

**July 27, 2020**  
**Springfield, Missouri**

The City Council met in regular session July 27, 2020 in the City 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. Richard Ollis\*, Andrew Lear\*, Abe McGull, Matthew Simpson\*, Mike Schilling\*, Phyllis Ferguson\*, Jan Fisk\*, Craig Hosmer and Ken McClure. Absent. None.

\*Members attending via videoconference.

**Minutes**

The minutes of July 13, 2020 City Council meeting and July 13, 2020 Special City Council Meeting were approved as presented.

**CEREMONIAL MATTERS**

**City Manager Report**

Jason Gage, City Manager, noted the World-champion Springfield Lasers 2020 tennis season continues and people can continue to tune in to watch the world-champion team defend their title at the 2020 World Team Tennis tournament.

Mr. Gage noted over the last two weeks city management and the police department have continued conversations with local NAACP chapter representatives and the basis of the discussions was to address the three demands the NAACP issued to City Council on July 13, 2020. Mr. Gage noted the demands included, 1) ban the use of vascular neck restraint, chokeholds or any form of neck restraint; 2) reduce the traffic stop racial disparity index from 2.71 to 1; and, 3) reform the Police Civilian Review Board (PCRB). He expressed his opinion these are very serious concerns and the City will make every effort to find a resolution. Mr. Gauge expressed his belief it is certainly not part of the Springfield Police Department's values, training, or desire to in any way discriminate as part of the role to protect the public. He noted there are systemic approaches and other factors can still result in discriminatory outcomes; therefore, the City is committed to identifying and eliminating any unintentional discriminatory outcomes in our effort to protect the public. Mr. Gage noted each organization has agreed to be publicly transparent regarding these discussions and progress made. He noted as part of this communication, each Council member has a copy of the news release and a list of 22 questions (and answers) submitted to SPD by the NAACP and responded to by Chief Williams.

Mr. Gage noted this past Saturday, local youth had the opportunity to continue to safely interact with Missouri State basketball players and Springfield Police officers in monthly skills development (drills) throughout the Springfield community. He noted the Bears head coach Dana Ford organized the events with collaboration from the Springfield Police Department, the City of Springfield, the Community Partnership of the Ozarks, and the Springfield Dream Center to create this unique opportunity. Mr. Gage shared the events are free for children in grades K-6 and take place from 10:30

a.m. to noon on the fourth Saturday of every month and the remaining dates include August 22 at Grant Beach Park & Pool and September 26 at Reed Academy.

Mr. Gage noted as a reminder to the community there is an upcoming election next Tuesday, August 4<sup>th</sup> and noted several items of interest to Springfieldians, including Medicaid Expansion and fees for a payday loan establishment permits.

Councilman Hosmer encouraged the City Manager the investigate sending Governor Parsons a letter encouraging a state-wide masking ordinance, noting 32 states have enacted a masking ordinance. He expressed his opinion wearing a mask is much less intrusive and inconvenient than shutting down the economy.

Mr. Gage noted he has been working on putting information together based on the City Council meeting from July 13, 2020 and it should be easy to put the information into the form of a letter.

Clay Goddard, Director of Public Health and Welfare, noted today Springfield-Greene County officially exceeded 1,000 cases of COVID-19. He noted staff at the Health Department are managing 459 active cases, there are 567 are under quarantine order, and there are 56 people in the local hospitals (not just Springfield residents) with 15 people in ICU and 13 ventilated. Mr. Goddard noted 100 new cases are diagnosed every two to three days. He discussed the incubation period is 10-14 days and after a mitigating effort has been introduced it generally will take up to 21 days before results are seen. Mr. Goddard noted the community is currently at day 12 since the masking ordinance was passed, but he believes he is seeing a slowing of the number of cases. He noted much of the effectiveness of the masking ordinance is dependent upon compliance, he thanked the community for compliance, and expressed his opinion wearing a mask will make a difference. Mr. Goddard urged leaders in Southwest Missouri to follow the example of Springfield and enact a masking ordinance. He noted he has had ongoing conversations with the CDC regarding the Great Clips exposure and the CDC will be coming to Springfield on Thursday, July 30, 2020 to study the models the Public Health Department has developed for contract tracing and share lessons they have learned. Mr. Goddard noted two weeks ago City Council approved a budget adjustment to hire staff and noted he is making progress on hiring staff. He noted the Health Department is still behind, but they are making up ground.

Mayor Pro Tem Ferguson asked the potential development for a vaccine for COVID-19.

Mr. Goddard noted there are three vaccine candidates entering phase 3. He explained the testing phases. Mr. Goddard noted there needs to be at least a 50% improvement over the placebo before the vaccine can go forward. He noted a vaccine looks promising and it is very difficult to get a vaccine to this stage. Mr. Goddard noted there are 164 in other areas of testing.

Mayor Pro Tem Ferguson asked what the timeline is on a potential vaccine moving through phase 3.

Mr. Goddard noted in a perfect situation vaccines would be available to the highest risk candidates in late fall or early winter and up to full scale during the first quarter of 2021. He noted currently the belief is the vaccine will take multiple doses.

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

Mayor McClure issued a public apology to Cheryl Clay and noted it was not his intent to be disrespectful to Ms. Clay at the July 13, 2020 City Council meeting.

**Glenstone and  
Kearney  
Community  
Improvement  
District**

Sponsor: McGull. City Council Bill 2020-161.

A Special Ordinance approving a Petition to Establish the Glenstone and Kearney Community Improvement District; declaring the 4.54 acres in said District to be a blighted area and its redevelopment necessary for the preservation of the public peace, prosperity, health, safety, morals, and welfare; authorizing the City Manager to execute a Cooperative Agreement between the City, the Glenstone and Kearney Community Improvement District, and Missouri Commercial Development, LLC; and directing the City Clerk to notify the Missouri Department of Economic Development of the creation of the District. (Staff recommends approval.)

Mayor McClure noted public hearing was held on July 13, 2020 on the proposed and it is now in front of City Council for consideration. He asked for questions or comments from members of City Council.

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

City Council Bill 2020-161. Special Ordinance 27359 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.

**Kay Pointe Place  
Community  
Improvement  
District**

Sponsor: Ferguson. City Council Bill 2020-162.

A Special Ordinance approving a Petition to Establish the Kay Pointe Place Community Improvement District; authorizing the City Manager to execute a Cooperative Agreement between the City and the Kay Pointe Place Community Improvement District, and Carleton Resources, LLC; and directing the City Clerk to notify the Missouri Department of Economic Development of the creation of the District. (Staff recommends approval.)

Mayor McClure noted public hearing was held on July 13, 2020 on the proposed and it is now in front of City Council for consideration. He asked for questions or comments from members of City Council.

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

City Council Bill 2020-162. Special Ordinance 27360 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.

**The Ridge at Ward  
Farm Community  
Improvement  
District**

Sponsor: Schilling. City Council Bill 2020-163.

A Special Ordinance approving a Petition to Establish the Ridge at Ward Farm Community Improvement District; authorizing the City Manager to execute a Cooperative Agreement between the City, the Ridge at Ward Farm Community Improvement District, and RW Developments, LLC; and directing the City Clerk to notify the Missouri Department of Economic Development of the creation of the District. (Staff recommends approval.)

Mayor McClure noted public hearing was held on July 13, 2020 on the proposed and it is now in front of City Council for consideration. He asked for questions or comments from members of City Council.

Councilman Schilling asked for a visual of the proposed. He noted he had a constituent contact him noting he had heard numerous explosions. Councilman Schilling noted there are now numerous rock ridges.

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

City Council Bill 2020-163. Special Ordinance 27361 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.

**Commercial Street  
Parking Lot and  
Pedestrian  
Alleyway  
Improvement  
Project**

Sponsor: Ferguson. City Council Bill 2020-164.

A Special Ordinance approving the plans and specifications for the Commercial Street Parking Lot and Pedestrian Alleyway Improvement Project; accepting the bid of Hunter Chase & Associates, Inc., in the amount of \$522,660.40, for the project; and authorizing the City Manager, or his designee, to enter into a contract with such bidder.

Mayor McClure noted public hearing was held on July 13, 2020 on the proposed and it is now in front of City Council for consideration. He asked for questions or comments from members of City Council.

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

City Council Bill 2020-164. Special Ordinance 27362 was approved by the following roll call vote: Ayes: Hosmer, Ollis, Lear, McGull, Simpson, Schilling, Ferguson, Hosmer and McClure. Nays: None. Absent: None. Abstain: None.

**Mosaic Artwork  
from the  
Commercial Club**

Sponsor: Ferguson. City Council Bill 2020-165.

A Special Ordinance authorizing the City Manager, or his designee, to accept a donation of mosaic artwork valued at \$15,000.00 from the Commercial Club of Springfield, Missouri, for inclusion in sidewalk construction and enhancement in the Commercial Street area.

Mayor McClure noted public hearing was held on July 13, 2020 on the proposed and it is now in front of City Council for consideration. He asked for questions or comments from members of City Council.

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

City Council Bill 2020-165. Special Ordinance 27363 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.

**Expenditures from  
the Commercial  
Street Tax  
Increment  
Financing Special  
Allocation Fund**

Sponsor: Ferguson. City Council Bill 2020-166.

A Special Ordinance authorizing expenditures from the Commercial Street Tax Increment Financing Special Allocation Fund for public improvement projects within the Commercial Street Tax Increment Financing District in the amount of \$66,000, which had previously been allocated for the Commercial Street TIF Façade Loan Program. (Staff recommends approval.)

Mayor McClure noted public hearing was held on July 13, 2020 on the proposed and it is now in front of City Council for consideration. He asked for questions or comments from members of City Council.

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

City Council Bill 2020-166. Special Ordinance 27364 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.

**Amending the  
Operating Budget  
of the City of  
Springfield in  
various Special  
Revenue and  
Capital Project  
Funds**

Sponsor: Ollis. City Council Bill 2020-167.

A Special Ordinance amending the Fiscal Year 2019-2020 operating budget of the City of Springfield by increasing both revenue and expenses in the amount of \$368,028.00, in various Special Revenue and Capital Project Funds, for the purpose of accounting for certain reimbursements and associated offsetting expenses.

Mayor McClure noted public hearing was held on July 13, 2020 on the proposed and it is now in front of City Council for consideration. He asked for questions or comments from members of City Council.

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

City Council Bill 2020-167. Special Ordinance 27365 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.

**Amending the  
Operating Budget  
of the City of  
Springfield in  
General Fund**

Sponsor: Hosmer. City Council Bill 2020-168.

A Special Ordinance amending the Fiscal Year 2019-2020 operating budget of the City of Springfield in the General Fund by increasing both revenue and expenses in the amount of \$146,511.00, for the purpose of adjusting for certain reimbursements and associated offsetting expenses as well as adjusting the salary budget for retirement payouts.

Mayor McClure noted public hearing was held on July 13, 2020 on the proposed and it is now in front of City Council for consideration. He asked for questions or comments from members of City Council.

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

City Council Bill 2020-168. Special Ordinance 27366 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.

**City Utilities  
Agreement with  
BKD, LLP, for  
Professional  
Auditing Services**

Sponsor: McClure. City Council Bill 2020-169.

A Special Ordinance authorizing the General Manager of City Utilities of Springfield, Missouri ("City Utilities"), or his designee, on behalf of City Utilities to enter into an agreement with BKD, LLP, to provide professional auditing services to City Utilities for Fiscal Years 2020-2024. If City Utilities is unsuccessful at negotiating the terms and conditions of such a contract with BKD, LLP, then City Utilities will move to do so with RSM US, LLP.

Councilman Lear recused himself due to his prior association with BKD and his son's current association with RSM.

Mayor McClure noted public hearing was held on July 13, 2020 on the proposed and it is now in front of City Council for consideration. He asked for questions or comments from members of City Council.

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

City Council Bill 2020-169. Special Ordinance 27367 was approved by the following roll call vote: Ayes: Schilling, Ferguson, Fisk, Hosmer, Ollis, McGull, Simpson, and McClure. Nays: None. Absent: Lear. Abstain: None.

**Donation from  
BSB Tie Company  
to SPD**

Sponsor: Simpson. City Council Bill 2020-171.

A Special Ordinance authorizing the City Manager, or his designee, to accept a donation of 700 railroad ties, valued at \$17,780.00, from BSB Tie Company to be used by the Springfield Police Department to improve safety in their training shoot house.

Mayor McClure noted public hearing was held on July 13, 2020 on the proposed and it is now in front of City Council for consideration. He asked for questions or comments from members of City Council.

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

City Council Bill 2020-171. Special Ordinance 27368 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.

Councilman Hosmer requested a thank you letter be sent to BSB Tie Company for their donation to the Springfield Police Department.

**The following bill appeared on the agenda under Resolutions.**

**Grant Avenue  
Parkway Delay**

Sponsor: Schilling. City Council Bill 2020-174.

A resolution delaying the acceptance and processing of applications for demolition, new construction, re-platting of property, including lot combinations, and rezoning for a period of one hundred eighty (180) days from the date of passage of this Resolution for those properties which abut the Grant Avenue Parkway Area, to allow time to seek input from area residents, property owners, design professionals and interested citizens regarding the Grant Avenue Parkway concept design and for staff to present a report to City Council regarding the Parkway concept, development constraints and opportunities in this area.

Mary Lilly Smith, Director of Planning and Development, provided a brief overview of the proposed. She noted it delays acceptance and processing for 180 days of applications for demolition, new construction, re-platting, and rezoning to allow for time to gather public input and prepare recommendations for City Council. Ms. Smith noted the appeal process for applicants.

Cora Scott, Director of Public Information and Civic Engagement, provided a brief overview of the proposed. She noted the Grant Avenue Parkway project is a three-mile stretch connecting Downtown Springfield to the Wonders of Wildlife National Museum and Aquarium with various neighborhoods, parks, and Greenway connections. Ms. Scott noted the November 2019 grant award notification for this project and currently the City is coordinating with Missouri Department of Transportation (MoDOT) and the Federal Highway Administration (FHWA). She noted the City is currently seeking a contract a Project Consultant and she reviewed the role of the Project Consultant. Ms. Scott reviewed the process and the community engagement plan associated with the Grant Avenue Parkway project.

Mayor Pro Tem Ferguson asked where the first public engagement meeting will be held.

Ms. Scott noted the first meeting will be a virtual meeting on August 18, 2020 and a time has not yet been set.

Mayor Pro Tem Ferguson clarified the meeting will be available on City View or Facebook.

Ms. Scott answered affirmatively.

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

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

City Council Bill 2020-174. Resolution 10517 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.

## **EMERGENCY BILLS**

## **PUBLIC IMPROVEMENTS**

## **GRANTS**

## **AMENDED BILLS**

**The following bill appeared on the agenda under City Council Bills for Public Hearing.**

### **Rezoning 3146 South Golden Avenue**

Sponsor: Schilling. City Council Bill 2020-175.

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 5 acres of property generally located at 3146 South Golden Avenue from GM, General Manufacturing to O-1, Office District; establishing Conditional Overlay District No. 188; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission both recommend approval.) (By: OIP Golden, LLC; 3146 South Golden Avenue; Z-16-2020 w/COD #188.)

Mary Lilly Smith, Director of Planning and Development, provided a brief overview of the proposed. She noted the proposed is a rezoning for a church currently located in a General Manufacturing (GM) district. Ms. Smith noted the intended use is for a private K-6 school and a GM permit allows churches, but not schools. She noted the area is appropriate for light industrial and the Conditional Overlay District (COD) will require a traffic impact study at the time of development.

Councilman Hosmer asked for clarification on the difference between churches and schools in a GM zone.

Ms. Smith answered a church is allowed in every zoning district unless it is a planned development and the planned development specifically prohibits churches. She expressed her belief churches have been consistently treated differently than a school.

An opportunity was given for citizens to express their views.

Derek Lee appeared to answer any questions City Council may have. There were no questions from City Council.

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

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

**Amending City  
Code Chapter 74  
to Lead Poisoning**

Sponsor: Council. City Council Bill 2020-176.

A general ordinance amending the Springfield City Code Chapter 74, 'Nuisance and Housing Code,' Article I, 'In General,' Section 74-1, to redefine 'Lead-bearing substance' and 'Lead hazard' to cross-reference definitions in state law, and Article IV, 'Lead Poisoning,' Section 74-171, to replace "elevated blood lead toxicity" with "lead poisoning," and Section 74-178, to delete "lead toxicity" as redundant to "lead poisoning."

Rhonda Lewsader, City Attorney, provided a brief overview of the proposed. She noted several month ago updated building codes were being reviewed and adopted and Mayor Pro Tem Ferguson asked City staff to review if the City code sections regarding lead poisoning were consistent with state and federal law. Ms. Lewsader noted Assistant City Attorney Duke McDonald completed a review and found a small difference in the City code definition of lead-bearing, lead hazard, and lead toxicity. She noted the proposed would change verbiage to reflect that of state and federal law.

Mayor Pro Tem Ferguson expressed her gratitude to Ms. Lewsader and her department.

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

**Hunt Branch  
Trunk Sewer  
Project**

Sponsor: Lear. City Council Bill 2020-177.

A special ordinance declaring the necessity of condemning rights-of-way over, under, and through the properties herein described for the purpose of constructing and maintaining sanitary sewers in the Hunt Branch Trunk Sewer Project, #5PW5716; and authorizing certain officers, or their designees, to do all things necessary to carry out the terms of this Ordinance.

Errin Kemper, Director of Environmental Services, provided a brief overview of the proposed. He noted the urban service area was established in 1984 between the City and Greene County. Mr. Kemper noted in 2005 the area was amended to include the Hunt Branch Watershed. He noted the 2005 proposed listed many owners requesting sewer service and the City worked through 2008 to acquire easements and come to agreements with property owners. Mr. Kemper noted there was one property owner the City was not able to gain an easement from. He explained the sewer was to be gravity fed and the hold out property was in the valley and therefore, the City was not able to move forward or provide sewer service to any other property owner. Mr. Kemper noted in 2017 Environmental Services (ES) began to pursuing easements on the one remaining property, as they had continued to receive inquiries for public sewer service. He noted ES has been in discussion with the property owner and the property owner's attorney, but have not been able to reach an agreement for the value of the easements. Mr. Kemper noted City Council passed a condemnation bill in 2008, but the condemnation bill passed in 2008 was tied to a specific legal description that has now changed. He noted the proposed re-confirms the condemnation authority and will allow a third party to mediate negotiations.

Mayor McClure asked how the proposed would impact any possible annexations.

Mr. Kemper answered any person who connected to public sewer is required to complete a form agreeing to submit to annexation.

Councilman Schilling clarified the City was offering \$19,000 for the easements to the property owner, but the property owner wanted over \$300,000.

Mr. Kemper answered affirmatively.

Councilman Schilling asked if the three properties in question were open to commercial development as there was is such a large discrepancy between the City's offer and the property owner's request.

Mr. Kemper answered he could not speculate how the property owner arrived at their monetary request. He noted the City contacted an appraiser to review the property and requested easements.

An opportunity was given for citizens to express their views.

Elizabeth Link spoke in favor of the proposed. She encouraged City Council to vote yes and noted she had been waiting for several years for the proposed in order to begin construction on a senior living development. Ms. Link noted she has a market study indicating there are 400 seniors living within a five-mile radius in need of the service her company will be providing. She also noted the facility will employ 40-50 people full-time.

Eddie Tims spoke in favor of the proposed. He noted he is a resident of Springfield and the architect on the facility Ms. Link referenced. Mr. Tims expressed his opinion the proposed will increase property value, there are other property people are waiting to develop because of the need for public sewer, and although no one likes condemnation, the one property owner holding out is restricting economic growth.

Zach Fisher spoke in favor of the proposed. He noted he is a resident of Springfield and works as Director of Development for Foster Development. Mr. Fisher noted the aforementioned project is a \$35-36 million dollar project and will provide beds for 100 assisted living and memory care patients and 45 independent living residents. He noted this project will add to the tax base. Mr. Fisher noted his company focuses on keeping business local and utilizes local talent, local merchants for supplies, and local and regional financial institutions. He encouraged City Council to vote yes on the proposed.

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

**West Meadows  
Trail and Parking  
Lot Improvements**

Sponsor: Ferguson. City Council Bill 2020-178.

A special ordinance approving the plans and specifications for the West Meadows Trail and Parking Lot Improvements, Plan No. 2018PW0077; accepting the bid of Emery Sapp & Sons, Inc., in the amount of \$405,508.60, for construction of said project; and authorizing the City Manager, or his designee, to enter into an agreement with such bidder.

Jonathan Peitz, Professional Engineer, provided a brief overview of the proposed. He noted the project extends from Fort Street to just south of the railroad tracks and includes a 10-foot wide concrete path with two-foot gravel shoulders on each side. Mr. Peitz noted the project will build 2,000 linear feet of new trail as well as a parking lot at Fort and a kiosk to represent West Meadows. He noted bids were solicited and opened on July 7, 2020 and two bids were received. Mr. Peitz noted the proposed is funded by the Missouri Department of Natural Resources Recreational Trails Grant and the 1/8 cent sales tax alternative transportation program.

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

**PETITIONS, REMONSTRANCES, AND COMMUNICATIONS**

John Holt wishes to address City Council. Mr. Holt did not appear.

Melanie Taylor spoke against the masking mandate. Ms. Taylor noted she belongs to a group who spoke to City Council at the July 13, 2020 City Council meeting and stated after the City Council meeting she spoke with her group and the general feeling was disheartened and feeling City Council did not hear them express what they thought or what they see. Ms. Taylor noted her group is very aware of COVID-19 and spent months researching the virus, the number, and the survival rate. She expressed her opinion the Mayor and City Council put people in a position to fear the current state.

Ms. Taylor expressed her opinion the action of City Council has caused a lot of excitement in the community and her group has gained an additional 1,800 members. She encouraged City Council to listen to the people and expressed her belief the COVID-19 statistics do not justify the mask mandate.

Jerusha Azjita wishes to address City Council. Mr. Azjita did not appear.

Michael Hasty spoke against the masking ordinance. Mr. Hasty noted he did not have a chance to speak at the last City Council meeting on July 13, 2020. He noted his is a veteran and expressed his opinion City Council has overstepped their authority. Mr. Hasty noted during the last City Council meeting one of the City Councilmen noted authority for the mandate comes from the 1905 Supreme Court case *Jacobson v. Massachusetts*. He noted the case is 115 years old and was during the Smallpox epidemic and in 1905 the leading cause of death was infectious diseases and public health was not organized at a federal level. Mr. Hasty noted the medical field had little to offer the public until 1938 and the discovery of penicillin. He referenced the 1927 Supreme Court case *Buck v. Bell* which upheld mandatory sterilization of the “feeble minded” in order to protect public health as an example of mandatory ordinances passed in the name of public health. Mr. Hasty noted according to the CDC website, the leading cause of death in 2019 was heart disease and he has not witnessed any mandatory ordinances to address people’s bad eating habits—because that is their choice. He noted second is cancer, but there are no actions being taken to stop people from smoking. Mr. Hasty expressed his opinion the COVID-19 statistics do not warrant a masking ordinance.

Eric Harleman wishes to address City Council. Mr. Harleman did not appear.

Amanda Douglas spoke against the masking ordinance. Ms. Douglas expressed her opinion the media and others enamored with the coronavirus are sensationalizing the virus in a harmful way. She expressed her belief the deaths are in no way less tragic, than any other deaths, but also not any more unique. Ms. Douglas noted her brother was a Marine and gave his life fighting for the country and for freedoms that many today would like to squander for a false sense of security from a self-seeking, big government. She expressed her belief people have been affected more by the reaction to the virus than by the virus itself. Ms. Douglas referenced numerous studies by various doctors noting the negative affects of masking. She cited statistics from the CDC website noting at 99% survival rate. Ms. Douglas expressed her concern why government from local to federal are imposing Draconian measures for a virus with a 99% survival rate. She expressed her opinion the logic does not add up and because the science and the facts do not seem to matter to the policies made, it leaves her to conclude the actions are beyond the natural world expressing her belief in a demonic spirit.

Melissa Garrett spoke against the masking ordinance. Ms. Garrett noted she is a veteran with a traumatic brain injury. She expressed concern over people with disabilities wearing a face mask and cited reasons from the CDC website why a person with disabilities may not be able to wear a face mask. Ms. Garrett noted there have been masking policies developed federally, at the state level, the local level, and by

private businesses. She noted the ADA does not have any rules addressing masking; therefore, the government must consider reasonable accommodations. Ms. Garrett expressed her opinion City Council passed the masking ordinance without consideration of people's religious beliefs. She posed the question if COVID-19 is so dangerous, why has the homeless population not been decimated. Ms. Garrett cited numerous pandemics and noted there was not a masking ordinance passed during any of the previous pandemics.

Debra Buckner spoke against the masking ordinance. Ms. Buckner noted she is speaking to City Council on behalf of children. She noted the summer school program is currently in session and meeting five days a week and asked what changes on August 24, 2020 that students will only be able to attend classes two days per week. Ms. Buckner noted if masks work, students should be able to attend the full five days per week. She expressed her concern if a child is at home with an abusive caretaker, the child no longer has the release to go to school, the child is now trapped with the abuser. Ms. Buckner expressed her opinion some children need hands on learning and some children to not have assistance at home to help with schoolwork or computer-based learning. She also expresses her opinion, parents need to work and schools have often provided before and after school care. Ms. Buckner expressed her opinion the masking ordinance is creating a divide and hate in the community.

Dustin Gavisk wishes to address City Council. Mr. Gavisk did not appear.

Marc Falmer spoke against the masking mandate. Mr. Falmer noted wearing a mask is against his religious beliefs. He cited scenarios in which masking violates his religious beliefs. Mr. Falmer expressed his opinion a person's greatest fear should be God.

Aviah LaBrie wishes to address City Council. Ms. LaBrie did not appear.

Dixie George wishes to address City Council. Ms. George did not appear.

Jim Palmisano spoke against the masking ordinance. Mr. Palmisano noted he had visited the WHO and CDC and noted masks do not protect from COVID-19. He noted he visited the WHO website today and the WHO makes no recommendation for common people to wear a mask. Mr. Palmisano expressed his opinion it is fraud to force people to wear a mask and stated doctors all over the country will tell you a mask does nothing to protect a person from a virus. He expressed his belief people have been terrorized by the media and now by City Council. Mr. Palmisano noted AG Barr stated an emergency declaration does not suspend the American constitution. He expressed his opinion each person has the right to manage his or her health and safety according to conscious and beliefs. Mr. Palmisano asked City Council to repeal the masking ordinance. He expressed his opinion the purpose of government is to defend a person's rights.

Councilman Hosmer noted all City Council members are sworn to uphold the United States constitution and the Missouri constitution as part of the oath of office. He also noted several City Council members have also sworn to uphold the constitution because of the job held or from former military service. Councilman Hosmer asked Mr. Palmisano what constitutional right is City Council violating.

Mr. Palmisano answered City Council is violating people's constitutional rights.

Councilman Hosmer asked which constitutional provision is being violated.

Mr. Palmisano answered he has no constitutional rights. He has rights granted by the Creator and the Declaration of Independence. He noted he has the right to move and be free as he wills.

Councilman Hosmer posed the question if he had a completely contagious disease, is he free to go where he pleases.

Mr. Palmisano noted he stands corrected and there are provisions. He noted there is quarantine.

Councilman Hosmer asked is quarantine not more severe than requiring someone to wear a mask.

Mr. Palmisano answered he did not see the correlation.

Amanda Newsom wishes to address City Council. Ms. Newsom did not appear.

Trevion Burnett wishes to address City Council. Mr. Burnett did not appear.

Darius Burnett wishes to address City Council. Mr. Burnett did not appear.

Kris Palmer wishes to address City Council. Ms. Palmer acknowledged Mayor McClure's apology to Cheryl Clay. She expressed her opinion the Police Citizen Review Board is important for accountability with the Springfield Police Department (SPD) and she fully supports the intent of the review board. Ms. Palmer expressed her opinion Chief Williams selects the citizens for the review board and this creates bias. She expressed her opinion the citizens on the review board should not be connected to law enforcement in any way so that law enforcement is not policing themselves. Ms. Palmer expressed her optimism for positive outcome from the meeting and questions posed to City Council from the NAACP.

Kimberly Woodman wishes to address City Council. Ms. Woodman expressed concern for increasing racial violence in Springfield. She noted on July 5, 2020 a white supremacy banner was hung on a bridge on Kansas Expressway and expressed her opinion the effects are still being felt even though police quickly removed the banner. Ms. Woodman noted on July 13, 2020 a racially motivated brawl in Springfield and expressed her opinion the brawl resulted in many appalling social media posts. She noted on July 22, 2020 a black 12-year-old boy on a bicycle hit by a white woman in a

car flying a confederate flag. Ms. Woodman relayed the mother of the boy reported the incident to the police and was told the incident was not high on the police priority list and she expressed her wish for these types of incidents to be high on the police priority list. She expressed her opinion by staying silent about these types of incidents it is a means of agreement. Ms. Woodman noted there are signs posted in Springfield about wearing masks and asked if signs could be posted about unifying the City and about being anti-racist. She asked if City Council could make a more public stance against racism. Ms. Woodman asked City Council to focus on crime and poverty in Springfield as a long-term goal in order to make Springfield a healthy community.

Thomas “Alex” Haines noted his is with United Community Change and would like to address City Council regarding police reform and body cameras. Mr. Haines expressed his opinion body cameras for police would benefit citizens, police, and the community. He noted the rise of recording interactions between individuals and posts on social media. Mr. Haines expressed his opinion if police will be wearing body cameras then they should have a voice at the table rather than relying on snippets posted on Facebook. He expressed his opinion police body cameras can provide transparency for the police, as well as for citizens and the community. Mr. Haines expressed his opinion footage from police body cameras could depict police brutality, but also police bravery, correct behavior, and professionalism. He expressed his opinion implementing body cameras for police will lead to trust from the community, especially if the cameras cannot be turned off and on by the officers. Mr. Haines posed several questions to City Council regarding police body cameras.

Councilman Simpson asked Jason Gage, City Manager, the current status of body cameras for the Springfield Police Department (SPD).

Mr. Gage answered implementing body cameras in Springfield is a \$1 million dollar project and requires vetting of venders, then submission of proposals from venders (usually a couple week process), review of proposals (usually one to two weeks), present proposal to City Council for action, and then the timeframe as outlined by the selected vender to provide body cameras as outlined in their proposal. He noted there may be a high demand for body cameras currently and is unsure if that will affect SPD. Mr. Gage noted operational policies for body cameras can be developed simultaneously during the vender vetting process. He noted the entire process will take a few months.

Councilman Simpson asked if a retreat to discuss many issues, including the underlying root causes of crime, is still going to be held.

Mr. Gage answered affirmatively and noted the City is working on a scientifically valid survey from the community and gathering a broad range of data and input.

Mia Jones noted she is the founder of United Community Change (UCC). Ms. Jones noted UCC strives for unity and justice for all in the community. She expressed her opinion Mayor McClure’s behavior toward Cheryl Clay at the City Council meeting on July 13, 2020 was shocking and offensive. Ms. Jones expressed her opinion Mayor McClure’s behavior demonstrated a lack of concern for the issues Ms. Clay was

presenting. She noted she did witness Mayor McClure speak at a faith-based meeting and expressed her opinion he did a 360 in expressing himself and his concerns for the community and Ms. Jones now believes there are some common values she shares with Mayor McClure. She commended Mayor McClure's proactive apology to Ms. Clay and expressed her desire the Mayor's actions may restore some of the hope lost in the community and City Council will work with UCC in all areas concerning justice and equality in the community. Ms. Jones listed four UCC demands and asked City Council to review the demands.

Denzel Ransom noted he is 19 and has lived in Springfield his entire life. Mr. Ransom expressed his opinion Springfield needs to be more progressive, especially in its leadership. He expressed concern for the growth of Springfield. Mr. Ransom noted he will be a sophomore at the University of Missouri (UM) in Columbia, Missouri. He expressed his opinion after completing his first year at UM and returning to Springfield he noticed how far behind Springfield is. Mr. Ransom expressed his opinion Columbia is preparing for the future, especially with outside and cultural growth. He expressed his opinion people of his generation are seeking progressiveness and as Springfield is lacking in progressiveness, people of his generation are not going to choose to live in Springfield.

Councilman Lear thanked Mr. Ransom for his enthusiasm and expressed his agreement with Mr. Ransom. He expressed his opinion it is the younger generation who will drive the City into what it will be. Councilman Lear noted the City is in the middle of developing a comprehensive plan and expressed his opinion the City does need to include voices from younger people in order to move the City to an inclusive and inviting community.

Tim Havens spoke to City Council regarding the Springfield Police Department (SPD). Mr. Havens noted Paul Williams has been the Police Chief for 10 years and expressed his opinion there should be a performance review of SPD under Chief Williams tenure. He reviewed reports and statistics related to crime. Mr. Havens expressed his opinion based on the number of citizens speaking to City Council regarding police reform, there is an issue with SPD. He expressed his opinion based on satisfaction surveys and crime reports Chief Williams has not been successful in his position and posed the question to City Council of why Chief Williams is still employed with the City. Mr. Havens expressed his opinion Chief Williams is still employed because of status quo and because City Council does not have time for sweeping changes to bring Springfield into the 20<sup>th</sup> century. He listed many reasons he believes are indicators why City Council does not relieve Chief Williams of his duties.

Councilman Hosmer asked Mr. Havens if he understands City Council does not hire the Police Chief.

Mr. Havens responded City Council hires the City Manager and the City Manager hires the Police Chief.

Councilman Hosmer asked Mr. Havens if he thinks SPD want crime to increase.

Mr. Havens answered no, but his contention is SPD is brutal and racist.

Councilman Hosmer noted crime is increasing and asked Mr. Havens if he believes SPD officers are not doing their job.

Mr. Havens answered he did not know, and he wished he did. He noted statistics indicate crime is increasing.

Councilman Hosmer expressed his opinion it is not fair to criticize Springfield police officers and noted they do a good job in very trying circumstances. He expressed his opinion there are problems with SPD and there are things that should be done differently, but the officers are doing the best job they can under the circumstances they find themselves in. Councilman Hosmer noted due to budget issues, Springfield has fewer officers than the community should have. He noted this leads to less community policing, lower enforcement of laws, and higher crime. Councilman Hosmer noted these problems are not because of Chief Williams or the officers, but because of a funding issue. He expressed to Mr. Havens to ask for Chief Williams to be removed because crime is increasing, does not make any sense.

Mr. Havens responded based on the statistics he cited, whoever is the leader of the team is responsible for the job not getting done.

## **NEW BUSINESS**

## **UNFINISHED BUSINESS**

## **MISCELLANEOUS**

## **CONSENT AGENDA FIRST READING BILLS**

## **CONSENT AGENDA ONE READING BILLS**

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

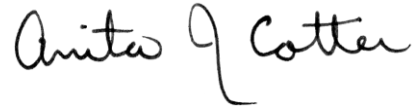
### **Encroachment License with Three-D Development at 401 South Avenue**

Sponsor: Ferguson. City Council Bill 2020-170.

A Special Ordinance authorizing the City Manager, or his designee, to enter into a Cost Share Agreement with Springfield Public Schools to share the costs associated with sidewalk construction along Smith Street, near Hillcrest High School, with the City's expected contribution to be \$21,335; and amending the budget of the Department of Public Works for Fiscal Year 2020-2021 in the amount of \$21,335 to appropriate Springfield Public Schools' contribution to the costs.

## **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: Ollis, Lear, McGull, Simpson, Schilling, Ferguson, Fisk and McClure. Nays: Hosmer. Absent: None. Abstain: None. The meeting adjourned at 8:45 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