

April 22, 2019
Springfield, Missouri

The City Council met in regular session April 22, 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: Richard Ollis, Andrew Lear, Phyllis Ferguson, Matthew Simpson, Abe McGull, Mike Schilling, Jan Fisk, Craig Hosmer, and Ken McClure. Absent: None
Minutes	There being no additions, deletions, or corrections, the minutes of the April 8, 2019 City Council Meeting and April 16, 2019 and April 18, 2019 Special City Council Meetings were approved as presented.
Consent Agenda	The Consent Agenda was approved as presented.
Motion to remove Council Bill 2019-097 from the agenda	Councilman Lear moved to remove Council Bill 2019-097 from the agenda. Councilman Simpson seconded the motion, and it was approved by the following vote: Ayes: Ollis, Lear, Ferguson, Simpson, McGull, Schilling, Fisk, Hosmer, and McClure. Nays: None. Abstain: None. Absent: None.
Election of new Mayor Pro Tempore	Councilwoman Fisk thanked City Council for the opportunity to be an ambassador for the City over the past two years as Mayor Pro Tempore. Councilwoman Fisk moved to nominate Councilwoman Ferguson for the position of Mayor Pro Tempore. Councilman McGull seconded the motion, and it was approved by the following vote: Ayes: Ollis, Lear, Ferguson, Simpson, McGull, Schilling, Fisk, Hosmer, and McClure. Nays: None. Abstain: None. Absent: None.

CEREMONIAL MATTERS.

Oath of Office for Mayor Pro Tempore Elect	Anita Cotter, City Clerk, administered the oath of office to Mayor Pro Tempore Elect, Councilwoman Phyllis Ferguson. Mayor Ken McClure congratulated Mayor Pro Tempore Ferguson and thanked her for her willingness to serve the Community.
Linda Charles Retirement	Sponsor. McClure. Council Bill 2019-090. A resolution recognizing Linda Charles for her thirty-one years of dedicated service as an employee of the City of Springfield. Councilman Simpson read the resolution in its entirety. Jason Gage, City Manager, thanked Ms. Charles for her service and hard work. Jody Vernon, Assistant Director of Finance and Comptroller, expressed appreciation on behalf of the Finance Department, and thanked Ms. Charles for her dedicated service and attention to detail with City finances. An opportunity was given for citizens to express their views. With no speakers, the public hearing was declared closed. Mayor Ken McClure thanked Ms. Charles for her work and service to the City and the Community. Council Bill 2019-090. Resolution 10445 was approved by the following vote: Ayes: Ollis, Lear, Ferguson, Simpson, McGull, Schilling, Fisk, Hosmer, and McClure. Nays: None. Abstain: None. Absent: None.

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

City Manager's Report

Jason Gage, City Manager, noted returning Councilmembers Mike Schilling, Richard Ollis, Matthew Simpson, Andrew Lear, Mayor Ken McClure, and new Zone 2 Councilmember, Abe McGull, took their Oath of Office at the Special City Council Meeting on April 18, 2019 and congratulated them on their election.

Mr. Gage congratulated Mary Ann Rojas, Director of Workforce Development, and several Community Partners for hosting the 3rd Annual Build My Future Job Expo event on April 17, 2019, where approximately 2,700 area high school students had the opportunity to test drive careers in construction. He added, the nationally recognized award-winning expo has become a model for other communities trying to promote construction job opportunities in various construction fields of interest.

Mr. Gage provided a March 2019 and 2019 year-to-date Uniform Crime Report update from Paul Williams, Police Chief. He noted overall the trend is tracking approximately 1.7 percent higher compared to 2018. Mr. Gage noted on Friday, April 19, 2019, the Springfield Police Department Leadership Council recognized and celebrated significant acts of citizens and officers to fight crime and keep the Community safe in 2018. He added, the ceremony recognized eight citizens, eight police officers, one police corporal, and two police sergeants. Additionally, Albert Estrada, Corporal, and Mark Riggin, Officer, earned lifesaving awards; and Eric Morgan, Officer, received the Medal of Valor.

Mr. Gage provided an update on Springfield Fire Department firefighters canvassing the Bissett Neighborhood Association on April 20, 2019 to test and install smoke alarms as part of Project RED Zone. He added, to date 2,246 smoke alarms have been provided to citizens in Zone 1. Additionally, 642 batteries, 7,492 door tags with fire safety information, 4,191 alarms, and 14,092 home visits have occurred since the program's inception.

Mr. Gage stated the Women's Firefighter Conference will be held in Springfield on April 26 and 27, 2019 and for more information citizens can call 417-770-4312 or view the video posted on the Fire Department's Facebook page. He noted the Springfield Fire Department received a Federal Emergency Management Agency grant in early 2019 to purchase escape ladders that still need a home. He added, the ladders can provided families safe escape in case of entrapment on the second floor of a home during emergencies. Mr. Gage stated citizens are eligible to receive a ladder if they live in a 2-story home with a bedroom on the second floor, live in either Zone 1 or 2 of the City, and more information can be obtained by contacting Heather Parker at hparker@springfieldmo.gov or calling 417-874-2380.

Councilwoman Ferguson asked for clarification on eligibility for citizens to receive a complimentary escape ladder. Mr. Gage responded citizens living on the second floor or higher of apartment buildings are also eligible to receive ladders.

Councilman Simpson complimented Mr. Gage on his recent interview with the Springfield News-Leader about Census Bureau population numbers in the City. Mr. Gage thanked Councilman Simpson.

Mayor Ken McClure congratulated the Workforce Development Department for hosting a successful 2019 Build My Future event and expressed appreciation for being involved in the event.

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

**Phelps Grove
Urban
Conservation
District**

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.)

Anita Cotter, City Clerk, noted a protest petition was received and found to be insufficient at 1.5%. She added, a copy of the supplemental explanation has been provided at City Council’s places, and therefore a supermajority will not be required for passage.

Councilman McGull thanked the Phelps Grove Neighborhood Association for their support of the proposed.

Council Bill 2019-072. General Ordinance 6517 was approved by the following vote: Ayes: Ollis, Lear, Ferguson, Simpson, McGull, Schilling, Fisk, Hosmer, and McClure. Nays: None. Abstain: None. Absent: None.

**1777 N. Packer
Road**

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.)

Council Bill 2019-073. General Ordinance 6518 was approved by the following vote: Ayes: Ollis, Lear, Ferguson, Simpson, McGull, Schilling, Fisk, Hosmer, and McClure. Nays: None. Abstain: None. Absent: None.

**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.)

Council Bill 2019-074. General Ordinance 6519 was approved by the following vote: Ayes: Ollis, Lear, Ferguson, Simpson, McGull, Schilling, Fisk, and McClure. Nays: Hosmer. Abstain: None. Absent: None.

**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.)

Council Bill 2019-075. General Ordinance 6520 was approved by the following vote: Ayes: Ollis, Lear, Ferguson, Simpson, McGull, Schilling, Fisk, Hosmer, and McClure. Nays: None. Abstain: None. Absent: None.

Reduction of 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.)

Council Bill 2019-076. General Ordinance 6521 was approved by the following vote: Ayes: Ollis, Lear, Ferguson, Simpson, McGull, Schilling, Fisk, Hosmer, and McClure. Nays: None. Abstain: None. Absent: None.

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.)

Council Bill 2019-077. General Ordinance 6522 was approved by the following vote: Ayes: Ollis, Lear, Ferguson, Simpson, McGull, Schilling, Fisk, Hosmer, and McClure. Nays: None. Abstain: None. Absent: None.

Sale of medical marijuana

Sponsor. Schilling. Amended 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.)

Councilman Hosmer made a motion to amend council bill 2019-078 to delete the definition of a child daycare center as a facility licensed by the City or State and to require the separation distance requirements for medical marijuana dispensaries and Type 2 manufacturing facilities to be 1,000 feet from elementary and secondary schools and child daycare centers in all districts in which those uses are permitted, and the separation distance to remain 200 feet from churches. Councilman McGull seconded the motion.

Councilman Hosmer expressed his opinion locating dispensaries less than 1,000 feet from schools and child daycares would be bad public policy for the City, and potential exposure to marijuana for citizens under the approximate age of 23 to 24 years old could have a negative impact on their health. Councilman Hosmer expressed his opinion City Council could modify separation requirements going forward if needed and a 1,000-foot separation has worked well in other states such as Colorado and Washington.

Councilwoman Fisk expressed concern for child daycare centers and churches with child daycares, and asked for clarification on the City Zoning Ordinance relating to these types of facilities. Mary Lilly Smith, Director of Planning and Development, responded under the current ordinance, child daycares are defined as licensed by the State and/or the City, and Councilman Hosmer's motion to amend deletes this definition to return to how the Zoning Ordinance defines child daycares, which does not include licensing. She noted City Staff recommends approval of

returning to this definition. Additionally, the State sanctions three categories of child daycares: Licensed, Licensable, and License Exempt. Ms. Smith stated child daycares that are License Exempt are not protected under the original proposed ordinance. She added, the Planning and Zoning Department determines zoning based on the most restrictive use, and 1,000-foot is more restrictive than 200-foot in cases where a facility contains a church and a school and/or child daycare.

Councilwoman Fisk asked for clarification on amending the definition of child daycares. Rhonda Lewsader, City Attorney, responded Councilwoman Fisk could offer a secondary amendment to Councilman Hosmer's amendment by moving to remove the language in the amendment to change the definition of child daycare centers, so that the language requiring a child daycare to be licensed by the City or State remains in the proposed ordinance.

Mayor McClure asked for clarification on Councilwoman Fisk's motion to amend Councilman Hosmer's amendment. Ms. Lewsader responded the motion would be to amend the previous motion by removing the part of that motion that deletes the definition of a child daycare center as a facility licensed by the City or State.

Councilwoman Fisk stated she would have a motion to amend Councilman Hosmer's. Ms. Lewsader clarified Councilman Hosmer's motion for City Council, and stated if Councilwoman Fisk's motion were to be approved, what would remain of Councilman Hosmer's motion is to change the separation distance to 1,000 feet from schools and child daycares, and remain 200 feet from churches.

Mayor McClure asked for clarification on the impact of licensure with Councilwoman Fisk's motion. Mary Lilly Smith, Director of Planning and Development, responded the Planning and Zoning Commission would only draw a separation from child daycares that are licensed by the State or City and child daycares that are not required to obtain a license would not have the benefit of the proposed separation requirements. Mayor McClure asked for clarification on a 200-foot separation requirement being applicable to un-licensed child daycare facilities. Ms. Smith responded the 200-foot requirement would apply to child daycare facilities located in a church, but child daycare facilities located on Missouri State University property would have zero separation requirement unless they obtain a license because the University is not considered an elementary or secondary school.

Councilman McGull asked for clarification on the proposed 1,000-foot separation requirement for child daycares. Ms. Smith confirmed the 1,000-foot requirement would apply to child daycares licensed by the State or City.

Councilman Lear asked for clarification on local Young Men's Christian Association (YMCA) branches and other facilities with child-affiliated programs, and what separation requirements they would have under the proposed. Ms. Smith responded if a child daycare is located within a church a 200-foot separation requirement would apply and the local YMCA is listed by the State as Licensable. Councilman Lear asked for clarification on licensable child daycare facilities obtaining a license after the establishment of potential dispensaries. Ms. Smith responded Article XIV of the State Constitution summarizes the facility would need to be in possession of a license prior to the establishment of a dispensary. Councilman Lear asked for clarification on the impact Councilman Hosmer's motion would have on separation requirements for University child daycares. Ms. Smith responded University facilities would have a separation requirement under Councilman Hosmer's proposed amendment.

Councilman Hosmer asked for clarification on City Staff's recommendations. Ms. Smith responded City Staff recommends Councilman Hosmer's motion. Councilman Hosmer asked for clarification on non-licensed religious-affiliated child daycare facilities. Ms. Smith confirmed there would be zero separation requirements for non-licensed child daycare facilities under the proposed. She added, some religious facilities do obtain a child daycare license without being required to do so. Councilman Hosmer expressed his opinion a 1,000-foot separation requirement for schools and child daycare facilities that are licensed, non-licensed, and licensable is the best public policy.

Councilman Ollis asked for clarification on the number of child daycares that would not be licensed under the definition of a child daycare and City Staff's recommendations. Ms. Smith responded she did not have a number for City Council at this time, and City Staff recommends all child daycare facilities be regarded the same whether they are subject to licensure or not. She added, if schools, child daycares, and churches had equal proposed separation requirements, licensure would not be a factor.

Councilman Ollis asked for clarification on the proposed fee schedule for medical marijuana dispensaries. Ms. Smith responded City Staff determined implementation of proposed separation requirements would require on-site visits by City Staff to assure requirements are being met between medical marijuana dispensaries and schools, child daycares, and churches. Councilman Ollis asked for clarification on City Staff's implementation of separation requirements post-inspection. Ms. Smith responded appropriate regulations would be established and a child daycare center by definition in City Zoning Ordinance does not include in-home daycares that would be considered a provider's permanent residence.

Councilwoman Fisk expressed concern for providers and owners of non-licensed child daycare facilities not wanting medical marijuana dispensaries located near their properties.

Councilman Simpson asked for clarification on the licensure process for facilities considered by the State to be Licensure Exempt. Ms. Smith expressed her opinion those facilities would not be prohibited to apply for a license. Councilman Simpson asked for clarification on City Staff's zoning interpretation process based on what is determined to be a facility's primary use. Ms. Smith responded the Planning and Zoning Commission interprets the City Zoning Ordinance using the most restrictive use, and if a facility has multiple uses, the 1,000-foot separation requirement would still apply to child daycare facilities inside or outside of facilities with primarily religious use under Councilman Hosmer's motion. Councilman Simpson asked for clarification on City Staff's use of sources to locate and map facilities that could be considered as facilities providing child daycare services. Ms. Smith responded City Staff are confident they have not located all child daycare facilities yet, but continue to search the City and State databases for additional information.

Councilman McGull asked for clarification on the oversight of licensed child daycare facilities compared to non-licensed facilities. Ms. Smith expressed her opinion there is additional oversight of licensed child daycare facilities by the State.

Councilwoman Ferguson asked for clarification on the impact child daycare licensure would have on Councilman Hosmer's and Councilwoman Fisk's motions to amend Council Bill 2019-078. Ms. Smith confirmed a non-licensed child daycare within a church would have a separation requirement of 200 feet under Councilwoman Fisk's motion, and 1,000 feet under Councilman Hosmer's motion.

Councilwoman Fisk moved to amend Councilman Hosmer's motion to remove the part of the motion that deletes the definition of a child daycare center as a facility licensed by the City or State. Councilman McGull seconded the motion, and it failed by the following vote: Ayes: Lear, Simpson, McGull, and Fisk. Nays: Ollis, Ferguson, Schilling, Hosmer, and McClure. Abstain: None. Absent: None.

Councilman McGull asked for clarification on the definition of child daycare centers under Councilman Hosmer's motion. Ms. Smith responded it would default to the definition of child daycare facilities within the City Zoning Ordinance and displayed the full definition for City Council. She emphasized child daycare facilities provide services for infants through preschool to kindergarten age children, and then children continue to elementary and secondary school facilities with the same separation requirements under Councilman Hosmer's motion. Councilman McGull asked for clarification on City Staff's research of the location of child daycare facilities within the City. Ms. Smith responded City Staff utilized both City and State licensing databases while researching child daycare locations. Councilman McGull asked for clarification on a map of dispensary and Type 2 post-extraction facility permitted districts with proposed 1,000-foot separation from elementary schools, secondary schools, and child daycare centers, and 200-foot separation from churches. Ms. Smith displayed the map for City Council and clarified the proposed school, daycare, and church buffers as represented on the map by three separate colors. Councilman McGull asked for clarification on where dispensaries would be permitted under the proposed separation requirements and what is considered to be the middle of the City according to the map. Ms. Smith clarified where dispensaries would be permitted, as represented on the map by a fourth separate color, and located some major roadways and landmarks on the map to allow for City Council's reference to the location of the middle of the City.

Councilman Hosmer expressed his opinion voters agreed to a 1,000-foot separation from schools, child daycares, and churches, and by only requiring a 200-foot separation from churches, it would allow for several more available spaces for the location of dispensaries. Councilman Hosmer expressed his opinion City Council should look to other States that have passed a 1,000-foot separation requirement.

A vote was taken on Councilman Hosmer motion to amend council bill 2019-078 to delete the definition of a child daycare center as a facility licensed by the City or State and to require the separation distance requirements for medical marijuana dispensaries and Type 2 manufacturing facilities to be 1,000 feet from elementary and secondary schools and child daycare centers in all districts in which those uses are permitted, and the separation distance to remain 200 feet from churches. It was approved by the following vote: Ayes: Ollis, Ferguson, McGull, Schilling, Hosmer, and McClure. Nays: Lear, Simpson, Fisk. Abstain: None. Absent: None.

An opportunity was given for citizens to express their views.

Kim Andrews spoke in opposition of the proposed amendment. Ms. Andrews stated she is part of a family trying to open a dispensary, and once a license is obtained for a dispensary facility it would be difficult and costly to move it. She expressed her opinion City Council should consider the Planning and Zoning Commission's proposed separation distance requirements and not attempt to alter distance requirements in the future.

Cynthia Northcutt spoke in opposition of the proposed amendment. Ms. Northcutt expressed her opinion the intention of the language of Amendment 2 was to limit the location of medical marijuana facilities in smaller towns and not large metropolitan areas like Springfield. Ms. Northcutt expressed her opinion there is no threat to schools or child daycares from being

located close to dispensaries. Ms. Northcutt expressed her opinion City Council should consider the original proposed separation distance requirements from the Planning and Zoning Commission.

Desmond Morris spoke in opposition of the proposed amendment. Mr. Morris expressed his opinion medical marijuana dispensaries will be secure facilities with a low risk of children gaining unwarranted access to, and there are other cities in the State considering separation distances under 1,000 feet. Mr. Morris expressed his appreciation for City Council's work on the proposed.

Kevin Ellison spoke in opposition of the proposed amendment. Mr. Ellison expressed his opinion medical marijuana facilities will be extremely secure and provided a description of security protocols required of dispensaries by the State. He expressed his opinion without a patient card or caregiver patient card, it would be difficult to obtain marijuana, and dispensaries risk losing their license if marijuana that is found illegally can be traced back to them. Mr. Ellison expressed his opinion it is challenging for potential investors to find and acquire property for a dispensary, and a 1,000-foot separation requirement would make the process even more difficult.

John Price spoke in opposition of the proposed amendment. Mr. Price stated he represents several people in the process of applying for medical marijuana dispensary licenses and by August 3, 2019 they must file an application with the State for a license. He added, the application is tied to a specific location and is only valid for that location. Mr. Price provided an outline of the process applicants go through prior to applying for a license. He expressed his opinion it is a costly process that requires some predictability and certainty with zoning ordinances, and City Council should be specific and predictable with the language it adopts in the ordinance. Mr. Price expressed his support for a 200-foot separation requirement from schools, child daycares, and churches.

Councilman Hosmer expressed his opinion the initial language of the medical marijuana amendment voted on by the people included a 1,000-foot separation distance requirement from schools, daycares, and churches. Mr. Price expressed his opinion the language allowed for an exception to distance requirements and Councilman Hosmer's amendment will make it difficult for his clients to locate dispensaries in the City in compliance with the separation distance requirements.

Councilman McGull expressed concern for the 1:1 ratio of medical marijuana patient to medical marijuana dispensary staff and potential lines outside of dispensaries. Mr. Price expressed his opinion that ratio is an industry standard in the 32 States that have medical marijuana facilities. He added, the facilities are secure and require a patient card to gain access to the marijuana.

Chip Sheppard spoke in opposition of the proposed amendment. Mr. Sheppard expressed his opinion there is no way for City Staff or City Council to know which churches may contain un-licensed child daycares and that would affect the distribution of separation distance requirements as represented on the map displaying the proposed permitted districts for dispensary and Type 2 post-extraction facilities. He added, the majority of dispensaries have large front rooms to serve as a waiting area for patients before being admitted to the dispensary room on a 1:1 basis with staff, and the waiting area aides in preventing long lines outside the dispensary. Mr. Sheppard expressed his support of a 200-foot separation distance requirement and expressed his opinion City Council could add language to the proposed ordinance to include that a dispensary located closer than 1,000 feet to any school, child daycare, or church cannot be utilized for the future sale of recreational marijuana. He expressed his opinion it is difficult to locate un-licensed child daycare facilities and several cities in the State are adopting distance requirements less than 1,000 feet.

With no additional speakers the public hearing was declared closed.

Mayor McClure noted the public hearing would be carried over to the May 6, 2019 City Council Meeting on Councilman Hosmer's amendment only.

Fee schedule for medical marijuana zoning certificate

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.) Anita Cotter, City Clerk, noted Council Bill 2019-086 would need to be tabled to the next regularly scheduled City Council Meeting due to public hearing being carried over on Council Bill 2019-078.

Councilman Hosmer moved to table Council Bill 2019-086 until the next regularly scheduled City Council Meeting on May 6, 2019. Councilman Simpson seconded the motion, and it was approved by the following vote: Ayes: Ollis, Lear, Ferguson, Simpson, McGull, Schilling, Fisk, Hosmer, and McClure. Nays: None. Abstain: None. Absent: None.

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.

Council Bill 2019-079. Special Ordinance 27171 was approved by the following vote: Ayes: Ollis, Lear, Ferguson, Simpson, McGull, Schilling, Fisk, Hosmer, and McClure. Nays: None. Abstain: None. Absent: None.

The following bills appeared on the agenda under Resolutions.

Tax increment Finance Plan

Sponsor. Ferguson. Council Bill 2019-091. A resolution accepting a report on the status of all existing Tax Increment Financing plans within the City of Springfield, and determining that the redevelopment projects of each Tax Increment Financing District are making satisfactory progress under the proposed time schedule contained within their respective plans.

Sarah Kerner, Economic Development Director, provided a brief overview of the proposed. Ms. Kerner displayed a map of the City's three Tax Increment Financing (TIF) Districts; Commercial Street, Jordan Valley Park, and Springfield Plaza. She noted the Jordan Valley TIF Plan objectives are; to eliminate adverse conditions, enhance the tax base, encourage private investment, increase employment, housing, and recreational opportunities, and stimulate development. She added there were five distinct redevelopment areas activated in 2000 to 2005; Jordan Valley Park, ice park, baseball stadium, parking/Holiday Inn Express, and existing commercial/retail uses along National Avenue and Walnut Street. Ms. Kerner displayed a summary of the TIF revenues and expenditures and progress towards plan objectives, to include; 445,000 dollars in new Payments-in-lieu-of-taxes (PILOTS) since 2015 and reduced bond indebtedness of 2.5 million dollars with all TIF revenues directed towards Springfield Expo Center debt payments. Additionally, City Staff recommends a finding that redevelopment projects of the Jordan Valley Park TIF District are complete and that the TIF is making satisfactory progress in reimbursing City bonds issued to fund said projects.

Ms. Kerner stated the Commercial Street TIF primary plan objectives are to carry out extensive public improvements and encourage significant growth and development through private sector investment. She displayed a summary outline of additional plan objectives, notable dates relating to the plan, and a listing of TIF reimbursable projects. Ms. Kerner noted the TIF Special Allocation Fund Balance is 573,265 dollars as of December 31, 2018. She added plan objectives include; 430,000 dollars in new PILOTS, approved spending of 267,508 dollars on Frisco Lane

acquisition and improvements, and 520,000 dollars of new TIF expenditures approved in 2018. Ms. Kerner stated City Staff recommends a finding of satisfactory progress on this TIF plan.

Ms. Kerner stated the Springfield Plaza TIF is the newest TIF in the City and plan objectives include; redevelopment, curing economic underutilization, alleviate “blighted area” conditions, and promote economic health and independence of the City. She displayed a summary outline of important dates and redevelopment project areas 1 (RPA-1) and 2 (RPA-2) relating to the TIF. Ms. Kerner noted five distinct TIF reimbursable projects associated with the TIF and the unique features of this TIF, to include; the collection of TIF revenues from each redevelopment project lasting no longer than 18 years, 75 percent of PILOTS retained with the remaining 25 percent redirected back to the affected taxing jurisdictions, and establishment of a Community Improvement District (CID) to accelerate reimbursement. Additionally, the TIF Special Allocation Fund Balance is 75,760 dollars and City Staff recommends a finding of satisfactory progress towards plan objectives.

Councilman Ollis asked for clarification on the Commercial Street TIF collection being suspended. Ms. Kerner responded the CID, not the TIF, would be suspended due to the tax expiring prior to the term, and will provide more information to City Council about 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.

Council Bill 2019-091. Resolution 10446 was approved by the following vote: Ayes: Ollis, Lear, Ferguson, Simpson, McGull, Schilling, Fisk, Hosmer, and McClure. Nays: None. Abstain: None. Absent: None.

2019 Capital Improvements Program Plan

Sponsor: Hosmer. Council Bill 2019-092. A resolution amending the 2019 Capital Improvements Program Plan, which identifies a schedule of public improvements for 2019 through 2024. (Planning and Zoning Commission and City staff recommend approval.)

Randall Whitman, Principal City Planner, provided a brief overview of the proposed. Mr. Whitman stated the proposed amends the 2019 Capital Improvements Program Plan with six additional proposed projects targeted to be completed during the 2019-2020 Fiscal Year, and updates the list of completed projects from Fiscal Year 2018 to 38 total projects. He added City Staff and the Planning and Zoning Commission recommend approval.

Mayor Ken McClure asked for clarification on the use of 2018 carryover funds. Mr. Whitman responded City Council approved the use of carryover funds for the proposed projects.

Councilman McGull asked for clarification on the use of carryover funds. Mayor McClure responded City Council approved the use of 2018 carryover funds approximately two weeks prior and the proposed would make the 2019 Capital Improvements Program Plan consistent with the carryover funds. Councilman McGull asked for clarification on proposed projects located in Zone 2. Mr. Whitman responded the proposed adds six projects to the list of 2019 Capital Improvements Program Plan projects approved in February 2019.

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

Council Bill 2019-092. Resolution 10447 was approved by the following vote: Ayes: Ollis, Lear, Ferguson, Simpson, McGull, Schilling, Fisk, Hosmer, and McClure. Nays: None. Abstain: None. Absent: None.

**Comprehensive
Housing
Assistance Program
Loan Funds**

Sponsor: Hosmer. Council Bill 2019-093. A resolution endorsing the use of \$750,000 in Comprehensive Housing Assistance Program Loan funds, with a modification of loan repayment terms and subject to the Rules and Regulations for the Comprehensive Housing Assistance Program, for the development of affordable housing, generally located at 1255 East Chestnut Expressway, to serve youth aging out of foster care. (Staff and Loan Committee recommend approval.)

Brendan Griesmer, Assistant Director of Planning and Development, provided a brief overview of the proposed. Mr. Griesmer noted the City's contribution to the proposed is a 750,000-dollar affordable housing loan in partnership with the Family Life Community Services, to construct affordable housing with a portion of the housing dedicated to youth aging out of the foster care system. He added the loan would leverage over 5.8 million dollars in tax credit leverage and other State funding to construct 41 housing units, with eight of the units dedicated to youth aging out of foster care, and the majority of the additional units dedicated for low to moderate income persons. Mr. Griesmer expressed his opinion there is a large need in the Community for housing services for youth aging out of foster care and noted City Staff recommends approval.

An opportunity was given for citizens to express their views.

Annie Busch spoke in favor of the proposed. Ms. Busch stated she has worked with homeless in the Community for ten years and was co-chair of a task force to end homelessness. She expressed her opinion the fastest growing segment of homeless youth are those exiting the foster care system, and lack of affordable housing is the largest issue affecting the number of homeless youths on the street. Ms. Busch expressed her opinion the proposed could be a model program to end the cyclical effect of youth homelessness and would provide them access to imperative services they cannot find elsewhere in the Community.

Councilman McGull expressed his appreciation for the proposed program's initiative and asked for clarification on the resources it would provide to homeless citizens. Ms. Busch responded there would be approximately ten agencies centrally located to provide services to homeless youth and low-income persons.

Councilman Simpson expressed his opinion the proposed is a good approach to assisting homeless youth and providing services within walking distance of Ozarks Technical Community College will make a difference for students in need of those services. Ms. Busch responded there would be job training programs available to homeless youth and students.

Councilwoman Ferguson asked for clarification on the proposed housing units being available to homeless and low-income families. Ms. Busch responded there would be units available to families but deferred to the project developer to provide more specific information about that issue at a later time.

Casey Wray spoke in favor of the proposed. Mr. Wray stated he has 17 years of experience working with the Good Samaritan Boys Ranch and has signed over 100 housing leases for homeless youth in the Community over the past ten years. He expressed his opinion the proposed compliments the mission of the Good Samaritan Boys Ranch and would assist an even greater number of youths by providing centralized services and resources. Mr. Wray expressed his opinion the Community working together and providing help with job placement and skills is vital to a successful implementation of the proposed.

Tobey Wilkerson spoke in favor of the proposed. Ms. Wilkerson stated she spent from age seven to age 21 in foster care and by age 18 moved to Springfield, Missouri to attend college. She

added, once she arrived she was not able to secure housing without a co-signer or rental history and become homeless for approximately two years. Ms. Wilkerson stated she was able to successfully find housing and employment by utilizing services similar to those proposed, and today she is an adoptive mother of two children and a foster parent. She expressed her opinion the proposed resources and services for youth homeless aging out of foster care are essential for the reduction of youth homelessness in the Community.

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

Council Bill 2019-093. Resolution 10448 was approved by the following vote: Ayes: Ollis, Lear, Ferguson, Simpson, McGull, Schilling, Fisk, Hosmer, and McClure. Nays: None. Abstain: None. Absent: None.

**Youth Homeless
Demonstration
Program Grant**

Sponsor: Ollis. Council Bill 2019-094. A resolution authorizing the City Manager, or his designee, to apply for a Youth Homeless Demonstration Program Grant from the Department of Housing and Urban Development, for a minimum amount of \$1,000,000, for the purpose of developing and implementing a coordinated community plan to end youth homelessness.

Bob Atchley, Senior Planner, provided a brief overview of the proposed. Mr. Atchley stated the City would apply for the proposed grant with Community Partnership of the Ozarks, and if awarded, it would allow for implementation of a coordinated Community plan to prevent and work towards ending youth homelessness in the area. He added, the grant would allow the City to gain input from national youth homeless experts and is awarded based on criteria such as the poverty rate and number of homeless youths. Mr. Atchley noted the minimum application grant amount is four million dollars and the U.S. Department of Housing and Urban Development did not select the City's application from its two previous submissions for the grant. He stated a 2018 survey conducted by the Ozarks Alliance to End Homelessness Youth Task Force indicated approximately 64 percent of homeless youth experienced being homeless on their own. Additionally, City Staff recommends approval of the proposed.

An opportunity was given for citizens to express their views.

Amanda Stadler spoke in favor of the proposed. Ms. Stadler stated she oversees the Ozarks Alliance to End Homelessness with the Community Partnership of the Ozarks. She added the Alliance is the regional planning body for Greene, Christian, and Webster Counties to work towards homelessness becoming rare, brief, and non-recurring for individuals and families. Ms. Stadler expressed her opinion if the City were to be awarded the Youth Homeless Demonstration Program Grant, it would allow for a system-wide approach and response to youth homelessness and more consistency with wrap-around services.

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

Council Bill 2019-094. Resolution 10449 was approved by the following vote: Ayes: Ollis, Lear, Ferguson, Simpson, McGull, Schilling, Fisk, Hosmer, and McClure. Nays: None. Abstain: None. Absent: None.

**Northwest
Arkansas study tour**

Sponsor: McClure. Council Bill 2019-095. A resolution authorizing Councilmember Matthew Simpson to participate in a one-day mobility study tour of Northwest Arkansas, hosted by LaneShift, LLC.

Jason Gage, City Manager, provided a brief overview of the proposed. Mr. Gage stated the proposed would allow Councilman Matthew Simpson to participate in the study tour pursuant to City Council rules and regulations.

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

Council Bill 2019-095. Resolution 10450 was approved by the following vote: Ayes: Ollis, Lear, Ferguson, Simpson, McGull, Schilling, Fisk, Hosmer, and McClure. Nays: None. Abstain: None. Absent: None.

**EMERGENCY BILLS.
PUBLIC IMPROVEMENTS.**

GRANTS.

AMENDED BILLS.

COUNCIL BILLS FOR PUBLIC HEARING

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

**International
Association of Fire
Chiefs**

Sponsor. Ollis. Council Bill 2019-096. A special ordinance authorizing the City Manager, or his designee, to enter into a Memorandum of Understanding between the International Association of Fire Chiefs and the City of Springfield for the purpose of the Fire Department serving as a host agency for the International Association of Fire Chiefs International Fellowship Program.

David Pennington, Fire Chief, provided a brief overview of the proposed. Chief Pennington stated the proposed would allow the Springfield Fire Department to serve as the host agency for a fellowship program that provides a training partnership with members of the Saudi Aramco Fire Protection Company. He added selected members would gain hands on firefighting experience in an urban fire setting and eight members would be selected to spend six months in the program.

Councilman McGull expressed his opinion the program being hosted by the Springfield Fire Department in partnership with Saudi Aramco gives the City international recognition. Chief Pennington responded the selection process was challenging and expressed gratitude for Councilman McGull's appreciation.

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

**General Fund
Budget**

Sponsor. Fisk. Council Bill 2019-097. A special ordinance amending the General Fund budget of the City of Springfield, Missouri, for Fiscal Year 2018-2019, by appropriating \$1,100,000 in additional sales and use tax revenue received in the current fiscal year for the purpose of funding City inmates housed pursuant to a contract with Greene County.

Mayor Ken McClure noted Council Bill 2019-097 was removed from the agenda.

**Accurint Crime
Analysis Software**

Sponsor. Council Bill 2019-098. A special ordinance authorizing the City Manager, or his designee, to enter into an Intergovernmental Agreement with Greene County to share in the costs related to the Accurint Crime Analysis software.

Paul Williams, Police Chief, provided a brief overview of the proposed. Chief Williams stated the proposed would allow for a cost-sharing agreement between the City and Greene County to continue using accurate crime mapping software through LexisNexis. He added both

departments utilize the software internally for crime analysis, and externally for citizens to have access to information about the location of crimes in the area.

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

**Weed height
declared nuisance**

Sponsor. Ferguson. Council Bill 2019-099. A general ordinance amending Springfield City Code Chapter 74 – ‘Nuisance and Housing Code,’ by revising Section 74-31, ‘City manager’s authority,’ subsection (b), Section 74-33, ‘Notice requirements,’ subsections (d)(4) and (5), Section 74-403, ‘Weeds over 12 inches in height declared nuisance,’ and Section 74-404, ‘Permitting growth of weeds over 12 inches in height,’ for the purpose of accelerating nuisance abatement; and, revising Section 74-406, ‘Charges for abatement by city,’ subsections (b) and (c) for the purpose of enhancing cost recovery.

Harlan Hill, Director of Building Development Services, provided a brief overview of the proposed. Mr. Hill stated the current ordinance allows for grass and weeds to grow to a height of 12 inches prior to being considered a nuisance and the proposed would allow for growth higher than seven inches to be considered a nuisance. Mr. Hill expressed his opinion the proposed would allow City Staff to expedite the declarations of nuisances and abatements of nuisance properties. He added the proposed would eliminate the five-year limit on abatement costs attached to properties as a tax bill and instead allow for the indefinite carry over of costs as a special tax bill.

Councilman McGull asked for clarification on the number of grass and weed height nuisance cases reported per year in the City. Mr. Hill responded approximately over 2,000 cases per year are reported.

Councilman Ollis asked for clarification on the implementation of an educational program for citizens regarding grass and weed height. Mr. Hill responded the Building Development Services Department and Public Information and Civic Engagement Department are working together in the beginning stages to develop an educational campaign and can provide additional details to City Council on a later date.

An opportunity was given for citizens to express their views.

Rusty Worley spoke in favor of the proposed. Mr. Worley stated he is the Chair for the Neighborhood Advisory Council (NAC) and member of the West Central Neighborhood Association. He expressed his opinion the proposed allows the City to be proactive in addressing nuisance properties and the NAC has made nuisance properties a priority for several years. Additionally, the NAC would be willing to assist with a public information campaign on the issue.

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

**Preliminary
Funding
Agreement**

Sponsor. Simpson. Council Bill 2019-100. A special ordinance authorizing the City Manager, or his designee, to execute a Preliminary Funding Agreement between the City of Springfield, Missouri, and RW Development, LLC; and amending the budget of the Department of Planning and Development for Fiscal Year 2018-2019, in the amount of \$100,000, for the purpose of funding the preparation and review of certain documents related to utilizing public funding mechanisms.

Sarah Kerner, Director of Economic Development, provided a brief overview of the proposed. Ms. Kerner stated the proposed would allow the applicant, RW Development, to deposit funds to

cover the cost of preparing legal documents associated with Tax Increment Financing (TIF) Plan and related incentives. She added the proposed would not require the City to pay legal costs for the Applicant's project, obligate the City to approve any incentive, or obligate the Applicant to undertake the project. Ms. Kerner displayed an excerpt from the City's Economic Development Policy Manual outlining City protocol for TIF applications for retail and commercial projects. Additionally; City Council would have to approve a Preliminary Funding Agreement with RW Development, the developer must make an initial deposit of 15,000 dollars, up to 100,000 dollars with the City, developer funds would pay for the City's legal fees associated with preparing TIF Plan and related incentives, and no incentives are being approved at this time.

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

**Downtown
Springfield Special
Business District**

Sponsor. Schilling. Council Bill 2019-101. A general ordinance authorizing the termination of the Downtown Springfield Special Business District and authorizing staff to complete the necessary steps to finalize termination of said District. (Staff and Planning and Zoning Commission recommend approval.)

Sarah Kerner, Economic Development Director, provided a brief overview of the proposed. Ms. Kerner stated the proposed termination of the Downtown Springfield Special Business District (SBD) would remove an outdated and unused taxing entity from City books and provide more flexibility for use of City parking lots downtown. Additionally; with the SBD in place the City is required to maintain a number of free public parking spaces equal to the number of spaces available when the SBD tax was collected, termination of the SBD would allow the City maximum flexibility with regard to those parking spaces, and there are no immediate plans to convert lots to paid parking or any other use.

Ms. Kerner stated the process for termination includes acquiring a signed petition by at least eight percent of registered voters within the District and filing the petition in Circuit Court against the governing body of the SBD. She added the SBD governing body is City Council and outside counsel would be requested to represent voters. Ms. Kerner noted if the Court approves the proposed, City Staff would work with the Greene County Clerk to hold a required termination vote within the District. She displayed an outline of the necessary steps to authorize City Council to terminate the SBD pursuant to State law.

Councilman Simpson asked for clarification on City Council's request for outside counsel. Ms. Kerner confirmed outside counsel would be the Petitioner in the proposed termination of the SBD.

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

New city job titles

Sponsor. Fisk. Council Bill 2019-102. A general ordinance amending Chapter 2, Section 2-92 of the Springfield City Code, known as the 'Salary Ordinance,' for the purpose of adding seven new job titles and deleting three job titles from the Professional, Administrative and Technical Salary Schedule.

Councilman Schilling stated he would have a motion to amend Council Bill 2019-102 due to an incorrect Classification Grade being listed for the Police Services Administrator job title being deleted by the bill. The title was listed as a Professional, Administrative, and Technical (PAT) 10 when it is a PAT 9.

Councilman Schilling moved to amend Council Bill 2019-102 by replacing the number '10' with the number '9' on Line 72. Councilman Simpson seconded the motion, and it was approved by the following vote: Ayes: Ollis, Lear, Ferguson, Simpson, McGull, Schilling, Fisk, Hosmer, and McClure. Nays: None. Abstain: None. Absent: None

Darla Morrison, Director of Human Resources, provided a brief overview of the proposed. Ms. Morrison stated the proposed would allow for career laddering in the Police Department Records Division to address staffing needs, ensure data integrity, and re-classify certain job titles within the department. Additionally, no new jobs would be added. Ms. Morrison stated it would also allow for the re-classification of certain job titles in the Planning and Development and Environmental Services Departments, and add a new job title within the Parks Department at the Valley Water Mill Park Equestrian Center. She noted all funds required for all job titles were projected and approved in the current Fiscal Year, or re-allocated, so no budget adjustments are required.

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

**Additional Funding
Contribution and
Three-Tenths
Percent Multiplier**

Sponsor. Hosmer. Council Bill 2019-103. A general ordinance amending the Springfield City Code, Chapter 2, Administration, Article VI, Finances, Division 4, Police Officers' and Fire Fighters' Retirement System, by amending Section 2-455, 'Amount of employee contributions; deductions from salary,' by revising provisions regarding Police participants' Additional Funding Contribution and Additional Three-Tenths Percent Multiplier and by amending Section 2-456, 'Return of participant contributions upon leaving service or death' by revising provisions regarding the return of contributions to certain Police participants.

Darla Morrison, Director of Human Resources, provided a brief overview of the proposed. Ms. Morrison stated the proposed amendments would affect Police Department specific employees hired prior to June 1, 2006 and address revisions specific to future contributions for current Police Department specific employees participating in the retirement plan. She added the current plan requires Police Department employees covered under the plan to contribute an Additional Funding Contribution (AFC) to cover the additional Three-Tenths Percent Multiplier, an amount determined every three years based on actuary reports provided to the Board of Trustees of the retirement fund. Ms. Morrison stated the Three-Tenths Multiplier amount is scheduled to be updated this Fiscal Year's budget cycle.

Ms. Morrison stated if the proposed is approved it would institute a cap on future AFC amounts at 20 percent for Police Department participating employees, and require participants to forfeit 2.6 percent of annual contributions made to the plan on or after July 1, 2019. Additionally, if the proposed fails, current Police Department specific employees participating in the plan would be required to contribute an ever-increasing amount to the AFC. She noted the proposed is anticipated to be cost-neutral, recommended by the Police and Fire Fighters Pension Board, and any future liabilities would be assumed by the City.

Councilman Hosmer asked for clarification on collective bargaining negotiations. Ms. Morrison responded it was not negotiated through collective bargaining due to union and non-union Police Department employees participating in the plan and the employees were in support of negotiations protocol.

Mayor Ken McClure thanked City Staff, plan participants and contributors, the Police Department, and the Police and Fire Fighters Pension Board for their dedicated work on the proposed.

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

Council Bill 2019-104 and 2019-104 Substitute No. 1 were read simultaneously.

**Short-Term Loan
Establishments
Permit Fee**

Sponsor. Schilling, Hosmer, Ollis, Simpson. Council Bill 2019-104. A general ordinance adopting Springfield City Code Chapter 70, 'Licenses, Permits and Miscellaneous Business Regulations,' Article XVIII, 'Short-Term Loan Establishments,' to establish regulations for short-term loan establishments, including a permit requirement and registration fee.

**Short-Term Loan
Establishments
Substitute No. 1**

Sponsor. Schilling, Hosmer, Ollis, Simpson. Council Bill 2019-104 Substitute No. 1. A general ordinance adopting Springfield City Code Chapter 70, 'Licenses, Permits and Miscellaneous Business Regulations,' Article XVIII, 'Short-Term Loan Establishments,' to establish regulations for short-term loan establishments.

Rhonda Lewsader, City Attorney, provided a brief overview of Council Bill 2019-104 and 2019-104 Substitute No. 1. Ms. Lewsader stated the proposed was modeled after similar ordinances in Kansas City, Missouri and St. Louis, Missouri. She stated the definition of a Short-Term Loan Establishment (STLE) is an establishment that engages in business of providing money to customers on a temporary basis loan secured by postdated check, paycheck, or car title, or registered as a lender under State or Federal law, including; check cashing, payday loan, and car title loan businesses. Additionally, the definition does not include; charter banks, S&L's, credit unions, mortgage brokers or originators, nonprofits exempt from taxes, organizations certified as Community Development Financial Institutions by the U.S. Treasury, licensed pawnbrokers, or establishments selling consumer goods.

Ms. Lewsader stated under the proposed, a permit would be required for each location defined as an STLE within 60 days of effective date of ordinance, renewed annually, and would be in addition to other permits required by Local, State, or Federal Government entities. She added the proposed permit fee is 5,000 dollars per year or 2,500 dollars per year if there is less than six months left in the year. Ms. Lewsader noted the permit fee would not qualify as a true user fee under the Hancock Amendment and is a tax. Additionally, the fee would not be effective until approved by public vote, and if approved, all parts of the ordinance except the fee would take effect. Ms. Lewsader stated the penalty for violation of the proposed would be a fine not less than 100 dollars and not more than 500 dollars, zero to 180 days in jail, or both.

She added, permits would be required to be posted in a conspicuous place and manner on business' premises, and businesses would be required to post a notice within three feet of where patrons apply for loans that clarifies the following; an STLE is not a bank, savings and loan, or credit union, interest rates and fees are charged (Annual Percentage Rates (APR) of the aggregate of interest rates and fees charged per 100 dollars borrowed), computation of amounts to be paid on an original loan renewed or rolled over without payment of either principal or interest each time (up to six times), warning that default may result in loss of property/garnishment, and notice and explanation of State or Federal rights to rescind the loan agreement. Ms. Lewsader stated the proposed would require permittees to provide patrons a guide regarding alternatives to short-term loans that has been pre-approved by the City.

Ms. Lewsader stated if approved, the proposed becomes effective immediately, except the fee, and if the fee is never approved by voters it never takes effect. She added Council Bill 2019-104 Substitute No. 1 does not include a permit fee and is the same in all other respects as Council Bill 2019-104.

Councilman McGull asked for clarification on Section 70-733 in relation to imprisonment provisions in Kansas City, Missouri and St. Louis, Missouri ordinances. Ms. Lewsader expressed her opinion ordinances in those cities contain imprisonment provisions because implementation of fines only may not detour potential repeat violators.

Councilman Simpson asked for clarification on regulation of interest rates. Ms. Lewsader confirmed State Legislation regulates interest rates and there is a total of three statutes related to short-term loans.

Councilman Schilling asked for clarification on interest rates permitted by State Law and the number of STLEs located in the City. Ms. Lewsader expressed her opinion interest rates have been up to approximately over 400 percent when calculated and it was difficult for City Staff to confirm the number of STLEs located in the City. She added, the Licensing Department licensed approximately 26 STLEs in both 2017 and 2018. Councilman Schilling asked for clarification on licensed STLEs being free-standing businesses or part of a larger organization. Ms. Lewsader responded licenses were issued to businesses providing services defined as those of an STLE.

Councilman Lear asked for clarification on City Council's involvement on the timing of a public vote regarding STLEs. Ms. Lewsader responded City Council could determine when the vote occurs as long as it occurs on an allowable election date. Councilman Lear asked for clarification on the impact of STLE ordinances passed in St. Louis, Missouri and Kansas City Missouri. Ms. Lewsader responded an ordinance imposing a fee on STLEs has been in place since 2008 when Kansas City voters approved the bill, and many businesses affected by the fee altered their business model to avoid being charged. She added due to altered business models, Kansas City modified their definition of STLEs, held another public vote in 2015, and voters again approved imposing a fee for STLEs. Councilman Lear asked for clarification on Kansas City or St. Louis litigation due to the approval of fees for STLEs. Ms. Lewsader expressed her opinion there have been no legal implications in either city for implementing a fee.

Mayor McClure asked for clarification on the permit fee requiring a public vote. Ms. Lewsader confirmed the permit fee would be considered a tax by law because it does not meet the five requirements to be a true user fee.

Councilwoman Ferguson expressed concern for language in the proposed that would prevent fees imposed on STLEs being passed on to patrons applying for loans. Ms. Lewsader expressed her opinion there is no language in Kansas City or St. Louis ordinances preventing fee costs from being passed on to patrons.

Mayor Ken McClure asked for clarification on interest rates in Kansas City being affected by the passing of their ordinance. Ms. Lewsader expressed her opinion she was unsure of any effect the ordinance may have had on interest rates. Mayor McClure asked for clarification on similar restrictions and/or fees imposed on other types of businesses non-related to STLEs. Ms. Lewsader expressed her opinion City Council could theoretically impose a fee on any business in the City and if approved by public vote, the fee could be adopted. Mayor McClure asked for clarification on the intended result of the proposed. Ms. Lewsader deferred comment to the Finance and Administration Committee.

Councilman McGull asked for clarification on City Staff's ability to provide copies of STLE ordinances from Kansas City and St. Louis. Ms. Lewsader responded she will provide both copies to City Council on a later date. She added the proposed differs from ordinances in Kansas City and St. Louis due to the Springfield Police Department finding no association between

STLEs and increased crime in the area, therefore, the proposed contains no sections related to crime prevention.

Councilman Lear asked for clarification on defining how the City would utilize the proposed fee revenue. Ms. Lewsader responded pursuant to City Code, fees collected by the City go to the General Revenue Fund, but City Council has authority to amend the proposed to direct fee revenue to different funds.

Mayor McClure asked for clarification on the proposed affecting interest rates charged by STLEs and State General Assembly altering interest rates. Ms. Lewsader confirmed the proposed would have no effect on interest rates and State Legislature has oversight on interest rates.

Councilwoman Ferguson asked for clarification on ordinances passed in Kansas City and St. Louis affecting the number of STLEs in those communities. Ms. Lewsader responded she did not have that information for City Council at this time.

An opportunity was given for citizens to express their views.

Edna Smith spoke in favor of the proposed. Ms. Smith stated she volunteers for Safe to Sleep, an overnight emergency shelter for women in the Community. Ms. Smith expressed her opinion several women like those at the shelter begin spiraling into homelessness due to repercussions from acquiring payday loans. She expressed her opinion implementing a permit fee for STLEs would help keep funds in our Community and asked City Council to support the proposed.

Councilman Simpson expressed his opinion interest rates for payday loans are too high and asked for clarification on alternative resources being offered to citizens seeking financial assistance. Ms. Smith responded there is a church in the City offering assistance to citizens.

Reverend Colin Douglas spoke in favor of the proposed. He expressed his opinion payday loans contribute to cyclical poverty and systemic racism in the Community. He expressed his opinion payday loan interest rates are too high and do not allow borrowers to keep up with payments. Reverend Douglas asked City Council to support the proposed.

Mayor McClure expressed his opinion if City Council passed the proposed, it would not instigate the changes in the payday loan industry that Reverend Douglas spoke to. Reverend Douglas expressed his opinion imposing a fee would reduce unfair practices by STLEs and reduce the total number of STLEs. Mayor McClure expressed his opinion a permit fee would not lower current interest rates.

Councilman McGull expressed his opinion the development of the STLE industry is due in part to a systematic failure of financial institutions that no longer provide resources or loans to individuals at risk. Councilman McGull expressed his opinion more effort should be made towards credit unions, banks, and other financial institutions in the Community that are not offering financial options for citizens.

Margery West spoke in favor of the proposed. Ms. West stated she is a member of the League of Women Voters, a non-partisan organization. She stated the League of Women Voters in the State of Texas support policies, legislation, and programs that enable a small-dollar loan market that maintains access to affordable credit while safe-guarding consumers. Additionally, payday loan and auto title loan businesses should be regulated so that they function both as a consumer service and a successful business. She expressed her opinion imposing a fee would help regulate STLEs.

Barbara Burgess spoke in favor of the proposed. Ms. Burgess stated she was asked to share her personal story and experience with STLEs and stated how she helped provide for her parents and family utilizing payday and auto title loans. She stated she worked several jobs in attempt to pay back high interest rates on those loans. She expressed her support for imposing a fee on STLEs and asked City Council to support the proposed.

Alex Johnson spoke in favor of the proposed. Mr. Johnson expressed his opinion other financial institutions should do more to offer assistance to those at risk because high interest rates on payday loans are harming the Community. He expressed his opinion imposing a fee would limit the number of STLEs located in our Community and keep valuable monetary resources in our Community.

Susan Schmalzbauer spoke in favor of the proposed. Ms. Schmalzbauer stated she is the organizer for Missouri Faith Voices in Springfield and read a personal statement provided by Reverend George Wood. Reverend Wood expressed his opinion City Council could make the STLE industry costlier to STLE businesses by imposing a fee. Reverend Wood expressed support of the proposed. Ms. Schmalzbauer provided City Council copies of the business model for Ace Loans. She expressed her opinion future State Legislation on STLEs could be affected by action taken by the City.

Megan Short spoke in opposition of the proposed fee. Ms. Short expressed concern for the proposed substitute bill making it possible for the City to implement fees on other businesses and industries non-related to the STLE industry. She expressed her opinion STLE practices are harmful, but City Council should consider the potential implications on all businesses in the Community.

Kathy Lutz spoke in favor of the proposed. She expressed her opinion she is a survivor of the STLE industry. She stated she knew of University Heights Baptist Church and the Northwest Project as two entities in the Community acting as alternative resources for local citizens in need of financial assistance. She stated she utilized payday and auto title loans to finance medical expenses and was able to pay off the loans utilizing the assistance of the Northwest Project. Ms. Lutz expressed her support of the proposed.

Councilwoman Ferguson asked for clarification on if there was any detourant at the STLE that Ms. Lutz utilized that would have altered her decision to acquire the loans. Ms. Lutz responded there were no alternative resources and expressed her opinion additional signage with more information about interest rates should be posted at all STLEs.

Councilman McGull asked for clarification on the STLE utilized by Ms. Lutz providing education on borrower's rights. Ms. Lutz stated no education or information was provided. Councilman McGull expressed his opinion legislating STLEs in the City to provide additional information to borrowers about loan default processes and borrowers' Federal rights prior to those borrowers signing loan documents could be an effective way to provide additional regulation.

Councilman Simpson expressed his opinion requiring STLEs to post borrowers State and Federal rights, alternative resources, and other short-term loan lending rights are good forms of regulation. Councilman McGull expressed his opinion STLEs should be required to obtain proof that they provide borrowers with that type of information.

Justin Burnett spoke in favor of the proposed. He stated he would share the personal experience of a citizen who acquired a short-term loan. Mr. Burnett stated the citizen had to take on a second job to attempt to pay off a short-term loan he secured six years prior. He expressed his

opinion the most important aspect of the proposed is the knowledge it could provide to members of the Community considering the services of STLEs.

Councilman McGull expressed his opinion STLEs should be required to provide a signed document stating they explained all terms and re-payment conditions to borrowers, similar to a signed closing costs statement in the real estate industry.

Derrick Nowlin spoke in favor of the proposed. Mr. Nowlin expressed his opinion imposing a fee for STLEs in the City would provide much needed regulation of the industry and City Council's support of the proposed could help enforce regulation.

Jeff Munzinger spoke in favor of the proposed. Mr. Munzinger stated he spoke with voters about payday loans in the City during his two campaigns running for State Legislature. He stated 12 States have outlawed payday loans and expressed his opinion Missouri State Legislation has failed to address the STLE industry. Mr. Munzinger expressed his opinion potential borrowers are often encouraged to borrow more than they may need to increase the profit opportunities for STLEs.

Mayor McClure thanked Mr. Munzinger for his comments and asked his opinion if the ultimate and only solution to the STLE issue is amendment to State Legislation. Mr. Munzinger expressed his opinion State Legislation must be changed and asked City Council to endorse reform on STLEs. Mayor McClure expressed his opinion City Council has already endorsed reform and there could be unintended consequences if the proposed is adopted.

Councilman Hosmer expressed his opinion if State Legislature continues to fail on addressing STLE industry issues, City Council should prioritize educating borrowers. Councilman Hosmer expressed his opinion if the proposed is passed, fee revenue should not go into City General Funds, but be utilized to further educate citizens on the STLE industry and provide information on alternative lending resources. Mr. Munzinger expressed his opinion the majority of profits from STLEs in the City are acquired by out of State institutions.

Councilman Hosmer expressed his opinion State Representatives look to City legislation when deciding on issues such as STLE practices. Mayor McClure expressed his opinion City Council does not have clear legal authority to impose a fee for STLEs in the City. Councilman Hosmer expressed his opinion imposition of a fee for STLEs should be a matter of public vote. Mayor McClure expressed his opinion City Council imposing a fee on STLEs could put other non-STLE businesses in the City at risk of being imposed a fee.

Councilman Schilling asked Mr. Munzinger if he had experience securing a short-term loan from a local bank. Mr. Munzinger stated he had received a small personal short-term loan of 600 dollars several years prior from a local bank. Councilman Schilling stated he had previous experience securing small short-term loans of 50 to 100 dollars from a local bank several years prior. Councilman Schilling expressed his opinion the interest rate on those loans was reasonable and banks do not offer still those types of loans because they are not profitable. Mr. Munzinger expressed his opinion the local banks are not interested in providing small, short-term loan services.

PETITIONS, REMONSTRANCES, AND COMMUNICATIONS.

Did not appear

Austin Brooks wished to address City Council.

NEW BUSINESS.

**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.

UNFINISHED BUSINESS.

MISCELLANEOUS.

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

LiveScan Station

Sponsor. Lear. Council Bill 2019-105. A special ordinance authorizing the City Manager, or his designee, to accept the donation of a LiveScan Station, valued at \$18,125.00, from the Missouri Police Chiefs Charitable Foundation.

**3044 E. Gasconade
Street**

Sponsor. Simpson. Council Bill 2019-106. A special ordinance approving the conveyance of real property generally located at 3044 East Gasconade Street, to the heirs of Velmar M. Hill; and authorizing the issuance of a quit claim deed for same.

CONSENT AGENDA ONE READING BILLS.

CONSENT AGENDA SECOND 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.)

Council Bill 2019-080. Special Ordinance 27172 was approved by the following vote: Ayes: Ollis, Lear, Ferguson, Simpson, McGull, Schilling, Fisk, Hosmer, and McClure. Nays: None. Abstain: None. Absent: None.

**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.)

Council Bill 2019-081. Special Ordinance 27173 was approved by the following vote: Ayes: Ollis, Lear, Ferguson, Simpson, McGull, Schilling, Fisk, Hosmer, and McClure. Nays: None. Abstain: None. Absent: None.

Confirmed

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

Confirmed

Confirm the following reappointment to the Public Housing Authority: Lisa McIntire with term to expire April 11, 2023.

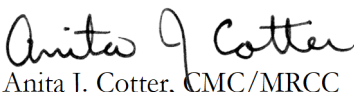
- Confirmed** Confirm the following appointment to the Springfield Convention and Visitors Bureau, Inc.: Todd Brage with term to expire January 1, 2022.
- Confirmed** Confirm the following reappointment to the Springfield Convention and Visitors Bureau, Inc.: Brent Parker with term to expire January 1, 2022.
- Confirmed** Confirm the following appointment to the Board of Equalization: Janet Blair with term to expire April 1, 2022.
- Confirmed** Confirm the following reappointment to the Board of Equalization: Lyle Foster with term to expire April 1, 2022.
- Confirmed** Confirm the following appointment to the Citizens Advisory Committee for Community Development: Trish Hubbell with term to expire May 1, 2022.
- Confirmed** Confirm the following reappointment to the Citizens Advisory Committee for Community Development: Delilah Jackson with term to expire May 1, 2022.
- Confirmed** Confirm the following reappointments to the Citizens' Tax Oversight Committee: Daniel Furtak and Ryan Kelly with terms to expire May 1, 2022.
- Confirmed** Confirm the following appointment to the Landmarks Board: Richard Crabtree with term to expire November 1, 2021.
- Confirmed** Confirm the following appointment to the Police Civilian Review Board: Samantha Spartan with term to expire May 1, 2022.
- Confirmed** Confirm the following reappointment to the Police Civilian Review Board: Chris Nease with term to expire May 1, 2022.
- Confirmed** Confirm 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.

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