February 11, 2019
Springfield, Missouri

The City Council met in regular session February 11, 2019 in the Council Chambers at Historic City Hall. The meeting was called to order by Mayor Ken McClure. A moment of silence was observed.

Roll Call

Present: Phyllis Ferguson, Matthew Simpson, Mike Schilling, Jan Fisk, Craig Hosmer, Richard Ollis, Andrew Lear, and Ken McClure. Absent: Tom Prater.

Minutes

There being no additions, deletions, or corrections, the minutes of the January 28, 2019 City Council Meeting were approved as presented.

Consent Agenda

A request was made to remove Council Bill 2019-038, Council Bill 2019-039, and Council Bill 2019-040 from Consent Agenda One Reading Bills. Council Bill 2019-038 was added as item number 11.25 under Second Reading Bills. Council Bill 2019-039 was added as item number 11.5 under Second Reading Bills. Council Bill 2019-040 was added as item number 11.75 under Second Reading Bills. The Consent Agenda was approved as amended by the following vote:

Ayes: Ferguson, Simpson, Schilling, Fisk, Hosmer, Ollis, Lear, and McClure. Nays: None. Abstain: None. Absent: Prater.

CEREMONIAL MATTERS

City Managers Report and responses to questions raised at the previous City Council Meeting.

City Manager's Report

Jason Gage, City Manager, provided a brief update on the incident ant the City's Southwest Wastewater Treatment Plant. He noted Springfield Fire Department crews responded around 4 p.m. to an incident, and two contract workers were transported to a local hospital with what was believed to be non-life-threatening injuries following a low order explosion with flash fire. Mr. Gage added the explosion and fire caused damage to, and partial collapse of a structure called a digester. He noted the incident remained under investigation by a Springfield Fire Marshal, and digesters are used to stabilize waste solids that are removed from the wastewater during treatment. Mr. Gage continued there was no disruption of service because staff was able to isolate that portion of the treatment process.

Mr. Gage provided a uniform crime report statistic update provided by Paul Williams, Police Chief. He noted the report included the month of December 2108 and year-end wrap up for 2018, and compared to 2017 crime decreased 18 percent. Mr. Gage aged the Quarterly Public Safety Report, an educational piece that provides crime statistics on a quarterly basis, was published and provided to City Council last week. He noted compared to the last quarter of 2017, there was a 10 percent overall decrease in crime the last quarter of 2018. Mr. Gage added Chief Williams also provided City Council with a staffing update. Mayor Ken McClure stated City Council did not have a copy of the reports. Mr. Gage responded he would provide City Council with copies of the reports following his update. *Clerks note: the information referenced had been provided to City Council at the February 11, 2019 meeting.

Mr. Gage noted the Springfield Fire Department would host a graduation ceremony for Class 918 at 6 p.m., Wednesday, February 13 at the Springfield Art Museum. He added, through a grant form the Federal Emergency Management Agency, the Springfield Fire Department has 50 First Alert fire escape ladders to provide to Springfield residents living in multilevel homes located in City Council Zone One and Zone Two in the northwest and northeast quadrants of the City. Mr. Gage noted if a citizen is not sure which zone they live in, they can find out by contacting the Citizen Resource Center at 417-864-1010.

Mr. Gage noted week one of the Springfield Police Department's 71st Academy ended this past Friday, and there are 28 recruits.

Mr. Gage provided a brief updated on the City's sales tax revenues from the Missouri Department of Revenue. He added revenue was up eight percent compared to budget with the February 2019 sales tax check, and City Staff was pleased to see an upward trend continuing in January 2019 after a below budget December 2018. Mr. Gage noted revenues were up just over two percent compared to budget on a year-to-date basis, and on a rolling 12-month average, they were also two percent above budget. He continued, the check reflects sales processed by the State in January 2019 form transactions made primarily in December 2018. Mr. Gage noted compared to February 2017, revenues were down almost four percent compared to February 2018.

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

Bicycle docks on City right-of-way

Sponsor. Schilling, Ollis, Hosmer, and Simpson. Council Bill 2019-018. A general ordinance amending Chapter 98 of the City Code, Article VII, 'Encroachments on City Property;' and amending Chapter 36 of the City Code, Article III, 'Zoning Regulations,' Division 5, Supplemental District Regulations,' section 36-454; for the purpose of authorizing the placement of bicycle docks on City right-of-way. (The Finance and Administration Committee recommends approval.)

Mayor Ken McClure commended the Finance and Administration Committee and Councilman Schilling for their work on the project. Mayor McClure expressed his opinion this was a positive step for the Community. Councilman Simpson noted there was a lot of interest from student groups and expressed his opinion this was important to link Center City with other areas of the City. Councilman Simpson expressed his excitement for the project to move forward.

Council Bill 2019-018. General Ordinance 6502 was approved by the following vote: Ayes: Ferguson, Simpson, Schilling, Fisk, Hosmer, Ollis, Lear, and McClure. Nays: None. Abstain: None. Absent: Prater.

Fee Schedule for City services

Sponsor. Schilling, Ollis, Hosmer, and Simpson. Council Bill 2019-019. A general ordinance amending the Fee Schedule for certain City services as provided in the Springfield City Code, by making such adjustments as provided in the attached "Evaluation of Charges for Municipal Services"; and adopting new fees for certain City services. (The Finance and Administration Committee recommends approval.)

Mayor McClure commended the Finance and Administration Committee for their work in analyzing City Fee Schedules, and noted there was a copy of the final report available. Councilman Ollis asked for clarification on progress with the computer systems and development processes. Jason Gage, City Manager, responded progress has been made through several listening sessions that included Maurice Jones, Deputy City Manager. Mr. Gage noted the software used is being monitored to locate downfalls, and that establishing a timeline and monitoring each stage of the process going forward was critical for success.

Council Bill 2019-019. General Ordinance 6503 was approved by the following vote: Ayes: Ferguson, Simpson, Schilling, Fisk, Hosmer, Ollis, Lear, and McClure. Nays: None. Abstain: None. Absent: Prater.

Fee schedule for accident/ incident reports

Sponsor: Schilling, Ollis, Hosmer, Simpson. Council Bill 2019-020. A general ordinance amending the Fee Schedule for certain municipal services as provided in the Springfield City Code, Chapter 2 'Administration,' Article VI 'Finances,' Division 3 'Charges for Various Municipal Services,' Section 2-424, 'Police and fire department records' by amending the fees set for accident/incident reports in order to waive the incident report fee for victims of sexual assault or domestic violence. (The Finance and Administration Committee recommends approval.)

Councilman Simpson thanked Councilman Schilling for his work on the project and expressed his opinion this is an important step in removing a barrier for victims of assault and helps survivors of abuse. Councilman Simpson expressed his support of the proposed.

Council Bill 2019-020. General Ordinance 6504 was approved by the following vote: Ayes: Ferguson, Simpson, Schilling, Fisk, Hosmer, Ollis, Lear, and McClure. Nays: None. Abstain: None. Absent: Prater.

Mt. Vernon Street Bridge over Jordan Creek project

Sponsor: Prater. Council Bill 2019-021. A special ordinance approving the plans and specifications for the Mt. Vernon Street Bridge over Jordan Creek project, referenced as Plan No. 2015PW0007T; accepting the bid of Hartman & Company, Inc., in the amount of $1,456,230.00, for the project; and authorizing the City Manager, or his designee, to enter into a contract with such bidder.

Councilwoman Ferguson expressed appreciation for the Public Works Department and citizens that came out in support of the project. Councilwoman Ferguson expressed her excitement and support of the proposed. Councilman Ollis asked for clarification on trail and sidewalk improvements included in the project. Dan Smith, Director of Public Works, responded the trail connection was being expanded to tie in with Mt. Vernon Street, and a pathway would be left for possible future expansion. Councilman Ollis thanked City Staff for their work on the project and expressed his opinion it is important to keep looking into the future when considering these types of projects.

Council Bill 2019-021. Special Ordinance 27147 was approved by the following vote: Ayes: Ferguson, Simpson, Schilling, Fisk, Hosmer, Ollis, Lear, and McClure. Nays: None. Abstain: None. Absent: Prater.

The following bills appeared on the agenda under Resolutions.

2204 West College Street

Sponsor: Fisk. Council Bill 2019-038. A resolution granting a new liquor license to sell liquor by the drink at retail to Dan & Nik, LLC, d/b/a Bigfoot Subs, for their location at 2204 West College Street, Springfield, Missouri.

Lori Stubbeman, Licensing Supervisor, gave a brief overview of the proposed. Ms. Stubbeman stated the proposed was for a new liquor license to sell liquor by the drink at Bigfoot Subs' new location.

An opportunity was given for citizens to express their views.

Dannie Wright spoke in favor of the proposed. Ms. Wright stated she is the owner/operator of the business and provided clarification it is a sandwich shop and not a bar. She provided an overview of the operating hours.

With no additional speakers, the public hearing was declared closed.

Councilwoman Ferguson stated she visited Big Foot Subs, has eaten there, and was impressed by the atmosphere. Councilwoman Ferguson stated she would be voting in support of the proposed.

Council Bill 2019-038. Resolution 10427 was approved by the following vote: Ayes: Ferguson, Simpson, Schilling, Fisk, Hosmer, Ollis, Lear, and McClure. Nays: None. Abstain: None. Absent: Prater.

Electing of the Honorable John Appelquist

Sponsor: Lear. Council Bill 2019-039. A resolution electing the Honorable John Appelquist as a substitute judge of the Springfield Municipal Court for a term of four years.

Darla Morrison, Director of Human Resources, gave a brief overview of the proposed. Ms. Morrison stated per City Charter, the Municipal Court shall be presided over by a Municipal Judge elected by City Council for a term of four years. She stated Jason Gage, City Manager, nominates the Honorable John Appelquist based on a formal selection process.

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

Council Bill 2019-039. Resolution 10428 was approved by the following vote: Ayes: Ferguson, Simpson, Schilling, Fisk, Hosmer, Ollis, Lear, and McClure. Nays: None. Abstain: None. Absent: Prater.

Electing of the Honorable Matt Owen

Sponsor: Fisk. Council Bill 2019-040. A resolution electing the Honorable Matt Owen as a substitute judge of the Springfield Municipal Court for a term of four years.

Darla Morrison, Director of Human Resources, gave a brief overview of the proposed. Ms. Morrison stated the City follows the same protocol for Substitute Judges as it does for full time nominees. She stated Jason Gage, City Manager, nominates the Honorable Matt Owen for a term of four years.

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

Council Bill 2019-040. Resolution 10429 was approved by the following vote: Ayes: Ferguson, Simpson, Schilling, Fisk, Hosmer, Ollis, Lear, and McClure. Nays: None. Abstain: None. Absent: Prater.

EMERGENCY BILLS

PUBLIC IMPROVEMENTS

The following bills appeared on the agenda under Grants.

SkillUP Program and Summer Jobs League Program

Sponsor: Hosmer. Council Bill 2019-033. A special ordinance authorizing the City Manager, or his designee, to accept a grant from the Missouri Division of Workforce Development in the amount of $305,975 in Temporary Assistance for Needy Families funds to provide increased services through the SkillUP Program and Summer Jobs League Program; and amending the budget for the Department of Workforce Development for Fiscal Year 2018-2019 in the amount of $305,975.

Sally Payne, Assistant Director of Workforce Development, provided a brief overview of the proposed. Ms. Payne stated the Workforce Development Department is seeking support of two programs within the proposed. She noted $196,900 dollars would be for short-term training through the SkillUP Program for individuals currently on temporary assistance programs, and to expand their current allocation of funds. Ms. Payne noted $109, 075 would be for the Summer Youth Program that has become a year-round program. She stated they hope to add up to 77 slots and increase the allowable hours worked from 240 hours to 320 hours.

Councilman Ollis asked for clarification on how many current job postings exist and if program participants become eligible for available jobs. Ms. Payne responded there are approximately 1,200 job postings in their system and with a 1.9 percent unemployment rate in the City, employers are still in need of skilled workers. She added participants are not just trained and then let go, but are followed up with to ensure success in gaining employment.

Councilman Simpson asked for clarification on the number of additional Summer Jobs Program participants that would receive assistance from the proposed. Ms. Payne responded extensive budget work was completed to determine the funds would expire in May 2019, but could be expended thru June 2019 and allow an additional 20 to 30 participants depending on the type of training needed.

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

Council Bill 2019-033. Special Ordinance 27148 was approved by the following vote: Ayes: Ferguson, Simpson, Schilling, Fisk, Hosmer, Ollis, Lear, and McClure. Nays: None. Abstain: None. Absent: Prater.

AMENDED BILLS

The following bills appeared on the agenda under Public Hearing Bills.

529 W. Division Street Re-zoning

Sponsor: Ferguson. Council Bill 2019-025. A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning 1.59 acres of property, generally located at 529 West Division Street, from R-SF, Single-Family Residential District, to a GR, General Retail District; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission both recommend denial.) (By: Springfield R-12 School District; 529 West Division Street; Z-1-2019.)

Councilwoman Ferguson moved to Remand Council Bill 2019-025 to the Planning and Zoning Commission. Ollis seconded the motion, and it was approved by the following vote: Ayes: Ferguson, Simpson, Schilling, Fisk, Hosmer, Ollis, Lear, and McClure. Nays: None. Abstain: None. Absent: Prater.

3411 S. Kansas Avenue Re-zoning

Sponsor: Ollis. Council Bill 2019-026. A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning 2.27 acres of property, generally located at 3411 South Kansas Avenue, from R-LD, Low Density Multi-Family District, with Conditional Overlay District No. 145, to R-LD, Low Density Multi-Family District and establishing Conditional Overlay District No. 162; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: Project Collective, LLC; 3411 South Kansas Avenue; Z-30-2018 w/COD #162.)

Mary Lilly Smith, Director of Planning and Development, gave a brief overview of the proposed. Ms. Smith stated the proposed would rezone from Residential-Low Density (R-LD) with Conditional Overlay District (COD) 145 to R-LD with COD 162 and is appropriate for low-density housing in the Growth Management and Land Use Plan (GMLUP). She noted the area was rezoned to R-LD in March 2018 and the only proposed change to the March rezoning is a new site plan with 18 dwelling units per acre and no access to Kansas Avenue. Ms. Smith stated City Staff and Planning and Zoning Commission recommend approval.

An opportunity was given for citizens to express their views.

Brent Stevens spoke in favor of the proposed. Mr. Stevens stated he was with H Design Group, LLC. A representative of the developer. He noted upon further examination of the property, a 23-foot fall from one side of the property to the other was found, rendering the original site plan undesirable. Mr. Stevens stated the target market is a Senior demographic, and the new site plan provides access to amenity features without having to go outside, including garage space underneath the proposed structure, to appeal to that demographic. He noted the developer had a sink hole study completed to verify there was not a sink hole located on the property, and clarified they are not proposing a change in use for the property, only a new site plan to accompany the COD.

Councilman Schilling asked for clarification on the concern for increased traffic in the area. Mr. Stevens responded there was one access point from Walnut Lawn Street in the proposed site plan, and requirements were being met for the access point to be the appropriate distance from a nearby intersection. He added with the target Senior demographic, they do not anticipate additional traffic concerns in the area.

With no additional speakers, the public hearing was declared closed.

1630 West Republic Street rezoning

Sponsor: Hosmer. Council Bill 2019-027. A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning 6.99 acres of property, generally located at 1630 West Republic Street, from a R-SF, Single-family Residential District to GR, General Retail District and establishing Conditional Overlay District No. 165; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: Southland Christian Church; 1630 West Republic Road; Z-3-2019 w/COD #165.)

Mary Lilly Smith, Director of Planning and Development, gave a brief overview of the proposed. Ms. Smith stated the proposed would rezone from Residential-Single Family (R-SF) to General Retail (GR) with COD 165, and is appropriate for medium or high-density housing under the Growth Management and Land Use Plan (GMLUP). She added the area is adjacent to GR zoning for commercial and office uses, and is located at the intersection of a primary arterial and collector. Ms. Smith noted the primary reason for the proposed is elimination of a buffer yard requirement on property to the west. She noted a Traffic Impact Study may be required at time of development, the subdivision must meet City standards, and City Staff and Planning and Zoning Commission recommend approval.

Mayor Ken McClure asked for clarification on the location and rezoning of parking lots surrounding the proposed. Ms. Smith responded the parking immediately adjacent to the church located on the property would also be rezoned as part of the proposed. Mayor Ken McClure asked for clarification on the reason for the proposed rezoning to GR. Ms. Smith responded the property owners requested the rezoning, and are considering the needs of neighboring properties for if the church is converted to a retail location in the future. Mayor Ken McClure asked for clarification on ownership of neighboring properties. Ms. Smith responded the rezoning applicant could provide that information.

Councilman Schilling asked for clarification on if the proposed was taxable property. Ms. Smith responded the rezoning request was for property owned by Southland Christian Church and is tax exempt, but if it was redeveloped for retail use it would be subject to taxes.

Mayor Ken McClure asked for clarification on the timing of the rezoning request and prospective use of the property. Ms. Smith responded City Staff processes requests that are applied for and confirmed the proposed would rezone for prospective use and based on rezoning patterns near the area, City Staff approves of GR zoning for the property.

Councilwoman Ferguson asked for clarification on the size and removal of the buffer yard requirement in the event the proposed was approved by City Council. Ms. Smith responded if the proposed were to be approved by City Council, the neighboring property would not be required to have a 30-foor buffer yard.

An opportunity was given for citizens to express their views.

Geoffrey Butler spoke in favor of the proposed. Mr. Butler stated he was with Butler Rosenbury & Partners and represented Southland Church. He noted he did not expect the need for a request to rezone the proposed after the property to the west and south were previously rezoned, but when the church outgrows the property in the future and the property is sold, a GR zoning will be necessary. Mr. Butler stated the primary reason for the request is to eliminate the need for a buffer yard on the property to the west, so the church has access to all available parking during weekend services. He added if a buffer yard is put in place, it would eliminate several parking spaces currently utilized by the church.

Councilman Simpson asked for clarification on the intention of the proposed and if rezoning is the only option for removing a buffer yard requirement. Mr. Butler responded he did not think a buffer yard could be removed without a rezoning. Ms. Smith responded historically it has been handled this way because it is less restrictive, and a COD would be a more restrictive form of a buffer yard.

Councilman Hosmer asked for clarification on the location of the buffer yard requirement and why the rezoning request was made. Mr. Butler responded if the proposed failed the Church would be penalized parking due to the buffer yard eliminating parking space the Church currently uses. Ms. Smith responded rezoning the proposed to match the zoning with the property to the west would eliminate the need for the property to the west to build a buffer yard. Councilman Hosmer asked for clarification on when the rezoning occurred on the property to the west of the proposed and if anyone objected to it. Ms. Smith responded it occurred in 2018 and there were no objections. Mr. Butler expressed his concern it was an oversight on his part to not advise the Church on buffer yard requirements when the property to the west was sold. Ms. Smith added the buffer yard requirement for a property is based on the property adjacent to that property, and a GR property would be required to establish a buffer yard to buffer a SF property from itself.

Councilman Lear asked for clarification on the status of the asphalt surface of the property where the Church parking is located. Mr. Butler responded a buffer yard requirement would cause a portion of the asphalt be torn up and replaced with greenspace. Councilwoman Ferguson asked for clarification on the percentage of greenspace that would be required with or without a buffer yard. Ms. Smith responded a 20 percent greenspace requirement would remain in place.

With no additional speakers, the Public Hearing was declared closed.

1403, 1405, 1409, 1411, 1415, 1423, 1425, 1427 East Cherry Street and 527 S. Pickwick Avenue.

Sponsor: Prater. Council Bill 2019-028. A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning 1.18 acres of property, generally located at 1403, 1405, 1409, 1411, 1415, 1423, 1425, and 1427 East Cherry Street and 527 South Pickwick Avenue, from a R-HD, High Density Multi-Family Residential District and LB, Limited Business District within UCD District No. 2, Areas E and F to Planned Development District No. 366; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: Pickwick and Cherry, LLC; 1403, 1405, 1409, 1411, 1415, 1423,1425, & 1427 East Cherry Street and 527 South Pickwick Avenue; Planned Development 366.)

Mary Lilly Smith, Director of Planning and Development, gave a brief overview of the proposed. Ms. Smith stated the proposed rezones from Residential-High Density (R-HD) and Limited Business (LB), Urban Conservation District (UCD) Number Two, Areas E and F, to Planned Development (PD) 366, UCD Number Two, Areas E and F. She added, under the Growth Management and Land Use Plan (GMLUP), the eastern half of the proposed is appropriate for medium intensity retail office or housing, and the western half is appropriate for medium or high-density housing. Ms. Smith noted the proposed mixed-use development would consist of multi-family, offices, and retail with 16 dwelling units per acre consistent with the multi-family guidelines. She added the limited business type retail requires single uses limited to 7,500 square feet and 20,000 square feet total, and the proposed development is consistent with the Rountree Neighborhood Plan and UCD Number Two regulations. Ms. Smith noted a buffer yard requirement along the western property line, parking would be provided on and off-site with dedication of Pickwick Avenue right-of-way, garbage and delivery truck operation time limits, building materials limitations, and City Staff and Planning and Zoning Commission recommend approval.

An opportunity was given for citizens to express their views.

Dane Seiler spoke in favor of the proposed. Mr. Seiler stated he represented the owner and worked for an engineering frim sharing in the project design process. He noted the owner of the property wants to build upon the design of two existing buildings, as well as the property they acquired to the west. Mr. Seiler added several neighborhood meetings were held and support for targeting a professional, young family, or retirement housing market was expressed by residents. He noted other concerns of area residents were stormwater improvements and alleyway improvements. Mr. Seiler stated additional inlets and pipes would be installed on and offsite to improve stormwater drainage as part of the proposed project, and the alleyway would be repaved and widened, to include parking areas, as part of the proposed. He expressed his opinion the proposed was consistent with the Rountree Neighborhood Plan.

Andrew Wells spoke in favor of the proposed. Mr. Wells stated he is an architect with Dake Wells Architecture. He provided a visual presentation of the proposed Development Concept and displayed several architectural drawings in electronic format. Mr. Wells noted the conceptual drawings show how the developer wants to build upon the look and feel of existing structures in the neighborhood. He continued by highlighting drawings that show how the proposed would fit in with the surrounding community, and the greenspace that would be kept and allotted for the project.

Councilman Schilling asked for clarification on the existing Spanish Mission style buildings and any historical value they may have. Mr. Wells responded this is a style the original developer chose several years prior and the developer is not seeking any historical tax credits for the properties. He added the developer wants to build upon the history of the existing structures.

Councilman Ollis offered congratulations to Mr. Wells and the developer and thanked them for designing the proposed. Councilman Ollis expressed his opinion the proposed is consistent with the surrounding area, and incorporates good mixed-use design outlined in the Rountree Neighborhood Plan.

Councilman Simpson offered congratulations and expressed his opinion the proposed is good for increasing walkability and biking in the area. Councilman Simpson asked for clarification on drive thru windows and walk-up windows on the property. Mr. Wells confirmed there are no drive thru windows and only one proposal for a single walk-up window.

Jeff Barber spoke in favor of the proposed. Mr. Barber stated he was the Rountree Neighborhood President from 2005-2007 and previously the proposed became a nuisance property that fell into disrepair after the owner passed away. He noted there were several interested developers over the years and the interest spiked dialogue between them and the neighborhood and helped the neighborhood revise and update the Neighborhood Plan. Mr. Barber stated there was interest from residents to preserve the Spanish Style and avoid High Density housing while pursing mixed-use designs that coincided with the future Land Use Plan and updated Rountree Neighborhood Plan. He added the height and bulk plane requirements are consistent with the future vision of the Neighborhood Plan, and expressed his opinion area residents are satisfied with the proposed parking improvements and stormwater improvements. Mr. Barber expressed appreciation the developer did not seek Blight Abatement for the proposed, and urged City Council to look at future developers seeking Blight more closely before approving projects. He stated his support of the proposed.

Laurel Bryant spoke in favor of the proposed. Ms. Bryant expressed her opinion the developer has provided a superior example of being sensitive and engaging to the neighborhood, and the mixed-use design is very desirable. She stated the proposed is consistent with the Neighborhood Plan, and area residents support the incorporation of the existing Spanish Style with the proposed design, the increased walkability the proposed could provide, and the protection of property values the proposed design could offer. Ms. Bryant stated she supports the proposed.

With no additional speakers, the public hearing was declared closed.

Council Bill 2019-029 and Council Bill 2019-030 were read simultaneously.

3851 W. Farm Road 148/ University Street annexation

Sponsor: Schilling. Council Bill 2019-029. A general ordinance amending Section 1-9 of the Springfield City Code, 'City Limits,' by annexing 9.3 acres of private property and 0.3 acres of Greene County right-of-way into the City of Springfield, Missouri, generally located at 3851 West Farm Road148/University Street, and generally referenced as Annexation A-1-19; 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 by the County Clerk. (By: A&R Property Developers, LLC; 3851 W. Farm Road 148/University St.; Annexation A-1-19.)

3851 W. Farm Road 148/ University Street Re-zoning

Sponsor: Schilling. Council Bill 2019-030. A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning 9.3 acres of property generally located at 3851 West Farm Road 148/University Street from County C-1, Neighborhood Commercial District, to R-MD, Medium Density Multi-Family Residential District and GR, General Retail District; and establishing Conditional Overlay District No. 166; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission both recommend approval.) (By: A&R Property Developers, LLC; 3851 W. Farm Road 148/University St.; Z-4-2019 w/COD #166.)

Mary Lilly Smith, Director of Planning and Development, gave a brief overview of the proposed annexation. Ms. Smith stated the proposed was initiated by City Council on January 28, 2019 at property owner request, and includes approximately 9.3 acres of private property and 0.3 acres of Greene County right-of-way. She noted City Council considerations under the Growth Management and Land Use Plan (GMLUP) for the annexation being reasonable and necessary for the proper development of the City are met by the proposed multi-family and retail development, all City Services can be provided to the property, and enhanced governmental efficiencies through rational and simplified boundaries. Ms. Smith added the City has the ability to furnish normal services within a reasonable period of time due to Springfield Police and Fire Departments identifying no operational issues with the proposed. She stated the Urban Service Area sets geographic boundaries for provision of urban services and allows for continued growth and development by maximizing use of existing resources while minimizing costs to citizens. Ms. Smith noted the proposed is consistent with the Comprehensive Plan and Urban Service Area philosophy, all City services can be provided to the property, Police and Fire have identified no operational issues, and City Staff recommends approval.

Ms. Smith continued by providing a brief overview of the proposed re-zoning. She stated the proposed rezones from County C-1 to Residential-Medium Density (R-MD) and GR with COD 166, and is appropriate for medium or high-density housing under the GMLUP. Ms. Smith added R-MD serves as transition between commercial and lower density residential, and commercial development is appropriate near West Bypass Street and Sunshine Activity Center, and Springfield Plaza Development. She noted the COD has a maximum density of 24 dwelling units per acre, or 193 units, must be in substantial conformance with multi-family location and design guidelines and site plan, and a traffic study may be required. Ms. Smith added a sidewalk and right-of-way would be required on University Street, the proposed must be subdivided along zoning boundaries, and City Staff and Planning and Zoning Commission recommend approval. She provided a visual presentation of the proposed site plan showing the proposed placement of buildings, parking, trees, and greenspace.

Councilman Schilling asked for clarification of a memo the City received from Menards Company. Ms. Smith responded the memo was considered a notice they are a large operation with bright lights and evening hours. She expressed her opinion the proposed multi-family development could serve as a buffer for the existing single-family development. Ms. Smith noted City Staff has experience with citizens moving into other areas before considering a neighborhood's surroundings, and expressed her opinion this may be a similar situation and the reason for Menards Company sending the memo after getting notice of the rezoning.

Councilman Schilling asked for clarification on additional buffers needed between Menards and the proposed. Ms. Smith responded the trees along the north and west property lines are being retained, and she would provide City Council with an update on any additional buffer yard requirements there may be. Councilman Schilling asked for clarification on City Ordinance requirements for lighting. Ms. Smith responded the City requires lighting be directed on to that property specifically and not spill over onto surrounding properties.
An opportunity was given for citizens to express their views.

Mary Jane DeVore spoke in opposition of the proposed. Ms. DeVore expressed concern for the lack of trees and fences surrounding her property, and stated her desire for a fence if trees are not going to be re-planted. She added she has concerns of people walking thru her yard to access the surrounding commercial properties if a fence is not present. Ms. DeVore expressed concerns for debris left behind in the vacant lot adjacent to her property, the volume of the speaker system used by Menards, and having her vehicle broken into again.

Teresa Davison spoke in favor of the applicant. Ms. Davison stated she represented Heithaus Engineering & Associates, Inc., and the company visited with area residents and representatives of Menards during the design process. She noted neighborhood residents had concerns about lighting from Menards but in general considered them a good neighbor to date. Ms. Davison added the property owner cleaned up mobile homes, septic systems, and ruble from the property and is familiar with construction due to being involved in other construction projects, including the construction of Menards. She stated the developer looked at staging down building heights to appeal to adjacent existing residents and is required to replant trees that were removed. Ms. Davison noted a fence may be required if the buffer yard is condensed and water detention basin improvements meeting City Code is required of the developer.

Councilman Lear asked for clarification on a fence being required along the north edge of the property, and if the developer was amicable to a fence. Ms. Smith responded the buffer yard does not require a fence, the buffer yard can range from 15 feet to 30 feet, and the narrower a buffer yard is, the more trees that are required to be planted. Ms. Davison added she doesn't anticipate the developer would object to the addition of a fence.

Councilman Hosmer expressed his opinion the developer adding a fence would prevent multi-family residents from migrating thru single-family residents' properties, and provide a more attractive look and feel as opposed to each neighbor putting up their own style of fencing.

Dennis Perry spoke in opposition of the proposed. Mr. Perry stated the trees along the north edge of the property line of the proposed have been torn down. Mr. Perry expressed concerns about increased traffic flow in the area, and asked City Council to consider a traffic study. He added his concern for there being a proposed distance of only 35 feet between his single-family residence and the proposed two-story structures being able to look down onto his property with no buffer. Mr. Perry expressed concern for the possibility of a fire occurring on the proposed affecting his property, and if the City or Greene County would respond to a fire incident. He expressed his opinion the proposed buildings should have fire sprinklers installed and that the City should be good neighbors to the County.

Ben Dalton spoke in opposition of the proposed. Mr. Dalton stated his property is adjacent to the proposed, and expressed his concern the proposed development does not match the surrounding neighborhoods. He expressed his opinion a single-story development immediately next to his property would be more desirable, and the number of trees and the size of the trees needed to provide an appropriate buffer between his property and the proposed is not possible in a short amount of time.

Councilman Simpson asked for clarification on what previously provided a buffer along the north edge of the property. Mr. Dalton responded when he purchased the property there was no fence along the south edge of his property, but there were more trees that provided a buffer between his property and the mobile home park, Sunshine Street, and prospective developments. Michael Hampton spoke in favor of the proposed. Mr. Hampton stated he represented Arkifex Studios and was available for questions from City Council. He noted buildings along the edge of the proposed, closest to existing single-family units, would be two-story instead of three-story, and the number of proposed buildings was reduced, while the amount of green space was increased as part of the design. Mr. Hampton added the developer will add and maintain trees on the property.

Councilman Simpson asked for clarification on the multi-family units having sprinkler systems installed and the prospective use for the Partial-GR property portion of the development. Mr. Hampton confirmed the units would have sprinkler systems installed, and the Partial-GR would be a 10,000 to 12,000 square-foot building, with 1,500 square-foot retail or food locations inside.

Councilman Ollis asked for clarification on increased traffic in the area and number of parking spaces in the design for the proposed. Mr. Hampton responded 250 to 300 spaces are in the design and meet City Code requirements. Councilwoman Ferguson asked for clarification on the number of bedrooms in the unit design. Mr. Hampton responded the majority of the units are designed with one to two bedrooms.

Councilman Schilling asked for clarification on the increased impervious surface and water detention engineering for the proposed. Mr. Hampton responded the water detention basin located on the northwest corner of the property will capture and detain additional water run off and meets City Code requirements.

With no additional speakers, the public hearing was declared closed.

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

Council Bill 2019-031 and Council Bill 2019-032 were read simultaneously.

Cost Sharing Agreement with Springfield Public Schools

Sponsor: Simpson. Council Bill 2019-031. A special ordinance authorizing the City Manager, or his designee, to enter into a Cost Sharing Agreement with Springfield Public Schools for the purpose of constructing a sewer main extension and driveway modifications; and amending the budget for Fiscal Year 2018-2019 in the total amount of $57,452.40.

South Avenue to Kimbrough Avenue Project

Sponsor: Simpson. Council Bill 2019-032. A special ordinance approving the plans and specifications for the Primrose Street – South Avenue to Kimbrough Avenue Project, referenced as Plan No. 2013PW0042WT; accepting the bid of Hartman & Company, Inc., in the amount of $2,381,698.00, for the project; and authorizing the City Manager, or his designee, to enter into a contract with such bidder.

Andrew Flippin, Professional Engineer, provided a brief overview of the proposed Cost Share Agreement. Mr. Flippin stated the agreement includes the widening of Primrose Street from South Avenue to Kimbrough Avenue. He added the City will provide a sewer extension connecting Kickapoo High School athletic facilities to the City sewer main, and make improvements to the southern drive of Kickapoo High School. Mr. Flippin noted Springfield Public Schools will cover the cost of the extension and improvements.

Mr. Flippin provided a brief overview of the South Avenue to Kimbrough Avenue Project. Mr. Flippin stated the project was advertised in the Daily Events, notice was sent out to 170 contractors, and bids opened on January 22, 2019. He added one responsive bid was received from Hartman & Company, Inc. for $2,381,698.00. Mr. Flippin noted $447,422.10 would be reimbursed by Springfield City Utilities for gas and water work, $48,951.25 would be cost shared with Springfield Public Schools, and the remaining $1,885,324.65 would come from ¼ cent sales tax improvement funds.

Councilman Simpson asked for clarification on this being the last portion of Primrose needing improvements. Mr. Flippin confirmed that was correct and noted the location of the proposed sewer extension and south driveway improvements. Councilman Hosmer asked for clarification on only one responsive bid being received. Mr. Flippin responded two were received, but only one had all responsive documents and could be accepted by City Staff.

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

PETITIONS, REMONSTRANCES, AND COMMUNICATIONS

NEW BUSINESS

Approved

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 appeared on the agenda under Consent Agenda First Reading Bills.

2332 N. Lyon Avenue

Sponsor: Ferguson. Council Bill 2019-034. A special ordinance approving the conveyance of real property generally located at 2332 North Lyon Avenue to Janey Marie Young; and authorizing the Mayor to execute a Quit Claim Deed for said conveyance.

1400 block of West Elfindale Street

Sponsor: Schilling. Council Bill 2019-035. A special ordinance approving the Final Development Plan of Planned Development District No. 46, on 0.46 acres generally located at the 1400 Block of West Elfindale Street. (Planning and Zoning Commission and Staff recommend approval.)

3851 W. Farm Road 148/ University Street Preliminary Plat

Sponsor: Schilling. Council Bill 2019-036. A special ordinance authorizing the Director of Planning and Development to accept the dedication of public streets and easements to the City of Springfield, as shown on the Preliminary Plat of Opal Sunset Subdivision generally located at 3851 West Farm Road 148/University 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 all the terms of this Ordinance. (Staff recommends that City Council accept the public streets and easements.)

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

Route 66 Food Truck Diner

Sponsor: Lear. Council Bill 2019-037. A resolution granting a new liquor license to sell liquor by the drink at retail, including Sunday sales, to Route 66 Food Truck Diner for their location at 1530 East Saint Louis Street, Springfield, Missouri, such license to include patios measuring 30 feet by 30 feet located on both the north side and south side of the building.

Council Bill 2019-037. Resolution 10430 was approved by the following vote: Ayes: Ferguson, Simpson, Schilling, Fisk, Hosmer, Ollis, Lear, and McClure. Nays: None. Abstain: None. Absent: Prater.

2204 W. College Street

Sponsor: Fisk. Council Bill 2019-038. A resolution granting a new liquor license to sell liquor by the drink at retail to Dan & Nik, LLC, d/b/a Bigfoot Subs, for their location at 2204 West College Street, Springfield, Missouri.

Council Bill 2019-038 was removed from Consent Agenda One Reading Bills, and added as item number 11.25 under Second Reading Bills.

Electing of the Honorable John Appelquist

Sponsor: Lear. Council Bill 2019-039. A resolution electing the Honorable John Appelquist as a substitute judge of the Springfield Municipal Court for a term of four years.

Council Bill 2019-039 was removed from Consent Agenda One Reading Bills, and added as item number 11.5 under Second Reading Bills.

Electing of the Honorable Matt Owen

Sponsor: Fisk. Council Bill 2019-040. A resolution electing the Honorable Matt Owen as a substitute judge of the Springfield Municipal Court for a term of four years.

Council Bill 2019-040 was removed from Consent Agenda One Reading Bills, and added as item number 11.75 under Second Reading Bills

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

BNSF Crossing project along Sherman Parkway

Sponsor: Prater. Council Bill 2019-022. A special ordinance authorizing the City Manager, or his designee, to enter into an Agreement with the Missouri Highways and Transportation Commission and BNSF Railway for the purpose of sharing the costs of a BNSF Crossing project generally located along Sherman Parkway

Council Bill 2019-022. Special Ordinance 27149 was approved by the following vote: Ayes: Ferguson, Simpson, Schilling, Fisk, Hosmer, Ollis, Lear, and McClure. Nays: None. Abstain: None. Absent: Prater.

END OF CONSENT AGENDA.

ADJOURN.

There being no further business, the meeting adjourned at approximately 8:18 p.m.

Anita J. Cotter

Prepared by
Melissa Carman

Anita J. Cotter, CMC/MRCC
City Clerk