

**March 7, 2016**  
**Springfield, Missouri**

The City Council met in regular session February 22, 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: Jan Fisk, Kristi Fulnecky, Phyllis Ferguson, Mike Schilling, Justin Burnett, and Bob Stephens. Absent: Craig Fishel, Ken McClure, and Craig Hosmer.

**Minutes**

The minutes of February 22, 2016 were approved as presented.

**Consent Agenda**

The Consent Agenda was finalized and approved as presented.

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

Greg Burris, City Manager, responded all questions had been answered. Mr. Burris noted the Springfield Art Museum is the new home of One Million Cups for Springfield, a free, weekly event that helps build local start-up companies and organizations. He stated since One Million Cups launched on February 26, 2014, more than 200 small businesses and organizations have presented to more than 100 community members each week. Mr. Burris noted Nick Nelson, Director of Springfield Art Museum, continues to do a great job connecting the Art Museum with various groups in the community and this is just the latest example. He stated this new collaboration will view Entrepreneurship as an art.

Mr. Burris noted the Jefferson Avenue Footbridge is temporarily closed for a detailed safety inspection. He stated during a regularly inspection, Public Works staff noticed corrosion and steel loss in the north support column of the 114-year-old bridge. Mr. Burris noted the bridge is not in imminent danger, but it is in the best interest of the public to close it for a minimum of three months to evaluate repair options. He stated engineers from Great River Engineering will conduct an in-depth analysis of the other support columns and develop a rehabilitation plan for the entire bridge if needed.

Mr. Burris noted the City's March 2016 one percent general sales tax check from the Missouri Department of Revenue is up 24 percent compared to the amount budgeted. He stated this check reflects sales processed by the state in February from transactions made primarily in January. Mr. Burris noted the sales tax check was \$4,839,775, compared to the budgeted amount of \$3,897,437. He stated while fluctuations in sales tax revenues from month to month are normal the monthly budget is developed by looking at the same month over a 10-year time span and also in the perspective of year-to-date figures. Mr. Burris noted the increase may be attributed to an increase in economic activity, but it could also be affected by the timing of collections. He stated March 2016 receipts were up 12 percent over March 2015 and on a year-to-date basis, revenues are up six percent over budget. Mr. Burris noted the City relies heavily on sales tax revenues as its main source of revenue to fund vital services, such as police and fire operations.

He stated approximately 60 percent of the City's revenue in the General Fund comes from sales tax and use tax.

Mr. Burris noted the National Christian Homeschool Basketball Championships return to Springfield during the week of March 7-11, 2016. He stated 320 teams from across the United States will play in Springfield and will generate approximately \$15 Million for local hotels, restaurants, attractions, and retail outlets.

Mr. Burris noted the Springfield Police Department updated benchmark and staffing report was provided to all members.

Mr. Burris noted Katie Towns-Jeter, Assistant Director of Public Health, was chosen as a fellow in the Missouri Foundation for Health's first Health Care Leadership Institute.

Mr. Burris noted Steve Meyer, Director of Environmental Services, was re-elected President of the Association of Missouri Cleanwater Agencies.

Councilwoman Fisk asked for clarification on whether the water infrastructure problems in Flint, Michigan could happen in Springfield. Mr. Burris responded City Utilities provided information stating that problem cannot happen in Springfield.

Mayor Stephens asked for clarification on if National Homeschool Basketball Championships is scheduled for the week of March 7-11, 2016. Mr. Burris responded in the affirmative.

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

**Conditional Use Permit  
No. 419 at 1124 and 1130  
East Elm Street**

Sponsor: McClure. Council Bill 2016-043. A special ordinance authorizing the issuance of Conditional Use Permit No. 419 to allow a reduction of the front yard setback along Elm Street within an R-HD, High-Density Multi-Family residential District and UN, University Combining Overlay District, generally located at 1124 and 1130 East Elm Street. (Planning and Zoning Commission and staff recommend approval.)

Council Bill 2016-043. Special Ordinance 26699 was approved by the following vote: Ayes: Fisk, Fulnecky, Ferguson, Schilling, Burnett, and Stephens. Nays: None. Absent: Fishel, McClure, and Hosmer. Abstain: None.

**Indecent Exposure**

Sponsors: Hosmer, Fisk, and Fishel. Council Bill 2016-044. A general ordinance amending the Springfield City Code, Chapter 78 – Offenses and Miscellaneous Provisions, Article V – Offenses Against Morals by repealing Section 78-222, and enacting a new Section 78-222, defining indecent exposure or conduct, and including exceptions for breast-feeding, expressing breast milk, and constitutionally-protected activities. (The Plans and Policies Committee recommends approval.)

Councilwoman Fulnecky expressed her opinion Council should have kept the strictor ordinance in place.

Mayor Stephens noted the Council Bill Ms. Fulnecky referred to was the target of a request for an injunction which was granted by a federal judge. He stated the judge addressed issues and opinions her decision would be based on. Mayor Stephens expressed his opinion if the proposed is not enacted, the original lawsuit would continue and the City would lose.

Councilman Burnett noted the lack of citizen input during the previously held public hearing. He expressed his opinion citizens want Council to pass the proposed. Mr. Burnett stated the proposed is good for the City.

Councilwoman Fulnecky expressed her opinion citizens are frustrated with elected officials. She stated Council agreed to the injunction. Ms. Fulnecky expressed her opinion Council should fight this lawsuit due to a possibility other Courts may overturn precedence.

Councilman Schilling stated he did not support the previously passed stricter ordinance. He expressed his opinion Council should follow the rulings of the Courts and pass the proposed.

Councilwoman Ferguson stated she did support the stricter Council Bill based on input from Zone 1 citizens. She noted she has not heard from any citizens regarding the proposed and expressed her opinion Council should pass the proposed and work to unite the City.

Council Bill 2016-044. General Ordinance 6267 was approved by the following vote: Ayes: Fisk, Ferguson, Schilling, Burnett, and Stephens. Nays: Fulnecky. Absent: Fishel, McClure, and Hosmer. Abstain: None.

**RESOLUTIONS.**

**EMERGENCY BILLS.**

**PUBLIC IMPROVEMENTS.**

**GRANTS.**

**AMENDED BILLS.**

**PUBLIC HEARING.**

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

Sponsor: Fulnecky. Council Bill 2016-050. (Fulnecky)

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

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

certain other actions in connection with the issuance of the Bonds.

Sarah Kerner, Interim Director of Economic Development, gave a brief overview of the proposed. She stated Kraft Heinz Foods Company asked for a personal property tax abatement of 50 percent for the purchase of manufacturing equipment valued at \$33.2 Million. Ms. Kerner noted this equipment is for eight new manufacturing lines in their Springfield facility and allows Kraft Heinz to expand production capacity and hire 109 new employees. She gave an overview of the Chapter 100 process. Ms. Kerner stated the City issues bonds, Kraft Heinz Foods Company purchases the bonds, and the proceeds are used to purchase the aforementioned manufacturing equipment. She noted the City will lease the equipment to Kraft Heinz for ten years and will apply these payments to pay off the bonds. Ms. Kerner stated Kraft Heinz will receive a personal property tax exemption on this equipment during the ten years and the City will transfer ownership of the equipment to Kraft Heinz at the end of this ten-year period. She stated the proposed contains a performance agreement requiring Kraft Heinz to employ not less than 950 employees by October 17, 2017.

Councilman Schilling asked for clarification on who is responsible for maintaining the equipment during this ten-year period. Ms. Kerner responded Kraft Heinz is responsible. Mr. Schilling asked for clarification on cost-per-employee and how it might compare to the normal taxation. Ms. Kerner responded she does not have that information and will see if she can provide it to Council.

Councilwoman Fulnecky asked for clarification on who is paying the project costs associated with the proposed. Ms. Kerner responded Kraft Heinz is paying the project costs with the bond funds and the City is not paying any of the project costs.

An opportunity was given for citizens to express their views.

Lindsey Haymes spoke in support of the proposed. She expressed her opinion new jobs being created by the eight new manufacturing lines will be high paying jobs and good for the City.

Kevin Ausburn spoke in support of the proposed. He expressed his opinion the proposed is good for the City.

Jeff Shrag spoke in support of the proposed. He expressed his opinion the proposed will have a positive impact on other manufactures in the City.

Councilman Schilling asked for clarification on this project being competitive. James Gomacheck, Consultant for Kraft Heinz Foods Company, responded Springfield has been chosen as the preferred site for this product line. He stated the proposed is the last step in this process.

Mayor Stephens asked for clarification on if the local Kraft Heinz facility is part of a Corporate Division and competing against other plants for these type of investments. Mr. Gomacheck responded in the affirmative. Mayor Stephens asked if the proposed will make the local Kraft Heinz facility more competitive. Mr. Gomacheck responded as Kraft Heinz invests in the Springfield manufacturing plant it will become more efficient and viable for future

investments.

With no further appearances, the public hearing was closed.

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

##### **Retiree Health Plan**

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

Sheila Maerz, Director of Human Resources, gave a brief overview of the proposed. She stated the proposed is recommended by the Health Insurance Committee and is intended to close the City's Non-Medicare Retiree Health Plan effective December 31, 2016 and will close the sponsorship of the City's Medicare Advantage Plan effective December 31, 2017. Ms. Maerz stated the Non-Medicare Retiree Health Plan started in 2008 with 227 enrollees and today there are only 68 enrollees.

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

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

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

##### **Referred**

Refer to the Community Involvement Committee the issue of alcohol at special events.

#### **UNFINISHED BUSINESS.**

#### **MISCELLANEOUS.**

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

##### **Amending Salary Ordinance**

Sponsor: Fisk. Council Bill 2016-052. A general ordinance amending Chapter 2, Section 2-92 of the Springfield City Code, known as the Salary Ordinance, relating to the salary rate and pay grade for one job title within the Springfield Fire Department, as contained in the Fire Protection Schedule (FPS), by adding one

new job title, Division Chief (FPS 12).

**Parks Department  
Equipment**

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

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

**Declaring economic  
and housing access  
calamity**

Sponsor: Ferguson. Council Bill 2016-054. A resolution extending the declaration of an economic and housing access calamity until the condition is no longer met, or March 31, 2018, whichever occurs first. (Staff recommends approval.)

Council Bill 2016-054. Resolution 10261 was approved by the following vote:  
Ayes: Fisk, Fulnecky, Ferguson, Schilling, Burnett, and Stephens. Nays: None.  
Absent: Fishel, McClure, and Hosmer. Abstain: None.

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

**Preliminary Plat of  
New Prime Phase Two**

Sponsor: Hosmer. Council Bill 2016-045. 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 New Prime Phase Two, generally located at the 2800 block of North Cedarbrook and Packer Avenues, 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. (Planning and Zoning Commission and Staff recommend that City Council accept the public streets and easements.)

Council Bill 2016-045. Special Ordinance 26700 was approved by the following vote: Ayes: Fisk, Fulnecky, Ferguson, Schilling, Burnett, and Stephens. Nays: None. Absent: Fishel, McClure, and Hosmer. Abstain: None.

**Adjourn**

With no further business to come before Council, the meeting adjourned at approximately 7:03 p.m.

Anita J. Cotter, CMC/MRCC  
City Clerk