



City of Springfield

Minutes

City Council Meeting.

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

November 6, 2023

6:30 PM

**Regional Police-Fire
Training Center**

1. ROLL CALL.

Mayor McClure acknowledged the upcoming Veteran's Day and recognized all who serve and have served.

Present: Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Jenson, Councilmember Hosmer, Councilmember Hardinger, Councilmember Horton, Councilmember Lee, and Mayor McClure. Absent: Councilmember Carroll.

2. APPROVAL OF MINUTES.

- 2.1. Approval of Minutes. October 13, 2023, Special City Council Meeting, October 16, 2023, City Council Meeting, October 17, 2023, Special City Council Meeting, and October 30, 2023, Special City Council Meeting.

Mayor Pro Tem Simpson moved to approve the minutes of the October 13, 2023, Special City Council meeting, October 16, 2023, City Council meeting, October 17, 2023, Special City Council meeting, and the October 30, 2023, Special City Council meeting as presented. Councilmember Hosmer seconded the motion, and it was approved as presented by the following vote: Ayes: Councilmember Jenson, Councilmember Horton, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Hardinger, Councilmember Lee, and Mayor McClure. Nays: None. Absent: Councilmember Carroll. 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 by the following vote: Ayes: Councilmember Jenson, Councilmember Horton, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Hardinger, Councilmember Lee, and Mayor McClure. Nays: None. Absent: Councilmember Carroll. Abstain: None.

4. CEREMONIAL MATTERS.

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

Jason Gage, City Manager, congratulated the graduates of Springfield Fire Academy 722. He added sixteen fine men and women completed the class to become Springfield firefighters. He honored their commitment.

Mr. Gage noted the Lake Springfield planning efforts were moving along, and the proposed ideas are online at lakesgfplan.com. He thanked all who attended the public meeting last month to provide input on the final plan.

Mr. Gage invited all to attend the dedication of the Roseann Bentley Musical Playground at 3:00 p.m., on Tuesday, November 21, at Phelps Grove Park. The playground is in the northeast quadrant of the park.

Mr. Gage noted City Clerk Anita Cotter was awarded the International Institute of Municipal Clerks' (IIMC) designation of Master Municipal Clerk. IIMC grants the MMC designation only to those Municipal Clerks who complete demanding education requirements and have a record of significant contributions to their local, community, and state government.

Mr. Gage noted a new, spectacular 65-foot holiday tree would be lit at the 2023 Mayor's Tree Lighting and Holiday Show on November 18 in Park Central Square. The six-story tree was made possible in part thanks to a donation from the Hatch Foundation. He added the event was produced by the City's Department of Public Information and Civic Engagement, in partnership with City Utilities, KY3, and the Downtown Community Improvement District. Additional assistance is provided by the Springfield-Greene County Park Board. Mr. Gage noted that in addition to witnessing a dazzling display of lights, eventgoers would also be treated to performances by a diverse lineup of artists. Entertainment will range from country to jazz to performances in Spanish to opera and everything in between. He invited all to join the festivities starting at 6:00 p.m. on Saturday in Park Central Square, or at 7:00 p.m. from home on Me TV. The tree lighting will occur just before 8:00 p.m. The show will be re-aired on KY3 several times during Christmas week.

Mr. Gage noted the retirement of Rhonda Lewsader, City Attorney. He thanked her for her work. Mayor McClure thanked Ms. Lewsader for her excellent work and service.

6. SECOND READING AND FINAL PASSAGE.

Citizens Have Spoken. May Be Voted On.

6.1. Council Bill 2023-256 (Carroll)

A general ordinance amending Chapter 36 of the Springfield City Code, known as the 'Land Development Code,' Article III, 'Zoning Regulations,' Division 3, 'Administration, Enforcement, and Review,' Section 36-350, 'Planning and zoning commission,' for the purpose of eliminating duplication and aligning the Planning and Zoning Commission procedures with best practices of other communities in the state. (Staff and Planning and Zoning Commission both recommend approval.)

Council Bill 2023-256 (Carroll). Ordinance 6820 was approved by the following vote: Ayes: Councilmember Jenson, Councilmember Horton, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Hardinger, Councilmember Lee, and Mayor McClure. Nays: None. Absent: Councilmember Carroll. Abstain: None.

6.2. Council Bill 2023-249 (Hardinger)

A special ordinance authorizing the City Manager, or his designee, to enter into Schedule of Equipment No. 6, which will become a part of its existing Master Equipment Lease Purchase Agreement, the proceeds of which will be used to pay the costs of acquiring and installing equipment for the City's Parks Department and to do all things necessary to carry out the lease-purchase transaction, including the execution of certain documents in connection therewith; and amending the budget of the City for Fiscal Year 2023-2024 in the amount of \$860,000.

Council Bill 2023-249 (Hardinger). Ordinance 27921 was approved by the following vote: Ayes: Councilmember Jenson, Councilmember Horton, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Hardinger, Councilmember Lee, and Mayor McClure. Nays: None. Absent: Councilmember Carroll. Abstain: None.

6.3. Council Bill 2023-250 (Hosmer)

A special ordinance approving the Seventh Amendment to the July 1, 2021, Collective Bargaining Agreement between the City and the Springfield Police Officers Association, Fraternal Order of Police Lodge 22, the Exclusive Representative of a certain Bargaining Unit within the Springfield Police Department, representing changes requested by the Springfield Police Officers Association, Fraternal Order of Police Lodge 22, regarding payroll deductions; and authorizing the City Manager, or his designee, on behalf of the City, to execute and deliver the Seventh Amendment to the Collective Bargaining Agreement to the Exclusive Representative.

Council Bill 2023-250 (Hosmer). Ordinance 27922 was approved by the following vote: Ayes: Councilmember Jenson, Councilmember Horton, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Hardinger, Councilmember Lee, and Mayor McClure. Nays: None. Absent: Councilmember Carroll. Abstain: None.

6.4. Council Bill 2023-251 (Hardinger)

A general ordinance amending the Springfield City Code, Section 2-91, known as the “Merit System Rules and Regulations,” for multiple purposes, including but not limited to the following: aligning the Merit Rules with the City’s Code and Charter in light of recent Charter changes approved by voters in April 2023; furthering the City’s diversity and inclusion goals; clarifying specific provisions within the Merit Rules; adding or reordering certain definitions; and addressing language that is no longer utilized.

Council Bill 2023-251 (Hardinger). Ordinance 6821 was approved by the following vote: Ayes: Councilmember Jenson, Councilmember Horton, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Hardinger, Councilmember Lee, and Mayor McClure. Nays: None. Absent: Councilmember Carroll. Abstain: None.

6.5. Council Bill 2023-252 (Carroll)

A special ordinance authorizing the City Manager, or his designee, to accept the Edward Byrne Memorial Justice Assistance Grant in the amount of \$217,128.00 from the United States Department of Justice and to enter into an interlocal agreement with Greene County, outlining the division of the grant funds; and amending the budget for the Springfield Police Department for Fiscal Year 2023-2024 in the amount of \$217,128.00.

Council Bill 2023-252 (Carroll). Ordinance 27923 was approved by the following vote: Ayes: Councilmember Jenson, Councilmember Horton, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Hardinger, Councilmember Lee, and Mayor McClure. Nays: None. Absent: Councilmember Carroll. Abstain: None.

6.6. Council Bill 2023-253 (Hosmer)

A special ordinance authorizing the City Manager, or his designee, to enter into a Carbon Reduction Program Agreement with the Missouri Highways and Transportation Commission; and approving a budget adjustment amending the Fiscal Year 2023-2024 budget of the Department of Public Works in the amount of \$61,295 to appropriate the federal grant funds.

Council Bill 2023-253 (Hosmer). Ordinance 27924 was approved by the following vote: Ayes: Councilmember Jenson, Councilmember Horton, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Hardinger, Councilmember Lee, and Mayor McClure. Nays: None. Absent: Councilmember Carroll. Abstain: None.

6.7. Council Bill 2023-254 (Hosmer)

A special ordinance authorizing the City Manager, or his designee, to enter into a federal Carbon Reduction Program Agreement with the Missouri Highways and Transportation Commission; and approving a budget adjustment amending the Fiscal Year 2023-2024 budget of the Department of Public Works in the amount of \$96,641 to appropriate the federal grant funds.

Council Bill 2023-254 (Hosmer). Ordinance 27925 was approved by the following vote: Ayes: Councilmember Jenson, Councilmember Horton, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Hardinger, Councilmember Lee, and Mayor McClure. Nays: None. Absent: Councilmember Carroll. Abstain: None.

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

7.1. Council Bill 2023-257 (Horton)

A resolution declaring it necessary to construct sanitary sewers in Sanitary Sewer District No. 182 of Section No. 16 in the City, located in the general vicinity of West Bypass and Division Street; providing for payment therefore; and providing for publications and notices.

Ron Petering, Assistant Director of Environmental Services, provided a brief overview of the proposed. Mr. Petering noted the proposed would declare the necessity of sanitary sewers for the location in the vicinity of West Bypass and Division Street. He added the proposed encompasses seven properties in the city limits and would make sewer service available. Mr. Petering noted the project would be funded by assessments in the form of special tax bills made against the properties in the district. He added the cost would be \$.49 per square foot of property in the district.

Councilmember Horton noted the opportunity for citizens to come off of the septic system and join the sewer system. Ms. Horton asked if most of the properties in the area were non-residential. Mr. Petering responded there were seven total properties, with two being of residential nature. Ms. Horton asked if the assessed cost was the same regardless of property type. Mr. Petering responded affirmatively. He added there were some programs that could reduce the assessment for residential properties in some cases and the programs are disclosed in the mailing notice sent to property owners.

Councilmember Lee disclosed he has worked with both contractors that bid on the project but did not have any interests in the project.

Councilmember Hosmer asked if the proposed properties were currently served by septic systems and in the city limits. Mr. Petering responded affirmatively. Councilmember Hosmer asked how many septic systems the proposed would take out of service. Mr. Petering responded seven.

Councilmember McGull asked how many septic systems were in the city limits. Mr. Petering responded there were approximately 200. The goal is to get everyone off of septic as it is an environmental issue.

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

Council Bill 2023-257 (Horton). Resolution 10729 was approved by the following vote: Ayes: Councilmember Jenson, Councilmember Horton, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Hardinger, Councilmember Lee, and Mayor McClure. Nays: None. Absent: Councilmember Carroll. Abstain: None.

7.2. Council Bill 2023-258 (Horton)

A resolution initiating amendments to the Springfield Land Development Code, Article III, 'Zoning Regulations,' Section 36-459, 'Special regulations for retail liquor sales,' to add additional requirements to notify property owners and occupants of residential dwellings within 200 feet of the location of a liquor license application.

Jason Gage, City Manager, introduced the proposed. Mr. Gage noted the proposed would initiate action to allow amendments to the Springfield Land Development Code regarding special regulations for retail liquor sales for additional requirements to notify property owners and occupants of residential dwellings within 200 feet of the location of a liquor license application.

Councilmember Horton noted there was an omission that did not allow for thorough notification to property owners in the area. She added a sign posting alone may not be efficient in notifying property owners in time for a protest petition to occur. Ms. Horton noted that a requirement for mailed notifications with procedural instructions would better serve citizens in the area.

Councilmember Jenson asked if staff currently sends mail notifications the same day a notice is posted and if this is a reasonable request. Rhonda Lewsader, City Attorney, responded it was not common practice currently and she was not aware what difficulties that would present for the staff.

Councilmember McGull asked if the notices would be sent by regular mail. Ms. Lewsader responded affirmatively.

Councilmember Hosmer asked if the proposed only addressed property owners within 200 feet receiving a mailed notice. Ms. Lewsader responded affirmatively. Councilmember Hosmer expressed his support for the proposed. He expressed his belief neighborhoods should be able to have a say in what businesses come into their neighborhoods.

Mayor McClure asked how the proposed would work procedurally. Ms. Lewsader responded that when an application was submitted for a license staff would have to be determined which property owners are within 200 feet, and those property owners would be mailed a written notice.

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

Council Bill 2023-258 (Horton). Resolution 10730 was approved by the following vote: Ayes: Councilmember Jenson, Councilmember Horton, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Hardinger, Councilmember Lee, and Mayor McClure. Nays: None. Absent: Councilmember Carroll. Abstain: None.

7.3. Council Bill 2023-259 (McGull, Carroll, Hosmer, Lee, Horton)

A resolution instructing the City Manager to pursue an updated historic building survey, to provide an estimated cost for such survey to City Council, and to apply for a Historic Preservation Grant to help with funding for the survey. (Recommended by the Plans and Policies Committee.)

Bob Hosmer, Planning Manager, provided a brief overview of the proposed. Mr. Hosmer noted the proposed would instruct the City Manager to pursue an updated Historic Building Survey, provide the cost to City Council, and apply for a Historic Preservation Grant to help

fund the grant.

Mayor McClure noted the proposed was a recommendation from the Plans and Policies Committee.

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

Councilwoman Horton noted the proposed was, in part, a result of the Demolition by Neglect topic that was sent to the Plans and Policies Committee. She added this created the realization that a current inventory of the properties is needed.

Mayor Pro Tem Simpson asked if historic building work also entails identification of funding opportunities for the work. Mr. Hosmer responded this could lead to funding opportunities.

Council Bill 2023-259 (McGull, Carroll, Hosmer, Lee, Horton). Resolution 10731 was approved by the following vote: Ayes: Councilmember Jenson, Councilmember Horton, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Hardinger, Councilmember Lee, and Mayor McClure. Nays: None. Absent: Councilmember Carroll. Abstain: None.

7.4. Council Bill 2023-260 (Hosmer)

A resolution adopting the City of Springfield's Legislative Priorities for 2024.

Jason Gage, City Manager, provided a brief overview of the proposed. Mr. Gage noted the proposed would allow for adoption of the City of Springfield's 2024 Legislative Priorities. Mr. Gage further noted general priorities focus on State Legislation. He added local control is desired, special legislation be for special issues, and a state approach should not be taken. Mr. Gage noted the issues supported were promotion of public safety, economic vitality, fiscal sustainability, and quality of place.

Mr. Gage noted the public safety issue has remained static with sustained funding for mental health services, reduction of gun violence, sexual assault reduction, and victim assistance needs.

DNA testing was removed because the Police Department noted a state legislation change in 2021 allows for the testing in certain instances.

Mr. Gage noted support of the Land Bank was ongoing to assist with the strengthening of neighborhoods. Mr. Gage noted the proposed also asks for the following: a cap on payday loans, change in policies for failure to appear in court, clarification on the use of bench warrants, legislation for those serving community service, legislation for abatement services to allow for more flexible mailing options, and clarified language for abatement services. Mr. Gage added the City asked for legislative support for mental health services.

Mr. Gage noted they asked State Legislature to amend or repeal House Bill 1662 regarding home based business. The title of House Bill 1622 will be corrected in the title of the proposed. Mr. Gage noted the City asked the State Legislature to clearly define video lottery terminals. He added they asked the State Legislature to clarify the statutory use of transportation development district (TDD) funds and to amend state law to enhance the City's ability to allow voluntary annexation.

Mr. Gage noted the following new legislative funding requests: Full funding for Interstate I-44 improvements from Kansas Expressway to Highway 65, extension funding of \$3.4 million for LeCompte Road and Eastgate, and funding for the Family Connects Program. He added specific language regarding sales taxes and vehicle registration could be added if desired.

Councilmember Hosmer expressed his belief language regarding vehicle registration penalties should be added. He noted cameras are not efficient if a vehicle is not properly tagged. Mr. Gage responded those who have not registered their vehicles also may not have renewed their insurance, which creates additional issues. He noted adding language to add additional penalties for vehicle licensing violations.

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

Councilmember Horton expressed her belief Councilmember Hosmer made valid points, and noted it seemed they were asking the State to add language that affects the State. Councilmember Horton questioned if it would gain traction. Councilmember Hosmer responded it may not, but it is appropriate to ask.

Councilmember Hosmer moved to amend Council Bill 2023-260 (Hosmer) to include increased penalties for vehicle registration violations. Mayor Pro Tem Simpson seconded the motion to amend, and it was approved by the following vote: Ayes: Councilmember Jenson, Councilmember Horton, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Hardinger, Councilmember Lee, and Mayor McClure. Nays: None. Absent: Councilmember Carroll. Abstain: None.

Councilmember Hosmer expressed his belief preemption prevents local government from action such as raising taxes on cigarettes, gun laws, lowering interest rates on pay-day loans, raising taxes on alcohol, and requiring motorcycle helmets. He added this is why it is important to ask to retain local control.

Councilmember Horton expressed her belief it is important to ask to retain control of regulations that affect neighborhoods. She expressed her opinion neighborhood revitalization and public safety is beneficial for all.

Mayor Pro Tem Simpson noted success has been attained with securing State funding for transformative projects. He thanked Senator Hough. Mr. Gage noted within the priorities is a coordinated approach to working with the local delegation.

Councilmember Hosmer noted many dollars received were Federal dollars which were passed through the State government.

Mayor McClure noted the public hearing would be held over on the amendment only until the November 20, 2023, City Council meeting.

7.5. Council Bill 2023-261 (Hardinger)

A resolution authorizing the City Manager, or his designee, to apply for up to \$500,000 in grant funds from the United States Environmental Protection Agency for the Community-wide Assessment Grants program to carry out assessments on sites potentially contaminated with petroleum, pollutants, or other hazardous substances to prepare these sites for cleanup and productive reuse.

Amanda Ohlensehlen, Director of Economic Vitality, provided a brief overview of the proposed. Ms. Ohlensehlen noted the proposed would allow for application to the United States Environmental Protection Agency for the Community-wide Assessment Grants program for up to \$500,000. The grant would provide for assessment and reuse of potentially hazardous sites. The application would allow the City to continue grow. The grant proposal covers site revitalization at the intersection of College Street and Kansas Avenue, Chase Street, and Grant Avenue Parkway. Forty properties have been identified to be assessed. The application for the grant is due in mid-November and no cost-share would be required.

Councilmember Jenson expressed his support for the City's ability to draw-down funding to help support its efforts. He asked about the requirement for period of performance. Ms. Ohlensehlen responded it is four years. Mr. Jenson asked how residents could stay informed of the assessments. Ms. Ohlensehlen responded through local engagement and a data map through the Environmental Protection Agency (EPA) called EJ Screen can be used.

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

Council Bill 2023-261 (Hardinger). Resolution 10731 was approved by the following vote: Ayes: Councilmember Jenson, Councilmember Horton, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Hardinger, Councilmember Lee, and Mayor McClure. Nays: None. Absent: Councilmember Carroll. Abstain: None.

8. EMERGENCY BILLS.

9. PUBLIC IMPROVEMENTS.

10. GRANTS.

Citizens May Speak. May Be Voted On.

10.1. Council Bill 2023-262 (Hosmer)

A special ordinance authorizing the City Manager, or his designee, to enter into an agreement with the State of Missouri Department of Economic Development to accept \$3,880,000 of state General Revenue Funds appropriated by the Missouri General Assembly to support maintenance and improvements to Hammons Field.

David Holtmann, Director of Finance, provided a brief overview of the proposed. Mr. Holtmann noted the proposed would allow the City to enter into an agreement with the State of Missouri Department of Economic Development to accept \$3.88 million of State General Revenue Funds appropriated by the Missouri General Assembly to support maintenance and improvements to Hammons Field.

Councilmember Hosmer asked if the funds were from the State General Fund. Mr. Holtmann responded affirmatively.

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

Council Bill 2023-262 (Hosmer). Ordinance 27926 was approved by the following vote: Ayes: Councilmember Jenson, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Hardinger, Councilmember Lee, and Mayor McClure. Nays: None. Absent: Councilmember Horton and Councilmember Carroll. Abstain: None.

11. AMENDED BILLS.

12. COUNCIL BILLS FOR PUBLIC HEARING.

Citizens May Speak. Not Anticipated To Be Voted On.

12.1. Council Bill 2023-263 (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 5.5 acres of private property generally located at 5298 East Farm Road 104, and referenced as Annexation A-6-2023, into the City of Springfield. (Staff recommends approval.) (By: Kurt Wouk; 5298 East Farm Road 104; A-6-2023.)

Daniel Neal, Senior City Planner, provided a brief overview of the proposed. Mr. Neal noted the proposed would allow annexation of approximately 5.5 acres of property at 5298 East Farm Road 104 into the city. Mr. Neal further noted the property is a voluntary annexation and is within the City's service area. The property is north of the Buc-ees' development.

Councilmember McGull asked if the plan for the property was to create an RV park. Mr. Neal responded the intent was for an RV park, and the HC-Highway Commercial district allows for this as other commercial uses. Councilmember McGull asked if Buc-ees allows RV customers. Mr. Neal was unsure.

An opportunity was given for citizens to express their views.

Geoff Butler, a representative of the applicant, spoke in support of the proposed. Mr. Butler noted there is sewer on the property, the annexation is voluntary, and the owners wish to use the property as an RV park.

Councilmember Hosmer asked if there was a consent annexation on the property. Mr. Butler responded if the owners wish to use the sewer, this would trigger a consent annexation. The owners are willing to voluntarily annex.

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

12.2. Council Bill 2023-265 (Horton)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 21.2 acres of property generally located at 901 South West Bypass from R-SF, Single-Family Residential District, and HC, Highway Commercial District, with Conditional

Overlay District No. 2, to GR, General Retail District, with Conditional Overlay District No. 228; establishing Conditional Overlay District No. 228; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: Carleton Resources, LLC; 901 S. West Bypass; Z-8-2023 w/COD No. 228.)

Daniel Neal, Senior City Planner, provided a brief overview of the proposed. Mr. Neal noted the proposed would allow for rezoning of 21.2 acres of property at 901 South West Bypass to General Retail District, with Conditional Overlay District (COD) No. 228. He added Grand Street would not be extended. The property is adjacent to Wilson's Creek where there is a flood plain area. Mr. Neal noted much of the area will be used as green space with beautification efforts and mixed use in the development. Mr. Neal further noted the new COD has a requirement for street connections. He added a traffic impact study would be required. The development will include landscaping and a stream buffer. Mr. Neal added the first 110 feet of the property would allow for multi-family residential.

Councilmember Jenson asked if the trail connection would connect to Rutledge Wilson and provide easements. Mr. Neal responded the developer was willing to provide trail connections and noted an easement would be provided. Councilmember Jenson noted the prevalence of flooding in the area and asked for an explanation of the Fee in Lieu Of for the development. Chris Dunnaway, Principal Engineer, responded the Fee in Lieu Of program is meant for properties next to the flood plain when detention does not provide benefits downstream. The Fee in Lieu Of funds to maintain and improve regional detention systems within the same watershed.

Mayor Pro Tem Simpson asked if the intention was to have a connection across West Bypass to connect to the Jordan Creek Greenway. Mr. Dunnaway responded he did not believe so.

An opportunity was given for citizens to express their views.

David Lundstrom, a representative for the developers, spoke in support of the proposed. Mr. Lundstrom expressed he was available to answer any questions.

Councilmember Jenson asked for any additional information regarding stormwater management. Mr. Lundstrom noted if the property is in the first 10 percent of a stormwater system, it is often better to allow the runoff to occur before the peak of the system hits the drainage way.

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

12.3. Council Bill 2023-266 (McGull)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 1.85 acres of property generally located at 1218, 1222, 1223, 1226, 1232, and 1238 East Pacific Street, and 1219 and 1225 East Locust Street, from GM, General Manufacturing District, to R-LD – Low-Density Multi-Family Residential District, with Conditional Overlay District No. 240; establishing Conditional Overlay District No. 240; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: JNE Holdings; 1218, 1222, 1223, 1226, 1232, and 1238 East Pacific Street and 1219 and 1225 East Locust; Z-27-2023 with Conditional Overlay District No. 240.)

Bob Hosmer, Planning Manager, provided a brief overview of the proposed. Mr. Hosmer noted the proposed would allow rezoning of 1.85 acres of property at 1218, 1222, 1223, 1226, and 1238 East Pacific Street, and 1219 and 1225 East Locust Street to Low-Density Multi-Family Residential District with Conditional Overlay District No. 240. He added the property is identified as a Center-City place type.

Councilmember Jenson asked if a lot combination was anticipated for the development. Mr. Hosmer responded affirmatively.

An opportunity was given for citizens to express their views.

Mat Baran, a representative of the property owner, spoke in support of the proposed. He noted the intent is to use the property for residential use to develop as lofts for one-family and two-family homes.

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

12.4. Council Bill 2023-267 (Horton)

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 3.43 acres of property generally located at 4123 and 4149 West Chestnut Expressway and 430 North Meteor Avenue from HC, Highway Commercial District, and R-MHC, Manufactured Home Community District, to R-MD – Medium-Density Multi-Family Residential District, with Conditional Overlay District No. 241; establishing Conditional Overlay District No. 241; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: JNE Holdings; 4123 and 4149 West Chestnut Expressway and 430 North Meteor Avenue; Z-28-2023 with Conditional Overlay District No. 241.)

Bob Hosmer, Planning Manager, provided a brief overview of the proposed. Mr. Hosmer noted the proposed would allow for rezoning of 3.43 acres of property located at 4123 and 4149 West Chestnut Expressway and 430 North Meteor Avenue to Medium Density Multi-Family Residential District with Conditional Overlay District No. 241. The place type supports multi-family. Mr. Hosmer noted the property is part of the Chestnut Expressway corridor.

An opportunity was given for citizens to express their views.

Jared Rasmussen spoke in support of the proposed. Mr. Rasmussen noted the neighborhood meetings for the development were acceptable, and he was available for any questions.

Councilmember Jenson asked if it was anticipated the development would serve as workforce housing. Jeff Beckler, the applicant, responded affirmatively, and noted the price point would follow the Greene County median income. He added preliminary numbers would have a rent range from approximately \$378 to \$1,075.

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 2023-268 (Hardinger)

A general ordinance amending the Springfield City Code, Chapter 2, 'Administration,' Article I, 'In General,' by adding a new Section 2-12, 'Authority to adopt suspension of access to city facilities and land policy.'

Rhonda Lewsader, City Attorney, provided a brief overview of the proposed. Ms. Lewsader noted the proposed would allow for amendment of the Springfield City Code to add a new Section 2-12, 'Authority to adopt suspension of access to city facilities and land policy'. Ms. Lewsader noted the City aims to provide a positive and safe environment for citizens and staff to conduct business, free from unlawful behavior of third parties. She added disregard for City policies and unsafe or unlawful behavior can occur at times and impact citizens or staff. Ms. Lewsader noted the ordinance would authorize the City Manager to adopt a policy to set out due process provisions and procedures to provide a consistent and fair approach regarding suspensions. This policy would provide clarity for staff and transparency for citizens regarding these types of suspensions.

Mayor Pro Tem Simpson asked if the current practice was at the discretion of employees of the facility. Ms. Lewsader responded it generally is and expressed her belief it would be beneficial to have one overarching policy for the City. Mayor Pro Tem Simpson asked if the suspensions currently occur without the proposed policy. Ms. Lewsader responded affirmatively and added suspensions are rare.

Councilmember Hosmer asked if the policy would be provided to City Council before it would be implemented. Ms. Lewsader responded staff could provide a draft for City Council and noted it was not anticipated it would be voted on. Ms. Lewsader noted legal staff has been looking at this complex legal issue over the past year. Councilmember Hosmer expressed his concern about having a policy which would restrict citizens' access. He expressed his belief the language needs clarity.

Councilmember McGull expressed his belief the complete policy should be available to be viewed before they vote. He noted the terms need to be clear and defined.

Councilmember Jenson expressed his trust in the City staff and added there are concerns over limitations placed on citizens' access. He added the language should be clear and defined.

Councilmember Horton noted her understanding for staff safety. She added there were implications to interpretation of unruly behavior and noted the language needs to be clear.

Mayor Pro Tem Simpson expressed his belief it would be beneficial to view the finished policy on weighty issues such as this, adding having no policy in place could place staff and citizens in an unfair position to navigate these issues.

Councilwoman Hardinger asked if the policy included correspondence via email and other virtual forms of communication. Ms. Lewsader responded the proposed was intended for in-person communications. Councilwoman Hardinger asked if staff received de-escalation training. Mr. Lewsader responded training would most likely occur after a policy was enacted. Mr. Gage noted these topics would be addressed when the harassment policy is updated.

Mayor Pro Tem Simpson moved consideration of the bill be postponed until the January 8, 2024, City Council meeting. Mayor Pro Tem Simpson withdrew his motion to allow for comment. Councilmember Hosmer expressed his belief citizens should be allowed to speak.

An opportunity was given for citizens to express their views.

Jeremy Dean spoke in opposition to the proposed. Mr. Dean expressed his concern with the vagueness of the proposed. He cited the case of Rebecca Varney vs. Edgar Springs, noting Ms. Varney was denied from submitting Sunshine Requests in Edgar Springs. Mr. Dean added Ms. Varney sued and won her court case in this matter. Mr. Dean expressed his belief the proposed should go to a committee.

Alice Barber spoke in opposition to the proposed. Ms. Barber expressed her concern with the proposed not presenting a clear policy or clearly defining terms. She added there was no way to know how this may affect citizens.

Sarah Barnts spoke in opposition to the proposed. Ms. Barnts expressed her belief the policy should be clear and contain clearly-defined terms and language.

Liz Wertz spoke in opposition to the proposed. Ms. Wertz expressed her belief the proposed needs to be clear and gives too much power. She added a comprehensive policy should be created.

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

Mayor Pro Tem Simpson moved to postpone Council Bill 2023-268 until the January 8, 2024, City Council meeting. Councilmember Hosmer seconded the motion, and it was approved by the following vote: Ayes: Councilmember Jenson, Councilmember Horton, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Hardinger, Councilmember Lee, and Mayor McClure. Nays: None. Absent: Councilmember Carroll. Abstain: None.

Mr. Gage noted the intent of the proposed was not to hinder law-abiding citizens from City services. The proposed was intended to create clear guidelines for staff on how to deal with dangerous situations.

13.2. Council Bill 2023-269 (McGull, Simpson)

A special ordinance approving the plans and specifications for the Hunt Branch Trunk Sewer – Phase 1 Project, generally located south of US Highway 60 from Farm Road 189 to State Highway NN, and generally referred to as Plan No. 5PW5716; accepting the bid of JD Wallace Contracting, LLC, in the amount of \$3,919,875 for said project; authorizing the City Manager, or his designee, to enter into a contract for said project; establishing a trunk sewer fee; and approving a budget adjustment in the amount of the bid, plus a contingency, to amend the Fiscal Year 2023-2024 budget of the Department of Environmental Services Clean Water Fund by appropriating reserves of said fund in the amount of \$4,703,850.

Errin Kemper, Director of Environmental Services, provided a brief overview of the proposed. Mr. Kemper noted the proposed would allow for approval of the plans and specifications for the Hunt Branch Trunk Sewer - Phase 1 project. He added this would also allow for acceptance of the bid of JD Wallace Contracting, LLC, in the amount of \$3,919,875, and authorize the City Manager to enter into a contract for the project, establish a trunk sewer fee, and approve a budget adjustment in the amount of the bid. Mr. Kemper noted the construction was enacted beginning in 2005 to promote urban growth. He added three bids were received. Mr. Kemper noted an appeal was received, and he outlined the steps taken to ensure qualifications are met. He added JD Wallace Contracting, LLC, met the requirements.

Councilmember Lee disclosed he has worked with these contractors in the past. He added he would be voting.

Councilmember Jenson asked for the reasons the engineer's estimate was higher than the bid. Mr. Kemper responded a large portion of the project required large diameter bores under highways. Because these are not often done, it is difficult to have a precise estimate of cost. Also, estimates are generally more conservative when there is higher risk for a project.

Councilmember Jenson asked if there had been discussions with Greene County to ensure development is of a sufficient intensity to justify investment in infrastructure. Mr. Gage responded all avenues would be explored to ensure the property can develop. Mayor McClure expressed his belief they need to move forward.

Councilman McGull expressed his support for the project. He asked what size the line was for the sewer and where the nearest treatment center was located. Mr. Kemper responded the line is 21 inches for most of the length and the nearest treatment facility is the Southwest Treatment Plant located at James River Freeway and FF Highway. The fee for service occurs as homes and businesses connect to the sewer; once connected each user pays a pro-rata share based on the size of their lot.

Councilman Hosmer expressed his belief the proposed is beneficial and will eliminate septic systems. He asked the nature of the protest appeal. Mr. Kemper responded there was an appeal which questioned the qualifications of the winning bid. Councilman Hosmer asked if the project was a prevailing wage contract. Mr. Kemper responded affirmatively. Councilmember Hosmer asked if there was a surcharge for those individuals in the proposed area. Mr. Kemper responded there currently is not. Councilmember Hosmer expressed his belief there should be a surcharge for the services.

Councilmember Horton noted the project was part of long-range planning and asked if the proposed amount was already budgeted for the current year. Mr. Kemper responded the amount was not included in the operational budget but was included in long range financial projections; the budget adjustment would be from retained earnings.

An opportunity was given for citizens to express their views.

Victor Rosetta spoke in opposition to the proposed. Mr. Rosetta noted he has worked in the municipal sewer and water construction business for forty-three years. Mr. Rosetta expressed his belief the City would be tested by accepting the proposed bid. He added the bid did

not show a project of similar scope for the last three years and this was a requirement. Mr. Rosetta expressed his opinion the bid of JD Wallace Contracting, LLC, was not qualified.

Councilmember Hosmer asked what the risk to the City would be. Mr. Rosetta responded the branch was a losing stream and in a sensitive area.

Councilmember McGull asked if this was the first bid by Rosetta Construction for work with the City. Mr. Rosetta responded they have two current contracts and have done several in the past.

Justin Wallace spoke in support of the proposed. Mr. Wallace, owner of JD Wallace Contracting, LLC, noted his company was founded in 2020. He added the company has done projects of this size and scope. He cited Brody Corners as an example. Mr. Wallace noted he is a fourth generation contractor and was available to answer any questions.

Mayor Pro Tem Simpson asked if Mr. Wallace had previous experience with unique topography. Mr. Wallace responded citing Fassnight Creek as a project he worked on.

Mark Anderson, boring contractor, noted there is a system to utilize for the given conditions of the proposed project.

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

13.3. Council Bill 2023-270 (Carroll)

A special ordinance amending the budget for Fiscal Year 2023-2024 for the Department of Environmental Services in the amount of \$1,924,000 to appropriate retained earnings from the Clean Water Fund for the construction of the James River Lift Station Improvements project.

Allen Busick, Professional Engineer, provided a brief overview of the proposed. Mr. Busick noted the proposed would allow for a budget adjustment for the Department of Environmental Services in the amount of \$1,924,000 to appropriate retained earnings for the Clean Water Fund for the construction of the James River Lift Station Improvements project. He added this is the City's largest lift station. The budget adjustment also includes a contingency that will allow for change orders, advertising, and award of the project to the lowest bidder. Mr. Busick added a comprehensive condition assessment was conducted which identified rehabilitation work was necessary to maintain system reliability.

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

13.4. Council Bill 2023-271 (Lee)

A special ordinance approving the selection of Restore SGF and the Springfield Community Land Trust as recipients of the City's Coronavirus State and Local Fiscal Recovery Funds allotted for affordable home ownership programs; and authorizing the City Manager, or his designee, to enter into agreements with these agencies to carry out these programs.

Bob Jones, Grants Administrator, provided a brief overview of the proposed. Mr. Jones noted the proposed would approve the selection of Restore SGF and the Springfield Community

Land Trust as recipients of the City's Coronavirus State and Local Fiscal Recovery Funds allotted for affordable home ownership programs. He added the focus is to increase home ownership in Springfield. The proposed serves individuals earning up to 150% of median family income. Mr. Jones noted the proposed includes houses priced up to \$250,000, provides up to \$9,000 in down payment and closing costs, and requires the home to be the buyer's primary residence for five years. The plan would add approximately 62 homeowners by the end of 2026.

An opportunity was given for citizens to express their views.

Lee Ann Camey, Director of the Springfield Community Land Trust, spoke in support of the proposed. Ms. Camey noted as interest rates rise and appraisals increase, housing has become less affordable. Ms. Camey expressed her belief down payment assistance is a great tool to help individuals become homeowners.

Dana Elwell spoke in support of the proposed. Mr. Elwell expressed his appreciation for the proposed. He noted one of the biggest obstacles to home ownership is the need for a down payment and closing costs. The proposed would help eliminate that obstacle. Mr. Elwell noted only 42 percent of Springfield residents are homeowners with national rates closer to 65%. Home ownership has been shown to increase net worth.

Councilmember Horton expressed her enthusiasm for providing homeownership assistance. Ms. Horton asked how long it would take to reach 50 percent home ownership in Springfield. Mr. Elwell responded the funds would serve approximately 51 people and improve neighborhoods. Ms. Horton expressed her belief the proposed is a step in the right direction.

Mayor Pro Tem Simpson thanked Mr. Elwell and the Springfield Community Land Trust for their efforts. He expressed appreciation for their efforts in working with area businesses to obtain matching funds.

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

13.5. Council Bill 2023-272 (McGull)

A special ordinance amending the budget for Fiscal Year 2023-2024 of the Department of Public Works in the amount of \$950,000 to appropriate fund balance reserves of the 1/4-cent Capital Improvement Sales Tax to support construction of a stormwater improvement project on South Pickwick Avenue and East Grand Street.

Chris Dunnaway, Principal Engineer, provided a brief overview of the proposed. Mr. Dunnaway noted the proposed would allow for a budget adjustment of \$950,000 for the Department of Public Works to appropriate the fund balance reserves of the 1/4-Cent Capital Improvement Sales Tax to support construction of a stormwater improvement project on South Pickwick Avenue and East Grand Street. Mr. Dunnaway noted an inspection showed areas where the walls were caving in and cracking. The box culvert crosses through four properties. Mr. Dunnaway noted construction is estimated to begin early next year. Mr. Dunnaway noted there is not sufficient funding for stormwater projects. The City's stormwater assets were estimated at \$500 million using a 200-year replacement cycle. Mr. Dunnaway noted this equates to \$2.5 million annually to maintain the system.

Councilmember McGull asked the age of the box culvert. Mr. Dunnaway responded the age is close to a century. Councilmember McGull asked when construction would start and what the expected duration would be. Mr. Dunnaway responded the construction would last approximately 60 days with both parts bid at same time.

Mayor Pro Tem Simpson noted conversations regarding funding for stormwater projects need to occur.

Councilmember Hosmer asked if this was the box culvert under Grand Street. Mr. Dunnaway responded the box culvert stops on the south side of Grand Street with a pipe that extends under the street. He noted the street closures should be limited to approximately one week.

An opportunity was given for citizens to express their views.

Justin Morgan spoke in support of the proposed. Mr. Morgan noted the collapsing portion of the culvert is on his property.

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

13.6. Council Bill 2023-273 (Hardinger)

A special ordinance authorizing the City Manager, or his designee, to enter into an intergovernmental agreement with St. Louis County to effectuate the Springfield-Greene County Health Department's participation in the statewide Missouri prescription drug monitoring program.

Jon Mooney, Assistant Director of Health, provided a brief overview of the proposed. Mr. Mooney noted the proposed would allow the City to enter into an intergovernmental agreement with St. Louis County to effectuate the Springfield-Greene County Health Department's participation in the statewide Missouri Prescription Drug Monitoring Program (PDMP). Mr. Mooney further noted the program is an electronic database that tracks controlled substance prescriptions and allows healthcare practitioners to use this data to review a patient's prescription history. He added our community joined the program in 2017 to combat the ongoing opioid crisis. Mr. Mooney noted these programs work as they have seen a 43 percent decrease in prescription opioid deaths in the last five years. The proposed would allow the agreement to be updated. The program would go live in mid-December.

Mayor McClure noted he and Councilmember Hosmer were on City Council in 2017 when the initial program was passed. He expressed his appreciation for the program.

Councilmember Hosmer noted Missouri was the last state in the nation to pass the PDMP. He expressed his belief this was a hindrance to controlling the opioid problem.

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. James Nelson wishes to address City Council. James Nelson did not appear.

14.2. Daryl Baker wishes to address City Council. Daryl Baker did Not Appear.

15. NEW BUSINESS.

15.1. The Mayor recommends the following appointment to the Mayor's Commission for Children: Brianna Coale with term to expire November 29, 2026. Recommended.

15.2. Refer to the Plans and Policies Committee potential revisions of the subdivision code to allow for a simplified administrative subdivision process. Referred.

15.3. Refer to the Plans and Policies Committee the topic of parking schedules that references nationwide standards. Referred.

15.4. 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. See Item #3.

18.1. Council Bill 2023-274 (Horton)

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 Kay Pointe Place, generally located at 901 South West Bypass, upon the applicant filing and recording a final plat that substantially conforms to the preliminary plat; and authorizing the City Clerk to sign the final plat upon compliance with all the terms of this Ordinance. (Staff recommends that City Council accept the public streets and easements.)

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

19.1. Council Bill 2023-275 (Lee)

A special ordinance authorizing the City Manager, or his designee, to accept grant funds in the amount of \$7,488 from the Missouri Department of Public Safety Office of Homeland Security, funded through the U.S. Department of Homeland Security Fiscal Year 2022 State and Local Cybersecurity Grant Program, for cybersecurity backup assessment services; authorizing the City Manager, or his designee, to enter a subaward agreement with the Missouri Department of Public Safety Office of Homeland Security accepting the award conditions; amending the budget of the Information Systems Department for Fiscal Year 2023-2024 in the amount of \$7,488 to appropriate the grant funds; and declaring that this Ordinance qualifies for approval in one reading.

Council Bill 2023-275 (Lee). Ordinance 27927 was approved by the following vote: Ayes: Councilmember Jenson, Councilmember Horton, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Hardinger, Councilmember Lee, and Mayor McClure. Nays: None. Absent: Councilmember Carroll. Abstain: None.

19.2. Council Bill 2023-276 (Carroll)

A special ordinance authorizing the City Manager, or his designee, to accept grant funds in the amount of \$12,168 from the Missouri Department of Public Safety Office of Homeland Security, funded through the U.S. Department of Homeland Security Fiscal Year 2022 State and Local Cybersecurity Grant Program, for cybersecurity incident response assessment services; authorizing the City Manager, or his designee, to enter a subaward agreement with the Missouri Department of Public Safety Office of Homeland Security accepting the award conditions; amending the budget of the Information Systems Department for Fiscal Year 2023-2024 in the amount of \$12,168 to appropriate the grant funds; and declaring that this Ordinance qualifies for approval in one reading.

Council Bill 2023-276 (Carroll). Ordinance 27928 was by the following vote: Ayes: Councilmember Jenson, Councilmember Horton, Councilmember McGull, Mayor Pro Tem Simpson, Councilmember Hosmer, Councilmember Hardinger, Councilmember Lee, and Mayor McClure. Nays: None. Absent: Councilmember Carroll. Abstain: None.

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

20.1. Confirm the following appointment to the Public Building Corporation: Lauren Southern with term to expire September 1, 2029. Confirmed.

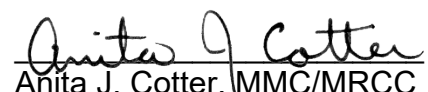
20.2. Confirm the following reappointment to the Public Building Corporation: Jane Patterson with term to expire September 1, 2029. Confirmed.

21. END OF CONSENT AGENDA.

22. ADJOURN.

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

Prepared by : Michelle Brown


Anita J. Cotter, MMC/MRCC
City Clerk