

**January 25, 2016**  
**Springfield, Missouri**

The City Council met in regular session January 25, 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: Phyllis Ferguson, Mike Schilling, Justin Burnett, Craig Fishel, Ken McClure, Jan Fisk, Craig Hosmer, Kristi Fulnecky, and Bob Stephens. Absent: None.

**Minutes**

The minutes of January 11, 2016 were approved as presented.

**Consent Agenda**

The Consent Agenda was finalized and approved as amended.

Mayor Pro Tem McClure moved to add board appointments that were posted as possible additions to the agenda in the Clerk's office on Friday to the agenda under new business. Councilman Fishel seconded the motion and it was approved by the following vote: Ayes: Ferguson, Schilling, Burnett, Fishel, McClure, Fisk, Hosmer, Fulnecky, and Stephens. Nays: None. Absent: None. Abstain: None.

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

Collin Quigley, Assistant City Manager, responded all questions had been answered. Mr. Quigley expressed his gratitude to City employees and others in the community who helped respond to the weather event last week. He stated the Springfield-Greene County 9-1-1 Emergency Communications Department has seen a record setting number of calls and phone interactions with telecommunicators handling over 1,800 phone interactions and 1,100 calls for service to our first responders.

Mr. Quigley noted Ice Hockey advocate and longtime Missouri State Ice Bears general manager Stan Melton was honored Friday, January 22, 2016 at the sold-out Ice Bears vs. Mizzou hockey game at Mediacom Ice Park. The East Rink, the home facility for the Ice Bears and the 4-1-7 Express Junior-A hockey team, was renamed, "The Stan Melton Rink," in honor of his tireless efforts to establish, promote and grow the sport of Ice Hockey in Springfield.

Mr. Quigley noted Police Chief Paul Williams provided the monthly crime statistic for review. He stated the 66<sup>th</sup> Police Academy class graduated January 22, 2016 and 21 new officers are now in field training. He stated the 67<sup>th</sup> Police Academy is scheduled to start February 8, 2016 with 14 recruits and the Department is actively recruiting for an August 2016 Police Academy class.

Mr. Quigley noted the Zone 1 Connect will take place Saturday, January 30, 2016 from 9:30 a.m. until noon at The Fusion Center located at 1320 North Campbell. He stated 200 Zone 1 residents are expected to participate in this event, which will match project ideas with area neighborhoods. Mr. Quigley noted this event is

a follow-up to a series of Community Listen events that took place in nine Zone 1 neighborhoods in May 2015. He stated more than 266 individuals have signed up to be part of the Zone Blitz, representing more than 165 partner organizations and Zone 1 Councilwoman, Phyllis Ferguson, is helping lead this charge.

Mr. Quigley noted Greg Burriss, City Manager, had asked him to read a personal tribute to Dr. John Keiser who passed away on January 22, 2016. Dr. Keiser was a former President of Missouri State University.

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

**Annexation: West  
Republic Street and  
South Scenic Avenue**

Sponsor: Schilling. Council Bill 2016-002. A general ordinance amending Section 1-9 of the Springfield City Code, City Limits, by annexing approximately 1.88 acres of private property and 0.27 acres of Greene County right-of-way into the City of Springfield, generally located at 2716-2736 West Republic Street and 4229 South Scenic Avenue, generally referenced as Annexation A-8-15; and amending the Springfield City Code, Chapter 46, Section 46-1, Boundaries of wards, precincts and council zones, by adding this property to the ward and precinct assigned them by the County Clerk.

Council Bill 2016-002. General Ordinance 6250 was approved by the following vote: Ayes: Ferguson, Schilling, Burnett, Fishel, McClure, Fisk, Hosmer, Fulnecky, and Stephens. Nays: None. Absent: None. Abstain: None.

**Rezoning 5904 South  
Southwood**

Sponsor: Fishel. Council Bill 2016-003. A general ordinance amending the Springfield Land Development Code, Section 36-306, Zoning Maps, by rezoning approximately 12 acres of property, generally located at 5904 South Southwood Avenue, from Greene County O-2, Office District to a City GI, Governmental and Institutional Use District; establishing Conditional Overlay District No. 101; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: City of Springfield for Mercy Rehabilitation Hospital; 5904 South Southwood Avenue; Z-35-2015 Conditional Overlay District No. 101.)

Council Bill 2016-003. General Ordinance 6251 was approved by the following vote: Ayes: Ferguson, Schilling, Burnett, Fishel, McClure, Fisk, Hosmer, Fulnecky, and Stephens. Nays: None. Absent: None. Abstain: None.

**Rezoning 1300-1332  
East Republic Street**

Sponsor: Fishel. Council Bill 2016-004. A general ordinance amending the Springfield Land Development Code, Section 36-306, Zoning Maps, by rezoning approximately 4.05 acres of property, generally located at 1300-1332 East Republic Street, from a Planned Development No. 84 to HC, Highway Commercial District; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: John R. Haik Trust & Rosa Lee Haik Trust; 1300-1332 E. Republic St.; Z-43-2015.)

Council Bill 2016-004. General Ordinance 6252 was approved by the following vote: Ayes: Ferguson, Schilling, Burnett, Fishel, McClure, Fisk, Hosmer, Fulnecky, and Stephens. Nays: None. Absent: None. Abstain: None.

**Rezoning 1329 East  
Lark Street**

Sponsor: Fishel. Council Bill 2016-005. A general ordinance amending the Springfield Land Development Code, Section 36-306, Zoning Maps, by rezoning

approximately 3.28 acres of property, generally located at 1329 East Lark Street, from a Planned Development No. 84 to a GR, General Retail District; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: St. Johns Regional Health Center; 1329 E. Lark Street; Z-44-2015.)

Council Bill 2016-005. General Ordinance 6253 was approved by the following vote: Ayes: Ferguson, Schilling, Burnett, Fishel, McClure, Fisk, Hosmer, Fulnecky, and Stephens. Nays: None. Absent: None. Abstain: None.

**Rezoning 1209 East  
Holiday Street**

Sponsor: Fishel. Council Bill 2016-006. A general ordinance amending the Springfield Land Development Code, Section 36-306, Zoning Maps, by rezoning approximately 5.52 acres of property, generally located at 1209 East Holiday Street, from O-1, Office District to GR, General Retail District; establishing Conditional Overlay District No. 104; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: BGH South Development Holding, LLC; 1209 East Holiday Street; Z-38-2015 & Conditional Overlay District No. 104.)

Council Bill 2016-006. General Ordinance 6254 was approved by the following vote: Ayes: Ferguson, Schilling, Burnett, Fishel, McClure, Fisk, Hosmer, Fulnecky, and Stephens. Nays: None. Absent: None. Abstain: None.

**Rezoning 3410 South  
Campbell Avenue and  
202 East Walnut Lawn  
Street**

Sponsor: Fishel. Council Bill 2016-007. A general ordinance amending the Springfield Land Development Code, Section 36-306, Zoning Maps, by rezoning approximately 10.63 acres of property, generally located at 3410 South Campbell Avenue and 202 East Walnut Lawn Street, from a Planned Development 261, 1st Amendment and Planned Development 30, 1st Amendment to HC, Highway Commercial District; establishing Conditional Overlay District No. 102; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: Westport Management, LLC and St. Johns Regional Health Center; 3410 South Campbell Avenue and 202 East Walnut Lawn Street; Z-40-2015 & Conditional Overlay District No. 102.)

Councilwoman Ferguson asked for clarification on improvements to the Campbell and Walnut Lawn intersection. Dan Smith, Director of Public Works, stated the 1/4 cent and 1/8 cent sales tax initiative, if passed, will provide improvements to this intersection. Ms. Ferguson asked how traffic congestion on Walnut Lawn will improve. Mr. Smith responded the right turns being designed for this intersection will help reduce the backup of traffic. Ms. Ferguson asked for a possible date for completion. Mr. Smith responded his department is currently in the design phase, and due to lack of funding a date has not been established to begin construction. Ms. Ferguson asked for clarification on the traffic study requirements. Mary Lilly Smith, Director of Planning and Development, responded existing zoning allows for a fitness center to have up to 121,000 square feet of use. She stated a traffic study will be required if any new development will generate more traffic than the current 121,000 square feet of fitness center would have generated. Ms. Ferguson asked if the developer should conduct a traffic study to determine if the traffic generated will surpass the 121,000 square feet use, and design a solution to the negative impact of the increased traffic. Ms. Smith responded in the affirmative and stated any designs will have to be approved by the City. Ms. Ferguson asked if new designs would be provided to the

neighborhood for review. Ms. Smith responded in the negative.

Councilman Fishel asked for clarification on the 25-foot buffer yard and whether it will be affected by any street improvements and right-of-way changes. Mr. Smith responded the design process will have to be completed to determine if the buffer yard will be effected.

Councilwoman Fulnecky asked for clarification on existing zoning in the area. Ms. Smith gave a brief overview of proposed changes to the existing zoning.

Mayor Stephens asked if the Youngblood Dealership's personnel are currently required to drive vehicles across Campbell to service them and if the proposed will allow the Dealership to have a service center on their property. Ms. Smith responded in the affirmative. Mayor Stephens expressed his opinion this will help decrease traffic in the area as well.

Councilwoman Fisk asked if there are plans to extend Kimbrough Avenue to East Primrose Street. Mr. Smith responded extension of Kimbrough Avenue is on the thoroughfare plan, but no definite plans for construction exist at this time.

Mayor Stephens informed Council, Ken Roetto has requested an opportunity to present new information to Council. He advised a motion to suspend the rules would be required.

Councilman Hosmer moved to suspend the rules to allow Mr. Roetto to address Council. Councilwoman Fulnecky seconded the motion and it was approved by the following vote: Ferguson, Schilling, Burnett, McClure, Fisk, Hosmer, and Fulnecky. Nays: Fishel, and Stephens. Absent: None. Abstain: None.

Ken Roetto spoke in opposition to the proposed. He expressed his opinion traffic congestion is not a new issue. Mr. Roetto expressed his concern with Mr. Youngblood's intent of selling the remainder of the property once he has completed his development. He asked Council to table the proposed until all facts have been determined.

Councilman Fishel asked for clarification on overlays. Ms. Smith responded when property is sold all overlays stay with the property.

Derek Lee, property owner's representative, spoke in support of the proposed. He stated the existing zoning allows for high traffic use. Mr. Lee noted the proposed is a restrictive Highway Commercial District. He stated construction of a service center will not increase traffic more than currently exists with customers dropping off vehicles and Youngblood personnel shutteling cars back and forth across Campbell.

Pat Scott spoke in opposition to the proposed. She asked Council to table the proposed until all facts have been determined.

With no further appearances, the public hearing was closed.

Council Bill 2016-007. General Ordinance 6257 was approved by the following vote: Ayes: Ferguson, Burnett, Fishel, McClure, Fisk, Hosmer, Fulnecky, and Stephens. Nays: Schilling. Absent: None. Abstain: None.

**Rezoning 216 East  
Walnut Lawn**

Sponsor: Fishel. Council Bill 2016-008. A general ordinance amending the Springfield Land Development Code, Section 36-306, Zoning Maps, by rezoning approximately 0.88 acres of property, generally located at 216 East Walnut Lawn, from R-TH, Residential Townhouse District to O-1, Office District; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: Mercy Health Springfield Communities; 216 East Walnut Lawn Street; Z-42-2015.)

Tom Smith, Assistant City Clerk, informed Council, Ken Roetto has requested an opportunity to present new information to Council. He advised a motion to suspend the rules would be required.

Councilman Hosmer moved to suspend the rules to allow Mr. Roetto to address Council. Councilwoman Fulnecky seconded the motion and it failed by the following vote: Ayes: Ferguson, Burnett, Hosmer, and Fulnecky. Nays: Schilling, Fishel, McClure, Fisk, and Stephens. Absent: None. Abstain: None.

Council Bill 2016-008. General Ordinance 6256 was approved by the following vote: Ayes: Ferguson, Burnett, Fishel, McClure, Fisk, Hosmer, Fulnecky, and Stephens. Nays: Schilling. Absent: None. Abstain: None.

**Building Code, Section  
36-602**

Sponsor: Fulnecky. Council Bill 2016-009. A general ordinance amending Chapter 36 of the Springfield City Code, known as the Land Development Code, Article V, Building Code, Division 2 – Deletions, Modifications, Amendments, and Additions to the Building Code, Section 36-602 by amending certain subsections and enacting new subsections related to the same subject.

Council Bill 2016-009. General Ordinance 6257 was approved by the following vote: Ayes: Ferguson, Schilling, Burnett, Fishel, McClure, Fisk, Hosmer, Fulnecky, and Stephens. Nays: None. Absent: None. Abstain: None.

**Amending The Fuel  
Gas Code, Section 36-  
1402**

Sponsor: Ferguson. Council Bill 2016-010. A general ordinance amending Chapter 36 of the Springfield City Code, known as the Land Development Code, Article XIV, Fuel Gas Code, Division 2 – Deletions, Modifications, Amendments, and Additions to the Fuel Gas Code, Section 36-1402 by amending certain subsections and enacting new subsections related to the same subject.

Council Bill 2016-010. General Ordinance 6258 was approved by the following vote: Ayes: Ferguson, Schilling, Burnett, Fishel, McClure, Fisk, Hosmer, Fulnecky, and Stephens. Nays: None. Absent: None. Abstain: None.

**Amending The  
Mechanical Code,  
Section 36-632**

Sponsor: Hosmer. Council Bill 2016-011. A general ordinance amending Chapter 36 of the Springfield City Code, known as the Land Development Code, Article IX, Mechanical Code, Division 2 – Deletions, Modifications, Amendments, and Additions to the Mechanical Code, Section 36-632 by amending certain subsections and enacting new subsections related to the same subject.

Council Bill 2016-011. General Ordinance 6259 was approved by the following vote: Ayes: Ferguson, Schilling, Burnett, Fishel, McClure, Fisk, Hosmer, Fulnecky, and Stephens. Nays: None. Absent: None. Abstain: None.

**Amending The Plumbing Code, Sections 36-622 and 36-624**

Sponsor: Fisk. Council Bill 2016-012. A general ordinance amending Chapter 36 of the Springfield City Code, known as the Land Development Code, Article VIII, Plumbing Code, Division 2 – Deletions, Modifications, Amendments, and Additions to the Plumbing Code, Section 36-622 by amending certain subsections and enacting new subsections related to the same subject; and amending Section 36-624 – Penalty clause to correct an error.

Council Bill 2016-012. General Ordinance 6260 was approved by the following vote: Ayes: Ferguson, Schilling, Burnett, Fishel, McClure, Fisk, Hosmer, Fulnecky, and Stephens. Nays: None. Absent: None. Abstain: None.

**Amending The Residential Building Code, Section 36-1302**

Sponsor: McClure. Council Bill 2016-013. A general ordinance amending Chapter 36 of the Springfield City Code, known as the Land Development Code, Article XIII, Residential Code, Division 2 – Deletions, Modifications, Amendments, and Additions to the Residential Building Code, Section 36-1302 by amending certain subsections and enacting new subsections related to the same subject.

Council Bill 2016-013. General Ordinance 6261 was approved by the following vote: Ayes: Ferguson, Schilling, Burnett, Fishel, McClure, Fisk, Hosmer, Fulnecky, and Stephens. Nays: None. Absent: None. Abstain: None.

**Amending The Electric Code, Section 36-612**

Sponsor: Fulnecky. Council Bill 2016-014. A general ordinance amending Chapter 36 of the Springfield City Code, known as the Land Development Code, Article VI, Electrical Code, Division 2 – Deletions, Modifications, Amendments and Additions to the Electric Code, Section 36-612 by amending certain subsections and enacting a new subsection related to the same subject.

Councilman Fishel expressed his appreciation to Chris Straw, Director of Building Development Services, for his department’s work on keeping all codes updated.

Council Bill 2016-014. General Ordinance 6262 was approved by the following vote: Ayes: Ferguson, Schilling, Burnett, Fishel, McClure, Fisk, Hosmer, Fulnecky, and Stephens. Nays: None. Absent: None. Abstain: None.

**Preliminary Funding Agreement With Kraft Heinz Foods Company**

Sponsor: Ferguson. Council Bill 2016-015. A special ordinance authorizing the City Manager, or his designee, to execute a Preliminary Funding Agreement between the City of Springfield, Missouri (City) and Kraft Heinz Foods Company (Kraft Heinz), 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 2015-2016, in the amount of \$40,000.

Councilwoman Fulnecky expressed her opinion that manufacturing is an important industry. Ms. Fulnecky expressed her appreciation to Kraft Heinz Foods Company for considering increasing their product lines in Springfield.

Councilman Hosmer asked for clarification on an affirmative vote on the proposed. Mary Lilly Smith, Director of Planning and Development, responded the proposed allows the City to hire Gilmore and Bell as the City's economic development counsel and allows Kraft Heinz Foods Company to pay the City's economic development counsel fees. She stated an affirmative vote does not bind the City to the economic development incentive. Ms. Smith noted the proposed is the first step in this process. Mr. Hosmer asked if the economic development incentive will come back to Council for approval. Ms. Smith responded in the affirmative and reiterated this is the first step in a three-step process. Mr. Hosmer stated an affirmative vote does not cost the City anything. Ms. Smith responded in the affirmative.

Council Bill 2016-015. Special Ordinance 26680 was approved by the following vote: Ayes: Ferguson, Schilling, Burnett, Fishel, McClure, Fisk, Hosmer, Fulnecky, and Stephens. Nays: None. Absent: None. Abstain: None.

**Preliminary Funding Agreement With Kraft Heinz Foods Company**

Sponsor: Ferguson. Council Bill 2016-016. A special ordinance authorizing the City Manager, or his designee, to execute a Preliminary Funding Agreement between the City of Springfield, Missouri (City) and Kraft Heinz Foods Company (Kraft Heinz), 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 2015-2016, in the amount of \$7,500.

Council Bill 2016-016. Special Ordinance 26681 was approved by the following vote: Ayes: Ferguson, Schilling, Burnett, Fishel, McClure, Fisk, Hosmer, Fulnecky, and Stephens. Nays: None. Absent: None. Abstain: None.

**Cost-Sharing Agreement With Ozarks Technical Community College**

Sponsor: Burnett. Council Bill 2016-017. A special ordinance authorizing the City Manager, or his designee, to enter into a cost-sharing agreement with Ozarks Technical Community College (OTC) for the purpose of constructing improvements along Central Street and Pythian Street between Clay Avenue and National Avenue (Central/Pythian Project), amending the 2013-2018 Capital Improvements Program to include the Central/Pythian Project, and amending the budget of the Department of Public Works for Fiscal Year 2015-2016 in the amount of \$335,580 to appropriate a contribution from OTC towards the project according to the cost-sharing agreement.

Mayor Pro Tem McClure expressed his opinion OTC is a valuable partner to the City and thanked OTC for their long-range plans presentation at the January 19, 2016 Council luncheon.

Councilman Schilling expressed his opinion the proposed will have a positive impact on the City and surrounding neighborhood.

Mayor Stephens expressed his opinion this project will have a positive impact on the City and stated he is pleased to support the proposed.

Council Bill 2016-017. Special Ordinance 26682 was approved by the following vote: Ayes: Ferguson, Schilling, Burnett, Fishel, McClure, Fisk, Hosmer, Fulnecky, and Stephens. Nays: None. Absent: None. Abstain: None.

**Springfield-Greene  
County 9-1-1  
Emergency  
Communications  
Department Budget**

Sponsor: Fulnecky. Council Bill 2016-019. A special ordinance amending the 2015-2016 budget of the Springfield-Greene County 9-1-1 Emergency Communications Department (9-1-1 ECD) in the amount of \$176,876 to appropriate the 9-1-1 Sales Tax revenue for funding the salaries and benefits of six (6), Telecommunicator positions and one (1), 9-1-1 Manager position. (9-1-1 Advisory Board recommends approval.)

Councilwoman Fulnecky expressed her appreciation to the 9-1-1 ECD and stated she is happy to support the proposed.

Council Bill 2016-019. Special Ordinance 26683 was approved by the following vote: Ayes: Ferguson, Schilling, Burnett, Fishel, McClure, Fisk, Hosmer, Fulnecky, and Stephens. Nays: None. Absent: None. Abstain: None.

**RESOLUTIONS**

**Better Homes &  
Gardens Idea House of  
the Year, 1900 South  
Saratoga**

Sponsor: Fishel. Council Bill 2016-028. A resolution finding and declaring the Better Homes & Gardens Idea House of the Year, 1900 South Saratoga Avenue, to be a Historic Site within the City of Springfield, Missouri. (Landmarks Board and staff recommend approval.)

Mary Lilly Smith, Director of Planning and Development, gave a brief overview of the proposed. Ms. Smith introduced Paden Chambers from the Landmarks Board. Mr. Chambers gave an overview of 1900 South Saratoga Avenue.

Mayor Pro Tem McClure asked for clarification on the significance of the Historic designation. Ms. Smith responded the home owner can complete any interior alterations they wish. She stated if a building permit for exterior alterations is required then the Landmarks Board will review proposed changes. Ms. Smith noted if the Landmarks Board denies the permit, the homeowner can wait 60 days and then begin construction. Mayor Pro Tem McClure expressed his concern regarding unreasonable restrictions placed on the site.

Councilman Hosmer asked how other municipalities protect their historic sites. Mr. Chambers responded he is not aware how other municipalities in Missouri protect historic sites. Mr. Hosmer encouraged the Landmarks Board to research how other municipalities protect their historic sites and consider applying those best practices in our community.

An opportunity was given for citizens to express their views.

David Eslick, Landmarks Board member, spoke in favor of the proposed. He stated Springfield has one of the longest required delays prior to demolition.

Councilman Hosmer asked if this designation allows the homeowner to apply for Federal Historic Tax Credits. Ms. Smith responded in the negative.

Councilwoman Ferguson asked if the Landmarks Board is considering placing this property on the National Historic registry. Mr. Eslick responded in the negative.

Jennifer Wilson, property owner, stated she supports the proposed.

With no further appearances, the public hearing was closed.

Council Bill 2016-028. Resolution 10257 was approved by the following vote:  
Ayes: Ferguson, Schilling, Burnett, Fishel, McClure, Fisk, Hosmer, Fulnecky, and Stephens. Nays: None. Absent: None. Abstain: None.

**Former KGBX Radio  
Station, 605 North  
Boonville Avenue**

Sponsor: Ferguson. Council Bill 2016-029. A resolution finding and declaring the former KGBX Radio Station, 605 North Boonville Avenue, to be a Historic Site within the City of Springfield, Missouri. (Landmarks Board and staff recommend approval.)

Paden Chambers, Landmarks Board, gave a brief overview of the proposed.

Mayor Pro Tem McClure asked if the Landmarks Board is considering designating the old KWTO building on Glenstone an historic place. Mr. Haden responded it is a possibility.

An opportunity was given for citizens to express their views.

David Eslick, Landmarks Board, spoke in favor of the proposed.

With no further appearances, the public hearing was closed.

Council Bill 2016-029. Resolution 10258 was approved by the following vote:  
Ayes: Ferguson, Schilling, Burnett, Fishel, McClure, Fisk, Hosmer, Fulnecky, and Stephens. Nays: None. Absent: None. Abstain: None.

**Industrial  
Development Revenue  
Bonds for Kraft Heinz  
Project**

Sponsor: Ferguson. Council Bill 2016-030. A resolution determining the official intent of the City of Springfield, Missouri, to issue its Industrial Development Revenue Bonds in a principal amount not to exceed \$36,000,000, to finance the costs of a project for Kraft Heinz Foods Company under the provisions of Sections 100.010 to 100.200 RSMo.

Mary Lilly Smith, Director of Planning and Development, gave an overview of the proposed. She stated this is the second step in the provision of incentives for Kraft Heinz Foods Company to expand the product lines in Springfield. Ms. Smith noted this resolution signals Council's intent to consider an incentive for Kraft Heinz.

Councilman Hosmer asked if the proposed will allow Kraft Heinz to purchase new equipment. Ms. Smith responded in the affirmative. Mr. Hosmer asked if expansion will create new jobs at Kraft Heinz. Ms. Smith responded this expansion project will create 109 new jobs with a payroll of approximately \$5 million.

Councilman Schilling asked if this expansion is competitive. Ms. Smith responded in the affirmative, and stated Kraft Heinz has said this incentive is important in their decision making process. Mr. Schilling asked for clarification on compliance. Ms. Smith gave a brief overview of the compliance requirements under the 2012 performance agreement. Mr. Schilling asked if there is an interest

rate break for these bonds. Ms. Smith responded in the negative. Mr. Schilling asked if the City will own the equipment during the life of these bonds. Ms. Smith responded in the affirmative.

Mayor Stephens asked for clarification on the jobs that were lost. Ms. Smith responded the jobs still exist as part of another company and are not on the Kraft Heinz payroll.

Councilwoman Ferguson noted this expansion project is to add additional production lines and not a mechanization expansion project. Ms. Ferguson expressed her opinion that Kraft Heinz has been good for Springfield.

Councilman Schilling asked about wages. Ms. Smith responded the new jobs will have wages above the Greene County average wage.

An opportunity was given for citizens to express their views.

Larry Spilker spoke in favor of the proposed. He expressed his opinion that an expansion at Kraft Heinz is good for the City and urged Council to support it.

With no further appearances, the public hearing was closed.

Councilwoman Fulnecky expressed her appreciation to Mr. Spilker for addressing Council.

Councilman Burnett expressed his opinion 109 new jobs will be good for Springfield and he stated he is happy to support the proposed.

Council Bill 2016-030. Resolution 10259 was approved by the following vote: Ayes: Ferguson, Schilling, Burnett, Fishel, McClure, Fisk, Hosmer, Fulnecky, and Stephens. Nays: None. Absent: None. Abstain: None.

#### **EMERGENCY BILLS**

#### **New Prime, Inc. Packer Road Improvements,**

Sponsor: Burnett. Council Bill 2016-031. A special ordinance authorizing the City Manager, or his designee, to enter into a cost share agreement with New Prime, Inc. (Prime) for the purpose of completing Packer Road improvements, and declaring an emergency.

Dan Smith, Director of Public Works, gave a brief overview of the proposed. He stated the proposed is presented as an emergency to ensure this project and the Missouri Department of Transportation's project will be constructed at the same time.

An opportunity was given for citizens to express their views.

Derek Lee, property owner's representative, offered to answer any questions from Council.

With no further appearances, the public hearing was closed.

Council Bill 2016-031. Special ordinance 26684 was approved by the following vote: Ayes: Ferguson, Schilling, Burnett, Fishel, McClure, Fisk, Hosmer, Fulnecky, and Stephens. Nays: None. Absent: None. Abstain: None.

## **PUBLIC IMPROVEMENTS**

### **GRANTS**

### **AMENDED BILLS**

### **COUNCIL BILLS FOR PUBLIC HEARING:**

**Rezoning 2716-2736  
West Republic Street  
and 4229 South Scenic  
Avenue**

Sponsor: Schilling. Council Bill 2016-032. 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 2716-2736 West Republic Street and 4229 South Scenic Avenue, from Greene County R-1, Suburban Residence District, to a City GR, General Retail District; and adopting an updated Official Zoning Map. (Staff, and Planning and Zoning Commission recommend approval.) (By: Thomas & Lee Ann Conway, Tom's Lawn Maintenance, LLC and St. Thomas the Apostle Orthodox Church; 2716-2736 W. Republic St. and 4229 S. Scenic Ave.; Z-37-2015.)

Mary Lilly Smith, Director of Planning and Development, gave a brief overview of the proposed. She stated the Growth Management and Land Use Plan identifies this area as appropriate for low-density housing, but it is located in an area that is zoned General Retail. Ms. Smith noted the proposed zoning is consistent with surrounding zoning.

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

**Rezoning 1514 West  
Lark Street and 4346  
South Kansas Avenue**

Sponsor: Hosmer. Council Bill 2016-033. A general ordinance amending the Springfield Land Development Code, Section 36-306, Zoning Maps, by rezoning approximately 6.83 acres of property generally located at 1514 West Lark Street and 4346 South Kansas Avenue, from Planned Development No. 88, 2nd Amendment and an R-SF, Single Family Residential District, to an O-1, Office District with a Conditional Overlay District No. 105. (By: R.H. Montgomery Properties, INC.; 1514 West Lark Street and 4346 South Kansas Ave.; Z-1-2016 & Conditional Overlay District No. 105.)

Mary Lilly Smith, Director of Planning and Development, gave a brief overview of the proposed. She stated the Growth Management and Land Use Plan identifies this area as appropriate for low-density housing. Ms. Smith noted the current land use is for a nursing and retirement home. She stated the proposed zoning will allow the existing nursing home to expand. Ms. Smith noted Conditional Overlay No. 105 will limit the uses to retirement and nursing home uses and will require the completion of a traffic study at the time of development.

An opportunity was given for citizens to express their views.

Neal Slattery, spoke in support of the proposed. He stated the intent is to expand the current facility by approximately 18,000 square feet and this will create 25 new

jobs.

With no further appearances, the public hearing was closed.

**Rezoning 608, 614, and  
618 West Mount  
Vernon Street**

Sponsor: Council Bill 2016-034. A general ordinance amending the Springfield Land Development Code, Section 36-306, Zoning Maps, by rezoning approximately 0.81 acres of property, generally located at 608, 614, and 618 West Mount Vernon Street, from R-SF, Single-Family Residential District, to R-LD, Low-Density Multi-Family Residential District; establishing Conditional Overlay District No. 103; and adopting an updated Official Zoning Map. (Staff, and Planning and Zoning Commission recommend approval.) (By: Mount Vernon 608, LLC; 608, 614 and 618 West Mount Vernon Street; Z-39-2015 & Conditional Overlay District No. 103.)

Mary Lilly Smith, Director of Planning and Development, gave a brief overview of the proposed and the zoning history. She stated the Growth Management and Land Use Plan identifies this area as appropriate for medium or high-density housing. Ms. Smith noted the proposed zoning is consistent with the plan and appropriate for the Mount Vernon Street collector roadway designation. She stated the Conditional Overlay will establish a maximum density of 11 dwelling units per acre.

Councilwoman Ferguson asked what the current ratio of rental to homeowner is. Ms. Smith responded it could be as high 80/20 rental to homeowner.

Councilwoman Fulnecky asked for clarification on current zoning of the adjacent properties. Ms. Smith responded with a brief overview of existing zoning in the neighborhood.

An opportunity was given for citizens to express their views.

Patricia Neff spoke in opposition of the proposed. She expressed her opinion having a four-plex apartment building for college students located at 618 West Mount Vernon is not in the best interest of the neighborhood. She stated she does not want an apartment building next to her single-family house and urged Council to not support the proposed.

Mayor Stephens expressed his appreciation to Ms. Neff on the work she has done on the properties in question.

Councilwoman Ferguson expressed her opinion that Ms. Neff's home is a very elegant home and thanked her for the work she has done on her property.

Brandy Roberts spoke in opposition of the proposed. She stated she has circulated an informal petition of local homeowners and has collected 135 signatures. Ms. Roberts expressed her concern that the proposed will allow for housing intended for college student rentals.

Councilman Fishel asked for the location of 618 West Mount Vernon Street. Ms. Smith identified the location. Councilman Fishel asked for clarification of the number of properties in questions. Ms. Smith responded there are two lots with three structures on them.

Councilwoman Fulnecky asked Ms. Roberts if a protest petition had been filed. Ms. Roberts responded in the affirmative.

Councilwoman Ferguson asked for clarification on the protest petition process. Dan Wichmer, City Attorney, responded a protest petition with 30 percent of homeowners within 185-feet of the property in question signing the petition will require a super majority of Council for passage.

Councilman Hosmer asked for clarification on the proposed development. Ms. Smith stated the developer is present and will speak to that issue.

David Eslick spoke in support of the proposed. He expressed his opinion the developer will improve the neighborhood.

Dixie Decker spoke in support of the proposed. She stated she is the property owner of the property in question and gave an overview of their proposed development. Ms. Decker expressed her opinion the current house is not suitable for occupancy.

Councilman Schilling asked how many units will be built. Ms. Decker responded a final determination has not been made at this time. Mr. Schilling asked for feasibility of maintaining the property as a single-family residence. Ms. Decker expressed her opinion it is not economically feasible to remodel the current house and keep it as a single-family residence.

Councilwoman Fisk asked for the addresses of the properties on Walnut. Ms. Decker responded with 1040, 1046, and 1144 East Walnut.

Councilwoman Ferguson asked how many bedrooms will be in each unit. Ms. Decker responded no more than three per unit.

Councilman Fishel asked if this development will be for students or families. Ms. Decker responded she will not be biased to anyone wanting to rent from her, but the majority of her tenants are students.

Councilman Hosmer asked for clarification on the maximum allowable dwelling units on this property. Ms. Smith responded the Conditional Overlay limits the number of dwelling units per acre to 11. Mr. Hosmer asked how many people can live in each unit. Ms. Smith responded three people could live in each unit. Mr. Hosmer asked if a duplex has been considered. Ms. Decker responded in the affirmative, but stated no final plans have been developed at this time.

Brandon Dickman spoke in support of the proposed. He offered to answer additional questions from Council.

Kathleen Cowens, President of the West Central Neighborhood Alliance, spoke in opposition of the proposed. She stated the Alliance Board does not support the proposed. Ms. Cowens noted the West Central Strategic Plan promotes owner-occupied housing. She expressed her opinion the proposed is not in the best interest of the neighborhood.

Tim Rosenberry, representing the developer, spoke in support of the proposed. He expressed his opinion the proposed represents a significant investment in the neighborhood.

Councilman Schilling asked if there is value in keeping this property as single-family zoning. Mr. Rosenberry expressed his opinion this is not an economically feasible option.

With no further appearances, the public hearing was closed.

**Conditional Use Permit  
No. 418 at 1100 & 1110  
North Grant Avenue**

Sponsor: Ferguson. Council Bill 2016-035. A special ordinance authorizing the issuance of Conditional Use Permit No. 418 to allow an automobile service garage within a GR, General Retail District, generally located at 1100 & 1110 North Grant Avenue. (Planning and Zoning Commission and staff recommend approval.)

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-intensity retail, office, or housing and Grant is classified as a primary arterial. Ms. Smith noted the existing automobile service garage located at 1100 North Grant is designated legal nonconforming use. She stated the proposed will allow the owners to expand their business.

An opportunity was given for citizens to express their views.

Stephanie Ireland, owner's representative, spoke in favor of the proposed. She gave a brief overview of the proposed development.

Councilwoman Ferguson asked for clarification on the owner's intent to expand. Ms. Ireland responded the owner's intent is to expand their business.

With no further appearances, the public hearing was closed.

**Cherry Townhouse  
Redevelopment Area**

Sponsor: McClure. Council Bill 2016-036. A special ordinance adopting the Redevelopment Plan for the Cherry Townhouse Redevelopment Area (CTRA) generally located along the south east side of East Cherry Street between South Thomas Avenue and South Kimbrough Avenue, and declaring its redevelopment necessary for the preservation of the public peace, prosperity, health, safety, morals, and welfare. (The Planning and Zoning Commission, The Land Clearance for Redevelopment Authority, and City staff recommend approval.)

Mary Lilly Smith, Director of Planning and Development, gave a brief overview of the proposed. She stated the existing zoning is high-density, multi-family residential. Ms. Smith noted the current structure was built in 1882 as a single-family house and has been converted into a four-unit apartment building. She stated the CTRA was declared blighted in 1964, reaffirmed in 1967, and continues to exhibit blight conditions. Ms. Smith noted the CTRA plan's strategy is to remove blight and redevelop the area, demolish the existing structure, and build a new townhouse-style multi-family structure consisting of three to five units, with eight to twelve bedrooms, and a three-story maximum height.

Councilwoman Fulnecky asked for clarification of the properties to the west. Ms. Smith responded there are apartments on each side of the property.

Councilwoman Fisk asked for clarification on the number of bedrooms and parking spaces. Ms. Smith responded the developer has not finalized the plans as of this time.

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

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

#### **PETITIONS, REMONSTRANCES, AND COMMUNICATIONS.**

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

- |                          |  |
|--------------------------|--|
| <b>Added-Recommended</b> | The City Manager recommends the following appointment to the Building Trades Examination and Certification Board: James “Randy” Scott with term to expire October 1, 2017.   |
| <b>Recommended</b>       | Mayor Stephens recommends the appointment of Ken McClure to serve as Council’s non-voting liaison to the Police Officer’s and Fire Fighter’s Retirement System Board of Trustees.  |
| <b>Records Retention</b> | 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:**

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|--|--|
| <b>Surface Transportation Program - Urban Program Agreement with the Missouri Highways and Transportation Commission</b> | Sponsor: Hosmer. Council Bill 2016-037. A special ordinance authorizing the City Manager, or his designee, to enter into a Surface Transportation Program (STP) - Urban Program Agreement with the Missouri Highways and Transportation Commission (MHTC) to partially reimburse the base salaries of up to six City employees who work at the Transportation Management Center (TMC) and amending the budget of the Department of Public Works for Fiscal Year 2015-2016, in the amount of \$300,000. |
|--|--|

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

- |   |  |
|---|--|
| <b>Improve Nutrition Education at the Preschool Level</b> | Sponsor: Burnett. Council Bill 2016-038. A special ordinance authorizing the City Manager, or his designee, to accept a federal grant from the Missouri Department of Health and Senior Services (DHSS), to support educational activities to improve nutrition education at the preschool level, and amending the budget of the Springfield-Greene County Health Department (SGCHD) for Fiscal Year 2015-2016 in the amount of \$2,500.00 to appropriate the grant funds. |
|---|--|

Council Bill 2016-038. Special ordinance 26685 was approved by the following vote: Ayes: Ferguson, Schilling, Burnett, Fishel, McClure, Fisk, Hosmer, Fulnecky, and Stephens. Nays: None. Absent: None. Abstain: None.

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

**Comprehensive Housing Assistance Program**

Sponsor: Schilling. Council Bill 2016-018. A general ordinance amending the program rules and regulations for the "Comprehensive Housing Assistance Program" (CHAP) as previously adopted by General Ordinance No. 5810 on March 23, 2009 and amended by General Ordinance No. 5930 on May 2, 2011, by amending Chapter 2, Section H and Chapter 11, Section 4 to allow the loan committee to accept reduced payoffs under the "Minor and Emergency Home Repair Loan" program.

Council Bill 2016-018. General ordinance 6263 was approved by the following vote: Ayes: Ferguson, Schilling, Burnett, Fishel, McClure, Fisk, Hosmer, Fulnecky, and Stephens. Nays: None. Absent: None. Abstain: None.

**Springfield Convention and Visitors Bureau, Inc**

Sponsor: McClure. Council Bill 2016-020. A special ordinance authorizing the City Manager, or his designee, to enter into an addendum to the annual agreement with the Springfield Convention and Visitors Bureau, Inc., (SCVB) and amending the budget of the City for Fiscal Year 2015-2016 to reflect current and projected operational changes.

Council Bill 2016-020. Special ordinance 26686 was approved by the following vote: Ayes: Ferguson, Schilling, Burnett, Fishel, McClure, Fisk, Hosmer, Fulnecky, and Stephens. Nays: None. Absent: None. Abstain: None.

**Kearny Street and Mulroy Road Roadway Signal Improvements Project**

Sponsor: Burnett. Council Bill 2016-021. A special ordinance approving the plans and specifications for the State Highway 744 (Kearney Street) and Mulroy Road Roadway and Signal Improvements Project, Plan No. 2015PW0031T, accepting the bid of Ewing Signal Construction, LLC for that project, and authorizing the City Manager, or his designee, to enter into a contract with such bidder.

Council Bill 2016-021. Special ordinance 26687 was approved by the following vote: Ayes: Ferguson, Schilling, Burnett, Fishel, McClure, Fisk, Hosmer, Fulnecky, and Stephens. Nays: None. Absent: None. Abstain: None.

**Missouri Highways and Transportation Commission Buy America Requirements**

Sponsor: Fisk. Council Bill 2016-022. A special ordinance authorizing the City Manager, or his designee, to enter into a Supplemental Master Reimbursable Utility Agreement with the Missouri Highways and Transportation Commission (MHTC) to add Buy America requirements to the existing Master Reimbursable Utility Agreement for construction projects involving sanitary sewer or storm sewer relocation or adjustments.

Council Bill 2016-022. Special ordinance 26688 was approved by the following vote: Ayes: Ferguson, Schilling, Burnett, Fishel, McClure, Fisk, Hosmer, Fulnecky, and Stephens. Nays: None. Absent: None. Abstain: None.

**Kansas Expressway Extension**

Sponsor: Schilling. Council Bill 2016-025. A special ordinance authorizing the City Manager, or his designee, to enter into a cost-share agreement with Greene County, Missouri, to share costs associated with the extension of Kansas Expressway; amending the budget of the Department of Public Works for Fiscal Year 2015-2016 in the amount of \$350,958.78, and to appropriate the transfer of the City's federal Surface Transportation Program -Urban (STP) funds to Greene County through the Ozarks Transportation Organization (OTO) to cover the City's share of costs based on the above-described agreement.

Council Bill 2016-025. Special ordinance 26689 was approved by the following vote: Ayes: Ferguson, Schilling, Burnett, Fishel, McClure, Fisk, Hosmer, Fulnecky, and Stephens. Nays: None. Absent: None. Abstain: None.

**Battery Outfitters Donation**

Sponsor: McClure. Council Bill 2016-026. A special ordinance authorizing the City Manager, or his designee, to accept the donation of 500, nine volt batteries from Battery Outfitters to support the Springfield Fire Department's free smoke alarm and battery program.

Council Bill 2016-026. Special ordinance 26690 was approved by the following vote: Ayes: Ferguson, Schilling, Burnett, Fishel, McClure, Fisk, Hosmer, Fulnecky, and Stephens. Nays: None. Absent: None. Abstain: None.

**Records Retention**

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.

**Confirmed**

The City Manager recommends the following appointment to the Airport Board: Jerry Harmison with term to expire June 1, 2017.

**Referred**

Refer to the Plans and Policies Committee the proposed changes to the panhandling ordinance.

**Referred**

Refer to the Plans and Policies Committee the issue of short term vacation rentals.

**Adjourn**

With no further business to come before Council, the meeting adjourned at approximately 8:56 p.m.

Tom Smith  
Assistant City Clerk