July 15, 2019
Springfield, Missouri

The City Council met in regular session July 15, 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: Lear, McGull, Simpson, Schilling, Ferguson, Fisk, Hosmer, and McClure. Absent: Ollis.

Minutes The minutes of July 1, 2019 City Council Meeting will be approved at the July 29, 2019 City Council Meeting.

Consent Agenda The Consent Agenda was approved as presented.

CEREMONIAL MATTERS

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

Mr. Gage noted the Police Department has provided the monthly crime report.

Mr. Gage noted Public Works was awarded the 2019 Transportation Achievement Award for Safety from the Midwestern District of the Institute of Transportation Engineers for the Grant Street Bridge Replacement project over Jordan Creek.

Mr. Gage noted the Missouri Job Center's business service team has been awarded the 2019 Business Advocate of the Year by the Springfield Business Journal. The award will be presented July 25 at the Oasis Hotel and Convention Center. The business service team has been recognized for their efforts in assisting local businesses with recruitment, retention and skills development of employees. In 2018, they conducted 189 hiring events which attracted 4,389 job seekers. The Business Service Team allocates resources to meet workforce needs of employers such as addressing the skills gap, using the Mobile Job Center, hosting town halls, lunch and learns, partner engagement, and providing up-to-date labor market information. They provide access to employers through local Job Centers which are available to businesses for use in interviewing, training and onboarding of new employees. The team also advocates alternative sources of employees such as justice involved individuals, youth, individuals with disabilities, and other untapped sources.

Mr. Gage noted SGF Yields, the City of Springfield's pedestrian safety program, is pleased to share a 4% improvement in the percentage of Springfield drivers yielding to pedestrians in crosswalks. He noted in early 2019, only 25% of drivers yielded to a decoy pedestrian. Since April, an average of 29% of drivers yielded to walkers waiting at the crosswalk. This slight but welcome increase of 4% was mirrored at the two control locations that are tested routinely.

Mr. Gage noted the third and final public meeting to determine development recommendations for the Galloway/Lone Pine corridor was held last Tuesday. Public input continues, and Planning and Development staff will present their recommendations at your July 23 Council Lunch.

Mr. Gage noted the City of Springfield's July sales tax revenues from the Missouri Department of Revenue are down about 1.5%, or $70,967, compared to July 2018. The check was $4,639,417compared to the July 2018 revenue check in the amount of $4,710,384. The 12-month trend indicates revenues are up about 1.6%. Compared to budget, revenues are down less than .5% on both a monthly and a year-to-date basis, as July is the first month of the new fiscal year.

The following bills appeared on the agenda under Second Reading Bills

Amendment to Chapter 58 Tobacco 21 Act

Sponsor: Ollis, Hosmer, Lear, 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.)

As the bill was amended at the July 1, 2019 City Council Meeting the public hearing on the amendment only was continued.

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

Councilman Hosmer expressed his opinion that this is a particularly important ordinance for the City of Springfield. He noted he was very impressed by the testimony that was provided by the Health Community concerning this issue. He also added that almost 500 communities have passed Tobacco 21 and 12 states. He stated tobacco use is a huge problem for health care and is the number one cause of premature death in the country. He also stated that 25% of the population of Springfield smokes and the majority of those started smoking before age 21. Referencing back to previous discussions regarding doctor testimony given during talks concerning marijuana, Councilman Hosmer stated that a persons' mind is not fully developed until 23-25 years of age. He feels that letting children start smoking at 12-13 or even between 18-21 is a huge public health issue and something that we should address. He noted that many might argue this should be done at the State level, and he does not disagree with that, but by waiting he fears it may not be done. He thinks this is one of the most important things in his five years on Council as far as the long-term health and economic well-being for the City of Springfield that they can do, and he encouraged members of Council to adopt the measure.

Councilman Simpson echoed Councilman Hosmer's comments and stated he is proud to be voting for the proposed. In addition to the powerful testimony presented, he noted he appreciates this was a Community-wide effort based around evidence-based policy. He believes this will make a real difference for public health here in Springfield.

Councilwoman Ferguson stated that she would be voting in support of the bill. She provided a story of the personal impact smoking has had on her family and stated she made her vote in memory of her father.

Mayor McClure stated he would be supporting the amended Council bill. He commended the local healthcare institutions, the Healthy Living Alliance, and the Springfield-Greene County Health department for the groundwork laid over a long period of time to conduct good research and present effective education on the proposed. Mayor McClure noted that the too feels this is a matter that should be dealt with at the State level, but he is proud to support the local action of the Council.

Council Bill 2019-142. Ordinance 6534 was approved by the following vote: Ayes: Lear, McGull, Simpson, Schilling, Ferguson, Fisk, Hosmer, and McClure. Nays: None. Absent: Ollis. Abstain: None.

Amendment to Chapter 78 by Repealing Section 78-8

Sponsor: Ollis, Hosmer, Lear, 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.)

Council Bill 2019-143. Ordinance 6535 was approved by the following vote: Ayes: Lear, McGull, Simpson, Schilling, Ferguson, Fisk, Hosmer, and McClure. Nays: None. Absent: Ollis. Abstain: None.

Rezoning at 3145 South Campbell Avenue

Sponsor: Schilling. Council Bill 2019-155. A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning 8.4 acres of property, generally located at 3145 South Campbell Avenue, from Planned Development 25, 4th Amendment to HC, Highway Commercial District; establishing Conditional Overlay District No. 175; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission recommend approval.) (By: South Campbell Investments, LLC; 3145 South Campbell Avenue; Z-14-2019 w/Conditional Overlay District No. 175.)

Council Bill 2019-155. Ordinance 6536 was approved by the following vote: Ayes: Lear, McGull, Simpson, Schilling, Ferguson, Fisk, Hosmer, and McClure. Nays: None. Absent: Ollis. Abstain: None.

Rezoning at 4900 Block of South Campbell Avenue

Sponsor: Schilling. Council Bill 2019-156. A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning 6.18 acres of property, generally located at the 4900 block of South Campbell Avenue, from R-MD, Medium-density Multi-family Residential District, with Conditional Overlay District No. 152, to O-2, Office District; establishing Conditional Overlay District No. 176; and adopting an updated Official Zoning Map.

(Staff and Planning and Zoning Commission both recommend approval.) (By: A. Daniel Pinheiro; 4900 Block of South Campbell Avenue; Z-15-2019 w/COD No. 176.)

Council Bill 2019-156. Ordinance 6537 was approved by the following vote: Ayes: Lear, McGull, Simpson, Schilling, Ferguson, Fisk, Hosmer, and McClure. Nays: None. Absent: Ollis. Abstain: None.

Rezoning at 2915 South National Avenue

Sponsor: Simpson. Council Bill 2019-157. A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning 4.2 acres of property, generally located at 2915 South National Avenue, from Planned Development 26; Planned Development 26, 1st amendment; Planned Development 51; and R-SF, Single-Family Residential District to Planned Development 370. (Staff and Planning and Zoning Commission both recommend approval.)

Council Bill 2019-157. Ordinance 6538 was approved by the following vote: Ayes: Lear, McGull, Simpson, Schilling, Ferguson, Fisk, Hosmer, and McClure. Nays: None. Absent: Ollis. Abstain: None.

Extension of Crossing Guard Program

Sponsor: Ollis. Council Bill 2019-158. A special ordinance authorizing the City Manager to execute an addendum to the Intergovernmental Agreement between the City and School District of Springfield R-12 for the purpose of sharing the costs of a third-party vendor to operate a school crossing guard program for one additional year.

Council Bill 2019-158. Special Ordinance 27203 was approved by the following vote: Ayes: Lear, McGull, Simpson, Schilling, Ferguson, Fisk, Hosmer, and McClure. Nays: None. Absent: Ollis. Abstain: None.

RESOLUTIONS

EMERGENCY BILLS

PUBLIC IMPROVEMENTS

The following bill appeared on the agenda under Grants

Accepting a Grant from Missouri Division of Workforce Development

Sponsor: Simpson. Council Bill 2019-160. A special ordinance authorizing the City Manager, or his designee, to accept a grant from the Missouri Division of Workforce Development in the amount of $251,811.00, to implement the Missouri Works Together program, to provide temporary disaster-relief employment and career and training services to workers impacted by the opioid crisis; amending the budget for the Department of Workforce Development for Fiscal Year 2019-2020 in the amount of $251,811.00; and declaring that this bill qualifies for approval in one reading.

Mary Ann Rojas, Director of Workforce Development provided a brief overview of the proposed. She informed City Council this bill authorized the acceptance of a grant that would fund one staff position to coordinate the grant and up to 6 peer-support

specialists who will work with individuals who are at risk of getting or keeping jobs due to opioid addiction or the risk thereof.

Councilwoman Ferguson requested clarification as to what kind of background the peer workers would be required to have. Ms. Rojas stated the peer- support specialist will have to have been affected by the opioid crisis either personally or due to a family member. Ms. Rojas stated they are partnering with Burrell Health to take on the support specialists and stated they are contracted to serve at least 26 individuals.

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

Council Bill 2019-160. Special Ordinance 27204 was approved by the following vote: Ayes: Lear, McGull, Simpson, Schilling, Ferguson, Fisk, Hosmer, and McClure. Nays: None. Absent: Ollis. Abstain: None.

AMENDED BILLS

PUBLIC HEARING

The following bills appeared on the agenda under First Reading Bills

Amendment to City Code Chapter 106, Article I, Section 106-35

Sponsor: Ferguson. Council Bill 2019-161. A general ordinance amending Springfield City Code Chapter 106 – 'Traffic and Vehicles,' Article I. – 'In General,' Section 106-35. – 'Wrecked, discarded or inoperable vehicles,' to re-define "Inoperable vehicle" in order to simplify enforcement.

Rhonda Lewsader, City Attorney provided a brief overview of the proposed. She stated that this bill reduced the review requirements to declare a vehicle inoperable from a current inspection certificate and state of vehicle registration to verifying if a vehicle has license plates and is registered in the state.

Councilman McGull requested clarification as to whether there is a time limit from when a vehicle is declared inoperable before the City can remove it. Ms. Lewsader expounded that this section of the Code only addressed when a vehicle is inoperable.

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

Approval of Plans and Specifications for Sanitary Sewer Overflow Program

Sponsor: McGull. Council Bill 2019-162. A special ordinance approving the plans and specifications for the Sanitary Sewer Overflow Control Program, Group 4 Public Sewer Rehabilitation – Open Cut Repairs Part 2 project; accepting the bid of Rosetta Construction, LLC, for the project; authorizing the City Manager, or his designee, to enter into a contract for said project; and approving a budget adjustment to amend the Fiscal Year 2019-2020 budget of the Department of Environmental Services Clean Water Enterprise Fund in the amount of $4,275,300.

Ron Petering, Assistant Director of Environment Services provided a brief overview of the proposed. He stated this bill is a continuation of ongoing work to improve our sanitary sewer system and comply with the overflow control program.

Councilman McGull requested clarification as to whether the projects had already been identified or if we are in the experimental stages in which we are trying to identify the areas that need repair. Mr. Petering stated the work has already been identified and this bill allows staff to go in and complete those repairs. Councilman McGull followed up asking if the City will be giving notice to people so that they can plan around the construction. Mr. Petering said this would take place. He said coordination with property owners is key.

Councilwoman Ferguson asked if the bill passes and the contract is signed, when do they anticipate commencing work on the West side. Mr. Petering stated he did not have a specific answer at this time but could find out. Councilwoman Ferguson requested the information via email and Mr. Petering said he would provide it.

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

Approval of Sale for 4177 South Broadway Avenue

Sponsor: Schilling. Council Bill 2019-163. A special ordinance approving the sale of real property at 4177 South Broadway Avenue to David Styles for $800.00; and authorizing the issuance of a deed for same.

Sarah Ames, City Manger's Office Summer Intern provided a brief overview of the proposed. She provided the history of the property and the reason for its sale.

Mayor McClure commented on Ms. Ames time with the City Manger's office and stated it had been a pleasure to work with her.

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

Council Bills 2019-164, 2016-165, and 2019-166 were read together.

Amendment to Park Board Fiscal Year 2018-2019 Budget

Sponsor: Schilling. Council Bill 2019-164. A special ordinance amending the Park Board's Fiscal Year 2018-2019 operating budget by increasing both revenue and expenses in the amount of $450,000 to allocate $300,000 of revenue and associated offsetting expense items from Parks 2001 and 2006 Sales Tax Funds and $150,000 of transfers from other funds, respectively.

This bill was read in conjunction with Council Bill 2019-165 and Council Bill 2019-166.

Amendment to Fiscal Year 2018-2019 Operating Budget

Sponsor: Hosmer. Council Bill 2019-165. A special ordinance amending the Fiscal Year 2018-2019 operating budget by increasing both revenue and expenses in the amount of $132,904 in various Special Revenue and Capital Project Funds, for the purpose of accounting for certain reimbursements and associated offsetting expenses.

This bill was read in conjunction with Council Bill 2019-164 and Council Bill 2019-166.

Amendment to Fiscal Year 2018-2019 Operating Budget in the General Fund

Sponsor: Hosmer. Council Bill 2019-166. A special ordinance amending the Fiscal Year 2018-2019 operating budget in the General Fund by increasing both revenue and expenses in the amount of $80,876 for the purpose of adjusting for certain reimbursements and associated offsetting expenses as well as adjusting the salary budget for retirement payouts.

This bill was read in conjunction with Council Bill 2019-164 and Council Bill 2019-165.

David Holtman, Director of Finance provided a brief overview of the proposed. He stated the three bills are the annual year end budget adjustments to account for those items that occur throughout the fiscal year that are not necessarily known at the beginning of the budget process.

Mayor McClure verified that these types of adjustments are typical for an end of fiscal year process. Mr. Holtman answered affirmatively.

Councilman Simpson asked for clarification if concessions fees would go into Park Board revenues. Mr. Holtman confirmed that it would.

Councilwoman Ferguson referenced additional revenue regarding the upcoming Route 66 Festival memorabilia and Mr. Holtman stated they would greatly encourage purchases thereof.

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

Law Enforcement Services for Missouri State University

Sponsor: Fisk. Council Bill 2019-167. A special ordinance authorizing the City Manager, or his designee, to enter into an Intergovernmental Agreement with the Board of Governors of Missouri State University, for the purpose of continuing to provide enhanced law enforcement services within and around the Missouri State University campus.

Paul Williams, Chief of Police provided a brief overview of the proposed. He stated this is a renewal of contract to provide policing services to Missouri State University, a service which the City has been providing for over 25 years. He advised that he has brought this before Council instead of the consent agenda because the University has requested some changes. These would include 24 hour, 7 days a week coverage and would provide overtime for 10 officers to provide this service as well as potentially adding additional officers completely at their expense.

Councilman Lear requested clarification if the additional requested overtime would impact the ability of officers to serve the City. Chief Williams advised that the overtime would be done by those 10 officers already assigned to the University and should for some reason one of them not be available, the duty would go to an officer who was not already assigned a shift at that time and volunteered to work on the campus. Councilman

Lear then sought to verify if the University has any additional security forces. Chief Williams advised that the service provided to the University is the complete force.

Councilman Simpson commented on the fact that we are 1 of only 2 places that does this. He asked if this affected UCR reporting. Chief Williams stated that the information would be provided by the Campus Security in most instances but is reported in conjunction with the police department statistics in this case, though the specific campus crimes are set out and advised to the University so they may report them as well.

Mayor McClure made comment that the University is required to file its own reports for crimes that are quite extensive to which Chief Williams agreed. Mayor McClure spoke in support for the security arrangement which has been very successful. He additionally noted he believes the changes being made are needed and positive.

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

Council Bills 2019-168 and 2019-169 were read together.

Integration of Trunked Radio System

Sponsor: Ollis. Council Bill 2019-168. A special ordinance authorizing the City Manager to enter into an agreement between the City, CU, Greene County and the Missouri Department of Public Safety to integrate the Trunked Radio System ("TRS") into the Missouri Statewide Interoperability Network.

This bill was read in conjunction with Council Bill 2019-169.

Authorization to Update Trunked Radio System

Sponsor: Ollis. Council Bill 2019-169. A special ordinance authorizing the City Manager to enter into a revised agreement between the City of Springfield, City Utilities of Springfield, and Greene County for the purpose of updating the 800-megahertz Trunked Radio System ("TRS") to provide improved law enforcement and public safety communications among the various agencies and departments.

This bill was read in conjunction with Council Bill 2019-168.

Collin Quigley, Deputy City Manager provided a brief overview of the proposed. He advised the two bills are companion bills. He advised Bill 2019-169 is a scheduled upgrade and the new system will be all digital and will meet the new standard from the Association of Public Safety Communications Officials. Bill 2019-168 is an authorization to begin integration of the trunked radio system and cooperation with Missouri Statewide Interoperability Network. The initial agreement is for a 3-year trial period and the cost of the integration will be paid for by the Department of Public Safety.

Mayor McClure requested verification of if the Trunked Radio System board will remain in place as it stands, and Mr. Quigley confirmed that it would. Mr. Quigley advised that others use the TRS, but the current board remains those in control of the system. Mayor McClure then requested clarification if the integration would give our system state-wide access and Mr. Quigley confirmed that it would. Mayor McClure requested additional

information on the integration and Don Coshen, Manager of Telecommunications at City Utilities was called up to speak as an expert on the matter.

Mr. Coshen advised the integration will connect the Public Safety and St. Louis master sites with the Springfield system so that, provided the correct equipment is used, users would be able to roam onto the shared networks to continue communications. The State will connect the site cores via fiber, will also pay for cybersecurity, conduct some monitoring, and will integrate us into an agreement with Motorola for a system upgrade agreement which at their expense will keep our core current with their core.

Mayor McClure asked if the Department of Public Safety is involved in any similar efforts in other communities. Mr. Coshen stated that other than in St. Louis, no they are not. Mayor McClure asked if the TRS used by Springfield is still unique. Mr. Coshen answered affirmatively. Mayor McClure stated he was glad to see the actions presented in these bills happening

Councilman Lear requested clarification as to whether the three groups making up the Trunked Radios System board share the cost of the system equally. Mr. Quigley answered affirmatively. He advised that the subscriber cost is shared equally, and each member is responsible for their own radios. Councilman Lear requested to verify the funding for this endeavor was included in the budgeting plans that have recently been presented to Council and Mr. Quigley advised it was. Councilman Lear then sought to verify if other groups are using the system, and Mr. Quigley stated there are.

Mr. Coshen noted that Springfield Public Schools had 195 radios and Cox EMS and Mercy EMS each had approximately 80 radios on the system.

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.

Appeared Ms. Amy Champlin addressed City Council. A statement was read for Ms. Champlin by Janice Hanes. Ms. Champlin expressed concern that an opportunity for citizens to speak falls under petitions and remonstrances at the end of the meeting. She feels this put an undo burden on citizens and this section should be moved to the beginning of the agenda.

The following item appeared on the agenda under New Business

Referred Referred to the Plans and Policies Committee possible adoption of the International Energy Conservation Code as part of the Land Development Code.

UNFINISHED BUSINESS

MISCELLANEOUS

CONSENT AGENDA FIRST READING BILLS

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

Defense and Indemnification for City Employees

Sponsor: Lear. Council Bill 2019-170. A resolution declaring the intent to provide defense and indemnification to employees Jennifer Swan and James C. Holland. (Risk Management, City Manager, and the Law Department recommend approval.)

Council Bill 2019-170. Resolution 10463 was approved by the following vote: Ayes: Lear, McGull, Simpson, Schilling, Ferguson, Fisk, Hosmer, and McClure. Nays: None. Absent: Ollis. Abstain: None.

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

Acceptance of Dedication of Public Streets and Easements

Sponsor: Schilling. Council Bill 2019-159. 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 South Campbell Addition, generally located at 3145 South Campbell Avenue, upon the filing and recording of 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 2019-159. Special Ordinance 27205 was approved by the following vote: Ayes: Lear, McGull, Simpson, Schilling, Ferguson, Fisk, Hosmer, and McClure. Nays: None. Absent: Ollis. Abstain: None.

Confirmed

Confirmed the following appointments to the Airport Board: Paige Oxendine and Jay Titus with terms to expire June 1, 2022.

END OF CONSENT AGENDA.

Motion to Adjourn

Councilman Simpson moved to Adjourn. Councilman McGull seconded the motion, and it was approved by the following vote: Ayes: Lear, McGull, Simpson, Schilling, Ferguson, Fisk, and McClure. Nays: Hosmer. Absent: Ollis. Abstain: None. The meeting adjourned at 7:20 pm.

Prepared by
Russ McLaughlin

Anita J. Cotter, CMC/MRCC
City Clerk