



## **COMMITTEE AGENDA**

**Tuesday, October 13, 2009**

**City Council Chambers**

**5:30 p.m.**

<b>Ward 1</b>	Frank Edwards	<b>Ward 6</b>	Mark Mahoney
<b>Ward 2</b>	Gail Simpson	<b>Ward 7</b>	Debbie Cimarossa
<b>Ward 3</b>	Frank Kunz	<b>Ward 8</b>	Kris Theilen
<b>Ward 4</b>	Frank Lesko ( <b>Chair</b> )	<b>Ward 9</b>	Steven Dove
<b>Ward 5</b>	Sam Cahnman ( <b>Vice Chair</b> )	<b>Ward 10</b>	Tim Griffin

- 1. Treasurer's Report**
- 2. Approval of September 29, 2009 Committee Meeting Minutes.**
- 3. Ordinances Tabled or Remaining In Committee:**

**2008-337** A Resolution To Abandon The Construction Of Hunter Lake (**Requested By Ald. Edwards**) (**Utilities**) (**Remains In Committee 12/10/08**)

**2009-190** An Ordinance To Increase The Number Of Subclass 1 Liquor Licenses By One For Capitol City Lodge 1160 Elks D/B/A Capitol City Lodge 1160, 1800 E. Brown Street (**Requested By Ald. Dove**) (**Public Affairs And Safety**) (**Remains In Committee 4/20/09**)

**2009-387** An Ordinance Prohibiting The Appointment Of New Employees For All City Offices (**Requested By Ald. Edwards**) (**Remains In Committee 8/5/09**)

**2009-467** An Ordinance Amending Chapter 98, Section 98.05 Of The 1988 City Of Springfield Code Of Ordinances, As Amended, Regarding Impoundment For Sound Device Violations. (**Requested By Mayor Timothy J. Davlin**) (**Remains In Committee 9/8/09**)

- 4. Ordinances for Committee Consideration:**

**2009-489** An Ordinance Authorizing Payments To David Tan, Dale Simpson, Michail Mheidze, Sandra Spence And Bart Schmulbach For Settlement Of Workers' Compensation Claims (**Requested By Mayor Timothy J. Davlin**) (**Committee Of The Whole**)

David Tan was working as a police officer for the City of Springfield on November 26, 2007. He reported an injury to his right wrist during defensive tactics training. Mr. Tan underwent two separate surgical procedures to repair a fracture to his wrist. He was able to return to work

full duty in February of 2009. Mr. Tan filed a workers' compensation claim (case number 08-WC-030949) and is willing to settle this claim in the amount of \$28,664.13 representing a permanent partial disability equivalent to 25% loss of use of his right hand. Sorling, Northrup, Cullen & Cochran, Ltd., the City's workers' compensation advisors, recommend payment in the amount of \$28,664.13 to David Tan to settle case number 08-WC-030949.

Dale Simpson was working as a Deputy Chief for the Springfield Fire Department on September 8, 2007. He reported an injury to his right knee while climbing steps to give a presentation at the Howlett Building. Mr. Simpson underwent surgery to repair a tear of the medial meniscus on September 27, 2007 and was able to return to work without restrictions on October 8, 2007. He has since retired. Mr. Simpson filed a workers' compensation claim (case number 09-WC-37301) and is willing to settle this claim in the amount of \$27,354.45 representing a permanent partial disability equivalent to 20% loss of use of his right leg. Livingstone, Mueller, O'Brien and Davlin P.C., the City's workers' compensation advisors, recommend payment in the amount of \$27,354.45 to Dale Simpson to settle case number 09-WC-37301.

Michail Mheidze was working as a Service Foreman for the Office of Public Works on April 15, 2008. He reported pain in his right elbow after extended use of a jackhammer. An ulnar nerve transposition was performed on Mr. Mheidze on May 8, 2008. He was able to return to work full duty as of August 4, 2008. Mr. Mheidze filed a workers' compensation claim (case number 09-WC-25147) and is willing to settle this claim in the amount of \$24,141.89 representing a permanent partial disability equivalent to 15% loss of use of his right arm. Livingstone, Mueller, O'Brien and Davlin, P.C., the City's workers' compensation advisors, recommend payment in the amount of \$24,141.89 to Michail Mheidze to settle case number 09-WC-25147.

Sandra Spence was working as a TDL for the Office of Public Works on January 7, 2008. She reported an injury to her left shoulder while trying to pry open a tailgate. On November 20, 2008, Ms. Spence underwent a left shoulder arthroscopic decompression with acromioplasty. She returned to work full duty as of April 3, 2009. Ms. Spence filed a workers' compensation claim (case number 08-WC-4196) and is willing to settle this claim in the amount of \$31,566.81 representing a permanent partial disability equivalent to 25% loss of use of her left arm. Livingstone, Mueller, O'Brien and Davlin, P.C., the City's workers' compensation advisors, recommend payment in the amount of \$31,566.81 to Sandra Spence to settle case number 08-WC-4196.

Bart Schmulbach was working as a Service Foreman for the Office of Public Utilities on September 22, 2008. He injured his hands while preparing an armor rod. Mr. Schmulbach underwent bilateral carpal tunnel surgery and on August 3, 2000, was able to return to work full duty. Mr. Schmulbach filed a workers' compensation claim (number 08294A428259) and is willing to settle his claim in the amount of \$44,286.97 representing a permanent partial disability equivalent to 15% loss of use of his non-dominant hand and 17.5% loss of use of his dominant hand. Livingstone, Mueller, O'Brien & Davlin P.C., the City's workers' compensation advisors, recommend payment to Mr. Schmulbach to settle this claim.

**2009-490** An Ordinance Approving The Appointment Of Jennifer Walsh To The Lincoln Library Board Of Trustees (**Requested By Mayor Timothy J. Davlin**) (**Committee Of The Whole**)

Christina Martinez-Romero's term on the Lincoln Board of Trustees has expired. Pursuant to Chapter 97, Sec. 97.02, of the 1988 City of Springfield Code of Ordinances, as amended, the Mayor, with the advice and consent of the City Council, shall appoint members to the Lincoln Library Board of Trustees to serve three year terms. This ordinance will appoint Jennifer Walsh, 2021 Cardinal Drive (62704) to serve through October 2012.

**2009-491** An Ordinance Approving The Appointment Of Kiplund Kolkmeier To The Springfield Planning And Zoning Commission (**Requested By Mayor Timothy J. Davlin**) (**Committee Of The Whole**)

Pursuant to Section 33.230(b) of the 1988 City of Springfield Code of Ordinances, as amended, the Mayor, with the advice and consent of the City Council, shall appoint members to the Springfield Planning and Zoning Commission for four year terms. A vacancy exists due to the resignation of Vincent Looby. This ordinance, if approved, will appoint Kiplund Kolkmeier, 1111 Williams Blvd. (62704), to fill Mr. Looby's unexpired term through September 23, 2011.

**2009-492** An Ordinance Amending Chapter 95 Of The 1988 City Of Springfield Code Of Ordinances, As Amended, By Adding Article V To Provide For The Regulation, Safe Operation, Licensing And Inspection Of Bed And Breakfast Establishments (**Requested By Mayor Timothy J. Davlin**) (**Committee Of The Whole**)

The Bed & Breakfast Act (50 ILCS 820/3) requires all municipalities to provide for the regulation, safe operation, licensing and inspection of bed and breakfast establishments. This amendment to Chapter 95 provides minimum health and safety standards for bed and breakfast establishments in the City and shall be enforced by the Sangamon County Department of Public Health.

**2009-493** An Ordinance Amending Chapter 110, Section 110.007, Of The 1988 City Of Springfield Code Of Ordinances, As Amended, Pertaining To Government-Issued Id Cards (**Requested By Mayor Timothy J. Davlin**) (**Committee Of The Whole**)

Chapter 110, Sec. 110.007, of the 1988 City of Springfield Code of Ordinances, as amended, pertains to the application process for issuing licenses, permits and certificates. This section currently does not require any type of identification for the applicant. This ordinance will amend Section 110.007 to require that applicants produce valid, government issued identification, such as a driver's license, and that a copy of the identification be attached to the application prior to issuance of licenses, permits or certificates.

**2009-494** An Ordinance Approving Execution Of A Telecommunications Carrier Franchise Agreement With Sprint Communications Company L.P. (**Requested By Mayor Timothy J. Davlin**) (**Committee Of The Whole**)

This ordinance is for the renewal of a franchise agreement with Sprint Communications. The agreement outlines the terms and conditions for the use of City right of ways by Sprint Communications. This agreement is due to expire in 2034.

**2009-495** An Ordinance Accepting Bids And Authorizing The Execution Of Contract UW10-08-53 – Fluorosilicic Acid With Lucier Chemical Industries, Ltd. In The Amount Of \$126,198.00 For The Water Purification Plant (**Requested By Mayor Timothy J. Davlin**) (**Committee Of The Whole**)

Description: This ordinance accepts Contract UW10-08-53 with Lucier Chemical Industries, Ltd. in the amount of \$126,198.00 for the purchase of fluorosilicic acid, which is used for chemical treatment at the City of Springfield Office of Public Utilities' Water Purification Plant to meet State of Illinois standards for fluoridation of Springfield's water supply. Approximately 150 tons are used annually.

Lucier Chemical Industries, Ltd. submitted the low bid of \$684.00 per ton for the product, a total amount of \$102,600.00. In accordance with the bid contract specifications, the grade of this product could range between 20 and 26 percent by weight. As the vendor's typical 23% product weight may vary by as much as plus or minus 3%, this ordinance reflects a \$23,598.00 price escalation based on a pre-established formula included within the bid contract.

**2009-496** An Ordinance Accepting And Authorizing Execution Of Energy Efficiency And Conservation Block Grant Award No. DE-SC0002069 From The U.S. Department Of Energy In The Total Amount Of \$1,225,600.00 On Behalf Of The Administrative Services Division Energy Services Office And Authorizing A Partial Supplemental Appropriation Of Said Funds In The Amount Of \$306,400.00 To Cover Fiscal Year 2010 Eligible Grant Expenditures **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

Description: This ordinance accepts and authorizes execution of Energy Efficiency and Conservation Block Grant (EECBG) Award No. DE-SC0002069 from the U.S. Department of Energy in the total amount of \$1,225,600.00 on behalf of the City of Springfield Office of Public Utilities' Administrative Services Division Energy Services Office (ESO). ESO will use these grant funds over a two-year period, although federal regulations allow for a three-year spend out for three specific grant funded projects.

Project Activity 1 will be the implementation of a new Residential High Energy Efficiency Air Conditioning Rebate program. It is estimated that EECBG funds will be sufficient to provide rebates to 600 utility residential customers. Approximately \$250,600.00 in EECBG funds will be used for this project. Activity 2 will be the implementation of a Commercial Lighting Retrofit rebate incentive program to encourage commercial customers to initiate lighting audits of their properties and to purchase and install newer, more efficient lighting systems and components that draw far less power and emit less heat. It is estimated that 73 commercial customers will participate in the program. Approximately \$475,000.00 in EECBG funds will be used for this project. Project Activity 3 will be the implementation of a Commercial Building Retro-Commissioning Program (ReCx), an aggressive energy efficiency program aimed at helping commercial customers become more energy efficient. The utility expects to retro-commission approximately 30 commercial buildings, spending approximately \$500,000.00 in EECBG funds for this project.

In addition, this ordinance authorizes a partial Supplemental Appropriation in the total amount of \$306,400.00 from these grant proceeds for anticipated ESO Fiscal Year 2010 expenditures pursuant to this grant.

**2009-497** An Ordinance Authorizing Payment Of Annual Bank Service Fees In An Amount Not To Exceed \$50,000.00 To Illinois National Bank For The Finance Division **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

Description: This ordinance authorizes payment of monthly banking service fees incurred during the normal course of operations for the City of Springfield Office of Public Utilities' general bank account at Illinois National Bank (INB). These fees are charged for a number of services used by the utility, including costs associated with credits to the account, encoded checks, returned items, check sorting, electronic fund transfers, wire transfers, and internet cash management. The account with INB was established in 1999, whereby the bank provides a controlled clearing account for receipts of revenues of the Water and Electric system.

This account is a demand deposit account and is collateralized at a rate over 100 percent for deposits in excess of the Federal Deposit Insurance Corporation limit. INB's service fees range from \$3,000.00 to \$4,500.00 monthly, depending on the number of transactions conducted. This ordinance not to exceed amount of \$50,000.00 covers INB's anticipated service fees for a one-year period.

**2009-498** An Ordinance Amending Chapter 50, Electric Utility, Article II, Rate Schedules, Section 33, General Service Economic Development Rider Of The 1988 City Of Springfield Code Of Ordinances, As Amended **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

Description: This Ordinance amends Chapter 50, Electric Utility, Article II, Rate Schedules, Section 33, General Service Economic Development Rider, Subparagraph (a) Availability, of the Springfield City Code of Ordinances to strike some redundant language and to extend the General Service Economic Development Rider to June 30, 2014. This rider is available to any permanent customer served on general service rates meeting the requirements of this rider, except for customers served on Rate 58.

**2009-499** An Ordinance Regarding The Variance Request Of Section 153.162 Pertaining To A Perimeter Sidewalk Along Harbauer Lane For Katie Gardens Minor Subdivision For The Office Of Public Works **(Requested By Ald. Dove) (Committee Of The Whole)**

An ordinance approving/denying the variance request for Section 153.162 for perimeter sidewalk along Harbauer Lane for Kate Gardens Minor Subdivision. The Land Subdivision Committee recommended denial and the Regional Planning Commission recommended approval of the variance. The minor subdivision is located north of Washington Street and east of Veterans Parkway, adjacent to Jefferson Park.

**2009-500** A Supplemental Resolution Notifying The State Of Illinois Department Of Transportation That Motor Fuel Tax Funds In The Additional Amount Of \$100,000.00 May Be Used For Maintenance Of Streets And Highways By The City Of Springfield For Calendar Year 2009 For The Office Of Public Works **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

IDOT administers MFT monies. Prior approval from IDOT to expend any MFT funds is required. This resolution informs the State that the City intends to expend no more than an additional \$100,000.00 in calendar year 2009 for maintenance.

**2009-501** An Ordinance Authorizing The Purchase Of Bituminous Premix From The Sangamon County Highway Department For The 2009 Maintenance Season For The Office Of Public Works In An Amount Not To Exceed \$200,000.00. **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

The Sangamon County Highway Department mixes their own asphalt and sells it to various townships and also to the City of Springfield at cost. We mainly use it to blade over the top of oil mat roads that are in bad shape. We have been buying it from the County for the past 20 years.

**2009-502** An Ordinance Authorizing A Supplemental Appropriation In The Amount Of \$16,393.00 For The Springfield Police Department (**Requested By Mayor Timothy J. Davlin**) (**Committee Of The Whole**)

An ordinance authorizing a supplemental appropriation for the Springfield Police Department from unbudgeted, unappropriated revenue for the Springfield Police Department. Reimbursements from ILEAS WMDSRT to pay for WMDSRT Travel Expenses and from State Asset Forfeiture Funds 070 to pay for travel and training related to drugs.

**2009-503** An Ordinance Authorizing A Supplemental Appropriation In The Amount Of \$10,358.11 For The Springfield Fire Department (**Requested By Mayor Timothy J. Davlin**) (**Committee Of The Whole**)

This ordinance will allow acceptance of funds for the Springfield Fire Department. This check is from MABAS for Rope Rescue Classes June & July 2009.

**2009-504** An Ordinance Authorizing A Supplemental Appropriation In The Amount Of \$26,262.00 For The Springfield Fire Department (**Requested By Mayor Timothy J. Davlin**) (**Committee Of The Whole**)

This grant is a matching grant awarded competitively to fire departments. The Springfield Fire Department will contract to have fire stations #1,2,3,4,5,6,7,9,11,12 and the Fire Shop equipped with lighting fixture replacement and retrofit lighting systems. The total cost will be approximately \$26,262.00 with private funding from the grant of \$11,420 and \$14,842 from unappropriated fund balance.

**2009-505** An Ordinance Authorizing Execution Of A Development Agreement With Fifth Street Renaissance Utilizing The City's Community Development Block Grant Funds In An Amount Not To Exceed \$469,100.00 (**Requested By Mayor Timothy J. Davlin**) (**Committee Of The Whole**)

The City is an entitlement city under the regulations of the U.S. Dept. of HUD's CDBG/HOME Programs and construction of a Veterans Homeless facility is an eligible activity for CDBG program dollars and consistent with the FFY 2005-2009 Consolidated Plan. This Activity is eligible for the use of the City's CDBG funds under 24 CFR 570.201(c), Public Facilities and Improvements, and meets HUD's broad national objective of benefit to low-moderate income persons under 570.208(2)(i)(A), Limited Clientele.

**2009-506** An Ordinance Authorizing The Execution Of A Yard Waste Collection Service Agreement With Lake Area Disposal Service, Inc., Waste Management Of Illinois, Inc., Illini Disposal, Inc., And Allied Waste Transportation, Inc., To Furnish Services Of Collection And Disposal Of Yard Waste Within The City And Lands Owned By The City In An Estimated Amount Not To Exceed \$150,000.00 Based On \$27.00 Per Cubic Yard Of Yard Waste

Collected, For The Office Of Public Works. **(Requested By Mayor Timothy J. Davlin)**  
**(Committee Of The Whole)**

This ordinance will authorize execution of a yard waste collection service agreement with Lake Area Disposal Service, Inc., Waste Management of Illinois, Inc., Illini Disposal, Inc, and Allied Waste Transportation, Inc. for the fall 2009 collection and disposal of yard waste from November 2, 2009, through November 27, 2009, at an estimated amount not to exceed \$150,000.00 based on \$27.00 per cubic yard of yard waste collected.

5. **Unfinished Business**
6. **New Business**
7. **Citizen Requests to Address Committee**
8. **Adjournment**

*Cecilia K. Tumulty*  
Cecilia K. Tumulty, C.M.C.  
City Clerk