

October 3, 2022
Springfield, Missouri

The City Council met in regular session October 3, 2022, in the Council Chambers at Historic City Hall. The meeting was called to order by Mayor Ken McClure.

Roll Call

Present: Mike Schilling, Matthew Simpson, Craig Hosmer, Richard Ollis, Andrew Lear, Heather Hardinger, Monica Horton, and Ken McClure. Absent: Abe McGull.

Minutes

The minutes of the September 19, 2022, City Council meeting and the September 22, 2022, Special City Council meeting were considered. Mayor Pro Tem Simpson moved to approve the minutes as presented. The motion was seconded by Councilwoman Horton and approved by the following vote: Ayes: Schilling, Simpson, Hosmer, Ollis, Lear, Hardinger, Horton, and McClure. Nays: None. Absent: McGull. Abstain: None.

Consent Agenda

The Consent Agenda was approved as presented by the following vote: Ayes: Schilling, Simpson, Hosmer, Ollis, Lear, Hardinger, Horton, and McClure. Nays: None. Absent: McGull. Abstain: None.

The following item appeared on the agenda under Ceremonial Matters.

City Manager Report

Jason Gage, City Manager, expressed his appreciation to Erin Danastasio and the Hatch Foundation for hosting Celebrate Springfield throughout the month of September, ending with a large celebration event at Jordan Valley Park. Mr. Gage added it is meaningful to have residents, local businesses, and organizations come together to highlight all that the city has to offer.

Mr. Gage asked residents to join the Springfield Fire Department for a ribbon-cutting ceremony for the new Fire Station 4 at 10:00 a.m. on Thursday, October 6, at 2429 N. Delaware.

Mr. Gage noted residents and those owning property near Lake Springfield are invited to an informational meeting from 4:30 to 6:30 p.m. on October 12 at the Springfield Lake Boathouse. Crawford, Murphy, and Tilly (CMT) was selected to assist the City with this master planning process. This will be the first of many opportunities for the community to learn more and provide input.

Mr. Gage noted the City of Springfield hosted an informational open house regarding the proposed Grant Avenue Parkway Redevelopment Plan on Thursday, September 29, with approximately 50 residents, property owners, and developers in attendance. Springfield Department of Economic Vitality staff, along with planning consultants with PGAV Planners, provided a presentation of the contents of the Redevelopment Plan, outlining economic development and neighborhood revitalization resources along a portion of the Grant Avenue Parkway improvement corridor. A video and other content explaining the plan is located at grantavenueparkway.com/revitalization.

Mr. Gage further noted the Springfield Art Museum will host a ribbon-cutting marking the completion of work on the museum grounds, including the Fassnight Creek Naturalization and North Parking Lot Projects, on Saturday, October 15, from 2:00 to 4:00 p.m.

Mr. Gage acknowledged the departments of Public Information & Civic Engagement and Information Systems (PIO) for the recent enhancements to the City's website and digital channels. In addition to a redesign and usability upgrades, content expansions were created in the Environmental Services and Economic Vitality department sites. Melissa Haase, Assistant Director of Public Information and Civic Engagement, and Nichole Plowman, Administrative Systems Analyst, led these efforts, with significant assistance by PIO graphic designers and photographers.

Police Chief Report

Paul Williams, Police Chief, provided a brief update for the department. Chief Williams noted an approximate 18% reduction in crime overall over the past three years. He reported these are overall good numbers and anticipates an approximate 15-20% decline for reported crime in 2022. Chief Williams noted the department continues to work reported cases, and over 6,000 reported cases have been cleared for the year.

Chief Williams reported gun violence is still an issue. The number of shots fired calls and injuries for 2022 has almost exceeded the numbers for the previous year; 144 guns have been seized in 2022.

The department focus, Theft From Vehicles, has seen a 23.5% reduction for quarter 3 in 2022. The quarterly public service announcement (PSA) garnered over 30,000 views. A QR code links to the Police Department website, Springfieldmo.gov/crime. The quarter 4 focus is robbery and will begin with a PSA in October.

Chief Williams noted Data-Driven Approaches to Crime and Traffic Safety (DDACTS) update data is mixed. The data was used to determine four locations for officers to concentrate on. Chief Williams further noted it is too early to determine the results. Chief Williams noted municipal warrants and arrests have increased with 102 arrests, 123 warrants served, and 445 warrants resolved. The number of municipal prisoners for September has increased to an average of 23 per day. Chief Williams explained the 60-day initiative for Fail to Display Registration Tags decreased to 327 for the 60-day initiative.

The Mental Health co-response team served 9 individuals for referral; 4 were referred to treatment, 3 refused treatment, and 3 agreed to follow up treatment. Chief Williams noted the results are very preliminary. Chief Williams reported the opioid crisis update YTD 2022 shows response to 429 overdoses, 29 overdose fatalities, and 110 naran administered.

Chief Williams provided a recruiting and retention update. He reported 39 vacant positions, 22 individuals in training, 21 in the Field Training Officer program, 1 individual on military leave, and 11 officers on light duty. He noted 274 officers as the actual number available for duty. 96 individuals have tested for the May 2023 academy class. Lateral hires are at 7 for the year, and 6 retirees have been hired. He further noted there are 15 vacancies for professional staff and the Investigative Service Specialist and Traffic Service Officers positions have offers pending.

Councilman Ollis asked why there was an overall decrease in reported crimes. Chief Williams noted citizen involvement has helped create improvement and the focused efforts of police officers has also been beneficial. Councilman Ollis acknowledged the department for their efforts on license plate enforcement and crime efforts.

Councilwoman Horton expressed her appreciation for the report and asked if there will be another initiative for traffic violations. Chief Williams responded with DDACTS the department is looking into initiatives for other traffic violations.

Councilman Hosmer asked if City Council could provide any tools to assist the department in reducing gun violence. Chief Williams responded the focus is to retrieve illegal guns, and there has been positive improvement in the number of homicides.

City Council Discussion of Board Appointment Process.

Councilman Schilling presented an apology for his vote against the appointment of Andrew Doolittle to the Planning and Zoning Commission. Mr. Schilling expressed his belief Mr. Doolittle was a worthy candidate. He cited a recent proposed development which Mr. Doolittle was a part of that he voted against due to the drive-through component which was not a valid reason to vote against Mr. Doolittle.

Mayor McClure acknowledged Councilman Schilling for his heartfelt statement. Mayor McClure noted he reached out to Mr. Doolittle and apologized. He noted the opinions of others suggested a conflict of interest may exist if Mr. Doolittle, a developer, served on the Planning and Zoning Commission. Mayor McClure expressed his belief that if such perceived conflicts are real, then anyone with such qualifications would be in question for serving on the Planning and Zoning Commission. Mayor McClure noted the City Charter and City Code cite strict ethical restrictions for anyone who serves in such a capacity. Members are required to abstain and recuse themselves from any matter that is a conflict of interest. He cited Ralph Manley, a respected developer and businessman, who served effectively on the Planning and Zoning Commission and as a City Council member, as an example of how a developer can also serve the City well. Mayor McClure expressed his belief City Council must do better.

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

Conditional Use Permit 465: 425 West Commercial Street and 1824 North Lyon Avenue

Sponsor: Horton. Council Bill 2022-244

A special ordinance granting Conditional Use Permit No. 465 for the purpose of permitting construction of a development project greater than 10,000 square feet of total building floor area as a conditional use within the COM-1 – Commercial Street District, generally located at 425 West Commercial Street and 1824 North Lyon Avenue. (Planning and Zoning Commission recommends denial and staff recommends approval.) (By: OXMOD 425 LLC, Strong Capital V LLC; 425 West Commercial Street and 1824 North Lyon Avenue; Conditional Use Permit 465).

Councilwoman Horton moved to amend Council Bill 2022-244 by removing Exhibit C and replacing it with a revised Exhibit C.

Mayor McClure asked Rhonda Lewsader, City Attorney, to confirm the change was not substantive. Ms. Lewsader confirmed.

Councilman Ollis asked what the amendment entailed. Ms. Lewsader responded the changes made were to correct errors in the exhibit. Susan Istenes, Director of Planning and Development, responded there was an incorrect mention of an address and an incorrect mention of a conditional use permit number.

Mayor Pro Tem Simpson seconded the motion, and it was approved by the following vote: Ayes: Hosmer, Ollis, Lear, Hardinger, Horton, Schilling, Simpson, and McClure. Nays: None. Absent: McGull. Abstain: None.

Councilman Hosmer asked if the design of the façade of the building can be remedied during the permit process. Ms. Istenes responded affirmatively. She noted the project will go through a review of the design criteria to obtain a permit.

Councilwoman Horton expressed her support for the proposed.

Councilman Ollis expressed his support for the proposed as investment in the community.

Mayor Pro Tem Simpson expressed his support for the proposed. He expressed his belief this type of development is beneficial as it also provides housing.

Councilman Hosmer asked if a Conditional Use Permit can be amended by City Council. Ms. Lewsader responded conditions are imposed at the Planning and Zoning level but cannot be amended by City Council. Councilman Hosmer expressed his opinion the code should be more clear.

Councilman Lear expressed his support for the proposed. He commended the neighborhoods and the developers for their ability to have civil discussion.

Amended Council Bill 2022-244. Special Ordinance 27763 was approved by the following vote: Ayes: Hosmer, Ollis, Lear, Hardinger, Horton, Schilling, Simpson, and McClure. Nays: None. Absent: McGull. Abstain: None.

**Lease Agreement:
Greene County
Agricultural and
Mechanical
Society**

Sponsor: Lear. Council Bill 2022-245

A special ordinance authorizing the City Manager, or designee, to enter into an Amended and Restated Lease Agreement with the Greene County Agricultural and Mechanical Society of Springfield, Missouri.

Council Bill 2022-245. Special Ordinance 27764 was approved by the following vote: Ayes: Hosmer, Ollis, Lear, Hardinger, Horton, Schilling, Simpson, and McClure. Nays: None. Absent: McGull. Abstain: None.

The following items appeared on the agenda under Resolutions.

**Short-Term Rental
Type 2: 1054 East
Sunshine**

Sponsor: Simpson. Council Bill 2022-247

A resolution granting a Short-Term Rental Type 2 Permit for the property located at 1054 East Sunshine Street for the purpose of allowing the establishment of a Short-Term Rental Type 2 pursuant to Section 36-473 of the Land Development Code.

Mayor McClure recused himself from Council Bill 2022-247 and left the dais.

Daniel Neal, Senior City Planner, provided a brief overview of the proposed. Mr. Neal noted the property obtained 3 of the 5 signatures possible. City Council approval was required as there are only 3 residential structures on the block. The property is non-owner occupied, and no protest petitions were submitted.

Councilman Lear asked if the issue is that there are one too few houses on the block face. Mr. Neal answered affirmatively.

Mayor Pro Tem Simpson asked if three adjacent homeowners signed and two did not respond. Mr. Neal answered affirmatively.

Councilman Hosmer asked if staff recommends approval. Mr. Neal responded the issue is at the discretion of City Council.

An opportunity was given for citizens to express their views.

Lincoln Amstutz spoke in support of the proposed. He noted a successful neighborhood meeting was held, and he will be able to keep up with maintenance if approved.

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

Council Bill 2022-247. Resolution 10656 was approved by the following vote: Ayes: Schilling, Simpson, Ollis, Lear, Hardinger, and Horton. Nays: Hosmer. Absent: McGull and McClure. Abstain: None.

Mayor McClure returned to the dais.

**Short-Term Rental
Type 2:**

Sponsor: Simpson. Council Bill 2022-248

A resolution granting a Short-Term Rental Type 2 Permit for the property located at 2000 East Sunset Drive for the purpose of allowing the establishment of a Short-Term Rental Type 2 pursuant to Section 36-473 of the Land Development Code.

Daniel Neal, Senior City Planner, provided a brief overview of the proposed. Mr. Neal noted 50% of the necessary 55% of signatures were received. He further noted the property is non-owner occupied, and no protest petitions were submitted.

Councilman Hosmer asked if reducing the number of short-term rentals has been considered. Mr. Neal responded there are currently 206 short-term rentals licensed.

Mayor Pro Tem Simpson asked if the no signature was not returned and why there was one undetermined signature. Mr. Neal responded the undetermined signature was due to the property being in a trust.

An opportunity was given for citizens to express their views.

Tim Rosenbury spoke in support of the proposed. He noted the property was bought eight years ago to preserve the property and to use for friends and family to stay in. He further noted the property is not advertised as a short-term rental, and he lives close to the property. He added that one signature was a member of a trust, and they have provided most of the required information.

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

Council Bill 2022-248. Resolution 10657 was approved by the following vote: Ayes: Schilling, Simpson, Ollis, Lear, Hardinger, Horton, and McClure. Nays: Hosmer. Absent: McGull. Abstain: None.

EMERGENCY BILLS.

PUBLIC IMPROVEMENTS.

The following items appeared on the agenda under Grants.

Surface Transportation Program-Urban Supplemental Agreement

Sponsor: Hosmer. Council Bill 2022-249

A special ordinance authorizing the City Manager, or his designee, to enter into a Surface Transportation Program-Urban Supplemental Agreement with the Missouri Highways and Transportation Commission; amending the budget of the Department of Public Works for Fiscal Year 2022-2023, in the amount of \$628,178, for the purpose of appropriating the additional federal funds to be used in street overlay improvements; and declaring that this bill qualifies for approval in one reading.

Dan Smith, Director of Public Works, provided a brief overview of the proposed. Mr. Smith noted the proposed would allow the department to enter into an agreement with the Missouri Highways and Transportation Commission to appropriate additional federal funds for street overlay improvement.

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

Council Bill 2022-249. Special Ordinance 27765 was approved by the following vote: Ayes: Schilling, Simpson, Hosmer, Ollis, Lear, Hardinger, Horton, and McClure. Nays: None. Absent: McGull. Abstain: None.

AMENDED BILLS.

The following items appeared on the agenda under Public Hearing.

**Conditional Use
Permit No. 466:
1306 West
Sunshine Street**

Sponsor: Schilling. Council Bill 2022-250

A special ordinance granting Conditional Use Permit No. 466 for the purpose of permitting an automobile service garage as a conditional use within the GR, General Retail District, generally located at 1306 West Sunshine Street. (Staff and Planning and Zoning Commission recommend approval.) (By: West Coast 711S, LLC; 1306 W. Sunshine Street; Conditional Use Permit 466.)

Susan Istenes, Director of Planning and Development, provided a brief overview of the proposed. Ms. Istenes noted the proposed would allow a Conditional Use Permit for an automobile service garage. The existing building on site will be rehabbed and used for the expansion of an existing auto repair shop.

An opportunity was given for citizens to express their views.

Geoff Butler spoke in support of the proposed. Mr. Butler noted the existing property is an abandoned building which has been vandalized. The owner will add seven bays to enhance the business operations.

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

**Conditional Use
Permit No. 467:
1025 West
Sunshine Street**

Sponsor: Schilling. Council Bill 2022-251

A special ordinance granting Conditional Use Permit No. 467 for the purpose of permitting an automotive body and fender repair and paint shop as a conditional use within the HC, Highway Commercial District, generally located at 1025 West Sunshine Street. (Staff and Planning and Zoning Commission recommend approval.) (By: Clovis Breeden; 1025 W. Sunshine Street; Conditional Use Permit 467.)

Susan Istenes, Director of Planning and Development, provided a brief overview of the proposed. Ms. Istenes noted the proposed is for a Conditional Use Permit for an automotive body and fender repair and paint shop. The site borders 8 single-family residences and the applicant has proposed site alterations to bring the property into compliance with open space and landscaping requirements.

An opportunity was given for citizens to express their views.

Brett Flory, the architect for the project, spoke in support of the proposed. He noted the existing building will be used, and the applicant will do all work inside the building with no wrecked vehicles being stored out front.

Councilman Schilling asked if the location was previously a automobile dealership. Mr. Flory answered affirmatively.

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

**Springfield Land
Development
Code rezoning:
3050 East
Battlefield Road
and 3020 South
Parkview Avenue**

Sponsor: Simpson. Council Bill 2022-252

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 3050 East Battlefield Road and 3020 South Parkview Avenue from Planned Development No. 222 and R-SF, Single-Family Residential District, to O-1, Office District, with Conditional Overlay District No. 219; establishing Conditional Overlay District No. 219; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: Dean & Teresa McClish Trust; 3050 E. Battlefield Road and 3020 S. Parkview Avenue; Z-18-2022 w/COD #219.)

Susan Istenes, Director of Planning and Development, provided a brief overview of the proposed. Ms. Istenes noted the proposed is to rezone property generally located at 3050 E. Battlefield and 3020 S. Parkview. The Growth Management and Land Use Plan designates the area as appropriate for Low Density Housing uses; however, small neighborhood-oriented retail or service businesses may be carefully located and screened at certain locations.

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

**Springfield Land
Development
Code rezoning:
1331 North Stewart
Avenue**

Sponsor: McGull. Council Bill 2022-253

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 0.29 acres of property generally located at 1331 North Stewart Avenue from GM, General Manufacturing District, to LI, Industrial District; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: Troutman Enterprises, LLC; 1331 N. Stewart Avenue; Z-20-2020.)

Susan Istenes, Director of Planning and Development, provided a brief overview of the proposed. The request is to rezone property generally located at 1331 N. Stewart to Light Industrial District. The applicant is requesting to rezone the property to the most suitable industrial district which would permit their desired use.

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

**Springfield Land
Development
Code rezoning:
3787 South
Jefferson Avenue**

Sponsor: Simpson. Council Bill 2022-254

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 0.57 acres of property generally located at 3787 South Jefferson Avenue from O-1, Office District, to GR, General Retail District; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: J&M Tillman LLC; 3787 S. Jefferson Avenue; Z-22-2022.)

Susan Istenes, Director of Planning and Development, provided a brief overview of the proposed. Ms. Istenes noted the request is to rezone the property. If approved, the applicant

intends to construct a new building containing a mix of office and commercial suites for future tenants.

An opportunity was given for citizens to express their views.

Stephanie Ireland, the architect representing the owner, spoke in support of the proposed. Ms. Ireland noted the request is to rezone the property to allow for various types of tenants.

Mayor Pro Tem Simpson asked what type of tenants are anticipated. Ms. Ireland responded there are no commitments at this time.

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

Mayor McClure asked Anita Cotter, City Clerk, to read Council Bills 2022-255 and 2022-256 together.

**Springfield Land
Development
Code rezoning:
1545 West
Republic Street**

Sponsor: Schilling. Council Bill 2022-255

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 3.3 acres of property generally located at 1545 West Republic Street from GR, General Retail District, to HC, Highway Commercial District; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: 1545 W Republic Road LLC; 1545 W. Republic Street; Z-24-2022.)

**Conditional Use
Permit No. 467:
1545 West
Republic Street**

Sponsor: Schilling. Council Bill 2022-256

A special ordinance granting Conditional Use Permit No. 468 for the purpose of permitting an automotive body and fender repair and paint shop as a conditional use within the HC, Highway Commercial District, generally located at 1545 West Republic Street. (Staff and Planning and Zoning Commission recommend approval.) (By: 1545 W Republic Road LLC; 1545 W. Republic Street; Conditional Use Permit 468.)

Susan Istenes, Director of Planning and Development, provided a brief overview of the proposed. Ms. Istenes noted the request is to rezone and grant a Conditional Use Permit for an automotive body and fender repair and paint shop on the property. The project satisfies the applicable standards of the Land Development Code for issuance of a Conditional Use Permit.

Councilman Schilling asked if the property is currently vacant. Ms. Istenes answered affirmatively.

An opportunity was given for citizens to express their views.

Todd Burnett spoke in support of the proposed. Mr. Burnett, a representative of the applicant, noted he is available for questions.

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

FIRST READING BILLS.

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

Matt Morrow thanked City Council for their work. He addressed the process of appointing board members and noted there is a wide variety of individuals who serve on boards. He expressed his belief individuals in the building trades have much to offer to a board. He questioned why the confirmation of Andrew Doolittle failed and no explanation was given. He expressed his belief the perception was that entire professions would be excluded from serving on boards.

Councilman Ollis asked if there is a legal reason why a certain profession cannot serve on a particular board. Rhonda Lewsader, City Attorney, noted not in this case.

The following item appeared on the agenda under New Business.

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 State's office.

UNFINISHED BUSINESS.

MISCELLANEOUS.

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

Storm Warning Sirens

Sponsor: Hardinger. Council Bill 2022-257

A special ordinance authorizing the City Manager, or his designee, to enter into a Services Contract with Greene County, Missouri, for the City to continue to monitor and maintain the County storm warning sirens.

Cost Apportionment Agreement: Pedestrian Safety Workshop

Sponsor: Lear. Council Bill 2022-258

A special ordinance authorizing the City Manager or his designee to enter into a Cost Apportionment Agreement with the Missouri Highways and Transportation Commission to share costs associated with a pedestrian safety workshop, with the City being responsible for \$7,500 of the total cost of the workshop.

CONSENT AGENDA – ONE READING BILLS.

CONSENT AGENDA – SECOND READING BILLS.

BOARD CONFIRMATIONS.

END OF CONSENT AGENDA.

Motion to Adjourn Mayor Pro Tem Simpson moved to adjourn. Councilman Lear seconded the motion, and it was approved by the following vote. Ayes: Schilling, Simpson, Ollis, Lear, Hardinger, Horton, and McClure. Nays: Hosmer. Absent: McGull. Abstain: None.


Anita J. Cotter, CMC/MRCC
City Clerk

Prepared by
Michelle Brown