

**Minutes of Springfield City  
Council Meeting  
Tuesday, March 1, 2011  
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, March 1, 2011, in the Council Chambers of the Municipal Center West.

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.

**2011-085** An Ordinance Authorizing A One-Year Extension To An Agreement With, And Additional Payment Of \$56,640 To, Resource Management Associates, Inc. To Furnish, Develop And Administer Entry Level And Promotional Exams For The Police And Fire Departments For The Office Of Human Resources. **(Requested By Mayor Edwards) (Committee Of The Whole)**

**2011-086** An Ordinance Authorizing A 12 Month Extension Of Contract LL09-09-73 With, And Payment In, The Amount Of \$300,000.00 To Baker & Taylor, Inc. To Provide Recorded Materials For Lincoln Library. **(Requested By Mayor Edwards) (Committee Of The Whole)**

**2011-087** An Ordinance Authorizing Payment To Paul Moser, A Springfield City Firefighter, To Settle A Workers' Compensation Claim For Case Number 10-WC-23718. **(Requested By Mayor Edwards) (Committee Of The Whole)**

**2011-088** An Ordinance Authorizing Execution Of A Contract With Illinois Funeral Service Foundation For Purchase Of Real Property Located At 1440 Monument Avenue. **(Requested By Mayor Edwards) (Committee Of The Whole)**

**2011-089** A Supplemental Resolution Notifying The State Of Illinois Department Of Transportation That Additional Motor Fuel Tax Funds In The Amount Of \$50,556.89 Were Used For Construction And Engineering For The Widening Of Sangamon Avenue From 5<sup>th</sup> To 8<sup>th</sup> Streets (MFT Section No. 00-00415-00-WR) **(Requested By Mayor Edwards) (Committee Of The Whole)**

**2011-090** An Ordinance Amending Chapter 95, Section 95.600, Of The 1988 City Of Springfield Code Of Ordinances, As Amended, To Prohibit The Construction Of New Potable Water Supplies Within Designated Boundaries In The Areas Of Washington Street And Lincoln Avenue And Yates Boulevard And J. David Jones Parkway. **(Requested By Mayor Edwards) (Committee Of The Whole)**

**2011-091** An Ordinance Authorizing Additional Funding In The Amount Of \$40,000.00 For The Maintenance And Repair Of Heavy Equipment For The Electric Division Generation Department Under Contract UE11-03-01 With Roland Machinery Company For A Total Amount Payable Of \$215,000.00 To Said Vendor. **(Requested By Mayor Edwards) (Committee Of The Whole)**

**2011-092** An Ordinance Accepting The Bid And Authorizing The Execution Of Contract UW11-01-92 – Water Main Gate Valves And Tapping Valves For The Water Division With American Flow Control, A Division Of American Cast Iron Pipe Company, In An Amount Not To Exceed

\$312,671.26. **(Requested By Mayor Edwards) (Committee Of The Whole)**

**2011-093** An Ordinance Accepting The Bid And Authorizing Execution Of Contract Ue11-12-86 – Unit 33 SCR Catalyst Changeout With Petersburg Plumbing & Heating Co. In The Amount Of \$165,766.00 For The Electric Division. **(Requested By Mayor Edwards) (Committee Of The Whole)**

**2011-094** An Ordinance Accepting The Bid And Authorizing The Execution Of Contract UE11-01-94 – No. 2 Dyed Fuel For The Electric Generation Department With Lincoln Land Fs, Inc., In The Amount Of \$5,400,000.00 For A Three-Year Term. **(Requested By Mayor Edwards) (Committee Of The Whole)**

**2011-095** An Ordinance Approving And Authorizing The Execution Of A Telecommunications Contract Service Agreement Between The City Of Springfield And Springfield Clinic, LLP. **(Requested By Mayor Edwards) (Committee Of The Whole)**

**2011-096** An Ordinance Authorizing Execution Of An Agreement With Paul O'Shea For Planning And Design Services In An Amount Not To Exceed \$65,000.00 From March 27, 2011, Through March 26, 2012, For The Office Of Planning And Economic Development. **(Requested By Mayor Edwards) (Committee Of The Whole)**

**2011-097** An Ordinance Authorizing Execution Of A Subrecipient Agreement For Grant Number 09-SR-0015 With M.E.R.C.Y. Communities, Inc. To Carry Out Eligible Housing Assistance Activities Using Community Development Block Grant Funds In An Amount Not To Exceed \$337,566.00, For The Office Of Planning And Economic Development. **(Requested By Mayor Edwards) (Committee Of The Whole)**

**2011-098** An Ordinance To Increase The Number Of Class "AA" Liquor Licenses By One For Max Inc. Of Illinois D/B/A Mugshotz Pub, 1008 E. Ash Street. **(Requested By Mayor Edwards) (Committee Of The Whole)**

**2011-099** An Ordinance To Increase The Number Of Class "D" Liquor Licenses By One For Anna Ribaud D/B/A Giafranco, 518 E. Adams Street. **(Requested By Mayor Edwards) (Committee Of The Whole)**

**2011-0100** A Resolution Supporting The Springfield Urban League's Community Garden Project. **(Requested By Mayor Edwards) (Committee Of The Whole)**

The Pre Council Session Concluded at 5:08 p.m.

### CITY COUNCIL MEETING

Mayor Edwards 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: Ald. Shanahan , Ald. Simpson , Ald. Kunz , Ald. Lesko , Ald. Cahnman , Ald. Mahoney , Ald. Cimarossa , Ald. Theilen , Ald. Smarjesse , Ald. Griffin  and Mayor Edwards . (11)

ABSENT: NONE (0)

### REGULAR MEETING

Mayor Edwards and Ald. Simpson Presented a Proclamation to the South East High School Drum Line. The South East High School Drum Line proceeded to perform for the Council. A copy of the Proclamation is attached to these minutes.

Ald. Mahoney moved, Ald. Simpson seconded, to dispense with the reading of the minutes and approve the minutes of the February 15, 2011 City Council meeting. The motion carried 10/0 via voice vote.

Ald. Simpson moved, Ald. Mahoney seconded, to incorporate the pre-council first reading of ordinances into the record of this council meeting. The motion carried 10/0 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 10/0 via voice vote.

Ald. Simpson moved to place the Consent Agenda on Final Passage. Ald. Cimarossa seconded. The motion to place the Consent Agenda on final passage carried 10/0. Ald. Shanahan , Ald. Simpson , Ald. Kunz , Ald. Lesko , Ald. Cahnman , Ald. Mahoney , Ald. Cimarossa , Ald. Theilen , Ald. Smarjesse , Ald. Griffin

Ald. Cahnman moved to remove Agenda No. 2011-083 from Committee of The Whole and place it on the Debate Agenda. Ald. Simpson Seconded. The motion carried 10/0 via voice vote.

Agenda Numbers 2008-337, 2010-001, 2010-131, 2010-158, 2010-284, 2010-328, 2010-404 and 2011-025 Remain Tabled Or In Committee.

The next item on the Agenda was No. Agenda No. 2011-076, An Ordinance Authorizing The Execution Of An Annexation Agreement With Helen Hall For The Property Located At 4062 Chinquipin Road." Ald. Simpson moved to recess the regular meeting of the City Council to hold a Public Hearing. Ald. Cimarossa Seconded. Ald. Simpson moved to adjourn the Public Hearing and reconvene the regular meeting of the City Council. Ald. Griffin Seconded. Ald. Simpson moved to place Agenda No. 2011-076 On Final Passage. Ald. Griffin seconded. The motion carried 11/0. Ald. Shanahan , Ald. Simpson , Ald. Kunz , Ald. Lesko , Ald. Cahnman , Ald. Mahoney , Ald. Theilen , Ald. Smarjesse , Ald. Griffin  and Mayor Edwards  voted Yes.

The next item on the Agenda was No. 2011-083, "An Ordinance Amending Chapter 36 Of The 1988 City Of Springfield Code Of Ordinances, As Amended, By Adding Section 36.18 To Authorize Wage Garnishment Against Employees Who Owe Money To The City." Ald. Simpson moved to place Agenda No. 2011-083 On Final Passage. Ald. Cahnman seconded. Ald. Cahnman moved to Amend Agenda No. 2011-083. Ald. Cimarossa Seconded. Ald. Cahnman stated the amendment will add

bonuses and compensation, such as if the employee were to leave employment with the City of Springfield and they get a lump sum of sick pay or vacation pay. CC Johnson stated this is right out of state statute. Ald. Cimarossa asked if this will include any payout of any kind. CC Johnson stated it has to be in accordance with state law.

Mayor Edwards stated this has to do with wages. Sick time sell back is only a one time thing and we only get a certain percentage. They want it to be an overall payback. CC Johnson stated it would need to be pursuant to court order. We would follow the state wage garnishment statute. The intent of this is to codify state statute.

Ald. Cimarossa suggested that we craft a form for a new hire and if they owe the City money and they receive a payout that it can be garnished. Ald. Cahnman stated he believes Ald. Cimarossa makes a fantastic point. Ald. Shanahan stated that, in reality, there is already language in place that anyone coming on with the City will abide by the City ordinances. Ald. Cahnman stated right now there are about 150 employees who owe money to the City and it has never been withheld from their pay. The motion to Amend Agenda No. 2011-083 carried 9/1. Ald. Theilen voted No.

The motion to place Agenda No. 2011-083 on Final Passage, As Amended carried 11/0. Ald. Shanahan , Ald. Simpson , Ald. Kunz , Ald. Lesko , Ald. Cahnman , Ald. Mahoney , Ald. Cimarossa , Ald. Theilen , Ald. Smarjesse , Ald. Griffin  and Mayor Edwards .

Ald Simpson moved to suspend the rules and place on first reading Agenda No. 2011-101, "An Ordinance Amending Chapter 170, Section 170.17.05, Of The 1988 City Of Springfield Code Of Ordinances, As Amended Regarding Garbage And Rubbish Pickup During Snow Emergencies." Ald. Kunz seconded. The motion carried via voice vote.

Ald Simpson moved to suspend the rules and place on first reading Agenda No. 2011-102, "An Ordinance Amending Sections 105.03, 105.03 And 105.29 Of The 1988 City Of Springfield Code Of Ordinances, As Amended, Pertaining To Refuse And Yard Waste Pick Up Fees." Ald. Kunz seconded. The motion carried via voice vote.

Ald Cahnman moved to suspend the rules and place on first reading Agenda No. 2011-103, "An Ordinance Amending Chapter 82, Section 82.02, Of The 1988 City Of Springfield Code Of Ordinances, As Amended, To Increase The Penalties For Parking Violations." Ald. Shanahan seconded. The motion carried via voice vote.

Ald Simpson moved to suspend the rules and place on first reading Agenda No. 2011-104, "An Ordinance Amending Chapter 100 Of The 1988 City Of Springfield Code Of Ordinances, As Amended, By Imposing A 1.5% Tax On The Privilege Of Purchasing Alcoholic Liquor And Prepared Food Items For Immediate Consumption." Ald. Shanahan seconded. The motion carried 6/5. Ald. Shanahan , Ald. Simpson , Ald. Mahoney , Ald. Cimarossa , and Ald. Griffin  voted Yes. Ald. Kunz , Ald. Lesko , Ald. Cahnman , Ald. Theilen  and Ald. Smarjesse  voted No.

Ald Simpson moved to suspend the rules and place on first reading Agenda No. 2011-105, "An Ordinance Authorizing Extension Of Contract #CS06-08-45 Through September 30, 2011, With And Additional Payment Of \$50,000.00 For A Total Contract Amount Not To Exceed \$755,000.00 To, Watts Copy Systems, Inc. For The Lease of Digital Copy Machines and Auxiliary Equipment For The Office Of Budget And Management." Ald. Cimarossa seconded. The motion carried via voice vote.

Ald Simpson moved to suspend the rules and place on first reading Agenda No. 2011-106, "An Ordinance Amending Chapters 34 and 94 Of The 1988 City Of Springfield Code Of Ordinances, As Amended, Pertaining To Fire Safety." Ald. Kunz seconded. The motion carried via voice vote.

Janice Smith, 401 E. Jefferson, Apt. 111, Springfield, IL., was present and invited the Council members to the annual SPARC Sugar and Spice Chili Dinner on March 12, 2011 from 12:00 p.m. to 6:00 p.m.

Mayor Edwards stated he would like to remind everyone that the City realizes there are pot holes out there and we are filling them the best we can.

With no other business pending, Ald. Simpson moved to adjourn the meeting. Ald. Griffin seconded. The motion carried 10/0 via voice vote. The time was 5:55 p.m.

*Cecilia K. Tumulty*

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Cecilia K. Tumulty  
City Clerk

CITY OF SPRINGFIELD

SEQUENCE : 3718

MARCH 1, 2011

5:45 PM

BILL : CONSENT

AUTHOR :

TITLE :

DESCRIPTION : CONSENT

ACTION : CONSENT

MAYOR EDWARDS.. X  
SHANAHAN..... A  
SIMPSON..... A  
KUNZ..... A  
LESKO..... A  
CAHNMAN..... A  
MAHONEY..... A  
CIMAROSSA..... A  
THEILEN..... A  
SMARJESSE..... A  
GRIFFIN..... A

YES : 10

NO : 0

EXCUSED : 0

ABSENT : 1

PRESENT : 0

A=YES N=NO E=EXCUSED  
X=ABSENT C=PRESENT

CITY OF SPRINGFIELD

SEQUENCE : 3719

MARCH 1, 2011

5:47 PM

BILL : 2011-076

AUTHOR :

TITLE :

DESCRIPTION : ANNEXATION AGREEMENT W/ HELEN HALL FOR  
: PROPERTY LOCATED @ 4062 CHINQUIPIN ROAD

ACTION : DEBATE

MAYOR EDWARDS.. A  
SHANAHAN..... A  
SIMPSON..... A  
KUNZ..... A  
LESKO..... A  
CAHNMAN..... A  
MAHONEY..... A  
CIMAROSSA..... A  
THEILEN..... A  
SMARJESSE..... A  
GRIFFIN..... A

YES : 11  
NO : 0  
EXCUSED : 0  
ABSENT : 0  
PRESENT : 0

A=YES N=NO E=EXCUSED  
X=ABSENT C=PRESENT

CITY OF SPRINGFIELD

SEQUENCE : 3720

MARCH 1, 2011

5:54 PM

BILL : 2011-083

AUTHOR :

TITLE :

DESCRIPTION :

ACTION : DEBATE

MAYOR EDWARDS.. X  
SHANAHAN..... A  
SIMPSON..... A  
KUNZ..... A  
LESKO..... A  
CAHNMAN..... A  
MAHONEY..... A  
CIMAROSSA..... A  
THEILEN..... A  
SMARJESSE..... A  
GRIFFIN..... A

YES : 10

NO : 0

EXCUSED : 0

ABSENT : 1

PRESENT : 0

A= YES N=NO E=EXCUSED  
X=ABSENT C=PRESENT

CITY OF SPRINGFIELD

SEQUENCE : 3721

MARCH 1, 2011

5:57 PM

BILL :  
AUTHOR : To place 2011-104 on first reading  
TITLE :  
DESCRIPTION :  
ACTION :

MAYOR EDWARDS.. A  
SHANAHAN..... A  
SIMPSON..... A  
KUNZ..... N  
LESKO..... N  
CAHNMAN..... N  
MAHONEY..... A  
CIMAROSSA..... A  
THEILEN..... N  
SMARJESSE..... N  
GRIFFIN..... A

YES : 6  
NO : 5  
EXCUSED : 0  
ABSENT : 0  
PRESENT : 0

A=YES N=NO E=EXCUSED  
X=ABSENT C=PRESENT