

August 10, 2020
Springfield, Missouri

The City Council met in regular session August 10, 2020 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. Abe McGull, Matthew Simpson*, Mike Schilling*, Phyllis Ferguson*, Jan Fisk*, Craig Hosmer, Andrew Lear* and Ken McClure. Absent. Richard Ollis.

*Members attending via videoconference.

Mike Schilling joined the meeting via videoconference at 6:41pm.

Minutes

The minutes of July 27, 2020 City Council meeting and July 28, 2020 Special City Council Meeting were approved as presented

Consent Agenda

The Consent Agenda was approved as presented.

CEREMONIAL MATTERS

**City Manager
Report**

Clay Goddard, Director of Public Health and Welfare, noted there 1,584 confirmed cases of COVID-19 in Greene County with 650 being active. He noted the Health Department's dashboard had been updated in order to provide the public with more information in the community and our region. Mr. Goddard noted there has been a 26% increase in cases in the last 7 days, however if you remove the number of people that live in institutions the percentage increase drops to 8%. He noted overall, there is an increase and the masking ordinance was designed with the community in mind and an 8% case growth is progress, however other counties in the region have experienced higher case growth than Greene County. Mr. Goddard expressed his belief masking is working, but is not a replacement for physical distancing or lowering densities in indoor settings. He noted offers have been made for all 37 positions available through the Health Department and are in the last stages of finalizing the contract for contact tracing. Mr. Goddard noted there have been two additional deaths, bringing the total number of deaths from COVID-19 to 16.

Mayor McClure asked Mr. Goddard for an update on Greene County's distribution of the CARES money.

Mr. Goddard answered he believes the committee is currently reviewing applications and could distribute money by the end of the week.

Councilman Simpson asked if the number of increased cases from institutional settings had come from the jail, and if so, what could Mr. Goddard share.

Mr. Goddard noted the Health Department is continuing to work with the Sheriff and his department, and the Health Department had done some testing at the jail earlier today. He noted institutional settings bring unique challenges and are very conducive to the propagation and spread of this disease.

Councilman Simpson asked the time between when a person takes a COVID-19 test and when s/he gets the results.

Mr. Goddard answered there is some variability because some of the labs report slower than other labs. He noted the Health Department lab often has the results the same day, while there are other labs that may take up to five days to report results.

Councilman Hosmer asked if the rise in cases has affected the opening of public and private schools.

Mr. Goddard answered Springfield Public School (SPS) has put together a reasonable plan that will give them the best chance for success by dividing the students into two separate cohorts and having 25% sign up for virtual learning will give some classroom densities, along with masking, that will allow for the best success.

Councilman Hosmer asked if the Health Department has served as a resource for schools.

Mr. Goddard answered affirmatively.

Mayor Pro Tem Ferguson asked for an update on the local hospital facilities.

Mr. Goddard answered there is a total of 63 hospitalized, with 23 in the ICU. He noted the majority of those patients are probably from outside Greene County.

Mayor Pro Tem Ferguson asked if the hospitals had what they needed in terms of staff and supplies to treat the COVID-19 patients.

Mr. Goddard answered affirmatively. He noted the largest concern was for the therapeutic medicines Remdesivir and the convalescent plasma.

Councilman Schilling noted he was in a small business earlier and the owners of the business expressed gratitude to the City Council for the masking ordinance and shared their belief they would not currently be open for business if it were not for the masking ordinance.

Councilman McGull asked Mr. Goddard if he was working with the jail and if he is aware of the number of infected at the jail.

Mr. Goddard answered the Health Department is working with the jail and he did not currently have information pertaining to the number of infected cases with him. He noted staff from the Health Department went to the jail today to collect specimens.

Councilman McGull asked if there are any protocols if an inmate tested positive but was scheduled for release.

Mr. Goddard answered he is not aware of what the protocols are, but he could inquire.

Jason Gage, City Manager, noted Public Information specialists working across City departments and throughout the community continue working together to keep residents and visitors informed regarding the coronavirus. He noted upcoming videos will help humanize the impact of the disease through testimonials by those surviving it and those whose loved ones weren't so lucky. Mr. Gage noted additional activities include a community-wide masking awareness multimedia campaign, video discussions with higher education leaders and focus groups of college students.

Mr. Gage noted citizens made their choices known during last week's election and the City Clerk is working on scheduling a Special City Council meeting to certify the results. He noted both measures that were supported by City Council and City staff passed: Amendment 2- Medicaid Expansion and Question 1 – giving the City of Springfield the authority to impose a \$5,000 fee for a payday loan establishment permit.

Mr. Gage provided two citizen engagement updates. He noted the first is Forward SGF, which continues with a series of focus groups that convene subject matter experts on a variety of topics pertinent to the next phase of the project, but noted there is a "small hiccup" as the Chicago consultants are unable to travel to Missouri at the current time. Mr. Gage noted the second citizen engagement process is for the Grant Avenue Parkway project and is currently being mapped out as surveyors plan to begin their work in the corridor on August 17, 2020. He noted several of internal departments, such as Public Works, Public Information & Civic Engagement, Quality of Place, and Planning are working alongside Crawford, Murphy & Tilly (CMT) engineers on a schedule and agenda for engagements.

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

Rezoning 3146 South Golden Avenue

Sponsor: Schilling. City Council Bill 2020-175.

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 5 acres of property generally located at 3146 South Golden Avenue from GM, General Manufacturing to O-1, Office District; establishing Conditional Overlay District No. 188; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission both recommend approval.) (By: OIP Golden, LLC; 3146 South Golden Avenue; Z-16-2020 w/COD #188.)

Mayor McClure noted public hearing was held on July 27, 2020 on the proposed and it is now in front of City Council for consideration. He asked for questions or comments from members of City Council.

There being no questions or comments, Mayor McClure called for a roll call vote.

City Council Bill 2020-175. General ordinance 6608 was approved by the following roll call vote: Ayes: Ferguson, Fisk, Hosmer, Lear, McGull, Simpson, Schilling and McClure. Nays: None. Absent: Ollis. Abstain: None.

**Amending City
Code Chapter 74
to Lead Poisoning**

Sponsor: Council. City Council Bill 2020-176.

A general ordinance amending the Springfield City Code Chapter 74, 'Nuisance and Housing Code,' Article I, 'In General,' Section 74-1, to redefine 'Lead-bearing substance' and 'Lead hazard' to cross-reference definitions in state law, and Article IV, 'Lead Poisoning,' Section 74-171, to replace "elevated blood lead toxicity" with "lead poisoning," and Section 74-178, to delete "lead toxicity" as redundant to "lead poisoning."

Mayor McClure noted public hearing was held on July 27, 2020 on the proposed and it is now in front of City Council for consideration. He asked for questions or comments from members of City Council.

Mayor Pro Tem Ferguson expressed her gratitude to staff for their work on the proposed.

There being no further questions or comments, Mayor McClure called for a roll call vote.

City Council Bill 2020-176. General ordinance 6609 was approved by the following roll call vote: Ayes: Fisk, Hosmer, Lear, McGull, Simpson, Schilling, Ferguson and McClure. Nays: None. Absent: Ollis. Abstain: None.

**Hunt Branch
Trunk Sewer
Project**

Sponsor: Lear. City Council Bill 2020-177.

A special ordinance declaring the necessity of condemning rights-of-way over, under, and through the properties herein described for the purpose of constructing and maintaining sanitary sewers in the Hunt Branch Trunk Sewer Project, #5PW5716; and authorizing certain officers, or their designees, to do all things necessary to carry out the terms of this Ordinance.

Mayor McClure noted public hearing was held on July 27, 2020 on the proposed and it is now in front of City Council for consideration. He asked for questions or comments from members of City Council.

There being no questions or comments, Mayor McClure called for a roll call vote.

City Council Bill 2020-177. Special ordinance 27371 was approved by the following roll call vote: Ayes: Hosmer, Lear, McGull, Simpson, Schilling, Ferguson, Fisk and McClure. Nays: None. Absent: Ollis. Abstain: None.

**West Meadows
Trail and Parking
Lot Improvements**

Sponsor: Ferguson. City Council Bill 2020-178.

A special ordinance approving the plans and specifications for the West Meadows Trail and Parking Lot Improvements, Plan No. 2018PW0077; accepting the bid of Emery Sapp & Sons, Inc., in the amount of \$405,508.60, for construction of said project; and authorizing the City Manager, or his designee, to enter into an agreement with such bidder.

Mayor McClure noted public hearing was held on July 27, 2020 on the proposed and it is now in front of City Council for consideration. He asked for questions or comments from members of City Council.

There being no questions or comments, Mayor McClure called for a roll call vote.

City Council Bill 2020-178. Special ordinance 27372 was approved by the following roll call vote: Ayes: Lear, McGull, Simpson, Schilling, Ferguson, Fisk, Hosmer and McClure. Nays: None. Absent: Ollis. Abstain: None.

The following bills appeared on the agenda under Resolutions.

**Annexation of 6177
South Farm Road
189**

Sponsor: Simpson. Council Bill 2020-180.

A resolution declaring an intent to initiate the annexation of approximately 45 acres of private property generally located at 6177 South Farm Road 189. (Staff recommends approval.) (By: Frank J. and Kimberly L. Steed; 6177 S. Farm Road 189; A-4-2020.)

Mary Lilly Smith, Director of Planning and Development, provided a brief overview of the proposed. She noted the proposed is only to initiate annexation, the proposed is not before City Council for an annexation decision and the public hearing would be September 8, 2020 with a second reading and vote on September 21, 2020. Ms. Smith noted the 45 acres is private property, within the Urban Service Area, is compact and contiguous to City limits, and is zoned R-1 for suburban residence.

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

Anita Cotter, City Clerk, noted a representative (Christopher Wynn) was available to answer questions from City Council.

There being no questions or comments from City Council members, Mayor McClure called for a roll call vote.

City Council Bill 2020-180. Resolution 10518 was approved by the following roll call vote: Ayes: Lear, McGull, Simpson, Schilling, Ferguson, Fisk, Hosmer and McClure. Nays: None. Absent: Ollis. Abstain: None.

**Establishment of
the Commercial
Street Advisory
Team**

Sponsor: McClure. Council Bill 2020-194.

A resolution establishing the “Forward SGF – Commercial Street Advisory Team” for the purpose of providing additional citizen engagement and participation during the City’s comprehensive planning process.

Mary Lilly Smith, Director of Planning and Development, provided a brief overview of the proposed noting there had been prior discussion during a City Council Lunch workshop. Ms. Smith expressed the Commercial Street Advisory Team would assist with the planning process, serve as a sounding board, and gather public input. She noted the Commercial Street Advisory Team is part of the 2006 Commercial Street Strategy for Success and development of optimal organizational collaboration, work program and budget. Ms. Smith reviewed the recommended members of the Commercial Street Advisory Team.

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

Councilman Simpson expressed his opinion the recommended members list for the Commercial Street Advisory Team was diverse and believed the Commercial Street Advisory Team would be successful.

There being no further questions or comments from City Council members, Mayor McClure called for a roll call vote.

City Council Bill 2020-194. Resolution 10519 was approved by the following roll call vote: Ayes: McGull, Simpson, Schilling, Ferguson, Fisk, Hosmer, Lear and McClure. Nays: None. Absent: Ollis. Abstain: None.

**Establishment of
the Downtown
Advisory Team**

Sponsor: McClure. Council Bill 2020-195

A resolution establishing the “Forward SGF – Downtown Advisory Team” for the purpose of providing additional citizen engagement and participation during the City’s comprehensive planning process.

Mary Lilly Smith, Director of Planning and Development, provided a brief overview of the proposed noting there had been prior discussion during a City Council Lunch workshop. Ms. Smith explained the Downtown area consists of the central business district, University Plaza, and the Jordan Valley Park areas. She noted the Downtown Advisory Team is part of the Forward SGF Comprehensive Planning Process and reviewed a list of recommended members.

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

There being no questions or comments from City Council members, Mayor McClure called for a roll call vote.

City Council Bill 2020-195. Resolution 10520 was approved by the following roll call vote: Ayes: Simpson, Schilling, Ferguson, Fisk, Hosmer, Lear, McGull and McClure. Nays: None. Absent: Ollis. Abstain: None.

EMERGENCY BILLS

PUBLIC IMPROVEMENTS

GRANTS

AMENDED BILLS

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

**Rezoning 410, 414
and 430 N.
Boonville Avenue,
310 E. Phelps
Street and 405 N.
Jefferson Avenue**

Sponsor: Ferguson. Council Bill 2020-181.

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 5.3 acres of property generally located at 410, 414, and 430 North Boonville Avenue, 310 East Phelps Street, and 405 North Jefferson Avenue from HM, Heavy Manufacturing District, to CC, Center City District; establishing Conditional Overlay District No. 187; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission both recommend approval.) (By: Missouri State University and Vecino Group; 410, 414 and 430 N. Boonville Avenue, 310 E. Phelps Street and 405 N. Jefferson Avenue; Z-12-2020 w/COD #187.)

Mary Lilly Smith, Director of Planning and Development, provided a brief overview of the proposed. She noted the proposed is part of the continued plan to facilitate the IDEA Common project and eFactory redevelopment. Ms. Smith noted the comprehensive plan is appropriate for high-intensity office, retail, and housing, preferably in mixed-use buildings with a strong pedestrian orientation. She noted the Conditional Overlay District will require a traffic impact study if there is an increase over 100 peak hour trips or 1,000 trip-ends per day and residential use requires off-street parking.

An opportunity was given for citizens to express their views.

Jane Earnhart spoke in favor of the proposed. Ms. Earnhart noted she represents the applicant and is available to answer any questions.

There being no further speakers the public hearing was declared closed.

**Rezoning at 618
North Benton
Avenue**

Sponsor: Ferguson. Council Bill 2020-182.

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 1.08 acres of property generally located at 618 North Benton Avenue from HM, Heavy Manufacturing District, and GI, Governmental and Institutional Use District, to CC, Center City; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission both recommend approval.) (By: Advocates for a Health Community Inc.; 618 North Benton Avenue; Z-15-2020.)

Mary Lilly Smith, Director of Planning and Development, provided a brief overview of the proposed. Ms. Smith noted the proposed is appropriate for community-public land uses, Center City zoning supports the existing uses and vision of IDEA Commons Plan and Jordan Valley Park Concept Plan, and rezoning will facilitate the expansion of Jordan Valley Health Clinic and consolidates their campus into one zoning district.

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

**Rezoning at 3221
West Kearney
Street**

Sponsor: Ferguson. Council Bill 2020-183.

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 10.41 acres of property generally located at 3221 West Kearney Street from HC, Highway Commercial District to R-MD, Medium-Density Multifamily Residential District; establishing Conditional Overlay District No. 186; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission both recommend approval.) (By: Agron H. & Lele L. Selencia; 3221 West Kearney Street; Z-13-2020 w/COD#186.)

Mary Lilly Smith, Director of Planning and Development, provided a brief overview of the proposed. Ms. Smith noted the north portion is appropriate for medium or high-density housing and the south portion is appropriate for medium-intensity retail, office, or housing. She noted the Conditional Overlay District requires 11 dwelling units per acre, must be subdivided according to zoning lines, and must dedicate 50' right of way along full length of north property line for future collector street.

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

**Conditional Use
Permit No. 445 at
2706 West
Chestnut
Expressway**

Sponsor: Ferguson. Council Bill 2020-184.

A special ordinance granting Conditional Use Permit No. 445 for the purpose of authorizing a warehousing and storage facility to operate within the CS, Commercial Service District generally located at 2706 West Chestnut Expressway as a conditional use. (Staff and Planning and Zoning Commission recommend approval.) (By: MOCAL Investment Company, LLC; 2706 West Chestnut Expressway; Conditional Use Permit 445.)

Mary Lilly Smith, Director of Planning and Development, provided a brief overview of the proposed. Ms. Smith noted the proposed is appropriate for medium-intensity retail, office, or housing. She noted the conditional use permit is to allow warehousing and storage in the Commercial Service District, the conditional use permit previously approved in November 2017 expires if no action is taken within 18 months, and the proposed satisfies all standards for the conditional use permit.

Anita Cotter, City Clerk, noted a representative was available to answer questions from City Council.

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

Vacation 819

Sponsor: Schilling. Council Bill 2020-185.

A special ordinance vacating the public street of South Crenshaw Road between South Kissick Avenue and East Ridgecrest Street; and declaring the public interest requires such vacation despite the objections thereto. (Staff and Planning and Zoning Commission both recommend approval.) (By: City of Springfield; Crenshaw Road between South Kissick Avenue and East Ridgecrest Street; Vacation 819.)

Mary Lilly Smith, Director of Planning and Development, provided a brief overview of the proposed. Ms. Smith noted City Utilities controls all property adjoining Crenshaw, the proposed is not needed for the City street system, and Ridgecrest provides an alternative route for the traveling public. She noted citizens have filed an appeal of Planning and Zoning to City Council. Ms. Smith reviewed the four requirements for a Vacation and staff response to the Crenshaw Road Vacation.

Councilman Hosmer asked for clarification on the objections raised by property owners in the area.

Ms. Smith noted many of the property owners would be addressing City Council this evening and many of the property owners opposed to the proposed reside south from the extension. She noted the property owners would be able to travel using Ridgecrest. Ms. Smith noted one of the reasons for the objection related to site distance. She noted there are also representatives from City Utilities to speak to the clearing they have been doing in the area to improve site distance.

An opportunity was given for citizens to express their views.

Doug Hays spoke in opposition of the proposed. Mr. Hays expressed his concern for the proposed is two-fold, access and safety. He noted he owns a business in the area and expressed concern for the danger his clients will be exposed to due to lack of site distance at the corner. Mr. Hays expressed his opinion City Utilities has not cleared the area until this past week. He expressed his opinion after the Planning and Zoning meeting agendas are at play that have nothing to do with property owners or safety issues. Mr. Hays encouraged City Council to vote no to the proposed.

Chris Jones spoke in support of the proposed. Mr. Jones noted he is employed at City Utilities (CU). He noted Ridgecrest was built specifically with the intent of vacating Crenshaw road. Mr. Jones noted Crenshaw Road splits CU property. He reviewed the facilities located on the property, staffing at the facilities, and future uses of the facilities. Mr. Jones noted since the James River Power Station is no longer staffed 24 hours per day, the facility has been vandalized, there has been property damage, and trash dumping. He expressed his opinion if Crenshaw Road is vacated it will improve the overall security of the CU sites.

Councilman Schilling asked if Mr. Jones was aware of any accidents at the intersection Mr. Hays referred to.

Mr. Jones noted the referred intersection is Ridgecrest and Kissick and is a three-way intersection. He noted there is a subdivision to the east and when the subdivision was built it was tied into the intersection, making it a four-way intersection. Mr. Jones expressed his belief the Public Works staff would be able to answer questions related to public safety better than he. He noted CU has removed trees and brush in order to improve the site line to the north and CU will do what they can to help.

Councilman Schilling clarified the area with vandalism and trashing is off Crenshaw Road.

Mr. Jones answered affirmatively.

Ruth Seboldt spoke in opposition of the proposed. Ms. Seboldt noted she has lived near the power plant for 53 years. She noted when she travels, she uses Crenshaw Road. Ms. Seboldt expressed her opinion the intersection at Ridgecrest and Kissick is dangerous and is a blind intersection. She expressed her opinion closing Crenshaw Road is not a safe answer.

Jessie Price spoke in opposition of the proposed. Ms. Price noted she uses Crenshaw Road and asked for Crenshaw Road to be left open.

Maureen Hays spoke in opposition of the proposed. Ms. Hays noted she lives on Crenshaw Road. She noted she attended the Planning and Zoning meeting and the only reason given for closing Crenshaw Road was graffiti and vandalism on the bridge. Ms. Hays expressed her shock these reasons would take precedent over safety. She noted she has also experienced vandalism, but has not previously heard of vandalism as a reason for closing a road. Ms. Hays expressed her opinion City Utilities (CU) knew Crenshaw Road divided the property when CU purchased the property. She expressed her shock at learning none of the members of the Planning and Zoning Committee had visited the site and no traffic studies had been conducted. Ms. Hays noted she took pictures via Google Earth and submitted the pictures to City Council. She requested City Council leave Crenshaw Road open.

Leonard Bieri wishes to address City Council. Mr. Bieri did not appear.

Steve Stodden spoke in support of the proposed. Mr. Stodden noted he is employed at City Utilities (CU). He noted in 2000, James River Power Station was setting production records which caused an influx of coal trains. Mr. Stodden noted the trains crossed Kissick Avenue and this caused traffic delays and problems with emergency vehicle access. He noted these factors lead to building an overpass and building Crenshaw Road. Mr. Stodden noted building an overpass became cost prohibitive, leaving both Crenshaw Road and Ridgecrest Road in service. He noted James River Power Station is no longer bringing in coal trains, therefore there is not a need for Crenshaw Road.

Councilman Schilling asked what the traffic count in the past has been for Crenshaw Road.

Mr. Stodden noted City staff has those number and he would defer to them; however, he would assume the traffic has decreased as it was related to the operation of the power plant.

Councilman Simpson asked if City staff can obtain the traffic count and the intersection of Ridgecrest and Kissick. He noted he has driven through this area and the site lines are difficult.

Derrick Estell, Public Works Engineer II, noted Public Works has conducted a speed study, collected crash counts, and collected traffic volumes on all three roadways. Mr. Estell noted the section of Crenshaw Road noted in the Vacation has a current traffic count of 104 vehicles per day. He noted the posted speeds are 45 miles per hour, except for Kissick Avenue between Ridgecrest and Southview and posted limits are at or under the posted speed limit. Mr. Estell noted one crash on all three roadways at Ridgecrest and Kissick in 2016 and was a property damage only crash.

Jason Gage, City Manager, asked Mr. Estell asked what traffic control devices are at the intersections in the proposed and the areas citizens are expressing concern for and if any changes to traffic control devices are warranted.

Mr. Estell noted certain criteria must be met before a stop sign can be installed. He noted the intersection of Ridgecrest and Kissick did not meet the criteria. Mr. Estell noted other options included clearing the intersection to improve the site distance and City Utilities has cleared a 500-foot area to the north to improve the site distance. He noted making changes to the south is more difficult as there is a vertical curve on Kissick and would require substantial road realignment.

Councilman Lear asked if City Utilities would be responsible for keeping the intersection cleared.

Mr. Estell answered affirmatively.

Councilman Lear noted he is familiar with the intersection. He expressed his opinion the intersection at Evans Road and Kissick is more dangerous and asked if there was any crash data.

Mr. Estell noted Public Works collected crash data from 2015 forward and only one crash was reported, the crash at Ridgecrest and Kissick. He noted crashes may have occurred, but not reported.

Councilman Lear expressed his opinion the intersection at Evans and Kissick is probably the intersection people are trying to avoid. He asked if warning signs could be posted at the intersection of Evans and Kissick.

Mr. Estell noted Public Works can review the intersection and determine if modifications can be made. He noted the vacation at Crenshaw Road is a separate issue.

Councilman Hosmer asked Mr. Estell to depict on the map the intersection citizens are concerned about.

Mr. Estell pointed to the intersection on the map.

Councilman Hosmer asked if it was a three-way intersection.

Mr. Estell noted it is a four-way intersection.

Councilman Hosmer clarified both streets are 45 mile per hour speed zones.

Mr. Estell answered affirmatively.

Councilman Hosmer clarified the site lines.

Mr. Estell noted to the north it is 500-feet and to the south it is 270-feet.

Councilman Hosmer asked how many feet a vehicle travels in that distance.

Mr. Estell noted there is an equation used to calculate the site distance. He noted Public Works used 55 miles per hour to determine the 500-foot site distance in order to provide better site distance; therefore, the 45 miles per hour limit should be sufficient to see another vehicle approaching from the north.

Councilman Hosmer asked about the site distance from the south.

Mr. Estell noted trees and brush are not the issue, it is the hill. He noted unless the entire roadway is lowered, there is not much else that can be done.

Councilman Hosmer asked if this warranted different signage or lower speed limits.

Mr. Estell answered affirmatively. He noted Public Works is reviewing adding placards.

Councilman Hosmer clarified the intersection did not meet the criteria for signage and asked if City Council could or could not request signage.

Mr. Estell noted signage for the intersection could be reviewed, but noted if traffic calming signs are installed when the criteria is not met, it lowers the compliance rate.

Councilman Hosmer clarified Public Works is continuing to look at the intersection.

Mr. Estell answered affirmatively.

Mayor Pro Tem Ferguson asked if the mowing at the intersection will be the City's responsibility and what the mowing cycle is.

Mr. Estell deferred to Mr. Stoddard.

Mr. Stoddard noted City Utilities (CU) can look at a mowing cycle for the intersection in question. He noted CU will keep the intersection mowed as much as they can and keep the line of site.

Written comments were submitted in opposition of City Council Bill 2020-185 from Maureen Hays. Ms. Hays submitted photos of the intersection in question and requests either to keep Crenshaw Road open for safety reasons or before Crenshaw Road is closed to increase safety at the other intersections by consulting experts and adding stop signs.

Written comments were submitted in opposition of City Council Bill 2020-185 from Doug Hays. Mr. Hays expressed concern for the blind intersection at Kissick and Ridgecrest, if Vacation 819 happens it will cause traffic congestion at the corner of Kissick and Evans Road, and if the current road is closed the school bus stop will have to be moved from Ridgecrest to Crenshaw to Kissick and Ridgecrest putting children in closer proximity to traffic and a busy intersection. He expressed his opinion he, and many of his neighbors, are fearful of the intersections at Kissick and Ridgecrest and Kissick and Evans. Mr. Hays expressed his concern for citizen safety.

Written comments were submitted in opposition of Vacation 819 from Maureen Hays to the Planning and Zoning Committee. Ms. Hays expressed her concern for the dangerous intersection at Kissick and Ridgecrest and Kissick and Evans. She noted minimal site distance and encouraged the Planning and Zoning Committee to vote no.

Written comments were submitted in opposition of Vacation 819 from Jessie Price. Ms. Price submitted a request to appeal the decision made by the Planning and Zoning Committee regarding Vacation 819 on July 16, 2020.

Written comments were submitted in opposition of Vacation 819 from Maureen Hays. Ms. Hays submitted a request to appeal the decision made by the Planning and Zoning Committee regarding Vacation 819 on July 16, 2020.

Written comments were submitted in opposition of City Council Bill 2020-185 from Carol Smart. Ms. Smart expressed her concern for the safety at the intersection of Ridgecrest and Kissick due to lack of visibility and vehicles traveling at a high rate of speed.

Written comments were submitted in opposition of City Council Bill 2020-185 from Dennis Kahn. Mr. Kahn expressed his concern for the safety at the intersection of Ridgecrest and Kissick due to lack of visibility and vehicles traveling at a high rate of speed.

Written comments were submitted in opposition of City Council Bill 2020-185 from Nancy Coats. Ms. Coats suggested if the road were to be closed, a safer alternative route needs to be offered. She expressed her concern for the safety at the intersection of Ridgecrest and Kissick due to lack of visibility and an increase in traffic because more homes are being built in the area. Ms. Coats suggested adding stop signs in the area.

Written comments were submitted in opposition of Vacation 819 from Diane Rathe. Ms. Rathe submitted a request to appeal the decision made by the Planning and Zoning Committee regarding Vacation 819 and noted the road was dedicated to public use.

Written comments were submitted in opposition of Vacation 819 from Christina Rizzo. Ms. Rizzo submitted a request to appeal the decision made by the Planning and Zoning Committee regarding Vacation 819 and noted trees were being trimmed at the intersection of Kissick and Ridgecrest, but it does not help as there are hills on both sides of Kissick. Ms. Rizzo expressed her concern for the danger and blind spot at the intersection noting just days before she had a near miss.

There being no further speakers the public hearing was declared closed.

**Rezoning at 1738
West Sunshine
Street**

Sponsor: Schilling. Council Bill 2020-186.

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 1.04 acres of property generally located at 1738 West Sunshine Street from R-TH, Residential Townhouse District to LB, Limited Business District; and adopting an updated Official Zoning Map. (Staff recommends approval and Planning and Zoning Commission recommends denial.) (By: Sunshine TP LLC; 1738 West Sunshine Street; Z-14-2020.)

Mary Lilly Smith, Director of Planning and Development, provided a brief overview of the proposed. Ms. Smith noted the proposed is appropriate for medium-intensity retail, office, or housing. She noted the proposed is appropriate for a variety of commercial and/or medium- or high-density housing may be appropriate at major intersections or along certain road corridors. Ms. Smith noted 1738 West Sunshine is a limited business district and will have the least intense commercial zoning, a 25' structure height, a 30-degree bulk plane from property line, individual business gross floor area limited to 5,000 square feet, and drive through ATMs for restaurants and financial institutions will require a Conditional Use Permit.

Councilman Hosmer asked what the basis was for denial by the Planning and Zoning Commission.

Ms. Smith noted there was substantial neighborhood opposition and a primary concern is the lack of access from Sunshine due to the proximity to the intersection. She noted all access would come from Lexington and there is concern from property owner this will force traffic into the residential areas.

Councilman Hosmer asked if the homes in the neighborhood in question are single family residences.

Ms. Smith answered affirmatively.

Councilman Hosmer asked what the plan is for the development in the proposed area.

Ms. Smith answered the developer has not indicated an exact plan.

Councilman Schilling asked for the current traffic count on Sunshine and Kansas Expressway.

Ms. Smith noted there is not a current traffic county, but Planning and Development will get the information from prior traffic counts to City Council.

Councilman Schilling expressed his opinion this would be adding a significant amount of commercial business into a small area with the possibility of encroaching on a residential area, causing more congestion.

An opportunity was given for citizens to express their views.

Eric Henry wishes to address City Council in opposition of the proposed. Mr. Henry did not appear.

Stephen Allen spoke in opposition of the proposed. Mr. Allen noted he lives 130 feet south of the proposed area. He expressed his opinion the rezoning will create a traffic hazard into the Lakeshore neighborhood. Mr. Allen noted the Lakeshore neighborhood has narrow streets with no curbs or sidewalks and natural drainage. He expressed his opinion the Lakeshore neighborhood cannot handle an influx of traffic. Mr. Allen noted as there are not sidewalks in the neighborhood people walk in the street. He expressed his opinion opening the neighborhood of 38 homes to traffic, the Lakeshore neighborhood will be destroyed. Mr. Allen encouraged City Council to vote no on the proposed.

Rebecca Welsh spoke in opposition of the proposed. Ms. Welsh noted she lives directly to the south of the proposed. She expressed her opinion there will be an increase in rear-end crashes if traffic is diverted to Lexington, west bound traffic will be directed through the Lakeshore neighborhood as there is no other west bound access, and added traffic will result in safety concerns. Ms. Welsh noted there is a

significant amount of people who walk in the Lakeshore neighborhood and expressed her concern for pedestrian safety as there are no curbs or sidewalks. She also expressed concern if the rezoning proposal is passed it will lead to other areas of rezoning and expressed her belief any rezoning will bring no benefit to her neighborhood. Ms. Welsh noted Planning and Zoning Committee has already voted to deny the proposed and expressed her opinion City Council should do the same. She expressed her opinion she is not against developing the property, but in a way to benefit the existing neighborhood.

Anita Cotter, City Clerk, noted a representative was available to answer questions from City Council.

Ms. Smith noted Eric Claussen, Public Works Traffic Engineer, the traffic counts from 2014 for Kansas Expressway has a daily count of 36,700 vehicles and Sunshine has a daily count of 27,960 vehicles.

There being no further speakers the public hearing was declared closed.

**Rezoning at 3503,
3521, 3527, and
3535 South Lone
Pine Avenue**

Sponsor: Simpson. Council Bill 2020-187.

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning 4.2 acres of property, generally located at 3503, 3521, 3527, and 3535 South Lone Pine Avenue from R-SF, Single-family Residential, GR, General Retail, and LB, Limited Business District to Planned Development No. 374; and adopting an updated Official Zoning Map. (Planning and Zoning Commission and Staff recommend approval.) (By: Elevation Enterprises, LLC; 3503, 3521, 3527, and 3535 South Lone Pine Avenue; Planned Development 374.)

Mary Lilly Smith, Director of Planning and Development, provided a brief overview of the proposed. Ms. Smith noted the history of the zoning for the four property addresses. She noted in October 2019, City Council accepted a study resulting in an administrative delay allowing 270 days to allow time for the City to seek input from area residents, property owners, design professionals, and the business and development community. Ms. Smith noted citizen engagement consisted of six stakeholder meetings, three public meetings, and two online surveys. She noted the Galloway Study Policy Implementation allowed staff to review zoning and lot combination proposals and recommend Conditional Overlay Districts and encourage appropriate density of multi-family developments. Ms. Smith reviewed the revised multi-family development and design guidelines as set forth in Resolution 9668. She noted the proposed would add 4.2 acres to the Lone Pine project, add mixed use development with two new residential buildings and the reuse of four existing buildings for commercial use, and Lone Pine would be a Secondary Arterial. Ms. Smith noted the surrounding uses/permitted uses includes: to the north permitted development 264 10,000 square feet of medical and general offices; to the east Sequiota Park and City; to the south general retail uses; and, to the west Church with columbarium and detention basin. She noted the proposed land use is for maximum residential density of 25 dwelling units per acre, with a total of 7,995 square feet of

existing space to be renovated to non-residential uses distributed among four existing buildings. Ms. Smith noted there is a 45-degree bulk plane from residential single family, 60' maximum height for structures except those within 60' of Lone Pine, and 45' maximum height for structures within 60' of Lone Pine. She noted parking lots are placed behind buildings and lighting, signage, and retaining wall will be compliant with the Study recommendations. Ms. Smith noted there 25% open space and reviewed the landscaping requirements. She reviewed the design elements and presented a preliminary rendering. Ms. Smith addressed historic preservation of existing structures. She noted the required public improvements include a northbound turn lane, a crosswalk, a sidewalk, the approval of any street furniture, additional right of way dedicated on Lone Pine, required sanitary sewer, stream buffer easements, and all utilities must be underground.

Councilman Simpson asked Ms. Smith to summarize the differences between the current proposal and the 2018 proposal.

Ms. Smith noted a planned development allows the City and the developer to be more creative, therefore requiring a conditional overlay district. She noted the reason the developer needs a planned development rather than a Conditional Overlay is because the developer is doing mixed development and the only area the City allows for a mixed development is in the City Center zoning district; therefore, a planned development is required. Ms. Smith noted in 2018 the developer did not own the Treadway building; therefore, fewer acres, were only considering 95 apartments, and all buildings were four story buildings.

Councilman Simpson asked for a summary of the involvement from Tim Rosenbury, Director of Quality of Place Development.

Ms. Smith answered City staff have met with the developer to develop a project addressing all guidelines in the Galloway Study, but were unable to meet all guidelines. Mr. Rosenbury was included in the conversations and was able to address issues the City believed to be problematic and listed examples of Mr. Rosenbury's assistance to the proposed.

Councilman Lear clarified if the buildings referenced in the proposed would be similar to the historic buildings on Walnut Street.

Ms. Smith answered affirmatively. She noted the process and boards related to historic building and reviewed the process for applying for a certificate of economic hardship.

Councilman Hosmer asked if the height of the building in the Corridor is higher than any other building in the Corridor.

Ms. Smith answered she did not have that information.

Councilman Hosmer asked if the density was higher than other buildings in the Corridor.

Ms. Smith answered the density is not higher. She noted Galloway Creek is a mixed-use structure to the south and was developed at 32 dwelling units per acre.

Councilman Hosmer asked if the City made recommendations to the number of stories of the development next to the roadway, specifically asking about the five-story structure.

Ms. Smith noted the structure next to the road is two stories and reviewed the height guidelines related to Lone Pine. She referred Councilman Hosmer to the developer for the location of the five-story structure in relation to Lone Pine.

Councilwoman Fisk asked about the sidewalk to be added to Lone Pine.

Ms. Smith noted the sidewalk would be across the developer's area only.

An opportunity was given for citizens to express their views.

Brent Stevens spoke in support of the proposed. Mr. Stevens noted he is a developer with H Design Group. He noted his firm is the architects for the proposed. Mr. Stevens noted in 2018 the property was smaller, the buildings were all four stories, they did not intend to save the existing commercial buildings, and they did not have an extensive tree preservation plan. He noted the proposed building is 200 feet from Lone Pine and under the 60-foot limit compared to Galloway Creek is 63 feet tall and 60 feet from Lone Pine. Mr. Stevens noted the adopted Galloway Creek Redevelopment Policy was generated by City staff and adopted by City Council and H Design Group has strictly adhered to the guidelines in developing the proposed. He noted they have complied with the adopted Galloway Creek Redevelopment Policy and ask City Council to vote yes on the proposed.

Ryan Phillips spoke in support of the proposed. Mr. Phillips noted he is the design lead at H Design Group. He spoke to the building design and image enhancement of the development. Mr. Phillips noted the land and street scaping to the project and the company's desire to create an experience that is both welcoming and encourages walkability. He noted a concern expressed by residents of the area was to keep several historic buildings in the area and expressed his opinion H Design Group listen and incorporated the historic buildings into the overall master plan even though the buildings exist on prime real estate and are in need of significant renovation. Mr. Phillips noted H Design Group worked with Tim Rosenbury and other City staff to reduce the building from four stories to two stories and to ensure village character as it relates to new buildings. He encouraged City Council to vote yes on the proposed.

Councilman Hosmer asked how far the five-story building is away from Lone Pine.

Mr. Phillips answered greater than 200 feet.

Councilman Hosmer asked how the five-story building compares to other buildings that have been approved in the Galloway Corridor.

Mr. Phillips answered the five-story building they are proposing has buried parking on the first level and then four stories on top, so technically a four-story building with a basement.

Councilman Hosmer asked does this compare with other buildings in the area.

Mr. Phillips noted the building is under the bulk plane on the west side of the property and around 60 feet on the roof line.

Jane Earnhart spoke in support of the proposed. Ms. Earnhart noted she is a landscape architect with Olsson. She noted this position emphasizes working with the natural environment. Ms. Earnhart reviewed the landscape constraints required for the development project. She explained if the proposed is approved a double culvert will be installed under Lone Pine providing new drainage for the entire subdivision.

Bailey Irvine spoke in support of the proposed. Ms. Irvine noted she is from Springfield and chose to stay in Springfield as an adult. She noted she purposefully selected to live in the Lone Pine Galloway area for the safety, easy access to shopping, and access to trails. Ms. Irvine expressed her opinion the neighborhood will continue to get better if Planned Development 374 is approved allowing for more housing opportunities and businesses.

Matt O'Reilly spoke in opposition of the proposed. Mr. O'Reilly noted a summary document and analysis had been provided for each member of City Council. He asked for his presentation to be projected on screen and noted the proposed high-density development exceeds many regulations across many City departments and seeks to override the regulations using a Planned Development. He expressed his opinion the applicant has failed to meet guidelines and is continuing to ask for concessions. Mr. O'Reilly reiterated many of the requirements for development in the Galloway Corridor and then listed ways in which the applicant did not meet the requirements. He noted he is a developer and noted this project is the applicant's first development project and expressed his opinion the applicant does not have the experience to take on a project of this magnitude. He encouraged City Council to vote no.

Councilman Hosmer asked about the height of the structure and the proximity to Lone Pine and how does this building compare other structure in the Galloway Corridor.

Mr. O'Reilly answered the building at Quarry Town, one his company built, is 51-feet tall and 450-feet from the road and the proposed is 65-feet tall (allowed to measure to the middle of the gable or pitched roof, not the top). He noted Galloway Creek is very tall and right on the road because it was zoned General Retail with no conditional use overlays. Mr. O'Reilly noted the next tallest buildings are 41-feet and 43-feet; therefore, the proposed is 14-feet taller than any of the other structures.

Councilman Hosmer clarified the location of the proposed to Lone Pine.

Mr. O'Reilly noted Quarry Town is 100 units, 450-feet from the road, and 51-feet tall; while the proposed is 65-feet tall and 180-feet from the road.

Councilman Hosmer clarified one of Mr. O'Reilly's complaints is the size of the structure and its proximity to the Corridor and Lone Pine.

Mr. O'Reilly noted the guidelines around the park are very specific and explained bulk plane guidelines.

Cristina Bustamante spoke in opposition of the proposed. Ms. Bustamante noted she is an architect and urban designer. She noted she has worked on several projects along the Corridor and assisted in crafting the Galloway recommendations. Ms. Bustamante noted the topics most widely discussed included the preservation and environmental protection of the Galloway area while emphasizing the unique village feel and historic character. She expressed her opinion the proposed disregards both. Ms. Bustamante relayed finding from the analysis of the proposed and reviewed how the proposed did not meet requirements. She noted there are currently 389 trees on site and the proposed would remove 282 trees and expressed concern after blasting and construction, building location, and slope only 16% of tree canopy would remain.

Earl Newman spoke in support of the proposed. Mr. Newman noted he served as a traffic engineer for the City for 30 years. He noted he was retained by Mitch Jenkins to conduct a traffic impact study for the first development proposal in 2018 and due to the administrative delay, a second traffic study was conducted. Mr. Newman reported because the developer scaled down the intensity of the project, the traffic impact was reduced on a daily basis by approximately 300 vehicles per day, in the am peak hour, the traffic was reduced by 60, and in the afternoon peak hour the traffic was reduced by 40. He noted the City has intentions to widen Galloway Road and the applicant has worked with the City to ensure construction of the proposed supports the City's project when it happens.

Councilman Schilling asked how many access points does the development have.

Mr. Newman answered there are two and one is a shared driveway. He noted Mr. Jenkins did meet with the fire department to ensure there is access for fire trucks. Mr. Newman noted there is discussion with the property owner at the corner to determine if there is a possibility of a direct connection to Galloway Road.

Councilman Schilling clarified there is not an access point onto Galloway Road.

Mr. Newman answered they are connected to the property at the northwest corner, but there needs to be a cross action easement and noted Mr. Jenkins is working on this issue.

Melanie Bach spoke in opposition of the proposed. Ms. Bach noted she is president of the Galloway Neighborhood Association and would summarize the neighborhood's opposition to Planned Development 374. She noted for over two years the neighborhood has asked for protection from the density high risks associated with

over development of the Lone Pine Corridor. She expressed her opinion the neighborhood has consistently expressed the desire to limit the development along the Lone Pine Corridor to a reasonable human scale and protect the sense of place. Ms. Bach noted when the Galloway Creek Redevelopment Policy was generated by City staff and adopted by City Council the Galloway Neighborhood Association expressed concern there were no substantive protections from density high and public safety issues. Ms. Bach reiterated the exhibit submitted by Galloway Village Neighborhood Association details how the proposed does not meet the guidelines of the Galloway Creek Redevelopment Policy. She reviewed the definition of a planned development and expressed her opinion Planned Development 374 contradicts the definition of a planned development. Ms. Bach encouraged City Council to vote no on the proposed.

David Evans spoke in support of the proposed. Mr. Evans noted he grew up in the Galloway Corridor. He expressed his opinion after the quarry was removed the area grew and developed with beautiful buildings and quality things. Mr. Evans expressed his opinion if the development was held within the strict guidelines would be an attractive development and the difficulty of finding another developer willing to make the numerous concessions this developer has to try to please so many people. He expressed his opinion the developer is young, ambitious, and intelligent. He expressed his belief the developer would only construct aesthetically pleasing buildings and is very quality oriented.

Bryan Bevel spoke in support of the proposed. Mr. Bevel noted he is a local business owner and has a food truck in the Galloway Corridor. He noted his affinity for the Galloway Corridor and encouraged City Council to pass the proposed and allow other small business the opportunity of operating in the Galloway Village area. Mr. Bevel noted he worked as a project deliverer for twenty years working with the City and the Missouri Department of Transportation and asked City Council to vote in favor.

Jeff Haymes spoke in opposition of the proposed. Mr. Haymes noted he is the owner of Sequiota Properties located directly south of the proposed. He expressed his opinion when the developer bought the properties, he knew the zoning of the properties. Mr. Haymes noted he is the most directly affected by the proposed as the traffic from the construction will empty into his parking lot, noting it is a one-acre area with a shared easement. He expressed concern the traffic from the development will cause for his business, clients, and tenants.

Councilman Hosmer clarified everyone who exists the proposed construction will drive through Mr. Haymes' parking lot.

Mr. Haymes answered affirmatively.

Councilman Hosmer asked if Mr. Jenkins proposed construction was landlocked.

Mr. Haymes answered affirmatively.

Councilman Hosmer asked if Mr. Haymes had given Mr. Jenkins permission.

Mr. Haymes answered he did not. He noted he shares a small easement with Mr. Jenkins. He noted the easement is too small for a fire truck.

Councilman Hosmer asked the size of the shared easement.

Mr. Haymes answered he has not measured the easement, but it is too small for a fire truck.

Councilman Hosmer asked City staff for clarification of access.

Mary Lilly Smith, Director of Planning and Development, answered the access is an easement.

Councilman Hosmer asked for the dimensions of the easement.

Derrick Estell, Public Works Engineer II, answered there is an easement on the south side of the property. He also noted there is more than one access point, he pointed out access from the north, south, and an ADA access point in the middle. Mr. Estell noted the easement runs in front of the property and was agreed upon by both property owners and serves the interests of both properties.

Councilman Hosmer asked the width of the easement.

Mr. Estell answered 16-feet wide.

Councilman asked the width of a normal city street.

Mr. Estell answered widths vary depending on need, but 20-feet wide for a typical driveway.

Councilman Hosmer asked how a fire or other emergency vehicle access the proposed.

Mr. Estell noted this is a concern they are working on and elaborated one of the reasons the easement is 16-feet wide is because of existing structures on both sides of the easement.

Councilman Hosmer asked for clarification of the other access points.

Mr. Estell pointed to the access points on the presentation slide to the north and in the middle (he noted the map is not oriented correctly and north is to the left). He noted both of the other access points were to Lone Pine.

Mr. Haymes noted driving across his parking lot is the quickest, easiest, and only way to Galloway Road. He expressed his opinion it would be foolish to believe people would not cut across his parking lot.

Councilman Lear clarified the north access is to be gated for the residential portion.

Mr. Estell noted the parking for the development is all connected, therefore, residents can enter or exit from either end of the property.

Jason Gage, City Manager, asked Mr. Estell to highlight on the presentation slide the easement and clarified if there is additional parking.

Mr. Estell noted there is additional parking off to the right that is not pictured in the presentation slide and this is the area Mr. Haymes is referring to.

Mr. Haymes noted when the easement was created it was intended for the three small buildings lining the easement.

Rhett Smillie spoke in support of the proposed. Mr. Smillie noted he has been in real estate for 25 years and he owns two commercial properties in Galloway. He expressed his opinion Galloway is a great neighborhood and lends itself to walking to dinner, drinking, and whatnot. Mr. Smillie noted he has known the developer for several years and expressed his opinion Mr. Jenkins is truly concerned about the neighborhood and the people as demonstrated by his amended plan and continued efforts. He noted the City indicated Mr. Jenkins has met the guidelines and Planning and Zoning recommended approval; therefore, he is requesting City Council vote yes.

Wendy Huscher spoke in opposition of the proposed. Ms. Huscher noted she is the treasure for Galloway Village Neighborhood Association (GVNA). She noted she lives on a property bordering the proposed on the north side. Ms. Huscher noted the developer does not live in Galloway Village and did not purchase the property until the property went into administrative delay in December 2018. She expressed her opinion the easement in question may measure 16-feet from building to building, but is actually only about 12-foot wide. Ms. Huscher noted information indicating GVNA spoke with every property owner within 500-feet of the development and the petition had been emailed to each City Council member. She noted she has filed a protest petition against the proposed. She reiterated the concerns for traffic through Mr. Haymes' parking lot.

Allen Kunkel spoke in support of the proposed. Mr. Kunkel spoke about the favorable business climate and the development climate. He reviewed the administrative delay of 2018 and the creation of the Galloway Creek Redevelopment Policy. Mr. Kunkel expressed his opinion the City's business climate being perceived as business friendly is imperative to economic vitality. He expressed his opinion the proposed has met or exceeded every element of the Galloway Creek Redevelopment Policy and has presented a solid plan. He noted the City approved Mr. Jenkins' plan, Planning and Zoning recommended approval, and he believes the proposed is an appropriate use of the land. Mr. Kunkel expressed his opinion the proposed is perfect for attracting young professionals to the Springfield community.

Neil Brady spoke in support of the proposed. Mr. Brady expressed his opinion as the community continues to grow in a competitive world, we need to show Springfield is open for business and supports development. He noted his job is to create and support quality developments. Mr. Brady expressed his opinion the applicant has taken time to solicit feedback from the area, work with City staff, and other community

members to create a development to meet the standards enacted by the Galloway Creek Redevelopment Policy. He expressed his opinion support should be demonstrated for applicants who go through the process to meet all requirements.

Tom O'Connell spoke in opposition of the proposed. Mr. O'Connell noted he lives across the street from the proposed development site. He expressed concern residents of the proposed will use his street and as there are no sidewalks it creates a safety hazard. Mr. O'Connell expressed his opinion having historic retail shops surrounded by four-story buildings is inappropriate and disrespectful.

Marcie Kirkup spoke in opposition of the proposed. Ms. Kirkup noted she is a board member of the Galloway Village Neighborhood Association (GVNA) and past president. She noted GVNA has consistently advocated for specific, measurable limitations on the density, height, and public safety issues related to future developments in the neighborhood. Ms. Kirkup expressed she was told protections would come in the use of conditional overlays, future rezonings, and staff would ensure future developments were reasonable to the area. Ms. Kirkup expressed GVNA believed the Galloway Creek Redevelopment Policy should have been more specific and referenced Exhibit A in the information submitted to City Council. She expressed her opinion GVNA was not opposed to development, but seeks development to enhance the neighborhood. Ms. Kirkup expressed her opinion GVNA has expressed concerns to the developer, but the concerns are not being heard. She encouraged City Council to vote no to the proposed.

Duane Johnson spoke in opposition of the proposed. Mr. Johnson noted he has lived in the Galloway area for 38 years. He expressed his opinion the administrative delay was due to the same type of development and concerns expressed by people in the neighborhood; and, now two years later, the same type of development and the same concerns still exist. Mr. Johnson expressed opinion Planned Development 374 does not comply with Galloway Creek Redevelopment Policy, specifically citing the City should protect established neighborhoods. He expressed his opinion, the neighborhood is not against development and wants nice development, but the proposed is out of scale with the existing neighborhood. Mr. Johnson requested City Council to deny the application.

Councilman McGull noted the proposed seems to be an important topic and issue. He expressed his opinion City Council would like to hear additional feedback and comments. Councilman McGull noted it had come to his attention, and to other members of City Council's attention, that several people did not sign up to speak at the public hearing because they missed the deadline. He expressed his opinion because this is such an important issue, City Council should hear from all voices. Councilman McGull moved to continue the public hearing on Council Bill 2020-187 until the August 24, 2020, City Council meeting in order to hear all comments necessary for City Council to make an informed decision. Councilman Lear seconded the motion and was approved by the following roll call vote: Ayes: Schilling, Ferguson, Fisk, Hosmer, Lear, McGull, Simpson, and McClure. Nays: None. Absent: Ollis. Abstain: None.

Written comments were submitted in opposition of City Council Bill 2020-187 by Sue Skidmore. Ms. Skidmore expressed concern the proposed development would have on the Galloway community, Sequiota Park, the land, the traffic, the beauty, the peace, the safety, and the quality of life. She expressed her opinion the proposed does not keep in style with the village atmosphere of the Galloway Corridor. Ms. Skidmore noted she attended the meeting in August 2018 where Mr. Jenkins was meeting with Galloway residents and in her opinion the meeting was full of residents opposed to the development. She expressed her opinion Galloway should not be hijacked by a developer looking to make a profit at the expense of residents. Ms. Skidmore expressed her belief a population study and environmental impact study should be conducted.

Written comments were submitted in opposition of City Council Bill 2020-187 by Wendy Huscher. Ms. Huscher noted the neighborhood meeting requirement was waived due to COVID-19 and it was her understanding the 500-foot mailing was not done. She submitted a list of all addresses from the City's notification list for Planned Development within 500-feet of the proposed which indicated each resident is in opposition. Ms. Huscher also submitted a letter from Loren Cook, of NN Land Development LLC, who owns several properties within the 500-foot area indicating he is also opposed to the proposed due to the design not being in character with the community, the proposed being too large and dense, and the addition of too much traffic to the area.

Patrick Platter, partner at Neale & Newman, submitted document on behalf of the Galloway Village Neighborhood Association (GVNA) in opposition of Council Bill 2020-187. Mr. Platter listed the application is incompatible with the presence of Sequiota Park, incompatible in several ways with the surrounding residential neighborhood, places undue traffic demands upon the neighborhood, does not meet standards concerning water quality and stormwater control, and does not meet staff recommendations published last year.

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

**Acceptance of
equipment from
the State
Homeland
Security Grant
Program**

Sponsor: Lear. Council Bill 2020-188.

A special ordinance authorizing the City Manager, or his designee, to accept equipment with a value of \$39,447.92 provided through the State Homeland Security Grant Program which is necessary to sustain capabilities for response to explosive device incidents by the Springfield Fire Department Bomb Squad; and declaring that this Ordinance qualifies for approval in one reading.

David Pennington, Fire Chief, provided a brief overview of the proposed. Chief Pennington noted the proposed is a grant for nearly \$40,000 in equipment originally approved through the year 2018 grant funding cycle, but there was not sufficient funding to purchase the equipment at that time. He noted as the grant cycle is closing out, money became available through cost savings allowing for the purchase of the equipment. Chief Pennington noted the equipment is for the Bomb Squad which serves Springfield and all of Region D.

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

There being no further questions or comments from City Council members, Mayor McClure called for a roll call vote.

City Council Bill 2020-188. Special ordinance 27373 was approved by the following roll call vote: Ayes: Simpson, Schilling, Ferguson, Fisk, Hosmer, Lear, McGull and McClure. Nays: None. Absent: Ollis. Abstain: None.

**Repealing Section
106-24, 'Protective
Headgear for
Persons Riding
Motorcycles and
Motortricycles'**

Sponsor: McClure. Council Bill 2020-189.

A general ordinance amending the Springfield City Code, Chapter 106, 'Traffic and Vehicles,' Article I, 'In General,' by repealing Section 106-24, 'Protective Headgear for Persons Riding Motorcycles and Motortricycles,' due to preemption by state law.

Rhonda Lewsader, City Attorney, provided a brief overview of the proposed. Ms. Lewsader noted the Missouri Legislature passed and the Governor signed in the 2020 regular legislative session House Bill 1963. She noted this was a large bill and contained a number of items related to transportation. Ms. Lewsader noted one item was an prohibited any political subdivision, such as the City, from imposing a protective headgear requirement on operators or passengers of motorcycles or motortricycles. She noted the proposed would repeal the City code section related to protective headgear as the City is now preempted by state law.

Councilman Lear asked what would happen if City Council failed to act on the proposed.

Ms. Lewsader noted if the City failed to pass the ordinance, the City would be unable to enforce the ordinance. She also noted there is a requirement under Missouri law mandating city laws conform to state laws.

Councilman Hosmer noted the state bill that passed, contained a number of items and asked about the possibility of challenge.

Ms. Lewsader answered she had not examined the bill from that perspective. She noted the bill covers at least one topic, transportation. Ms. Lewsader noted some omnibus bills may cover tax measures and then transportation and then some other area, this is one subject and is appropriate under state law to pass a larger bill revising numerous statutes as long as they relate to one subject.

Councilman Hosmer asked if the City was advised there could be a preemptive measure from the state.

Mayor McClure answered the content of the proposed has been introduced in the legislature in various forms for numerous years.

Councilman Hosmer noted when he was in the legislature, both Republican and Democratic Governors had vetoed repealing protective headgear. He clarified his question is to the preemption, as he has never seen a preemption measure attached.

Ms. Lewsader noted she would need to research the history. She noted Councilman Hosmer may not have seen the preemption attached to helmets, but it is sometimes adopted in other areas of state law.

Councilman Hosmer expressed his opinion City Council may be required to repeal the helmet law, but he believes it is incredibly bad public policy and there will be an increase in accidents and fatalities both in the City of Springfield and statewide. He expressed his belief the law is a short-sited, not well-thought out measure. Councilman Hosmer noted there will be an increase of riders over the age of 26 with medical insurance without helmets and asked how this will be enforced.

Ms. Lewsader noted police officers will be able to write tickets and people will be prosecuted through the county prosecutor versus the municipal prosecutor.

Councilman Hosmer clarified police officers cannot stop a rider with the sole purposes of checking to see if the rider meets the requirements.

Ms. Lewsader answered affirmatively. She noted the requirement is for all law officers.

Councilman Hosmer clarified law officers cannot stop riders solely to check for compliance.

Ms. Lewsader answered affirmatively and read from the state statute.

Councilman Hosmer asked will the law stating anyone under age 26 must wear a helmet ever be enforced.

Ms. Lewsader answered enforcement will be much more difficult based on the way the statute was passed, noting the rider would have to first be stopped for an independent issue and then charged for the helmet issue.

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

**Special Election
Costs Related to
the Fee for a
Short-Term Loan
Establishment
Permit**

Sponsor: Hosmer. Council Bill 2020-190.

A special ordinance amending the General Fund budget for the City of Springfield, Missouri, for Fiscal Year 2020-2021, by appropriating a portion of the Fiscal Year 2018-2019 carryover funds and increasing expenses in the amount of \$175,000.00, for special election costs related to the fee for a Short-Term Loan Establishment permit.

David Holtmann, Director of Finance, provided a brief overview of the proposed. Mr. Holtmann noted information on the proposed had been presented to City Council during a City Council Luncheon Workshop. He noted the budget adjustment is

required for the special election costs related to the Short-Term Loan Establishment permit election held last Tuesday. Mr. Holtmann noted there were questions raised at the City Council Luncheon Workshop and he provided answers to those questions. He noted one question was related to estimated revenue and noted 30 vendors have been identified and the estimated revenue is approximately \$150,000 annually. He noted the next question was related to the allocation of costs related to Greene County and there are provisions for Greene County to pass along the costs and the costs are prorated based on the number of registered voters prior to the election.

Mayor McClure asked for the billed costs from Greene County.

Mr. Holtmann clarified Greene County bills an estimate first and after the election provides an accounting.

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

**Plat of the
Administrative
Subdivision of
Kansas at Grand
Phase 2 with a
Subdivision
Variance**

Sponsor: Schilling. Council Bill 2020-191.

A special ordinance authorizing the Director of Planning and Development to accept the dedication of public streets and easements to the City of Springfield, Missouri, as shown on the Preliminary Plat of Firestone Springfield Addition, generally located at 216 East Weaver Road, 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.) (By: McKeen Trust, c/o Gene McKeen; 216 East Weaver Road; Preliminary Plat of Firestone Springfield Addition.)

Mary Lilly Smith, Director of Planning and Development, provided a brief overview of the proposed. Ms. Smith noted the proposed is 11.53 acres and is a four-lot commercial subdivision. She noted City Council approval is required as the administrative replat includes a subdivision variance with conditions and the variance is to retain an existing access point located 166 feet from the Grand and Kansas Expressway intersection. Ms. Smith noted the conditions include redesign as a right-in/right-out access, access is temporarily closed until new access can be constructed, plat note referencing the variance, and improvements built or escrowed before recording plat.

Councilman Schilling expressed concern for the variance and the roll around from Kansas Expressway onto Grand and the traffic at the curve. He asked if there is another point on the property further to the east that could be used for traffic.

Ms. Smith noted the applicant does not own the small cut out depicted in the presentation and noted the access is at the furthest east point of the applicant's property on Grand Street. Ms. Smith asked Derrick Estell, Public Works Engineer II, to address the traffic concern.

Mr. Estell noted when the project originally came to the City, the applicant was asked to meet the access spacing requirements. He noted the applicant marketed the property and potential owners for sections three and four requested to keep the current access. Mr. Estell noted the applicant brought the question back to the City and the City noted a right-in\right-out is a free turning movement not dependent upon opposing traffic; therefore, the City determined a right turning movement at 166' was appropriate for the location.

Councilman Schilling clarified the entire lot has been broken into pieces and the current access point is the only access point on this property.

Mr. Estell answered affirmatively.

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

PETITIONS, REMONSTRANCES, AND COMMUNICATIONS

Michael Hasty wishes to address City Council. Mr. Hasty did not appear.

Heather Dietz wishes to address City Council. Ms. Dietz expressed her outrage for the masking ordinance passed by the City Council. She expressed her opinion the City Council demonstrated disregard for the community and noted the virus has affected less than 1% of the total population of Greene County. Ms. Dietz expressed her belief City Council used public safety to disguise tyranny and the choice to wear a mask should be individual, not the government.

Tim Havens wishes to address City Council. Mr. Havens expressed his belief people should be able to use their talents free of worry and live and breathe in happiness. He expressed his opinion the Mayor has indicated Springfield is this type of city, however he believes this is only true for Caucasians. Mr. Havens expressed his opinion things may have improved for African Americans since the 1906 lynching, except all social gains in equality have come from mandates or pressure from the outside world. Mr. Havens expressed concern for police brutality and harassment of African Americans and the resolution City Council passed related to not tolerating police brutality and racism was lip service. He noted numerous speakers have come before City Council expressing concern for the Springfield Police Department (SPD) and expressed his opinion City Council has remained silent. Mr. Havens noted he is requesting accountability from City Council regarding treatment of African Americans from the SPD. Mr. Havens listed several requests he would like to see City Council implement with the SPD.

Christal Mercado wishes to address City Council. Ms. Mercado did not appear.

Jessica Lawson wishes to address City Council. Ms. Lawson did not appear.

Star Smith wishes to address City Council. Ms. Smith did not appear.

The following item appeared on the agenda under New Business.

**Records
Destruction**

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.

**Preliminary Plat of
Firestone
Springfield
Addition**

Sponsor: Schilling. Council Bill 2020-192.

A special ordinance authorizing the Director of Planning and Development to accept the dedication of public streets and easements to the City of Springfield, Missouri, as shown on the Preliminary Plat of Firestone Springfield Addition, generally located at 216 East Weaver Road, 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.) (By: McKeen Trust, c/o Gene McKeen; 216 East Weaver Road; Preliminary Plat of Firestone Springfield Addition.)

Anita Cotter, City Clerk, noted a representative (Bob Gage) was available to answer questions from City Council.

**Joint Funding
Agreement with
the United States
Department of the
Interior**

Sponsor: Ollis. Council Bill 2020-193.

A special ordinance authorizing the City Manager, or his designee, to enter into a Joint Funding Agreement with the United States Department of the Interior for the purpose of operating and maintaining four streamgages.

CONSENT AGENDA ONE READING BILLS

CONSENT AGENDA SECOND READING BILLS

END OF CONSENT AGENDA.

Motion to Adjourn

Councilman McGull moved to Adjourn. Councilman Simpson seconded the motion, and it was approved by the following vote. Ayes: Fisk, Lear, McGull, Simpson, Schilling, Ferguson and McClure. Nays: Hosmer. Absent: Ollis. Abstain: None. The meeting adjourned at 10:38 p.m.

Prepared by
Monica Paxton

A handwritten signature in black ink that reads "Anita J. Cotter". The signature is written in a cursive style with a large, stylized "J" and a long, sweeping underline.

Anita J. Cotter, CMC/MRCC
City Clerk