

**Minutes of Springfield City  
Council Meeting  
Wednesday, January 21, 2009, 6:00 p.m.  
City Council Chambers**

Deputy City Clerk Veronica Camille called the Pre Council Session of the Springfield City Council to Order at 5:30 p.m., Wednesday, January 21, 2009, in the Council Chambers of the Municipal Center West. Clerk Camille 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 their Proper Committees. The Pre Council Session Concluded at 5:45 p.m.

Mayor Davlin called the Meeting to Order at 6:00 p.m. All were invited to rise for the Pledge of Allegiance.

Deputy City Clerk Camille called the roll of City Council members.

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

ABSENT: Ald. Kunz

**ZONING PETITIONS**

The first item on the agenda was docket number 2008-080 for the property located at 2833 South Grand Avenue East.

PETITIONER(S): Niemann Foods, Inc.

PRESENT ZONING CLASSIFICATION: I-1, Light Industrial District.

REQUESTED ZONING RELIEF: B-1, Highway Business Service District.

STAFF RECOMMENDATION: Approval.

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

Ald. Edwards moved to Accept the Planning and Zoning Commission's Recommendation. Ald. Dove Seconded. The Motion carried 9/0. Ald. Edwards, Simpson, Lesko, Cahnman, Mahoney, Cimarossa, Theilen, Dove, and Griffin Voted Yes.

The next item on the agenda was docket number 2008-087 for the property located at 3485-3901 Bissell Road.

PETITIONER(S): Bissell Village MLP, LLC

PRESENT ZONING CLASSIFICATION: R-1, Single Family Residence District.

REQUESTED ZONING RELIEF: B-1, Highway Business Service District.

STAFF RECOMMENDATION: Denial.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

Deny the petition as submitted and instead recommend a Use Variance to allow travel trailers as defined by Section 155.001 only on lots 151-182, with the size increased to not more than 43 feet in length, with verification that the occupants are employed for construction of the power plant and will be in effect only through December 2010.

Ald. Lesko moved to Accept the Planning and Zoning Commission's Recommendation. Ald. Griffin Seconded. The Motion carried 9/0. Ald. Edwards, Simpson, Lesko, Cahnman, Mahoney, Cimarossa, Theilen, Dove, and Griffin Voted Yes.

The next item on the agenda was docket number 2008-089 for the property located at 5700 International Parkway.

PETITIONER(S): Kellner LLC

PRESENT ZONING CLASSIFICATION: I-1, Light Industrial District.

REQUESTED ZONING RELIEF: Variance of Section 155.480, Landscape, Screening and Lighting Regulations to allow low glare security lighting to be used on the building without the use of full cut off fixtures.

STAFF RECOMMENDATION: Approval

PLANNING AND ZONING COMMISSION RECOMMENDATION:

Approval of the petition as submitted.

Ald. Griffin moved to Accept the Staff Recommendation. Ald. Edwards Seconded. The Motion carried 9/0. Ald. Edwards, Simpson, Lesko, Cahnman, Mahoney, Cimarossa, Theilen, Dove, and Griffin Voted Yes.

The next item on the agenda was docket number 2008-090 for the property located at 2312-2316 Cherry Hills Drive and 1220 Outer Park Drive.

PETITIONER(S): Cherry Hills Baptist Church

PRESENT ZONING CLASSIFICATION: R-1, Single Family Residence District and R-3(b), General Residence District.

REQUESTED ZONING RELIEF: OFF, Office District.

STAFF RECOMMENDATION: Approval

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

Ald. Cimarossa moved to Accept the Planning and Zoning Commission's Recommendation. Ald. Edwards Seconded. The Motion carried 9/0. Ald. Edwards, Simpson, Lesko, Cahnman, Mahoney, Cimarossa, Theilen, Dove, and Griffin Voted Yes.

The next item on the agenda was docket number 2008-091 for the properties located at 800 East Carpenter.

PETITIONER(S): St. John's Hospital

PRESENT ZONING CLASSIFICATION: S-3, Central Shopping District

REQUESTED ZONING RELIEF: Variance of Section 155.302, Special Provisions for Temporary Signs to allow installation of various temporary marketing banners.

STAFF RECOMMENDATION: Denial.

PLANNING & ZONING COMMISSION RECOMMENDATION: Approval subject to a duration of 18 months and approval of the traffic engineer prior to construction of the signs.

Ald. Cahnman moved to Accept the Planning and Zoning Commission's Recommendation. Ald. Edwards Seconded. CC Johnson stated that she wished to clarify that the 18 month clock begins ticking on the date of passage. The Motion carried 9/0. Ald. Edwards, Simpson, Lesko, Cahnman, Mahoney, Cimarossa, Theilen, Dove, and Griffin Voted Yes.

The last item on the agenda was docket number 2008-092 amending the Zoning Code to restrict Payday Loan businesses to the S-2, S-3 and B-1 zoning districts and requiring a 1500 foot separation between such businesses.

PLANNING & ZONING COMMISSION RECOMMENDATION: Approve the petition as submitted with a 1,500 foot separation measured from front door to front door.

Ald. Cimarossa moved to Accept the Planning and Zoning Commission's Recommendation. Ald. Cahnman Seconded. Ald. Cimarossa stated that current pay day loan businesses are grandfathered in. This will not impact them at all and properly places each one into the appropriate zoning districts. And, the measurement is from front door to front door – not lot to lot. This is good for her ward and the rest of the City. The Motion carried 6/4. Ald. Simpson, Lesko, Cahnman, Mahoney, Cimarossa, and Mayor Davlin Voted Yes. Ald. Edwards, Theilen, Dove, and Griffin Voted No.

## REGULAR MEETING

City Treasurer Jim Langfelder presented the Financial Report. The ending cash balance in the corporate fund at the end of December, 2009, was \$-426,985.00. Ald. Simpson moved, Ald. Cimarossa seconded, to Approve the Financial Report. The Motion carried 9/0 via voice vote. Ald. Edwards, Simpson, Lesko, Cahnman, Mahoney, Cimarossa, Theilen, Dove, and Griffin voted yes.

Ald. Simpson moved, Ald. Cimarossa seconded, To Dispense with the Reading of the Minutes of the January 6, 2008, City Council Meeting and Approve the Minutes. The Motion carried 9/0 via voice vote. Ald. Edwards, Simpson, Lesko, Cahnman, Mahoney, Cimarossa, Theilen, Dove, and Griffin voted yes.

Ald. Simpson moved, Ald. Cimarossa 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. Ald. Edwards, Simpson, Lesko, Cahnman, Mahoney, Cimarossa, Theilen, Dove, and Griffin voted yes.

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. Edwards, Simpson, Lesko, Cahnman, Mahoney, Cimarossa, Theilen, Dove, and Griffin voted yes.

Ald. Simpson Moved to Remove 2008-932 from the Consent Agenda and Place on the Debate Agenda. Ald. Griffin Seconded. The Motion carried 9/0 via voice vote. Ald. Edwards, Simpson, Lesko, Cahnman, Mahoney, Cimarossa, Theilen, Dove, and Griffin voted yes.

Ald. Cimarossa Moved To Place The Remaining Consent Agenda On Final Passage. Ald. Dove Seconded. The Motion carried 9/0. Ald. Edwards, Simpson, Lesko, Cahnman, Mahoney, Cimarossa, Theilen, Dove, and Griffin voted yes.

Agenda Numbers 2008-337, 2008-508, 2008-625, 2008-921 and 2009-003 Remain Tabled Or In Committee.

The Next Item on the Agenda was 2008-932, "An Ordinance Approving The Reappointments Of Ray Rowden And Kent Gray, Approving A Residency Waiver For Them And Appointing Victor J. Pambianco To The Civil Service Commission." Ald. Cimarossa Moved, Ald. Theilen Seconded, to Place 2008-932 on Final Passage. Ald. Simpson stated that she could not, in good conscience, vote for Mr. Rowden or Mr. Gray, as they do not live in the City. This is an important commission. She believes that we must make sure that the citizens of Springfield are not being short changed. She believes that there are qualified city residents who could be appointed to this Board and she stands in opposition to the ordinance. Ald. Cahnman stated that she supports the position of Ald. Simpson and believes that appointees to any Board or Commission should live in the City. Ald. Edwards asked for a breakdown of individuals who sit on boards or commissions and whether they live in the City. Jim Donelan indicated he would provide that information. Ald. Cimarossa stated that she concurred with Ald. Simpson as well and we need to change it for city employees as well. The Motion carried 6/4. Ald. Edwards,

Lesko, Cimarossa, Theilen, Dove and Mayor Davlin voted yes. Ald. Simpson, Cahnman, Mahoney and Griffin Voted No.

The Next Item On The Agenda Was No. 2008-935, “Annual Appropriation Ordinance Of The City Of Springfield, Illinois, For The Fiscal Year Beginning March 1, 2009, And Ending February 28, 2010.” Mayor Davlin stated that he has been told that there are aldermen who are not prepared to vote on this ordinance tonight. They are looking at other funding and revenue sources as well as other cuts. Ald. Simpson Moved to Return 2008-935 as well as 2009-002 Back to the Finance Committee for Two Weeks. Ald. Cimarossa Seconded. Mayor Davlin asked the aldermen to contact him at any time to discuss this very important issue. Ald. Edwards asked about calling a Special City Council meeting. He preferred to have any discussion in an open forum. Mayor Davlin stated that some of the aldermen had asked for a one on one meeting with him and he would do that. The Motion carried 9/0 via voice vote. Ald. Edwards, Simpson, Lesko, Cahnman, Mahoney, Cimarossa, Theilen, Dove, and Griffin voted yes.

The Next Item On The Agenda was No. 2009-002, “An Ordinance Amending Chapter 37, Section 37.81 Of The 1988 City Of Springfield, Illinois, Code Of Ordinances, As Amended, By Increasing The City’s Simplified Municipal Telecommunications Tax From 1% To 6%.” See previous motion. Returned to Finance Committee.

The Next Item On The Agenda Was No. 2009-004, “An Ordinance Approving The Final Plat Of Buckley Ridge Estates, First Addition, For The Office Of Public Works, For Emergency Passage.” Ald. Simpson Moved To Place Agenda No. 2009-004 On Emergency Passage. Ald. Cimarossa Seconded. The Motion carried 10/0. Ald. Edwards, Simpson, Lesko, Cahnman, Mahoney, Cimarossa, Theilen, Dove, Griffin and Mayor Davlin voted yes.

Ald. Cimarossa Moved To Suspend The Rules, Assign To Public Affairs Committee And Place On First Reading Agenda No. 2009-035, “An Ordinance Amending Chapter 131, Of The 1988 City Of Springfield Code Of Ordinances, As Amended, By Adding The Offenses Of Unlawful Possession Of Cannabis, Unlawful Possession Of Drug Paraphernalia And Unlawful Sale Or Possession Of Tobacco.” Ald. Dove Seconded. The Motion carried 9/0 via voice vote. Ald. Edwards, Simpson, Lesko, Cahnman, Mahoney, Cimarossa, Theilen, Dove, and Griffin voted yes.

Ald. Simpson Moved to Adjourn the Meeting at 6:20 p.m. Ald. Cimarossa Seconded. The Motion Carried 9/0 via voice vote. Ald. Edwards, Simpson, Lesko, Cahnman, Mahoney, Cimarossa, Theilen, Dove, and Griffin voted yes.

*Cecilia K. Tumulty*

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Cecilia K. Tumulty, C.M.C.