

**Minutes of Springfield City
Council Meeting
Tuesday, August 18, 2009, 5:30 PM.
City Council Chambers**

City Clerk Cecilia Tumulty called the Pre Council Session of the Springfield City Council to Order at 5:00 p.m., Tuesday, August 18, 2009, in the Council Chambers of the Municipal Center West. Clerk Tumulty Read the Ordinances and Resolutions to be considered at the Next Regularly Scheduled Meeting into the Record of the Meeting and Assigned the Ordinances to the Committee of the Whole. The Pre Council Session Concluded at 5:05 p.m.

Mayor Davlin called the Meeting to Order at 5:30 p.m. All were invited to rise for the Pledge of Allegiance.

Clerk Tumulty called the roll of City Council members.

PRESENT: Alderman Edwards , Simpson , Kunz , Lesko , Cahnman , Mahoney , Cimarossa , Theilen , Griffin & Mayor Davlin .

ABSENT: Ald. Dove

Proclamations: None

ZONING PETITIONS

The first item on the agenda was docket number 2009-023 for the property located at 804-808 South English.

PETITIONER(S): Donnie W. Beechler

PRESENT ZONING CLASSIFICATION: R-5, General Residence and Office District (old ordinance).

REQUESTED ZONING RELIEF: Reclassification to S-1, Neighborhood Commercial and Office District.

STAFF RECOMMENDATION: Approval

PLANNING AND ZONING COMMISSION RECOMMENDATION: Approval of the petition as submitted.

Alderman Theilen Moved to Deny The Petition As Submitted Requesting S-1, Neighborhood Commercial And Office District, And Instead Grant A Use Variance For The Following Uses: Antique shops, Athletic goods stores, Barbershops, Beauty parlors, Barber shop and beauty shop supply stores, Clothing sales, rental, tailoring and alterations, Computer sales and rental, Dental labs and offices, Florist shops, Furniture stores and custom shops, Gift shops, Infant goods store,

Jewelry shop, Medical offices, Medical or orthopedic appliance stores, Nail salons, Nutrition centers, Opticians, Pet Supply stores (NO LIVE ANIMALS), and Photographic studios. Ald. Kunz Seconded.

Caroline “Carrie” Becker, 1229 W. Edwards, Springfield, IL, addressed the Council. She expressed her thanks to Ald. Theilen and the other aldermen who spoke with her and educated her on this process. She thanked Donnie Beechler and his wife for their willingness to speak with her and come to a compromise on this petition.

The Motion Carried 10/0. Ald. Edwards, Simpson, Kunz, Lesko, Cahnman, Mahoney, Cimarossa, Theilen, Griffin and Mayor Davlin Voted Yes.

The last item on the Zoning agenda was docket number 2009-028 for the property located at 1732 South Whittier.

PETITIONER(S): Barry Lowy & Michelle Lowy.

PRESENT ZONING CLASSIFICATION: R-2, Single Family and Duplex Residence District.

REQUESTED ZONING RELIEF: Variance of Section 155.068(b)(1), Garages or Accessory Building or Structures, to allow construction of a new garage within one foot of the north property line instead of the required 3 feet.

STAFF RECOMMENDATION: Approval

PLANNING AND ZONING COMMISSION RECOMMENDATION: Approval of the petition as submitted.

Ald. Mahoney moved to accept the Planning & Zoning Commission’s Recommendation. Ald. Cimarossa Seconded. The Motion Carried 9/0. Ald. Edwards, Simpson, Kunz, Lesko, Cahnman, Mahoney, Cimarossa, Theilen, and Griffin Voted Yes.

REGULAR BUSINESS

Treasurer Langfelder was recognized for the Monthly Treasurer’s Report. He indicated the Corporate Fund balance at the end of July 2009 was \$(6,129,968.00). Ald. Simpson Moved to Accept the Treasurer’s Report. Ald. Cimarossa Seconded. The Motion Carried 9/0 via voice vote.

Ald. Simpson moved, Ald. Cimarossa said seconded, To Dispense with the Reading of the Minutes of the August 5, 2009, City Council Meeting and Approve the Minutes. The Motion Carried 9/0 via voice vote.

Ald. Simpson moved, Ald. Kunz Seconded, To Incorporate the Pre-Council First Reading of Ordinances into the Record of This Council Meeting. The Motion Carried 9/0 via voice vote.

The Next Matter On The Agenda Was The Consent Agenda. Ald. Simpson moved, Ald. Cimarossa seconded, To Incorporate the Pre-Council Reading of the Consent Agenda into the Record of This Council Meeting. The Motion Carried 9/0 via voice vote.

Ald. Simpson Moved To Place The Consent Agenda On Final Passage. Ald. Cimarossa Seconded. Ald. Cahnman voted Present on Agenda No. 09-427. The Motion Carried 9/0. Ald. Edwards, Simpson, Kunz, Lesko, Cahnman, Mahoney, Cimarossa, Theilen and Griffin voted yes.

Agenda numbers of 2008 – 337, 2009 – 190, and 2009-387 remain tabled or in committee.

The First Item on the Agenda was Agenda No. 2009-429, An Ordinance Authorizing the Execution of an Agreement with the International Brotherhood of Teamsters Local #916, From July 1, 2008, Through June 30, 2012, For Security Guards for the Office of Public Utilities, For Emergency Passage. Ald. Cimarossa Moved To Place Agenda No. 2009-429 On Emergency Passage. Ald. Lesko Seconded. Ald. Mahoney asked why this was on Emergency Passage. With the current state of the City's budget, the furlough issues, etc., he believes this could go through the committee process so the Aldermen can weigh in on the contract. Ald. Edwards stated the Council has asked that these matters not be placed on Emergency Passage. Mayor Davlin stated this contract expired over a year ago. The terms are identical to the other contracts with other unions. He stated he had no problem with sending this through Committee. Ald. Kunz stated he assumed there would be back pay due to these employees. Mayor Davlin agreed. Ald. Cahnman stated this is part of the CWLP budget (not corporate side). There are 20 employees covered by this Contract. Mayor Davlin stated it's okay if the aldermen want to return this to Committee for review. Ald. Theilen Moved to return this ordinance to the Committee of the Whole. Ald. Mahoney Seconded. The Motion Carried 9/0 via voice vote.

The Next Item on the Agenda was Agenda No. 2009-430, An Ordinance Approving the Partial Plat of Vacation of Twin Lakes, Tenth Addition, For the Office of Public Works, For Emergency Passage. Ald. Simpson Moved To Place Agenda No. 2009-430 On Emergency Passage. Ald. Mahoney Seconded. The Motion Carried 10/0. Ald. Edwards, Simpson, Kunz, Lesko, Cahnman, Mahoney, Cimarossa, Theilen, Griffin and Mayor Davlin voted yes.

The Next Item on the Agenda was Agenda No. 2009-431, An Ordinance Accepting the Lowest Responsible Bid and Authorizing the Execution of Contract Number Pw 10-06-37 With P.H. Broughton & Sons, Inc. For The 2009 Bituminous Overlay Program In An Amount Not To Exceed \$1,069,812.11, And Authorizing A Waiver Of The Requirements Of Section 38.48 Of The City's Purchasing Code For The Office Of Public Works, For Emergency Passage. Ald. Edwards Moved To Place Agenda No. 2009-431 On Emergency Passage. Ald. Simpson Seconded. The Motion Carried 10/0. Ald. Edwards, Simpson, Kunz, Lesko, Cahnman, Mahoney, Cimarossa, Theilen, Griffin and Mayor Davlin voted yes.

The Next Item on the Agenda was Agenda No. 2009-432, An Ordinance Authorizing Payment in an Amount Not to exceed \$137,059.89 To the Sangamon County Board of Health for Animal Control Services, For Emergency Passage. Ald. Simpson Moved To Place Agenda No. 2009-432 On Emergency Passage. Ald. Kunz Seconded. Ald. Mahoney asked for more information on this ordinance. CC Johnson stated this is the annual amount due on this contract. This is the 2000 contract that merged City animal control with the County. Every year there is an escalator

and the price increases. The last “whereas” clause explains the breakdown of payment due to the County. Ald. Kunz asked if the other cities in the County pay the County for this besides the taxes collected. Mayor Davlin stated unincorporated areas do not pay. Ald. Kunz stated so the City is paying double. Mayor Davlin agreed. Ald. Edwards stated animals keep getting dumped off out in the country so he feels sorry for those people. Ald. Mahoney asked if there is a report from Animal Control Advisory Committee which details the breakdown of calls. The City used to have an aldermanic representative on that Committee. Currently, we do not. The Mayor stated if any of the aldermen were willing to serve on the Committee to please contact Jim Donelan. He believes the Committee meets quarterly.

The Motion Carried 10/0. Ald. Edwards, Simpson, Kunz, Lesko, Cahnman, Mahoney, Cimarossa, Theilen, Griffin and Mayor Davlin voted yes.

Ald. Edwards asked for the calls for service from the Police Department relative to the South Sixth street property where a shooting took place last Saturday night. He wanted it on record that he has asked for this information.

Ald. Simpson stated that Chrome Nightclub has had several shootings and stabbings. She wants the calls for service on that establishment. Mayor Davlin stated that he wanted to speak with her about the matter as well. She has some authority as it is in her Ward.

Ald. Cimarossa Moved to Adjourn the Meeting at approximately 5:47 p.m. Ald. Lesko seconded. The Motion Carried 9/0 via voice vote.

Cecilia K. Tumulty

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