

June 29, 2020
Springfield, Missouri

The City Council met in regular session June 29, 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. Craig Hosmer*, Richard Ollis*, Andrew Lear*, Abe McGull, Matthew Simpson*, Mike Schilling*, Phyllis Ferguson*, Jan Fisk* and Ken McClure. Absent. None.

*Members attending via videoconference.

Minutes

The minutes of June 15, 2020 City Council meeting were approved as presented.

Consent Agenda

The Consent Agenda was approved as amended.

CEREMONIAL MATTERS

**City Manager and
Public Health
Director Report**

Clay Goddard, Director of Health, provided information on masking. He noted his office has been inundated with calls regarding masking requirements in Springfield. Mr. Goddard noted this is a polarized issue and believes this is the latest visible response to the situation. He noted people want to return to normal, but differ in ideas on how to return to normal. Mr. Goddard expressed his belief people who oppose wearing a mask want to return to normal now and live their lives, while people who support wearing a mask want to return to a new normal, with hope of not moving backward before a vaccine can be developed. He noted he personally supports the second group and the value of masking. Mr. Goddard noted masking is not the only prevention tool and is not perfect. He noted measures taken during COVID-19 are not clear-cut and crafting an ordinance is complicated. Mr. Goddard listed steps the Health Department is taking in order to provide information to Council so that Council will be able to make a decision on mandatory masking. He noted they are looking at metrics and what might be a trigger for the enactment of an ordinance.

Mr. Goddard reviewed an announcement made on Friday regarding a member of the unsheltered community has tested positive for COVID-19. He noted his staff tested 74 people on Friday and continues to test individuals today. Mr. Goddard noted none of the tests have come back positive, but will continue to tests for two weeks (the incubation period of the virus).

Mr. Goddard expressed concern for the possibility of community spread over the upcoming holiday weekend. He expressed his opinion people have a desire to return to normalcy, but are not doing so safely. He asked for people to remember to practice physical distancing, washing hands frequently, wearing a mask, and staying home if you do not feel well.

Mayor McClure asked for clarification on the Public Health dashboard.

Mr. Goddard noted when an individual tests positive, they are contacted to be educated about the disease, staff tries to determine where the individual contracted the disease, and who the person may have infected. He noted there were many public exposures over the weekend and many of these are younger individuals. Mr. Goddard noted 367 individuals have been quarantined in Greene County. He noted the large number of cases and the labor-intensive process is why the dashboard score has dipped.

Councilman Hosmer asked if the Public Health Department was currently working on a masking ordinance.

Mr. Goddard answered affirmatively and noted he meet with the City Attorney today and started to work through best practices.

Councilman Hosmer asked for clarification on metrics used to determine if an ordinance would go into effect.

Mr. Goddard answered the infectious disease doctors have a robust data set Springfield-Greene County has not tapped into yet. He noted the data set covers a larger geographical area and may provide a larger index of data. Mr. Goddard expressed his optimism and noted findings will be presented to Council.

Councilman Hosmer asked for an approximate timeframe for reporting information.

Mr. Goddard answered he is meeting later this week with the infectious disease doctors.

Councilman Hosmer noted comments have been received from those that support masking and those opposed to masking. He noted the main argument he has heard against masking is that it is unconstitutional. Councilman Hosmer asked if from a public health standpoint, can a person be required to wear a mask.

Mr. Goddard answered affirmatively.

Councilman Hosmer asked if a number of other municipalities have mandated masking.

Mr. Goddard answered affirmatively.

Councilman Hosmer asked if municipalities and states with mandatory masking ordinances had been challenged legally.

Mr. Goddard answered they have not been as of yet. He noted this is not a new issue and has been vetted due to the flu of 1918.

Councilman Hosmer expressed his opinion a masking ordinance should be worked out in case it needs to be put into effect.

Mr. Goddard answered masking is a good tool, but it is not a stand-alone tool. He encouraged citizens to practice physical distancing and to make wise decisions to mitigate disease transmission.

Councilman Simpson asked if there was a lag on reporting on the dashboard and the time of testing and incubation.

Mr. Goddard answered it is very close to real time data as the tests are completed in a very short time window.

Councilman Simpson clarified he was asking from the time an infection occurs until the dashboard.

Mr. Goddard noted there is a short lag time.

Councilman Simpson referred to the national dashboard at John Hopkins. He noted the dashboard lists 70 counties with populations between 250,000-350,000 and Greene County is one of them. Councilman Simpson clarified Greene County is the third lowest county regarding the spread of virus.

Mr. Goddard answered affirmatively. He noted of counties over 100,000 in the mid-west, Greene County has the lowest morbidity rate.

Councilman Simpson expressed his opinion he would rather Springfield react proactively and keep transmission rates low.

Councilman Lear noted many people opposed to wearing masks cite masks do not work and asked for clarification on the efficacy of various types of masks.

Mr. Goddard noted masking is not perfect. He expressed his belief people are referring to clinical based studies where the intent is to use an N95 mask to completely stop the risk of infection, but that is not the goal of this approach. He explained masking would be used to mitigate disease spread by stopping respiratory droplets.

Councilman Lear clarified the current situation is still distancing, masking, and hygiene.

Mr. Goddard answered affirmatively. He noted this will not change even if an ordinance is passed. Mr. Goddard explained masking does not replace the other elements.

Councilman Lear noted he agrees and agrees with his colleagues. He expressed his opinion citizens of Springfield have already been asked to make great sacrifices and many have lost wages, jobs, and homes. Councilman Lear expressed his opinion whatever can be done to slow down, or keep the situation from re-occurring, should be done.

Mayor Pro Tem Ferguson asked for an update on the uptick in Arkansas and Southwest Missouri and what position our hospitals are in.

Mr. Goddard answered the last he knew, there had not been any transfers in yet, but that is a concern.

Mayor Pro Tem Ferguson clarified the people being treated in the local hospitals are from our community and how many people are hospitalized.

Mr. Goddard answered affirmatively. He noted there currently 11 people hospitalized between the two hospitals facilities.

Councilwoman Fisk expressed her opinion there would be an influx of young people attending the colleges and universities in the next 30-45 days. She expressed her concern time was of the essence to consider the masking ordinance in order to communicate to the families of students.

Councilman McGull asked if the Health Department was in coordination with colleges and universities about the influx of students.

Mr. Goddard answered they have weekly calls with university presidents and City leadership is on a weekly call. He noted discussions have occurred regarding testing, isolation, quarantine, and other factors. Mr. Goddard noted all schools have very robust plans.

Councilman McGull asked if schools were requiring students to wear masks.

Mr. Goddard answered masking has been part of the conversation and several schools have made definitive decisions.

Jason Gage, City Manager, provided discussion regarding Springfield Police Department (SPD). He noted tragic incident in Minneapolis resulting in the death of George Floyd has sparked numerous protests and conversation across the country and a lot of this attention has been focused on policing, conversations about the broader issues of personal bias, prejudice and racism in general are beginning to take shape. Mr. Gage noted in Springfield, we are very proud of our police department and Springfield has an excellent department with quality people who see the worst of our community and literally put their lives at risk for the benefit of others daily. He noted efforts over the last few years to address use of force policy, training, information transparency, community inclusion and input, sexual assaults and mental health have set Springfield apart from most other law enforcement agencies. Mr. Gage added, no people are flawless, but please know that your police department is striving to be the most community engaged and effective department possible.

Mr. Gage stated throughout the nation we are hearing continued calls to defund, or reform law enforcement and the procedural due process of officers has also recently been placed in question in certain cities. He noted for the Springfield police department, this pressure and the toll it takes has been magnified dramatically by the recent shooting death of Officer Christopher Walsh and attempts at the lives of Officer Josiah Overton and Officer Mark Priebe. Mr. Gage expressed his opinion he

will never support the concept of defunding the police department as Springfield continues to be challenged by serious crime in business areas and neighborhoods.

Mr. Gage noted he understands calls from certain areas across the nation for reform, but believes we do not know yet what reform really means. He posed the question, “Does it result in a few policy and training changes or a completely new model of community protection?” Mr. Gage expressed his opinion full reform may not be a one-sized fits all solution for all law enforcement agencies – particularly the good ones. He added we do not know what will come out of calls for reform, but we must be fully open to review new ideas and ask ourselves how they might benefit us in Springfield.

Mr. Gage expressed his belief the public expects City Council to take a leadership role in policing, community race discrimination issues, and perhaps social equity. He expressed his opinion professional staff wants to be a major resource for Council and therefore needs consensus on what Council would like review. He then cited examples. Mr. Gage expressed his belief that governing body/staff collaboration on these topics is positive and very productive and suggested presentations could be delivered at upcoming Council lunches and/or special meetings. Mr. Gage noted this approach will allow the City to provide information to the public and Council. He encouraged Council to also ask broader questions regarding community relations and cited examples. Mr. Gage expressed his opinion many of these answers should flow through the perspective of local citizens; understanding how they see the community is vitally important and there are many ways for us to get their perspectives.

Mr. Gage noted as a starting point to these conversations, the SPD recently released a new website segment called Where We Stand and it is an evolving transparency and accountability portal to begin sharing more public information about policing. He explained the website currently addresses community oversight, body cameras, traffic stops, officer complaint procedures, and use of force and training. Mr. Gage then introduced Paul Williams, Chief of Police, who provided an overview of the Where We Stand website portal.

Mayor McClure noted he reviewed the Where We Stand website and expressed his pleasure at the thoroughness of the website. He reviewed a conversation he had with an SPD officer and noted the numerous situations officers are currently addressing. Mayor McClure commended Chief Williams and his department for the work they have done with citizens exercising their rights. He expressed his support for SPD and noted he will not support defunding SPD. Mayor McClure expressed his gratitude to Mr. Gage for creating the platform leading to a broader discussion.

Councilman Hosmer expressed his opinion there is no basis for defunding SPD. He expressed his belief the City should consider the survey option and community policing is how communities move forward. Councilman Hosmer expressed his opinion community input and engagement is vital. He expressed his belief crime is rising and even though SPD is doing the best they can, factors such as poverty, drug use, and mental illness are impacting crime. Councilman Hosmer expressed his opinion racism exists in Springfield and effects the justice system. He suggested a special

committee of Council members be created to speak with citizens and seek solutions to problems the City already knows exist.

Councilman McGull noted he echoes Councilman Hosmer's sentiments. He expressed his gratitude to Chief Williams for creating a dashboard for the community to see exactly what is being done. Councilman McGull encouraged Chief Williams to keep data up to date on the website. He expressed his gratitude to Chief Williams for his attention and transparency.

Councilman Simpson expressed his gratitude to Chief Williams for the creation of the website. He expressed his opinion community conditions, not just crime, need to be reviewed.

Councilman Lear expressed his opinion a comprehensive, systemic plan would be needed to address areas such as policing, racial bias, discrimination, equity; and their many facets ranging from contracting, to hiring, to recruiting, and policies. He suggested a retreat in order to develop a comprehensive plan. Councilman Lear expressed his belief the community needs to be engaged regarding the issues and it will be a comprehensive task.

Mayor Pro Tem Ferguson suggested data from five years ago on the Zone One Blitz be reviewed. She noted data had been collected on mental health, poverty, and drug use and expressed her opinion to use data previously collected as the issues have not changed. Mayor Pro Tem Ferguson expressed her opinion there are some systems and programs in place in the community and suggested they be reviewed to determine if they can be embellished.

Mayor McClure addressed Mr. Gage expressing Council's desire to move forward with the statistical survey. He concurred with Councilman Lear's suggestion of a retreat to delve into the issues and craft a comprehensive plan.

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

**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.

Mayor McClure noted public hearing was held on June 1, 2020 and tabled at the June 15, 2020 City Council meeting. He noted the proposed and is now in front of Council for consideration. He asked for questions or comments from members of Council.

Mayor Pro Tem Ferguson asked for apartment occupancy city wide.

Mary Lilly Smith, Director of Planning and Development, answered she did not have any data on the subject, the City does not track occupancy in apartments.

Councilman Schilling expressed his opinion the proposed is not a good area for annexation because of the lack of fire protection and the driveway off Plainview Road is dangerous. He noted he is against the proposed.

Councilman McGull clarified the proposed is to annex the 10 acres into the City of Springfield. He also asked how the proposed is currently zoned.

Ms. Smith answered affirmatively and noted the proposed is currently zoned in the county and as Suburban Resident District (R1).

Councilman McGull clarified approval of the proposed would allow for building single family dwellings.

Ms. Smith answered affirmatively.

Councilman McGull asked if the annexation of the proposed is necessary to the growth of Springfield.

Ms. Smith answered affirmatively, noting that is the staff recommendation.

Councilman Hosmer clarified the county refused to change the zoning for the developer.

Ms. Smith answered affirmatively.

Councilman Hosmer clarified the zoning change the county denied is for the same zoning change currently being requested.

Ms. Smith answered affirmatively. She noted the developer has lowered the density from 21 units per acre to 11 units per acre.

Councilman Hosmer asked for clarification if the neighborhood was against only the zoning change or both the annexation and the zoning.

Ms. Smith answered she did not know. She noted there is a protest petition for the zoning, but is unsure about the annexation.

Councilman Hosmer clarified the annexation only requires five votes and the zoning requires six votes.

Ms. Smith answered affirmatively.

Councilman Lear asked if the county's R1 lot sizes are similar to lot sizes of the city.

Ms. Smith answered she did not know.

Mayor McClure reiterated the proposed is the annexation of the property. He noted the requirement for passage of Council Bill 2020-118 is five votes.

Council Bill 2020-118. General Ordinance 6603 was approved by the following roll call vote: Ayes: McGull, Schilling, Ferguson, Fisk, Hosmer, Ollis, Lear and McClure. Nays: None. Absent: Simpson. Abstain: None.

**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.)

Anita Cotter, City Clerk, noted a protest petition was received and was found to be sufficient at 57%. She noted a copy of the supplemental explanation had been provided electronically to Council. Ms. Cotter noted a supermajority, or 6 votes will be required for passage.

Councilman Simpson recused himself.

Mayor McClure noted public hearing was held on June 1, 2020 and tabled at the June 15, 2020 City Council meeting. He noted the proposed and is now in front of Council for consideration. He asked for questions or comments from members of Council.

Councilman Hosmer clarified requirements for a protest petition are from households within 185 feet.

Ms. Cotter answered affirmatively.

Councilman Hosmer clarified 57% of people within 185 feet of the proposed are against the development.

Mary Lilly Smith, Director of Planning and Development, explained a 185-foot buffer is drawn around the property and then it is the amount of property within the buffer for which there are signatures. She noted there are multiple property owners who own more than 10% and cited one property owner who owns 37% of the property within the 185-foot buffer area.

Mayor Pro Tem Ferguson clarified the roadway will continue to belong to the county and any improvement to the road would fall to the county.

Ms. Smith answered affirmatively.

Mayor Pro Tem Ferguson asked for clarification of the morning and afternoon trips the proposed would generate.

Ms. Smith noted the information is from the traffic staff, not a traffic study, and noted there was not an additional increase of more than 100 trips during morning and afternoon peaks and it did not exceed a threshold of 1,000 trips daily. She noted the existing trips are calculated at 470 and the proposed trips are 1,176 during a weekday, so an additional trip generation of 705 based on the highest, most intense use permitted in the proposed re-zoning plan.

Mayor Pro Tem Ferguson clarified the number of trips would go from 400+ to 1100+ on a weekday.

Ms. Smith answered affirmatively.

Councilwoman Fisk expressed her disappointment on negotiations between the property owners and the developer. She expressed her opinion the developer is trying to work with property owners and this property will be developed as it is in a very desirable area. Councilwoman Fisk expressed her belief Springfield is growing, new properties are constantly being developed, and a very reputable developer has made several attempts to compromise. She noted she will be supporting the proposed.

Councilman McGull asked if there was a public hearing on the proposed and if so, was the public hearing affected by COVID-19.

Ms. Smith answered there was a public hearing at the Planning and Zoning Commission as required by law. She noted the meeting was conducted similar to how current City Council meetings are being conducted due to COVID-19. Ms. Smith noted a neighborhood meeting was not conducted because of COVID-19.

Councilman McGull clarified if there had not been an impact from COVID-19, the developer would have held a neighborhood meeting.

Ms. Smith answered affirmatively. She noted the developer was required to notify the neighborhood and send out comment cards.

Councilman McGull asked for clarification about a stream buffer.

Ms. Smith explained the City of Springfield has adopted regulations protecting natural waterways and there is a requirement for mitigation or buffering.

Councilman McGull noted he personally visited the area and expressed concern regarding the roadway. He asked if there would only be ingress and egress only from the south.

Ms. Smith answered affirmatively.

Councilman Schilling noted he misspoke regarding voting against 2020-118, his comments are directed toward 2020-119. He noted the area is saturated with single family homes and expressed concern for the road danger, the stretch from the fire facilities, the possible effect on accreditation for the fire department, and the density added to the area. Councilman Schilling also expressed concern for the lack of traffic study. He noted he will not be supporting the proposed.

Council Bill 2020-119. Failed by the following roll call vote: Ayes: Fisk, Ollis, Lear and McClure. Nays: Schilling, Ferguson, Hosmer, McGull. Absent: Simpson. Abstain: None.

**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.

Mayor McClure noted public hearing was held on June 15, 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 2020-136. Special Ordinance 27340 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.

**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.

Mayor McClure noted public hearing was held on June 15, 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 2020-137. Special Ordinance 27341 was approved by the following roll call vote: Ayes: Ferguson, Fisk, Hosmer, Ollis, Lear, McGull, Simpson, Schilling and McClure. Nays: None. Absent: None. Abstain: None.

**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.

Mayor McClure noted public hearing was held on June 15, 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 2020-138. Special Ordinance 27342 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.

**Taxable Industrial
Development
Revenue Bonds for
the Kraft Heinz
Foods Company
Project**

Sponsor: Hosmer. Council Bill 2020-139.

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.

Mayor McClure noted public hearing was held on June 15, 2020 on the proposed and is now in front of Council for consideration. He asked for questions or comments from members of Council.

Councilman Ollis expressed his pleasure with the proposed and noted his gratitude to Kraft Heinz continued support to our citizens. He noted he will be supporting the proposed.

Mayor McClure expressed his belief the proposed is very positive for Springfield and noted he will be supporting the proposed.

Councilman Schilling noted Kraft Heinz has been a value to the community for many years, but expressed difficulty accepting a multibillion-dollar international company wants to use property taxes to subsidize the project especially during a pandemic when the world is suffering economically. He clarified this is the third time in a decade the City has provided financial support for Kraft Heinz.

Ms. Smith answered affirmatively.

Councilman Schilling asked for a dollar amount provided to Kraft Heinz.

Sarah Kerner, Director of Economic Development, noted Kraft Heinz has made over \$100 million of investments in Springfield over the past 10 years. She noted this would be the third economic development assistance requested and they have all retained jobs in Springfield.

Councilman Schilling asked how much in property taxes has been lost by providing assistance to Kraft Heinz.

Ms. Kerner answered she did not have a number for all three projects combined, but the two previous projects were 50% property tax abatements and the current project is for 75% for a five-year period.

Councilman Simpson noted he echoed Councilman Ollis and Mayor McClure's sentiments and will be supporting the proposed. He expressed his opinion Kraft Heinz not only provides well-paying jobs, but also increases quality of life and local talent retention.

Councilman McGull clarified the revenue bonds are the complete responsibility of Kraft Heinz and Kraft Heinz has facilities all over the world, so this is a \$48 million investment in Springfield.

Ms. Kerner answered affirmatively.

Mayor Pro Tem Ferguson expressed her opinion the proposed is an investment in job security in our community and is a vote of confidence for Springfield. She noted she will be supporting the proposed.

Council Bill 2020-139. Special Ordinance 27343 was approved by the following roll call vote: Ayes: Hosmer, Ollis, Lear, McGull, Simpson, Ferguson, Fisk and McClure. Nays: Schilling. Absent: None. Abstain: None.

**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.

Mayor McClure noted public hearing was held on June 15, 2020 on the proposed and is now in front of Council for consideration. He asked for questions or comments from members of Council.

Mayor Pro Tem Ferguson asked why there was only one bidder on this project.

Tom Dancey, Traffic Engineer, noted this contractor who does the majority of traffic signal construction. He noted they advertised and sent out direct notifications to other contractors.

Council Bill 2020-140. Special Ordinance 27344 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.

**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.

Mayor McClure noted public hearing was held on June 15, 2020 on the proposed and is now in front of Council for consideration. He asked for questions or comments from members of Council.

Councilman Hosmer asked if other cities have the 24-hour time limit.

Errin Kemper, Director of Environmental Services, answered affirmatively.

Councilman Hosmer clarified the other cities with a 24-hour time limit are Nixa, Ozark, Willard, Republic, Fair Grove, Marshfield, Kansas City, Joplin, Columbia, St. Louis, as well as most of our benchmark cities.

Mr. Kemper answered affirmatively.

Councilman Hosmer clarified one of the reasons for the ordinance is to keep the city clean and keep trash from blowing around.

Errin Kemper, Director of Environmental Services, answered affirmatively.

Councilman Hosmer asked if the City had gotten a letter from Ozark Refuse, one of the largest privately owned waste companies in the city, and if they were supportive of the change due to waste blowing around, people going through other people's trash, animals in the trash, and stolen containers.

Errin Kemper, Director of Environmental Services, answered affirmatively.

Councilman Ollis expressed his opinion he does not have a problem with the proposed, but is concerned about the timing and prioritization of the proposed.

Mayor Pro Tem Ferguson echoed Councilman Ollis's sentiments. She expressed concern neighbors will use the ordinance as a weapon against each other and how to enforce the ordinance.

Councilman Hosmer noted the current ordinance does not allow trash in a plastic bag to be left at the curb for more than 24 hours. He expressed his opinion Springfield needs to do things differently if they want the city to be as clean and presentable as the benchmark cities.

Councilman Ollis asked if there is public outcry over trash containers left at the curb, and if not, why was this language added to the proposed.

Mr. Kemper answered there is not, and the language was added at the request of Councilman Hosmer.

Councilman Ollis asked how ordinances are prioritized and developed.

Jason Gage, City Manager, answered code indicates if a member of Council requests to sponsor an ordinance the staff is obligated to draft the ordinance and bring the ordinance before Council. He noted the policy could make any ordinance a priority. Mr. Gage noted once an ordinance has been brought to Council, it is up to Council what they choose to do with it.

Councilman Ollis expressed he will reluctantly support the proposed, but encouraged Council and staff to review matters more strategically.

Mayor Pro Tem Ferguson noted in her neighborhood, Zone 1, there is refuse on the side of the road that is a health concern and asked how will Building Development Services (BDS) prioritize the 24 hour ordinance, how will it be enforced, and who will do follow up.

Mr. Gage answered most likely will not see BDS, Environmental Services or the Police Department looking for violations, enforcement is a low-level item. He noted most violations will be reported by staff or neighbors and then a call will be made to the resident with a request to have the trash containers brought in from the road. Mr. Gage noted a citation for violating the ordinance would be in response to an individual blatantly disregarding the code without a good reason for the violation. He noted they are not trying to make an example of anyone.

Mayor Pro Tem Ferguson clarified there would be a courtesy call or card.

Mr. Gage answered, most likely, as this is a low-level item.

Mayor Pro Tem Ferguson noted there is rampant front yard parking in her neighborhood, and if people are going to be cited, could they also be cited for front yard parking.

Mr. Gage answered affirmatively.

Council Bill 2020-141. General Ordinance 6604 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.

The following bill appeared on the agenda under Resolutions.

**Youth
Engagement,
Education, and
Employment Fish
and Wildlife
Service Grant**

Sponsor: McClure. Council Bill 2020-142.

A Resolution authorizing the City Manager, or his designee, to apply for Youth Engagement, Education, and Employment Fish and Wildlife Service grant funding in the amount of \$2,000,000.00, to be used to fund educational experiences in natural resource careers for young people and veterans; and to enter into necessary agreements to carry out the grant.

Sally Payne, Assistant Director of Workforce Development, provided a brief overview of the proposed. She noted she is requesting approval to apply for the grant and the application is due in September. Ms. Payne noted the grant is for young adults up to age 30 and for veterans up to age 35, for hands on training and career exploration in all things wildlife. She noted this is a cooperative grant and the Department of the Interior will be conducting the education component.

Councilman McGull expressed his enthusiasm for the grant, making special note of the location.

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

Mayor McClure noted the proposed is a one reading bill 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 2020-142. Resolution 10514 was approved by the following roll call vote: Ayes: McGull, Simpson, Schilling, Ferguson, Fisk, Hosmer, Ollis, Lear and McClure. Nays: None. Absent: None. Abstain: None.

EMERGENCY BILLS

PUBLIC IMPROVEMENTS

The following bills appeared on the agenda under Grants.

**Missouri
Department of
Higher Education
and Workforce
Development
Grant Funds**

Sponsor: Ollis. Council Bill 2020-143.

A Special Ordinance authorizing the City Manager, or his designee, to accept \$6,615.00 in additional grant funds, from the Missouri Department of Higher Education and Workforce Development for the Reemployment Services and Eligibility Assessment project; amending the budget of the Department of Workforce Development for Fiscal Year 2019-2020 in the amount of \$6,615.00 to appropriate the funds; and declaring that this bill qualifies for approval in one reading.

Sally Payne, Assistant Director of Workforce Development, provided a brief overview of the proposed. She noted Council has previously approved a portion of this funding.

Ms. Payne noted as traditional unemployment begins to lift, the job search component will be reinstated in July. She noted usually state staff meet with the individuals, but the funding would allow city staff to also take appointments.

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

Mayor McClure noted the proposed is a one reading bill 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 2020-143. Special Ordinance 27345 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.

**Workforce
Innovation and
Opportunity Act
Dislocated Worker
Rapid Response
Grant Funds**

Sponsor: Lear. Council Bill 2020-144.

A Special Ordinance authorizing the City Manager, or his designee, to accept Workforce Innovation and Opportunity Act Dislocated Worker Rapid Response funding in the amount of \$100,000.00, to be used for training eligible Dislocated Workers and to enter into necessary agreements to carry out the grant; amending the budget for the Department of Workforce Development for the Fiscal Year 2019-2020 in the amount of \$100,000.00; and declaring that this bill qualifies for approval on one reading.

Sally Payne, Assistant Director of Workforce Development, provided a brief overview of the proposed. She noted the department is seeking approval to accept \$100,000 for dislocated workers during these challenging times. Ms. Payne noted the department has encouraged people to upskill and receive training. She noted the state of Missouri gave the department \$100,000 to expend in one month. Ms. Payne noted the department was able to obligate the funds mostly in logistic and transportation jobs which had an increase during this time. She noted 25 individuals received training.

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

Mayor McClure noted the proposed is a one reading bill and is now in front of Council for consideration. He asked for questions or comments from members of Council.

Julie Cummings submitted comments via email in favor of the proposed. She expressed her opinion Springfield needs a skilled workforce to thrive and expressed her gratitude to Ozark Technical Community College and Missouri State University for innovative programs allowing individuals to gain skills in high-demand fields. Ms. Cummings expressed her belief the efforts of Workforce Development to connect dislocated workers to training during the COVID-19 pandemic is a win for employers, individuals, and the community.

**Missouri
Department of
Corrections for
About Persons
with Past Legal
Issues in
Employment
Grant Funds**

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

Council Bill 2020-144. Special Ordinance 27346 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.

Sponsor: Hosmer. Council Bill 2020-145.

A Special Ordinance authorizing the City Manager, or his designee, to accept \$11,874.10, in grant funds from the Missouri Department of Corrections for About Persons with Past Legal Issues in Employment services; amending the budget of the Department of Workforce Development for Fiscal Year 2020-2021 in the amount of \$11,874.10, to appropriate the funds; and declaring that this bill qualifies for approval in one reading.

Sally Payne, Assistant Director of Workforce Development, provided a brief overview of the proposed. She noted the department has provided classes at Fordland Correctional Facility for many years and now the Department of Corrections will be funding the classes. Ms. Payne noted the classes consist of job training, resume assistance, and hiring events. She noted the classes have had an employment success rate of over 85% and reduced recidivism. Ms. Payne explained because of the success, the Department of Corrections would now like Workforce Development to provide these classes at Tipton Correctional and these funds would pay for department staff.

Councilman McGull asked if the classes assisted people with expungements.

Ms. Payne answered no, the classes provide workforce training and cover topics such as budgeting, resume assistance, and mock interviews.

Councilman Hosmer noted state statutes on expungement have changed. He suggested the Barr Association could assist individuals with expungement. Councilman Hosmer asked if a criminal record is a hindrance to obtaining employment.

Ms. Payne answered affirmatively. She noted the department is trying to educate employers on why people with criminal backgrounds should be hired and encourages employers to take a chance on these individuals.

Councilman Hosmer encouraged her to work with the Barr Association to provide pro bono services and work with individuals who need crimes expunged from their record.

Councilman McGull asked if the Department of Corrections would provide funds for next year.

Ms. Payne answered she hoped so. She noted the department approached the Department of Corrections regarding the classes and explained the funding needs.

Mayor Pro Tem Ferguson noted twice per year the local Barr Association meets with individuals needing help with expungement. She expressed her support for Councilman McGull's sentiment of acquiring additional funds for next year.

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

Mayor McClure noted the proposed is a one reading bill 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 2020-145. Special Ordinance 27347 was approved by the following roll call vote: Ayes: Ferguson, Fisk, Hosmer, Ollis, Lear, McGull, Simpson, Schilling and McClure. Nays: None. Absent: None. Abstain: None.

**Coronavirus
Emergency
Supplemental
Funding Grant**

Sponsor: Fisk. Council Bill 2020-146.

A Special Ordinance authorizing the City Manager, or his designee, to accept FY 2020 Coronavirus Emergency Supplemental Funding from the United States Department of Justice and amending the budget for the Police Department for Fiscal Year 2020-2021 in the amount of \$517,083.00; and declaring this bill qualifies as a one reading bill pursuant to Charter Section 2.16(25).

Paul Williams, Police Chief, provided a brief overview of the proposed. He noted the Springfield Police Department (SPD) was awarded a grant from the Department of Justice (DOJ) to address issues related to COVID-19. Chief Williams noted the funds are to be used for overtime, personnel costs, equipment, and supplies. He noted funds can be shared with the Fire Department and the Health Department. Chief Williams noted he coordinated with Mr. Goddard and Chief Pennington and they collaborated on how to spend the funds. He noted there were 12 nonprofits in need of funding that could be funded with a portion of this grant. Chief Williams concluded the grant is for two years and allows for funds already expended on COVID-19 related issues to be reimbursed.

Councilman McGull expressed he will support the proposed and asked if the grant is renewable.

Chief Williams answered the grant is for two years and does not know if it will be renewable in two years' time.

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

Mayor McClure noted the proposed is a one reading bill 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 2020-146. Special Ordinance 27347 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.

AMENDED BILLS

PUBLIC HEARING

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

Landfill Facility Improvement

Sponsor: Ollis. Council Bill 2020-147.

A Special Ordinance approving the plans and specifications for the construction of Landfill Facility Improvement, Phases 1, 2, and 3, at the Noble Hill Sanitary Landfill; accepting the bid of Carson-Mitchell, Inc., in the amount of \$5,016,632.00 for the project; authorizing the City Manager, or his designee, to enter into contracts necessary for completion of said Landfill Facility Improvements; and approving a budget adjustment for the amount of the bid, plus a contingency, to amend the budget for the Department of Environmental Services Solid Waste Fund for Fiscal Year 2020-2021 by appropriating reserves of said fund in the amount of \$6,250,000.00.

Erick Roberts, Superintendent of Solid Waste, provided a brief overview of the proposed. He noted the capital improvement in the proposed have been in the Capital Improvement program since 2017 and will provide a new landfill entrance, new signage, a new small load convenience area, new scales, a new scale house, address site security, improve customer access, improve maintenance and storage, and address employee safety, fitness, and storm shelters. Mr. Roberts noted they received two bids.

Councilman McGull asked about landfill capacity and how to expand capacity.

Mr. Roberts answered the expansion approved in March 2019 addressed landfill capacity. He noted at that time there was 9-12 years of capacity left. Mr. Roberts noted the improvement changed the time to 75-100 years of capacity depending on acceptance rate. He noted the acceptance rate is what citizens can do to help is to participate in other programs such as materials diversion, avoidance programs, and participate in education programs.

Councilman McGull asked if recycling helped.

Mr. Roberts answered affirmatively.

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

Construction Manager at Risk

Sponsor: McGull. Council Bill 2020-148.

Contracting Processes

A General Ordinance amending the Springfield City Code, Chapter 2, 'Administration,' Article VI, 'Finances,' Division 2, 'Purchasing,' Section 2-401, 'Purchasing Manual adopted,' by adding Section 13-3.104(5)(C) for the purpose of allowing the use of the "Construction Manager at Risk " contracting processes.

Chris Dunnaway, Principal Engineer, provided a brief overview of the proposed. He noted the Construction Manager at Risk (CMR) contracting process allows for a more collaborative relationship between the architect or engineer and the owner and the contractor during a project. Mr. Dunnaway noted the CMR process has been used for many years in the private industry and changes to state statutes in 2016 allow for political subdivisions to use CMR. He noted the CMR process would be another tool for the City to utilize and when staff deems the CMR process applicable, a resolution would be drafted and brought before Council for a particular project.

Mayor McClure clarified when the CMR process is going to be used, the project will first be brought to Council.

Mr. Dunnaway answered affirmatively.

Mayor McClure clarified the CMR process has now been codified by state statutes.

Mr. Dunnaway answered affirmatively.

An opportunity was given for citizens to express their views.

Megan Short, Executive Director of the Springfield Contractor's Association, spoke in favor of the proposed. She expressed her opinion the CMR process is a great tool for the City to have and noted she has worked with the CMR process before. Ms. Short expressed her gratitude the City is considering complying with changes to the state statutes and encouraged Council to review each project individually.

Sean Thouvenot, Branco Enterprises, spoke in favor of the proposed. He noted Branco Enterprises is a local contractor. He expressed his opinion CMR is a great value for the City and the CMR process is the method of choice for school districts. Mr. Thouvenot expressed his opinion the biggest advantage of the CMR process is bringing the architect and contractor are brought on upfront on the project allowing the project to be streamlined. He noted the CMR process allows projects to be broken into work packages, allowing smaller contractors to work on projects.

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

**Battlefield Road
and Delaware
Avenue Signal
Replacement
Project**

Sponsor: Simpson. Council Bill 2020-149.

A Special Ordinance approving the plans and specifications for the Battlefield Road and Delaware Avenue Signal Replacement Project; accepting the bid of Ewing Signal Construction, LLC, in the amount of \$125,773.33 for the project; and authorizing the City Manager, or his designee, to enter into a contract with such bidder.

Tom Dancey, Traffic Engineer, provided a brief overview of the proposed. He noted they are seeking Council's approval to move forward with the proposed. Mr. Dancey explained the project is mostly replacing aging traffic signal equipment and much of the equipment is from the initial installation in 1975. He noted there would be reconstruction of sidewalks and ramps on three of the corners to be ADA compliant. Mr. Dancey noted the project was open for bid on June 2, 2020 and they received one bid.

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

**Amendments to
Section 320 of the
2018 International
Fire Code**

Sponsor: Hosmer. Council Bill 2020-150.

A General Ordinance amending the Springfield City Code, Chapter 54, 'Fire Prevention and Protection,' Article II, 'Fire Prevention Code,' Section 54-32, 'Amendments and additions,' by adding specific local amendments to Section 320 of the 2018 International Fire Code, relating to Landscaping Materials.

David Pennington, Fire Chief, provided a brief overview of the proposed. He noted the proposed is related to landscaping materials and would require an 18-inch buffer of noncombustible ground cover immediately adjacent to a building. Chief Pennington noted the intent of the proposed is to lower or eliminate building fires that have a point of origin in the combustible ground cover. He noted over the last 10 years the Fire Department has responded to over 100 incidents, with the most recent one this morning.

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

**Planned
Development
District No. 298 at
3414 East Chestnut
Expressway**

Sponsor: McGull. Council Bill 2020-153.

A Special Ordinance approving the final development plan of Planned Development District No. 298, on 44.70 acres generally located at 3414 East Chestnut Expressway. (Planning and Zoning Commission and Staff recommend approval.)

Mary Lilly Smith, Director of Planning and Development, provided a brief overview of the proposed. She noted the proposed is the location of the Costco development. Ms. Smith noted the proposed was zoned in 2006 and requires City Council approval and permits a wide range of uses from multifamily to building and materials stores. She noted the proposed is consistent with the intent of Costco (retail sales and fueling station) and staff and Planning and Zoning Commission recommended approval.

Councilman McGull asked what the impact on Eastgate.

Ms. Smith answered Eastgate will be relocated. She displayed an aerial photograph and explained the changes.

Councilman McGull asked if traffic signals would installed.

Ms. Smith noted the area is already a signalized intersection.

An opportunity was given for citizens to express their views.

Tim Havens expressed his concern about the age of the proposed as it was initiated in 2006. He asked if people adjacent to the property have had a chance to object to the proposed. Mr. Havens expressed his opinion Costco does not create jobs, the items sold by Costco can be already by purchased and therefore is detracting from sales of current businesses, and the City should start the process over.

Jared Rasmussen, representing the developer and Costco, noted he was available to answer any questions Council may have.

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

PETITIONS, REMONSTRANCES, AND COMMUNICATIONS

Tim Havens wishes to address council. Mr. Havens noted since the death of Mr. Floyd, 125 people have lost their lives in exchanges with police. He expressed his opinion there have been instances of police brutality in Springfield, noted litigation from brutality incidents resulting in monetary awards, and review boards never find fault with officers. Mr. Havens expressed his opinion Council bears responsibility for the use of excessive force of the police department and Council has acquiesced to the Chief and the police union. He expressed his opinion when body cameras are used by police any incident considered controversial the footage will never be released. Mr. Havens also expressed his opinion body cameras will not be turned on when most needed. He encouraged Council to consider measures giving police zero control to body camera videos and a resolution requiring body cameras to be on 100% of the time; outside investigations for police complaints, incidents, training, and training procedures; psychological testing and evaluations of recruits; and, greater racial diversity in the police force.

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

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

**Encroachment
License with
Three-D
Development at
401 South Avenue**

Sponsor: Schilling. Council Bill 2020-151.

A Special Ordinance authorizing the City Manager, or his designee, to enter into an Agreement for Encroachment License with Three-D Development, LLC, for the purpose of allowing an encroachment onto City rights-of-way for the placement of a ramp and landing that meets Americans with Disabilities Act guidelines on property located at 401 South Avenue, under the same terms and conditions as encroachments are permitted on City rights-of-way under Chapter 98, Article VII of the Springfield City Code.

**Grant from the
Lennie Cloud
Fund**

Sponsor: Simpson. Council Bill 2020-152.

A Special Ordinance authorizing the City Manager, or his designee, to accept a grant for \$500.00 from the Lennie Cloud Fund for the Hearing Impaired, administered through the Community Foundation of the Ozarks, to provide free smoke alarms for the deaf and hard of hearing.

**Preliminary Plat of
Kirkland
Commons at 3502
East Chestnut
Expressway**

Sponsor: McGull. Council Bill 2020-154.

A Special Ordinance authorizing the Director of Planning and Development to accept the dedication of public streets and easements to the City of Springfield, Missouri, as shown on the Preliminary Plat of Kirkland Commons, generally located at 3502 East Chestnut Expressway, upon the applicant filing and recording a final plat that substantially conforms to the preliminary plat; and authorizing the City Clerk to sign the final plat upon compliance with all the terms of this Ordinance. (Staff recommends that City Council accept the public streets and easements.)

**Preliminary Plat of
IDEA Commons
at 405 North
Jefferson Avenue
and 410 North
Boonville Avenue**

Sponsor: Ferguson. Council Bill 2020-155.

A Special Ordinance authorizing the Director of Planning and Development to accept the dedication of public streets and easements to the City of Springfield, Missouri, as shown on the Preliminary Plat of IDEA Commons, generally located at 405 North Jefferson Avenue and 410 North Boonville 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.)

**Preliminary Plat
Renewal of
Catalpa Cottages
at the 2300 block
of East Catalpa
Street**

Sponsor: McGull. Council Bill 2020-156.

A Special Ordinance authorizing the Director of Planning and Development to accept the dedication of public streets and easements to the City of Springfield, Missouri, as shown on the Preliminary Plat Renewal of Catalpa Cottages, generally located at the 2300 block of East Catalpa 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.)

CONSENT AGENDA ONE READING BILLS

CONSENT AGENDA SECOND READING BILLS

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: Schilling, Ferguson, Fisk, Ollis, Lear, McGull, Simpson and McClure. Nays: Hosmer. Absent: None. Abstain: None. The meeting adjourned at 9:07 p.m.



Anita J. Cotter, CMC/MRCC
City Clerk

Prepared by
Monica Paxton