



**MINUTES**  
**Committee of the Whole**

**Tuesday, June 28, 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>Ward 7</b>	Joe McMenamain
<b>Ward 3</b>	Doris Turner	<b>Ward 8</b>	Kris Theilen ( <b>Vice Chair</b> )
<b>Ward 4</b>	Frank Lesko	<b>Ward 9</b>	Steve Dove ( <b>Chair</b> )
<b>Ward 5</b>	Sam Cahnman	<b>Ward 10</b>	Tim Griffin

Vice Chairman Kris Theilen called the Meeting to Order at 5:30 p.m.

Deputy Clerk Hawkins called the roll of members

Vice Chairman Theilen then announced that Alderman Dove is excused due to illness.

PRESENT: Ald. Edwards , Simpson , Turner , Lesko , Cahnman , Jobe , McMenamain , Theilen , and Griffin .

ABSENT: Alderman Dove

A motion was made by Alderman Simpson and seconded by Alderman Griffin to approve the minutes from the June 14, 2011 Committee of the Whole meeting. The motion carried by a voice vote of 9-0.

Deputy Clerk Hawkins then read the ordinances that are tabled and remain 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 5/4/10**)

**2010-284** An Ordinance Amending Various Sections Of Chapter 38, Of The 1988 City Of Springfield Code Of Ordinances, As Amended, To Decrease The Minimum Contract Amounts For Which City Council Approval Is Required (**Requested By Ald. Tim Griffin**) (**Committee Of The Whole**) (**Remains In Committee 8/10/10**)

**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**)

**2011-106** An Ordinance Amending Chapter 34 And 94 Of The 1988 City Of Springfield Code Of Ordinances, As Amended, Pertaining To Fire Safety (**Requested By Mayor Edwards**) (**Committee Of The Whole**) (**Remains In Committee 3/8/11**)

**2011-213** An Ordinance Authorizing Acceptance And Execution Of An Intergovernmental Agreement With The State Of Illinois Department Of Military Affairs For Fire Protection Services At The 183<sup>rd</sup> Fighter Wing (**Requested by Mayor J. Michael Houston**)

**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)**

**2011-226** An Ordinance Amending Chapter 110 Of The 1988 City Of Springfield Code Of Ordinances, As Amended, Regarding Peddler's And Solicitor's Licenses, **As Amended (Requested by Alderman Frank Lesko)**

**2011-234** An Ordinance Approving Payment To R.W. Troxell & Company In An Amount Not To Exceed \$1,791,125.00 For The Third Year Premium Of A Three-Year Property And Extended Coverage Insurance Policy For 41 City Of Springfield Properties (**Requested by Mayor J. Michael Houston**)

Alderman Edwards made a motion to take Agenda Item Number 2011-234 out of committee and place it on the agenda for the Committee's consideration. The motion was seconded by Alderman Simpson. The motion was passed by a voice vote of 9-0.

### **Ordinances for Committee Consideration**

**2011-234** An Ordinance Approving Payment To R.W. Troxell & Company In An Amount Not To Exceed \$1,791,125.00 For The Third Year Premium Of A Three-Year Property And Extended Coverage Insurance Policy For 41 City Of Springfield Properties (**Requested by Mayor J. Michael Houston**)

Alderman Simpson made a motion to move Agenda Item Number 2011-234 to the consent agenda. The motion was seconded by Alderman Griffin. Alderman Cahnman asked why the item was pulled from the agenda in the first place. Vice Chairman Theilen responded that there were some outstanding questions that needed to be answered. Alderman Cahnman asked what the questions and answers were. Alderman Edwards responded that the questions were surrounding the increased coverage and the increases in the policy and the coverage. Those increases were offset by the raise in the deductible.

The motion to place Agenda Item 2011-234 on the consent agenda passed by a voice vote of 9-0.

**2011-247** An Ordinance Authorizing Execution Of An Agreement To Extend Contract #CS07-05-37 Through July 31, 2012, With Lincoln Land FS, Inc., And Authorizing An Additional \$3,014,342.00 For A Total Not To Exceed \$14,435,456.66 For Purchase Of Automotive Fuel For Various Departments (**Requested by Mayor J. Michael Houston**)

A motion was made by Alderman Simpson to place Agenda Item Number 2011-247 on the debate agenda. The motion was seconded by Alderman Griffin. Alderman Edwards asked if the numbers were correct. He was under the impression that the total budget for fuel was around \$3,000,000.00. Budget Director McCarty responded that the ordinance is a contract extension for the City's fuel. He went on to state that it is not an additional appropriation, but is a contract extension.

Alderman Griffin asked if the contract extension includes the same pricing structure as the contract itself. Director McCarty responded that it is. Alderman Edwards asked for clarification on why the ordinance states that it is an additional sum. Director McCarty responded that the language stems from the contract's not to exceed language and because of the extension, the language referring to additional expenditure to appear. Vice Chairman Theilen asked if the \$3,014,342.00 is the budgeted fuel amount for the year. Director McCarty responded that the amount refers to the amount of fuel that will be purchased for the contract extension, which would be June 2011 until July 2012. Director McCarty further clarified that the ordinance is not asking for additional budget authority, instead it is asking for the additional authority to purchase from the contract.

Alderman Cahnman asked if the contract allows for the fuel price to fluctuate. Director McCarty responded that Alderman Cahnman's assumption is correct, although the City is getting a \$0.35-\$0.40 discount on what the current retail rate is.

The motion to place Agenda Item Number 2011-247 on the debate agenda was passed by a voice vote of 9-0.

**2011-248** An Ordinance Accepting The Bid And Authorizing The Execution Of Contract UW12-04-25 – Water Filter Room Roof Replacement With Designed Roofing Systems, Inc. In The Amount Of \$273,300.00 For The Water Division (**Requested by Mayor J. Michael Houston**)

Alderman Simpson moved to place Agenda Item Number 2011-248 on the consent agenda. The motion was seconded by Alderman Griffin. The motion passed by a voice vote of 9-0.

**2011-249** An Ordinance Accepting The Bid And Authorizing The Execution Of Contract UE12-04-29 – Five-Year Contract For Decorative Street Lighting With Philips Lumec, Inc. In An Amount Not To Exceed \$1,458,877.50 For The Electric Division Electric Transmission, Distribution And Operations Department (**Requested by Mayor J. Michael Houston**)

Alderman Simpson moved to place Agenda Item Number 2011-249 to the consent agenda. The motion was seconded by Alderman Griffin.

Alderman Griffin asked for clarification why there was only one out of country bidder for the

contract. Director McCarty responded that the contract was done as a sole source. Vice Chairman Theilen asked if the reason why the bid was sole source is because there is a need to have the items match. Chief Engineer and Acting Director of City Water Light and Power Eric Hobbie went on to explain that on their inventory items, they try to keep the same suppliers so it reduces overhead on stocking different supplies and inventory. Director Hobbie went on to state that there are certain items, such as power transformers that cannot be bought in the United States.

Alderman Griffin asked about alternate bidders in Mattoon that were interested, but never turned in a bid. Director Hobbie responded that on this particular item, CWLP had to reject the original low bidder because they could not meet some of the contract requirements. Director McCarty addressed Vice Chairman Theilen's question stating that the contract was sole source so that the lighting would match existing lighting.

Alderman Simpson asked if the ordinance was for lighting that has already gone up around the City. Director Hobbie answered that it is and that this contract is for the lighting that is seen downtown and on Capitol Avenue. Alderman Simpson asked if the lights will extend all the way down 19<sup>th</sup> Street and Capitol Street. Director Hobbie responded that yes, he believed that was the plan.

Alderman Cahnman asked if the improvement of Capitol Avenue was going to be paid with federal funds. Director Hobbie responded that there is a City match to the federal funding. And while the project is not completely CWLP's, the decorative lights are part of the overall plan. Alderman Cahnman asked if the money that is being used to pay for this is coming out of the electric fund. Director Hobbie responded that the lights are being bought for inventory and that when they are installed in a certain area, the project will be charged to the developer.

Alderman McMenamin asked if the contract was an as needed contract. Director Hobbie responded that it was and that some will be kept in inventory for any repairs, but any other larger quantities will be ordered as they are needed.

Alderman Cahnman asked if besides Capitol Avenue, any other areas are being considered for new decorative lighting. Director Hobbie responded that there are not any at this time. There are different areas in which developers and other areas request the lighting. Alderman Cahnman asked if the additional inventory was needed to replace any damaged lighting. Director Hobbie responded that he was correct.

Alderman Griffin asked if the City was estimating 50 extra lights per year at a cost of approximately \$300,000. Alderman McMenamin stated that the fact sheet accompanying the ordinance states that there are no guaranteed quantities for orders, so the City can order at will and terminate the contract with 30 days written notice. He went on to state that the City is not locked into any fixed amount. Alderman Griffin stated that he is trying to get a handle on how much purchasing the extra stock would cost at a rate of \$6,000 per light, which adds up to \$300,000 each year for the extra lights. Director Hobbie responded that he was correct. He also addressed Alderman Cahnman's question about additional places that the lights would be installed. The Department is looking at Illinois Department of Transportation Grants that would improve the pathways into the City. The lights would be used in those areas.

The motion to place Agenda Item Number 2011-249 on the consent agenda passed with a voice vote of 9-0.

**2011-250** An Ordinance Accepting And Authorizing The Execution Of Proposal No. UE11-28 With Oros & Busch Application Technologies, Inc. For A Five-Year Term In An Amount Not To Exceed \$2,375,000.00 For The Removal And Beneficial Use Of Up To 50,000 Tons Annually Of Fly Ash Material Produced By The Dallman Power Plant Unit No. 4 For The Electric Division Generation Department (**Requested by Mayor J. Michael Houston**)

Alderman Simpson moved to place Agenda Item Number 2011-250 on the consent agenda. It was seconded by Alderman Lesko. Alderman Griffin asked if CWLP has looked at any other alternatives for removal of the fly ash material. Director Hobbie stated that the Department has looked at different proposals and that there is a limited number of people that want the material. He also stated that this is a decrease in what CWLP has paid in the past. Director Hobbie went on to state that in the past, the fly ash was sold to make shingles during the housing boom, but now the demand is not there. He also stated that the trucking costs are lower because the material is being hauled away locally. Alderman Griffin asked if CWLP could handle the hauling instead of contracting it out. Director Hobbie responded that the Department does not have the trucks that could handle the hauling.

Alderman Cahnman asked what the previous rate was for hauling away the materials. Director Hobbie responded that he was unsure, but that the Department always tries to go with the lowest bid.

The motion to place Agenda Item Number 2011-250 on the consent agenda passed by a voice vote of 9-0.

**2011-251** An Ordinance Accepting And Authorizing The Execution Of Quotation EC-2670-11 With Flowserve Us Inc. In The Amount Of \$218,910.00 For The High Pressure Mechanical Seal Upgrade Of The Dallman Power Plant Unit No. 33 Boiler Circulating Pump For The Electric Division Generation Department (**Requested by Mayor J. Michael Houston**)

Alderman Simpson moved to place Agenda Item number 2011-251 on the consent agenda. The motion was seconded by Alderman Griffin.

The motion to place Agenda Item Number 2011-251 on the consent agenda was passed by a voice vote of 9-0.

**2011-252** An Ordinance Accepting A Proposal With And Authorizing Payment To Stress Engineering Services, Inc. In The Amount Of \$44,652.00 For A Main Steam Failure For Fitness Service Analysis Of The Main Steam Piping For Dallman Power Plant Unit No. 33 For The Electric Division Generation Department (**Requested by Mayor J. Michael Houston**)

Alderman Simpson moved to place Agenda Item Number 2011-252 to the consent agenda. The motion was seconded by Alderman Griffin.

The motion to place Agenda Item Number 2011-252 on the consent agenda passed with a voice vote of 9-0.

**2011-253** An Ordinance Amending An “Ordinance Designating Enterprise Zones Within The Territorial Boundaries Of The City Of Springfield, Illinois, A Municipal Corporation, And Providing For Certain Tax Incentives And Reimbursements Therein” (**Requested by Mayor J. Michael Houston**)

Alderman McMenamain moved to place Agenda Item Number 2011-253 on the debate agenda. The motion was seconded by Alderman Griffin.

Vice Chairman Theilen stated that he had requested a map of the proposed enterprise zone. A map was provided by Economic Development Director Mike Farmer and is included with these minutes. Vice Chairman Theilen asked if it is normal to make a connection from one parcel to another. Director Farmer responded that it was and made reference to the map that was given to all of the Aldermen.

Alderman Cahnman asked if there are any other enterprise zones in Springfield that have one parcel connected by just a street. Director Farmer responded that there were many, but was unable to provide an example at that time. He said that he would provide examples at the City Council meeting.

Alderman Edwards asked if Director Farmer could explain the difference between an Enterprise Zone and a Tax Increment Financing (TIF) District. Director Farmer explained that an Enterprise Zone is a state approved program that provides certain tax abatements and sales tax exemptions within the designated enterprise zone. The zone is designated by statute. The City of Springfield enterprise zone could be expanded to an area roughly 12 miles. At the present time, it is approximately 6 square miles. He also stated that the enterprise zone is set to expire in 2014. He also stated that for this particular project, the benefit for the applicant would be sales tax exemption on their building materials.

Alderman McMenamain stated that he had a good conversation with Director Farmer about the details of the project. Director Farmer responded that the total building cost for the project will be approximately \$8.6 Million, but is unaware of the land cost. Alderman McMenamain asked for clarification on the fiscal impact to the City and the loss of revenue to the City for the sales tax exemption on the building materials for the project. Director Farmer stated that the zero impact that is on the ordinance fact sheet refers to the fact that no money is coming out of the City’s corporate fund. Director Farmer stated that he disagrees with the assumption that there will be a loss to the City in sales tax revenue, where the Director sees the project as an investment in the new facility and the jobs that will accompany the new facility. He sees the project as a multimillion dollar investment for the City with 75 new jobs, which would be a long term net gain for the City. Alderman McMenamain stated that facility has a certificate of need from the Illinois Health Facilities Board and therefore the City would not be in danger of losing the facility to another city. Alderman McMenamain asked if the property would be exempt from real estate taxes upon completion of the project. Director Farmer responded that the company will pay property tax. He went on to state that there is a property tax abatement that kicks in only on the City’s portion of the property tax. He then provided an example with assumptions on cost for this particular project. Alderman McMenamain asked if the Director could explain the real estate taxes. Director Farmer then walked through an example on property tax assessment and the resulting abatement that might occur with the property. He

also reminded the Aldermen that the enterprise zone is scheduled to expire in 2014, so the property tax abatement would be applied for a limited time only.

Alderman Cahnman asked if the only beneficiary for the creation of the enterprise zone would be the entity that is building the medical facility. Director Farmer responded that it was correct. Alderman Cahnman asked if the entity would build the facility with or without the enterprise zone. Director Farmer and Vice Chairman Theilen cautioned against that thinking, as nothing is set as of yet. Alderman Cahnman asked if there was still a zoning issue to resolve. Director Farmer stated that there was and pointed out that the enterprise zone is only approved once the zoning issue is resolved.

Vice Chairman Theilen urged the council to vote for this item because it is going to create construction and permanent jobs and change the infrastructure of the area. Alderman Simpson asked if the company had reached a Project Labor Agreement with the unions. Vice Chairman Theilen responded that yes, one had been reached.

The motion to place Agenda Item 2011-253 on the debate agenda passed by a voice vote of 8-0-1. Vice Chairman Theilen voted present due to a conflict of interest.

**2011-254** An Ordinance Annexing Certain Described Real Property Located At 334 S. Meadowbrook Road To The City Of Springfield (Buckley Development LLC) **(Requested by Mayor J. Michael Houston)**

Alderman Simpson moved to place Agenda Item Number 2011-254 on the debate agenda. It was seconded by Alderman Edwards. The motion to place Agenda Item Number 2011-542 on the debate agenda passed with a voice vote of 9-0.

**2011-255** An Ordinance Authorizing A Change Order No. 2 For Contract PW 11-07-40 With Siciliano Inc For The Old State Capitol Underground Parking Garage Tunnel Repairs Project And Authorizing An Additional \$25,571.20 Payment For A Total Amount Not To Exceed \$527,863.20 For The Office Of Public Works **(Requested by Mayor J. Michael Houston)**

Alderman Simpson moved to place Agenda Item Number 2011-255 to the consent agenda. The motion was seconded by Alderman Cahnman.

Alderman Griffin asked what the change was to the original contract. Director of Public Works Mark Mahoney responded that the adjustment is due to the fact that the company found additional concrete work to do.

Alderman Simpson moved to accept Amendment 1 to Agenda Item Number 2011-255. The motion was seconded by Alderman Lesko.

Corporation Council Tracy Pedersen explained that the amendment addresses a miscalculation that was made to the figures and the amendment corrects that. Amendment 1 was adopted to Agenda Item Number 2011-255 by a voice vote of 9-0.

Alderman Cahnman asked if the project is funded with downtown TIF funds. Director Mahoney responded that yes it is and the additional money is also downtown TIF funds.

The motion to place the ordinance, as amended, on the consent agenda passed with a voice vote of 9-0.

**2011-256** An Ordinance Authorizing The Purchase Of Bituminous Premix From The Sangamon County Highway Department For The 2011 Maintenance Season For The Office Of Public Works In An Amount Not To Exceed \$275,000.00 (**Requested by Mayor J. Michael Houston**)

Alderman Lesko moved to place Agenda Item Number 2011-256 on the debate agenda. The motion was seconded by Alderman Simpson.

Alderman Lesko asked Director Mahoney about how many tons of premix are included in this purchase. Director Mahoney responded that while he does not know the exact tonnage, in the last year, the Department had spent \$75,000 and the year before was \$35,000. Alderman Lesko asked what Sangamon County would be charging the City per ton. City Engineer Tim Sheehan responded that the \$275,000 is the allotment for two different types of mix with two different amounts per ton for each. Alderman Lesko asked how we knew that Sangamon County was selling the City the premix at their cost. Mr. Sheehan responded that it was the cost that the County had asked for per ton. Director Mahoney pledged to check into the exact details for the Council before the next City Council meeting.

Alderman Griffin stated that the information that they have been provided stated that the premix was being made available at cost, which he takes to mean that at the cost for the County to produce it. Alderman Edwards asked if Alderman Lesko had any reason to believe that the County would not provide the premix at their cost. Alderman Lesko responded that he thought the amount was high. Mr. Sheehan provided the price of \$71 per ton for a similar material. Alderman Edwards asked if the price fluctuates with the cost of oil, as this is an oil based product. Alderman Lesko restated his desire to find out if the cost of this to the City is truly the cost that it is to the County to make it.

Vice Chairman Theilen recommended that the Council keeps the item on the debate agenda, while insisting that the answers be provided to the council beforehand. The motion to place Agenda Item 2011-256 on the debate agenda passed by a voice vote of 9-0.

**2011-257** An Ordinance To Increase The Number Of Class “A” Liquor Licenses By One For Four Dogs, LLC D/B/A Wally’s Tavern, 411 E. Washington Street (**Requested by Mayor J. Michael Houston**)

Alderman Cahnman moved to place Agenda Item Number 2011-257 on the debate agenda. It was seconded by Alderman Griffin. The motion passed with a voice vote of 9-0.

**2011-258** An Ordinance Declaring A Retired Springfield Police Department Canine Known As “Sly” As Surplus Property And Authorizing Execution Of An Agreement For The Purchase Of Said Canine With Officer Ron Howard, A Canine Handler (**Requested by Mayor J. Michael Houston**)

Alderman Simpson moved to place Agenda Item Number 2011-258 on the consent agenda. The motion was seconded by Alderman Lesko. The motion passed by a vote of 9-0.

**2011-259** An Ordinance Authorizing The Execution Of A Memorandum Of Understanding With Sangamon County, Illinois, To Allocate Funds Received In Connection With The 2011 Byrne Justice Assistance Grant Program (#2011-H3146-IL-DJ) From The U.S. Department Of Justice (**Requested by Mayor J. Michael Houston**)

Alderman Simpson moved to place Agenda Item Number 2011-259 on the consent agenda. The motion was seconded by Alderman Griffin.

Alderman Griffin asked if Sangamon County is only going to purchase one police cruiser for \$62,000. Deputy Police Chief Robert Markovic responded that he is unaware of what Sangamon County is going to do with their portion of the grant money. They will receive \$62,000 and it is the intention for the City to pay for 5 new vehicles with their grant money. The 6<sup>th</sup> additional car will be divided between the grant and police vehicle funds.

Alderman McMenemy asked if there are 178 marked vehicles and 93 unmarked vehicles in the motor pool. Markovic responded that it was correct. Alderman McMenemy asked if the grant funds are being used to purchase new vehicles. Markovic responded that it was correct. Alderman McMenemy asked if there were currently 248 budgeted police officers and Markovic responded that he was correct. Alderman McMenemy asked if the use of the grant can be used for payroll, but with conditions spelled out in the grant, attached. Markovic responded that the funds cannot be used to replace funds that were already appropriated for officers. Alderman McMenemy asked if the grant could be written to go towards payroll instead of fleet vehicles, the City would have to hire beyond the 248 budget officers. Chief Williams and Markovic responded that that was correct. Vice Chairman Theilen pointed out that doing that would then put that officer's pay in jeopardy because the grant money would not be assured every year and that officer could be laid off. Markovic responded the grant money of \$115,000 would only pay for one officer for one year because that would include salary and benefits. Alderman McMenemy then asked if the funds could be used to bring back laid off officers, but there are no lay offs at this time. Chief Williams confirmed that there were not.

The motion to place Agenda Item Number 2011-259 on the consent agenda passed with a voice vote of 9-0.

**2011-260** An Ordinance Amending Chapter 30 Of The 1988 City Of Springfield Code Of Ordinances, As Amended, By Adding Sections 30.14 – 30.14.14 Pertaining To Identity Protection (**Requested by Mayor J. Michael Houston**)

Alderman Simpson moved to place Agenda Item Number 2011-260 on the consent agenda. The motion was seconded by Alderman Griffin. The motion passed by a voice vote of 9-0.

### **Unfinished Business**

Alderman Edwards asked Director Mahoney to address the grass mowing schedule. Director Mahoney pointed out that the rain has been bad through the month of June, which contributes to

the problem. He went on to state that there are 300 properties that have been identified through housing code violations that are being mowed. There are also 103 of the City's properties that are being taken care of in addition to the right of ways. He stated that last week, the Department had implemented a mowing map in sections to allow the crews to work more efficiently. It is still a work in progress, though. Alderman Edwards thanked the Director for his efforts and for a new email distribution list that he has set up to allow for the Aldermen to report problem areas directly to Director Mahoney.

Director Mahoney stated that the Aldermen can report properties directly to either himself or the Council Coordinator Joe Davis; it will be entered into a system, tracked and updates given to the Aldermen as to their progress. He also invited the Council to talk to directly to him to report any problem areas.

Alderman McMenemy asked about the progress to an inquiry that he had made three weeks ago regarding the City's policies on pay spiking for both bargaining unit and non-bargaining unit employees. Jim Gates from the City's Human Resources Department addressed his question. Mr. Gates stated that there are only two contracts – those for police and fire – that provide for a spike. The remaining contracts do not have that provision in them. Mr. Gates went on to state that it was his understanding that Alderman McMenemy was going to speak with Director McCarty about this issue. Alderman McMenemy stated that he had had a very helpful conversation with Director McCarty about the issue. But, the Alderman stated that he would like to see the language from the contracts that does allow for spiking, a list of the bargaining units that do not have spiking in their contract and what policies exist for non-bargaining unit employees. Mr. Gates stated that he will have the information to him within the week.

### **Citizens Request to Address the Council**

Mr. Tom Schaffer of 3513 South Park in Springfield addressed the Council in regards to a recent incident surrounding a pit bull attack. He wanted to update the Council as to the progress to get the victim eligible for the Illinois Crime Victims Compensation Act and the progress of the case.

Alderman McMenemy asked if Mr. Schaffer had any idea what statute might be applied to the owners of the pit bull dogs in the situation. Mr. Schaffer responded that it is reckless conduct.

Alderman Cahnman responded that problem for the prosecution is that no one has claimed ownership of the dog, and therefore no one can be charged. He went on to state that if the victim were eligible under the Illinois Crime Victim's Compensation Act, she would have to apply through the Illinois Attorney General's Office. He stated that he did not think that there was anything that the City Council could do as a body except contact the members of the state legislature to urge them to amend the law. Mr. Schaffer responded that the Council can be an advocate on the victim's behalf.

A motion was made by Alderman Simpson and seconded by Alderman Griffin to adjourn the Committee of the Whole meeting. The motion passed by a voice vote of 9-0. The meeting was adjourned at 6:20pm

Cecilia K. Tumulty  
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City Clerk