

April 8, 2019
Springfield, Missouri

The City Council met in regular session April 8, 2019 in the Council Chambers at Historic City Hall. The meeting was called to order by Mayor Ken McClure. A moment of silence was observed.

Roll Call

Present: Craig Hosmer, Richard Ollis, Andrew Lear, Phyllis Ferguson, Tom Prater, Mike Schilling, and Ken McClure. Absent: Matthew Simpson* and Jan Fisk.

*Councilman Simpson arrived at approximately 6:35 p.m.

Minutes

There being no additions, deletions, or corrections, the minutes of the March 25, 2019 City Council Meeting were approved as presented.

Consent Agenda

The Consent Agenda was approved as presented.

**Motion to add
Council Bill
2019-079**

Councilman Schilling moved to add Council Bill 2019-079 to the City Council Agenda as was posted in the office of the City Clerk as a possible addition to the agenda. Councilman Hosmer seconded the motion, and it was approved by the following vote: Ayes: Hosmer, Ollis, Lear, Ferguson, Simpson, Prater, Schilling, and McClure. Nays: None. Abstain: None. Absent: Fisk.

Mayor Ken McClure confirmed Council Bill 2019-079 would become item number 27.5 on the agenda.

CEREMONIAL MATTERS.

City Managers Report and responses to questions raised at the previous City Council Meeting.

**City Manager's
Report**

Jason Gage, City Manager, thanked voters for renewing the ¼ cent capital improvements sales tax and noted 77 percent of those who voted supported the renewal. He stated the Public Works Department is beginning work on approved projects, the majority of which resulted from public input. Mr. Gage expressed his opinion reliable and efficient transportation infrastructure is fundamental to creating new jobs and improving the quality of life in the Community.

Mr. Gage congratulated Mayor Ken McClure, Councilman Mike Schilling, Councilman Matthew Simpson, Councilman Richard Ollis, and Councilman Andrew Lear on their return to their respective offices, and thanked Councilman Tom Prater for his dedication and service to the citizens of Springfield. He expressed his opinion Councilman Prater provided exemplary public service and supported many major Community initiatives. Mr. Gage stated the official swearing in of the New City Councilmembers, including Zone 2 Councilman Elect Abe McGull, will occur at a Special City Council Meeting on Thursday, April 18, 2019 at Noon in Council Chambers.

Mr. Gage noted many neighborhood associations are already holding Spring neighborhood clean-ups with help from the Community Partnership of the Ozarks. Additionally, the City is considering a public information campaign to "Spring-clean" our Community and more information will be coming at a future date from the Department of Public Information and Civic Engagement.

Mr. Gage noted the City raised \$109,582.55 and reached 105.76 percent of its goal for the Annual United Way of the Ozarks Campaign, and thanked campaign lead David Pennington, Fire Chief, and everyone who participated.

Mr. Gage stated Tad Peters, Police Captain, was awarded “Big of the Year” by Big Brothers Big Sisters of the Ozarks where he became a member of their Board of Directors in 2011 and became a lunch buddy to a fifth-grader named Nick, mentoring him for one lunch break per week. He added the Springfield Police Department currently has six officers participating in the mentoring program.

Mr. Gage congratulated Anne-Mary McGrath, Springfield-Greene County Parks’ Superintendent of Recreation, for being recognized with the 2019 Wynn Award at the Missouri Sports Hall of Fame Women’s Sports Luncheon. He also congratulated Diana Tyndall, Springfield-Greene County Parks’ Marketing and Sponsorship Coordinator, for being named to Springfield Business Journal’s “40 under 40” list.

Mr. Gage congratulated all the Springfield Fire Officers and Firefighters who received promotions, commendations, and recognitions during the Springfield Fire Department’s Annual Awards Ceremony on March 22, 2019. He noted Bill Spence received the Fire Officer of the Year Award, Joe Myers received the Firefighter of the Year Award, and Kurt Priebe received the Educator of the Year Award.

Councilman Schilling asked for clarification on the delay in certification of the April 2, 2019 election results.

Anita Cotter, City Clerk, responded City Charter states the City will certify results within ten days of the election, however, an amendment to State Law does not now allow the Greene County Clerk’s Office to provide the City with the certifications within that time frame due to time allotment required of them for absentee and deployed U.S. Service Personnel ballot certification processes. She added this pushes the certification period past ten days. Ms. Cotter expressed her opinion the City will have the certifications no later than April 16, 2019, which allows for the City Clerk’s office to post in compliance with the Sunshine Law prior to the Special City Council Meeting on April 18, 2019, where the official results will be declared.

Mayor McClure confirmed the delay in the certification process is due to Greene County’s requirement through State Law.

Mayor McClure thanked voters for their support and approximately 77 percent approval rating of the ¼ cent Capital Improvements ballot initiative at the April 2, 2019 election. Mayor McClure congratulated Zone 2 Councilman Elect Abe McGull, Councilmen Richard Ollis, Mike Schilling and Matthew Simpson, Andrew Lear, and all candidates who ran in the 2019 election.

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

**HOME Investment
Partnership
Program**

Sponsor. Fisk. Council Bill 2019-067. A special ordinance authorizing the City Manager, or his designee, to apply to the United States Department of Housing and Urban Development for the Federal Fiscal Year 2019 Community Development Block Grant and HOME Investment Partnership Program funds under the Consolidated Plan, to accept Community Development Block Grant and HOME Investment Partnership Program funds, to enter into any necessary agreements to carry out the grants, and to exercise any and all powers necessary to implement selected projects; selecting projects for

Council Bill 2019-067. Special Ordinance 27167 was approved by the following vote: Ayes: Hosmer, Ollis, Lear, Ferguson, Simpson, Prater, Schilling, and McClure. Nays: None. Abstain: None. Absent: Fisk.

**Retired Police
Officers purchasing
program**

Sponsor. Schilling. Amended Council Bill 2019-068. A general ordinance amending the Springfield City Code, Chapter 2, 'Administration,' Article VI, 'Finances,' Division 2, 'Purchasing,' Section 2-401, 'Purchasing Manual adopted,' by adding Section 13-3.312 for the purpose of allowing retired police officers to purchase their service weapons.

Councilman Lear stated City Staff and City Council are researching the possibility of gifting firearms used during service to retiring police officers; however there are State Law compliance issues to consider. Councilman Lear expressed his support of the proposed.

Mayor McClure stated he agreed with the possibility of gifting firearms, but reiterated the importance of the City to remain in compliance with the State Constitution and statutes when considering all options. Mayor McClure noted the Law Department would be assisting with the research.

Council Bill 2019-068. General Ordinance 6516 was approved by the following vote: Hosmer, Ollis, Lear, Ferguson, Simpson, Prater, Schilling, and McClure. Nays: None. Abstain: None. Absent: Fisk.

**General Fund
Budget Fiscal Year
2019**

Sponsor: Fisk. Council Bill 2019-069. A special ordinance amending the General Fund budget of the City of Springfield, Missouri, for Fiscal Year 2019, by appropriating a portion of the 2018 Fiscal Year carryover funds in the amount of \$2,800,000.

Council Bill 2019-069. Special Ordinance 27168 was approved by the following vote: Ayes: Hosmer, Ollis, Lear, Ferguson, Simpson, Prater, Schilling, and McClure. Nays: None. Abstain: None. Absent: Fisk.

**Cherry Street
Widening-Barnes
Avenue to Oak
Grove Avenue**

Sponsor: Prater. Council Bill 2019-070. A special ordinance approving the plans and specifications for the "Cherry Street Widening – Barnes Avenue to Oak Grove Avenue" Project; accepting the bid of Hamilton and Dad, Inc., in the amount of \$2,051,509.32; and authorizing the City Manager, or his designee, to enter into a contract with such bidder; for the purpose of constructing said Project.

Council Bill 2019-070. Special Ordinance 27169 was approved by the following vote: Ayes: Hosmer, Ollis, Lear, Ferguson, Simpson, Prater, Schilling, and McClure. Nays: None. Abstain: None. Absent: Fisk.

The following bills appeared on the agenda under Resolutions.

**United States
Conference of
Mayors and
Workforce Board
Leaders Meeting**

Sponsor: Fisk. Council Bill 2019-084. A resolution authorizing Mayor Ken McClure to participate in the United States Conference of Mayors and Workforce Board Leaders Meeting on Local Innovations in Preparing a Highly-Skilled Workforce to be held in Houston, Texas, April 23, 2019.

Jason Gage, City Manager, gave a brief overview of the proposed. Mr. Gage stated the proposed would allow the travel of Councilmembers in compliance with City Policy.

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

Council Bill 2019-084. Resolution 10438 was approved by the following vote: Ayes: Hosmer, Ollis, Lear, Ferguson, Simpson, Prater, Schilling, and McClure. Nays: None. Abstain: None. Absent: Fisk.

**Study Tour of
Northwest
Arkansas**

Sponsor: McClure. Council Bill 2019-085. A resolution authorizing certain Council members to participate in a one-day mobility study tour of Northwest Arkansas, hosted by LaneShift, LLC.

Jason Gage, City Manager, gave a brief overview of the proposed. Mr. Gage stated the proposed would allow the travel of Councilmembers in compliance with City Policy.

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

Council Bill 2019-085. Resolution 10439 was approved by the following vote: Ayes: Hosmer, Ollis, Lear, Ferguson, Simpson, Prater, Schilling, and McClure. Nays: None. Abstain: None. Absent: Fisk.

EMERGENCY BILLS.

PUBLIC IMPROVEMENTS.

GRANTS.

AMENDED BILLS.

The following bills appeared on the agenda under Public Hearing Bills.

Council Bills 2019-071 and 2019-072 were read simultaneously.

**Phelps Grove
Neighborhood Plan**

Sponsor. Prater. Council Bill 2019-071. A resolution adopting the 2019 Amendments to the Phelps Grove Neighborhood Plan as an element of the City's Comprehensive Plan for the development of the City of Springfield, Missouri. (Planning and Zoning Commission and Staff recommend approval).

Sponsor. Simpson. Council Bill 2019-072. A general ordinance amending Urban Conservation District No. 4, generally referred to as the Phelps Grove Urban Conservation District, Section 2 – 'District Regulations,' by creating a new Subsection D, regarding minimum lot width. (Planning and Zoning Commission and Staff recommend approval.)

Alana Owen, Senior City Planner, gave a brief overview of the proposed. Ms. Owen provided a condensed history of the Phelps Grove Neighborhood Plan (PGNP) that was adopted in 1997, designated as Urban Conservation District (UCD) in March of 1997, and amended once in 2001. She added the PGNP is an extension of the City's Comprehensive Plan, and acts as a guide for land use decisions, while being one of four neighborhoods with a plan and one of five UCDs in the City. Ms. Owen displayed a neighborhood map showing the boundaries of the neighborhood and the PGNP Study Area.

Ms. Owen noted in January 2017 City Council directed City Staff to work with neighborhoods with existing older plans, and to prepare updates and recommend changes. The City began this planning process in October 2018. She noted City Staff organized a neighborhood-wide public planning workshop, two open houses, and an online "landing page" highlighting a neighborhood-

wide survey and planning. Additionally, the Administrative Delay was approved by City Council and is currently in place, but will expire on May 4, 2019.

Ms. Owen noted the implementation process would include: acceptance of the PGNP, minimum lot width UCD Amendment, drafting of additional proposed amendments to the UCD to implement Plan recommendations, and the implementation of the PGNP as a joint effort by the City and residents of Phelps Grove Neighborhood. Additionally, fundamental tenants of the PGNP and UCD are: to preserve single-family housing and neighborhood character, with the goal of preserving of existing housing stock, establish a 40-foot minimum lot width for non-conforming lots, and infill and rehabilitation regulations for new construction and residential structures. She stated maintaining and improving the single-family character of the Phelps Grove Neighborhood could occur through: continuance of participation in Neighborhood Teams and programs aided at discouraging overcrowding and nuisance violations, and determining if there is support for the designation of the neighborhood as a local historic district.

Ms. Owen noted additional PGNP recommendations are: for City Staff and Missouri State University Staff to review the 1996 Cooperative Agreement, discourage redevelopment proposals along edges of the neighborhood until the Comprehensive Plan has been updated, and determine interest from residents for the creation of a Community Improvement District (CID). Additionally, expansion of the Phelps Grove Neighborhood Association's west boundary to Campbell Avenue to match the Neighborhood Service Area, and pursuance of tree preservation efforts in the neighborhood were recommended.

Mayor McClure asked for clarification on Missouri State University's involvement in developing the PGNP, and if they are aware of the recommendation to review the 1996 Cooperative Agreement. Ms. Owen responded there was a university representative at the public planning workshop, they were provided notification of all planning meetings held, and their staff has been made aware of the recommendation to review the Cooperative Agreement. Mayor McClure thanked City Staff and neighborhood representatives for working together on the project.

Councilman Ollis thanked City Staff and neighborhood representatives for their work on the project and asked for clarification on the regulatory issue of lot width in accordance with the Phelps Grove UCD. Ms. Owen responded lot width is the only regulatory issue being addressed and she would present more information to City Council pertaining to that with an overview of the next bill.

Councilman Prater expressed his opinion City Staff and the Phelps Grove Neighborhood Association worked well together and thanked everyone for their work on the project.

Councilwoman Ferguson asked for clarification on how the PGNP would be integrated into the City's Comprehensive Plan. Ms. Owen responded the PGNP is smaller in scale, more detailed plan, designed to be integrated as an extension of the City's Comprehensive Plan. Councilwoman Ferguson thanked City Staff and neighborhood representatives for working together on the project.

Ms. Owen gave a brief overview of Council Bill 2019-072. She stated the proposed would establish a 40-foot minimum lot width for development of non-conforming (grandfathered) lots, and would apply only to existing non-conforming lots of record. Additionally, there is no current minimum lot width requirement for development of non-conforming lots. Colonial Place subdivision was platted in 1909 with 5-foot wide lots and the area has developed almost exclusively on a multiple-lot basis. Ms. Owen displayed a map of the area with narrowly platted lots showing the original plats and location of parcels by ownership.

Ms. Owen stated the proposed 40-foot minimum lot width would not render anyone unable to develop or re-develop existing non-conforming properties. Existing homes completely on individual 25-foot wide lots can be replaced and development of narrowly platted lots results in density of 12 dwelling units per acre. She added, neighborhood support for recommendation based on feedback at a neighborhood open house was 88 percent in support of the proposed.

Ms. Owen stated the next steps for the proposed could be for City Council to adopt the PGNP at tonight's meeting, and have a second reading and vote on the minimum lot width UCD Amendment at the April 22, 2019 City Council Meeting. She added, City Staff will draft additional UCD amendments and those amendments will be processed through the Planning and Zoning Commission and City Council.

Councilman Lear asked for clarification on the number of homeowners attending the neighborhood open house meetings. Ms. Owen responded there are approximately 800 total households and approximately 90 of them attended the first meeting, and approximately 70 attended the second meeting. Councilman Lear asked for clarification on the number of households that are owner-occupied. Ms. Owen responded the neighborhood is approximately 40 percent home owners and 60 percent home renters.

Councilman Simpson asked for clarification on existing homeowners working on or replacing their homes and if the proposed would protect against higher density in the future. Ms. Owen responded the proposed would establish minimum lot width requirements to not allow for new development on any of the original 25-foot lots that is not already existing.

Councilman Ollis asked for clarification on how the proposed would affect the status of a developer that was planning to develop property in the area prior to the recent moratorium passed by City Council. Ms. Owen responded the four individual lots currently recognized at that location could be separated into two 50-foot wide lots for development under the proposed amendment.

An opportunity was given for citizens to express their views.

Eric Pauley spoke in favor of Council Bills 2019-071 and 2019-072. Mr. Pauley stated he is the President of the Phelps Grove Neighborhood Association and thanked all the residents, property owners, and City Staff who worked together on this project. He stated there was attendance of 60, 90, and 64 households at three neighborhood input meetings and over 100 surveys taken by residents submitted to City Staff. Mr. Pauley stated he and the majority of the neighborhood are in support of the proposed and asked City Council to approve the PGNP.

Councilman Simpson thanked neighborhood residents and City Staff for their work on the project and asked for clarification on the Springfield Art Museum's involvement in the process. Mr. Pauley responded two of the three input meetings were held at the museum where Nick Nelson, Director of the Springfield Art Museum, spoke to residents and presented the Springfield Art Museum's Master Plan.

Anita Cotter, City Clerk, stated she received a speaker card after the titles of the bills were read, and asked if City Council wished to suspend their rules to allow the individual to speak.

Mayor McClure asked if there was a motion to suspend the rules to allow the speaker.

Councilman Simpson moved to allow the speaker. Councilman Lear seconded the motion and it was approved by the following vote: Hosmer, Ollis, Lear, Ferguson, Simpson, Prater, and McClure. Nays: None. Abstain: None. Absent: Schilling and Fisk.

Eddie Tims spoke in opposition of Council Bills 2019-071 and 2019-072. Mr. Tims stated he is a resident and has rental properties in the Phelps Grove Neighborhood. He expressed his opinion the 40-foot lot width minimum imposes too many restrictions on future development and prohibits him from developing the 25-foot lot next to his property. Mr. Tims expressed his opinion the current Comprehensive Plan is stable and no additional amendments need to be made to the PGNP.

With no additional speakers the public hearing was declared closed.

Mayor McClure provided clarification City Council would vote on Council Bill 2019-071 this evening, and will vote on Council Bill 2019-072 at the April 22, 2019 City Council Meeting.

Council Bill 2019-071. Resolution 10440 was approved by the following vote: Hosmer, Ollis, Lear, Ferguson, Simpson, Prater, and McClure. Nays: None. Abstain: None. Absent: Schilling and Fisk.

Council will vote on Council Bill 2019-072 at the April 22, 2019 City Council Meeting.

**1777 N. Packer
Road and 2800
block of E. Blaine
Street**

Sponsor. Ferguson. Council Bill 2019-073. A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 40 acres of property generally located at 1777 North Packer Road and the 2800 Block of East Blaine Street from GM, General Manufacturing, Planned Development 128 and R-SF, Residential Single Family, to GM, General Manufacturing District; and establishing Conditional Overlay District No. 168; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission both recommend approval.) (By: Rice & Heer Leasing Company, H&C Partnership and City of Springfield; 1777 North Packer Road and the 2800 Block of East Blaine Street; Z-7-2019 w/Conditional Overlay District No. 168.)

Mary Lilly Smith, Director of Planning and Development, provided a brief overview of the proposed. Ms. Smith stated the proposed is an expansion of the Ozarks Coca-Cola Dr. Pepper Bottling Company and would re-zone property on north Packer Road from General Manufacturing/ Planned Development 128 and Residential Single-Family, to General Manufacturing with Conditional Overlay District #168. She added, the area is appropriate for Low-Density Housing under the Growth Management and Land Use Plan, additional property in the area has already been zoned for manufacturing, and resolution 10426 authorizes the Mayor to sign a rezoning application for a City-owned detention basin.

Ms. Smith noted the western boundary retains: setbacks from Planned Development 128, 120 feet for structures, 50 feet for parking lots, a 50-foot bufferyard with six-foot solid fence, wall, or hedge and living ground cover, and a 45-degree bulk plane. Additionally: Packer Road has a 50-foot setback for structures and parking lots, a traffic impact study would be required at the time of development, the applicant may widen Packer Road to accommodate turning movements, and City-owned property may only be used as a regional detention basin. Ms. Smith stated City Staff and Planning and Zoning Commission (8-0) recommend approval.

An opportunity was given for citizens to express their views.

Bruce Long spoke in favor of the proposed. Mr. Long stated he is the President and CEO of Ozarks Coca-Cola Dr. Pepper Bottling Company, thanked City Council for considering the proposed, and was available for any questions City Council may have.

With no additional speakers, the public hearing was declared closed.

**529 W. Division
Street**

Sponsor. Ferguson. Council Bill 2019-074. A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning 1.1 acres of property generally located at 529 West Division Street from R-SF, Single-Family Residential District to GR, General Retail District; and establishing Conditional Overlay District No. 170; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission both recommend approval.) (By: Springfield R-12 School District; 529 W. Division Street; Z-1-2019 w/Conditional Overlay District No. 170.)

Mary Lilly Smith, Director of Planning and Development, provided a brief overview of the proposed. Ms. Smith stated the proposed could re-zone property in the area from Residential-Single Family to General Retail with Conditional Overlay District (COD) #170. She added the original application was remanded to the Planning and Zoning Commission at applicant's request, and noted the revised application includes a COD and reduces the amount of property to be re-zoned. Under the Growth Management and Land Use Plan the proposed is appropriate for Low-Density Housing with Division Street and Grant Avenue as primary arterials.

Ms. Smith stated the COD limits a significant number of uses to include auto-related uses and convenience stores with gas pumps. Additionally it requires a new north-south walkway from the building front to Division Street, additional landscaping between the structure and City right-of-way, a traffic impact study at time of development, and no access to Division Street. She noted Main Avenue access must be a minimum of 75 feet from Division Street, and City Staff and Planning and Zoning Commission (6-2) recommend approval.

Councilwoman Ferguson asked for clarification on soup kitchens being on the list of prohibited uses for the proposed. Ms. Smith responded she would follow-up with City Council after researching if soup kitchens are permitted on properties zoned General Retail.

Councilwoman Ferguson asked for clarification on public access points for the proposed. Dan Smith, Director of Public Works, responded from a traffic safety perspective it is better to have entrance and exit points on the adjacent street rather than a primary arterial. Councilwoman Ferguson expressed her concern about a potential increase of traffic on a residential street affecting pedestrian travel in the area, and asked if there are additional measures the City can take to pursue pedestrian safety in the area. Mr. Smith responded she could speak with City Traffic Engineers to gather more information and have them report their findings to City Council at a later date.

Councilman Hosmer asked for clarification on the surroundings of the proposed. Ms. Smith responded the proposed is surrounded by residential property and displayed a map of the area.

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

West College Street District

Sponsor. Fisk. Council Bill 2019-075. A general ordinance amending Chapter 36 of the Springfield, Missouri City Code, 'Land Development Code,' Article III, 'Zoning Regulations,' Division 4, 'District Regulations,' Section 36-409 – 'West College Street District,' and 'Division 5, Supplemental District Regulations,' Section 36-451, 'Home Occupations,' to remove inconsistencies with existing occupancy requirements. (Planning and Zoning Commission and Staff recommend approval.)

Mary Lilly Smith, Director of Planning and Development, provided a brief overview of the proposed. Ms. Smith stated the proposed removes inconsistency regarding renting of sleeping rooms as a home occupation, clarifies that a family may only rent sleeping rooms or serve meals to two persons who are not members of the same family occupying the dwelling unit, and City Staff and Planning and Zoning Commission (8-0) recommend approval. She displayed the proposed language for amendment of City Code Section 36-409 and Section 36-451.

Ms. Ferguson asked for clarification on square-foot minimums affecting the rental of rooms. Ms. Smith noted there are minimum housing standards in City Housing Code, and she would research City Code to report back to City Council on the issue at a later date.

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

Minimum lot area required for development

Sponsor. Ollis. Council Bill 2019-076. A general ordinance amending Chapter 36 of the Springfield, Missouri, City Code, 'Land Development Code,' Article III, 'Zoning Regulations,' Division 4, 'District Regulations,' Section 36-383 'R-MD – Medium-density multifamily residential district,' and 36-384 'R-HD – High-density multifamily residential district,' to reduce the minimum lot area required for development. (Planning and Zoning Commission and Staff recommend approval.)

Mary Lilly Smith, Director of Planning and Development, provided a brief overview of the proposed. Ms. Smith stated the proposed is citizen-initiated and would reduce the minimum lot size for Residential-Medium Density and Residential-High Density zoning districts from 15,000 square feet to 8,250 square feet to be consistent with the Residential-Low Density zoning district. Additionally, the proposed would keep all current requirements of off-street parking, open space, and building setbacks and buffer-yards in place, and would result in one consistent minimum lot size requirement for all multifamily zoning districts. She noted City Staff and Planning and Zoning Commission (8-0) recommend approval. Ms. Smith displayed proposed language for amendment of City Code Section 36-383 and Section 36-384.

An opportunity was given for citizens to express their views.

Robert Shattuck spoke in favor of the proposed. Mr. Shattuck stated he initiated the amendments to be able to do a higher-density development in an area zoned High-Density. He expressed his opinion the current ordinance provides an unfair advantage for larger developers who can buy multiple lots at a time, resulting in a higher density development.

With no additional speakers, the public hearing was declared closed.

Legal descriptions for rezoning

Sponsor. Hosmer. Council Bill 2019-077. A general ordinance amending Chapter 36 of the Springfield, Missouri, City Code, 'Land Development Code,' Article III, 'Zoning Regulations,' Division 3, 'Administration, Enforcement and Review,' Section 36-367 – 'Amendments,' Subsection (3)(a) relating to legal descriptions for rezoning. (Planning and Zoning Commission and Staff recommend approval.)

Mary Lilly Smith, Director of Planning and Development, provided a brief overview of the proposed. Ms. Smith stated the proposed is in response to ongoing issues with inaccurate legal descriptions of property in the City Zoning Ordinance. She added acceptable legal descriptions could be full lots and blocks recorded in a subdivision, and recommends having a professional land surveyor approve the legal description, state their professional opinion that the description and sketch of the property properly represents boundaries of the area to be rezoned, and that the sketch substantially conforms to the description. She noted City Staff and Planning and Zoning Commission (7-1) recommend approval and displayed proposed language for amendment of City Code Section 36-367.

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

Sale of medical marijuana

Sponsor. Schilling. Council Bill 2019-078. A general ordinance amending Chapter 36 of the Springfield, Missouri, City Code, known as the 'Land Development Code,' Article III, 'Zoning Regulations,' Divisions 1 through 5, Sections 36-303, 36-321, 36-363, 36-421, 36-422, 36-423, 36-424, 36-425, 36-430, 36-431, 36-432, 36-433, 36-434, and creating a new section 36-474; for the purpose of allowing the sale of Medical Marijuana as required by Article XIV of the Missouri Constitution. (Planning and Zoning Commission and Staff recommend approval.)

Mary Lilly Smith, Director of Planning and Development, gave a brief overview of the proposed. Ms. Smith displayed a summary of Article XIV, Missouri Constitution, that governs local government oversight of medical marijuana facilities. She stated the four types of facilities are defined as medical marijuana cultivation facility, medical marijuana testing facility, medical marijuana-infused manufacturing facility, and medical marijuana dispensary facility. Ms. Smith noted City Staff is taking into account several local zoning considerations during discussion of compliance issues with State Law and medical marijuana facilities.

Ms. Smith stated the proposed amendment establishes specific definitions for marijuana, medical marijuana, and medical marijuana facilities, while clarifying that similar uses defined in the City Zoning Ordinance do not include medical marijuana facilities. Additionally, the proposed would establish General Standards for medical marijuana facilities, separation standards, and establish which districts permit uses by right and which require conditional use permits. Ms. Smith provided a summary of proposed General Standards and General Standards of Separation for public or private elementary and secondary schools, child day care centers licensed with the City or State, and churches.

Ms. Smith displayed an example of a freestanding facility measured from the property line of the facility to the closest point on the property line of a school, day care center, or church. She also displayed an example of a multi-tenant building facility measured from the property line of the facility to the closest point on the property line of a school, day care center, or church. Ms. Smith noted certain medical marijuana uses will require a Conditional Use Permit (CUP) if adjacent to or across the street from residential zoning districts and noted there are 21 Conditions in Zoning Ordinance that apply to all CUPs. Ms. Smith noted additional conditions regarding CUPs and displayed a list of considerations for determining if a medical marijuana facility's proposed use will dominate the immediate neighborhood.

Ms. Smith stated the definition of a Medical Marijuana Cultivation Facility is; a facility licensed by the State to acquire, cultivate, process, store, transport and sell marijuana to Medical Marijuana Dispensary Facilities, Medical Marijuana Testing Facilities, or to Medical Marijuana-Infused Products Manufacturing Facilities, and is similar to a greenhouse operation. She displayed a map of permitted districts showing where cultivation facilities could be located according to the

proposed amendments. Ms. Smith stated the definition of a Medical Marijuana Testing Facility is; a facility certified by the State to acquire, test, certify and transport marijuana, and are similar to medical testing labs permitted as part of the Office Use Group. However, Missouri Medical Cannabis Trade Association recommends they be permitted in “light industrial zoning or its equivalent.” She displayed a map of where testing facilities could be located according to the proposed amendments.

Ms. Smith stated the definition of a Medical Marijuana-Infused Products Manufacturing Facility is; a facility licensed by the State to acquire, store, manufacture, transport, and sell marijuana-infused products to Medical Marijuana Dispensary Facilities, Medical Marijuana Testing Facilities, or to another Medical Marijuana-Infused Products Manufacturing Facility. She stated the definition of Medical Marijuana-Infused Products is; products that are infused with marijuana or an extract thereof and are intended for use or consumption other than by smoking, including, but not limited to, edible products, ointments, tinctures and concentrates. Additionally, there are Type 1 Extraction Facilities that use combustible gases, CO2 or other hazardous substances in the marijuana extraction process, and Type 2 Post-Extraction Facilities that use marijuana extractions to incorporate into edibles, ointments, etc., and do not use combustible gases, CO2 or other hazardous substances. She added Type 2 facilities are permitted as either a retail sales use or manufacturing use depending upon their scope and volume of production, facility capacity, and the primary customer (retail or wholesale). Ms. Smith displayed maps of where Type 1 and Type 2 Extraction Facilities could be located in accordance with proposed amendments. She noted Type 2 Post-Extraction Facilities require a State-issued dispensary license and are subject to dispensary zoning restrictions if they participate in retail sales.

Ms. Smith stated the definition of a Medical Marijuana Dispensary Facility is a facility licensed by the State to acquire, store, sell, transport, and deliver marijuana, marijuana-infused products, and drug paraphernalia in order to administer marijuana as provided for in this section to a Qualifying Patient, Primary Caregiver, another Medical Marijuana Dispensary Facility, a Medical Marijuana Testing Facility, or a Medical Marijuana-Infused Products Manufacturing Facility. Additionally, it is similar to a pharmacy as part of the Retail Sales Use Group and not permitted in Limited Business or Office Districts because these districts are sometimes embedded in residential neighborhoods. She displayed a map of permitted districts where Medical Marijuana Dispensary Facilities could be located according to the proposed amendments. Ms. Smith noted City Staff recommends approval and the Planning and Zoning Commission (9-0) recommends approval with the following amendment: No limitation on the hours medical marijuana facilities are open to the public, and all medical marijuana businesses shall be closed to the public between the hours of 10 p.m. and 6:00 a.m.; no persons not employed by the business shall be on the premises, and no sales or distribution of marijuana shall occur upon the premises during that time. She displayed a summary of separation requirements for all types of Medical Marijuana Facilities.

Mayor Ken McClure thanked Ms. Smith and City Staff for their work on the bill. Mayor McClure asked for clarification on the proposed change of the definition of a church. Ms. Smith responded each Church would most likely need to be looked at on a case by case basis to determine if they can be considered a Church with the services they provide. She expressed her opinion the majority of churches in the City are easily identifiable, but with some of them, City Staff will need to examine them more closely to determine if their status can be considered a Church.

Mayor McClure clarified for City Council that the proposed amendment from the Planning and Zoning Commission to modify the hours of Medical Marijuana Dispensary Facilities is not included in the recommendation brought before City Council, and if they wish to change that it requires an amendment. Ms. Smith confirmed that was correct.

Councilwoman Ferguson asked for clarification on City Code Section 36-425 affecting store fronts on Commercial Street and citizens living in lofts located above the stores. Ms. Smith responded under the current proposed amendment, Medical Marijuana Facilities would not be allowed in those store-fronts with lofts above them.

Councilman Simpson asked for clarification on the definition of a church and determining the primary use of a church. Ms. Smith expressed her opinion for some venues, City Staff would look at the primary use of the facility and if it was used for worshipping the majority of that time.

Councilman Simpson asked for clarification on the definition of a multi-tenant space versus a church. Ms. Smith responded looking at a venue's calendar to determine a majority of use could assist City Staff in determining what the space is considered.

Councilman Hosmer expressed his opinion allowing Medical Marijuana Type 2 Extraction Facilities and Dispensaries to be within 200 feet of schools and child day care facilities in the Community is too close, and 1000 feet would be better public policy because a greater distance would allow for less risk of youth being exposed to marijuana. Councilman Hosmer asked for clarification on a proposed zoning map showing locations of City schools and child day care facilities allowing for a sufficient number of possible locations for medical marijuana facilities. Ms. Smith expressed her opinion there is a sufficient amount of available land for facilities to locate and comply with the proposed 1,000-foot separation amendment, but that is a policy decision that should be made by City Council.

Councilman Hosmer asked for clarification on City Staff reviewing ordinances from other cities in Missouri and in other States. Ms. Smith responded City Staff did look at three other cities in Missouri and did not investigate cities in other States because they would have to research State Legislation from those States to determine if their ordinances were drafted and passed in regard for medical or recreational marijuana. Councilman Hosmer stated research he conducted found several cities in Colorado required a 1,000-foot minimum separation of marijuana facilities from schools. Councilman Hosmer expressed his opinion it is bad public policy to amend the proposed to any distance less than 1,000 feet because that is what voters were led to believe the distance would be from schools when they passed the bill allowing the sale of medical marijuana in November 2018.

Councilman Hosmer asked for clarification if it would be legal for people to smoke marijuana on City streets. Ms. Smith responded that would remain illegal and reiterated the Planning and Zoning Commission recommended no limitation on public hours of dispensaries, but actual hours would be determined by the marketplace and individual business proprietors.

Councilman Hosmer asked for clarification on communication between City Staff and Springfield Public Schools (SPS). Ms. Smith responded they have not had a direct conversation with SPS about medical marijuana facilities.

Councilman Ollis asked for clarification of 24-hour operations in the City. Greg Higdon, Police Major, expressed his opinion from a law enforcement standpoint there is a higher probability of exposure to the criminal element when a business is open 24 hours. Councilman Ollis asked for clarification of increased criminal activity around 24-hour pharmacies in the City. Major Higdon responded several businesses operating 24 hours hire additional police officers during non-normal business hours to detour criminal activity.

Councilman Hosmer asked for clarification if a 1,000-foot separation would be beneficial to law enforcement. Major Higdon expressed his opinion depending on the type of response, a greater

distance would be better in a potential situation when law enforcement response is required at a medical marijuana facility.

Anita Cotter, City Clerk stated there were 13 public speakers signed up and based on City Council Policy when there are eight or more speakers, each speaker will be allowed three minutes to speak.

Mayor Ken McClure encouraged public input and asked citizens to not repeat aspects of the topic if possible to make the best use of the meeting time.

An opportunity was given for citizens to express their views.

Dr. Jim Blaine spoke in favor of the proposed 1,000-foot separation amendment. Dr. Blaine stated he is Chair of the Greene County Medical Society and DWI Task Force. He expressed his opinion marijuana is a problem for health practitioners because there is little research compared to other drugs approved by the Food and Drug Administration, and the bulk of responsibility for prescribing patients' marijuana will be left at the discretion of physicians. Dr. Blaine expressed his opinion it would be easy to shrink the distance of the proposed separation amendment in the future, but very difficult to widen it.

David Brodsky spoke in favor of the proposed. Mr. Brodsky stated he has pursued a career in the cannabis industry for the past eight years and is here tonight representing two Springfield, Missouri born and raised residents in pursuit of a medical marijuana facility license. He stated he is not an attorney or consultant and hopes to be a minority partner in a local medical marijuana business that has lasting, positive effects on the City. Mr. Brodsky expressed his opinion his experience on the Planning and Zoning Commission of Columbia, Missouri for five years before moving to and broadening his cannabis industry experience in Colorado has allowed him to see the issues that have arisen regarding medical marijuana. He expressed his opinion Missouri should not blindly do everything Colorado did when allowing medical marijuana because Colorado has had to make a lot of adjustments as the industry continued to grow. Mr. Brodsky expressed his opinion a 200-foot separation from schools and day cares is too low and expressed his support of Councilman Hosmer's proposed 1,000-foot separation amendment.

Councilwoman Ferguson asked for clarification on a 1,000-foot separation in Colorado. Mr. Brodsky responded the majority of cities in Colorado began at 1,000 feet separation from schools when allowing medical marijuana and remained at that distance when allowing recreational marijuana.

Councilman Ollis asked for clarification on hours of operation for medical marijuana facilities in Colorado. Mr. Brodsky responded in Steamboat Springs Colorado they were originally allowed to be open from 10:00 a.m. to 7:00 p.m., and then 7:00 a.m. to 10:00 p.m. after lobbying to remain consistent with shift change times of law enforcement in the City.

Councilman Ollis asked for clarification of home growing operations in Colorado. Mr. Brodsky responded six flowering and six vegetative plants per residential household are allowed with anything above six requiring a commercial location. He noted a problem occurred with the aggregation of home grow licenses and required recent State Legislation to enforce the six-plant limit and keep plant counts down in residential areas.

Councilman Hosmer asked for clarification on dispensaries selling medical and recreational marijuana. Mr. Brodsky responded typically the dispensaries in Colorado began with the sale of medical marijuana and then offered recreational marijuana when it became legalized.

Councilwoman Ferguson asked for clarification of security at marijuana dispensaries. Mr. Brodsky stated that varies by Community and the majority of dispensaries in Colorado have little to no security staff and utilize security cameras. Councilwoman Ferguson asked for clarification on any security issues or increase in robberies. Mr. Brodsky responded crime has been quiet near the dispensaries and the majority of them do not have security issues because the business owners take precautions to keep their properties safe.

Councilman Prater asked for clarification on some communities in Colorado amending their separation requirement to 500 feet. Mr. Brodsky responded this was new legislation designed to lower the separation to allot for the three-dispensary cap and create room for more facilities. He expressed his opinion the three-store limit was not necessary and lowering the separation requirement would open space to the free market in Colorado.

Stephanie Montgomery spoke in favor of the proposed. Ms. Montgomery stated she is a real estate developer in favor of Amendment 2. She expressed her opinion those medically qualified for prescription marijuana should not be limited on the hours they could access their medication. Ms. Montgomery expressed her opinion medical marijuana dispensaries are market-driven retail spaces that are capable of setting their hours of operation and hire security if needed. She expressed her support of the proposed.

Kevin Hite spoke in favor of the proposed. Mr. Hite expressed his opinion City Council should account for sales tax revenue impact medical marijuana could have on the Community. He stated he has been in the wholesale drug business for 27 years and anticipates eight to twelve dispensaries located in Springfield, with each grossing up to approximately 5 million dollars per year in sales.

Larry Ellison spoke in favor of the proposed. Mr. Ellison expressed his opinion there will not be a dispensary located on every corner of the City, and Springfield will have approximately six to ten dispensaries. He expressed his opinion his experience in the cannabis industry in Washington State as CFO of his own medical marijuana cultivation facility has allowed him to witness security at medical marijuana facilities that would not allow youth access to the drug. Mr. Ellison expressed his opinion a 200-foot separation requirement from schools is adequate and expressed his support of the proposed.

Councilman Hosmer asked for clarification on Washington State separation requirements. Mr. Ellison responded he did not know exact requirements because he operates a cultivation business and not a dispensary. Councilman Hosmer stated his research shows Washington State requires a 1,000-foot separation from schools and daycares and asked for clarification on good public policy. Mr. Ellison expressed his opinion it would be difficult to find property in Springfield, Missouri 1,000 feet from schools and churches. He stated he is in support of a 200-foot separation requirement.

Councilman Ollis asked for clarification on maps displayed previously in the meeting showing available property for dispensaries in compliance with the proposed amendment for 1,000-foot separation from schools and day cares and 200-foot separation from churches. Mary Lilly Smith, Director of Planning and Development, displayed the maps for City Councilmembers to view.

Dr. Chris Stout spoke in favor the proposed. Dr. Stout stated medical marijuana is a drug, not an illegal substance, and he currently prescribes drugs to patients at all hours of the day. He expressed his opinion limiting the hours of dispensaries could make it difficult for patients to obtain their prescriptions, and some patients are already not able to travel long distances to pharmacies.

Councilwoman Ferguson asked for clarification on the number of patients Dr. Stout anticipated he would prescribe medical marijuana to. Dr. Stout expressed his opinion approximately 60,000 patients in the State; however it is difficult to know on a local level at this point. He reiterated physicians would be certifying patients for medical marijuana and not prescribing it. Councilwoman Ferguson asked for clarification on the type of patients he would certify for medical marijuana. Dr. Stout expressed his opinion a diabetes patient with neuropathy pain in their feet would be an ideal candidate for switching from opioids for pain management, to medical marijuana.

Councilman Simpson asked for clarification on the number of patients Dr. Stout sees for opioid abuse and medical marijuana abuse. Dr. Stout stated he currently sees patients that obtain marijuana illegally to assist with their pain, and expressed his opinion alcohol sales currently located less than 1,000 feet from schools in the City could be a larger issue than medical marijuana facilities being located the same distance from schools.

Ashely Markum spoke in favor of the proposed. Ms. Markum stated she supports the proposed amendment by the Planning and Zoning Commission because her son is a cannabidiol oil patient, and expressed her opinion having 24-hour access to his medication could assist with treatment of his pain when needed. Ms. Markum expressed her opinion no individuals without a certification card or minors should be allowed into a medical marijuana dispensary and the 1,000-foot proposed separation would put undue burden on her family and other families needing efficient access to their medication

Justin Petrillo spoke in favor of the proposed. Mr. Petrillo thanked City Staff and City Council for their service and stated he is the co-founder of Wholesome Bud Company in Springfield, Missouri. Mr. Petrillo expressed his opinion a 200-foot separation requirement from schools is sufficient because no individual without a certification card and matching government issued I.D. would be allowed inside, and medical marijuana and medical marijuana products are not displayed at dispensaries for the public to view. Mr. Petrillo expressed his opinion it is parents' responsibility to educate their children about the effects of medical marijuana.

Kevin Ellison spoke in favor of the proposed. Mr. Ellison stated he owns a security and technology consulting business involved with incorporating security requirements into local medical marijuana facilities. He noted facilities are required to be well-lit with 24-hour surveillance and access to the marijuana is electronically controlled. Additionally, a physical check of certification cards real time through a State database and inventory controls are required. Mr. Ellison expressed his opinion with these types of security requirements in place a 200-foot separation requirement from schools is sufficient. He expressed his support of the proposed.

Chip Sheppard spoke in favor of the proposed. Mr. Sheppard expressed his opinion representatives of Community schools, churches, or daycares are not concerned about the proximity of medical marijuana facilities, and Community support was shown by 80 out of 81 precincts in the City of Springfield voting in favor of the 2018 Medical Marijuana Ballot Initiative. Mr. Sheppard stated he helped draft State Legislation on the issue in 2015 and expressed his opinion the 1,000-foot separation requirement in State Legislation was aimed at helping rural communities with only one church, school, or daycare to locate a potential medical marijuana dispensary outside of all the activity and traffic associated with their school, church, or daycare. He expressed his opinion a 200-foot separation requirement is adequate because many patients have difficulty traveling long distances to access their medication and restricting hours would inconvenience many patients, so allowing 24-hour access would be best practice. Mr. Sheppard noted the State of Missouri is currently polling low support for the legalization of recreational

marijuana, and expressed his opinion a recreational marijuana campaign will not be coming to Missouri soon because of the low poll numbers.

Councilman Hosmer asked for clarification on the 2018 ballot language used for explanation to voters about the parameters of the medical marijuana bill. Mr. Sheppard responded the 1,000-foot separation requirement for schools was in the explanation, but not in the summary on the ballot, and the language allows for municipalities to alter the separation requirement distance how they see fit if they choose to do so. Councilman Hosmer expressed his opinion Missouri and the City of Springfield should not be more permissive than other States or Cities when it comes to the separation requirement for schools and daycares from medical marijuana facilities.

Councilman Prater asked for clarification on the regulation of home-grown marijuana and if the use of recreational marijuana is on the rise in the State of Missouri. Mr. Sheppard responded the State regulates home grown marijuana, and recreational marijuana is not on the rise in Missouri.

Councilman Hosmer asked for clarification on Mr. Sheppard being involved in a future recreational marijuana campaign in the State of Missouri. Mr. Sheppard responded the Missouri polls are static at around 45 percent for the past five years, and expressed his opinion support for the issue would have to increase by a minimum of 15 percent before a campaign sponsor would consider donating campaign funds. He added the recreational marijuana market negatively affects sales in the medical marijuana market as recently seen in Colorado, and expressed his opinion owners of medical marijuana dispensaries in the City of Springfield would not be in favor of legalizing recreational marijuana because of the potential negative impact.

Ariel Lewis spoke in opposition of the proposed. Ms. Lewis expressed her opinion the number of churches in the Community would make it challenging for medical marijuana dispensaries to comply with the proposed 1,000-foot separation requirement. She expressed her opinion there should be no limitation of hours for dispensaries and expressed her support of allowing them to be open 24 hours.

With no additional speakers, the public hearing was declared closed.

Councilman Hosmer stated he would have a motion to amend Council Bill 2019-078 to include a 1,000-foot separation requirement for medical marijuana facilities to schools and child day care centers. Councilman Hosmer expressed his support of adopting a 1,000-foot separation requirement that has been passed in other States such as Colorado and Washington. Councilman Hosmer expressed his opinion allowing a 200-foot separation requirement is bad public policy for our Community when we have no experience of the potential problems that could occur near medical marijuana facilities.

Councilman Hosmer moved to amend Council Bill 2019-078 to require the following separation distance requirements for medical marijuana dispensaries and Type 2 manufacturing facilities in all districts in which those uses are permitted: 1,000 feet from elementary and secondary schools and child day care centers; and 200 feet from churches. Councilman Prater seconded the motion, and it failed by the following vote: Ayes: Hosmer, Ollis, Ferguson, and McClure. Nays: Lear, Simpson, Prater, and Schilling. Abstain: None. Absent: Fisk.

Councilman Prater stated he would make a motion to amend Council Bill 2019-078 as recommended by the Planning and Zoning Commission.

Councilman Hosmer expressed his opinion City Council should carefully consider the proposed amendment because it could affect safety and law enforcement concerns surrounding 24-hour operations.

Councilman Ollis asked for clarification on the number of dispensaries City Staff anticipates being open 24-hours. Mary Lilly Smith, Director of Development, responded it is not uncommon for City manufacturing businesses to be open 24 hours or overnight, and medical marijuana manufacturing facilities would be closed to the public. She added the question of medical marijuana dispensary hours brought up during discussion at Planning and Zoning Commission Meetings resulted in a consensus that hours should be market-driven.

Councilman Ollis consulted Councilman Prater's input on the issue. Councilman Prater expressed his opinion City Council should not be determining how a business owner staffs their business and therefore medical marijuana dispensary hours would be market-driven. Councilman Prater expressed his concern City Council restricting patient access to their medicine when the Missouri State Constitution allows for the permitted use of medical marijuana.

Councilman Prater moved to amend Council Bill 2019-078 to substitute Amended Exhibit 1 for Exhibit 1 in order to follow the recommendations of the Planning and Zoning Commission to remove the limitation on the hours medical marijuana facilities may be open to the public. Councilman Simpson seconded the motion, and it was approved by the following vote: Ayes: Ollis, Lear, Ferguson, Simpson, Prater, Schilling, and McClure. Nays: Hosmer. Abstain: None. Absent: Fisk.

Mayor McClure stated the public hearing will be held over on the amendment only to the April 22, 2019 City Council Meeting.

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

Sponsor. Schilling. Council Bill 2019-086. A general ordinance adopting a new Fee and amending the Fee Schedule for certain City services as provided in the Springfield City Code, by establishing a fee for a Medical Marijuana Zoning Certificate. (Staff recommends approval.)

Mary Lilly Smith, Director of Planning and Development, gave a brief overview of the proposed. Ms. Smith noted State Law requires applicants for Medical Marijuana Zoning Certificates to note their location and provide evidence they are in complying with City laws. She added the City currently provides Zoning Certificates to non-medical marijuana businesses for 44 dollars, but the process for new medical marijuana facilities will require an additional site visit lasting approximately one hour to ensure compliance with State Law, and verify distance from schools and churches. Ms. Smith stated the proposed fee schedule for issuing medical marijuana Zoning Certificates would increase to 108 dollars to allow for the extra time City Staff utilizes during on-site visits.

An opportunity was given for citizens to express their views.

Desmond Morris II spoke in favor of the proposed. Mr. Morris stated he and his family are residents of Springfield, and he is a graduate of Missouri State University. He expressed his interest in the medical marijuana business and his support of the proposed.

With no additional speakers, the public hearing was declared closed.

Fire Code relating to tents

Sponsor. Lear. Council Bill 2019-079. A special ordinance amending Sections 3103.9.2 and 3103.9.3 of the Fire Code, relating to tents and membrane structures, by adding specific local addendums to the 2018 International Fire Code.

David Pennington, Fire Chief, gave a brief overview of the proposed. Chief Pennington stated the Fire Code adopted in July of 2018 spoke briefly to tents and allowed non-wind rated tents to be inspected by the Fire Department. He added the proposed could allow for Fire Marshalls to also inspect wind-rated tents based on their design without imposing additional restrictions on the vendors using the tents.

Councilman Ollis asked for clarification on the Fire Department inspecting tent use during windy conditions. Chief Pennington confirmed the proposed could allow for inspection of a tent and its use permit based on wind speeds appropriate for use. Additionally, a permit could be revoked if conditions exceed the allowable wind speed for a tent and the tent would no longer be approved for occupancy.

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

PETITIONS, REMONSTRANCES, AND COMMUNICATIONS.

Appeared

Patricia Reynolds addressed City Council. Ms. Reynolds stated she has been a resident of Springfield for over 30 years and asked City Council to put the pay day loan ordinance on the agenda as soon as possible. She provided copies of a study completed by Missouri State Faith Voices that was presented to City Council at their places. Ms. Reynolds expressed her opinion this is an important issue for citizens of Springfield.

Mayor Ken McClure thanked Ms. Reynolds for her patience and waiting to speak this evening.

Councilman Prater

Mayor McClure stated City Council will now recognize the service of Councilman Tom Prater.

Councilman Prater stated his past four years on City Council are memorable and he is proud to have served the City. He expressed his opinion Councilmembers and City Staff are all dedicated to the betterment of the City, and our City has unparalleled citizen involvement. Councilman Prater thanked all Councilmembers and Jason Gage, City Manager; Anita Cotter, City Clerk; and all department heads for assisting him for the duration of his time as a member of City Council. He added he is optimistic about the future of Springfield and expressed excitement for the direction the City is headed. Councilman Prater congratulated Abe McGull, Zone 2 Councilman Elect, and thanked City Staff for the leadership it provided him.

Mayor Ken McClure expressed his opinion Councilman Prater provided wise council on many occasions and is committed to public service. Mayor McClure stated City Council looks forward to working with Abe McGull, Zone 2 Councilman Elect, and Councilman Prater will be missed. Mayor McClure thanked Councilman Prater for his dedicated service and presented him with a plaque honoring his service to the City and citizens of Springfield.

NEW BUSINESS.

Recommended

The Mayor recommends the following appointment to the Public Housing Authority: Rusty Worley with term to expire April 11, 2020.

Recommended	The Mayor recommends the following reappointment to the Public Housing Authority: Lisa McIntire with term to expire April 11, 2023.
Recommended	The Mayor recommends the following appointment to the Springfield Convention and Visitors Bureau, Inc.: Todd Brage with term to expire January 1, 2022.
Recommended	The Mayor recommends the following reappointment to the Springfield Convention and Visitors Bureau, Inc.: Brent Parker with term to expire January 1, 2022.
Recommended	The Public Involvement Committee recommends the following appointment to the Board of Equalization: Janet Blair with term to expire April 1, 2022.
Recommended	The Public Involvement Committee recommends the following reappointment to the Board of Equalization: Lyle Foster with term to expire April 1, 2022.
Recommended	The Public Involvement Committee recommends the following appointment to the Citizens Advisory Committee for Community Development: Trish Hubbell with term to expire May 1, 2022.
Recommended	The Public Involvement Committee recommends the following reappointment to the Citizens Advisory Committee for Community Development: Delilah Jackson with term to expire May 1, 2022.
Recommended	The Public Involvement Committee recommends the following reappointments to the Citizens' Tax Oversight Committee: Daniel Furtak and Ryan Kelly with terms to expire May 1, 2022.
Recommended	The Public Involvement Committee recommends the following appointment to the Landmarks Board: Richard Crabtree with term to expire November 1, 2021.
Recommended	The Public Involvement Committee recommends the following appointment to the Police Civilian Review Board: Samantha Spartan with term to expire May 1, 2022.
Recommended	The Public Involvement Committee recommends the following reappointment to the Police Civilian Review Board: Chris Nease with term to expire May 1, 2022.
Recommended	The Public Involvement Committee recommends the following reappointments to the Police Officers' and Fire Fighters' Retirement System Board of Trustees: Nancy Martin-Hinds and Justin Milam with terms to expire April 30, 2022.
Records Destruction	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.
Recognized	Recognizing Councilman Tom Prater for his dedicated service to the City of Springfield.

UNFINISHED BUSINESS.

MISCELLANEOUS.

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

**3308 W. Chestnut
Expressway**

Sponsor. Ferguson. Council Bill 2019-080. 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 Stubbs Subdivision generally located at 3308 West Chestnut Expressway, 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.)

**1777 N. Packer
Road, Sparkling
Heights
Subdivision**

Sponsor. Ferguson. Council Bill 2019-081. 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 Sparkling Heights Subdivision generally located at 1777 North Packer Road, 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.)

The following bills appeared on the agenda under Consent Agenda One Reading Bills.

**The Grove, 401 N.
Boonville Avenue**

Sponsor. Fisk. Council Bill 2019-082. A resolution granting a new liquor license to sell 5 percent beer and light wine by the drink at retail to Orange Grove Entertainment, LLC, d/b/a The Grove, for their location at 401 North Boonville Avenue, Springfield, Missouri.

Council Bill 2019-082. Resolution 10441 was approved by the following vote: Ayes: Hosmer, Ollis, Lear, Ferguson, Simpson, Prater, Schilling, and McClure. Nays: None. Abstain: None. Absent: Fisk.

**Public Health
response relating to
Hepatitis A**

Sponsor. Ollis. Council Bill 2019-083. A special ordinance authorizing the City Manager, or his designee, to accept a grant from the Missouri Department of Health and Senior Services for the purpose of supporting Public Health response activities relating to a Hepatitis A outbreak amongst at-risk groups; and amending the budget of the Springfield-Greene County Health Department for Fiscal Year 2018-2019 in the amount of \$12,627.00, to appropriate the grant funds.

Council Bill 2019-083. Special Ordinance 27170 was approved by the following vote: Ayes: Hosmer, Ollis, Lear, Ferguson, Simpson, Prater, Schilling, and McClure. Nays: None. Abstain: None. Absent: Fisk.

CONSENT AGENDA SECOND READING BILLS.

END OF CONSENT AGENDA.

ADJOURN.

There being no further business, the meeting adjourned at approximately 9:24 p.m.

Prepared by
Melissa Carman


Anita J. Cotter, CMC/MRCC
City Clerk