



## **MINUTES** **COMMITTEE AGENDA**

**Tuesday, December 13, 2011**

**City Council Chambers**

**5:30 p.m.**

<b>Ward 1</b>	Frank Edwards	<b>Ward 6</b>	Cory Jobe
<b>Ward 2</b>	Gail Simpson ( <b>Vice Chair</b> )	<b>Ward 7</b>	Joe McMenamain
<b>Ward 3</b>	Doris Turner ( <b>Chair</b> )	<b>Ward 8</b>	Kris Theilen
<b>Ward 4</b>	Frank Lesko	<b>Ward 9</b>	Steve Dove
<b>Ward 5</b>	Sam Cahnman	<b>Ward 10</b>	Tim Griffin

Chairman Doris Turner called the meeting to order at 5:30pm.

Clerk Tumulty called the roll of members.

Present: Ald. Edwards☒, Simpson☒, Turner☒, Lesko☒, Cahnman☒, Jobe☒, McMenamain☒, Theilen☒, Dove☒ and Griffin☒ were all were present.

Alderman Lesko made a motion to approve the November 29, 2011 Committee meeting minutes. His motion was seconded by Alderman Griffin. The motion passed with a voice vote of 10-0.

Treasurer Langfelder presented the treasurer's report. He reported that the beginning balance of the corporate fund for the month of November was \$6,441,871.00. Receipts for the month of November totaled \$8,531,746.00. Disbursements for the month of November totaled \$6,672,500.00. This resulted in an ending balance for the corporate fund of -\$1,698,883.00. A copy of his full report is included with these minutes.

Office of Budget and Management Director Bill McCarty presented the Office of Budget and Management Contract Report to the Committee.

Next, Chairman Turner read the ordinances tabled or remaining in Committee.

**2010-158** AN ORDINANCE AMENDING THE 1988 CITY OF SPRINGFIELD CODE OF ORDINANCES, AS AMENDED, BY ADDING CHAPTER 154: EROSION CONTROL REGULATIONS (**Requested By Mayor Timothy J. Davlin**) (**Remains In Committee 7/26/11**)

**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 (**Requested By Ald. Simpson**) (**Committee Of The Whole**) (**Remains In Committee 3/8/11**)

**2011-224** AN ORDINANCE AMENDING THE 1988 CITY OF SPRINGFIELD CODE OF ORDINANCES, AS AMENDED, BY AMENDING SECTION 36.04(A) TO CORRECT A TECHNICAL ERROR PERTAINING TO EXEMPTIONS UNDER CERTAIN JURISDICTIONS OF THE CITY PERSONNEL SYSTEM AND BY ADDING SECTION 36.65 REGARDING SUSPENSIONS RESULTING FROM ARREST OR INDICTMENT, **AS AMENDED (Requested by Mayor J. Michael Houston)** (**Remains in Committee 6/28/11**)

**2011-344** AN ORDINANCE AUTHORIZING PAYMENT TO JAMES TAYLOR, AN OFFICE OF PUBLIC UTILITIES EMPLOYEE, FOR SETTLEMENT OF WORKERS' COMPENSATION CLAIM NUMBER 10-WC-43534 (**Requested by Mayor J. Michael Houston**) (**Remains in Committee 9/20/11**)

**2011-393** AN ORDINANCE AMENDING CHAPTER 36, SECTION 36.05, OF THE 1988 CITY OF SPRINGFIELD CODE OF ORDINANCES, AS AMENDED, PERTAINING TO THE OBLIGATORY RESIDENCY REQUIREMENT FOR EMPLOYEES HIRED ON OR AFTER OCTOBER 28, 2011, BY THE CITY OF SPRINGFIELD, ILLINOIS (**Requested by Alderman Joe McMenamin**) (**Remains in Committee 10/18/11**)

#### **Ordinances for Committee Consideration**

**2011-468** AN ORDINANCE AUTHORIZING PAYMENT TO TERRY DAY, A CITY OF SPRINGFIELD POLICE OFFICER, TO SETTLE A WORKERS' COMPENSATION CLAIM FOR CASE NUMBER 11-WC-7088 (**Requested by Mayor J. Michael Houston**)

Alderman Simpson made a motion to place Agenda Item 2011-468 onto the consent agenda. Her motion was seconded by Alderman Griffin. The motion passed with a voice vote of 10-0.

**2011-469** AN ORDINANCE AUTHORIZING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$31,000.00 FOR THE OFFICE OF BUDGET AND MANAGEMENT (**Requested by Mayor J. Michael Houston**)

Alderman Simpson made a motion to place Agenda Item 2011-469 onto the consent agenda. Her motion was seconded by Alderman Griffin. The motion carried with a voice vote of 10-0.

**2011-470** AN ORDINANCE AUTHORIZING EXECUTION OF A CONTRACT WITH DISABILITY MANAGEMENT NETWORK, LTD., AN ILLINOIS CORPORATION, D/B/A TRIUNE HEALTH GROUP, LTD., TO PROVIDE WORKERS' COMPENSATION COMPREHENSIVE CASE MANAGEMENT SERVICES FOR THE CITY OF SPRINGFIELD IN AN AMOUNT NOT TO EXCEED \$371,585.20 FROM JANUARY 1, 2012, THROUGH DECEMBER 31, 2013, FOR THE OFFICE OF BUDGET AND MANAGEMENT (**Requested by Mayor J. Michael Houston**)

Alderman McMenamin made a motion to place Agenda Item 2011-470 onto the Debate Agenda. His motion was seconded by Alderman Griffin.

Alderman Griffin asked if the bid was the lowest bid. OBM Director McCarty responded that there were four bids and this contract was the lowest of the four bids.

Alderman McMenemy asked if the contract is new spending. Director McCarty responded that it was over a 24 month period. Alderman McMenemy asked if there were any performance measures included with the contract. Director McCarty responded that there will be a benefit for the employees to navigate them through the process and get them care and back to work. He also pointed out that the City expects to see a reduction in the worker's compensation expenditures, which is around \$6,000,000 each year.

Corporation Counsel Mark Cullen added that the contract does have specific performance requirements for the vendor.

Alderman Griffin asked if the cost is to pay for them and the service that they are doing. Director McCarty pointed out that the proactive medical treatment language in the contract refers to the speed at which they will receive treatment. Alderman Griffin asked for clarification that the cost would not cover preventative medical treatment. Director McCarty responded that he is correct, it would not. He also added that the only new costs will be the costs to the vendor. Director McCarty also pointed to the experience that Sangamon County has had with the vendor and the success that they have seen in the reduction of the cost of the worker's compensation claims.

Alderman Edwards expressed his support for the ordinance. He also pointed to the cost of the contract versus the cost of the payments that are made by the City for worker's compensation claims as an overall savings for the City. CC Cullen added that there are roughly 200 worker's compensation cases each year. Director McCarty stated that the contract will also help to reduce fraudulent claims as well.

Alderman Turner stated that she was on the Sangamon County Board's Finance Committee when the contract for this vendor first went through and there was a significant decrease in their worker's compensation claims and a decrease in time that employees were out of work for treatment.

Alderman Cahnman asked Director McCarty if he expects the contract to save the City in excess of what the contract costs. Director McCarty stated that he does. Alderman Cahnman asked what proactive medical treatment refers to in the contract. Director McCarty stated that it refers to the fact that a registered nurse will be in contact with the employee within days after the injury and will stay in contact with the employee throughout the process. The nurse will also attend doctor's visits, if need be. Alderman Cahnman asked if the employee will still be able to choose their own doctor for treatment. Director McCarty stated that the employee will have options. Alderman Cahnman asked if the employee would have an option to work with the registered nurse or not. Director McCarty stated that he is unclear on how the arrangement will exactly work, but the nurse will act as the City's liaison through the employee's treatment process. Alderman Cahnman stated that he believed that the City should look into offering some type of preventative care to the employees of the City. Director McCarty stated that the City is looking at a variety of options to prevent injuries.

Alderman McMenemy asked who will be responsible for monitoring the anticipated cost savings for the contract. Director McCarty responded that worker's compensation cases are handled in the Corporation Counsel's office, but that there is a staff member in the Office of Budget and Management who will also be monitoring and receiving reports from the firm.

The motion to place Agenda Item 2011-470 onto the debate agenda passed with a voice vote of 10-0.

**2011-471** AN ORDINANCE AUTHORIZING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$28,020.00 FOR THE SPRINGFIELD POLICE DEPARTMENT (**Requested by Mayor J. Michael Houston**)

Alderman Simpson made a motion to place Agenda Item 2011-471 onto the consent agenda. Her motion was seconded by Alderman Lesko. The motion passed with a voice vote of 10-0.

**2011-472** AN ORDINANCE ACCEPTING AND AUTHORIZING THE EXECUTION OF PROJECT SAFE NEIGHBORHOOD SUBAWARD GRANT NO. 2011-GP-BX-0034 IN THE AMOUNT OF \$10,000.00 FROM THE UNIVERSITY OF ILLINOIS FOR THE SPRINGFIELD POLICE DEPARTMENT (**Requested by Mayor J. Michael Houston**)

Alderman Simpson made a motion to place Agenda Item 2011-472 onto the consent agenda. Her motion was seconded by Alderman Griffin.

Alderman Theilen asked Police Chief Robert Williams how many police officers will be hired back as a result of this grant. Chief Williams stated that it depended on how much money is available.

The motion to place Agenda Item 2011-472 onto the consent agenda passed with a voice vote of 10-0.

**2011-473** A RESOLUTION AUTHORIZING THE CITY OF SPRINGFIELD TO TRANSFER ITS 2011 PRIVATE ACTIVITY BOND CAP IN THE AMOUNT OF \$11,213,135.00 TO THE CITY OF AURORA FOR ISSUANCE DURING CALENDAR YEAR 2012 IN CONNECTION WITH THE ASSIST 2012 BONDS (**Requested by Mayor J. Michael Houston**)

Alderman Simpson made a motion to place Agenda Item 2011-473 onto the consent agenda. Her motion was seconded by Alderman Griffin.

Alderman McMenamin asked for clarification on the ordinance. Office of Planning and Economic Development Director Mike Farmer addressed the question. He stated that each year, the City is granted a bond cap from the State of Illinois to be used for various projects. Director Farmer passed out a more in depth explanation of the ordinance to each of the Aldermen. A copy of his written explanation is included with these minutes. Alderman McMenamin asked if the funds available to first time homebuyers will be apportioned by the City. Director Farmer responded that he did not know what portion the City of Springfield will receive, but that bond sale will occur through Stern Brothers Bond House.

CC Cullen asked Director Farmer to detail the experience that the City has had in the last eight years of doing this. Director Farmer stated that in the last eight years, the bond cap has been transferred; \$66,300,000.00 has been issued within the City of Springfield.

Alderman Griffin asked how a potential home buyer would apply for such a grant. Director Farmer stated that they would contact the Office of Planning and Economic Development for more information. He added that surrounding cities of Peoria, Bloomington and Champaign-Urbana are partners in the project as well.

CC Cullen stated that it is not an obligation for the City of Springfield and there is no obligation for the City to repay the money, which is why it the money is ceded to the City of Aurora. They simply act as a conduit for the financing.

The motion to place Agenda Item 2011-473 onto the consent agenda passed with a voice vote of 10-0.

**2011-474** AN ORDINANCE AUTHORIZING THE EXECUTION OF A TENTATIVE AGREEMENT WITH THE INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS LOCAL 193, AUDIO/VISUAL UNIT, FROM AUGUST 1, 2011, THROUGH JULY 31, 2015 **(Requested by Mayor J. Michael Houston)**

Alderman McMenamin made a motion to place Agenda Item 2011-474 onto the debate agenda. His motion was seconded by Alderman Cahnman.

The motion to place Agenda Item 2011-474 onto the debate agenda passed with a voice vote of 10-0.

**2011-475** AN ORDINANCE AUTHORIZING THE EXECUTION OF A TENTATIVE AGREEMENT WITH THE AMERICAN FEDERATION OF STATE, COUNTY & MUNICIPAL EMPLOYEES (AFSCME), LOCAL 3417 ON BEHALF OF THE PUBLIC WORKS STREET DEPARTMENT EMPLOYEES FROM JUNE 1, 2011, THROUGH MAY 31, 2015 **(Requested by Mayor J. Michael Houston)**

Alderman McMenamin made a motion to place Agenda Item 2011-475 onto the debate agenda. His motion was seconded by Alderman Theilen.

Alderman McMenamin asked Labor Relations Manager Jim Gates to provide the salary information of the affected employees on this ordinance and the previous ordinance to the Council. He also asked if a residency requirement for new hires was ever discussed during negotiations. Mr. Gates responded that during the course of the contract, an issue can be brought back to the union. Alderman McMenamin stated that he does not wish to re-open negotiations and would rather it be bargaining on the front end before a potential advisory referendum takes place.

Alderman Griffin pointed out that there is a residency requirement ordinance remaining in committee and he advised Alderman McMenamin to bring the ordinance for a vote. He further stated that he does not wish hold up the contracts in anticipation of the potential advisory referendum. Alderman McMenamin suggested including language in the contracts that would allow for a residency requirement for new hires, if the council approves such an ordinance.

The motion to place Agenda Item 2011-475 onto the debate agenda passed with a voice vote of 10-0.

**2011-476** AN ORDINANCE AUTHORIZING THE EXECUTION OF A LETTER OFFER FOR EXTENSION, APPROVING A TWO-YEAR CONTRACT EXTENSION AND AUTHORIZING ADDITIONAL FUNDING THE AMOUNT OF \$240,000.00 UNDER CONTRACT NO. UE09-10-85 WITH KONE, INC. FOR ELEVATOR MAINTENANCE FOR THE DALLMAN GENERATING FACILITIES' PASSENGER AND FREIGHT ELEVATORS FOR A TOTAL AMOUNT PAYABLE OF \$625,000.00 UNDER SAID CONTRACT **(Requested by Mayor J. Michael Houston)**

Alderman Simpson made a motion to place Agenda Item 2011-476 onto the consent agenda. Her motion was seconded by Alderman Griffin. The motion carried with a voice vote of 10-0.

**2011-477** AN ORDINANCE ACCEPTING BIDS AND AUTHORIZING THE EXECUTION OF CONTRACT UW11-10-69 – FERRIC SULFATE WITH KEMIRA WATER SOLUTIONS, INC. IN AN AMOUNT NOT TO EXCEED \$238,500.00 FOR THE WATER PURIFICATION PLANT (**Requested by Mayor J. Michael Houston**)

Alderman Simpson made a motion to place Agenda Item 2011-477 onto the consent agenda. Her motion was seconded by Alderman Griffin. The motion carried with a voice vote of 10-0.

**2011-478** AN ORDINANCE APPROVING AND AUTHORIZING EXECUTION OF A GRANT OF EASEMENT FOR ACCESS FROM OLD INDIAN TRAIL TO TRACT D OF LAKESHORE LANDS LEASED BY THE CITY OF SPRINGFIELD TO AUGUST A. AND CYNTHIA A. CONDIOTO FOR THE REGULATORY AFFAIRS DIVISION (**Requested by Mayor J. Michael Houston**)

Alderman Simpson made a motion to place Agenda Item 2011-478 onto the consent agenda. Her motion was seconded by Alderman Griffin.

Alderman Griffin asked if this ordinance is similar to a lake lease due to a sale. CC Cullen responded that the ordinance is slightly different in that there needs to be an easement granted because the driveway for the property is located on City Water Light and Power property. An easement needs to be granted for them to use their driveway. It is coming before the Council because they are selling their property and this is a portion of the sale.

The motion to place Agenda Item 2011-478 onto the consent agenda passed with a voice vote of 10-0.

**2011-479** AN ORDINANCE ANNEXING CERTAIN DESCRIBED REAL PROPERTY LOCATED AT 79 WEST HAZEL DELL LANE (ETHEL J. SYMON ESTATE) (**Requested by Mayor J. Michael Houston**)

Alderman Simpson made a motion to place Agenda Item 2011-479 onto the consent agenda. Her motion was seconded by Alderman Griffin. The motion passed with a voice vote of 10-0.

**2011-480** AN ORDINANCE AUTHORIZING EXECUTION OF AN AMENDMENT NO. 1 TO AN AGREEMENT WITH THE STATE OF ILLINOIS DEPARTMENT OF NATURAL RESOURCES FOR MEADOWBROOK WEST SANITARY SEWER REPLACEMENT PROJECT NO. 0900SS, FOR THE OFFICE OF PUBLIC WORKS (**Requested by Mayor J. Michael Houston**)

Alderman Simpson made a motion to place Agenda Item 2011-480 onto the consent agenda. Her motion was seconded by Alderman Griffin. The motion passed with a voice vote of 10-0.

**2011-481** AN ORDINANCE APPROVING THE FINAL PLAT OF CENTENNIAL PARK PLACE, FOURTH ADDITION, FOR THE OFFICE OF PUBLIC WORKS (**Requested by Mayor J. Michael Houston**)

Alderman Simpson made a motion to place Agenda Item 2011-481 onto the consent agenda. Her motion was seconded by Alderman Griffin. The motion passed with a voice vote of 10-0.

**2011-482 AN ORDINANCE GRANTING/DENYING THE VARIANCE REQUEST FOR SECTION 153.158(B)(2) OF THE SPRINGFIELD SUBDIVISION ORDINANCE PERTAINING TO LOT ARRANGEMENT IN UNNAMED KERBER CITY MINOR SUBDIVISION, FOR THE OFFICE OF PUBLIC WORKS (Requested by Mayor J. Michael Houston)**

Alderman Simpson made a motion to grant the variance request and place Agenda Item 2011-482 onto the consent agenda. Her motion was seconded by Alderman Griffin.

Alderman Edwards asked for clarification on the variance. CC Cullen responded that it is to allow lots without direct access to a public road.

Alderman McMnamin asked the Council if it is a pattern for the Land Subdivision Committee to deny a request, only to have the Regional Planning Commission approve the request. Alderman Lesko responded that the votes can go all ways and there is no pattern.

Alderman Griffin also added that the variance makes sense with what the developer is trying to do with the property.

Alderman Cahnman asked in which ward the property was located within. City Engineer Tim Sheehan responded that the property is within the 1.5 mile jurisdiction of the Land Subdivision Ordinance, but is outside the City. He stated that it is between Wards 3 and 4.

The motion to grant the variance and place Agenda Item 2011-482 onto the consent agenda passed with a voice vote of 10-0.

**2011-483 AN ORDINANCE APPROVING THE PLAN FOR THE LARGE SCALE DEVELOPMENT OF HYVEE FOR THE OFFICE OF PUBLIC WORKS (Requested by Mayor J. Michael Houston)**

Alderman Theilen made a motion to place Agenda Item 2011-483 on the consent agenda. His motion was seconded by Alderman Simpson. The motion passed with a voice vote of 10-0.

**2011-484 AN ORDINANCE APPROVING THE APPOINTMENT OF FRED PUGLIA AS DIRECTOR OF THE CONVENTION AND VISITORS BUREAU (Requested by Mayor J. Michael Houston)**

Alderman McMnamin made a motion to place Agenda Item 2011-484 onto the debate agenda. His motion was seconded by Alderman Cahnman.

Alderman Cahnman asked Mr. Puglia about his experience running the Decatur Celebration. Mr. Puglia responded that it is the largest free family festival in the State of Illinois and one of the top festivals in the nation. He also pointed out that depending on the weather; the festival could make or lose money. He also was active on working on how to supplement revenue. He pointed to a suggestion that a staff member had made to sell wrist bands to allow patrons to purchase food and drink. As a result, the revenues went up.

Alderman Griffin and Theilen both expressed their desire to have Lincolnfest begin again. Mr. Puglia stated that it is one of his goals as well. He also explained that he began the festival under Mayor Houston's first tenure as Mayor. Alderman Cahnman asked why Lincolnfest was ended. Mr. Puglia responded that he did not know and that it was ended after he had left the Convention and Visitor's Bureau.

Alderman Cahnman asked why he left the Decatur Celebration. Mr. Puglia stated that he had put in 25 years with the festival and wished end his tenure.

Alderman Turner asked if Mr. Puglia will still operate his promotions business and if that would be a conflict with his position with the City. Mr. Puglia stated that he gave up all of his marketing and event efforts. He stated that he will be putting all of his efforts into promoting Springfield.

Alderman Theilen pointed to a promotion that he received in the City's paper from the City of Peoria and suggested that the City market to surrounding communities in much the same way. Mr. Puglia responded that he thought that it was a great idea and he welcomed such ideas from the Council members. Alderman Griffin pointed out that since the City's newspaper is printed in Peoria that we should be able to place such an ad in their newspaper cheaply.

The motion to place Agenda Item 2011-484 onto the debate agenda passed with a vote of 10-0.

**2011-485** AN ORDINANCE APPROVING THE APPOINTMENT OF VALERA YAZELL TO THE SPRINGFIELD PLANNING AND ZONING COMMISSION (**Requested by Mayor J. Michael Houston**)

Alderman Simpson made a motion to place Agenda Item 2011-485 onto the consent agenda. Her motion was seconded by Alderman Griffin. The motion carried with a voice vote of 10-0.

**2011-486** AN ORDINANCE APPROVING THE APPOINTMENT OF PHILIP C. BRADLEY TO THE CIVIL SERVICE COMMISSION (**Requested by Mayor J. Michael Houston**)

Alderman Simpson made a motion to place Agenda Item 2011-486 onto the consent agenda. Her motion was seconded by Alderman Griffin. The motion carried with a voice vote of 10-0.

**2011-487** AN ORDINANCE APPROVING THE REAPPOINTMENTS OF PEGGY RYDER, AND BRIAN CROWDSON TO THE COMMISSION ON INTERNATIONAL VISITORS (**Requested by Mayor J. Michael Houston**)

Alderman Simpson made a motion to place Agenda Item 2011-487 onto the consent agenda. Her motion was seconded by Alderman Griffin.

Alderman Edwards asked if this commission was done away with. CC Cullen responded that this commission was not one of the commissions that ended.

The motion to place Agenda Item 2011-487 onto the consent agenda carried with a voice vote of 10-0.

**2011-488** AN ORDINANCE TO INCREASE THE NUMBER OF CLASS “D” LIQUOR LICENSES BY ONE FOR ASIAN HARBOR INC. D/B/A ASIAN HARBOR, 3165 S. DIRKSEN PARKWAY (**Requested by Mayor J. Michael Houston**)

Alderman Simpson made a motion to place Agenda Item 2011-488 onto the consent agenda. Her motion was seconded by Alderman Griffin. The motion passed with a voice vote of 10-0.

**2011-489** AN ORDINANCE TO INCREASE THE NUMBER OF CLASS “D” LIQUOR LICENSES BY ONE FOR CONN’S HOSPITALITY GROUP, INCORPORATED, D/B/A OBED & ISAAC’S MICROBREWERY AND EATERY, 612 E. JACKSON STREET (**Requested by Mayor J. Michael Houston**)

Alderman Simpson made a motion to place Agenda Item 2011-489 onto the consent agenda. Her motion was seconded by Alderman Griffin. The motion passed with a voice vote of 10-0.

**2011-490** AN ORDINANCE TO INCREASE THE NUMBER OF CLASS “N” LIQUOR LICENSES BY ONE FOR CONN’S HOSPITALITY GROUP, INCORPORATED, D/B/A OBED & ISAAC’S MICROBREWERY AND EATERY, 612 E. JACKSON STREET (**Requested by Mayor J. Michael Houston**)

Alderman Cahnman made a motion to place Agenda Item 2011-490 onto the consent agenda. His motion was seconded by Alderman Simpson. The motion passed with a voice vote of 10-0.

**2011-491** AN ORDINANCE TO INCREASE THE NUMBER OF CLASS “A” LIQUOR LICENSES BY ONE FOR CHRISMAC OF ILLINOIS, LLC D/B/A TOMMY’S TAP, 107 WEST COOK STREET #9 (**Requested by Mayor J. Michael Houston**)

Alderman Cahnman made a motion to place Agenda Item 2011-491 onto the consent agenda. His motion was seconded by Alderman Griffin. The motion passed with a voice vote of 10-0.

**2011-492** AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION OF PROPOSAL NO. UE12-20 FOR THE 60-MONTH LEASE/PURCHASE OF TWO IBM STORAGE AREA NETWORK (SAN) DEVICES TO INCLUDE AUXILIARY EQUIPMENT, INSTALLATION, MAINTENANCE AND GENERAL CONSULTING SERVICES; PAYMENT TO IBM CREDIT LLC IN AN AMOUNT NOT TO EXCEED \$1,074,028.90 FOR SAID EQUIPMENT AND SERVICES; AND THE EXECUTION OF CERTAIN DOCUMENTS WITH LEVI, RAY & SHOUP, INC. AND IBM CREDIT LLLC PERTAINING TO THIS PROCUREMENT AND FINANCING OF THE SAME FOR THE ADMINISTRATIVE SERVICES DIVISION FOR THE OFFICE OF PUBLIC UTILITIES (**Requested by Mayor J. Michael Houston**)

Alderman Lesko made a motion to place Agenda Item 2011-492 onto the consent agenda. His motion was seconded by Alderman Griffin.

Alderman McMenamin asked about the bid process that was used to award the bid. City Purchasing Agent Jay Wavering responded that it was determined that asking for a single price for a single item. At that time, a request for proposal went out and Levi Ray & Shoup was the only bidder to respond.

The motion to place Agenda Item 2011-492 on the consent agenda passed with a voice vote of 10-0.

**2011-493** AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION OF A COMMERCIAL LEASE FOR PARKING BETWEEN THE CITY OF SPRINGFIELD AND PREHN PLAZA, INC. FOR THE OFFICE OF PUBLIC UTILITIES (**Requested by Mayor J. Michael Houston**)

Alderman Simpson made a motion to place Agenda Item 2011-493 onto the consent agenda. Her motion was seconded by Alderman Griffin. The motion passed with a voice vote of 10-0.

Alderman Simpson asked the Council and the public to make sure to attend the hearing that the United Postal Service is holding on December 28<sup>th</sup> at the Springfield High School Auditorium. She stressed the importance for people to attend to show their support for our post office.

Alderman Turner called on James O'Connell of the American Postal Workers Union Local 239 to address the Council. Mr. O'Connell gave a brief update as to the planned closures of the postal offices throughout the country. He also announced that Senator Durbin had reached an agreement with the United States Postal Service to hold off on the closures until May 15<sup>th</sup>. He encouraged the City to put together a plan to ask for an audit on the savings that they claim they will have. He pointed to several inaccuracies in the numbers that the United States Postal Service has been quoting. He also encouraged everyone to attend the public meeting on December 28<sup>th</sup>.

Alderman Turner pointed out that written statements can also be taken and that information on how to submit written statements will be given to the Council. Mr. O'Connell stated that the public will also have an opportunity to comment on the closure of any of their facilities. He also stated that there are 116 employees that are scheduled to be laid off in conjunction with the reduction.

Alderman Cahnman asked if under their current proposal, the Cook Street facility would be open just for counter service. Mr. O'Connell responded that he does not know for sure, but that was what was reported in the paper. Alderman Cahnman asked if the hearing would be similar to a hearing that recently took place in Quincy. Mr. O'Connell stated that it would be and the union plans to ask pointed questions of the United States Postal Service (USPS) officials.

Alderman Griffin pointed to the USPS back peddling on some of the numbers that they have publicized in regard to closing one of the postal offices. Mr. O'Connell agreed and he does not see where the numbers are coming from either.

Alderman Simpson also pointed out that the Springfield Chamber of Commerce is also working on this issue. Mr. O'Connell added that the start time for the hearing is at 6:00pm.

Alderman Edwards asked for the address of the regulatory commission to be given to the Council members. Alderman Turner stated that she will get the information to all of the Aldermen.

Alderman Edwards asked for a status update on the pump test. Tom Skelly responded that Lane Christensen, who is working on the project, has three wells drilled and the actual test will start the next day. He anticipates that the test will be completed after the first of the year.

Alderman Theilen asked that Human Resources provide the open job postings be given to the Aldermen electronically.

Alderman McMenemy stated that the unfunded liability of the police pension fund is currently at \$79,000,000.00. He expressed concern about the growth of the unfunded liability. There was a growth in the unfunded liability of \$7,000,000.00 in one year for the police pension fund and of \$9,000,000.00 in the fire pension fund. He went on to state that he will be voting against all union contracts that pretend that the City is doing business as normal. He asked for concessions from the unions in light of these problems. He stated that he is hesitant to grant even consumer price index increases to the union membership. He also stated that the generous increases that were given to the police and fire department employees are unfair in light of many citizens not receiving any increase or being laid off.

Alderman Griffin stated that he agreed with Alderman McMenemy that the situation needs to be looked at. He also pointed out that the unfunded mandates that have been passed down to the City are a portion of the problem. He expressed his support for the contract raises to be based on the consumer price index because it keeps up with inflation. He went on to state that the increases make sense and are based in the economic times that we currently are in.

Alderman Edwards stated that he agreed with the points that Alderman Griffin has made. He also expressed support for the Police and Fire Department and they are living within the guidelines that have been set for them. He also pointed to comments that Treasurer Langfelder had made at the last Council meeting that the City's hands are tied on investments and once his suggestions are enacted, it will ease some of the concerns.

Alderman Simpson commended the Occupy Springfield group in the way that they have behaved and respect that they have shown the City.

Alderman Jobe asked for an update from Director Mahoney on the leaf pick up process. Public Works Director Mark Mahoney addressed the Council. He stated that the City is currently in regular pick up schedule and that leaf pick up is concluded. Alderman Jobe asked how program of dividing the City into zones work out. Director Mahoney responded that it went well. They are finalizing the numbers now, but the quadrant that the Public Works crew handled was double or more, of what the other quadrants handled.

Alderman Theilen asked when the Council might see the numbers on how the program did. Director Mahoney stated that it should be next week, as they are finalizing their numbers now. Alderman Theilen congratulated Director Mahoney on his program. He stated that he usually receives many constituent calls about leaf pick up, and this year he did not. Director Mahoney gave credit to the Public Works employees that took on the challenge and did an outstanding job.

Alderman Turner also thanked Director Mahoney and stated that the leaves in her ward were picked up in a timely fashion. Director Mahoney stated that the Aldermen pass along any constituent concerns about leaves to the Public Works Department.

Alderman Simpson also expressed her support for the idea of quadrants. She suggested that they could work for garbage pickup as well.

Alderman Lesko moved to move the December 27<sup>th</sup> Committee of the Whole meeting to January 3<sup>rd</sup>. Alderman Griffin seconded his motion. The motion passed with a voice vote of 10-0.

Alderman Lesko left the meeting at 6:20pm. Alderman Cahnman left the meeting at 6:30pm.

Chris Trader of 1817 Bruns Lake addressed the Council about recent events that resulted in ordinance violation tickets for vandalism being issued to members of the Occupy Springfield group for the use of chalk on the sidewalks in downtown. He made reference to the City of Springfield vandalism ordinance and a copy of his handout is included with these minutes. He asked if the City Council would stand behind the Police Department's issuance of ordinance violation tickets to the protesters. Alderman Edwards responded to Mr. Trader's question by stating that they do not have all of the facts surrounding the case. He went on to state that if he has a complaint on the process, they should bring a specific complaint in writing to the Council.

CC Cullen added that that his office will review any complaint as well. Alderman Turner stated that she was present at the incident and that it was her understanding that Alderman Cahnman was going to be in contact with the Police Chief and Corporation Counsel's office in regards to the incident. CC Cullen stated that he has continued to monitor the situation.

John Keating of the 1600 block in South College also addressed the Council in regards to the recent incident involving sidewalk chalk at a recent Occupy Springfield protest. He pointed out to the Council that a city fire truck was used to wash the chalk off of the sidewalk.

Drew Diszinskis of the 1300 block of Whittier also addressed the Council in regards to the recent incidents at the Occupy Springfield protests.

Mike Manning of State Street and the owner of several buildings in the downtown area addressed the Council in regards to businesses downtown cutting back their hours and closing all together. He also expressed concern about the police presence in the downtown area. He also expressed support for the Occupy Springfield's recent protests and writing on the sidewalks with sidewalk chalk. Alderman Theilen stated that Officer Phillips is assigned to downtown and he will pass along his contact information to Mr. Manning.

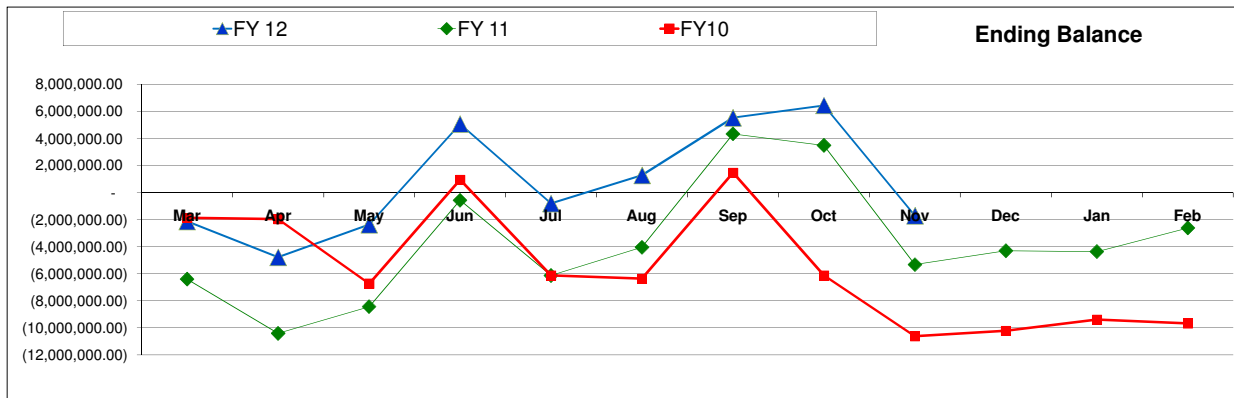
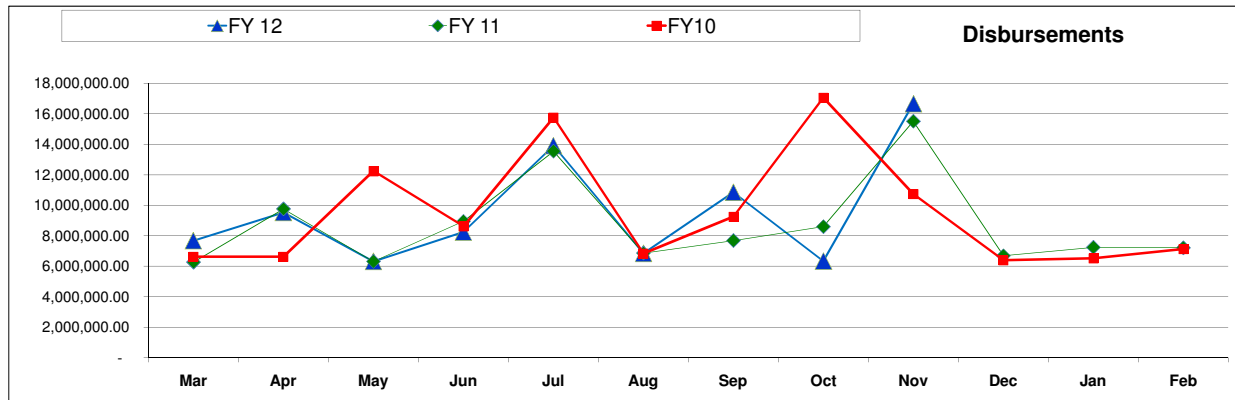
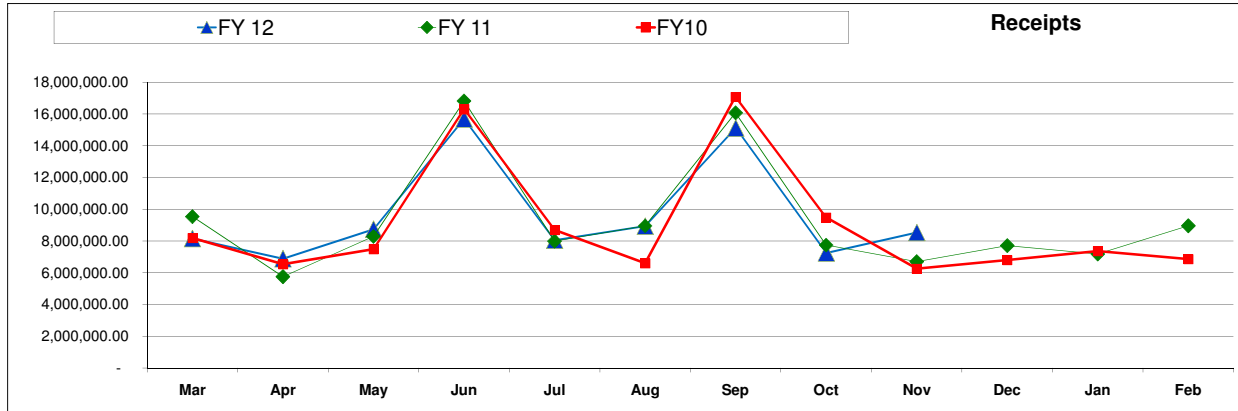
A motion was made by Alderman Simpson to adjourn the meeting. Her motion was seconded by Alderman Griffin. The meeting was adjourned at 6:50pm.

*Cecilia K. Tumulty*  
Cecilia K. Tumulty  
City Clerk

### CORPORATE FUND- Monthly Cash Report

Activity by Month	Beginning Balance	Receipts	Disbursements	Ending Balance
November-11	6,441,871	8,531,746	16,672,500	(1,698,883)
November-10	3,495,541	6,702,605	15,523,168	(5,325,022)
November-09	(6,124,156)	6,247,986	10,744,650	(10,620,820)

Activity by Fiscal Year	Beginning Balance	Receipts	Disbursements	Ending Balance
<b>FY12</b>	<b>(2,607,802)</b>	<b>87,355,266</b>	<b>86,446,347</b>	<b>(1,698,883)</b>
<b>FY11</b>	<b>(9,664,952)</b>	<b>111,707,393</b>	<b>104,650,243</b>	<b>(2,607,802)</b>
<b>FY10</b>	<b>(3,423,848)</b>	<b>107,545,857</b>	<b>113,786,961</b>	<b>(9,664,952)</b>



Emergency Contracts Monthly Total:  
See Attached

## OBM CONTRACT REPORT

November 4, 2011 thru December 9, 2011

DATE	DEPT	NB CONTRACT NUMBER	VENDOR	DESCRIPTION	AMOUNT
11/7/2011	CWLP	NB12-112U	Water Research Foundation	Nov. 2011 thru Oct. 2012 Subscription allows the City to obtain numerous research results relevant to operation of this water utility.	\$15,379.00
11/7/2011	Public Works	NB12-113C	P.H. Broughton and Sons, Inc.	Perform emergency snow removal services as needed for the Office of Public Works	\$15,000.00
11/14/2011	CWLP	NB12-114U	Siemens Energy, Inc.	Spare parts purchase for Unit 31 governor valve inspection.	\$21,902.00
11/16/2011	CWLP	NB12-116U	Weir Slurry Group	Cover plate is common to 4 recycle Pumps at Dallman 31/32 Scrubber.	\$41,297.40
11/16/2011	CWLP	NB12-117U	A-1 Corporate Hardware	State Contract--Card key & door access system to met the changes in the NERC Critical Infrastructure Protection (CIP) standards.	\$57,559.60
11/16/2011	Economic Development	NB12-118C	Springfield Center for Independent Living	Sub-recipient Agreement #10-SR-0003 to build wheelchair ramps at the residences of people with disabilities from July 2011 through June 2013.	\$30,000.00

11/16/2011	Economic Development	NB12-119C	TSP-HOPE, Inc.	For operating costs for the development of affordable housing units for sale to low and moderate income persons for the period of July 1, 2011 to June 30, 2012.	\$27,058.00
11/23/2011	CWLP	NB12-122U	Pioneer Pump & Packing, Inc.	Repair the 2 Consolidated Relief Valves for the Unit 4 Boiler	\$52,259.00

DATE	DEPT	CONTRACT NUMBER	VENDOR	DESCRIPTION	AMOUNT
11/16/2011	Public Works	PW12-10-69	Petersburg Plumbing & Excavating	St. Francis Drive Relief Sewer	\$27,272.00
11/16/2011	CWLP	UE12-10-67	Environmental Monitoring & Technology	Groundwater and Leachate Sampling and Analysis	\$23,700.00
11/16/2011	CWLP	UE12-04-35	ABB, Inc.	Purchase one (1) additional 3-phase distribution circuit breaker under this contract.	\$15,986.00
11/23/2011	Public Works	PW12-04-22	Petersburg Plumbing & Heating Co.	Meadowbrook West Sanitary Sewer Replacement	Original \$440,440.00 Chng order \$17,169.07 Total \$457,069.07
11/23/2011	CWLP	UE10-11-80	ILMO Products Co.	General Use Maintenance Gases (3-year) funding increase due to a low estimate.	Original \$45,321.60 Increase \$45,321.60 Total \$90,643.20

12/1/2011	CWLP	UE12-03-15	EEl Holding Corp.	General Electrical Work as needed for Dallman Power Plant.	Original \$75,000.00 <u>Additional \$25,000.00</u> Total \$100,000.00
12/7/2011	Public Works	PW12-08-56	Parkland Environmental Group, Inc.	Asbestos Abatement at 302 E. Canedy	\$24,750.00
12/7/2011	CWLP	UE12-10-70	AFL Telecommunications	Fiber Optic Cable	\$32,000.00
12/7/2011	CWLP	UE12-10-72	Megger	Current Transformer (CT) Test Equipment	\$17,900.00

## **Private Activity Bond Volume Cap**

The City of Springfield, along with other Home-Rule, Non-Home Rule Units and State Agencies in Illinois, annually receive private activity bond volume cap from the State of Illinois. In 2011 the City's allocation was \$11,213,135.00 which is based upon \$95.00 times the population of 118,033. The City receives its annual allocation in January. The City Council must take official action (Resolution 06-11) by May 1 of each calendar year to reserve the bond cap and must notify the State of Illinois by May 10. The City then has access to this bond cap for qualified manufacturing, mortgage or redevelopment projects. If, by December 31, the City does not have a specific project for the bond cap the City may elect to carry forward the bond volume cap or transfer it to another community, such as Aurora.

For the past eight years (2003-2010) the City, along with numerous other Illinois municipalities, have elected to transfer the bond cap prior to December 31 to the City of Aurora. The following year the City of Aurora issues the cumulative bond cap to fund the Assist First-Time Homebuyer Down Payment Assistance Program, through Stern Brothers. The Assist Program then provides funds for mortgages to first time homebuyers within the City of Springfield and other participating municipalities. The last eight years of bond cap transferred to the City of Aurora equaled \$72.0 million and the mortgage amount issued within the City of Springfield was \$66.3 million.

In addition to the Assist Program the City has also ceded bond cap to Prime Panels, Phillips Brothers Printing, Mel-O-Crème, TKI Foods and Oak Terrace Retirement Center, to name a few. All the private activity bonds issued are the debt of these companies or entities and must be paid back through their own revenue streams. The bonds issued through this program are not obligations against the City of Springfield or any of its funds. In 2008 by Ordinance No. 271.04.08 the city sold \$4,400,000.00 in private activity bond cap to the City of Chicago.

## City of Springfield, Vandalism Ordinance

A person commits vandalism when he engages in the wilful or malicious destruction, injury, disfigurement or defacement of any public or private property. This offense includes, but is not limited to, cutting, tearing, breaking, marking, drawing or painting when these actions **are intended to or have the effect of causing damage to property**. [Emphases added.]

Any person who violates the provisions of this section, upon conviction thereof, shall be punished by a fine of \$500. Any such offense may also be punished as a misdemeanor by incarceration in a penal institution other than a penitentiary for a term of up to 30 days or by a requirement to perform up to 1,000 hours of community service under the procedures set forth in section 1-2-1.1 of the Illinois Municipal Code, Illinois Compiled Statutes Chapter 65, paragraph 5/1-2-1.1 (1992), as amended, and in the Illinois Code of Criminal Procedure, Illinois Compiled Statutes Chapter 725, paragraph 5/100-1 et seq. (1992), as amended, in a separate proceeding. All actions seeking the imposition of fines only shall be filed as quasi-criminal actions subject to the provisions of the Illinois Code of Civil Procedure, Illinois Compiled Statutes Chapter 735, paragraph 5/1-101, et seq. (1992), as amended.

(Ord. No. 521-7-93, § 1, 7-6-93)

§ 130.06. - Possession of paint or marker with intent to deface unlawful.

Absent express permission to the contrary by the owner or other person having control thereof, it shall be unlawful for any person to possess a spray paint container, liquid paint or **any marker containing a fluid which is not water soluble** and has a point, brush, applicator or other writing surface of 1/2-inch or greater, in any public building or upon any public facility or private property **with intent to use the same to deface** the said building, facility or property.

(Ord. No. 521-7-93, § 1, 7-6-93)

§ 130.07. - Restitution; financial responsibility.

In lieu of or in addition to a fine or incarceration any person found guilty of violating sections 130.05 or 130.06 or any parent or legal guardian of any unemancipated minor residing with such parent or legal guardian found in such violation, may be required to submit full restitution to the victim or victims of such vandalism by monetary payment or property repairs.

In the case of an unemancipated minor accused of violating section 130.05 or 130.06 and residing with a parent or legal guardian at the time of such violation, the Springfield Police Department shall within three days notify such parent or legal guardian in writing, either by certified or registered mail, return receipt requested, that said minor has been accused of vandalism and that said parent or legal guardian may be held financially responsible for any fines or restitution resulting from such vandalism.

(Ord. No. 521-7-93, § 1, 7-6-93)

§ 130.999. - Penalty.

Whoever commits an offense set forth in this chapter or commits any other act prohibited thereby for which another penalty is not specifically provided, shall be fined not less than \$25 nor more than \$500.