

February 6, 2017
Springfield, Missouri

The City Council met in regular session February 6, 2017 in the Council Chambers at Historic City Hall. The meeting was called to order by Mayor Pro Tem Ken McClure. A moment of silence was observed.

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

Minutes There being no additions, deletions or corrections, the minutes of January 9, 2016 and January 23, 2016 were approved as amended.

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

CEREMONIAL MATTERS.

Mayor Pro Tem Ken McClure recognized Leadership Springfield Signature Class 32. He thanked them for attending tonight's meeting and for their interest in local government.

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

Greg Burris, City Manager, noted Frank Romines, City Attorney, has provided answers in response to Councilman Hosmer's questions regarding Council Bill 2017-021 and the ranges for PAT-6 and PAT-7 employees. He stated Mr. Romines emailed those answers to City Council.

Mr. Burris expressed his appreciation to the Springfield Police Department for their responses to several tragedies over the last week. He noted criminal charges have already been filed in four of the five homicides in 2017.

Mr. Burris noted the Springfield Fire Department presented a case to the Greene County Prosecutor's office on Friday with details associated with multiple arson fires in the area of 620 W. Scott Street, near Franciscan Villa. He stated beginning in the fall of 2015, a series of fires in this area resulted in the Springfield Fire Marshals conducting an investigation. Mr. Burris noted the collaboration in the investigative process was instrumental to the successful resolution in this case. He recognized the Springfield Fire Marshalls, the Springfield Police Department, the Greene County Arson Task Force, and the Mid-States Organized Crime Information Center. Mr. Burris stated the suspect has been charged with six counts of knowingly burning, a Class E Felony, and is currently being held in the Greene County jail.

Mr. Burris stated approximately 80 citizens attended a Council Workshop on January 31, 2017 concerning the Jefferson Avenue Footbridge. He thanked Mayor Pro Tem McClure, Councilmen Fishel, Hosmer, Schilling, and Prater and Councilwomen Fisk and Ferguson for attending. Mr. Burris noted a design phase is the next step in the process. He expressed his opinion the anticipated cost for the design work will be approximately \$200,000. Mr. Burris noted funding for the design work will be provided

through the 1/8 cent transportation tax line item for bridges. He stated unexpected events like this present a set of difficult challenges, considering the lack of funds available, or expected to be available, for the \$2.8 million needed to rehabilitate the bridge. Mr. Burris noted a motivated group of preservationists are starting to mobilize to find funding for a portion of this project.

Mr. Burris noted the City's February 2017 one percent general sales tax check from the Missouri Department of Revenue is down four percent compared to the amount budgeted. He stated the check reflects sales processed by the state in January 2017 from transactions made primarily in December 2016. Mr. Burris noted on a year to date basis receipts are down three percent or a little over \$930,000.

Mr. Burris noted the ongoing support in the community for improvements in Zone 1. He expressed his opinion the Zone Blitz has taken a on a life of its own. Mr. Burris noted Council Bill 2017-039 is a sidewalk project consisting of 2.6 miles of new sidewalks in Zone 1, near Westport, Bissett, and Watkins Elementary Schools. He stated this project was identified in the Community Listen events. Mr. Burris expressed appreciation to those citizens who highlighted the sidewalk needs on behalf of Zone 1 residents and children.

Mr. Burris stated Councilman Fishel asked him to read a statement on his behalf. Mr. Fishel has received numerous calls from citizens and trash haulers regarding what might happen with the City's trash service. He expressed his opinion there is confusion as to the current status of the trash and recycling survey. He noted the February 14, 2017 Council lunch has been cancelled. Therefore, the results of the trash and recycling survey cannot be presented as originally scheduled. Mr. Burris noted that the consultant has only received comments from less than half of the trash haulers. Mr. Fishel desires that all trash haulers be given an opportunity to be heard and requests City Council allow the City Manager to reschedule any presentation on this matter to a later date.

Mr. Burris noted City Council has received a report, requested by Mayor Stephens. He stated this report is in response to comments made at the January 23, 2017 City Council meeting.

Councilman Schilling read a statement on behalf of Mayor Stephens. The statement clarifies Mayor Stephens follow up after Councilwoman Fulnecky's assertion at the January 23, 2017 meeting that she had not received reports regarding Breed Specific Legislation prior to that meeting. He asked the City Manager to review the record. Mr. Schilling noted the information Mayor Stephens requested is in the packets for each member of Council and does confirm Ms. Fulnecky's name was on the emails in question, including the report she singled out by name as not being sent to her.

Councilwoman Fulnecky responded and stated she was referring to reports and studies and not communication.

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

Mutual Aid Agreement

Sponsor: Hosmer. Council Bill 2017-018 A special ordinance approving a mutual aid agreement between the Ebenezer Fire Protection District and the Springfield Fire Department.

Council Bill 2017-018. Special Ordinance 26844 was approved by the following vote: Ayes: Prater, McClure, Fisk, Hosmer, Fulnecky, Ferguson, and Schilling. Nays: None. Absent: Fishel and Stephens. Abstain: None.

**Lexis/Nexis
Contract**

Sponsor: McClure. Council Bill 2017-019. A special ordinance authorizing the City Manager, or his designee, to enter into contracts with LexisNexis for the purpose of providing law enforcement software and database services.

Council Bill 2017-019. Special Ordinance 26845 was approved by the following vote: Ayes: Prater, McClure, Fisk, Hosmer, Fulnecky, Ferguson, and Schilling. Nays: None. Absent: Fishel and Stephens. Abstain: None.

Salary Ordinance

Sponsor: Fisk. Council Bill 2017-021. A general ordinance amending Chapter 2, Section 2-92 of the Springfield City Code, known as 'Salary Ordinances,' relating to the salary rate and pay grade for one job title within the Law Department, as contained in the Professional, Administrative and Technical (PAT) salary schedules, by adding one new job title, Senior Paralegal (PAT 7).

Council Bill 2017-0-21, General Ordinance 6336 was approved by the following vote: Ayes: Prater, McClure, Fisk, Hosmer, Ferguson, and Schilling. Nays: Fulnecky. Absent: Fishel and Stephens. Abstain: None..

RESOLUTIONS.

**2017 Capital
Improvements
Program**

Sponsor: McClure. Council Bill 2017-022. A resolution adopting the 2017 Capital Improvements Program for 2017 through 2022. (Planning and Zoning Commission and City staff recommend approval).

Randall Whitman, Principle City Planner, presented a brief overview of the proposed. He stated projects that qualify for inclusion in the Capital Improvements Program (CIP) must cost at least \$100,000 and have a useful lifespan of at least six years. Mr. Whitman noted projects can be individual projects such as a fire station, or can be comprehensive programs targeting projects like sidewalks. He stated 111 individual projects have been identified and recommended for funding in 2017. Mr. Whitman noted the projects are estimated to cost approximately \$83 Million. He stated there are 139 projects recommended for funding in the next five calendar years.

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

Council Bill 2017-022. Resolution 10306 was approved by the following vote: Ayes: Prater, McClure, Fisk, Hosmer, Ferguson, and Schilling. Nays: Fulnecky. Absent: Fishel and Stephens. Abstain: None.

**Staffing for
Adequate Fire
and Emergency
Response Grant**

Sponsor: Hosmer. Council Bill 2017-023. A resolution authorizing the City Manager to verify with the Federal Emergency Management Agency that the City will maintain the Fire Department's staffing levels and not incur layoffs during the period of performance if awarded a Staffing for Adequate Fire and Emergency Response grant for seven (7) FTE's; and that City Council recognizes the long-term commitments if such a grant is accepted.

Greg Burris, City Manager, introduced Interim Chief David Pennington and stated the proposed is in response to City Council's direction to the Fire Department to apply for the Safer Grant. Chief Pennington gave a brief overview of the proposed. He stated this is a continuation of the Staffing Deployment study. Chief Pennington noted new guidelines for the application mandate there can be no lay-offs or reductions in staff during the 36-month performance period.

Mayor Pro Tem McClure asked for clarification on the application deadline and when the grant will be awarded. Chief Pennington responded the grant application is due no later than February 10, 2017 and the period of performance begins on July 1, 2017. Chief Pennington stated he anticipates being notified in May 2017 regarding the status of the grant.

Mayor Pro Tem McClure expressed his opinion the proposed will be good for the City.

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

Council Bill 2017-023. Resolution 10307 was approved by the following vote: Ayes: Prater, McClure, Fisk, Hosmer, Fulnecky, Ferguson, and Schilling. Nays: None. Absent: Fishel and Stephens. Abstain: None.

EMERGENCY BILLS.

PUBLIC IMPROVEMENTS.

GRANTS.

AMENDED BILLS.

COUNCIL BILLS FOR PUBLIC HEARING.

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

Conditional Use Permit #427 at 2811 S. Campbell Avenue

Sponsor: Schilling. Council Bill 2017-024. A special ordinance authorizing the issuance of Conditional Use Permit No. 427 to allow an Automobile Service Garage within a GR, General Retail District generally located at 2811 South Campbell Avenue.

Mary Lilly Smith, Director of Planning and Development, gave a brief overview of the proposed. She stated this is for a Conditional Use Permit in the existing zoning classification. Ms. Smith noted the proposed is an automobile service garage located at the corner of Campbell and Woodland. She stated the Growth Management Land Use Plan identifies this area as appropriate for medium intensity retail, office or housing and it meets all required use permit conditions.

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

Rezoning 1320 E. McClernon Street

Sponsor: Prater. Council Bill 2017-025. A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official Zoning Map and rules for interpretation,' by rezoning approximately 5.36 acres of property, generally located at 1320 East McClernon Street from Amended Planned Development 228 to Planned Development 355; and adopting an updated Official Zoning Map. (Staff and Planning

and Zoning Commission recommend approval). (By: Whiskers Investment LLC; 1320 East McClernon Street: Planned Development 355.)

Mary Lilly Smith, Director of Planning and Development, gave a brief overview of the proposed. She stated the proposed removes vinyl siding and exterior insulation and finishing systems from the list of building materials. Ms. Smith noted the proposed permits fiber cement siding or Hardie board and removes the requirement for 40 percent brick or stone.

Councilwoman Fulnecky asked for clarification on the current zoning. Mary Lilly Smith responded the current zoning is a planned development.

An opportunity was given for citizens to express their views.

Debra Shantz Hart, the developer's representative, was available to answer questions from City Council.

With no appearances, the public hearing was closed.

**Rezoning
3416 S. National
Avenue and
1220 East Walnut
Lawn**

Sponsor: Fishel. Council Bill 2017-026. A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 1.84 acres of property, generally located at 3416 South National Avenue and 1220 East Walnut Lawn Street from Planned Development No. 12, Amendment 7 District, to a GR, General Retail District; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval). (By: Kum and Go gas station and Community Financial Credit Union; 3411 South National Avenue and 1220 East Walnut Lawn; Z-4-2017.)

Mary Lilly Smith, Director of Planning and Development, gave a brief overview of the proposed. She stated the property is currently occupied by Kum & Go. Mrs. Smith noted the proposed is an expansion of the existing gas station. She stated the Growth Management and Land Use Plan identifies this area as appropriate for medium or high density housing and this area is currently zoned for office and retail. Ms. Smith noted the proposed would expand the existing gas station and retain a portion of the credit union.

An opportunity was given for citizens to express their views.

Cameron Smith, the developer's representative, was available to answer any questions from City Council.

Councilman Schilling asked the reason for the expansion. Cameron Smith responded the expansion will accommodate Kum & Go's new Go Fresh Market concept. With no further appearances, the public hearing was closed.

**Rezoning
1513 E. Washita
Street**

Sponsor: Fishel. Council Bill 2017-027. A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately .08 acres of property, generally located at 1513 East Washita Street, from a R-SF, Residential Single-Family district to a GR, General Retail District, subject to certain conditions; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval). (By:

GWG Properties III LLC; 1513 East Washita Street; Z-5-2017.)

Mary Lilly Smith, Director of Planning and Development, gave a brief overview of the proposed. She stated the proposed will expand parking for a pharmacy located at 1522 E. Sunshine. Ms. Smith noted the Growth Management and Land Use Plan identifies this area as appropriate for high intensity retail, office, or housing. She stated the property line will be adjusted 43 feet to the south and must be done within two years of the approval.

Councilwoman Fulnecky asked for clarification on what will happen to the house on the property. Mary Lilly Smith responded the house will stay on the property and the current owner is requesting the proposed changes.

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

**Rezoning
1826 S. Fremont
Avenue and 1823
South Pickwick
Avenue**

Sponsor: Fishel. Council Bill 2017-028. A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 0.4 acres of property, generally located at 1826 South Fremont Avenue and 1823 South Pickwick Avenue from R-SF, Single-family Residential District and O-1, Office District to GR, General Retail District subject to certain conditions; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval). (By: One Hundred Two Glenstone, Inc. and Stephanie Twibell; 1826 & 1912 S. Fremont Ave. and 1823 S. Pickwick Avenue; Z-2-2017.)

Mary Lilly Smith, Director of Planning and Development, gave a brief overview of the proposed. She stated the intent is to combine these lots with the General Retail lots facing Sunshine. Ms. Smith noted the Pickwick lot is planned for detention. She stated the Growth Management and Land Use Plan identifies this area as appropriate for low density housing. Ms. Smith noted staff recommends approval of the proposed due to its close proximity to the National and Sunshine Community Activity Center and the intersection of primary and secondary arterials. She stated the recommended approval is with conditions. Ms. Smith noted those conditions are 1826 South Fremont and 1823 South Fremont must be combined into one tract within one year of City Council approval.

An opportunity was given for citizens to express their views.

Wendy Steele spoke in opposition to the proposed. She expressed her opinion the proposed will create more traffic on their street.

Councilman Schilling asked for clarification on the increase in traffic. Dan Smith, Director of Public Works, highlighted the Traffic Division's estimate of an increase in traffic from 240 cars per day to 720 cars per day.

Councilman Hosmer asked if the two lots are currently residential properties with homes. Mary Lilly Smith responded in the negative. Mr. Hosmer asked for clarification on the future use of the Pickwick lot. Ms. Smith responded the Pickwick lot will be used for detention. Mr. Hosmer asked if the proposed will mandate it stays as detention. Ms. Smith responded in the negative. Mr. Hosmer asked if a future developer could build on the Pickwick lot. Ms. Smith responded any future

development would be required to account for detention. Mr. Hosmer expressed his opinion the neighborhood would support the proposed if there was a guarantee the Pickwick lot will always be a detention green space and not be turned into a parking lot in the future. He asked if there is a process that will require the lot always be used as detention. Ms. Smith expressed her opinion a Conditional Overlay District could be developed requiring the Pickwick lot always be used for detention.

Derek Lee, Lee Engineering, noted the intent is to dedicate a drainage easement and expressed his opinion the owner will have no issues with a Conditional Overlay District. Councilman Hosmer asked for clarification on the proposed use of the lots on Fremont. Mr. Lee gave a brief overview of the proposed development. Mr. Hosmer asked if the south lots on Pickwick will be impacted by drainage. Mr. Lee responded all water will be directed to the detention area, which is lower than the lots on the south.

Councilwoman Fisk asked for clarification on driveways. Mr. Lee responded a driveway does not currently exist, but the intent is to have one on Pickwick.

Councilman Hosmer asked for clarification on the process to establish a Conditional Overlay District. Mary Lilly Smith responded if City Council wanted to have a Conditional Overlay District requiring the lot at 1823 S. Pickwick be used for detention an amendment to the proposed would be required and she expressed her opinion the proposed will need to be amended tonight. Mayor Pro Tem McClure asked Frank Romines, City Attorney, to provide guidance on the amendment process. Mr. Romines stated the amendment will be required tonight, but stated his staff will need to research if the proposed will need to be remanded to Planning and Zoning for their review and recommendation. Mr. Hosmer asked for clarification on the requirement to remand to Planning and Zoning. Mayor Pro Tem McClure expressed his opinion an amendment will not need to go back to Planning and Zoning. Mr. Romines expressed his opinion the amendment can be offered tonight and if his staff determines remanding to Planning and Zoning is not required, City Council will be able to vote on the amended Council Bill at the February 21, 2017 City Council meeting. Derek Lee expressed his opinion remanding to Planning and Zoning will have a negative impact on the development timeline.

Councilman Hosmer moved to establish a Conditional Overlay District that restricts 1823 S. Pickwick for detention only. Councilwoman Ferguson seconded the motion and it was discussed.

Councilman Prater expressed his opinion amending the proposed and remanding to Planning and Zoning is not appropriate and will have a negative impact on the development.

Councilwoman Ferguson expressed her opinion remanding to Planning and Zoning is inappropriate and will have a negative impact on the development.

Councilman Hosmer expressed his opinion City Council should pass the amendment to protect the neighborhood.

Councilwoman Fulnecky asked if the owner would have difficulty selling the property with the Conditional Overlay District requirement. David Lee expressed his opinion the Conditional Overlay District will not have a negative impact. He stated the developer's intent is to place a permanent drainage easement on 1823 S. Pickwick.

Ms. Fulnecky asked if a Conditional Overlay District is required if the easement is in place. Mr. Lee responded the easement is not currently in place. He stated the easement will be submitted prior to the February 21, 2017 City Council meeting.

With no further appearances, the public hearing was closed.

The motion to amend Council Bill 2017-028 failed by the following vote: Ayes: Ferguson, Schilling, and Hosmer. Nays: Prater, McClure, Fisk, and Fulnecky. Absent: Fishel and Stephens. Abstain: None.

Councilman Hosmer asked for clarification on the requirement to remand to Planning and Zoning. He expressed his opinion the law was mischaracterized, and had a negative impact on the amendment. Mr. Hosmer stated he wanted an answer on the requirement to remand to Planning and Zoning at the Council Lunch on Tuesday, February 7, 2017. Frank Romines responded he will research the issue and provide a response. Mayor Pro Tem McClure expressed his opinion the amendment would not have to be reviewed by Planning and Zoning.

**Rezoning
1912 S. Fremont
Avenue**

Sponsor: Council Bill 2017-029. A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 0.21 acres of property, generally located at 1912 South Fremont Avenue from R-SF, Single-family Residential District to O-1, Office District subject to certain conditions; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval). (By: One Hundred Two Glenstone, Inc. and Stephanie Twibell; 1826 & 1912 S. Fremont Ave. and 1823 S. Pickwick Avenue; Z-2-2017.)

Mary Lilly Smith, Director of Planning and Development, gave a brief overview of the proposed. She stated the intent is to rezone from residential single family to O-1 and combine with the lots to the north. Ms. Smith noted the Growth Management and Land Use Plan identifies this area as appropriate for low density housing. She stated it is near the National and Sunshine Community Activity Center and Fremont Street is a secondary arterial. Ms. Smith noted the lot at 1912 S. Fremont must be combined with the O-1 properties to the north within one year of City Council approval.

Councilman Schilling asked if the proposed is indicative of future zoning proposals. Mary Lilly Smith expressed her opinion City Council may see more zoning requests in the future.

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

**Rezoning 3027 S.
Lakeside Avenue**

Sponsor: Fishel. Council Bill 2017-030. A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 1.03 acres of property, generally located at 3027 South Lakeside Avenue from an O-1, Office District, to a LB, Limited Business District; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval). (By: In-Out LLC; 3027 South Lakeside Avenue; Z-22-2016.)

Mary Lilly Smith, Director of Planning and Development, gave a brief overview of the proposed. The proposed is for rezoning from O-1 to Limited Business. The Growth Management and Land Use Plan identifies this area as appropriate for high density retail, office or housing. Ms. Smith noted the proposed is consistent with compatible and existing zoning and development on Battlefield.

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

**Conditional
Overlay District
#117 on the 3500
block East
Seminole**

Sponsor: Fishel. Council Bill 2017-031. A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 5.79 acres of property, generally located at the 3500 block East Seminole Street from R-SF, Single-family residential district to R-LD, Low-Density multi-family residential district and establish Conditional Overlay District No. 117; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval). (By: Calvary Chapel of Springfield; 3500 block East Seminole Street; Z-3-2017 Conditional Overlay District No. 117.)

Mary Lilly Smith, Director of Planning and Development, gave a brief overview of the proposed. She stated the proposed is a multi-family senior townhome development. Ms. Smith noted the Growth Management and Land Use Plan identifies this area as appropriate for medium or high density housing. She stated the proposed is in close proximity to the US 65 and Sunshine Street Community Activity Center and identified as an area of significant business and high density housing. Ms. Smith noted the proposed is consistent with adjacent zoning along Cherokee, Eastgate, and Seminole and serves as a transition between higher density and lower density residential.

An opportunity was given for citizens to express their views.

Jason Metivier, the developer's representative, spoke in support of the proposed. He stated the proposed will be a one level development, with entrance gates at both ends. Mr. Metivier expressed his opinion water detention issues have been addressed with property owners in the neighborhood.

With no further appearances, the public hearing was closed.

**Conditional
Overlay District
#122 at 1655 W.
Republic Road**

Sponsor: Schilling. Council Bill 2017-032. A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 9 acres of property, generally located at 1655 West Republic Street from GR, General Retail District to HC, Highway Commercial District and establishing Conditional Overlay District No. 122; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval). (By: Ridgecrest Baptist Church; 1655 W. Republic St.; Z-1-2017.)

Mary Lilly Smith, Director of Planning and Development, gave a brief overview of the proposed. She stated the Growth Management and Land Use Plan identifies this area as appropriate for high intensity retail, office or housing. Ms. Smith noted rezoning to highway commercial allows outdoor parking used for retail or wholesale storage or for sale. Ms. Smith noted the Conditional Overlay District would remove several uses currently in the highway commercial zone in accordance with the property owner's intent, which is to have onsite vehicle storage and vehicle sales on site.

Councilman Schilling noted the Greater Parkcrest Neighborhood Association had expressed opposition to the proposed due to concerns with anticipated noise disturbances from race cars, go-carts and the possible effects on home sales. Mary Lilly Smith responded that many of the noise concerns have been addressed by the Conditional Overlay District. She stated she was unaware of any additional concerns of the neighborhood.

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

**Conditional
Overlay District
#115 at 1432 W.
Livingston Street
and 1435 W.
Talmage Street.**

Sponsor: Ferguson. Council Bill 2017-033. A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 2.72 acres of property, generally located at 1432 West Livingston Street and 1435 West Talmage Street from a R-SF, Single Family Residential District to a R-MD, Medium-density Multi-family Residential District; establishing Conditional Overlay District No. 115; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval). (By: 1432 West Livingston and 1435 West Talmage Street; Z-19-2016 & Conditional Overlay District No. 115.)

Mary Lilly Smith, Director of Planning and Development, gave a brief overview of the proposed. She stated the Growth Management and Land Use Plan identifies this area as appropriate for medium or high density housing. Ms. Smith noted the intent is to develop multi-family micro-efficiency apartments of 400 square feet or less per unit. She expressed her opinion this development is an appropriate activity to occur on Talmage.

Councilwoman Ferguson asked for clarification on overflow parking. Mary Lilly Smith responded the developer is providing more than the required spaces to address additional parking issues. Ms. Ferguson asked if bike racks will be available in the development. Ms. Smith expressed her opinion there will be bike racks.

An opportunity was given for citizens to express their views.

Mary Kay Glunt, Doling Neighborhood Association, expressed her concern this development will have a negative impact on traffic in an already heavily congested area. She requested a traffic study be completed to assess how traffic will be impacted in the neighborhood. Ms. Glunt expressed concern with sewer and storm water run-off systems. She stated the neighborhood association is not totally against this project, but asks City Council to review the proposed and address any issues which could negatively impact the neighborhood.

Councilwoman Fulnecky asked if there was a traffic light currently at Talmage and Kansas Expressway. Ms. Glunt responded in the negative.

Councilman Ferguson expressed concern about pedestrian traffic safety from this development and asked Staff for recommendations to address concerns for pedestrian safety. Dan Smith, Director of Public Works, responded he is not aware if the location meets the Federal Government's guidelines for determining whether a signal is warranted. He stated a HAWK signal may be another option and he will follow-up with MoDOT to discuss possible options.

Councilwoman Fulnecky asked about a traffic study of the area. Mary Lilly Smith stated this project has not been identified by Traffic Engineering staff as having enough impact on the area to warrant a traffic study.

With no further appearances, the public hearing was closed.

Councilman Prater expressed his appreciation to Mary Lilly Smith and her staff for providing information in advance of the City Council meeting.

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

Council Bill 2017-034, Council Bill 2017-035 and Council Bill 2017-036 were read and discussed simultaneously.

Sponsor: Ferguson. Council Bill 2017-034. A general ordinance amending Springfield City Code Chapter 74, 'Nuisance and Housing Code,' to clarify definitions, enforcement language, and nuisance language; delete unnecessary language and definitions; repeal certain minimum standard requirements; and delete certain apartment-specific standards.

Sponsor: Ferguson. Council Bill 2017-035. A general ordinance amending Chapter 36 of the Springfield City Code, known as the 'Land Development Code' and enacting a new Article VII, 'International Property Maintenance Code'.

Sponsor: Ferguson. Council Bill 2017-036. A general ordinance amending Springfield City Code Chapter 36, 'Land Development Code,' Article I, 'Administration and Enforcement of Codes,' to provide for administration and enforcement of the International Property Maintenance Code and to clarify certain provisions.

Chris Straw, Director of Building Development Services, gave a brief overview of the proposed. He stated the intent of Council Bill 2017-034 is to clarify, modify and eliminate outdated language thereby improving efficiency with the ability to interpret and educate the community and provide them better guidance in understanding the requirements.

Mr. Straw stated Council Bill 2017-035 recommends the adoption of the 2012 International Property Maintenance Code. He noted one element of the Property Maintenance Code, which has been eliminated, relates to regulations regarding finish materials on properties and structures.

Mr. Straw stated Council Bill 2017-036 will merge all administrative chapter codes into one Administrative Chapter of the Codes. He noted there will be one administrative chapter that covers all codes. Mr. Straw stated the amendments in Chapter 36 will be included in the proposed adoption of the 2012 Property Maintenance Code.

Councilman Schilling asked for clarification on the cost for enforcement. Chris Straw responded the amended regulations are very similar to those currently in place. He expressed his opinion providing concise language will make it easier to educate and provide appropriate information to the public.

An opportunity was given for citizens to express their views.

Eric Pauley, Phelps Grove Neighborhood Association, spoke in favor of the proposed. He expressed his opinion the changes will have a positive impact on the City.

Peter Radecki spoke in favor of the proposed. Mr. Radecki noted he supports the intent of the proposed Council Bills, but encouraged City Council to thoroughly examine them prior to giving final approval.

Steve Hargis spoke regarding the proposed. He expressed his opinion the proposed changes lack clarity. He requested a thorough examination prior to approval.

Councilwoman Ferguson asked Mr. Hargis for specific details about his concerns. Mr. Hargis responded infestation and backyard parking are concerns and asked City Council to ensure the revised language will adequately address these issues.

Councilwoman Ferguson asked Chris Straw if the revised language will address Mr. Hargis' concerns. Mr. Straw responded in the affirmative.

Councilwoman Ferguson asked for clarification on who is responsible for the parking issue. Chris Straw noted his department has partnered with the Police Department in writing some citations, but stated his department is responsible for enforcing backyard parking issues.

Councilwoman Fulnecky asked if the issue relating to graffiti is addressed in the revised language. Chris Straw responded he will review the City Code and provide a response to City Council.

With no further appearances, the public hearing was closed.

**Transportation
Network
Companies**

Sponsor: Council Bill 2017-037. A general ordinance amending the Springfield City Code by repealing certain language contained in Chapter 22, 'Aviation,' and adding new regulations for ground transportation operators at the Airport, including Transportation Network Companies.

Brian Weiler, Director of Aviation, provided a brief overview of the proposed. He stated the request is to amend Chapter 22 to include Transportation Network Companies at the Airport in all areas currently allowing taxis, limos, shuttles, and busses. Mr. Weiler noted the proposed will remove outdated language regarding posted fares in the terminal buildings, and clarify access fees set by the Airport Board.

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

**Authorizing the
City of
Springfield,
Missouri to Enter
into Schedule of
Equipment No. 6**

Sponsor: Hosmer. Council Bill 2017-038. A special ordinance authorizing the City of Springfield, Missouri, to enter into Schedule of Equipment No. 6, which will become a part of its existing Master Equipment Lease Purchase Agreement, the proceeds of which will be used to pay the costs of acquiring equipment for the Springfield-Branson National Airport and to do all things necessary to carry out the lease-purchase transaction, including the execution of certain documents in connection therewith; and amending the budget of the Springfield-Branson National Airport Board for Fiscal Year 2016-2017 in the amount of \$2,904,904.37.

Brian Weiler, Director of Aviation, presented a brief overview of the proposed. He stated the intent of the proposed is to comply with updated FAA runway condition reporting requirements, which govern required runway conditions during adverse weather. Mr. Weiler noted airfield pavements have increased 20 percent in the last 10 years and industry advances in equipment and practices, along with the age of existing snow equipment in the fleet, are addressed in the proposed.

Mayor Pro Tem McClure asked for clarification on the disposition of the equipment being replaced. Mr. Weiler responded the retired equipment will be offered for sale to smaller airports. He expressed his opinion, due to the age of the equipment, proceeds will be minimal.

David Holtmann, Director of Finance, provided a brief overview of the Master Lease Agreement. He stated the lease is for five years with a 1.9 percent interest rate. Mr. Holtmann noted the airport will make quarterly payments during the lease term and will own the equipment at the end of the five-year lease.

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

**Z1 School
Sidewalk Project**

Sponsor: Ferguson. Council Bill 2017-039. A special ordinance authorizing the City Manager, or his designee, to approve the plans and specifications of the Z1 School Sidewalk Project; and to accept the bid of \$391,921.70 and enter a contract with Liming Concrete, LLC for completion of the project.

Dan Smith, Director of Public Works, provided a brief overview of the proposed. He stated this will provide 2.6 miles of new sidewalks in Zone 1 near Westport, Bissett, and Watkins Elementary Schools.

Mayor Pro Tem McClure asked about possible impacts from the School District's renovation plans. Dan Smith responded the School District has been contacted and sidewalks in Zone 1 are included in their Phase Two plan, which is at least six years out.

An opportunity was given for citizens to express their views.

Peter Radecki, spoke in favor of the proposed. He thanked Councilwoman Ferguson and City staff for their work on the proposed. Mr. Radecki expressed his opinion this will have a positive impact on the city.

With no further appearances, the public hearing was closed.

PETITIONS, REMONSTRANCES, AND COMMUNICATIONS.

Danny Henderson, expressed his appreciation to City Council and read a poem he had written.

NEW BUSINESS.

Recommended

The Committee of the Whole recommends the following reappointment to the Board of Public Utilities: Jeff Childs with term to expire December 1, 2019.

CONSENT AGENDA FIRST READING BILLS

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

- Firearms and Explosives Task Force** Sponsor: McClure. Council Bill 2017-040. A special ordinance authorizing the City Manager, or his designee, to enter into a Memorandum of Understanding with the Bureau of Alcohol, Tobacco, Firearms and Explosives to allow participation of the Springfield Fire Department in a Bureau of Alcohol, Tobacco, Firearms and Explosives Task Force; to enter into a Memorandum of Agreement with the Bureau of Alcohol, Tobacco, Firearms and Explosives to allow the Bureau to reimburse the Springfield Fire Department for the cost of employee overtime stemming from Springfield Fire Department employees' participation in the task force.
- Explosives Disposal Site** Sponsor: Fisk. Council Bill 2017-041. A special ordinance authorizing the City Manager, or his designee, to enter into an Intergovernmental Agreement with the Bureau of Alcohol, Tobacco, Firearms and Explosives to formalize the processes and procedures regarding use of an explosives disposal site and the provision of mutual assistance.
- Transfer Property at 916 East Garfield** Sponsor: Ferguson. Council Bill 2017-042. A special ordinance approving the transfer of real property at 916 East Garfield to Blackard Development, LLC and authorizing the issuance of a deed for same.

CONSENT AGENDA ONE READING BILLS.

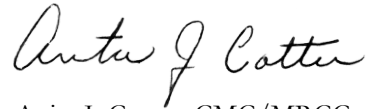
The following bills appeared on the agenda under Consent Agenda Second Reading Bills:

- Community Improvement District Board of Directors** Sponsor: Stephens. Council Bill 2017-043. A resolution confirming the appointments of Michelle Billionis and Bart Tacke, and the reappointments of Chris Ball, Ken Chumbley, Bruce Adib-Yazdi, and Dick Scott to serve on the Downtown Springfield Community Improvement District Board of Directors.
- Council Bill 2017-043. Resolution 10308 was approved by the following vote: Ayes: Prater, McClure, Fisk, Hosmer, Fulnecky, Ferguson, and Schilling. Nays: None. Absent: Fishel and Stephens. Abstain: None.
- Sewer Relocation Plan 2015PW0092** Sponsor: Schilling. Council Bill 2017-020. A special ordinance authorizing the City Manager, or his designee, to enter into a cost share agreement with SoMac Lofts, LLC, for the purpose of constructing a public sewer main in the vicinity of South Avenue and East McDaniel Street. The submitted bid for the sewer relocation under plan number 2015PW0092 is \$63,035, of which 50 percent or \$31,517.50 have been budgeted from funds in the Fiscal Year 2016-2017 budget of the Clean Water Services Fund. (Environmental Services staff recommends approval).
- Council Bill 2017-020. General Ordinance 26846 was approved by the following vote: Ayes: Prater, McClure, Fisk, Hosmer, Fulnecky, Ferguson, and Schilling. Nays: None. Absent: Fishel and Stephens. Abstain: None.

Adjourn

With no further business to come before Council, the meeting adjourned at approximately 8:06 p.m.

Prepared by Kris Wright

A handwritten signature in cursive script that reads "Anita J. Cotter".

Anita J. Cotter, CMC/MRCC
City Clerk