

**Draft Minutes of Springfield City
Council Meeting
Tuesday, November 16, 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., November 16, 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 the Council meeting.

2010-441 An Ordinance Authorizing Acceptance And Execution Of Grant No. 11-751029 From The Illinois Department Of Commerce And Economic Opportunity, Under The Local Tourism And Convention Bureau Grant Program, In The Amount Of \$271,531.00 With Matching Funds Required In The Amount Of \$271,531.00, Beginning July 1, 2010, Through June 30, 2011, **For Emergency Passage (Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

2010-442 An Ordinance Authorizing The Acceptance Of Two Grants And Approving The Respective Grant Agreements With The U.S. Department Of Housing And Urban Development In Connection With The City's FY10 Consolidated Action Plan To Accept \$1,387,939.00 In Community Development Block Grant (CDBG) Entitlement And \$611,695.00 In Home Investment Partnership (Home) Formula Funds For A Total Of \$1,999,634.00 For The Office Of Planning And Economic Development, **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.

2010-443 An Ordinance Authorizing The Execution Of An Annexation Agreement With Harry A. Gines For The Property Located At 1614 N. 29th Street **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

2010-444 An Ordinance Authorizing Payment To Latham Souther, A Former Office Of Public Utilities Employee, For Settlement Of A Workers Compensation Claim For Number 09294a613955 **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

2010-445 An Ordinance Authorizing A Supplemental Appropriation In The Amount Of \$200,000.00 For The Office Of Budget And Management **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

2010-446 An Ordinance Authorizing A Supplemental Appropriation In The Amount Of \$10,825.00 For The Springfield Police Department **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

2010-447 An Ordinance Authorizing Extension Of A Service Agreement With Cannon Cochran Management Services, Inc. To Serve As Third Party Administrator For The City Of Springfield's Employee Workers' Compensation Programs From January 1, 2011, Through December 31, 2011, In

The Amount Of \$165,000.00 (**Requested By Mayor Timothy J. Davlin**) (**Committee Of The Whole**)

2010-448 An Ordinance Accepting And Authorizing The Execution Of A Proposal With General Electric International, Inc. In An Amount Not To Exceed \$854,150.00 For Valve Inspection And Repair Services For The Dallman Power Plant Unit No. 33 Turbine Generator For The Electric Division (**Requested By Mayor Timothy J. Davlin**) (**Committee Of The Whole**)

2010-449 An Ordinance Approving And Authorizing The Execution Of A Telecommunications Contract Service Agreement Between The City Of Springfield And Bunn-O-Matic Corporation (**Requested By Mayor Timothy J. Davlin**) (**Committee Of The Whole**)

2010-450 An Ordinance Approving And Authorizing Execution Of Two Separate One-Year Lease Agreements For The Administrative Services Division For The City Of Springfield (**Requested By Mayor Timothy J. Davlin**) (**Committee Of The Whole**)

2010-451 An Ordinance Authorizing The Purchase Of One Tandem Axle Service Truck From Prairie/Archway International Trucks, Inc. For A Total Not To Exceed \$139,122.00 Under State Contract 4015050 For The Office Of Public Works Sewer Department (**Requested By Mayor Timothy J. Davlin**) (**Committee Of The Whole**)

2010-452 An Ordinance Authorizing Execution Of An Agreement With The State Of Illinois Department Of Transportation For Preliminary Engineering Of The Chatham Road Bridge (Mft Section 10-00470-00-Br) For The Office Of Public Works (**Requested By Mayor Timothy J. Davlin**) (**Committee Of The Whole**)

2010-453 An Ordinance Authorizing Execution Of An Agreement With Allen Henderson & Associates, Inc., For Preliminary Engineering Services For The Reconstruction Of The Chatham Road Bridge In The Amount Of \$202,827.38 And Authorizing A Waiver Of The Requirements Of Section 38.48(B) Of The City's Purchasing Code For The Office Of Public Works (**Requested By Mayor Timothy J. Davlin**) (**Committee Of The Whole**)

2010-454 A Resolution Notifying The State Of Illinois Department Of Transportation That Motor Fuel Tax Funds In The Amount Of \$202,827.38 May Be Used For Preliminary Engineering Of The Chatham Road Bridge Over The Jacksonville Branch (Mft Section No. 10-00470-00-Br) For The Office Of Public Works (**Requested By Mayor Timothy J. Davlin**) (**Committee Of The Whole**)

2010-455 An Ordinance Authorizing The Execution Of Contract No. Pw 11-17 With Allied Waste Services #352 Of Sangamon County For Collection, Recycling And Disposal Of Bulky Items For A Three Year Period, In An Amount Not To Exceed \$360,000.00 For The Office Of Public Works (**Requested By Mayor Timothy J. Davlin**) (**Committee Of The Whole**)

2010-456 An Ordinance Authorizing Execution Of A Redevelopment Agreement With Quenette Development, LLC, For Acquisition And Rehabilitation Of The Building Located At 201 East Adams Street Utilizing Central Area Tax Increment Finance Funds In An Amount Not To Exceed \$1,200,000.00, For The Office Of Planning And Economic Development (**Requested By Mayor Timothy J. Davlin**) (**Committee Of The Whole**)

2010-457 An Ordinance Authorizing Execution Of An Economic Development Agreement Between The Office Of Planning And Economic Development And The Office Of Public Works Utilizing The City's Community Development Block Grant Funds In An Amount Not To Exceed \$600,000.00 **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

2010-458 An Ordinance Referring A Petition To The Springfield Planning And Zoning Commission For Public Hearing And Consideration Proposing An Amendment To Chapter 155, To Include The Table In Section 155.055 **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

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

2010-406 An Ordinance Authorizing The Execution Of A Collective Bargaining Agreement With The Operating Engineers, Local #965, For The Office Of Public Utilities, From May 1, 2010, Through April 30, 2011 **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

2010-407 An Ordinance Approving The Reappointment Of George M. Sisk To The Springfield Planning And Zoning Commission **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

2010-408 An Ordinance Approving The Appointments Of Michele Kuntz, Dominic Elijah Watson And Silas Johnson To The Community Relations Commission **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

2010-409 An Ordinance Approving The Reappointment Of Chris Burger To The Plumbing Commission **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

2010-410 An Ordinance Authorizing Extension Of Contract Cs09-07-59 Through November 5, 2011, With Allied Waste Transportation, Inc. D/B/A Capitol Waste Systems And Illini Disposal, Inc. For An Amount Not To Exceed \$94,267.00 For Dumpster And Roll Off Box Services For The Office Of Budget And Management **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

2010-411 An Ordinance Authorizing The Purchase Of Twelve Ford Crown Victoria's Under State Contract PSD 4015559 From Landmark Ford, Inc. For The Springfield Police Department In An Amount Not To Exceed \$248,016.00 **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

2010-412 An Ordinance Authorizing A Supplemental Appropriation In The Amount Of \$145,378.00 For The Springfield Police Department **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

2010-413 An Ordinance Authorizing Payments To Donald Cline And Ronald Lowe, Office Of Public Works Employees, Steve Logue, A Former Office Of Public Works Employee, And Aaron Palazzolo, An Office Of Public Utilities Employee, For Settlement Of Workers Compensation Claims **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

2010-414 An Ordinance Approving And Authorizing Execution Of Amendment No. 2 To The City Of Springfield Office Of Public Utilities Electric Division's Original Base Contract For The Sale And Purchase Of Natural Gas With Proliance Energy, LLC Approved Under Ordinance No. 155-03-06 **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

2010-415 An Ordinance Accepting Bids And Authorizing The Execution Of Contract Uw11-03-09 – Water Works Improvement Project Contract 1-Demolition Generating Facilities With Joe Morris Coleman, Jr. In The Amount Of \$288,000.00 **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

2010-416 An Ordinance Approving And Authorizing The Execution Of A Telecommunications Contract Service Agreement Between The City Of Springfield And Springfield Clinic LLP (2901 Greenbriar Drive) **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

2010-417 An Ordinance Approving And Authorizing The Execution Of A Telecommunications Contract Service Agreement Between The City Of Springfield And Springfield Clinic LLP (1130 South Sixth Street) **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

2010-418 An Ordinance Approving And Authorizing The Execution Of A Telecommunications Fiber Capacity License Agreement Between The City Of Springfield And St. John's Hospital **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

2010-419 An Ordinance Approving Payment To Advanced Utility Systems Corporation, A Division Of Harris Computer Systems, In An Amount Not To Exceed \$132,562.00 For Annual Software Support And Maintenance For The Finance Division Commercial Office Infinity Customer Information System (CIS) Under An Existing Software License And Implementation Agreement **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

2010-420 An Ordinance Authorizing Cancellation Of A Farm Lease Agreement With Stanley Courtney And Execution Of A Farm Lease Agreement With Roy B. West Iii And Stacy A. West Pertaining To Lease No. 1028 **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

2010-421 A Resolution Approving And Authorizing Submission Of A Grant Application To The Illinois Department Of Natural Resources Park And Recreation Facility Construction Program To Fund Improvements To The Center Park Complex At Lake Springfield **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

2010-422 An Ordinance Declaring Certain Evaporator Equipment As Surplus Property, And Approving And Authorizing Execution Of An Agreement With Aquatech International Corporation For The Sale Of Said Surplus Equipment In The Amount Of \$2,650,000.00 For The Electric Division Generation Department **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

2010-423 An Ordinance Accepting The Lowest Bid And Authorizing The Execution Of Contract Number Pw 11-09-56 With Egizii Electric, Inc. For Traffic Signals At 8th Street And Sangamon Avenue In An Amount Not To Exceed \$166,307.73 For The Office Of Public Works **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

2010-424 An Ordinance Accepting The Lowest Bid And Authorizing The Execution Of Contract Number Pw 11-09-57 With Egizii Electric, Inc. For Traffic Signals At Cook Street And Eastdale Avenue In An Amount Not To Exceed \$179,950.60 For The Office Of Public Works **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

2010-425 An Ordinance Accepting The Lowest Bid And Authorizing The Execution Of Contract Number Pw 11-09-58 With Egizii Electric, Inc. For Traffic Signals At Cook Street And 15th Street In An Amount Not To Exceed \$124,539.52 For The Office Of Public Works **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

2010-426 A Resolution Notifying The State Of Illinois Department Of Transportation That Motor Fuel Tax Funds In The Amount Of \$470,797.85 May Be Used For Various Traffic Signal Projects, Pursuant To The Illinois Highway Code, For The Office Of Public Works **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

2010-427 A Supplemental Resolution Notifying The State Of Illinois Department Of Transportation That Motor Fuel Tax Funds In The Additional Amount Of \$24,099.63 Were Spent For Reconstruction Of Monument Avenue From North Grand Avenue To Oak Ridge Cemetery, Mft Section 97-00387-00-Pv, For The Office Of Public Works **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

2010-428 A Supplemental Resolution Notifying The State Of Illinois Department Of Transportation That Motor Fuel Tax Funds In The Additional Amount Of \$175,938.62 Were Spent For Traffic Signal Synchronization, Mft Section 97-00388-02-T1, For The Office Of Public Works **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

2010-429 A Supplemental Resolution Notifying The State Of Illinois Department Of Transportation That Motor Fuel Tax Funds In The Additional Amount Of \$9,600.79 Were Spent For Streetscape On Monroe Street, From 2nd To 3rd Streets, Mft Section 09-00448-05-Ls, For The Office Of Public Works **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

2010-430 An Ordinance Regarding The Variance Request Of Section 153.158(B)(2) Pertaining To Lot Arrangement For The Redivision Of Lot 100 Of South Grand Pointe, First Addition, For The Office Of Public Works **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

2010-431 An Ordinance Approving The Location And Sketch Map Of The Redivision Of Lot 100 Of South Grand Pointe, First Addition, For The Office Of Public Works **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

2010-432 An Ordinance Approving The Final Plat Of The Resubdivision Of Lot 196 Of Klemm's Piper Glen, First Addition, For The Office Of Public Works **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

2010-433 An Ordinance Approving The Revised Final Plat Of Legacy Pointe Town Center, Phase 2, For The Office Of Public Works **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

2010-434 An Ordinance Authorizing Acceptance Of A Quotation From Insituform Technologies USA, Inc. For The Re-Lining Of The Main Sewers On 8th Street, From Capitol Avenue To Edwards Street, At Washington And 9th Streets, And On Adams Street From 1st To 2nd Streets In An Amount Not To Exceed \$217,340.86 For The Office Of Public Works **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

2010-435 An Ordinance To Increase The Number Of Class C Liquor Licenses By One For Casey's Retail Company D/B/A Casey's General Store #2937, 1133 W. Jefferson Street **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

2010-436 An Ordinance To Increase The Number Of Class E Liquor Licenses By Two For Coffee House Treats & More Inc. D/B/A Golden Frog Café, And Jin Chen D/B/A Dynasty Asian Cuisine **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

2010-437 An Ordinance Authorizing Execution Of An Agreement With Ferry & Associates Architects, LLC, And Authorizing Expenditure Of Tax Increment Finance Funds In The Total Amount Of \$144,400.00 For Streetscape Plans In The Downtown TIF District, For The Office Of Planning And Economic Development **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

2010-438 An Ordinance Designating The Isaac Lindsay House Located At 503 S. 7th Street As A Local Historic Landmark **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

2010-439 An Ordinance Granting The Property Located At 503 S. 7th Street A Conditional Permitted Use Pursuant To Section 155.273 Of The Springfield Zoning Ordinance **(Requested By Mayor Timothy J. Davlin) (Committee Of The Whole)**

2010-440 A Resolution Estimating Real Property Taxes To Be Levied Against Fiscal Year 2011 And Finance Expenditures For Fiscal Year 2012 **(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. Lesko , Ald. Cahnman , Ald. Mahoney , Ald. Cimarossa , Ald. Theilen , Ald. Dove , and Ald. Griffin and Mayor Davlin

ABSENT: None

ZONING PETITIONS

Ald. Simpson moved to take Docket No. 2010-063 out of order and place it first on the Agenda. Ald. Kunz seconded. The motion carried 10/0 via voice vote.

Ald. Theilen moved continue the petition until January 18, 2011. Ald. Dove seconded the motion. The motion carried 10/0 via voice vote.

The next item on the agenda was docket number 2010-051 for the property located at 2300 South MacArthur.

PETITIONER(S): Lonnie H. Messervy & Brandon Bouthot

PRESENT ZONING CLASSIFICATION: B-1, Highway Business Service District.

REQUESTED ZONING RELIEF: Variance of Section 155.300(c)(9), General Sign Regulations, to allow display of a sky puppet, Monday through Saturday, 9:00am through 6:30pm.

STAFF RECOMMENDATION: Denial.

PLANNING AND ZONING COMMISSION RECOMMENDATION: Denial as submitted.

Ald. Cimarossa moved to accept the petition as submitted. Ald. Edwards seconded. ACC Tracy Pedersen stated that the standards of variation were found not to have been met by the Planning & Zoning Commission. Therefore, the standards of variation will have to be addressed by the petitioner. Ald. Cimarossa asked for an explanation. Pedersen explained the standards required to be met by the Petitioner to grant the relief requested. If the standards are not met then the variance should not be granted. Ald. Edwards stated as he understands it there is a vacant or previously unoccupied building there now and therefore meeting the economic stability standard. Ald. Kunz asked since when can't we make a variance. Pedersen stated the standards needs to be met before the variance can be granted. It's up to the City Council to determine if the standards have been met. She suggested the petitioner's attorney address that issue.

Melissa Stewart, Giffin & Winning Law Offices, 1 W. Old State Capital Plaza, Spfld, IL., attorney for the petitioner, addressed the Council. She stated there are 3 factors that must be met and she will address all three. Ms. Stewart stated the request for the use of the sky puppet, as shown in the photos attached to the minutes, showed significantly more profitability than after it was ordered to be taken down by the City. For this property to be viable, it needs every opportunity to draw customers. This is a commercial district. Ms. Stewart stated that her client shares space with other tenants who have more visibility. The puppet would attract customers significantly.

Ald. Simpson asked why the petitioner would need mechanics when they have name recognition and a large sign. Ms. Stewart stated the sky puppet attracted more customers during the time it was up. She stated most US Cellular stores have the sky puppet.

Ald. Kunz asked if the petition did not meet the requirements why is the petition before the Council. ACC Pederson stated the Planning and Zoning Commission makes a recommendation to the Council. They felt that it did not meet the standards. The vote on this was 8-2. There were 8 commissioners who voted that the petition did not meet the standards and 2 who voted it did meet the standards. Mayor Davlin stated if you vote for the petition, you're voting in favor of tonight's findings.

Ald. Kunz stated it doesn't change the standards. CC Johnson stated the Council is required to make findings of fact for a variance. You are free to find differently than the Planning & Zoning Commission.

Mayor Davlin stated your vote will determine your findings. Ald. Cimarossa stated that on the face of it, she was not in favor of this Petition. However, after further discussions and looking at the commercial aspect of McArthur Boulevard, she was going to support the petition. She urged the Council to vote on the merits of the case.

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

The next item on the agenda was docket number 2010-067 for the property located at 402 North 4th Street.

PETITIONER(S): Ace Sign Company

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

REQUESTED ZONING RELIEF: Variance of Section 155.061, Basic yard requirements, to allow enclosure of the driveway with a frame building and a reduction of the front yard from 15 feet to zero feet.

STAFF RECOMMENDATION: Approval.

PLANNING AND ZONING COMMISSION RECOMMENDATION: Approval of the petition as submitted.

Ald. Cahnman moved to accept the Planning & Zoning Commission's recommendation. Ald. Mahoney seconded. The motion passed 10/0. Ald. Edwards , Ald. Simpson , Ald. Kunz , Ald. Lesko , Ald. Cahnman , Ald. Mahoney , Ald. Cimarossa , Ald. Theilen , Ald. Dove , and Ald. Griffin voted Yes.

Mayor Davlin thanked Ace Sign Company for remaining in downtown Springfield. Ald. Cahnman thanked Ace Sign Company for the sign on Clear Lake Avenue welcoming visitors to Springfield.

The next item on the agenda was docket number 2010-HIST-068 for the property located at 503 South Seventh Street. Mayor Davlin indicated that this petition is being withdrawn from the zoning Agenda. The ordinance, Agenda No. 2010-439, addressing this petition is on the Council's Consent Agenda.

The next item on the agenda was docket number 2010-068 for the property located at 503 South Seventh Street.

PETITIONER(S): Lewis House LLC

PRESENT ZONING CLASSIFICATION: H-3, Historic District.

REQUESTED ZONING RELIEF: Variance of Section 155.100, Eating and drinking establishments, to allow zero off street parking spaces instead of the requirement of at least one accessory off street parking space for each 100 square feet of floor space intended for use by the public.

STAFF RECOMMENDATION: Denial.

PLANNING AND ZONING COMMISSION RECOMMENDATION: Approval of the petition as submitted.

Ald. Mahoney moved to accept the Planning & Zoning Commission's recommendation. Ald. Cimarossa seconded. The motion passed 10/0. Ald. Edwards , Ald. Simpson , Ald. Kunz , Ald. Lesko , Ald. Cahnman , Ald. Mahoney , Ald. Cimarossa , Ald. Theilen , Ald. Dove , and Ald. Griffin voted Yes.

The next item on the agenda was docket number 2010-069 for the property located at 625 South Second Street.

PETITIONER(S): Realty Restoration, Ltd.

PRESENT ZONING CLASSIFICATION: R-5, General Residence and Office District (old ordinance).

REQUESTED ZONING RELIEF: Variance of Section 155.314, Illuminated signs, Section 155.315, Residential and office district sign conformance and Section 155.480(k), Site and parking area lighting requirements, to allow a total square foot area of signs of 64 square feet, a second sign to be located in the front yard of the building, and the building address on the sign to be illuminated with up lighting.

STAFF RECOMMENDATION: Approval.

PLANNING AND ZONING COMMISSION RECOMMENDATION: Approval of the petition as submitted.

Ald. Cahnman moved to accept the Planning & Zoning Commission's recommendation. Ald. Mahoney seconded. The motion passed 10/0. Ald. Edwards , Ald. Simpson , Ald. Kunz , Ald. Lesko , Ald. Cahnman , Ald. Mahoney , Ald. Cimarossa , Ald. Theilen , Ald. Dove , and Ald. Griffin voted Yes.

The next item on the agenda was docket number 2010-070 for the property located at 1527 North 11th St.

PETITIONER(S): Illini Disposal, Inc.

PRESENT ZONING CLASSIFICATION: B-1, Highway Business Service District.

REQUESTED ZONING RELIEF: Reclassification to I-2, Heavy Industrial District, Section 155.041, with a Conditional Permitted Use pursuant with Sections 155.041(c)(4), Garbage and refuse disposal and Section 155.202, Garbage and refuse recycling.

STAFF RECOMMENDATION: Denial.

PLANNING AND ZONING COMMISSION RECOMMENDATION: Denial of the petition as submitted, but recommend approval of a Use Variance to allow recycling of glass, paper, plastic and cardboard indoors, overnight parking within the fenced area on Eleventh Street and working hours of 8 a.m.-5 p.m. with the storage containers outside.

Ald. Lesko moved to accept the Petition as submitted. Ald. Edwards seconded. The motion passed 10/0. Ald. Edwards , Ald. Simpson , Ald. Kunz , Ald. Lesko , Ald. Cahnman , Ald. Mahoney , Ald. Cimarossa , Ald. Theilen , Ald. Dove , and Ald. Griffin voted Yes.

The next item on the agenda was docket number 2010-072 for the property located at 2000 Lowell Avenue.

PETITIONER(S): Christopher D. Oliver.

PRESENT ZONING CLASSIFICATION: R-2, Single-Family and Duplex Residence District.

REQUESTED ZONING RELIEF: Variance of Sections 155.061, Basic Yard Requirements, to allow an addition to the East side of the structure to be within 2 feet 4 inches of the rear lot line.

STAFF RECOMMENDATION: Denial.

PLANNING AND ZONING COMMISSION RECOMMENDATION: Denial of the petition as submitted.

Ald. Mahoney moved to accept the Petition as submitted. Ald. Edwards seconded. ACC Pedersen stated that the standards of variation would have to be met on this as well.

Christopher D. Oliver, 1401 South Lowell Avenue, Spfld, IL., addressed the Council. He is the owner of the subject property. He stated the proposed addition to the structure will not change the view of the neighborhood or the street. The addition will increase the value of the property. He builds and repairs stringed instruments. Ald. Edwards stated that he believed Mr. Oliver had been before the Council in the past. It was confirmed that he had received zoning relief in the past for the business. This petition relates to the addition to the structure.

Ald. Mahoney stated he has been to the property and he does not see where it changes the view or obstructs the view of other property owners. He lives just down the street from the petitioner.

Amy Roderick, 520 W. Ash, Springfield, Il. 62702, addressed the Council. She passed out photos of the property. ACC Pedersen stated there are standards of variation to be met in this case and read them into the record.

Ms. Roderick urged the Council to vote against the petition. She stated the variance does not meet the standards of variation and recited the reasons why they do not. Ms. Roderick stated that she and her husband did not enter into a verbal agreement with Mr. Oliver. The property has received variances in the past and she does not support an additional variance.

Ald. Mahoney asked about construction of privacy fence. Joe Gooden, Zoning Administrator for the City of Springfield stated that each owner could construct a fence; however, the restrictions for the property on which Ms. Roderick resides would require a 25 foot set back from the sidewalk. The petitioner's fence would only have to be set back 12.5 feet as it is his side yard.

Ald Lesko asked for and received explanation of the photos Ms. Roderick provided to the Council members.

Ms. Roderick stated the proposed addition is 2 feet 4 inches from the property line. A small portion of the existing structure is 2 feet 4 inches from the property line.

Ald. Theilen asked about the air conditioning unit and whether it would remain in the current location. Mr. Oliver stated that the unit is being removed and not replaced.

Mayor Davlin reminded the Council that a yes vote is a finding for the variance and the standards have been met.

The motion passed 7/3. Ald. Edwards , Ald. Simpson , Ald. Kunz , Ald. Mahoney , Ald. Cimarossa , Ald. Theilen , Ald. Dove , and Ald. Griffin voted Yes. Ald. Lesko , Ald. Cahnman , and Ald. Theilen voted No.

The last item on the agenda was docket number 2010-073 for the property located at 1708 Josephine Place.

PETITIONER(S): Gregory A. and Lindsay M. Matthews.

PRESENT ZONING CLASSIFICATION: R-1, Single-Family Residence District.

REQUESTED ZONING RELIEF: Variance of Section 155.001, Definitions Lot, pertaining to Accessory Buildings, to allow construction of an unattached pool house with a bathroom and outdoor kitchen area.

STAFF RECOMMENDATION: Approval.

PLANNING AND ZONING COMMISSION RECOMMENDATION: Approval of the petition as submitted.

Ald. Cimarossa moved to accept the Planning and Zoning Commission recommendation. Ald. Mahoney seconded. The motion carried 10/0. Ald. Edwards ☒, Ald. Simpson ☒, Ald. Kunz ☒ Ald. Lesko☒, Ald. Cahnman ☒, Ald. Mahoney ☒, Ald. Cimarossa ☒, Ald. Theilen ☒, Ald. Dove ☒, and Ald. 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 October, 2010, was \$3,495,541.00 Ald. Simpson Moved to Approve the Treasurer's Report. Ald. Cimarossa Seconded. The Motion Carried 10/0 via voice vote.

Ald. Simpson moved, Ald. Cimarossa seconded, to dispense with the reading of the minutes and to approve the minutes of the November 2, 2010, City Council meeting. The motion carried 10/0 via voice vote.

Ald. Simpson moved, Ald. Cimarossa 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. Kunz seconded. Ald. Theilen requested that he be recorded as voting No on Agenda No. 2010-408. The motion carried 10/0. Ald. Edwards ☒, Ald. Simpson ☒, Ald. Kunz ☒ Ald. Lesko☒, Ald. Cahnman ☒, Ald. Mahoney ☒, Ald. Cimarossa ☒, Ald. Theilen ☒, Ald. Dove ☒, and Ald. Griffin ☒ voted yes.

Agenda Numbers 2008-337, 2009-387, 2009-582, 2010-001, 2010-048, 2010-131, 2010-158, 2010-284, 2010-328, 2010-380 and 2010-404 Remain Tabled or In Committee.

The first item on the Council's Agenda was Agenda No. 2010-441, An Ordinance Authorizing Acceptance And Execution Of Grant No. 11-751029 From The Illinois Department Of Commerce And Economic Opportunity, Under The Local Tourism And Convention Bureau Grant Program, In The Amount Of \$271,531.00 With Matching Funds Required In The Amount Of \$271,531.00, Beginning July 1, 2010, Through June 30, 2011, For Emergency Passage. Ald. Simpson moved to place Agenda No. 2010-441 on Emergency Passage. Ald. Griffin seconded. The motion carried 11/0. Ald. Edwards ☒, Ald. Simpson ☒, Ald. Kunz ☒ Ald. Lesko☒, Ald. Cahnman ☒, Ald. Mahoney ☒, Ald. Cimarossa ☒, Ald. Theilen ☒, Ald. Dove ☒, and Ald. Griffin ☒ and Mayor Davlin ☒ voted yes.

The next item on the Council's Agenda was Agenda No. 2010-442 An Ordinance Authorizing The Acceptance Of Two Grants And Approving The Respective Grant Agreements With The U.S. Department Of Housing And Urban Development In Connection With The City's Fy10 Consolidated Action Plan To Accept \$1,387,939.00 In Community Development Block Grant (CDBG) Entitlement And \$611,695.00 In Home Investment Partnership (Home) Formula Funds For A Total Of \$1,999,634.00 For The Office Of Planning And Economic Development, For Emergency Passage. Ald. Simpson moved to place Agenda No. 2010-442 on Emergency Passage. Ald. Cimarossa seconded. The motion carried 11/0. Ald. Edwards ☒, Ald. Simpson ☒, Ald. Kunz ☒ Ald. Lesko☒

Ald. Cahnman ☒, Ald. Mahoney ☒, Ald. Cimarossa ☒, Ald. Theilen ☒, Ald. Dove ☒, and Ald. Griffin ☒ and Mayor Davlin ☒ voted yes.

Ald. Simpson moved to suspend the rules and place on first reading Agenda No. 2010-459, A Resolution of the City Council of the City of Springfield, Illinois, Reallocating Recovery Zone Economic Development bond and Recovery Zone Facility Bond Allocations to the Illinois Finance Authority. Ald. Cimarossa seconded. The motion carried 10/0 via voice vote.

Ms. Cilla Sluga, Springfield Area Disabilities Activists, addressed the Council. She provided a written statement to the Council which has been incorporated into these minutes. Ms. Sluga provided a letter from the Coalition of Citizens with Disabilities in Illinois as well. That letter is incorporated into these minutes as well. Ms. Sluga stated she has a concern in that there is no full time ADA coordinator for the City of Springfield at this time. She stated that one in 5 persons in Springfield are disabled and they have needs which need to be served by a full time coordinator. She noted that Marilyn Selby has retired and the Director of Community Services is doing what he can, however, he has many responsibilities. She urged Mayor Davlin and the Council to address the concerns of SADA and CCDI as soon as possible.

Ald. Cimarossa moved to adjourn the meeting at 6:10 p.m. Ald. Griffin Seconded. The Motion Carried 10/0 via voice vote.

Cecilia K. Tumulty

Cecilia K. Tumulty
City Clerk