



COMMITTEE AGENDA

Tuesday, May 25, 2010

City Council Chambers

5:30 p.m.

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

1. Approval of May 11, 2010 Committee Meeting Minutes.

2. 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**)

2010-048 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**)

2010-131 A Resolution Recommending Debts Owed to the City be Collected through the Use of a Collection Agency (**Requested by Ald. Edwards**) (**Committee Of The Whole**) (**Remains In Committee 3/30/10**)

2010-143 A Resolution Notifying the State of Illinois that the City May Spend \$266,000.00 of its Allotment of Motor Fuel Tax Funds for Preliminary Engineering Services for the Reconstruction Of Stanford Avenue From 6th Street and Fox Bridge Road and New Alignment from Fox Bridge Road to Taylor Avenue **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole) (Remains In Committee 4/13/10)**

2010-144 An Ordinance Authorizing Execution of an Agreement with Hanson Professional Services Inc., for Preliminary Engineering Services for the Reconstruction of Stanford Avenue from 6th Street to Fox Bridge Road and New Alignment of Stanford Avenue from Fox Bridge Road to Taylor Avenue, in an Amount Not To Exceed \$266,000.00 and Authorizing a Waiver of the Requirements of Section 38.48 of the City's Purchasing Code for the Office Of Public Works **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole) (Remains In Committee 4/13/10)**

2010-158 An Ordinance Amending the 1988 City of Springfield Code of Ordinances, As Amended, By Adding Chapter 154: Erosion Control Regulations **(Requested By Mayor Timothy J. Davlin) (Remains In Committee 5/4/10)**

4. Ordinances for Committee Consideration:

2010-194 An Ordinance Setting Salaries for the Mayor, City Clerk, City Treasurer and Aldermen **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

Pursuant to 65 ILCS 5/3. 1-50-10, salaries of elected officials may be increased at least 180 days before the beginning of the next term of office. This ordinance will provide that annual salaries for elected officials will be based on the annual Consumer Price Index (CPI) Midwest Region, plus .5% but no greater than 3.5%. If the CPI is negative percentage, the across-the-board increase will be .5%.

Thus, for example, the 2011 adjustment will be based on the annual average change from 2009 to 2010.

2010-195 An Ordinance Authorizing A Supplemental Appropriation In The Amount Of \$1,060.00 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 Dept. Funds are reimbursement for EMT's working a rally for the Illinois Education Association.

2010-196 An Ordinance Amending Chapter 33, Sections 33.265 And 33.266 Of The 1988 City Of Springfield, Code Of Ordinances, As Amended, By Reducing The Number Of Commissions Appointed To The Springfield Senior Citizens Commission **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

Section 33.265 of the 1988 City of Springfield Code of Ordinances, as amended, provides that the Mayor, with the advice and consent of the City Council, shall appoint 21 members to serve on the Commission on Senior Citizens. Section 33.266 provides that 11 members shall constitute a quorum. This ordinance will amend Section 33.265 to reduce the number of

members from 21 to 11 and will amend Section 33.266 to provide that six members of the commission shall constitute a quorum for the transaction of its business.

2010-197 An Ordinance Amending Chapter 33, Sections 33.180 And 33.181 Of The 1988 City Of Springfield, Code Of Ordinances, As Amended, By Reducing The Number Of Commissions Appointed To The Commission On International Visitors (**Requested By Mayor Timothy J. Davlin**) (**Committee Of The Whole**)

Section 33.180 of the 1988 City of Springfield Code of Ordinances, as amended, provides that the Mayor, with the advice and consent of the City Council, shall appoint 25 members to serve on the Commission on International Visitors. Section 33.181 provides that 13 members shall constitute a quorum. This ordinance will amend Section 33.180 to reduce the number of members from 25 to 18 and will amend Section 33.181 to provide that ten members of the commission shall constitute a quorum for the transaction of its business.

2010-198 An Ordinance Approving The Reappointment Of John Hine To The Board Of Managers Of Oak Ridge Cemetery (**Requested By Mayor Timothy J. Davlin**) (**Committee Of The Whole**)

Pursuant to Section 92.15(b)(c) of the 1988 City of Springfield Cod of Ordinances, as amended, the Mayor, upon the advice and consent of the City Council, shall reappoint members to serve on the Oak Ridge Cemetery Board of Managers for three year terms. John Hines, 63 Brighton Road 62702, has expressed a desire to be reappointed to the Board. If approved, Mr. Hines' term will expire 05/13.

2010-199 An Ordinance Authorizing Payment In An Amount Not To Exceed \$135,415.16 To The Sangamon County Board Of Health For Animal Control Services (**Requested By Mayor Timothy J. Davlin**) (**Committee Of The Whole**)

This contract amount represents a 1.20% decrease over the amount of the previous contract approved by Ordinance No. 453-08-09 (covering the time period of December 18, 2008, through December 17, 2009).

2010-200 An Ordinance Authorizing A Supplemental Appropriation From FY11 Unbudgeted, Unappropriated State And Federal Asset Forfeiture Fund Balance In The Amount Of \$6,061.00, For The Springfield Police Department (**Requested By Mayor Timothy J. Davlin**) (**Committee Of The Whole**)

This ordinance will authorize a supplemental appropriation from unbudgeted, unappropriated fund balance for the purchase of Taser cartridges and power supplies for the Springfield Police Department.

2010-201 An Ordinance Accepting And Authorizing Execution Of An Illinois Liquor Control Commission Grant For The "Kids Can't Buy 'Em Here" Campaign, From August 1, 2010, Through June 30, 2011, In The Amount Of \$13,860.00 And Authorizing A Supplemental Appropriation In The Amount Of \$13,860.00 For The Springfield Police Department (**Requested By Mayor Timothy J. Davlin**) (**Committee Of The Whole**)

This ordinance will authorize the City of Springfield, Springfield, Police Department to accept and execute a grant from the Illinois Liquor Control Commission for the "Kids Can't Buy'em

Here” program (tobacco stings on retailers). The grant will commence on August 1, 2010 and end on June 30, 2011. There is no grant number and no C.F.D.A. #. State Grant from Tobacco Settlement Funds.

2010-202 An Ordinance Authorizing Payments To Calvin Mills, A Former Office Of Public Works Employee, And Lawrence Creviston, A Former Springfield Firefighter, For Settlement Of Workers’ Compensation Claims (**Requested By Mayor Timothy J. Davlin**) (**Committee Of The Whole**)

Calvin Mills was employed as a TDL for the City of Springfield Office of Public Works on June 17, 2009, and reported pain in both arms and hands from repetitive daily job duties. Mr. Mills underwent bilateral carpal and cubital tunnel repair and returned to work full duty on April 5, 2010. Mr. Mills retired on April 9, 2010. Mr. Mills filed a workers’ compensation claim (case number 09-WC-29684) and is willing to settle his claim in the amount of \$74,688.52 representing a permanent partial disability equivalent to 10% loss of use of his left arm and 15% loss of use of his left hand, 15% loss of use of his right arm and 17.5% loss of use of his right hand. Sorling Law Office, the City’s workers’ compensation advisors, recommends payment in the amount of \$74,688.52 to Calvin Mills to settle case number 09-WC-29684.

Lawrence Creviston was employed as a firefighter for the City on September 18, 2008, and reported an injury to his neck while on a medical assistance call. On March 26, 2009, he underwent an anterior cervical discectomy and fusion. Mr. Creviston was unable to return to work as a firefighter. Mr. Creviston filed a workers’ compensation claim (case number 09-WC-1436) and is willing to settle his claim in the amount of \$132,944.00 representing a permanent partial disability equivalent to 40% loss of use of a man as a whole. Livingstone, Mueller, O’Brien and Davlin P.C., the City’s workers’ compensation advisors, recommend payment in the amount of \$132,944.00 to Lawrence Creviston to settle case number 09-WC-1436.

2010-203 A Resolution Notifying The State Of Illinois Department Of Transportation That Motor Fuel Tax Funds In The Amount Of \$5,835.65 Have Been Used For Traffic Signal Modernization At 5th And Washington Streets (MFT Section No. 02-00432-00-TL) For The Office Of Public Works (**Requested By Mayor Timothy J. Davlin**) (**Committee Of The Whole**)

The City is required to notify the State of Illinois Department of Transportation that MFT funds may be spent pursuant to the Illinois Highway Code. The Resolution outlines to IDOT that we spent \$5,835.65 out of MFT funds for the City’s proportionate share of the improvements for the signal modifications at the 5th and Washington Street intersection.

2010-204 An Ordinance Approving And Authorizing The Execution Of A Time And Materials Estimate Offer In An Amount Not To Exceed \$589,100.00 With Toshiba International Corporation For Inspection And Maintenance Of The Dallman Power Plant Unit No. 4 Turbine Valve For The Electric Generation Department (**Requested By Mayor Timothy J. Davlin**) (**Committee Of The Whole**)

This ordinance approves and authorizes the execution of a Time and Materials Estimate Offer with Toshiba International Corporation for labor and materials for inspection and maintenance of the Dallman Power Plant Unit No. 4 turbine valve for the City of Springfield Office of Public Utilities’ Electric Generation Department in an amount not to exceed \$589,100.00. Toshiba, the original equipment manufacturer, recommends a complete valve inspection at the completion of

one year run time. Toshiba will provide craft labor and site management services for work associated with the installation of upgraded bushings and stems, as well as overall inspection and maintenance of one combined main stop/control valve and one combined reheat valve. In addition, the unit's generator rotor and stator will be inspected and tested. This work will be performed during the Dallman Unit No. 4 fall maintenance outage scheduled to begin in August 2010.

2010-205 An Ordinance Approving And Authorizing Execution Of Amendment No. 1 To The Original Telecommunications Fiber Capacity License Agreement Between Illinois Network Alliance, LLC And The City Of Springfield (**Requested By Mayor Timothy J. Davlin**) (**Committee Of The Whole**)

This ordinance approves and authorizes execution of Amendment No. 1 to the original Telecommunications Fiber Capacity License Agreement between Illinois Network Alliance, LLC and the City of Springfield approved under Ordinance 528-11-09. Under the agreement, Illinois Network Alliance, LLC is being provided with fiber optic connections from its facility located at 528 South 5th St. to its facility at 2820 Fox Bridge Road in Springfield.

This Agreement Amendment authorizes the following changes: 1) a fiber capacity increase from four to six strands; 2) an increase in the monthly service charge from \$3,840.00 to \$4,610.00 for said licensed fiber capacity for the remainder of the agreement initial five-year term; and 3) an increase from \$3,330.00 to \$4,100.00 per month should Illinois Network Alliance elect to extend this service contract for an additional three years. All other terms and conditions, except those specified in this Agreement Amendment, remain in full force and effect.

2010-206 An Ordinance Approving And Authorizing The Execution Of A Telecommunications Fiber Capacity License Agreement Between The City Of Springfield And Memorial Health System (**Requested By Mayor Timothy J. Davlin**) (**Committee Of The Whole**)

This ordinance authorizes the execution of a Telecommunications Licensed Fiber Capacity Agreement between Memorial Health System ("MHS") and the City of Springfield. Under the agreement, MHS will be provided with fiber optic connections to five MHS sites. MHS will pay the City \$12,590.00 per month for the initial term of the contract. The initial agreement will take effect upon approval by the City Council and MHS and remain in effect for a term of one year from the date of the provision of service. At the end of the initial contract term, either party may cancel the contract with 90 days written notice, and unless either party does so, this contract will automatically continue under mutually agreeable terms and conditions. At the end of the initial contract term, the pricing under this agreement also is subject to change.

2010-207 An Ordinance Approving And Authorizing Execution Of A Residential Lease Agreement With Terry J. House And Charlotte A. House For A One-Year Term For The Administrative Services Division For The City Of Springfield (**Requested By Mayor Timothy J. Davlin**) (**Committee Of The Whole**)

This ordinance authorizes the execution of a residential property lease agreement with Terry J. House and Charlotte A. House for a one-year term for the Administrative Services Division for the City of Springfield Office of Public Utilities. The leased property commonly known as 9820 Lost Forty Road (Site No. 98) is located in Pawnee, Illinois, and comprises approximately

2.0 acres with a single family residence on the premises. The tenant will pay rent monthly in the amount of \$750.00. The one-year lease term begins May 1, 2010, and expires April 30, 2011. The lease may be cancelled with 30 days written notice or extended by mutual agreement in accordance with the lease provisions.

2010-208 An Ordinance Declaring Certain Real Property Owned By The City To Be Surplus Property, Directing The Sale Of Said Property And Authorizing The Publication Of Notice Of Said Sale And Request For Proposals (**Requested By Mayor Timothy J. Davlin**) (**Committee Of The Whole**)

The City desires to sell 17 parcels of property found throughout the City. The City's Purchasing Agent shall publish said notice of sale and request for proposals.

2010-209 An Ordinance Authorizing The Office Of The City Treasurer To Accept Credit And Debit Cards For Payment And Authorizing Acceptance Of A Participant Agreement (**Requested By Mayor Timothy J. Davlin**) (**Committee Of The Whole**)

This ordinance will authorize the City Treasurer's Office to accept debit and credit card payments for any ordinance violation and garbage, weed, and solid waste fines and costs owed to the City, exclusive of CWLP, and authorize execution of a Participant Agreement for use of debit and credit cards. Customers using this method of payment will be assessed a 2.10% convenience fee per transaction with a minimum of 0.65 cents to offset the processing fee charged. The \$1.75 convenience fee assessed to online parking ticket payments will remain in effect.

2010-210 An Ordinance Authorizing The Execution Of An Intergovernmental Agreement With The Curran-Gardner Townships Public Water District Regarding Water Service (**Requested by Mayor Timothy J. Davlin**) (**Committee of the Whole**)

This ordinance approves and authorizes execution of an agreement between the Curran Gardner Townships Public Water District (District) and the City of Springfield (City) with regard to provision of water service within the District (generally north of Mansion Road, west of Illinois Rt.4/Veterans Parkway, south of the Sangamon River). For many years the City has been growing into the District territory. There are inefficiencies in the use of resources to provide water mains and other facilities, and the systems of the two utilities overlap within the District territory.

Existing customers will be maintained by both utilities. The District will be the service provider within the District to all areas annexed to the City after September 23, 2009, the date of the federal loan to the District. The City shall be a wholesale provider of water to the District in many areas where it is most efficient and cost-effective for the City to so provide the water. The rate for provision of water to the District will be at the City's Outside City retail rate for meters one inch and larger with a meter charge where master metered. The District will be required to maintain City's fire protection standards for issues like fire flows where it serves directly. Undeveloped lots within existing subdivisions will be served by the City. The City currently has an emergency interconnection agreement with the District that is incorporated within the proposed agreement. Standard wholesale contract provisions are included in the agreement.

2010-211 An Ordinance Authorizing The Establishment Of A Qualified Reserve Account Instrument In An Amount Not To Exceed \$22,000,000.00 For The Electric Revenue Bond Senior Lien Debt Service Reserve Account For The City Of Springfield, Illinois (**Requested by Mayor Timothy J. Davlin**) (**Committee of the Whole**)

This ordinance authorizes the Mayor to take all the actions necessary to implement and exercise a Qualified Reserve Account Instrument for the Electric Fund in order to allow for the release of cash and investments from the Electric Revenue Senior Lien Debt Service Reserve Account to fund certain Electric System capital improvements. This ordinance outlines specific authorization parameters for the Qualified Reserve Account Instrument. Operating within these parameters the Mayor is empowered to execute all the operative documents for the transaction.

The Office of Public Utilities has identified a funding need for capital improvements to the Dallman Unit 33 Scrubber and other Electric System capital projects, for which no monies are presently available. The Series 2008 Electric Revenue Bonds provided \$15 million for the Dallman 33 Scrubber Improvement Project. At the time those bonds were issued, bids had not yet been taken on the 33 Scrubber Project. The cost of the project is now expected to be approximately \$28 million based on bids received.

In 2008 the borrowing for this project assumed that any additional funds which might be needed could be provided by net revenues from wholesale power sales. Not long after the 2008 bonds were issued the financial markets, as well as the power market entered a tumultuous cycle from which they have yet to recover. The current economic recession has coincided with the Office of Public Utilities' need to complete the 33 Scrubber Project. Generally this would involve the issuance of additional bonds and an electric rate increase to support repayment of that new debt. At the present time that option is not very palatable. In order to obtain funds for these essential capital improvements, the Office of Public Utilities recommends the purchase of a Qualified Reserve Account Instrument which will be substituted for a portion of the cash funded Senior Lien Debt Service Reserve Account. A Qualified Reserve Account Instrument is an insurance or surety policy issued by a municipal bond insurance company. It is a promise to pay the face amount of the surety instrument to bondholders in the event the Office of Public Utilities is unable to make a scheduled debt service payment. The Office of Public Utilities recommends that no more than roughly half of the Debt Service Reserve Account Requirement be met with this surety policy. The remainder of the account requirement will continue to be met with cash and investments.

Once the Qualified Reserve Account Instrument is in place, an equivalent amount of cash may be withdrawn from the Senior Lien Debt Service Reserve Account. The cash withdrawn from the Senior Lien Debt Service Reserve Account may only be used for capital projects as required for all bond proceeds.

REVOLVING LINE OF CREDIT AUTHORIZATION PROVISIONS

The face amount for the Qualified Reserve Account Instrument may not exceed \$22,000,000.00. This financial instrument must comply with all provisions and covenants established by the Electric Fund Master Bond Ordinance. The cost of the instrument may not exceed 9.50% of the face amount of the surety policy. The policy may not expire sooner than March 2, 2037, the day after the final maturity of the currently outstanding Senior Lien bonds. Operating within these parameters, the Mayor would be authorized to take the necessary actions to complete the closing on the Qualified Reserve Account Instrument. The Ordinance would also give the Mayor, or his designees, the authority to make withdrawals from the Senior Lien

Debt Service Reserve Account in an amount equivalent to the Qualified Reserve Account Instrument. This ordinance also authorizes the payment of all costs of issuance for putting this instrument in place. These costs would include costs of counsel to the financial institution and any costs of the City for external counsel, along with any other miscellaneous costs of implementation.

2010-212 An Ordinance Accepting Bids And Authorizing The Execution Of Contract UE10-10-68 – Dallman Unit 33 Flue Gas Desulphurization System Upgrade General Construction With MC Industrial, Inc. In A Total Amount Not To Exceed \$18,562,905.00 **(Requested by Mayor Timothy J. Davlin) (Committee Of The Whole)**

This ordinance accepts Contract UE10-10-68 with MC Industrial, Inc. in the total amount of \$18,562,905.00 for general construction for the Dallman Power Plant Unit No. 33 Flue Gas Desulphurization System (FGDS) upgrade project for the City of Springfield Office of Public Utilities' Electric Division Generation Department. These services are required due to the advent of stricter sulfur dioxide (SO₂) limits for utility coal fired units. MC Industrial, Inc. submitted the low evaluated bid for this contract. The contract price includes the base bid in the amount of \$15,168,315.00; Purchaser Requested Options totaling \$489,656.00; and a Bid Allowance totaling \$2,904,934.00 to cover specified contract options, as well as \$750,000.00 for costs associated with unforeseen conditions.

The Scope of Work with MC Industrial, Inc. covers installation of two large booster fans purchased by the utility under a separate previously authorized bid contract. It also includes installation of new Absorber Tower and Absorber Feed Tank components supplied by Siemens Energy, Inc. under a separate previously approved Proposal. In addition, MC Industrial's Scope of Work includes materials, equipment and labor for the following: 1) replacement of the existing large bore piping; 2) rebuilding and capacity modification of all Absorber and Quencher Pumps; 3) modification of the oxidation air system; 4) modification of the Absorber Tower inlet ducts; 5) replacement of inlet duct insulation and lagging; 6) replacement of the building siding; and 7) electrical and controls work associated with the FGDS upgrade designs.

This Dallman Unit 33 FGDS system upgrade project will extend through the Spring of 2011. This general construction bid contract will be partially funded by the Electric Division's 2008 Electric Revenue Bond Issue.

2010-213 An Ordinance Amending Chapter 131, Section 131.07(A) Of The 1988 City Of Springfield Code Of Ordinances, As Amended, By Adding The Offense Of Possession Of A Synthetic Form Of Cannabis Commonly Known As K2 **(Requested by Ald. Theilen) (Committee Of The Whole)**

The City Code does not currently include the offense of unlawful possession of a synthetic form of cannabis, 1-pentyl-3-(1-naphthoyl) insole, commonly known as K-2. This ordinance will add this offense to Section 131.07(a) of the City Code to allow this offense to be pursued as an ordinance violation.

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