

**Minutes of Springfield City
Council Meeting
Tuesday, August 17, 2010
City Council Chambers**

PRE-COUNCIL SESSION

City Clerk Cecilia Tumulty called the Pre Council Session of the Springfield City Council to Order at 5:05 p.m., Tuesday, August 17, 2010, in the Council Chambers of the Municipal Center West.

Clerk Tumulty read the following **Ordinances and/or Resolutions on Emergency Passage** into the record of this Council meeting.

2010-299 A Resolution Approving And Authorizing Submission Of A Grant Application To The Illinois Department Of Natural Resources Boat Access Area Development Program To Fund Improvements To The Lake Springfield Lindsay Boat Launch **For Emergency Passage (Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

2010-300 A Resolution In Support Of The Bel-Aire Beautification Project, For The Office Of Public Works, **For Emergency Passage (Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

2010-301 A Resolution In Support The 8th Street Beautification Project, For The Office Of Public Works, **For Emergency Passage (Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

2010-302 A Resolution In Support Of The Capitol Avenue Beautification Project, For The Office Of Public Works, **For Emergency Passage (Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

2010-303 A Resolution In Support Of The Vachel Lindsay Bridge Improvements Project **For Emergency Passage (Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

2010-304 An Ordinance Approving The Appointment Of R. Barry Helmerichs As Fire Chief Of The Springfield Fire Department, **For Emergency Passage (Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

2010-322 An Ordinance Approving The Final Plat Of Uncle John's Pond Minor Subdivision, For The Office Of Public Works, **For Emergency Passage (Requested By Ald. Edwards) (Committee Of The Whole)**

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.

2010-305 An Ordinance Authorizing Payment Of \$475,000.00 To Settle U.S. District Court Case No. 04-3168 (Consolidated With Case No. 07-3096), *Rickey Davis V. City Of Springfield, Illinois*, And Authorizing A Supplemental Appropriation In The Amount Of \$200,000.00 From Unappropriated Fund Balance For The Office Of Budget And Management **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

- 2010-306** An Ordinance Authorizing A Supplemental Appropriation In The Amount Of \$1,750.00 For Lincoln Library (**Requested By Mayor Timothy J. Davlin**) (**Committee Of The Whole**)
- 2010-307** An Ordinance Authorizing A Supplemental Appropriation In An Amount Not To Exceed \$50,000.00 For The Office Of Budget And Management (**Requested By Mayor Timothy J. Davlin**) (**Committee Of The Whole**)
- 2010-308** An Ordinance Authorizing Payments To Eric Helms, A Springfield Firefighter, And To Robert Schultz And Ronald Cunningham, Office Of Public Utilities Employees, For Settlement Of Workers' Compensation Claims (**Requested By Mayor Timothy J. Davlin**) (**Committee Of The Whole**)
- 2010-309** An Ordinance Authorizing Extension Of Contract #Cs06-08-45 Through March 31, 2011, With, And Additional Payment Of \$50,000.00 For A Total Contract Amount Not To Exceed \$705,000.00 To, Watts Copy Systems, Inc. For The Lease Of Digital Copy Machines And Auxiliary Equipment For The Office Of Budget And Management (**Requested By Mayor Timothy J. Davlin**) (**Committee Of The Whole**)
- 2010-310** An Ordinance Authorizing The Transfer Of Appropriation Authority Between The Office Of Budget And Management And The Office Of Human Resources To Allocate The Cost Of The City's Annual Software Maintenance Agreement With CGI Technologies And Solutions, Inc., In The Amount Of \$22,900.00, For The Office Of Budget And Management (**Requested By Mayor Timothy J. Davlin**) (**Committee Of The Whole**)
- 2010-311** An Ordinance Authorizing An Extension Of Contract #Cs09-05-34 Through August 29, 2011, With, And Additional Payment Of \$105,662.25 For A Total Not To Exceed \$316,986.75 To, Unifirst Corporation For Linen And Uniform Rental Services For Various City Offices And Departments (**Requested By Mayor Timothy J. Davlin**) (**Committee Of The Whole**)
- 2010-312** An Ordinance Accepting Bids And Authorizing The Execution Of Contract Ue11-07-36 – Backfill Materials With Vulcan Construction Materials, LP In An Amount Not To Exceed \$250,000.00 For The City Of Springfield (**Requested By Mayor Timothy J. Davlin**) (**Committee Of The Whole**)
- 2010-313** An Ordinance Accepting A Quotation With Flowserve Us Inc. In The Amount Of \$255,720.85 For Repair Of The Dallman Power Plant Unit 33 Spare Boiler Feed Pump Volute For The Electric Division Generation Department (**Requested By Mayor Timothy J. Davlin**) (**Committee Of The Whole**)
- 2010-314** An Ordinance Accepting A Quotation With Alstom Power, Inc. In The Amount Of \$159,488.00 For Partial Replacement Of The Low Temperature Superheat Tubing In The Dallman Power Plant Unit No. 33 Furnace For The Electric Division Generation Department (**Requested By Mayor Timothy J. Davlin**) (**Committee Of The Whole**)
- 2010-315** An Ordinance Accepting And Authorizing The Execution Of A Software Maintenance Agreement And Addendum Thereto Pursuant To Quotation No. 25428362 With Environmental Systems Research Institute, Inc. In The Amount Of \$24,500.00 For Annual Software Maintenance For

Existing Geographic Information System Software For The Electric Division (**Requested By Mayor Timothy J. Davlin**) (**Committee Of The Whole**)

2010-316 An Ordinance Approving And Authorizing The Execution Of A Telecommunications Contract Service Agreement Between The City Of Springfield And St. John's Hospital (**Requested By Mayor Timothy J. Davlin**) (**Committee Of The Whole**)

2010-317 An Ordinance Approving Four-Way Stop Intersections At Summerwood And Oakview Drives, 16th Street And Percy Avenue And 10th Street And Princeton Avenue (**Requested By Ald. Edwards, Ald. Lesko & Ald. Mahoney**) (**Committee Of The Whole**)

2010-318 An Ordinance Annexing Certain Described Real Property Located At 5878 Iron Bridge Road (Brady) (**Requested By Mayor Timothy J. Davlin**) (**Committee Of The Whole**)

2010-319 An Ordinance Authorizing A Reappropriation Of Fy10 Unexpended Enos Park TIF Funds In The Amount \$406,000.00 Into Fy11 Expenditure Funds For The Office Of Planning And Economic Development (**Requested By Mayor Timothy J. Davlin**) (**Committee Of The Whole**)

2010-320 An Ordinance Authorizing Execution Of An Agreement With Paul O'Shea For Planning And Design Services In An Amount Not To Exceed \$32,500.00 From September 27, 2010, Through March 26, 2011, For The Office Of Planning And Economic Development (**Requested By Mayor Timothy J. Davlin**) (**Committee Of The Whole**)

2010-321 An Ordinance Declaring 12 Unclaimed Bicycles Being Held In The Springfield Police Department's Evidence Room To Be Surplus Property And Authorizing The Springfield Police Department To Donate Said Bicycles To The Capital Area Career Center (**Requested By Mayor Timothy J. Davlin**) (**Committee Of The Whole**)

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

2010-285 An Ordinance Authorizing A Supplemental Appropriation In The Amount Of \$18,156.55 For The Office Of Communications To Purchase Broadcast Equipment And Related Expenses For The Audio-Visual Unit. (**Requested By Mayor Timothy J. Davlin**) (**Committee Of The Whole**)

2010-286 An Ordinance Approving The Reappointment Of Leonard M. Lieberman To The Board Of Managers Of Oak Ridge Cemetery. (**Requested By Mayor Timothy J. Davlin**) (**Committee Of The Whole**)

2010-287 An Ordinance Authorizing A Supplemental Appropriation In The Amount Of \$10,000.00 For The Office Of Budget And Management. (**Requested By Mayor Timothy J. Davlin**) (**Committee Of The Whole**)

2010-288 An Ordinance Authorizing Execution Of A Quitclaim Deed Conveying Certain Described Real Property Formerly Known As Dodge Street Between Rutledge Street And Reich Street To The Board Of Trustees Of Southern Illinois University. (**Requested By Mayor Timothy J. Davlin**) (**Committee Of The Whole**)

2010-289 An Ordinance Annexing Certain Described Real Property Located At 92 Island Bay Lane (James Atherton). **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

2010-290 An Ordinance Declaring Certain Electric Division Equipment As Surplus Property And Accepting And Authorizing The Execution Of Proposal No. UE11-06 from Mervis Industries, Inc. In The Amount Of \$10,500.00 For The Removal And Salvage Of Said Property For The Electric Division Generation Department. **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

2010-291 An Ordinance Authorizing Execution Of Change Order No. 1 With And Authorizing Additional Payment Of \$177,575.24 For A Total Not To Exceed \$1,247,387.35 Under Contract Pw 10-06-37 To P.H. Broughton & Sons, Inc. for the 2009 Bituminous Overlay Program. **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

2010-292 An Ordinance Approving The Location And Sketch Map Of Mill Creek Estates, Phase Ii, For The Office Of Public Works. **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

2010-293 An Ordinance Regarding The Variance Request Of Section 153.157(L) Pertaining To Restriction Of Access For Mill Creek Estates, Phase II, For The Office Of Public Works. **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

2010-294 An Ordinance Authorizing Execution Of A Professional Services Agreement With Jenni Gardner For Geographic Information System Mapping And Database Services In An Amount Not To Exceed \$25,000.00 For The Office Of Public Works. **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

2010-295 An Ordinance To Decrease The Number Of Class “A” Liquor Licenses By One And Increase The Number Of Class “F” Liquor Licenses By One For BH Plaza Inc. D/B/A The Plaza, 406 E. Adams Street. **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

2010-296 An Ordinance To Decrease The Number Of Class “A” And Subclass “2” Liquor Licenses By One Each And Increase The Number Of Class “M” Liquor Licenses By One For Central Pointe, Inc. D/B/A Bar None, 427 E. Monroe Street. **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

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

CITY COUNCIL MEETING

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: Ald. Edwards , Ald. Simpson , Ald. Kunz , , Ald. Cahnman , Ald. Mahoney , Ald. Cimarossa , Ald. Theilen , Ald. Dove , Ald. Griffin and Mayor Davlin .

ABSENT: Ald. Lesko ☒ and Ald. Cimarossa ☒ were not present at the roll call of members but arrived shortly thereafter.

ZONING PETITIONS

The first item on the agenda was docket number 2010-045 for the property located at the 800 East Carpenter.

PETITIONER(S): St. John's Hospital of the Hospital Sisters of the Third Order of St. Francis.

PRESENT ZONING CLASSIFICATION: S-3, Central Shopping District.

REQUESTED ZONING RELIEF: To amend Docket No. 2008-091, allowing installation of various marketing banners, to extend the timeframe for an additional 24 months.

STAFF RECOMMENDATION: Approval of an 18 month extension as long as no new signs are added.

PLANNING AND ZONING COMMISSION RECOMMENDATION: Approval as submitted provided the number of signs doesn't increase.

Ald. Cahnman moved to accept the Planning & Zoning Commission's Recommendation. Ald. Simpson Seconded. Ald. Edwards asked if it was anyone else but St. John's, what would the Council be doing here? Mayor Davlin stated if they come and ask for an extension of the variance, typically they are accommodated. Ald. Cahnman stated the signs are not obtrusive and no one in his ward has complained about the signs. Ald. Kunz said he doesn't have a problem with this, but other people have been made to take the signs down. If they are forced to take them down, they should be told they can apply for an extension of the variance. Ald. Cahnman agreed.

The motion carried 10/0. Ald. Edwards ☒, Simpson ☒, Kunz ☒, Lesko ☒, Cahnman ☒, Mahoney ☒, Cimarossa ☒, Theilen ☒, Dove ☒, and Griffin ☒ voted yes.

The next item on the agenda was docket number 2010-047 for the property located at 3061 Hedley.

PETITIONER(S): Marine Bank, as Successor Trustee of Trust No. 5998

PRESENT ZONING CLASSIFICATION: B-2, General Business Service District.

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

STAFF RECOMMENDATION: Approval.

PLANNING AND ZONING COMMISSION RECOMMENDATION: Approval as submitted.

Ald. Griffin moved to accept the Planning & Zoning Commission's Recommendation. Ald. Theilen Seconded. The motion carried 10/0. Ald. Edwards ☒, Simpson ☒, Kunz ☒, Lesko ☒, Cahnman ☒, Mahoney ☒, Cimarossa ☒, Theilen ☒, Dove ☒, and Griffin ☒ voted yes.

The next item on the agenda was docket number 2010-048 for the property located at the NW Corner of Iles Avenue and Bradfordton Road.

PETITIONER(S): Oak Park Estates, LLC.

PRESENT ZONING CLASSIFICATION: OFF, Office District.

REQUESTED ZONING RELIEF: Conditional Permitted Use pursuant to Section 155.020 (c)(7), Conditional permitted uses in the Office District for residential uses and Section 155.187, General conditions, to allow the property to be used as residential duplexes.

STAFF RECOMMENDATION: Approval.

PLANNING AND ZONING COMMISSION RECOMMENDATION: Approval as submitted.

Ald. Griffin moved to accept the Planning & Zoning Commission's Recommendation. Ald. Simpson Seconded. The motion carried 10/0. Ald. Edwards , Simpson , Kunz , Lesko , Cahnman , Mahoney , Cimarossa , Theilen , Dove , and Griffin voted yes.

The last item on the agenda is docket number 2010-050 for the property located at 1535, 1555 and 1601 West Jefferson Street.

PETITIONER(S): Trust 53-0704-0.

PRESENT ZONING CLASSIFICATION: B-2, General Business Service District and R-2, Single-Family and Duplex Residence District.

REQUESTED ZONING RELIEF: Reclassification to I-1, Light Industrial District.

STAFF RECOMMENDATION: Denial.

PLANNING AND ZONING COMMISSION RECOMMENDATION: Denial of the petition as submitted, but recommend approval of a use variance for a pallet and lumber company with no grinding outside, and to reclassify 1535 W. Jefferson from R-2 to B-2.

Ald. Dove moved to accept the Planning & Zoning Commission's Recommendation. Ald. Theilen Seconded. The motion carried 10/0. Ald. Edwards , Simpson , Kunz , Lesko , Cahnman , Mahoney , Cimarossa , Theilen , Dove , and Griffin voted yes.

REGULAR MEETING

Treasurer Langfelder was recognized for the Monthly Treasurer's Report. He indicated the Corporate Fund balance at the end of July, 2010, was **-\$6,126,727.00**. Ald. Simpson Moved to Approve the Treasurer's Report. Ald. Cimarossa Seconded. The Motion Carried 10/0 via voice vote.

Ald. Simpson moved, Ald. Dove seconded, to dispense with the reading of the minutes and to approve the minutes of the August 4, 2010, City Council meeting. The motion carried 10/0 via voice vote.

Ald. Simpson moved, Ald. Dove 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 carried 9/0. Ald. Edwards , Simpson , Lesko , Cahnman , Mahoney , Cimarossa , Theilen , Dove , and Griffin voted yes. Ald. Kunz was not in the Council Chamber.

Agenda Numbers 2008-337, 2009-387, 2009-582, 2010-001, 2010-048, 2010-131, 2010-158, 2010-284, 2010-297 and 2010-298 Remain Tabled or In Committee.

Ald. Lesko moved for an Omnibus Vote on Agenda No. 2010-299, 300, 301, 302, 303. Ald. Cimarossa Seconded. The motion carried 9/0 via voice vote. Ald. Kunz was not present in the Council Chamber.

Mayor Davlin read each Resolution/Ordinance into the record:

2010-299 A Resolution Approving And Authorizing Submission Of A Grant Application To The Illinois Department Of Natural Resources Boat Access Area Development Program To Fund Improvements To The Lake Springfield Lindsay Boat Launch For Emergency Passage

2010-300 A Resolution In Support Of The Bel-Aire Beautification Project, For The Office Of Public Works, For Emergency Passage

2010-301 A Resolution In Support The 8th Street Beautification Project, For The Office Of Public Works, For Emergency Passage

2010-302 A Resolution In Support Of The Capitol Avenue Beautification Project, For The Office Of Public Works, For Emergency

2010-303 A Resolution In Support Of The Vachel Lindsay Bridge Improvements Project For Emergency Passage

Ald. Simpson moved to place Agenda Nos. No. 2010-299, 300, 301, 302, 303 on Emergency Passage. Ald. Dove seconded. The motion carried 10/0. Ald. Edwards , Simpson , Lesko , Cahnman , Mahoney , Cimarossa , Theilen , Dove , Griffin and Mayor Davlin voted yes. Ald. Kunz was not present in the Council Chamber.

Ald. Cahnman moved to take Agenda No. 2010-322 out of order. Ald. Theilen seconded. The motion carried 9/0 via voice vote. Ald. Kunz was not present in the Council Chamber

Ald. Edwards moved to place Agenda No. 2010-322, An Ordinance Approving The Final Plat Of Uncle John's Pond Minor Subdivision, For The Office Of Public Works, on Emergency Passage. Ald. Theilen seconded. The motion carried 10/0. Ald. Edwards , Simpson , Lesko , Cahnman ,

Mahoney , Cimarossa , Theilen , Dove , Griffin and Mayor Davlin voted yes. Ald. Kunz was not present in the Council Chamber.

Ald. Simpson moved to suspend the rules and place on first reading Agenda No. 2010-323, "An Ordinance Approving and Authorizing the Execution of an Intergovernmental Cooperation Agreement for Telecommunications Contract Service between the City of Springfield, Illinois, and Sangamon County, Illinois. Ald. Cimarossa seconded. The motion carried 10/0 via voice vote. Ald. Kunz had returned to the Council Chamber.

Ald. Edwards moved to place Agenda No. 2010-304, An Ordinance Approving the Appointment of R. Barry Helmerichs as Fire Chief Of The Springfield Fire Department, on Emergency Passage. Ald. Dove seconded. The motion carried 11/0. Ald. Edwards , Simpson , Kunz , Lesko , Cahnman , Mahoney , Cimarossa , Theilen , Dove , Griffin and Mayor Davlin voted yes.

Chief Barry Helmerichs was "pinned" as Fire Chief of the Springfield Fire Department by his wife, Shelly, at the close of the Council meeting. Chief Helmerichs' family and friends were present. Chief Helmerichs thanked his family, friends, the Mayor and Council members for their support.

Ald. Griffin moved to adjourn the meeting at 5:41 p.m. Ald. Cimarossa Seconded. The Motion Carried 10/0 via voice vote.

Cecilia K. Tumulty

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