



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

August 7, 2023

6:30 PM

City Council Chambers

1. ROLL CALL.

Present: Brandon Jenson, Monica Horton, Abe McGull, Matthew Simpson, Heather Hardinger, Callie Carroll, Derek Lee, and Ken McClure.
Absent: Craig Hosmer*.

*Councilman Hosmer arrived at 6:35 p.m.

2. APPROVAL OF MINUTES.

2.1. Approval of Minutes. July 24, 2023, City Council Meeting.

Mayor Pro Tem Simpson moved to approve the minutes of the July 24, 2023, meeting as presented. Councilman McGull seconded the motion, and it was approved with the following vote: Ayes: Jenson, Horton, McGull, Simpson, Hardinger, Carroll, Lee, and McClure. Nays: None. Absent: Hosmer. Abstain: None.

3. FINALIZATION AND APPROVAL OF CONSENT AGENDAS.

CITIZENS WISHING TO SPEAK TO OR REMOVE ITEMS FROM THE CONSENT AGENDAS MUST DO SO AT THIS TIME.

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

4. CEREMONIAL MATTERS.

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

City Manager Jason Gage noted the Springfield Fire Department had provided the Quarterly Fire Safety Report for the second quarter of 2023. Key highlights include the department responding to 3,271 calls for service (including 51 building fires) and installing 327 smoke alarms.

Everyone was invited to join the Springfield Fire Department for a ribbon-cutting ceremony for the new Fire Station 13 at 10 a.m. on Tuesday, August 8, at 1200 West College Street on historic Route 66.

Mr. Gage extended congratulations to the Springfield Police Department for winning the annual Guns vs. Hoses charity basketball game over the weekend. He noted the event is presented annually by the Fraternal Order of the Eagles, however, the competition does not start on the court. Both departments also compete to sell the most event tickets, supporting Big Brothers Big Sisters' mission of building a strong community by connecting local youth with dedicated volunteers who are positive mentors.

Mr. Gage noted Springfield voters would be asked the following day to vote regarding whether the City of Springfield shall impose an additional sales tax of 3% on the retail sale of adult use marijuana, also known as recreational marijuana, with proceeds from the tax to be used for public safety, mental health services, housing and substance abuse services.

Mr. Gage reminded everyone the annual Birthplace of Route 66 Festival would kick off on Thursday night, August 10, with a concert and street party. The event is on pace to break the record for the number of classic cars registered; that record was set in 2019. He expressed his appreciation to Public Works for completing the road work on Jefferson in time - and to the Public Information Office for creating a shuttle service that will move people around downtown efficiently, whether you are headed to the festival or just to a downtown eating establishment. Those parking in most of the public lots will have quick access to hop aboard a golf cart shuttle that circulates around the perimeter of the festival footprint.

Councilman Jenson commended the City for offering the Project Red Zone program, as it not only increases safety with regard to fire at a hyper-local level, but it also improves the credibility of the Fire Department by getting them involved with citizens at a house-by-house level.

Mayor McClure encouraged all of the registered voters residing within the city limits of Springfield to vote and exercise their right to speak on the ballot matter.

Mayor McClure noted the Route 66 Festival is always a major event, and it made more so this year with the addition of the Super Bowl trophy brought by the Kansas City Chiefs.

6. SECOND READING AND FINAL PASSAGE.

Citizens Have Spoken. May Be Voted On.

6.1. Council Bill 2023-188 (Hosmer)

A special ordinance amending the General Fund budget for the City Clerk for the City of Springfield, Missouri, for Fiscal Year 2023-2024, by appropriating a portion of the accumulated carryover funds and increasing expenses in the amount of \$250,000 for special election costs related to whether to impose an additional sales tax on the retail sales of adult use marijuana.

Council Bill 2023-188. Special Ordinance 27885 was approved by the following vote: Ayes: Jenson, Horton, McGull, Simpson, Hosmer, Hardinger, Carroll, Lee, and McClure. Nays: None. Absent: None. Abstain: None.

6.2. Council Bill 2023-189 (Carroll)

A special ordinance approving the plans and specifications for the Sanitary Sewer Overflow Control Program, Group 5, Batch 4, Public Sewer Rehabilitation – Sewer Main Cleaning, CCTV, and Cured-in-Place Pipe Project; accepting the bid of Insituform Technologies USA, LLC, in the amount of \$5,658,166.12 for the Project; authorizing the City Manager, or his designee, to enter into an agreement for said Project; and approving a budget adjustment for the amount needed, plus a 10% contingency, to fund the Project, by amending the Fiscal Year 2023-2024 budget of the Department of Environmental Services Clean Water Enterprise Fund by appropriating reserves of said fund in the necessary amount of \$3,300,000.00.

Council Bill 2023-189. Special Ordinance 27886 was approved by the following vote: Ayes: Jenson, Horton, McGull, Simpson, Hosmer, Hardinger, Carroll, Lee, and McClure. Nays: None. Absent: None. Abstain: None.

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

7.1. Council Bill 2023-190 (Simpson)

A resolution granting a Short-Term Rental Type 2 permit for the property located at 1024 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.

Bob Hosmer, Planning Manager, gave a brief overview of the proposed. Mr. Hosmer explained Section 36-473 of the City's Zoning Ordinance requires that Type 2 applicants notify property owners within 500 feet of the STR and conduct a neighborhood meeting. A neighborhood meeting was held on June 29, 2023, and no one attended. City Code requires the applicant obtain consent signatures from 55% or more of property owners adjacent to and immediately across the street from the proposed short-term rental. The applicant has obtained one signature from the four adjacent property owners, resulting in 25% consent. Another signature received did not match the name of the owner listed on the County Assessor's database. All adjacent property owners were notified with protest petitions which clearly state that, "Failure to return this protest petition prior to the City Council meeting indicates that you do not oppose the application for a Short-Term Rental." Property owners within 500 feet of the proposed Short-Term Rental Type 2 establishment were notified by regular mail of the August 7, 2023, City Council meeting.

Mayor McClure clarified one correct signature was received, one incorrect signature was received, and two properties did not provide a signature. Mr. Hosmer answered affirmatively.

Councilman Hosmer requested clarification on the incorrect signature. Mr. Hosmer responded the signature did not match the name of the property owner as listed by Greene County. City staff members verify all signatures received.

Councilman Hosmer asked how City staff knew the owner received the information. Mr. Hosmer responded staff utilizes Greene County records, however, that they did not always know.

Councilman Hosmer if the "failure to return" language had been adopted by ordinance. Mr. Hosmer responded that information was provided so recipients knew that not returning the petition meant that they had no objections.

Councilman Hosmer expressed his opinion there seem to be more of these short-term rental applications and asked if tax was being collected. Mr. Hosmer responded affirmatively that the tax collection was effective in July, Councilman Hosmer asked how this was being handled for property owners who are not licensed. Mr. Hosmer said he had been informed that Greene County staff members were looking at the platforms, such as Airbnb and VRBO, for local addresses and sending notifications. City staff members have been working with Greene County to obtain the list.

Councilman Hosmer asked if anything is being done to stop a property owner who is operating illegally. Mr. Hosmer responded it is complaint driven at this point.

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

Council Bill 2023-190. Resolution 10718 was approved by the following vote: Ayes: Jenson, Horton, McGull, Simpson, Hardinger, Carroll, and Lee. Nays: Hosmer and McClure. Absent: None. Abstain: None.

8. EMERGENCY BILLS.

9. PUBLIC IMPROVEMENTS.

10. GRANTS.

Citizens May Speak. May Be Voted On.

10.1. Council Bill 2023-191 (Lee)

A special ordinance authorizing the City Manager, or his designee, to accept a State Homeland Security Grant Program grant to support and sustain the operation of the Springfield Fire Department/Region D Homeland Security Bomb Squad; amending the budget for the Fire Department in the amount of \$301,426; and declaring that this Bill qualifies for approval in one reading.

Fire Chief David Pennington provided a brief overview of the proposed. He explained this bill allowed the Fire Department to accept and appropriate a State Homeland Grant Program

grant with a value of \$301,426 to sustain Bomb Squad operations and capabilities. This would amend the Fire Department's budget, and there is no requirement for a local match.

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

Mayor Pro Tem Simpson complimented the Fire Department's performance in the Police/Fire basketball game over the past weekend.

Council Bill 2023-191. Special Ordinance 27887 was approved by the following vote: Ayes: Jenson, Horton, McGull, Simpson, Hosmer, Hardinger, Carroll, Lee, and McClure. Nays: None. Absent: None. Abstain: None.

10.2. Council Bill 2023-192 (Lee)

A special ordinance authorizing the City Manager, or his designee, to enter into a Surface Transportation Block Grant Program Agreement with the Missouri Highways and Transportation Commission; amending the Fiscal Year 2023-2024 budget of the Department of Public Works, in the amount of \$4,856,250, for the purpose of appropriating \$3,885,000 of federal grant funds and \$971,250 of 1/8-cent Transportation Sales Tax fund balance reserves to be utilized for project construction and inspection associated with pavement resurfacing improvements on various streets; and declaring that this Ordinance qualifies for approval in one reading.

Anita Cotter, City Clerk, noted there was a scrivener's error in the title of Council Bill 2023-192, as the fiscal year budget should be amended in the amount of \$3,885,000, and no budget adjustment is necessary for the Transportation Sales tax fund balance reserve. The record will reflect this correction, and no amendment will be necessary from City Council. Staff will correct the title on the final ordinance.

Colten Harris, Superintendent of Streets, provided a brief overview of the proposed. He noted the purpose of the bill was to enter into a Transportation Block Grant Program agreement which will appropriate funds to complete street surfacing improvements in various locations within the city. He noted this work will be along major corridors throughout the city and will be funded 80% by the grant with a 20% local match which will come from the 1/4-Cent Capital Improvement Sales Tax. He explained it is anticipated that work will start in 2024 and construction will take place over a two-year timeframe.

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

Council Bill 2023-192. Special Ordinance 27888 was approved by the following vote: Ayes: Jenson, Horton, McGull, Simpson, Hosmer, Hardinger, Carroll, Lee, and McClure. Nays: None. Absent: None. Abstain: None.

10.3. Council Bill 2023-193 (Hardinger)

A special ordinance authorizing the City Manager, or his designee, to enter into a Surface Transportation Block Grant Program Agreement with the Missouri Highways and Transportation Commission; amending the Fiscal Year 2023-2024 budget of the Department of Public Works, in the amount of \$1,456,250, for the purpose of appropriating \$1,165,000 of federal grant funds and \$291,250 of 1/4-cent Capital Improvement Sales Tax fund balance reserves to be utilized for Americans with Disabilities Act-related improvements; and declaring that this Ordinance qualifies for

approval in one reading.

Colten Harris, Superintendent of Streets, provided a brief overview of the proposed. He noted the purpose of the bill was to enter into a Transportation Block Grant Program agreement which will appropriate funds to complete Americans With Disabilities Act-related improvements. This work will be in the same locations as the street surfacing improvements outlined in Council Bill 2023-192. He explained the work will be on the same construction schedule, beginning in 2024 take place over a two-year period.

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

Council Bill 2023-193. Special Ordinance 27889 was approved by the following vote: Ayes: Jenson, Horton, McGull, Simpson, Hosmer, Hardinger, Carroll, Lee, and McClure. Nays: None. Absent: None. Abstain: None.

10.4. Council Bill 2023-194 (Carroll)

A special ordinance authorizing the City Manager, or his designee, to enter into a Surface Transportation Block Grant Program Agreement with the Missouri Highways and Transportation Commission; amending the Fiscal Year 2023-2024 budget of the Department of Public Works, in the amount of \$3,062,500, for the purpose of appropriating \$2,450,000 of federal grant funds and \$612,500 of 1/8-cent Transportation Sales Tax fund balance reserves to be utilized in a variety of transportation management system improvements; and declaring that this Ordinance qualifies for approval in one reading.

Tom Dancey, Traffic Engineer, gave an overview of the proposed. He explained the proposed was a Surface Transportation Program - Urban Program Agreement with the Missouri Highways and Transportation Commission (MHTC) and would utilize \$2,450,000 in federal funds already allocated to the City. The funding will be used for the purchase of various transportation equipment, such as traffic signal controllers, traffic cabinet door security locks, traffic signal heads, accessible pedestrian signals, vehicle detection systems, dynamic message signs, traffic monitoring video cameras, rectangular rapid flashing beacons, traffic network communications equipment,

Mr. Dancey noted the estimated cost was \$3,062,500, and this would be for the purchase of the equipment only. The installation would be performed by City crews or as part of various projects. He explained a local match of \$612,500 would be required, and this would be paid from 1/8-Cent Transportation Sales Tax reserves.

Councilman Hosmer asked if the \$172,000 listed for traffic monitoring cameras would be for new cameras. Mr. Dancey responded the funds would be for new and replacement cameras, and the cost was just for the cameras themselves.

Councilman Hosmer asked how many locations are currently being monitored. Mr. Dancey responded that 72 locations are currently being monitored.

Councilman Hosmer asked how many different intersections are in the city that could be monitored. Mr. Dancey responded there are 141 intersections which currently have network devices.

Councilman Hosmer asked the cost per camera. Mr. Dancey responded the estimated cost is \$2,500 per camera. Councilman Hosmer asked for the total cost to camera every intersection

in the city of Springfield. Mr. Dancey responded approximately \$400,000.

Councilman Hosmer noted law enforcement officers who are investigating crimes often look for video cameras of the area to assist with the investigation. He further noted the State does not allow use of its cameras to help law enforcement. He expressed his opinion \$2,500 per intersection would be money well spent if it helped solve one crime and saved manpower hours. He asked Mr. Dancey to figure up the cost to add cameras to more intersections. Mr. Dancey that information provided in the estimate would be to give full coverage to all of the primary and secondary arterials and collector streets in some cases.

Councilman Hosmer asked if the clarity of the cameras had improved. Mr. Dancey answered affirmatively, noting the new/replacement cameras would have much higher resolution.

Councilman Hosmer asked Mr. Dancey to provide information on how many intersections do not have cameras versus how many intersections currently have cameras. He expressed his opinion funds used to purchase additional cameras would be money well spent if it solves one crime or deters criminals. Mr. Dancey noted it would be easier to deploy cameras in some locations than others due to the infrastructure already in place and explained some of the older signals may not be able to have them installed without additional work.

Councilman Hosmer expressed his opinion it is not the job of Traffic Management to work for law enforcement, but additional cameras could be a force multiplier, and this should be looked at more closely.

Councilman McGull asked about the anticipated completion date of the proposed improvements. Mr. Dancey explained the program agreement would allow the City to submit invoices until June of 2025, so the City would have roughly two years to purchase the equipment. He further noted the equipment would not be purchased all at once as the Missouri Department of Transportation is requiring the City not to stockpile the equipment; they are requiring that the equipment be installed. Mr. Dancey noted the City would make an installation plan and then make purchases accordingly.

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

Council Bill 2023-194. Special Ordinance 27890 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 2023-187 (Simpson)

A special ordinance amending the City of Springfield's Citizen Participation Plan, which is part of the Consolidated Plan for the administration of City programs funded by the United States Department of Housing and Urban Development, to accommodate regulatory changes, update regulatory citations and policy, provide an option for staff to hold public meetings, and improve the Citizen Participation Plan's clarity. (Staff recommends approval.)

Mayor Pro Tem Simpson noted this Council Bill had been previously postponed allowing for staff to have a requested meeting with Springfield's Tenants United as well as allow for minor revisions to Exhibit A and Exhibit B. He moved to amend Council Bill 2023-187 by replacing Exhibits A and B with the corrected versions of Exhibits A and B which are on file with the City Clerk and had been provided at City Council's places on the dais. Councilman Jenson seconded, and the motion to amend was approved by the following vote: Ayes: Jenson, Horton, McGull, Simpson, Hosmer, Hardinger, Carroll, Lee, and McClure. Nays: None. Absent: None. Abstain: None.

Bob Atchley, Senior City Planner, provided a brief overview of the proposed. He noted this Council Bill would allow for amendments to the Citizen Participation Plan that should greatly clarify and update the document in compliance with the requirements from the U. S. Department of Housing and Urban Development (HUD). Mr. Atchley explained the Citizen Participation Plan is the required document that provides for the process by which the City identifies the policies and procedures to be used to encourage citizen participation and involvement in programs and activities in the HUD 5-year consolidated plan. The City's Consolidated Plan serves both the 5-Year Plan and serves as the application for two of the HUD-funded grant programs, the HOME Investment Partnership Program and the Community Development Block Grant Program. Mr. Atchley noted the Grants Administrator has proposed several minor edits that should clarify HUD regulations, updated the list of agencies with which the City frequently engages, and further refined the public comment process in the event of a future declared emergency.

Mr. Atchley provided details regarding three of the larger-scale amendments. He noted, in consultation with the City Attorney's Office, City staff was proposing an amendment that would allow the Director of Planning and Development, or his or her designee, to hold a public hearing in instances where the Citizens' Advisory Committee for Community Development (CACCD) cannot conduct a hearing due to the lack of a quorum. The CACCD recently had to cancel four meetings due to the lack of a quorum. The amendment proposed by City staff would enable the City staff to continue to meet citizen participation requirements and also ensure compliance with all required deadlines. CACCD members expressed concern that they would not have the same level of involvement if staff could hold public hearings without their attendance; Mr. Atchley explained staff members explained that any CACCD members who could attend would be able to fully participate in the public hearing and would be able to provide comments on any proposed amendments.

Mr. Atchley noted HUD requires the City to set a limit on funds that could be reallocated without HUD's approval for a substantial amendment. In the past, the City had an allowance of a 10 percent adjustment or available funds. Mr. Atchley explained with inflationary costs continuing to rise, the staff is proposing to adjust the limit to 15 percent of the available funds.

Mr. Atchley explained, going back to 2015, HUD required funded cities, counties, and states to develop an assessment of fair housing. The first round of that process resulted in HUD postponing the requirement for the completion of an assessment because most funded jurisdictions were not able to submit an acceptable plan. In February of this year, HUD issued an interim final rule that would restore the definitions; however, the interim final rule has not been finalized at this time. The changes within the interim rule removed the requirements for this affirmatively further housing plan, so pursuant to this interim rule, participating HUD jurisdictions are required to certify on an annual basis that they will affirmatively further fair housing. This interim rule does not require program participants to undertake any type of fair housing planning to support their certifications. He added City staff plans to update their analysis of impediments to fair housing choice in conjunction with the next updated consolidated plan.

Councilwoman Horton thanked Mr. Atchley for his presentation and expressed appreciation for waiting until interested stakeholders could provide input. She asked if amendment one had been proposed to keep the process for applying for HUD funds on schedule without the threat of missing the deadline. Mr. Atchley responded affirmatively.

Councilwoman Horton asked if the process for providing a public hearing for the service agencies would be affected by any of the proposed amendments. Mr. Atchley responded no changes to that process were being proposed.

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

12.2. Council Bill 2023-195 (McGull)

A general ordinance amending Section 1-9 of the Springfield City Code, 'City Limits,' and Section 46-1 of the Springfield City Code, 'Boundaries of wards, precincts and council zones,' for the purpose of annexing approximately 10.6 acres of private property generally located at 4808 East Parallel Lane, and referenced as Annexation A-4-2023, into the City of Springfield. (Staff recommends approval.)(By: Tina Patel; 4808 East Parallel Lane; A-4-2023.)

Anita Cotter, City Clerk, read Council Bills 2023-195 and 2023-196 together.

Daniel Neal, Senior City Planner, gave an overview of both bills. Mr. Neal noted this would annex approximately 10.6 acres of private property with no public right-of-way involved. The property is within the City's Urban Service Area, has been Identified as a Priority 2 annexation area by the Forward SGF Comprehensive Plan, and is contiguous and compact to the current city limits. Annexation would facilitate a proposed commercial development, and the City would receive property and future sales tax revenue upon annexation.

12.3. Council Bill 2023-196 (McGull)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 10.6 acres of property generally located at 4808 East Parallel Lane from County M-1, Light manufacturing district, to City IC, Industrial commercial district, with Conditional Overlay District No. 229; establishing Conditional Overlay District No. 229; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.)(By: Tina Patel; 4808 East Parallel Lane; Z-13-2023 with Conditional Overlay District No. 229.)

Anita Cotter, City Clerk, read Council Bills 2023-195 and 2023-196 together.

Daniel Neal, Senior City Planner, provided a brief overview of both bills, noting the applicant is requesting to rezone the subject property to allow for a commercial development and establishing a new Conditional Overlay District. The applicant is requesting to rezone to an industrial district similar to the County zoning; however, the IC District also allows for commercial uses. This property – and most properties on the south side of I-44, west of Mulroy Road – have been designated the Industry and Logistics Placetype by ForwardSGF Comprehensive Plan. This placetype primarily consists of, "...heavy and moderately intense manufacturing, distribution uses, and a range of operations that rely on proximity to the City's airport, interstate, and rail facilities." Based on these primary functions, this placetype also accommodates other activities typically associated with industry and manufacturing, The City

Corridor placetype borders this property to the east and is located around the intersection of I-44 and Mulroy Road. The applicant is proposing a Conditional Overlay District that will prohibit self-service storage facilities; restrict metal to less than 50% of the exterior wall facades of the buildings with frontage along Parallel Lane; and increase landscaping along Parallel Lane to one canopy tree, three understory, ornamental or evergreen trees and six shrubs per 100 linear feet of street frontage. Additionally, a traffic study is required to be submitted at the time of development. Any requirements of the study shall be constructed at the expense of the developer.

An opportunity was given for citizens to express their views on Council Bill 2023-195 and Council Bill 2023-196. With no appearances, the public hearing was declared closed.

12.4. Council Bill 2023-197 (Simpson)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 6.5 acres of property generally located at 6401 South Farmers Branch Avenue from Planned Development No. 201 to GR, General Retail District, with Conditional Overlay District No. 232; establishing Conditional Overlay District No. 232; and adopting an updated Official Zoning Map. (Staff and the Planning and Zoning Commission recommend approval.)(By: William F. Walz Jr. Etal Trust; 6401 South Farmers Branch Avenue; Z-16-2023 w/ COD No. 232.)

Councilman Lee recused himself from this Council Bill and left the dais.

Michael Sparlin, Senior City Planner, provided a brief overview of the proposed. Mr. Sparlin noted the applicant is requesting the rezoning with the intent of developing a medical office building. City Council had remanded this application back to the Planning and Zoning Commission to correct an error in the COD language. Mr. Sparlin explained the existing planned development was adopted in 1996 and requires a single detention basin for the entire district. However, the land is privately held, and the developer plans to accommodate stormwater on-site per City Code. Conditional Overlay District No. 232 prohibits more intense uses. The Comprehensive Plan's Land Use & Development chapter identifies the subject property as the Institutional and Employment Center placetype. This placetype contains a variety of major medical and office parks and a collection of institutional and employer campuses.

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

Councilman Lee returned to the dais.

12.5. Council Bill 2023-198 (McGull)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 2.43 acres of property generally located at the 3500 block of East Olive Street from Planned Development No. 298 to GR, General retail district, with Conditional Overlay District No. 233; establishing Conditional Overlay District No. 233; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.)(By: In-Out, LLC; 3500 block of East Olive Street; Z-17-2023 with Conditional Overlay District No. 233.)

Michael Sparlin, Senior City Planner, provided a brief overview of the proposed. He noted

the applicant is requesting the rezoning with the intent of allowing and developing a veterinary clinic. The Land Use & Development chapter identifies the subject property as the City Corridor placetype. This placetype predominantly consists of commercial and service-related development varying in scale, ranging from standalone businesses to large retail centers. The range of uses in the proposed GR district and Conditional Overlay District are compatible with the uses permitted on other property in the immediate vicinity. The Conditional Overlay District restricts uses to closely match the existing Planned Development.

An opportunity was given for citizens to express their views.

Geoff Butler, a representative of the applicant, spoke in support of the proposed. He noted this particular property is part of the Costco Planned Development which was created to provide the zoning necessary for Costco and to provide a load of public infrastructure which has all been completed. However, there is someone interested in opening a veterinary clinic on one of the parcels, and that use is not one approved for the Planned Development. The applicant is proposing to remove the Planned Development requirements from that specific parcel and put the GR general retail zoning back in place.

Councilman Hosmer asked about the irregular boundary line on the property. Mr. Butler responded the boundary matched the line of the drainage ditch.

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

12.6. Council Bill 2023-199 (McGull)

A general ordinance amending Section 1-9 of the Springfield City Code, 'City Limits,' and Section 46-1 of the Springfield City Code, 'Boundaries of wards, precincts and council zones,' for the purpose of annexing approximately 28 acres of private property generally located at 5500 East Farm Road 104, and referenced as Annexation A-5-2023, into the City of Springfield. (Staff recommends approval.)(By: Jerry Tolbert Trust; 5500 East Farm Road 104; A-5-2023.)

Anita Cotter, City Clerk, read Council Bills 2023-199 and 2023-200 together.

Daniel Neal, Senior City Planner, provided a brief overview of Council Bill 2023-199. Mr. Neal explained the proposed involves 28 acres of private property within the City's Urban Service area, and no public right-of-way is involved. This property was Identified as a Priority 2 annexation in the Forward SGF Comprehensive Plan, and the Comprehensive Plan supports annexation. Approval of this Council Bill would facilitate a proposed commercial development, and the City would receive property and future sales tax revenue upon annexation.

12.7. Council Bill 2023-200 (McGull)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 28 acres of property generally located at 5500 East Farm Road 104 from County A-1, Agricultural district, to City HC, Highway commercial district, with Conditional Overlay District No. 234; establishing Conditional Overlay District No. 234; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.)(By: Jerry Tolbert Trust; 5500 East Farm Road 104; Z-18-2023 with Conditional Overlay District No. 234.)

Anita Cotter, City Clerk, read Council Bills 2023-199 and 2023-200 together.

Michael Sparlin, Senior City Planner, provided a brief overview of Council Bill 2023-200. He noted the applicant is requesting this rezoning with the intent for commercial development, and the request for annexation is being processed concurrently with this application. The Comprehensive Plan's Land Use and Development chapter identifies the subject property as Business Flex placetype. There is good street connectivity and access to major roadways, and distribution routes can be easily accessed.

The area has seen an increase in new development, and this rezoning is consistent with the redevelopment happening in this area. He added Highway Commercial District zoning is consistent with the goals and objectives of the Business Flex placetype. A traffic study will be required at the time of development.

Councilman Jenson noted comments during the public hearing expressed concern about the quality of the road as it currently exists. He asked if improvements could be required regarding a system that is outside the City's system as a result of that traffic study. Mr. Sparlin responded City staff works closely with Greene County to identify any improvements once a traffic study is submitted. He also noted there will be access at the turnaround where Buc-ee's Boulevard ends.

Councilman McGull remarked regarding the speed of the development in the area and suggested the City should have extended utilities to that area a long time ago.

An opportunity was given for citizens to express their views.

Geoff Butler, a representative of the applicant, spoke regarding the proposed. He explained the applicant is planning to sell and service semis at this location. The business would like to be in this location primarily due to the exposure to Interstate 44. Access would be via Buc-ee's Boulevard.

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

13. FIRST READING BILLS.

Citizens May Speak. Not Anticipated To Be Voted On.

13.1. Council Bill 2023-201 (Simpson)

A special ordinance authorizing the City Manager, or his designee, to accept \$13,500,000 of American Rescue Plan Act grant funds appropriated by the Missouri General Assembly and \$631,275 in local match funds from the Springfield Convention and Visitors Bureau, Inc., to support maintenance and improvements to the Cooper Park/Lake Country Soccer Complex and the Killian Softball Complex; authorizing the City Manager, or his designee, to do those things necessary to receive and disburse such funding and carry out the identified activities, including entering into a Grant Agreement with the Missouri Department of Economic Development for the purpose of accepting the \$13,500,000 of American Rescue Plan Act grant funds and entering into an Agreement with the Springfield Convention and Visitors Bureau, Inc., for the purpose of accepting the \$631,275 in local match funds; appropriating \$5,000,000 of General Fund carryover funds to provide additional local match funds; and amending the budget of the City of Springfield for Fiscal Year 2023-2024 in the amount of \$19,131,275.

Councilman Jenson disclosed he was employed by the Missouri Department of Economic Development; however, he noted the funding flowed through a separate division, so he had been advised recusal was not necessary.

David Holtmann, Director of Finance, provided a brief overview of the proposed. He explained this project had been in the works for more than five years. One of the commitments City Council made prior to the pandemic was to help fund turfing of the soccer fields in the complex. That was a commitment of \$5 million with an additional \$5 million in potential financing to cover some carrying costs while funds were raised. The City was awarded \$13.5 million from the State requiring a dollar-for-dollar local match to make improvements to Cooper and Killian sports complexes. Mr. Holtmann said the total project budget is now just under \$27.5 million.

Mr. Holtmann noted this Council bill brought forward a total of \$19.1 million, \$13.5 million of which are State American Rescue Plan Act (ARPA) funds, which require a dollar-for-dollar match. When this project got under way many years ago, the Springfield Convention and Visitors Bureau made a pledge of \$631,000, and this Council bill brings that into the funding pool. To meet the final piece of the match, the City needs to appropriate \$5 million in new carryover funds, so this will be what has accumulated from revenue amounts being in excess of budget during Fiscal Year 2023. With the funds that have already been appropriated, the City's direct ARPA allocation of \$7.3 million, and the current Parks appropriation in the current budget, a total of \$27,431.275 for the entire budget of the project. That provides a total local match of just under \$14 million for this project.

On the carryover funds, the City does not typically have a definite total until closer to the end of the calendar year as the fiscal year is closed out. Mr. Holtmann has been reporting, the sales tax, the Use Tax, and the Payment in Lieu of Taxes (PILOT) revenue are currently about \$7.4 million over budget in total. One thing to keep in mind, as the budget grew this past year, the plan was to use part of that excess revenue to increase the City's reserve to meet the required 20 percent. With this commitment of \$5 million, with the increase requirement for the reserve fund, and with the payment for the special election, that will take out the majority of the revenue carryover for Fiscal Year 2023.

Councilwoman Horton asked for clarification regarding the carryover balance that would be left after allocating \$5 million to this project. Mr. Holtmann responded based on the excess revenues collected for the year, he was estimating about \$7.4 million total.

Councilman McGull expressed his opinion this is a good problem to have, as he anticipates these facilities will be a major draw for sporting events. He further expressed his opinion this is a prudent use of taxpayer dollars that will reap huge benefits for the city going forward and expressed his appreciation of getting funding from the State.

Councilman McGull noted these facilities are in his Council Zone, and citizens in that area have expressed concerns about traffic and adequate parking.

Councilman Jenson expressed his opinion this is an important project for the community and a good use of one-time funds. He noted it is important to find funding for ongoing maintenance of the Parks facilities because Parks does not currently have that funding.

Councilman Jenson noted it was his understanding that Fiscal Year 2022 carryover funds would not be programmed for use until the City had completed its audit reports. Mr. Holtmann responded they typically bring the carryover balance during the latter part of the calendar year, but that was generally when there is not as much carryover. Mr. Holtmann noted he was confident in knowing how much was received in excess of budget needs, so there was no risk to appropriate that accumulated balance at this point. He noted Councilman Jenson was

correct, as in past years when the carryover was smaller, staff generally did wait until later in the calendar year to close that out.

Councilman Jenson noted he supported the project but wanted to point out that \$5 million was a lot of money and there were a lot of needs in the community. He noted it had been his understanding that there would be an opportunity for City Council to program how those dollars would be used, but he expressed his opinion this was a good project, and he supported it.

Councilman Hosmer noted all of the General Councilmembers also represent the Cooper Tennis Complex. He asked everyone to keep in mind that City and State ARPA funds came from the Federal Government giving almost \$21 million to allow the City to have these resources for projects that will be helpful to a lot of these people in this state and in the country. He expressed his opinion this was important to note.

Councilman Hosmer asked Mr. Holtmann if this project originally started as a bond. Mr. Holtmann responded there was no real funding solution when the project was first brought up. City Council passed a resolution pledging \$5 million, but at that point in time, borrowing money was the only option and using whatever remaining balances were available to cover that cost.

Councilman Hosmer expressed his opinion this will be a great economic development project that will help hotels, motels, restaurants, short-term rentals, and retail. He expressed his opinion this was smart economic development. Mr. Holtmann noted being able to bring in \$21 million with a local investment of just over \$7 million was quite an accomplishment.

Mayor Pro Tem Simpson asked for clarification the \$5 million from reserves was the fulfillment of the commitment that City Council had made originally to fund this project. Mr. Holtmann answered affirmatively.

Mayor Pro Tem Simpson asked for further clarification that City Council originally understood that it would probably have had to take out a bond for the project, and the project being envisioned at the time was much smaller. Mr. Holtmann responded affirmatively, noting the original project just included the soccer fields.

Mayor Pro Tem Simpson expressed his opinion it was encouraging to see to as much external funding for this project and to see the new scope and the impact it will have on the community for the same level of investment as the original commitment by City Council.

Councilman Lee asked for clarification on funds from the State budget that would come back to the City related to the stadium purchase. He noted it was his understanding there would be some additional funding. Mr. Gage responded staff members have been working with the State to get clarification on the timeframe. He noted there have been some expenses related to the stadium purchase and noted he would get clarification on the cash flow expectations of the State.

Bob Belote, Director of Parks and Recreation, thanked City Council and noted these improvements will be transformational; Parks will have a chance to modernize and make state of the art facilities. These will be used for sports tourism and our own residents. He expressed his appreciation to City Council for their commitment to this project and to the partner groups and organizations.

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

13.2. Council Bill 2023-202 (Horton)

A special ordinance authorizing the City Manager, or his designee, to enter into a license agreement with Northrop Grumman Systems Corporation, for the purpose of installing and maintaining monitoring wells on public right-of-way near the site of the former Litton Systems property, generally located at 4811 West Kearney Street, to monitor groundwater conditions at no cost to the City.

Dan Smith, Director of Public Works provided a brief overview of the proposed. He noted the monitoring wells serve as part of an environmental investigation which is taking place on the former Litton Systems facility at 4811 West Kearney Street. The work is being performed in support of Northrop Grumman's ongoing participation in the Missouri Department of Natural Resources' cooperative program. The proposed monitoring wells will be located within public right-of-way on North Westgate Avenue, and the wells would be either flush with the ground or the pavement to make sure they don't interfere with City maintenance and City activities. The license agreement allows the application to install and maintain three monitoring well locations in the public right-of-way, and those locations and the installation must be approved by the Director of Public Works. Similar wells have been placed in other locations for a similar purpose.

Councilwoman Horton asked for clarification regarding the business that was there previously that caused the requirement to monitor the water quality in that area. Mr. Smith deferred to the applicant, as he was only familiar with the wells themselves on the public right-of-way and not familiar with the background details.

Councilman Hosmer asked for clarification regarding a cost to the City for these wells. Mr. Smith answered affirmative, nothing there should not be a negative impact to the City.

Chris Maxwell, representative of the construction management company, appeared to answer questions. Councilman Hosmer asked how many monitoring wells were out in the City of Springfield for this particular project. Mr. Maxwell responded there were several wells on the facility at 4811 West Kearney and wells off the facility. Some wells were installed on the right-of-way on Willard Road about four years ago. There are also some just to the east of the site. He estimated there were 15 wells of the property.

Councilman Hosmer asked what the wells are monitoring. Mr. Maxwell responded the investigation was primarily looking for trichloroethylene, which is TCE.

Councilman Hosmer asked if trichloroethylene was a carcinogen. Mr. Maxwell responded affirmatively.

Councilman Hosmer clarified trichloroethylenewas a compound that was put in gasoline. Mr. Maxwell responded it was used as a solvent; the facility there previously printed circuit boards in the 1960s, 1970s, and 1980s. Councilman Hosmer asked if the monitoring wells had been detecting trichloroethylene in the groundwater. Mr. Maxwell responded affirmatively. He noted all of the work was being done under the Superfund program under the oversight of the Missouri Department of Natural Resources. He added the investigation has been going on since the 1980s.

Councilman Hosmer asked when Litton went out of business in Springfield. Mr. Maxwell

responded he did not know the exact date but estimated the facility stopped operating in the 1990s or early 2000s. He noted Northrup Grumman became the responsible party when it purchased Litton Systems.

Councilman Hosmer asked if Northrup Grumman would pay the remediation costs. Mr. Maxwell responded affirmatively.

Councilman Hosmer asked if the investigation was finding that the chemicals were migrating or finding that they were not concentrated. Mr. Maxwell responded that was part of the investigation. Councilman Hosmer asked how long the monitoring had been going on. Mr. Maxwell responded the monitoring had been going on since the 1980s. Councilman Hosmer expressed his opinion if the monitoring had been going on for 40 years, there should be some findings. Mr. Maxwell responded, in his professional opinion, the chemicals were not spreading.

Councilman Hosmer asked if cleanup had been done. Mr. Maxwell responded there was a lot of clean up that was ongoing. He added the Missouri Department of Natural Resources has a website and a whole series of fact sheets that explain this, and there have been a series of public meetings that occurred right before the pandemic. He noted he had given a number of briefings to City staff just prior to the pandemic. He explained he would be more than happy to give additional briefings, but all information is available on the MDNR's website.

Councilman Hosmer asked if Trichloroethylene (TCE) was the only substance that is elevated. Mr. Maxwell responded trichloroethylene was the primary one.

Councilman Hosmer asked what other substances are noted. Mr. Maxwell responded there are things that area degradation projects that are generated when trichloroethylene breaks down, so there are other chemicals that area associated with the trichloroethylene.

Councilman Hosmer asked for the names of the other chemicals. Mr. Maxwell responded those chemicals were dichloroethylene, vinyl chloride, and others.

Councilman Hosmer asked how the chemicals got into the groundwater. Mr. Maxwell responded the way of handling waste in the 1980s was to put it on the ground, so that was done in the 1970s and 1980s by the former Litton facility.

Councilwoman Horton asked for the link to be sent to her and noted she would like to do additional research on this contamination.

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

13.3. Council Bill 2023-203 (Hosmer)

A special ordinance authorizing the issuance of not to exceed \$4,877,000 principal amount of Special Obligation Bonds (State of Missouri – Direct Loan Program) Series 2023 of the City of Springfield, Missouri, for the purpose of extending and improving the City's sewerage system; amending the Fiscal Year 2023-2024 budget of the City in the amount of \$6,377,000; prescribing the form and details of the bonds and the agreements made by the City to facilitate and protect their payment; and prescribing other related matters; and declaring an emergency.

Ron Petering, Assistant Director of Environmental Services, provided a brief overview of the

proposed. He noted this Council Bill will authorize Special Obligation Bonds in the amount of \$4,788,000 for the purpose of funding a project known as the Group 6 Sewer Rehabilitation which is part of the City's 15-year overflow control program suite of projects. These bonds would be repaid through sewer revenue rates, and those repayments are already part of the sewer rate structure. The Group 6 project is focused on pipe renewal, which would reduce infiltration from cracks, joint separation, and other anomalies that have occurred in the aging infrastructure that have been identified. This is the sixth such project under the Overflow Control Program. Back in February of 2021, City Council approved an application to the Missouri Department of Natural Resources State Revolving Loan Program for potential financing help on this. Mr. Petering noted the City has been notified that it has been awarded a loan opportunity and a water quality grant for \$1.5 million. He expressed his appreciation to the Missouri Department of Natural Resources (MDNR) for selecting Springfield to receive the grant. The construction of the Group 6 project was recently awarded by City Council via Council Bill 2023-162 \$6.3 million appropriating reserves from the Clean Water Fund. The benefits of now accepting the SRF loan opportunity and moving forward are the ability to spread the cost over 20 years at a low interest rate and municipalities must be in the loan program to receive the grant. For those financial benefits, the department recommends approving.

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

13.4. Council Bill 2023-204 (Carroll)

A general ordinance amending the Springfield City Code, Chapter 54, 'Fire Prevention and Protection,' Article II, 'Fire Prevention Code,' Section 54-32, 'Amendments and additions,' by adding specific local amendments to Section 507 of the 2018 International Fire Code, relating to private fire service mains and hydrants.

David Pennington, Fire Chief, provided a brief overview of the proposed. He noted this request to modify Chapter 54 of the Springfield City Code regarding establishment of a uniform standard for the inspection and testing of private fire hydrants. Chief Pennington explained this would establish uniform technical requirements to make sure all hydrants are tested in a similar manner.

Councilman Lee asked for clarification on the current testing. Chief Pennington confirmed testing is currently being conducted, but the City Code does not specify the actual technical procedures, so this could be done one of several ways depending on an individual's training or company procedures.

Councilman Lee asked for clarification that this referred to a flow test. Chief Pennington responded affirmatively; this addresses a flow test and a visual inspection.

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

14. PETITIONS, REMONSTRANCES AND COMMUNICATIONS.

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.

15.1. The Mayor recommends the following appointment to the Tree City USA Citizen Advisory Committee: Michael Brittain with term to expire December 1, 2023.

16. UNFINISHED BUSINESS.

17. MISCELLANEOUS.

18. CONSENT AGENDA – FIRST READING BILLS. See Item #3.

18.1. Council Bill 2023-205 (Jenson)

A special ordinance authorizing the City Manager, or his designee, on behalf of the City of Springfield, to enter into a Contract for Sale of Real Estate with GDL Enterprises, LLC, for 750 square feet of vacant land formerly addressed as 730 West Grand Street; authorizing the issuance of a quitclaim deed for the same; and amending the budget of the Department of Public Works for Fiscal Year 2023-2024 in the amount of \$3,500. (Staff recommends approval.)

18.2. Council Bill 2023-206 (Horton)

A special ordinance authorizing the City Manager, or his designee, to enter into a contract for the purchase of land generally located at 601 North Brown Avenue as part of the Westport Branch Green Infrastructure Project and to execute all necessary documents in support thereof.

19. CONSENT AGENDA – ONE READING BILLS. See Item #3.

19.1. Council Bill 2023-207 (Simpson)

A resolution approving the use of funds from the 1/4-Cent Capital Improvements Sales Tax Minor Neighborhood Improvement Program in the amount of \$900 to support the fabrication and installation of neighborhood identification signs for the Seminole Holland Neighborhood Association (Zone 4).

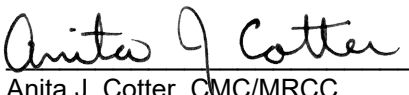
Council Bill 2023-207. Resolution 10719 was approved by the following vote: Ayes: Jenson, Horton, McGull, Simpson, Hardinger, Carroll, Lee, and McClure. Nays: None. Absent: Hosmer. Abstain: None.

20. CONSENT AGENDA – SECOND READING BILLS.

21. END OF CONSENT AGENDA.

22. ADJOURN.

Prepared by: Julie Greer


Anita J. Cotter, CMC/MRCC
City Clerk