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233-6-10

6/1/2010

2010-215

AN ORDINANCE AUTHORIZING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING WITH SANGAMON COUNTY, ILLINOIS, TO ALLOCATE FUNDS RECEIVED IN CONNECTION WITH THE 2010 BYRNE JUSTICE ASSISTANCE GRANT PROGRAM (#2010-H5737-IL-DJ) FROM THE U.S. DEPARTMENT OF JUSTICE, FOR EMERGENCY PASSAGE

RES. 016-10

6/1/2010

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

213 06 10

**AN ORDINANCE AUTHORIZING A SUPPLEMENTAL APPROPRIATION
IN THE AMOUNT OF \$1,060.00 FOR THE SPRINGFIELD FIRE
DEPARTMENT**

WHEREAS, the City of Springfield is a home rule unit as defined in Article VII, Section 6(a) of the 1970 Illinois Constitution and has jurisdiction over matters pertaining to its government and affairs; and

WHEREAS, the Springfield Fire Department has received \$1,059.77 from the Illinois Education Association (IEA) as reimbursement for EMT's who worked during a rally at the State Capitol Building on April 21, 2010; and

WHEREAS, the Springfield Fire Department is requesting a supplemental appropriation in the amount of \$1,060.00 from unbudgeted, unappropriated funds received from IEA.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SPRINGFIELD, ILLINOIS:

Section 1: That the City Council hereby authorizes a supplemental appropriation in the amount of \$1,060.00 from unbudgeted, unappropriated revenue for the Springfield Fire Department.

Section 2: That the Office of Budget and Management is hereby directed to effectuate this supplemental appropriation as follows:

FROM REVENUE ACCOUNT	AMOUNT
001-108-FIRE-FOPR-0250	\$1,060.00

TO EXPENDITURE ACCOUNT	AMOUNTS
001-108-FIRE-FOPR-1104	\$1,060.00

Section 3: That the City Clerk is hereby directed to publish this ordinance in pamphlet form.

Section 4: That this ordinance shall be in full force and effect from and after its passage, recording by the City Clerk and publication in pamphlet form.

PASSED: June 2, 2010

SIGNED: June 2, 2010

RECORDED: June 2, 2010

Timothy J. Davlin
Mayor Timothy J. Davlin

ATTEST: Cecilia K. Tumulty
City Clerk Cecilia K. Tumulty

Approved as to legal sufficiency:

Requested by: Mayor Timothy J. Davlin

W, 5-13-10
Office of Corporation Counsel / Date

214 06 10

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 COMMISSIONERS APPOINTED TO THE SPRINGFIELD SENIOR CITIZENS COMMISSION

WHEREAS, the City of Springfield is a home rule unit as defined in Article VII, Section 6(a) of the 1970 Illinois Constitution and has jurisdiction over matters pertaining to its government and affairs; and

WHEREAS, Chapter 33 of the 1988 City of Springfield Code of Ordinances, as amended, pertains to boards, commissions and subordinate departments within the City of Springfield; and

WHEREAS, section 33.265 currently provides that the mayor, with the advice and consent of the city council, shall appoint 21 members to serve on the Springfield Senior Citizens Commission; and

WHEREAS, section 33.266 provides that eleven members of the commission shall constitute a quorum for the transaction of its business; and

WHEREAS, it is in the best interest of the City to amend Chapter 33, by reducing the number of commissioners appointed from 21 to 11 and establishing that six members shall constitute a quorum.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SPRINGFIELD, ILLINOIS:

Section 1: That the City Council hereby amends Chapter 33, Sections 33.265 and 33.266, of the 1988 City of Springfield Code of Ordinances, as amended, as follows:

ARTICLE XXXII. SENIOR CITIZENS COMMISSION

§ 33.265. Established; membership; terms; vacancies.

(a) There is hereby established a Springfield Senior Citizens Commission. The commission shall be subordinate to the executive assistant to the mayor for the purposes of administrative supervision.

(b) The commission shall consist of 11 members appointed by the mayor with the advice and consent of the city council. In making appointments, the mayor shall give consideration to persons who by background, experience, training, profession and/or age, have special interests and knowledge in the affairs and needs of persons 62 years of age and older.

(c) The terms of office of the members of the commission shall be for three years and until their successors are appointed and confirmed by the city council.

(d) Vacancies shall be filled in the same manner as original appointments for the remainder of the unexpired term.

(Ord. No. 670-9-95, § 1(Exh. B), 9-19-95; Ord. No. 585-10-03, § 1(Exh. 1), 10-21-03)

§ 33.266. Officers; quorum; special meetings.

There shall be a chairman of the commission appointed by the mayor from the members of the commission. The commission shall elect one of the members to serve as secretary who shall keep a record of all resolutions, proceedings, and actions of the commission. ~~Eleven~~Six members of the commission shall constitute a quorum for the transaction of its business. A majority vote of members present shall constitute approval of business before it. Special meetings may be called by the chairman or by no less than five members of the commission. Any person or his duly authorized representative shall be entitled to appear and be heard on any matter before the commission reaches a decision.

(Ord. No. 670-9-95, § 1(Exh. B), 9-19-95)

Section 2: That the City Clerk is hereby directed to publish this ordinance in pamphlet form.

Section 3: That this ordinance shall become effective immediately upon its passage and publication in pamphlet form.

PASSED: June 1, 2010

SIGNED: June 2, 2010

RECORDED: June 3, 2010

Timothy J. Davlin
Mayor Timothy J. Davlin

ATTEST: Cecilia K. Tumulty
City Clerk Cecilia K. Tumulty

Approved as to legal sufficiency:

Requested by: Mayor Timothy J. Davlin

TJ, 5-13-10
Office of Corporation Counsel / Date

214 06 10

215 06 10

**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 COMMISSIONERS APPOINTED
TO THE COMMISSION ON INTERNATIONAL VISITORS**

WHEREAS, the City of Springfield is a home rule unit as defined in Article VII, Section 6(a) of the 1970 Illinois Constitution and has jurisdiction over matters pertaining to its government and affairs; and

WHEREAS, Chapter 33 of the 1988 City of Springfield Code of Ordinances, as amended, pertains to boards, commissions and subordinate departments within the City of Springfield; and

WHEREAS, section 33.180 currently 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; and

WHEREAS, section 33.181 provides that thirteen members of the commission shall constitute a quorum for the transaction of its business; and

WHEREAS, it is in the best interest of the City to amend Chapter 33, by reducing the number of commissioners appointed from 25 to 18 and establishing that ten members shall constitute a quorum.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SPRINGFIELD, ILLINOIS:

Section 1: That the City Council hereby amends Chapter 33, Sections 33.180 and 33.181, of the 1988 City of Springfield Code of Ordinances, as amended, as follows:

ARTICLE XIX. COMMISSION ON INTERNATIONAL VISITORS

§ 33.180. Established; membership; terms; vacancies.

(a) There is hereby established a commission on international visitors. The commission shall be subordinate to the executive assistant to the mayor for the purposes of administrative supervision.

(b) The commission on international visitors shall consist of 18 members to be appointed by the mayor with the advice and consent of the city council.

(c) The terms of office of the members of the commission shall be for three years and until their successors are appointed and confirmed by the city council.

(d) Vacancies shall be filled in the same manner as the original appointments for the balance of the unexpired term.

(e) The mayor shall be an ex officio member of the commission.

(Ord. No. 670-9-95, § 1(Exh. B), 9-19-95; Ord. No. 585-10-03, § 1(Exh. 1), 10-21-03)

§ 33.181. Officers; quorum; special meetings.

There shall be a chairman of the commission elected from the members of the commission. The commission shall also elect one of the members to serve as secretary who shall keep a record of all resolutions, proceedings, and actions of the commission and this report shall be available for public inspection. ~~Thirteen~~ Ten members of the commission shall constitute a quorum for the transaction of its business. A majority vote of members present shall constitute approval of business before it. Special meetings may be called by the chairman or by no less than five members of the commission. Any person or his duly authorized representative shall be entitled to appear and be heard on any matter before the commission reaches a decision.

Section 2: That the City Clerk is hereby directed to publish this ordinance in pamphlet form.

Section 3: That this ordinance shall become effective immediately upon its passage and publication in pamphlet form.

PASSED: Jan 2, 2010

SIGNED: Jan 2, 2010

RECORDED: Jan 2, 2010

Timothy J. Davlin
Mayor Timothy J. Davlin

ATTEST: Cecilia K. Tumulty
City Clerk Cecilia K. Tumulty

Approved as to legal sufficiency:

Requested by: Mayor Timothy J. Davlin

TJ, 5-13-10
Office of Corporation Counsel / Date

215 06 10

216 06 10

AN ORDINANCE APPROVING THE REAPPOINTMENT OF JOHN HINE TO THE BOARD OF MANAGERS OF OAK RIDGE CEMETERY

WHEREAS, the City of Springfield is a home rule unit as defined in Article VII, Section 6(a) of the 1970 Illinois Constitution and has jurisdiction over matters pertaining to its government and affairs; and

WHEREAS, John Hine's term on the Board of Managers of Oak Ridge Cemetery expires May 2010; and

WHEREAS, John Hine has expressed a desire to serve an additional three year term on the Board of Managers; and

WHEREAS, pursuant to Section 92.15(b) of the 1988 City Code of Ordinances, as amended, Mayor Timothy J. Davlin, upon advice and consent of the City Council, desires to reappoint John Hine to the Board of Managers of Oak Ridge Cemetery.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SPRINGFIELD, ILLINOIS:

Section 1: That the City Council hereby approves the reappointment to the Board of Managers of Oak Ridge Cemetery as follows:

APPOINTMENT	ADDRESS	TERM	TERM EXPIRES
John Hine	63 Brighton Road 62702	3 yrs.	May 2013

Section 2: That this ordinance shall become effective immediately upon its passage and recording by the City Clerk.

PASSED: June 2, 2010

SIGNED: June 2, 2010

RECORDED: June 2, 2010

Timothy J. Davlin
Mayor Timothy J. Davlin

ATTEST: Cecilia K. Tumulty
City Clerk Cecilia K. Tumulty

Approved as to legal sufficiency:

Requested by: Mayor Timothy J. Davlin

W / 5-13-10
Office of Corporation Counsel / Date

217 06 10

AN ORDINANCE AUTHORIZING PAYMENT IN AN AMOUNT NOT TO EXCEED \$135,415.16 TO THE SANGAMON COUNTY BOARD OF HEALTH FOR ANIMAL CONTROL SERVICES

WHEREAS, the City of Springfield is a home rule unit as defined in Article VII, Section 6(a) of the 1970 Illinois Constitution and has jurisdiction over matters pertaining to its government and affairs; and

WHEREAS, the City previously passed Ord. No. 639-11-00 authorizing execution of an intergovernmental agreement with the Sangamon County Board of Health to merge the Animal Control Unit of the Springfield Department of Public Health into the Animal Control Division of the Sangamon County Department of Public Health; and

WHEREAS, the agreement provides that the City of Springfield will reimburse the Sangamon County Board of Health for its share of operating expenses in exchange for the Board of Health's agreement to enforce Chapter 91 of the 1988 Code of Ordinances of the City of Springfield, as amended; and

WHEREAS, the Office of Budget and Management is requesting authorization to pay the Sangamon County Board of Health \$135,415.16 for animal control services from December 18, 2009, through December 17, 2010.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SPRINGFIELD, ILLINOIS

Section 1: That the City Council hereby authorizes payment to the Sangamon County Board of Health in an amount not to exceed \$135,415.16.

Section 2: That the Office of Budget and Management is hereby directed to pay the Sangamon County Board of Health \$33,853.79 for the balance of FY10 and \$101,561.37 for the first three quarterly installments of FY11 in an amount not to exceed \$135,415.16 from account no. 001-107-GENC-VARI-1232.

Section 3: That the City Clerk is hereby directed to publish this ordinance in pamphlet form.

Section 4: That this ordinance shall become effective immediately after its passage, recording by the City Clerk and publication in pamphlet form.

PASSED: _____, 2010
RECORDED: _____, 2010
ATTEST: _____
City Clerk Cecilia K. Tumulty

SIGNED: _____, 2010

Mayor Timothy J. Davlin

Approved as to legal sufficiency:

Requested by: Mayor Timothy J. Davlin

Office of Corporation Counsel / Date 5-13-10

218 06 10

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

WHEREAS, the City of Springfield is a home rule unit as defined in Article VII, Section 6(a) of the 1970 Illinois Constitution and has jurisdiction over matters pertaining to its government and affairs; and

WHEREAS, the Springfield Police Department desires to purchase Taser cartridges and power supplies; and

WHEREAS, the Springfield Police Department is requesting a supplemental appropriation in the amount of \$6,061.00 from FY11 unbudgeted, unappropriated State and Federal Asset Forfeiture fund balance.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SPRINGFIELD, ILLINOIS:

Section 1: That the City Council hereby authorizes 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.

Section 2: That the Office of Budget and Management is hereby directed to effectuate this supplemental appropriation from FY11 unbudgeted, unappropriated State and Federal Asset Forfeiture fund balance into expenditure accounts as follows:

INTO EXPENDITURE ACCOUNTS	AMOUNTS
070-112-POLC-FORF-1507	\$3,030.00
073-112-POLC-FORF-1507	\$3,031.00
TOTAL	\$6,061.00

Section 3: That the City Clerk is hereby directed to publish this ordinance in pamphlet form.

Section 4: That this ordinance shall be in full force and effect from and after its passage, recording by the City Clerk and publication in pamphlet form.

PASSED: June 1, 2010

SIGNED: June 2, 2010

RECORDED: June 2, 2010

Timothy J. Davlin
Mayor Timothy J. Davlin

ATTEST: Cecilia K. Tumulty
City Clerk Cecilia K. Tumulty

Approved as to legal sufficiency:

Requested by: Mayor Timothy J. Davlin

W, 5-13-10
Office of Corporation Counsel / Date

219 06 10

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

WHEREAS, the City of Springfield is a home rule unit as defined in Article VII, Section 6(a) of the 1970 Illinois Constitution and has jurisdiction over matters pertaining to its government and affairs; and

WHEREAS, the Illinois Liquor Control Commission has approved a grant for the Springfield Police Department in the amount of \$13,860.00 to enforce the "KIDS CAN'T BUY 'EM HERE" campaign, for the period of August 1, 2010, through June 30, 2011; and

WHEREAS, it is in the best interest of the City to accept this grant in the amount of \$13,860.00; and

WHEREAS, a copy of the grant shall be located in the Office of the City Clerk; and

WHEREAS, the Springfield Police Department is requesting a supplemental appropriation in the amount of \$13,860.00 from funds received from this grant for FY11; and

WHEREAS, these funds will be used for overtime for officers to check vendors that sell tobacco a total of three times during the grant period to ensure that vendors are not selling to underage persons.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SPRINGFIELD, ILLINOIS:

Section 1: That the City Council hereby accepts the Illinois Liquor Control Commission Grant in the amount of \$13,860.00, beginning August 1, 2010, through June 30, 2011. The Mayor and City Clerk are hereby authorized to execute any documents necessary to effectuate this grant on behalf of the City.

Section 2: That the City Council hereby authorizes a supplemental appropriation in the amount of \$13,860.00 from funds received from the Illinois Liquor Control Commission grant to be used to fund overtime for offers to check vendors who sell tobacco.

Section 3: That the Office of Budget and Management is hereby directed to effectuate a supplemental appropriation in the amount of \$13,860.00 from revenue account 001-112-POLC-POPR-0181 into expenditure account 001-112-POLC-ILCC-1104 for the Springfield Police Department.

Section 4: That the City Clerk is hereby directed to publish this ordinance in pamphlet form.

Section 5: That this ordinance shall be in full force and effect from and after its passage, recording and publication in pamphlet form.

Section 6: That this ordinance shall become effective immediately upon its passage and recording by the City Clerk.

PASSED: , 2010

SIGNED: , 2010

RECORDED: , 2010

Timothy J. Davlin, Mayor

ATTEST:
Cecilia K. Tumulty, City Clerk

Approved as to legal sufficiency:

Requested by: Mayor Timothy J. Davlin

Office of Corporation Counsel / Date

"219 06 10

220 06 10

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

WHEREAS, the City of Springfield is a home rule unit as defined in Article VII, Section 6(a) of the 1970 Illinois Constitution and has jurisdiction over matters pertaining to its government and affairs; and

WHEREAS, Calvin Mills was employed as a TDL for the Office of Public Works on June 17, 2009, and reported pain in both arms and hands from repetitive daily job duties; and

WHEREAS, Mr. Mills underwent bilateral carpal and cubital tunnel repair and returned to work full duty on April 5, 2010; and

WHEREAS, Mr. Mills retired on April 9, 2010; and

WHEREAS, 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, 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; and

WHEREAS, Sorling, Northrup, Hanna, Cullen & Cochran, Ltd., the city's workers' compensation advisors, recommend payment in the amount of \$74,688.52 to Calvin Mills to settle case number 09-WC-29684; and

WHEREAS, Lawrence Creviston was working as a firefighter for the Springfield Fire Department on September 18, 2008, and reported an injury to his neck while on a medical assistance call; and

WHEREAS, on March 26, 2009, Mr. Creviston underwent surgery and was unable to return to work as a firefighter; and

WHEREAS, 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; and

WHEREAS, 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.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SPRINGFIELD, ILLINOIS:

Section 1: That the City Council hereby authorizes payment of \$74,688.52 to Calvin Mills, a former Office of Public Works employee, for settlement of a workers' compensation claim for case number 09-WC-29684, representing a permanent partial disability equivalent to 10% loss of use of his left arm, 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. The

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 FOR THE OFFICE OF PUBLIC UTILITIES

WHEREAS, 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 in an amount not to exceed \$589,100.000 for the City of Springfield Office of Public Utilities' Electric Generation Department, and

WHEREAS, Toshiba International, the original equipment manufacturer, recommends a complete valve inspection at the completion of one year run time, and

WHEREAS, Toshiba International 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, and

WHEREAS, in addition, the unit's generator rotor and stator will be inspected and tested, and

WHEREAS, compliant with the provisions of Section 38.40 of the City Code, the Purchasing Agent has determined that this contract is not subject to sealed competitive bidding.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SPRINGFIELD, ILLINOIS:

Section 1. The Council of the City of Springfield, Illinois, hereby approves and authorizes execution of the Time and Materials Estimate Offer, a copy of which shall be on file with the Office of the City Clerk, with Toshiba International Corporation in an amount not to exceed Five Hundred Eighty-Nine Thousand One Hundred Dollars and No Cents (\$589,100.00) for inspection and maintenance of the Dallman Power Plant Unit No. 4 turbine valve on behalf of the City of Springfield Office of Public Utilities' Electric Generation Department.

Section 2. The Mayor and the City Clerk are hereby authorized and empowered to execute said offer on behalf of the City of Springfield Office of Public Utilities.

Section 3. The Payment by the City of Springfield Office of Budget and Management to Toshiba International Corporation for the total maximum amount of Five Hundred Eighty-Nine Thousand One Hundred Dollars and No Cents (\$589,100.00) from Account No. 102-100-CAM-7712-1205 is hereby authorized, approved and directed.

Section 4. This Ordinance shall become effective immediately upon its passage and recording with the City of Springfield Office of the City Clerk.

PASSED: [Signature], 2010

RECORDED: [Signature], 2010

ATTEST: [Signature]

SIGNED: [Signature]
[Signature]
MAYOR

Approved as to legal sufficiency:
W 5-13-10
Office of the Corporation Counsel/Date

Requested by the Office of Public Utilities/Mayor Davlin

221 06 10

1-222 06 10

No. 3702

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 FOR THE OFFICE OF PUBLIC UTILITIES

WHEREAS, under Ordinance No. 528-11-09, the Council of the City of Springfield, Illinois, approved and authorized execution of a Telecommunications Fiber Capacity License Agreement between Illinois Network Alliance, LLC and the City of Springfield for the Office of Public Utilities, and

WHEREAS, pursuant to said Agreement, Illinois Network Alliance, LLC is being provided with fiber optic connections from its facility located at 528 South 5th Street to its facility at 2820 Fox Bridge Road in Springfield, and

WHEREAS, this Ordinance approves and authorizes execution of Amendment No. 1 to the original Telecommunications Fiber Capacity Agreement with Illinois Network Alliance, and

WHEREAS, 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 \$4,160.00 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 contract for an additional three years, and

WHEREAS, all other terms and conditions of the original Agreement, except for those specified within the Agreement Amendment, shall remain in full force and effect.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SPRINGFIELD, ILLINOIS:

Section 1. The Council of the City of Springfield, Illinois, hereby approves and authorizes the execution of Amendment No. 1 to the original Telecommunications Fiber Capacity License Agreement between Illinois Network Alliance, LLC and the City of Springfield, a copy of which shall be on file with the City of Springfield Office of the City Clerk, for the Office of Public Utilities.

Section 2. The Mayor and the City Clerk are hereby authorized and empowered to execute said Agreement Amendment No. 1 on behalf of the City of Springfield Office of Public Utilities.

Section 3. This Ordinance shall become effective immediately upon its passage and recording with the City of Springfield Office of the City Clerk.

PASSED: [Signature] 2010 SIGNED: [Signature]
RECORDED: [Signature] 2010 [Signature]
ATTEST: [Signature] MAYOR

Approved as to legal sufficiency:

Office of the Corporation Counsel/Date
Requested by the Office of Public Utilities/Mayor Davlin

1 223 06 10

No. 3701

AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION OF A
TELECOMMUNICATIONS FIBER CAPACITY LICENSE AGREEMENT BETWEEN THE CITY
OF SPRINGFIELD AND MEMORIAL HEALTH SYSTEM
FOR THE OFFICE OF PUBLIC UTILITIES

WHEREAS, the City of Springfield Office of Public Utilities has constructed a fiber optic telecommunications system between all electric substations and key facilities, and

WHEREAS, Memorial Health System wishes to establish fiber optic connections between the following facilities: 2401 West Jefferson and its facility at 701 North First Street; 2401 West Jefferson and its facility at 747 North Rutledge; 701 North First Street and Springnet at 6900 Preston Drive; 747 North Rutledge and Springnet at 6900 Preston Drive; and 2401 West Jefferson and Springnet at 6900 Preston Drive, and

WHEREAS, the Office of Public Utilities will use its existing fiber optics and communications infrastructure along with new fiber to provide these services, and

WHEREAS, pursuant to a Telecommunications Contract Service Agreement, a copy of which shall be on file with the Office of the City Clerk, Memorial Health System shall pay \$12,590.00 per month for the connection to the City of Springfield for the initial one year of said fiber optic connection, and

WHEREAS, 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, said contract shall automatically continue under mutually agreeable terms and conditions.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SPRINGFIELD, ILLINOIS:

Section 1. The Council of the City of Springfield, Illinois, hereby approves and authorizes the execution of the Telecommunications Fiber Capacity License Agreement, a copy of which shall be on file with the Office of the City Clerk, between the City of Springfield and Memorial Health System for fiber optic connections to five sites.

Section 2. The Mayor and the City Clerk are hereby authorized and empowered to execute said Telecommunications Fiber Capacity License Agreement with Memorial Health System on behalf of the City of Springfield Office of Public Utilities.

Section 3. This Ordinance shall become effective immediately upon its passage and recording with the City of Springfield Office of the City Clerk.

PASSED: [Signature], 2010
RECORDED: [Signature], 2010
ATTEST: [Signature]

SIGNED: [Signature]
MAYOR

Approved as to legal sufficiency:
JW 5-13-10
Office of the Corporation Counsel/Date

Requested by the Office of Public Utilities/Mayor Davlin

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 OFFICE OF PUBLIC UTILITIES

WHEREAS, this ordinance approves and authorizes execution of a residential lease agreement, a copy of which shall be on file with the Office of the City Clerk, between the City of Springfield Office of Public Utilities' Administrative Services Division and Terry J. House and Charlotte A. House for property commonly known as 9820 Lost Forty Road, and

WHEREAS, this property consists of approximately 2.0 acres with a single family residence on the premises, and is located in Pawnee, Illinois, and

WHEREAS, the tenant's monthly rent shall be \$750.00 for the lease of said property, and

WHEREAS, this lease agreement is effective for a one-year term that will expire April 30, 2011, unless cancelled with 30 days written notice or extended by mutual agreement in accordance with the lease provisions.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SPRINGFIELD, ILLINOIS:

Section 1. The Council of the City of Springfield, Illinois, hereby approves the residential lease agreement, a copy of which shall be on file with the Office of the City Clerk, with Terry J. House and Charlotte A. House for property commonly known as 9820 Lost Forty Road, Pawnee, Illinois, the agreement term of which is May 1, 2010, through April 30, 2011, unless cancelled or extended in accordance with the lease provisions.

Section 2. The Mayor and the City Clerk are hereby authorized and empowered to execute said lease agreement on behalf of the City of Springfield Office of Public Utilities.

Section 3. This Ordinance shall become effective immediately upon its passage and recording with the City of Springfield Office of the City Clerk.

PASSED: [Signature] 2010
RECORDED: [Signature] 2010
ATTEST: [Signature]

SIGNED: [Signature] 2010
[Signature]
MAYOR
Approved as to legal sufficiency:
W 5-13-10
Office of the Corporation Counsel/Date

Requested by the Office of Public Utilities/Mayor Davlin

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

WHEREAS, the City of Springfield is a home rule unit as defined in Article VII, Section 6(a) of the 1970 Illinois Constitution and has jurisdiction over matters pertaining to its government and affairs; and

WHEREAS, the City owns certain real property located at 924 South 12th Street, 1213 South Grand Avenue East, 1130 South 13th Street, 1609 East Cook, 1731 East Mason Street, 1428 South 10 ½ Street, 1427 South 11th Street, 1420 South 10 ½ Street, 1217 South Grand Avenue East, 1417 South 11th Street, 1426 South 10 ½ Street, 1413 South 11th Street, 1020 South Grand Avenue East, 1018 South Grand Avenue East, 1916 North 14th Street, 1920 North 14th Street and 1215 E. Phillips Street, and legally described on Exhibit A attached hereto (collectively, the "Real Property"); and

WHEREAS, each of the parcels of the Real Property is currently used as a vacant lot and is zoned as listed on Exhibit A; and

WHEREAS, the Real Property is no longer necessary, appropriate, required for the use of, profitable to, or for the best interest of the City; and

WHEREAS, the Office of Planning and Economic Development wishes to dispose of the Real Property by sale for cash; and

WHEREAS, it is necessary to declare said property as surplus property; and

WHEREAS, it is necessary and desirable to the public interest that the Real Property be developed within two years of the date of any sale and that any purchase shall be subject to certain specifications established by the Office of Planning and Economic Development; and

WHEREAS, pursuant to 65 ILCS 5/11-76-2, the City may sell the Real Property by inviting proposals for the purchase of the Real Property by publishing notice for three successive weeks in a newspaper published in the City, and the City Council desires that such notice of sale and request for proposals provide for all of the terms and conditions set forth in the form attached hereto as Exhibit B; and

WHEREAS, an ordinance authorizing the execution of an agreement for the sale and redevelopment shall be submitted to the City Council for approval prior to the sale of any parcel of the Real Property.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SPRINGFIELD, ILLINOIS:

Section 1: The City Council declares the following real property to be surplus property, directs a sale of the real property located at 924 South 12th Street, 1213 South Grand Avenue East, 1130 South 13th Street, 1609 East Cook, 1731 East Mason Street, 1428 South 10 ½ Street, 1427 South 11th Street, 1420 South 10 ½ Street, 1217 South Grand Avenue East, 1417 South 11th Street, 1426 South 10 ½ Street, 1413 South 11th Street, 1020 South Grand Avenue East, 1018 South Grand Avenue East, 1916 North 14th Street, 1920 North 14th Street and 1215 E. Phillips Street, Springfield, Illinois, as legally described on Exhibit A attached hereto, and authorizes the City's Purchasing Agent to publish a notice of sale and request for proposals in the form attached hereto as Exhibit B with all of the terms and conditions contained therein.

Section 2: The City's Purchasing Agent shall publish said notice of sale and request for proposals at the first opportunity for three successive weeks in a newspaper published in the City.

Section 3: This ordinance shall become effective immediately upon its passage and recording by the City Clerk.

PASSED: June 1, 2010

SIGNED: June 2, 2010

RECORDED: June 2, 2010

Timothy J. Davlin
Mayor Timothy J. Davlin

ATTEST: Cecilia K. Tumulty
City Clerk Cecilia K. Tumulty

Approved as to legal sufficiency:

Requested by: Mayor Timothy J. Davlin

TJ 5-13-10
Office of Corporation Counsel / Date

225 06 10

226 06 10

300

**AN ORDINANCE AUTHORIZING THE OFFICE OF THE CITY
TREASURER TO ACCEPT CREDIT AND DEBIT CARDS FOR PAYMENT
AND AUTHORIZING ACCEPTANCE OF A PARTICIPANT AGREEMENT**

WHEREAS, the City of Springfield is a home rule unit as defined in Article VII, Section 6(a) of the 1970 Illinois Constitution and has jurisdiction over matters pertaining to its government and affairs; and

WHEREAS, the Local Government Acceptance of Credit Cards Act (50 ILCS 345/1 *et seq.*) (the "Act"), provides authority for a unit of local government to accept payment of funds by credit and debit cards; and

WHEREAS, the Office of the Illinois State Treasurer (the "State Treasurer"), has implemented The Illinois Funds E-Pay Electronic Payment Services Program (the "Program"), to provide for payment services via touch-tone telephone/IVR and the Internet; and

WHEREAS, the State Treasurer has entered into a Master Services Agreement and Merchant Service Agreement with Global Payments Direct, Inc. and HSBC Bank USA for implementation of the Program; and

WHEREAS, the City of Springfield desires to be a Participant in the Program in order to facilitate payment for any ordinance violation, garbage, weed, and solid waste fines and any costs owed to the City, by credit and debit cards via touch-tone telephone/IVR and the Internet; and

WHEREAS, the Act requires public notice and a public hearing prior to a unit of local government accepting payment of funds by credit and debit cards; and

WHEREAS, after said public notice and hearing, it is found to be in the best interests of the citizens and the City of Springfield to authorize acceptance of payment by credit and debit cards, and to enter into a Participant Agreement with the State Treasurer, Global Payments Direct, Inc. and HSBC Bank USA to facilitate such payments; and

WHEREAS, a copy of the Agreement shall be located in the Office of the City Clerk.

**NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
SPRINGFIELD, ILLINOIS:**

Section 1: That the City Council hereby approves and authorizes the acceptance of payment of funds for any ordinance violation, garbage, weed, and solid waste fines and any costs owed to the City, via touch-tone telephone/IVR and the Internet through use of the following credit and debit cards: Mastercard, Visa, Discover and American Express. Consumers using this method of payment shall be assessed a 2.10% convenience fee per transaction with a minimum of 0.65 cents to wholly offset the processing fee charged by the credit card companies.

Section 2: That the City Council hereby approves and authorizes execution of the Participant Agreement with the State Treasurer, Global Payments Direct, Inc. and HSBC Bank USA to facilitate such payments.

Section 3: That the Mayor, City Treasurer and City Clerk are authorized to execute the Participant Agreement, application, and any further documents necessary to effectuate this ordinance on behalf of the City of Springfield.

Section 4: That this ordinance shall become effective immediately upon its passage and recording by the City Clerk.

PASSED: June 2, 2010

SIGNED: June 2, 2010

RECORDED: June 2, 2010

Timothy J. Davlin
Mayor Timothy J. Davlin

ATTEST: Cecilia K. Tumulty
City Clerk Cecilia K. Tumulty

Approved as to legal sufficiency:

Requested by: Mayor Timothy J. Davlin

W / 5-13-10
Office of Corporation Counsel /Date

226 06 10

227 06 10

AN ORDINANCE AUTHORIZING THE EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT WITH THE CURRAN-GARDNER TOWNSHIPS PUBLIC WATER DISTRICT REGARDING WATER SERVICE

WHEREAS, the City of Springfield (the "City"), is a home rule unit as defined in Article VII, Section 6(a) of the 1970 Illinois Constitution and has jurisdiction over matters pertaining to its government and affairs; and

WHEREAS, the City owns and operates a water source and treatment facility in Springfield, Illinois; and

WHEREAS, the Curran-Gardner Townships Public Water District (the "District"), owns and operates a water source and treatment facility in its District; and

WHEREAS, the District boundaries are generally described as west of Veterans Parkway and North of Mansion Road, but the District boundaries may legally change over time as provided under Illinois law; and

WHEREAS, the corporate boundaries of the City extend into the District boundaries, and the City's corporate boundaries may legally change over time as provided under Illinois law; and

WHEREAS, both the City and the District currently serve water to customers inside both the City corporate limits and the District boundaries; and

WHEREAS, the City has entered into numerous annexation agreements to provide water service to properties located within the District boundaries; and

WHEREAS, on September 23, 2009, the District obtained a loan from the U.S. Department of Agriculture to improve and extend its water facilities; and

WHEREAS, the City and the District are interested in cooperating in order to increase the efficiency of water service within the District boundaries thereby avoiding duplication of facilities; and

WHEREAS, Article VII, Section 10 of the Illinois Constitution of 1970 and the Intergovernmental Cooperation Act (ILCS 5-220/1 *et seq.*) provide that units of government may contract or otherwise associate among themselves to obtain or share services; and

WHEREAS, it is in the best interest of the City to enter into an intergovernmental agreement with the District regarding water service; and

WHEREAS, a copy of the Intergovernmental Agreement shall be on file in the Office of the City Clerk.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SPRINGFIELD, ILLINOIS:

Section 1: That the City Council hereby approves and authorizes the execution of the Intergovernmental Agreement with the Curran-Gardner Townships Public Water District regarding water service. The Mayor and City Clerk are hereby authorized to execute the Agreement on behalf of the City of Springfield.

Section 2: That this ordinance shall become effective immediately upon its passage and recording by the City Clerk.

PASSED: , 2010

SIGNED: , 2010

RECORDED: , 2010

Mayor Timothy J. Davlin

ATTEST:
City Clerk Cecilia K. Tumulty

Approved as to legal sufficiency:

Requested by: Mayor Timothy J. Davlin

 /
Office of Corporation Counsel / Date

227 06 10

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, OFFICE OF PUBLIC UTILITIES ELECTRIC FUND

WHEREAS, the City of Springfield, Illinois, is a home rule unit as defined in Article VII, Section 6(a) of the 1970 Constitution and has jurisdiction over matters pertaining to its government and affairs, and

WHEREAS, the Master Electric Revenue Bond Ordinance authorizes the use of a Qualified Reserve Account Instrument in lieu of cash for all or a portion of the Senior Lien Debt Service Reserve Account Requirement, and

WHEREAS, the current Senior Lien Debt Service Reserve Account Requirement is the Maximum Annual Debt Service on all Outstanding Senior Lien Bonds in the amount of \$42,935,314.00, and

WHEREAS, the Office of Public Utilities has a need for funds for capital improvements related to the Dallman Unit 33 Scrubber Improvement Project and other Electric System capital improvements at the Power Plant and on the Electric Transmission and Distribution network, and

WHEREAS, the Office of Public Utilities has a need for funds to bring the balance of the Electric Emergency Repair Account up to its required funding level of \$4,000,000.00, and

WHEREAS, the City of Springfield Office of Public Utilities recommends the establishment of a Qualified Reserve Account Instrument in an amount not to exceed \$22,000,000.00, which will allow the release of an equivalent amount of cash and investments from the Senior Lien Debt Service Reserve Account in order to fund Electric System capital improvements.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SPRINGFIELD, ILLINOIS:

Section 1. The City Council of the City of Springfield, Illinois, hereby authorizes the Mayor to seek quotes from Financial Institutions and take any actions necessary to establish a Qualified Reserve Account Instrument in an amount not to exceed \$22,000,000.00 for the City of Springfield, Illinois, Office of Public Utilities' Electric Fund.

Section 2. The cost of the Qualified Reserve Account Instrument shall not exceed 9.50% of the face value of the Qualified Reserve Account Instrument.

Section 3. The expiration date of the Qualified Reserve Account Instrument shall not be earlier than March 2, 2037.

Section 4. The Qualified Reserve Account Instrument that is selected shall comply with all relevant provisions and covenants of the Master Electric Revenue Bond Ordinance, Ordinance Number 857-8-84, as amended.

Section 5. The Mayor is authorized to evaluate the quotes submitted by Financial Institutions and select the proposal which offers the City the lowest cost and best terms and conditions for this Qualified Reserve Account Instrument. Once this selection is made, the General Manager of the Office of Public Utilities shall notify the Springfield City Council, in writing, of the Financial Institution chosen to provide the Qualified Reserve Account Instrument and the terms and conditions associated with that instrument.

Section 6. Operating within the boundaries of this Ordinance, the Mayor of the City of Springfield, Illinois, shall be authorized to initiate and carry out all measures, as necessary, to complete the closing on the Qualified Reserve Account Instrument.

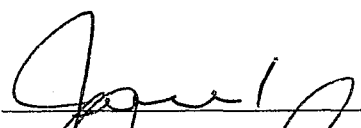
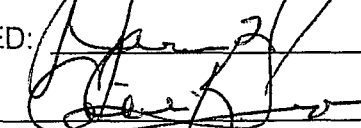

Section 7. The Mayor of the City of Springfield, Illinois, shall be authorized to approve all documents necessary to establish the Qualified Reserve Account Instrument, and the Mayor and the City Clerk shall be further authorized and empowered to execute all documents required to ratify said Qualified Reserve Account Instrument on behalf of the City of Springfield, Illinois, Office of Public Utilities.

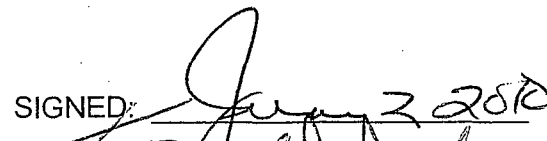
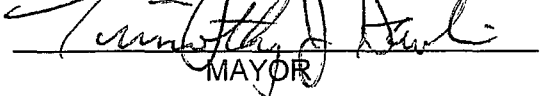
Section 8. The City Council of the City of Springfield, Illinois, hereby authorizes the Mayor of the City of Springfield, Illinois, or his designees, to make withdrawals from the Senior Lien Debt Service Reserve Account in a total amount not to exceed the final face amount of the Qualified Reserve Account Instrument, established pursuant to this ordinance. Such withdrawals shall be used only for Electric Fund capital improvement expenses and to eliminate the present deficit in the Emergency Repair Account established by the Master Electric Revenue Bond Ordinance.

Section 9. This Ordinance authorizes the payment of the costs of issuance, to include costs of Counsel to the relevant Financial Institution and costs to the City of Springfield, Illinois, for outside Counsel as required, and other associated implementation fees and expenses, to establish the Qualified Reserve Account Instrument.

Section 10. The City of Springfield, Illinois, Office of Budget and Management is hereby authorized and directed to work in partnership with the City of Springfield Office of Public Utilities in the implementation and operation of the Qualified Reserve Account Instrument.

Section 11. This Ordinance is being adopted pursuant to the City of Springfield's home rule authority and shall be in full force and effect from and after its passage, publication according to law, and recording with the City of Springfield Office of the City Clerk.

PASSED: , 2010
RECORDED: , 2010
ATTEST: 

SIGNED: 

MAYOR

Approved as to legal sufficiency:

JJ 5-19-10
Office of the Corporation Counsel/Date

Requested by the Office of Public Utilities/ Mayor Davlin

229 06 10

No. GFE-159

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
FOR THE OFFICE OF PUBLIC UTILITIES

WHEREAS, by previous action, the Specifications Committee approved specifications for Contract UE10-10-68 – Dallman Unit 33 Flue Gas Desulphurization System (FGDS) Upgrade General Construction for the Office of Public Utilities' Electric Division Generation Department, and

WHEREAS, as described in said specifications, advertisement for bids for Contract UE10-10-68 was placed, and

WHEREAS, MC Industrial, Inc. submitted the low evaluated bid for general construction for the Dallman Power Plant Unit No. 33 FGDS upgrade project, and

WHEREAS, the proposed contract documents and bid proposals are on file in the Office of the City Clerk and identified by Contract Index No. UE10-10-68.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SPRINGFIELD, ILLINOIS:

Section 1. The Council of the City of Springfield, Illinois, hereby approves and accepts the bid from MC Industrial, Inc. for Contract UE10-10-68 – Dallman Unit 33 Flue Gas Desulphurization System (FGDS) Upgrade General Construction for the City of Springfield Office of Public Utilities' Electric Division Generation Department in a total amount not to exceed Eighteen Million Five Hundred Sixty-Two Thousand Nine Hundred Five Dollars and No Cents (\$18,562,905.00).

Section 2. The Mayor and the City Clerk are hereby authorized and empowered to execute said Contract with MC Industrial, Inc. on behalf of the City of Springfield Office of Public Utilities.

Section 3. The Payment by the City of Springfield Office of Budget and Management to MC Industrial, Inc. for the total maximum amount of Eighteen Million Five Hundred Sixty-Two Thousand Nine Hundred Five Dollars and No Cents (\$18,562,905.00) from Account No. 102-100-CC-JB67-2310 is hereby authorized, approved and directed.

Section 4. This Ordinance shall become effective immediately upon its passage and recording with the City of Springfield Office of the City Clerk.

PASSED: [Signature], 2010

RECORDED: [Signature], 2010

ATTEST: [Signature]

SIGNED: [Signature] 5-18-10

[Signature]
MAYOR

Approved as to legal sufficiency: [Signature] 5-18-10

Office of the Corporation Counsel/Date

Requested by the Office of Public Utilities/Mayor Davlin

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

WHEREAS, the City of Springfield is a home rule unit as defined in Article VII, Section 6(a) of the 1970 Illinois Constitution and has jurisdiction over matters pertaining to its government and affairs; and

WHEREAS, the 1988 City of Springfield Code of Ordinances, as amended, currently does not include the offense of unlawful possession of a synthetic form of cannabis, 1-pentyl-3-(1-naphthoyl) indole, commonly known as K2; and

WHEREAS, it is desirable to add this offense to Section 131.07(a) of the City Code and pursue this offense as an ordinance violation.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SPRINGFIELD, ILLINOIS:

Section 1: That the City Council hereby amends Chapter 131 of the 1988 City of Springfield Code of Ordinances, as amended, by adding the following provisions:

131.07. Possession of cannabis or the synthetic form commonly known as K2 prohibited.

(a) No person shall possess 2.5 grams or less of any substance containing cannabis, or the synthetic form of cannabis, 1-pentyl-3-(1-naphthoyl) indole, commonly known as K2.

(b) For the purpose of this section, cannabis includes marijuana, hashish and other substances which are identified as including any parts of the plant cannabis sativa, whether growing or not; the seeds thereof, the resin extracted from any part of such plant; and any compound, manufacture, salt, derivative, and all other cannabinol derivatives, including its naturally occurring or synthetically produced ingredients, whether produced directly or indirectly by extraction, or independently by means of chemical synthesis or by a combination of extraction and chemical synthesis; but shall not include the mature stalks of such plant, fiber produced from such stalks, oil or cake made from the seeds of such plant, any other compound, manufacture, salt, derivative, mixture or preparation of such mature stalks (except the resin extracted therefrom), fiber, oil or cake, or the sterilized seed of such plant which is incapable of germination.

(c) For every violation of this section, \$100 of the penalty imposed pursuant to section 131.99 shall be deposited into the city's marijuana leaf identification fund.

(Ord. No. 90-02-09, §1, 2-3-09)

Section 2: That the City Clerk is hereby directed to publish this ordinance in pamphlet form.

Section 3: That this ordinance shall become effective after its passage and publication in pamphlet form.

PASSED: June 1, 2010

SIGNED: June 2, 2010

RECORDED: June 2 2010

Timothy J. Davlin
Mayor Timothy J. Davlin

ATTEST: Cecilia K. Tumulty
City Clerk Cecilia K. Tumulty

Approved as to legal sufficiency:
TJ, 5-18-10
Office of Corporation Counsel/ Date

Requested by: Alderman Kris Theilen

231-06-10

**AN ORDINANCE SETTING SALARIES FOR THE MAYOR,
CITY CLERK AND CITY TREASURER, AS AMENDED**

WHEREAS, the City of Springfield is a home rule unit as defined in Article VII, Section 6(a) of the 1970 Illinois Constitution and has jurisdiction over matters pertaining to its government and affairs; and

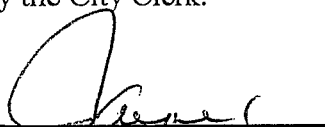
WHEREAS, pursuant to 65 ILCS 5/3.1-50-10, salaries of elected officials may be adjusted at least 180 days before the beginning of the next term of office; and

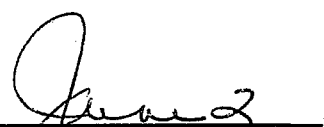
WHEREAS, it is in the best interest of the City to base the annual salaries of the mayor, city clerk and city treasurer on the Annual Consumer Price Index for the Midwest Region, but no more than 3.5%.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SPRINGFIELD, ILLINOIS:

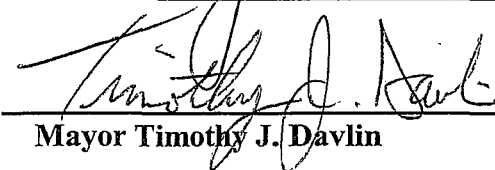
Section 1: That effective as of the date of inauguration commencing in 2011, the annual rate of salaries for the mayor, city clerk and city treasurer of the City of Springfield shall be based on the Annual Consumer Price Index (CPI) Midwest Region, city size 50,000 – 1.5 million, but shall be no greater than 3.5%. If the CPI is a negative percentage, the across-the-board increase will be 0%. The CPI used shall be the annual percentage change from the previous year.


Section 2: That this ordinance shall become effective immediately upon its passage and recording by the City Clerk.

PASSED: , 2010

SIGNED: , 2010

RECORDED: , 2010


Mayor Timothy J. Davlin

ATTEST: 
City Clerk Cecilia K. Tumulty

Approved as to legal sufficiency:

Requested by: Mayor Timothy J. Davlin

W, 6-1-10
Office of Corporation Counsel / Date

AN ORDINANCE AUTHORIZING EXECUTION OF AGREEMENT NUMBER JN 610-010 WITH THE STATE OF ILLINOIS DEPARTMENT OF TRANSPORTATION FOR THE CLEAR LAKE AVENUE PROJECT, JOB NUMBER C-96-504, AND PLACING RESTRICTIONS ON ENCROACHMENTS, PARKING AND SEWERS IN THE PROJECT AREA FOR THE OFFICE OF PUBLIC WORKS, FOR EMERGENCY PASSAGE

WHEREAS, the City of Springfield is a home rule unit as defined in Article VII, Section 6(a) of the 1970 Illinois Constitution and has jurisdiction over matters pertaining to its government and affairs; and

WHEREAS, the City of Springfield (City), and the State of Illinois, acting by and through its Department of Transportation (IDOT), in order to facilitate the free flow of traffic and ensure safety to the motoring public, desire improvements consisting of approximately 1.11 miles of Clear Lake Avenue and approximately 0.35 mile of Dirksen Parkway, FAP Route 67, 75, 668, FAI 72 (CLEAR LAKE AVE./DIRKSEN PKWY), State Section D-6 SPFLD-CLRLAKE DIRKSEN 2002 (the Project); and

WHEREAS, it is necessary to enter into an agreement with IDOT in order to facilitate said improvement; and

WHEREAS, the agreement sets forth jurisdictional responsibilities following the completion of the Project and the City's participation in the Project; and

WHEREAS, a copy of the Agreement shall be on file in the Office of the City Clerk and identified as Job Number C-96-504-00 and Agreement No. JT 610-001; and

WHEREAS, it is necessary for the City to regulate encroachments on the right-of-way for said improvement in accordance with the following definitions:

Roadway Right-of-Way is defined as those areas existing, or acquired by dedication or by fee simple for highway purposes; also, the areas acquired by temporary easement during the time the easement is in effect.

Project Right-of-Way is defined as those areas within the Project right-of-way lines established jointly by the City and IDOT which will be free of encroachments, except as hereinafter defined.

Encroachment is defined as any building, fence, sign or any other structure or object of any kind (with the exception of utilities and public road signs), which is placed, located or maintained in, on, under or over any portion of the Project right-of-way or the roadway right-of-way where no Project right-of-way line has been established.

Permissible Encroachment is defined as any existing awning, marquee, or sign advertising activity on the property; or similar overhanging structure supported from a building immediately adjacent to the limits of the platted street where there is a sidewalk extending to the building line and which does not impair the free and safe flow of pedestrian traffic or traffic on the highway. The permissive retention of overhanging signs is not to be construed as being applicable to those signs supported from poles constructed outside the Project right-of-way line and not confined by adjacent buildings.

Construction Easement Area is defined as the area lying between the Project right-of-way limits and the platted street limits within which the City, by concurrence in the establishment of the Project right-of-way lines, will permit IDOT to enter to perform all necessary construction operations; and

WHEREAS, representatives of the City and IDOT have, by visual inspection, cooperatively established Project right-of-way lines and have mutually determined the disposition of encroachments; and

WHEREAS, in order to facilitate the Project it is necessary to place restrictions on parking and sewers with the Project area.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SPRINGFIELD, SANGAMON COUNTY, ILLINOIS:

Section 1: That the City Council hereby authorizes execution of Agreement Number JN 610-010 with the State of Illinois Department of Transportation (IDOT) for improvements consisting of approximately 1.11 miles of Clear Lake Avenue and approximately 0.35 mile of Dirksen Parkway, FAP Route 67, 75, 668, FAI 72 (CLEAR LAKE AVE./DIRKSEN PKWY), State Section D-6 SPFLD-CLRLAKE DIRKSEN 2002 (the Project). The Mayor and the City Clerk are hereby authorized to execute said agreement on behalf of the City.

Section 2: That it shall be unlawful for any person, firm or corporation to erect or cause to be erected to retain or cause to be retained, any encroachment (hereinabove defined), except as provided in Section 4, within the Project right-of-way or roadway right-of-way where no Project right-of-way lines have been established.

Section 3: That currently there are no identified encroachments within the Project Right-of-Way.

Section 4: That currently there are no revocable permits issued by the City for the temporary retention of any encroachment within the Project Right-of-Way.

Section 5: That this ordinance is intended to and shall be in addition to all other ordinances, rules and regulations concerning encroachments and shall not be construed as repealing or rescinding any other ordinances or part of any ordinance, unless in direct conflict therewith.

Section 6: That after the completion of the improvement, parking will be prohibited within the limits of the improvement which lie within the corporate limits of the City.

Section 7: That parking will be prohibited within the limits of the improvement which lie with the corporate limits of the City.

Section 8: That it shall be unlawful for any person, firm or corporation to connect or cause to be connected any drain carrying or to carry any toilet, sink, basement, septic tank, cesspool, industrial waste or any fixture or device discharging polluting substances into any storm sewers constructed as part of this improvement.

Section 9: That any person, firm or corporation violating this ordinance shall be fined not less than One Hundred Dollars (\$100.00), nor more than Five Hundred Dollars (\$500.00) for each offense, and a separate offense shall be deemed committed for each and every day during which a violation continues or exists.

Section 10: That the City Clerk is hereby directed to publish this ordinance in pamphlet form.

Section 11: That this ordinance shall become effective immediately upon its and recording by the City Clerk and 10 days after publication in pamphlet form.

PASSED: June 1, 2010

SIGNED: June 4, 2010

RECORDED: June 7, 2010

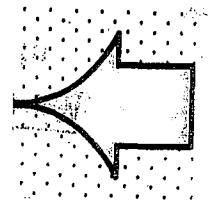
Timothy J. Davlin
Mayor Timothy J. Davlin

ATTEST: Cecilia K. Tumaty
City Clerk Cecilia K. Tumaty

Approved as to legal sufficiency:

W, 5-25-10
Office of Corporation Counsel/Date

Requested by: Public Works/ Mayor Davlin



**SIGN
HERE**

233 06 10

AN ORDINANCE AUTHORIZING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING WITH SANGAMON COUNTY, ILLINOIS, TO ALLOCATE FUNDS RECEIVED IN CONNECTION WITH THE 2010 BYRNE JUSTICE ASSISTANCE GRANT PROGRAM (#2010-H5737-IL-DJ) FROM THE U.S. DEPARTMENT OF JUSTICE, FOR EMERGENCY PASSAGE

WHEREAS, the City of Springfield is a home rule unit as defined in Article VII, Section 6(a) of the 1970 Illinois Constitution and has jurisdiction over matters pertaining to its government and affairs; and

WHEREAS, the City will apply for grant funds under the 2010 Byrne Justice Assistance Grant Program through the U.S. Department of Justice; and

WHEREAS, the City and Sangamon County, Illinois, (the "County") desire to execute a Memorandum of Understanding ("MOU") to allocate 65% of any funds received from said grant to the City and 35% to the County; and

WHEREAS, if awarded, the County's portion of the funds will amount to approximately \$84,272.65 and

WHEREAS, the City finds that execution of this MOU is in the best interest of the City, that the undertaking will benefit the public, and that the proposed division of costs fairly compensates the parties for the services or functions under this MOU; and

WHEREAS, a copy of the MOU is on file in the Office of the City Clerk.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SPRINGFIELD, ILLINOIS:

Section 1: That the City Council hereby authorizes execution of a Memorandum of Understanding with Sangamon County, Illinois, regarding allocation of the U.S. Department of Justice 2010 Byrne Justice Assistance Grant. The Mayor and City Clerk are hereby authorized to execute the Memorandum of Understanding and any other documents necessary on behalf of the City of Springfield.

Section 2: That the Office of Budget and Management is hereby authorized and directed to make payment to Sangamon County, Illinois, in an amount equal to 35% of any grant funds received from the U.S. Department of Justice 2010 Byrne Justice Assistance Grant.

Section 3: That this ordinance shall become effective upon its passage and recording by the City Clerk.

PASSED: [Signature], 2010

RECORDED: [Signature], 2010

ATTEST: [Signature]
City Clerk Cecilia K. Tumulty

SIGNED: [Signature], 2010

[Signature]
Mayor Timothy J. Davlin

Approved as to legal sufficiency:
[Signature], 5-25-10
Office of Corporation Counsel / Date

Requested by: Mayor Timothy J. Davlin

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

WHEREAS, the City of Springfield is a home rule unit as defined in Article VII, Section 6(a) of the 1970 Illinois Constitution and has jurisdiction over matters pertaining to its government and affairs; and

WHEREAS, the City has used Motor Fuel Tax funds in the amount of \$5,835.65 for traffic signal modernization on 5th Street at the intersection of Washington Street (MFT Section No. 02-00432-00-TL); and

WHEREAS, the City is required to notify the State regarding the expenditure of Motor Fuel Tax funds.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SPRINGFIELD, ILLINOIS:

Section 1: That improvements under the Illinois Highway Code have been made consisting of traffic signal modernization on 5th Street at the intersection of Washington Street.

Section 2: That the improvement has been designated as City Section 02-00432-00-TL.

Section 3: That the City has used \$5,835.65 for the improvements from the City's allotment of Motor Fuel Tax Funds.

Section 4: That said work was done by contract.

Section 5: That the City Clerk is hereby directed to transmit two (2) certified copies of this resolution to the Illinois Department of Transportation, Division of Highways, through its District Engineer.

Section 6: That this resolution shall become effective immediately upon its passage and recording by the City Clerk.

PASSED: _____, 2010

RECORDED: _____, 2010

ATTEST: _____
City Clerk Cecilia K. Tumulty

SIGNED: _____, 2010

Mayor Timothy J. Davlin

Approved as to legal sufficiency:

W, 5-13-10
Office of Corporation Counsel/Date

Requested by: Mayor Timothy J. Davlin