

**March 21, 2016**  
**Springfield, Missouri**

The City Council met in regular session March 21, 2016 in the Council Chambers at Historic City Hall. The meeting was called to order by Mayor Bob Stephens. A moment of silence was observed.

- Roll Call** Present: Ken McClure, Jan Fisk, Craig Hosmer, Kristi Fulnecky, Phyllis Ferguson, Mike Schilling, Justin Burnett, Craig Fishel, and Bob Stephens. Absent: None.
- Minutes** The minutes of March 7, 2016 were approved as presented.
- Consent Agenda** The Consent Agenda was finalized and approved as amended. Anita Cotter, City Clerk, informed Council she had received a request to remove Council Bill 2016-068 from the Consent Agenda First Reading Bills. She noted this item will be added for consideration at a later date.
- Adding Emergency Council Bills to Agenda** Mayor Pro Tem McClure moved to add three Council Bills to the agenda. Councilman Burnett seconded the motion and it was approved by voice vote. Anita Cotter, City Clerk, informed Council that Council Bills 2016-071, 2016-072, and 2016-073 will be added to the agenda under Emergency Bills.

**CEREMONIAL MATTERS**

- Planet Fitness 50/50 Plus Challenge** Sponsor: Hosmer. Council Bill 2016-055. A resolution recognizing Planet Fitness for completing the 50/50 Plus Challenge to become a “Springfield LifeSave Plus” organization.

Chief David Hall, Springfield Fire Department, gave a brief overview of the proposed. He stated Planet Fitness has at least 50 percent of their employees certified in CPR and an AED available on site. Chief Hall expressed his appreciation to Jordan Crim, General Manager of Planet Fitness, for their participation in the Springfield LifeSave Plus program.

Council Bill 2016-055. Resolution 10262 was approved by the following vote: Ayes: McClure, Fisk, Hosmer, Fulnecky, Ferguson, Schilling, Burnett, Fishel, and Stephens. Nays: None. Absent: None. Abstain: None.

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

Greg Burris, City Manager, responded all questions had been answered. Mr. Burris expressed appreciation to all City departments for responding to the flash flooding event March 13-14, 2016. He stated Springfield-Greene County 911 Emergency Communications received nearly 70 flooding-related 911 calls between 5 p.m. Sunday, March 13, 2016, and 1 a.m. Monday, March 14, 2016. The Springfield Fire Department assisted in 48 water rescues in the city limits and the Springfield Police Department received 176 calls for service between 6 p.m. Sunday and 2 a.m. Monday. Mr. Burris noted 78 of those calls were for stalled vehicles, traffic control, assistance requested from other agencies, well-being checks and vehicle accidents related to the flooding. He stated a Public Works crew comprised of about a dozen members began responding to the flood event

at 8 p.m. Sunday, working alongside rescue agencies to barricade flooded roads and removing barricades once the water receded. Mr. Burris noted Public Works is continuing to clean grates, remove gravel that washed up on the roadways from driveways and shoulders. He stated the Citizen Resource Center fielded dozens of calls, emails and responses from residents through the City's mobile app.

Mr. Burris noted the 2016 Birthplace of Route 66 Festival will take place August 12-14, 2016 on Park Central Square and throughout the downtown mall. He stated this year's festival will include additional musical acts, an expanded motorcycle village, a parade of classic cars and other entertainment, a free ice cream social on the Square, following the parade, and much more. More details are available online at [route66festivalsgf.com](http://route66festivalsgf.com).

Mr. Burris noted Springfield is in the running for "America's Best Main Street" in the America's Main Streets contest – a nod to Route 66 running through our City and being the birthplace. He stated citizens can vote through April 24, 2016 to push Springfield past the quarterfinals round. Mr. Burris noted a link is provided on the City's homepage at [springfieldmo.gov](http://springfieldmo.gov). He stated the City could win \$25,000 for a project to improve "main street".

Mr. Burris noted the monthly Parks update was provided to Council. He stated the Park Board partnered with the Ozark Region Workforce Development Board and the Missouri Job Center to present a seasonal hiring event on March 16, 2016 at Mediacom Ice Park. Mr. Burris noted representatives from nine different divisions were on hand to meet with applicants for summer positions. He stated the Park Board is among few employers willing to hire 14 and 15-year old workers, and for many young people, working for the Park Board is often their first job. To apply for a seasonal position, visit [parkboard.org/parksjobs](http://parkboard.org/parksjobs).

Mr. Burris noted Municipal Court Judge Becky Borthwick was selected by Missouri Lawyers Weekly to receive a Women's Justice Award. He stated Judge Borthwick has done many great things in her tenure at the City, most notably working with many partners to launch Springfield Homeless Court. Mr. Burris noted Homeless Court is a special court session for homeless defendants to resolve outstanding nonviolent misdemeanor offenses, fines and warrants within the city of Springfield's Municipal Court.

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

**Industrial Development  
Revenue Bonds (Kraft  
Heinz Foods**

Sponsor: Fulnecky. Council Bill 2016-050.

Note: Public Hearing remains open to provide an opportunity for Public comment during the complete 20 day notice period.

A special ordinance approving a plan for an industrial development project for Kraft Heinz Foods Company, a Pennsylvania corporation, consisting of the acquisition and installation of new equipment and machinery at the existing plant; and authorizing the City of Springfield, Missouri to issue its Taxable Industrial Development Revenue Bonds (Kraft Heinz Foods Company Project), Series 2016, in a principal amount not to exceed \$36,000,000 to finance the costs of such project; authorizing and approving certain documents; and authorizing certain other actions in connection with the issuance of the Bonds.

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

Councilwoman Fulnecky spoke in support of the proposed. She expressed her appreciation to Kraft Heinz Foods Company for investing in the community.

Mayor Pro Tem McClure spoke in support of the proposed. He expressed his opinion the economic benefit of the proposed will have a positive impact on the City. He stated Kraft Heinz is large customer of City Utilities and has focused their efforts on energy efficient operations.

Councilman Burnett spoke in support of the proposed. He expressed his opinion 109 new jobs will be good for the community.

Councilwoman Ferguson noted Kraft Heinz Foods Company has been part of the City for over 75 years and expressed her opinion the relationship between Springfield and Kraft Heinz has been mutually beneficial. She stated she is happy to support the proposed.

Councilman Hosmer spoke in support of the proposed. He expressed his opinion the proposed will create jobs and is a good use of the abatement process.

Council Bill 2016-050. Special Ordinance 26704 was approved by the following vote: Ayes: McClure, Fisk, Hosmer, Fulnecky, Ferguson, Schilling, Burnett, Fishel, and Stephens. Nays: None. Absent: None. Abstain: None.

#### **Retiree Health Plan**

Sponsor: Hosmer. Council Bill 2016-051. A general ordinance amending the City Health Care Plan to terminate the City of Springfield Retiree Health Plan (Non-Medicare) on December 31, 2016; repealing the Plan Document and Summary Plan Description of the City of Springfield Retiree Health Plan (Non-Medicare) effective December 31, 2016; terminating the City of Springfield Retiree Health Savings Account Program effective December 31, 2016; amending Chapter 2 of the Springfield City Code, Section 2-92, Merit Rule 25.1, City Health Care Plan, by amending the language of said Merit Rule; amending Section 2-92, Merit Rule 25.1, City Health Care Plan, Exhibit 1, by amending the language of said Exhibit 1; terminating the City of Springfield Medicare supplement plan effective December 31, 2017; amending Section 2-92, Merit Rule 25.2, Police and Fire Departments Health Insurance Plan, Coverage of County Emergency 911 Employees Transferring to the City, by terminating the rights of retirees to City provided or sponsored health insurance coverage; and authorizing the City Manager to administratively amend provisions of the City Health Care Plan conflicting with this ordinance.

Council Bill 2016-051. General Ordinance 6269 was approved by the following vote: Ayes: McClure, Fisk, Hosmer, Fulnecky, Ferguson, Schilling, Burnett, Fishel, and Stephens. Nays: None. Absent: None. Abstain: None.

#### **RESOLUTIONS.**

#### **EMERGENCY BILLS.**

Council Bills 2016-071 through 2016-073 were read and discussed simultaneously.

**2015 Fiscal Carryover  
Funds for the Housing of  
City Inmates**

Sponsor: Stephens. Council Bill 2016-071. A special ordinance amending the General Fund budget of the City of Springfield, Missouri, for Fiscal Year 2015-2016, by appropriating a portion of the 2015 fiscal carryover funds and increasing expenses in the amount of \$500,000.00 for use in contracts for the housing of City inmates.

Mary Mannix Decker, Director of Finance, gave a brief overview of the proposed. She stated this bill appropriates \$500,000 from the 2015 Carryover Funds for contracts up to one year for the purpose of housing municipal inmates.

Greg Burris, City Manager, noted while Council Bill 2016-071 appropriates up to \$500,000, both Council Bills 2016-072 and 2016-073 authorize the spending of up to \$500, 000. He stated in order to allow flexibility in the contracts, the City has imposed a cap of \$500,000 on each contract, but will not exceed \$500,000 for both contracts.

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

Councilwoman Fulnecky expressed her opinion this vote is an important vote and she believes this should have been done in June 2015.

Mayor Pro Tem McClure noted Chief Williams' ability to negotiate an agreement on transportation costs is the reason why the proposals are being considered.

Council Bill 2016-071. Special Ordinance 26705 was approved by the following vote: Ayes: McClure, Fisk, Hosmer, Fulnecky, Ferguson, Schilling, Burnett, Fishel, and Stephens. Nays: None. Absent: None. Abstain: None.

**Intergovernmental  
Agreement with Miller  
County**

Sponsor: Stephens. Council Bill 2016-072. A special ordinance authorizing the City Manager, or his designee, to enter into an Intergovernmental Agreement with Miller County for use of the Miller County Detention Center for housing City inmates and declaring an emergency.

Chief Paul Williams, Springfield Police Department, gave a brief overview of Council Bills 2016-072 and 073 simultaneously. He presented background information on the current situation with the Greene County Jail. Chief Williams noted the City has been without a detention facility since April 3, 2015. He stated he began researching different options with local municipalities in November 2015, and these Council Bills are the result of those efforts. Council Bill 2016-072 is a contract with the Miller County Sheriff's Department to house the City's inmates and transport them from and to Springfield for \$38 per inmate per day. Chief Williams noted a typical daily population averages 30 inmates and this was the planning factor used as the basis of the contract. Council Bill 2016-073 is a contract with the Taney County Sheriff's Department to house inmates for \$45 per inmate per day, but that price does not include transportation. Chief Williams noted this contract provides for a 24-hour holding period and if the inmate is not housed for a full 24 hours, the City will not be charged for that inmate. He stated both contracts are good for one year.

Councilman Fishel asked for clarification if the inmates can bond out. Chief Williams responded in the affirmative. He added inmates can be released on bond and that process will be handled by each County.

Councilwoman Fulnecky asked for clarification on if Miller County will transport on weekends. Chief Williams responded in the negative. He stated the possibility exists that inmates will have to be transported to Taney County on the weekends.

Mayor Pro Tem McClure expressed his appreciation to Chief Williams for negotiating these contracts. Mr. McClure also thanked Miller and Taney Counties for their willingness to help the City.

Councilman Schilling asked for clarification on medical costs. Chief Williams noted both detention facilities have staff with the ability to provide minor medical care. He stated the City is responsible for the cost of covering major medical issues when an inmate is waiting to be seen by a judge. For inmates who have been sentenced, the Counties will contact a judge to determine how they will proceed.

Councilwoman Ferguson expressed her appreciation to Chief Williams for his efforts on solving this problem. Ms. Ferguson asked for clarification on if the City has holding cells available. Chief Williams responded in the affirmative. He stated they are for temporary use only mostly for juveniles waiting for their parents to come and get them, but they can be utilized for adults as well. Chief Williams noted these cells are not intended for long term use nor does he have the personnel to guard inmates in these cells.

Councilman Hosmer expressed his appreciation to Chief Williams. He asked for clarification on how the Chief plans to use each contract. Chief Williams stated that both contracts together give the City a viable option to house inmates. Mr. Hosmer asked for clarification on whether both facilities will be used. Chief Williams stated he plans on utilizing both facilities. Mr. Hosmer noted Council Bill 2016-071 indicate it is only for housing. He asked if the language should be amended to include housing and transportation of municipal inmates as well. Chief Williams responded Council Bill 2016-072 provides for both housing and transportation of municipal inmates.

Councilwoman Fisk expressed her appreciation to Chief Williams.

Councilman Burnett expressed his appreciation to Chief Williams. He asked for clarification on if there was maximum number of inmates the Counties would take. Chief Williams responded in the negative.

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

Council Bill 2016-072. Special Ordinance 26706 was approved by the following vote: Ayes: McClure, Fisk, Hosmer, Fulnecky, Ferguson, Schilling, Burnett, Fishel, and Stephens. Nays: None. Absent: None. Abstain: None.

**Intergovernmental  
Agreement with Taney  
County**

Sponsor: Stephens. Council Bill 2016-073. A special ordinance authorizing the City Manager, or his designee, to enter into an Intergovernmental Agreement with Taney County for use of the Taney County Jail for housing City inmates and declaring an emergency.

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

Council Bill 2016-073. Special Ordinance 26707 was approved by the following vote: Ayes: McClure, Fisk, Hosmer, Fulnecky, Ferguson, Schilling, Burnett, Fishel, and Stephens. Nays: None. Absent: None. Abstain: None.

**PUBLIC IMPROVEMENTS.**

**GRANTS.**

**AMENDED BILLS.**

**PUBLIC HEARING.**

**FY16 CDBG and HOME  
Investment Partnership  
Program**

Sponsor: McClure. Council Bill 2016-056. A special ordinance authorizing the City Manager, or his designee, to make application to the U.S. Department of Housing and Urban Development (HUD) for the Federal Fiscal Year 2016 Community Development Block Grant (CDBG) and HOME Investment Partnership Program (HOME) funds under the Consolidated Plan, to accept CDBG and HOME funds; to enter into any necessary agreements to carry out the grants; to exercise any and all powers necessary to implement selected projects; and to select projects for funding for the City of Springfield Fiscal Year 2016-2017; and reaffirming the Community Development Objectives and Priorities set out in "Exhibit C." (Staff and Citizen Advisory Committee for Community Development recommend approval.)

Brendan Griesemer, Planning and Development Manager, gave a brief overview of the proposed. He stated the proposed is the official application for the annual Housing and Urban Development (HUD) funding. He stated the City's programs must meet the main three goals that HUD dictates. Those are the provision of a decent house, a suitable living environment, and economic opportunities for low and moderate income persons. Mr. Griesemer noted he anticipates the City receiving \$1.28 Million in CDBG funds and \$712,000 in HOME funds.

Mayor Pro Tem McClure asked for clarification on the next steps in the application process. Mr. Griesemer responded the application is due to HUD not later than May 15, 2016. He stated once HUD receives and reviews the City's application, the funding year starts on July 1, 2016 and all projects will be eligible for funding.

Councilman Burnett asked for clarification on if the line item for OneDoor is an increase from last year. Mr. Griesemer responded in the negative.

Councilwoman Ferguson asked for clarification on RareBreed transitional housing. Mr. Griesemer responded RareBreed provides case management service to homeless or pre-homeless children.

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

**Rezoning 540 & 550 East Chestnut Expressway**

Sponsor: Ferguson. Council Bill 2016-057. A general ordinance amending Springfield Land Development Code, Section 36-306, Zoning Maps, by rezoning approximately 0.62 acres of property generally located at 540 & 550 East Chestnut Expressway from an HM, Heavy Manufacturing District to a GR, General Retail District; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: William P. Brandt Properties, LLC; 540 & 550 East Chestnut Expressway; Z-2-2016.)

Mary Lilly Smith, Director of Planning and Development, gave a brief overview of the proposed. She stated the request is to rezone from Heavy Manufacturing to General Retail. Ms. Smith noted the Growth Management and Land Use Plan identifies the area as a Center City Activity Center and the IDEA Commons plan identifies the area as General Mixed Use. She stated the existing legal nonconforming restaurant on site will become legal if rezoned.

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

**Conditional Use Permit No.420, 522 West McDaniel Street**

Sponsor: Schilling. Council Bill 2016-058. A special ordinance authorizing the issuance of Conditional Use Permit No.420 to allow a brewery within a CC, Center City District generally located at 522 West McDaniel Street.

Mary Lilly Smith, Director of Planning and Development, gave a brief overview of the proposed. She stated the proposed will allow expansion of the Springfield Brewing Company. Ms. Smith noted the Growth Management and Land Use Plan identifies the area as a Center City Activity Center and the area is appropriate for high-intensity uses such as retail. She stated, if approved, the applicant will be required to combine both lots into one parcel.

An opportunity was given for citizens to express their views.

Melissa Higbie, applicant's representative, offered to answer any questions from Council.

With no further appearances, the public hearing was closed.

**Blaine Street Frontage**

Sponsor: McClure. Council Bill 2016-059. A general ordinance amending Chapter 36 of the Springfield City Code, known as the Land Development Code, Article III, Division IV, Subdivision III, Section 36-425(7), Design Requirements, of the COM, Commercial Street District in the Zoning Ordinance to clarify Blaine Street Frontage and new construction requirements.

Mary Lilly Smith, Director of Planning and Development, gave a brief overview of the proposed. She stated the proposed will clarify the requirements that apply to the Blaine Street frontage.

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

**Reasonable  
Accommodation Policy  
and Procedure**

Sponsor: Fishel. Council Bill 2016-060. A general ordinance amending Chapter 36 of the Springfield, Missouri City Code, known as the Land Development Code, by adding a new section, to be known as Section 36-336, Reasonable Accommodation Policy and Procedure, to Article III, Division 3, Subdivision I.

Mary Lilly Smith, Director of Planning and Development, gave a brief overview of the proposed. She stated the proposed will allow the Director of Building Development Services and/or the Administrative Review Committee the ability to grant exemptions to Zoning Ordinance requirements to make reasonable accommodations for persons with disabilities.

Councilman Hosmer asked for clarification on if the Building Development Services would have to make a determination whether or not an individual met the definition of disabled. Ms. Smith gave an overview of the process for determining if an individual meets the requirements for an exemption. Mr. Hosmer asked if an individual will have to a written form from a physician. Ms. Smith stated if the need is not readily apparent additional information may be requested in order to make a decision.

Mayor Pro Tem McClure asked for clarification on types of accommodations being sought. Ms. Smith responded that a previous request was for front yard parking. Mr. McClure asked if the proposed changes procedures currently in place. Ms. Smith responded in the negative and stated the proposed better defines the procedures.

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

Council Bills 2016-061 and 2016-062 were read and discussed simultaneously.

**Term Limits for Planning  
and Zoning Commission**

Sponsor: Fisk. Council Bill 2016-061. A general ordinance amending Chapter 36 of the Springfield City Code, known as the Land Development Code, Article III, Zoning Regulations, Division 3, Administration, Enforcement, and Review, Subdivision II, Commissions and Boards, Section 36-350, Planning and Zoning Commission, subsection (1), Composition of Commission.

Mary Lilly Smith, Director of Planning and Development, gave a brief overview of the proposed. She stated the proposed removes the maximum two-term lifetime limits for members serving on the Planning and Zoning Commission.

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

**Term Limits for  
Landmarks Board  
Members**

Sponsor: Fulnecky. Council Bill 2016-062. A general ordinance amending Chapter 36 of the Springfield City Code, known as the Land Development Code, Article III, Zoning Regulations, Division 3, Administration, Enforcement, and Review, Subdivision II, Commissions and Boards, Section 36-353, Landmarks Board by amending subsection (3), Terms of membership.

Mary Lilly Smith, Director of Planning and Development, gave a brief overview of the proposed. She stated the proposed removes the maximum two-term

lifetime limits for members serving on the Landmarks Board.

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

**South Market Avenue,  
Blighted Area**

Sponsor: Schilling. Council Bill 2016-063. A special ordinance declaring the area generally located along the east side of South Market Avenue, between West Mount Vernon Street and West Harrison Street, as a blighted area pursuant to the Land Clearance for Redevelopment Authority Law. (The Land Clearance for Redevelopment Authority (LCRA) recommends denial. Staff recommends approval.)

Mary Lilly Smith, Director of Planning and Development, gave a brief overview of the proposed. She stated the proposed is a request for a finding of blight. Ms. Smith noted the property consists of a single structure constructed in 1888 with a well-documented history of nuisance complaints and code violations. She stated the prevalence and severity of such violations have resulted in the City declaring the property a dangerous building and ordering it to be demolished. Ms. Smith noted the property owner is requesting the property be declared a blighted area in order to facilitate redevelopment.

Mayor Pro Tem McClure asked if there is precedence for the Land Clearance for Redevelopment Authority (LCRA) to recommend denial and staff recommends approval. Ms. Smith responded in the negative. Mr. McClure asked for clarification on if a finding of blight is required for an abatement. Ms. Smith responded in the affirmative and gave an overview of the process for requesting an abatement. She stated once a property is demolished a finding of blight cannot be made. Ms. Smith noted if the developers want to request an abatement in the future, a finding of blight must be made prior to demolition. Mr. McClure asked for clarification on the next steps following designation of blight. Ms. Smith responded a redevelopment plan must be submitted to LCRA, Planning and Zoning Commission, and City Council for approval.

Councilman Schilling asked for clarification on the property being scheduled for demolition by the City. Ms. Smith responded if the developer does not demolish the house, the City will proceed with demolition and place a lien on the property. Mr. Schilling asked if it would be more economical for developers if the City demolishes the house. Ms. Smith responded in the negative and stated if the City demolishes the house developers will have to reimburse the City's cost of demolition. Mr. Schilling asked if the previous property owners received notices from the City. Ms. Smith responded multiple notices and complaints were filed against the property.

Councilman Hosmer expressed his opinion a tax abatement for this property is incentivizing and rewarding owners that do not properly maintain their properties. He expressed his opinion a system should be developed designating certain areas of the City where abatements are authorized rather than the current system of reviewing them on a case-by-case method.

Councilman Fishel asked if the property was condemned prior to the current owners purchasing it. Ms. Smith responded in the negative. She stated the property was in the process. Mr. Fishel asked if the current owner knew of the

condition of the property prior to purchasing it. Ms. Smith responded in the affirmative. Mr. Fishel asked for a comparison of the costs of demolition and a tax abatement. Ms. Smith responded a redevelopment plan has not been submitted so those costs are not currently available. Mr. Fishel asked for clarification on if the City was in the process of eliminating the blight. Ms. Smith responded in the affirmative.

Councilwoman Ferguson asked for clarification on the percentage of abatement over a ten-year period. Ms. Smith responded it will be a 100 percent abatement over ten years. Ms. Ferguson expressed her opinion the owners purchased the property believing it was advantageous for them to do so.

Councilwoman Fulnecky expressed her opinion Council should follow their established rules on Economic Development Incentive in order to be consistent and encourage economic development in the City.

An opportunity was given for citizens to express their views.

Shawn Whitney, property owner's representative, spoke in support of the proposed. He expressed his opinion the LCRA incorrectly applied state law in recommending denial.

Councilman Hosmer expressed his opinion renovating this house back to its original condition is different than demolishing it and giving abatement for replacing it with a new structure. He expressed his opinion abatements are not always good for the City.

Councilman Schilling asked for clarification on the development plans. Mr. Whitney responded it will be low-density multi-family.

With no further appearances, the public hearing was closed.

#### **FIRST READING BILLS.**

##### **Amended and Tabled**

##### **Transportation Network Companies and Drivers**

Sponsor: Burnett. Council Bill 2016-064. A general ordinance amending the Springfield City Code by repealing language contained in Chapter 118 Vehicles for Hire, and adding new regulations for Transportation Network Companies and Drivers.

##### **Motion to Amend Language Referencing vehicle insurance limits in Section 118-46**

Councilman Hosmer moved to amend the language referencing vehicle insurance limits in Section 118-46 on page 12 of the ordinance be amended as follows beginning on line 429: "Such policy shall cover legal liability for bodily injuries or death of one person to the extent of \$100,000 and subject to such limits as to injury or death of one person, of \$250,000 on account of any one accident resulting in injuries to or death of more than one person, and of \$25,000 for damage to property on account of one accident. The limitations stated herein shall become effective 60 days from the effective date of this ordinance." Councilman Burnett seconded the motion and it was discussed.

Mr. Hosmer noted current requirement for insurance limits was established in the 1970's and it is the state-mandated minimum requirement of \$25,000 . He expressed his opinion if two or three passengers are in a taxi and the taxi is

involved in an accident, the current insurance requirement is not sufficient for the taxi company or the traveling public.

Councilwoman Fisk spoke in support of the amendment. She stated she researched requirements in other cities and found the minimum requirement ranges from \$100,000 up to \$1 Million in Huntsville, Alabama. She expressed her opinion the current requirements in Springfield are outdated and need to be changed.

Mayor Pro Tem McClure asked for clarification on if the amendment applies to all existing providers. Mr. Hosmer responded in the affirmative.

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

**Motion to Amend  
Language Section 118-  
102(b) to Allow Concealed  
Carry Weapons**

Councilwoman Fulnecky moved to amend Section 118-102(b) on page 30, beginning on line 1099 of the Council Bill, to state the following: "Have in his or her possession while operating a vehicle and performing services regulated by this chapter, any firearm or weapon, unless authorized under the laws of this state or federal law." Councilman Burnett seconded the motion and it was discussed.

Ms. Fulnecky noted this issue was discussed during the Committee meeting due to the taxi companies' concerns pertaining to drivers carrying large sums of money as well as female drivers potentially being at risk of assault. She stated the current law allows drivers who have a license to carry a weapon to do so while operating a taxi. Ms. Fulnecky noted under the proposed, this language was removed and this amendment corrects that.

Councilman Schilling asked if there is a need for taxi drivers to carry weapons. Ms Fulnecky stated this issue was brought up by the taxi companies. Mr. Schilling asked if has there is a history of theft that makes this amendment necessary.

Chief Paul Williams, Springfield Police Department, expressed his opinion there is an element of danger when taxi drives carry large sums of money and do not have the ability to protect themselves.

Councilman Fishel asked for clarification on if the current law prohibits a taxi driver from carrying a weapon. Chief Williams stated under the current ordinance, this is not addressed so taxi drivers are not prohibited from carrying a weapon, but the proposed ordinance will prohibit them from carrying a weapon. Ms. Fulnecky stated the purpose of the amendment is to correct the language of the proposed to allow taxi drivers to carry weapons.

Councilman Hosmer asked for clarification on if the current ordinance in place today allows a taxi driver to carry a weapon. Collin Quigley, Assistant City Manager, responded the current ordinance does not specifically address this issue however, if taxi drivers meet the requirements of state law they can carry a concealed weapon. Mr. Hosmer asked if the proposed allows taxi drivers to carry a weapon. Mr. Quigley responded in the negative and stated the amendment corrects the language in the proposed and keeps it the same way as it is currently. Mr. Hosmer asked if city bus drivers are allowed to carry a weapon. Mr. Quigley

responded that would be a City Utilities policy. Mr. Hosmer expressed his opinion allowing taxi drivers to carry a weapon is not a good public policy. Chief Williams noted it is currently allowed and the amendment will keep it that way.

Councilwoman Ferguson asked if it is currently left up to the taxi companies to allow their drivers to carry weapons. Chief Williams responded in the affirmative and stated the proposed would prohibited taxi companies from having this ability.

Councilwoman Fisk asked if taxi companies have the ability to accept credit cards or do they only accept cash payments. Chief Williams responded taxi companies do accept credit cards.

Council Burnet asked for clarification on Concealed Carry Weapons training. Chief Williams responded training involves an eight-hour class and a background check is required.

Marianne Banks, Interim City Attorney, informed Council that after reviewing the proposed, the amendment will need to be changed to read: amend Section 118-102(b) on page 31, beginning on line 1251, of the Council Bill to state the following: "Have in his or her possession while operating a vehicle and performing services regulated by this chapter, any firearm or weapon, unless authorized under the laws of this state or federal law."

Councilwoman Ferguson asked Ms. Banks if line 1251 were removed, the proposed would agree with current state law. Ms. Banks responded doing so would keep the current practice of allowing taxi companies to decide if their taxi drivers can carry a weapon in place.

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

**Motion to Amend Section 118-81 to Change the Minimum Age**

Councilwoman Fisk moved to amend Section 118-81 on page 22, beginning on line 953 of the Council Bill, to state the following: "No person shall drive a taxicab, transportation network vehicle, or airport limousine unless duly granted a permit as provided in this division and having attained the age of 21 years." Councilman Burnett seconded the motion and it was discussed.

Ms. Fisk expressed her opinion 18 is too young and these drivers will probably have trouble obtaining the required insurance coverages in the proposed. Mr. Quigley noted the current ordinance allows 18-year old to be taxi drivers.

Councilman Hosmer offered a substitute amendment changing the original amendment to read, "amend Section 118-81, beginning on line 953 of the Council Bill, to state the following: "No person shall drive a taxicab, transportation network vehicle, or airport limousine unless duly granted a permit as provided in this division and having attained the age of 21 years. Any person between the age of 18 and 21 employed as a taxicab, transportation network vehicle, or airport limousine driver, at the time this ordinance goes into affect, is excluded from this requirement." Councilman Burnett seconded the motion and it was discussed.

Mayor Stephens asked if it is permissible to have two motions under

consideration at the same time. Ms. Banks responded there should only be one at a time.

Councilwoman Fulnecky expressed her opinion industry experts should be consulted prior to voting on this amendment to ensure small business owners are not effected.

Councilman Fishel asked for clarification on if an 18-year old driver leaves his current employer will he be able to go drive for another taxi company or will he have to wait until he turns 21. Ms. Banks responded in the affirmative and stated drivers are permitted individually for a three-year period. Mr. Fishel asked if drivers are required to have a chauffeur's license. Ms. Banks responded only a driver's license is required, but most have a chauffeur's license.

Mayor Stephens asked if there has been a significant amount of accidents involving 18-year old taxi drivers. Chief Williams responded he has no data to answer that question.

Mayor Pro Tem McClure asked for clarification on when voting on a substitute amendment, if it passes is a vote required on the original amendment. Mayor Stephens responded in the negative.

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

Collin Quigley, Assistant City Manager, gave a brief overview of the proposed. He stated currently there are no ordinances in place to allow Transportation Network Companies to operate in Springfield.

Amanda Callaway, Assistant City Attorney, gave a brief overview of changes to the City Code to allow Transportation Network Companies.

Councilwoman Ferguson asked for clarification on when the original ordinance was enacted. Ms. Callaway stated she did not have that information. Ms. Ferguson asked for clarification on changes concerning the ability to read and understand street signs and ensuring the applicant is free from communicable diseases. Ms. Callaway responded the section on communicable diseases is in the current ordinance and is not being added. Buffee Smith, Licensing Supervisor, responded the section on the ability to read and understand a street sign is repetitive since this is a state requirement that must be met in order for a driver to receive a chauffeur's license.

Anita Cotter, City Clerk, informed Council due to the amendments being offered to the proposed, the Public Hearing portion will need to be held over until the next Council meeting for the amendments only.

An opportunity was given for citizens to express their views.

Paden Wilcox, spoke in favor of the proposed. He stated having Transportation Networks Companies operating in the City and will have a positive impact on the future growth of Springfield.

Sagar Shah, General Manager for Uber in Missouri, spoke in opposition to the proposed. He stated Springfield is important to the growth of Uber in Missouri, but he expressed his concern with how the proposed is written. Mr. Shah gave a brief overview of the Uber business model.

Mayor Pro Tem McClure asked if Mr. Shah has a specific list of concerns or objections to the proposed. Mr. Shah responded in the affirmative. He stated he is concerned about the requirements for drivers to get individual licenses, drug and substance abuse testing, three photos, a health physical, and a finger print background check. Mr. Shah expressed his opinion the burden of regulation should be placed on Uber and not the individual driver. Mr. McClure asked if other cities in Missouri have followed this recommendation. Mr. Shah responded in the negative.

Councilwoman Fulnecky expressed her opinion Uber is good for the City of Springfield.

Councilman Hosmer asked how Uber conducts background checks on prospective drivers. Mr. Shah gave a brief overview of the process. He stated Uber uses an accredited third-party background check provider. Mr. Hosmer asked if Uber does a finger print check. Mr. Shah responded in the negative.

Councilman Fishel asked for clarification on where Uber operates in Missouri. Mr. Shah responded Uber operates in St. Louis, Kansas City, and Columbia.

Councilwoman Fisk asked for clarification on if Uber requires Trade Dress. Mr. Shah responded in the negative. He stated all of this information is provided by the Uber app and expressed his opinion Trade Dress can be copied and applied to cars and drivers that are not approved by Uber. Ms. Fisk asked if the Uber logo would be required to be placed on cars in Springfield. Mr. Shah responded it is a city-by-city requirement. Ms. Fisk asked for clarification on the practice of surge-pricing. Mr. Shah gave a brief overview of surge-pricing. He stated the purpose is to encourage more drivers to be available during high-demand times.

Councilwoman Ferguson asked how Uber ensures the safety of the vehicles Uber drivers use. Mr. Shah responded Uber uses a two-way rating system that rates the Uber experience. Ms. Ferguson asked for clarification on if there is a way to know the vehicle she is going to use is safe. Mr. Shah expressed his opinion the two-way rating system is the most effect way to ensure the public's safety.

Britton Jobe spoke in support of the proposed. He expressed his opinion Transportation Network Companies will have a positive impact on Springfield.

Laura Head spoke in support of the proposed. She expressed her opinion Transportation Network Companies will help keep Springfield safe.

Deborah Cohen, representing Branson-Lakes Area Chamber of Commerce and Convention and Visitors Bureau, spoke in support of the proposed. She expressed her opinion having Transportation Network Companies operating in Springfield will have a positive impact on the entire region.

Councilwoman Ferguson asked how many Branson convention attendees and tourists fly into the Springfield-Branson Airport. Ms. Cohen responded approximately 30 percent of all convention attendees fly into Springfield-Branson National Airport while tourists using the airport would be less than 30 percent.

With no further appearances, the public hearing will be held over until the next Council meeting.

Councilman Fishel stated he supports the effort to have Transportation Network Companies operating in Springfield, but expressed his opinion more research and discussion on the proposed is needed. Mr. Fishel moved to table the proposed to allow more research and discussion.

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

Councilwoman Fisk expressed her opinion the current ordinance was enacted in the 1970's and should be updated to ensure Network Transportation Companies can operate successfully in Springfield.

Councilman Fishel stated he supports Network Transportation Companies and expressed his opinion more work is needed.

**PETITIONS, REMONSTRANCES, AND COMMUNICATIONS.**

Appeared

Mr. Bob Mondy addressed City Council. He expressed his opinion homeless people should be allowed to sleep at the Veterans Coming Home Center on Jefferson Street.

Added  
Appeared

Mr. Joe Batson addressed City Council. He expressed his opinion the Veterans Coming Home Center on Jefferson Street should be allowed to house homeless people overnight.

**The following appeared on the agenda under New Business:**

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

**UNFINISHED BUSINESS.**

**MISCELLANEOUS.**

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

Stormwater  
Improvements Atlantic  
Street

Sponsor: Burnett. Council Bill 2016-066. A special ordinance approving the plans and specifications for the Stormwater Improvements Atlantic Street (West of Glenstone Avenue) project, Plan No. 2015PW0005WT, accepting the bid of Hartman and Company, Inc., for that project; and authorizing the City Manager, or his designee, to enter into a contract with such bidder.

**Homeland Subdivision Stormwater Improvement Project, 1705 North Colgate Avenue** Sponsor: Ferguson. Council Bill 2016-067. A special ordinance declaring the necessity to condemn right-of-way over, under, and through the property located at 1705 North Colgate Avenue for the Homeland Subdivision Stormwater Improvement Project.

**Removed From Consent Agenda and Tabled to March 24, 2016 Special City Council Meeting**  
**West Wye Connector Project** Sponsor: Hosmer. Council Bill 2016-068. A special ordinance authorizing the City Manager, or designee, to enter into a Real Estate Transfer Agreement with BNSF Railway Company (BNSF), to transfer certain property underlying the West Wye Connector project (the "Project") to BNSF, and finding that the Project supports the public purposes of improving public safety, providing a more efficient rail system, and promoting economic development in central Springfield.

**Planned Development District No. 228, 1320 East McClernon Street** Sponsor: Fulnecky. Council Bill 2016-069. A special ordinance approving the final development plan of Planned Development District No. 228 Amended, Lot 21, generally located at 1320 East McClernon Street (Planning and Zoning Commission and Staff recommend approval).

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

**Sanitary Sewer District No. 19L** Sponsor: Ferguson. Council Bill 2016-065. A special ordinance to establish and define the boundaries and adopt the plat, plans, specifications, and sealed estimate of construction costs, and authorize acquisition of necessary right(s)-of-way, by purchase or condemnation thereof, for Sanitary Sewer District No. 19L of Section No. 1 of the main sewers of the City, located in the general vicinity of Catalpa Street and Scenic Avenue; further providing that all labor shall be paid the prevailing wages; and directing the City Manager, or his designee, to advertise for bids for the construction of said sewers.

Council Bill 2016-065. Special Ordinance 26701 was approved by the following vote: Ayes: McClure, Fisk, Hosmer, Fulnecky, Ferguson, Schilling, Burnett, Fishel, and Stephens. Nays: None. Absent: None. Abstain: None.

**Healthy Eating and Active Living in Local Communities Program** Sponsor: Burnett. Council Bill 2016-070. A special ordinance authorizing the City Manager, or his designee, to accept a grant addendum from the Missouri Department of Health and Senior Services (DHSS), federally funded by a Preventive Health and Health Services Block Grant (PHHS), to support activities of the Healthy Eating and Active Living (HEAL) in Local Communities Program; and amending the budget of the Springfield-Greene County Health Department (SGCHD) for Fiscal Year 2015-2016 in the amount of \$24,500.00 to appropriate the grant funds.

Council Bill 2016-070. Special Ordinance 26702 was approved by the following vote: Ayes: McClure, Fisk, Hosmer, Fulnecky, Ferguson, Schilling, Burnett, Fishel, and Stephens. Nays: None. Absent: None. Abstain: None.

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

**Salary Ordinance** Sponsor: Fisk. Council Bill 2016-052. A general ordinance amending Chapter 2,

Section 2-92 of the Springfield City Code, known as the Salary Ordinance, relating to the salary rate and pay grade for one job title within the Springfield Fire Department, as contained in the Fire Protection Schedule (FPS), by adding one new job title, Division Chief (FPS 12).

Council Bill 2016-052. General Ordinance 6268 was approved by the following vote: Ayes: McClure, Fisk, Hosmer, Fulnecky, Ferguson, Schilling, Burnett, Fishel, and Stephens. Nays: None. Absent: None. Abstain: None.

**Acquiring Equipment for the Parks Department**

Sponsor: McClure. Council Bill 2016-053. A special ordinance authorizing the City of Springfield, Missouri, to enter into Schedule No. 4 to its existing master equipment lease purchase agreement, the proceeds of which will be used to pay the costs of acquiring equipment for the Parks Department, amending the Fiscal Year 2016 budget of the City in the amount of \$489,500, and to do all things necessary to carry out the lease-purchase transaction, including the execution of certain documents in connection therewith.

Council Bill 2016-053. Special Ordinance 26703 was approved by the following vote: Ayes: McClure, Fisk, Hosmer, Fulnecky, Ferguson, Schilling, Burnett, Fishel, and Stephens. Nays: None. Absent: None. Abstain: None.

**Adjourn**

With no further business to come before Council, the meeting adjourned at approximately 9:18 p.m.

Anita J. Cotter, CMC/MRCC  
City Clerk

Prepared by Tom Smith  
Assistant City Clerk