

January 16, 2018
Springfield, Missouri

The City Council met in regular session January 16, 2018 in the Council Chambers at Historic City Hall. The meeting was called to order by Mayor Ken McClure. A moment of silence was observed.

Roll Call Present: Mike Schilling, Craig Fishel, Jan Fisk, Craig Hosmer, Richard Ollis, Kristi Fulnecky, Phyllis Ferguson, and Ken McClure. Absent: Tom Prater.

Minutes The minutes of the December 11, 2017 City Council Meeting; December 19, 2017, January 5, 2018, and January 9, 2018 Special City Council Meetings were approved as presented.

Consent Agenda The Consent Agenda was approved as presented.

Councilman Schilling moved to table Council Bill 2018-015 to the January 29, 2018 City Council Meeting and requests that Staff and the Finance and Administration Committee Chair review the topic of distribution of Payment In Lieu of Taxes (PILOT) and provide City Council a recommendation concerning appropriate distribution of PILOT revenue to City Council, prior to the January 29, 2018 City Council meeting. Councilwoman Ferguson seconded the motion and it was approved by the following vote: Ayes: Schilling, Fishel, Fisk, Hosmer, Ollis, Fulnecky, Ferguson, and McClure. Nays: None. Absent: Prater. Abstain: None.

Sworn In Anita Cotter, City Clerk, swore in Mark Millsap and Donald Woody to the Board of Public Utilities.

City Managers Report Greg Burris, City Manager, noted Council Bill 2017-294, regarding violation of City Code Section 106-199, is being held over until January 29, 2018 City Council Meeting at Councilman Hosmer's request.

Mr. Burris noted Council Bill 2018-011, on tonight's agenda, requests appropriation of \$500,000 of Level Property Tax Debt Service Fund Reserves to fund infill, and related expenses, for the former Mill and Lumber Building at the corner of Central Avenue and Boonville Avenue. He stated this facility, which currently houses the Springfield Police Department's Special Response Team, will be renovated to make appropriate space for new police staffing units.

Mr. Burris noted Police Chief, Paul Williams, has provided the Quarterly Public Safety Report, for October 2017 through December 2017. He stated the report includes quarterly crime statistics and updates on issues, such as Pedestrian Safety Ordinance enforcement efforts. Mr. Burris noted there has been a 15 percent decrease in overall crime, compared to the fourth quarter of 2016 and an eight percent increase in crimes against persons, compared to the fourth quarter of 2016

Mr. Burris noted the Springfield-Greene County Park Board will be inducted into the Missouri Sports Hall of Fame, representing the first municipal parks department in Missouri to receive this honor. He stated the induction ceremony is Sunday, January 28, 2018 at 5:00 p.m. at University Plaza Hotel & Convention Center. Mr. Burris noted the Missouri Sports Hall of Fame listed the Park Board's 105-year history, and its contributions to sports tourism in Springfield, as just a few of their many accomplishments.

Mr. Burris noted the City of Springfield's January Sales Tax Revenue check, from the Missouri Department of Revenue, is four percent above budgeted estimates. He stated this check reflects sales processed in December 2017 from transactions made primarily in November 2017. Mr. Burris noted sales tax revenues, year-to-date, are one percent below budgeted estimates.

Mayor McClure congratulated the Park Board for their recognition by the Missouri Sports Hall of Fame.

The following bills appeared on the agenda under Second Reading Bills

**Rezoning
611 West Sunset
Street with
Conditional
Overlay District
No. 138**

Sponsor: Schilling. Council Bill 2017-291. A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 6.53 acres of property, generally located at 611 West Sunset Street from R-SF, Single-Family Residential District to R-MD, Medium-Density Multi-Family Residential District and establishing Conditional Overlay District No. 138, and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval). (By: Coryell Enterprises, LLC / E&M Edgewood, LLC; 611 West Sunset Street; Z-33-2017 Conditional Overlay District No. 138.)

Anita Cotter, City Clerk, noted a protest petition was received and found to be insufficient at 4.9 percent. She stated a two-thirds majority will not be required, and the supplemental explanation sheet has been provided to City Council.

Council Bill 2017-291. General Ordinance 6418 was approved by the following vote: Ayes: Schilling, Fishel, Fisk, Hosmer, Ollis, Fulnecky, Ferguson, and McClure. Nays: None. Absent: Prater. Abstain: None.

**Rezoning
1220 East Lark
Street with
Planned
Development
District 360.**

Sponsor: Fishel. Council Bill 2017-292. A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 3.2 acres of property, generally located at 1220 East Lark Street from Planned Development District No. 84 to Planned Development District No. 360; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommended approval). (By: State Bank of Southwest Missouri, Inc., 1220 East Lark Street; Planned Development 360.)

Council Bill 2017-292. General Ordinance 6419 was approved by the following vote: Ayes: Schilling, Fishel, Fisk, Hosmer, Ollis, Fulnecky, Ferguson, and McClure. Nays: None. Absent: Prater. Abstain: None.

**Rezoning 2300
North Kansas
Expressway and
1500 West
Kearney Street
with Conditional
Overlay District
No. 24.**

Sponsor: Ferguson. Council Bill 2017-293. A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 5.1 acres of property, generally located at the 2300 block of North Kansas Expressway and North Bolivar Road and the 1500 block of West Kearney Street and Turner from HC, Highway Commercial District with Conditional Overlay District No. 24 and R-SF, Single-Family Residential District, to HC, Highway Commercial District and establishing Conditional Overlay District No. 137; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommended approval). (By: Kansas & Kearney Intersection CTR; 2300 blocks of North Kansas Expressway and North Bolivar Road and 1500 block of West Kearney Street; Z-32-2017 & Conditional Overlay District No. 137.)

Councilwoman Ferguson stated she will be voting in support of the proposed and expressed her opinion the proposed is a beneficial development in this area.

Councilman Hosmer asked for clarification on the split vote at the Planning and Zoning Commission meeting. Mary Lilly Smith, Director of Planning and Development, responded the vote was four to three in support of the proposed, with one Commissioner recusing himself.

Councilman Hosmer expressed his opinion the Planning and Zoning Commission's support of the proposed by a narrow margin, of four in support and three in opposition, is problematic, when making recommendations to City Council.

Mr. King Coltrin, Vice Chair of the Planning and Zoning Commission, expressed his opinion members who voted in opposition to the proposed were concerned about the impact of traffic flow in the surrounding neighborhood.

Councilman Fishel asked if a site plan is included with the proposed. Mary Lilly Smith responded in the negative. She stated a site plan is not required in rezoning cases.

Councilwoman Ferguson stated no concerns were raised at the neighborhood meeting and expressed her opinion infrastructure improvements, within the proposed, will decrease traffic congestion in the neighborhood.

Councilman Ollis expressed his opinion the proposed provides good redevelopment in this area, and stated he will be voting in support of the proposed.

Council Bill 2017-293. General Ordinance 6420 was approved by the following vote: Ayes: Schilling, Fishel, Fisk, Ollis, Fulnecky, Ferguson, and McClure. Nays: Hosmer. Absent: Prater. Abstain: None.

**City Code,
Chapter 106,
Section 106-199,
Seat belt
regulations.**

Sponsor: Fishel, Fisk, and Hosmer. Council Bill 2017-294. A general ordinance amending Springfield City Code, Chapter 106 – 'Traffic and Vehicles,' Article V. – 'Operation,' Division 1. – 'Generally,' Section 106-199. – 'Seat belt regulations,' by removing the language prohibiting a violation of this section to be the basis for a vehicle stop by law enforcement officers. (Plans and Policies Committee recommends approval).

Council Bill 2017-294 was held over until the January 29, 2018 City Council Meeting per Councilman Hosmer's request pursuant to Section 2-53(e)(9) of the Springfield City Code

**National Avenue
and Bennett
Street Signal
Replacement
Project – Plan
No.
2017PW0020T**

Sponsor: Prater. Council Bill 2017-296. A special ordinance approving the plans and specifications for the National Avenue and Bennett Street Signal Replacement Project, generally referred to as Plan No. 2017PW0020T; accepting the bid of Ewing Signal Construction, LLC, in the amount of \$102,324.70 for said project; and authorizing the City Manager, or his designee, to enter into a contract with such bidder.

Council Bill 2017-296. Special Ordinance 26986 was approved by the following vote: Ayes: Schilling, Fishel, Fisk, Hosmer, Ollis, Fulnecky, Ferguson, and McClure. Nays: None. Absent: Prater. Abstain: None.

**Joint Sanitary
Sewer District
No. 171 of Section
11 – 3100 West
Sunshine Street**

Sponsor: Fisk. Council Bill 2017-297. A special ordinance establishing rates for future assessments of special tax bills to pay for the cost of the construction of Joint Sanitary Sewer District No. 171 of Section 11, located in the general vicinity of the 3100 Block of West Sunshine Street in Springfield, Missouri; and declaring that special tax bills will be levied and assessed in the future against all lots, blocks, and parcels of ground which are served by the sanitary sewers constructed in said Joint Sanitary Sewer District No. 171 of Section No. 11 when such properties are included in a sewer district.

Council Bill 2017-297. Special Ordinance 26987 was approved by the following vote: Ayes: Schilling, Fishel, Fisk, Hosmer, Ollis, Fulnecky, Ferguson, and McClure. Nays: None. Absent: Prater. Abstain: None.

**City Code,
Chapter 2,
Section 2-271
Power and Duties
– Citizen Tax
Oversight
Committee**

Sponsor: Hosmer. Council Bill 2017-298. A general ordinance amending the Springfield City Code, Chapter 2, 'Administration,' Article IV, 'Boards, Commissions and Committees,' Section 2-271. – 'Powers and duties,' by changing the frequency of reports by the Citizens' Tax Oversight Committee.

Councilwoman Fulnecky asked how frequently the Citizens' Sales Tax Oversight Committee meets annually and how often they will be required to report to City Council. Frank Romines, City Attorney, responded the Citizens' Sales Tax Oversight Committee meets quarterly, and the proposed will require one annual report to City Council.

Council Bill 2017-298. General Ordinance 6421 was approved by the following vote: Ayes: Schilling, Fishel, Fisk, Hosmer, Ollis, Fulnecky, Ferguson, and McClure. Nays: None. Absent: Prater. Abstain: None.

**Preliminary Plat -
Hickory Hills
Subdivision,
Phase II**

Sponsor: Prater. Council Bill 2018-001. A special ordinance authorizing the Director of Planning and Development to accept the dedication of public streets and easements to the City of Springfield as shown on the Preliminary Plat of Hickory Hills Subdivision, Phase II, generally located at the 3800 block of East Farm Road 132, 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 all the terms of this Ordinance. (Planning and Zoning Commission recommends approval and staff recommends that City Council accept the public streets and easements).

Council Bill 2018-001. Special Ordinance 26989 was approved by the following vote: Ayes: Schilling, Fishel, Fisk, Hosmer, Ollis, Fulnecky, Ferguson, and McClure. Nays: None. Absent: Prater. Abstain: None

The following bills appeared on the agenda under Resolutions

**Springfield
Historic Register
– King Drug
Company**

Sponsor: Fisk. Council Bill 2018-002. A resolution designating the former King Drug Company Building, located at 611 South Pickwick Avenue, as a Historic Site on the Springfield Historic Register.

Mary Lilly Smith, Director of Planning and Development, gave a brief overview of the proposed. She stated the King Drug Company Building was constructed in 1927, due its proximity to the Elm Street streetcar line. Ms. Smith noted King Drug operated in this location for over 30 years and was the first drug store in Springfield to offer car-side service. She stated the building has maintained much of the original design including recessed entry with storefront windows, original copper flashing, gooseneck lighting and storefront awnings.

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

Council Bill 2018-002. Resolution 10350 was approved by the following vote: Ayes: Schilling, Fishel, Fisk, Hosmer, Ollis, Fulnecky, Ferguson, and McClure. Nays: None. Absent: Prater. Abstain: None.

**Liquor License –
Zayka Indian
Cuisine - 311-313
S. Jefferson**

Sponsor: Prater. Council Bill 2018-003. A resolution granting a new liquor license to sell liquor by the drink, including Sunday sales, to Jai Ganesh Ji, LLC, d/b/a Zayka Indian Cuisine located at 311-313 South Jefferson, Springfield, Missouri, such license to include an enclosed sunroom and an outdoor patio.

Frank Romines, City Attorney, gave a brief overview of the proposed. He stated the proposed is located within the Downtown Springfield Community Improvement District, and within 100 feet of property owned by Missouri State University (MSU). Mr. Romines noted MSU did not submit an objection, after receiving notification of the applicant’s proposed sale of alcohol. He stated City Council approved a liquor license for this location on September 6, 2016, for a different business owner, which was not transferrable to the current owner.

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

Council Bill 2018-003. Resolution 10351 was approved by the following vote: Ayes: Schilling, Fishel, Fisk, Hosmer, Ollis, Fulnecky, Ferguson, and McClure. Nays: None. Absent: Prater. Abstain: None.

**Liquor License –
Park East
Market, LLC –
331 Park Central
East**

Sponsor: Fishel. Council Bill 2018-004. A resolution granting a new liquor license to sell retail liquor in the original package, including Sunday sales, to Park East Market LLC d/b/a Park Central Market, located at 331 Park Central East No. 100, Springfield, Missouri.

Frank Romines, City Attorney, gave a brief overview of the proposed. He stated the proposed is located within the Downtown Springfield Community Improvement District, and within 100 feet of property owned by Missouri State University (MSU). Mr. Romines noted MSU did not submit an objection, after receiving notification of the applicant’s proposed sale of alcohol.

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

Council Bill 2018-004. Resolution 10352 was approved by the following vote: Ayes: Schilling, Fishel, Fisk, Hosmer, Ollis, Fulnecky, Ferguson, and McClure. Nays: None. Absent: Prater. Abstain: None.

**Integrated Solid
Waste
Management
System**

Sponsor: McClure. Council Bill 2018-016. A resolution directing City staff to pursue enhancements and stable funding for the Integrated Solid Waste Management System (“ISWMS”) by enacting the necessary procedures to fully fund the ISWMS, up to and including “flow control” of some or all trash to the Springfield Landfill; and to issue a mandatory Request for Information (“RFI”) to licensed Springfield trash hauling companies to obtain statutorily allowed information needed in order to evaluate options for residential trash collection efficiency, including a multi-hauler collection system, and a full response to the RFI within 30 days may be a condition precedent to submitting a proposal to any future residential trash collection efficiency efforts; that bidding on future trash collection efficiency efforts shall be restricted to licensed Springfield haulers; and to compile and present educational information to the citizens of Springfield regarding our community’s options. (Staff recommends approval).

Councilman Fishel moved to divide the question of Council Bill 2018-016 to consider separately the question contained in Section 2 of the Council Bill. Councilwoman Ferguson seconded the motion.

Councilman Fishel expressed his opinion Council Bill 2018-016 contains two separate issues, which should be discussed and voted on separately.

Councilman Hosmer asked if a motion to divide the question must be voted on by City Council. Frank Romines, City Attorney, noted previous motions, to divide the question, were voted on by City Council.

Councilman Hosmer requested clarification on the correct procedure for a motion to divide the question. Frank Romines responded he will research this procedure and provide it to City Council.

Councilman Ollis asked for clarification on Section 2 in the division of Council Bill 2018-016. Mayor McClure responded Section 2 is on Line 68 through Line 80.

Councilman Fishel's motion to divide the question in Council Bill 2018-016 to consider Section 2 separately was approved by the following vote: Ayes: Schilling, Fishel, Fisk, Hosmer, Ollis, Fulnecky, Ferguson, and McClure. Nays: None. Absent: Prater. Abstain: None.

Errin Kemper, Assistant Director of Environmental Services, gave a brief overview of the proposed. He stated Section 1 will enact procedures necessary to fully fund the Integrated Solid Waste Management System (ISWMS) by ensuring sufficient Springfield trash is going to the Springfield landfill to fund for the voter approved system. Mr. Kemper noted the proposed authorizes the City Manager to renegotiate current put-or-pay agreements, prior to their expiration in April 2019, or to initiate City code changes to enact flow control of trash to the Springfield landfill. He stated Section 2 will initiate a mandatory Request for Information (RFI) to currently licensed trash hauling companies in Springfield. Mr. Kemper noted the RFI will provide information to the City of Springfield needed to evaluate options for residential trash collection efficiency, including a multi-hauler trash collection system. He stated Section 3 of the proposed directs City Staff to compile and present unbiased, educational information to the citizens of Springfield, allowing them to voice their opinions to the City Council, regarding residential trash collection efficiency and service options.

Councilwoman Fulnecky asked for clarification on Section 1 of the proposed. Errin Kemper responded Section 1 of the proposed reaffirms City Council's desire to fund the ISWMS, by ensuring adequate Springfield trash is sent to the Springfield landfill. He stated this is achieved by renegotiating current put-or-pay agreements prior to their expiration in April 2019, or to initiate City code changes to enact flow control ordinances for bringing Springfield trash to the Springfield landfill.

Councilman Ollis asked if Section 3 will remain with Section 1 since the question has been divided. Frank Romines, City Attorney, recommended dividing the question, with Section 2 being discussed and voted on separately from Sections 1, 3 and 4.

Mayor McClure moved to reconsider the previous motion to divide the question between Section 1 and Section 2. Councilwoman Ferguson seconded the motion to reconsider and it was approved by the following vote: Ayes: Schilling, Fishel, Fisk, Hosmer, Ollis, Fulnecky, Ferguson, and McClure. Nays: None. Absent: Prater. Abstain: None.

Councilman Fishel moved to divide Section 2 from the remainder of Council Bill 2018-016. Councilwoman Ferguson seconded the motion

Councilwoman Fulnecky asked for clarification on Section 3 of the proposed. Frank Romines responded Section 3, beginning on Line 82, addresses the educational component of the proposed.

Councilman Schilling stated he will be voting in opposition to Councilman Fishel's motion and expressed his opinion all sections within Council Bill 2018-016 are relevant and should be discussed and voted on as one Council Bill.

Councilman Fishel expressed his opinion Council Bill 2018-016 affects citizens throughout the City of Springfield, and the educational campaign, in the proposed, will help Springfield residents learn about options being reviewed so they may voice their opinion.

Councilman Ollis stated no modification to the current trash hauling system is being voted on by City Council at this meeting and expressed his opinion the proposed plan will move various aspects of trash collection forward, including education to Springfield residents on choice, cost, and services. Councilman Ollis stated he will be voting against Councilman Fishel's motion to divide Section 2 from the remainder of Council Bill 2018-016.

Councilwoman Fulnecky stated she is opposed to Council Bill 2018-016, in its entirety, and will be voting against Councilman Fishel's motion to divide Section 2 from the remainder of Council Bill 2018-016.

Councilman Hosmer stated he will be voting in support of Councilman Fishel's motion and expressed his opinion any member of City Council should have the opportunity to divide any question within a Council Bill and vote on each section of the question, if they so choose.

Mayor McClure asked if Council Bill 2018-016 is being presented to City Council to authorize renegotiation of put-or-pay agreements with the two largest trash haulers in Springfield. Errin Kemper responded in the affirmative.

Mayor McClure asked if City Council action is necessary prior to the expiration of current put-or-pay agreements, which expire in April 2019. Errin Kemper responded in the affirmative.

Councilman Schilling expressed concern on Section 2, in which the City of Springfield will issue a mandatory Request for Information, requiring licensed Springfield trash hauling companies to provide proprietary information.

Councilman Fishel's motion to divide Section 2 from the remainder of Council Bill 2018-016 was approved by the following vote: Ayes: Fishel, Fisk, Hosmer, Ferguson, and McClure. Nays: Schilling, Ollis, and Fulnecky. Absent: Prater. Abstain. None.

An opportunity was given for citizens to express their views.

Bob Sweere spoke in opposition to the proposed. He expressed his opinion the proposed will negatively impact the current free enterprise system and negatively impact trash service in Springfield.

Peter Radecki, spoke on behalf of the Neighborhood Advisory Council (NAC) in support of the proposed. He stated NAC formed a study group in September 2017 to receive neighborhood feedback on trash service consolidation. Mr. Radecki noted results of the study group indicated residents are willing to consider a consolidated service at a level consistent with services currently received in Springfield, including recycling and annual large item pick-up.

Councilwoman Fulnecky asked for clarification on the percentage of Springfield residents represented by NAC. Mr. Radecki responded NAC represents approximately 44 percent of neighborhood associations in Springfield.

Councilwoman Fulnecky asked if the NAC membership is organized similar to a homeowner's association. Mr. Radecki responded in the negative. He stated NAC members are volunteers and no fees are assessed to members of NAC.

Councilwoman Fulnecky stated she is opposed to Council Bill 2018-016 and any change to the current trash service system in Springfield. Councilwoman Fulnecky expressed her opinion any change to the current system is unnecessary and will negatively impact Springfield residents.

Mayor Pro Tem Fisk expressed her opinion trash service in Springfield should have been addressed many years ago, and stated no decision on trash service will be made by City Council this evening.

Chris Snyder, of Republic Services, asked if Section 1 of the proposed includes residential and commercial services. Mayor McClure responded the current put-or-pay contracts are based on tonnage, regardless of the source.

Councilwoman Fulnecky asked for clarification on the tonnage stipulations in Section 1 of the proposed. Errin Kemper responded trash collection efficiency refers to residential trash, which accounts for approximately 25 percent of total trash volume deposited at the Springfield landfill. He stated the tonnage stipulation in Section 1, regarding put-or-pay contracts and flow control ordinances, encompasses all trash volume within Springfield, regardless of its origin.

Mr. Snyder expressed his opinion commercial businesses should be consulted before renegotiating put-or-pay agreements or flow control ordinances.

Councilwoman Ferguson asked for clarification on how trash picked up from a commercial business is separated from trash picked up at a residential property. Errin Kemper responded separating commercial business tonnage from residential tonnage is not included in the proposed. He stated the proposed is the renegotiation of existing put-or-pay agreements for minimum tonnage deposited at the Springfield landfill annually.

Councilwoman Fulnecky asked why commercial businesses were not included in the recent trash services study. Errin Kemper responded the study was focused on current residential trash collection services. He stated commercial collection has a different service model.

Councilwoman Fulnecky expressed her opinion any change to trash hauling services in Springfield should include commercial businesses.

Mayor McClure asked how put-or-pay agreements should be executed, if the current system is not changed. Mr. Snyder responded put-or-pay agreements including both residential and commercial tonnage will not require further clarification. He expressed his opinion if flow control ordinances are approved by City Council additional clarification to trash haulers will be necessary.

Frank Romines noted clarification will be provided in any proposed flow control ordinances presented to City Council for consideration.

Councilwoman Ferguson expressed her opinion citizens in Springfield need to be educated on all options and be given the opportunity to voice their opinion. Councilwoman Ferguson stated she will be voting in support of the proposed.

Councilman Fishel stated he will be supporting both portions of Council Bill 2018-016 and expressed his opinion citizens of Springfield need to receive education on the options and should have the opportunity to voice their opinion.

Councilman Ollis stated he will be voting in support of the proposed and expressed his opinion citizens of Springfield need to receive education on the options and should have the opportunity to voice their opinion.

Councilwoman Fulnecky stated she will be voting against both sections of Council Bill 2018-016 and expressed her opinion the current trash hauling system is effective and does not need to be changed.

Council Bill 2018-016A. Resolution 10352 was approved by the following vote: Ayes: Schilling, Fishel, Fisk, Hosmer, Ollis, Ferguson, and McClure. Nays: Fulnecky. Absent: Prater. Abstain: None.

Councilwoman Ferguson asked for clarification on Line 70 of Section 2, which references information obtained from the trash haulers. Errin Kemper responded information obtained will include a list of residential addresses currently serviced. He stated this information will allow City Staff to identify specific efficiencies of a zone-specific trash hauling system.

Councilwoman Ferguson asked if information provided by trash haulers must be released in response to a Sunshine Law request. Errin Kemper responded in the affirmative. He stated as a public governmental agency, the City of Springfield may be required to release this information in response to a Sunshine Law request.

Greg Burris noted an additional option for data collection is to have each trash hauler pinpoint the number of residences served in each grid area of Springfield.

Councilwoman Fulnecky expressed her opinion trash haulers should not be required to provide proprietary residential service address information.

Councilman Fishel stated he supports a grid-system data collection method to protect residential service address information, which is proprietary to each trash hauler.

Mayor McClure expressed concern for trash haulers being required to provide proprietary residential service address information, and expressed his opinion information received from trash haulers must be protected by the City of Springfield.

Mayor McClure asked if an alternative data collection method can be implemented to protect each trash hauler's proprietary information. Greg Burris responded a grid system can be used by trash haulers to only identify the number of customers within each grid in the City of Springfield.

Councilman Hosmer stated the information being requested by the City of Springfield complies with State statute and expressed his opinion residential service addresses is not proprietary.

Councilwoman Fulnecky expressed her opinion the State statute does not apply and requiring the release of proprietary information may be legally challengeable.

Councilwoman Ferguson stated she cannot vote on the proposed until a determination is made if the proposed complies with State statute and if proprietary information, obtained from trash haulers, is subject to release in response to a Sunshine Law request.

Councilman Fishel moved to table Section 2 of Council Bill 2018-016 for further Staff and Council Review. Councilwoman Fulnecky seconded the motion and it was approved by the following vote: Ayes: Fishel, Fisk, Fulnecky, Ferguson, and McClure. Nays: Schilling, Hosmer, and Ollis. Absent: Prater. Abstain. None.

There being no further appearances, the discussion was closed.

**Appointment of
Wendy E.
Garrison as
Springfield
Municipal Court
Judge**

Sponsor: Fisk. Council Bill 2018-021. A resolution electing the Honorable Wendy E. Garrison as a Springfield Municipal Court judge for a term of four years.

Greg Burris, City Manager, gave a brief overview of the proposed. He stated the proposed nominates Wendy Garrison to be a judge of the Springfield Municipal Court, for a term of four years. Mr. Burris noted she will replace Becky Borthwick, who resigned in April 2016 to accept a position with the Green County Associate Circuit Court.

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

Council Bill 2018-021. Resolution 10354 was approved by the following vote: Ayes: Schilling, Fishel, Fisk, Hosmer, Ollis, Fulnecky, Ferguson, and McClure. Nays: None. Absent: Prater. Abstain: None.

The following bills appeared on the agenda under Emergency Bills

**The Hartford
Grant –
Springfield Fire
Department**

Sponsor: Ollis. Council Bill 2018-022. A special ordinance authorizing the City Manager, or his designee, to accept a donation in the amount of \$10,000.00 from The Hartford Financial Services Group, Inc., to be used by the Springfield Fire Department for fire safety education, equipment, and materials; and declaring an emergency.

David Pennington, Fire Chief, gave a brief overview of the proposed. He stated on March 9, 2017, The Hartford Home Fire Index identified Springfield as one of the cities with the highest risk of fire. Chief Pennington noted as part of The Hartford Junior Fire Marshall Program's 70th Anniversary, The Hartford wishes to donate \$10,000 to the Springfield Fire Department to support ongoing fire safety and education. He stated this donation will continue to fund Project RED Zone, through the purchase of smoke alarms, batteries, and other fire safety education program materials.

Councilwoman Ferguson expressed her opinion Project RED Zone has had a significant positive impact in Springfield and stated she will be voting in favor of the proposed.

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

Council Bill 2018-022. Special Ordinance 26990 was approved by the following vote: Ayes: Schilling, Fishel, Fisk, Hosmer, Ollis, Fulnecky, Ferguson, and McClure. Nays: None. Absent: Prater. Abstain: None.

PUBLIC IMPROVEMENTS

GRANTS

AMENDED BILLS

The following bills appeared on the agenda under Public Hearing.

Council Bill 2018-005 and Council Bill 23018-006 were read and discussed simultaneously.

Annexation – 2759 West Republic Street

Sponsor: Schilling. Council Bill 2018-005. A general ordinance amending Section 1-9 of the Springfield City Code, 'City Limits,' by annexing approximately 1.42 acres of property into the City of Springfield, Missouri, generally located at 2759 West Republic Street, and generally referenced as Annexation A-4-17; and amending the Springfield City Code, Chapter 46, Section 46-1, 'Boundaries of wards, precincts and council zones,' by adding this property to the ward and precinct assigned them by the County Clerk.

Rezoning 2729 West Republic Street

Sponsor: Schilling. Council Bill 2018-006. A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 1.42 acres of property, generally located at 2759 West Republic Street from County C-2, General Commercial District to GR, General Retail District; and adopting an updated 'Official zoning map.' (Staff and Planning and Zoning Commission recommend approval). (By: Adolph A Uckele, Donald G. Bechtel, and James Norman Coats Trusts; 2759 W. Republic Street; Z-36-2017.)

Mary Lilly Smith, Director of Planning and Development, gave a brief overview of Council Bill 2018-005. She stated the proposed was initiated by City Council at the December 11, 2017, at the property owner's request. Ms. Smith noted the proposed includes approximately 1.4 acres of private property and 0.4 acres of Greene County right-of-way. She stated the Growth Management and Land Use Plan identifies this area as appropriate for annexation due to the unincorporated portion being surrounded by property within City limits. Ms. Smith noted all City services can be provided to the property, and the proposed will enhance governmental efficiency through rational and simplified boundaries. She stated the Springfield Police and Fire Departments have identified no issues with the proposed. Ms. Smith noted approval of the proposed will allow for continued growth and development, by maximizing use of existing resources, while minimizing costs to citizens.

Councilman Schilling asked if any other properties in this area will be annexed in the future. Mary Lilly Smith responded annexation can be requested by property owners or the City of Springfield may initiate an annexation.

Ms. Smith gave a brief overview of Council Bill 2018-006. She stated the Growth Management and Land Use Plan identifies this area as appropriate for low-density housing with neighborhood scale businesses, near intersections of arterials and collectors. Ms. Smith noted the property is currently zoned Commercial C-2 by Greene County and the proposed General

Retail zoning is consistent with surrounding properties. She stated the proposed retail development will use existing on-site detention, and buffer yards will be required for adjacent residential townhome and medium-density neighborhoods.

An opportunity was given for citizens to express their views.

Dane Seiler, Developer's Representative, spoke in favor of the proposed. He stated additional water quality basins will be added to the site at the time of development.

There being no further appearances, the public hearing was closed.

**Rezoning 2000
block West
Republic Street
with Conditional
Overlay District
No. 140**

Sponsor: Schilling. Council Bill 2018-007. A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 3.87 acres of property, generally located in the 2000 block of West Republic Street, from R-SF, Single Family Residential to GR, General Retail District and establishing Conditional Overlay District No. 140; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval). (By: Leas Legacy Lands, LLC; 2000 block of West Republic Street; Z-37-2017 Conditional Overlay District No. 140.)

Mary Lilly Smith, Director of Planning and Development, gave a brief overview of the proposed. She stated the Growth Management and Land Use Plan identifies the proposed as appropriate for medium or high-density housing. Ms. Smith noted the property west of the proposed was rezoned General Retail in 2014 and the property east of the proposed is classified as High-Intensity Retail, Office or Housing. She stated neighborhood scale businesses are appropriate near the intersections of arterials and collectors. Ms. Smith noted the submitted traffic impact study has been approved. She stated requirements of the Conditional Overlay District include an oversized detention basin to provide additional protection to downstream neighbors.

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

**Conditional Use
Permit 432 – 1452
North Lafontaine
Avenue**

Sponsor: Ferguson. Council Bill 2018-008. A special ordinance authorizing the issuance of Conditional Use Permit No. 432 to allow a Wireless Telecommunication Tower within a HC, Highway Commercial District generally located at 1452 North Lafontaine Avenue. (Staff and Planning and Zoning Commission recommend approval).

Mary Lilly Smith, Director of Planning and Development, gave a brief overview of the proposed. She stated the Conditional Use Permit, in the Highway Commercial zoning, will allow a 180-foot unmanned telecommunications tower and the Growth Management and Land Use Plan identifies this area as appropriate for medium-intensity retail, office, or housing. Ms. Smith noted additional Conditional Use Permit requirements include installation of a 6-foot wood fence and landscaping to include Evergreen shrubs.

Councilman Schilling asked how many broadband vendors will access this telecommunications tower. Mary Lilly Smith deferred to the Developer's Representative to provide this information.

Councilwoman Ferguson asked for clarification on the need for this tower. Mary Lilly Smith responded the applicant has indicated the proposed will provide additional access and deferred to the Developer's Representative to provide this information.

An opportunity was given for citizens to express their views.

Darryl Cain, Developer's Representative spoke in favor of the proposed. He stated the carrier, T-Mobile, desires to increase services to existing and new customers. Mr. Cain noted 825 meeting notices were mailed out and three residents, who attended the neighborhood meeting, did not express objection to the proposed.

Councilwoman Ferguson asked how the location in the proposed was selected. Darryl Cain responded several property owners, within the desired area, were contacted, and a lease agreement was executed with the property owner in the proposed.

Councilman Schilling asked if Missouri has recently passed laws limiting a municipality's ability to prevent telecommunications towers within their jurisdiction. Greg Burris, City Manager, responded recent legislative cycles have systematically reduced municipal control, limiting the City's ability to restrict telecommunications tower installations within their jurisdiction.

Councilman Hosmer asked if multiple carriers can access the same telecommunications tower. Mr. Cain responded in the affirmative. He stated the property owner may choose to negotiate additional leases with other carriers, besides T-Mobile.

Councilman Hosmer asked how many carriers can be on one telecommunications tower. Mr. Cain responded the available tower space is dependent on several factors, including the size and structural strength of the tower. He estimated the telecommunications tower in the proposed can be leased to two additional carriers.

Councilman Hosmer expressed his opinion carriers, requesting additional access in the future, should be required to lease available space on existing telecommunications towers, before any new towers are constructed.

Mary Lilly Smith noted City Staff will research this to determine if co-location can be required for future carrier access requests, and this information will be provided to City Council.

There being no further appearances, the public hearing was closed.

City Council recessed at 8:23 p.m.

City Council reconvened at 8:40 p.m.

**Rezoning 1850
South Blackman
Road with
Conditional
Overlay District
No. 141**

Sponsor: Fishel. Council Bill 2018-009. A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 2.87 acres of property, generally located at 1850 South Blackman Road, from County district R-1, Suburban Residence, to O-1, Office District and establishing Conditional Overlay District No. 141; and adopting an updated 'Official zoning map.' (Staff and Planning and Zoning Commission recommend approval). (By: Christian Church Disciples of Christ; 1850 South Blackman Road; Z-38-2017 Conditional Overlay District No. 141.)

Mary Lilly Smith, Director of Planning and Development, gave a brief overview of the proposed. She stated the proposed was annexed in 2007, as part of a larger tract, including 3810 E. Sunshine and retained its R-1 Suburban Residence zoning. Ms. Smith noted permitted uses within this zoning include single family detached dwellings, neighborhood parks, pools, community centers, and residential group homes. She stated the Conditional Use Permit allows for churches, public buildings, cemeteries, and manufactured home subdivisions. Ms. Smith

noted the Growth Management and Land Use Plan identifies the proposed as appropriate for low-density housing and office or medium to high-density multi-family along major roadways, when not located at intersections. She stated a submitted traffic study has been reviewed and approved. Ms. Smith noted additional requirements include an on-site detention basin and a 45-degree bulk plane. She stated Conditional Overlay District 141 prohibits many uses, including substance abuse treatment facilities, public service and utility uses, wireless tower facilities and schools and development centers. Ms. Smith noted Conditional Overlay District 141 limits operating hours of 6:00 a.m. to 10:00 p.m. and limits trash pick-up and business delivery to the hours of 7:00 a.m. to 10:00 p.m. She stated the maximum building height will be limited to 35 feet, and the open space requirement will be increased from 20 percent to 35 percent.

Councilwoman Fulnecky asked for clarification on the buffer yard requirement. Mary Lilly Smith responded a 40-foot buffer yard from the property line will be required, while maintaining a 45-degree bulk plane. She stated the developer will also be required to plant Evergreen trees to create a screening effect.

Councilwoman Fulnecky asked for clarification on the zoning history of the proposed. Mary Lilly Smith responded the property is currently zoned County R-1 Suburban Residence and has never had a City zoning district attached to the property.

Councilman Ollis asked if the Planning and Zoning Commission has an attendance requirement. Mary Lilly Smith responded in the affirmative. She stated the Planning and Zoning Commission has one current vacancy.

Anita Cotter, City Clerk, noted a letter is sent to any Commissioner who misses three consecutive meetings, giving them the opportunity to clarify the absences, or resign their position. She stated the most recent Commissioner elected to resign, after receiving the letter requesting clarification on recent absences.

Greg Burris, City Manager, noted a memo, clarifying quorum requirements, has been approved by City Staff and will be provided to City Council.

Councilman Hosmer asked how the bulk plane requirement is determined. Mary Lilly Smith responded bulk plane requirements are established within each zoning district, and the bulk plane requirement is dependent on the proposed use and the impact to adjacent zoning districts. She stated additional information will be provided to City Council on bulk plane requirements.

Chris Dunnaway, Principal Engineer, provided clarification on stormwater runoff for the proposed. He stated stormwater from the Neighborhood Market and Sam's Club is routed to on-site detention basins and bypasses the Oak Knolls South subdivision. Mr. Dunnaway noted the Oak Knolls South subdivision was developed with minimal stormwater design review and poor building practices, resulting in stormwater runoff issues within the subdivision. He stated only a small area, west of Blackman Road, drains through the Oak Knolls South subdivision. Mr. Dunnaway noted the developer must design and construct a detention basin to maintain flow rates at, or below, current conditions. He stated City Staff will review the design for compliance with conformance standards, and must approve the design before building permits are issued. Mr. Dunnaway noted the developer must submit as-built plans, as verification the detention basin was constructed per the design, and has the necessary volume and proper outlet control structure in place.

Councilwoman Fulnecky asked for clarification on current flooding in the Oak Knolls South subdivision. Chris Dunnaway responded most of the flooding occurs on Brandon Street, which currently has an inadequate detention basin for the subdivision. He stated approximately 33 acres of stormwater is diverted to this detention basin.

Anita Cotter, City Clerk, notified Council eleven citizens wish to address City Council on this matter, therefore, per City Council policy, all speakers will be limited to three minutes.

An opportunity was given for citizens to express their views.

Aaron Lyons, Legal Representation for residents of the Oak Knolls South subdivision, spoke in opposition to the proposed. He stated concerns for the proposed include an increase in stormwater runoff and flooding in the subdivision, and the proposed will negatively impact the neighborhood. Mr. Lyons noted several residents submitted a good-faith offer to the developer, which was rejected.

Councilman Fishel asked for clarification on the maximum structure height in the proposed. Mary Lilly Smith responded the maximum building height in the proposed zoning is 35 feet.

Councilwoman Fulnecky asked for clarification on the good-faith offer made by the neighbors in the Oak Knolls South subdivision. Mr. Lyons responded the offer, from several residents, was rejected by the developer.

Barton Newton spoke in opposition to the proposed. He expressed his opinion stormwater runoff from the Neighborhood Market and Sam's Club already floods areas of the Oak Knoll South subdivision and the proposed will increase stormwater runoff and flooding within the subdivision.

Councilman Hosmer asked where Mr. Newton's home is. Mr. Newton responded his home is directly north of the subdivision's stormwater detention basin on Brandon Street. He stated stormwater runoff consistently damages the privacy fence on his property.

Councilwoman Fulnecky asked if Mr. Newton has addressed the flooding issues with Greene County. Mr. Newton responded in the affirmative. He stated Greene County does not accept responsibility for maintenance or infrastructure improvements to the stormwater detention basin in the subdivision.

The following speakers appeared and spoke in opposition of the proposed citing the following reasons; the proposed will encroach on the privacy of single family homes within the subdivision, the proposed will negatively impact property values, and the proposed will intensify the existing flooding and stormwater runoff problems in the area: John Gafner, Will Cox, Tony Gott, Darrell Reeds, Brian Hamburg, Elaine Hamburg, Jean May, and Martha Phillips.

Derek, Lee, Developer's Representative, spoke in favor of the proposed. He expressed his opinion the proposed is an appropriate use for this property, will provide greater landscape buffers, and the required stormwater detention basin will not increase stormwater runoff to the residents of the Oak Knoll South subdivision. Mr. Lee noted one-third of the property will be used as a buffer between the proposed and the single-family neighborhood.

Councilwoman Fulnecky asked if the elevation of the proposed will negatively impact the existing single-family neighborhood. Mr. Lee responded in the negative. He stated the current residential zoning allows a maximum residential structure height of 45 feet and the maximum building height of the proposed is 35 feet.

Councilwoman Fulnecky asked if a traffic study has been completed for the proposed. Mr. Lee responded in the affirmative. He stated recent infrastructure improvements will provide dual lefts into the proposed.

Councilwoman Fulnecky asked for clarification on municipal services to the proposed. Mr. Lee responded the proposed is within inside City limits and the Oak Knoll South subdivision is outside City limits.

Councilwoman Fulnecky asked for clarification on the jurisdiction of Blackman Road. Dan Smith, Director of Public Works, responded Blackman Road has been annexed and is within City limits.

Councilman Ollis asked for clarification on the good-faith negotiations with the Oak Knoll South subdivision. Mr. Lee responded two neighborhood meetings were held with residents of the Oak Knoll South subdivision. He stated concerns raised at the first meeting, regarding building height, were addressed at the second neighborhood meeting, when the developer agreed to reduce the maximum building height to 35 feet. Mr. Lee noted residents at the second neighborhood meeting stated they will oppose any development on the property north of the Oak Knoll South subdivision.

There being no further appearances, the public hearing was closed.

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

**Springfield City
Code Chapter 78,
Section 78-4**

Sponsor: Fisk, Ferguson, and Ollis. Council Bill 2018-010. A general ordinance amending the Springfield City Code, Chapter 78, 'Offenses and Miscellaneous Provisions,' Section 78-4, 'Possession, sale or consumption of alcoholic beverages in public place,' to amend section (a) Generally, to remove parks from this restriction. The Community Involvement Committee recommends approval.

Bob Belote, Director of Parks, gave a brief overview of the proposed. He stated the proposal will allow the Springfield-Greene County Park Board (Park Board) to permit alcohol at nine designated park sites, under specific and responsible circumstances. Mr. Belote noted the proposal was adopted unanimously by the Park Board at their September 8, 2017 meeting and presented to the Community Involvement Committee at their December 5, 2017 meeting. He stated members of the Community Involvement Committee unanimously voted to forward the proposed to City Council for consideration and approval. Mr. Belote noted the Park Board's comprehensive Food and Beverage proposal has been provided to City Council, and includes operational protocols, safety provisions, and security measures for this process. He introduced John Price, member of the Park Board, to give an overview of the Park Board's recommended Food and Beverage proposal.

Mr. Price noted the Food and Beverage proposal was developed in response to substantial requests from partner groups, event planners, patrons, and sponsors, who are hosting events at other facilities where alcohol can be served. He stated the Park Board continues to lose revenue from events being held at other venues in the City where alcohol is

permitted. Mr. Price noted revenues from facility rentals will provide funds for maintenance and infrastructure improvements on aging park facilities. He stated alcohol will be available at the Rivercut, Horton Smith, and Bill and Payne Stewart Golf Courses. Mr. Price noted alcohol will only be available at six other locations for special events and private functions. He stated these locations are the Dickerson Park Zoo, Mediacom Ice Park, Cooper Tennis Complex, the Lake Springfield Boathouse, the Springfield-Greene County Botanical Center & Gardens, and the Davis House and Property. Mr. Price noted the very detailed operating procedures of this program include a comprehensive permitting procedure, adequate insurance coverage requirements, and event security using off duty Police Officers and Sheriff's Deputies.

Councilman Hosmer asked for clarification on the type of sports tournaments where alcohol will be allowed. Mr. Price responded these tournaments will include semi-pro and professional tournament events. He stated softball and soccer tournament events are not included in the proposed.

Councilman Hosmer asked if Park Board employees will be serving the alcohol. Mr. Price responded in the affirmative. He stated these employees will be trained through the Missouri Alcohol Responsibility training program to serve alcohol. Mr. Price noted any caterers hired for private or special events must comply with all terms of the proposed and State laws.

Councilman Hosmer asked what types of alcohol will be served. Mr. Price responded alcohol will initially be limited to beer or wine at golf courses. He stated caterers at private events, such as the Lake Springfield Boathouse, will have the option of serving other cocktails, in addition to beer and wine.

Councilman Hosmer expressed his opinion a Parks Tax needs to be added to a ballot for a vote of the people to provide necessary funding for the Park Board. Mr. Price noted the proposed provides an additional revenue source and meets a current demand within the City of Springfield.

Councilman Hosmer asked if electronic cigarettes, such as vapor cigarettes, are permitted in City of Springfield parks. Bob Belote stated smoking is not allowed in City of Springfield parks and electronic cigarettes are not specifically prohibited in the current ordinance.

Councilman Schilling asked for clarification on the anticipated revenue to be generated by the proposed. Mr. Price responded the estimated revenue will be approximately \$200,000 to the Golf Course Fund and \$250,000 to the Park Board General Fund.

Councilwoman Fulnecky expressed her opinion the proposed promotes Park Board facilities and encourages private investment into City of Springfield parks and facilities.

Councilman Ollis expressed appreciation to Mr. Price and the Park Board for the comprehensive approach in developing the proposed.

Anita Cotter, City Clerk, notified Council eight citizens wish to address City Council on this matter, therefore, per City Council policy, all speakers will be limited to three minutes.

An opportunity was given for citizens to express their views.

Tracy Kimberlin, President and CEO of the Springfield Area Convention & Visitors Bureau, spoke in support of the proposed. He expressed his opinion the proposed will bring new events to Springfield.

Jodie Adams spoke in support of the proposed. She expressed her opinion the proposed will bring new events to Springfield and generate revenue for the City of Springfield.

Lisa Bakerink spoke on behalf of the Springfield Botanical Gardens, in support of the proposed. She expressed her opinion the proposed will allow new events to be held within the Springfield Botanical Gardens and will financially support new programs.

Denny Pilant spoke on behalf of Sister Cities, in support of the proposed. He expressed his opinion the proposed will allow fundraising and other community programs to benefit from revenue generated by special events and private functions.

Arthur Farris spoke on behalf of the Rhoades Rivercut Golf Group, in support of the proposed. He expressed his opinion the proposed will bring new tournaments to the golf courses and provide additional revenue for ongoing golf course maintenance and improvements.

Abbe Ehlers spoke on behalf of Ozark Greenways, in support of the proposed. She stated Ozark Greenways voted unanimously to support the proposed, as it will provide an additional revenue source for ongoing maintenance and future improvements for the City of Springfield parks and facilities.

Laura Head Elliott spoke on behalf of the Voice of Business Committee for the Springfield Area Chamber of Commerce, in support of the proposed. She expressed her opinion approval of the proposed will serve as an incentive in retention of young professionals to our community.

Mark Nelson, spoke on behalf of Friends of the Zoo, in support of the proposed. He expressed his opinion the proposed will generate additional revenue for continued maintenance, infrastructure improvements, conservation programs, and special events at the Dickerson Park Zoo.

There being no appearances, the discussion was closed.

**Level Property
Tax – Mill and
Lumber Building**

Sponsor: Hosmer. Council Bill 2018-011. A special ordinance amending the budget of the City of Springfield for Fiscal Year 2017-2018, in the amount of \$500,000, to appropriate a portion of the Level of Property Tax-Debt Service Fund reserve appropriation to the new Level Property Tax-Operating Fund for infill and related expenses for the Mill and Lumber building.

Collin Quigley, Assistant City Manager, gave a brief overview of the proposed. He stated the proposed continues the process of funding projects in the Level Property Tax ballot initiative, approved by voters on November 7, 2017. Mr. Quigley noted the proposed will amend the Fiscal Year 2017-2018 Budget to appropriate funds for design, construction, and equipment for the former Springfield Mill and Lumber building to accommodate additional Police staffing. He stated the design phase of this project will begin in February 2018, with construction scheduled to start in September 2018 with an estimated completion of March 2019.

Councilwoman Fulnecky asked for clarification on the timeline in the proposed. Collin Quigley responded the design phase of this project will begin in February 2018, with construction scheduled to start in September 2018 with an estimated completion of March 2019.

Councilwoman Fulnecky asked for additional details on the scope of the renovation. Collin Quigley responded the City has owned the Springfield Mill and Lumber building for several years, and it is the current site for the Springfield Police Department's Special Response Team. He stated the renovation will provide space for 23 to 30 office and cubicle spaces for Springfield Police Department Investigators and Staff.

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

**Springfield
Annual Fee
Schedule**

Sponsor: Schilling, Hosmer, and Ollis. Council Bill 2018-012. A general ordinance amending the Fee Schedule for certain municipal services as provided in the Springfield City Code, by making such adjustments as provided in the attached "Evaluation of Charges for Municipal Services"; and adopting new fees for certain City services. (The Finance and Administration Committee recommends approval.)

David Holtmann, Director of Finance, gave a brief overview of the proposed. He stated the proposed Fee Schedule was presented to the Finance and Administration Committee at their December 13, 2017 meeting. Mr. Holtmann noted the committee recommended increasing cost of service recovery fees to 100 percent, except for Hazelwood cemetery and certain Springfield-Greene County Health Department fees. He stated the Annual Fee Study evaluated 253 fees for services. Mr. Holtmann noted the Annual Fee Study recommends the following changes: 16 new fees, 7 fees to be removed, 90 fee reductions, 40 fees with no change, and 107 fees to be increased. He stated the new Fee Study will be effective July 1, 2018. Mr. Holtmann noted Planning and Development fees, associated with the Plan Review Process, will take effect immediately upon City Council's approval.

Councilman Schilling asked if estimated revenue from the Fee Schedule is \$10.8 Million, including \$1.5 Million to the General Revenue Fund. David Holtmann responded in the affirmative.

Councilman Schilling stated the Finance and Administrative Committee reviewed the proposed extensively at the December 13, 2017 meeting and expressed his opinion the proposed will provide necessary cost of service recovery revenue to the City of Springfield.

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

**Schedule of
Equipment No. 7
-**

Sponsor: Ollis. Council Bill 2018-013. A special ordinance authorizing the City of Springfield, Missouri, to enter into Schedule of Equipment No.7, which will become a part of its existing Master Equipment Lease Purchase Agreement, the proceeds of which will be used to pay the costs of acquiring equipment for the City, to do all things necessary to carry out the lease-purchase transaction, including the execution of certain documents in connection therewith; and amending the budget of the City for Fiscal Year 2017-2018 in an amount not to exceed \$593,000.

David Holtmann, Director of Finance, gave a brief overview of the proposed. He stated the proposed will be used to lease equipment for various facilities within the Parks Department and Golf Department. Mr. Holtmann noted the Master Lease Agreement, with US Bank, is a five-year term. He stated the Parks Department will make quarterly payments and own the equipment at the end of the five-year lease term. Mr. Holtmann noted the lease interest is approximately 2.6 percent.

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

Commercial Loan Program – North Town, LLC

Sponsor: McClure. Council Bill 2018-014. A special ordinance authorizing the loan committee to use \$492,000 from the Commercial Loan Program to supplement a loan to North Town, LLC; and granting an exception to the Comprehensive Housing Assistance Program rules to allow for the purchase of occupied housing.

Brendan Griesemer, Assistant Director of Planning and Development, gave a brief overview of the proposed. He stated the proposed will provide an affordable housing acquisition loan from the City's Commercial Loan Program. Mr. Griesemer noted the proposed will authorize an exception to current regulations, allowing for the purchase of occupied housing, which is not permitted under current regulations. He stated the loan will fund the acquisition of a 24-unit occupied low-income apartment complex, extending the project for an additional 20 years, ensuring long-term affordable housing. Mr. Griesemer noted the project will be inspected, prior to acquisition, and ongoing inspections will be conducted.

Councilwoman Fulnecky asked for clarification on the purpose of the loan for the proposed. Brendan Griesemer responded funds the City of Springfield receives from the Department of Housing and Urban Development (HUD) are for specifically for affordable housing. He stated loans are provided to local developers to provide affordable housing options in the community.

Councilwoman Fulnecky asked for clarification on the loan terms of the proposed. Brendan Griesemer responded loan terms are similar to traditional loans, with portions of the loan being deferred, and portions of the loan being amortized. He stated loan terms dictate how the loan is amortized.

Councilwoman Fulnecky asked for clarification on the risk of default to the City of Springfield for the proposed. Brendan Griesemer responded a Promissory Note and Deed of Trust are security for the loan.

Councilwoman Ferguson asked if the City of Springfield has a very low default rate on the Commercial Loan Program. Brendan Griesemer responded in the affirmative. He stated the default rate on the Commercial Loan Program is less than one percent.

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

Springfield City Code, Chapter 40, Article II, Chapter 353

Tabled to the January 29, 2018 City Council Meeting

Sponsor: Schilling and Ollis. Council Bill 2018-015. A general ordinance amending the Springfield City Code, Chapter 40, Article II, 'Chapter 353 – Urban Redevelopment,' by repealing Article II and enacting in lieu thereof a new Article II and Article III; amending Chapter 2, 'Administration,' Article IV, 'Boards, Commissions and Committees,' Division 5, 'Tax Abatement and Tax Increment Financing Advisory Commission,' by repealing Division 5 and enacting a new Division in lieu thereof; for the purpose of adopting, and updating, various code provisions related to tax abatement administration and to adopt a Workable Program for the City.

**General
Obligation Sewer
Improvement
Bonds 2017F**

Sponsor: Fulnecky. Council Bill 2018-017. A special ordinance amending the budget of the City of Springfield for Fiscal Year 2017-2018 in the amount of \$2,506,240 to allocate proceeds of the 2017F General Obligation Sewer Improvement Bonds and to appropriate funds for payment of interest and issuance costs of said bonds in the current fiscal year.

David Holtmann, Director of Finance, gave a brief overview of the proposed. He stated City Council passed Special Ordinance 26974 on November 27, 2017, authorizing the issuance and sale of \$2.43 million of general obligation bonds for continuation of the program to construct district and joint sanitary sewer and lateral lines. Mr. Holtmann noted these bonds were issued and sold competitively, and this Council Bill authorizes a budget adjustment needed to allocate the bond proceeds and debt costs of the new bonds.

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

**Grand Street
Bridge Project –
2016PW0031WTE**

Sponsor: Prater. Council Bill 2018-018. A special ordinance approving the plans and specifications for the Grand Street Bridge Project, generally referred to as Plan No. 2016PW0031WTE; accepting the bid of Hartman and Company, Inc., in the amount of \$2,915,569.60 for said project; and authorizing the City Manager, or his designee, to enter into a contract with such bidder.

Jonathan Peitz, Public Works Engineer, gave a brief overview of the proposed. He stated the proposed authorizes the acceptance of the bid of Hartman and Company, Inc., in the amount of \$2,915,569.60 for the Grand Street Bridge Project. Mr. Peitz noted the project was competitively bid and advertised in the Daily Events, in addition to the City of Springfield website. He stated three bids were received, with Hartman and Company, Inc. being the lowest bid. Mr. Peitz noted the project, near the intersection of Grand Street and Kansas Expressway, will widen Grand Street to three lanes from Kansas Expressway to Park Avenue. He stated the existing bridge will be replaced. Mr. Peitz noted construction will include a new multi-use path, trail connections, lighting, and upgrades to City Utilities gas and water. He stated utility improvements, included in the project, are estimated at \$222,082.00, and will be reimbursed by City Utilities. Mr. Peitz noted the City's net cost of the project is \$2,693,487.60 and will be funded by the 1/8-Cent Transportation Sales Tax.

Councilwoman Ferguson asked if the sidewalk construction will be on the north side of Park Avenue. Jonathan Peitz responded in the affirmative. He stated the construction will be a 10-foot wide multi-use trail to incentivize use by both walkers and bicycle riders.

Councilman Hosmer asked for clarification on the timeline for completion. Jonathan Peitz responded the project start date is scheduled for February 2018 with a seven-month construction period.

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

**Springfield City
Code, Chapter
103, Article VII**

Sponsor: Schilling and Hosmer. Council Bill 2018-019. A general ordinance amending Springfield City Code, Chapter 106 – 'Traffic and Vehicles,' Article VII. – 'Pedestrians,' by amending Section 106-452. – 'Rights and duties when crossing roadways,' subsection (a) 'Crossing at places other than crosswalks.'

Eric Claussen, Public Works Traffic Engineer, gave a brief overview of the proposed. He stated City Code Section 106-452(a) states that a pedestrian may not cross a roadway at any place other than a crosswalk, within those areas described in ordinances adopted from time to time. Mr. Claussen noted prior to the 2000 City Code recodification, Section 106-452(c) set out the areas in which pedestrians must use crosswalks at Grand Street between Kimbrough Avenue and National Avenue, and at National Avenue between Cherry Street and Grand Street. He stated during the recodification, Section 106-452(c) was deleted, and a requirement to describe the areas in ordinances was added to Section 106-452(a). Mr. Claussen noted no new ordinances were adopted to describe any areas after the recodification, so Section 106-452(a) is not applicable to any area. He stated the proposed amends Section 106-452(a) to allow the City's Traffic Engineer to designate areas in which pedestrians must cross within crosswalks regardless of the time of day and allows pedestrians to cross roadways with a speed limit of 30 miles per hour or less, regardless of the time of day.

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

**Greene County
Senior Citizens'
Service Fund
Grant – Give 5**

Sponsor: McClure. Council Bill 2018-020. A special ordinance amending the budget of the City of Springfield for Fiscal Year 2017-2018, in the amount of \$22,500, to accept a grant from the Greene County Senior Citizens' Services Fund and to allocate said funds to the Give 5 Program; and to authorize the application and acceptance of a similar grant request for the 2018 calendar year.

Greg Burris, City Manager, gave a brief overview of the proposed. He stated the proposed authorizes the City of Springfield to apply for and received a grant from the Greene County Senior Services Fund for operation of the City of Springfield's Give 5 Program for 2018. Mr. Burris noted the Give 5 program began on December 13, 2017. He stated 54 applications were received and 21 Greene County residents, age 60 or older, are participating in the first class. Mr. Burris noted Greene County Senior Citizens' Services Fund grants can only be directed towards Greene County participants, and fund the costs associated with the first Give 5 class. He provided a brief overview of the Give 5 program, and the immediate impact program participants are making in the non-profit, volunteer community.

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

PETITIONS, REMONSTRANCES, AND COMMUNICATIONS

Did Not Appear Mr. James Sharp wishes to address City Council.

Withdrew Ms. Sue Estes wishes to address City Council.

Did Not Appear Mr. Mike Turner wishes to address City Council.

NEW BUSINESS

Recommended The City Manager recommends the following appointment to the Building Trades Examination and Certification Board: Greg Lewis with a term to expire October 1, 2019.

Recommended The City Manager recommends the following reappointments to the Building Trades Examination and Certification Board: Chad Drake, Rory Krueger, and James "Randy" Scott with terms to expire December 1, 2020.

Recommended The Mayor recommends the following appointments to the Mayor’s Commission for Children: Jennifer McClure with a term to expire November 29, 2020 and Missy Riley with a term to expire November 29, 2019.

Recommended The Mayor recommends the following appointments to the Mayor’s Commission on Human Rights and Community Relations: Francie Wolff with a term to expire October 1, 2020 and Steve Largent with a term to expire October 1, 2018.

UNFINISHED BUSINESS

MISCELLANEOUS

CONSENT AGENDA FIRST READING BILLS

Sale of Real Property at 1212 South Hillcrest Avenue Sponsor: Schilling. Council Bill 2018-023. A special ordinance approving the sale of real property at 1212 South Hillcrest Avenue to 737 Properties, LLC for \$6,700.00; authorizing the issuance of a deed for same; and approving a budget adjustment to amend the Fiscal Year 2017-2018 budget.

Sale of Real Property at 2531 West State Street Sponsor: Ferguson. Council Bill 2018-024. A special ordinance approving the sale of real property at 2531 West State Street to Springfield Community Land Trust for \$1,000.00 and authorizing the issuance of a deed for same.

Sale of Real Property at 2627 North Broadway Avenue Sponsor: Ferguson. Council Bill 2018-025. A special ordinance approving the sale of real property located at 2627 North Broadway Avenue to Christina Dicken and Jayme VanMeter in the amount of \$1,000.00 and authorizing the issuance of a deed for same.

Sale of Real Property at 831 South Newton Avenue Sponsor: Schilling. Council Bill 2018-026. A special ordinance approving the sale of real property located at 831 South Newton Avenue to Peter Ottoson for \$5,200.00; authorizing the issuance of a deed for same; and approving a budget adjustment to amend the Fiscal Year 217-2018 budget.

Springfield Plaza Tax Increment Financing Plan Sponsor: Fulnecky. Council Bill 2018-027. A special ordinance amending the budget for the City of Springfield, Missouri, for fiscal year 2017–2018 in the amount of \$5,000.00 for the reimbursement of annual administrative expenses incurred by the City regarding the Springfield Plaza Tax Increment Financing Plan.

Springfield City Code, Chapter 68, Article II, Section 78-35 Sponsor: Hosmer. Council Bill 2018-028. A general ordinance amending Springfield City Code, Chapter 78, ‘Offenses and Miscellaneous Provisions,’ Article II, ‘Offenses Against Public Administration,’ Section 78 -35, ‘Failure to Appear,’ by removing the language authorizing the Springfield Police Department to collect a fee for the removal of a vehicle immobilization device.

Registered Apprenticeship Academy Grant Sponsor: Fishel. Council Bill 2018-029. A special ordinance authorizing the City Manager to submit a Registered Apprenticeship Academy grant application to the Missouri Department of Economic Development to support the training of individuals through registered apprenticeship training and to accept a grant from Missouri Department of Economic Development for this purpose.

Environmental Works License Agreement

Sponsor: Prater. Council Bill 2018-030. A special ordinance authorizing the City Manager, or his designee, to enter into a license agreement with Environmental Works, Inc., to install and maintain two monitoring wells on public right-of-way to monitor groundwater conditions at no cost to the City.

CONSENT AGENDA ONE READING BILLS

Missouri Department Finance Board Tax Credits

Sponsor: Fulnecky. Council Bill 2018-031. A resolution authorizing the City Manager, or his designee, on behalf of the City of Springfield, Missouri, to apply for tax credits from the Missouri Development Finance Board for contributions to benefit the Community Partnership of the Ozarks.

Council Bill 2018-031. Resolution 10355 was approved by the following vote: Ayes: Schilling, Fishel, Fisk, Hosmer, Ollis, Fulnecky, Ferguson, and McClure. Nays: None. Absent: Prater. Abstain: None.

Reappointments Convention and Entertainment Community Improvement District

Sponsor: McClure. Council Bill 2018-032. A resolution approving the reappointment of Gregg Groves, Sarah Kerner, and Collin Quigley to the Convention and Entertainment Community Improvement District Board of Directors. (Staff recommends approval).

Council Bill 2018-032. Resolution 10356 was approved by the following vote: Ayes: Schilling, Fishel, Fisk, Hosmer, Ollis, Fulnecky, Ferguson, and McClure. Nays: None. Absent: Prater. Abstain: None.

Reappointments Downtown Springfield Community Improvement District

Sponsor: McClure. Council Bill 2018-033. A resolution approving the reappointment of Paula Adams, Allen Kunkel, Doug Roller, and Mary Lilly Smith to serve on the Downtown Springfield Community Improvement District Board of Directors. (Staff and the Downtown Springfield Community Improvement District Board of Directors recommend approval).

Council Bill 2018-033. Resolution 10357 was approved by the following vote: Ayes: Schilling, Fishel, Fisk, Hosmer, Ollis, Fulnecky, Ferguson, and McClure. Nays: None. Absent: Prater. Abstain: None.

Request for Proposals Fire Station #1 and Fire Station #6

Sponsor: Ollis. Council Bill 2018-034. A resolution authorizing the solicitation of Requests for Proposals for the disposal of former Fire Station #1, located at 235 North Kimbrough Avenue and former Fire Station #6, located at 1201 South Campbell Avenue.

Council Bill 2018-034. Resolution 10358 was approved by the following vote: Ayes: Schilling, Fishel, Fisk, Hosmer, Ollis, Fulnecky, Ferguson, and McClure. Nays: None. Absent: Prater. Abstain: None.

CONSENT AGENDA SECOND READING BILLS

Dedication of Public Streets – 611 West Sunset Street

Sponsor: Schilling. Council Bill 2017-301. A special ordinance authorizing the Director of Planning and Development to accept dedication of the public streets and easements to the City of Springfield as shown on the Preliminary Plat of Coryell At Sunset subdivision, generally located at 611 West Sunset Street, 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 all the terms of this Ordinance. (Planning and Zoning Commission recommends approval and staff recommends that City Council accept the public streets and easements).

Council Bill 2017-301. Special Ordinance 26988 was approved by the following vote: Ayes: Schilling, Fishel, Fisk, Hosmer, Ollis, Fulnecky, Ferguson, and McClure. Nays: None. Absent: Prater. Abstain: None.

Confirmed Confirm the following appointment to the Springfield Convention & Visitors Bureau, Inc: Joe Wadkins with a term to expire January 1, 2021.

Confirmed Confirm the following reappointments to the Springfield Convention & Visitors Bureau, Inc: Daniel Reiter and Paul Sundy with terms to expire January 1, 2021

END OF CONSENT AGENDA.

Prepared by
Kris Wright

Anita J. Cotter, CMC/MRCC
City Clerk

DRAFT