

**November 28, 2016**  
**Springfield, Missouri**

The City Council met in regular session November 28, 2016 in the Council Chambers at Historic City Hall. The meeting was called to order by Mayor Pro Tem McClure. A moment of silence was observed.

**Roll Call**

Present: Craig Hosmer, Phyllis Ferguson, Mike Schilling, Tom Prater, Craig Fishel, Ken McClure and Jan Fisk. Absent: Kristi Fulnecky and Bob Stephens.

**Minutes**

There being no additions, deletions or corrections, the minutes of November 14, 2016-Regular and November 22, 2016-Special were approved as presented.

**Consent Agenda**

The Consent Agenda was finalized and approved as presented.

Anita Cotter, City Clerk, stated Staff has requested Council Bill 2016-265, Item #51 be removed from the agenda and tabled indefinitely due to inaccuracies in the bill. Ms. Cotter noted a corrected bill 2016-286, Item #44, which replaces Council Bill 2016-265 has been added to the agenda for Council's consideration. Council Fishel moved for Council Bill 2016-265 be removed from the agenda and tabled indefinitely. Councilman Prater seconded the motion. The motion passed by the following vote: Ayes: Hosmer, Ferguson, Schilling, Prater, Fishel, McClure and Fisk. Nays: None. Absent: Fulnecky and Stephens. Abstain: None.

Ms. Cotter stated the Clerk's Office received a request to remove Council Bill 2016-285, Item #43 from the consent agenda to be read as a First Reading Bill, Item #35.5.

Mayor Pro Tem McClure noted Councilwoman Fulnecky advised she would be unable to attend the November 28, 2016 City Council Meeting and requested Council Bill 2016-272 and Council Bill 2016-280 be tabled until the December 12, 2016 City Council Meeting.

Councilman Fishel moved to table Council Bill 2016-272 and Council Bill 2016-280 until the December 12, 2016 City Council Meeting. The motion failed due to a lack of a second.

**CEREMONIAL MATTERS**

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

Greg Burris, City Manager, provided updates on questions raised from the previous Council meeting. Mr. Burris stated more than 8,300 people

participated in this year's Turkey Trot, securing its place as the largest Thanksgiving Day 5K in the state of Missouri. Mr. Burris thanked the Park Board team, the Springfield Police Department, Public Information, Public Works and other City departments that helped during the event. Mr. Burris thanked Councilwoman Fisk and Councilman Hosmer for participating and supporting the event. Mr. Burris noted the proceeds benefit the Developmental Center of the Ozarks and the Springfield-Greene County Park Board Scholarship Fund. Mr. Burris stated the event also serves as one of the largest one-day food drives of the year for Ozarks Food Harvest. Mr. Burris noted the City Council and City employees are invited to celebrate the Park Board's full accreditation by the Commission for Accreditation of Park and Recreation Agencies on Monday, December 5, 2016, from 6-9 p.m. at the Old Glass Place at 521 E. St. Louis Street. Mr. Burris stated admission is \$10 and all proceeds will benefit the Park Board's Youth Scholarship Fund. Mr. Burris noted the Mayor's Task Force on Crisis Sheltering recommended the community focus significant attention on efforts to divert people from homelessness. Mr. Burris stated One Door has helped with these activities. Mr. Burris noted one of the goals the Task Force included in its report was to increase the number of Project Share donors and donations. Mr. Burris stated Project Share is a utility assistance program administered through OACAC and is focused on helping those who are unable to pay their bill, including elderly and disabled patrons in our community. Cora Scott, Director of Public Information, provided a video from Clint Gerlek and the radio team at Alice 95.5. Mr. Burris congratulated Interim Finance Director David Holtmann and the Finance Department for the 10th year in a row receiving the Government Finance Officers Association's Distinguished Budget Presentation Award for meeting the highest principles of governmental budgeting. Mr. Burris noted Moody's Investor Service, one of the nation's top three bond credit rating agencies, has upgraded the rating of two of the City's bond issues related to Jordan Valley Park's Baseball Stadium Project. Mr. Burris stated Police Chief Williams has provided Council with the police staffing update and recent crime statistics. Mr. Burris recognized MoDOT District Engineer Becky Baltz on her retirement after 32 years of public service. Mr. Burris recognized Greene County Commissioner Roseanne Bentley on her retirement. Mr. Burris shared condolences following the deaths of two Springfield community advocates including Bob Scheid who passed away peacefully on November 23 after a long illness and Nancy Higdon, the wife of OTC Chancellor Hal Higdon, who passed away after a long and valiant battle with cancer. Mr. Burris made himself available for questions.

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

**Residential Water Service Rate**

Sponsor: McClure. Council Bill 2016-252. A general ordinance approving revisions to and simplification of the previously established Residential Water Service Rate, General Water Service Rate, General Terms and Conditions Governing Water Service and Emergency Conservation Water

Service Rate.

Council Bill 2016-252. General Ordinance 6318 was approved by the following vote: Ayes: Hosmer, Ferguson, Schilling, Prater, Fishel, McClure and Fisk. Nays: None. Absent: Fulnecky and Stephens. Abstain: None.

**Residential Gas Service Rate**

Sponsor: Fishel. Council Bill 2016-253. A general ordinance to approve revisions to the previously established Residential Gas Service Rate, General Gas Service Rate, Curtailable Gas Service Rate, High Load Factor General Gas Service Rate, Purchased Gas Clause and General Terms and Conditions Governing Gas Service.

Council Bill 2016-253. General Ordinance 6319 was approved by the following vote: Ayes: Hosmer, Ferguson, Schilling, Prater, Fishel, McClure and Fisk. Nays: None. Absent: Fulnecky and Stephens. Abstain: None.

**Amending Chapter 120, Article VI, Section 120-245, Section 120-247**

Sponsor: Fisk. Council Bill 2016-254. A general ordinance amending Chapter 120, 'Wastewater Regulations,' Article VI, 'Wastewater Charges and Rates,' Section 120-245, 'Rates,' and Section 120-247, 'Extra charges,' of the Springfield City Code, by repealing existing rate schedules effective May 31, 2011, and establishing new rate schedules that provide for three years of annual rate increases, beginning July 1, 2017, which will provide necessary funding for the cost of complying with the Clean Water Act and Missouri Department of Natural Resources mandates.

Council Bill 2016-254. General Ordinance 6320 was approved by the following vote: Ayes: Hosmer, Ferguson, Schilling, Prater, Fishel, McClure and Fisk. Nays: None. Absent: Fulnecky and Stephens. Abstain: None.

**Preliminary Funding Agreement**

Sponsor: Schilling. Council Bill 2016-255. A special ordinance authorizing the City Manager, or his designee, to execute a Preliminary Funding Agreement between the City of Springfield, Missouri, and 3M Company; authorizing the execution of documents; and the taking of actions consistent therewith; and amending the budget provided for the Department of Planning and Development for Fiscal Year 2016-2017, in the amount of \$25,000.

Council Bill 2016-255. Special Ordinance 26813 was approved by the following vote: Ayes: Hosmer, Ferguson, Schilling, Prater, Fishel, McClure and Fisk. Nays: None. Absent: Fulnecky and Stephens. Abstain: None.

**Increased Level of Property Tax Abatement**

Sponsor: McClure. Council Bill 2016-256. A special ordinance authorizing an increased level of property tax abatement from 50 percent to 75 percent on new improvements to real property located in the Enhanced Enterprise Zone for the 3M Company in recognition of the 92 high-quality jobs the company's proposed plant expansion will bring to the Springfield community.

Mayor Pro Tem McClure expressed his support for the proposed.

Council Bill 2016-256. Special Ordinance 26814 was approved by the following vote: Ayes: Hosmer, Ferguson, Schilling, Prater, Fishel, McClure and Fisk. Nays: None. Absent: Fulnecky and Stephens. Abstain: None.

**Authorizing the Purchase of a Caterpillar D8T Bulldozer from Caterpillar Inc.**

Sponsor: Fulnecky. Council Bill 2016-258. A special ordinance approving and authorizing the purchase of a Caterpillar D8T bulldozer from Caterpillar Inc., through the National Intergovernmental Purchasing Alliance, for the Springfield Sanitary Landfill; and approving a budget adjustment to amend the Fiscal Year 2016-2017 budget of the Department of Environmental Services Solid Waste Management Enterprise Fund in the amount \$825,000.00.

Council Bill 2016-258. Special Ordinance 26815 was approved by the following vote: Ayes: Hosmer, Ferguson, Schilling, Prater, Fishel, McClure and Fisk. Nays: None. Absent: Fulnecky and Stephens. Abstain: None.

**Amending Chapter 106, Article VI, Division 8, Subdivision I**

Sponsor: Fishel. Council Bill 2016-260. A general ordinance amending Chapter 106 of the Springfield, Missouri, City Code, titled 'Traffic and Vehicles,' Article VI, 'Stopping, Standing and Parking,' Division 8, 'Off-Street Parking Lots,' Subdivision I, 'Generally,' for the purpose of revising and simplifying public parking regulations on certain City-owned parking lots.

Council Bill 2016-260. General Ordinance 6321 was approved by the following vote: Ayes: Hosmer, Ferguson, Schilling, Prater, Fishel, McClure and Fisk. Nays: None. Absent: Fulnecky and Stephens. Abstain: None.

**Springfield Police Foundation Grant**

Sponsor: Fisk. Council Bill 2016-261. A special ordinance authorizing the City Manager, or his designee, to accept a grant from the Springfield Police Foundation; and amending the budget for the Police Department for Fiscal Year 2016-2017 in the amount of \$16,000.

Council Bill 2016-261. Special Ordinance 26816 was approved by the following vote: Ayes: Hosmer, Ferguson, Schilling, Prater, Fishel, McClure and Fisk. Nays: None. Absent: Fulnecky and Stephens. Abstain: None.

**Agreement with Missouri Highways and Transportation Commission and TransCore, LP**

Sponsor: Hosmer. Council Bill 2016-262. A special ordinance authorizing the City Manager, or his designee, to enter into an agreement with Missouri Highways and Transportation Commission and TransCore, LP for the development, implementation and maintenance of Advanced Traffic Management System software and hardware at an estimated cost of \$84,996.96 to be paid for by the 1/8-Cent Transportation Sales Tax and Signal System Improvements Program.

Councilwoman Ferguson asked for clarification on the source of funding for software upgrades. Dan Smith, Director of Public Works, responded the cost estimate of \$84,996.96 includes potential upgrades to the software.

Council Bill 2016-262. Special Ordinance 26817 was approved by the following vote: Ayes: Hosmer, Ferguson, Schilling, Prater, Fishel, McClure and Fisk. Nays: None. Absent: Fulnecky and Stephens. Abstain: None.

## **RESOLUTIONS.**

### **Sanitary Sewer District No. 200 of Section No. 15**

Sponsor: Hosmer. Council Bill 2016-270. A resolution declaring it necessary to construct sanitary sewers in Sanitary Sewer District No. 200 of Section No. 15 in the City, located in the general vicinity of Roslyn Avenue and Bagnell Street; designating the method of payment therefore in the amount of \$201,463.97 (to be repaid by special tax bills); and providing for publications and notices.

Steve Meyer, Director of Environmental Services, provided a brief overview of the proposed. He stated the location is adjacent to the Springfield Nature Center. He noted the proposed includes five properties, including one that has previously had major septic tank issues. Mr. Meyer stated the City received three bids on the project and the lowest bid was from Flat Creek Excavating.

Council Bill 2016-270. Resolution 10297 was approved by the following vote: Ayes: Hosmer, Ferguson, Schilling, Prater, Fishel, McClure and Fisk. Nays: None. Absent: Fulnecky and Stephens. Abstain: None.

### **Legislative Priorities for 2017**

Sponsor: Fisk, Ferguson, McClure and Prater. Council Bill 2016-271. A resolution adopting the City of Springfield's Legislative Priorities for 2017.

Greg Burris, City Manager, provided a brief overview of the proposed. He stated the proposed occurs once a year and noted the legislative priorities are adjusted year to year. Mr. Burris noted the proposed includes support for meaningful ethics reform, dangerous building statutes, payday loan cap legislation, chronic nuisance properties, tourism business improvement district, protect natural environment, poverty, public health and public safety.

Councilman Schilling asked for clarification on water pollution control trading. Steve Meyer responded the Environmental Protection Agency (EPA) has no control over non-point source pollution, such as farmers and yards. Mr. Meyer stated water pollution control trading is paying a farmer to reduce the pollution they put into a stream and reduce overall pollution going into the stream. Mr. Meyer noted the proposed water pollution control trading would be volunteer based only.

Councilman Schilling asked if point trade people are trading as well. Mr. Meyer responded there is an opportunity to reduce further to put them in compliance.

Councilman Schilling asked if it is a market place program. Mr. Meyer

responded he was unsure.

Councilman Schilling moved that the Meaningful Ethics Reform legislative priority be amended to read as follows: “The City of Springfield asks our local delegation to introduce legislation that puts a cap on campaign contributions to candidates for statewide, legislative, judicial, county and municipal elected office; and also asks that our delegation introduce and support legislation to put a limit on lobbyist largesse received by elected officials. Councilman Hosmer seconded the motion.

Councilman Schilling stated the proposed does not impose an exact amount for campaign contributions and expressed concern for reigning in spending for campaign finance.

Councilwoman Ferguson asked Councilman Schilling to read the amendment again.

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

Councilman Schilling moved that the legislative priority regarding “Medicaid Transformation” be renamed “Medicaid Expansion” and that the term “expansion” be used throughout instead of the term “transformation”. The revised priority would be amended to read as follows: “Medicaid Expansion: the City of Springfield asks our local delegation to introduce and support a bill to allow Missouri to implement major Medicaid expansion in a way that Missourians can support and that benefits citizens of need in our state. Medicaid expansion would have a significant positive economic impact on communities, including Springfield which hosts two large healthcare organizations (our region’s two largest employers)”. Councilman Hosmer seconded the motion and expressed his support of the amendment.

Councilman Prater stated expansion is a narrow word and a losing word in Jefferson City. He stated he would be voting in opposition of the proposed.

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

Councilman Schilling moved that the Minimum Wage legislative priority be amended to read as follows: “Minimum Wage: The City of Springfield asks our local delegation to introduce and support legislation to raise the minimum wage in Missouri to \$15 an hour, which would offer significant improvement to the state’s economy”.

Councilman Schilling expressed his opinion the proposed would help alleviate the high poverty rate in Springfield. Councilman Hosmer seconded the motion.

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

An opportunity was given for citizens to express their views.

Jeff Munzinger spoke in favor of the proposed. He expressed his opinion there should be limitation on lobbyists for State Representatives.

Myra Scroggs spoke in favor of the proposed. She expressed her concern for preserving clean water.

Mark Stuckhoff spoke in favor of the proposed. Mr. Stuckhoff thanked Council for their work on the proposed. Mr. Stuckhoff asked Council to bring payday loan cap legislation to the State Legislators.

Councilwoman Ferguson thanked the faith based community for the work they have done for the community.

Bob Perry spoke in favor of the proposed. He expressed his appreciation for Council's work on payday loans.

Mayor Pro Tem McClure thanked Mr. Perry for his work on the proposed.

Susan Schmalzbauer spoke in favor of the proposed. She expressed her concern for "ban the box" on initial job applications.

Councilman Schilling asked how long has ban the box been implemented. Ms. Schmalzbauer responded she can provide the information to Council.

John Mihalevich spoke in favor of the proposed. He expressed concern for the health care delivery system.

Councilman Prater thanked Mr. Mihalevich.

Emily Bowman-Marler asked Council to address low wages in the legislative priorities. She expressed concern for low wage issues and their relation to poverty in Springfield.

With no further appearances, the public hearing was closed.

Council Bill 2016-271. Resolution 10298 was approved by the following vote: Ayes: Hosmer, Ferguson, Schilling, Prater, Fishel, McClure and Fisk. Nays: None. Absent: Fulnecky and Stephens. Abstain: None.

**Moved to First Reading Bills**

Sponsor: Hosmer, Fisk, Fishel and Fulnecky. Council Bill 2016-272. A resolution approving terms of an agreement under which pit bull dogs may be rescued from the City Animal Shelter and put up for adoption.

Anita Cotter stated Staff requested Council Bill 2016-272 be moved and considered at the same time as Council Bill 2016-280 so presentations can be made simultaneously.

Councilman Hosmer moved Council suspend the rules and consider Council Bill 2016-272, more specifically item #19 under First Reading Bills as Item #32.5. Councilman Schilling seconded the motion.

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

**EMERGENCY BILLS.**

**PUBLIC IMPROVEMENTS.**

**GRANTS.**

**AMENDED BILLS.**

**COUNCIL BILLS FOR PUBLIC HEARING.**

**4900 Block of South National Avenue**

Sponsor: McClure. Council Bill 2016-273. A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Zoning Maps,' by rezoning approximately 7.8 acres of property, generally located in the 4900 block of South National Avenue from Planned Development District Number 306, to Planned Development Number 352 to allow the addition of a nursing home use; and adopting an updated Official Zoning Map.

Mary Lily Smith, Director of Planning and Development, provided a brief overview of the proposed. She stated the proposed adds nursing homes to the list of permitted uses on Lot 3/Tract C. Ms. Smith noted the proposed will remove additional bufferyard requirements on National Avenue and keep the bufferyard requirements the same on the west boundary. She stated access restrictions are being updated to only include the subject property.

Councilwoman Ferguson asked for the date on PD306. Ms. Smith responded PD306 was approved several years ago.

Councilwoman Ferguson asked if the proposed is an update to what National and Republic Road have grown into. Ms. Smith responded in the affirmative.

An opportunity was given for citizens to express their views.

Jared Rasmussen spoke in favor of the proposed. Mr. Rasmussen stated they are

**815 and 943 South  
Kimbrough Avenue, 940  
South Roanoke Avenue  
and 500 East Madison  
Street**

asking to add a nursing home to the permitted uses.

With no further appearances, the public hearing was closed.

Sponsor: Schilling. Council Bill 2016-274. A special ordinance authorizing the issuance of Conditional Use Permit No. 426 to allow a reduction in front yard setback along Kimbrough Avenue between 815 and 943 South Kimbrough Avenue, 940 South Roanoke Avenue and 500 East Madison Street.

Mary Lily Smith, Director of Planning and Development, provided a brief overview of the proposed. She stated the proposed allows a reduction in front-yard setback along collectors and higher classification roadways with conditional use permits. She stated the proposed reduces Kimbrough setback from 25 feet to three feet for a proposed building at Grand and from 25 feet to six feet for an existing building at Madison. Ms. Smith noted Council has previously approved reduced front yard setbacks for Kimbrough, Bear Boulevard and Madison.

Councilman Hosmer asked if a previous setback for Kimbrough was approved at three feet. Ms. Smith responded in the negative.

Councilman Hosmer asked if the proposed building will be close to the street. Ms. Smith responded in the affirmative.

Councilman Hosmer expressed concern for the proposed building being close to the road. He asked if there are other setbacks like this. Ms. Smith expressed her opinion this can encourage economic activity as well as provide a safer environment.

Councilman Hosmer asked why the building is being placed close to the road. Ms. Smith responded it is at the request of the developer.

Councilman Fishel asked if the proposed lines up with other existing buildings. Ms. Smith responded in the affirmative.

Councilwoman Ferguson asked if the sidewalk will be moved. Ms. Smith responded in the affirmative. Ms. Ferguson expressed her concern for pedestrian safety.

An opportunity was given for citizens to express their views.

Rick Muenks spoke in favor of the proposed. He stated in order to keep the buildings lined up, it pushes the setback further. Mr. Muenks expressed his opinion the proposed will create more activity in the building by putting the setback close to the sidewalks. He stated the developer wants to keep Bear Village consistent with what has already been developed.

Councilman Schilling asked for clarification of the location. Mr. Muenks responded it is on the Northwest corner of Kimbrough and Grand.

Councilwoman Fisk asked if the developer owns the property between the buildings. Mr. Muenks responded in the affirmative.

Councilman Hosmer asked if the retaining wall is built to the sidewalk. Ms. Smith responded in the affirmative.

Councilman Hosmer asked if there was space between the sidewalk and the wall. Mr. Muenks responded in the negative.

Councilman Hosmer asked how close the next building is to the sidewalk. Mr. Muenks responded he will provide that information to Council.

Councilman Hosmer asked if the retaining wall sits closer to the sidewalk than the setback. Ms. Smith responded the retaining wall ordinance was amended last year to allow retaining walls on the front yard setback and stated she would provide additional information to Council.

With no further appearances, the public hearing was closed.

**3150 South National Avenue**

Sponsor: Prater. Council Bill 2016-275. A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Zoning Maps,' by rezoning approximately 1.88 acres of property, generally located at 3150 South National Avenue from an O-1, Office District, to an O-2, Office District; and adopting an updated Official Zoning Map.

Councilman Prater moved to amend Council Bill 2016-275 by adding two sets of documents, pertaining to traffic information and public comments, which are attached hereto, as provided by the Planning and Development department as additions to Exhibit C attachment 2. Frank Romines, City Attorney, stated several public comments were not included in the proposal. Councilwoman Ferguson seconded the motion.

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

Mary Lily Smith, Director of Planning and Development, provided a brief overview of the proposed. She stated the proposed will be a three story office building exceeding 35 feet in height. She stated the Growth Management and Land Use Plan identifies the area as appropriate for high density retail, office or housing. Ms. Smith noted the proposed is in close proximity to the intersection of two primary arterials, National and Battlefield.

An opportunity was given for citizens to express their views.

Derek Lee spoke in favor of the proposed and made himself available for questions.

Councilman Prater asked for clarification on traffic at the proposed location. Mr. Lee showed on the map where there are existing drives and medians. Mr. Lee stated the proposed does not request for a more intense development.

With no further appearances, the public hearing was closed.

**404, 410, 412, 416 and**

Sponsor: Fishel. Council Bill 2016-276. A general ordinance amending the

**420 East Madison Street, 802 South Jefferson Avenue**

Springfield Land Development Code, Section 36-306, 'Zoning Maps,' by rezoning approximately 0.55 acres of property, generally located at 404, 410, 412, 416, and 420 East Madison Street as well as 802 South Jefferson Avenue from a R-HD, High Density Multi-Family Residential District to a R-HD, High Density Multi-Family Residential District with a UN, University Combining Overlay District; and adopting an updated Official Zoning Map.

Mary Lily Smith provided a brief overview of the proposed. She stated the proposed allows for increased densities for student housing, including sororities and fraternities close to Missouri State University (MSU). Ms. Smith noted the Growth Management and Land use Plan identifies Center City and Missouri State University as major activity centers. She stated the proposed is a logical area for continued development as MSU continues to grow. Ms. Smith noted the proposed is consistent with other redevelopment projects providing student housing in the area.

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

**Redevelopment Plan for the Elm House Redevelopment Area**

Sponsor: Schilling. Council Bill 2016-277. A special ordinance adopting the Redevelopment Plan for the Elm House Redevelopment Area generally located along the south side of East Madison Street between South Jefferson Avenue and South Thomas Avenue, and declaring its redevelopment necessary for the preservation of the public peace, prosperity, health, safety, morals, and welfare.

Sarah Kerner, Interim Director of Economic Development, provided a brief overview of the proposed. She stated the existing structures on the property include two duplexes and two single-family dwellings which are already zoned multi-family residential. Ms. Kerner noted the proposed is authorized by Chapter 99 of Missouri statute and provides incentives to encourage reinvestment in blighted areas and to remove the blighting condition. She stated the proposed will allow the demolition of the existing structures to construct two three-story buildings, which will house a fraternity or sorority.

Councilwoman Ferguson asked if this area will be studied to determine if blight still exists. Ms. Kerner responded Staff regularly reviews blighted areas of the City to determine if redevelopment plans have been approved, projects are completed and the full tax abatement has been received. She stated if this criteria is met, staff will bring a request to City Council to remove the blight designation.

Councilman Schilling asked if the area was blighted previously. Ms. Kerner responded it was approved as being blighted in 1964.

Councilman Schilling asked what the total tax abatement would be over the ten year period. Ms. Kerner responded it depends on the value assigned by the assessor.

An opportunity was given for citizens to express their views.

Shawn Whitney spoke in favor of the proposed. He stated the tax abatement would amount to approximately \$200,000 over the ten years. Mr. Whitney stated there was no opposition to the proposed.

Councilman Hosmer asked if it is \$200,000 per year. Mr. Whitney responded in the negative.

Councilman Hosmer asked if there are fraternities wanting to build at the location. Mr. Whitney responded in the affirmative.

Councilman Hosmer expressed concern for building additional housing for MSU instead of building more job projects such as Kraft.

Councilman Hosmer asked how many student housing facilities have been built within the last five years. Ms. Smith responded she will provide additional information to Council.

Councilwoman Fisk asked what the increase for enrollment was since last year. Mayor Pro Tem McClure stated there has been a constant growth at MSU for enrollment.

Councilwoman Fisk asked if MSU is planning on building additional dorms. Mayor Pro Tem McClure responded in the affirmative.

With no further appearances, the public hearing was closed.

**Chapter 36, Article III,  
'Zoning Regulations',  
Division 5, Section 36-  
455**

Sponsor: Prater. Council Bill 2016-278. A general ordinance amending Chapter 36 of the Springfield, Missouri, City Code, titled 'Land Development Code of the City of Springfield,' Article III, 'Zoning Regulations,' Division 5, 'Supplemental District Regulations,' Section 36-455, 'Off-street parking requirements,' Subsection 36-455(2)(b)(10), for the purpose of modifying the off-street parking requirements for convenience food stores.

Mary Lily Smith provided a brief overview of the proposed. She stated a convenience food store is a convenience store that sells food for consumption on site. Ms. Smith noted the proposed modifies off-street parking requirements for convenience food stores. She stated the proposed will change the square foot requirement from one parking space for each 350 square feet to 250 square feet of total building floor area and allows service areas at gas pumps be counted as parking spaces.

Councilwoman Ferguson asked if the proposed will ensure the property must provide a specific amount of parking spaces per square foot. Ms. Smith responded in the affirmative and stated the space at the gas pump will be counted as a parking spot.

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

**2832 East Sunshine**

Sponsor: Ferguson. Council Bill 2016-279. A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Zoning Maps,' by rezoning approximately 1.3 acres of property, generally located at 2832 East Sunshine Street from a R-SF, Single-Family Residential District, to a O-1, Office District; and adopting an updated Official Zoning Map.

Ms. Cotter stated Staff received a request from the applicant to table the proposed bill until the January 9, 2017 City Council Meeting.

Councilwoman Ferguson moved to table Council Bill 2016-265 until January 9, 2017 City Council Meeting. Councilman Fishel seconded the motion.

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

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

**The following Council Bills were read simultaneously:**

**Agreement Under Which Pit Bull Dogs May be Rescued from the City Animal Shelter and Put Up for Adoption**

Sponsor: Hosmer, Fisk, Fishel and Fulnecky. Council Bill 2016-272. A resolution approving terms of an agreement under which pit bull dogs may be rescued from the City Animal Shelter and put up for adoption.

Council Bill 2016-272. Resolution 10299 was approved by the following vote: Ayes: Hosmer, Ferguson, Schilling, Prater, Fishel, McClure and Fisk. Nays: None. Absent: Fulnecky and Stephens. Abstain: None.

**Chapter 18, 'Animals', Article I, Chapter 18, Article II**

Sponsor: Hosmer, Fisk and Fishel. Council Bill 2016-280. A general ordinance amending the Springfield City Code, Chapter 18, 'Animals,' Article I, 'In General,' Section 18-2, 'Minimum fine for certain violations; reckless owners;' Chapter 18, 'Animals,' Article I, 'In General,' Section 18-10, 'Search and Seizure Warrants;' Chapter 18, 'Animals,' Article II, 'Dogs, Cats and Ferrets,' Division 3, 'Prohibition of Pit Bull Dogs,' Section 18-98; Chapter 18, 'Animals,' Article II, 'Dogs, Cats and Ferrets,' Division 1, 'Generally,' Section 18-60, 'Restricted Dogs;' Chapter 18, 'Animals,' Article II, 'Dogs, Cats and Ferrets,' Division 1, 'Generally,' and Section 18-61, 'Nuisance Dogs.'

Erika Little, Health Program Administrator, provided a brief overview of the proposed. She stated C.A.R.E. and Half-Way Homes were the only rescues permitted under the previous resolution. Ms. Little noted the proposed resolution will offer pit bull adoptions through other animal rescue partners. She stated the requirements will not change as a result of the ordinance.

An opportunity was given for citizens to express their views.

Jennifer Silverburg spoke in favor of the proposed. She expressed concern for breed specific legislation.

Madison Weiler spoke in favor of the proposed. She expressed concern for pitbulls not being eligible for adoption.

Councilwoman Ferguson asked if smaller shelters have looked at aligning with C.A.R.E. for adoptions. Frank Romines responded the shelter agency is responsible for the insurance. He stated he would provide additional information to Council.

Councilman Hosmer asked if there had been any lawsuits or claims through

C.A.R.E. since the ordinance has been put in place.

Councilman Hosmer asked if the insurance rate could be lowered. Greg Burris asked Councilman Hosmer if he is looking for the impact if insurance is lowered. Mr. Hosmer responded in the affirmative.

Councilman Hosmer asked if the insurance rate could be lowered based on the impact. Mr. Romines responded the statute of limitations would be provided within the trial period.

Kathy Manary expressed her concern for breed specific legislation. She asked Council to look at repealing the pitbull ordinance.

Erika Little provided a brief overview of the proposed ordinance. She stated the proposed reckless dog update is to give animal control more preventive power, offer more tools for responsible pet ownership and to protect the public from animals that need additional oversight. Ms. Little noted the first amendment is to pursue a restricted designation at a level two bite or higher, the second is the reckless owner designation, the third is adding "or his designee" to give additional options in those situations.

With no further appearances, the discussion was closed.

**Brownfields Hazardous  
and Petroleum  
Assessment Grant**

Sponsor: Fisk. Council Bill 2016-281. A special ordinance authorizing the City Manager, or his designee, to apply for and accept a Brownfields Hazardous and Petroleum Assessment Grant, in the amount of \$300,000, from the Environmental Protection Agency for the purpose of conducting City-wide assessment activities, with priority given to City-acquired property, properties located in the center city and northwest Springfield target area; to exercise any and all powers necessary or convenient to obtain such funding and in carrying out the identified activities; and amending the budget of the Planning and Development Department for Fiscal Year 2017 in the amount of \$300,000.

Olivia Hough, Senior Planner, provided a brief overview of the proposed. She stated the City has previously received 17 Brownfields Grants totaling over \$6.3 million plus technical assistance. Ms. Hough noted previous projects included 260 environmental assessments, identified 25 percent of the assessments contaminated, City initiated cleanups and incentives for redevelopment. She stated the proposed will allow the City to continue the Brownfields Assessment Program. Ms. Hough noted there are 60 additional assessments projected and stated the program will be initiated City-wide.

Councilwoman Ferguson thanked staff for their work on the proposed.

Councilman Hosmer asked if the \$300,000 is for clean up and assessment. Ms. Hough responded it is only for the assessments and clean up planning.

Councilman Hosmer asked if the grant is only for City owned property. Ms. Hough responded in the negative and stated the grant can be applied to private property as long as it fits the Brownfields Grant description.

An opportunity was given for citizens to express their views. With no

appearances, the discussion was closed.

**Memorandum of Understanding Between the City of Springfield and City Utilities**

Sponsor: Fulnecky. Council Bill 2016-282. A special ordinance authorizing the City Manager, or his designee, to execute a Memorandum of Understanding between the City of Springfield, Missouri, City Utilities of Springfield, Missouri, Greene County, Missouri, and the Missouri Department of Natural Resources, to cooperate and partner in identification of pollutant sources that could impact Jordan Creek, Wilson Creek, and Pearson Creek, consistent with the Springfield-Greene County Integrated Plan and to do all things necessary to carry out the intent and purposes of the Memorandum of Understanding by and between the foregoing.

Errin Kemper, Assistant Director of Environmental Services, provided a brief overview of the proposed. He stated the proposed is a memorandum of understanding with the Missouri Department of Natural Resources to continue improving water quality through the Environmental Services integrated plan as compared to the traditional Clean Water Act method.

Councilman Schilling asked for clarification of impaired waters. Mr. Kemper responded impaired water is described as impaired based on the biologic conditions that suggest there is something wrong with the water.

Councilman Schilling asked what the risk is to the citizens. Mr. Kemper responded a chemical pollutant present in the water which affects the bugs in the water will affect the entire aquatic life, which, in turn, will affect the overall health of the stream.

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

**Lease Agreement with Sunset West II, LLC**

Sponsor: Ferguson. Council Bill 2016-285. A special ordinance authorizing the City Manager, or his designee, to enter into a Lease Agreement with Sunset West II, LLC, to lease property located at 2235 West Sunset Street for use by the Department of Public Information as offices and video and photography studio space; and amending the budget of the Department of Public Information for Fiscal Year 2016-2017 in the amount of \$33,000 to appropriate reserves from the Telecable fund.

Cora Scott, Director of Public Information and Civic Engagement, provided a brief overview of the proposed. She stated the proposed will allow the Public Information office to set up a studio and meeting location. Ms. Scott noted the proposed is for a one year lease. She stated the proposed will provide for a 6,000 square foot studio as well as a meeting place for the Public Information office.

Councilman Fishel asked for the cost to renovate and repair the building. Ms. Scott responded it will cost approximately \$40,000.

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

**Petitions, Remonstrances, and Communications.**

**Appeared** James Stevens addressed City Council. Mr. Stevens expressed concern about the Springfield Police Department.

**NEW BUSINESS.**

**Recommended** The Mayor recommends the following appointment to the Mayor's Commission for Children: Christen Davis with term to expire November 29, 2019.

**Recommended** The Mayor recommends the following reappointments to the Mayor's Commission for Children: Susan Henderson, Shara Cash, and Dr. Kayce Morton with terms to expire November 29, 2019.

**Recommended** Mayor Stephens is appointing Erick Roberts, Superintendent of Solid Waste, as an Alternate Board Member on the Solid Waste District O Board.

**Recommended** Mayor Stephens is appointing Councilman Mike Schilling to fill an Open City position reserved for a City Council Member.

**Remanded** Remand the issue of revisions to Chapter 46-6, Campaign Finance, to the Plans and Policies Committee for further review.

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

**UNFINISHED BUSINESS.**

**MISCELLANEOUS.**

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

**Blueprint for Safer Roads Program** Sponsor: Stephens. Council Bill 2016-283. A special ordinance authorizing the City Manager, or his designee, to accept a grant for the Blueprint for Safer Roads Program from the Missouri Highways and Transportation Commission in the amount of \$5,000; to enter into an agreement with the Missouri Highways and Transportation Commission; and amending the budget for the Department of Public Works for Fiscal Year 2016-2017 in the amount of \$5,000.

**4900 Block of South National Avenue** Sponsor: Fishel. Council Bill 2016-284. A special ordinance authorizing the Director of Planning and Development to accept the dedication of the public streets and easements to the City of Springfield, Missouri, as shown on the Preliminary Plat of Ironbridge Phase XIV, generally located at the 4900 block of South National Avenue, upon the applicant filing and recording a final plat that substantially conforms to the preliminary plat; and authorizing the City Clerk to sign the final plat upon compliance with the terms of this Ordinance.

**Removed from Consent Agenda First Reading** Sponsor: Ferguson. Council Bill 2016-285. A special ordinance authorizing the City Manager, or his designee, to enter into a Lease Agreement with Sunset West

**Bills and Read Under  
First Reading Bills**

II, LLC, to lease property located at 2235 West Sunset Street for use by the Department of Public Information as offices and video and photography studio space; and amending the budget of the Department of Public Information for Fiscal Year 2016-2017 in the amount of \$33,000 to appropriate reserves from the Telecable fund.

**1333 West Livingston**

Sponsor: Ferguson. Council Bill 2016-286. A special ordinance approving the sale of real property at 1333 West Livingston Street to Dawn Almeida for \$5,500 and authorizing the issuance of a deed for same.

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

**Appointment of Ryan  
Baker to Commercial  
Street Community  
Improvement District  
Board of Directors**

Sponsor: Stephens. Council Bill 2016-287. A resolution confirming the appointment of Ryan Baker to serve on the Commercial Street Community Improvement District Board of Directors.

Council Bill 2016-287. Resolution 10300 was approved by the following vote: Ayes: Hosmer, Ferguson, Schilling, Prater, Fishel, McClure and Fisk. Nays: None. Absent: Fulnecky and Stephens. Abstain: None.

**Liquor License to The  
Blue Bull LLC**

Sponsor: McClure. Council Bill 2016-288. A resolution granting a new liquor license to sell intoxicating liquor by the drink at retail, including Sunday sales, to The Blue Bull LLC, d/b/a Studio Ultra Lounge, located at all of the first floor and basement of 300 Park Central East, Springfield, Missouri, such license to include a patio on the north side of the building measuring 10 feet by 15 feet.

Council Bill 2016-288. Resolution 10301 was approved by the following vote: Ayes: Hosmer, Ferguson, Schilling, Prater, Fishel, McClure and Fisk. Nays: None. Absent: Fulnecky and Stephens. Abstain: None.

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

**Agreement for an  
Encroachment License  
with the General Council  
of the Assemblies of God**

Sponsor: Ferguson. Council Bill 2016-263. A general ordinance authorizing the City Manager, or his designee, to enter into an Agreement for an Encroachment License with the General Council of the Assemblies of God; for the purpose of allowing an encroachment onto City right-of-way, for the placement of bollards located at 1445 North Boonville Avenue, to allow for safe ingress and egress, under the same terms and conditions as encroachments are permitted on City rights-of-way under Chapter 98, Article VII of the Springfield City Code.

Council Bill 2016-263. General Ordinance 6322 was approved by the following vote: Ayes: Hosmer, Ferguson, Schilling, Prater, Fishel, McClure and Fisk. Nays: None. Absent: Fulnecky and Stephens. Abstain: None.

**Revenue Received by the  
City from the Sales of Fire  
Department**

Sponsor: Fulnecky. Council Bill 2016-264. A special ordinance authorizing revenue received by the City from the sales of Fire Department branded merchandise to be placed in the City's Fire Public Education fund designated for the exclusive use of the Fire Department for public education efforts.

Council Bill 2016-264. Special Ordinance 26818 was approved by the following vote: Ayes: Hosmer, Ferguson, Schilling, Prater, Fishel, McClure and Fisk. Nays: None. Absent: Fulnecky and Stephens. Abstain: None.

**1333 West Livingston Street**

Sponsor: Ferguson. Council Bill 2016-265. A special ordinance approving the sale of real property at 1333 West Livingston Street to Dawn Almeida for \$5,500 and authorizing the issuance of a deed for same.

Council Bill 2016-265 was tabled by the following vote: Ayes: Hosmer, Ferguson, Schilling, Prater, Fishel, McClure and Fisk. Nays: None. Absent: Fulnecky and Stephens. Abstain: None.

**2001 North Ramsey Avenue**

Sponsor: Prater. Council Bill 2016-266. A special ordinance approving the sale of real property at 2001 North Ramsey Avenue to Randy Lopez for \$7,200 and authorizing the issuance of a deed for same.

Council Bill 2016-266. Special Ordinance 26819 was approved by the following vote: Ayes: Hosmer, Ferguson, Schilling, Prater, Fishel, McClure and Fisk. Nays: None. Absent: Fulnecky and Stephens. Abstain: None.

**701 and 703 East Dale Street**

Sponsor: Prater. Council Bill 2016-267. A special ordinance approving the sale of real property at 701 and 703 East Dale Street to Randy Lopez for \$5,500 and authorizing the issuance of a deed for same.

Council Bill 2016-267. Special Ordinance 26820 was approved by the following vote: Ayes: Hosmer, Ferguson, Schilling, Prater, Fishel, McClure and Fisk. Nays: None. Absent: Fulnecky and Stephens. Abstain: None.

**916 West Poplar Avenue**

Sponsor: Ferguson. Council Bill 2016-268. A special ordinance approving the sale of real property at 916 West Poplar Avenue to Betty A. Miller for \$5,700 and authorizing the issuance of a deed for same.

Council Bill 2016-268. Special Ordinance 26821 was approved by the following vote: Ayes: Hosmer, Ferguson, Schilling, Prater, Fishel, McClure and Fisk. Nays: None. Absent: Fulnecky and Stephens. Abstain: None.

**Confirmed**

Confirm the following appointment to the Land Clearance for Redevelopment Authority: Benjamin Hall with term to expire March 1, 2017.

**Confirmed**

Confirm the following appointments to the Traffic Advisory Board: J.D. Stone with term to expire April 1, 2018, and Evan Bennett with term to expire April 1, 2019.

**Adjourn**

With no further business to come before Council, the meeting adjourned to Closed Session at approximately 9:28 p.m.



Anita J. Cotter, CMC/MRCC  
City Clerk

