

STATE OF THE CITY
Springfield, Missouri: July, 2014

On Tuesday, February 18, I arrived home about 9:00pm in tears. And I told my wife Cindy that this was not the City that I had signed up for. It was the date of ten-year-old Hailey Owens' kidnapping and murder.

On February 22, I arrived home about 9:00pm, in tears once again, but this time I told Cindy that this WAS the City I had signed up for. Almost ten thousand good, solid Springfieldians and other folks from around the Ozarks had gathered for a civil, respectful, and uplifting candlelight vigil to Hailey Owens' memory. It was without a doubt the most emotional week for the City of Springfield during the five years I've been on City Council.

But those five days in February form a perfect microcosm for the past year and for this State of the City address. There have been a few negatives, but many, many positives along the way.

First of all, let me state unequivocally that the State of our City, Springfield, Missouri, is strong and getting stronger. Our city continues to emerge from the recession. Construction jobs, both private and public, are being worked all over town. As of April 2014, our unemployment rate is at 5.1% and continues to be significantly lower than either the national or the state unemployment rate. And in the past two years, we have added 3300 jobs in our MSA.

Our sales tax receipts keep bouncing around close to projections. And folks from all parts of the community continue to work together to solve problems other cities haven't even thought about yet and, in some cases, accomplish things that other communities only dream about.

For example, last April, Springfield voters voted to finish the job of funding our Police/Fire Pension Plan by strongly passing the renewal of the $\frac{3}{4}$ -cent sales tax for another five years. The margin was by an almost 77% positive vote—demonstrating that voters had confidence in

our city government and that this tax revenue would be handled properly.

Prior to that, last year, voters had approved—by a similarly large 74% margin—the ¼-cent Capital Expenditures sales tax. This is the tax that helps build additional left-turn lanes, widens roads, add sidewalks, bike paths and trees, and repair City buildings as well as other capital improvements throughout the community.

The fact that Springfield approved two tax renewals—one passing by 74% and the other passing with a 76% margin—clearly demonstrates that the goal Council established in 2009 of restoring faith in local government and building social capital within our community is continuing to be successfully met. Councilman Compton and I are the only two remaining from the five new members who came on that year and, for the most part, we have been successful in sharing that objective with newer Council members.

After twenty-two years of vacancy, vagrancy, and false starts, finally there is construction activity going on at the Heer's building. It now seems that this historic building will soon be a monument to redevelopment and rehabilitation of blighted areas. All the construction and all the redevelopment that has gone on downtown previously has always occurred with one eye tipped over the shoulder toward the Heer's building. The question was always, "When will something happen there and what will it be?" Well, The Dalmark Group is happening there, about 80 luxury apartments are happening there, and it's very positive. Our Director of Economic Development Mary Lily Smith has trouble not smiling!

While not having quite the same history as Heer's, but no less important is the revitalization downtown on the Landmark Building, now being re-re-named The Frisco Building and currently being leased as affordable housing.

Of course, the Woodruff Building is undergoing rehabilitation and will emerge with a new purpose. And the Vandivort Building is being converted into a boutique hotel directly in the middle of our downtown commercial, theatre, and entertainment district. These are all very positive things.

Right now, the Council seems to have a strong pro-economic development tendency with quite a few 7-2 votes. However, coming up next April will be a Municipal election and at least two and possibly three of the current Council members have indicated that they will not run for re-election. I'm speaking today to a group of Chamber members, and I know you are all members of the choir. But I just want to say that if we wish to continue this support for economic development into the next four years, Springfield voters need to elect the appropriate pro-development candidates. And this means that we need individuals willing to run as candidates who understand economic development, who understand where jobs come from, who understand how

those jobs are sustained, and, unfortunately but necessarily, have to be willing to take the heat that comes with these Council positions.

And speaking of taking heat, throughout this past year, I have been speaking to groups throughout Springfield on one consistent theme. That theme is: “We aren’t in Mayberry any more, folks.” As the population of Springfield approaches the 160,000 mark, we must remind ourselves of that fact. We have to take just the most minimal steps to protect ourselves, our families, and our property.

Because Springfield IS such a safe community, we sometimes have to remind ourselves to lock our doors, to put the garage door down, to not to leave the keys in the car, and even not to leave the kids in the car while we run into a convenience store or the dry cleaners.

Last summer, in a thirty day span, thirty vehicles were stolen. Unfortunately, all thirty of those vehicles had the keys left in them. These are called crimes of opportunity.

At one point, there were also reports of ten home break-ins in the Southern Hills area. Of those homes, four had no sign of forced entry and two others were accessed because people had left their garage door opener in an unlocked car. These are also called crimes of opportunity. If we give someone the opportunity, that opportunity will be taken. However, sixty per cent of those home invasions could have been prevented had they just locked the door of the house or the car doors.

The Springfield Police Department is constantly analyzing data regarding types of crimes, locations of crimes, and severity of crimes. They are also focusing their efforts on the priority crimes of violence, crimes against persons, crimes committed by persons from outside our community—such as drug crimes and crimes against property.

Our message is getting out. Last month, about 70 people attended a Neighborhood Watch training session. Representatives from nine sub-divisions, five apartment

complexes, and one mobile home park were represented. We anticipate about 7-8 new Neighborhood Watch programs out of this one training session.

But the SPD is only one part of our Justice system. I consistently get calls from a couple of folks I know about two particular drug houses here in Springfield. Our police department has busted each one on three or four occasions, but without our Judicial system being able to move those cases through the Courts, the accused are back on the streets in a matter of hours. One house is owned by the accused's mother, so the SPD doesn't even get a break there.

Thanks to our legislators' work in Jefferson City, there are new judges that are earmarked for Greene County will help the prosecuting attorney move more of these cases through.

Now, I want to reflect a bit about an out-of-court settlement that Springfield's City Council agreed to in regards to the marijuana lawsuit. A great deal of verbiage

has been expended in the mainstream media and social media, but that verbiage never got to the real details behind the settlement.

First of all, let us understand what the Charter actually says. When a group of citizens brings forward an initiative petition and it is certified by the City Clerk's office, under the Charter, City Council only has two options. It can immediately pass the petition language into law or it can send the unchanged language to a vote of the people. If Council takes neither one of these actions, the petition language becomes law automatically in 30 days. That's the legal framework that we on City Council have to operate within.

The petition as submitted and certified was flawed. It required the City to do two things that were in violation of state law. Most members of City Council had a real problem with passing an ordinance that we knew was in violation of state law. So, on the advice of our City Attorney, we passed the ordinance and then immediately took steps to repeal it,

according to the language in the Charter. And we were promptly sued.

We agreed, after several months, to attempt an effort at mediation. Retired Circuit Judge Eiffert was the mediator and spent the day going back and forth between the two groups—City Council, representing the citizens of Springfield and the smaller sub-group of citizens and out-of-state interest groups.

Now, let me put a few numbers up for your consideration:

\$425,000 -- \$225,000 -- \$120,000 – \$80,000 -- \$50,000

Here is what these numbers represent: The \$425,000 was our Law Department's best estimate at what it would cost in legal fees to defend our position and to win at the appellate and the Missouri Supreme Court level. And most of us on Council felt like we would win. We had not violated the Charter. But it would cost almost a half-million dollars to prove ourselves right.

The \$225,000 is the agreed-upon final settlement amount that has been trumpeted in the media.

The \$120,000 would be the cost to the Springfield taxpayers to put this issue on a November ballot as was being requested by the special interest groups.

The \$80,000 is the cost of a municipal election outside that of a November presidential election; for example, an election in April.

Now, keep in mind that City Council was under pressure from both the mediator to achieve a settlement (that's what he's there for) and also from the insurance company that held our liability policy.

So, in the late afternoon, after a number of hours and a number of offers and counter-offers, City Council agreed to the settlement amount of \$225,000. Let me explain what went into that settlement.

And that's where we come to the final number on the board, that of \$50,000.

That is the amount that the citizens of Springfield actually paid to end the litigation and preclude the almost half-million dollar lug in legal fees to go all the way up the legal chain to the Supreme Court. That was our deductible; the remainder of the \$225,000 came from the insurance company holding the policy.

So, we could have spent almost a half-million dollars of taxpayer money to prove we were correct or we could pay \$50,000 to ensure that a flawed proposal did not become the law in our City. So, \$50,000 versus \$500,000. You make the call in a tight budget year.

Now, let's take a look at some of the positive accomplishments for the past year. One of the first and the one that I am most proud of is the formation of the Joint City-County Planning Task Force. This was formed in response to the difficult financial condition of the County, but was also designed to find out how our two governments—one controlled by state law and one governed by its own

Charter—could more effectively work together on similar projects and deliver services to our citizens in the most efficient and effective way. After all, residents of Springfield are also residents of the County. A number of surprises have surfaced and a number of solutions and suggestions have come forward as a result of this Task Force. While it was supposed to disband in December, they asked if they could continue for another period of time because of the progress they were making.

As a result of the research and suggestions of the Park Central Square Task Force, Springfield City Council enacted three new ordinances restricting skateboarding on the square, smoking in the general area of the square, and panhandling. A fourth bill regarding food distribution was tabled pending a search for a better solution for feeding the hungry and homeless.

As I've mentioned before, for the first quarter of 2014, the overall crime rate for the first quarter was down by 19%

over the same time frame of the previous year. This includes a 23% total decrease in crimes against property.

Do we still have some crime issues? Certainly. There was an increase of 28% total increase in crimes against persons—fueled primarily by a 46% increase in aggravated assaults. Unfortunately, the majority of those aggravated assaults are instances of domestic violence. Unless you place a police officer in every house, it's pretty difficult to deal with domestic violence from a preventive mode. However, we have and we will keep working on the education piece and on the awareness piece of domestic violence. Incidentally, the public service announcements and the posters are being used nation-wide as an educational tool.

Meth lab busts have almost gone away locally. That's the good news. The bad news is that foreign meth is now so prevalent. However, our police officers are working daily to interrupt this pipeline from Mexico to our citizens.

In terms of violent crime, our numbers are up. I referenced the Hailey Owens homicide at the beginning of this address, but that particular case is a tragic and thankfully rare outlier. The highest number of violent crimes are committed by people who know their victims, rather than being simply random crimes. The harsh, stark truth is that we are in far more danger statistically from people we live with or work with than we are from some random shooting or mugging.

However, as I mentioned, our police department is proactive and addressing the problems and overall crime dropped 19% for the first quarter. A report for the second quarter should be out by the end of this month, but preliminary numbers show a continuing downward trend.

Many of you in this room worked on the Field Guide or our long-range planning document. This was presented to and approved by City Council this year after a far longer-than-expected gestation period. Our admiration and

profound thanks go to Mark McNay who co-chaired the effort and who, following the tragic death of the other co-chair Robin Melton, continued the nudge this project along through completion. Our entire community now has a blueprint for moving through the next fifteen years. Mark, thank you.

This has also been a bittersweet year because of the leadership changes that our community is experiencing. Just listen to some of these names that have retired or are retiring from their leadership positions:

Dr. Robert Spence of Evangel University
Dr. Norm Ridder of Springfield R-12 School District
Jim Anderson of the Springfield Area Chamber of Commerce
Andy Lear of BKD, LLC, and
Jennifer Kennally of United Way of the Ozarks has announced her intentions to retire.

And, although they are not retiring, Springfield will certainly feel the loss of Clare and Norman Grainger, who have transferred to Michigan with the Salvation Army. And David Stoeffler, Executive Editor of the News-Leader,

who—along with a new publisher--came to town and restored sanity to Springfield journalism. He has returned to family in Wisconsin and he will certainly be missed.

I must mention the losses in our own City family: the deaths of Deputy City Manager Fred Marty, Director of Public Works Phil Broyles, Public Works Inspector Mark Doty, Senior Zookeeper John Bradford, and 911 Operator Jenny Ryker. Both Fred and Phil set a very high standard for management, civility, and quality service to citizens. John, Mark, and Jenny showed the world what it was like to bring passion to their positions. And we miss them.

So this, then, is the State of the City. Springfield is strong; it is vibrant; it is dealing with its problems; and it is preparing for the future. We have things to work on and we have many, many things to celebrate. So, until this time next year, may Springfield live long and prosper!