

May 18, 2020
Springfield, Missouri

The City Council met in regular session May 18, 2020 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*, Jan Fisk*, Craig Hosmer*, Richard Ollis*, Andrew Lear*, Abe McGull*, Matthew Simpson* and Ken McClure. Absent. None.

*Members attending via videoconference.

Minutes The minutes of City Council meeting on May 4, 2020 were approved as presented.

Consent Agenda The Consent Agenda was approved as presented.

CEREMONIAL MATTERS

City Manager and Public Health Director Report Jason Gage, City Manager, thanked the Council for providing input on the Road to Recovery Plan and noted there will be a live news briefing on Wednesday, May 20, 2020 at 2:00pm announcing Phase 2. He noted Paul Williams, Police Chief, has provided Council with the Authorized Strengths Report for April via email. Mr. Gage noted the Springfield Police Department will have seven retirements this month and May 17-23 is National Public Works Week.

Katie Towns, Assistant Director of Health, provided an update on COVID-19. She noted there are six new cases since Friday, May 15, 2020. She noted they are investigating each case and some of the cases are travel related. Ms. Towns stressed we are still moving into the recovery phase and urged people to use caution. Ms. Towns noted antibody testing is being used more frequently and the Health Department is working on how to report findings back to the community. She noted for people seeking antibody testing, there are FDA approved labs and those labs will provide the most accurate results. Ms. Towns encouraged people who are sick to continue to stay home and for people who have symptoms and would like to be tested, there are tests readily available. She noted there is ample testing capacity and cost is not a barrier.

Mayor McClure expressed his opinion the six new cases are a stark reminder the disease is still present, and the phased step-down approach is the correct path. He also expressed concern for travel related exposure and the possibility of bringing the disease into our community.

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

**Budget
Amendment for
the Department of
Public Works for
Fassnight Creek
Stormwater
Improvement
Project**

Sponsor: Ollis. Council Bill 2020-088.

A special ordinance authorizing a budget adjustment amending the budget of the Department of Public Works for Fiscal Year 2019-2020 in the amount of \$2,000,000.00 to appropriate fund balance reserves from the 1/4-Cent Capital Improvement Sales Tax to support construction of the Fassnight Creek stormwater improvement project at the Springfield Art Museum.

Mayor McClure noted public hearing was held on May 4, 2020 on the proposed, and that it is now in front of Council for consideration. He asked for questions or comments from members of Council.

Mayor Pro Tem Ferguson expressed her support for the masterplan and rebuilding this area but asked if the entire \$2 million was coming out of the reserve fund or if part of the funds are grant money. She also asked for the total cost of the Fassnight Project in addition to the \$2 million.

Dan Smith, Director of Public Works, noted the \$2 million is coming from the 1/4 cent reserves and the Capital Improvement Sales Tax, but \$600,000 of the funding is grant money. He noted the project would mitigate flooding and remove the Art Museum from the floodplain designation from the new Federal Emergency Management Agency (FEMA) mapping being conducted city wide.

Mayor Pro Tem Ferguson asked if the Art Museum had flooded recently.

Mr. Smith answered the Art Museum has not flooded, but models say it is very possible. He noted because the Art Museum is in the FEMA floodplain there are serious limitations on the Art Museum in terms of borrowing art exhibits and this project would remove the floodplain status and allow the Art Museum to operate fully.

Mayor Pro Tem Ferguson expressed concern using \$2 million from the reserve fund due to uncertainty of the upcoming budget year related to the pandemic. She asked about the availability of funds for neighborhoods if work is required due to flooding if the Fassnight Project uses \$2 million of the reserve fund.

Mr. Smith noted reserve funding would still be available. He noted the uncommitted funds in the reserve fund are just over \$7 million and therefore the City is well positioned for complications related to the pandemic.

Councilwoman Fisk asked how many other projects are on the list.

Mr. Smith answered there is a long list of projects with no funding committed to them. He noted they do not anticipate bringing any other projects forward until they have more time to analyze revenues and the impact of COVID-19.

Councilman Schilling expressed his opinion of setting the project aside if the project is not an emergency and will not impinge on the grant money. He recommended reviewing methods to economize funds due to the current situation.

Councilman Ollis asked how many years the City and the Art Museum have been working on the Fassnight Project.

Mr. Smith answered he was not certain of the length of time for the masterplan for the Art Museum, but several years and several years on the FEMA floodplain mapping.

Councilman Ollis expressed his delight the project is moving forward. He noted this is the first step of the masterplan for the Art Museum and expressed his opinion this project will be transformational for the community. Councilman Ollis expressed his support for the project and encouraged the other Council members to do the same.

Mr. Smith noted he needed to clarify the second part of Councilman Schilling's question related to grant funds. He noted if the project is not awarded by the end of June, the City will lose \$450,000 in grant funds.

Councilman Simpson asked if there is Ozark Greenways planned work on the Fassnight Creek Trail connected to this project.

Mr. Smith answered affirmatively. He noted they have been awarded grant funds through the Ozark Transportation Organization to construct the trail and make the connection to the Art Museum from Grant Street.

Councilman Simpson expressed his agreement with Councilman Ollis and noted he plans to support the project.

Mayor Pro Tem Ferguson noted learning up to \$450,000 in grant funds could be lost is important in deciding on the project. She expressed she will be supporting the project based on losing grant funds, the \$7 million in the reserve fund and the confidence of City Staff.

Council Bill 2020-088. Special Ordinance 27314 was approved by the following roll call vote: Ayes: Hosmer, Ollis, Lear, McGull, Simpson, Schilling, Ferguson, Fisk and McClure. Nays: None. Absent: None. Abstain: None.

**Hamilton & Dad
bid for Stormwater
Improvements in
the Beechwood
Heights
Neighborhood**

Sponsor: McGull. Council Bill 2020-089.

A special ordinance approving the plans and specifications for Stormwater Improvements in the Beechwood Heights neighborhood; accepting the bid of Hamilton & Dad, Inc., in the amount of \$1,483,768.65 for the project; and authorizing the City Manager, or his designee, to enter into a contract with such bidder.

Mayor McClure noted public hearing was held on May 4, 2020 for the proposed, and that it is now in front of Council for consideration. He asked for questions or comments from members of Council.

Councilman McGull noted he spoke with citizens in the Beechwood Heights neighborhood regarding the flooding and the citizens expressed how happy they are the flooding is being addressed. He encouraged fellow Council members to vote in favor of the proposed.

Council Bill 2020-089. Special Ordinance 27315 was approved by the following roll call vote: Ayes: Ollis, Lear, McGull, Simpson, Schilling, Ferguson, Fisk, Hosmer and McClure. Nays: None. Absent: None. Abstain: None.

**Budget
Amendment for
the Department of
Public Works for
Employee Salaries
at the
Transportation
Management
Center**

Sponsor: Lear. Council Bill 2020-090.

A special ordinance authorizing the City Manager, or his designee, to enter into a Surface Transportation Program-Urban Program Agreement with the Missouri Highways and Transportation Commission; and amending the budget of the Department of Public Works for Fiscal Year 2019-2020, in the amount of \$332,000.00, for the purpose of partially reimbursing the base salaries of up to six City employees who operate and manage the Transportation Management Center.

Mayor McClure noted public hearing was held on May 4, 2020 for the proposed, and that it is now in front of Council for consideration. He asked for questions or comments from members of Council.

Council Bill 2020-090. Special Ordinance 27316 was approved by the following roll call vote: Ayes: Lear, McGull, Simpson, Schilling, Ferguson, Fisk, Hosmer, Ollis and McClure. Nays: None. Absent: None. Abstain: None.

**Encroachment
License
Agreement with
Ozarks Technical
Community
College**

Sponsor: Ollis. Council Bill 2020-091.

A special ordinance authorizing the City Manager, or his designee, to enter into an Encroachment License Agreement with Ozarks Technical Community College, to allow for the construction, installation and maintenance of pedestrian lighting and associated conduit along the 900 – 1000 block of East Pythian Street.

Mayor McClure noted public hearing was held on May 4, 2020 for the proposed, and that it was now in front of Council for consideration. He asked for questions or comments from members of Council.

Councilman Simpson noted he is employed by OTC and therefore will recuse himself.

Council Bill 2020-091. Special Ordinance 27317 was approved by the following roll call vote: Ayes: McGull, Schilling, Ferguson, Fisk, Hosmer, Ollis, Lear and McClure. Nays: None. Absent: Simpson. Abstain: None.

**Changes to the
Articles of
Incorporation of
the Ozarks
Transportation
Organization**

The following bill appeared on the agenda under Resolutions.

Sponsor: Ollis. Council Bill 2020-095.

A Resolution adopting a Resolution approving changes in the Articles of Incorporation of the Ozarks Transportation Organization regarding the distribution of assets upon dissolution.

Dan Smith, Director of Public Works, noted at one time Springfield was the only member of the Ozark Transportation Organization (OTO) and now the membership includes Christian and Greene counties, Battlefield, Nixa, Ozark, Republic, Springfield, Strafford and Willard. He noted the original bylaws indicated if OTO was dissolved the assets would go to Springfield; however, with the addition of additional members the bylaws need to be updated and would reflect if OTO were to dissolve, the assets would be divided among members proportionately based on dues paid to OTO. Mr. Smith noted Springfield pays in the largest amount of dues because the population is the highest. He clarified OTO is not dissolving, nor is there anticipation of dissolution; the proposed would clean up the language and reflect the current situation.

Councilman Schilling asked how much Springfield commits to OTO and what is the annual budget of OTO.

Mr. Smith noted to answer accurately, he would need to come back with a written response, as he only knows approximations.

Jason Gage, City Manager, noted OTO is strong and the proposed brings the language up to date to reflect the organization's growth. He would be happy to provide follow-up.

Councilman Schilling noted a written response is acceptable.

Councilman Lear noted he is on the OTO board and participated in the OTO meeting regarding the bylaws. He noted this is clean up language to the bylaws. Councilman Lear also noted if OTO dissolved, most of the assets are office equipment, not heavy fiscal matter.

Council Bill 2020-095. Resolution 10507 was approved by the following roll call vote: Ayes: Simpson, Schilling, Ferguson, Fisk, Hosmer, Ollis, Lear, McGull and McClure. Nays: None. Absent: None. Abstain: None.

EMERGENCY BILLS

PUBLIC IMPROVEMENTS

The following bill appeared on the agenda under Grants.

**Federal Aviation
Administration,
Coronavirus Aid,
Relief, and
Economic Security
Act Grant**

Sponsor: Hosmer. Council Bill 2020-096.

A Special Ordinance authorizing the City Manager, or his designee, to apply for and accept a grant from the United States Department of Transportation, Federal Aviation Administration, as part of the Coronavirus Aid, Relief, and Economic Security Act, to the City, by and through the Springfield-Branson National Airport Board in an amount of \$9,259,051.00, for the purpose of providing funds for the Springfield-Branson National Airport Board to prevent, prepare for, and respond to the impacts of the COVID-19 public health emergency; amending the budget of the Airport Board for Fiscal Year 2019-2020 in the amount of \$9,259,051.00; and declaring that this bill qualifies for approval in one reading.

Brian Weiler, Director of Aviation, provided a brief overview of the proposed. He noted the \$9.2 million is part of the Coronavirus Aid, Relief, and Economic Security Act (CARES). He noted COVID-19 has had a devastating impact on the economy and especially to aviation. Mr. Weiler noted the CARES Act funds are fairly flexible but can only be used for the airport. He noted the airport intends to use the funds to offset revenue loss in parking, car rental and concessions; to make debt service payments on the terminal; and, for employee salaries and benefits. He noted one of the conditions of the grant fund is retaining 90% of airport employees through the end of the year and they have four years to spend the funds.

Councilman McGull asked how airport travel has been reduced by COVID-19.

Mr. Weiler answered Springfield has mirrored the national scene and noted the April numbers are down 93% compared to April 2019. He noted in May there have been slow and steady increases.

Mr. Weiler answered Ozark Technical College's flight school is back up and running.

Council Bill 2020-096. Special Ordinance 27318 was approved by the following roll call vote: Ayes: Schilling, Ferguson, Fisk, Hosmer, Ollis, Lear, McGull, Simpson and McClure. Nays: None. Absent: None. Abstain: None.

AMENDED BILLS

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

Council Bill 2020-097 and Council Bill 2020-098 were read together.

**Springfield IDEA
Commons Tax
Increment
Financing Plan**

Sponsor: Ferguson. Council Bill 2020-097.

A Special Ordinance approving the Springfield IDEA Commons Tax Increment Financing Plan, establishing a redevelopment area, designating the redevelopment area as a blighted area, making other required findings for the redevelopment plan and directing staff to implement the redevelopment plan.

**Springfield IDEA
Commons Tax
Increment
Financing Project**

Sponsor: Ferguson. Council Bill 2020-098.

A Special Ordinance approving a Redevelopment Project for the IDEA Commons Tax Increment Financing Plan and initiating tax increment financing therein.

Sarah Kerner, Director of Economic Development, provided a brief overview of the proposed. She provided background information on the Tax Increment Financing (TIF) Act (state law) and City policies. She reviewed: eligible activities, the elements of a TIF plan, the TIF process, the definition of Blight under TIF and TIF redevelopment plan and agreement. Ms. Kerner then reviewed the Innovation Design Entrepreneurship Art (IDEA) Commons TIF plan, the IDEA Commons redevelopment plan, the Blight study, existing conditions (pictures) and discussion of the fire on Tuesday, May 12, 2020 at the proposed location.

Councilman Schilling asked if the cause of the fire had been determined and if the property is privately owned or has the property been secured by the developer.

Ms. Kerner noted the developer, Vecino, owns the building, construction fencing and signage has been erected and the City's Building Development Services departments believes the building is dangerous and people may still seek shelter there. She noted the cause of the fire has not been officially announced.

Ms. Kerner continued with her overview. She reviewed the IDEA Commons TIF redevelopment plan, objectives and the comprehensive plan.

Mayor Pro Tem Ferguson asked if there are any plans to include changes to Founder's Park.

Ms. Kerner answered not as part of this plan.

Ms. Kerner continued with her overview. She reviewed the project sources and uses and described funding.

Councilman Schilling clarified the developer, Vecino, would be erecting the \$25 million office building.

Ms. Kerner answered affirmatively.

Councilman Schilling clarified the JVIC (Jordan Valley Innovation Center) expansion would be paid for by new market tax credits.

Ms. Kerner answered affirmatively.

Councilman Schilling clarified it is \$14.3 million for the JVIC expansion and therefore a large portion of the tax credits.

Ms. Kerner noted the developer is at the meeting and would be able to give an exact number on tax credits versus private investment.

Councilman Hosmer asked if the 50% related to sales tax is a cap of if that was a decision made by the City and the developer.

Ms. Kerner noted 50% is a state law restriction. She noted you can lower the rate, but not exceed 50%.

Councilman Hosmer clarified \$3 million of the reimbursement would go to Missouri State University (MSU).

Ms. Kerner answered affirmatively.

Councilman Hosmer clarified this would be utilized for the parking garage.

Ms. Kerner answered affirmatively.

Councilman Hosmer asked if the public would be allowed to use the parking garage.

Ms. Kerner answered Missouri State is a public institution. She also noted not all the details for the parking garage have been determined but part of the parking garage would be for the office building and another portion to serve Missouri State students as it is replacing existing parking.

Dave Martin from Gilmore and Bell, Economic Development Counsel to the City, noted the parking garage is community funded and therefore by virtue will have a nature of public use.

Councilman Hosmer asked if public use meant Missouri State or City of Springfield residents.

Mr. Martin noted, under state law, MSU's use would be sufficient for public use.

Councilman Hosmer asked if there is anything restricting public use of the parking garage.

Mr. Martin answered he has not seen anything that would restrict public use, but the primary justification used in planning was use by MSU.

Ms. Kerner continued with her overview. She reviewed local TIF deal points, local TIF revenue projections, the project schedule, general policies for economic development incentives, TIF policies and project applications, a summary of the project and the request being made of Council.

Dave Martin noted the plan is being offered as amended. He reviewed reasons for the amendment noting a feasibility analysis, rent per square foot of office space, a new affidavit for the developer and the return on investment with and without TIF. He noted the exhibits needed to be formally offered for the exhibits to be entered into the record.

Ms. Kerner answered affirmatively. She formally offered the exhibits that were attached to the council bill.

Mayor McClure expressed his gratitude to Ms. Kerner and noted this project has been in development for quite some time. He expressed his excitement about the project and the collaborative effort with Missouri State. He noted this is a key project under the economic vitality umbrella on the square.

Councilman McGull expressed his gratitude to Ms. Kerner for a thorough job on the presentation. He expressed his opinion the project would improve the downtown footprint, remove a blighted area, bring jobs and the ancillary business that will occur because of the improvement. Councilman McGull expressed his opinion this project is part of the comprehensive plan of making this city a premier city for the 21st century. He noted he supports the project and encouraged his fellow Council members to vote in favor of the proposed.

Councilman Hosmer asked what the local TIF is proposed to generate.

Ms. Kerner answered \$3.3 million.

Councilman Hosmer asked what the state TIF is proposed to generate.

Ms. Kerner answered \$11 million.

Councilman Hosmer clarified if both the City of Springfield and MSU would be reimbursed by the TIF.

Ms. Kerner answered affirmatively.

Councilman Hosmer asked if the City's commitment is \$3.2 million and MSU's commitment is \$3 million, where will the rest of the TIF come from?

Dave Martin answered the difference will come from interest. He noted the plan anticipates the reimbursable project costs both to the City and MSU will bear interest at 6%.

Councilman Hosmer clarified the \$6.3 million over time is \$11 million.

Mr. Martin answered affirmatively.

Councilman Hosmer clarified MSU would be reimbursed first and then the City of Springfield.

Mr. Martin answered affirmatively.

Councilman Hosmer asked if there were any other parties to be reimbursed.

Mr. Martin answered just the two (MSU and the City of Springfield).

Councilman Hosmer asked for the value of the blight.

Ms. Kerner answered blight is not a requirement of Chapter 100. She noted they are using the Chapter 100 to clear the property taxes for the TDD to capture all of them as a special assessment and use them to repay the Missouri Development finance loan on the parking garage. She noted the loan is \$9 million with interest.

Councilman Ollis noted he would like to echo Councilman McGull's comments. He expressed his opinion the proposed is a game changing project for the community. He noted he is part of the TIF commission and the TIF commission did review the proposed and the commission voted unanimously to recommend the proposed to Council.

Councilman Schilling asked the estimate of job creation.

Ms. Kerner answered the estimated number of jobs is included in the state TIF plan and she referred the question to Dave Martin.

Mr. Martin answered the estimate of job production, based on information from Vecino and MSU, is 682 jobs will be produced. He noted the office building will produce just over 500 full-time jobs and 100 part-time jobs and the JVIC will produce 40 full-time jobs, as well as other jobs in areas such as food service.

Councilman Schilling asked if these would be higher paying jobs.

Mr. Martin answered affirmatively. He noted two reasons: one, JVIC jobs are high tech jobs and they typically pay more, and two, the office building is intended to be very elegant and simply by virtue of renting in the office building it is likely the jobs located there will be higher paying jobs.

Danny Collins, developer with the Vecino Group, spoke in favor of the proposed. He noted this is part of a long master plan to erect an IDEA Commons. He described the master plan and location, how the first area was chosen, he noted this project is broken into five different projects and he provided renderings and explanations of project.

Councilman McGull asked how many spaces will be in the parking garage.

Mr. Collins answered 404 spaces, an increase of 206 spaces.

There being no additional speakers the public hearing was declared closed.

Councilman Simpson motioned to table Council Bill 2020-098 until April 30, 2021.

Mayor McClure clarified Councilman Simpson was motioning to table Council Bill 2020-098 until the project is completed and because taxes are not currently being collected. Mayor McClure asked Council if they understood the motion. Councilman Schilling asked for clarification. Mayor McClure asked Ms. Kerner to explain. Ms. Kerner explained the project area needs to be put on hold until immediately before completion of the project area in order to maximize taxes.

Ms. Cotter noted the proposed may be removed from the table at any time.

Mayor McClure asked if there was a second to Councilman Simpson's motion.

Councilman Schilling seconded the motion.

The motion was approved by the following roll call vote: Ayes: Fisk, Hosmer, Ollis, Lear, McGull, Simpson, Schilling, Ferguson and McClure. Nays: None. Abstain: None.

Mayor McClure noted Council will vote on Council Bill 2020-097 at the June 1, 2020 City Council Meeting.

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

Improvement to the intersection of Missouri Highway 13 (a/k/a Kansas Expressway) and Sunset Street

Sponsor: Schilling. Council Bill 2020-099.

A Special Ordinance authorizing the City Manager or his designee to enter into a Municipal and Cost Apportionment Agreement with the Missouri Highways and Transportation Commission to share costs associated with the improvement to the intersection of Missouri Highway 13 (a/k/a Kansas Expressway) and Sunset Street; and amending the budget of the Department of Public Works for Fiscal Year 2019-2020 in the amount of \$1,092,743.20.

Dan Smith, Director of Public Works, provided a brief overview of the proposed. He noted this project was listed on the ¼ cent project list citizens voted on in November 2019. Mr. Smith noted this project will improve safety, capacity, replace the traffic signal, infrastructure and bring pedestrian structures into ADA compliance.

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

Improvements to the intersection of Missouri Highway 13 (a/k/a Kansas Expressway) and Walnut Lawn Street

Sponsor: Schilling. Council Bill 2020-100.

A Special Ordinance authorizing the City Manager or his designee to enter into a Municipal and Cost Apportionment Agreement with the Missouri Highways and Transportation Commission to share costs associated with improvements to the intersection of Missouri Highway 13 (a/k/a Kansas Expressway) and Walnut Lawn Street; and amending the budget of the Department of Public Works for Fiscal Year 2019-2020 in the amount of \$1,237,858.00.

Dan Smith, Director of Public Works, provided a brief overview of the proposed. He noted this project was listed on the ¼ cent list citizens voted on in November 2019. He noted this is a cost sharing with the Missouri Department of Transportation (MoDOT), with 80% federal funding. Mr. Smith noted this project will improve safety, capacity, replace the traffic signal, infrastructure and bring pedestrian facilities into ADA compliance.

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

**James River Basin
Partnership for
Stormwater
Improvement
Project to
Fassnight Creek**

Sponsor: Schilling. Council Bill 2020-101.

A Special Ordinance authorizing the City Manager, or his designee, to enter into a partnership with the James River Basin Partnership and to receive federal funds through the James River Basin Partnership for the purpose of a Stormwater Improvement Project to Fassnight Creek at the Springfield Art Museum, and amending the budget of the Department of Public Works for Fiscal Year 2019-2020 in the amount of \$141,500.00.

Dan Smith, Director of Public Works, provided a brief overview of the proposed. He noted this is the third grant to assist with the stormwater project at the Art Museum. He noted the James River Basin Partnership has \$141,500 of federal funds coming through their organization. Mr. Smith noted the total of the three grants is just under \$630,000.

Brent Stock, Executive Director of James River Basin Partnership, noted James River Basin Partnership is a 501c3, non-profit based in Springfield. He noted the focus of James River Basin Partnership is improving and protecting water quality. Mr. Stock noted passing \$141,500 to the Fassnight Creek project assists James River Basin Partnership to meet grant objectives. He expressed his belief the proposed would assist with water quality, educational opportunities and beautifying the area around the Art Museum.

There being no additional speakers the public hearing was declared closed.

**Missouri
Foundation for
Health COVID-19
Testing Materials**

Sponsor: Ollis. Council Bill 2020-102.

A Special Ordinance authorizing the City Manager, or his designee, to accept a grant from the Missouri Foundation for Health for the purchase of COVID-19 testing materials in the amount of \$364,000.00; entering into necessary agreements to carry out the grant; and amending the budget of the Springfield-Greene County Health Department for Fiscal Year 2019-2020 in the initial amount of \$84,000.00, to appropriate the grant funds.

Katie Towns, Assistant Director of Health, provided a brief overview of the proposed. She noted as a response to COVID-19 they began seeking testing from multiple sources. Ms. Towns noted the Health Department began working several months ago with the Missouri Foundation for Health in securing options to allow the Health Department to purchase equipment to facilitate testing internally. She noted the testing would be used as a key for investigation and for asymptomatic populations. She noted the proposed is requesting the acceptance of up to \$364,000 from the Missouri Foundation for Health, with an initial disbursement of \$84,000 to purchase 13,000 tests.

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

Council Bill 2020-103, Council Bill 2020-104 and Council Bill 105 were read together.

**Refunding Bonds
Improvements to
Dan Kinney Park**

Sponsor: Fisk. Council Bill 2020-103.

A Resolution acknowledging a Base Lease between the City of Springfield, Missouri, by and through the Springfield-Greene County Park Board, and Greene County, Missouri, and a Lease Agreement between the Park Board and Greene County; authorizing the execution of documents related to the Base Lease, the Lease Agreement and the issuance of Bonds by Greene County, Missouri, for refunding certain bonds previously issued to fund improvements to Dan Kinney Park; and prescribing certain related matters. (Park Board recommends approval.)

**Addendum to
Agreement of the
Springfield-Greene
County Park
Board and City
Utilities**

Sponsor: Simpson. Council Bill 2020-104.

A Resolution acknowledging a Third Amendment to the Third Addendum to Agreement of the Springfield-Greene County Park Board and City Utilities of Springfield, Missouri, and City Utilities' Consent to Security Interest between the Park Board and the City of Springfield for the use and benefit of the Board of Public Utilities of Springfield, Missouri. (Park Board recommends approval.)

**Addendum to
Interlocal
Governmental
Agreement
City/County Park
Initiative**

Sponsor: Hosmer. Council Bill 2020-105.

A Special Ordinance authorizing the City Manager, or his designee, on behalf of the City of Springfield, to enter into a Third Addendum to Interlocal Governmental Agreement City/County Park Initiative dated August 21, 2001; and authorizing certain other documents and actions in connection therewith. (Park Board recommends approval.)

Lana Woolsey, Assistant City Attorney, provided a brief overview of the proposed. She provided background information regarding the Park Board and City Utilities. She noted the Park Board and City Utilities have worked together for years and the Park Board has been able to lease City Utility properties and operate the properties as parks. She noted the Park Board leased a property in 2006 and operated the property as Dan Kinney Park. Ms. Woolsey further noted in 2011 the property was approved for \$7

million in bonds through the county for improvements. Ms. Woolsey noted the Park Board would like to refinance the bonds at a lower rate for debt savings through Greene County. She reviewed the refinance plan, park sales tax funds, reserve amounts, maturity date, out of pocket costs and no early payoff opportunities. Ms. Woolsey noted the first bill of the proposed is a resolution and acknowledges a new base lease between the Park Board and Greene County. The second bill is a resolution amending the lease between the Park Board and City Utilities. The third bill is a special ordinance that allows a portion of the park sales tax to be used to repay the new bond refinancing.

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

Mayor McClure clarified the procedure. He noted Council Bill 2020-103 and Council Bill 2020-104 are resolutions and are before Council now. Council Bill 2020-105 is a bill to be considered at the City Council Meeting on June 1, 2020

Council Bill 2020-103. Resolution 10508 was approved by the following roll call vote: Ayes: Simpson, Schilling, Ferguson, Fisk, Hosmer, Ollis, Lear, McGull and McClure. Nays: None. Absent: None. Abstain: None.

Council Bill 2020-104. Resolution 10509 was approved by the following roll call vote: Ayes: Schilling, Ferguson, Fisk, Hosmer, Ollis, Lear, McGull, Simpson and McClure. Nays: None. Absent: None. Abstain: None.

**Definition of a
'Short-Term Loan
Establishment'**

Sponsor: Lear. Council Bill 2020-106.

A General Ordinance amending the Springfield City Code, Chapter 70, 'Licenses, Permits and Miscellaneous Business Regulations,' Article XVIII, 'Short-Term Loan Establishments,' Section 70-727, 'Definitions' to revise the definition of a 'Short-Term Loan Establishment.'

Rhonda Lewsader, City Attorney, provided a brief overview of the proposed. She noted at the last City Council meeting regulations were adopted for short-term loan establishments, but the regulations were not intended to apply to traditional installment loan lenders; therefore, the proposed would revise the definition of short-term loan establishments to make it clear that the definition does not apply to traditional installment establishments.

Councilman Lear noted that pay day loan lenders often also offer installment loans. He asked this would relate to the licensure of an entity that offers both.

Ms. Lewsader answered under the City's regulations to the extent the entity offers pay day loans, they would need to obtain a pay day loan permit and to the extent they are offering installment loans the entity would not need a permit for that portion of their business.

Councilman Lear clarified that the adopted regulations would still have the anticipated effect.

Ms. Lewsader answered affirmatively.

Councilman Hosmer asked for the definition of a traditional installment loan lender or what business traditional installment lenders are as listed by state statute.

Ms. Lewsader answered she did not have the state statute with her, but the difference is that payments are made in installments, there is a pay-off date and there are particular payments throughout the installment.

Councilman Hosmer clarified the City would be adopting the definition of the state statute.

Ms. Lewsader answered affirmatively.

Councilman Hosmer expressed concern about the proclivity of the State Legislature to protect pay day loan establishments and expressed concern with relying on the State's definition, as the legislature has the ability to modify the definition at a later date. He expressed his opinion he would rather add language defining a traditional installment lender.

Ms. Lewsader answered a problem may arise if the Legislature changes the definition and the City's definition doesn't match, then the City could be violation a State law by requiring the permits.

Councilman Hosmer expressed his concern and posed the hypothetical question, what if the State says pay day loan lenders are now traditional installment lenders.

Ms. Lewsader answered the City would be preempted under Senate Bill 599 and Senate Bill 599 does not allow a city to have any disincentives to an installment loan lender.

Councilman Hosmer clarified a city would still be preempted even if they had adopted regulations prior to a change by the State Legislature.

Ms. Lewsader answered it would depend on the way the legislation was drafted, as there is a possibility the City could be grandfathered in.

Councilman Hosmer expressed his concern over abdicating our definition of pay day loan establishments to the State Legislature.

Councilman Ollis clarified if an establishment offered both pay day loans and traditional installment loans but changed their operation to only offer traditional installment loans, the City would no longer be able to charge a fee.

Ms. Lewsader answered affirmatively. She also noted at this time there is not a fee and a fee will not be imposed until it has passed a public vote.

Councilman Ollis asked if traditional installment loan lenders charge a much higher interest rates than regular loans.

Ms. Lewsader answered she was unsure of the interest rates. She noted the working group viewed installment loans more favorably than pay day loans.

Jason Gage, City Manager, asked if the definition was left as is or if the definition is changed to address pay day loan lenders that also offer installment loans and may change to only offering installment loans, would the fee and regulations be applied to all installment loan lenders.

Ms. Lewsader answered the regulations are not drafted to capture pay day loan lenders changing their business model to installment lenders. She noted the regulation is aimed at the service the entity is providing.

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

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

Mary Jo Harst wishes to address Council. Ms. Harst did not appear.

Daniel Larsson wishes to address Council. Mr. Larsson did not appear.

The following item appeared on the agenda under New Business.

The Mayor recommends the following appointment the Springfield-Greene County Public Library Board: Michelle Moulder to fill the unexpired term of William Garvin. Michelle Moulder's term will expire July 2, 2021.

UNFINISHED BUSINESS

MISCELLANEOUS

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

Sponsor: Ferguson. Council Bill 2020-107.

A Special Ordinance authorizing the City Manager or his designee to enter into a First Supplemental Municipal and Cost Apportionment Agreement with the Missouri Highways and Transportation Commission to modify the payment schedule between the City of Springfield and the Missouri Highways and Transportation Commission.

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

Sponsor: Lear. Council Bill 2020-108.

A Special Ordinance authorizing the City Manager, or his designee, to enter into a Memorandum of Understanding with the Missouri Department of Health and Senior Services for the purpose of supplying Naloxone, as well as training on proper administration and storage of Naloxone, to Springfield Police Department officers for the treatment of individuals suffering from an apparent opiate-related overdose.

Council Bill 2020-108. Special Ordinance 27319 was approved by the following roll call vote: Ayes: Fisk, Hosmer, Ollis, Lear, McGull, Simpson, Schilling, Ferguson and McClure. Nays: None. Absent: None. Abstain: None.

CONSENT AGENDA SECOND READING BILLS

END OF CONSENT AGENDA.

Motion to Adjourn Councilman Lear moved to Adjourn. Councilman Simpson seconded the motion, and it was approved by the following vote. Ayes. Lear, Simpson, Schilling, Ferguson, Fisk, Ollis and McClure. Nays. McGull and Hosmer. Absent. None. Abstain. None. The meeting adjourned at 8:45 p.m.



Anita J. Cotter, CMC/MRCC
City Clerk

Prepared by
Monica Paxton