

April 4, 2022
Springfield, Missouri

The City Council met in regular session April 4, 2022, in the Council Chambers at Historic City Hall. The meeting was called to order by Mayor Ken McClure. Mayor McClure acknowledged Ebenezer Fire Fighter Dustin Brandhorst who died in a crash while responding to a house fire. Mayor McClure asked all to remember the Ukrainian people.

Roll Call

Present: Mike Schilling, Matthew Simpson, Craig Hosmer, Richard Ollis, Andrew Lear, Heather Hardinger, Abe McGull, and Ken McClure. Absent: None. Vacant Seat: Zone 1.

Minutes

The minutes of the March 7, 2022, City Council Meeting and the March 21, 2022, City Council meeting were approved as presented.

Consent Agenda

The consent agenda was approved as presented.

CEREMONIAL MATTERS.

City Manager Report

Jason Gage, City Manager, provided an update on the Bass Pro World's Fishing Fair. Mr. Gage noted traffic and safety planning over the last eight weeks for this event paid off, with very few and minor complaints regarding traffic, parking, and safety. Mr. Gage further noted the Visitor Experience Team, which may be a concept to be used for other large community events, received compliments. Mr. Gage added a command center was set up on Bass Pro property; several debriefing meetings will be held in the coming days to review the outcome.

Mr. Gage noted the Springfield Police Department is releasing its annual report for 2021. He added this informative report has been provided to City Council and encouraged them to read and share the information.

Mr. Gage provided an update on pothole remediation. He noted crews have been working hard to keep up with reported potholes, adding these can be reported by calling the Citizen Resource Center at 417-864-1010, using the mobile app "GoSpringfieldMo", or filling out a form online.

Mr. Gage provided an update on the Birthplace of Route 66 Festival. Mr. Gage noted after having to cancel the 2020 and 2021 Birthplace of Route 66 Festivals due to the pandemic, festival organizers are thrilled to announce that the festival will be held August 11-13, 2022, in downtown Springfield.

Mr. Gage welcomed Amanda Ohlensehlen as the City of Springfield's Director of Economic Vitality. Mr. Gage noted Ms. Ohlensehlen is a Missouri native who most recently served as the Community and Economic Development Manager for the City of New Bern, North Carolina. Mr. Gage added the City of Springfield is excited to have Ms. Ohlensehlen, and the new department is a great chance for the City to advance the goals set forth in the Comprehensive Plan and City Council priorities.

Mayor McClure thanked all involved for their work on the Bass Pro World's Fishing Fair and congratulated Bass Pro on its 50th anniversary.

Police Chief Report Paul Williams, Police Chief, noted the 2021 Springfield Police Department Annual Report was given to each City Council member and encouraged them to let him know if they have any questions.

Chief Williams noted a homicide case investigation was tied to another shooting case, and the subject has been arrested.

Chief Williams noted three lateral candidates and 24 regular recruits remain in the Police Academy. He further noted 16 individuals are signed up for the next class which will begin on September 12.

Chief Williams noted the department has received good response to the current crime public service announcements (PSA) and the Crime Mapping Program. Chief Williams further noted municipal arrests are up to 65, with 5 last week, which is the norm. He added eight locations with multiple arrests have been identified for closer review. Five offenders have each been arrested twice, and this information has been passed on to the prosecutor.

Chief Williams noted the Citizens Police Academy, an educational class to learn how the Springfield Police Department functions, will take applications through April 30. The Citizens Police Academy is for any citizen who lives within the city limits of Springfield, is over 18 years old, and passes the background check.

Mayor McClure congratulated Chief Williams on the excellent detective work that resulted in charges for the homicide case. Chief Williams noted he will pass the congratulations on to the officers.

Councilman Ollis asked for an update on the Warrant Task Force. Chief Williams responded 76 warrants have been resolved by arrest and 204 have been self-resolved. He added approximately 2,500 warrants have been removed from the list for reasons such as individuals being deceased, in Department of Corrections custody, moved out of jurisdiction, and various other reasons. Councilman Ollis complimented the department on their work.

Chief Williams noted the current jail is currently not at capacity, and the new jail will begin to be utilized in June.

Councilman McGull asked if the new municipal jail will have the same number of beds. Chief Williams responded there will be 48 beds for municipal prisoners, and the contract length is indefinite.

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

**Dedication of
Public Streets and
Easements: Reed
Avenue Cottages**

Sponsor: Simpson. Council Bill 2022-072.

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 Cluster Preliminary Subdivision Plat of Reed Avenue Cottages, generally located at 4423

South Reed Avenue, upon the applicant filing and recording a final plat that substantially conforms to the preliminary plat; and authorizing the City Clerk to sign the final plat upon compliance with all the terms of this Ordinance. (Staff recommends that City Council accept the public streets and easements.) (By: Katy A. St. George Revocable Trust; 4423 South Reed Avenue; Preliminary Plat of Reed Avenue Cottages)

Mayor McClure noted all communication and legal analysis has been reviewed, and multiple trips have been made to view the area. Mayor McClure further noted the role of City Council for the proposed is to accept the dedication of public streets and easements as shown on the preliminary plat when the applicant files a final plat which is in accordance with the preliminary plat, and this is in accordance with the City's subdivision code. He added the role of City Council for the proposed is ministerial rather than legislative. Mayor McClure noted the factors to be considered are to determine if the location of the land to be dedicated is appropriate and complies with applicable ordinances. He further noted City Council may not consider deed restrictions or other private rights. City Code does not set forth a procedure for City Council to remand a preliminary plat to the Planning and Zoning Commission, and Section 2.12 of the City Charter does not contain emergency measure language as described by the homeowner's association attorney.

Council Bill 2022-072. Special Ordinance 27670 was approved with the following vote: Ayes: Ollis, Lear, Hardinger, McGull, Schilling, Simpson, and McClure. Nays: Hosmer. Absent: None. Abstain: None. Vacant Seat: Zone 1.

Sponsor: Ollis. Council Bill 2022-073.

A general ordinance adopting an updated version of the "Flood Control and Water Quality Protection Manual" to include a water quality requirement for redevelopment in accordance with the City's Municipal Separate Storm Sewer System permit and other technical updates and clarifications to stormwater design standards; and amending Springfield City Code, Chapter 96, 'Storm Water,' Article I. 'Flood Control and Water Quality Protection,' and Article III. 'Land Disturbance Activity', to make changes consistent with the updated Manual.

Council Bill 2022-073. General Ordinance 6715 was approved with the following vote: Ayes: Hosmer, Ollis, Lear, Hardinger, McGull, Schilling, Simpson, and McClure. Nays: None. Absent: None. Abstain: None. Vacant Seat: Zone 1.

Sponsor: McGull. Council Bill 2022-074.

A general ordinance amending the Springfield Land Development Code, Article III, 'Zoning Regulations,' Division 5, 'Supplemental District Regulations,' Section 36-472, 'Stream Buffers.' (Staff and Planning and Zoning Commission both recommend approval.)

Council Bill 2022-074. General Ordinance 6716 was approved with the following vote: Ayes: Hosmer, Ollis, Lear, Hardinger, McGull, Schilling, Simpson, and McClure. Nays: None. Absent: None. Abstain: None. Vacant Seat: Zone 1.

**Update: Flood
Control and Water
Quality Protection
Manual**

**Merit System Rules
and Regulations:
City Health Care
Plan**

The following items appeared on the agenda under Resolutions.

**Historic
Designation:
Calhoun Orchard
Estate**

Sponsor: McGull. Council Bill 2022-076.

A resolution designating the Calhoun Orchard Estate, located at 836 South Delaware Avenue, as a Historic Site on the Springfield Historic Register.

Susan Istenes, Director of Planning and Development, gave a brief overview of the proposed. Ms. Istenes noted the property owners requested the historic designation to seek preservation of the property and to establish a short-term rental in the carriage house.

Councilman Ollis asked if there is any impact on the short-term rental regulation. Ms. Istenes responded the homeowners will still have to apply for the short-term rental. Councilman Ollis asked Ms. Istenes to explain why a historic designation is needed before a carriage house can become a short-term rental. Ms. Istenes responded the historic designation keeps the carriage house preserved while still allowing it to be used as a short-term rental.

Councilwoman Hardinger asked if the primary residence has a historic designation. Ms. Istenes responded her understanding is that only the carriage house will be certified.

Councilman Hosmer asked why the carriage house must have a historic designation. Rhonda Lewsader, City Attorney, noted City Code Section 36-473 says short-term rental type 1 or 2 can only be in a primary structure or historic carriage house per Section 36-464. Councilman Hosmer expressed his belief there are several carriage houses operating which would be in violation. Ms. Lewsader noted they would be in violation if a carriage house is not designated historic and is being used as a type 1 or 2 short-term rental.

Council Bill 2022-076. Resolution 10625 was approved with the following vote: Ayes: Hosmer, Ollis, Lear, Hardinger, McGull, Schilling, Simpson, and McClure. Nays: None. Absent: None. Abstain: None. Vacant Seat: Zone 1.

EMERGENCY BILLS.

PUBLIC IMPROVEMENTS.

GRANTS.

AMENDED BILLS.

The following items appeared on the agenda under Public Hearing.

**Amending
Springfield Land
Development Code:
1616 East Bradford
Parkway and 3811**

Sponsor: Simpson. Council Bill 2022-077

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 10.23 acres of property generally located at 1616 East Bradford Parkway and 3811 and 3813 South Weller

**and 3813 South
Weller Ave.**

Avenue from Planned Development No. 117, 5th Amendment, and Planned Development No. 363 to Planned Development No. 379; and adopting an updated Official Zoning Map. (Planning and Zoning Commission and Staff recommend approval.) (By: EWR Springfield Cambium, LLC & EWR Springfield Cambium II, LLC; 1616 E. Bradford Pkwy and 3811 & 3813 South Weller Avenue; Planned Development No. 379.)

Susan Istenes, Director of Planning and Development, gave a brief overview of the proposed. Ms. Istenes noted the request is to allow a mixed use with multi-family, office/personal service uses, and retail. She further noted the proposed is consistent with the Land Use Plan.

An opportunity was given for citizens to express their views.

Harlan Hill addressed City Council. Mr. Hill noted the plan is for multi-family apartments/office space, and is a predominantly four-story building.

With no further appearances, the public hearing was declared closed.

**Amending
Springfield Land
Development Code:
1310 East St. Louis
Street**

Sponsor: McGull. Council Bill 2022-078

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 1310 East St. Louis Street from R-HD, High-Density Multifamily Residential District, with Conditional Overlay No. 123, to GR, General Retail District; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission both recommend approval.) (By: Urban Village Living LLC; 1310 East St. Louis Street; Z-5-2022.)

Susan Istenes, Director of Planning and Development, gave a brief overview of the proposed. Ms. Istenes noted the request is to rezone 1.04 acres for mixed use retail and multi-family. She added the proposed is consistent with the Land Use Plan for medium density retail, office, and housing.

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

**Motion to refer
back to Planning
and Zoning:
Council Bill 2022-
079 and Council
Bill 2022-080**

Mayor Pro Tem Simpson, at the request of the applicant, moved to refer Council Bill 2022-079 and Council Bill 2022-080 back to the Planning and Zoning Commission. The motion was seconded by Councilman McGull and was approved with the following vote: Ayes: Hosmer, Ollis, Lear, Hardinger, McGull, Simpson, and McClure. Nays: Schilling. Absent: None. Abstain: None. Vacant Seat: Zone 1.

Speakers signed up to speak to Council Bill 2022-079 or Council Bill 2022-080 were encouraged to follow the proposed bills through the Planning and Zoning Commission process.

**Amending
Springfield Land
Development Code:
404, 420, and 424
East Sunshine
Street**

Sponsor: Simpson. Council Bill 2022-079

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 1 acre of property generally located at 404, 420, and 424 East Sunshine Street from R-SF, Single-Family Residential District, to LB, Limited Business District, with Conditional Overlay District No. 207; establishing Conditional Overlay District No. 207; and adopting an updated Official Zoning Map. (Planning and Zoning Commission recommends denial and staff recommends approval.) (By: Reding Management and Redic, LLCs; 404, 420, & 424 E. Sunshine Street; Z-1-2022 w/Conditional Overlay District No. 207.)

Council Bill 2022-079 was referred back to the Planning and Zoning Commission.

**CUP No. 461: 404,
420, and 424 East
Sunshine Street**

Sponsor: Simpson. Council Bill 2022-080

A special ordinance granting Conditional Use Permit No. 461 for the purpose of permitting eating and drinking establishment use group, including drive-in, pick-up window, or drive-thru facilities, as a conditional use within the LB – Limited Business District, generally located at 404, 420, and 424 East Sunshine Street. (Planning and Zoning Commission recommends denial and staff recommends approval.) (By: Reding Management and Redec, LLCs; 404, 420, & 424 E. Sunshine Street; Conditional Use Permit 461.)

Council Bill 2022-080 was referred back to the Planning and Zoning Commission.

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

**Division Street
Roadway
Improvements:
National Avenue to
Glenstone Avenue
project**

Sponsor: Hardinger. Council Bill 2022-082

A special ordinance approving the plans and specifications for the Division Street Roadway Improvements – National Avenue to Glenstone Avenue project; accepting the bid of Hartman and Company, Inc., in the amount of \$4,689,870.65 for said project; authorizing the City Manager, or his designee, to enter into a contract with such bidder; and amending the Fiscal Year 2021-2022 budget for the Department of Public Works in the amount of \$1,100,000.00 to appropriate reserves of the 1/8-cent Transportation Sales Tax for said project.

Dan Smith, Director of Public Works, gave a brief overview of the proposed. Mr. Smith noted the proposed is a project to update Division Street, between National and Glenstone. Mr. Smith further noted the street is to be updated with the sidewalks reconfigured to be compliant with the Americans with Disabilities Act (ADA). Mr. Smith added there were three bidders, coming in under the engineer's estimate. He further added, the request for a budget adjustment is due to the rise in prices.

Councilman McGull noted this is a Zone 2 project and requested to be a co-sponsor of the bill.

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

The following items appeared on the agenda under Petitions, Remonstrances, and Communications.

Allen Kunkel addressed City Council. Mr. Kunkel thanked City Council members for their service. He expressed his belief planning around economic investment is key. Mr. Kunkel noted the great impacts that partnerships make. He expressed he is looking forward to working with the City through his role at Missouri State University.

Tim Havens addressed City Council. Mr. Havens expressed his belief City Council offers an opportunity for citizens to speak but does not engage with citizens regarding their concerns. Mr. Havens expressed his belief the topics of free bus fare for a year, a boycott of Koch Industries, officers not responding to accidents, plan for nuisance properties, systematic racism, homelessness, and the Silver Homes Program are worthy of discussion and asked City Council create a log to reconsider each remonstrance.

The following items appeared on the agenda under New Business.

Recommended

The Public Involvement Committee recommends the following appointment to the Planning and Zoning Commission: Eric Pauly with term to expire January 1, 2024.

Referred

Refer the topic of e-scooters from the Community Involvement Committee to the Plans and Policies Committee.

Mayor McClure asked if there was any objection to the matter being referred to the Committee. There was no objection.

UNFINISHED BUSINESS.

MISCELLANEOUS.

The following items appeared under Consent Agenda – First Reading bills.

Chestnut South Lift Station Relief Sewer Project

Sponsor: Hosmer. Council Bill 2022-083

A special ordinance amending Special Ordinance 27630, which declared the necessity of acquiring by condemnation the final easements for the purpose of constructing and maintaining sanitary sewers in the Chestnut South Lift Station Relief Sewer Project, to correct the legal description of a perpetual sanitary sewer easement.

The following items appeared under Consent Agenda – One Reading bills.

TIF: Greene County and Republic School District

Sponsor: Schilling. Council Bill 2022-084

A resolution acknowledging the appointments made by Greene County and the Republic School District to the Tax Increment Finance Advisory Commission.

Council Bill 2022-084. Resolution 10626 was approved with the following vote: Ayes: Hosmer, Ollis, Lear, Hardinger, McGull, Schilling, Simpson, and McClure. Nays: None. Absent: None. Abstain: None. Vacant Seat: Zone 1.

The following items appeared under Consent Agenda – Second Reading bills.

Confirmed

Confirm the following appointments to the Citizens Advisory Committee for Community Development: O'Brien Daniels with term to expire May 1, 2024; Krista Peryer with term to expire May 1, 2022.

Confirmed

Confirm the following appointments to the Citizens Tax Oversight Committee: Christopher Upton with term to expire May 1, 2023; Tammy Adu and Erin Gray with terms to expire May 1, 2022; Duane Keys and Ray Lampert with terms to expire May 1, 2024.

Confirmed

Confirm the following reappointments to the Landmarks Board: Layne Hunton and Jan Preston with terms to expire November 1, 2024.

Confirmed

Confirm the following reappointments to the Personnel Board: Michael Ramos and Tyler Tooley with terms to expire March 1, 2025.

Confirmed

Confirm the following appointment to the Public Building Corporation: Paul Monroe with term to expire September 1, 2027.

Confirmed

Confirm the following appointments to the Springfield – Greene County Environmental Advisory Board: Carol Hutcheson and Laura McCaskill with terms to expire October 1, 2024.

END OF CONSENT AGENDA.

Motion to Adjourn

Mayor Pro Tem Simpson moved to adjourn. Councilwoman Hardinger seconded the motion, and it was approved by the following vote. Ayes: Ollis, Lear, Hardinger, Schilling, Simpson, McGull and McClure. Nays: Hosmer. Absent: None. Abstain: None. Vacant Seat: Zone 1.



Anita J. Cotter, CMC/MRCC
City Clerk

Prepared by
Michelle Brown