



COMMITTEE MINUTES

Tuesday, March 8, 2011

City Council Chambers

5:30 p.m.

Ward 1	Thomas Shanahan (Chair)	Ward 6	Mark Mahoney
Ward 2	Gail Simpson (Vice Chair)	Ward 7	Debbie Cimarossa
Ward 3	Frank Kunz	Ward 8	Kris Theilen
Ward 4	Frank Lesko	Ward 9	Tony Smarjesse
Ward 5	Sam Cahnman	Ward 10	Tim Griffin

Chairman Thomas Shanahan called the Meeting to Order at 5:30 p.m.

Clerk Tumulty called the roll of Committee members.

PRESENT: Ald. Shanahan , Simpson , Kunz , Lesko , Cahnman , Mahoney , Cimarossa , Theilen , Smarjesse and Griffin .

ABSENT: NONE

Chairman Shanahan recognized Treasurer Langfelder for the Treasurer's Report. He provided a written report and stated that the balance in the corporate fund at the end of February 2011 was **-\$2,607,802.00**. Ald. Cimarossa moved to approve the Treasurer's Report. Ald. Simpson seconded. The motion carried 10/0 via voice vote.

Chairman Shanahan called the OBM Contract Report for review. No changes or discussion noted.

Ald. Simpson moved to approve the Committee of the Whole Minutes from February 22, 2011. Ald. Theilen seconded. The motion carried 10/0 via voice vote.

Chairman Shanahan read the agenda numbers of those ordinances tabled or remaining in committee:

2008-337 A Resolution To Abandon The Construction Of Hunter Lake (**Requested By Ald. Edwards**) (**Utilities**) (**Remains In Committee 12/10/08**)

2010-001 An Ordinance Amending Various Sections Of Chapter 50 Of The 1988 City Of Springfield Code Of Ordinances, As Amended, Regarding Temporary Services; Electric Service In Housing And Business Developments; Utility Line Extensions; Street Lighting; Security Lighting; And Removal Of Obstructing Trees Or Branches For The Office Of Public Utilities, As Amended (**Requested By Mayor Timothy J. Davlin**) (**Committee Of The Whole**) (**Remains In Committee 1/19/10**)

2010-131 A Resolution Recommending Debts Owed To The City Be Collected Through The Use Of A Collection Agency (**Requested By Ald. Edwards**) (**Committee Of The Whole**) (**Remains In Committee 3/30/10**)

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**)

2010-328 An Ordinance Authorizing A Supplemental Appropriation In The Amount Of \$1,226.00 For The Office Of The Mayor (**Requested By Mayor Timothy J. Davlin**) (**Committee Of The Whole**) (**Remains In Committee 9/14/10**)

2010-404 An Ordinance Amending Chapter 110, Section 110.329, Of The 1988 City Of Springfield Code Of Ordinances, As Amended, To Prohibit The Sale Of Electronic Cigarettes To Persons Under 18 Years Of Age (**Requested By Ald. Cahnman**) (**Committee Of The Whole**) (**Remains In Committee 11/2/10**)

2011-025 An Ordinance Amending Chapter 82, Section 82.02, Of The 1988 City Of Springfield Code Of Ordinances, As Amended, To Increase The Penalties For Parking Violations (**Requested By Ald. Cimarossa, Dove & Griffin**) (**Committee Of The Whole**) (**Tabled 1/25/11**)

Ald. Cahnman noted that he would like to bring 2010-404 out at the end of the meeting as a witness is not here.

Ordinances for Committee Consideration:

2011-085 An Ordinance Authorizing A One-Year Extension To An Agreement With, And Additional Payment Of \$56,640 To, Resource Management Associates, Inc. To Furnish, Develop And Administer Entry Level And Promotional Exams For The Police And Fire Departments For The Office Of Human Resources. (**Requested By Mayor Edwards**) (**Committee Of The Whole**)

In FY12, we will begin promotional testing for the Police and Fire Departments. This ordinance will extend the ability for us to contract through them for the next twelve months.

Ald. Simpson moved to place Agenda No. 2011-085 on the Consent Agenda. Ald. Griffin seconded. The motion carried 10/0 via voice vote.

2011-086 An Ordinance Authorizing A 12 Month Extension Of Contract LL09-09-73 With, And Payment In, The Amount Of \$300,000.00 To Baker & Taylor, Inc. To Provide Recorded Materials For Lincoln Library. (**Requested By Mayor Edwards**) (**Committee Of The Whole**)

The Baker & Taylor will supply any book, and/or audio visual item published or distributed in North America and available through normal trade channels at the time of order.

Ald. Simpson moved to place Agenda No. 2011-086 on the Consent Agenda. Ald. Griffin seconded. The motion carried 10/0 via voice vote.

2011-087 An Ordinance Authorizing Payment To Paul Moser, A Springfield City Firefighter, To Settle A Workers' Compensation Claim For Case Number 10-WC-23718. **(Requested By Mayor Edwards) (Committee Of The Whole)**

Paul Moser was employed as a firefighter for the City on June 11, 2010. He reported an injury to his left wrist while fighting a house fire. Mr. Moser underwent arthroscopic surgery and was released from care with no restrictions in August 2010. Mr. Moser filed a workers' compensation claim (case number 10-WC-23718) and is willing to settle his claim in the amount of \$27,253.52 representing a permanent partial disability equivalent to 20% loss of use of his left hand. CCMSI, the City's workers' compensation third party administrators, recommend payment of \$27,253.52 to Mr. Moser to settle claim number 10-WC-25352.

Ald. Simpson moved to place Agenda No. 2011-087 on the Consent Agenda. Ald. Cimarossa seconded. The motion carried 10/0 via voice vote.

2011-088 An Ordinance Authorizing Execution Of A Contract With Illinois Funeral Service Foundation For Purchase Of Real Property Located At 1440 Monument Avenue. **(Requested By Mayor Edwards) (Committee Of The Whole)**

This ordinance will authorize a contract to purchase the property at 1440 Monument across the street from the Oak Ridge Cemetery Office previously known as the Museum of Funeral Customs for the purpose of cemetery expansion. And authorize the spending authority to purchase the property using Oak Ridge Cemetery funds. Corporate funds will not be used for this purchase.

Agenda No. 2011-088 Remains in Committee.

2011-089 A Supplemental Resolution Notifying The State Of Illinois Department Of Transportation That Additional Motor Fuel Tax Funds In The Amount Of \$50,556.89 Were Used For Construction And Engineering For The Widening Of Sangamon Avenue From 5th To 8th Streets (MFT Section No. 00-00415-00-WR) **(Requested By Mayor Edwards) (Committee Of The Whole)**

This supplemental resolution outlines to IDOT that we spend an additional \$50,556.89 from MFT funds to pay for the construction and engineering for the widening of Sangamon Avenue from 5th Street to 8th Street.

Ald. Simpson moved to place Agenda No. 2011-089 on the Consent Agenda. Ald. Griffin seconded. The motion carried 10/0 via voice vote.

2011-090 An Ordinance Amending Chapter 95, Section 95.600, Of The 1988 City Of Springfield Code Of Ordinances, As Amended, To Prohibit The Construction Of New Potable Water Supplies Within Designated Boundaries In The Areas Of Washington Street And Lincoln Avenue And Yates Boulevard And J. David Jones Parkway. **(Requested By Mayor Edwards)**

(Committee Of The Whole)

This ordinance modifies boundaries where the use of groundwater as a potable water supply is prohibited.

Ald. Simpson moved to place Agenda No. 2011-090 on the Consent Agenda. Ald. Griffin seconded. The motion carried 10/0 via voice vote.

2011-091 An Ordinance Authorizing Additional Funding In The Amount Of \$40,000.00 For The Maintenance And Repair Of Heavy Equipment For The Electric Division Generation Department Under Contract UE11-03-01 With Roland Machinery Company For A Total Amount Payable Of \$215,000.00 To Said Vendor. **(Requested By Mayor Edwards)**
(Committee Of The Whole)

This ordinance authorizes an additional expenditure authorization under Bid Contract UE11-03-01 with Roland Machinery Company in an amount not to exceed \$40,000.00 for the maintenance and repair of heavy equipment, including two excavators, three wheel loaders, and two crawlers for the City of Springfield Office of Public Utilities' Electric Generation Department. The original contract provided for labor and materials for the maintenance and repair of heavy equipment at the Dallman Power Plant Complex. Ordinance No. 182-05-10 authorized the utility to spend up to \$175,000.00 for these services through April 30, 2011.

This funding increase is necessary because existing funds are insufficient to cover these maintenance and repair services for the remainder of the contract term. The original ordinance and this funding increase authorize the expenditure of \$215,000.00 in total under this contract. Per the City Purchasing Agent, a Change Order is not required because this action does not alter any terms or conditions as previously agreed to by the vendor. Only funding authorization through the ordinance is necessary.

Ald. Lesko moved to place Agenda No. 2011-091 on the Consent Agenda. Ald. Cimarossa seconded. The motion carried 10/0 via voice vote.

2011-092 An Ordinance Accepting The Bid And Authorizing The Execution Of Contract UW11-01-92 – Water Main Gate Valves And Tapping Valves For The Water Division With American Flow Control, A Division Of American Cast Iron Pipe Company, In An Amount Not To Exceed \$312,671.26. **(Requested By Mayor Edwards)** **(Committee Of The Whole)**

This ordinance accepts the low bid for Contract UW11-01-92 in an amount not to exceed \$312,671.26 with American Flow Control, A Division of American Cast Iron Pipe Company, for the purchase of approximately 548 resilient-seated gate valves and 120 tapping valves for the City of Springfield Office of Public Utilities' Water Division Field Services Center. This ordinance covers the anticipated annual needs for Fiscal Year 2012. The ordinance total represents estimated quantities; the vendor is not guaranteed a minimum amount. Only the materials needed during the contract period will be ordered.

Ald. Simpson moved to place Agenda No. 2011-092 on the Consent Agenda. Ald. Lesko seconded. The motion carried 10/0 via voice vote.

2011-093 An Ordinance Accepting The Bid And Authorizing Execution Of Contract UE11-12-86 – Unit 33 SCR Catalyst Changeout With Petersburg Plumbing & Heating Co. In

The Amount Of \$165,766.00 For The Electric Division. **(Requested By Mayor Edwards)**
(Committee Of The Whole)

This ordinance accepts the low bid for Contract UE11-12-86 with Petersburg Plumbing & Heating Co. in the amount of \$165,766.00 for labor and materials to remove the bottom layer of catalyst from the Dallman Power Plant Unit No.33 Selective Catalytic Reduction (SCR) system and replace the same layer with new catalyst for the City of Springfield Office of Public Utilities' Electric Generation Department. The catalyst is the nitrogen oxide (NOx) removing portion of the SCR system. This catalyst is made up of 56 individual catalyst modules weighing 3,466 pounds each.

The existing catalyst that is being replaced has become plugged and worn out. The actual catalyst being installed will come from previously regenerated catalyst from other utility units, as well as additional catalyst purchased under a separate contract. Petersburg Plumbing & Heating Co. will do this work during the upcoming routine unit maintenance outage. This project is expected to begin on March 21, 2011.

Ald. Simpson moved to place Agenda No. 2011-093 on the Consent Agenda. Ald. Griffin seconded. The motion carried 10/0 via voice vote.

2011-094 An Ordinance Accepting The Bid And Authorizing The Execution Of Contract UE11-01-94 – No. 2 Dyed Fuel For The Electric Generation Department With Lincoln Land FS, Inc., In The Amount Of \$5,400,000.00 For A Three-Year Term. **(Requested By Mayor Edwards)** **(Committee Of The Whole)**

This Ordinance accepts the low bid and authorizes the expenditure of up to \$5,400,000.00 over a three-year term for the purchase and delivery of No. 2 dyed fuel under Contract UE11-01-94 with Lincoln Land FS, Inc. for the City of Springfield Office of Public Utilities' Electric Generation Department. The fuel is used at the Dallman Power Plant for preheating and controlling emissions, and to power the utility's Interstate, Factory and Reynolds Turbine-Generators. The utility will pay Lincoln Land FS, Inc. a price of \$0.025 per gallon for fuel delivery, which is in addition to the fuel price posted for each supplier on the date of order at the Harristown Terminal, as the cost of No. 2 dyed fuel varies daily. The Electric Division estimates using 600,000 gallons of fuel per year; however, no minimum or maximum quantities are guaranteed under this contract. The anticipated annual expenditure for this fuel is \$1,800,000.00 per year.

Ald. Simpson moved to place Agenda No. 2011-094 on the Consent Agenda. Ald. Lesko seconded. The motion carried 10/0 via voice vote.

2011-095 An Ordinance Approving And Authorizing The Execution Of A Telecommunications Contract Service Agreement Between The City Of Springfield And Springfield Clinic, LLP. **(Requested By Mayor Edwards)** **(Committee Of The Whole)**

This ordinance authorizes the execution of a standard Telecommunications Contract Service Agreement between Springfield Clinic LLP and the City of Springfield. Under the agreement, Springfield Clinic LLP will be provided with fiber optic connections from its facility located at 1025 S. 6th Street to the Springfield Obstetric and Gynecologic Association facility at 350 W. Carpenter Street in Springfield. Springfield Clinic LLP will pay the City a one-time installation charge of \$2,995.00 plus \$1,295.00 per month for a 100 Mbps (megabits per second) Ethernet

connection for the initial term of the contract. The initial agreement will take effect upon approval by the City Council and Springfield Clinic LLP and remain in effect for a term of five years from the date of the provision of service.

Ald. Simpson moved to place Agenda No. 2011-095 on the Consent Agenda. Ald. Griffin seconded. The motion carried 10/0 via voice vote.

2011-096 An Ordinance Authorizing Execution Of An Agreement With Paul O'Shea For Planning And Design Services In An Amount Not To Exceed \$65,000.00 From March 27, 2011, Through March 26, 2012, For The Office Of Planning And Economic Development. **(Requested By Mayor Edwards) (Committee Of The Whole)**

This ordinance authorizes the execution of a one year agreement between the City of Springfield and Paul W. O'Shea to provide planning and design services to the Office of Planning & Economic Development for the time period covering March 27, 2011 through March 26, 2012, in an amount not to exceed \$65,000.00.

Ald. Kunz moved to place Agenda No. 2011-096 on the Debate Agenda. Ald. Theilen seconded.

Ald. Kunz asked if this money was coming out of TIF money now. Director Farmer stated that is correct. Ald. Kunz asked why the City needs another person for this. Director Farmer stated Paul performs a lot of the functions that pertain to the TIF. Ald. Kunz stated this was paid for out of the corporate fund before, so why are we paying him from TIF money now? Director Farmer stated it is a way to keep Paul around. Ald. Kunz asked what projects would not have been done if Paul had not been around and was he working on stuff from the TIF before? Director Farmer stated yes. Ald. Kunz asked why he wasn't paid out of TIF then. Director Farmer stated that was because he was being paid out of Corporate. Ald. Kunz stated he thinks it is a shame that we are going to keep another contract person on when we threaten to lay people off. He thinks this should be a two month contract and the next Mayor can decide if he wants to keep him or not. Ald. Mahoney agreed and stated it should be amended to a 60 day contract to give the next Mayor time to decide on the position.

CC Johnson stated that amendment would require another ordinance, which is a four week process. She stated if the new Mayor gets in around May 1st, she is not sure this is something that he/she would look at on day one to get an ordinance passed by May 26, 2011. Ald. Kunz stated that if it was that important of a job he is sure they would.

Ald. Mahoney withdrew his amendment for 60 days and stated he would like to amend the ordinance to a 90 day contract. Ald. Kunz seconded.

Ald. Cimarossa stated Paul O'Shea has added great value to the planning mechanism for the City. Ald. Simpson stated she agrees with Ald. Cimarossa. She stated for those of us that have wards that have been neglected over the years, we have someone who is working diligently to bring about some improvements; it is just a shame that we don't see the value of that.

Ald. Kunz stated that you won't have that anymore because he is going to TIF. Ald. Mahoney stated he represents an area that has been neglected. He has Iles Park in his ward and he has met with Paul over the years about doing a plan and now they are saying he is just going to focus on the TIF. He does not have any TIF's in his area that need help.

Ald. Lesko asked if the new Mayor comes in and this contract is in place for one year, is there any way for him to break it. Ald. Mahoney said we'll make it easy for him and make it 90 days. Then he won't have to break it.

Ald. Cahnman asked if this was coming from Downtown TIF money. Director Farmer stated that is correct. CC Johnson stated that is correct. He is being paid from the Downtown TIF fund and will only work on Downtown TIF projects. CC Johnson stated he's being paid by the Downtown TIF.

Ald. Cahnman asked why they didn't propose for him to be paid partly out of Downtown TIF and partly out of Corporate Funds. Director Farmer stated that was proposed earlier but the Corporate fund portion of the funding had been eliminated. Ald. Cahnman mentioned that there is a surplus now and suggested he might make an amendment. Ald. Theilen stated the if answer every time is to dip into the surplus it will soon be gone. Also, it's a projected surplus – it doesn't exist yet.

Ald. Mahoney stated this will allow the new Mayor 90 days. It will be up to the new mayor and council to decide. Ald. Shanahan agreed.

Ald. Lesko asked for clarification. Is he only able to work on Downtown TIF? CC Johnson stated that is correct.

The Motion to Amend (90 day contract) Agenda No. 2011-096 carried 10/0 via voice vote.

The motion to place Agenda No. 2011-096, As Amended, on the Debate Agenda carried 10/0 via voice vote.

2011-097 An Ordinance Authorizing Execution Of A Subrecipient Agreement For Grant Number 09-SR-0015 With M.E.R.C.Y. Communities, Inc. To Carry Out Eligible Housing Assistance Activities Using Community Development Block Grant Funds In An Amount Not To Exceed \$337,566.00, For The Office Of Planning And Economic Development. **(Requested By Mayor Edwards) (Committee Of The Whole)**

An ordinance authorizing the Office of Planning & Economic Development to enter into Subrecipient Agreement 09-SR-0015 with M.E.R.C.Y Communities, Inc., to carry out eligible housing assistance activities using Community Development Block Grant (CDBG) funds in an amount that does not exceed \$337,566.00. This activity is eligible for the use of the City's CDBG funds under 24 CFR 570.210(a), Acquisition and meets HUD's broad national objective of benefit to low and moderate income persons under 570.208(3), Housing Activities.

Ald. Simpson moved to place Agenda No. 2011-097 on the Consent Agenda. Ald. Kunz seconded. The motion carried 10/0 via voice vote.

2011-098 An Ordinance To Increase The Number Of Class "AA" Liquor Licenses By One For Max Inc. Of Illinois D/B/A Mugshotz Pub, 1008 E. Ash Street. **(Requested By Mayor Edwards) (Committee Of The Whole)**

Max Inc. of Illinois has applied for a Class "AA" liquor license for the business known as Mugshotz Pub, located at 1008 East Ash Street. A Class "AA" license entitles the licensee to

sell alcoholic liquor, at retail, for consumption either on the premises by the drink or pitcher or off of the premises when sold in the original package and is a 1 a.m. license.

Agenda No. 2011-098 Remains in Committee.

2011-099 An Ordinance To Increase The Number Of Class “D” Liquor Licenses By One For Anna Ribaldo D/B/A Giafranco, 518 E. Adams Street. **(Requested By Mayor Edwards) (Committee Of The Whole)**

Anna Ribaldo d/b/a Gianfranco, has applied for a Class “D” liquor license for the business locate at 518 E. Adams Street. A Class “D” license entitles the licensee to sell alcoholic liquor, by the drink or pitcher, as part of a restaurant business, for consumption on the premises only and is a 1 a.m. license.

Ald. Kunz moved to place Agenda No. 2011-099 on the Consent Agenda. Ald. Lesko seconded. The motion carried 10/0 via voice vote.

2011-100 A Resolution Supporting The Springfield Urban League’s Community Garden Project. **(Requested By Mayor Edwards) (Committee Of The Whole)**

The Springfield Urban League desires to establish community gardens at 2001 East Capitol, 602 South 13th, 1523 South 17th, 1525 South 17th, and 1527 South 17th (“Community Gardens Project”). In order to ensure that any environmental condition that may pose a threat to human health or the environment is properly addressed, a site assessment needs to be requested of the Illinois Environmental Protection Agency (IEPA). This resolution is to show the City’s support of the Project and fulfill a requirement of the IEPA that a resolution be passed so site assessments can be provided.

Ald. Simpson moved to place Agenda No. 2011-100 on the Consent Agenda. Ald. Cimarossa seconded. The motion carried 10/0 via voice vote.

2011-101 An Ordinance Amending Chapter 170, Section 170.17.05, Of The 1988 City Of Springfield Code Of Ordinances, As Amended, Regarding Garbage And Rubbish Pickup During Snow Emergencies **(Requested By Mayor Edwards) (Committee Of The Whole)**

Chapter 170, Section 170.17.05, provides that where alleys exist, garbage and rubbish must be placed in the alleys for pickup by the waste haulers. This ordinance will amend Section 170.17.05 to provide that when snow emergencies have been declared pursuant to Section 79.30, garbage and rubbish must be placed in an area near the street sufficiently cleared for pickup by waste haulers.

Ald. Simpson moved to place Agenda No. 2011-101 on the Consent Agenda. Ald. Griffin seconded.

Ald. Cahnman asked for clarification of the language. If, during snow emergencies, persons were not able to access their alley, they could put the garbage cans on the street. CC Johnson this ordinance will require that cans are put on the street during a snow emergency. CC Johnson stated there is a proposed amendment for this ordinance. Clerk Tumulty stated the amendment is to allow for ten days following the snow emergency declaration. CC Johnson stated that is correct. From the date the snow emergency is declared, someone who would

ordinarily place their cans in the alley for pick up, should place them in the front for the next ten days.

Ald. Cahnman moved to adopt Amendment No. 1 for Agenda No. 2011-101. Ald. Kunz seconded. The motion carried 10/0 via voice vote.

The motion to place Agenda No. 2011-101, As Amended, on the Consent Agenda carried 10/0 via voice vote.

2011-102 Amending Sections 105.03 And 105.29 Of The 1988 City Of Springfield Code Of Ordinances, As Amended, Pertaining To Refuse And Yard Waste Pick Up Fees (**Requested By Mayor Edwards**) (**Committee Of The Whole**)

This ordinance will amend sections 105.03 and 105.29 of the City Code to eliminate the price caps on refuse and yard waste collection services by waste haulers effective July 1, 2011.

Agenda No. 2011-102 Remains in Committee.

2011-103 An Ordinance Amending Chapter 82, Section 82.02, Of The 1988 City Of Springfield Code Of Ordinances, As Amended, To Increase The Penalties For Parking Violations (**Requested By Ald. Cimarossa**) (**Committee Of The Whole**)

Chapter 82 pertains to penalties and enforcement of parking violations. In an effort to generate more revenue, this ordinance will amend Chapter 82 to increase penalties for parking violations.

Ald. Theilen moved to place Agenda No. 2011-103 on the Debate Agenda. Ald. Griffin seconded.

Ald. Shanahan stated that he has personal experience with this issue. He stated his ticket indicated the amount of time that expired. That was something he was not familiar with. He indicated the amendment is a balance of information Ald. Cahnman moved to adopt Amendment No. 1 to Agenda No. 2011-103 to allow a five minute grace period prior to the issuance of a parking violation notice. Ald. Kunz seconded.

Ald. Cahnman stated this grace period is something New York City adopted about a year ago and it has been very successful. He is in the process of taking a survey in his ward and so far it has come back that 90% are in support of this. Ald. Cahnman urged a yes vote for this amendment.

Ald. Shanahan stated he also has pursued this information and it seems to be a good policy in terms of visitors. It will give us the opportunity to show them that we are sincere in these actions.

Ald. Cimarossa asked how this would be administratively addressed. Ald. Cahnman stated that on the parking meter it shows how many minutes it has been since the parking meter had expired. The parking enforcement officer would simply not issue a ticket unless five minutes or more are shown to be expired on the meter. Ald. Cimarossa asked if this affects more than just parking meters – it affects parking spaces as well. Ald. Cahnman stated that is correct. Under the proposed amendment, the parking enforcement officer would not give the parking ticket out

unless the meter was expired for longer than 5 minutes.

Ald. Lesko stated this seems like it is going to be an administrative nightmare. It appears our parking meter attendants are going to spend time waiting for meters to expire. He believes this will cost the City money in the long run.

Director Norris stated that if the number of tickets written within one to five minutes is any indication then yes, it will cost the City money. He's not sure how it will work. It will be a little bit more of a hassle.

Ald. Cahnman stated it is a hassle for the people getting these tickets. He believes five minutes is reasonable.

Ald. Simpson stated that she has gotten a number of tickets downtown and she pays them. She has also watched the staff as they give out tickets. There is a lot of discretionary time allowed now when you get a ticket. She does not know why we are subjecting staff to this idiocy. Everything that happens in New York is not good.

Ald. Cahnman stated that 90% of his constituents think this is a good idea.

Ald. Mahoney stated that 90% of the people don't know who the president is. Ald. Theilen called the question.

The Motion to Amend Agenda No. 2011-103 failed 3/7. Ald. Shanahan, Kunz and Cahnman voted yes. Ald. Simpson, Lesko, Mahoney, Cimarossa, Theilen, Smarjesse and Griffin voted no.

Ald. Cimarossa stated we have expanded the ordinance violations for all types of parking violation and once again futile attempt to make things right, something we have not looked at in a number of years, she asks everyone for a yes vote on this because it just makes sense.

Ald. Kunz stated he will not vote for this.

Ald. Simpson asked Ald. Cimarossa about the parking fees now that we do not collect; the hundreds of thousands of dollars that we do not collect. Why don't we go after that money first?

Ald. Cimarossa stated that is an excellent question.

Ald. Shanahan stated he thinks that when they received the total outstanding parking tickets by year and if we match up the amounts collected versus the amount unpaid, the vast majority of people are paying. He thinks that is a very valid point. This is money due to the City and he thinks both pieces should be looked at. His constituents have spoken very loudly that they would like to see increased revenue streams from the deviating from normal behavior instead of going after those who are abiding the normal behavior. He would also agree with Ald. Cimarossa that we proceed with this.

Ald. Cahnman stated he agrees with Ald. Simpson. There are many unpaid parking tickets out there that we should make a stronger effort to collect. Some of the Alderman are trying to put together an amnesty program, where people who owe parking tickets and maybe even other monies to the City would be given a certain period of time in which they could satisfy there

debt to the City by paying less than 100%. Those amnesty programs have worked well in other cities.

Treasurer Langfelder clarified collections efforts with regard to parking tickets. He stated we have to send out a number of notices per state statute. After individuals get a parking ticket we turn them over to collections if they have not fulfilled so, within that period of time and it is attached to their credit bureau. With regards to other methods of payment, we have a boot program and individuals will get booted if they are down town and caught down town. One remedy is to maybe find out where they live or work. That is what other communities do and they are a little more pro-active in that regard, instead of just waiting until they come downtown because they are going to avoid downtown.

Another option that we have in place is suspending an individual's driver's license if they owe more than ten parking tickets. Recently, an individual that wanted their license had moved to Florida. In order to get a license there, they had to pay the full amount owing so their Illinois license was no longer suspended. With regards to an amnesty program, he thinks we should go after individuals.

Victoria Ringer, Executive Director of Downtown Springfield Inc., wants everyone to remember that the parking meters are only downtown. She had a lot of businesses saying it is just one more thing where people are going to be affected if they do something downtown and not in a positive way. It could be looked at as a deterrent to come downtown. Violators or not, they look at it as another penalty against downtown. Regardless, parking meters are used to move traffic and keep people moving. She knows we look at it as a revenue generator, and it can be a good one, but we have to remember that was not its initial purpose. Her membership was split exactly 62/62 of the 124 people that responded. So we really can't take a position except to remind people that the meter part of this ordinance applies only to downtown and around the State Capitol. If we add another type of deterrent to this list she fears what could happen.

Ald. Cimarossa stated she agrees with Victoria. This also helps keep traffic moving so people don't park there so long.

Ald. Simpson stated she is not going to vote for this primarily because it focuses very narrowly on downtown. She thinks that if we are going to try to get an increased revenue stream then it needs to be across the City and not just downtown. Ald. Cimarossa stated the original ordinance did focus on downtown primarily but this one effects people city wide.

The motion to place Agenda No. 2011-103 on the Debate Agenda failed 5/5. Ald. Shanahan, Cimarossa, Theilen, Smarjesse and Griffin voted yes. Ald. Simpson, Kunz, Lesko, Cahnman and Mahoney voted no.

Agenda No. 2011-103 Remains in Committee.

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**)

In an effort to increase revenue, it is in the best interest of the City to establish a Food and Beverage Tax by imposing a 1.5% tax on the privilege of purchasing alcoholic liquor and prepared food items for immediate consumption at establishments in the City.

Agenda No. 2011-104 Remains in Committee.

2011-105 An Ordinance Authorizing Extension Of Contract #CS06-08-45 Through September 30, 2011, With, And Additional Payment Of \$50,000.00 For A Total Contract Amount Not To Exceed \$755,000.00 To, Watts Copy Systems, Inc. For The Lease Of Digital Copy Machines And Auxiliary Equipment For The Office Of Budget And Management **(Requested By Mayor Edwards) (Committee Of The Whole)**

Ald. Kunz moved to place Agenda No. 2011-105 on the Debate Agenda. The motion failed due to lack of a Second.

Ald. Simpson moved to place Agenda No. 2011-105 on the Consent Agenda. Ald. Kunz seconded. The motion carried 10/0 via voice vote.

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)**

This ordinance will amend Ch. 34 to provide that divisions in the Springfield Fire Department may consist of the division of operations, the division of training and education and the division of fire safety. This ordinance also amends Ch. 94 by changing the definition of Fire Code Official and Fire Marshal from the division chief in charge of the fire safety division to the fire chief or his designee.

Agenda No. 2011-106 Remains in Committee.

Ald. Cahnman moved to pull Agenda No. 2010-404 out of Committee and place it on the Debate Agenda. Ald. Shanahan Seconded.

Dr. Woodson, President of the Sangamon County Medical Society was present to speak on Agenda No. 2010-404. She stated it just makes sense. An electronic cigarette is a cigarette that dispenses nicotine just like a cigarette dispenses nicotine. There are some issues with the FDA trying to get control of the electronic cigarette so they can control the sales. The courts decided that because the companies that make it and market it are marketing it as a pleasure device and an alternative to smoking rather than a drug or device that is supposed to be used therapeutically. It was determined they don't have any control over it so it is going to be marketed and controlled just like a cigarette. She thinks it makes sense that if minors are not supposed to have regular cigarettes, they shouldn't have electronic cigarettes.

Ald. Cahnman asked Dr. Woodson if it is correct that with an electronic cigarette, a person who inhales those inhales all the toxic substances of a tobacco cigarette.

Dr. Woodson stated that is correct.

Ald. Shanahan stated that in addition, the addictive potential of nicotine is considered one of the greatest addictive agents known to man. This is one of the most addictive products, which

brings us into a different cycle of addiction control of behavior. We have programs for heroin and cocaine but we do not have an effective program, currently, for nicotine addiction.

Ald. Cahnman stated the American Cancer Society says that 90% of smokers started before age 18. Here under current law we are now allowing them to legally buy a product that mimics a cigarette and has all the toxic substances of a cigarette except for tar. He presented an electronic cigarette to show the similarities between that and a regular cigarette. It doesn't make sense to him to make it legal for kids less than 18 years of age to buy these things. He urged a yes vote.

Ald. Kunz stated, just for the record, he started smoking when he was 15. When he was 41 he quit smoking cold turkey without anything. You can break a nicotine habit.

Ald. Shanahan stated this is an addictive agent. This is one that should not be in the hands of children. Currently regulations exist for patches and gum. This is a unique hole in legislation that should be filled at the local and state level.

Ald. Kunz stated this is like the smoking ban. It should be done at the state level because the City can ban it but they can go outside the City to buy it.

Ald. Griffin stated he is probably the most conservative on this Council and he is against the government putting their nose in anybody's business on any issue. The only time he really voted to have government intrude in people's lives is when he voted for and supported the smoking ban on the count level. He will be happy to support this ordinance at this time. Anything he can do to stop some 18, 19, and 20 year old kids from going down that path, he would be happy to do.

The Motion to place 2010-404 on the Debate Agenda passed 10/0 via voice vote.

Mike Monseur, 35 Fairview Lane, Springfield, IL, owner of Godfathers Pizza was present to speak about the proposed dining tax. He stated they have turned in several petitions and letters. We have hundreds of more petitions that are on the way. Being put in Committee means this whole issue could come up again and that is why we want to address the Council. He stated that he appreciates what Ald. Simpson is trying to do, as far as the budget. The approach is devastating to the community. He stated she made a comment about the parking meter fines singling out downtown. What she is doing with this ordinance is singling out the restaurants. We have gone through a horrible economic period and restaurants have been hit the hardest in this recession. To add more and more tax on the people, the employees there depend on their jobs, and to give people another reason not to visit our business is devastating. Mike stated that Ald. Simpson said on WTAX that if people don't want to pay the tax they just won't go out to eat. She made his argument because this is what will happen. We see it in Decatur and other communities. You cannot tax yourself out of debt.

Ald. Simpson stated she didn't say that. What she said was, people don't have to go out and eat so if you don't go out it is not going to affect you. She also said that people go out and eat, they always have and they always will. If they like a brand they are not going to opt to go to some other place they are going to go where they want. People also put it in their budget to eat out.

Mr. Monseur asked why not propose something that will be business friendly; that will give tax revenues to the City and not only target one aspect. Everyone should share and singling out an industry is very discriminatory. He stated he respected Ald. Simpson's stance on it but he

strongly disagreed. He stated you are hurting this City with this proposal and he wishes it would just die.

Ald. Shanahan stated that one of his constituents recently emailed him and stated that although we are very strong in tourism, the majority of our tourism comes from non for profit agencies and they will walk up to the dining facility with the letter, non taxable letter, which cuts away from the benefits of this proposal as well.

Mr. Monseur stated he just wished that the City and the State would realize that businesses are not the enemy. They are what is keep us going. There are other alternatives and he asked the Council to consider them.

Ald. Cahnman asked if he has any suggestions for the alternatives.

Mr. Monseur stated there is a letter that has been presented to the Clerk. Why don't you go after the people who break the laws in our City? Increase the fines, licensing. Don't attack the law abiding people who are trying to create jobs and pay a strong tax rate. We can only pay so much.

Ald. Griffin stated he appreciates Mike's position. He wants to make sure the city does not get in a bad position. He has talked to some of the restaurant owners about how tight things are.

Victoria Ringer, Executive Director of Downtown Springfield Inc., stated she is going to take the tourism point of this. All of her restaurants are opposed to this because they are having a really hard time. Tourism is what generates revenue for our City. If we are trying to bring larger conventions here to spend money in the restaurants, to shop at the shops, to buy gas, to stay in the hotels over night, we are going to add the additional to their tab of that conference and that's just the tourism end of it. If we are going to do that then that money should go to bring more tourists here. If we are going to add that 1.5% then that 1.5% should go to bring more people and to generate more revenue, not penalize the people who live here or the people who want to come here and spend money. Every restaurant that she has talked to said it is an industry tax and it is penalizing the people who are struggling. Illinois is driving business out daily and she does not want to see that happen in downtown Springfield. We have come so far in revitalization and she would hate to see that stop.

James Johnson, Springfield, IL., stated that normally he sits back and just listens and shakes his head but today he had to stand up and speak on some issues. His main issue is with Mark Mahoney's proposal that was sent back to Committee regarding removing the trash limits. He opposes that. Think about what removing those limits is going to do to our City. We already have trash issues, especially on the east side. He thinks it is going to create more problems as far as people not being able to pay that bill. Also, if he has to pay more for his trash removal, \$4.00 for gas and he doesn't have a job or is struggling he would not be able to go out to eat. If it is going to cost our citizens more money then throw that idea in the trash.

Ald. Griffin moved to adjourn the meeting. Ald. Simpson Seconded. The Motion Carried 10/0 via voice vote. The time was approximately 6:35 p.m.

Veronica Bigley

Veronica Bigley
Deputy City Clerk