

**Minutes of Springfield City  
Council Meeting  
Tuesday, June 1, 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, June 1, 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:

**2010-214** An Ordinance Authorizing Execution Of Agreement Number JN 610-010 With The State Of Illinois Department Of Transportation For The Clear Lake Avenue Project, Job Number C-96-504, And Placing Restrictions On Encroachments, Parking And Sewers In The Project Area For The Office Of Public Works, **For Emergency Passage (Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

**2010-215** An Ordinance Authorizing The Execution Of A Memorandum Of Understanding With Sangamon County, Illinois, To Allocate Funds Received In Connection With The 2010 Byrne Justice Assistance Grant Program (#2010-H5737-II-Dj) From The U.S. Department Of Justice, **For Emergency Passage (Requested By Mayor Timothy J. Davlin) (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.

**2010-216** An Ordinance Approving The Appointment Of Kiplund R. Kolkmeier To The Springfield/Sangamon County Regional Planning Commission (**Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

**2010-217** An Ordinance Authorizing A Supplemental Appropriation In The Amount Of \$3,000.00 for the Springfield Fire Department (**Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

**2010-218** An Ordinance Authorizing Execution Of A Two-Year Contract With St. Mary's Hospital For Counseling And Other Services In Connection With The City's Employee Assistance Program In A Total Amount Not To Exceed \$76,000.00 From March 1, 2010, Through February 28, 2012, And Authorizing Payment Of \$37,405.50 From March 1, 2010, Through February 28, 2011, For The Office Of Human Resources (**Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

**2010-219** An Ordinance Authorizing Payment To Jaime Kincaid, A Former Firefighter For The Springfield Fire Department, For Settlement Of Workers' Compensation Case Number 09-Wc-42724 (**Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

**2010-220** An Ordinance Authorizing Payment To The Illinois Environmental Protection Agency In The Amount Of \$250,000.00 For Annual Air Pollution Control Title V Permit Fees For The Regulatory Affairs Division (**Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

**2010-221** An Ordinance Approving Payment To R.W. Troxell & Company In An Amount Not To Exceed \$1,719,736.00 For The Second Year Premium Of A Three Year Property And Extended Coverage Insurance Policy For 41 City Of Springfield Properties (**Requested By Mayor Timothy J. Davlin**) (**Committee Of The Whole**)

**2010-222** An Ordinance Approving And Authorizing The Execution Of An Amendment To Farm Lease No. 1022 With Lynn Strawn (**Requested By Mayor Timothy J. Davlin**) (**Committee Of The Whole**)

**2010-223** A Resolution Regarding The City Of Springfield's Consideration Of Standards Added To The Public Utility Regulatory Policies Act By The Energy Independence And Security Act Of 2007 (**Requested By Mayor Timothy J. Davlin**) (**Committee Of The Whole**)

**2010-224** A Resolution Notifying The State Of Illinois Department Of Transportation That Motor Fuel Tax Funds In The Amount Of \$94,790.74 Have Been Spent For Traffic Signal Modernization At Spring And Monroe Streets And On Adams Street At 5<sup>th</sup> And 6<sup>th</sup> Streets (Mft Section No. 08-00460-00-T1) For The Office Of Public Works (**Requested By Mayor Timothy J. Davlin**) (**Committee Of The Whole**)

**2010-225** An Ordinance Authorizing Acceptance And Execution Of Federal Emergency Management Agency (FEMA) Assistance To Firefighters Grant #EMW-2009-FP-00364 In The Amount Of \$3,732.00 With Matching Funds In The Amount Of \$932.00 For A Total Grant Amount Of \$4,664.00, And Authorizing A Supplemental Appropriation Of Said Grant Funds In The Amount Of \$3,732.00 For The Springfield Fire Department (**Requested By Mayor Timothy J. Davlin**) (**Committee Of The Whole**)

**2010-226** An Ordinance To Decrease The Number Of Class "D" Liquor Licenses Due To Closure Of Business By ALCK Inc. D/B/A Froggies, 1975 Wabash Avenue (**Requested By Mayor Timothy J. Davlin**) (**Committee Of The Whole**)

**2010-227** An Ordinance To Increase The Number Of Class "D" Liquor Licenses By One For Good Tequila 2 Inc. D/B/A Good Tequila's Mexican Restaurant, 2936 S. 6<sup>th</sup> Street (**Requested By Mayor Timothy J. Davlin**) (**Committee Of The Whole**)

**2010-228** An Ordinance Authorizing An Increase In The Number Of Class "B" Liquor Licenses By One Chronister Oil Company D/B/A Qik-N-Ez #59, 4401 Wabash Avenue (**Requested By Mayor Timothy J. Davlin**) (**Committee Of The Whole**)

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

**2010-195** An Ordinance Authorizing A Supplemental Appropriation In The Amount Of \$1,060.00 for the Springfield Fire Department (**Requested By Mayor Timothy J. Davlin**) (**Committee Of The Whole**)

**2010-196** An Ordinance Amending Chapter 33, Sections 33.265 And 33.266 Of The 1988 City Of Springfield, Code Of Ordinances, As Amended, By Reducing The Number Of Commissions

- Appointed To The Springfield Senior Citizens Commission **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**
- 2010-197** An Ordinance Amending Chapter 33, Sections 33.180 And 33.181 Of The 1988 City Of Springfield, Code Of Ordinances, As Amended, By Reducing The Number Of Commissions Appointed To The Commission On International Visitors **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**
- 2010-198** An Ordinance Approving the Reappointment of John Hine to the Board of Managers of Oak Ridge Cemetery **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**
- 2010-199** An Ordinance Authorizing Payment In An Amount Not To Exceed \$135,415.16 To The Sangamon County Board Of Health For Animal Control Services **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**
- 2010-200** An Ordinance Authorizing A Supplemental Appropriation from Fy11 Unbudgeted, Unappropriated State and Federal Asset Forfeiture Fund Balance In The Amount Of \$6,061.00, For the Springfield Police Department **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**
- 2010-201** An Ordinance Accepting And Authorizing Execution Of An Illinois Liquor Control Commission Grant For The "Kids Can't Buy 'Em Here" Campaign, From August 1, 2010, Through June 30, 2011, In The Amount Of \$13,860.00 And Authorizing A Supplemental Appropriation In The Amount Of \$13,860.00 For The Springfield Police Department **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**
- 2010-202** An Ordinance Authorizing Payments To Calvin Mills, A Former Office Of Public Works Employee, And Lawrence Creviston, A Former Springfield Firefighter, For Settlement Of Workers' Compensation Claims **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**
- 2010-203** A Resolution Notifying The State Of Illinois Department Of Transportation That Motor Fuel Tax Funds In The Amount Of \$5,835.65 Have Been Used For Traffic Signal Modernization At 5<sup>th</sup> And Washington Streets (Mft Section No. 02-00432-00-T1) For The Office Of Public Works **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**
- 2010-204** An Ordinance Approving And Authorizing The Execution Of A Time And Materials Estimate Offer In An Amount Not To Exceed \$589,100.00 With Toshiba International Corporation For Inspection And Maintenance Of The Dallman Power Plant Unit No. 4 Turbine Valve For The Electric Generation Department **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**
- 2010-205** An Ordinance Approving And Authorizing Execution Of Amendment No. 1 To The Original Telecommunications Fiber Capacity License Agreement Between Illinois Network Alliance, LLC, And The City Of Springfield **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

**2010-206** An Ordinance Approving and Authorizing the Execution of A Telecommunications Fiber Capacity License Agreement between the City Of Springfield and Memorial Health System **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

**2010-207** An Ordinance Approving And Authorizing Execution Of A Residential Lease Agreement With Terry J. House And Charlotte A. House For A One-Year Term For The Administrative Services Division For The City Of Springfield **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

**2010-208** An Ordinance Declaring Certain Real Property Owned By The City To Be Surplus Property, Directing The Sale Of Said Property And Authorizing The Publication Of Notice Of Said Sale And Request For Proposals **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

**2010-209** An Ordinance Authorizing The Office Of The City Treasurer To Accept Credit And Debit Cards For Payment And Authorizing Acceptance Of A Participant Agreement **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

**2010-210** An Ordinance Authorizing The Execution Of An Intergovernmental Agreement With The Curran-Gardner Townships Public Water District Regarding Water Service **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

**2010-211** An Ordinance Authorizing The Establishment Of A Qualified Reserve Account Instrument In An Amount Not To Exceed \$22,000,000.00 For The Electric Revenue Bond Senior Lien Debt Service Reserve Account For The City Of Springfield, Illinois **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

**2010-212** An Ordinance Accepting Bids And Authorizing The Execution Of Contract Ue10-10-68 – Dallman Unit 33 Flue Gas Desulphurization System Upgrade General Construction With Mc Industrial, Inc. In A Total Amount Not To Exceed \$18,562,905.00 **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

**2010-213** An Ordinance Amending Chapter 131, Section 131.07(A) Of The 1988 City Of Springfield Code Of Ordinances, As Amended, By Adding The Offense Of Possession Of A Synthetic Form Of Cannabis Commonly Known As K2 **(Requested By Ald. Theilen) (Committee Of The Whole)**

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: Ald. Edwards ☒, Ald. Simpson ☒, Kunz ☒, Lesko ☒, Cahnman ☒, Mahoney ☒, Cimarossa ☒, Theilen ☒, Ald. Dove ☒, Griffin ☒ & Mayor Davlin ☒.

ABSENT: None

Mayor Davlin presented a proclamation to “Speedy Slider” of the Springfield Sliders baseball team in recognition of opening day on June 5, 2010, at Robin Roberts Stadium. Mayor Davlin further declared June 5, 2010, to be Springfield Sliders Day in Springfield.

### **REGULAR BUSINESS**

Ald. Simpson moved, Ald. Griffin seconded, to dispense with the reading of the minutes and to approve the minutes of the May 18, 2010, City Council meeting. The motion carried 10/0 via voice vote. Ald. Edwards, Simpson, Kunz, Lesko, Cahnman, Mahoney, Cimarossa, Theilen, Dove & Griffin voted yes.

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

The next matter on the agenda was the Consent Agenda. Ald. Simpson moved, Ald. Griffin 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. Edwards, Simpson, Kunz, Lesko, Cahnman, Mahoney, Cimarossa, Theilen, Dove & Griffin voted yes.

Ald. Simpson moved to recess the regular meeting of the City Council to hold a public hearing regarding Agenda No. 2010-209, “An Ordinance Authorizing The Office Of The City Treasurer To Accept Credit And Debit Cards For Payment And Authorizing Acceptance Of A Participant Agreement. Ald. Griffin seconded. The motion carried 10/0 via voice vote. Ald. Edwards, Simpson, Kunz, Lesko, Cahnman, Mahoney, Cimarossa, Theilen, Dove & Griffin voted yes.

A Public Hearing was convened. No testimony was given.

Ald. Simpson moved to adjourn the public hearing and reconvene the regular meeting of the City Council. Ald. Griffin seconded. The motion carried 10/0 via voice vote. Ald. Edwards, Simpson, Kunz, Lesko, Cahnman, Mahoney, Cimarossa, Theilen, Dove & Griffin voted yes.

Ald. Simpson moved to place the Consent Agenda on Final Passage. Ald. Griffin seconded. The Consent Agenda passed by a vote of 10/0. Ald. Edwards, Simpson, Kunz Lesko, Cahnman, Mahoney, Cimarossa, Theilen, Dove & Griffin voted yes.

Agenda Numbers 2008-337, 2009-387, 2009-582, 2010-001, 2010-048, 2010-131, 2010-143, 2010-144, 2010-158 Remain Tabled or In Committee.

The first item on the Agenda was Agenda No. 2010-194, An Ordinance Setting Salaries For The Mayor, City Clerk, City Treasurer, As Amended. Ald. Simpson moved to place Agenda No. 2010-194 on final passage. Ald. Griffin seconded.

Ald. Theilen questioned whether any raises should be granted at this time. Mayor Davlin stated that the ordinance ties any raises to future office holders to the Consumer Price Index. When the economy is down, raises are unlikely or perhaps .5% . When the economy is doing well, raises are tied to the CPI. This language will be included in all union contracts for all City employees. This affects future office holders – not the current office holders.

Ald. Cahnman agreed with the Mayor to a certain degree. He doesn't think now is the time to pass a pay increase. In light of what the City went through with passing the budget, it isn't the time to pass this legislation.

The motion passed 9/1. Ald. Edwards, Simpson, Kunz, Lesko, Mahoney, Cimarossa, Theilen, Dove, Griffin voted yes. Ald. Cahnman voted no.

The Next Item On The Agenda was Agenda No. 2010-214, "An Ordinance Authorizing Execution Of Agreement Number JN 610-010 With The State Of Illinois Department Of Transportation For The Clear Lake Avenue Project, Job Number C-96-504, And Placing Restrictions On Encroachments, Parking And Sewers In The Project Area For The Office Of Public Works, For Emergency Passage." Ald. Simpson moved to place Agenda No. 2010-214 on Emergency Passage. Ald. Griffin seconded. The motion carried 11/0. Ald. Edwards, Simpson, Kunz, Lesko, Cahnman, Mahoney, Cimarossa, Theilen, Dove, Griffin & Mayor Davlin voted yes.

The Next Item On The Agenda was No. 2010-215, "An Ordinance Authorizing The Execution Of A Memorandum Of Understanding With Sangamon County, Illinois, To Allocate Funds Received In Connection With The 2010 Byrne Justice Assistance Grant Program (#2010-H5737-IL-DJ) From The U.S. Department Of Justice, For Emergency Passage." Ald. Simpson moved to place Agenda No. 2010-215 on Emergency Passage. Ald. Griffin seconded. The motion carried 11/0. Ald. Edwards, Simpson, Kunz, Lesko, Cahnman, Mahoney, Cimarossa, Theilen, Dove, Griffin & Mayor Davlin voted yes.

Ald. Griffin Moved To Suspend The Rules And Place On First Reading, Agenda No. 2010-229, "An Ordinance Authorizing Execution Of A Letter Of Agreement For Withdrawal Of The City's Membership With The Intergovernmental Personnel Benefit Cooperative." Ald. Dove seconded. The motion carried 10/0 via voice vote. Ald. Edwards, Simpson, Kunz Lesko, Cahnman, Mahoney, Cimarossa, Theilen, Dove & Griffin voted yes.

Ald. Simpson Moved To Suspend The Rules And Place On First Reading, Agenda No. 2010-230, "An Ordinance Accepting And Authorizing The Execution Of Junior Police Academy Grant #109022 In The Amount Of \$3,234.00 From The Illinois Criminal Justice Information Authority, Authorizing A Supplemental Appropriation In The Amount Of \$3,234.00, And Authorizing Execution Of Sub recipient Agreement Number 109022-A With Junior Police Academy Of Springfield, Inc. NFP For The Springfield Police Department." Ald. Griffin seconded. The motion carried 10/0 via voice vote. Ald. Edwards, Simpson, Kunz Lesko, Cahnman, Mahoney, Cimarossa, Theilen, Dove & Griffin voted yes.

Ald. Simpson Moved To Suspend The Rules And Place On First Reading, Agenda No. 2010-231, "An Ordinance Authorizing Execution Of A Redevelopment Agreement With Susan J. Isringhausen, For Purchase Of A Façade Easement (\$40,000.00), Two Architectural Assistance Grants In The Amount Of \$2,000.00 Each (\$4,000.00), One ADA Assistance Grant (\$70,769.00) And A Building

Rehabilitation Grant In The Amount Of \$58,312.00 For A Total Not To Exceed \$173,081.00 For The Property Located At 229 E. Jefferson Street Utilizing Central Area Tax Increment Finance Funds.” Ald. Griffin seconded. The motion carried 10/0 via voice vote. Ald. Edwards, Simpson, Kunz Lesko, Cahnman, Mahoney, Cimarossa, Theilen, Dove & Griffin voted yes. Ald. Edwards, Simpson, Kunz Lesko, Cahnman, Mahoney, Cimarossa, Theilen, Dove & Griffin voted yes.

Mayor Davlin stated the next Council meeting is June 22, 2010 which is the fourth Tuesday. Typically, the Committee of the Whole meet the previous week. However, if there is no objection, he would like to move the Committee meeting from June 8 to June 15. Ald. Edwards stated he preferred June 15. Ald. Simpson stated that, as the chair of the committee, she has no objection.

Mayor Davlin stated there would be a press conference on June 2, 2010, at 9:30 a.m. regarding a Public Works pick up in the City due to the heavy rains the City had received. He urged city residents to use their bulky item pick up with the waste hauler. Call 522-7797. He stated the city would be issuing coupons to city residents to use at the dump site for those individuals who were able to remove damaged items themselves. Mayor Davlin stated that any items dumped would go against the 5000 tons allotted for the drop off. There would be Public Works crews available in the City for those who are not able to remove damaged items. More details would follow tomorrow at the press conference.

Ald. Lesko asked about tree limbs that had come down in the recent storms. Mayor Davlin stated limbs would be picked up as usual. Just get them to the curb.

Ald. Edwards asked about 2010-210 which had passed on the Consent Agenda. He stated the ordinance indicates that some city residents would be paying a different amount than other city residents for their water.

Todd Renfrow stated that federal law takes water districts that have federal loans and grants the federal government exclusive rights. Previously, the City had rights up to 1.5 miles from its corporate borders. His staff has researched the issue and it is a win win for everyone. We know that Curran Gardner is growing. They do not have the capacity to serve their residents but CWLP does. They will furnish the infrastructure and we will furnish the water. So you could be a City resident but you would have Curran Gardner water.

Eric Hobbie stated that the quick answer is that residents will be a retail customer of Curran Gardner. We will sell water on a wholesale basis to Curran Gardner. All new development in the Curran Gardner water district will be retail customers. We will sell water to them at wholesale prices.

Ald. Edwards asked if they will be paying a higher rate than City customers. Eric Hobbie stated they will be paying the Curran Gardner rate which is determined by Curran Gardner. Ald. Edwards stated that he understood that but felt that if you were a city resident you should pay city rates.

Todd Renfrow stated there is nothing we can do about it. Federal law states they have exclusive rights.

CC Johnson stated the key is new development – not existing city water customers.

Ald. Cahnman stated the Round Up Program through CWLP was able to provide nearly \$10,000 to the Salvation Army to help run the Springfield Overflow Shelter. He stated the June CWLP bill will have

the information on the Round Up Program and he urged residents to sign up and give generously to help the homeless population in Springfield.

Mayor Davlin stated that he wanted everyone to know that at 12:01 am today, City Engineer Tim Sheehan became one year old than Mayor Davlin. He wished him Happy Birthday.

Ald. Edwards asked about the downtown event this weekend. It was his understanding that merchants downtown were not allowed to sell outside like the vendors who were coming in for this event. He asked if the City could set something up so that our vendors could do the same thing.

CC Johnson stated that Business Licensing had been contacted. Mayor Davlin stated that he will meet with the Police Department and Business Licensing and work something out.

Ald. Cahnman agreed with Ald. Edwards and stated he believes we should treat our downtown bar owners as well or better than those vendors who come in from out of town.

Ald. Edwards moved to adjourn the meeting at 5:51 p.m. Ald. Griffin Seconded. The Motion Carried 10/0 via voice vote.

*Cecilia K. Tumulty*

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