



City of Springfield

Minutes

City Council

Ken McClure, Mayor

Zone Councilmembers

Monica Horton, Zone 1
Abe McGull, Zone 2
Brandon Jenson, Zone 3
Matthew Simpson, Zone 4

General Councilmembers

Heather Hardinger, General A
Craig Hosmer, General B
Callie Carroll, General C
Derek Lee, General D

May 22, 2023

6:30 PM

City Council Chambers

1. ROLL CALL.

Present: Monica Horton, Abe McGull, Matthew Simpson, Craig Hosmer, Heather Hardinger,* Callie Carroll, Derek Lee, Brandon Jenson*, and Ken McClure.
Absent: None.

* Councilmember attended via Zoom.

2. APPROVAL OF MINUTES. (APPROVED AS PRESENTED)

2.1. Approval of Minutes. May 8, 2023, City Council Meeting and May 15, 2023, Special City Council Meeting.

Mayor Pro Tem Simpson moved to approve the minutes of the May 8, 2023, City Council meeting and the May 15, 2023, Special City Council meeting. Councilman Hosmer seconded the motion, and the minutes were approved by the following vote: Ayes: McGull, Simpson, Hosmer, Hardinger, Carroll, Lee, Jenson, Horton, and McClure. Nays: None. Absent: None. Abstain: None.

Mayor McClure welcomed the DECA students to the meeting. DECA is an association for marketing with a focus on entrepreneurship. The 2023 International Competition and Conference was held in April with 45 Springfield Public Schools students in attendance. Thirty-one of those students earned a silver seal of excellence; seven competed in the finals; and four students placed in the top ten in the world. Mayor McClure congratulated the students.

3. FINALIZATION AND APPROVAL OF CONSENT AGENDAS. (APPROVED AS AMENDED)
CITIZENS WISHING TO SPEAK TO OR REMOVE ITEMS FROM THE CONSENT AGENDAS MUST DO SO AT THIS TIME.

Anita Cotter, City Clerk, noted there was a request to remove item 19.1, Council Bill 2023-125, from the Consent Agenda. The item was removed from Consent Agenda - One Reading Bills and became item 7.4 under Resolutions.

The Consent Agenda was approved as amended by the following vote: Ayes: Simpson, Hosmer, Hardinger, Carroll, Lee, Jenson, Horton, McGull, and McClure. Nays: None. Absent: None. Abstain: None.

4. CEREMONIAL MATTERS.

5. CITY MANAGER REPORT AND RESPONSES TO QUESTIONS RAISED AT THE PREVIOUS CITY COUNCIL MEETING.

Jason Gage, City Manager, noted the City is celebrating National Public Works Week by highlighting Public Works and Environmental Services professionals, infrastructure, and services which are vital to maintaining public health, quality of life, and the well-being of Springfield citizens. Mr. Gage thanked these departments and their dedicated staff for keeping the community moving and functioning efficiently and making Springfield a great place to live, work, and play.

Mr. Gage noted the Springfield Police Department (SPD) has maintained international law enforcement accreditation through the Commission for Accreditation of Law Enforcement Agencies, Inc. (CALEA) since 1997. As part of this process, an opportunity for public feedback is now available via the CALEA Public Comment Portal. The public is invited to provide comments on SPD's compliance with CALEA standards, engagement with the community, delivery of public safety services, and overall candidacy for accreditation status. A link to the CALEA portal can be found via the SPD's website.

Mr. Gage noted the Citizens' Advisory Committee for Community Development (CACCD) will hold a public hearing on amendments to the City's Citizen Participation Plan at 6:00 p.m. on May 23 in the 2nd Floor West Conference Room of the Busch Municipal Building. The plan sets forth the City of Springfield's policies and procedures for encouraging citizen participation in the development of plans required by the U.S. Department of Housing and Urban Development (HUD) as a part of the City's Community Development Block Grant (CDBG) and HOME Investment Partnership Act (HOME) programs. An advertised public hearing will be held prior to the adoption of the plan and after the public review and comment period concludes on June 5.

Mr. Gage noted an update from the Springfield-Greene County Park Board was provided to City Council at their places.

Councilman Hosmer asked if the agendas for the Growth and Development Advisory Council meetings had been sent out to City Council. Mr. Gage responded the agendas for any meetings that occurred will be sent out.

Councilman Hosmer asked if the City has met with any of the neighborhoods in an organized meeting. Mr. Gage responded the process is being discussed as there are meetings already in place between various City departments and neighborhoods.

Mayor McClure noted the Neighborhood Advisory Council, an entity of the City, met recently and was hosted by Mayor Pro Tem Simpson.

6. SECOND READING AND FINAL PASSAGE.

Citizens Have Spoken. May Be Voted On.

6.1. Council Bill 2023-100 (McGull) **ORDINANCE 6785**

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 acre of private property generally located at 3710 and 3742 East Cherry Street and approximately 0.1 acre of Greene County right-of-way generally located at the 600 block of South Hickory Avenue and referenced as Annexation A-3-2023, into the City of Springfield. (Staff recommends approval.) (By: Hickory Village 55 Plus, LLC and Greene County (public ROW); 3710 and 3742 East Cherry Street and 600 block South Hickory Avenue; A-3-2023.)

Council Bill 2023-100 (McGull) was approved by the following vote: Ayes: Hosmer, Hardinger, Carroll, Lee, Jenson, Horton, McGull, Simpson, and McClure. Nays: None. Absent: None. Abstain: None.

6.2. Council Bill 2023-101 (McGull) **ORDINANCE 6786**

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 1.37 acres of property generally located at 3710 and 3742 East Cherry Street from Greene County R-3, Multi-family residence district, and City of Springfield R-SF, Single-family residential district, to R-LD, Low-density multifamily residential district; and adopting an updated Official Zoning Map. (By: Hickory Village 55 Plus, LLC; 3710 & 3742 E. Cherry Street; Z-7-2023.)

Council Bill 2023-101 (McGull) was approved by the following vote: Ayes: Hardinger, Carroll, Lee, Jenson, Horton, McGull, Simpson, Hosmer, and McClure. Nays: None. Absent: None. Abstain: None.

6.3. Council Bill 2023-102 (McGull) **ORDINANCE 6787**

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 14.8 acres of property generally located at 2238, 2250, and 2316 East Catalpa Street from R-TH, Residential Townhouse District, to R-LD, Low-density Multifamily Residential District, with Conditional Overlay District No. 223; establishing Conditional Overlay District No. 223; and adopting an updated Official Zoning Map. (By: NGA Holdings, LLC; 2238, 2250, 2316 East Catalpa Street; Z-3-2023 w/COD No. 223.)

Councilman Lee recused himself from Council Bill 2023-102.

Councilwoman Horton asked if stormwater issues have been considered. Susan Istenes, Director of Planning and Development, responded. Ms. Istenes the conditions of approval were attached to the proposed to alleviate stormwater issues.

Councilman Hosmer asked if the issue of sidewalk installation or improvements were addressed. Ms. Istenes noted this project has a requirement to install sidewalks at the right-of-way that the proposed abuts.

Mayor Pro Tem Simpson confirmed the proposed was previously sent to the Planning and Zoning Commission for review of the stormwater issues. Ms. Istenes responded affirmatively and added the Planning and Zoning Commission vote was unanimous.

Council Bill 2023-102 (McGull) was approved by the following vote: Ayes: Carroll, McGull, Simpson, Hardinger, and McClure. Nays: Jenson, Horton, and Hosmer. Absent: Lee. Abstain: None.

6.4. Council Bill 2023-103 (Horton) **ORDINANCE 6788**

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 0.20 acres of property generally located at 718 West Division Street from R-SF, Single-family residential district, to R-TH, Residential townhouse district, with Conditional Overlay District No. 227; establishing Conditional Overlay District No. 227; and adopting an updated Official Zoning Map. (By: Teyie Miychelle, LLC; 718 W. Division Street; Z-9-2023 w/COD #227.)

Council Bill 2023-103 (Horton) was approved by the following vote: Ayes: Lee, Jenson, Horton, McGull, Simpson, Hosmer, Hardinger, Carroll, and McClure. Nays: None. Absent: None. Abstain: None.

6.5. Council Bill 2023-104 (McGull) **ORDINANCE 6789**

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 9.45 acres of property generally located within the 2200 block of North Belcrest Avenue from HM, Heavy manufacturing district, with Conditional Overlay District No. 163 to HC, Highway commercial district, with Conditional Overlay District No. 226; establishing Conditional Overlay District No. 226; and adopting an updated Official Zoning Map. (By: SFC Real Estate LLC; 2202 N. Belcrest Avenue; Z-5-2023 w/COD #226.)

Councilman Lee recused himself from Council Bill 2023-104.

Council Bill 2023-104 (McGull) was approved by the following vote: Ayes: Jenson, Horton, McGull, Simpson, Hosmer, Hardinger, Carroll, and McClure. Nays: None. Absent: Lee. Abstain: None.

6.6. Council Bill 2023-105 (Carroll) **ORDINANCE 27834**

A special ordinance amending Special Ordinance 27775 to revise funding appropriated for continuing COVID-19 services; amending the budget for Fiscal Year 2022-2023 to reappropriate \$320,000 of the City's Coronavirus State and Local Fiscal Recovery Funds, established by the American Rescue Plan Act of 2021, from the Springfield-Greene County Health Department COVID-19 response fund to grant compliance assistance services; and authorizing the City Manager to enter into agreements with FORVIS, LLP, for the purpose of providing grant compliance services and subrecipient monitoring services for certain external entities receiving American Rescue Plan Act funds from or through the City to perform certain projects.

Council Bill 2023-105 (Carroll) was approved by the following vote: Ayes:Horton, McGull, Simpson, Hosmer, Hardinger, Carroll, Lee, Jenson, and McClure. Nays: None. Absent: None. Abstain: None.

7. RESOLUTIONS. Citizens May Speak. May Be Voted On.

7.1. Council Bill 2023-111 (Simpson) RESOLUTION 10707

A resolution granting a Short-Term Rental Type 2 permit for the property located at 947 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.

Susan Istenes, Director of Planning and Development, provided a brief overview of the proposed. Ms. Istenes noted the request is for a Short Term Rental Type 2. She added the required 55% of signatures from neighbors were not obtained. Ms. Istenes noted 20% of the signatures needed were obtained, and the necessary protest petitions were sent out.

Mayor Pro Tem Simpson asked if any protest signatures were received. Ms. Istenes responded there were none.

Councilman Hosmer asked if the applicant has to comply with the block face requirement. Ms. Istenes responded all applicants have to comply.

An opportunity was given for citizens to express their views.

Barbara Rae Hughes withdrew her request to speak.

Jessica Patterson, the owner, noted the one signature was obtained. Ms. Patterson added she asked for signatures, but was not able to obtain them.

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

Council Bill 2023-111 (Simpson) was approved by the following vote: Ayes: McGull, Simpson, Hardinger, Carroll, Lee, Jenson, Horton, and McClure. Nays: Hosmer. Absent: None. Abstain: None.

7.2. Council Bill 2023-112 (Hardinger) RESOLUTION 10708

A resolution authorizing the City Manager, or his designee, to apply for a Youth Homeless Demonstration Program Grant from the Department of Housing and Urban Development, in a minimum amount of \$600,000, for the purpose of developing and implementing a coordinated community plan to end youth homelessness.

Bob Atchley, Senior City Planner, provided a brief overview of the proposed. Mr. Atchley noted the proposed would allow the City to apply for a Youth Homelessness Demonstration Program Grant in partnership with Community Partnership of the Ozarks (CPO) on behalf of the Ozarks Alliance to End Homelessness to address homelessness in Greene, Christian, and Webster counties. He added the grant is not related to American Rescue Plan Act (ARPA) or Coronavirus Aid, Relief, and Economic Security Act (CARES) funding. It is a United States Department of Housing and Urban Development (HUD) competitive grant. If the application is accepted, HUD would provide experts to present a plan to address youth homelessness. HUD considers the number of youth in poverty and fair market rent data.

Mayor Pro Tem Simpson asked if any feedback was acted on since the last application. Mr. Atchley responded the Youth Leadership Advisory Board was strengthened and will be funded this year.

Councilwoman Horton asked if the grant funds would only be used to create a plan or if some of the funds would be used to enact recommendations made through the plan. Mr. Atchley responded the funds would be used for both the plan and the programming. He added the funding would be renewable. Councilwoman Horton asked if matching funds were required. Mr. Atchley responded matching funds are not a requirement.

Councilman Jenson asked how the program will be implemented. Mr. Atchley responded if the application is accepted, the City would receive a certain dollar amount and HUD would provide assistance with the created plan. Councilman Jenson asked if it is anticipated this would be incorporated into the Consolidated Plan. Mr. Atchley responded the proposed would be separate from the Consolidated Plan.

An opportunity was given for citizens to express their views.

Emily Fessler addressed City Council in support of the proposed. Ms. Fessler, a representative of Community Partnership of the Ozarks, noted the Homeless Youth Task Force represents several youth homelessness services. Ms. Fessler further noted the annual Point in Time count showed 65 youth in shelters. Ms. Fessler expressed her belief the number is much higher if unstably housed youth are accounted for. She added the grant would provide renewable funding to address the issue.

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

Council Bill 2023-112 (Hardinger) was approved by the following vote: Ayes: Simpson, Hosmer, Hardinger, Carroll, Lee, Jenson, Horton, McGull, and McClure. Nays: None. Absent: None. Abstain: None.

7.3. Council Bill 2023-025 (Hosmer). The bill's sponsor requested that the bill be removed from the Plans and Policies Committee and presented to City Council pursuant to City Code Sec. 2-53. **FAILED**

A resolution initiating an administrative delay on the acceptance and processing of applications for demolition, new construction, re-platting of property, including lot combinations, conditional use permits, and rezoning for a period of two hundred ten (210) days from the date of passage of this Resolution for those properties which abut the Sunshine Street and National Avenue Corridor Area, to allow time to seek input from area residents, property owners, design professionals, and interested citizens regarding the Sunshine and National Corridor Plan and for staff to present a report to the Planning and Zoning Commission and City Council regarding the Sunshine Street and National Avenue Corridor Area, development constraints, and opportunities in this area.

Mayor McClure noted he has a family member with property in the area. He noted he holds no interest in the property.

Jason Gage, City Manager, noted Susan Istenes, Director of Planning and Development, would provide an overview and then give Councilman Hosmer an opportunity to speak to his proposal.

Susan Istenes, Director of Planning and Development, provided a brief overview of the proposed. Ms. Istenes noted the issue first came to City Council in January and was referred to the Plans and Policies Committee. She further noted an administrative delay would place a temporary halt on development, including permit issuance, consideration of rezonings, conditional use permits, redevelopment, etc. Ms. Istenes added there is an appeal process for minor construction, and the proposed delay would be for 210 days.

Councilman Hosmer noted there have been administrative delays used in neighborhoods in the past, including the Phelps Grove, Rountree, and Galloway neighborhoods. He asked what the administrative delay is used for. Ms. Istenes responded they are used to develop plans or make code changes and ensure the proposals are consistent with the City's Comprehensive Plan. Ms. Istenes noted there was an extensive discussion with the Planning and Zoning Commission regarding neighborhood plans versus corridor plans. The Planning and Zoning Commission recommendation was for a corridor plan. Councilman Hosmer asked if the developer had requested a delay. Ms. Istenes responded the developer asked the project be referred to the Planning and Zoning Commission so modifications can be made to the Conditional Overlay. Councilman Hosmer noted the staff report claims University Heights is a vital neighborhood. Ms. Istenes advocated for the Comprehensive Plan and timely code updates. Councilman Hosmer noted the Comprehensive Plan includes preserving existing neighborhoods.

Councilman Jenson asked what actions would be taken if the moratorium is passed. Ms. Istenes responded that planning resources have been utilized to update the code. She noted the work for a neighborhood plan may not be able to be done in house due to resource issues.

Jenson recognized the benefit of updated neighborhood plans. He acknowledged a need for a neighborhood plan that is in alignment with the Comprehensive Plan. He noted the budget, if approved, would provide for an additional full-time employee to work on codes.

Councilwoman Horton asked what happens to existing applications if the moratorium is approved. Ms. Lewsader responded the resolution prevents acceptance of new applications and does not apply to existing applications.

Anita Cotter, City Clerk, noted there are 11 speakers; accordingly, each speaker will be granted 3 minutes.

An opportunity was given for citizens to express their views.

Evelyn Mangan expressed support for the proposed. Ms. Mangan noted she is a resident of University Heights. She noted the Planning and Zoning Commission recommended an administrative delay. Ms. Mangan expressed there is a disconnect and the neighborhood has been given no details regarding what the development will entail. moratorium will allow time for informed decisions to be made that are consistent with the Comprehensive Plan.

Barbara Rae Hughes expressed support for the proposed. Ms. Hughes expressed her opinion there are flaws in the traffic study and the development would create a traffic problem for University Street. Ms. Hughes expressed her opinion not enough of the neighborhood voice has been heard regarding the proposed.

Don Dunbar expressed support. Mr. Dunbar noted the Planning and Zoning Commission discussed a neighborhood plan with a preferable corridor plan which would affect five neighborhoods. Councilman Hosmer held a meeting with five of the neighborhoods. He expressed his belief a moratorium would be a good idea to allow for more discussion.

Mark Fletcher expressed support that a moratorium would be appropriate to identify constraints in the corridor. Mr. Fletcher noted discussion should be held on deed restrictions and set-back restrictions.

Vicky Trippe expressed support. Ms. Trippe, a resident of Phelps Grove neighborhood, expressed her belief developments are allowed even if not beneficial to neighborhoods. She expressed her belief development can be costly in time and money if residents are not included in decisions. She expressed her belief a moratorium would give more time to discuss and create a plan.

Eddie Tims expressed support. Mr. Tims expressed his appreciation for the bill. He noted the neighborhoods are established and expressed his belief the City needs to reevaluate efforts to improve Springfield and include the north side.

David Trippe expressed support. Mr. Trippe noted a beneficial plan that was previously enacted in his neighborhood as an example of the City and neighborhoods working together. He expressed his belief the City and University Heights should communicate and come up with policies that are beneficial to all.

Glenn Green spoke in support of the proposed. He noted he is an attorney representing his parents who live in the neighborhood. He noted the single-family nature of the neighborhood. Mr. Green expressed his belief the neighborhood is vibrant and does not need change.

Lee Viorel spoke in support of the proposed. He expressed his belief there is a need for all voices to be heard. He noted there is a process in the Code that needs to be followed. Mr. Viorel expressed his belief there needs to be better attention paid to areas in which neighborhoods mesh with development.

Eric Pauly spoke in support of the proposed. Mr. Pauly expressed his support for thoughtful approach to neighborhoods. He noted the proposed would affect five neighborhoods.

Courtney Fletcher spoke in support of the proposed. Ms. Fletcher expressed her belief the development would destroy an established neighborhood. She expressed her belief the single-family neighborhood should be preserved.

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

Councilman Hosmer expressed his support for the proposed. He noted the previous moratoriums that have been granted to other neighborhoods. Councilman Hosmer expressed his belief there should be a plan prior to planning a development. He expressed his belief existing deed restrictions will eventually be upheld. He noted being in favor of preservation of good neighborhoods.

Mayor Pro Tem Simpson thanked all the speakers for coming out. He noted the ForwardSGF plan celebrated citizen engagement. He expressed his belief ForwardSGF should be the guiding document for these types of planning cases. Mayor Pro Tem Simpson noted other neighborhoods and business issues that planning is working on. He added if the deed

restrictions are upheld, that will be determinative of the plan.

Councilman McGull thanked the speakers for their input. He noted all citizens have a right to due process. Councilman McGull expressed the importance of following the process that is in place for issues within the City. He added that the proposed would circumvent the process that has been agreed upon.

Councilman Jenson asked for clarification on whether the proposed would affect the upcoming rezoning case for the property. Rhonda Lewsader, City Attorney, responded the proposed would not affect the current application for the upcoming rezoning case, but would affect any new application. Councilman Jenson asked if a homeowner would be able to obtain a building permit during the moratorium if they experienced an emergency. Ms. Lewsader responded there is an appeal process in the bill to address such situations. Councilman Jenson expressed his belief it is important to obtain input from all stakeholders.

Councilwoman Hardinger thanked all parties for taking time to express their concerns. She expressed her belief there is not clear guidance on the direction the City should take and that more time is needed.

Councilwoman Horton expressed her appreciation for being able to hear the neighborhood comments. She expressed her belief it is important to look at who may be disadvantaged by a decision.

Councilwoman Carroll asked if 210 days is the only option for an administrative delay. Ms. Lewsader responded the purpose of the delay is to allow time for staff to come to City Council with a corridor plan. She added staff felt this is the amount of time it would take for the plan to be completed.

Councilman Lee expressed his belief the guidance given on the matter is sufficient and does give good direction. He added the fundamental issue is that the neighbors want to preserve the homes, but the Comprehensive Plan reads that the corridor is not conducive to single-family homes.

Mayor McClure noted six and a half years ago, there was a proposal to put Grandfather's house on the property. This measure had strong neighborhood opposition. Mayor McClure noted nothing constructive has happened to date with the property. He expressed his belief there are exciting growth opportunities occurring in Springfield.

Council Bill 2023-025 (Hosmer) failed by the following vote: Ayes: Hosmer, Hardinger, Jenson, and Horton. Nays: Carroll, Lee, McGull, Simpson, and McClure. Absent: None. Abstain: None.

- 7.4. Council Bill 2023-125 (Hardinger). **This item was removed from Consent Agenda - One Reading Bills and became item 7.4 under Resolutions. RESOLUTION 10709**
A resolution confirming the appointment of Amanda Ohlensehlen to the Springfield Plaza Community Improvement District Board of Directors. (Staff and the Springfield Plaza Community Improvement District Board of Directors recommend approval.)

Councilman Lee recused himself from Council Bill 2023-125.

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

Council Bill 2023-125 (Hardinger). **This item was removed from Consent Agenda - One Reading Bills and became item 7.4 under Resolutions. RESOLUTION 10709** was approved by the following vote: Ayes: Hardinger, Carroll, Jenson, Horton, McGull, Simpson, Hosmer, and McClure. Nays: None. Absent: Lee. Abstain: None.

8. EMERGENCY BILLS. Citizens May Speak. May Be Voted On.

8.1. Council Bill 2023-113 (City Council) ORDINANCE 27839

A special ordinance calling an election to be held on August 8, 2023, in the City of Springfield, Missouri, to submit to the qualified voters a question as to whether to impose an additional sales tax of three percent on the retail sales of adult use marijuana; and declaring an emergency.

Rhonda Lewsader, City Attorney, provided a brief overview of the proposed. Ms. Lewsader noted in November 2022, Missouri voters approved Amendment 3 to the Missouri Constitution which made adult use of recreational marijuana legal. The amendment authorized local governments to enact up to 3% sales tax if approved by voters. City Council authorized calling an election on August 8, 2023, to bring the issue to voters. If approved, the tax would be used for public safety, mental health services, housing, and substance-abuse services.

An opportunity was given for citizens to express their views.

Alice Barber, a representative of Springfield Tenants Unite, spoke in support of the proposed. Ms. Barber thanked City Council for including housing on the ballot. She noted a study by McFarland Consultants that showed that one-third of households pay one-third of their income for rent and 17% pay more than half of their income for rent. The study also showed providing affordable and stable housing aids in prevention of homelessness.

Darlene Steele spoke in support of the proposed. Ms. Steele expressed her appreciation for housing being placed in the ballot language. She expressed her belief housing is one of the major issues in the city. Ms. Steele noted the need for short-term and permanent housing.

Mayor Pro Tem Simpson expressed his support for the proposed. He noted public safety and housing were the two top priorities recommended in an ARPA funding survey. He expressed his belief it is important to invest in these priorities.

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

Councilman McGull expressed his support for the proposed. He thanked Councilman Hosmer for pushing the issue forward.

Councilwoman Horton expressed her belief the ARPA funding allocations were heavy on public safety and that housing and shelter should be adopted and remain a City Council priority.

Councilman Jenson asked what the process would be for allocation of the resources if the measure is successful. Mr. Gage noted the issue would be discussed with City Council to determine the best use of the funds if approved by the voters.

Council Bill 2023-113 (City Council) was approved by the following vote: Ayes: Carroll, Lee, Jenson, Horton, McGull, Simpson, Hosmer, Hardinger, and McClure. Nays: None. Absent: None. Abstain: None.

9. PUBLIC IMPROVEMENTS.

10. GRANTS.

Citizens May Speak. May Be Voted On.

10.1. Council Bill 2023-115 (Carroll) **ORDINANCE 27840**

A special ordinance authorizing the City Manager or his designee to accept pass through State American Rescue Plan Act Water Infrastructure Community Grant Program Funds, in the amount of \$289,037, from the Missouri Department of Natural Resources to support construction of the Jordan Creek Regional Detention Basin B6 Project, to enter into an agreement with Missouri Department of Natural Resources for acceptance and use of those funds, and to exercise any and all powers to obtain such funding and carry out the identified activities; amending the budget of the Department of Public Works for Fiscal Year 2022-2023 in the amount of \$289,037 to appropriate the Water Infrastructure Community Grant Funds; and declaring this council bill qualifies for approval in one reading.

Kirkland Preston, Professional Engineer, provided a brief overview of the proposed. Mr. Preston noted the proposed would allow for grant funds to be accepted through the State American Rescue Plan Act Water Infrastructure Community Grant Program and from the Missouri Department of Natural Resources to construct the Jordan Creek Regional Detention Basin to help mitigate flooding.

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

Council Bill 2023-115 (Carroll) was approved by the following vote: Ayes: Lee, Jenson, McGull, Simpson, Hosmer, Hardinger, Carroll, and McClure. Nays: None. Absent: Horton. Abstain: None.

10.2. Council Bill 2023-116 (Horton) **ORDINANCE 27841**

A special ordinance authorizing the City Manager, or his designee, to enter into an agreement with the Missouri Department of Economic Development for the purpose of accepting federal American Rescue Plan Act grant funds to support construction of the Renew Jordan Creek – Main to Boonville Project, and to exercise any and all powers necessary to obtain such funding and carry out the identified activities; amending the budget of the City of Springfield for Fiscal Year 2022-2023 in the amount of \$3,749,711; and declaring that this bill qualifies for approval in one reading.

Amanda Ohlensehlen, Director of Economic Vitality, provided a brief overview of the proposed. Ms. Ohlensehlen noted the proposed would allow acceptance of American Rescue Plan Act federal grant funds to be used for construction of the Renew Jordan Creek – Main to Boonville Project. The grant funds would amend the budget in the amount of \$3,749,711. She added the project will be a catalyst for economic activity downtown. The funds will be used for greenspace, trails, and recreational amenities. The award is the maximum amount that can be awarded. The program requires a 50% local match which will be funded by the ¼ cent Capital Improvement Sales Tax and Level Property Tax Funds.

Mayor McClure expressed his appreciation for the project.

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

Council Bill 2023-116 (Horton) was approved by the following vote: Ayes: Jenson, Horton, McGull, Simpson, Hosmer, Hardinger, Carroll, Lee, and McClure. Nays: None. Absent: None. Abstain: None.

11. AMENDED BILLS.

12. COUNCIL BILLS FOR PUBLIC HEARING.

Citizens May Speak. Not Anticipated To Be Voted On.

12.1. Council Bill 2023-117 (Horton) It is anticipated that City Council will vote on this bill at the June 5, 2023, City Council Meeting.

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 4.8 acres of property generally located at 2323 West Grand Street from O-1, Office district, to GI, Government and institutional use district; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: Lakeland Hospital Acquisition; 2323 West Grand Street; Z-10-2023.)

Susan Istenes, Director of Planning and Development, provided a brief overview of the proposed. Ms. Istenes noted the proposed would allow 4.8 acres at 2323 West Grand Street to be rezoned from Office District to Government and Institutional District. The property is currently a residential treatment center.

Councilman Hosmer asked what facility is currently at the location. Ms. Istenes noted a residential treatment center. Councilwoman Horton noted the location is Lakeland Residential Youth Treatment Center.

An opportunity was given for citizens to express their views.

Nate Duncan spoke in support of the proposed. He was available to answer any questions if necessary.

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

12.2. Council Bill 2023-118 (Simpson) It is anticipated that City Council will vote on this bill at the June 5, 2023, City Council Meeting.

A special ordinance approving the final development plan of Planned Development District No. 379, generally located at 1616 East Bradford Parkway and 3811 and 3813 South Weller Avenue. (Planning and Zoning Commission and Staff recommend approval.) (By: EWR Springfield Cambium LLC; 1616 East Bradford Parkway and 3811 South Weller Street; Final Development Plan – Planned Development 379.)

Susan Istenes, Director of Planning and Development, provided a brief overview of the proposed. Ms. Istenes noted the proposed is for a final approval for a previously approved planned development. Ms. Istenes further noted the applicant proposed to remove a footbridge which was in the approved plan. The removal of the footbridge would require approval by the Army Corps of Engineers.

An opportunity was given for citizens to express their views.

Harlan Hill spoke in support of the proposed. Mr. Hill, a representative of the developer, noted staff and the Planning and Zoning Commission recommended approval. Mr. Hill added the removal of the bridge needing approval from the Army Corps of Engineers has created a delay. He asked City Council to allow the bridge to not be a condition for receiving a building permit.

Mayor McClure asked what the anticipated timeframe would be to get an answer for the Army Corps. Mr. Hill responded the first answer took six months, and jurisdiction may be an issue. There are no definitive deadlines.

Mayor Pro Tem Simpson asked if amenities would be added the the new property. Mr. Hill responded affirmatively. The developers do intend to construct the footbridge at some time in the future.

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

12.3. Council Bill 2023-119 (Hardinger) This item was referred to the Planning and Zoning Commission.

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 2.6 acres of property generally located at 1739, 1745, and 1755 South National Avenue, 1138 East University Street, and 1111, 1119, 1133, and 1141 East Sunshine Street from R-SF, Single-family residential district, to GR, General retail district, with Conditional Overlay District No. 220; establishing Conditional Overlay District No. 220; and adopting an updated Official Zoning Map. (Staff recommends approval. Planning and Zoning Commission recommends denial.) (By: BK&M, LLC; 1739, 1745, and 1755 S. National Avenue and 1138 E. University Street and 1111, 1119, 1133, and 1141 E. Sunshine Street; Z-27-2022 w/COD No. 220.)

Mayor Pro Tem Simpson recused himself from Council Bill 2023-119 and left the dais.

Mayor McClure noted he has a family member that owns property in the University Heights neighborhood. He added he has no financial or other interest in the property.

Councilman McGull moved to refer Council Bill 2023-119 to the Planning and Zoning Commission. Councilman Lee seconded the motion.

Councilman Hosmer asked if the developer was in attendance. He asked what the purpose would be for referring the issue. A representative for the developer responded there are amendments the developer would like to make to the buffer yard and the building height to address previously raised issues. Councilman Hosmer asked if the plans were shared with City staff. The representative responded she believed so.

Councilman Hosmer asked if it is known what the plans are. Susan Istenes, Director of Planning and Development, responded she received written notification of the desired changes. Councilman Hosmer asked how long it would take for the issue to go back to the Planning and Zoning Commission. Ms. Istenes responded possibly one meeting. Councilman Hosmer asked if staff had discussions with the developer. Ms. Istenes responded they had a brief phone conversation which was followed up with an email. They had met with the

developer approximately three to four times.

Councilwoman Horton asked if the expectation is that the changes will be accepted by the Planning and Zoning Commission. The representative for the developer responded she believed so. Councilwoman Horton expressed her belief the projected changes would not be approved.

Councilman Jenson expressed his belief the public hearing should be held to allow citizens to speak.

Councilman Lee asked the developer's representative if they would meet with the neighborhood. She responded she was unsure. Councilman Lee expressed his opinion the developer should meet with the neighborhood again.

Councilman Hosmer moved to refer the bill to the Plans and Policies Committee. The motion died for lack of a second. Councilman Hosmer moved to refer the bill to the Community Involvement Committee. The motion died for lack of a second.

Councilwoman Carroll expressed her belief the height of the building and the buffer were important issues for the neighborhood and encouraged the developer to meet with the neighbors again.

Councilwoman Horton expressed her belief the neighbors are divided, and a good compromise would be a good site plan as a planned development.

Councilman McGull expressed his belief the City should follow the process and refer the issue to the Planning and Zoning Commission. He further expressed his belief that the worst thing that could happen is for the property to be vacant.

Councilman Jenson noted he is not opposed to referring the issue but is opposed to not hearing the citizens.

Councilman Hosmer expressed his belief the process has been followed, and in the process, the Planning and Zoning Commission voted against the proposed.

Councilman McGull moved Council Bill 2023-119 be referred to the Planning and Zoning Commission. Councilman Lee seconded the motion, and it was approved by the following vote: Ayes: McGull, Hardinger, Carroll, Lee, and McClure. Nays: Horton, Hosmer, and Jenson. Absent: Simpson. Abstain: None.

Mayor Pro Tem Simpson returned to the dais.

13. FIRST READING BILLS. It is anticipated that City Council will vote on these bills at the June 5, 2023, City Council Meeting.

Citizens May Speak. Not Anticipated To Be Voted On.

13.1. Council Bill 2023-121 (Hosmer)

A special ordinance setting a preliminary tax levy on real and personal property for current expenses and debt retirement of the City of Springfield, Missouri, and its boards and agencies, for the Fiscal Year beginning July 1, 2023, and ending June 30, 2024; and declaring an emergency.

David Holtmann, Director of Finance, provided a brief overview of the proposed. Mr. Holtmann noted the proposed would set a preliminary tax levy for Fiscal Year 2023-24. He further noted a tax levy must be set each year in conjunction with the budget. The estimated 2023 valuation was \$3,637,103,339 with a 2024 estimated revenue of \$24,367,289. The proposed tax levy was \$0.6200 (per \$100). Mr. Holtmann added the tax levy is specific to the Art Museum, public parks, public health, and municipal purposes, with much of the revenue needed for these programs coming from the tax levy.

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

13.2. Council Bill 2023-120 (Carroll)

A special ordinance adopting a budget for the City of Springfield, Missouri, for the Fiscal Year beginning July 1, 2023, and ending June 30, 2024; providing that certain amounts shown in the budget document are appropriated for the various departments specified in said budget; and declaring an emergency.

David Holtmann, Director of Finance, provided a brief overview of the proposed. Mr. Holtmann noted there were a series of workshops to discuss the budget. He added the budget discussions began in December of 2022. Each budget must be submitted to City Council with an explanatory message. The City Charter states in no event shall the proposed expenditures exceed the estimated income of the City. He noted the budget is a zero sum balanced budget. Mr. Holtmann provided an overview of the total budget. Priorities included employee retention and recruitment, public safety, fiscal sustainability, and quality of place. He noted the City has a light debt load and maintained an Aa1 bond rating. He further noted the allocation of American Rescue Plan Act funding was brought to City Council separately from the budget. Mr. Holtmann noted the .01% budgeted growth is conservative. The overall FY24 budget is approximately 11% over FY23. He added 62% of new General Fund revenues are for pay plan improvements. Adjustments have been made for maintenance and improvements to high-priority municipal facilities.

Mr. Holtmann noted the non-general fund highlights include a remodel of the Airport's General Aviation Terminal, staffing for Emergency Communications, work toward meeting the obligations of the Second Amended Consent Judgement for Environmental Services, and an anticipated return to normal operations for the Springfield-Greene County Health Department. He added the Parks Department is expected to finish FY2023 better than anticipated, Risk Management included necessary increases to fully fund the new rate structure recommended to have a healthy fund balance reserve, Workforce Development will seek additional funding sources. The Level Property Tax life-cycle replacement plan and bond #1 and #2 projects will proceed as expected.

Councilman McGull asked for the last ten years of expenses for the budget. Mr. Holtmann responded he will provide the information.

Councilman Hosmer asked if hiring of an employee for recruitment of Police Officers will be included. Mr. Holtmann responded this will be discussed with Human Resources to evaluate recruitment going forward.

Councilwoman Horton asked what the carry-over amount is and what these funds can be used for. Mr. Holtmann responded the carry-over will not be established until the fall after FY23 is closed out.

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

13.3. Council Bill 2023-122 (Lee)

A special ordinance amending the General Fund budget for the Fire Department of the City of Springfield, Missouri, for Fiscal Year 2022-2023, in the amount of \$245,000 to appropriate a portion of the General Fund carryover funds to complete a Fire Department facility renovation project previously approved for Fiscal Year 2022-2023.

David Holtmann, Director of Finance, provided a brief overview of the proposed.

Mr. Holtmann noted the general fund budget amendment will allow \$245,000 of carry over funds to be used to complete a Fire Station #6 renovation.

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

13.4. Council Bill 2023-123 (Hosmer)

A special ordinance amending the Park Board's Fiscal Year 2022-2023 operating budget by increasing both revenue and expenses in the amount of \$1,900,000 to allocate \$1,300,000 of revenue and associated offsetting expense items from Parks 2001 and 2006 Sales Tax Funds, \$250,000 within the Parks General Fund, \$80,000 in reimbursements from insurance claims, and \$270,000 of revenue and associated expense items within the Golf Fund, respectively.

Jerry Mitchell, Superintendent of Parks Business Operations, provided a brief overview of the proposed. Mr. Mitchell noted the proposed would allow additional revenue to be utilized to offset expenditures for the Parks Department.

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

13.5. Council Bill 2023-124 (Lee)

A special ordinance approving the amended bylaws of the Art Museum Board of the City of Springfield, Missouri.

Nick Nelson, Art Museum Director, provided a brief overview of the proposed. Mr. Nelson noted the proposed would allow the amendments to the Art Museum Board by-laws to be accepted. He added some amendments include restructuring of committees and videoconferencing.

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

14. PETITIONS, REMONSTRANCES AND COMMUNICATIONS.

14.1. David Buelow wishes to address City Council. **DID NOT APPEAR**

14.2. David Sanzone wishes to address City Council. **WITHDREW**

14.3. Clay Holmes wishes to address City Council. **APPEARED**

Clay Holmes addressed City Council. Mr. Holmes expressed his belief that City Council needs to address anti-discrimination. He noted that LGBTQ individuals should be protected against discrimination and there should be liberty and justice for all.

14.4. Mark Fletcher wishes to address City Council. **DID NOT APPEAR**

14.5. Donna Hemann wishes to address City Council. **APPEARED**

Donna Hemann addressed City Council. Ms. Hemann thanked City Council for their service to the community. Ms. Hemann expressed her belief the change in the proposed height of the building and the change to the type of wall and buffer yard were not substantive changes and did not warrant enough change to refer the proposed to the Planning and Zoning Commission. She expressed her belief the process costs taxpayers and has taken a toll on the well-being of neighborhood residents.

15. 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 of State's office.

16. UNFINISHED BUSINESS.

17. MISCELLANEOUS.

18. CONSENT AGENDA – FIRST READING BILLS.

19. CONSENT AGENDA – ONE READING BILLS. See Item #3. Item 19.1, Council Bill 2023-125, was removed from Consent Agenda One Reading Bills and became item 7.4 under Resolutions.

20. CONSENT AGENDA – SECOND READING BILLS. See Item #3.

20.1. Council Bill 2023-106 (McGull) ORDINANCE 27835

A special ordinance authorizing the Director of Planning and Development to accept the dedication of public streets and easements to the City of Springfield, as shown on the Preliminary Plat of Perimeter Health Subdivision, generally located at 2828 North National 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.

Council Bill 2023-106 (McGull) **ORDINANCE 27835** was approved by the following vote:
Ayes: Simpson, Hosmer, Hardinger, Carroll, Lee, Jenson, Horton, McGull, and McClure.
Nays: None. Absent: None. Abstain: None.

20.2. Council Bill 2023-107 (Hosmer) ORDINANCE 27836

A special ordinance amending the budget of the Springfield Fire Department Fiscal Year 2022-2023 in the amount of \$30,000 to appropriate funds from the Fire Training Program Fund for expenses associated with the Fire Department Pre-Apprentice training program.

Council Bill 2023-107 (Hosmer) **ORDINANCE 27836** was approved by the following vote: Ayes: Simpson, Hosmer, Hardinger, Carroll, Lee, Jenson, Horton, McGull, Simpson, and McClure. Nays: None. Absent: None. Abstain: None.

20.3. Council Bill 2023-108 (Lee) **ORDINANCE 27837**

A special ordinance authorizing the General Manager of City Utilities to enter into an agreement with Bank of America, N.A. to provide depository and related banking services to City Utilities of Springfield, Missouri.

Council Bill 2023-108 (Lee) **ORDINANCE 27837** was approved by the following vote: Ayes: Simpson, Hosmer, Hardinger, Carroll, Lee, Jenson, Horton, McGull, and McClure. Nays: None. Absent: None. Abstain: None.

20.4. Council Bill 2023-109 (Hardinger) **ORDINANCE 27838**

A special ordinance authorizing the General Manager of City Utilities to enter into an agreement with Central Bank to provide safekeeping services to City Utilities of Springfield, Missouri.

Council Bill 2023-109 (Hardinger) **ORDINANCE 27838** was approved by the following vote: Ayes: Simpson, Hosmer, Hardinger, Carroll, Lee, Jenson, Horton, McGull, and McClure. Nays: None. Absent: None. Abstain: None.

20.5. Confirm the following appointment to the Airport Board: Monte McNew with term to expire June 1, 2026. **CONFIRMED**

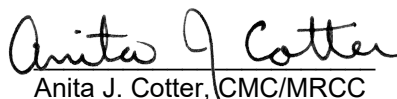
20.6. Confirm the following reappointments to the Airport Board: Jamie Holstein and Dr. Andrea Weber with terms to expire June 1, 2026. **CONFIRMED**

21. END OF CONSENT AGENDA.

22. ADJOURN.

Mayor Pro Tem Simpson moved to adjourn. Councilwoman Horton seconded the motion, and it was approved by the following vote: Ayes: Jenson, Horton, McGull, Simpson, Hardinger, Carroll, Lee, and McClure. Nays: Hosmer. Absent: None. Abstain: None.

Prepared by Michelle Brown


Anita J. Cotter, CMC/MRCC
City Clerk