

December 12, 2022
Springfield, Missouri

The City Council met in regular session on December 12, 2022, in the Council Chambers at Historic City Hall. The meeting was called to order by Mayor Ken McClure.

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

Minutes The minutes of the November 28, 2022, City Council meeting, November 29, 2022, Special City Council meeting, and December 6, 2022, Special City Council meeting were considered. Councilman Schilling moved to approve the minutes as presented. The motion was seconded by Councilwoman Horton and approved by the following vote: Ayes: Hardinger, Horton, McGull, Schilling, Hosmer, Ollis, and McClure. Nays: None. Absent: Simpson. Abstain: None.

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

CEREMONIAL MATTERS.

City Manager Report Jason Gage, City Manager, noted APD Urban Planning + Management out of Atlanta, Georgia, will be in Springfield next week to begin conducting a comprehensive housing condition study for the entire city. This will be an introduction and data-gathering visit. The ADP consultant team will begin by reviewing conditions in Springfield's north side, although they will review the entire city, to collect information on housing types, condition, and unit counts of each housing unit. They will also evaluate neighborhoods for amenities, such as green space, sidewalks, and trails. A community engagement event will take place in February. Watch the City's social media sites and springfieldmo.gov for updates.

Mr. Gage noted a public ceremony to celebrate the name change of the Midfield Terminal to the Roy Blunt Terminal is planned for 1:30 p.m., Friday, December 16, 2022, at the Springfield-Branson National Airport. The cost for signage and a plaque to commemorate the occasion is being covered by private donations. He further noted Senator Roy Blunt worked tirelessly to represent and advance issues for Southwest Missouri, including at the Airport, and this is a fitting honor.

Mr. Gage noted SGF Yields, the City's Pedestrian Safety initiative, received the Missouri Department of Transportation's (MoDOT's) Show Me Zero 2022 Southwest Regional Award. This award recognizes individuals or groups from each of Missouri's seven regions who have shown exemplary leadership in endeavors that significantly improve highway safety. He further noted the program was presented the 2022 Exceptional Performance in Safety award from the American Public Works Association (APWA) at the organization's annual national conference in Charlotte, North Carolina, in August 2022.

Mr. Gage noted the Planning and Development Department will host a neighborhood meeting in the Rountree Elementary School cafeteria from 5:00 to 7:00 p.m. on Wednesday, December

14, 2022. The open house will provide an opportunity for Planning and Neighborhoods staff to review proposed changes to the Rountree Neighborhood Urban Conservation District regulations with residents and property owners.

Mr. Gage noted the Parks Department has a variety of holiday themed activities through the end of the year. The Mizumoto Japanese Stroll Garden boasts more than 150,000 festive lights accenting unique botanical and Japanese themed structures and landscaping during select evenings 5:30 to 8:30 p.m. through December 31, 2022. Rutledge-Wilson Farm will host farm-themed holiday displays and more than 10,000 lights Friday through Sunday evenings this month.

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

**CUP 470: 404, 420,
and 424 East
Sunshine**

Sponsor: Simpson. Council Bill 2022-276 (Bill was inadvertently placed under Public Hearing and has been moved to First Reading Bills.)

A special ordinance granting Conditional Use Permit No. 470 for the purpose of permitting an 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, with Conditional Overlay District No. 207, generally located at 404, 420, and 424 East Sunshine Street. (Planning and Zoning Commission recommends denial and staff recommends approval.)

Mayor McClure noted the proposed was tabled at the November 28, 2022, City Council meeting, and asked if staff has an update to provide.

Susan Istenes, Director of Planning and Development, provided a brief overview of the proposed. She noted the proposed is to allow a drive-through coffee shop. She added the Planning and Zoning Commission previously denied the proposal. Public Works staff has met with the developers and recommends a median be added on Jefferson Avenue with the median to be paid for by the developer if found to be needed. Ms. Istenes noted the options for City Council are to take action during the meeting, to send the proposed back to the Planning and Zoning Commission with a recommendation for addition of a condition to add a median on Jefferson Avenue, or to table the proposed.

Jason Gage, City Manager, noted the purpose of tabling the bill again would be to allow further review of the item without sending the item back to the Planning and Zoning Commission, which would add a great deal of time to the issue.

Councilwoman Horton expressed her belief traffic is not the only issue with the development. She noted the request for addition of a sidewalk and asked if it covers both sides of the street. Ms. Horton noted other concerns with the project and expressed her opinion the issue should not be prolonged.

Councilman Hosmer asked how many times the department has met with developers. Brett Foster, Traffic Engineer, responded the conversation has been continuous. The traffic issue and the possibility of installing an island on Jefferson Avenue was discussed with developers after the proposed was last tabled. He noted the developers were open to the idea of installing an island.

Mr. Foster noted the traffic issue was discussed by staff and when modeled by the department, there were no back-ups triggered on Jefferson Avenue during normal operations. He further noted Public Works does not see an issue at this time. If any issues arise, a median on Jefferson Avenue could be installed.

Councilman Hosmer asked if anyone from staff has met with the neighborhood since the issue was tabled. Mr. Gage responded they have not. He noted the objective was to fulfill City Council's traffic concerns as addressed at the last meeting. Councilman Hosmer noted there were additional concerns and expressed his belief the neighbors should also be included.

Councilman McGull asked if the island on Jefferson Avenue would keep traffic from making a left turn into the property. Mr. Foster responded the median would not allow left turns off Jefferson Avenue into the property. Cars would have the option to turn right in or out on Jefferson Avenue or exit via Roanoke. Mr. Foster noted the average delay time after the lot is full would only back-up if the average serving time was four or more minutes per customer. Councilman McGull asked if the proposed island on Jefferson Avenue would affect both Jefferson Avenue and Roanoke. Mr. Foster answered affirmatively. Councilman McGull expressed his belief the problem is access to Roanoke Street.

Councilman Lear moved Council Bill 2022-276 be tabled until the January 9, 2023, City Council meeting. Councilman Ollis seconded the motion, and it was approved by the following vote: Ayes: McGull, Ollis, Lear, Hardinger, and McClure. Nays: Schilling, Hosmer, and Horton. Absent: Simpson. Abstain: None.

Comprehensive Housing Assistance Program

Sponsor: Hosmer. Council Bill 2022-287

A special ordinance amending the Rules and Regulations for the Comprehensive Housing Assistance Program to include revisions necessary to match the regulations of the United States Department of Housing and Urban Development, to allow the Director of Planning and Development and the Loan Committee certain flexibility when dealing with various issues arising under the City's loan programs, to include the ability to acquire existing occupied housing, and to allow for annual adjustments to loan interest rate. (Planning staff and the Loan Committee recommend approval.)

Council Bill 2022-287. Special Ordinance 27781 was approved by the following vote: Ayes: Schilling, Hosmer, Lear, Hardinger, Ollis, Horton, McGull, and McClure. Nays: None. Absent: Simpson. Abstain: None.

Jefferson Avenue Streetscape

Sponsor: Schilling. Council Bill 2022-288

A special ordinance approving the plans and specifications for the Jefferson Avenue Streetscape improvement; accepting the bid of KCI Construction Company in the amount of \$1,797,790 for said improvements; and authorizing the City Manager, or his designee, to enter into a contract with such bidder.

Councilman Hosmer asked where KCI Construction is located and how many local jobs they provide.

Dan Smith, Director of Public Works, responded their main office is in Kansas City, but they do have an office in Springfield. Mr. Smith noted they do provide good bids and hire locally for jobs in the area.

Council Bill 2022-288. Special Ordinance 27782 was approved by the following vote: Ayes: Hosmer, Ollis, Lear, Hardinger, Horton, McGull, Schilling, and McClure. Nays: None. Absent: Simpson. Abstain: None.

Salary Ordinance

Sponsor: Lear. Council Bill 2022-289

A general ordinance amending the Springfield City Code, Section 2-92, known as the ‘Salary Ordinance,’ relating to salary grades for various job titles within the City service as contained in the Crafts, Trades and Labor Union Schedule, the Fire Protection Union Schedule, and the Professional, Administrative, and Technical Non-Union Schedule by adding eleven (11) new job titles and deleting two (2) job titles; and amending the Fiscal Year 2022-2023 budget to adjust the authorized employee positions in the Department of Human Resources and Department of Environmental Services by adding one new Full Time Equivalent position to each respective department.

Council Bill 2022-289. General Ordinance 6765 was approved by the following vote: Ayes: Hosmer, Ollis, Lear, Hardinger, Horton, McGull, Schilling, and McClure. Nays: None. Absent: Simpson. Abstain: None.

Sanitary Sewer Overflow Control Program Group 7

Sponsor: Ollis. Council Bill 2022-290

A special ordinance approving the plans and specifications for the Sanitary Sewer Overflow Control Program, Group 7 Public Sewer Rehabilitation – Open Cut Repairs project; accepting the bid of Rosetta Construction, LLC, in the amount of \$4,059,920 for the project; authorizing the City Manager, or his designee, to enter into a contract for said project; and approving a budget adjustment in the amount of the bid, plus a contingency, to amend the Fiscal Year 2022-2023 budget of the Department of Environmental Services Clean Water Enterprise Fund by appropriating reserves of said fund in the amount of \$4,871,904.

Council Bill 2022-290. Special Ordinance 27783 was approved by the following vote: Ayes: Ollis, Lear, Hardinger, Horton, McGull, Schilling, Hosmer, and McClure. Nays: None. Absent: Simpson. Abstain: None.

Contract of Obligation: Noble Hill Sanitary Landfill

Sponsor: Hardinger. Council Bill 2022-291

A special ordinance authorizing the City Manager, or his designee, to enter into a Contract of Obligation with the Missouri Department of Natural Resources whereby the City agrees to financially secure the future closure and post-closure care of all currently active and previously completed portions of the City’s Noble Hill Sanitary Landfill.

Council Bill 2022-291. Special Ordinance 27784 was approved by the following vote: Ayes: Lear, Hardinger, Horton, McGull, Schilling, Hosmer, Ollis, and McClure. Nays: None. Absent: Simpson. Abstain: None.

**Land Lease
Agreement:
Watershed
Committee of the
Ozarks**

Sponsor: Hosmer. Council Bill 2022-292

A special ordinance authorizing the City Manager, or his designee, to enter into a land lease agreement with the Watershed Committee of the Ozarks, Inc., for the lease of a four-acre parcel of land near the Southwest Wastewater Treatment Plant and Yardwaste Recycling Center.

Council Bill 2022-292. Special Ordinance 27785 was approved by the following vote: Ayes: Hardinger, Horton, McGull, Schilling, Hosmer, Ollis, Lear, and McClure. Nays: None. Absent: Simpson. Abstain: None.

The following item appeared on the agenda under Resolutions.

**Intent to Annex:
6621 South
Innovation Avenue**

Sponsor: Simpson. Council Bill 2022-295

A resolution declaring the intent of the City of Springfield to annex approximately 27 acres of private property generally located at 6621 South Innovation Avenue, and referenced as Annexation A-1-2023, into the City. (Staff recommends approval.)

Susan Istenes, Director of Planning and Development, provided a brief overview of the proposed. Ms. Istenes noted the proposed would designate the intent to allow private property at 6621 South Innovation Avenue to be annexed into the City.

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

Council Bill 2022-295. Resolution 10672 was approved by the following vote: Ayes: Horton, McGull, Schilling, Hosmer, Ollis, Lear, Hardinger, and McClure. Nays: None. Absent: Simpson. Abstain: None.

EMERGENCY BILLS.

PUBLIC IMPROVEMENTS.

GRANTS.

AMENDED BILLS.

The following items appeared on the agenda under Public Hearing.

**Amending
Springfield Land
Development
Code: Rezoning:
1708 South Sieger
Drive**

Sponsor: McGull. Council Bill 2022-296

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 0.32 acre of property generally located at 1708 South Sieger Drive from R-SF, Single-family Residential District, to O-1, Office District; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: School For Investors LLC; 1708 S. Sieger Drive; Z-25-2022.)

Susan Istenes, Director of Planning and Development, provided a brief overview of the proposed. Ms. Istenes noted the proposed would allow the property to be rezoned to Office District to allow for a business school to operate. She further the proposed is consistent with the Comprehensive Plan and the Growth Management and Land Use Plan designates this site as appropriate for medium density retail, office, or housing. The applicant is proposing use as a business school with some student housing.

An opportunity was given for citizens to express their views.

Rick Wilson, a representative, spoke in support of the proposed. Mr. Wilson expressed his belief the proposed is a unique opportunity for young people to learn how to manage investments and negotiate contracts. It is anticipated there will be one student that will reside at the school and two that will attend the school part-time.

Ms. Cotter noted the applicant was available for questions.

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

Anita Cotter, City Clerk, read Council Bills 2022-297 and 2022-298 together.

**Amending
Springfield City
Code: Annexation:
354 W. Buena
Vista Street**

Sponsor: Schilling. Council Bill 2022-297

A general ordinance amending Section 1-9 of the Springfield City Code, 'City Limits;' and amending Section 46-1 of the Springfield City Code, 'Boundaries of wards, precincts and council zones;' for the purpose of annexing approximately 1.14 acres of private property and 0.38 acres of public street right-of-way, generally located at 354 West Buena Vista Street, and referenced as Annexation A-4-2022, into the City of Springfield. (By: Hale Real Estate, LLC; 354 W. Buena Vista Street; A-4-2022.)

**Amending
Springfield Land
Development
Code: Rezoning:
354 West Buena
Vista Street**

Sponsor: Schilling. Council Bill 2022-298

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 1.15 acres of property generally located at 354 West Buena Vista Street from Greene County C-2 to GR, General Retail District; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: Hale Real Est LLC; 354 W. Buena Vista Street; Z-26-2022.)

Susan Istenes, Director of Planning and Development, provided a brief overview of the proposed. Ms. Istenes noted the proposed would allow 1.15 acres of property to be annexed into the City and rezoned to General Retail District. The property is within the Urban Service Area and supported by the Comprehensive Plan.

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

**Street Name
Change No. 80:
North Mulroy
Road to North
Beaver Road**

Sponsor: McGull. Council Bill 2022-299

A general ordinance amending the Official Map of the City of Springfield, Missouri, adopted pursuant to General Ordinance 1478, by changing the street name of the 3100-3399 block of North Mulroy Road to North Beaver Road. (Staff and Planning and Zoning Commission both recommend approval.) (By: Buc-ee's; 3100-3399 block of North Mulroy Road; Street Name Change No. 80.)

Susan Istenes, Director of Planning and Development, provided a brief overview of the proposed. Ms. Istenes noted the proposed would change the street name of the 3100-3399 block of North Mulroy Road to North Beaver Road. Ms. Istenes noted staff supports the renaming as it does not directly reference the business name. She further noted the name change was requested by the applicant to avoid driver confusion when locating the business.

Mayor McClure asked if there are any other entities on the road. Ms. Istenes noted there is one home on the road.

Councilwoman Horton asked why the Planning and Zoning Commission vote was not unanimous regarding the name change. Ms. Istenes responded that her opinion was some felt the name change was not necessary.

Councilman McGull asked who would be impacted by the name change. Ms. Istenes responded only the north leg of the road would be impacted, and the study showed it would only impact Buc-ee's. Councilman McGull asked what the initial developer's investment is. Mr. Gage responded it is a significant investment.

Councilman Ollis asked if there are other examples of name changes in the area. Ms. Istenes responded Mustard Way, Innovation Avenue, and other private roads that were named by the business.

Mayor McClure noted Mayor Boulevard, Bear Boulevard, Drury Lane, Nature Way, Bob Barker Boulevard, Martin Luther King Jr. Bridge, and Monastery Way as other street name changes.

John Chamberlin, a representative for the applicant, spoke in support of the proposed. Mr. Chamberlin noted the name change came from working with MoDOT to assist in avoiding driver confusion when approaching the roundabouts to enter Buc-ee's.

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 First Reading Bills.

**Employment
Agreement: City of
Springfield and
Anita J. Cotter**

Sponsor: McClure. Council Bill 2022-300

A special ordinance authorizing and appointing the Mayor as the individual with authority to execute the Fourth Amendment to the Employment Agreement by and between the City of Springfield, Missouri, and Anita J. Cotter; approving the Fourth Amendment; and authorizing payment of salary and benefits to Anita J. Cotter in accordance with the provisions of the

Fourth Amendment.

Darla Morrison, Director of Human Resources, provided a brief overview of the proposed. Ms. Morrison noted the proposed will set forth the agreement and changes to the employment contract with the current City Clerk, Anita J. Cotter. The proposed will allow updates to pay and benefits.

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

PETITIONS, REMONSTRANCES, AND COMMUNICATIONS.

Allen Kunkel addressed City Council to thank them for their service. He noted accomplishments such as the new hangar at the Airport, infrastructure for Buc-ee's, securing funding for upgrading LeCompte Road, and addressing crime in the community. He further noted the vibrancy of downtown and Renew Jordan Creek. He expressed his appreciation for City Council's engagement with the community and support of various projects.

NEW BUSINESS.

UNFINISHED BUSINESS.

MISCELLANEOUS.

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

**MHTC
Agreement:
Branson Vacation
Radio: Video
Sharing**

Sponsor: Hardinger. Council Bill 2022-301

A special ordinance authorizing the City Manager, or his designee, to enter into an agreement with the Missouri Highways and Transportation Commission and Branson Vacation Radio for the purpose of sharing video from the closed-circuit television traffic monitoring cameras owned and operated by Missouri Department of Transportation and the City of Springfield.

**MHTC
Agreement: Gray
Media Group, Inc.:
Video Sharing**

Sponsor: Hosmer. Council Bill 2022-302

A special ordinance authorizing the City Manager, or his designee, to enter into an agreement with the Missouri Highways and Transportation Commission and Gray Media Group, Inc., dba KYTV, for the purpose of sharing video from the closed-circuit television traffic monitoring cameras owned and operated by Missouri Department of Transportation and the City of Springfield.

**MHTC
Agreement:
NEXSTAR Media
Group: Video
Sharing**

Sponsor: Lear. Council Bill 2022-303

A special ordinance authorizing the City Manager, or his designee, to enter into an agreement with the Missouri Highways and Transportation Commission and NEXSTAR Media Group, Inc., dba KOZL, for the purpose of sharing video from the closed-circuit television traffic monitoring cameras owned and operated by Missouri Department of Transportation and the City of Springfield.

**MHTC
Agreement: Queen
B Television:
Video Sharing**

Sponsor: Ollis. Council Bill 2022-304

A special ordinance authorizing the City Manager, or his designee, to enter into an agreement with the Missouri Highways and Transportation Commission and Queen B Television of Kansas/Missouri LLC dba KOAM/KFJX for the purpose of sharing video from the closed-circuit television traffic monitoring cameras owned and operated by Missouri Department of Transportation and the City of Springfield.

CONSENT AGENDA – ONE READING BILLS.

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

**Memorandum of
Understanding:
Missouri Statewide
Interoperability
Network Zone
Four Partnership**

Sponsor: Hardinger. Council Bill 2022-293

A special ordinance authorizing the City Manager to execute an amendment to the Memorandum of Understanding between the City of Springfield, City Utilities of Springfield, Greene County, and the Missouri Department of Public Safety regarding the Missouri Statewide Interoperability Network Zone Four partnership.

Council Bill 2022-293. Special Ordinance 27786 was approved by the following vote: Ayes: Horton, McGull, Schilling, Hosmer, Ollis, Lear, Hardinger, and McClure. Nays: None. Absent: Simpson. Abstain: None.

**2022 Kindergarten
Readiness Study**

Council Bill 2022-294 (McClure)

A special ordinance authorizing the City Manager, or his designee, to accept grant funds in the amount of \$5,000 from the Musgrave Foundation, administered by the Community Foundation of the Ozarks, to help fund the 2022 Kindergarten Readiness Study conducted by the Mayor's Commission for Children in collaboration with Missouri State University.

Council Bill 2022-294. Special Ordinance 27787 was approved by the following vote: Ayes: Horton, McGull, Schilling, Hosmer, Ollis, Lear, Hardinger, and McClure. Nays: None. Absent: Simpson. Abstain: None.

The following items appeared on the agenda under Board Confirmations.

**Board
Confirmations**

Confirm the following appointment to the Springfield Convention & Visitors Bureau, Inc.: Darline Mabins with term to expire January 1, 2026.

Confirm the following reappointment to the Springfield Convention & Visitors Bureau, Inc.: Bill Hobbs and Laura Head-Elliot with terms to expire January 1, 2026.

Confirm the following appointment to the Citizens' Tax Oversight Committee: Dr. Keri Franklin with term to expire May 1, 2025.

Confirm the following reappointment to the Board of Public Utilities: Louise Knauer with term to expire December 1, 2025.

Confirm the following appointments to the Board of Public Utilities: Steve Dooley with term to expire December 1, 2025; Dr. Alina Lehnert with term to expire December 1, 2024.

END OF CONSENT AGENDA.

Motion to Adjourn

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

Mayor McClure wished everyone the happiest and merriest holiday season.



Anita J. Cotter, CMC/MRCC
City Clerk

Prepared by
Michelle Brown