

**Minutes of Springfield City
Council Meeting
Tuesday, May 4, 2010
City Council Chambers**

PRE-COUNCIL SESSION

City Clerk Cecilia Tumulty called the Pre Council Session of the Springfield City Council to Order at 5:00 p.m., Tuesday, May 4, 2010, in the Council Chambers of the Municipal Center West. Clerk Tumulty Read the following **Ordinances and Resolutions on Emergency Passage** into the Record of the Meeting:

2010-171 An Ordinance Accepting Bids And Authorizing The Execution Of Contract No. PW11-03-05 With P.H. Broughton & Sons, Inc., Truman L. Flatt & Sons Co., Inc., Curry Ice & Coal, Inc., State Highway Construction Corporation, Inc., Complete Asphalt Service Co. And Vulcan Materials Company For 2010 Maintenance Materials for the Office of Public Works in a Total Amount Not to exceed \$1,430,850.00, And Authorizing a Waiver of the Requirements of Section 38.48 of the City's Purchasing Code, **For Emergency Passage. (Requested by Mayor Timothy J. Davlin)**

2010-172 An Ordinance Authorizing The Purchase Of Bituminous Premix From The Sangamon County Highway Department For The 2010 Maintenance Season For The Office Of Public Works In An Amount Not To Exceed \$275,000.00, **For Emergency Passage. (Requested by Mayor Timothy J. Davlin)**

Clerk Tumulty Read the following Ordinances and Resolutions to be considered at the Next Regularly Scheduled City Council Meeting and Assigned the Ordinances to the Committee of the Whole.

2010-173 An Ordinance Authorizing A Supplemental Appropriation In The Amount Of \$1,184.00 For The Springfield Fire Department. **(Requested by Mayor Timothy J. Davlin)**

2010-174 An Ordinance Authorizing A Supplemental Appropriation In The Amount Of \$2,500.00 For The Springfield Police Department. **(Requested by Mayor Timothy J. Davlin)**

2010-175 An Ordinance Authorizing A Re-Appropriation Of FY10 Funds In The Amount Of \$187,019.00 Into FY11 Expenditure Accounts For The Springfield Police Department. **(Requested by Mayor Timothy J. Davlin)**

2010-176 An Ordinance Authorizing Settlement Of A Workers' Compensation Claim For John Hildebrand, An Office Of Public Works Employee, For Case No. 09-WC-8945. **(Requested by Mayor Timothy J. Davlin)**

2010-177 An Ordinance Approving A First Supplemental Trust Indenture Providing For Issuance Of City Of Springfield, Sangamon County, Illinois Special Service Area (Legacy Pointe) Ad Valorem Tax Bonds, Series 2010. **(Requested by Mayor Timothy J. Davlin)**

2010-178 An Ordinance Accepting Bids And Authorizing The Execution Of Contract UW10-02-95 - Water Main Installation And Dry Boring Work For The Water Division With J. K. Snyder Co.,

Inc., and Petersburg Plumbing And Heating Co., in The Total Amount of \$619,690.00. **(Requested by Mayor Timothy J. Davlin)**

2010-179 An Ordinance Accepting The Bid And Authorizing The Execution Of Contract UW11-03-03 – Powdered Activated Carbon With Norit Americas, Inc., in an Amount Not To Exceed \$144,900.00 For The Water Division. **(Requested by Mayor Timothy J. Davlin)**

2010-180 An Ordinance Accepting And Authorizing The Execution Of Quotation EC-2542-10 With Flowserve Us Inc.. in the Amount Of \$510,802.00 For High Pressure Mechanical Seal Upgrades To Two Dallman Power Plant Unit No. 33 Boiler Circulating Pumps For The Electric Division Generation Department. **(Requested by Mayor Timothy J. Davlin)**

2010-181 An Ordinance Accepting And Authorizing The Execution Of Proposal No. Stl3073 With Siemens Energy, Inc., in an Amount Not To Exceed \$2,621,433.00 For The Fall 2010 Dallman Power Plant Unit No. 32 Full Turbine-Generator Inspection, Repairs, And The Purchase Of Replacement Parts For The Electric Division Generation Department. **(Requested by Mayor Timothy J. Davlin)**

2010-182 An Ordinance Authorizing Payment In An Amount Not To Exceed \$104,600.00 To The Sangamon County Tax Collector For 2009 Real Estate Taxes On Approximately 260 Farm And Residential Parcels For The City Of Springfield. **(Requested by Mayor Timothy J. Davlin)**

2010-183 An Ordinance Approving And Authorizing The Execution Of A Telecommunications Contract Service Agreement Between The City Of Springfield And Illinois National Bank (1 N. Old Capitol Plaza). **(Requested by Mayor Timothy J. Davlin)**

2010-184 An Ordinance Approving And Authorizing The Execution Of A Telecommunications Contract Service Agreement Between The City Of Springfield And Illinois National Bank (307 E. Jackson Street). **(Requested by Mayor Timothy J. Davlin)**

2010-185 An Ordinance Authorizing The Execution Of A Supplemental Agreement with and Additional Payment In The Amount Of \$49,743.00 To Crawford, Murphy & Tilly, Inc., for the Washington Street Bridge Replacement, Structure No. 084-6001 And Section No. 05-00443-00-BR, For A Total Not To Exceed \$110,633.00, For The Office Of Public Works. **(Requested by Mayor Timothy J. Davlin)**

2010-186 An Ordinance Approving The Final Plat Of R.L. Curry Subdivision, Plat 1 For The Office Of Public Works. **(Requested by Mayor Timothy J. Davlin)**

2010-187 An Ordinance Accepting The Lowest Bids And Authorizing Execution Of Contract Number PW 11-04-17 With Capitol Ready-Mix, Inc., and Henry Nelch & Son Co., to Purchase Ready Mix Cement And Related Materials For The Office Of Public Works In An Amount Not To Exceed \$300,000.00. **(Requested by Mayor Timothy J. Davlin)**

2010-188 An Ordinance Authorizing An Increase In The Number Of Class “B” Liquor Licenses By One For Food & Fuel Mart Inc., 817 South Dirksen Parkway. **(Requested by Mayor Timothy J. Davlin)**

2010-189 An Ordinance Authorizing Execution Of A First Amendment To An Agreement With Ferry & Associates Architects, LLC, and Authorizing Additional Expenditure Of Tax Increment Finance Funds In The Amount Of \$16,351.00 For A Total Amount Not To Exceed \$153,751.00 For Streetscape Plans For 5th, 6th And Washington Streets, In The Downtown TIF District, For The Office Of Planning And Economic Development. **(Requested by Mayor Timothy J. Davlin)**

2010-190 An Ordinance Declaring A Retired Springfield Police Department Canine Known As “Hammer” As Surplus Property And Authorizing Execution Of An Agreement For The Purchase Of Said Canine With John R. Hauversburk, A Former Canine Officer. **(Requested by Mayor Timothy J. Davlin)**

Clerk Tumulty Read the **Consent Agenda** into the record of this Council meeting.

2010-151 An Ordinance Authorizing Execution Of A Contract With The Board Of Trustees Of The University Of Illinois For The Provision Of Fire Protection Services From July 1, 2010, Through June 30, 2011 **(Requested By Mayor Timothy J. Davlin)**

2010-152 An Ordinance Authorizing Payment Of \$4,116.43 To, And Execution Of An Agreement With, The State Of Illinois Department Of Transportation For Modification Of Illinois Route 4 At The Intersections Of Greenbriar Drive, Iles Avenue, Southwest Plaza Drive, Lindbergh Boulevard, I-72 Ramps North And South Of Illinois Route 4 Overhead, Wabash Avenue, Panther Creek Drive, Mansion Road And Prairie Crossing Drive (Mft Section No. 10-State-00-TI) For The Office Of Public Works **(Requested By Mayor Timothy J. Davlin)**

2010-153 A Resolution Notifying The State Of Illinois Department Of Transportation That Motor Fuel Tax Funds In The Amount Of \$4,116.43 May Be Used For Modification Of Illinois Route 4 At The Intersections Of Greenbriar Drive, Iles Avenue, Southwest Plaza Drive, Lindbergh Boulevard, I-72 Ramps North And South Of Illinois Route 4 Overhead, Wabash Avenue, Panther Creek Drive, Mansion Road And Prairie Crossing Drive (Mft Section No. 10-State-00-TI) For The Office Of Public Works **(Requested By Mayor Timothy J. Davlin)**

2010-154 An Ordinance Authorizing Payment Of \$6,468.75 To, And Execution Of An Agreement With, The State Of Illinois Department Of Transportation For Modification Of 5th And 6th Streets At The Intersections Of Spruce Street, Laurel Street, Iles Avenue And Stanford Avenue And Traffic Signal Modernization On 6th Street At The Intersections Of St. Joseph Street, Stevenson Drive And The Entrance To County Market Drive (Mft Section No. 10-State-01-TI) For The Office Of Public Works **(Requested By Mayor Timothy J. Davlin)**

2010-155 A Resolution Notifying The State Of Illinois Department Of Transportation That Motor Fuel Tax Funds In The Amount Of \$6,468.75 May Be Used For Traffic Signal Modernization On 5th And 6th Streets At The Intersections Of Spruce Street, Laurel Street, Iles Avenue And Stanford Avenue And Traffic Signal Modernization On 6th Street At The Intersections Of St. Joseph Street, Stevenson Drive And The Entrance To County Market Drive (Mft Section No. 10-State-01-TII) For The Office Of Public Works **(Requested By Mayor Timothy J. Davlin)**

2010-156 An Ordinance Granting And Authorizing Execution of an Easement for Obstruction of Right-Of-Way to Isringhausen Imports, Inc. For A Building and Canopy Sign, For The Office Of Public Works **(Requested By Mayor Timothy J. Davlin)**

- 2010-157** An Ordinance Approving The Plan For The Revised Large Scale Development Of Concordia Village For The Office Of Public Works (**Requested By Mayor Timothy J. Davlin**)
- 2010-159** An Ordinance Authorizing Additional Payment Of \$18,941.03 To The State Of Illinois, Department Of Transportation, For A Total Amount Not To Exceed \$95,441.03 For The Jefferson Street Project (Mft Section 07-State-01-TI), For The Office Of Public Works (**Requested By Mayor Timothy J. Davlin**)
- 2010-162** An Ordinance Accepting And Authorizing Execution Of One Permanent Easement For A Storm Sewer Outlet And Two Temporary Easements To Construct The Meadowbrook Road Extension From The Lutheran Retirement Center Association, For The Office Of Public Works (**Requested By Mayor Timothy J. Davlin**)
- 2010-163** An Ordinance Authorizing Execution Of A Contract For Purchase Of Real Estate From Sangamon County, As Trustee, Utilizing The City's Community Development Block Grant Funds In An Amount Not To Exceed \$639.00 (**Requested By Mayor Timothy J. Davlin**)
- 2010-164** An Ordinance Authorizing The Execution Of An Agreement With The Operative Plasterers And Cement Masons Local 18, From March 1, 2010, Through February 28, 2011 (**Requested By Mayor Timothy J. Davlin**)
- 2010-165** An Ordinance Authorizing The Execution Of Letter Offers For Extension, Approving One-Year Contract Extensions And Authorizing Additional Funding In The Amount Of \$200,000.00 Under Contract No. UE08-02-103 With Reyhan Bros., Inc., D/B/A Sangamo Construction Company, And Perry Broughton Trucking And Excavating, Inc. For Street and Alley Repairs for the Electric Division for a Total Amount Payable of \$680,000.00 under Said Contract (**Requested By Mayor Timothy J. Davlin**)
- 2010-166** An Ordinance Accepting Bids And Authorizing The Execution Of Contract Ue11-03-01 – Maintenance And Repair Of Heavy Equipment For The Dallman Power Plant Complex With Roland Machinery Company In The Amount Of \$175,000.00 (**Requested By Mayor Timothy J. Davlin**)
- 2010-167** An Ordinance Approving And Authorizing The Execution Of A Catlife Services Proposal With Ceram Environmental, Inc. In The Amount Of \$340,000.00 For Catalyst Inspection, Testing, Tuning And Management Services For The Dallman Power Plant Selective Catalytic Reduction Systems For A Two-Year Term (**Requested By Mayor Timothy J. Davlin**)
- 2010-168** An Ordinance Approving And Authorizing The Execution Of A Telecommunications Contract Service Agreement Between The City Of Springfield And The Hope Institute For Children And Families (**Requested By Mayor Timothy J. Davlin**)
- 2010-169** An Ordinance Approving And Authorizing The Execution Of An Amendment (“Next Amendment To Lease”) To The Prehn Plaza, Inc. Lease, As Amended (**Requested By Mayor Timothy J. Davlin**)
- 2010-170** An Ordinance Authorizing The Execution Of An Intergovernmental Agreement With The State Of Illinois Department Of Agriculture For Fire Protection And Fire Prevention Services At

The Illinois State Fairgrounds In The Amount Of \$105,900.00 From July 1, 2009, Through June 30, 2010 (**Requested By Mayor Timothy J. Davlin**)

The Pre Council Session Concluded at 5:10 p.m.

CITY COUNCIL SESSION

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

REGULAR BUSINESS

Ald. Simpson moved, Ald. Kunz seconded, to dispense with the reading of the minutes and to approve the minutes of the April 20, 2010, City Council meeting. The motion carried 9/0 via voice vote.

Ald. Cimarossa 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. Cimarossa moved, Ald. Griffin 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. Theilen seconded. The Consent Agenda passed by a vote of 9/0. Ald. Edwards, Simpson, Kunz, Lesko, Cahnman, Mahoney, Cimarossa, Theilen & Griffin voted yes.

Agenda Numbers 2008-337, 2009-387, 2009-582, 2010-001, 2010-048, 2010-117, 2010-131, 2010-143, 2010-144 and 2010-048 Remain Tabled or In Committee.

Mayor Davlin asked for a motion to send 2010-160 and 2010-161 back to committee. Ald. Simpson moved to send 2010-160 and 2010-161 back to committee. Ald. Mahoney seconded. The motion carried 9/0 via voice vote.

2010-160, An Ordinance Amending Chapter 76, Section 76.44 Of The 1988 City Of Springfield Code Of Ordinances, As Amended, and To Provide For The Impoundment Of Vehicles And Assessment Of Costs Upon The Commission Of Delineated Offenses.

2010-161, An Ordinance Amending Chapter 98, Section 98.05 Of The 1988 City Of Springfield Code Of Ordinances, As Amended, Regarding Impoundment For Sound Device Violations.

Mayor Davlin informed the audience that the ordinance would not be heard tonight. It will be heard by the Council in two (2) weeks.

The next item on the Agenda was Agenda No. 2010-158, An Ordinance Amending the 1988 City Of Springfield Code Of Ordinances, As Amended, By Adding Chapter 154: Erosion Control Regulations. Ald. Edwards moved to send Agenda No. 2010-158 back to Committee. Ald. Mahoney seconded. The motion carried 7/2. Ald. Edwards, Kunz, Cahnman, Mahoney, Cimarossa, Theilen & Griffin voted yes. Ald. Simpson and Lesko voted no.

The next item on the Agenda was Agenda No. 2010-171 An Ordinance Accepting Bids And Authorizing The Execution Of Contract No. PW11-03-05 With P.H. Broughton & Sons, Inc., Truman L. Flatt & Sons Co., Inc., Curry Ice & Coal, Inc., State Highway Construction Corporation, Inc., Complete Asphalt Service Co. And Vulcan Materials Company For 2010 Maintenance Materials for the Office of Public Works in a Total Amount Not to exceed \$1,430,850.00, And Authorizing a Waiver of the Requirements of Section 38.48 of the City's Purchasing Code, **For Emergency Passage**. Ald. Simpson moved to place 2010-171 on Emergency Passage. Ald. Kunz 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. 2010-172 An Ordinance Authorizing The Purchase Of Bituminous Premix From The Sangamon County Highway Department For The 2010 Maintenance Season For The Office Of Public Works In An Amount Not To Exceed \$275,000.00, **For Emergency Passage**. Ald. Simpson moved to place 2010-172 on Emergency Passage. Ald. Kunz seconded. The motion carried 10/0. Ald. Edwards, Simpson, Kunz, Lesko, Cahnman, Mahoney, Cimarossa, Theilen, Griffin and Mayor Davlin voted yes.

Ald. Simpson moved to suspend the rules and place on first reading Agenda No. 2010-191, An Ordinance Accepting Bids And Authorizing The Execution Of Contract UE11-03-06 - Ready Mix Portland Concrete And Related Items For A Two-Year Term With Capitol Ready-Mix, Inc. And Henry Nelch & Son Co. In A Total Amount Not To Exceed \$250,000.00. Ald. Cimarossa seconded. The motion carried 9/0 via voice vote.

Ald. Simpson moved to suspend the rules and place on first reading Agenda No 2010-192, An Ordinance Accepting And Authorizing Execution Of An American Recovery Reinvestment Act State Energy Program Grant From The Illinois Department Of Commerce And Economic Opportunity In The Amount Of \$483,000.00 On Behalf Of The Administrative Services Division Energy Services Office And Authorizing A Partial Supplemental Appropriation Of Said Funds In The Amount Of \$241,500.00 To Cover Fiscal Year 2011 Eligible Grant Expenditures. Ald. Griffin seconded. The motion carried 9/0 via voice vote.

Ald. Edwards stated that he wanted the Council members to know that Ald. Dove was out of town with his mother who was having emergency surgery.

Ald. Cahnman stated that he wanted to commend the Office of Corporation Counsel for their recent victory in the *Maulding* appeal and in particular Tracy Johansson. They won the case and saved the City millions of dollars.

Butch Elzea, Springfield, IL., addressed the Council regarding the official opening of Southwind Park. Mr. Elzea has played an integral part in bringing Southwind Park from an idea to a reality. This ADA accessible park has taken 4 years to complete. A grand opening is scheduled for May 19, 2010, at 6:30 p.m. complete with fireworks and tram tours. The park includes a 4 acre lake with a wind turbine that will be able to produce 20 KW of power which will result in zero utility bills. The park is ADA accessible and has an amphitheater. Security within the park is monitored by 11 cameras. It is one of a kind. A number of aldermen congratulated Mr. Elzea on his commitment to the park and to Springfield.

Ald. Simpson moved to adjourn the meeting at 5:45 p.m. Ald. Cimarossa Seconded. The Motion Carried 9/0 via voice vote.

Cecilia K. Tumulty

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