

August 24, 2020
Springfield, Missouri

The City Council met in regular session August 24, 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. Matthew Simpson*, Mike Schilling*, Phyllis Ferguson*, Jan Fisk*, Craig Hosmer, Richard Ollis, Andrew Lear*, Abe McGull and Ken McClure. Absent. None.

*Members attending via videoconference.

Minutes

The minutes of August 10, 2020 City Council meeting, and August 11 and 18, 2020 Special City Council meeting were approved as presented.

Consent Agenda

The Consent Agenda was approved as presented.

CEREMONIAL MATTERS

**City Manager
Report**

Jason Gage, City Manager, noted the community engagement for the Grant Avenue Parkway corridor improvement projects will begin September 1, 2020. He also noted the City will rebroadcast the iconic Ozark Mountain Daredevils concert from the 2014 Birthplace of Route 66 Festival on route66festivalsgf.com and the City's cable channel.

Mr. Gage noted Police Chief Paul Williams has provided City Council members with staffing information that includes a breakdown of the sworn personnel demographics, and summarized Springfield Police Department (SPD) has doubled the number of female officers and doubled the number of minority officers in the last 10 years, due to focused recruiting, with no change in standards or requirements.

Mr. Gage concluded by noting the Park Board has also provided an update to City Council members.

Councilman Schilling asked how staffing at SPD compares to peer cities. Mr. Gage answered he will meet with Chief Williams to gather the information.

Clay Goddard, Director of Public Health and Welfare, noted the increased number of COVID cases with a total of 2,556 cases. He noted the number of active cases, the number of cases hospitalized (including regional patients), the number of patients in the ICU and those on ventilators. Mr. Goddard noted Arkansas passed a state-wide mask mandate and he will be reviewing the ordinance and data. He noted since instituting a state-wide masking mandate the number of COVID cases has decreased. Mr. Goddard reiterated COVID-19 is real and people need to use all resources to mitigate the disease: wash your hands, wear a mask, and watch your distance.

Councilman Simpson referred to the case growth over the weekend and asked if students who have come to college in Springfield, but are not residents of Springfield, are counted in the cases number provided.

Mr. Goddard answered affirmatively, but noted if a student is a commuter student and tests positive, they would be considered a case for the county they reside in.

Councilman Simpson asked for an update on the jail and the COVID-19 cases.

Mr. Goddard answered he did not have an update on the jail at this time, but would provide an update at tomorrow's City Council lunch workshop.

Councilman Lear asked about the increase of cases related to colleges and asked if the students had already contracted COVID-19 and brought it with them.

Mr. Goddard answered his staff is working with Missouri State University on the epidemiology of the cases, but suspects it would be a mix of some cases brought in and some cases contracted here.

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

**Rezoning 410, 414
and 430 N.
Boonville Avenue,
310 E. Phelps
Street and 405 N.
Jefferson Avenue**

Sponsor: Ferguson. City Council Bill 2020-181.

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 5.3 acres of property generally located at 410, 414, and 430 North Boonville Avenue, 310 East Phelps Street, and 405 North Jefferson Avenue from HM, Heavy Manufacturing District, to CC, Center City District; establishing Conditional Overlay District No. 187; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission both recommend approval.) (By: Missouri State University and Vecino Group; 410, 414 and 430 N. Boonville Avenue, 310 E. Phelps Street and 405 N. Jefferson Avenue; Z-12-2020 w/COD #187.)

Mayor McClure noted public hearing was held on August 10, 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 2020-181. General ordinance 6610 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.

**Rezoning at 618
North Benton
Avenue**

Sponsor: Ferguson. Council Bill 2020-182.

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 1.08 acres of property generally located at 618 North Benton Avenue from HM, Heavy Manufacturing District, and GI, Governmental and Institutional Use District, to CC, Center City; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission both recommend approval.) (By: Advocates for a Health Community Inc.; 618 North Benton Avenue; Z-15-2020.)

Mayor McClure noted public hearing was held on August 10, 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 2020-182. General ordinance 6611 was approved by the following roll call vote: Ayes: Hosmer, Ollis, Lear, McGull, Simpson, Schilling, Ferguson, Fisk and McClure. Nays: None. Absent: None. Abstain: None.

**Conditional Use
Permit No. 445 at
2706 West
Chestnut
Expressway**

Sponsor: Ferguson. Council Bill 2020-184.

A special ordinance granting Conditional Use Permit No. 445 for the purpose of authorizing a warehousing and storage facility to operate within the CS, Commercial Service District generally located at 2706 West Chestnut Expressway as a conditional use. (Staff and Planning and Zoning Commission recommend approval.) (By: MOCAL Investment Company, LLC; 2706 West Chestnut Expressway; Conditional Use Permit 445.)

Mayor McClure noted public hearing was held on August 10, 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 2020-184. Special ordinance 27374 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.

Vacation 819

Sponsor: Schilling. Council Bill 2020-185.

A special ordinance vacating the public street of South Crenshaw Road between South Kissick Avenue and East Ridgecrest Street; and declaring the public interest requires such vacation despite the objections thereto. (Staff and Planning and Zoning Commission both recommend approval.) (By: City of Springfield; Crenshaw Road between South Kissick Avenue and East Ridgecrest Street; Vacation 819.)

Mayor McClure noted public hearing was held on August 10, 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 Hosmer asked what considerations had been given to make the intersection safer.

Derrick Estell, Public Works Engineer II, noted City staff reviewed the safety concerns in the area voiced by residents and conducted an all way stop study, but determined the traffic volume does not warrant an all way stop. He noted speed way placards were installed last week.

Councilman Hosmer asked what the cost would be to reduce the grade of the hill.

Mr. Estell answered it would be several million dollars to lower the roadway.

Councilman Hosmer asked if the proposed was passed tonight, how quickly does the vacation go into effect.

Mr. Estell answered immediately after the City Council vote.

Rhonda Lewsader, City Attorney, noted she would need to review the code to determine how quickly the proposed would go into effect.

Mayor McClure clarified the roads, directions, abutment, and use of Crenshaw road for access to the power station.

Mr. Estell affirmed the Mayor's interpretation of the layout.

Councilman Schilling asked if the forested area on the Southwest corner belongs to City Utilities and if the forest area could be cut back to increase site line.

Mr. Estell answered the property does belong to City Utilities and City staff are working with City Utilities on increasing the site line.

Councilman Simpson clarified the speed warning signs have already been installed.

Mr. Estell answered affirmatively.

Councilman Simpson expressed concern for continued maintenance of the area already cleared of trees and brush and echoed Councilman Schilling's sentiment of increasing site distance. He clarified the all way stop study accounted for traffic currently using Crenshaw being redirected.

Mr. Estell answered affirmatively.

Rhonda Lewsader, City Attorney, noted code does not specify when the vacation would take effect; however, if passed the ordinance takes effect immediately. She noted under state law anyone who objects to the vacation has a right to appeal the decision within 30 days.

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

City Council Bill 2020-185. Special ordinance 27375 was approved by the following roll call vote: Ayes: Lear, McGull, Simpson, Schilling, Ferguson, Fisk, Ollis and McClure. Nays: Hosmer. Absent: None. Abstain: None.

**Rezoning at 1738
West Sunshine
Street**

Sponsor: Schilling. Council Bill 2020-186.

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 1.04 acres of property generally located at 1738 West Sunshine Street from R-TH, Residential Townhouse District to LB, Limited Business District; and adopting an updated Official Zoning Map. (Staff recommends approval and Planning and Zoning Commission recommends denial.) (By: Sunshine TP LLC; 1738 West Sunshine Street; Z-14-2020.)

Mayor McClure noted public hearing was held on August 10, 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 noted he will be voting against the proposed and expressed his opinion the proposed is an unwarranted development.

Councilman McGull noted he visited the location and spoke with residents living in the area and believes the current zoning is appropriate. He noted he will be voting no on the proposed.

Councilman Ollis noted he visited the location and he concurs with Planning and Zoning and expressed his belief the area will one day be zoned commercial. He expressed his opinion the traffic pattern is not suitable currently and noted he will be voting no on the proposed.

Mayor Pro Tem Ferguson noted she travels in this location daily and expressed her opinion a change in zoning is not appropriate. She noted she will be voting no on the proposed.

Mayor McClure expressed his opinion he agrees with decision made by Planning and Zoning and noted he has also visited the location. He noted he will also be voting no on the proposed.

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

City Council Bill 2020-186. Council Bill 2020-186 failed by the following roll call vote: Ayes: None. Nays: McGull, Simpson, Schilling, Ferguson, Fisk, Hosmer, Ollis, Lear and McClure. Absent: None. Abstain: None.

**Repealing Section
106-24, 'Protective
Headgear for
Persons Riding
Motorcycles and
Motortricycles'**

Sponsor: McClure. Council Bill 2020-189.

A general ordinance amending the Springfield City Code, Chapter 106, 'Traffic and Vehicles,' Article I, 'In General,' by repealing Section 106-24, 'Protective Headgear for Persons Riding Motorcycles and Motortricycles,' due to preemption by state law.

Mayor McClure noted public hearing was held on August 10, 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 Hosmer noted he will be voting no on the proposed. He expressed his opinion the proposed is bad public policy and is unenforceable.

Councilman McGull noted he agrees with Councilman Hosmer and expressed his opinion helmet laws have saved many lives. He noted he must accept the law as it is and not as one wishes it to be, therefore he will reluctantly be voting yes on the proposed.

Councilman Simpson echoed Councilman McGull's sentiments.

Councilman Schilling echoed Councilman Hosmer's sentiments and noted he will be voting no on the proposed.

Councilman Lear echoed Councilman Hosmer's sentiments and noted he too will be voting no on the proposed.

Councilman Hosmer clarified with the City Attorney there is no legislature requiring the City to eliminate ordinances on the books in opposition to state law.

Rhonda Lewsader, City Attorney, answered affirmatively. She noted by leaving ordinances on the books that have been preempted causes public confusion. Ms. Lewsader expressed her concern if a ticket is issued for a charge that has been preempted there could be a liability issue for the City.

Mayor McClure noted he echo both Councilman Hosmer and Councilman McGull's sentiments. He noted he will reluctantly be voting in favor of the proposed.

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

City Council Bill 2020-189. General ordinance 6612 was approved by the following roll call vote: Ayes: Simpson, Ferguson, Fisk, Ollis, McGull and McClure. Nays: Schilling, Hosmer and Lear. Absent: None. Abstain: None.

**Special Election
Costs Related to
the Fee for a
Short-Term Loan
Establishment
Permit**

Sponsor: Hosmer. Council Bill 2020-190.

A special ordinance amending the General Fund budget for the City of Springfield, Missouri, for Fiscal Year 2020-2021, by appropriating a portion of the Fiscal Year 2018-2019 carryover funds and increasing expenses in the amount of \$175,000.00, for special election costs related to the fee for a Short-Term Loan Establishment permit.

Mayor McClure noted public hearing was held on August 10, 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 expressed his opinion the amount is excessive, but will be voting in favor of the proposed.

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

City Council Bill 2020-190. Special ordinance 27376 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.

**Plat of the
Administrative
Subdivision of
Kansas at Grand
Phase 2 with a
Subdivision
Variance**

Sponsor: Schilling. Council Bill 2020-191.

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 Firestone Springfield Addition, generally located at 216 East Weaver Road, 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.) (By: McKeen Trust, c/o Gene McKeen; 216 East Weaver Road; Preliminary Plat of Firestone Springfield Addition.)

Mayor McClure noted public hearing was held on August 10, 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 2020-191. Special ordinance 27377 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 following bill appeared on the agenda under Resolutions.

**Election Results
Related to Short-
Term Loan
Establishment
Permits**

Sponsor: Council. Council Bill 2020-196.

A resolution declaring the results of a Special Municipal Election held on August 4, 2020, under the Home Rule Charter of the City of Springfield, Missouri, on the question of whether the City shall be authorized to impose a fee for a Short-Term Loan Establishment permit.

Rhonda Lewsader, City Attorney, provided a brief overview of the proposed. Ms. Lewsader noted on Tuesday, August 4, 2020 the City of Springfield held an election to determine if the City shall be authorized to impose a fee for a Short-Term Loan Establishment permit. She noted a majority vote was received.

Councilman Hosmer asked when the fee will go into effect.

Ms. Lewsader answered 60 days after the effective date of the election.

Councilman McGull asked if the City will be able to send in “testers” to determine if establishments are complying with the ordinance.

Ms. Lewsader answered there are provisions through the licensing department.

Councilman Ollis clarified the number of Short-Term Loan establishments and the fees would be approximately \$150,000 per year.

Ms. Lewsader answered affirmatively.

Councilman Ollis asked if the bill to fund the cost of the election is a separate issue from the proposed.

Ms. Lewsader answered affirmatively.

Councilman Ollis asked if the money collected in fees offset the election costs.

Ms. Lewsader noted she will defer to the Finance Department.

Jason Gage, City Manager, noted permit fees go into the general fund unless earmarked otherwise.

Mayor Pro Tem Ferguson asked about enforcement and compliance. She specifically asked if the fees imposed are going to be passed onto the customers.

Ms. Lewsader noted there is not language in the ordinance stating the establishment is prohibited from passing the costs on to the customers.

Mayor Pro Tem Ferguson noted in two other cities that passed a similar ordinance, it reduced the number of Short-Term Loan establishments and she recommended Springfield track this data as well.

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

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

City Council Bill 2020-196. Resolution 10521 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

The following bills appeared on the agenda under Grants.

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

Sponsor: Fisk. Council Bill 2020-197.

A special ordinance authorizing the City Manager, or his designee, to accept grant funding from the Missouri Department of Higher Education and Workforce Development in the amount of \$40,000.00, to fund job and skills training for ten apprentices; amending the budget of the Department of Workforce Development for Fiscal Year 2020-2021 in the amount of \$40,000.00 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 the proposed is a request for City Council's approval to accept a grant. Ms. Payne noted the grant is a partnership with Abilities First and the responsibility of the Department of Workforce Development would be to pay the expensed related to job training. She noted this grant is focused on working with individuals with disabilities and is the first of its kind in Missouri.

Mayor Pro Tem Ferguson asked how individuals are selected for the grant program.

Ms. Payne answered individuals will be vetted through Abilities First and through referrals from agencies to Abilities First.

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

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

City Council Bill 2020-197. Special ordinance 27380 was approved by the following roll call vote: Ayes: Hosmer, Ollis, Lear, McGull, Simpson, Schilling, Ferguson, Fisk and McClure. Nays: None. Absent: None. Abstain: None.

**Workforce
Innovation and
Opportunity Act
National
Dislocated Worker
Grant Funding**

Sponsor: Lear. Council Bill 2020-198.

A special ordinance authorizing the City Manager, or his designee, to accept Workforce Innovation and Opportunity Act National Dislocated Worker Grant funding from the Missouri Department of Higher Education and Workforce Development in the amount of \$240,163.00 to fund job and skills training; amending the budget of the Department of Workforce Development for Fiscal Year 2020-2021 in the amount of \$240,163.00 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 the Department of Workforce Development is seeking approval from City Council to accept funding from the Missouri Department of Higher Education and Workforce Development. Ms. Payne noted the funding they

were awarded is for training for COVID-19 related humanitarian positions. She noted this will fund 17 individuals for training, with 10 specifically for truck drivers. Ms. Payne noted in order to be eligible the person must be a dislocated worker, having lost their job due to COVID-19.

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 2020-198. Special ordinance 27381 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.

AMENDED BILLS

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

NOTE Public Hearing on this bill was continued from the August 10, 2020 City Council meeting.

**Rezoning at 3503,
3521, 3527, and
3535 South Lone
Pine Avenue**

Sponsor: Simpson. Council Bill 2020-187.

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning 4.2 acres of property, generally located at 3503, 3521, 3527, and 3535 South Lone Pine Avenue from R-SF, Single-family Residential, GR, General Retail, and LB, Limited Business District to Planned Development No. 374; and adopting an updated Official Zoning Map. (Planning and Zoning Commission and Staff recommend approval.) (By: Elevation Enterprises, LLC; 3503, 3521, 3527, and 3535 South Lone Pine Avenue; Planned Development 374.)

An opportunity was given for citizens to express their views.

Patrick Platter spoke in opposition of the proposed. He noted he is a partner at Neal and Newman and represents the Galloway Homeowners Association. Mr. Platter expressed concern for parking and traffic and the location of two sites within 200 feet of each other which he feels is inconsistent with the Secretary of the Interior Standards.

Jared Rasmussen spoke in favor of the proposed. He addressed stormwater buyout, improvements to Lone Pine, maintaining the stream buffer, protection of trees and vegetation, retaining walls, location of sidewalks, and maintaining the urban forest.

Glenn Green spoke in favor of the proposed. He noted he is an attorney representing the developer in this application. Mr. Green noted the primary opposition to the

proposed has come from the Galloway Homeowners Association and noted the Galloway Association's original protest letter referred mostly to the Galloway Redevelopment Guidelines, not to the development of the applicant. He noted the protest letter lists six complaints and expressed his opinion three of those complaints are not legitimate. Mr. Green addressed the remaining three complaints and how the applicant meets the Galloway Redevelopment Guidelines.

Rick Wilson spoke in opposition to the proposed. He noted he is the owner of Wilson Surveyors and represents the residents of Cottages of All Saints. Mr. Wilson noted he has 40 years of experience planning developments. He expressed his concern for the sustainability of the proposed in relation to the All Saints development and the negative impacts to the cottages of All Saints.

Charles Ewing spoke in opposition to the proposed. He noted he has been a member of Tree City for nine years and spoke to tree preservation related to the proposed expressing concern related to the removal of trees to only 16% remaining.

Cristina Bustamante spoke in opposition to the proposed. She presented a presentation on the Galloway Redevelopment Guidelines. Ms. Bustamante discussed stream rerouting, rock removal, the comprehensive plan, building height limits, the bulk plane edge, and unit density.

Chad Cook spoke in favor of the proposed. He noted he is a former teacher and current small business owner. Mr. Cook expressed his opinion Mr. Jenkins has gone above and beyond the requirements of the Galloway Redevelopment Guidelines and to address the concerns of residents. He listed reasons why he believes the proposed should be passed.

Tim Yarham spoke in opposition to the proposed. He noted he is representing his inlaws. Mr. Yarham expressed his belief the proposed is inconsistent with spirit of the blight plan and the quaintness of Galloway Village and is unneeded as most of the area is greenspace.

Anne Baker spoke in support of the proposed. She noted she was the owner of Sequiota Bike Shop from 2015-2018, a small sandwich shop on Lone Pine Avenue. Ms. Baker noted the developer, Mitch Jenkins, had been a patron of the Sequiota Bike Shop and after its closure Mr. Jenkins contacted her about re-opening the sandwich shop and understands the importance of greenspace to overall experience provided at the sandwich shop. Ms. Baker expressed her support for Mr. Jenkins, his willingness to accommodate residents and his desire to improve Galloway Village

Ron Boles spoke in opposition of the proposed. He expressed his opinion those in favor of the proposed are friends of the applicant or are people who have a financial interest, while those opposed are neighbors looking to do what is best for the neighborhood. Mr. Boles described how the Galloway Village Neighborhood Association (GVNA) has come together and supported the neighborhood. He expressed his opinion the proposed is too large.

Julie Boles spoke in opposition of the proposed. She listed the ways she believes the proposed do not meet City Code 36-405. Ms. Boles expressed her opinion the proposed should have been submitted as retail zoning using conditional overlay permitting.

Greg Horton spoke in support of the proposed. He noted he is from Springfield and a business owner. Mr. Horton expressed his opinion the multiuse development provides retail, housing, restaurants, and office space by a developer who has genuinely listed to the neighborhood while being deeply committed to the betterment of Springfield.

Bart Huscher spoke in opposition of the proposed. He expressed his opinion the proposed will bring nuisance and damage to his business (About Faces Photography) through the lack of complying with City Code 36-405. Mr. Huscher expressed his opinion the proposed will infringe on his property rights and impact his business by negatively impacting the outdoor photo sets offered to clients.

Austin Burks spoke in support of the proposed. He noted he and his wife own multiple business is the Galloway area. Mr. Burks expressed his opinion Springfield is a growing city and is growing because Springfield is attracting business and people to move here, therefore decisions should continue to be made with thought toward the future.

June Ivanov spoke in opposition of the proposed. She listed the ways she believes the proposed does not meet the over-classification on Lone Pine. Ms. Ivanov expressed her opinion the proposed is too large. She quoted from the City's Ozark Transportation Plan and noted the plans listed in the Ozark Transportation Plan are not addressed by the application.

Cindy Harding spoke in opposition of the proposed. She listed the safety concerns she believes the extra traffic from the proposed will bring to the area. Ms. Harding expressed her opinion Sequiota Park is used often and the proposed is too large for such a small space.

Stephanie Stenger-Montgomery spoke in support of the proposed. She noted she is not personally connected to the project or invested in any monetary way. Ms. Stenger-Montgomery noted she has been a developer since 1993. She expressed her opinion due to the administrative delay, the guidelines for the proposed were clear, the applicant has followed the process and done his due diligence, the applicant worked with the neighborhood and updated plans, and the applicant is working to preserve the structures and be collaborative. She encouraged City Council to vote in support of the proposed.

Jackie McVay spoke in opposition of the proposed. She listed the traffic issues she believes will occur if the proposed is approved. She believes the applicant should have at least been required to add a center lane. Ms. McVay expressed her opinion the raised boardwalk will cause issues, especially for the large/work vehicles coming through the area.

Glenda Hamilton spoke in support of the proposed. She noted she and her husband are empty nesters under the age of 55 and wanted to move from Greene County into the city limits of Springfield. Ms. Hamilton expressed her opinion finding modern housing to fit their age group was limited. She expressed her opinion the proposed, if approved, would help fill this gap.

Jacque Thummel spoke in opposition of the proposed. She expressed her opinion the language of the application regarding historic buildings is confusing. Ms. Thummel noted language for historic preservation from the Galloway Creek Redevelopment Policy Guidelines and expressed her opinion the historic buildings could be in jeopardy and the proposed does not provide concrete protection of the historic structures.

Sonja Shaw spoke in opposition of the proposed. She discussed to stormwater run-off and showed a video from her phone. Ms. Shaw expressed her opinion if the proposed is approved, the stormwater run-off will be worse because of the removal of trees and greenspace that currently soak up some of the run-off. She expressed her belief the proposed does not meet the stormwater requirements listed in the Galloway Creek Redevelopment Policy Guidelines. Ms. Shaw showed a second video of flooding on Lone Pine.

Ryan Grabill spoke in support of the proposed. He noted he moved to Springfield 10 years ago. Mr. Grabill expressed his opinion the changes and developments in the Galloway Corridor have been amazing. He expressed his opinion there is a need for more residential options in Galloway Village, as well as shops and dining establishments. Mr. Grabill express his opinion the proposed benefits the community in multiple ways.

Katherina Kalman spoke in opposition of the proposed. She expressed her opinion GVNA has submitted overwhelming opinion of opposition to the proposed. Ms. Kalman expressed her belief many of the senior residents of Galloway Village are also opposed to the proposed, but due to COVID-19 cannot risk their health to share their opinions with City Council. She noted she is speaking to City Council on their behalf. Ms. Kalman listed the surveys and results GVNA have conducted.

Jerry Pollock spoke in opposition of the proposed. He expressed his belief the developer has not compromised with area residents. Mr. Pollock listed the history of the development, the developer, the growth of the development, the moratorium on zoning, the purchase of the property, and the continued opposition of the GVNA.

Aaron Ehrlich spoke in support of the proposed. He noted he is a Springfield resident and a local pastor. Mr. Ehrlich noted he and his family are regular visitors to Sequiota Park. He expressed his support for local developers building in Springfield. Mr. Ehrlich expressed his opinion the proposed meets the needs of young professionals.

Amy Haymes spoke in opposition of the proposed. She noted she is a business owner directly to the south of the proposed. Ms. Haymes expressed concern for the one-acre shared easement. She noted she and her husband maintain the easement and noted the applicant has not contacted them once in the two years since he purchased the

property. Ms. Haymes noted the easement does not meet fire code, and is 13 feet wide, the slope is above 10%. She noted the only way residents from the proposed will be able to access Galloway Road is through the back of her property, she referenced Mr. Newman's comments from the August 10, 2020 City Council meeting, and she expressed concern for her tenants and their clients from the increased traffic.

Brandon Rachal spoke in support of the proposed. He noted he is an assistant academic professor, nurse, and local pastor. Mr. Rachal expressed his opinion, as a person of color, that he looks forward to the influx of students each year so he can see familiar faces, which does not happen in other Springfield neighborhoods. He referenced Forward SGF and expressed his opinion developments such as the proposed help our city to move forward and continue to attract talent to Springfield.

Nathan McCartney spoke in support of the proposed. He noted he is a local business owner and understands the need to attract young people to Springfield through job opportunities and places to live. Mr. McCartney expressed his opinion the generation of young professionals are very mobile, have a high chance of settling in a city, and it is important we attract this demographic.

Fayma Williams spoke in opposition of the proposed. She expressed her opinion the proposed does not comply with the established neighborhood section 18 of the Growth Management and Land Use Plan of the City of Springfield. Ms. Williams listed the ways she believes the proposed does not meet the guidelines.

Laramie Ellis spoke in opposition of the proposed. She expressed concern for pedestrians, cyclists, and trail users specifically in the areas east of Lone Pine. Ms. Ellis reviewed roads in the area, history of road improvements, conditions of the roads, and lack of sidewalks. She expressed her opinion the roads, already in poor condition, will experience a significant increase in traffic if the proposed is approved, creating added hazards and a highly unsafe situation.

Brandon Biskup spoke in favor of the proposed. He noted he is a designer with H Design Group. Mr. Biskup expressed his opinion the proposed is compatible with the City's Comprehensive Plan and listed the ways the proposed is compatible. He expressed his opinion the proposed exceeds zoning and Galloway Creek Redevelopment Policy standards and listed the ways the proposed exceeds the Galloway Creek Redevelopment Policy standards. Mr. Biskup then expressed his beliefs of the positive aspects the proposed will do for the community.

Rob Haik spoke in favor of the proposed. He noted he is a designer with H Design Group. Mr. Haik noted he used to live in Galloway Village and started H Design Group in Galloway Village by rehabbing a dilapidated building for his office. He shared his opinion of Galloway Village when he first lived there and Galloway Village currently. Mr. Haik expressed his opinion the proposed meets the Galloway Creek Redevelopment Policy guidelines and reviewed the priorities the development team considered when designing the proposed.

Mitchell Jenkins spoke in favor of the proposed. He noted he is the applicant and is a lifelong resident of Springfield. Mr. Jenkins expressed his opinion when the Galloway Creek Redevelopment Policy was issued the proposed was redesigned to meet and exceed each guideline. He noted a virtual neighborhood meeting was held regarding the proposed and reviewed the outcome of the meeting. Mr. Jenkins expressed his opinion, based on the neighborhood meeting and the expressed concerns, the development was redesigned to address neighborhood concerns. He reviewed what he believes to be the positive changes the proposed will bring to the neighborhood. Mr. Jenkins asked if the proposed was redesigned based on the neighborhood's concern for the height of the structure, can City Council still vote on Council Bill 2020-187 at the next City Council meeting.

Bob Hosmer, Principal City Planner, answered City Council may review the modifications and then vote on the modifications.

Mayor McClure clarified if there were changes to the proposed, an amendment to Council Bill 2020-187 would need to come forward.

Rhonda Lewsader, City Attorney, reviewed the three options for City Council if there was an amendment to the proposed.

Councilman McGull expressed his opinion if the proposed meets or is below the height limit, and then wishes to reduce the height limit, it should be an acceptable modification.

Mayor McClure expressed his opinion legal counsel will need to research the situation in order to ensure the proposed is moved forward correctly procedurally.

Jason Gage, City Manager, concurred with Mayor McClure.

Councilman Simpson asked Mr. Jenkins his plans for the historic buildings if the proposed is approved.

Mr. Jenkins answered his plans are to work with Anne Baker to re-open the Sequiota Bike Shop. He noted he has received interest from other local businesses and entrepreneurs for leasing the other historic properties.

Councilman Schillings asked about tree cutting on the proposed site.

Mr. Jenkins answered the buffer on the northern property line has been increased to preserve trees, many of the trees in the streambuffer will remain, the boardwalks in the streambuffer allows the development to not disturb the root structure of the trees, and a portion of the sidewalk has been moved inside the development in order to keep trees along Lone Pine Avenue.

Councilman Schilling asked for clarification on a previous speaker who noted only 16% of the tree population would remain.

Councilman Hosmer asked for clarification on the buy-out related to storm water run-off.

Julie Hawkins, Professional Engineer, explained when a property is adjacent to a flood plain, the owner is allowed to pay a fee in lieu of constructing detention. Ms. Hawkins explained detention and flood plains.

Councilman Hosmer asked about the change in elevation of the property due to excavation.

Ms. Hawkins explained for stormwater there is still a need for water quality, which the proposed does, which helps in the smaller rain events. She noted there will also be a review of where the proposed directs the water when an impervious area is added.

Councilman Hosmer asked what the anticipated effect the proposed will have on stormwater run-off.

Ms. Hawkins answered developers cannot make the situation worse, but also the City cannot be forced to do more than what is required to improve the run-off. She noted the City is requiring the applicant to make downstream improvements. Councilman Hosmer asked how the amount of a buy-out is calculated.

Ms. Hawkins answered buy-out is based on the amount of impervious area added.

Councilman Hosmer asked if the amount of a buy-out is comparable to adding detention.

Ms. Hawkins answered Public Works is in the process of conducting a study to determine if the buy-outs are comparable to the cost of constructing detention areas on site.

Councilman Hosmer asked if the money collected from buy-outs goes into the stormwater improvement fund.

Ms. Hawkins answered affirmatively.

Jason Gage, City Manager, noted the intent of the buy-out is to not to over or under charge a developer more than it would to deal with the drainage. He clarified the burden of remedying current drainage issues cannot be put on the developer and the City's role is to address drainage issues directly related to the proposed development.

Mayor Pro Tem Ferguson asked if the City would be installing the culverts under Lone Pine and if the cost of the installation is offset by the buy-out.

Ms. Hawkins answered the developer is installing the culverts.

Mayor Pro Tem Ferguson asked when the culverts would be installed.

Ms. Hawkins explained the culverts would be added to a public improvement plan and noted public improvement plans must be built or escrowed prior to approval of the project.

Mayor Pro Tem Ferguson asked for clarification on when a project can be escrowed.

Ms. Hawkins explained a project may not be escrowed if it is a public safety issue.

Mayor Pro Tem Ferguson asked if the proposed is considered a public safety issue.

Ms. Hawkins answered affirmatively.

Betsy Johnson spoke in opposition of the proposed. She noted she is the Vice-President of the Galloway Village Neighborhood Association (GVNA). Ms. Johnson expressed concern for the ecosystem of Sequiota Park by the proposed. She noted GVNA hired a consultant to conduct a preliminary study and a geologist, she then listed preliminary findings of the reports. Ms. Johnson noted the report findings were submitted to City Council approximately three weeks ago.

Written comments were submitted in support of City Council Bill 2020-187 from Peter Bryant. Mr. Bryant expressed his opinion the proposed meets guidelines and the applicant has made significant accommodations to meet the demands of concerned parties. He expressed his opinion traffic concerns will be addressed by road improvements from HDR, the buildings are well designed, and effort has been made to preserve existing trees and accommodate the streambuffer.

Written comments were submitted in support of City Council Bill 2020-187 from Justin Skinner. Mr. Skinner expressed his opinion the applicant excels in character, integrity, and attention to detail. He expressed his belief the development is what Springfield needs, the project respects the history of the Galloway Corridor, and looks to a bright future for the Galloway area.

Written comments were submitted in opposition of City Council Bill 2020-187 from Marcie Kirkup. Ms. Kirkup submitted an email thread of conversations with Councilman Simpson, Councilman Hosmer, and Councilman Ollis. Her email thread reviews meetings, reviews, recommendations, and Galloway Corridor resident concerns. Ms. Kirkup asserts residents did not review or have input on the final recommendations, specifically related to height and density, of the proposed prior to submission to City Council.

Written comments were submitted in support of City Council Bill 2020-187 from Allen Kunkel. Mr. Kunkel expressed his opinion the development meets, or exceeds, all requirements set forth in the policy document, the developer has been accommodating to residents and the City and redesigned the proposed to have a solid plan, and this is an attractive development that will appeal to young professionals. He expressed his opinion the City has one of the best Planning and Public Works departments in the state, and encouraged City Council to adhere to the rules and policies set forth for developers as it is critical to the economic vitality of Springfield.

Mr. Kunkel reiterated the proposed was approved by staff and the Planning and Zoning Commission. He encouraged City Council to vote yes.

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

Councilman Simpson moved to table Council Bill 2020-187 until the September 8, 2020 City Council meeting to allow City Council time to consider the additional public input provided this evening, as well as to allow staff time to review the process of a modification item. Councilman McGull seconded the motion and it 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 bills appeared on the agenda under First Reading Bills.

**Southwest
Wastewater
Treatment Plant -
Administrative and
Maintenance
Facility
Improvement**

Sponsor: Fisk. Council Bill 2020-199.

A special ordinance approving the plans and specifications for Project #06-0061 Southwest Wastewater Treatment Plant - Administrative and Maintenance Facility Improvement; accepting the bid of Mechanical Services, Inc., d/b/a MSI Constructors, in the amount of \$675,700.00 for construction and oversight; authorizing the City Manager, or his designee, to enter into an agreement with such bidder; and approving a budget adjustment to amend the Fiscal Year 2020-2021 Budget for the Department of Environmental Services in the amount of \$850,000, by appropriating retained earnings of the Clean Water Enterprise Fund.

Brian Wirth, Superintendent of Clean Water Services, provided a brief overview of the proposed. Mr. Wirth noted the proposed allows for entering a construction contract for updates to the laboratory and administration buildings. He noted most of the construction is the replacement of the HVAC system in these two buildings. Mr. Wirth reviewed additional construction changes and improvements to bring many areas into compliance. He noted there were five bidders for the contract, and noted the low bid was significantly lower than the engineers projected cost of the proposed.

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

**Battery Back-ups
for Traffic Signals**

Sponsor: Hosmer. Council Bill 2020-200.

A special ordinance authorizing the City Manager, or his designee, to enter into a Surface Transportation Program-Urban Program Agreement with the Missouri Highways and Transportation Commission; and amending the budget of the Department of Public Works for Fiscal Year 2020-2021, in the amount of \$640,000.00, for the purpose of appropriating federal funds to be used in purchasing battery back-ups for traffic signals.

Tom Dancey, Traffic Engineer, provided a brief overview of the proposed. Mr. Dancey noted the proposed allows for federal funds already allocated to the City for the use of battery back-up systems for traffic signals. He noted the batteries would be

installed by City employees. Mr. Dancey reviewed the benefits associated with the battery back-ups. He noted the 20% match will be funded from the ¼ cent improvement tax and has already been budgeted.

Councilman Hosmer asked if the traffic lights the batteries will be installed, in are all City maintained and if there are currently any battery back-ups in operation.

Mr. Dancey answered affirmatively and noted it is now policy for new traffic signals to be installed with battery back-ups and this would be the fifth area to have battery back-ups.

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

**Easement at South
Campbell Avenue
and West Republic
Road**

Sponsor: Lear. Council Bill 2020-201.

A special ordinance declaring the necessity of condemning right(s)-of-way for construction and permanent easements over, under, and through the properties herein described and generally located near the intersection of South Campbell Avenue and West Republic Road in the City of Springfield, Missouri, including 4101 and 4222 South Campbell Avenue, for the purpose of completing City Project #2015PW0077WTE, funded through the 1/8-Cent Capital Improvement Sales Tax, MoDot Cost-Share and federal funds; and authorizing certain officers, or their designees, to do all things necessary to carry out the terms of this Ordinance.

Andrew Flippin, Professional Engineer, provided a brief overview of the proposed. Mr. Flippin reviewed a history of projects on Republic Road. He explained the proposed widens Republic Road to five lanes, adds intersection turn lanes, new sidewalks and bike lanes, new traffic signals, stormwater improvements, increases capacity, better integration with James River Freeway Interchange, and promotes economic vitality. Mr. Flippin reviewed the right-of-way acquisition timeline, the current agreements, and the next steps to proceed with the project.

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

PETITIONS, REMONSTRANCES, AND COMMUNICATIONS

Toni Robinson addressed City Council. She noted she is the President of the local NAACP branch. Ms. Robinson noted the demands of the NAACP still stand. She noted the NAACP has met with Chief Williams twice and have reviewed their demands and the need for accountability. Ms. Robinson expressed her opinion there has been no action taken by City staff or elected officials. She noted the NAACP is now also demanding all police policies and procedures be reviewed with the NAACP and for change in selecting members for the Police Civilian Review Board.

Councilman McGull asked for clarification on issues raised with the Chief of Police.

Ms. Robinson answered the NAACP has meet twice with Chief Williams based on Mayor McClure's recommendation, even though she believes the issues need to be addressed by City Council.

Councilman McGull asked when was the last time the NAACP met with Chief Williams.

Ms. Robinson answered last week.

Councilman McGull asked if another meeting was planned.

Ms. Robinson answered affirmatively, but expressed her opinion the NAACP believes the leaders should be making changes.

Councilman McGull asked to be notified of the next meeting in order to be invited to the meeting.

Ms. Robinson answered affirmatively.

Jason Gage, City Manager, noted he met independently with the NAACP and a decision has not been made whether to ban the vascular neck restraint (VNR). He referenced an email between Chief Williams and Ms. Robinson from today (Monday, August 24, 2020) and the email seemed positive and moving in a forward direction. Mr. Gage asked if he was mistaken in his interpretation of the email.

Ms. Robinson answered no, but she believes more people than just Chief Williams need to be at the meeting.

Mr. Gage asked if it was more important for certain people to be in attendance, or for the outcomes the NAACP is requesting, or if she does not think she will not get the outcomes she wants if certain people are not in attendance.

Ms. Robinson answered she believes she needs both.

Mr. Gage noted he has been in communication with Chief Williams and expressed his opinion the three demands are not unreasonable. He asked why there is a lack of confidence the City may not agree with her.

Ms. Robinson answered it has been at least a month since the demands were made and she has not had any conversations with any City Council member, including the Mayor. She expressed her opinion to have actual change, leadership needs to be involved.

Mr. Gage asked if a month or six weeks is too much time based on the significance of the demands being requested to get to the right place.

Ms. Robinson expressed her concern there have not been any conversation with elected officials or a City Council member to take lead or initiative to make the demands happen.

Mr. Gage explained in city government the Council is expected to work as a body and expressed his opinion the considerations of the NAACP's demands have been positive.

Councilman Schilling noted he is available and told Ms. Robinson he would be happy to sit down with her.

Councilman Simpson echoed Councilman Schilling's sentiments. He asked Mr. Gage about policy regarding the NAACP's demand for reform for selection of the members of the Police Civilian Review Board.

Mr. Gage answered the appointment process is treated similar to an administrative board and he wants to review the role of the board as it may be more influential than the appointment process.

Councilman Simpson asked for an update on body cameras.

Mr. Gage answered it is anticipated the police department will have cameras in place and on officers by the start of 2021.

Councilman Lear expressed his opinion he can understand why Ms. Robinson may be skeptical, but wanted her to know she has the City Council's attention, the City Manager's attention, and noted he is also available to speak with her.

Councilman Ollis expressed his gratitude to Ms. Robinson for reminding City Council of timelines. He asked the City Manager for a tentative timeframe for responding to the NAACP demands.

Mr. Gage answered he anticipates by the end of September.

Tim Havens addressed City Council expressing his opinion the public does not know where City Council stands on police accountability. Mr. Havens expressed his opinion the black community is fearful of the police and he concluded City Council will do nothing. He expressed his opinion City Council is damaging the economic growth of Springfield, limiting growth and reputation, and Springfield is a Klan city without robes. Mr. Havens also submitted written comments to City Council regarding Police Information Cards.

Councilman McGull expressed gratitude to Ms. Robinson and Mr. Havens for bringing issues to City Council. He noted there are multitude of issues come before City Council and even though every issue is not addressed at every City Council meeting, City Council members are concerned about racism and social injustice.

Heather Dietz addressed City Council expressing her opinion shutting down business was devastating to the economy. She noted many businesses have closed and jobs have been lost. Ms. Dietz expressed her opinion City Council is using the masking ordinance to exert control over citizens, telling people how they can conduct business, church services, weddings, and funerals. She listed the negative effects she believes are associated with wearing a mask. Ms. Dietz posed a list of questions to City Council regarding the mask ordinance.

Kevin VanStory addressed City Council regarding the masking ordinance. He noted he is from Neosho, Missouri. Mr. VanStory expressed his opinion the amount of income the City expects from Sales Tax Revenue will be lower than anticipated. He asked City Council to join him in prayer based on the masking ordinance.

Councilman Hosmer clarified Mr. VanStory is asserting the mask mandate is taking away a person's personal liberties.

Mr. VanStory answered affirmatively.

Councilman Hosmer noted the people that have died in Springfield have been in their 80's and 90's and sacrificed during the depression and WWII and asked if wearing a mask is too much of a sacrifice to protect this age group.

Mr. VanStory answered virtue shaming will not work. He noted less than 1% of the population have died from COVID-19 and expressed his opinion the economy is being destroyed, jobs lost, and personal liberties sacrificed.

Councilman Hosmer asked which is more detrimental, wearing a mask or shutting businesses down.

Mr. VanStory answered, neither and encouraged City Council to take a chance.

Councilman Hosmer asked if Mr. VanStory had a medical background and noted many doctors have noted the mitigation of COVID-19 by wearing a mask.

Mr. VanStory noted there are just as many doctors who speak out against masking.

Amber Neil addressed City Council regarding the masking ordinance. She requested City Council end the mask mandate. Ms. Neil expressed her opinion the mandate has pitted people against one another, people are tired of being micromanaged, it hinders child development, and society should be reacting with fortitude. She expressed her opinion City Council has failed to keep citizens safe from issues they are in control of and therefore, it is not possible for City Council to keep citizens safe from the virus which is out of their control.

Carol Geltemeyer addressed City Council regarding the masking ordinance. She noted people have lived with the pandemic for months and the death rate is not nearly what was projected. Ms. Geltemeyer expressed her opinion there is conflicting information from public health officials around the country, people changed their behavior prior to

the mask mandate, the mask mandate has divided the community, and elected officials are elected to represent the citizens and provide information.

Councilman Hosmer asked where Ms. Geltemeyer she got her information regarding the number of people opposed to the masking ordinance in Springfield. He also noted the masking ordinance was not something derived by City Council alone, they listened to medical experts as to what is best for Springfield.

Ms. Geltemeyer answered from speaking with friends, co-workers, and other contacts in Springfield, most are opposed to the masking ordinance. She expressed her opinion for City Council or listen to medical experts was not wrong, but she believes many of the medical experts are politically motivated. Ms. Geltemeyer expressed her opinion there are many medical professionals in Springfield who would like to speak out against the masking ordinance, but are not allowed to because of the policies put in place by leadership.

Councilman Hosmer noted there are Democrats and Republicans on City Council, yet the vote for the masking mandate was unanimous. He expressed he does not understand why people are not willing to make such a small sacrifice to protect others in the community.

Ms. Geltemeyer asked what if City Council were to find out three months from now that wearing masks is harmful.

Councilman Hosmer answered there is overwhelming evidence masking helps mitigate the spread of COVID-19.

Ms. Geltemeyer noted she disagrees with Councilman Hosmer. She noted there are multiple published studies noting masking does not stop the spread of COVID-19 or other viruses.

Norman Craig Kauffman addressed City Council regarding the masking ordinance. He noted he is one of the main petitioners for the recall of City Council and then reviewed recall petition. Mr. Kauffman expressed his opinion the main purpose of government is to represent the citizens. He reviewed the story of Crispus Attucks and the Boston Massacre. Mr. Kauffmans asked City Council to repeal 2020-159 and 2020-179.

Councilman McGull expressed his opinion the mask ordinance is not something all of City Council wanted to do, but was something City Council needed to do.

Mr. Kauffman expressed his opinion wearing masks does not bother him as much as City Council instructing which businesses are essential and which are not. He asked how much money was spent on Hydroxychloroquine to protect the elderly.

Councilman Hosmer noted the City does not purchase medication for citizens.

Mr. Kauffman expressed his opinion if the City can spend \$7.2 million contact tracing, they could have purchased medication for a few dollars a dose to prevent the virus and protected citizens.

Councilman Hosmer noted contact tracing is part of the role of Public Health and they perform contact tracing no matter the disease or virus.

Mr. Kauffman expressed his opinion citizens are not treated equal in Council Bills 2020-159 and 2020-179, herd immunity is at 50%, and most of the cases of COVID-19 are outside of the Springfield community.

Mayor McClure expressed his opinion, the fact that most cases are outside of Springfield is another reason to support the masking ordinance and City Council is trying to protect citizens.

Rusty Worley addressed City Council in support of the masking ordinance. He expressed his thanks to each City Council member for their leadership to the community during the pandemic. Mr. Worley expressed his opinion as schools re-open next week, the community needs to remain firm in adhering to virus mitigating guidelines in order to avoid another shut down and to keep people safe.

Councilman Simpson expressed his gratitude to Mr. Worley for his comments and work in the downtown center city area. He asked Mr. Worley to describe his personal experience with the masking ordinance in the downtown area.

Mr. Worley expressed his opinion the businesses have been resilient and many business began masking requirements prior to the ordinance. He noted since the ordinance passed, business has been down slightly. Mr. Worley expressed his opinion if the masking ordinance was not in place, business would be down much more due to fear or illness.

Joy LaBrie addressed City Council. Ms. LaBrie asked if masks work, why can't citizens meet face to face with City Council members. She requested the masking mandate be repealed and reviewed statistics listed as a rationale for the Springfield masking ordinance. Ms. LaBrie reviewed statistics noting the current decrease in fatality rates related to COVID-19, but an increase in positive cases of the virus. She expressed her opinion these statistics prove masking does not mitigate the spread of the virus.

Melanie Taylor addressed City Council. She noted Jacobson v. Massachusetts has been the court case cited as the basis for the mask mandate passed by City Council. Ms. Taylor reviewed the statistics of the 1905 Smallpox epidemic compared the current statistics of the COVID-19 epidemic and noted a mask mandate was never passed during the Smallpox epidemic. She reviewed policy set in Roe v. Wade and expressed her opinion the precedent set in Roe v. Wade does not provide latitude to City Council to advise, or enforce medical device, on a person. Ms. Taylor noted a patients has the right at Federal and State levels to refuse treatment.

Michael Hasty addressed City Council. He noted he is a veteran, husband, and father of four. Mr. Hasty expressed his opinion he did not go to Iraq in 2007 to fight to overthrow an oppressive regime totalitarian government and free people, to come back to the United States to bow down to an authoritarian government here at home. He noted neither the Federal or State constitution charge the government with

responsibility for citizens health and reviewed the 10th Amendment of the US Constitution. Mr. Hasty noted he emailed a document to all City Council members and following speakers will be speaking from different portions of this document and he encouraged City Council members to verify the information in the document he submitted.

Carl Hawn addressed City Council. Mr. Hawn reviewed crime statistics in Springfield and noted citizens of Springfield have a greater chance of being a victim of a crime than dying of COVID-19. He expressed his opinion City Council has not given the same attention or funding to other issues that cause harm to citizens in Springfield as they have to COVID-19. Mr. Hawn expressed frustration at requiring the police department to enforce the masking mandate.

Lisa Meeks addressed City Council. She reviewed a study from Duke regarding neck gators and a study by Dr. Ted Noel. Ms. Meeks noted when the mask mandate was brought forward, information provided if passed, the spread of COVID-19 would decrease within two to three weeks, yet we are currently at the six-week mark and the number of cases has increased. She expressed her belief this demonstrates masks do not work. Ms. Meeks reviewed the COVID-19 statistics in Sweden, noting Sweden did not implement a lock-down, required masking, or contact tracing.

Cary Wells addressed City Council. Mr. Wells posed the following questions to City Council: what is the level of eradication required to end the mask mandate and remove restrictions on private businesses, will people be imprisoned for not wearing a mask in public, will business that do not comply be forced to close, and will vaccinations be forced on people. He noted he has never been told by his doctor to wear a mask when diagnosed with a respiratory virus and what he has done in the past has worked, including staying home when he has a fever, washing his hands, and not touching his face with dirty hands. Mr. Wells cited areas the curve has been flattened and expressed his opinion the curve will flatten in Springfield, with or without the mask mandate.

Amanda Douglas addressed address City Council. She expressed her opinion the mask mandate is a gateway mandate to other mandates. Ms. Douglas expressed her opinion a precedent is being set allowing the government to say what can go in an on a person's body. She read a poem she wrote expressing her feelings on the masking mandate and her belief of the future to come.

Councilman McGull asked Ms. Douglas if she wrote the poem.

Ms. Douglas answered affirmatively.

Jennifer Thompson addressed City Council. She relayed a story of a friend and the friend's preparation for going into public without a mask. Ms. Thompson expressed her belief personal protective equipment, vaccines, and wearing masks will not make the virus go away. She asked if City Council is contemplating requiring a vaccine if one becomes available. Ms. Thompson noted there is not a cure for the flu and it affects more people than COVID-19.

Marc Falmer addressed City Council. He read from Romans and expressed his opinion the Bible clearly describes the role of City Council. Mr. Falmer expressed his opinion when a genuine crisis is a disease, the appropriate constitutional and legal response is to quarantine the infected. He expressed his belief it is a gross violation of civil rights to assume universal infection and require all to wear a mask.

Councilman McGull asked if Mr. Farmer was familiar with Matthew 22:21.

Mr. Falmer expressed his interpretation, render to Caesar what is Caesar's is referring to taxes. Councilman McGull agreed with Mr. Falmer's interpretation.

Mr. Falmer expressed his opinion, render to God what is God's, is where he and Councilman McGull differ. He expressed his belief City Council believes they have the right to control citizens, when he believes that right belongs to God.

Councilman McGull responded City Council is not trying to control people, City Council is asking people to temporarily wear a mask. He asked Mr. Falmer if he wears a mask 24 hours per day.

Mr. Falmer answered he must wear a mask if he wants to go anywhere.

Councilman McGull noted a person only has to wear a mask if they are less than 6 feet from another person. He listed numerous instances in which a mask is not required. Councilman McGull expressed his opinion there are other people that support masking and asked Mr. Falmer to recognize there are other Americans who feel differently than him.

Mr. Falmer clarified if he were to go to a restaurant and there was not another person within six feet, he did not have to wear a mask.

Councilman McGull expressed his opinion if you go to a restaurant, you will be within six feet of another person, as someone from the restaurant will greet you.

Mr. Falmer disagreed with Councilman McGull. He again asked for clarification if he were in a public place and not within six feet of another person, may he remove his mask.

Councilman McGull expressed his opinion the mask would be needed as there is a possibility of coming within six feet of another person. He expressed his belief this is not a game and noted people are dying from the virus.

Mr. Falmer noted data has been submitted indicating masks do not work and reiterated the number of positive cases has increased since the masking mandate.

Councilman Hosmer asked what constitutional provision does the masking ordinance violate.

Mr. Falmer answered the masking ordinance violates the 14th Amendment.

Councilman Hosmer asked how the masking ordinance violates the 14th Amendment.

Mr. Falmer read the 14th Amendment and expressed his opinion liberty is being violated.

Councilman Hosmer clarified Mr. Falmer is noting it is his right not to wear a mask. He then asked if the same rights applied to wearing a seat belt and driving speeds.

Mr. Falmer expressed his belief the data does not support the mask mandate and noted he wished Mr. Goddard had been present to hear the information.

Councilman Hosmer asked if Mr. Falmer believes Mr. Goddard fabricated the numbers.

Mr. Falmer expressed his opinion Mr. Goddard did not fabricate the numbers, but should consult multiple sources. He requested Mr. Goddard be amenable to the numbers he is presenting and would ask for Mr. Goddard's defense of the numbers that have been presented today.

Sherry Neil addressed City Council. She reviewed statistics related to testing, repeat testing, and false positives. Ms. Neil reviewed studies conducted by persons found to be submitting false reports and expressed her belief these people are the ones currently being consulted for COVID-19 and changes impacting people's lives. She listed other viruses/pandemics where masking was not required. Ms. Neil listed reasons why she is distrustful reported statistics. She expressed her opinion of negative outcomes related to wearing a mask specifically referring to victims of crimes, people who lip read, special needs individuals and parents, and infants. Ms. Neil expressed her opinion data now provides different information, yet the experts refuse to review the data. She encouraged City Council to review the data and how other areas and countries have addressed the virus.

Jeremy Cochrane addressed City Council. He noted a member of their group was a CNA for eight and a half years who brought information to their group regarding masks and biohazard standards. Mr. Cochrane reviewed the biohazard standards and procedures and then asked if COVID-19 is a deadly virus, why are the biohazard standards not being applied. He noted people reusing disposable masks and masks littering the City. Mr. Cochrane expressed his opinion this should pose a containment issue if COVID-19 is a deadly virus. He noted there is not a double-blind study on wearing masks or not wearing masks.

Sharla Chandler addressed City Council. She noted she is from Joplin. Ms. Chandler expressed her opinion the mask mandate creates a great division in the City and hurts businesses. She expressed her opinion the mask mandate is not just about the mask, but about the freedom to choose. Ms. Chandler noted COVID-19 is no more deadly than many other viruses and masks were not mandated. She expressed her belief people did not wear masks during other outbreaks because the media did not tell people to wear masks. Ms. Chandler expressed her opinion flu season will be coming and if there are deaths, they will be combined with COVID-19 in order to receive more federal funding. She reviewed federal funding received and noted Greene County

is the largest beneficiary of funding from the CARES Act. Ms. Chandler encouraged an audit to ensure funds were used appropriately. She expressed her belief if people allow the government to take a few rights away, it is a matter of time before other rights are also taken away.

Councilman Hosmer asked Ms. Chandler if she knew each City Council member swore an oath to uphold the constitution of the United States and the state of Missouri and four members of City Council served in the military. He expressed his opinion the mask mandate was passed to protect people, not take away any liberties.

Ms. Chandler asked what City Council is protecting people from. She expressed her opinion COVID-19 is no more deadly than the flu.

Councilman Hosmer noted the mask mandate was passed to protect the people in the city of Springfield.

Ms. Chandler noted the people of Joplin fought the mask mandate and won and she is here to help the people of Springfield win.

Councilman Hosmer asked Ms. Chandler to not accuse City Council of violating the constitution and not trying to protect people's liberties or protect people in Springfield. He noted City Council serves the city of Springfield and they are volunteers. Councilman Hosmer expressed his opinion City Council is doing what they think is best for Springfield and what the medical experts think is best for the city of Springfield.

Ms. Chandler asked how people are to believe the medical experts when every time a person is diagnosed with COVID-19, the government body receives federal funding. She reiterated Greene County is the largest beneficiary of CARES Act funding.

Councilman Hosmer noted federal funding from the CARES Act is given to businesses, hospitals, and public health.

Ms. Chandler noted the money is given as long as COVID-19 cases are reported.

Councilman Hosmer noted CARES Act funding has nothing to do with reporting COVID-19 cases.

Written comments were submitted from Mia Jones. Ms. Jones noted she is with the group United Community Change. She reiterated her request for citizens to be given a police information card prior to any interaction. Ms. Jones submitted a mock design of a Police Information card listing badge number, email address, phone number, contact information for Springfield Police Department, how to address concerns or complaints, and an excerpt the officer would read prior to any interaction. She expressed her belief the preventative measure would instill confidence, remind the community police exist to protect the community, build relationships, encourage transparency, and avoid major issues.

Written comments were submitted in opposition of the masking ordinance from Jim Palmisano. Mr. Palmisano submitted a link (<https://ise.media/video/plandemic-ii-indoctrination-23.html>) to a documentary regarding the pandemic to City Council members. He expressed his opinion existing pharmaceuticals and other treatments being used around the world should be allowed.

Written comments were submitted in opposition of the masking ordinance from Michael Hasty. The document submitted by Mr. Hasty was also discussed by Mr. Hasty and other speakers during the meeting.

The following item appeared on the agenda under New Business.

The Mayor recommends the following appointment the Springfield Convention and Visitors Bureau, Inc. Board: Tim Rosenbury with term to expire January 1, 2022.

Refer to the Finance and Administration Committee a Recommendation by the Police Officers' and Firefighters' Retirement System Board of Trustees to eliminate Section 2-477 from the City Code.

UNFINISHED BUSINESS

MISCELLANEOUS

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

Intergovernmental Agreement with the City of Nixa

Sponsor: Fisk. Council Bill 2020-202.

A special ordinance authorizing the City Manager, or his designee, to modify an Intergovernmental Agreement with the City of Nixa, Missouri, modifying the terms of the existing consolidated Police Records Management System agreement.

Intergovernmental Agreement with the City of Republic

Sponsor: Hosmer. Council Bill 2020-203.

A special ordinance authorizing the City Manager, or his designee, to modify the Intergovernmental Agreement with the City of Republic, Missouri, relating to the use of a consolidated Police Records Management System agreement.

Intergovernmental Agreement with the Springfield R-XII School District

Sponsor: Lear. Council Bill 2020-204.

A special ordinance authorizing the City Manager, or his designee, to enter into an Intergovernmental Agreement with the Springfield R-XII School District, for the use of a consolidated Police Records Management System.

CONSENT AGENDA ONE READING BILLS

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

Preliminary Plat of Firestone Springfield Addition

Sponsor: Schilling. Council Bill 2020-192.

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 Firestone Springfield Addition, generally located at 216 East Weaver Road, 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.) (By: McKeen Trust, c/o Gene McKeen; 216 East Weaver Road; Preliminary Plat of Firestone Springfield Addition.)

City Council Bill 2020-192. Special ordinance 27378 was approved by the following roll call vote: Ayes: Hosmer, Ollis, Lear, McGull, Simpson, Schilling, Ferguson, Fisk and McClure. Nays: None. Absent: None. Abstain: None.

Joint Funding Agreement with the United States Department of the Interior

Sponsor: Ollis. Council Bill 2020-193.

A special ordinance authorizing the City Manager, or his designee, to enter into a Joint Funding Agreement with the United States Department of the Interior for the purpose of operating and maintaining four streamgages.

City Council Bill 2020-193. Special ordinance 27379 was approved by the following roll call vote: Ayes: Hosmer, Ollis, Lear, McGull, Simpson, Schilling, Ferguson, Fisk and McClure. Nays: None. Absent: None. Abstain: None.

END OF CONSENT AGENDA.

Motion to Adjourn

Councilman Simpson moved to Adjourn. Councilman Lear seconded the motion, and it was approved by the following vote. Ayes: Hosmer, Ollis, McGull, Simpson, Ferguson, Fisk and McClure. Nays: Lear. Absent: Schilling. Abstain: None. The meeting adjourned at 12:08 a.m.



Anita J. Cotter, CMC/MRCC
City Clerk

Prepared by
Monica Paxton