

October 5, 2020
Springfield, Missouri

The City Council met in regular session October 5, 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. Abe McGull, Matthew Simpson, Mike Schilling, Phyllis Ferguson, Jan Fisk, Craig Hosmer, Richard Ollis, Andrew Lear* and Ken McClure. Absent. None.

*Members attending via videoconference.

Minutes

The minutes of September 21, 2020 City Council meeting and September 29, 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 in 2019, nearly 100 Springfield firefighter educators taught 900 age-appropriate safety lessons in 43 elementary schools during October's Fire Prevention Month, reaching more than 11,126 K-5 students and teachers. He noted this year, Fire Prevention Month is going virtual, with a series of seven videos that can be shown in the classroom or at home to teach safety lessons to pre-K through fifth-grade students.

Mr. Gage noted the Springfield Police Department recently celebrated 15 officers during a promotional ceremony at the Springfield Regional Police and Fire Training Center. Details are on the Police Department's website.

He noted the Missouri Job Center is partnering with Missouri College Action Network to enroll 114 individuals who qualify, into training programs for jobs in manufacturing, information technology, healthcare, constructions and transportation and logistics and recipients may qualify for up to \$4,000 in paid tuition. Mr. Gage noted the Missouri Job Center is partnering with The Geek Foundation to offer free classes in information technology and web development, to those who meet eligibility guidelines.

He noted those wishing to serve, or continue serving on Springfield's City Council can download packets on the City's website. Mr. Gage noted five seats will be up for election on April 6, 2021 and the first day for filing will be December 7, 2020. He noted completed petitions must be delivered to the City Clerk's between December 7, 2020 and January 19, 2021.

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

**Annexation
Located at 6177
South Farm Road
189**

Sponsor Simpson. City Council Bill 2020-217.

A general ordinance amending Section 1-9 of the Springfield City Code, 'City Limits;' and amending Section 46-1 of the Springfield City Code, 'Boundaries of wards, precincts and council zones;' for the purpose of annexing 45 acres of private property into the City of Springfield, Missouri, generally located at 6177 South Farm Road 189 and referenced as Annexation A-4-2020. (Staff recommends approval.) (By: Frank and Kimberly Steed; 6177 South Farm Road 189; A-4-2020.)

Mayor McClure noted public hearing was held on September 21, 2020 on the proposed and it is now in front of City Council for consideration. He noted Council Bill 2020-217, Council Bill 2020-218, and Council Bill 2020-219 are related and City Council has received much communication regarding these bills. The Mayor asked Mary Lilly Smith, Director of Planning and Development, to briefly describe each bill, the purpose of each bill, and the ramification to each bill based on City Council's action.

Mary Lilly Smith, Director of Planning and Development, noted Council Bill 2020-217 would annex 45 acres into Springfield. She noted Council Bill 2020-218 and Council Bill 2020-219 relate to rezoning the 45 acres. Ms. Smith noted Council Bill 2020-218 would rezone 35 acres for single family homes. She noted Council Bill 2020-219 rezones less than 10 acres to Residential Townhouse District. Ms. Smith noted all three are discreet actions. She explained the first action is always to annex property, but the rezoning cases can be approved or denied.

Councilman Simpson noted residents have expressed concern for traffic on Millwood Drive, he asked if the proposed has any impact on connecting to Millwood Drive.

Ms. Smith answered they do not.

Councilman Simpson noted residents have expressed a desire to privatize Millwood Drive and install gates. He asked Ms. Smith to speak to the process.

Ms. Smith answered an analysis is completed to determine if the street is necessary for the circulation system of the community. She noted if the decision is made to privatize the road, all maintenance becomes responsibility of the property owners.

Councilman Simpson asked if Council Bill 2020-219 is not passed, would the developer be able to construct single family homes.

Ms. Smith answered affirmatively. She noted the county allows four units per acre, therefore, there could be up to 180 dwelling units. Ms. Smith noted the City of Springfield allows seven dwelling units per acre in a single-family district and 11 in residential townhouse. She noted the current development plan is not that dense and is currently showing 83 single-family and 24 patio homes.

Councilman Ollis asked if this is the same property recently discussed for a sewer system agreement.

Ms. Smith noted she does not know if this is the same piece of property, but it is in the same area.

Councilman Ollis asked if property owners are asked to annex to the City.

Ms. Smith explained is it policy when a property connects to City sewer, property owners are asked to annex to the City or sign a consent annexation form.

Councilman Ollis asked if the Millwood development had applied to the City to become a public road.

Ms. Smith answered the majority of Millwood is currently zoned R-1 County. She believes the initial development occurred in the county and the county would have accepted the public streets via the plat and when the City annexed the area, the City would have taken the streets.

Councilman Ollis asked if the development applies to make Millwood Road a public road, should residents expect to give up benefits of the road being private, but gain benefits of the road becoming public, such as snow removal.

Ms. Smith answered affirmatively.

Councilman Ollis asked if it is common practice to allow unlicensed golf carts to drive on public streets.

Ms. Smith answered she does not believe so and expressed her opinion she does not think it is common in Springfield to have golf courses that are split by a public road.

Errin Kemper, Director of Environmental Services, noted the proposed is the same parcel in which the sewer agreement was reached earlier in the year. He noted the City has an ordinance in place for the developer to put in a lift station and the City can choose to pay for the upgrade to put in a gravity sewer system.

Councilman Ollis asked if the developer went through additional meetings and processes in order to bring the sewer system before City Council.

Mr. Kemper answered affirmatively.

Councilman Ollis asked if the proposed did not pass, a similar development could be constructed.

Mr. Kemper answered affirmatively. He noted the City requires annexation when installing sewer and it is a matter of the City determining when they want to call in the annexation.

Councilman Lear asked if the developer can begin to construct homes whether City Council takes action on the proposed or not.

Ms. Smith answered the applicant will still be required to plat the property with the City or the county before he could begin building houses.

Councilman Lear clarified the benefit to annexing the proposed is the City would control the code, the services, and receive the property tax revenue.

Ms. Smith answered affirmatively. She noted the proposed area is consistent with the Urban Service Area philosophy.

Councilman Lear asked when was the Urban Service Area determined for this acreage.

Ms. Smith answered the area predates the comprehensive plan, but the comprehensive plan has been updated in 2001 and then amendments added at later points.

Councilman McGull asked if after the development is constructed if the developer will return to City Council to determine egress and ingress drives for Millwood Drive.

Ms. Smith answered the developer would not be returning to City Council for egress and ingress. She noted egress and ingress would be included in the plat and the plat will come before City Council. Ms. Smith noted any egress and ingress to Millwood Drive would come from agreements between the developer and the individual property owners.

Councilman McGull asked if residents in the area will have an opportunity to speak to the egress and ingress.

Ms. Smith answered a portion of the area is owned by the Millwood Property Association; therefore, residents would be allowed to participate as much as is allowed by the Millwood Property Association.

Councilman McGull asked if there is a provision in the City Charter allowing citizens to vacate a street.

Ms. Smith answered affirmatively.

Councilman McGull asked if is possible for the residents on Millwood Drive to vacate the street to allow Millwood Drive to dead end at 189.

Ms. Smith answered there are two options. She noted the first is privatizing the street and gating it. She noted the second is vacating the street. Ms. Smith explained to vacate a street, all property owners adjoining the street must agree to the vacation. She also noted the City and City Utilities conduct reviews. The proposed vacation would go to the Planning and Zoning Commission and if the proposed vacation is approved the land would return to the owners as outlined in the original plat.

Councilman Hosmer asked if the annexation was approved, but the zoning was not approved, if the property is grandfathered in under the county zoning.

Ms. Smith answered the property would retain the county zoning.

Councilman Hosmer clarified Council Bill 2020-219 cannot be amended to be single-family instead of residential townhouse.

Ms. Smith answered affirmatively.

Councilman Hosmer clarified if Council Bill 2020-217 and Council Bill 2020-218 were passed, but Council Bill 2020-219 was defeated, the developer would be able to construct single family homes on the six-acre plot.

Ms. Smith answered affirmatively. She also noted the developer would have to wait six months before re-applying for rezoning for the six-acre plot after being denied by City Council.

Councilman Hosmer clarified the developer could construct homes on the six-acre plot in accordance with county zoning.

Ms. Smith answered affirmatively.

Mayor McClure asked if there were further questions for Ms. Smith. There were no further questions or comments. Mayor McClure noted City Council would be voting on the annexation. Mayor McClure called for a roll call vote.

City Council Bill 2020-217. General ordinance 6617 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.

**Rezoning 38 Acres
Located at 6177
South Farm Road
189**

Sponsor: Simpson. City Council Bill 2020-218.

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 38 acres of property generally located at 6177 South Farm Road 189 from County R-1, Suburban Residence District to R-SF Single-Family Residential District; and adopting an updated Official Zoning Map. (Staff and Planning and Zoning Commission both recommend approval.) (By: Frank and Kimberly Steed; 6177 South Farm Road 189; Z-17-2020.)

Mayor McClure 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 2020-218. General ordinance 6618 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 6.68
Acres Located at
6177 South Farm
Road 189**

Sponsor: Simpson. City Council Bill 2020-219.

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning approximately 6.68 acres of property generally located at 6177 South Farm Road 189 from County R-1, Suburban Residence District to R-TH, Residential Townhouse District; and adopting an updated Official Zoning Map. (Staff recommends approval, Planning and Zoning Commission recommends denial.) (By: Frank and Kimberly Steed; 6177 South Farm Road 189; Z-18-2020.)

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

Councilman Ollis asked if the proposed was denied, would there be county zoning in the middle of an area that has City zoning.

Ms. Smith answered affirmatively. She noted the developer can return at a later time to request City zoning.

Councilman Ollis asked if patio homes can be built in this area per county zoning.

Ms. Smith answered she did not think so, she was unsure.

Councilman Ollis asked if county zoning allowed single-family homes to be built in this area.

Ms. Smith answered affirmatively.

Councilman Hosmer expressed his opposition to Council Bill 2020-219.

Councilman McGull expressed his opposition to the proposed. He expressed his opinion constructing single-family homes is in the best interest of the community, as all other homes are single-family homes.

Mayor McClure echoed sentiments expressed by Councilman Hosmer and McGull and expressed his opposition to the proposed.

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

City Council Bill 2020-219. Failed by the following roll call vote: Ayes: None. Nays: Hosmer, Ollis, Lear, McGull, Simpson, Schilling, Ferguson, Fisk and McClure. Absent: None. Abstain: None.

**Contract of
Obligation with
the Missouri
Department of
Natural Resources**

Sponsor: Lear. City Council Bill 2020-220.

A special ordinance authorizing the City Manager, or his designee, on behalf of the city, to enter into a Contract of Obligation with the Missouri Department of Natural Resources, whereby the City agrees to financially secure the future closure and post-closure care of all currently active and previously completed portions of the City's Sanitary Landfill.

Mayor McClure noted public hearing was held on September 21, 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 2020-220. Special ordinance 27397 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.

**Contract with
Motorola Solutions
for Watch Guard
Body Worn
Cameras**

Sponsor: Fisk. City Council Bill 2020-221.

A special ordinance authorizing the City Manager, or his designee, to enter into a contract with Motorola Solutions for the purchase of Watch Guard body worn cameras and all necessary hardware to implement a Body Worn Camera program for the Springfield Police Department and approving the use of the Minor Neighborhood Improvement Program funds from the 1/4-Cent Capital Improvement Sales Tax.

Mayor McClure noted public hearing was held on September 21, 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 2020-221. Special ordinance 27398 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 Resolutions.

**Amending the
Evaluation of
Charges for
Municipal Services
Policy**

Sponsor: Lear, Fisk, Schilling, and Simpson. City Council Bill 2020-227.

A resolution amending the Evaluation of Charges for Municipal Services policy for certain City services as provided in the Springfield City Code. (The Finance and Administration Committee recommends approval.)

Teresa Allen, Budget Coordinator, provided a brief overview of the proposed. Ms. Allen reviewed feedback from the January meeting of the Finance and Administration Committee, noting responses from the Committee indicated an updated policy statement. She reviewed the current policy statement and the recommended policy

statement. Ms. Allen reviewed the methodology changes, timeline reviews by the Finance and Administration Committee, document delivery dates for City Council, and dates for fee implementation.

Councilman Lear expressed his appreciation to staff for following through on a recommendation made in January.

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

Mayor McClure noted the proposed is now in front of City Council for consideration. He noted the proposed was reviewed by the Finance and Administration Committee and the Finance and Administration Committee is chaired by Councilman Lear. He asked for questions or comments from members of City Council.

Councilman Simpson expressed his gratitude to staff for their hard work and to Councilman Lear for his leadership.

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

City Council Bill 2020-227. Resolution 10526 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.

**Construction
Manager At Risk
Project Delivery
Method for
Renew Jordan
Creek – Main to
Boonville
(2019PW0073),
North Main
Avenue Bridge
(2017PW0018) and
Jordan Creek Box
Culvert at IDEA
Commons
(2018PW0022)**

Sponsor: Ferguson. City Council Bill 2020-228.

A resolution declaring the intent of the City of Springfield to utilize the Construction Manager At Risk project delivery method as set forth in Purchasing Manual, 13-3.104(5)(c) for work on Jordan Creek projects generally located between West Mill Street and West Water Street from North Main Avenue, to the southeast corner of the intersection of East Phelps Street and North Boonville Avenue to include the following improvements: Renew Jordan Creek – Main to Boonville (2019PW0073), North Main Avenue Bridge (2017PW0018) and Jordan Creek Box Culvert at IDEA Commons (2018PW0022); and setting forth selection criteria.

Kirkland Preston, Professional Engineer, provided a brief overview of the proposed. Mr. Preston noted the proposed is a formal declaration noting the intention to use Construction Manager At Risk (CMAR) for the Renew Jordan Creek. He described the area and noted using CMAR will result in construction efficiency. Mr. Preston noted requests for CMAR firms will be posted a week from today.

Councilman Ollis expressed his excitement for the proposed. He asked if CMAR is a way of increasing qualified bids for projects.

Jason Gage, City Manager, noted in any bidding situation, the City wants as many bidders as possible. He noted CMAR is more of a proposal versus bidding situation.

Mayor McClure clarified the proposed is reviewing qualifications versus actual bids.

Mr. Preston answered affirmatively.

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

Mayor McClure noted the proposed is 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 from City Council members, Mayor McClure called for a roll call vote.

City Council Bill 2020-228. Resolution 10527 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.

**Economic
Development
Administration
and the United
States Department
of Commerce
Grant Applications**

Sponsor: McGull. City Council Bill 2020-229.

A resolution authorizing the City Manager, or his designee, to apply for a grant of \$1,500,000.00 from the Economic Development Administration and the United States Department of Commerce, for which local partners will provide a local matching funds contribution of \$4,000,000.00, including approximately \$1,500,000.00 from the City if a grant is awarded, for the purpose of upgrading LeCompte Road and Farm Road 116.

Jonathan Peitz, Professional Engineer, provided a brief overview of the proposed. Mr. Peitz noted the proposed allows the City to apply for a grant from the Economic Development Administration. He noted the grant is highly competitive and has a COVID-19 tie back. Mr. Peitz noted if awarded the grant it would be used to widen LeCompte Road. He noted LeCompte Road is one of the main thoroughfares for the industrial area east of Springfield and the road cannot support existing or future truck traffic. Mr. Peitz explained the roadway improvements. He noted the partnership match is coming from the City, Greene County, and Springfield Underground.

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

Brandon Jenson spoke in favor of the proposed. Mr. Jenson noted he is an associate planner for the Southwest Missouri Council of Governments. He noted the Southwest Missouri Council of Governments acts as a regional clearinghouse for 10 counties and operates as the federally designated economic development district from the US Department of Commerce. Mr. Jenson noted the Southwest Missouri Council of Governments was notified earlier in the year of the modified funding available through the Economic Development Administration due to COVID-19. He noted he notified the City of the grant opportunity. Mr. Jenson expressed his gratitude to City staff for their work on the project.

John Griesemer spoke in favor of the proposed. Mr. Griesemer noted he is the president of Erlen Group, parent company of Springfield Underground. He reviewed projects Springfield Underground has previously partnered with. Mr. Griesemer reviewed the client base of Springfield Underground, the square footage, and how Springfield Underground is tied to COVID-19.

Mayor McClure noted the proposed is now in front of City Council for consideration. He asked for questions or comments from members of City Council.

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

City Council Bill 2020-229. Resolution 10528 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.

The following bill appeared on the agenda under Emergency Bills.

Sponsor: Council. City Council Bill 2020-230.

A general ordinance amending the Springfield City Code, Chapter 58, 'Health and Sanitation,' by adding a new Article XIII, 'COVID-19 pandemic,' to add regulations related to Face Coverings, occupancy limits, and physical distancing to respond to the COVID-19 pandemic; and declaring an emergency pursuant to City Charter Section 2.12.

Clay Goddard, Director of Public Health and Welfare, provided a brief overview of the proposed. He reviewed COVID-19 statistics in the community. Mr. Goddard expressed his opinion since the masking ordinance was enacted, there has been no compelling change in science related to masking. He noted the best tools to fight the pandemic are hand hygiene, social distance, masking, and staying home when sick. Mr. Goddard expressed his opinion college presidents in effect run small cities, so he has asked the local college presidents to come and share their experiences.

Dr. Tim Cloyd, President of Drury University, asked for continuation of the mask mandate. Dr. Cloyd expressed his support, and the support of Drury University, for continuation of masking. He noted Drury University staff returned to in-person work at the beginning of the summer with masking as a non-negotiable requirement. Dr. Cloyd expressed his opinion this proves masking works in conjunction with six-foot social distancing and proper personal hygiene. He noted Drury University has had no cases of workplace spread of COVID-19 and student asymptomatic rate is at less than 1%. Dr. Cloyd expressed his belief this is due to compliance with the masking ordinance. He expressed his opinion the masking ordinance allowed Drury University staff to focus on learning rather than focusing on masking at Drury University when masking is not mandated in the community. Dr. Cloyd noted Drury University returned to in-person learning this fall and masking is at the center of the plan.

Dr. Carol Taylor, President of Evangel University, expressed her support for continuing the mandatory mask ordinance. Dr. Taylor expressed her opinion face coverings are vital to stopping the spread of COVID-19. She expressed her opinion scientific evidence is compelling, proving face coverings work. Dr. Taylor expressed her belief it is vital to keep college campuses open and continue to follow the measures in place to provide quality learning experiences for students to flourish and learn to make valuable contributions to our community. She shared an Evangel University student's experience with COVID-19. Dr. Taylor expressed her belief wearing a face covering is a small sacrifice to make to keep people safe.

Dr. Clif Smart, President Missouri State University, expressed his gratitude to City Council for making the hard decisions over the past several months. Dr. Smart expressed his gratitude to Clay Goddard and his team. He noted he communicates almost daily with Mr. Goddard and his staff. Dr. Smart expressed his opinion masking is working at Missouri State University (MSU). He noted MSU has over 20,000 students taking seated classes and over 3,500 employees. Dr. Smart cited cases statistics at MSU and noted there is almost 100% compliance with the masking ordinance. He noted none of the faculty have contracted the virus while teaching and expressed his belief this is because 100% of faculty and students wear masks all of the time. Dr. Smart noted 1,000 students have contracted the virus, but all have recovered, and it has not been spread to a single faculty member. He expressed his opinion MSU could not be fully open without the masking ordinance. Dr. Smart expressed his belief enforcing MSU masking requirements would be exponentially harder if the City did not have a complementary masking ordinance. He expressed his belief the MSU students, faculty, and staff overwhelmingly support the continuation of the masking ordinance.

Councilman Simpson asked for clarification if the 80% of the positive student cases have occurred in students who do not reside on campus.

Dr. Smart answered affirmatively. He noted students are following the guidelines, there is cleaning and sanitation in place, classes are spread out, but expressed his opinion masking is a big part of the success and is helping MSU to manage and operate through COVID-19.

Dr. Hal Higdon, President Ozark Technical College, expressed his gratitude to City Council for being brave and steadfast. Dr. Higdon expressed his abhorrence at people's behavior toward City Council related to the masking ordinance. He also expressed his displeasure of people driving over 100 miles to speak to City Council regarding Springfield's masking ordinance, as it is a Springfield issue. Dr. Higdon expressed his opinion students and staff at Ozark Technical College (OTC) are complying with the mask mandate. He expressed his opinion people wearing masks understand science, facts, and that it is the right thing to do. Dr. Higdon noted OTC has had very low rates of COVID-19, but noted there is not residential housing at OTC, so they cannot control the 12,000 people that go home each day. He expressed his support for continuing the masking mandate.

Councilman Hosmer noted he has driven through the college campus areas of the local colleges and expressed how impressed he was with the number of students wearing

masks. He expressed his belief younger people wearing masks are protecting the older population. Councilman Hosmer asked the presidents to express gratitude on behalf of City Council to the young people taking COVID-19 seriously and protecting others.

Mayor McClure expressed his gratitude to the presidents for speaking and expressed his opinion Springfield and the relationship the City has with colleges is unique. He thanked each president for his or her leadership at their own institutions and for working with Mr. Goddard.

Clay Goddard, Director of Public Health and Welfare, echoed Mayor McClure's statements. He expressed his gratitude to the presidents for the willingness to work with the Health Department and be engaged in working through the COVID-19 pandemic.

Clay Goddard, Director of Public Health and Welfare, reminded everyone masking is not a silver bullet and is one of the tools available to mitigate the spread of COVID-19, along with avoiding large crowds, social distancing, and staying home when sick.

Councilman Simpson asked who is protected by wearing a mask.

Mr. Goddard noted wearing a mask is to protect others. He noted masks are not perfect and need to be used in conjunction with other tools to mitigate the spread.

Councilman Hosmer asked if there are any communities around Springfield that have implemented masking policies.

Mr. Goddard noted Branson and Forsythe have masking mandates.

Councilman Hosmer asked if there has been a response from the Governor regarding statewide masking.

Mr. Goddard noted he has not received a response; however, it would be in response to the Mayor's letter.

Councilman Lear asked number of states have a masking ordinance.

Mr. Goddard noted there are over 30 states that have some type of masking mandate.

Councilman Lear asked about masking ordinances in metropolitan cities.

Mr. Goddard noted most metropolitan cities have a masking mandate and made note of Kansas City, St. Louis, St. Louis County, and Columbia.

An opportunity was given for citizens to express their views.

Anita Cotter, City Clerk, noted there are 18 speakers; therefore, as is City Council policy, speakers will be limited to three minutes.

Justin Burnett spoke in favor of the proposed. Mr. Burnett expressed his gratitude to City Council for their leadership. He expressed his opinion science is clear on the virus and masking is a vital component of protecting people. Mr. Burnett reviewed articles he read supporting mask wearing. He expressed his opinion wearing a mask is minor inconvenience, but necessary to save lives.

Carl Hawn spoke in opposition of the proposed. Mr. Hawn expressed his opinion City Council may have misconstrued what his group is asking for. He expressed his opinion the group can appreciate and respect those who want to wear a mask, but they do not appreciate or respect being forced to wear a mask. Mr. Hawn expressed his belief the rule being imposed is taking away a freedom, the freedom to choose. He noted the group is asking for the right to choose to wear a mask or not. Mr. Hawn noted when the mask mandate was passed, the community was told the numbers would decrease in 30 days. He noted it has been three months, and the numbers have not gone down. Mr. Hawn expressed to City Council he wants to know what the numbers have to be in order for the masking mandate to be over. He expressed his opinion Springfield has tried masking and it has not worked; therefore, maybe Springfield should try not masking. Mr. Hawn noted he compared numbers in Springfield and Joplin and noted the numbers are similar.

Dr. Beth Harville spoke in favor of the proposed. Dr. Harville noted she is the Provost at Drury University and has a doctorate in biochemistry and molecular biology. She expressed her belief wearing a mask provides source control by capturing respiratory droplets containing the coronavirus. Dr. Harville expressed her opinion this is important given the evidence COVID-19 positive asymptomatic individuals are infectious. She noted there are numerous scientific studies indicating the effectiveness of masking of virus source control. Dr. Harville expressed her belief masking, along with social distancing and good hygiene allow Springfield to operate, keeping businesses, schools, and houses of worship open.

Michael Hasty spoke in opposition of the proposed. He noted he is a Springfield resident and has lived here for just over seven years. Mr. Hasty expressed his opinion he has heard the words “feeling” and “mitigate” but where are the numbers and where is the metric for success. He requested information to indicate Springfield is moving in the right direction under the masking mandate. Mr. Hasty reviewed comments given to City Council last week by Steve Edwards from Cox Hospital and expressed his opposition to the information presented. He noted during COVID-19 City Council has cited desired results when instituting different mandates, such as flattening the curve. Mr. Hasty asked what result is linked to the masking ordinance. He noted has a master’s degree in finance. Mr. Hasty expressed his belief numbers do not lie and asked to see the numbers prior to masking and currently. He asked for proof the masking mandate is working. Mr. Hasty noted just this evening Mr. Goddard cited more cases of COVID-19. He expressed his opinion data does not support extending the masking ordinance.

Lisa Meeks spoke in opposition of the proposed. Ms. Meeks expressed her opinion City Council’s actions are destroying Springfield. She expressed her opinion many businesses are struggling to stay open and many have closed for good. Ms. Meeks

noted before the initial vote, she emailed each City Councilmember a list of 18 scientific studies. She noted a study from the CDC found masks do not stop virus spread and do harm the health of the person wearing the mask. Ms. Meeks expressed her belief City Council ignored the facts and the will of the people. She reviewed community statistics given at the City Council meeting prior to the initial vote. Ms. Meeks expressed her opinion of City Council's interactions with citizen speakers.

Gary Horchem spoke in favor of the proposed. Mr. Horchem noted wearing a mask on the City Bus is optional and asked City Council to make it mandatory.

Heather Dietz spoke in opposition of the proposed. She noted she is asking City Council to end the mask mandate and the restrictions to local businesses and religious organizations in Springfield. Ms. Dietz expressed her opinion the City needs to stop promoting fear propaganda to the citizens. She reviewed infection rates and deaths from COVID-19 in Greene County as listed on the Health Department website. She cited a report by Dr. Russell Blaylock indicating masks fail to protect the healthy from getting sick and create health risks to the wearer. Ms. Dietz reviewed articles citing health risks created by wearing a mask. She reviewed information from Steven Holtz, M.D., indicating wearing a mask is to break a person's will, destroy individuality, and make a person submissive to tyranny and noted she agrees with Dr. Holtz.

Elizabeth Rains did not appear to speak to City Council.

Seth Brooks spoke in opposition of the proposed. Mr. Brooks expressed his opinion the pandemic has revealed how power-hungry elected officials are. He shared his personal experience during the first month of the lock-down. Mr. Brooks expressed his belief City Council is responsible for his pain and suffering during the pandemic because City Council believes they are capable of running citizens lives.

Piper Gardner did not appear to speak to City Council.

Amber Neil spoke in opposition of the proposed. Ms. Neil reviewed portions of the proposed ordinance. She expressed concern for data supporting extending the ordinance and that there is not an end result listed to bring a conclusion to the mask mandate. Ms. Neil expressed her opinion she is not anti-mask; she is anti-mandate. She expressed her opinion the churches have bowed to the arbitrary commands of the City Council. Ms. Neil expressed her opinion masking is not about the coronavirus, it is about control.

AJ Karlssom did not appear to speak to City Council.

Avery O'Neal did not appear to speak to City Council.

Johne Labotte did not appear to speak to City Council.

Marc Falmer spoke in opposition of the proposed. Mr. Falmer reviewed portions of the proposed ordinance compared to the original ordinance. He noted different requirements for churches versus businesses and expressed his opinion this is

hypocritical. Mr. Falmer expressed his opinion City Council has been shown biblical scriptures denoting City Council does not have the right to require masking. He expressed his opinion government is reputed law, not preventative law. Mr. Falmer expressed his belief government is to protect citizens from evil doers, not from an invisible virus.

Dylyn Florence did not appear to speak to City Council.

John Coghlan spoke in opposition of the proposed. Mr. Coghlan asked for the mask mandate to end. He expressed his opinion masking is not causing cases to decline, and may actually be causing cases to increase. He expressed his opinion the mask mandate is distracting people from finding better ways to protect seniors. Mr. Coghlan read quotes from the director of the World Health Organization, Dr. Fauci, and the US Surgeon General all related to not masking. He noted science and expert opinion were almost unanimous that public masking does not stop viral spread. Mr. Coghlan expressed his opinion decades of science and research were tossed in favor of public masking “because we said so”. He expressed his opinion the efficacy of public masking has never been proven. He noted over 50 countries instituted mask mandates with high rates of compliance but expressed his opinion the numbers are the same as places without a mask mandate. Mr. Coghlan expressed his opinion people are told masks work, but there is no proof masks work. He noted positive cases and deaths have increased in Greene County since implementing the mask mandate. Mr. Coghlan asked if anyone considered that maybe science was right the first time.

Jim Palmisano spoke in opposition of the proposed. Mr. Palmisano noted the original premise of the emergency declaration was to flatten the curve. He noted the CDC reported it will never be possible to eradicate COVID-19. Mr. Palmisano noted another goal of the emergency declaration was to allow hospitals to prepare. He noted he was hospitalized for four days and expressed his opinion the hospital was definitely not overrun. Mr. Palmisano reviewed the 9th amendment to the constitution, noting the right to breathe fresh air freely. He expressed his opinion City Council has been shown masks do not work, yet City Council continues to press forward with a masking mandate. Mr. Palmisano expressed his belief there are only two reasons for continuing to institute a mandate that does not work, money and politics.

Steven Bradley spoke in favor of the proposed. Mr. Bradley noted he is a front-line worker, so he works regularly with the public. He expressed his opinion COVID-19 is more deadly than the flu and spreads explosively. Mr. Bradley expressed his opinion there are measures in place to keep people safe such as flu shots and seatbelts and every precaution should be taken to also protect people from COVID-19.

Ronald Joecks spoke in opposition of the proposed. He noted he has been a registered respiratory therapist for more than 30 years. Mr. Joecks noted he has worked in hospitals and the home care setting teaching on every lung disease. He expressed his opinion it is common knowledge in the medical community that viruses need to run their course and face masks do not work. Mr. Joecks expressed his opinion masks provide a false sense of security and the coronavirus goes through every type of mask because of the particle size. He noted numerous experts and organizations who have

indicated masks do not work. Mr. Joecks expressed his opinion the experts and organizations have had to reverse their stance on masking for fear of repercussions. He expressed his opinion the effects of the lock-down and mask mandate has ruined people's lives, homes, and businesses. Mr. Joecks noted suicide rates, depression, drug overdoses, domestic abuse, and crime have increased exponentially. He reviewed the restrictions put in place by the ordinance and expressed his opinion people are subjected to these limitations because of a virus that cannot be stopped. Mr. Joecks expressed his belief City Council cannot prevent people from getting sick. He expressed his opinion we cannot be so focused on the virus that we dismiss the collateral damage that has occurred while trying to control it. Mr. Joecks expressed his opinion the mask mandate is a false sense of security, a symbol of fear, is dehumanizing, is bullying, is intimidation, and an attempt at indoctrination through fear mongering for a new normal.

Councilman Hosmer clarified the CDC does not recommend wearing a face mask.

Mr. Joecks answered originally the CDC did not recommend wearing a face mask and referred to the 74-year study from 1946-2016 consisting of 10 randomized studies all finding that masks have no use and should not be worn in public.

Councilman Hosmer asked why the coronavirus is called a novel virus.

Mr. Joecks answered there have been many novel viruses in the history of the world and never have they caused the shutdowns or mask mandates.

Councilman Hosmer clarified the CDC does not recommend face masks.

Mr. Joecks noted the CDC now does recommend face masks. He expressed his belief the CDC was forced to change their stance on face masks.

Councilman Hosmer clarified the CDC is being forced to say masks work.

Mr. Joecks answered he does not know if they are forced, but expressed his belief any party that speaks against the narrative is canceled or has their job threatened.

Councilman Hosmer read an excerpt from the American Medical Journal indicating face masks are a critical tool in the fight against COVID-19.

Mr. Joecks cited numerous studies indicating masks do not work.

Meike Aton spoke in opposition of the proposed. Ms. Aton reminded City Council she spoke with them four weeks ago and shared her parents and grandparents experience in Nazi Germany. She expressed her opinion the current situation in Springfield reminds her of the experience in Germany. Ms. Aton expressed her belief we are losing our personal freedoms, one step at a time using fear as an excuse. She shared she is an artist and runs a gallery in Springfield. Ms. Aton noted she offers creative therapy through art workshops, but is now unable to do so. She expressed her opinion this is a great loss to the community. Ms. Aton noted she provided a link to Mayor McClure

and the link indicates there has been a 40% loss in businesses as early as April. She asked if the losses matter to City Council and if they have considered the impact to the families owning the businesses. She noted an increase in positive cases despite the mask mandate. Ms. Aton noted the Health Department dashboard indicated 135 hospitalizations. She asked how the 135 hospitalizations compares to the thousands who have lost their livelihood. Ms. Aton noted she provided Mayor McClure with links to articles citing how masks do not work. She requested City Council make the mask mandate a recommendation.

Seven Nelson did not appear to speak to City Council.

David Schlum did not appear to speak to City Council.

Hannah Laflen did not appear to speak to City Council.

Margaret Clarke did not appear to speak to City Council.

Marion Sellinger did not appear to speak to City Council.

Laura Ulveling spoke in opposition of the proposed. Ms. Ulveling thanked City Council for the privilege of speaking. She noted she has struggled with anxiety since she was a small child and the pandemic has exacerbated her anxiety, affecting not only her mind, but also her body. Ms. Ulveling noted she tried to wear a mask when the mandate was first passed, but suffered many side effects. She noted the ordinance allows for a medical exemption. Ms. Ulveling shared her personal experience of trying to go about daily business without a mask. She asked how can she provide for her family when every position requires the employee to wear a mask. Ms. Ulveling asked City Council to allow people to use their own discernment to choose what is best for their health.

Jenn Simmons spoke in favor of the proposed. Ms. Simmons noted she is a reverend at National Avenue Christian Church and lives in Battlefield. She expressed her belief scientific data is evolving regarding COVID-19 and demonstrates masking can be effective when people are compliant and work together. Ms. Simmons noted she is co-leader of the Have Faith Initiative (HFI). She noted HFI listens to the weekly Health Department reports. Ms. Simmons thanked City Council for listening to science, facts, and holding health and safety of the community as a core value. She expressed her belief when a masked person sees another masked person, it is a visual reminder of everyone doing their part. Ms. Simmons expressed her opinion wearing a mask is a compassionate act. She noted over 160 faith leaders signed a letter and submitted the letter to City Council urging extending the masking ordinance.

Anita Cotter, City Clerk, noted there were multiple avenues for citizens to express their opinion regarding the proposed including, comments submitted via an online form, a phone tree which allowed voice mails to be left in support or opposition, email, and phone calls to the City Clerk's office. Ms. Cotter noted there were 1,067 forms submitted with 878 responses or 82.1% in support of the proposed and 191 responses

or 17.9% in opposition to the proposed. She noted there were 225 calls submitted through the phone tree with 169 or 75.2% in-support and 56 or 24.8% in opposition.

Mayor McClure noted the public hearing is now closed and the proposed is now in front of City Council for consideration. He asked for questions or comments from members of City Council.

Councilman Simpson noted the Faith Voices press conference is available online and encouraged people to watch. He expressed his opinion when voting on the proposed it should be based on evidence and not a political decision. Councilman Simpson expressed his belief there is a clear scientific and medical consensus on the efficacy of masking.

Councilman McGull asked Mr. Goddard if face shields are an acceptable face covering.

Mr. Goddard answered affirmatively.

Councilman McGull noted scientists, doctors, and university presidents have indicated masks works. He reviewed the three T's (truthful, transparent, and trustworthy) that govern his principals. Councilman McGull expressed his opinion if masking can save even one life, it is worth it. He noted he will be voting in favor of the proposed.

Councilwoman Fisk noted until there is proof from the experts that the COVID-19 cases are manageable, she will not entertain expiring the mandate. She expressed her belief masks work and save lives. Councilwoman Fisk noted she will be supporting the proposed.

Mayor McClure reviewed the Faith Voices press conference. He expressed his opinion we cannot ignore the reality of the disease. Mayor McClure noted his agreement with Councilwoman Fisk. He read an article from the News-Leader related to the Spanish Influenza of 1918. Mayor McClure expressed his belief the people expect City Council to make the tough decisions; therefore, City Council will make the tough decisions. He expressed his pride in City Council throughout pandemic. Mayor McClure noted he will be supporting the resolution.

Mayor McClure noted the letter sent to the Governor requesting a state-wide masking mandate. He cited 71% of people hospitalized in Springfield are from outside Greene County and expressed his opinion jurisdictions outside of Springfield need to step up in order to stop COVID-19.

Mayor Pro Tem Ferguson noted based on the possible appearance of impropriety and preserve public faith in the actions of City Council, she will be abstaining from voting on the proposed.

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

City Council Bill 2020-230. General ordinance 6619 was approved by the following roll call vote: Ayes: Fisk, Hosmer, Ollis, Lear, McGull, Simpson, Schilling, and McClure. Nays: None. Absent: None. Abstain: Ferguson.

PUBLIC IMPROVEMENTS

GRANTS

AMENDED BILLS

PUBLIC HEARING

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

**United States
Department of
Housing and
Urban
Development
Community
Development
Block Grant
Program funds for
Fiscal Year 2020-
2021**

Sponsor: Council. City Council Bill 2020-231.

A special ordinance approving the selection of sub-recipients and projects for United States Department of Housing and Urban Development Community Development Block Grant Program funds for Fiscal Year 2020-2021; authorizing the City Manager, or his designee, to exercise all powers necessary to implement selected projects, including entering into any necessary agreements with sub-recipients; and reaffirming the Community Development Objectives and Priorities.

Brendan Griesemer, Assistant Director of Planning and Development, provided a brief overview of the proposed. Mr. Griesemer noted the proposed was presented to City Council on June 1, 2020 as part of the HUD five-year consolidated plan. He noted the consolidated plan was approved. Mr. Griesemer noted City Council approval via an ordinance is required in order to enter into the various contracts with the sub-recipients. He noted the information has not changed. Mr. Griesemer noted staff recommends approval.

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

PETITIONS, REMONSTRANCES, AND COMMUNICATIONS

Margaret Wissmueller noted she distributed a paper on chickens and ducks to each City Councilmember. Ms. Wissmueller expressed her opinion the original ordinance not allowing farm animals in Springfield should be reviewed, as there are many different types and sizes of farm animals. She expressed her opinion smaller farm animals should be allowed in Springfield.

Darrell Day expressed his opinion a Diversity Officer position is not needed. He expressed his opinion the \$120,000 to pay for the Diversity Officer could be used to hire two police officers or firefighters. Mr. Day expressed his belief there is not a racial problem in Springfield.

The following item appeared on the agenda under New Business.

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

UNFINISHED BUSINESS

MISCELLANEOUS

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

**Preliminary Plat of
Publisher's Corner
Located at 1630
North Eldon
Avenue**

Sponsor: Ferguson. City Council Bill 2020-232.

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 Publisher's Corner, generally located at 1630 North Eldon Avenue, upon the applicant filing and recording a final plat that substantially conforms to the preliminary plat; and authorizing the City Clerk to sign the final plat upon compliance with all the terms of this Ordinance. (Staff recommends that City Council accept the public streets and easements.) (By: Heritage Bookshop, Inc.; 1710 North Eldon Avenue; Preliminary Platt of Publisher's Corner.)

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

Sponsor: Hosmer. City Council Bill 2020-233.

A special ordinance authorizing the City Manager, or his designee, to accept a grant from the Missouri Department of Transportation in the amount of \$21,120.00 to be used by the Police Department for the purpose of conducting Hazardous Moving Violation Enforcement to promote pedestrian safety; and declaring that this bill qualifies for approval in one reading pursuant to City Charter Section 2.16(25).

City Council Bill 2020-233. Special ordinance 27401 was approved by the following roll call vote: Ayes: Schilling, Ferguson, Fisk, Hosmer, Ollis, Lear, McGull, Simpson and McClure. Nays: None. Absent: None. Abstain: None.

Sponsor: Lear. City Council Bill 2020-234.

A special ordinance authorizing the City Manager, or his designee, to accept a grant from the Missouri Department of Transportation in the amount of \$12,230.00 to be used by the Police Department for the purpose of providing a Civilian Motorcycle Safety Training Course; and declaring that this bill qualifies for approval in one reading pursuant to City Charter Section 2.16(25).

City Council Bill 2020-234. Special ordinance 27402 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.

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

**MoCAN Grant
and *SGF*
Neighborhood
*News***

Sponsor: McGull. City Council Bill 2020-222.

A special ordinance authorizing the City Manager, or his designee, to accept Coronavirus Aid, Relief, and Economic Security Act grant funding made available by the Missouri College Access Network in the amount of \$8,000.00, in exchange for providing information about top job pathways in Springfield through the *SGF Neighborhood News*.

City Council Bill 2020-222. Special ordinance 27399 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.

**Consolidated
Police Records
Management
System**

Sponsor: Ollis. City Council Bill 2020-223.

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

City Council Bill 2020-223. Special ordinance 27400 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.

END OF CONSENT AGENDA.

Motion to Adjourn

Councilman Simpson moved to Adjourn. Councilman McGull 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 9:15 p.m.



Anita J. Cotter, CMC/MRCC
City Clerk

Prepared by
Monica Paxton