

June 13, 2016
Springfield, Missouri

The City Council met in regular session June 13, 2016 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: Justin Burnett, Craig Fishel, Ken McClure, Craig Hosmer, Kristi Fulnecky, Phyllis Ferguson, and Mike Schilling. Absent: Jan Fisk and Bob Stephens.

Minutes

There being no additions, deletions or corrections, the minutes of May 31, 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, noted the Environmental Protection Agency (EPA) recognized the City of Springfield for being a model community. He thanked City Staff and City Council for their efforts for another on-time budget process. Mr. Burris noted the monthly sales tax report was provided to Council and noted sales tax revenue is up 11 percent for the month of June.

Mr. Burris stated the Springfield-Greene County Park Board has launched several new programs in partnership with Zone Neighborhood Associations including Tennis Under the Lights, Run for Fun Club and Find Your Wings Art Classes.

Mr. Burris asked for a moment of silence in observation of the families who lost loved ones during the Orlando shooting.

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

**Rezoning 608 and 614
West Mt. Vernon**

Sponsor: Schilling. Amended Council Bill 2016-034. A general ordinance amending the Springfield Land Development Code, Section 36-306, Zoning Maps, by rezoning approximately 0.4077 acres of property, generally located at 608 and 614 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 and 614 West Mount Vernon Street; Z-39-2015 & Conditional Overlay District No. 103.)

Councilman Fishel moved to amend Council Bill 2016-034 by substituting a new Exhibit B which reduces the area between the rezoning by a total of approximately five feet along the western boundaries with a new legal description to be provided by the applicant prior to the second reading of this bill. Councilman Burnett seconded the motion and it was discussed.

Mayor Pro Tem McClure asked Councilman Fishel to explain the amendment. Councilman Fishel stated the developers are adding five feet from one property to an adjoining property in order to make the adjoining properties legal with the required width of 100 feet.

Councilwoman Ferguson asked by adding the additional five feet will the homes still be classified as single family residential. Councilman Fishel responded in the affirmative.

Councilman Schilling asked if this will change the population of the two lots. Marianne Banks, Interim City Attorney, responded it will reduce the area being rezoned but the population will stay the same.

Councilwoman Ferguson asked if the density will only be increased by allowing them to build a single family dwelling on each of the two lots. Ms. Banks responded in the affirmative.

The motion to amend Council Bill 2016-034 was approved by the following vote: Ayes: Burnett, Fulnecky, Hosmer, Fishel, McClure, Ferguson and Schilling. Nays: None. Absent: Fisk and Stephens. Abstain: None.

An opportunity was given for citizens to express their views.

Brandy Roberts spoke in opposition of the proposed. Ms. Roberts expressed her concern there will be more tenants occupying these dwellings and the majority will be students rather than families.

With no further appearances, public hearing will be held over, on the amendment only, at the June 27, 2016 City Council Meeting.

Setting a Preliminary Tax Levy on Real and Personal Property for Current Expenses and Debt Retirement

Sponsor: McClure. Council Bill 2016-114. A special ordinance setting a preliminary tax levy on real and personal property for current expenses and debt retirement of the City of Springfield, Missouri, and its boards and agencies for Fiscal Year 2016-2017; and declaring an emergency.

Councilwoman Fulnecky asked if the tax levy amount is currently the same as it was in 2016. Greg Burris responded in the affirmative.

Council Bill 2016-114. Special Ordinance 26744 was approved by the following vote: Ayes: Burnett, Fulnecky, Hosmer, Fishel, McClure, Ferguson and Schilling. Nays: None. Absent: Fisk and Stephens. Abstain: None.

Adopting a Budget for the Fiscal Year 2016-2017 for the City of Springfield

Sponsor: Stephens. Amended Council Bill 2016-115. A special ordinance adopting a budget for the City of Springfield, Missouri, for Fiscal Year July 1, 2016 through June 30, 2017, providing that certain amounts shown in the budget document are appropriated for the various departments specified in said budget, and declaring an emergency.

Councilwoman Fulnecky offered an amendment to the budget for the 2016-2017 Fiscal Year. She stated this amendment will provide funding over a four-year period and add five new officers each year. Ms. Fulnecky stated her amendment will reallocate money from the City Manager's contingency fund to the Police

Department. She noted the end result is having 352 sworn officers in the Police Department.

Mayor Pro Tem McClure asked Councilwoman Fulnecky to clarify the language of her motion. Marianne Banks, Interim City Attorney, noted the motion must contain the specific dollar amount amending the 2016-2017 budget. Councilwoman Fulnecky responded her amendment will reallocate \$311,249 to the Officer Recruitment Program from the City Manager's Budget. She stated \$75,000 could be taken out at the end of the year from the City Manager's contingency fund.

Councilman Hosmer moved to add a substitute amendment. Mayor Pro Tem McClure responded Council cannot add a substitute in addition to Councilwoman Fulnecky's amendment. Councilwoman Fulnecky withdrew her motion.

Councilman Hosmer moved to reallocate \$75,000 from the City Manager's contingency budget to the Springfield Police Department to fund moving recruits while they are attending academy. Councilwoman Fulnecky seconded the motion and it was discussed.

Mayor Pro Tem McClure asked Councilman Hosmer to explain the proposed. Councilman Hosmer responded recruits cannot make arrests and do the job of a sworn police officer, and as a result, those individuals should not count toward the authorized strength of the Police Department.

Mayor Pro Tem McClure asked if the motion was to take money from the City Managers fund and what the final balance in the contingency fund would be. Greg Burris, City Manager, responded, as he understood, the money would come from the contingency fund and the final balance would be \$322,000. (Note: \$333,862 is the actual amount remaining.)

Councilman Fishel asked if the money was already in the budget to pay for these recruits. Mr. Burris responded in the affirmative.

Councilman Fishel asked why the money from the Police Department's budget cannot be used to assist with the transition. Mr. Burris responded in essence it is adding additional officers to be paid for from a separate fund. Councilman Fishel asked if all the officers are already being paid from the Police Departments budget. Mr. Burris responded in the affirmative. Councilman Fishel stated he understood the amendment isn't creating more jobs; it clarifies how recruits are classified. Mr. Burris responded the amendment will add five new officers every year for the next four years with a total cost of \$311,249 in Fiscal Year 2017-2018.

Major Jim McCulloch, Springfield Police Department, noted this amendment will ease additional officers into the budget for a total of 20 officers over the next four years.

Councilwoman Ferguson asked for clarification on how this amendment will impact the final budget.

Mary Mannix Decker, Director of Finance, responded the \$75,000 will come from a contingency fund managed by the City Manager. She noted it is difficult to

predict what, if any, unforeseen circumstances might happen in Fiscal Year 2016-2017. She noted for Fiscal Year 2015-2016 the contingency fund started with approximately \$400,000 and almost all of that has been spent.

Councilwoman Fulnecky asked if the overall budget had increased by three or four percent this year. Ms. Decker responded the increase was a little over two percent. Ms. Fulnecky asked if the increase equates to \$3,000,000. Ms. Decker responded she believes that is correct. Councilwoman Fulnecky noted she is only asking for \$75,000 out of the \$3,000,000. Councilwoman Fulnecky asked if the contingency fund was only for legal fees. Ms. Decker responded in the negative. Councilwoman Fulnecky asked if the amount spent on her hearing came out of the contingency fund. Ms. Decker stated unforeseen legal fees come out of the contingency fund, but the Law Department budgets for most fees. Ms. Fulnecky expressed her opinion the contingency fund is flexible and can be used until a permanent solution is found and asked if the Police Department is adding more Full-Time Equivalents. Ms. Decker responded most of the increase covers salary increases. Ms. Fulnecky asked for clarification on the carryover fund balance. Ms. Decker responded she cannot predict what the carry over funds will be. Ms. Decker stated the carryover balance is determined by the accrual for sales tax and it will be August before we can determine if there will be any carry over funds. She expressed her opinion there will not be a large amount of carry over funds from Fiscal Year 2015-2016.

Councilman Burnett asked if the five year budget projection was balanced or less than projected. Ms. Decker responded they were about even with no room for extra expenses.

Councilwoman Ferguson asked if this is something Council could look at in a couple of months. Ms. Decker responded the budget can be amended at any time.

Councilman Schilling asked will this commit money for a future budget year. Councilman Hosmer responded it is committed for this year and has the opportunity to be continued for four years. Councilman Hosmer expressed his opinion crime is a large concern for Springfield and there are not enough officers on the streets. He expressed his opinion if Council does not start the process, the City will continue to be short police officers for years to come. Councilman Schilling expressed his opinion a shortage of police officers are not the only contributing factor to an increase in crime rates. Councilman Hosmer responded the issue is similar to nuisance properties and if Council does not attempt to fix it, crime will increase. Councilman Schilling expressed his opinion more data on the subject is needed.

Councilwoman Ferguson expressed her appreciation for the proposed, she expressed her opinion Council needs to look at the relationship between poverty and crime. She added hiring more inspectors would aid in reducing crime in Springfield.

Councilwoman Fulnecky stated the purpose of the amendment is to remove police recruits from the total number of police officers that count toward authorized strength. She stated Springfield should have a certain amount of sworn police officers per 1,000 citizens and counting recruits in this number does not accurately reflect the number of police officers available for duty since recruits are

not sworn police officers while in training.

Greg Burris noted the contingency budget is one-half of one percent of the general fund. He added due to previous grants for public safety, the City is at an all time high for the number of officers on the street today.

Councilman Burnett asked if public safety grants are available frequently. Greg Burris responded it depends on the availability of funding from the federal government.

Councilwoman Fulnecky expressed her opinion the proposed would improve the morale of officers and act as a symbol of Council's commitment to public safety.

Councilwoman Ferguson asked if the proposed will add five officers to the eleven funded through the COPS grant for 2017 plus an additional five officers each year for the next three years. Councilman Hosmer responded in the affirmative. He noted the police department loses approximately twenty to twenty-five officers each year through attrition. Mr. Hosmer stated police officers cannot do their job until at least nine months after they are hired.

Councilman Fishel asked how much of the 2015-2016 carry over funds went towards public safety. Greg Burris approximately 50 percent. Councilman Fishel responded he would like to see all departments within the City of Springfield discussed equally and expressed his opinion Council should look at the big picture instead of one particular department.

Councilwoman Fulnecky expressed her opinion the budget should always be above 50 percent for public safety because public safety is vital to the community.

The motion to amend Council Bill 2016-115 failed by the following vote: Ayes: Fulnecky, Hosmer, Ferguson and Schilling. Nays: McClure, Burnett and Fishel. Absent: Fisk and Stephens. Abstain: None.

An opportunity was given for Citizens to express their views.

Katie Webb spoke in favor of the proposed. She expressed her opinion not enough of the budget is going to improving the North Side and impacting poverty.

Peter Radecki spoke in favor of the proposed. He expressed his opinion funding for an additional inspector will have a positive impact on nuisance properties and focus on improving the neighborhoods.

With no further appearances, the discussion was closed.

Amended Council Bill 2016-115. Special Ordinance 26745 was approved by the following vote: Ayes: Burnett, Hosmer, Fishel, McClure, Ferguson and Schilling. Nays: Fulnecky. Absent: Fisk and Stephens. Abstain: None.

**Repealing Special
Ordinance No. 26678**

Sponsor: Fishel. Council Bill 2016-116. A special ordinance repealing Special Ordinance No. 26678 and enacting in lieu thereof a special ordinance approving the Petition to Amend and Restate the Petition to Establish the Downtown Springfield Community Improvement District and directing the City Clerk to

notify the Missouri Department of Economic Development and the Greene County Clerk of the amendments. (Staff and the Downtown Springfield Community Improvement District Board of Directors recommend approval.)

Councilwoman Fulnecky asked where the shortfall of signatures had occurred previously. Sarah Kerner, Interim Director of Economic Development, responded it was in the expanded area. Councilwoman Fulnecky asked if we keep requesting signatures until enough are gathered or if only 50 percent of the voters had signed the petition. Ms. Kerner responded it is until enough signatures are gathered.

An opportunity was given for citizens to express their views.

Rusty Worley spoke in favor of the proposed. He made himself available for questions if needed.

With no further appearances, the discussion was closed.

Council Bill 2016-116. Special Ordinance 26746 was approved by the following vote: Ayes: Burnett, Fulnecky, Hosmer, Fishel, McClure, Ferguson and Schilling. Nays: None. Absent: Fisk and Stephens. Abstain: None.

**Amending Section 1-9
of Springfield City
Code**

Sponsor: Schilling. Council Bill 2016-117. A general ordinance amending Section 1-9 of the Springfield City Code, City Limits, by annexing approximately 22.84 acres of City-owned property into the City of Springfield, Missouri, generally located on the west side of the 3100 block of South Kauffman Road, generally referenced as Annexation A-1-16; 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.

Councilwoman Fulnecky stated she was excited to support a new shelter.

Council Bill 2016-117. General Ordinance 6280 was approved by the following vote: Ayes: Burnett, Fulnecky, Hosmer, Fishel, McClure, Ferguson and Schilling. Nays: None. Absent: Fisk and Stephens. Abstain: None.

**Amending Springfield
Land Development
Code Section 36-306,
Zoning Maps**

Sponsor: Schilling. Council Bill 2016-118. A general ordinance amending the Springfield Land Development Code, Section 36-306, Zoning Maps, by rezoning approximately 22.84 acres of property, generally located on the west side of the 3100 block of South Kauffman Road, from a County R-1, Suburban Residence District to a GM, General Manufacturing District; establishing Conditional Overlay District No. 108; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: City of Springfield; 3100 block S. Kauffman Road; Z-4-2016.)

Councilman Schilling asked if the proposed was going to replace the current operation. Greg Burris responded if a new shelter is built, the intent is to close down the existing shelter. Councilman Schilling asked how long it will be until the new shelter is completed. Mr. Burris responded funding is not currently available; therefore it is difficult to say when a new shelter will be built.

Councilwoman Ferguson expressed her appreciation for this project.

Council Bill 2016-118. General Ordinance 6281 was approved by the following vote: Ayes: Burnett, Fulnecky, Hosmer, Fishel, McClure, Ferguson and Schilling. Nays: None. Absent: Fisk and Stephens. Abstain: None.

Amending Springfield Land Development Code, Section 36-306, Zoning Maps

Sponsor: Fisk. Council Bill 2016-119. A general ordinance amending the Springfield Land Development Code, Section 36-306, Zoning Maps, by rezoning approximately 20 acres of property, generally located at 1800 West Republic Street, from a GR, General Retail District with Conditional Overlay District No. 66 to a GR, General Retail District and establishing Conditional Overlay District No. 107; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: Judith Groover Trust and Warner Family Trust; 1800 West Republic Street; Z-7-2016 Conditional Overlay District No. 107.)

Council Bill 2016-119. General Ordinance 6282 was approved by the following vote: Ayes: Burnett, Fulnecky, Hosmer, Fishel, McClure, Ferguson and Schilling. Nays: None. Absent: Fisk and Stephens. Abstain: None.

Authorizing the Issuance of Conditional Use Permit No.422 at 1755 South National Avenue

Sponsor: Fishel. Council Bill 2016-120. A special ordinance authorizing the issuance of Conditional Use Permit No. 422 to allow a bed and breakfast within an R-SF, Residential Single-family District, generally located at 1755 South National Avenue. (The Planning and Zoning Commission recommend denial, Staff recommends approval.)

Mayor Pro Tem McClure noted Council had received a request to table this amended bill until June 27, 2016.

Councilman Fishel moved to table Council Bill 2016-120 until June 27, 2016. Councilwoman Fulnecky seconded the motion and it was approved by the following vote: Ayes: Burnett, Fulnecky, Fishel, McClure, Ferguson and Schilling. Nays: Hosmer. Absent: Fisk and Stephens. Abstain: None.

Amending Springfield City Code, Chapter 36, Land Development Code

Sponsor: Schilling. Council Bill 2016-121. A general ordinance amending the Springfield City Code, Chapter 36, Land Development Code, Division 3.- Administration Enforcement and Review; Subdivision III. - Review, Appeals and Amendments; Section 36-363 - Conditional use permits; subsection (3)(g) Contents of application; and subsection (5) Conditions and restrictions. (Staff Recommends approval.)

Council Bill 2016-121. General Ordinance 6283 was approved by the following vote: Ayes: Burnett, Fulnecky, Hosmer, Fishel, McClure, Ferguson and Schilling. Nays: None. Absent: Fisk and Stephens. Abstain: None.

Amending Springfield City Code, Chapter 36, Land Development Code

Sponsor: McClure. Council Bill 2016-122. A general ordinance amending the Springfield City Code, Chapter 36, Land Development Code, Division 5 - Supplemental District Regulations, Section 36-453 - Supplemental open space and yard regulations; Subsection (5)(a)5, Permitted projections and structures in required yards. (Staff Recommends approval.)

Council Bill 2016-122. General Ordinance 6284 was approved by the following vote: Ayes: Burnett, Fulnecky, Hosmer, Fishel, McClure, Ferguson and Schilling.

Nays: None. Absent: Fisk and Stephens. Abstain: None.

Approving a Budget Adjustment to Amend Fiscal Year 2015-2016 for City of Springfield

Sponsor: Hosmer. Council Bill 2016-123. A special ordinance approving a budget adjustment to amend the Fiscal Year budget 2015-2016 for the Department of Environmental Services of the City of Springfield, Missouri, in the amount of \$2,500,000, by appropriating reserves of the Clean Water Fund for continuing the implementation of the Private Inflow and Infiltration (I/I) Abatement Program.

Council Bill 2016-123. Special Ordinance 26747 was approved by the following vote: Ayes: Burnett, Fulnecky, Hosmer, Fishel, McClure, Ferguson and Schilling. Nays: None. Absent: Fisk and Stephens. Abstain: None.

Amending Chapter 2 of Springfield City Code, Special Meetings

Sponsor: Council Bill 2016-124. A general ordinance amending Chapter 2 of the Springfield City Code, Administration, Article II, City Council, Section 2-32, Special Meetings.

Councilman Fishel expressed his support of the proposed and wanted to clarify its need. Mr. Fishel noted this ordinance is being amended due to Councilwoman Fulnecky's administrative hearing and the recommendation of the hearing officer.

Councilwoman Fulnecky responded the meeting in question was found to be an open session by the hearing officer and has no bearing on this council bill.

Council Bill 2016-124. General Ordinance 6285 was approved by the following vote: Ayes: Burnett, Fulnecky, Hosmer, Fishel, McClure, Ferguson and Schilling. Nays: None. Absent: Fisk and Stephens. Abstain: None.

RESOLUTIONS.

EMERGENCY BILLS.

PUBLIC IMPROVEMENTS.

GRANTS.

Authorizing City Manager to Apply and Accept Grant Funds from Hazard Mitigation Grant Program

Sponsor: Hosmer. Council Bill 2016-134. A special ordinance authorizing the City Manager, or his designee, to apply for and accept grant funds from the Hazard Mitigation Grant Program through the Federal Emergency Management Agency in the amount of \$213,750.00 for voluntary mitigation of flooding in the Busch Building basement and to enter into necessary contracts to carry out the grant; and to amend the budget of the Department of Finance for Fiscal Year 2015-2016 in the amount of \$285,000.00 to appropriate the grant funds and to account for a transfer from the City's Self-Insurance Fund; and declaring an emergency.

Greg Burris, City Manager, noted the proposed is in response to the flooding that occurred in December 2015 and caused extensive damage in the basement of the Busch Building. He stated construction has begun and the proposed is for reimbursement funds from the Federal Emergency Management Agency, which will help pay for those repairs.

Mayor Pro Tem McClure asked if there are matching funds and where they are coming from. Greg Burris responded from contingency funds and insurance

funds. Mayor Pro Tem McClure asked if the City is getting two grants. Mr. Burris responded in the affirmative.

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

Council Bill 2016-134. Special Ordinance 26748 was approved by the following vote: Ayes: Burnett, Fulnecky, Hosmer, Fishel, McClure, Ferguson and Schilling. Nays: None. Absent: Fisk and Stephens. Abstain: None.

Authorizing City Manager to Apply and Accept Grant Funds from Disaster Grants

Sponsor: McClure. Council Bill 2016-135. A special ordinance authorizing the City Manager, or his designee, to apply for and accept grant funds from the Disaster Grants – Public Assistance (Presidentially Declared Disasters) program through the Federal Emergency Management Agency in the amount of \$212,662.50 for clean-up and construction required due to flooding in the Busch Building basement and to enter into necessary contracts to carry out the grant; and amending the budget of the Department of Finance for Fiscal Year 2015-2016 in the amount of \$398,550.00 to account for expenses reimbursed by the City’s insurance and a transfer from the City’s Self-Insurance Fund and to appropriate the grant funds and declaring an emergency.

Greg Burris noted the proposed is similar to Council Bill 2016-134 and made himself available for questions.

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

Council Bill 2016-135. Special Ordinance 26749 was approved by the following vote: Ayes: Burnett, Fulnecky, Hosmer, Fishel, McClure, Ferguson and Schilling. Nays: None. Absent: Fisk and Stephens. Abstain: None.

AMENDED BILLS.

COUNCIL BILLS FOR PUBLIC HEARING.

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

Council Bill 2016-136 and Council Bills 2016-137 were read and discussed simultaneously.

Approving First Amendment Sections 3.05 and 3.08 of The Collective Bargaining Agreement

Sponsor: Fishel. Council Bill 2016-136. A special ordinance approving the First Amendment to Sections 3.05 and 3.08 of The Collective Bargaining Agreement Between The City of Springfield, Missouri and Southern Missouri Professional Fire Fighters Local 152 (a/k/a, The International Association of Fire Fighters Local 152) (the “First Amendment”), in conjunction with amending Chapter 2, Administration, Article VI, Finances, Division 4, Policemen’s and Firemen’s Pension Plan, for the fire participants, pursuant to the ordinance adopted by Council Bill 2016-137 the Bargaining Unit; and declaring an emergency

Amending Springfield City Code, Chapter 2, Administration

Sponsor: Fisk. Council Bill 2016-137. A general ordinance amending the Springfield City Code, Chapter 2, Administration, Article VI, Finances, Division 4, Policemen’s and Firemen’s Pension Plan, by amending the title of Division 4

from “Policemen’s and Firemen’s Pension Plan” to “Police Officers’ and Fire Fighters’ Retirement System,” and by amending Section 2-455, Amount of employee contributions; deductions from salary, of the Springfield City Code, by revising provisions regarding Fire Participants’ Additional Funding Contribution (AFC) and Additional Three-Tenths Percent Multiplier in The Police Officers’ and Fire Fighters’ Retirement Fund; and declaring an emergency.

Sheila Maerz, Director of Human Resources, noted Council Bill 2016-136 contains the first amendment to the Collective Bargaining agreement with the City of Springfield and the Southern Missouri Professional Fire Fighters Local 152 (IAFF). She noted the IAFF approached the City in March 2016 with a request to open negotiations for the purpose of submitting a proposal regarding the Additional Funding Contribution (AFC) and the FY 2017 compensation pool. Ms. Maerz stated the City agreed to the request and collectively bargained and ultimately reached a tentative agreement with IAFF. She noted the details from the Tentative Agreement reached are contained in Council Bill 2016-136. Ms. Maerz stated Council Bill 2016-136 addresses the use of the three and one-half percent compensation pool available to the IAFF for FY 2017 and amends Section 3.05 Pension and Retirement and Section 3.08 Additional Compensation or Benefits of the Collective Bargaining Agreement. She noted there are five main components to Council Bill 2016-136 and the Collective Bargaining Agreement. They are (1) Funding of the Merit Steps (total cost \$150,047); (2) Funding of a one-half of one percent across the board pay increase, this contribution by the employee remains refundable (total cost of \$73,661); (3) An increase of one-half percent to the AFC contribution for eligible employees in the Police and Fire Fighter’s pension plan and establishes a permanent rate of 15.13 percent; (4) A one-time payment in the form of a deposit into eligible employees 457 account, for employees that purchased prior service credit after transitioning from Tier 2 of P/F pension to LAGERS. This is a pro-rate reimbursement, based on months of service, for the impact of the City’s contribution being taxable and reducing their available funds to complete the prior service credit. (total cost of \$55,798) and (5) A one-time payment in the form of a deposit into eligible employees 457 account, for employees that purchased prior service credit after transitioning from Tier 2 of Police and Fire Fighter’s pension to LAGERS. This is a pro-rate reimbursement, based on months of service, for the impact of the City’s contribution being taxable and reducing their available funds to complete the prior service credit (total cost of \$55,798). She stated IAFF is temporarily forfeiting the remainder of the compensation pool (FY2017 is about \$236,120 and FY2018 until 7/1/2029 \$291,918 unless 100% funding is reached early) and requesting the City use this amount to directly fund the AFC on their behalf. This is an important distinction, as the City is not funding the Fire AFC, the Fire participants are requesting their pay increase be redirected by the City to the Fire AFC on their behalf. Ms. Maerz noted The Charter prohibits the reduction of benefits; therefore if the members contributed all contributions would be refundable to the member.

Ms. Maerz noted Council Bill 2016-137 provides changes to the City Code, specifically the Police Officers and Fire Fighters Retirement Systems to implement the changes we just discussed relating to the AFC. She stated both Council Bills 2016-136 and 2016-137 are the result of the collective bargaining process, which means the City Council can vote to approve, reject or send us back to the bargaining table. Ms. Maerz noted the City and the IAFF are

requesting your approval for Council Bill 2016-136 and Council Bill 2016-137. She stated while Council Bill 2016-136 is specific to IAFF's amendment to the CBA, Council Bill 2016-137 impacts all Fire participants, which means this includes the 11 uniformed positions in the Fire Department that are not eligible for the union. Ms. Maerz expressed her appreciation to several members of staff and the IAFF for their work on and support of the proposed.

Councilwoman Fulnecky asked if the LAGERS employees are contributing to this plan. Sheila Maerz responded it is available for those employees in the LAGERS system and purchased prior service credits and transitioned from Police and Firefighter pension.

Councilman Fishel expressed his appreciation to everyone who was involved in supporting the proposed.

Mayor Pro Tem McClure asked if the proposed is to be voted on at this council meeting. Marianne Banks, Interim City Attorney, responded in the negative.

An opportunity was given for citizens to express their views.

Tony Kelley spoke in favor of the proposed. He thanked everyone involved for their work on the proposed and made himself available for questions.

Councilwoman Fulnecky asked for a generalization on how much a firefighter makes starting out. Mr. Kelley responded it's going to be around \$33,000-\$34,000. Ms. Fulnecky asked if it is around a six or seven percent pay raise and will there be a decrease in recruitment. Mr. Kelley responded the pay increase is for year after year to be eligible for pay raises that are available.

With no further appearances, the discussion was closed.

Councilman Fishel thanked Mr. Kelley for his cooperation for the proposed.

Mayor Pro Tem McClure noted it is a good proposal and commended Mr. Kelley for his efforts.

**Amending Chapter 2,
Section 2-92 of
Springfield City Code**

Sponsor: Schilling. Council Bill 2016-138. A general ordinance amending Chapter 2, Section 2-92 of the Springfield City Code, known as the Salary Ordinance relating to salary grades for various job titles within the City service as contained in the Professional, Administrative and Technical (PAT) Schedule, the Crafts, Trade and Labor (CTL) Schedule, the Fire Protection Schedule (FPS), and the Law Enforcement Schedule (LES) by making provision for seven (7) new job titles and deleting four (4) existing job titles; by providing pay adjustments for employees on the PAT, CTL, FPS, and LES pay schedules; by freezing the annual base pay rates for Salary Grades One (1) and Two (2) in the CTL pay schedule; by increasing the annual base rate for the top steps in the CTL pay schedule by \$150.00; by deleting the eligibility for educational allowance for Salary Grades Eleven (11) through Thirteen (13) contained in the LES pay schedule; by approving a Memorandum of Understanding between the City and the City Manager; and declaring an emergency.

Sheila Maerz, Director of Human Resources, spoke on the proposed. She noted

with the exception of what has already been discussed, the proposed is for seven new titles, not new job positions and made herself available for questions.

Councilman Hosmer asked what the purpose of freezing steps one and two was. Sheila Maerz responded it is part of the process of beginning collective bargaining to devote money to the top steps in the future.

Councilman Hosmer asked if this will affect any current employees. Sheila Maerz responded any employees on steps below three will be moved forward to step three. Councilman Hosmer asked if that means positions will not be hired starting out at steps one and two. Ms. Maerz responded we are freezing them at this time and they will eventually be eliminated from the scale.

**Authorizing City
Manager to Enter into
On-System Bridge
Program Agreement**

Sponsor: Schilling. Council Bill 2016-139. A special ordinance authorizing the City Manager, or his designee, to enter into an On-System Bridge Program Agreement with the Missouri Highways and Transportation Commission for the purpose of funding the Mt. Vernon Street Bridge over Jordan Creek project; and amending the Fiscal Year 2015-2016 budget of the Department of Public Works in the amount of \$982,905.

Dan Smith, Director of Public Works, gave a brief overview of the proposed. He noted the proposed will replace the bridge on Mt. Vernon. Mr. Smith added by utilizing federal funds this will save us in local funds.

Mayor Pro Tem McClure asked if we are obligating the money. Mr. Smith responded there is a local match already in process which will allow the City to use federal funds. Mayor Pro Tem McClure asked if the source of the match is through sales tax. Mr. Smith responded the source for this particular match is through a refund received from MoDot on a previous project.

Councilman Hosmer asked if we are also replacing the bridge on Kansas and Grand. Mr. Smith responded in the affirmative.

Councilwoman Ferguson expressed her opinion the proposed is needed and appreciated by the citizens in her zone because they use this bridge frequently; she expressed her appreciation to Mr. Smith for his work.

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

The following bill was removed from Consent Agenda and is now appearing under First Reading Bills:

**Amending Sections of
Springfield City Code,
Chapter 26, Article III**

Sponsor: Ferguson. Council Bill 2016-142. A general ordinance amending various sections of Springfield City Code, Chapter 26, Article III, Dangerous Blighted and Nuisance Building Code, in order to improve enforceability, expand abatement-order authority, and improve the city's cost recovery by clarifying the language of special tax bills and special assessments.

Chris Straw, Director of Building and Development Services, gave a brief overview of the proposed. Mr. Straw noted the proposed clarifies language within the building code. He then made himself available for questions.

Mayor Pro Tem McClure thanked Mr. Straw for his efforts.

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

Petitions, Remonstrances, and Communications.

The following items appeared under New Business:

Recommended

The City Manager recommends the following reappointments to the Airport Board: Alison George and Colin Brady with terms to expire June 1, 2019.

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.

Councilman Schilling addressed the council and apologized for his cell phone going off during the meeting.

MISCELLANEOUS.

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

Authorizing the City Manager to enter into Agreement with Springfield Convention and Visitors Bureau, Inc.

Sponsor: Burnett. Council Bill 2016-140. A special ordinance authorizing the City Manager, or his designee, to enter into an agreement with the Springfield Convention and Visitors Bureau, Inc., that includes the Fiscal Year 2016-2017 budget and marketing plan to promote travel and tourism in the City.

Authorizing the City Manager to enter into Agreement with Greater Springfield Area Sports Commission, Inc.

Sponsor: Fulnecky. Council Bill 2016-141. A special ordinance authorizing the City Manager, or his designee, to enter into an agreement with the Greater Springfield Area Sports Commission, Inc. (Sports Commission), whereby the City will provide the Sports Commission with a share of the City's collection fees from the hotel/motel gross receipts tax to fund the Sports Commission's efforts to promote the hosting of national and regional sporting events to the City.

Approving plans for Bryant Street and Market Avenue

Sponsor: Schilling. Council Bill 2016-143. A special ordinance approving the plans and specifications for the Bryant Street and Market Avenue project, Plan No. 2015PW0080SWTE; accepting the bid of Hunter Chase & Associates, Inc., for that project, and authorizing the City Manager, or his designee, to enter into a contract with such bidder.

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

Granting New Liquor License for Silver Spring Fuel, LLC.

Sponsor: Ferguson. Council Bill 2016-144. A resolution granting a new liquor license for retail sales in the original package that includes sales on Sunday to Silver Spring Fuel, LLC, dba T-Mart, located at 310 South Scenic Avenue, Springfield, Missouri.

Council Bill 2016-144. Resolution 10271 was approved by the following vote: Ayes: Burnett, Fulnecky, Hosmer, Fishel, McClure, Ferguson and Schilling. Nays: None. Absent: Fisk and Stephens. Abstain: None.

Adopting Springfield-Greene County All-Hazards Emergency Preparedness Plan.

Sponsor: Stephens. Council Bill 2016-145. A resolution adopting the Springfield-Greene County All-Hazards Emergency Preparedness Plan.

Council Bill 2016-144. Resolution 10272 was approved by the following vote: Ayes: Burnett, Fulnecky, Hosmer, Fishel, McClure, Ferguson and Schilling. Nays: None. Absent: Fisk and Stephens. Abstain: None.

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

Approving Plans for Annual Maintenance Contract for Traffic Control Signals

Sponsor: Burnett. Council Bill 2016-125. A special ordinance approving the plans and specifications for the Annual Maintenance Contract for Traffic Control Signals; accepting the bid of Ewing Signal Construction, LLC, for the on-call services contract, and authorizing the City Manager, or his designee, to enter into a contract with such bidder.

Council Bill 2016-125. Special Ordinance 26750 was approved by the following vote: Ayes: Burnett, Fulnecky, Hosmer, Fishel, McClure, Ferguson and Schilling. Nays: None. Absent: Fisk and Stephens. Abstain: None.

Approving Plans for the Commercial Street Phase 5 Streetscape Project

Sponsor: Ferguson. Council Bill 2016-126. A special ordinance approving the plans and specifications for the Commercial Street Phase 5 Streetscape Project, Plan No. 2015PW0016; accepting the bid of Hunter Chase & Associates, Inc., for the project, and authorizing the City Manager, or his designee, to enter into a contract with such bidder.

Council Bill 2016-126. Special Ordinance 26751 was approved by the following vote: Ayes: Burnett, Fulnecky, Hosmer, Fishel, McClure, Ferguson and Schilling. Nays: None. Absent: Fisk and Stephens. Abstain: None.

Approving the Plans for the Biosolids Treatment Improvements Project

Sponsor: Fulnecky. Council Bill 2016-127. A special ordinance approving the plans and bid specifications and accepting the bid of Davis Structure & Development Corporation for the Biosolids Treatment Improvements Project Plan No. 2016PW0018s at the Southwest Wastewater Treatment Plant in the amount of \$2,404,127.00; and authorizing the City Manager, or his designee, to enter into a contract with such bidder.

Council Bill 2016-127. Special Ordinance 26752 was approved by the following vote: Ayes: Burnett, Fulnecky, Hosmer, Fishel, McClure, Ferguson and Schilling. Nays: None. Absent: Fisk and Stephens. Abstain: None.

Approving the plans for Jefferson Avenue Streetscape Phase I Project

Sponsor: Ferguson. Council Bill 2016-128. A special ordinance approving the plans and specifications for the Jefferson Avenue Streetscape Phase I Project, Plan No. 2015PW0018WTE; accepting the bid of Hunter Chase & Associates, Inc., for that project, and authorizing the City Manager, or his designee, to enter into a contract with such bidder.

Council Bill 2016-128. Special Ordinance 26753 was approved by the following vote: Ayes: Burnett, Fulnecky, Hosmer, Fishel, McClure, Ferguson and Schilling. Nays: None. Absent: Fisk and Stephens. Abstain: None.

Authorizing the City Manager to Accept a Grant Supplement from the Missouri Department of Health and Senior Services

Sponsor: Hosmer. Council Bill 2016-129. A special ordinance authorizing the City Manager, or his designee, to accept a grant supplement from the Missouri Department of Health and Senior Services, federally funded by reimbursement from the Centers for Medicare and Medicaid Services for the Children's Health Insurance Program and the Health Services Initiative, and amending the budget of the Springfield-Greene County Health Department for Fiscal Year 2015-2016 in the amount of \$118,695.96 to appropriate the grant supplement.

Council Bill 2016-129. Special Ordinance 26754 was approved by the following vote: Ayes: Burnett, Fulnecky, Hosmer, Fishel, McClure, Ferguson and Schilling. Nays: None. Absent: Fisk and Stephens. Abstain: None.

Authorizing the Director of Planning and Development to Accept Dedication of Public Streets

Sponsor: Ferguson. Council Bill 2016-130. 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 Highland Gardens Lot 13, Block 8, generally located at 3248 West State Street, 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. (Staff recommends that City Council accept the public streets and easements.)

Council Bill 2016-130. Special Ordinance 26755 was approved by the following vote: Ayes: Burnett, Fulnecky, Hosmer, Fishel, McClure, Ferguson and Schilling. Nays: None. Absent: Fisk and Stephens. Abstain: None.

Confirmed

Confirm the following appointments to the Traffic Advisory Board: Rusty MacLachlan and Bruno Schmidt with terms to expire April 1, 2018.

Confirmed

Confirm the following appointments to the Mayor's Commission on Human Rights and Community Relations: Larry Dinges and Angela Myers to expire October 1, 2016; and Carlye Wannemacher and Damon Duran with terms to expire October 1, 2018.

Confirmed

Confirm the following appointments to the Tree City USA Citizens Advisory Committee: Nick Baker with term to expire December 1, 2016; and Amanda Stadler and Kelly Guenther with terms to expire December 1, 2018.

Confirmed

Confirm the following appointment to the Public Housing Authority: Michael Langford with term to expire April 11, 2018.

Confirmed

Confirm the following appointments to the Airport Board: Robert Fulp with term to expire June 1, 2018; and Michael Hoppman, and Jaimie Trussell with terms to expire June 1, 2019.

Adjourn

With no further business to come before Council, the meeting adjourned at approximately 8:18 p.m.

Anita J. Cotter, CMC/MRCC
City Clerk

Prepared by Megan Cunningham