



REVISED COMMITTEE AGENDA

Tuesday, March 9, 2010

City Council Chambers

5:30 p.m.

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

- 1. Treasurer's Report.**
- 2. Approval of February 23, 2010 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**)

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

2009-582 An Ordinance To Place An Additional Stop Sign At The Intersection Of West And Neil Streets To Create A Three-Way Stop Intersection (**Requested By Ald. Lesko**) (**Committee Of The Whole**) (**Remains In Committee 12/8/09**)

2010-001 An Ordinance Amending Various Sections Of Chapter 50 Of The 1988 City Of Springfield Code Of Ordinances, As Amended, Regarding Temporary Services; Electric Service In Housing And Business Developments; Utility Line Extensions; Street Lighting; Security Lighting; And Removal Of Obstructing Trees Or Branches For The Office Of Public Utilities, As Amended. (**Requested By Mayor Timothy J. Davlin**) (**Committee Of The Whole**) (**Remains In Committee 1/19/10**)

2010-003 An Ordinance Annexing Certain Described Property On Hazel Lane Located In North Hazel Dell Subdivision (**Requested By Ald. Cimarossa**) (**Committee Of The Whole**) (**Remains In Committee 1/12/10**)

2010-048 An Ordinance Modifying Resolution #1969 To Revert A Portion Of Road Known As MacArthur Boulevard Back To West Grand Avenue For The Office Of Public Works **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole) (Remains In Committee 2/9/10)**

4. Ordinances for Committee Consideration:

2010-083 An Ordinance To Increase The Number Of Class “D” Liquor Licenses By One For New Beginning 217, LLC, d/b/a Willy P’s Tap And Grill, 217 S. Fifth Street. **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

New Beginning 217, d/b/a Willy P’s Tap and Grill has applied for a Class D liquor license for the business located at 217 So. Fifth Street which entitles the licensee to sell alcoholic liquor by the drink or pitcher as part of a restaurant business for consumption on the premises only. This is a 1:00 a.m. license and, if approved, will increase the number of Class D licenses from 77 to 78.

2010-084 An Ordinance Amending Article VII, Chapter 36, Section 36.61 Of The 1988 City Of Springfield Code Of Ordinances, As Amended, To Provide For Irrevocable Retirements **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

Chapter 36, Section 36.61, of the City Code pertains to retirements from the City. The City Code currently does not provide that once retirement paperwork is received by the City, the employee’s retirement is irrevocable. The City Code does, however, provide that resignations are irrevocable and it is in the best interest of the City to amend Chapter 36 to make retirements irrevocable and consistent with resignations. Section 36.61 also sets forth employee age and years of service criteria for retirement for various classes of employees. Section 36.61 distinguishes between “early” retirement and “normal” retirement and this distinction is irrelevant for City retirement purposes as it only relates to the pension benefit an employee will receive from IMRF. Therefore, it is desirable to do away with the distinction between “early” and “normal” retirements in the City Code.

2010-085 An Ordinance Amending Chapter 131, Of The 1988 City Of Springfield Code Of Ordinances, As Amended, By Adding Section 131.10 Regarding Illegal Consumption Of Alcoholic Liquor By A Minor **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

Currently the City Code does not define the offenses of illegal consumption of alcoholic liquor by a minor. Violations of this offense are Class A misdemeanors and historically have been referred to the State’s Attorney’s office and pursued as criminal offenses. It is desirable to define these offenses in the City Code and pursue them as ordinance violations through Administrative Court.

2010-086 An Ordinance Authorizing Payment To James Kane, An Office Of Public Utilities Employee, For Full And Final Settlement Of Workers’ Compensation Claims For Case Numbers 99-WC-26170, 00-WC-32982, 01-WC-1645, 01-WC-18633, 03-WC-36165 And 06-WC-5027 **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

James Kane was working as an instrument technician for the Office of Public Utilities on October 4, 1998, and reported an injury to his right elbow and arm while disconnecting air

lines. He received conservative treatment for that injury. Mr. Kane reported five separate injuries to his back and neck between April 3, 2000 and January 13, 2006. Mr. Kane underwent an anterior discectomy on January 25, 2001 to repair a cervical disc herniation. Mr. Kane was able to return to work in June of 2001. Subsequent injuries to his neck and back were treated conservatively until November of 2008 when he underwent an anterior cervical discectomy and fusion. The second surgery was not covered under workers compensation. Mr. Kane filed workers' compensation claims (99-WC-26170, 00-WC-32982, 01-WC-1645, 01-WC-18633, 03-WC-36165 And 06-WC-5027) and is willing to settle all claims in the amount of \$185,000.00. Sorling Law Office, the City's workers' compensation advisors, recommend payment of \$185,000.00 to Mr. Kane to settle all claims.

2010-087 An Ordinance Approving The Appointments Of Leanna Pokora And Julio Barrenzuela To The Springfield Community Relations Commission **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

Pursuant to Section 93.03 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 Community Relations Commission for three year terms. No member shall serve more than two successive terms. Vacancies exist on the Community Relations Commission due to the expired terms for Deidra Lockhart and Steven Richie. Leanna Pokora will replace Deidra Lockhart and Julio Barrenzuela will replace Steven Richie. Leanna Pokora (1108 E. Ridgley Ave, 62702); Julio Barrenzuela (1530 Seven Pines Road, 62704).

2010-088 An Ordinance Approving The Appointment Of Cathy Locher To The Commission On International Visitors **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

Pursuant to Section 33.180(b)(c) 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 on the Commission on International Visitors for three year terms. Carolyn Bodewes' term has expired and Cathy Locher has expressed a desire to be appointed. If approved, this ordinance will appoint Cathy Locher (143 Pebble Beach 62704) to serve on the Commission on International Visitors through March 2013.

2010-089 An Ordinance Accepting Bids And Authorizing The Execution Of Contract UW10-01-90 – Gate And Tapping Valves For The Water Division With Clow Valve Company, A Division Of McWane, Inc., In An Amount Not To Exceed \$258,425.00 **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

This ordinance accepts the low bid for Contract UW10-01-90 in an amount not to exceed \$258,425.00 with Clow Valve Company, a division of McWane, Inc., for the purchase of approximately 548 resilient-seated gate valves and 120 tapping valves for the City of Springfield Office of Public Utilities' Water Division Field Services Center. This ordinance covers the anticipated annual needs for Fiscal Year 2011. The ordinance total represents estimated quantities; the vendor is not guaranteed a minimum amount. Only the materials needed during the contract period will be ordered.

2010-090 An Ordinance Accepting Bids And Authorizing The Execution Of Contract UW10-01-92 – Fire Hydrants For The Water Division With HD Supply Waterworks, Ltd. In

The Amount Of \$348,622.00 (**Requested By Mayor Timothy J. Davlin**) (**Committee Of The Whole**)

This ordinance accepts the low bid for Contract UW10-01-92 in the amount of \$348,622.00 with HD Supply Waterworks, Ltd. for the purchase of 358 four-foot to seven-foot bury fire hydrants and 38 extension kits for the City of Springfield Office of Public Utilities' Water Division Field Services Center. This ordinance covers the anticipated annual needs for Fiscal Year 2011. The ordinance total represents estimated quantities, the vendor is not guaranteed a minimum amount. Only the fire hydrants and extension kits needed during the contract period will be ordered.

2010-091 An Ordinance Accepting Bids And Authorizing Execution Of Contract UE10-11-78 – Overhead And Underground Distribution Transformers With Electric Research And Manufacturing Cooperative, Inc., Brownstown Electric Supply Co. Inc, And CG Power Systems USA, Inc., For A Total Amount Not To Exceed \$4,779,406.10 For A Five-Year Term For The Electric Transmission, Distribution And Operations Department (**Requested By Mayor Timothy J. Davlin**) (**Committee Of The Whole**)

This ordinance accepts the low evaluated bids for Contract UE10-11-78 for the purchase of various quantities of overhead and underground distribution transformers for the City of Springfield Office of Public Utilities Electric Transmission and Distribution Department for a five-year term. The contract provides for three categories of transformers for residential and/or commercial developments: single-phase pole mount; single-phase pad mount; and three-phase pad mount. The contracts were awarded based upon a combination of initial product cost and the results of transformer core loss tests.

Electric Research and Manufacturing Cooperative, Inc. (ERMCO) submitted the low evaluated bid for single-phase, pole-mounted transformers. Brownstown Electric Supply Co Inc submitted the low evaluated bid for single-phase, pad-mounted transformers. CG Power Systems USA Inc submitted the low evaluated bid for three-phase, pad-mounted transformers. The utility will purchase approximately 364 transformers annually.

The ordinance total represents estimated quantities; the vendors are not guaranteed a minimum amount. The transformers will be purchased on an “as needed” basis. Prices will remain fixed until June 30, 2010, and may be adjusted quarterly thereafter pursuant to the bid contract economic adjustment clause provisions. The transformers are warranted for 12 months from the date the transformer is energized or 18 months from the date of acceptance. The contract may be canceled with 30-days written notice by either party.

2010-092 An Ordinance Approving And Authorizing The Execution Of A Professional Services Proposal With Explosive Professionals Midwest, Inc., In The Amount Of \$42,500.00 For Explosive Blasting Services For The Dallman Power Plant Unit No. 31, 32 And 33 Boilers For The Electric Division Generation Department (**Requested By Mayor Timothy J. Davlin**) (**Committee Of The Whole**)

This ordinance authorizes the execution of a Professional Services proposal with Explosive Professionals Midwest, Inc. for explosive blasting services for the Dallman Power Plant Office of Public Utilities Electric Generation Department in the total amount of \$42,500.00. The vendor will provide explosive blasting and specialized cleaning of Dallman Power Plant Unit No. 31, 32 and Unit No. 33 boilers, to include supervision, labor and materials. Annual cleaning

of the boilers and equipment is necessary in order to prevent blockage, and maintain unit efficiency and reliability. Services will include mobilization, set up, dismantling, clean up and demobilization for a fixed price of \$17,500.00 for the Unit No. 33 boiler and \$12,500.00 each for Unit No. 32 and 33 boilers.

This contract award is based upon the vendor's experience with the Dallman Power Plant equipment, the vendor's deslagging method and their Occupational Safety and Health Administration Safety Records. The project for the Unit No. 33 boiler is scheduled to begin March 27, 2010, during the first week of the Spring 2010 scheduled maintenance outage. The project for the Unit No. 31 boiler is scheduled to begin October 9, 2010, during the first week of the Fall 2010 scheduled maintenance outage. The project for the Unit No. 32 boiler is schedule to begin October 23, 2010.

2010-093 An Ordinance Approving And Authorizing The Execution Of A Professional Services Agreement In An Amount Not To Exceed \$425,000.00 With Camp Dresser & McKee Inc. For Engineering Services For The Chemical Feed Building Controls And Water Works Improvement Controls Projects At The Water Division Purification Plant (**Requested By Mayor Timothy J. Davlin**) (**Committee Of The Whole**)

This ordinance approves and authorizes the execution of an Agreement for Professional Services with Camp Dresser & McKee Inc. (CDM) for electrical/controls engineering services for the City of Springfield Office of Public Utilities' Water Division Purification Plant in an amount not to exceed \$425,000.00. CDM will provide electrical/controls design, specification, procurement, testing and start-up engineering services for the replacement of the control system that serves the existing filtration plant, expansion of the control system to serve the new Chemical Feed building, and expansion of the new control system to serve the future raw water intake structure, low and high service pumping stations and clearwell at the Water Purification Plant.

This project will be funded through the Water Division's 2008 Series Water Revenue Bond issue. CDM anticipates completion of the scope of work under this agreement within 15 months. CDM's services will be provided on a time and expense basis in accordance with the company's Schedule of Hourly Professional Service Billing Rates. CDM will invoice the City monthly for services performed and expenses incurred during the preceding month. The total payment for the Scope of Services to CDM will not exceed \$425,000.00 without written approval by the Springfield City Council.

2010-094 An Ordinance To Increase The Number Of Subclass 2 Liquor Licenses By One For Touch Of Class Sports Bar & Grill, Inc., 1031 S. 11th Street (**Requested By Mayor Timothy J. Davlin**) (**Committee Of The Whole**)

Touch of Class, Inc. d/b/a Touch of Class Sports Bar & Grill has applied for a Subclass 2 liquor license for the business located at 1031 S. 11th Street. A Subclass 2 license entitles the holder of a Class AA, A and G license to sell alcoholic beverages until 3:00 a.m. (excluding package liquor sales in Class AA license premises after 1:00 a.m.) on Friday, Saturday and Sunday mornings. A Subclass 2 license is separate from the licensee's primary classification and is subject to independent disciplinary proceedings seeking a fine, suspension or revocation. A Subclass 2 license may not be issued under the provisions of Section 90.26 to the purchaser of an established licensed business, in the event of the sale of a licensed business bearing a

Subclass 2 license. No licensee may apply for a Subclass 2 license until the licensee has operated the business under the primary classification for at least six months.

A Subclass 2 license issued to a partnership, limited partnership or corporation shall be void and shall be surrendered to the Liquor Commission in the event that, if a partnership or limited partnership, any partner, general partner or limited partner, or combination of partners, general partners or limited partners acquires a 50% or greater interest in the partnership or limited partnership and such partner, general partner, limited partner or combination did not own the same interest at the time application was made for the Subclass 2 license or if a corporation, any stockholder or combination of stockholders acquires 50% or more of the stock and such stockholder or combination of stockholders did not own the same percentage of stock at the time application was made for the Subclass 2 license. Such partnership, limited partnership or corporation may reapply for a Subclass 2 license, provided that the licensee has operated the business under the primary license classification for at least six months from the date of such above-described acquisition of interest or stock. The annual fee for such license shall be \$750. If approved, this will increase the number of Subclass 2 licenses from 7 to 8.

2010-095 A Resolution Supporting The Springfield Urban League's Community Garden Project (**Requested By Mayor Timothy J. Davlin**) (**Committee Of The Whole**)

The Springfield Urban League desires to establish community gardens at 1600 E. Reynolds Street, 730 S. 13th Street and 731 S. 11th Street ("Community Gardens Project"). In order to ensure that any environmental condition that may pose a threat to human health or the environment is properly addressed, a site assessment needs to be requested of the Illinois Environmental Protection Agency (IEPA). This resolution is to show the City's support of the Project and fulfill a requirement of the IEPA that a resolution be passed so site assessments can be provided.

2010-096 An Ordinance Authorizing Execution Of The 2010 Planning Service Agreement With The Springfield-Sangamon County Regional Planning Commission, In An Amount Not To Exceed \$159,000.00 From January 1, 2010, Through December 31, 2010 (**Requested By Mayor Timothy J. Davlin**) (**Committee Of The Whole**)

This agreement is for planning services in areas within the corporate limits of the City of Springfield; areas which are the subject of subdivision jurisdiction, annexation petitions being considered by the City Council and areas within the comprehensive planning jurisdiction of the City of Springfield from January 1, 2010 through December 31, 2010 in an amount not to exceed \$159,000.00.

2010-097 An Ordinance Authorizing Execution Of Contracts For Fire Protection Services With Southlawn, South Oak Knolls, Southside And Woodside Fire Protection Districts From February 1, 2009, Through January 31, 2011 (**Requested By Mayor Timothy J. Davlin**) (**Committee Of The Whole**)

This ordinance will allow the City to furnish fire protection services for emergency responses to structure, vehicle and wild land fires, investigation of these fires, response to emergency medical calls, rescue, and hazardous material incidents from February 1, 2009 through January 31, 2011 with Southlawn, South Oak Knolls, Southside and Woodside fire protection districts.

2010-098 A Resolution Notifying The State Of Illinois Department Of Transportation That \$3,756,750.00 Motor Fuel Tax Funds May Be Spent For Maintenance Of Streets And Highways Under The Illinois Highway Code For Calendar Year 2010 For The Office Of Public Works (**Requested By Mayor Timothy J. Davlin**) (**Committee Of The Whole**)

Motor Fuel Tax is a state levy and the City is governed by state statutes. IDOT administers MFT monies and it takes prior approval from IDOT to expend any MFT funds. This resolution informs the State that the City intends to expend no more than \$3,756,750.00 in calendar year 2010 for maintenance.

2010-099 An Ordinance Authorizing A Supplemental Appropriation Of FY11 Funds In The Amount Of \$142,808.00 For The Office Of Communications To Purchase Broadcast Equipment And Related Expenses For The Audio-Visual Unit (**Requested By Mayor Timothy J. Davlin**) (**Committee Of The Whole**)

The Office of Communications received \$140,569.64 from Comcast Cable Communications for Public Education Government (PEG) access channel fees, \$639.27 from AT&T for PEG fees from July 1, 2009 to September 30, 2009 and \$1,599.70 for PEG fees from October 1, 2009 through December 31, 2009 for a total amount of \$142,808.61. These funds will be spent in FY11 and must be spent for broadcast equipment and related expenses for Public Access Channel 4 and Government Access Channel 18.

2010-100 An Ordinance Authorizing The Execution Of A Collective Bargaining Agreement With The International Union Of Operating Engineers, Local 399, From November 3, 2008, Through October 31, 2009 (**Requested By Mayor Timothy J. Davlin**) (**Committee Of The Whole**)

The terms of the Agreement are as follows: 1) Term of the Agreement – November 3, 2008 through October 31, 2009. 2) Across – the – Board Increases April 1, 2009, 1%. 3) Number of Employees – 24. 4) This is a first time contract with this bargaining unit. The employees are the Floor Operators and Control Room Operators for the new Unit 4 Dallman Power Plant. 5) Negotiations will begin soon on a successor contract.

2010-101 An Ordinance Authorizing Additional Payment To Heyl, Royster, Voelker & Allen, P.C., And Brown, Hay & Stephens LLP As Additional Counsel In U.S. District Court Case No. 07-3075, Larry M. Washington, et al. v. City Of Springfield, et al., In The Amount Of \$75,000.00 Each For A Total Amount Not To Exceed \$550,000.00 For The Office Of Corporation Counsel (**Requested By Mayor Timothy J. Davlin**) (**Committee Of The Whole**)

The Office of Corporation Counsel has a conflict of interest in representing certain defendants named in U.S. District Court Case No. 07-3075, Larry M. Washington, et al. v. City of Springfield, et al. The City is obligated to provide legal defense to certain defendants and previously passed Ordinance numbers 283-05-07, 653-09-07, 384-06-08 and 766-11-08 authorizing execution of contracts with and payment to the law firms of Heyl, Royster, Voelker & Allen, P.C., Brown, Hay & Stephens and Hinshaw & Culbertson to represent the defendants in an amount not to exceed \$400,000.00. Hinshaw & Culbertson are no longer acting as additional counsel. This ordinance will increase additional expenditure in the amount of \$75,000.00 each for Heyl, Royster, Voelker & Allen, P.C., and Brown, Hay & Stephens for a cumulative total amount not to exceed \$550,000.00 under these contracts.

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