

March 12, 2018
Springfield, Missouri

The City Council met in regular session March 12, 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.

- Sworn In** Anita Cotter, City Clerk, swore in Matthew Simpson to serve as Zone 4 Councilman.
- Roll Call** Present: Richard Ollis, Kristi Fulnecky, Phyllis Ferguson, Matthew Simpson, Tom Prater, Mike Schilling, Jan Fisk, Craig Hosmer, and Ken McClure. Absent: None.
- Minutes** The minutes of the February 26, 2018 City Council Meeting and the March 6, 2018 Special City Council Meeting were approved as presented.
- Consent Agenda** The Consent Agenda was approved as presented.

Councilman Prater moved to add Council Bill 2018-070 to the City Council agenda as was posted in the Office of the City Clerk as a possible addition to the agenda on Thursday, March 8, 2018. Councilman Simpson seconded the motion and it was approved by the following vote: Ayes: Ollis, Fulnecky, Ferguson, Simpson, Prater, Schilling, Fisk, Hosmer, and McClure. Nays: None. Absent: None. Abstain: None.

Mayor McClure moved to add Council Bill 2018-041 Substitute 1 to the City Council agenda as was posted in the Office of the City Clerk as a possible addition to the agenda, on Friday, March 9, 2018. Councilman Simpson seconded the motion and it was approved by the following vote: Ayes: Ollis, Fulnecky, Ferguson, Simpson, Prater, Schilling, Fisk, Hosmer, and McClure. Nays: None. Absent: None. Abstain: None.

CEREMONIAL MATTERS

- Sworn In** Anita Cotter, City Clerk, swore in Shelby Lawhon to the Personnel Board.
- Mayor Pro Tempore Jan Fisk Athena Award.** Sponsor: McClure. Council Bill 2018-059. A resolution recognizing Mayor Pro Tempore Jan Fisk on the occasion of receiving the 2018 ATHENA Leadership Award.
- An opportunity was given for citizens to express their views. There being no appearances, the discussion was closed.
- Mayor Pro Tem Fisk thanked City Council for this recognition.
- Council Bill 2018-059. Resolution 10364 was approved by the following vote:
Ayes: Ollis, Fulnecky, Ferguson, Simpson, Prater, Schilling, Fisk, Hosmer, and McClure.
Nays: None. Absent: None. Abstain: None.
- City Managers Report** Greg Burris, City Manager, noted Dan Smith, Director of Public Works, has provided a Pavement Condition Report to City Council, at Councilman Schilling's request.

Mr. Burris noted a memo, requested by Mayor McClure, provides detailed information on the funding source for the \$87 Million sewer project, on tonight's agenda for a second reading and vote by City Council.

Mr. Burris noted the City of Springfield's March Sales Tax Revenue check, from the Missouri Department of Revenue, is five percent below budgeted estimates. He stated this check reflects sales processed by the State in February 2018, from transactions made primarily in January 2018. Mr. Burris noted sales tax revenues, year-to-date, are one percent above budgeted estimates. He stated March 2018 sales tax revenues are four percent above revenues received in March 2017. Mr. Burris noted the Department of Public Information has provided a press release and statistical analysis to City Council.

Mr. Burris noted the Springfield Fire Department, in collaboration with local partners, will host an educational training program for members of the community. He stated the "Stop the Bleed" campaign will teach bleeding control techniques, and the proper use of bleeding control equipment, such as tourniquets. Mr. Burris noted this training program is part of the national "Stop the Bleed" day, and will be held on Saturday, March 31, 2018 at 9:00 a.m. in Lincoln Hall, Room 211 at Ozarks Technical Community College. He stated citizens may register at www.mercy.net/nationalstopthebleeday

Mr. Burris noted two Town Hall Meetings have been scheduled. He stated Councilwoman Ferguson has scheduled a Zone 1 Town Hall for Thursday, April 10, 2018 from 6:00 p.m. to 7:00 p.m. at York Elementary School. Mr. Burris noted at this Town Hall north Springfield residents can meet with Springfield Public Schools representatives to share ideas and formulate plans for north Springfield students and schools.

Mr. Burris noted Councilman Simpson is hosting a Town Hall Meet and Greet on Wednesday, April 18, 2018 from 6:30 p.m. to 7:30 p.m. at Kickapoo High School. He stated those unable to attend the event may participate via Facebook Live on the City of Springfield's Facebook page, CityofSGF.

Mr. Burris noted the Public Works and Public Information departments will host a Jefferson Avenue Footbridge informational open house on Thursday, March 29, 2018 from 4:00 p.m. to 6:00 p.m. at the White River Brewing Company. He stated the Jefferson Avenue Footbridge is in the final design phase, and the public will have the opportunity to provide input on ADA accessibility features and lighting design.

Councilwoman Fulnecky noted a recent USA Today article identified Springfield as one of the 25 cities across the nation where crime is soaring, and requested a Council Lunch be scheduled so the Springfield Police Department can provide an update on current crime prevention efforts to City Council.

Mayor McClure invited Paul Williams, Police Chief, to address concerns raised by Councilwoman Fulnecky.

Chief Williams noted media reports, such as the article in USA Today, do not appropriately reflect true statistics of Uniform Crime Reporting data. He stated the Federal Bureau of Investigation (FBI) has continually advised against using FBI statistics in ranking crime and these statistics were used in the USA Today article. He stated analyzing reliable and accurate crime statistics incorporates many different factors. Chief Williams noted the most appropriate statistical analysis is the Springfield Police Department's Uniform Crime Report, which is presented to City Council monthly and annually. He stated the FBI changed the definition of rape to include a wide range of sexual assaults in 2013, resulting in a statistical increase in the number of rapes reported, without actual reported rapes increasing. Chief Williams noted another factor in analyzing crime statistics is not all police departments utilize Uniform Crime Reporting standards, which affects statistical data.

Councilman Hosmer asked for an accumulative update on resolution rates for sexual assaults. Chief Williams noted the Springfield Police Department's Annual Benchmarks Survey, which has just been completed, includes clearance rates for the previous five years, and this will be provided to City Council.

Councilwoman Fulnecky asked if a Benchmark Study is available comparing Springfield to other Benchmark cities. Chief Williams responded in the affirmative. He stated the City of Overland Park prepares an annual report, which should be finalized in about a month and this will be provided to City Council.

Councilman Simpson asked for clarification on the best way to communicate the media's inaccurate reporting of crime statistics to Springfield residents. Chief Williams expressed his opinion sharing the monthly Uniform Crime Reporting statistics is one of the best ways to provide accurate statistical data to citizens.

Councilwoman Ferguson asked if all other police departments in our Benchmark cities group utilize the same crime reporting methods as the Springfield Police Department. Chief Williams responded in the negative.

Councilwoman Ferguson asked if the best method of tracking crime in Springfield is through historical analysis of Springfield's crime reporting. Chief Williams responded in the affirmative.

Councilwoman Ferguson asked if the Public Information Officer for the Police Department can collaborate with the Director of Public Information and Civic Engagement to prepare an educational document, for distribution to the community with accurate crime statistics. Chief Williams responded in the affirmative.

Mayor Pro Tem Fisk moved to rescind the motion to table Council Bill 2018-008. Councilwoman Ferguson seconded the motion and it was approved by the following vote:
Ayes: Ollis, Fulnecky, Ferguson, Simpson, Prater, Schilling, Fisk, Hosmer, and McClure.
Nays: None. Absent: None. Abstain: None.

The following bills appeared on the agenda under Second Reading Bills

**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).

Greg Burris, City Manager, gave a brief overview of the proposed. He stated the Conditional Use Permit, in a Highway Commercial zoning district, 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.

Councilman Hosmer stated he will be voting in opposition to the proposed and expressed his opinion this is not beneficial to the neighborhood.

Councilwoman Ferguson stated she will be voting in opposition to the proposed ordinance and expressed that the proposed tower conflicts with the Conditional Use Permit requirements, and will negatively impact the surrounding property owners, and the neighborhood.

Mayor McClure noted state statute stipulates that if no action is taken within 120 days of filing an application for a telecommunications tower, the application is deemed approved. Mayor McClure expressed his opinion the action taken on January 29, 2018 was inappropriate and stated he will be voting in support of the proposed ordinance.

Council Bill 2018-008 failed by the following vote: Ayes: Fulnecky, Simpson, Prater, and McClure. Nays: Ollis, Ferguson, Schilling, Fisk, and Hosmer. Absent: None. Abstain: None.

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

Sponsor: McClure. Amended Council Bill 2018-009. (McClure) 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.)

Anita Cotter, City Clerk, noted a protest petition was received and found to be sufficient at 52.99 percent. She stated a copy of the Supplemental Explanation has been provided to City Council, and a two-thirds majority, or six votes, will be required for passage.

Councilwoman Fulnecky stated she will be voting in opposition to the proposed and expressed her opinion the proposed will negatively impact the surrounding neighborhoods and increase the risk of flooding in the area.

Councilman Simpson stated he will be voting in support of the proposed and expressed his opinion the restrictions outlined in the Conditional Overlay District are sufficient to ensure minimal impact to the neighborhood.

Councilwoman Ferguson asked where the stormwater detention basin will be on the proposed. Dan Smith, Director of Public Works, responded the site plan, including the location of the stormwater detention basin, has not been submitted, since the proposed is for a speculative project. He stated any development on the property will be required to include stormwater detention sufficient to ensure maximum stormwater flow does not increase in the area.

Councilman Hosmer expressed his opinion current stormwater detention regulations should require developers to provide adequate stormwater detention basins to improve stormwater detention in flood prone areas. Dan Smith responded many developers add stormwater detention basins, using higher than required standards, to improve stormwater runoff, within the constraints of the site. He stated several public projects are planned to address and mitigate flooding in several areas of Springfield.

Frank Romines, City Attorney, noted any Conditional Use Permit regulations, which require a developer to address pre-existing stormwater runoff on a project, could be legally challengeable.

Councilman Hosmer stated he will be voting in opposition to the proposed and expressed his opinion not enough is being done to address current flooding in this area of Springfield.

Councilwoman Fulnecky asked for clarification on the dimensions of the stormwater detention basin in the proposed. Dan Smith responded he does not have this information since the zoning change is for a speculative project.

Mayor Pro Tem Fisk noted she has spoken to the developer and he indicates the stormwater detention basin will be on the southeast corner of the property with additional bufferyard requirements.

Amended Council Bill 2018-009. General Ordinance 6436 was approved by the following vote: Ayes: Ollis, Ferguson, Simpson, Prater, Fisk and McClure. Nays: Fulnecky, Schilling, and Hosmer. Absent: None. Abstain: None.

**City Code Chapter
36, Article III,
Section 36-321,
Short Term Stay
Rentals**

Sponsor: McClure. Council Bill 2018-041. Substitute No. 1. (McClure) A general ordinance amending Springfield City Code, Chapter 36, 'Land Development Code,' Article III.- 'Zoning Regulations,' Division 2.- 'Rules of Interpretation and Definitions,' Section 36-321.- 'Definitions'; and Division 4.- 'District Regulations,'; and Division 5.- 'Supplemental District Regulations'; Section 36-451.- 'Home Occupations'; and adding a new Section 36-472; for the purpose of establishing rules and regulations regarding the operation of Short-Term Stay Rentals; and designating an effective date for said amendments.

Mary Lilly Smith, Director of Planning and Development, gave a brief overview of the proposed. She stated Short Term Stay Rentals (STSR) Type 2 rentals are not owner occupied, or owner occupied rentals for more than 95 days in a calendar year. Ms. Smith noted several elements of the original council bill have been modified in the proposed. She stated written notification, to property owners within 200 feet of the property, and to the registered neighborhood association, 10 days prior to a neighborhood meeting, are required. Ms. Smith noted if a protest petition, representing 50 percent of property owners within 200 feet, is received within 21 days following the neighborhood meeting, the application is presented to City Council as a one-reading resolution. She stated if no sufficient protest is filed within 21 days after the neighborhood meeting, the application is approved and the permit is issued. Ms. Smith noted the permit fee for STSR Type 2 properties is \$350 and owners must obtain a Business License and Certificate of Occupancy. She stated a new section has been added to address revocation, suspension or denial of the STSR license. Ms. Smith noted the Director of Building Development Services can revoke, suspend, or deny issuance or renewal of a license, for a period of 12 months, for failure to comply with STSR requirements or City code violations, and the section includes a provision for appealing the decision to City Council. She stated the proposed clarifies posting requirements for each STSR property, and provides a provision for transfer of a licensed STSR to a new property owner. Ms. Smith noted City Staff is recommending suspension of the 500-foot separation rule contained in the original council bill, for Type 1 and Type 2 properties, for a period of 30 days, after approval by City Council.

Councilwoman Fulnecky asked if the Conditional Use Permit is still a requirement of the proposed. Mary Lilly Smith responded in the negative. She stated the proposed requires notification to property owners, within 200 feet of the STSR, the neighborhood association, and a neighborhood meeting must be held.

Councilwoman Fulnecky asked if the Conditional Use Permit fee is \$1,389. Mary Lilly Smith responded in the affirmative. She stated this fee is determined by the Finance Department as part of the Annual Fee study.

Councilwoman Fulnecky asked for clarification on the \$350 permit fee for STSRs. Mary Lilly Smith responded this fee covers staff time for processing the application, and issuance of the permit.

Councilwoman Fulnecky asked if the 500-foot separation requirement is in the proposed. Mary Lilly Smith responded in the affirmative. Councilwoman Fulnecky stated she is opposed to the 500-foot separation rule.

Councilwoman Ferguson asked if the proposed includes square footage requirements on carriage houses. Mary Lilly Smith responded in the affirmative. She stated current zoning ordinances contain detailed requirements for using carriage houses as an accessory dwelling or apartment, and any STSR utilizing a carriage house must comply with these requirements.

Councilman Ferguson asked for details in the STSR application. Mary Lilly Smith responded City Staff will develop an application packet, which provides information on notification requirements, signage, and actions necessary to complete the application process.

Councilman Simpson asked if City Staff considered having multiple separation requirements based on lot sizes in each Springfield neighborhood. Mary Lilly Smith responded in the negative. She stated City Staff reviewed several current STSR separation requirements from other municipalities, prior to preparing the proposed.

Councilman Ollis asked if a Type 1 STSR has a 500-foot separation requirement, preventing a Type 2 STSR within 500 feet. Mary Lilly Smith responded in the affirmative. She stated both Type 1 and Type 2 STSR properties are subject to the 500-foot separation requirement.

Councilman Hosmer asked how many property owners, within 200 feet, will need to be notified. Mary Lilly Smith responded this depends on lot size. She expressed her opinion a proposed STSR with a 50-foot frontage will be required to notify approximately 16 to 20 property owners within 200 feet.

Councilman Hosmer asked why the 500-foot separation is being suspended for 30 days after City Council Approval. Mary Lilly Smith responded the 30-day suspension will allow current STSR operators to come into compliance with the proposed, once it is approved by City Council.

Councilman Hosmer expressed his opinion suspending the 500-foot requirement for 30 days rewards current STSR operators who are violating City ordinances.

Councilwoman Fulnecky asked how the proposed was developed. Mayor McClure responded stating he worked with City Staff to develop the proposed. He stated the proposed is less restrictive than the original council bill, and per City Charter must be remanded to the Planning and Zoning Commission for review and recommendations before coming back to City Council for consideration and approval.

Councilman Prater asked when the proposed will be presented to the Planning and Zoning Commission. Mary Lilly Smith responded the proposed will be presented at the Planning and Zoning Commission meeting on April 12, 2018.

Mayor McClure moved to remand Council Bill 2018-041 Substitute 1 to the Planning and Zoning Commission for further review with a recommendation to come back to the full City Council. Councilwoman Ferguson seconded the motion.

Councilwoman Fulnecky stated she supports Mayor McClure's motion but does not support the 500-foot separation or the Business License requirements.

Mayor McClure's motion to remand the proposed to the Planning and Zoning Commission was approved by the following vote: Ayes: Ollis, Fulnecky, Ferguson, Simpson, Prater, Schilling, Fisk, Hosmer, and McClure. Nays: None. Absent: None. Abstain: None.

City Code Chapter 36, Article III, Section 36-321, Short Term Stay Rentals

Sponsor: Hosmer and Fisk. Corrected Council Bill 2018-041. A general ordinance amending Springfield City Code, Chapter 36, 'Land Development Code,' Article III.- 'Zoning Regulations,' Division 2.- 'Rules of Interpretation and Definitions,' Section 36-321.- 'Definitions'; and Division 4.- 'District Regulations,'; and Division 5.- 'Supplemental District Regulations'; Section 36-451.- 'Home Occupations'; and adding a new Section 36-472; for the purpose of establishing rules and regulations regarding the operation of Short-Term Stay Rentals; and designating an effective date for said amendments.

Councilman Ollis moved to table Corrected Council Bill 2018-041 indefinitely so as to give Council Bill 2018-041 Substitute 1 ample time to be considered by the Planning and Zoning Commission and City Council. Councilman Prater seconded the motion and it was approved by the following vote: Ayes: Ollis, Fulnecky, Ferguson, Simpson, Prater, Schilling, Fisk, and McClure. Nays: Hosmer. Absent: None. Abstain: None.

General Fund Carry Over Fund Balance

Sponsor: McClure. Amended Council Bill 2018-054. A special ordinance amending the General Fund budget of the City of Springfield, Missouri, for Fiscal Year 2017-2018, by appropriating funds from the carryover fund balance and increasing expenses in the amount of \$396,351.

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

Amended Council Bill 2018-054. Special Ordinance 27012 was approved by the following vote: Ayes: Ollis, Ferguson, Simpson, Prater, Schilling, Fisk, Hosmer, and McClure. Nays: Fulnecky. Absent: None. Abstain: None.

Sanitary Sewer Overflow Control Program

Sponsor: Ollis. Council Bill 2018-055. A special ordinance approving the plans and specifications for the Sanitary Sewer Overflow Control Program, Group 4 Public Sewer Rehabilitation – Sewer Main Cleaning, Closed Circuit Televised Video and Cured-in-Place Pipe project; accepting the bid of Insituform Technologies USA, LLC, for the project; authorizing the City Manager, or his designee, to enter into a contract for said project; and approving a budget adjustment to amend the Fiscal Year 2017-2018 budget of the Department of Environmental Services Clean Water Enterprise Fund in the amount of \$8,700,000.

Councilwoman Ferguson asked if surplus funds, collected from Springfield residents, to fund the Sanitary Sewer Overflow Control Program upgrades, will be refunded to residents, when the project is complete. Greg Burris, City Manager, responded in the negative. He stated all funds collected from Springfield Residents remain in the Clean Water Enterprise Fund for future improvements and upgrades.

Councilwoman Ferguson asked if an annual Environmental Services Clean Water Enterprise Fund update can be provided to City Council. Greg Burris responded in the affirmative.

Council Bill 2018-055. Special Ordinance 27013 was approved by the following vote: Ayes: Ollis, Fulnecky, Ferguson, Simpson, Prater, Schilling, Fisk, Hosmer, and McClure. Nays: None. Absent: None. Abstain: None.

**Additional
comments on
Amended Council
Bill 2018-054**

Councilwoman Fulnecky stated she voted in opposition to Council Bill 2018-054 and had indicated her desire to speak before City Council voted. She expressed her opinion City Council does not set the spending priorities.

Mayor McClure noted City Council established the carryover fund balance priorities, as part of the Contingency budget, when reviewing the Fiscal Year 2018-2019 Budget.

**Springfield-Greene
County Agreement
Animal Control**

Sponsor: Fulnecky. Council Bill 2018-056. A special ordinance authorizing the City Manager, or his designee, to accept additional annual services funds from Greene County for the benefit of the Springfield-Greene County Health Department to expand program services of Animal Control into areas of unincorporated Greene County; and amending the budget of the Springfield-Greene County Health Department, for Fiscal Year 2017-2018, in the amount of \$205,000 to appropriate said funds.

Council Bill 2018-056. Special Ordinance 27014 was approved by the following vote: Ayes: Ollis, Fulnecky, Ferguson, Simpson, Prater, Schilling, Fisk, Hosmer, and McClure. Nays: None. Absent: None. Abstain: None.

The following bills appeared on the agenda under Resolutions

**Youth Homeless
Demonstration
Program Grant**

Sponsor: Ollis. Council Bill 2018-060. A resolution authorizing the City Manager, or his designee, to apply for a Youth Homeless Demonstration Program Grant from the Department of Housing and Urban Development, in an amount not to exceed \$2 million, for the purpose of developing and implementing a coordinated community plan to end youth homelessness.

Brendan Griesemer, Assistant Director of Planning and Development, gave a brief overview of the proposed. He stated the proposed authorizes the City of Springfield to apply for the Youth Homeless Demonstration Program grant, in partnership with the Community Partnership of the Ozarks and The Kitchen. Mr. Griesemer stated the grant, if awarded, will provide an opportunity to develop and implement a coordinated community plan to end youth homelessness. He stated grant funds will also be used to fund collaboration with national youth homeless experts to analyze youth homelessness and develop a community plan. Mr. Griesemer noted grants are awarded based on poverty and current youth homelessness rates.

An opportunity was given for citizens to express their views.

Michelle Garand, representing Community Partnership of the Ozarks, spoke in support of the proposed. She expressed her opinion this grant will provide a funding stream to address youth homelessness in the community.

Councilman Schilling asked for clarification on youth homelessness in Springfield. Michelle Garand responded homeless youth in Springfield include youth, previously in the foster care system, who have reached the age of 18, victims of domestic violence, and victims of trafficking.

Councilman Simpson asked if grant funding will identify sustainable funding sources, once the grant period is completed. Michelle Garand responded in the affirmative. She stated sustainability is a component of the Housing and Urban Development grant criteria, with possible annual grant renewals.

Calie Holden spoke in support of the proposed. She stated the Homeless Youth Task Force is collaborating with five community organizations to prepare the grant application, which includes a recent needs assessment to justify the need for this grant in the community.

There being no further appearances, the discussion was closed.

Councilwoman Ferguson asked for clarification on the deadline for submitting this grant application. Brendan Griesemer responded the application must be submitted by April 17, 2018.

Council Bill 2018-060. Resolution 10365 was approved by the following vote: Ayes: Ollis, Ferguson, Simpson, Prater, Schilling, Fisk, Hosmer, Fulnecky, and McClure. Nays: None. Absent: None. Abstain: None.

**Rountree
Administrative
Delay**

Sponsor: Prater. Council Bill 2018-070. A resolution extending the existing administrative delay for the acceptance and processing of applications for rezoning and lot combinations in the Rountree Urban Conservation District for 180 days to allow additional time for the Consultant, Staff and residents of the Rountree Area to review, comment and present a report to Council on their findings and recommendations. (Planning and Development staff recommends approval).

Brendan Griesemer, Assistant Director of Planning and Development, gave a brief overview of the proposed. He stated the proposed extends the current Administrative Delay to allow City Staff, and the Rountree Neighborhood, to finish the updated Rountree Area Neighborhood plan for City Council's consideration. Mr. Griesemer noted City Staff has held multiple meetings with the steering committee, held an area specific meeting with property owners, business owners, and developers, surrounding the Cherry and Pickwick Commercial area, and mailed out a neighborhood wide survey. He stated these efforts identified 32 issues, which need to be addressed. Mr. Griesemer noted an outside consultant was hired to complete an in-depth study of the Cherry Street and National Avenue corridors, which has been a high priority for the Rountree neighborhood.

Councilman Ollis asked if any redevelopment applications are pending the Administrative Delay. Brendan Griesemer responded in the negative. He stated the Administrative Delay is specific to lot combination and zoning change applications.

An opportunity was given for citizens to express their views.

Paden Chambers, representing the Rountree Neighborhood Board, spoke in support of the proposed. He expressed his opinion the proposed is necessary to finalize the updated Rountree Area Neighborhood plan.

Councilwoman Ferguson asked if short term stay rental stipulations will be included in the updated plan. Paden Chambers responded the consultant has discussed several ideas for STSR inclusion in the plan.

Mike Brothers, representing the Rountree Neighborhood Board, spoke in support of the proposed and expressed appreciation to City Council for their support of the Rountree neighborhood.

Jeff Barber, representing the Rountree Neighborhood Board, spoke in support of the proposed and expressed his opinion the proposed will allow the Rountree Neighborhood Board and City Staff the time necessary finalize the Rountree Area Neighborhood plan.

Councilman Ollis expressed appreciation to the Rountree neighborhood for working with City Staff to update the Rountree Area Neighborhood plan. Councilman Ollis expressed his opinion updating the City's Comprehensive Plan will benefit not only the Rountree neighborhood, but all neighborhoods in Springfield.

There being no further appearances, the discussion was closed.

Councilman Prater stated he will be voting in support of the proposed and expressed his opinion the proposed is a good example of constructive collaboration between Springfield residents, developers, and City Staff.

Council Bill 2018-070. Resolution 10366 was approved by the following vote: Ayes: Ollis, Ferguson, Simpson, Prater, Schilling, Fisk, Hosmer, Fulnecky, and McClure. Nays: None. Absent: None. Abstain: None.

EMERGENCY BILLS

PUBLIC IMPROVEMENTS

GRANTS

AMENDED BILLS

The following bills appeared on the agenda under Public Hearing

Councilman Simpson noted Council Bill 2018-061 involves his employer, Ozarks Technical Community College, and he is recusing himself from consideration of the proposed to avoid any potential conflict of interest.

Councilman Simpson left Council Chambers at 8:07 p.m.

Rezoning – 1001 East Chestnut Expressway

Sponsor: Ferguson. Council Bill 2018-061. A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 16 acres of property, generally located at 1001 East Chestnut Expressway, from a R-TH, Residential Townhouse District, LB, Limited Business District, CS, Commercial Services District and GM, General Manufacturing District to a GI, Government Institutional District. (Staff and Planning and Zoning Commission recommend approval.) (By: Community College District of Central Southwest Missouri; 1001 East Chestnut Expressway; Z-6-2018)

Mary Lilly Smith, Director of Planning and Development, gave a brief overview of the proposed. She stated the proposed consolidates the Ozarks Technical Community College (OTC) campus south of Central into one zoning district, to allow for continued development within the campus. Ms. Smith noted the Growth Management and Land Use Plan identifies

this area as appropriate for medium-intensity retail, office or housing with a small area designated for low-density housing. She stated a traffic study will be required at completion of the Master Plan, or if any large undeveloped areas or low-density areas are rezoned.

An opportunity was given for citizens to express their views.

Jonathan Staats, Developer's Representative, spoke in support of the proposed. He stated OTC has a minor expansion planned for one building within the proposed.

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

Councilman Simpson returned to Council Chambers at 8:11 p.m.

**Rezoning – 3811
South Weller
Street, Planned
Development
District No. 363**

Sponsor: Prater. Council Bill 2018-062. A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 8.44 acres of property, generally located at 3811 South Weller Street, from Planned Development District No. 117, 4th and 5th Amendment, to Planned Development District No. 363. (Staff and Planning and Zoning Commission recommend approval.) (By: Weller Development, LLC; 3811 South Weller Avenue; Planned Development 363)

Mary Lilly Smith, Director of Planning and Development, gave a brief overview of the proposed. She stated the rezoning of approximately 4.74 acres near Fremont Avenue and Independence Street will combine two existing Planned Developments, allowing for mixed-use development of micro-efficiency, studio and two bedroom apartments. Ms. Smith noted the Growth Management and Land Use Plan identifies this area as appropriate for high-intensity retail, office or housing.

An opportunity was given for citizens to express their views.

Adlai Groves, Developer's Representative, spoke in support of the proposed and expressed his opinion the proposed will be beneficial to the community with little impact to the neighborhood.

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

**Rezoning – 1701
South Fort Avenue
and 1401 West
Elfindale –
Planned
Development
District No. 364**

Sponsor: Schilling. Council Bill 2018-063. A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 4.74 acres of property, generally located at 1701 South Fort Avenue and 1401 West Elfindale Street, from Planned Development District No. 46, 2nd Amendment, to Planned Development District No. 364. (Planning and Zoning Commission and Staff recommend approval.) (By: Vetter Senior Living; 1701 South Fort Avenue & 1401 West Elfindale Street; Planned Development 364)

Mary Lilly Smith, Director of Planning and Development, gave a brief overview of the proposed. She stated the proposed is for an assisted living facility. Ms. Smith noted the Growth Management and Land Use Plan identifies the west portion of the proposed as appropriate for community or public use and the east portion of the proposed as appropriate for commercial uses. She stated the proposed Planned Development removes retail uses and requires preservation of the historic gatehouse and carriage house. Ms. Smith noted the Landmarks Board has approved the site plan.

An opportunity was given for citizens to express their views.

John Soul spoke in support of the proposed. He expressed his opinion the proposed will provide continuum of care to for aging adults.

Rick Wilson, Developer's Representative, spoke in support of the proposed. He expressed his opinion the proposed eliminates commercial uses within the existing Planned Development, while ensuring preservation of the property's historic elements.

There being no appearances, the public hearing was closed.

**Rezoning – 3411 S.
Kansas Avenue,
Conditional
Overlay District
No. 145**

Sponsor: Schilling. Council Bill 2018-064. A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 2.27 acres of property, generally located at 3411 South Kansas Avenue, from an R-SF, Residential Single Family District to an R-LD, Low-Density Multi-Family Residential District and establishing Conditional Overlay District No. 145. (Staff and Planning and Zoning Commission recommend approval.) (By: RED 81, LLC; 3411 South Kansas Avenue; Z-5-2018 w/COD #145)

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 this area as appropriate for low-density housing and encourages a variety of housing types to provide greater housing choice for residents. Ms. Smith noted adjacent property west and north of the proposed has been developed at Residential Low-Density. She stated a previous zoning change request to Residential Medium-Density was denied by City council on April 11, 2017. She stated City Council, and property owners, expressed concern for the negative impact to the neighborhood, with site access from Kansas Avenue. Ms. Smith noted the Conditional Overlay District will require site access to be limited to Walnut Lawn Avenue and limits the density to 18 dwelling units per acre.

An opportunity was given for citizens to express their views.

Noah Snelson spoke in opposition to the proposed. He expressed his opinion the proposed will negatively impact traffic in the neighborhood, increase crime, and create unsafe conditions on Kansas Avenue.

Chris Ball spoke in support of the proposed. He expressed his opinion revisions in the site plan address concerns raised by residents during the previous zoning change application process.

Councilman Prater asked if a sidewalk will be installed along Kansas Avenue. Mr. Ball responded in the affirmative.

Adam Graddy, property owner, spoke in support of the proposed and expressed his opinion the zoning change will renovate the dilapidated property into a highest and best use to provide housing for senior citizens.

Stephanie Montgomery spoke in support of the proposed and expressed her opinion the proposed is an appropriate use to create housing for senior citizens.

Linda Rush spoke in opposition to the proposed and expressed her opinion the developer has not done enough to address the safety concerns of residents on Kansas Avenue.

Brad Parrish, Geotechnical Engineer, spoke in support of the proposed and stated he was hired to survey potential sinkholes. Mr. Parrish referenced a 1996 geological site report, which indicates there are no sinkholes on the property.

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

Councilman Schilling asked for an update on increasing crime, as referenced by Mr. Snelson, be provided to City Council. Greg Burris, City Manager, responded this will be provided to City Council.

The following bills appeared on the agenda under First Reading

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

Sponsor: Ollis, Hosmer, and Schilling. Council Bill 2018-015. Substitute No. 1. 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.

Councilman Ollis moved to amend Council Bill 2018-015, Substitute 1, by removing the phrase: ', with and without the minimum Tax Abatement as described in Section 40-15,' as it appears on Lines 118 & 119 of the Substitute bill as originally filed; and by removing the phrase, 'This section shall expire and cease to be in effect two years after final passage by the City Council.' as it appears on Lines 224 & 225; and by adding a new paragraph (c) to section 40-15 to read as follows: 'This section 40-15 shall expire and cease to be in effect two years after final passage by City Council. The purpose of the foregoing sunset is to provide sufficient time and opportunity to facilitate a dialogue between the City and taxing jurisdictions regarding the City's revised comprehensive plan and to address long-term blight issues in the community, including; the negative impact of blight and the deteriorating condition of housing stock and its adverse effect on property values; and the most effective manner to collect and distribute PILOT amounts to address the foregoing challenges. To this end, the City shall seek to engage in discussions with taxing jurisdictions no later than 18 months from the final passage of this Ordinance.'" Councilman Schilling seconded the motion.

Councilman Hosmer asked if the amendment provides a stipulation for returning PILOT funds to the developer if the City and taxing jurisdictions cannot reach an agreement within two years. Councilman Ollis responded in the affirmative.

Councilman Prater asked if the proposed amendment was previously sent to City Council for review. Councilman Ollis responded in the affirmative. He stated this was emailed to City Council on Saturday, March 10, 2018, with a detailed explanation of the amendment.

Councilman Ollis' motion to amend Council Bill 2018-015, Substitute 1 was approved by the following vote: Ayes: Ollis, Ferguson, Simpson, Prater, Schilling, Fisk, Hosmer, Fulnecky, and McClure. Nays: None. Absent: None. Abstain: None.

Mary Lilly Smith, Director of Planning and Development, gave a brief overview of the proposed. She stated the proposed conforms to State statute, which authorizes cities to adopt a Workable Program, including policies and priorities, to guide the use of the Chapter

99 incentive in the community. Ms. Smith noted requirements of the Workable Program include verification of blight, But-For test, increased notification requirements, and stipulations for projects in multiple-project redevelopment areas. She stated the But-For test application must include a project budget, detailed description of project financing, a project pro-forma financial statement, with and without abatement, and the developer's project schedule. Ms. Smith noted blight verification requirements include verification of current blight, if the property was blighted more than two years ago, or a new blight study for properties not previously declared blighted. She stated the Workable Program provides a 50 percent base-level tax abatement, and incorporates a scorecard, proving the opportunity for projects to earn additional tax abatement of up to 75 percent. Ms. Smith noted scorecard elements include development in financially distressed areas, the development providing a community benefit, or incorporating public safety and environmentally friendly elements in their design. She stated through the Workable Program, developers will make payments in lieu of taxes (PILOT) to the City of Springfield. Ms. Smith noted PILOT payments will be distributed to the taxing jurisdictions, for a period of two years, to allow City Staff to collaborate with taxing jurisdictions on the most effective use of PILOT funds to address long-term blight in the community. She stated developers will receive 100 percent tax abatement after two years, unless City Council amends the ordinance. Ms. Smith noted written notification, ten days prior to the City Council's public hearing, will be required for property owners within 500-feet, registered neighborhood associations, and the taxing jurisdictions. She stated proposed regulations, for a single project within a multi-project redevelopment plan area, include a verification of blight, notification to property owners, registered neighborhood associations, and taxing jurisdictions. Ms. Smith noted the But-For test, and scorecard are not applicable in multi-project redevelopment plan areas, and single projects will receive a 100 percent tax abatement. She stated each multi-project redevelopment area designation is effective for five years, and multi-project redevelopment area designation renewals will require

Councilman Hosmer asked if the claw-back provision, for developers not complying with approved redevelopment plans, is included in the proposed. Frank Romines responded in the negative. He stated the proposed includes a provision for prospective denial of future tax abatement. Mary Lilly Smith noted each tax abatement project is reviewed annually to ensure compliance with the approved redevelopment plan, and tax abatements for non-compliant developments, are terminated.

Councilman Hosmer asked if the claw-back provision was removed due to objections from the taxing jurisdictions. Mary Lilly Smith stated she does not have this information.

Councilman Hosmer stated the purpose of Chapter 99 is to remediate blight and expressed his opinion PILOT payment resources should be used to remediate blight throughout the community.

An opportunity was given for citizens to express their views.

Carol Embree, Deputy Superintendent, Springfield Public Schools, spoke in support of the amendment to Council Bill 2018-015 Substitute 1, which was approved by City Council. She stated Springfield Public Schools welcomes the opportunity to collaborate with City Staff and City Council to determine the most appropriate and best use of PILOT funds to benefit the community.

There being no further appearances, the discussion was closed.

Mayor McClure noted Council Bill 2018-015 Substitute 1 will be held over to the March 26, 2018 City Council meeting for public comment on the amendment only.

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

Tabled

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.

Councilman Ollis moved to table Council Bill 2018-015 indefinitely. Councilman Simpson seconded the motion and it was approved by the following vote: Ayes: Ollis, Ferguson, Simpson, Prater, Schilling, Fisk, Fulnecky, and McClure. Nays: Hosmer. Absent: None. Abstain: None.

Surplus City Property – Realtor Authorization

Sponsor: Fisk. Council Bill 2018-065. A special ordinance authorizing the City Manager, or his designee, to hire, through a competitive process, a real estate agent to market surplus City property; and authorizing the City Manager, or his designee, to sign real estate contracts submitted by the real estate agent hired under the authority of this Ordinance.

Collin Quigley, Assistant City Manager, gave a brief overview of the proposed. He stated the proposed authorizes the City Manager to hire a real estate agent to market surplus City property and authorizes the City Manager to sign real estate deeds, and contracts submitted by the real estate agent. Mr. Quigley noted the City accumulates properties in several ways, including the Dangerous Building program. He stated City Staff attempts to sell surplus properties, twice a year, through a sealed bidding process, with several unique properties not receiving bids. Mr. Quigley noted with approval of the proposed a contracted real estate agent will continuously market these unique properties.

Councilwoman Fulnecky asked for clarification on the process of selecting a real estate agent. Collin Quigley responded a Request for Proposal, with several required elements, will be issued, allowing real estate agents so submit sealed bids.

Councilwoman Fulnecky asked if one real estate agent will be selected to market all properties. Collin Quigley responded in the affirmative. He stated this will be an annual contract, subject to annual evaluation.

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

Housing and Urban Development Funds Pepperdine Elementary School Building

Sponsor: Fulnecky. Council Bill 2018-066. A general ordinance amending General Ordinance 6376 for the purpose of authorizing the use of United States Department of Housing and Urban Development funds by the Springfield Affordable Housing Center and One Door to acquire and rehabilitate the Pepperdine Elementary School building.

Brendan Griesemer, Assistant Director of Planning and Development, gave a brief overview of the proposed. He stated on January 12, 2017 City Council approved the use of \$1 Million of Department of Housing and Urban Development (HUD) funds for acquisition of move-in ready office space for the Springfield Affordable Housing Center. Mr. Griesemer noted the Community Partnership of the Ozarks explored almost fifty sites and was the successful

bidder for the vacant Pepperdine Elementary School for the purchase price of \$100,000. He stated the building requires substantial structural and environmental rehabilitation and the proposed will authorize the remaining \$900,000, previously approved by City Council for building acquisition only, to be used for necessary structural and environmental rehabilitation.

Councilwoman Ferguson asked if City Staff will oversee the rehabilitation and renovation of the Pepperdine School. Brendan Griesemer responded in the negative. He stated the Community Partnership of the Ozarks has hired an architectural firm for the renovation, and the City of Springfield will provide loan funds for the renovation.

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

Springfield City Code, Chapter 2, Section 2.92; New Position; Museum Facility Coordinator

Sponsor: Hosmer. Council Bill 2018-067. A general ordinance amending Chapter 2, Section 2-92 of the Springfield City Code, known as the 'Salary Ordinances,' by adding one new job title of "Museum Facility Coordinator," to be included in the Crafts, Trade and Labor ("CTL") salary schedule as a CTL-8.

Nick Nelson, Art Museum Director, gave a brief overview of the proposed. He stated the proposed establishes one new job title. Mr. Nelson noted this restructuring will reduce unnecessary costs, increase the efficiency of facility maintenance needs, and provide a central point of contact to coordinate important building maintenance tasks. He stated the Museum Facility Coordinator will oversee maintenance of the physical security systems, and oversee access to the building by Museum Staff, contractors, and vendors. Mr. Nelson noted the new job title has been included in the proposed Fiscal Year 2019 Budget.

Councilwoman Fulnecky asked for clarification on the salary for the new position. Nick Nelson responded Crafts, Trade and Labor salary schedule Level 8 has a salary range of \$32,000 to \$41,620.

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

Nixa Missouri Records Management System Agreement.

Sponsor: Ollis. Council Bill 2018-068. A special ordinance authorizing the City Manager, or his designee, to enter into an agreement with the City of Nixa, Missouri, for the use of a consolidated Police Records Management System.

Paul Williams, Chief of Police, gave a brief overview of the proposed. He stated the proposed agreement provides the Nixa Police Department access to the Springfield Police Departments' Records Management System to ensure a collaborative Records Management System in the region.

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

PETITIONS, REMONSTRANCES, AND COMMUNICATIONS

Withdrew

Mr. Tim Havens wishes to address City Council.

NEW BUSINESS

- Recommended** The Public Involvement Committee recommends the following reappointment to the Board of Equalization: Mary Cullers, with a term to expire April 1, 2021.
- Recommended** The Public Involvement Committee recommends the following appointment to the Citizens' Tax Oversight Committee: Ryan Kelly to fill the unexpired term of Jason Krebs. Mr. Kelly's term will expire May 1, 2019.
- Recommended** The Public Involvement Committee recommends the following appointment to the Citizens' Tax Oversight Committee: David Troyer to fill the unexpired term of Jennifer Nelson-Colwell. Mr. Troyer's term will expire May 1, 2018.
- Recommended** The Public Involvement Committee recommends the following appointment to the Landmarks Board: Matthew Cadle, with a term to expire November 1, 2018.
- Recommended** The City Manager recommends the following appointment to the Building Trades Examination and Certification Board: Lonney Smith to fill the unexpired term of Richard Glenn. His term will expire October 1, 2019.

UNFINISHED BUSINESS

MISCELLANEOUS

CONSENT AGENDA FIRST READING BILLS

- Crime Stoppers
Carden
International
Circus Donation** Sponsor: McClure. Council Bill 2018-069. A special ordinance authorizing the City Manager to accept a donation of \$10,304 from Carden International Circus Corporation, through its President and CEO, George Carden, and to do all things necessary to transfer all of said donation to Community Partnership of the Ozarks, Inc., for use by the 'Crime Stoppers' program, which provides support for the Springfield Police Department and the Springfield Fire Department in the furtherance of public safety in the City; and amending the budget for the Springfield Police Department for Fiscal Year 2017-2018 in the amount of \$10,304.

CONSENT AGENDA ONE READING BILLS

CONSENT AGENDA SECOND READING BILLS

END OF CONSENT AGENDA.

Prepared by
Kris Wright

Anita J. Cotter, CMC/MRCC
City Clerk