended as follows:
25

26 **Sec. 36-128. - When permit is required.**

27 Any person who intends to construct, enlarge, alter, repair, move, demolish,
28 or change the occupancy of a building or structure, or to erect, install, enlarge,
29 alter, repair, remove, convert, or replace any electrical, fuel gas, mechanical,
30 private sewage disposal, or plumbing system, the installation of which is regulated

31 by these codes, or to cause any such work to be done, shall first make application
32 to the building official and obtain the required appropriate permit.

33 Exception:

34 Where equipment repairs and replacements must be performed in an
35 emergency situation, the permit application shall be submitted within the next
36 working business day of the department of building development services.

37 (1)

38 *Annual permit.* In lieu of an individual permit for each alteration to an already
39 approved electrical, gas, mechanical, or plumbing installation, the building
40 official is authorized to issue an annual permit upon application to any
41 person, firm, or corporation regularly employing one or more qualified trade
42 person in the building, structure, or on the premises owned or operated by
43 the applicant for the permit. Qualified trade persons are defined as those
44 meeting the standards established in article IV, Building trades, appeals and
45 licensing.

46 a.

47 *Annual permit records.* The person to whom an annual permit is issued
48 shall keep a detailed record of alterations made under such annual
49 permit. The building official shall have access to such records at all times
50 or such records shall be filed with the building official as designated.

51 b.

52 *Annual permit fee.* The fee for an annual permit shall be determined by
53 the building official by multiplying the estimated number of inspections
54 per year, times four, times the cost of a minimum building permit ~~as~~
55 ~~specified in Article VII of Chapter 2 of the Springfield, City Code~~
56 according to the fee schedule on file with the City Clerk. The estimated
57 number of inspections will be established by the building official and may
58 be changed on an annual basis depending on the extent of work being
59 inspected and the amount of time required to perform those inspections.

60

61 Section 2 – The Springfield City Code, Chapter 36 - Land Development Code of
62 the City of Springfield, Missouri, Article I. - Administration and Enforcement of Codes,
63 Division 4. - Permits and Fees, Section 36-146. - Fees, is hereby amended as follows:
64

64

65 **Sec. 36-146. - Fees.**

66 (a) *General.* A building, plumbing, mechanical, fuel gas, or electrical permit
67 shall not be issued until the fees prescribed in this section shall have been paid
68 to the department of building development services or other authorized agency
69 of the jurisdiction, nor shall an amendment to a permit necessitating an
70 additional fee be approved until the additional fee has been paid.

71

72 (b) *Special fees.* The payment of fees to this department for permits shall not
73 relieve the applicant or holder of the permit from the payment of other fees that
74 are prescribed by law or ordinance both within and without the jurisdiction of
75 the department of building development services.

76
77 (c) *Fees.* The fees for permits, plan review, and inspections shall be as
78 prescribed in subsection (d) of this section, and the building official is
79 authorized to establish by approved rules a schedule of unit rates for building
80 and structures of all use groups and types of construction as classified and
81 defined in the building code.

82
83 (d) *Fee schedule.* A fee for each permit, plan review, and inspection shall be
84 paid in full in accordance with the fees prescribed in ~~article VII of this code and~~
85 ~~Chapter 2 of the Springfield City Code~~ the fee schedule on file with the City
86 Clerk prior to a permit being issued, plan reviewed, or inspection made.

87
88 Section 3 – This ordinance shall be in full force and effect from and after
89 passage.

90
91 Passed at Meeting: _____

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94 _____
95 Mayor

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98 Attest: _____, City Clerk

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101 Filed as Ordinance: _____

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103 Approved as to Form: Duke McDonald, Assistant City Attorney

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105 Approved for Council Action: Jay Burt, City Manager
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EXPLANATION TO COUNCIL BILL NO. 2016- 227

FILED: 09-27-16

ORIGINATING DEPARTMENT: BUILDING DEVELOPMENT SERVICES

PURPOSE: to amend the Springfield City Code Chapter 36 Land Development Code, Article 1 – Administration and Enforcement of Codes, Division 4 Permits and Fees, Section 36-128, ‘When permit is required’; and 36-146 ‘Fees,’ to correct inaccurate cross-references.

BACKGROUND AND REMARKS: Springfield City Code Sections 36-128 and 36-146 contain incorrect cross-references. The cross-references should state "the fee schedule on file with the City Clerk."

Submitted by:

Approved by:



Building Development Services



City Manager