

June 17, 2019
Springfield, Missouri

The City Council met in regular session June 17, 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: Mike Schilling, Phyllis Ferguson, Craig Hosmer, Richard Ollis, Andrew Lear, Abe McGull, Matthew Simpson, and Ken McClure. Absent: Jan Fisk.
- Minutes** The minutes of the May 20, 2019 City Council Meeting and May 21, 2019, May 28, 2019, June 5, 2019, and June 11, 2019 Special City Council Meetings were approved as presented.
- Consent Agenda** The Consent Agenda was approved as presented.
- Motion to Add Council Bill 2019-151** Councilman McGull moved to add Council Bill 2019-151 to the agenda. Councilman Schilling seconded the motion, and it was approved by the following vote: Ayes: Schilling, Ferguson, Hosmer, Ollis, Lear, McGull, Simpson, and McClure. Nays: None. Absent: Fisk. Abstain: None. It was added to the Agenda as item 22.5.

The following bill appeared on the agenda under Ceremonial Matters

- Recognition of Kathy Higbee** Sponsor: City Council. Council Bill 2019-139. A resolution recognizing the achievements of Kathy Higbee after over 40 years of dedicated services at the Springfield Police Department in light of her retirement.

Councilman Hosmer read the resolution in its entirety.

Chief Williams discussed Ms. Higbee's achievements and dedicated service to the Police Department. He highlighted her interactions with retired members of the police force, as well as her work with internal police special events. He thanked Ms. Higbee for her dedicated service to the Springfield Police Department.

An opportunity was given for citizens to express their views. There being no appearances the discussion was declared closed.

Council Bill 2019-139. Resolution 10458 was approved by the following vote: Ayes: Schilling, Ferguson, Hosmer, Ollis, Lear, McGull, Simpson, and McClure. Nays: None. Absent: Fisk. Abstain: None.

- City Manager Report** Jason Gage, City Manager noted all questions from the previous meeting had been responded to.

Mr. Gage offered congratulations to Mayor McClure on another well-attended State-of-the-City address last week. He noted the event, which was also live streamed and broadcast on television, had a very positive reception in the community. He thanked Mayor McClure for the recognition of the work of City staff members.

Mr. Gage noted the City of Springfield's Planning and Development Department has officially kicked off its comprehensive planning process. He noted, the launch followed the Mayor's State-of-the-City address where he urged citizens to get involved in the community. The City has hired Houseal Lavigne Associates, a Chicago-based, nationally known urban planning and design firm that prides itself on creativity, collaboration, and the delivery of quality, as the comprehensive plan consultant. The 18-to-24-month process will establish a vision moving forward in a broad range of topics, covering a long-term time horizon. Mr. Gage noted there will be numerous opportunities for citizens to participate and encourage citizen engagement in the process.

Mr. Gage noted those interested in sharing feedback and helping plan for the future of the Galloway/Lone Pine area should take the second Community Design Survey, available at springfieldmo.gov/ourgalloway. The survey will close at midnight tomorrow, Tuesday, June 18. He added, two public input meetings have been held with a third planned for 5:30 p.m. July 9 at the All-Saints Church. The group's report is scheduled to be presented at a City Council Lunch on July 23, 2019.

Mr. Gage noted the results of the 2019 Citizen Satisfaction Survey are in and Director of Public Information & Civic Engagement Cora Scott will be co-presenting the results with ETC Institute, a leading Market Research and Survey company at tomorrow's Council lunch workshop. The full report will also be made available to the public.

Mr. Gage noted the City of Springfield's June sales tax revenues from the Missouri Department of Revenue are up 11%, compared to June 2018. On a year-to-date basis, sales tax revenues are up nearly 3%, compared with the same time frame in 2018. He added, compared to budget, revenues are up nearly 2% this month and just over 2% year to date. Mr. Gage reminded City Council the check reflects sales processed by the state in May from transactions made primarily in April.

Mr. Gage informed City Council Police Chief Paul Williams had provided the monthly uniform crime report for May which contains a year-to-date, 2019 summary versus a 2018, crime comparison. He added the increasing number of aggravated assaults continues to be a concern, and the Chief said the department is continuing to look at the causes for these increases.

Mr. Gage noted he would like to publicly thank Scott Miller for his years of dedicated service to City Utilities and the citizens of Springfield since he has announced his retirement. Mr. Gage noted the city of Springfield is fortunate to have a strong community-owned utility and Mr. Miller has been an integral part of its success.

The following bills appeared on the agenda under Second Reading Bills

Councilman McGull noted the Committee of the Whole had met regarding the topic of short-term lending and made significant progress on this topic. Councilman McGull expressed his opinion City Council and staff needed additional time to discuss this matter and he would be making a motion to table Council Bill 2019-104 and Council-Bill 2019-104 Substitute 1.

Councilman Hosmer requested clarification of what actions would be taken on this topic during the time the bill is tabled. Mayor McClure advised additional meetings of the Committee of the Whole would be convened to address the bills.

Councilman Schilling requested the bill only be tabled for a shorter period of time. Mayor McClure advised due to conversations with staff the recommended date of October 21 suggested to allow the full measure of opportunity to address the matter before it returned to City Council for consideration.

Councilman McGull moved to table Council Bill 2019-104 and Council Bill 2019-104 Substitute 1 until the October 21, 2019 City Council Meeting. Councilman Simpson seconded the motion and it was approved by the following vote: Ayes: Schilling, Ferguson, Ollis, Lear, McGull, Simpson, and McClure. Nays: Hosmer. Absent: Fisk. Abstain: None.

**Chapter 70
Short-Term
Loan
Establishments**

Sponsor: Schilling, Hosmer, Ollis, and 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.

**Chapter 70
Short-Term
Loan
Establishments**

Sponsor: McClure. 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.

**Rezoning 3303
West Division
Street**

Sponsor: Ferguson. Council Bill 2019-111. A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation, by rezoning 5 acres of property, generally located at 3303 West Division Street from LI, Light Industrial District to CS, Commercial Service District; establishing Conditional Overlay District No. 171; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: Jet View, LLC; 3303 W. Division Street; Z-10-2019 w/Conditional Overlay District No. 171.)

Anita Cotter, City Clerk noted a protest petition was received for the proposed and was found to be sufficient at 72.8%. She added a super majority, or 6 votes would be required for passage.

Council Bill 2019-111 failed by the following vote: Ayes: Schilling, Hosmer, Ollis, Lear, and Simpson. Nays: Ferguson, McGull, and McClure. Absent: Fisk. Abstain: None.

**Renaming 3000-
3100 East Farm
Road 188 to 6400
to 6500 South
Innovation
Avenue**

Sponsor: Simpson. Council Bill 2019-130. A general ordinance amending the Official Map of the City of Springfield, Missouri, adopted pursuant to General Ordinance 1478, by changing the name of the 3000 to 3100 block of East Farm Road 188 to the 6400 to 6500 block of South Innovation Avenue. (Staff and Planning and Zoning Commission both recommend approval.)

Council Bill 2019-130. General Ordinance 6530 was approved by the following vote:
Ayes: Schilling, Ferguson, Hosmer, Ollis, Lear, McGull, Simpson, and McClure. Nays:
None. Absent: Fisk. Abstain: None.

**Rezoning 1820,
1830, 1834, and
1838 North
Nixon Avenue**

Sponsor: Ferguson. Council Bill 2019-131. A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning 1.69 acres of property, generally located at 1820, 1830, 1834 and 1838 North Nixon Avenue, from a R-TH, Residential Townhouse District to RI, Restricted Industrial District and establishing Conditional Overlay District No. 173. (Staff recommends denial and Planning and Zoning Commission recommend approval.) (By: A&D Group LLC; 1820, 1830, 1834 and 1838 North Nixon Avenue; Z-12-2019 w/COD No. 173.)

Anita Cotter, City Clerk noted a protest petition was received for the proposed and was found to be insufficient at 2.6%. She added for this reason, a super majority, or 6 votes would not be required for passage.

Mayor Pro Tem Ferguson noted she would be voting in support of the proposed based on this being an example of the appropriate use of step-down zoning.

Councilman Hosmer requested clarification of the Staff recommendation of denial. Mary Lily Smith confirmed their objections were based on the rezoning being inconsistent with current land use.

Council Bill 2019-131 was approved by the following vote: Ayes: Ferguson, Ollis, Lear, McGull, Simpson, and McClure. Nays: Schilling and Hosmer. Absent: Fisk. Abstain: None.

**Collective
Bargaining
Agreement with
SPOA**

Sponsor: Fisk. Council Bill 2019-132. A special ordinance approving the Second Amendment to Article 18 – 'Wages,' of the Collective Bargaining Agreement between the City and the Springfield Police Officers' Association, Fraternal Order of Police Lodge 22, and authorizing the City Manager, or his designee, to acknowledge and deliver the Second Amendment on behalf of the City to the Bargaining Unit; and declaring an emergency

Mayor McClure noted he would be supporting the proposed and congratulated the bargaining unit and City staff for reaching an agreement.

Council Bill 2019-132. Special Ordinance 27191 was approved by the following vote:
Ayes: Schilling, Ferguson, Hosmer, Ollis, Lear, McGull, Simpson, and McClure. Nays:
None. Absent: Fisk. Abstain: None.

**Collective
Bargaining
Agreement with
IBEW**

Sponsor: Ollis. Amended Council Bill 2019-133. A special ordinance approving the Collective Bargaining Agreement by and between the City and the Bargaining Unit of the International Brotherhood of Electrical Workers, Local No. 753 affiliated with the AFL-CIO, by authorizing the City Manager, or his designee, to acknowledge and deliver the Collective Bargaining Agreement on behalf of the City to the Bargaining Unit; and declaring an emergency.

Mayor McClure noted the Council Bill 2019-133 was amended at the June 3 City Council meeting and the public hearing was continued until tonight.

An opportunity was given for citizens to express their views on the amendment only. There being no appearances the discussion was declared closed.

Council Bill 2019-133. Special Ordinance 27192 was approved by the following vote: Ayes: Schilling, Ferguson, Hosmer, Ollis, Lear, McGull, Simpson, and McClure. Nays: None. Absent: Fisk. Abstain: None.

**Amendment to
Chapter 2,
Article III,
Division 1,
Section 2.92**

Sponsor: McClure. Council Bill 2019-134. A general ordinance amending the Springfield City Code, Chapter 2, Article III, Division 1, Section 2.92, known as the 'Salary Ordinance,' relating to salary grades for various job titles within the City service as contained in the Professional, Administrative and Technical Schedule and the Crafts, Trades and Labor Schedule, by making provision for twelve new job titles and by deleting seven job titles; by establishing the Crafts, Trades and Labor Non-Union Schedule and providing pay adjustments for employees on the Crafts, Trades and Labor Non-Union Schedule; by providing pay adjustments for employees on the Professional, Administrative and Technical Schedules, as well as for certain non-union salary grades in the Fire Protection and Law Enforcement Schedules; by amending General Ordinance 6459, Section 6 and General Ordinance 5432, Section 3 relating to the Law Enforcement Schedule and Fire Protection Schedule, respectively; by amending General Ordinance 6288, Section 9 relating to educational allowance by eliminating the eligibility of Police Major to receive educational allowance; and by declaring an emergency.

Councilman Lear moved to amend Council Bill 2019-134 by replacing the phrase "step eight (8)" with the phrase "the top step" on Lines 64 and 75.". Councilman Simpson seconded the motion, and it was approved by the following vote: Ayes: Schilling, Ferguson, Hosmer, Ollis, Lear, McGull, Simpson, and McClure. Nays: None. Absent: Fisk. Abstain: None.

An opportunity was given for citizens to express their views on the amendment only. There being no appearances the discussion was continued.

Mayor McClure noted the public hearing on the amendment only will be continued until the June 25, 2019 Special City Council Meeting.

**Agreement with
the Springfield
Convention and
Visitors Bureau,
Inc.**

Sponsor: Schilling. Council Bill 2019-135. A special ordinance authorizing the City Manager, or his designee, to enter into an agreement with the Springfield Convention and Visitors Bureau, Inc., in the amount of \$3,755,400, for the purpose of promoting travel and tourism within the City of Springfield.

Council Bill 2019-135. Special Ordinance 27193 was approved by the following vote: Ayes: Schilling, Ferguson, Hosmer, Ollis, Lear, McGull, Simpson, and McClure. Nays: None. Absent: Fisk. Abstain: None.

Agreement with the Greater Springfield Area Sports Commission, Inc.

Sponsor: Hosmer. Council Bill 2019-136. A special ordinance authorizing the City Manager, or his designee, to enter into an agreement with the Greater Springfield Area Sports Commission, Inc., in the amount of \$91,500, for the purpose of promoting the attraction of sporting events to the community.

Council Bill 2019-136. Special Ordinance 27194 was approved by the following vote: Ayes: Schilling, Ferguson, Hosmer, Ollis, Lear, McGull, Simpson, and McClure. Nays: None. Absent: Fisk. Abstain: None.

Annual Maintenance Contract for Traffic Signals

Sponsor: Lear. Council Bill 2019-137. A special ordinance approving the Annual Maintenance Contract for Traffic Signals for Fiscal Year 2019-2020; accepting the bid of Ewing Signal Construction, LLC, in the amount of \$149,035.00; and authorizing the City Manager to enter into a contract with such bidder for the purpose of maintaining the City's traffic signal infrastructure.

Council Bill 2019-137. Special Ordinance 27195 was approved by the following vote: Ayes: Schilling, Ferguson, Hosmer, Ollis, Lear, McGull, Simpson, and McClure. Nays: None. Absent: Fisk. Abstain: None.

Environmental Services Parking and Material Storage Building Project

Sponsor: Ferguson. Council Bill 2019-138. A special ordinance authorizing the City Manager, or his designee, to approve the plans and specifications of the Environmental Services Parking and Material Storage Building Project, to accept the bid of \$620,000.00, and to enter into a contract with Branco Enterprises, Inc., for completion of the Project.

Council Bill 2019-138. Special Ordinance 27196 was approved by the following vote: Ayes: Schilling, Ferguson, Hosmer, Ollis, Lear, McGull, Simpson, and McClure. Nays: None. Absent: Fisk. Abstain: None.

The following bills appeared on the agenda under Resolutions

Designation of Katz Drug Store as a Historic Site

Sponsor: McGull. Council Bill 2019-140. A resolution designating the former Katz City Drug Store, located at 1735 South Glenstone Avenue, as a Historic Site on the Springfield Historic Register.

Mary Lily Smith, Director of Planning and Development provided a brief overview of the proposed. Ms. Smith discussed information regarding the request for Historic Site designation and reiterated the only affect is a 60-day cooling period should the owner seek to make alterations covered by the scope of the designation that are denied by the Landmarks Board. She advised the Landmarks board recommends approval.

Councilman Lear requested clarification if the owner had been advised through regular mail only. Ms. Smith advised regular mail was used and multiple attempts at notification to multiple addresses were made on April 1, April 29, May 9, and June 4 with no response received. She also noted that regular mail is the same process used for zoning cases.

Councilman McGull asked for clarification of other portions of the Historic designation ordinance that required certified mail and certification from the City Clerk. Councilman

McGull expressed concern without response from the owner there is no verification process for the notification. Ms. Smith verified such a section does not exist.

An opportunity was given for citizens to express their views regarding this bill.

Kevin Evans, President of Delaware Neighborhood spoke in support of the proposed. He expressed his opinion the building should be considered a landmark and the Delaware Neighborhood supports the designation.

Paden Chambers, member of the Landmarks Board spoke in opposition of the proposed. Mr. Chambers expressed his opinion even though the Katz City Drug Store was unanimously recommended for recognition, the Landmarks Board does not feel this is an appropriate time to bring the bill before Council for vote. Mr. Chambers stated the Board requested the item be tabled, but as it was previously stated tabling is not possible, they feel a review of the ordinance and a meeting with Council would benefit both sides.

Councilman Simpson asked if the proposed failed if it would preclude the request for a Historic Site designation from being brought before the City Council again. Rhonda Lewsader, City Attorney advised that no such exclusion is present.

Councilman Hosmer requested clarification as to any additional limitations the designation would impose beyond the 60-day cooling-off period. Mr. Chambers advised that exterior changes would require a certificate of appropriateness. Councilman Hosmer requested verification that the current recommendation was passed unanimously by the Landmark Board. Mr. Chambers answered affirmatively.

Mayor Pro Tem Ferguson asked for clarification if there would be a waiting period to bring the Historic Site designation forward again. Rhonda Lewsader verified no waiting period is required.

Councilman Ollis asked if the Landmarks Board would be agreeable to a dialogue regarding the processes and requirements for a historic site application. Mr. Chambers stated the Landmarks board strongly agreed such a discussion should take place.

Darrel Day spoke in support of the proposed. He noted the building would make an excellent Springfield/Ozark museum.

There being no additional speakers the Public Hearing was declared closed.

Councilman McGull advised he was not against any of the Historic designations, but he recommends an additional piece would be needed to establish a definition of what was to be considered a full and true completion of the requirement to “notify property owners of the pending nomination and invite their comments”.

Council Bill 2019-140 failed by the following vote: Ayes: Hosmer. Nays: Schilling, Ferguson, Ollis, Lear, McGull, Simpson, and McClure. Absent: Fisk. Abstain: None.

**Initiate
amendments to
designation of
Historic Sites**

Sponsor: McClure. Council Bill 2019-141. A resolution initiating amendments to the Springfield Land Development Code to consider adding a requirement for owner consent or involvement on the designation of Historic Sites, Historic Landmarks, Interior Landmarks and Historic Districts.

Mary Lily Smith, Director of Planning and Development provided a brief overview of the proposed. Ms. Smith advised to make changes to the City Code City staff must first receive guidance to do so. This resolution initiates that process.

Mayor McClure requested additional information on the timeframe and process for the steps that would be taken. Ms. Smith stated research would be conducted and consultation would be made with the Landmarks Board to construct and guide the framework for the process. She advised staff could either run through the process once instructed or come back to City Council with options for review. Once the direction to proceed has been finalized, the zoning ordinance text amendment process takes approximately 75 days.

Councilman Lear referenced a historic component in Vision 2020 and asked if a historic component will be present the new comprehensive plan. Ms. Smith noted at this point she is unsure how this will be addressed.

Councilman Hosmer requested clarification on the resolution and if it will only be able to address owner consent or involvement or if other aspects might be addressed as well. Ms. Smith referred this to the City Attorney. Rhonda Lewsader, City Attorney advised this resolution will only address the owner issues.

Councilman Ollis expressed his opinion additional education should occur regarding the issues in discussion at the Council and Landmarks board level and a more structured plan should then be formed to address issues or concerns found.

Mayor Pro Tem Ferguson expressed her opinion owner involvement is essential in the process.

An opportunity was given for citizens to express their views regarding this bill.

Ben Shantz, spoke in support of the proposed. He urged Council to pass the resolution as presented noting adding additional involvement for the property owner is a positive change.

Paden Chambers, member of the Landmarks Board spoke in opposition of the proposed. He advised the current language would not allow for the consideration of all the matters that have been brought to the City Council in regard to Historic Site Designations and urged that a vote on this be reserved until after additional discussion could take place.

Laurel Bryant spoke in opposition to the proposed. Ms. Bryant stated Historical preservation has brought positive results to the Springfield community. She

recommended tabling the resolution until City Council and the Landmarks Board could discuss the concerns that have been brought up.

Councilman Ollis asked for clarification as to whether the resolution could be tabled. Ms. Lewsader advised the proposed could be tabled. Councilman Ollis inquired if this would allow opportunity to address the narrowly-defined language. Ms. Lewsader advised this would allow such opportunity and staff could bring forward a resolution initiating a broader scope of amendment for consideration to the code.

There being no additional speakers the discussion was declared closed.

Mayor Pro Tem Ferguson noted she did not realize this resolution could be tabled. She asked for clarification as to the scope the resolution. Ms. Lewsader advised that in the legal language presented in Section 1 the resolution is specifically to address owner consent.

Councilman Simpson requested clarification as to whether the passage of the resolution would initiate the actions of Staff to carry out the included amendment topic. Ms. Lewsader agreed. Councilman Simpson then followed with additional questions regarding Staffs' potential interaction with the Landmarks Board and if a specific change to the wording of the current resolution would allow the needed latitude for discussion. After consulting with other Staff members, Ms. Lewsader advised it may be better to authorize a broader authority which would allow Staff to consider the ordinance and recommend changes that may be useful to City Council and the Landmarks Board.

Councilman Hosmer moved to table Council Bill 2019-141 until the July 1, 2019 City Council Meeting. Councilman McGull seconded the motion, and it was approved by the following vote: Ayes: Schilling, Ferguson, Hosmer, Ollis, Lear, McGull, Simpson, and McClure. Nays: None. Absent: Fisk. Abstain: None.

Payday and Car Title Loans

Sponsor: McClure. Council Bill 2019-151. A resolution affirming City Council's intent to work with community partners to seek a workable solution to the economic harms and predatory practices of the payday and car title loan industry.

Rhonda Lewsader, City Attorney provided a brief overview of the proposed. She reviewed City Council actions that have been taken regarding the subject of this resolution and stated the purpose of the resolution it to capture the consensus of the Council's previous actions and their desire to work with the Community to address the concerns.

An opportunity was given for citizens to express their views regarding this bill.

Roger Ray spoke in support of the proposed. He advised he has been writing editorials regarding this topic for almost 25 years. Mr. Ray noted actions taken by neighboring states regarding the practices in discussion and how Missouri has the highest interest that can be charged on a payday loan. He spoke to the difference of practices between something being legal and something being right.

Mayor Pro Tem Ferguson expressed her opinion payday lending practices have had a detrimental effect on the citizens of our community and feels there is very little action she can take regarding them. Mayor Pro Tem Ferguson expressed her opinion the only true resolution of this matter must come from the State level and inquired what action the faith community was taking in regard to the matter. Mr. Ray advised legislation regarding these concerns has been drafted repeatedly, but has never left committee to be addressed by the full body of the assembly. He advises if a local commission was formed to address these concerns with the banking industry alternatives to the predatory practices could potentially be put in place as they have been in other states.

Darrel Day spoke in support of the proposed. He expressed his desire to independently see how these particular businesses treated their customers.

There being no additional speakers the Public Hearing discussion was declared closed.

Councilman Simpson commented he shares the Mayor Pro Tem Ferguson's frustration at the inaction of the state regarding these matters. He noted at the local level the actions to be taken are to require the presentation of accurate and transparent information regarding the processes and the presentation of alternatives to the matters in question. Councilman Simpson expressed his opinion having and providing those alternatives is an important part of working to address the root causes that allow these concerns to continue.

Councilman Lear expressed his frustration and he belief the only path forward is to find an alternative to payday lending.

Council Bill 2019-151. Resolution 10459 was approved by the following vote: Ayes: Schilling, Ferguson, Hosmer, Ollis, Lear, McGull, Simpson, and McClure. Nays: None. Absent: Fisk. Abstain: None.

EMERGENCY BILLS

PUBLIC IMPROVEMENTS

GRANTS

AMENDED BILLS

COUNCIL BILLS FOR PUBLIC HEARING

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

Council Bill 2019-142 and Council Bill 2019-143 were read together.

Amendment to Chapter 58 Tobacco 21 Act

Sponsor: Ollis, Hosmer, Lear, and McGull. Council Bill 2019-142. A general ordinance amending the Springfield City Code, Chapter 58, 'Health and Sanitation,' by adopting Article XII, 'Tobacco 21 Act,' in order to prohibit the sale of tobacco products,

alternative nicotine products, and vapor products to anyone under 21 years of age; and amending Chapter 78, 'Offenses and Miscellaneous Provisions,' by amending Section 78-5, 'Sale of tobacco products to persons under 18 years of age,' Section 78-6, 'Sale of tobacco products through vending machines,' and Section 78-7, 'Packaging of tobacco products; distribution of free samples; manner of display and sale,' and moving said sections to Chapter 58 as part of the Tobacco 21 Act. (Recommended by Plans and Policies Committee.)

**Amendment to
Chapter 78 by
Repealing
Section 78-8**

Sponsor: Ollis, Hosmer, Lear, and McGull. Council Bill 2019-143. A general ordinance amending the Springfield City Code, Chapter 78, 'Offenses and Miscellaneous Provisions', by repealing Section 78-8, 'Purchase or possession of tobacco products by persons under 18 years of age.' (Recommended by Plans and Policies Committee.)

Clay Goddard, Director of the Springfield Greene County Health Department provided a brief overview of the proposed. He presented a summary of the two bills including smoking rates and statistics in Springfield. Mr. Goddard discussed the age individuals begin to smoke and the impact e-cigarette technology plays. He noted e-cigarettes are often a gateway into other tobacco use. Mr. Goddard discussed the impact Tobacco 21 has had on other communities.

An opportunity was given for citizens to express their views.

Ryan DeBoef, Chief of Staff at Missouri State University spoke in support of the proposed. He advised that the staff and student representation support the 'Tobacco 21' initiative.

Britton Jobe spoke in support of the proposed. Mr. Jobe expressed his opinion addressing these issues we increase our ability to attract and retain talent and their families in this competitive hiring market.

Jerry Neville spoke in support of the proposed. Mr. Neville noted he is a long-time resident of Springfield and volunteer for the American Cancer Society. He stated tobacco is the leading cause of preventable death nationwide. Mr. Neville expressed his belief the proposed is a necessary step for our community.

Steve Edwards, President of Cox Hospital spoke in support of the proposed. Mr. Edwards discussed addiction and the surge in young users due to e-cigarettes. He shared his personal family experience with tobacco addiction and urged City Council to support the proposed.

Jim Rogers spoke in support of the proposed. Dr. Rogers noted he is an internal medicine physician at Mercy. He discussed the long-term implications of tobacco use. He pointed out that COPD is the 3rd leading cause of death in the United States. Dr. Rogers expressed his belief this bill offers proven restrictions and reductions in new nicotine tobacco starts and urged City Council to support the proposed.

Loki Skylizard spoke in support of the proposed. Dr. Skylizard noted he is a thoracic surgeon, specifically for lung cancer. He discussed the impact of tobacco use. He noted he strongly supports these ordinances.

Kayce Morton spoke in support of the proposed. She noted she is a local pediatrician, president-elect for the Greene County Medical Society and a parent. Dr. Morton discussed the impact e-cigarettes have had and how Juul, vaping, and smoking have prompted a reverse of improvement on decreasing youth tobacco. She noted youth are doubling their usage of e-cigarettes versus regular cigarettes as well as affecting the average age of initiation. She focused on how nicotine can affect the young and still developing brain and how it can make them more susceptible to substance abuse and increases mental health disorders. Dr. Morton expressed his opinion Tobacco 21 has helped reduce younger users and helped prevent starting to begin with.

Jim Blaine spoke in support of the proposed. He thanked the Council for considering the ordinance. Dr. Blaine noted he has been a primary care physician since 1977. During all this time, tobacco has been the number one cause of preventable death and illness. Dr. Blaine advised Tobacco 21 is expected to decrease smoking in 15-17 years by 25%. He has raised four children here in northwest Springfield and he believes the proposed will have a strong impact on the children in Northwest Springfield and he urged acceptance of the measure.

Jerry Saavedra spoke in support of the proposed. He noted he works with the American Heart Association. He expressed his belief that more people die from tobacco in a year than from alcohol, AIDS, car accidents, illegal drugs, murders, and suicides combined. He discussed the dangers of e-cigarettes and how they have reversed the downward trend of nicotine use among younger segments of the population. Mr. Saavedra commented on the high caliber of staff and complimented them on their hard work on this matter.

David Barbe, Vice President of Regional Operations for Mercy spoke in support of the proposed. Dr. Barbe noted he is a practicing family physician, and until a week ago President of the American Medical Association. Dr. Barbe advised that there are a vast number of addictive chemicals in tobacco and discussed the impact of tobacco as well as e-cigarettes.

Councilman Hosmer asked for clarification if the vaping products provided more nicotine than traditional cigarettes. Dr. Barbe answered affirmatively. Councilman Hosmer asked if that would make them more addictive for a user. Dr. Barbe answered affirmatively. Councilman Hosmer asked if once addicted they would transition to other tobacco products. Dr. Barbe detailed how most gains in the reduction of smokers has been targeted at adults, but if additional progress is to be achieved the youth aspect must be addressed. Councilman Hosmer inquired as to whether the FDA regulates vaping products. Dr. Barbe advised they have limited regulation, but they have no authority to promulgate minimum legal requirements and that must be done at the state or community level.

Kurt Larson spoke in support of the proposed. Mr. Larson noted he is a local attorney and parent who lives and works in Springfield. He added he is the founder of Safe and Sober which is a program started in the Springfield's 5 high schools which is now a state-wide program. Mr. Larson urged City Council to address this issue with young people in our community

Mayor Pro Tem Ferguson asked if vaping was having an impact on the number of individuals that use chewing tobacco. Mr. Larson advised he could not give exact information, but he suspected chewing and dipping have been fairly static, unlike the massive shift with vaping products.

Councilman Simpson asked about the schools that have adopted the Safe and Sober program and if any of them were in locations that have already adopted Tobacco 21. Mr. Larson advised that there are such schools, but at this time any evidence would be anecdotal and what they can see is the positive feedback from teachers and parents.

There being no additional speakers discussion was declared closed on both bills.

**Sale of 1809 East
Crestview Street**

Sponsor: Simpson. Council Bill 2019-144. A special ordinance approving the sale of real property generally located at 1809 East Crestview Street to Lacknothing Homes, LLC, for \$71,500.00; and authorizing the issuance of a deed for same.

Collin Quigley, Deputy City Manager provided a brief overview of the proposed. He provided the specifics of the property and the sale.

An opportunity was given for citizens to express their views. There being no appearances the discussion was declared closed.

**Channel
Improvements -
East Woodgate
Avenue**

Sponsor: Simpson. Council Bill 2019-145. A special ordinance approving the plans and specifications for Channel Improvements – East Woodgate Avenue; accepting the alternate bid of Hunter Chase & Associates, Inc., in the amount of \$147,774.26, for the project; and authorizing the City Manager, or his designee, to enter into a contract with such bidder.

Kirkland Preston provided a brief overview of the proposed. He detailed the location of the project, the actions to be taken, and the process involved with the bids for the project.

An opportunity was given for citizens to express their views. There being no appearances the discussion was declared closed.

**Stormwater
Improvements
Ravenwood
Phase II**

Sponsor: Simpson. Council Bill 2019-146. A special ordinance approving the plans and specifications for Stormwater Improvements Ravenwood Phase II; accepting the bid of Hunter Chase & Associates, Inc., in the amount of \$767,712.00, for the project; and authorizing the City Manager, or his designee, to enter into a contract with such bidder.

Kirkland Preston provided a brief overview of the proposed. He detailed the location of the project, the actions to be taken, and the process involved with the bids for the project.

Councilman Lear asked for clarification if the work being done would be pervious or impervious. Mr. Preston advised that the work will be impervious. Councilman Lear requested clarification as to whether the changes would simply move the water out as quickly as possible or allow for soak. Mr. Preston advised that the changes being made will affect and improve the water flow. Councilman Lear inquired if there was a matter concerning the water quality. Mr. Preston advised they will be planting the banks with a tall fescue grass which will provide some water quality benefit.

Councilman McGull requested clarification on the number of bids received. Mr. Preston advised that three responsive bids were received.

An opportunity was given for citizens to express their views. There being no appearances the discussion was declared closed.

The following item appeared on the agenda under Petitions, Remonstrances, and Communications.

Did Not Appear Mr. Clifford VanNatta wished to address City Council.

NEW BUSINESS

UNFINISHED BUSINESS

MISCELLANEOUS

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

Approval of Sale for 3140 West Lynn Street Sponsor: Ferguson. Council Bill 2019-147. A special ordinance approving the sale of real property at 3140 West Lynn Street to Kelly and Chance Bailey for \$500.00; authorizing the issuance of a deed for same; and approving a budget adjustment to amend the Fiscal Year 2019-2020 budget.

Approval of Sale for 246 West Elm Street Sponsor: Ferguson. Council Bill 2019-148. A special ordinance approving the sale of real property at 2406 West Elm Street to Panfilo Garcia for \$500.00; and authorizing the issuance of a deed for same.

Approval of Sale for 2444 North Benton Avenue Sponsor: Ferguson. Council Bill 2019-149. A special ordinance approving the sale of real property at 2444 North Benton Avenue to Trigg, LLC, for \$15,100.00; authorizing the issuance of a deed for same; and approving a budget adjustment to amend the Fiscal Year 2019-2020 budget.

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

**Authorization to
sign Petition to
Remove Property**

Sponsor: Schilling. Council Bill 2019-150. A resolution authorizing the Mayor, on behalf of the City of Springfield to sign a Petition to Remove Property from the College Station Transportation Development District and authorizing any actions required to remove certain property from the District pursuant to Section 238.208 of the Revised Statutes of Missouri.

Council Bill 2019-150. Resolution 10460 was approved by the following vote: Ayes: Schilling, Ferguson, Hosmer, Ollis, Lear, McGull, Simpson, and McClure. Nays: None. Absent: Fisk. Abstain: None.

**The following bill appeared on the agenda under Consent Agenda Second
Reading Bills**

Confirmed

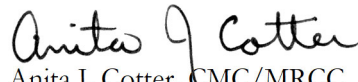
Confirm the following appointment to the Springfield/Greene County Public Library Board: Tez Ward with term to expire July 1, 2022.

END OF CONSENT AGENDA.

Adjourn

There being no further business, the meeting adjourned at approximately 8:44 p.m.

Prepared by
Russ McLaughlin


Anita J. Cotter, CMC/MRCC
City Clerk