

October 3, 2016
Springfield, Missouri

The City Council met in regular session October 3, 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: Ken McClure, Jan Fisk, Craig Hosmer, Kristi Fulnecky, Phyllis Ferguson, Mike Schilling, Tom Prater, Craig Fishel and Bob Stephens. Absent: None.

Minutes There being no additions, deletions or corrections, the minutes of September 19, 2016 – Regular, September 20, 2016 – Special, and September 27, 2016 - Special were approved as presented.

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

CEREMONIAL MATTERS

Oaths Kelly Guenther and Nick Baker were sworn in to the Tree City USA Citizen Advisory Committee.

Mayor Stephens acknowledged Jackson Baskins from Eagle Scouts Troop 200 and thanked him for attending the Council Meeting.

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

Greg Burris, City Manager, provided updates on questions raised from the previous Council Meeting. Mr. Burris stated City Staff is currently working on a time to discuss Together Springfield with Council and noted an e-mail had been sent to Council concerning the Weller Neighborhood Clean-Up. Mr. Burris noted the Springfield-Greene County Park Board is expected to receive full accreditation from the Commission for Accreditation of Park and Recreation Agencies this Thursday evening at the National Recreation and Park Association Annual Conference. Mr. Burris stated the Greater Springfield Community Olympic Development Program (CODP) held its second annual Athlete of the Year reception on Sunday, October 2nd at the Davis House. Mr. Burris noted four youth athletes were honored, one each from the four Greater Springfield CODP sports programs. Mr. Burris stated several hundred people enjoyed the annual Jazz Festival, held on September 24 at Park Central East and the Historic Gillioz Theatre. Mr. Burris thanked the additional sponsors including the Downtown CID, Bear State Bank, Missouri Arts Council, Springfield Regional Arts Council, Missouri State University and The Network. Mr. Burris noted after 22 years with the City of Springfield, Barbara Lucks, Sustainability Officer, will be leaving to work full time as a local, private consultant. Mr. Burris stated Ms. Lucks is responsible for planning, implementing and overseeing the public education and information components of the City's environmental outreach and wished Ms. Lucks good luck in her future endeavors. Mr. Burris congratulated KY3 Manager Brian McDonough and his team for winning several Emmy awards last night in Branson during the Regional Emmy Awards and noted Jeff and Michelle

Houghton and crew of The Mystery Hour also earned two of the statues. Mr. Burris noted Springfield News-Leader took home an impressive number of awards at the annual Missouri Press Association Award Ceremony in Branson last weekend, including five first place awards and two major awards including the Community Service Award and reporter Jackie Rehwald received the Excellence in Legal Journalism award from the Missouri Bar Association. Mr. Burris also congratulated John Jungmann for being named the Missouri School Board Association 2017 Superintendent of the Year and noted Springfield Public Schools also brought home the top Early Childhood award and Springfield Public Schools board member Gerry Lee was named the winner of the Paul Morris Community Service Award. Mr. Burris made himself available for questions.

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

222 East Primrose

Sponsor: Hosmer. Council Bill 2016-220. A general ordinance amending the Springfield Land Development Code, Section 36-306, Zoning Maps, by rezoning approximately 0.90 acres of property, generally located at 222 East Primrose Street, from Planned Development 21 Amendment 1 District, to a GR, General Retail District; and adopting an updated Official Zoning Map.

Council Bill 2016-220. General Ordinance 6306 was approved by the following vote: Ayes: McClure, Fisk, Hosmer, Fulnecky, Ferguson, Schilling, Prater, Fishel and Stephens. Nays: None. Absent: None. Abstain: None.

1811 East Sunset Drive

Sponsor: Fishel. Amended Council Bill 2016-221. A general ordinance amending the Springfield Land Development Code, Section 36-306, Zoning Maps, by rezoning approximately 0.6 acres of property, generally located at 1811 East Sunset Drive, from Planned Development No. 97, to O-1, Office District; and adopting an updated Official Zoning Map.

Amended Council Bill 2016-221. General Ordinance 6307 was approved by the following vote: Ayes: McClure, Fisk, Hosmer, Fulnecky, Ferguson, Schilling, Prater, Fishel and Stephens. Nays: None. Absent: None. Abstain: None.

1606 East Blaine Avenue

Sponsor: Fulnecky. Council Bill 2016-222. A general ordinance amending the Springfield Land Development Code, Section 36-306, Zoning Maps, by rezoning approximately 2.4 acres of property, generally located at 1606 East Blaine Avenue, from R-SF, Single-Family Residential District, to R-LD, Low-Density Multi-Family Residential District with Conditional Overlay District No. 110; and adopting an updated Official Zoning Map.

Anita Cotter, City Clerk, noted a protest petition was received for the proposed, however, the protest petition was found to be insufficient at 10.30%. Ms. Cotter noted a copy of the letter noting the percentage and supplemental explanation sheet has been provided at the places of Council and the record will reflect it will become part of the bill, Ms. Cotter noted a super majority for passage of the proposed is not required.

Councilman Hosmer stated he will be voting in opposition of the proposed and expressed his concerns for sanitary sewer and stormwater issues in the proposed area.

Councilman Schilling expressed his concern for increased stormwater issues and stated he will not be supporting the proposed.

Councilwoman Ferguson stated she will be voting in opposition of the proposed and expressed her concern for stormwater and sanitary sewers issues in the proposed area.

Councilman Hosmer expressed his concern for the proposed and stated he will be voting in opposition.

Mayor Pro Tem McClure asked when water and sewer improvements are scheduled for the proposed area. Mr. Burris responded it will take two years before they can correct the bottleneck at Division.

Mayor Pro Tem McClure expressed his concern for the impact of the water issues in the proposed area.

Councilwoman Fulnecky expressed her concern for the proposed and stated she would be voting in opposition of the proposed.

Mayor Stephens expressed his concern for permeable space in the proposed location and stated we, as the City, need to fix the water issues. Mayor Stephens noted he will vote in opposition of the proposed.

Council Bill 2016-222 failed by the following vote: Ayes: None. Nays: McClure, Fisk, Hosmer, Fulnecky, Ferguson, Schilling, Prater, Fishel and Stephens. Absent: None. Abstain: None.

RESOLUTIONS.

EMERGENCY BILLS.

PUBLIC IMPROVEMENTS.

GRANTS.

Youth Homeless Demonstration Program Grant

Sponsor: McClure. Council Bill 2016-225. A special ordinance authorizing the City Manager, or their designee, to apply for and accept a Youth Homeless Demonstration Program Grant from the Department of Housing and Urban Development, in an amount not to exceed \$2,000,000, with funds to be used for the development and implementation of a coordinated community plan to end youth homelessness; to execute any sub-grant agreements that may be necessary or convenient, and to exercise any and all powers necessary or convenient to implement the grant; and declaring that this bill qualifies for approval in one reading.

Brendan Griesemer, Planning and Development Manager, provided a brief overview of the proposed. Mr. Griesemer stated the proposed is a resolution to apply for a youth homeless project demonstration grant. Mr. Griesemer noted the primary goal of the proposed is to develop and implement a coordinated community plan. Mr. Griesemer stated the proposed is a competitive grant that

will require us to evaluate our barriers in assisting the homeless and positively impact the youth homeless in the community. Mr. Griesemer noted the amount of the grant is dependant upon a formula calculated by considering the amount and size of the youth population in the community.

Randy McCoy, The Kitchen's Director of Housing, stated the proposed is a great way for the community to prevent homelessness. Mr. McCoy noted the proposed is a competitive grant and expressed his belief the City of Springfield is in good standing to earn the grant. Mr. McCoy stated the grant will be submitted on November 30, 2016 and noted The Kitchen is currently writing the narrative and will include a community input.

Councilwoman Fulnecky asked if solutions were going to be proposed through the grant. Mr. McCoy responded the solutions come after gauging the communities' needs in regards to homelessness. Mr. McCoy noted the proposed will work with agencies in the community to design the plan within the first six months that must then be submitted to Housing and Urban Development.

Mayor Pro Tem McClure asked how many dollars are available nationally. Mr. McCoy responded \$33 million will be split amongst ten nationwide awards.

Mayor Pro Tem McClure asked if a match was required. Mr. McCoy responded in the negative and responded the grant requires you indicate if potential funding to assist the program locally is available.

Mayor Pro Tem McClure asked if City money would be pledged as a match. Mr. Griesemer responded in the negative.

Councilwoman Ferguson stated the recent trip to Greenville, South Carolina illustrates how their community works together to help the homeless community and expressed her appreciation for the proposed.

Council Bill 2016-225. Special Ordinance 26801 was approved by the following vote: Ayes: McClure, Fisk, Hosmer, Fulnecky, Ferguson, Schilling, Prater, Fishel and Stephens. Nays: None. Absent: None. Abstain: None.

AMENDED BILLS.

COUNCIL BILLS FOR PUBLIC HEARING.

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

Commercial Street Tax Increment Financing District Special Allocation Fund

Sponsor: Ferguson. Council Bill 2016-226. A special ordinance establishing a budget for the Commercial Street Tax Increment Financing District Special Allocation Fund for Fiscal Year 2016-17 in the amount of \$570,035.53; approving expenditures from said Special Allocation Fund for property acquisition costs and certain public improvement projects within the Commercial Street Increment Financing District in an amount not to exceed \$400,000.00; and also using certain rail credits obtained in the sale of the West Wye to BNSF in the amount of \$707,849.57 to partially fund the acquisition of a portion of Frisco Lane in connection with the aforementioned public improvement projects.

Sarah Kerner, Interim Economic Development Director, provided a brief overview of the proposed. Ms. Kerner stated the proposed is bringing forward proposals on how to spend the funding for the Commercial Street Tax Increment Financing District (TIF). Ms. Kerner stated the revenues collected to date amount to \$570,035.53 total, collected mostly from property tax increments. Ms. Kerner stated the three recommendations include acquiring Frisco Lane and relocate rail lines, preliminary construction work on Frisco Lane to stabilize and secure the property and improvements to one alley. Ms. Kerner noted acquiring Frisco Lane and relocation of rail lines will cost \$976,000. Ms. Kerner added there is \$707,849.57 in City rail credits and \$268,150.43 in TIF revenues to go towards relocating the rail lines. Ms. Kerner stated the preliminary construction work will include grating to reduce stormwater against buildings, easier access for service vehicles and employee parking until the location is fully paved and build a safety fence, estimated to cost \$80,000. Ms. Kerner noted the final item includes improvements to an alley, estimated to cost \$50,000 after improving linkage from Commercial Street to the public parking to the South and improving the image of the street from the South. Ms. Kerner stated the requested Council action is to allocate \$398,150.43 from the Commercial Street TIF Special Allocation Fund to construct public improvements. Ms. Kerner made herself available for questions.

Councilman Fishel asked if there are train tracks located in the easement. Ms. Kerner responded in the affirmative.

Councilman Fishel asked if the railroad company will remove the railroad tracks. Ms. Kerner responded in the affirmative.

Councilman Fishel asked if the railroad tracks will be relocated. Ms. Kerner responded in the affirmative and stated the railroad track relocation should occur prior to acquiring the property.

Mayor Pro Tem McClure asked if any action would be required by Burlington Northern Santa Fe (BNSF). Ms. Kerner responded there will be a real-estate contract which will be brought forward to Council to purchase the property and stated the negotiation has already begun.

Mayor Pro Tem McClure asked if permission is required to use credits. Ms. Kerner responded they are aware the City wants to use the credits.

Mayor Pro Tem McClure asked if the proposed passes will the City take this contract to them, endorse the contract and go from there. Ms. Kerner responded in the affirmative and stated the contract will say we are going to buy this property from you, move the rail line and how the City will be paying for the proposed.

Councilwoman Fulnecky asked if there are safety issues in the parking lot or streets. Ms. Kerner responded the surface varies which is why fresh gravel will be added to even out the lots.

Councilwoman Fisk asked where employees currently park. Ms. Kerner responded some employees park on the street and on the parking lots to the South.

Councilwoman Ferguson asked if the proposed will create 60 additional parking spaces along Frisco Lane. Mr. Smith responded it could be over 100 parking spots if angled parking is implemented.

Mary Collette spoke in favor of the proposed. Ms. Collette expressed her appreciation for the proposed. Ms. Collette noted the proposed will create additional parking, stormwater relief and new utility access. Ms. Collette thanked the City for their work on the proposed.

Councilman Schilling asked if there is currently public access to the rail line. Ms. Collette responded in the affirmative.

Councilman Schilling asked if an owner on Commercial Street had previously asked to put an exhaust on their cook stove out on the North side, but the railroad denied the request. Ms. Collette responded in the affirmative and stated the company would not allow odors to be vented near the tracks.

Councilman Schilling asked if owners can not have access to the North side of their properties. Ms. Collette responded in the affirmative.

Councilwoman Ferguson stated the area where they wanted to put the exhaust fans ended up costing the owner \$24,000 instead of \$8,000 because the rail line would not allow the owner to vent their cooking odors onto the railroad property.

Paden Chambers spoke in favor of the proposed. Mr. Chambers stated he worked with the Commercial Club on a vision project for Frisco Lane years ago and expressed his appreciation for the proposed.

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

Petitions, Remonstrances, and Communications.

Did Not Appear

Ms. Madison Weiler wishes to address City Council.

Ms. Cotter noted Ms. Weiler contacted the City Clerk's Office to notify us she would not be in attendance at tonight's meeting.

The following items appeared under New Business:

Recommended

The Mayor recommends the following appointments to the Tree City USA Citizen Advisory Committee: Zach Clapper with term to expire December 1, 2016 and Mindy Spitz with term to expire December 1, 2017.

Recommended

The City Manager recommends the following appointment, who has been serving as an alternate, to the Board of Adjustment: Derek Lee with term to expire January 1, 2017.

Recommended

The City Manager recommends the following reappointments to the Park Board: Sarah McCallister with term to expire June 1, 2018, and Sidney Needem with term 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.

MISCELLANEOUS.

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

Chapter 36, Permits and Fees, 'When Permit is Required', 'Fees'

Sponsor: Fisk. Council Bill 2016-227. A general ordinance amending the Springfield City Code Chapter 36 Land Development Code, Article 1 – Administration and Enforcement of Codes, Division 4 Permits and Fees, Section 36-128, 'When permit is required'; and 36-146 'Fees,' to correct inaccurate cross-references.

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

2800 and 3000 Blocks of West Republic Street

Sponsor: Schilling. Council Bill 2016-228. A resolution declaring the intent of the City of Springfield to annex approximately 4.7 acres of Greene County right-of-way; which annexation has been petitioned by the property owners, generally located between the 2800 and 3000 blocks of West Republic Street, and is more fully described in this resolution, generally referenced as Annexation A-2-16.

Council Bill 2016-228. Resolution 10288 was approved by the following vote: Ayes: McClure, Fisk, Hosmer, Fulnecky, Ferguson, Schilling, Prater, Fishel and Stephens. Nays: None. Absent: None. Abstain: None.

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

1436 North Rogers Avenue

Sponsor: Stephens. Council Bill 2016-213. A special ordinance approving the transfer of the City's interest in real property located at 1436 North Rogers Avenue to Springfield Community Gardens.

Council Bill 2016-213. Special Ordinance 26802 was approved by the following vote: Ayes: McClure, Fisk, Hosmer, Fulnecky, Ferguson, Schilling, Prater, Fishel and Stephens. Nays: None. Absent: None. Abstain: None.

3830 South Glenstone Avenue

Sponsor: Ferguson. Council Bill 2016-223. 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 Andy Land Subdivision, generally located at 3830 South Glenstone Avenue, upon the applicant filing and recording a final plat that substantially conforms to the preliminary plat; and authorizing the City Clerk to sign the final plat upon compliance with the terms of this ordinance.

Council Bill 2016-223. Special Ordinance 26803 was approved by the following vote: Ayes: McClure, Fisk, Hosmer, Fulnecky, Ferguson, Schilling, Prater, Fishel

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

**Adjourn to Closed
Session**

Councilman Hosmer moved to hold a closed meeting to discuss legal actions, causes of action, litigation, privileged and confidential communications pursuant to Section 610.021 (1), RSMo.; and this meeting, record, and vote shall be closed and the City Council shall stand adjourned at the end of the closed session.

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

With no further business to come before Council, the meeting adjourned at approximately 7:30 p.m.



Anita J. Cotter, CMC/MRCC
City Clerk

Prepared by Megan Cunningham