

**Minutes of Springfield City  
Council Meeting  
Tuesday, March 24, 2009, 6:00 p.m.  
City Council Chambers**

City Clerk Cecilia called the Pre Council Session of the Springfield City Council to Order at 5:30 p.m., Tuesday, March 24, 2009, 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 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.

City Clerk Tumulty called the roll of City Council members.

PRESENT: Alderman Edwards , Simpson , Kunz , Lesko , Cahnman , Mahoney , Cimarossa , Theilen , Dove , Griffin  & Mayor Davlin . (10)

ABSENT:  Ald. Theilen (1)

Mayor Davlin called for a Moment on Silence on the untimely death of Sandy Power, an employee of the City of Springfield.

Proclamations: Mayor Davlin presented a Proclamation to members of Delta Sigma Beta sorority declaring March 24, 2009, Delta Sigma Theta Day in the City of Springfield. Beverly Peters, President, thanked the Mayor and read a statement supporting Ald. Gail Simpson's efforts in restoring the residency rule for City Employees.

Mayor Davlin presented a Proclamation to the Springfield Christian Academy 7<sup>th</sup> Grade Ladies Basketball Team, the Lady Wildcats, who had become the IESA Class 7 1A State Champions.

Mayor Davlin presented a Proclamation to the Capital Area American Red Cross Chapter declaring March 2009 as American Red Cross Month in the City of Springfield.

City Treasurer Jim Langfelder presented the Financial Report for the month of February, 2009. The balance in the Corporate Fund at the end of February, 2009, was \$-3,423,848.00. Ald. Simpson moved, Ald. Lesko seconded, to approve the Financial Report. The Motion Carried 9/0 via voice vote. Ald. Edwards, Simpson, Kunz, Lesko, Cahnman, Mahoney, Cimarossa, Dove, and Griffin voted yes

Ald. Simpson moved, Ald. Cimarossa seconded, to Recess the Regular Meeting of the City Council to Hold Executive Session to Discuss Pending Litigation. The Motion Carried 9/0 via voice vote. Ald. Edwards, Simpson, Kunz, Lesko, Cahnman, Mahoney, Cimarossa, Dove, and Griffin voted yes. The time was 6:16 p.m.

Ald. Simpson moved, Ald. Kunz seconded, to Adjourn Executive Session and Reconvene the Regular Meeting of the City Council. The Motion Carried 9/0 via voice vote. Ald. Edwards, Simpson, Kunz, Lesko, Cahnman, Mahoney, Cimarossa, Dove, and Griffin voted yes. The time was 6:16 p.m.

Ald. Simpson moved, Ald. Cimarossa seconded, To Dispense with the Reading of the Minutes of the February 17 , 2009, City Council Meeting and Approve the Minutes. The Motion Carried 9/0 via voice vote. Ald. Edwards, Simpson, Kunz, Lesko, Cahnman, Mahoney, Cimarossa, Dove, and Griffin voted yes.

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

Ald. Simpson Moved To Place The Consent Agenda On Final Passage. Ald. Cahnman Seconded. The Motion Carried 9/0 via voice vote. Ald. Edwards, Simpson, Kunz, Lesko, Cahnman, Mahoney, Cimarossa, Dove, and Griffin voted yes. Ald. Kunz requested that he be shown as voting No on Agenda No. 2009-112.

Ald. Simpson Moved to Remove Agenda Nos. 2009-096 through 2009-103, 2009-120 and 2009-121 from Committee and Place them on the Debate Agenda. Ald. Cahnman Seconded. The Motion Carried 9/0 via voice vote. Ald. Edwards, Simpson, Kunz, Lesko, Cahnman, Mahoney, Cimarossa, Dove, and Griffin voted yes.

Agenda Numbers 2008-337 and 2009-066 Remain Tabled or In Committee.

Ald. Simpson Moved for an Omnibus Vote on Agenda Nos. 2009-096 through 2009-103 and 2009-120. Ald. Cimarossa Seconded. The Motion Carried 9/0 via voice vote. Ald. Edwards, Simpson, Kunz, Lesko, Cahnman, Mahoney, Cimarossa, Dove, and Griffin voted yes.

Mayor Davlin read each Ordinance into the Record:

2009-096 An Ordinance Authorizing The Execution Of Letter Offers For Extension, Approving A One Year Contract Extension And Authorizing Additional Funding In The Amount Of \$565,650.00 With Brian J. Shirley D/B/A Jayco Construction, Petersburg Plumbing And Heating Co. and J.K. Snyder Co., Inc. Under Contract No. UW08-02-98 for Water Main Installation and Dry Boring Work for the Water Division for a Total Amount Payable of \$1,131,100.00 under Said Contract.

2009-097 An Ordinance Authorizing Additional Funding In The Amount Of \$60,000.00 For Rental Of A Portable Demineralizer For The Electric Division Generation

Department Under Contract UE07-04-03 With GE Mobile Water, Inc. For A Total Amount Payable of \$220,000.00 to Said Vendor

- 2009-098 An Ordinance Accepting Bids and Authorizing the Execution Of Contract UW09-12-99 – Residential Water Service Materials With Schulte Supply, Inc. In The Amount Of \$99,907.20, HD Supply Waterworks Group, Inc. In The Amount Of \$221,643.15, Illinois Meter, Inc. In The Amount Of \$32,719.00 And Midwest Meter, Inc. In The Amount Of \$46,304.40 For The Water Division
- 2009-099 An Ordinance Accepting Bids And Authorizing The Execution Of Contract UW09-01-100 – Ductile Iron Pipe For The Water Division Field Services Center With American Cast Iron Pipe Company In The Amount Of \$1,459,871.00
- 2009-100 An Ordinance Accepting The Bid And Authorizing The Execution Of Contract UW09-01-103 – Ferrous Sulfate For The Water Division Water Purification Plant With Crown Technology Inc. In The Amount Of \$95,920.00
- 2009-101 An Ordinance Approving And Authorizing The Execution Of A Professional Services Proposal With Explosive Professionals Midwest, Inc. In The Amount Of \$30,000.00 For Explosive Blasting Services For The Dallman Power Plant Unit No. 32 And 33 Boilers For The Electric Division Generation Department
- 2009-102 An Ordinance Accepting And Authorizing The Execution Of A Quotation With Aquatech International Corporation In The Amount Of \$136,184.10 For The Purchase Of Various Spare Parts For The Dallman Power Plant Unit No. 4
- 2009-103 An Ordinance Amending Chapter 50 Of The 1988 City Of Springfield Code Of Ordinances, As Amended, By Adding A New Section 50.36 Pertaining To The Sale Of “Green Energy” Products
- 2009-120 An Ordinance Amending Ordinance No. 500-08-08, An Ordinance Approving Payment To Apcompower Inc. In An Amount Not To Exceed \$2,250,000.00 For Routine Maintenance And Repairs To The Dallman Unit 31 Boiler For The Electric Generation Division, By Increasing The Payment Authorization By \$2,150,000.00 And Approving A Supplemental Appropriation In The Amount Of \$1,300,000.00, For A Total Expenditure Not To Exceed \$4,400,000.00 With Said Vendor

Ald. Simpson Moved To Place Agenda Nos. 2009-096 through 2009-120 On Final Passage. Ald. Cimarossa Seconded. The Motion Carried 9/0. Ald. Edwards, Simpson, Kunz, Lesko, Cahnman, Mahoney, Cimarossa, Dove, and Griffin voted yes.

The Next Item On The Agenda Was No. 2009-114, “An Ordinance Authorizing Execution Of A Redevelopment Agreement With The Springfield Office Of Public Works For Demolition Of Unsafe And Dangerous Vacant Residential Structures Utilizing Enos Park Tax Increment Finance Funds In An Amount Not To Exceed \$100,000.00, For The Office Of Planning And Economic Development, As Amended.” Ald. Simpson Moved To Place Agenda No. 2009-114 On Final Passage. Ald. Cahnman Seconded. Ald. Cahnman Moved to Adopt Proposed

Amendment No. 2. Ald. Simpson Seconded. Ald. Cahnman explained the amendment noting that most of the demolitions are done by private contractors following the bidding process. If the demolition work is done by City employees the amount paid from the TIF could not exceed the bid amount by more than 10%. Dir. Norris stated that the only scenario he could think of is where there was an emergency situation and the contractor could not get to the work in a timely manner. He further stated that if the amount of the demolitions is less, he would charge less. The 10% really doesn't matter. Ald. Edwards stated if government is going to do what private businesses are doing, they should compete on the same playing field. Ald. Griffin Moved to strike the 10% from the amendment. Ald. Edwards Seconded. The Motion Carried 9/0 via voice vote. Ald. Edwards, Simpson, Kunz, Lesko, Cahnman, Mahoney, Cimarossa, Dove, and Griffin voted yes.

The Motion to Adopt Proposed Amendment No. 2, as amended, carried 9/0. Ald. Edwards, Simpson, Kunz, Lesko, Cahnman, Mahoney, Cimarossa, Dove, and Griffin voted yes.

Ald. Kunz asked CC Johnson what she meant by her statement that if there was more money available, more demolitions would take place. CC Johnson stated that last year, we had run out of money by summer. Kunz asked if we were still going to court to get the order. CC Johnson stated yes and the list just gets longer.

The Ordinance, as amended, on Final Passage Carried 9/0. Ald. Edwards, Simpson, Kunz, Lesko, Cahnman, Mahoney, Cimarossa, Dove, and Griffin voted yes.

The Next Item On The Agenda Was No. 2009-121, "An Ordinance Approving And Authorizing The Execution Of A Professional Services Agreement In An Amount Not To Exceed \$767,000.00 With Crawford, Murphy & Tilly, Inc. For Engineering Services For A Chemical Feed Building For The Water Division Purification Plant And Authorizing A Supplemental Appropriation In The Same Amount." Ald. Edwards Moved To Place Agenda No. 2009-121 On Final Passage. Ald. Simpson Seconded. Ald. Cahnman Moved to Amend Agenda No. 2009-121. Ald. Dove Seconded. The amendment reduces the ordinance to \$255,100.00. Only engineering services will be covered by this ordinance. The Motion Carried 9/0 via voice vote. Ald. Edwards, Simpson, Kunz, Lesko, Cahnman, Mahoney, Cimarossa, Dove, and Griffin voted yes.

The Ordinance, as amended, on Final Passage Carried 9/0. Ald. Edwards, Simpson, Kunz, Lesko, Cahnman, Mahoney, Cimarossa, Dove, and Griffin voted yes.

The Next Item On The Agenda Was No. 2009-122, "An Ordinance Authorizing A Re-Appropriation Of FY09 Unexpended Funds In The Amount Of \$229,373.00 For The Springfield Fire Department, For Emergency Passage. Ald. Simpson Moved to Place 2009-122 on Emergency Passage. Ald. Cimarossa Seconded. The Motion Carried 10/0. Ald. Edwards, Simpson, Kunz, Lesko, Cahnman, Mahoney, Cimarossa, Dove, Griffin and Mayor Davlin voted yes.

The Next Item On The Agenda Was No. 2009-123, "An Ordinance Authorizing The Execution Of A Collective Agreement With The International Union Of Operating Engineers, AFL-CIO, and Local 399, On Behalf Of The Public Utility Workers For The Time Period Covering October 1, 2008, Through September 30, 2012, For Emergency Passage." The Chair Will Entertain A Motion To Place Agenda No. 2009-123 On Emergency Passage. Ald. Edwards Moved to Place

2009-123 on Emergency Passage. Ald. Simpson Seconded. The Motion Carried 10/0. Ald. Edwards, Simpson, Kunz, Lesko, Cahnman, Mahoney, Cimarossa, Dove, Griffin and Mayor Davlin voted yes.

The Next Item On The Agenda Was No. 2009-124, "An Ordinance Authorizing Execution Of A Collective Bargaining Agreement With The International Association Of Machinists And Aerospace Workers, District No. 9, From October 1, 2008, Through September 30, 2012, For Emergency Passage." Ald. Edwards Moved to Place 2009-124 on Emergency Passage. Ald. Simpson Seconded. The Motion Carried 10/0. Ald. Edwards, Simpson, Kunz, Lesko, Cahnman, Mahoney, Cimarossa, Dove, Griffin and Mayor Davlin voted yes.

Ald. Simpson Moved For An Omnibus Vote On Agenda Numbers 2009-125 Through 2009-127. Ald. Cimarossa Seconded. The Motion Carried 9/0. Ald. Edwards, Simpson, Kunz, Lesko, Cahnman, Mahoney, Cimarossa, Dove, and Griffin voted yes.

Mayor Davlin read each Ordinance into the record:

2009-125 An Ordinance Authorizing Payment Of A Workers' Compensation Award In The Amount Of \$39,213.00 To John Martin, An Office Of Public Utilities Employee, For Workers' Compensation Case Number 07-WC-55488, For Emergency Passage

2009-126 An Ordinance Authorizing Payment Of A Workers' Compensation Award In The Amount Of \$35,624.55 To Howard L. Crowder, A Firefighter With The Springfield Fire Department, For Workers' Compensation Case Number 06-WC-13123, For Emergency Passage

2009-127 An Ordinance Authorizing Payment Of An Award In The Amount Of \$44,482.85 To Kenneth V. Frankowiak, An Office Of Public Utilities Employee, For Workers' Compensation Case Number 07-WC-031654, For Emergency Passage

Ald. Simpson Moved To Place Agenda Nos. 2009-125, 126 and 127 On Emergency Passage. Ald. Cimarossa Seconded. The Motion Carried 10/0. Ald. Edwards, Simpson, Kunz, Lesko, Cahnman, Mahoney, Cimarossa, Dove, Griffin & Mayor Davlin voted yes.

The Next Item On The Agenda Was No. 2009-128, "An Ordinance Amending Chapter 33, Section 33.342 Of The 1988 City Of Springfield Code Of Ordinances, As Amended, To Change The Date To July 1, 2009, For The Report From The Springfield Waste And Recycling Commission, For Emergency Passage." Ald. Simpson Moved To Place Agenda No. 2009-128 On Emergency Passage. Ald. Dove Seconded. The Motion Carried 10/0. Ald. Edwards, Simpson, Kunz, Lesko, Cahnman, Mahoney, Cimarossa, Dove, Griffin & Mayor Davlin voted yes.

The Next Item On The Agenda Was No. 2009-129, "An Ordinance Authorizing The Execution Of A Yard Waste Collection Service Agreement With Lake Area Disposal Service, Inc., Waste Management Of Illinois, Inc., Illini Disposal, Inc., And Allied Waste Transportation, Inc. D/B/A Allied Waste Services Of Sangamon County To Furnish Services Of Collection And Disposal Of Yard Waste Within The City And Lands Owned By The City In An Estimated Amount Not To

Exceed \$85,000.00, For The Office Of Public Works, For Emergency Passage.” Ald. Simpson Moved To Place Agenda No. 2009-129 On Emergency Passage.” Ald. Cimarossa Seconded. The free lawn & leaf pick up by Public Works crews will begin April 6, 2009, and end May 1, 2009. The Motion Carried 10/0. Ald. Edwards, Simpson, Kunz, Lesko, Cahnman, Mahoney, Cimarossa, Dove, Griffin & Mayor Davlin voted yes.

The Next Item On The Agenda Is No. 2009-130, “An Ordinance Authorizing Execution Of An Agreement For Sale Of Property Located At 2431 S. 9<sup>th</sup> Street To Habitat For Humanity Of Sangamon County, An Illinois Not-For-Profit Corporation, For A Total Amount Of \$250.00, For The Office Of Planning And Economic Development, For Emergency Passage.” Ald. Simpson Moved To Place Agenda No. 2009-130 On Emergency Passage. Ald. Dove Seconded. The Motion Carried 10/0. Ald. Edwards, Simpson, Kunz, Lesko, Cahnman, Mahoney, Cimarossa, Dove, Griffin & Mayor Davlin voted yes.

Ald. Edwards asked GM Renfrow if the State of Illinois was up to date paying utility bills. GM Renfrow stated they are not. Payments are 4 months behind. The State of Illinois owes approximately \$2,000,000.00 to the City. We cannot shut the electricity or water off according to State law. Renfrow stated he had spoken with the State a week ago and they were processing close to \$1,000,000.00 in payments to the City. Ald. Edwards asked if we could charge them interest. He believed we could. Renfrow stated if the money has been vouchered, no interest could be charged. Edwards asked if this put a strain on the CWLP financial system. Renfrow stated this very situation is the reason CWLP is creating a line of credit fund that could be accessed in a time like this when payments are this far behind. He believed the ordinance might be on first reading tonight.

Ald. Griffin Moved to Adjourn the Meeting at approximately 6:58 p.m. Ald. Simpson Seconded. The Motion Carried 9/0 via voice vote. Ald. Edwards, Simpson, Kunz, Lesko, Cahnman, Mahoney, Cimarossa, Dove, and Griffin voted yes.

*Cecilia K. Tumulty*

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