

June 15, 2020
Springfield, Missouri

The City Council met in regular session June 15, 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.

Mayor McClure provided an update on Officer Mark Priebe. He noted after being intentionally struck by a vehicle outside of Springfield Police Headquarters, Officer Priebe sustained extensive and serious injuries, including multiple rib fractures and a spinal cord injury. Mayor McClure noted Officer Priebe will have a long and extensive road to recovery and asked for prayers for Officer Priebe's family.

Roll Call

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

*Members attending via videoconference.

Minutes

The minutes of June 1, 2020 City Council meeting and June 9, 2020 and June 10, 2020 Special City Council meetings 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, provided an update on Officer Mark Priebe. He noted the City of Springfield and the Springfield Police Department (SPD) appreciates the overwhelming outpouring of support from the community following last Tuesday's tragic incident involving veteran SPD Officer Mark Priebe. He noted after being intentionally struck by a vehicle outside of Springfield Police Headquarters, Officer Priebe sustained extensive and serious injuries, including multiple rib fractures and a spinal cord injury. Mr. Gage noted this incident is a terrible reminder of the danger our men and women put themselves in every day to keep us safe. He also noted late Tuesday Officer Priebe had surgery to stabilize his spine and the surgery went well. Mr. Gage noted Officer Priebe will be completing physical rehabilitation out of state. He expressed despite the challenging road ahead, Officer Priebe and his wife Heather maintain a positive and hopeful attitude.

Mr. Gage noted the Phase 3 of the City's Road to Recovery started today, lessening certain restrictions of business and community activities. He noted the order is effective June 15-July 15, 2020; however, it will be reviewed prior to July 5, 2020 when it could change if the City is ready to move into phase 4. Mr. Gage explained the Phase 3 order increases the percentage of occupancy restriction in most categories to 50%, which is a formula created to maximize physical distancing. He noted all businesses and organizations are required to carry out, to the greatest degree possible the Centers for Disease Control & Prevention-recommended cleaning guidelines and social distancing. Mr. Gage noted for businesses and organizations open to the public and requiring persons in areas to wear a mask or other facial cover at all times, distance has

been reduced to at least three feet. Mr. Gage noted contact sports are allowed in Phase 3.

Mr. Gage provided an update on body cameras for SPD. He referred to the potential of funding body cameras from the “pot-hole” funds. Mr. Gage noted “pot-hole” funds are allocated each year out of the ¼ Cent Capital Improvement Sales Tax and are listed in the annual Capital Improvement Program (CIP) report as “Minor Neighborhood Improvements”. Mr. Gage noted Zone council members currently have approximately \$606,000 in “pot-hole” funds as of today. He noted another \$200,000 is available July 1, 2020 with the approval of the FY2021 Proposed Budget, totaling \$806,000. Mr. Gage noted a 2020-2021 budget amendment is not necessary to expend these funds. He noted Law and Finance has determined that body cameras and related annual maintenance costs do meet the criteria for “capital improvement” as required. Mr. Gage noted staff is working on the purchasing process for this equipment. He noted other areas of review include the operational impact to the municipal court and circuit court systems and ongoing costs for handling, reviewing and dissemination of this new electronic evidence. Mr. Gage noted more information regarding this impact will come later. Mr. Gage then reviewed the current estimated cost to purchase a total of 240 body worn cameras, including the first year of annual maintenance/licensing as estimated by SPD is approximately \$612,000. He noted there are two components of ongoing City costs that require a funding source:

1. Annual maintenance/license (CAD integration for auto-correlation, redaction, judicial sharing, unlimited cloud storage in Command Central for unlimited agency-wide users) approximately \$120,000 per year after the first year. This cost could be paid out of future pot-hole funds or would need a funding source.
2. Additional staffing requirement for SPD administration (two persons) at an annual cost of approximately \$80,000 per year. In addition, the municipal court/prosecutor’s office would need one additional legal technician at an annual cost of approximately \$43,000. These positions would require an additional funding source.
3. We do not yet know the cost or efficiency impact of body worn cameras to the rest of the judicial system.

Mr. Gage concluded based on current pricing, to continue the body worn camera program for an additional 5-year cycle would cost an estimated \$200,000 per year, on average. He noted the process will take approximately three months to put in place.

Councilman Simpson expressed his gratitude to the City Manager and the Chief of Police for their hard work on this issue. He clarified Council would not be voting tonight on body cameras for SPD.

Mr. Gage answered affirmatively.

Councilman Lear clarified there is nothing else Council needs to do or any formal action to be taken for the City to continue with the body camera project for SPD at this time.

Mr. Gage answered affirmatively.

Clay Goddard, Director of Health. Mr. Goddard provided an update on COVID-19. He noted today is the first day of Phase 3 and transitions to increased personal and corporate responsibility. Mr. Goddard noted the most recent cases fit into two main themes, large gatherings where a sick person attends and sharing of vape pens. He reminded Council the virus is spread via respiratory droplets. Mr. Goddard explained comparison results to other Midwest counties with city populations greater than 100,000 and noted Springfield continues to have the lowest rate at 74 cases per 100,000 (versus Columbia at 114 per 100,000; Rochester, Minnesota has 491 per 100,000; and, Sioux Falls, South Dakota has the highest at 1,148 per 100,000). He noted there has been a shift in epicenters in Missouri from metro areas to out state and usually due to travel. Mr. Goddard noted often the travel has been within an hour's distance of Springfield. He expressed concern if neighboring health care systems become overwhelmed, patients will spill over to Springfield's health care systems. Mr. Goddard noted there is continued concern for the disproportionate number of cases in racial and ethnic categories. He noted a significant group in Northwest Arkansas is the Latinx population and often this is due to language barriers, as well as fear of institutions, government, and job loss. Mr. Goddard reiterated testing is not a barrier in Greene County, anyone can be tested, and testing is confidential. He noted as of today there are 235 confirmed cases in Greene County, 10 currently hospitalized, 161 in quarantine, and almost 15,000 have been tested in Greene County.

Mayor McClure expressed his gratitude to Mr. Goddard for keeping Council apprised of the situation and developments.

Councilman Simpson complimented Mr. Goddard on his national television report and speaking to the Great Clips outbreak and sharing his case study results on wearing masks.

Mr. Goddard thanked Councilman Simpson and expressed his opinion he hopes people will take away the best practice of wearing a mask in crowded situations.

Mayor McClure thanked Mr. Goddard and noted based on Mr. Goddard's findings, a change was made to the order regarding social distancing and masking.

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

**Rezoning of 2607
North Mulroy
Road**

Sponsor: McGull. Council Bill 2020-113.

A General Ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 68 acres of property generally located at 2607 North Mulroy Road from Planned Development 225 and HM, Heavy Manufacturing District with Conditional Overlay

District No. 94 to IC, Industrial Commercial District and establishing Conditional Overlay District No. 185; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission both recommend approval.)

Mayor McClure noted public hearing was held on June 1, 2020 on the proposed and is now in front of Council for consideration. He asked for questions or comments from members of Council.

There being no questions or comments, Mayor McClure called for a roll call vote.

Council Bill 2020-113. General Ordinance 6597 was approved by the following roll call vote: Ayes: Lear, McGull, Simpson, Ferguson, Fisk, Hosmer, Ollis and McClure. Nays: None. Absent: Schilling. Abstain: None.

**Rezoning of 2001
East Commercial
Street**

Sponsor: McGull. Council Bill 2020-114.

A General Ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 2.16 acres of property generally located at 2001 East Commercial Street from GM, General Manufacturing District to HM, Heavy Manufacturing District; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission both recommend approval.)

Mayor McClure noted public hearing was held on June 1, 2020 on the proposed and is now in front of Council for consideration. He asked for questions or comments from members of Council.

There being no questions or comments, Mayor McClure called for a roll call vote.

Council Bill 2020-114. General Ordinance 6598 was approved by the following roll call vote: Ayes: McGull, Simpson, Ferguson, Fisk, Hosmer, Ollis, Lear and McClure. Nays: None. Absent: Schilling. Abstain: None.

**Rezoning of 6320
South Creeksedge
Drive**

Sponsor: Simpson. Council Bill 2020-115.

A General Ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 0.28 acres generally located at 6320 South Creeksedge Drive from Planned Development No. 318 to Planned Development No. 373; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission both recommend approval.)

Mayor McClure noted public hearing was held on June 1, 2020 on the proposed and is now in front of Council for consideration. He asked for questions or comments from members of Council.

There being no questions or comments, Mayor McClure called for a roll call vote.

Council Bill 2020-115. General Ordinance 6599 was approved by the following roll call vote: Ayes: Simpson, Ferguson, Fisk, Hosmer, Ollis, Lear, McGull and McClure. Nays: None. Absent: Schilling. Abstain: None.

**Rezoning of 303
North Scenic
Avenue and 2711
West Olive Street**

Sponsor: Ferguson. Council Bill 2020-116.

A General Ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately one acre of property generally located at 303 North Scenic Avenue and 2711 West Olive Street from HC, Highway Commercial District and R-SF, Single-Family Residential District to R-TH, Residential Townhouse District; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission both recommend approval.)

Mayor McClure noted public hearing was held on June 1, 2020 on the proposed and is now in front of Council for consideration. He asked for questions or comments from members of Council.

There being no questions or comments, Mayor McClure called for a roll call vote.

Council Bill 2020-116. General Ordinance 6600 was approved by the following roll call vote: Ayes: Ferguson, Fisk, Hosmer, Ollis, Lear, McGull, Simpson and McClure. Nays: None. Absent: Schilling. Abstain: None.

**Conditional Use
Permit 443**

Sponsor: Schilling. Council Bill 2020-117.

A Special Ordinance granting Conditional Use Permit No. 443 for the purpose of authorizing an automotive service garage to operate within the GR, General Retail, district located at 2851 West Republic Road as a conditional use. (Staff and Planning and Zoning Commission recommend approval.)

Mary Lilly Smith, Director of Planning and Development, provided a brief overview of the proposed. She noted the proposed is appropriate for low-density housing and had been zoned general retail when annexed in 1996. Ms. Smith noted a conditional use permit is required for an automotive service garage in the general retail district, the proposed meets all 21 standards for a conditional use permit and must be in substantial conformance with the site plan.

Mayor McClure noted public hearing was held on June 1, 2020 on the proposed and is now in front of Council for consideration. He asked for questions or comments from members of Council.

There being no questions or comments, Mayor McClure called for a roll call vote.

Council Bill 2020-117. Special Ordinance 27328 was approved by the following roll call vote: Ayes: Ferguson, Fisk, Hosmer, Ollis, Lear, McGull, Simpson and McClure. Nays: None. Absent: Schilling. Abstain: None.

**Annexation of 851
West Farm Road
182**

Sponsor: Schilling. Council Bill 2020-118.

A General Ordinance amending Section 1-9 of the Springfield City Code, 'City Limits;' and amending Section 46-1 of the Springfield City Code, 'Boundaries of wards, precincts and council zones;' for the purpose of annexing approximately 10 acres of private property into the City of Springfield, Missouri, generally located at 851 West Farm Road 182 and referenced as Annexation A-3-2020. (Staff recommends approval.)

Councilman Simpson recused himself.

**Rezoning of 851
West Farm Road
182**

Sponsor: Schilling. Council Bill 2020-119.

A General Ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 9.84 acres of property generally located at 851 West Farm Road 182 from County R-1, Suburban Residence District to R-LD Low Density Multi-Family Residential District and establish Conditional Overlay District No. 183; and adopting an updated Official Zoning Map. (Staff recommends approval and Planning and Zoning Commission recommends denial.)

Councilman Simpson recused himself.

Councilman Lear explained the proposed has a valid protest petition and there is not a super majority to vote as Councilman Schilling is absent and Councilman Simpson has recused himself. Councilman Lear moved to table Council Bill 2020-118 and Council Bill 2020-119 until the June 29, 2020 City Council meeting. Councilman Ollis seconded the motion and it was approved by the following roll call vote: Ayes: Fisk, Hosmer, Ollis, Lear, McGull, Ferguson and McClure. Nays: None. Absent: Simpson and Schilling. Abstain: None.

**Preliminary Tax
Levy**

Sponsor: McClure. Council Bill 2020-120.

A Special Ordinance setting a preliminary tax levy on real and personal property for current expenses and debt retirement of the City of Springfield, Missouri, and its boards and agencies for Fiscal Year 2020-2021; and declaring an emergency.

Mayor McClure noted public hearing was held on June 1, 2020 on the proposed and is now in front of Council for consideration. He asked for questions or comments from members of Council.

There being no questions or comments, Mayor McClure called for a roll call vote.

Council Bill 2020-120. Special Ordinance 27329 was approved by the following roll call vote: Ayes: Lear, McGull, Simpson, Ferguson, Fisk, Hosmer, Ollis and McClure. Nays: None. Absent: Schilling. Abstain: None.

**2020-2021 City
Budget**

Sponsor: McClure. Council Bill 2020-121.

A Special Ordinance adopting a budget for the City of Springfield, Missouri, for the Fiscal Year beginning July 1, 2020, and ending June 30, 2021; providing that certain amounts shown in the budget document are appropriated for the various departments specified in said budget; and declaring an emergency.

Mayor McClure noted public hearing was held on June 1, 2020 on the proposed and is now in front of Council for consideration. He asked for questions or comments from members of Council.

There being no questions or comments, Mayor McClure called for a roll call vote.

Council Bill 2020-121. Special Ordinance 27330 was approved by the following roll call vote: Ayes: McGull, Simpson, Ferguson, Fisk, Hosmer, Ollis, Lear and McClure. Nays: None. Absent: Schilling. Abstain: None.

**Deletion of
References to
Special Business
District in City
Code**

Sponsor: Ollis. Council Bill 2020-122.

A General Ordinance amending Springfield City Code, Chapter 70, 'Licenses, Permits and Miscellaneous Business Regulations,' Article XIII, 'Special Business District,' and Chapter 106, 'Traffic and Vehicles,' Article II, 'Administration and Enforcement,' Division 2, 'Violations and Procedure Upon Arrest,' Section 106-96, 'Authority of persons appointed as conservators of the peace,' to delete all references to the now-terminated Downtown Springfield Special Business District.

Mayor McClure noted public hearing was held on June 1, 2020 on the proposed and is now in front of Council for consideration. He asked for questions or comments from members of Council.

There being no questions or comments, Mayor McClure called for a roll call vote.

Council Bill 2020-122. General Ordinance 6601 was approved by the following roll call vote: Ayes: Simpson, Ferguson, Fisk, Hosmer, Ollis, Lear, McGull and McClure. Nays: None. Absent: Schilling. Abstain: None.

**Comprehensive
Housing
Assistance
Program Rules
and Regulations
During a Declared
Emergency**

Sponsor: Fisk. Council Bill 2020-123.

A Special Ordinance adopting an amendment to the City's Comprehensive Housing Assistance Program Rules and Regulations by adding Chapter 12, 'Program Rules During a Declared Emergency,' which authorizes the City Manager to modify loan terms in response to certain federal, state and/or local emergency declarations. (Planning staff recommends approval.)

Mayor McClure noted public hearing was held on June 1, 2020 on the proposed and is now in front of Council for consideration. He asked for questions or comments from members of Council.

There being no questions or comments, Mayor McClure called for a roll call vote.

Council Bill 2020-123. Special Ordinance 27331 was approved by the following roll call vote: Ayes: Ferguson, Fisk, Hosmer, Ollis, Lear, McGull, Simpson and McClure. Nays: None. Absent: Schilling. Abstain: None.

**Amendment to
City's Commercial
Loan Program
Rules and
Regulations
During a Declared
Emergency**

Sponsor: Lear. Council Bill 2020-124.

A Special Ordinance adopting an addition to the City's Commercial Loan Program Rules and Regulations by adding Chapter 10, 'Program Rules During a Declared Emergency.' (Planning staff recommends approval.)

Mayor McClure noted public hearing was held on June 1, 2020 on the proposed and is now in front of Council for consideration. He asked for questions or comments from members of Council.

There being no questions or comments, Mayor McClure called for a roll call vote.

Council Bill 2020-124. Special Ordinance 27332 was approved by the following roll call vote: Ayes: Ferguson, Fisk, Hosmer, Ollis, Lear, McGull, Simpson and McClure. Nays: None. Absent: Schilling. Abstain: None.

**Intergovernmental
Agreement with
Missouri State
University and
Springfield Police
Department**

Sponsor: Hosmer. Council Bill 2020-125.

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.

Mayor McClure noted public hearing was held on June 1, 2020 on the proposed and is now in front of Council for consideration. He asked for questions or comments from members of Council.

There being no questions or comments, Mayor McClure called for a roll call vote.

Council Bill 2020-125. Special Ordinance 27333 was approved by the following roll call vote: Ayes: Fisk, Hosmer, Ollis, Lear, McGull, Simpson, Ferguson and McClure. Nays: None. Absent: Schilling. Abstain: None.

**Memorandum of
Understanding
with Willard R-II
School District
and Springfield
Police Department**

Sponsor: Lear. Council Bill 2020-126.

A Special Ordinance authorizing the City Manager, or his designee, to enter into a Memorandum of Understanding with Willard R-II School District regarding law enforcement services on Willard R-II School District properties located within the City of Springfield.

Mayor McClure noted public hearing was held on June 1, 2020 on the proposed and is now in front of Council for consideration. He asked for questions or comments from members of Council.

There being no questions or comments, Mayor McClure called for a roll call vote.

Council Bill 2020-126. Special Ordinance 27334 was approved by the following roll call vote: Ayes: Hosmer, Ollis, Lear, McGull, Simpson, Ferguson, Fisk and McClure. Nays: None. Absent: Schilling. Abstain: None.

**Infrastructure
Reimbursement
Agreement with
Costco**

Sponsor: Ollis. Council Bill 2020-132.

A Special Ordinance authorizing the City Manager, on behalf of the City of Springfield, to enter into an Infrastructure Reimbursement Agreement with Costco Wholesale Corporation, for improvements to South Eastgate Avenue and East Olive Street to facilitate the development of the property for the Costco development.

Mayor McClure noted public hearing was held on June 1, 2020 on the proposed and is now in front of Council for consideration. He asked for questions or comments from members of Council.

Councilman Simpson expressed his excitement for the proposed noting specifically above average wages and a comprehensive benefit package offered by Costco.

Councilman Ollis echoed Councilman Simpson's comments and expressed his opinion the proposed is a bellwether sign for Springfield and encourages future expansions.

Mayor McClure congratulated Ms. Smith and her staff on the proposed.

Council Bill 2020-132. Special Ordinance 27335 was approved by the following roll call vote: Ayes: Ollis, Lear, McGull, Simpson, Ferguson, Fisk, Hosmer and McClure. Nays: None. Absent: Schilling. Abstain: None.

The following bill appeared on the agenda under Resolutions.

**Deed Transfer
from Dickerson
Park Zoo to City
Utilities**

Sponsor: Ferguson. Council Bill 2020-134.

A Resolution authorizing the Mayor to execute a deed transferring title to a small portion of the Park Board's Dickerson Park Zoo real property from the Park Board to City Utilities for expansion of City Utilities' power substation.

Lana Woolsey, Assistant City Attorney, provided a brief overview of the proposed. She noted the proposed is a request to transfer .478 acres from the Park Board's Dickerson Park Zoo property to City Utilities for expansion of City Utilities' power substation. She noted City Utilities needs to expand the substation to meet the needs of the Zoo and the citizens in the area. Ms. Woolsey explained the Park Board did not have an intended use for this property and both parties have approved the transfer.

Mayor McClure noted public hearing was held on June 1, 2020 on the proposed and is now in front of Council for consideration. He asked for questions or comments from members of Council.

There being no questions or comments, Mayor McClure called for a roll call vote.

Council Bill 2020-134. Resolution 10513 was approved by the following roll call vote:
Ayes: Lear, McGull, Simpson, Ferguson, Fisk, Hosmer, Ollis and McClure. Nays:
None. Absent: Schilling. Abstain: None.

The following bills appeared on the agenda under Emergency Bills.

**CARES Act and
CDBG and
HOME Grants
Substitute 1**

Sponsor: Council. Council Bill 2020-109 S1.

A Special Ordinance authorizing the City Manager, or his designee, to accept additional Community Development Block Grant funds allocated by the U.S. Department of Housing and Urban Development from the Coronavirus Aid, Relief, and Economic Security Act emergency funding and to enter into any necessary agreements and exercise all powers necessary to select and implement any projects for funding; amending the Fiscal Year 2019 Annual Action Plan for the Community Development Block Grant and HOME Investment Partnerships Program; amending the budget of the City's Department of Planning and Development for Fiscal Year 2019 in the amount of \$916,138.00; and declaring that this Ordinance qualifies as a one-reading bill pursuant to City Charter Section 2.16(25). (Staff recommend approval.)

Mary Lilly Smith, Director of Planning and Development, provided a brief overview of the proposed. She noted the proposed had a reading two weeks ago and was then followed by a special Council lunch to discuss input received last week and have crafted a substitute bill. Ms. Smith noted the proposed allocates additional Community Development Block Grant (CDBG) funds received through the Coronavirus Aid, Relief, and Economic Security (CARES) Act previously designated as contingency funds to housing, directs staff to provide business assistance as forgivable loans, and directs staff to expedite housing assistance and homelessness assistance by amending contracts with service providers. She noted existing service providers have been contacted and have capacity to provide rental assistance. Therefore, the proposed could provide assistance to 200 families for three-month period with rental assistance. Ms. Smith noted the City is also working with the homelessness service providers to immediately get funds distributed. Ms. Smith explained funds will be borrowed from the CDBG accounts to jump start the process while waiting on funds from Housing and Urban Development (HUD). She noted previously the funds for business assistance was a loan and it would now be structured as a forgivable loan. Ms. Smith explained the loan could be up to \$10,000 for businesses negatively impacted by COVID-19 in order to retain jobs. Ms. Smith reviewed requirements such as the business must have been in operation at least one year prior to application, the number of employees to be retained, and a loan length of at least one year. Ms. Smith noted staff has worked diligently and starting tomorrow staff is ready to start the business programs and address waiting contracts.

Councilman McGull asked who will be processing the loans.

Ms. Smith answered they will be done in-house by the City.

Councilman Hosmer asked where the language about forgivable loans is in the proposed.

Ms. Smith answered Section 6 line 82.

Councilman Hosmer asked for clarification on job retention.

Ms. Smith answered the information is not listed in the ordinance. She noted it is consistent with the loan programs and Council grants staff the authority to make those rules. Ms. Smith explained staff have drafted Frequently Asked Questions (FAQs) addressing the requirements which will be published tomorrow.

Councilman Hosmer clarified the only language addressing job retention is what is listed on line 82. Councilman Hosmer asked if Council will be able to see the language.

Ms. Smith answered affirmatively. She noted the language can be provided and is ready to be published tomorrow.

Councilman Hosmer asked about the number of jobs retained required for a forgivable loan, how the impact from COVID-19 will be measured, terms are if the loan is not forgivable, and if the anticipation is most loans will be forgivable.

Ms. Smith reviewed the required number of employees to be retained and measurement for impact from COVID-19. She noted loans that are unforgivable will be amortized over 10 years at 2% interest and yes, the hope is most loans will be forgivable.

Councilman Hosmer clarified of the \$916,000, \$183,000 will to affordable housing and there is \$800,000 in the commercial loan fund.

Ms. Smith answered affirmatively and noted an additional \$200,000 will also be moved from the home loan fund to affordable housing.

Councilman Hosmer asked if the commercial loan funds will be subject to the same limitations.

Ms. Smith answered the commercial loan program is subject to much stricter limitations and noted loans are underwritten, must be collateralized, required job creation, and interest rates are tied to prime.

Councilman Hosmer asked if there is a higher need in the housing program than the amount of money appropriated.

Ms. Smith answered she did not know. She noted with the allocations, 200 families could be assisted with rent for three months and 40 businesses could be assisted with \$10,000 loans. She noted the importance of getting the money distributed quickly and noted a request has been made to HUD to move up to 25% of funds between the two accounts based on demand.

Councilman Hosmer asked if Council action would be necessary if funds need to be transferred between accounts.

Ms. Smith answered it does not, the transfer is part of the action plan of the proposed bill.

Councilman Hosmer expressed concern for ensuring equitable distribution between businesses and housing.

Mayor McClure clarified of the \$916,000, \$330,038 is for public services and homelessness and another \$183,000 for affordable housing assistance for a total of \$513,038. He asked if 56% of the \$916,000 is being used for public services, homelessness, or affordable housing assistance.

Ms. Smith answered affirmatively and noted another \$200,000 is also being added.

Councilman Simpson noted there is to be additional CARES Act funding for agencies working with affordable housing and asked if an amount or timeline had been determined.

Ms. Smith answered not at this time.

Mayor McClure noted the Greene County Commission announced last week Lyle Foster had been appointed to head the process and Mr. Foster started last week.

An opportunity was given for citizens to express their views.

Summer Massey, Senior Vice President at Arvest Bank, expressed her gratitude to the Mayor and Council for their hard work, especially during the pandemic. She expressed her favor for the proposed and encouraged use for small businesses. Ms. Massey noted Arvest bank has witnessed the struggle of small businesses. Ms. Massey expressed her opinion the impacts from COVID-19 affect the lives of both the owner and the employees, noting permanent business closures and job loss. She expressed her opinion by supporting the small businesses, not only are the owners supported, but also the employees and the employee's families.

Christopher Smith spoke against the proposed. He expressed his concern for the number of people who may become homeless. He noted he has been tracking the number of eviction suits in the county courts and believes approximately 171 suits have been filed. Mr. Smith expressed his opinion helping people pay their rent is also helping businesses because landlords are business owners. Lastly, Mr. Smith expressed his belief the money is coming from HUD should be used for housing.

Megan Short thanked Council for their thoughtful approach in the allocation of funds. She encouraged support for the proposed as outlined. Ms. Short expressed her opinion many small businesses are struggling, facing undue hardships, and have tried to be innovative and creative in the new normal. She expressed her belief small businesses

are a huge part of the local economy and their success, really means the success of our citizens and the individuals they support by the jobs they provide.

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

Council Bill 2020-109 S1. Special Ordinance 27336 was approved by the following roll call vote: Ayes: Lear, McGull, Simpson, Ferguson, Fisk, Hosmer, Ollis and McClure. Nays: None. Absent: Schilling. Abstain: None.

**CARES Act and
CDBG and
HOME Grants**

Sponsor: Hosmer. Council Bill 2020-109.

A Special Ordinance authorizing the City Manager, or his designee, to accept additional Community Development Block Grant funds allocated by the U.S. Department of Housing and Urban Development from the Coronavirus Aid, Relief, and Economic Security Act emergency funding and to enter into any necessary agreements and exercise all powers necessary to select and implement any projects for funding; amending the Fiscal Year 2019 Annual Action Plan for the Community Development Block Grant and HOME Investment Partnerships Program; amending the budget of the City's Department of Planning and Development for Fiscal Year 2019 in the amount of \$916,138.00; and declaring that this Ordinance qualifies as a one-reading bill pursuant to City Charter Section 2.16(25). (Staff recommend approval.)

Council Bill 2020-109 failed due to the passage of Council Bill 2020-109 Substitute 1.

**Use of
Landscaping and
Bufferyards for
Outdoor Dining
Spaces During
Civil Emergency**

Sponsor: Schilling. Council Bill 2020-135.

A General Ordinance suspending enforcement of Springfield City Code Section 36-450(4)(b), 'Accessory structures and uses,' Section 36-453, 'Supplemental open space and yard regulations,' and Section 36-482, 'Landscaping and bufferyards,' in order to allow the use of open spaces, yards, and bufferyards as outdoor dining spaces to provide additional dining and service opportunities during the Mayor's declaration of civil emergency; and declaring an emergency pursuant to City Charter Section 2.12.

Mary Lilly Smith, Director of Planning and Development, provided a brief overview of the proposed. She noted the proposed was requested by Mayor Pro Tem Ferguson and is made in the same spirit as two previous bills allowing for outdoor dining spaces to be created. Ms. Smith noted the proposed would allow outdoor dining in the required green spaces. She explained the applicant would submit a site plan, the space cannot be used for yard games or other activities, there will be no fee, and will be in effect until restaurants are permitted 100% occupancy, the Mayor withdraws the Civil Emergency Order or November 30, 2020 , whichever is earlier.

Councilman McGull expressed his favor for the proposed. He also expressed his opinion the proposed may be an opportunity to experiment with closing off the square and allowing restaurants to operate in the square. Councilman McGull expressed his support for using creativity during this time and for activities on the square.

Councilman Simpson expressed his opinion the proposed allows business operational flexibility and encouraged continued creativity and innovation, citing the Open Streets Project.

Councilman Ollis expressed his gratitude to staff for their work and Mayor Pro Tem Ferguson for the idea. He echoed sentiments for creativity and innovation to help both small businesses and citizens.

Mayor Pro Tem Ferguson expressed gratitude to Ms. Smith and her staff for the quick turn around on the proposed. She expressed her opinion dining on green space is a positive for citizens, guests to our city, and opportunity for business to serve their customers.

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

Mayor McClure asked for questions or comments from members of Council.

Mayor Pro Tem Ferguson asked for clarification from City Attorney, Rhonda Lewsader based on the fact she is employed in the hospitality industry and the business she works for would be impacted by the proposed, does she need to recuse herself.

Rhonda Lewsader, City Attorney, answered Mayor Pro Tem Ferguson is not obligated to recuse because she has stated what her interest is, which meets the requirements of the code of ethics and the City Code. Ms. Lewsader noted Mayor Pro Tem Ferguson is now free to vote on the legislation; however, Mayor Pro Tem Ferguson may recuse if it were to make her feel more comfortable.

There being no further questions or comments, Mayor McClure called for a roll call vote.

Council Bill 2020-135. General Ordinance 6602 was approved by the following roll call vote: Ayes: Simpson, Ferguson, Fisk, Hosmer, Ollis, Lear, McGull and McClure. Nays: None. Absent: Schilling. Abstain: None.

PUBLIC IMPROVEMENTS

GRANTS

AMENDED BILLS

PUBLIC HEARING

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

Council Bill 2020-136 and Council Bill 2020-137 were read together.

**Agreement with
the Greater
Springfield Area
Sports
Commission, Inc.**

Sponsor: Fisk. Council Bill 2020-136.

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 \$43,940.00, for the purpose of promoting the attraction of sporting events to the community.

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

Sponsor: Ollis. Council Bill 2020-137.

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 \$2,065,730, for the purpose of promoting travel and tourism within the City of Springfield.

Tracy Kimberlin, President of Springfield Convention & Visitors Bureau, provided a brief overview of the proposed. He noted both the Sports Commission and the Convention and Visitors Bureau contracts before Council. Mr. Kimberlin noted both are renewals of existing contracts and the only changes to either contract was the dates. He noted the biggest change for the Convention and Visitors Bureau is the budget. Mr. Kimberlin noted the budget will be down considerably compared to last year, as the hotel taxes are down due to COVID-19.

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

**Agreement with
the Springfield
Regional Arts
Council, Inc.**

Sponsor: Lear. Council Bill 2020-138.

A Special Ordinance authorizing the City Manager, or his designee, to enter into an agreement with the Springfield Regional Arts Council, Inc., in the amount of \$29,264.00, for the purpose of promoting the visual and performing arts in Springfield, Missouri.

Allin Sorenson, Professor of Music / Voice and Choral Ensembles Dean, School of Communication & Fine and Performing Arts, Drury University, provided a brief overview of the proposed. He noted he is a professor at Drury University, but appears before Council on behalf of the Arts Council. Mr. Sorenson noted the Arts Council receives \$29,264 from the hotel tax. He reviewed different aspects, facilities, and activities of the Arts Council. Mr. Sorenson noted the proposed is a renewal of the current contract with changes only made to the dates and budget amount.

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

**Taxable Industrial
Development
Revenue Bonds for**

Sponsor: Hosmer. Council Bill 2020-139.

**the Kraft Heinz
Foods Company
Project**

A Special Ordinance authorizing a plan for an industrial development project for Kraft Heinz Foods Company, consisting of the acquisition and installation of new equipment and machinery at the existing plant; and authorizing the City of Springfield, Missouri, to issue its Taxable Industrial Development Revenue Bonds (Kraft Heinz Foods Company Project), in a principal amount not to exceed \$48,000,000 and authorizing and approving certain documents and actions in connection therewith.

Sarah Kerner, Director of Economic Development, provided a brief overview of the proposed. She noted Council has seen the preliminary intent of the proposed and the proposed is now coming to Council in full prepared form for consideration and approval. Ms. Kerner explained the project is for the installation and new manufacturing lines, new processing equipment, and improvements to existing lines and processes. She noted the total capital investment is over \$48 million and the public benefit is the retention of 950 jobs and the continued viability of Kraft's manufacturing operations in Springfield. Ms. Kerner reviewed previous projects between Kraft and the City of Springfield, the incentive being requested, and the project benefits. She reviewed the Chapter 100 policies, the impact on local taxing jurisdictions, and the risks to the City.

Councilman Lear asked the estimated useful life of the property being purchased.

Ms. Kerner answered the depreciation period is seven years, but generally the equipment is used for a longer period.

Councilman Lear asked if the other taxing jurisdictions commented.

Ms. Kerner answered they have all been mailed notices, but no comments have been received.

Councilman Hosmer asked if the job retention provisions are in the performance agreement in Exhibit A.

Ms. Kerner answered affirmatively, but then noted she did not have the document in front of her.

Councilman Hosmer asked if it was a sliding scale based on retaining employment numbers.

Ms. Kerner answered affirmatively.

David Martin, attorney at Gilmore and Bell, explained the metric noting it provides a linear reduction of the abatement based on the amount of failure to produce jobs.

Councilman Hosmer clarified the hope is to maintain the 950 jobs or grow.

Ms. Kerner answered affirmatively.

Councilman Hosmer expressed his support for the proposed, but clarified he does not want taxpayers paying for machinery to replace employees.

An opportunity was given for citizens to express their views.

John Oke-Thomas, President and CEO of Oke-Thomas Associates and Architects, spoke in favor of the proposed. He expressed his opinion investing in the community is very important, especially as we recover from the pandemic, and Kraft is valuable to the economy. He expressed his opinion manufacturing jobs, like the ones at Kraft, are crucial as they pay above average wages and provide benefits. Mr. Oke-Thomas encouraged Council to use every tool available to close the gap between minorities and the community at large. He asked for every effort to be made to retain high quality jobs, especially those owned by minorities, for the betterment of Springfield.

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

**Bid of Ewing
Signal
Construction, LLC**

Sponsor: Fisk. Council Bill 2020-140.

A Special Ordinance approving the Annual Maintenance Agreement for Traffic Signals for Fiscal Year 2020-2021; accepting the bid of Ewing Signal Construction, LLC, in the amount of \$162,126.00; and authorizing the City Manager to enter into a contract with such bidder for the purpose of maintaining the City's traffic signal infrastructure.

Dan Smith, Director of Planning and Development, provided a brief overview of the proposed. He noted the contract is bid annually for maintenance of the signal system. Mr. Smith noted the proposed allows for repairs to be made quickly, reduces the negative impact on traffic, and is done as needed. He noted the winning bidder was Ewing Signal Construction.

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

**Amending Chapter
94 of Solid Waste
Regulations**

Sponsor: Hosmer. Council Bill 2020-141.

A General Ordinance amending the Springfield City Code, Chapter 94, 'Solid Waste Regulations,' to add a requirement that residential trash containers shall not be placed at the curb for more than 24 hours and to update several references and other housekeeping items.

Errin Kemper, Director of Environmental Services, provided a brief overview of the proposed. He noted the proposed updates Chapter 94 which has not been updated for several decades and most changes are minor. Mr. Kemper noted posting rates have been removed because it was fairly ineffective to generating useful information. He noted language was added at the request of Councilman Hosmer which limits the amount of time a trash container can be left at the curb.

Councilman McGull asked about the difference between City and State liability insurance requirements for waste haulers.

Mr. Kemper answered the City is not proposing any changes to the liability insurance requirements. He noted reference to insurance requirements in the memo he sent out was from identified high level elements in other communities and was only presented for Council consideration.

Mayor Pro Tem Ferguson asked for clarification on the removal of waste haulers posting rates with the City.

Mr. Kemper answered 18 months to two years ago a request was sent to waste haulers for their rates. He noted some waste haulers were unwilling to share their rates and there is a large variety of services offered making posting rates difficult. Mr. Kemper cited examples such as trash removal, recycling, bundling trash with recycling, and rates vary by location in the city. He noted this makes comparison shopping for citizens difficult.

Mayor Pro Tem Ferguson asked if Environmental Services would ensure compliance of returning trash containers within 24 hours.

Mr. Kemper answered most likely; however, they do not have dedicated staff for enforcement. He noted most likely a letter would be developed to be sent out on a complaint basis.

Mayor Pro Tem Ferguson asked what the consequences are if someone disobeys the ordinance.

Mr. Kemper answered within Chapter 94 there is a progressive tool, but he would defer to the City Attorney for her question.

Mayor Pro Tem Ferguson asked approximately how many people have trash services in the city.

Mr. Kemper answered approximately 70,000 based on the number of sewer connections.

Councilman Ollis expressed concern about compliance. He expressed his belief there is already a problem with nuisance properties, however we have started making progress and asked if the proposed would take any prioritization away from addressing the nuisance properties.

Jason Gage, City Manager, answered the proposed does not have to be a priority if Council does not want it to be a priority; however, most communities have an ordinance similar to the proposed. Mr. Gage noted the proposed is more of a housekeeping item, it is a minor change, and it complements the larger ordinances as we address our neighborhood concerns.

Councilman Hosmer noted since 1981 the law has stated if trash is put out in a plastic bag, after 24 hours the bag must be taken back in if it has not been picked up. He

expressed his opinion there should be the same legislation for trash containers. He noted constituents have contacted him explaining people put their trash contains in the driveway and leave the container there 24/7 and if they contact the City, there is nothing that can be done. Councilman Hosmer expressed his concern trash containers are knocked down, trash spills, and it makes our city dirty. He expressed his opinion legislation should not be needed to make people do what they should be doing, but sometimes it is necessary.

Councilman McGull expressed his agreement with Councilman Hosmer. He expressed his belief the proposed will not be a big problem, but there is a need for legislation in order to allow enforcement.

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

PETITIONS, REMONSTRANCES, AND COMMUNICATIONS

Rene Goodwin thanked Council for their hard work during these unprecedented times. Ms. Goodwin addressed Council about body camera for the Springfield Police Department. She noted her son died in 2016 while in police custody. Ms. Goodwin expressed her opinion if body cameras were worn it would allow for monitoring situations, possibly saving the City money on potential lawsuits, transparency, and accountability.

Councilman McGull expressed his sympathy for Ms. Goodwin's loss.

Tim Havens addressed Council regarding Resolution 10510 in response to the death of George Floyd in Minneapolis, Minnesota. He expressed his opinion section four of the resolution has been violated by accepting police behavior in Springfield similar in nature to police action in Minneapolis demonstrating little value for Black Lives Matter. Mr. Havens expressed his belief Council is responsible for police behavior and have abdicated responsibility as demonstrated by the arrest of Mr. Gregory Robinson on March 30, 2020. Mr. Havens expressed his opinion the City needs to provide one paid staff member for each Council member to provide more time to speak with constituents and follow police activities. He expressed his opinion the police force is the most important agency to our freedom, but also the most dangerous and so we must always question the use of their authority.

Councilman Hosmer noted he has watched the police video of Mr. Robinson and expressed his surprise of Mr. Havens bringing it up as an issue. He expressed his belief anytime law enforcement reacts to a situation it is difficult, but he noted Mr. Robinson had two guns on his person when he was stopped, he refused to get out of his vehicle, and he resisted. Councilman Hosmer expressed his opinion a police officer that abuses his power or does something wrong, should be penalized, but noted serving as a police officer in Springfield is a very tough job. He expressed his opinion when someone is carrying a weapon and making threats to an officer, the force used to detain the suspect was appropriate for the situation and should not be construed to be similar to the George Floyd situation. Councilman Hosmer expressed his disagreement with Mr.

Haven's assertions the officers acted inappropriately, and that City Council has not been actively involved in policing strategies and working the Chief Williams.

Mr. Havens disagrees with Councilman Hosmer. He expressed his opinion Council needs to be involved and know about police training, the rules police operate under, the academy, outside investigations for shootings and beatings, outside investigations for racial incidents, change the five year report back to a yearly report, and a staff member needs to be provided to each Council member in order to understand what is happening in the police department.

Jonathan Hesford submitted comments via email in favor of body cameras for the Springfield Police Department. He expressed his opinion body cameras are a safety measure for all members of the community. Mr. Hesford expressed his opinion the voice of the Black Lives Matter community deserves special priority and he aligns himself with the Black Lives Matter group.

Nick Dungy submitted comments via email regarding relaxing COVID-19 guidelines and regulations. He expressed his concern for relaxing COVID-19 guidelines while there has been an increase in COVID-19 cases in the city and state in the last week. Mr. Dungy expressed his opinion it is too soon to open businesses.

The following item appeared on the agenda under New Business.

**Records
Destruction**

As per RSMo. 109.230 (4), City records that are on file in the City Clerk's office and have met the retention schedule will be destroyed in compliance with the guidelines established by the Secretary of State's office.

UNFINISHED BUSINESS

MISCELLANEOUS

CONSENT AGENDA FIRST READING BILLS

CONSENT AGENDA ONE READING BILLS

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

**Preliminary Plat of
East Sunshine
Property Group**

Sponsor: Schilling. Council Bill 2020-127.

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 East Sunshine Property Group, generally located at 1750 South Campbell Avenue, upon the applicant filing and recording a final plat that substantially conforms to the preliminary plat; and authorizing the City Clerk to sign the final plat upon compliance with all the terms of this Ordinance. (Staff recommends that City Council accept the public streets and easements.)

Council Bill 2020-127. Special Ordinance 27337 was approved by the following roll call vote: Ayes: Ollis, Lear, McGull, Simpson, Ferguson, Fisk, Hosmer and McClure. Nays: None. Absent: Schilling. Abstain: None.

Preliminary Plat of Degraffenreid-Wood Subdivision

Sponsor: Schilling. Council Bill 2020-128.

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 Degraffenreid-Wood Subdivision, generally located at 2001 West Walnut Lawn Street, upon the applicant filing and recording a final plat that substantially conforms to the preliminary plat; and authorizing the City Clerk to sign the final plat upon compliance with all the terms of this Ordinance. (Staff recommends that City Council accept the public streets and easements.)

Council Bill 2020-128. Special Ordinance 27338 was approved by the following roll call vote: Ayes: Ollis, Lear, McGull, Simpson, Ferguson, Fisk, Hosmer and McClure. Nays: None. Absent: Schilling. Abstain: None.

Preliminary Plat of Troy Acres

Sponsor: Ferguson. Council Bill 2020-129.

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 Troy Acres 1st Addition, generally located at 500 block of South Troy Avenue, upon the applicant filing and recording a final plat that substantially conforms to the preliminary plat; and authorizing the City Clerk to sign the final plat upon compliance with all the terms of this Ordinance. (Staff recommends that City Council accept the public streets and easements.)

Council Bill 2020-129. Special Ordinance 27339 was approved by the following roll call vote: Ayes: Ollis, Lear, McGull, Simpson, Ferguson, Fisk, Hosmer and McClure. Nays: None. Absent: Schilling. Abstain: None.

Library Board

City Council confirmed the following reappointments to the Springfield-Greene County Public Library Board: Cindy Waites and Emily Denniston with terms to expire July 1, 2023.

Airport Board

City Council confirmed the following appointments and reappointments to the Airport Board: Felicia Morgan and Jamie Holstein with terms to expire June 1, 2023; the reappointment of: Jaimie Trussell and Michael Hoppman with terms to expire June 1, 2022; and, the reappointment of: Joe Carmichael and Catherine Moore with terms to expire June 1, 2023.

END OF CONSENT AGENDA.

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

The meeting adjourned at 8:58 p.m.

A handwritten signature in black ink that reads "Anita J. Cotter". The signature is written in a cursive style with a large, stylized "J" and "C".

Anita J. Cotter, CMC/MRCC
City Clerk

Prepared by
Monica Paxton