

November 2, 2020
Springfield, Missouri

The City Council met in regular session November 2, 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. Phyllis Ferguson, Jan Fisk, Craig Hosmer*, Richard Ollis, Andrew Lear, Abe McGull, Matthew Simpson, Mike Schilling and Ken McClure. Absent. None.

*Councilman Hosmer arrived at 6:52 pm.

Minutes

The minutes of October 19, 2020 City Council meeting and October 21, 2020 and October 27, 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 there are two City Council Listening Sessions scheduled for Monday, November 9, 2020 and Monday, November 23, 2020 at Drury University. Mr. Gage noted a community survey on Crime and the Community, Race Relations and the Community, and Race Relations and Policing will be mailed to randomly selected households in the coming weeks. He noted the City has hired Opinion Research Specialists, a local independent research company, who will collect and analyze the results. Mr. Gage noted the Springfield Police Department Leadership Council hosted an awards ceremony on Thursday, October 29, 2020 at the Springfield Art Museum where twenty-five commendations, medals, and service awards were presented to deserving citizens and law enforcement. Mr. Gage specifically noted among the recipients were Officer Josiah Overton, who received the Purple Heart/Medal of Valor – Gold and the family of Officer Christopher Walsh who received the Purple Heart/Police Cross/Medal of Valor – Gold. He noted the next virtual community engagement session will take place on November 19, 2020.

Clay Goddard, director of Public Health and Welfare, noted there have been over 10,000 laboratory confirmed cases of COVID-19 and 156 Greene County residents have died as a result of a COVID-19 related infection. Mr. Goddard noted 40% of cases trace back to household contact and 22% from workplace contact. He noted there are currently 190 people hospitalized, with 35 of those people in the ICU and 33 of them on ventilators. Mr. Goddard noted many of these statistics are setting records and expressed his opinion these are some of the darkest days of the pandemic. He noted Nixa and Ozark have passed masking ordinances and expressed his opinion this will help in our community, as masking is a powerful practice. Mr. Goddard shared information from a report in the Institute for Health Metrics and Evaluation predicting the number of deaths in the United States from COVID-19 and how the number of deaths could be reduced based on the number of people complying with masking. He noted a finding from the study indicated masking at increased over each age group over the 3-month study, but other mitigating factors such as hand-washing had

decreased. Mr. Goddard expressed concern as people may be letting their guard down as we are entering the holiday season. He reiterated people need to watch their distance, wash their hands, and wear their masks.

Mayor Pro Tem Ferguson asked what the capacity of the ICU is between Cox and Mercy.

Mr. Goddard answered they are full and have people in additional holding areas.

Councilman Ollis noted Europe is having a second wave and therefore has enacted stricter measures to combat COVID-19 and asked if there is anything we can learn from them.

Mr. Goddard expressed his opinion people are letting their guard down in situations where they feel comfortable and this is where many transmissions are happening. He stressed physical distancing and wearing a mask.

Councilman Ollis expressed his opinion as the weather becomes colder, people will not be able to go outside, and there could be an increase in positive cases.

Mr. Goddard noted influenza cases increase around Thanksgiving and Christmas. He expressed his opinion the increase is due to family gatherings and many family members coming together from all parts of the country.

Mayor McClure expressed his gratitude to Mr. Goddard for his dedication and diligence during the pandemic.

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

**First Amended
Redevelopment
Plan for the East
Cherry Pocket
Neighborhood
Redevelopment
Area**

Sponsor: Schilling and McGull. Council Bill 2020-239.

A special ordinance approving the First Amended Redevelopment Plan for the East Cherry Pocket Neighborhood Redevelopment Area, generally located on 0.51 acres on the north side of the intersection of East Cherry Street and South Fremont Avenue; and authorizing the City Manager, or his designee, to execute an amended and restated redevelopment agreement with the developer, Say You Can, LLC, relating to the implementation of the Amended Redevelopment Plan. (The Land Clearance for Redevelopment Authority, the Planning and Zoning Commission, and City staff recommend approval.)

City Council Bill 2020-239. Special ordinance 27407 was approved by the following vote: Ayes: Ferguson, Fisk, Hosmer, Ollis, Lear, McGull, Simpson, Schilling and McClure. Nays: None. Abstain: None.

**Removing
References to a
Tax Abatement
Scorecard and a
Reduced Level of
Tax Abatement in
the Workable
Program**

Sponsor: Schilling. Council Bill 2020-240.

A general ordinance amending the Springfield City Code, Chapter 40, 'Community Development,' Article II, 'Workable Program,' Section 40-11, 'Definitions,' and Section 40-14, 'Redevelopment Agreement,' by removing references to a tax abatement scorecard and a reduced level of tax abatement which are no longer part of the Workable Program by operation of the sunset clause previously contained in Section 40-15. (Staff recommends approval.)

City Council Bill 2020-240. General ordinance 6620 was approved by the following vote: Ayes: Ferguson, Fisk, Ollis, Lear, McGull, Simpson, Schilling and McClure. Nays: Hosmer. Abstain: None.

**Amending the
Springfield City
Code, Chapter 106**

Sponsor: Ollis. Council Bill 2020-241.

A general ordinance amending the Springfield City Code, Chapter 106, 'Traffic and Vehicles,' Article I, 'In General,' Section 106-1, 'Definitions,' and Article VII, 'Pedestrians,' Section 106-450, 'Right-of-way in crosswalks,' to clarify the right-of-way between pedestrians, cyclists, and drivers at crosswalks; amending Article V, 'Operation,' Section 106-183, 'Right-of-way at intersections; left turns into alley, private road or driveway, speed limit near construction or maintenance operations,' to clarify the right-of-way between pedestrians, cyclists, and drivers when a vehicle is entering or leaving the street and crossing sidewalks or paths; and adding Section 106-211, 'Yielding to disabled persons with white cane or dog,' to require drivers to yield to persons with disabilities carrying a white cane or using a guide, hearing, or service dog.

Mandy Buettgen, Engineer, answered there are 60 to 70 pedestrians hit on the roadways. She noted approximately 10% of those accidents involved pedestrians under the age of 18. Ms. Buettgen noted people between the ages of 30 and 50 are more likely to be involved in an accident. She noted most fatalities happen when a pedestrian is crossing outside of a marked crosswalk. Ms. Buettgen expressed her hope increasing awareness and education for crosswalks will reduce the number of accidents.

Councilman Schilling expressed his concern with people not using crosswalks and noted he has had to become more vigilant when driving.

Councilman Ollis expressed his gratitude to Ms. Buettgen and her staff. He expressed his opinion ordinances, such as the proposed, we'll make our community safer.

Mayor Pro Tem Ferguson expressed her opinion the proposed is a good first step. She asked how people can safely cross in an area that does not have a crosswalk.

Ms. Buettgen answered people should seek out crosswalks, traffic lights, or the flashing pedestrian lights that have been put in. She expressed her hope that educating the community will have positive results. Ms. Buettgen noted the Missouri Department of Transportation is aware of crosswalk problems on the highways and is working to find a solution.

Mayor Pro Tem Ferguson asked if the City is working with the school system.

Ms. Buettgen answered affirmatively.

Councilman Schilling asked if there are cameras at the intersections.

Ms. Buettgen answered affirmatively, noting the cameras are available to monitor traffic flow.

City Council Bill 2020-241. General ordinance 6621 was approved by the following vote: Ayes: Ferguson, Fisk, Hosmer, Ollis, Lear, McGull, Simpson, Schilling and McClure. Nays: None. Abstain: None.

**Edward Byrne
Memorial Justice
Assistance Grant**

Sponsor: Hosmer. Council Bill 2020-242.

A special ordinance authorizing the City Manager, or his designee, to accept the Edward Byrne Memorial Justice Assistance Grant in the amount of \$146,272.00 from the United States Department of Justice and to enter into an interlocal agreement with Greene County outlining the division of the grant funds; and amending the budget for the Springfield Police Department for Fiscal Year 2020-2021 in the amount of \$146,272.00.

Councilman McGull noted he works for the Department of Justice, but he has nothing to do with the proposed. He expressed his support for the proposed.

City Council Bill 2020-242. Special ordinance 27408 was approved by the following vote: Ayes: Ferguson, Fisk, Hosmer, Ollis, Lear, McGull, Simpson, Schilling and McClure. Nays: None. Abstain: None.

**CARES Act Grants
for use by
Springfield-Greene
County Health
Department and
Other City of
Springfield
Departments**

Sponsor: Ollis. Council Bill 2020-243.

A special ordinance authorizing the City Manager, or his designee, to accept two Coronavirus Aid, Relief, and Economic Security ("CARES") Act grants through the U.S. Department of the Treasury and Greene County, Missouri, including \$4,000,000.00 for use by the Springfield-Greene County Health Department and \$2,170,227.41 for use by other City of Springfield departments; and amending the Fiscal Year 2020-2021 budget in the amount of \$6,170,227.41 for the purpose of appropriating the grant funds.

City Council Bill 2020-243. Special ordinance 27409 was approved by the following vote: Ayes: Ferguson, Fisk, Hosmer, Ollis, Lear, McGull, Simpson, Schilling and McClure. Nays: None. Abstain: None.

The following bill appeared on the agenda under Resolutions.

**Revenue Bonds by
the Industrial
Development
Authority for
Keystone Family
Homes**

Sponsor: Schilling. Council Bill 2020-236.

A resolution approving the issuance of multifamily housing revenue bonds by the Industrial Development Authority of the City of Springfield, Missouri, in an amount not to exceed \$22,000,000 to finance the acquisition and rehabilitation of certain commercial housing facilities located in the City of Springfield, Missouri, to be named Keystone Family Homes.

Councilman Schilling clarified City Council's role on the proposed is to move the bonds forward and if citizens have concerns, they would need to contact their Congressman as this is a federal program.

Jason Gage, City Manager, answered affirmatively. He noted the proposed is a bonding issue to aggressively invest money into units to significantly increase the quality of the units.

Councilman Lear expressed his opinion everyone shares the goal for safe, reasonable, and affordable housing. He expressed his opinion the proposed is the best opportunity to reach that goal. Councilman Lear recommended Public Housing Authority and the Tenants Organization to continue to dialogue. He noted he would be voting in favor of the proposed.

Councilman McGull noted he echoes Councilman Lear's sentiments. He noted he supports the proposed. Councilman McGull expressed his opinion the proposed coming forward during COVID-19 means people will be employed to make the renovations. He expressed his gratitude to the Tennant Organization's that brought concerns to City Council's attention.

Written comments submitted via email from Rennie E. Auiler. Ms. Auiler expressed concern for ADA changes to be made to her current residence and ADA availability in the temporary residence she will be moved to. She expressed concern for covering moving expenses and how a Section 8 designation will affect her rent.

Council Bill 2020-236. Resolution 10531 was approved by the following vote: Ayes: Ferguson, Fisk, Ollis, Lear, McGull, Simpson, Schilling and McClure. Nays: Hosmer. Abstain: None.

EMERGENCY BILLS

PUBLIC IMPROVEMENTS

GRANTS

AMENDED BILLS

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

Rezoning at 1452 North Eastgate Avenue

Sponsor: McGull. Council Bill 2020-247.

A general ordinance amending the Springfield Land Development Code, Section 36-306, 'Official zoning map and rules for interpretation,' by rezoning 1.9 acres of property, generally located at 1452 North Eastgate Avenue, from O-1, Office District with Conditional Overlay District No. 128 to Planned Development No. 375; and adopting an updated Official Zoning Map. (Planning and Zoning Commission and Staff recommend denial.) (By: Eastgate Office, LLC; 1452 North Eastgate Avenue; Planned Development 375.)

Councilman McGull noted it has been brought to his attention the applicant of the proposed wishes to withdraw his application for rezoning the property at 1452 North Eastgate Avenue; therefore, he is withdrawing his sponsorship from the bill, which will kill the bill unless another Council member agrees to sponsor the bill within 48 hours. He noted if no one is sponsoring the bill, it will have a natural death within 48 hours.

Mayor McClure noted Councilman McGull is withdrawing his sponsorship from Council Bill 2020-247 and noted if another Council member wishes to pick up the bill, she/he will need to do so within 48 hours by notifying the City Clerk.

Mayor McClure asked for questions or discussion from Council.

Councilman Schilling asked for the vote from Planning and Zoning Commission.

Mary Lilly Smith, Director of Planning and Development, noted Planning and Zoning Commission voted 0 in favor, 7 to deny, and 1 recusal.

Councilman Schilling asked when the applicant had withdrawn the application related to the Planning and Zoning Commission meeting.

Ms. Smith noted the Planning and Zoning Commission meeting was on October 8, 2020 and the applicant withdrew the application today, November 2, 2020.

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

Amending Elections and Campaign Finance

Sponsor: Lear, Hosmer, and McGull. Council Bill 2020-248.

A general ordinance amending the Springfield City Code, Chapter 46, 'Elections,' Section 46-6, 'Campaign Finance,' and establishing an effective date. (Recommended by the Plans and Policies Committee.)

Rhonda Lewsader, City Attorney, provided a brief overview of the proposed. She noted the proposed addresses contribution caps for campaign financing. Ms. Lewsader noted Plans and Policy Committee has been reviewing this ordinance since 2016 and

have voted to recommend this ordinance to City Council. Ms. Lewsader provided background on the current code and the three current cap limits. She noted since the current ordinance was adopted in 1996, there have been changes in State and Federal laws regarding campaign finance caps. Ms. Lewsader reviewed the State and Federal laws. She reviewed three federal cases. Ms. Lewsader reviewed the effect of State and Federal law changes on the City ordinance. She noted the options reviewed by the Plans and Policies Committee. Ms. Lewsader reviewed the proposed ordinance changes.

Councilman Simpson asked if his understanding was correct that if a locally formed group was created to solely spend on City Council elections, the limits would apply to the group; but, if you had a political party or a group that is spends in local elections as well as statewide or national elections, the limits would not apply to those groups.

Ms. Lewsader answered affirmatively.

Councilman Ollis expressed his gratitude to Ms. Lewsader for her work on the proposed. He referred to a news article that indicated candidates are using Political Action Committees (PACs) to circumvent campaign caps. Councilman Ollis asked if this would be possible at the City level.

Ms. Lewsader answered PACs have been used at the State level. She noted once amendment 2 passed, the number of PACs increased. Ms. Lewsader reviewed dark money, the Missouri Ethics Commission (MEC), donations for nonprofit organizations, and following the money trail.

Councilman Ollis asked to clarify his understanding of PACs, asking if independent PACs were formed by a candidate or on behalf of a candidate and then dark money can flow through the PACs.

Ms. Lewsader answered affirmatively. She noted if PACs are making independent expenditures, they have no caps.

Councilman Ollis reviewed information and contributions from an independent PACs for Governor Parsons and the State Auditor. He expressed his concern for the creation of caps, PACs, and dark money.

Mayor Pro Tem Ferguson clarified at the municipal level, a nonprofit organization could form a PAC to support a person running for City Council and run their campaign however they wished.

Ms. Lewsader answered affirmatively. She noted the PAC could use independent expenditures to run negative or positive campaign ads.

Mayor Pro Tem Ferguson asked if the proposed had any effect on super PACs or dark money.

Ms. Lewsader noted it does not.

Mayor Pro Tem Ferguson clarified an individual can contribute up to \$2,600 to a City Council campaign and then also could contribute an undisclosed amount of money to a super PAC to continue to finance a City Council campaign and it would never be known.

Ms. Lewsader noted as long as it is an independent expenditure PAC. She noted the PAC is required to make disclosures to the MEC. Ms. Lewsader explained the dark money comes in when a contribution comes from a non-profit, as nonprofit organizations do not have to disclose their donors.

Mayor Pro Tem Ferguson asked if Ms. Lewsader had reviewed campaign caps in other communities and how that affected campaign elections.

Ms. Lewsader noted she had not found information on how campaign caps affected campaign elections at the municipal level. She noted St Louis and Kansas City are the only cities in Missouri with campaign caps.

Councilman Simpson clarified there are no limits for external groups or independent expenditures, but there are limits for local groups.

Ms. Lewsader answered if the local group is formed solely for the purpose of financing City Council elections, they will be limited to the amount of contributions they can receive from single contributors.

Councilman Hosmer asked Ms. Lewsader if it was her legal opinion the City did not have the ability to regulate a PAC that was involved in both City and non City elections.

Ms. Lewsader answered affirmatively.

Councilman Hosmer asked if part of the problem of dark money and PACS is the Citizens United decision.

Ms. Lewsader answered affirmatively. She noted federal case law has contributed strongly to the problems with PACs.

Councilman Hosmer clarified based on federal law, states do not have the ability to regulate dark money.

Ms. Lewsader answered affirmatively

Councilman Hosmer asked if the proposed is all that can be done to regulate City Council elections.

Ms. Lewsader answered affirmatively

Councilman Hosmer noted campaign finance caps have been in effect prior to 2016.

Ms. Lewsader noted campaign finance caps were in place but were repealed in 2008.

Councilman Hosmer clarified from 1996 to 2008, City Council members and the Mayor were restricted in the amount of campaign funds they could receive.

Ms. Lewsader answered affirmatively.

Councilman Hosmer asked if there had been any problems during that time.

Ms. Lewsader answered she did not know, as the time period in question predates her time with the City.

Councilman Hosmer asked if there were any records.

Ms. Lewsader answered she is not aware of any records.

Councilman Hosmer noted contributions to City Council members are limited by statutory section RSMo 130-032.

Ms. Lewsader answered she is not familiar with that statutory section.

Councilman Hosmer noted the section had been repealed. He asked if the City ordinance references a State Statute that is no longer in existence.

Ms. Lewsader answered affirmatively.

Councilman Hosmer clarified a City Council person could take unlimited contributions from a single person; but the Governor, and other state offices, such as State Senators and State Representatives are limited in the amount of contributions they may accept.

Ms. Lewsader answered affirmatively.

Councilman Hosmer clarified Springfield would be the largest city in the state of Missouri with unlimited amounts of money people could donate to City Council members.

Ms. Lewsader answered affirmatively.

Councilman Hosmer noted the courts and various governmental entities have consistently found large, unregulated contributions can have corrupting influence either actual or apparent on government. He asked if that is what the City Council passed in 1996.

Ms. Lewsader answered affirmatively.

Councilman Hosmer read Article VIII Section 23 of the State Constitution. He asked if the proposed would limit City Council members to the same amount as the Governor.

Ms. Lewsader answered affirmatively. She noted there is provision in the Missouri Constitution to increase campaign caps every couple of years and the MEC releases the amount every year.

Councilman Hosmer clarified the proposed would return the City to the same status prior to the repeal in 2008.

Ms. Lewsader answered affirmatively.

Councilman Ollis clarified he did say in 2016 the state did pass some updated campaign finance laws. He noted he is referring to individual contributions and then read from the Columbia Missourian, citing under State Law one person may donate up to \$2,650 directly to the Governor's campaign, but the State does not control how much that person can donate to PACs. Councilman Ollis cited examples. He expressed his opinion campaign finance has not worked very well in the state of Missouri and City Council is now about to replicate that very campaign finance law.

Mayor McClure asked how the proposed would this be enforced.

Ms. Lewsader noted a staff member can review reports filed with the MEC several times a year and see if any of the contributions listed in the financial disclosures exceeded the amount.

Mayor McClure asked what happens if that occurs.

Ms. Lewsader noted there is a penalty provision and would be prosecuted through Municipal Court. She noted there is a safe harbor provision. Ms. Lewsader explained the safe harbor provision.

Mayor McClure clarified it could be a sitting member of City Council and the City Prosecutor would be prosecuting a sitting member of City Council.

Ms. Lewsader answered affirmatively. She noted this would create a conflict of interest.

Mayor McClure asked if outside counsel would need to be hired.

Ms. Lewsader answered affirmatively.

Mayor McClure asked if the case would be tried in Municipal Court.

Ms. Lewsader answered affirmatively.

Mayor McClure asked if Municipal Court would hear the case.

Ms. Lewsader answered affirmatively. She noted the judges would probably recuse themselves.

Mayor McClure asked if the case would go to Circuit Court.

Ms. Lewsader answered affirmatively. She noted the City would have to request Circuit Court appoint someone.

Mayor McClure asked what the role of the City Clerk would be.

Ms. Lewsader noted any political committees meeting the definition are supposed to file a report with the City Clerk to let her know they have been created and if they are not required by State Law to file disclosure reports, they are supposed to file one with the City Clerk. Ms. Lewsader noted this is what the current ordinance states.

Mayor McClure asked if Ms. Lewsader was aware the City is in the middle of a campaign.

Ms. Lewsader answered affirmatively. She noted the City is always in the middle of a campaign cycle. Ms. Lewsader noted because of the prohibition of the Missouri Constitution on the retrospective actions of laws, the City will not be able to count contributions that have been received prior to December 1, 2020.

Mayor McClure asked how many times over the last several years has State laws changed regarding campaign finance.

Ms. Lewsader noted the amendment in 2016 and the Clean Missouri changed the requirement related to the General Assembly.

Mayor McClure asked if the City codifies the changes and then the State Law changes, the City would be out of compliance.

Ms. Lewsader answered affirmatively.

An opportunity was given for citizens to express their views.

Tim Havens addressed City Council. Mr. Havens expressed his concern for the proposed. He recommended the proposed be tabled based on the timing of the elections. Mr. Havens asked who on the Plans and Policies Committee thought the proposed would be appropriate and good ordinance. Mr. Havens noted the Committee vote was 3-1 and requested to hear reasoning from dissenting from City Council member regarding the proposed. He expressed his concern the proposed would favor incumbents and entrenched candidates.

Councilman Lear noted he is on the Plans and Policies Committee and he voted it out of committee because he believed prior City Councils intended to campaign limits and Missouri voters have indicated they want campaign limits.

Mayor McClure asked Councilman Lear if Councilman Lear thought the public would expect City Councilmembers to have independent PACs and/or dark money.

Councilman Lear expressed he voted the proposed out of committee, as he felt it was appropriate and should be debated.

Councilman McGull expressed his opinion the proposed has some issues, but it also has good intentions. Councilman McGull expressed his belief the proposed inadvertently has the tendency to benefit the wealthy, a wealthy candidate, and the incumbent. He expressed his opinion there should be more people that have a venue to serving in public office.

Councilman Ollis noted he agreed with Mr. Havens, this is a very complicated issue. He noted he did not vote for the proposed to come out of committee because he does not believe that independent PACs and dark money has increased transparency. He expressed his belief the proposed helps incumbents. City Council serves in nonpartisan positions and the proposed does not exclude political parties from getting involved City Council races and adds another layer of bureaucracy.

Stephanie Stenger spoke in opposition of the proposed. Ms. Stenger expressed her opinion we are seeing record levels of State and National spending on campaign ads and this has happened over numerous iterations of campaign finance reform and numerous attempts to limit campaign contributions. She expressed her belief campaign contribution limits do not take the money out of politics, they ultimately lead to a less transparent and less accountable processes. Ms. Stenger expressed her opinion local elections are about connecting with your neighbors and your community, communicating who you are, what you stand for, and why your fellow citizens should select you to serve. She expressed her opinion the current framework is transparent and all campaign donations and contributions must be disclosed with the MEC.

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

**Increasing
Number of
Members for the
Police Civilian
Review Board**

Sponsor: McClure. Council Bill 2020-249.

A special ordinance amending Special Ordinances 23765, 24472, and 25460 establishing and defining the Police Civilian Review Board to increase the size of the Board from five members to seven members, to modify the process by which Board members are appointed, and to modify the minimum qualifications for Board members to be eligible for appointment.

Collin Quigley, Deputy City Manager, provided a brief overview of the proposed. Mr. Quigley noted the proposed was discussed briefly at the October 19, 2020 City Council meeting addressing the NAACP's request for changes to the Police Civilian Review Board (PCRB). He noted the Board would be expanded from five members to seven members and all members would be appointed by the Committee of the Whole. He noted members are no longer required to complete the Citizen's Police Academy before they are appointed, but are still education training requirements. Mr. Quigley noted the Springfield Police Department (SPD) will obtain the criminal history for each applicant to be given to the Committee of the Whole.

Mayor Pro Tem Ferguson asked if consideration was given to zone representation and at-large representation.

Mr. Quigley answered there is no zone representation requirement and it will be up to the Committee of the Whole to ensure representation.

Mayor Pro Tem Ferguson asked what the educational training will be.

Mr. Quigley noted the educational training will be approved by the City Manager. He expressed his opinion the Police Academy is the best training. He expressed his opinion the issue was a person had to complete the Police Academy before they could apply to the PCRB.

An opportunity was given for citizens to express their views.

Tim Havens commended the City Council for being open to change. Mr. Havens expressed his opinion the City met with and had discussions with the NAACP, but the public had little knowledge and information of the discussions. He expressed his opinion the goal of the PCRB is not defined; therefore, one will not be able to determine the success of the proposed changes to the PCRB. Mr. Havens expressed his opinion the PCRB has not been very effective as they are reviewing cases that have already been investigated and closed and the board only reviews the limited information given to them by Springfield Police Department. He expressed his opinion a PCRB must be made up of civilians, have full access to all information, be allowed to conduct full investigations, issue subpoenas for information, and have an operating budget. Mr. Havens requested the resolution be tabled until additional powers can be considered and added to the document. He asked the status of police business cards.

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

PETITIONS, REMONSTRANCES, AND COMMUNICATIONS

Carol Malone wished to address City Council. Ms. Malone did not appear.

Carl Hawn wished to address City Council. Mr. Hawn did not appear.

Lisa Meeks addressed City Council. Ms. Meeks expressed her opinion if 35 people have overwhelmed the hospitals, it may be a mismanagement situation. She also asked if the people who were laid off had been called back. Ms. Meeks expressed her opinion masks do not work and noted long-term care facilities have required masks and lockdowns since the beginning of COVID-19, yet Mr. Goddard reported an increase in positive cases and fatalities in long-term care facilities. She noted positive cases continue to rise despite the mask mandate. Ms. Meeks expressed her belief cases will continue to rise until the entire state reaches a 18-20% infection rate and herd immunity spreads. She expressed concern COVID-19 funds are being given to hospitals, the City, and the County; but, none to small businesses who have also incurred expenses due to COVID-19. Ms. Meeks asked the question what metrics are required to end the mask mandate. She expressed her opinion there will always be a strand of COVID and there will always be a virus that kills people.

Heather Dietz wished to address City Council. Ms. Dietz did not appear.

Tim Havens addressed City Council. Mr. Havens expressed concern for the homeless population. He expressed his opinion there are less resources available than in previous years. Mr. Havens requested a special commission to work with City Utilities to implement a no-fare bus system and night shelters. He expressed his opinion the City should fund people not things or projects.

NEW BUSINESS

The Mayor recommends the following appointment to the Land Clearance for Redevelopment Board: Stephanie Shadwick with term to expire March 1, 2023.

The Mayor recommends the following reappointments to the Land Clearance for Redevelopment Board: Ryan Cosby and Dan Scott with terms to expire March 1, 2024.

The Mayor recommends the following appointment to Mayor's Commission for Children: Amy Chenoweth with term to expire November 29, 2022.

The Mayor recommends the following reappointment to Mayor's Commission for Children: Jennifer McClure with term to expire November 29, 2023.

The Mayor recommends the following reappointments to Mayor's Commission on Human Rights and Community Relations: Heather Hardinger and Pamela Hernandez with terms to expire October 1, 2023.

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

The Mayor recommends the following appointment to Traffic Advisory Board: Rachel Weinhaus with term to expire April 1, 2023.

The Mayor recommends the following appointment to Tree City USA Citizen Advisory Board: Brandon Cook with term to expire December 1, 2022.

The Mayor recommends the following appointment to Tree City USA Citizen Advisory Board: Dr. Cameron LaBarr with term to expire December 1, 2023.

The Mayor recommends the following reappointments to Tree City USA Citizen Advisory Board: Mindy Spitz and Mandi Young with terms to expire December 1, 2023.

Councilwoman Fisk spoke to the referral to the Hearing Officer regarding allegations she violated the City Charter and Code of Ethics. She expressed her opinion she did not violate the City Charter or the Code of Ethics and noted her attorney concurs. Councilwoman Fisk noted she never knowingly, willfully, or purposefully took any action to benefit herself or her family or any business they may have been associated with during her tenure on City Council. She noted both she and her husband have voluntarily disclosed information about their personal finances, taxes, and businesses

to prove her integrity as a Council member. Councilwoman Fisk expressed her opinion an allegation of misconduct can be damaging and damning to the City and a Council member, as actual misconduct. She expressed her opinion the City Charter and Code need to be reviewed and revised so the City, the City Council, and citizens know clearly what the rights, responsibilities, and duties are. Councilwoman Fisk urged City Council to form a committee or task force to review the City Charter and Code. She noted she provided a check to the City Clerk, Anita Cotter, for \$3,453 from J. Howard Fisk Limousine, Inc. payable to the City of Springfield. Councilwoman Fisk expressed her opinion neither she nor her family received funds in this amount from the City of Springfield, the check represents the total amount that someone could believe she or her family benefitted during her eight years of service on City Council. She noted to avoid any perception of wrongdoing, she is returning the funds to the City so all citizens of Springfield can rest assured no public funds benefitted her or her family. Councilwoman Fisk noted she filed an amended personal financial disclosure form with the Missouri Ethics Commission to avoid any public confusion. Councilwoman Fisk expressed her feelings she is privileged and honored to serve on City Council. She expressed her opinion City Council does important work and she is proud as a senior member of City Council of the things City Council has accomplished for the citizens of Springfield. Councilwoman Fisk noted she looks forward to continuing the work until the end of her term in April 2021. She expressed her opinion she has endured the year long process to learn and understand, as she does not want other Council members to have the issues she has had. Councilwoman Fisk expressed her opinion her reputation has been maligned, her family attacked, and she has had to employ an attorney. She expressed her opinion the City will not be able to attract talented individuals for public service with ambiguity in the City Charter and Code, that may expose them to unneeded confusion and public scrutiny. Councilwoman Fisk expressed her gratitude for being able to speak and expressed her desire the funds be used for the Treasures of the City annual scavenger hunt held for all second-grade students. She expressed her hope her actions resolve this matter and allow everyone to move forward.

Mayor McClure thanked Councilwoman Fisk for her words and her voluntary repayment to the City and the filing of the amended personal financial statement. He expressed his opinion it has been an ordeal for all with countless hours spent collecting and analyzing information in discovery. Mayor McClure expressed his opinion Councilwoman Fisk has served in exemplary fashion and noted Councilwoman Fisk loves the community and has chosen not to seek re-election in 2021 and her talents, commitment, and contributions will be missed.

UNFINISHED BUSINESS

MISCELLANEOUS

CONSENT AGENDA FIRST READING BILLS

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

Liquor License to Filipino Market

Sponsor: Fisk. Council Bill 2020-250.

A resolution granting a new liquor license to sell retail liquor in the original package, including Sunday sales, to Filipino Market LLC, d/b/a Filipino Market, for their location at 3448 South Campbell Avenue, Springfield, Missouri.

Council Bill 2020-250. Resolution 10532 was approved by the following vote: Ayes: Ferguson, Fisk, Ollis, Lear, McGull, Simpson, Schilling and McClure. Nays: None. Absent: Hosmer. Abstain: None.

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

Extension of Section 2 of General Ordinance 6595

Sponsor: Fisk. Council Bill 2020-244.

A general ordinance amending Section 2 of General Ordinance 6595 to allow the suspension of enforcement of the parking ratios for restaurants set forth in Section 36-455(2)(b)18 of the Zoning Ordinance to continue while restaurants are required to maintain physical distancing between patrons due to 2019 novel coronavirus.

Council Bill 2020-244. General ordinance 6622 was approved by the following vote: Ayes: Ferguson, Fisk, Ollis, Lear, McGull, Simpson, Schilling and McClure. Nays: None. Absent: Hosmer. Abstain: None.

Extension of General Ordinance Amending the Springfield City Code, Chapter 98

Sponsor: Lear. Council Bill 2020-245.

A general ordinance amending the Springfield City Code, Chapter 98, 'Streets, Sidewalks, and Public Places,' Article VII, 'Encroachments on City Property,' Section 98-323, 'Certain encroachments authorized by the director of public works—Procedures related thereto,' to waive application and permit fees for encroachment permits for temporary sidewalk cafés while restaurants are required to maintain physical distancing between patrons due to 2019 novel coronavirus.

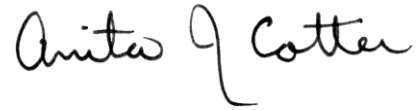
Council Bill 2020-245. General ordinance 6623 was approved by the following vote: Ayes: Ferguson, Fisk, Ollis, Lear, McGull, Simpson, Schilling and McClure. Nays: None. Absent: Hosmer. Abstain: None.

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: Ferguson, Fisk, Ollis, Lear, McGull, Simpson, Schilling and McClure. Nays: Hosmer. Abstain: None. The meeting adjourned at 8:20 p.m.

Prepared by
Monica Paxton

A handwritten signature in black ink that reads "Anita J. Cotter". The signature is fluid and cursive, with the first name "Anita" and last name "Cotter" clearly legible, and a middle initial "J." in the center.

Anita J. Cotter, CMC/MRCC
City Clerk