



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

**Tuesday, November 29, 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 McMnamin
<b>Ward 3</b>	Doris Turner ( <b>Vice Chair</b> )	<b>Ward 8</b>	Kris Theilen
<b>Ward 4</b>	Frank Lesko ( <b>Chair</b> )	<b>Ward 9</b>	Steve Dove
<b>Ward 5</b>	Sam Cahnman	<b>Ward 10</b>	Tim Griffin

Chairman Frank Lesko called the meeting to order at 5:30pm.

Deputy Clerk Hawkins called the roll of members.

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

Alderman Simpson made a motion to approve the November 8, 2011 Committee meeting minutes. Her motion was seconded by Alderman Griffin. The motion passed with a voice vote of 10-0.

Next, Chairman Lesko 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 McMenamini) (Remains in Committee 10/18/11)**

Alderman Theilen asked Corporation Counsel Mark Cullen if there were any updates to Agenda Items 2011-224, 2011-344 or 2011-393. CC Cullen responded that there were not.

### **Ordinances for Committee Consideration**

**2011-452** AN ORDINANCE AUTHORIZING PAYMENT TO KEITH GROESCH, AN OFFICE OF PUBLIC UTILITIES EMPLOYEE, FOR SETTLEMENT OF A WORKERS COMPENSATION CLAIM FOR CASE NUMBER 10-WC-7791 **(Requested by Mayor J. Michael Houston)**

Alderman Simpson made a motion to place Agenda Item 2011-452 onto the consent agenda. Her motion was seconded by Alderman Griffin. The motion carried with a voice vote of 10-0.

**2011-453** AN ORDINANCE AMENDING CHAPTER 30, SECTIONS 340.14.7(4) AND 30.14.11, OF THE 1988 CITY OF SPRINGFIELD CODE OF ORDINANCES, AS AMENDED, PERTAINING TO IDENTITY PROTECTION EXCEPTIONS **(Requested by Mayor J. Michael Houston)**

Alderman Simpson made a motion to place Agenda Item 2011-453 onto the consent agenda. Her motion was seconded by Alderman Griffin.

Alderman Griffin asked for clarification on the ordinance from CC Cullen. CC Cullen responded that the ordinance addresses new requirements that have been enacted to protect the privacy of social security numbers of individuals.

Alderman Cahnman asked how this ordinance would change the language that is currently in the City Code. CC Cullen pointed to several sections of the proposed ordinance that would limit the use of social security numbers, unless absolutely required.

The motion to place Agenda Item 2011-453 onto the Consent Agenda passed with a voice vote of 10-0.

**2011-454** AN ORDINANCE LEVYING AND ASSESSING TAXES FOR CORPORATE EXPENDITURES OF THE CITY OF SPRINGFIELD, ILLINOIS, FOR THE FISCAL YEAR ENDING FEBRUARY 29, 2012, AND TO MEET THE ANNUAL ACTUARIAL REQUIREMENT OF THE POLICE AND FIRE PENSION FUNDS **(Requested by Mayor J. Michael Houston)**

Alderman Simpson made a motion to place Agenda Item 2011-454 onto the consent agenda. Her motion was seconded by Alderman Griffin.

Alderman Theilen asked if this ordinance would have any effect on the library's funding for next year. CC Cullen indicated that it did not.

The motion to place Agenda Item 2011-454 onto the consent agenda passed with a voice vote of 10-0.

**2011-455** AN ORDINANCE AUTHORIZING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$1,300.00 FOR THE OFFICE OF THE MAYOR SPRINGFIELD MUNICIPAL BAND **(Requested by Mayor J. Michael Houston)**

Alderman Simpson made a motion to place Agenda Item 2011-455 onto the consent agenda. Her motion was seconded by Alderman Griffin. The motion passed with a voice vote of 10-0.

**2011-456** AN ORDINANCE AUTHORIZING THE EXECUTION OF A LETTER OFFER FOR EXTENSION, APPROVING A ONE-YEAR CONTRACT EXTENSION AND AUTHORIZING ADDITIONAL FUNDING IN THE AMOUNT OF \$1,425,000.00 UNDER CONTRACT NO. UE08-03-07 WITH BODINE SERVICES OF DECATUR INC. FOR ELECTRIC GENERATING FACILITIES CLEANING SERVICES FOR A TOTAL AMOUNT PAYABLE OF \$5,770,000.00 UNDER SAID CONTRACT **(Requested by Mayor J. Michael Houston)**

Alderman Simpson made a motion to place Agenda Item 2011-456 onto the consent agenda. Her motion was seconded by Alderman Griffin.

Alderman Edwards asked if there was a one year extension clause in the contract. He asked CC Cullen to provide a copy of the contract to the Council members.

Alderman Theilen asked if the amount of the contract had gone up. Acting Director of City Water Light and Power Eric Hobbie stated that the labor rates are consistent with what the contract was bid at.

Alderman Cahnman asked for clarification on the additional money for the contract. Director Hobbie responded that there are two parts to the ordinance - \$175,000 for this year and \$1,250,000 for labor and materials for the next year.

The motion to place Agenda Item 2011-456 onto the consent agenda passed with a voice vote of 10-0.

**2011-457** AN ORDINANCE ACCEPTING THE BID AND AUTHORIZING THE EXECUTION OF CONTRACT UE12-09-64 – LIMESTONE FOR THE FLUE GAS DESULFURIZATION SYSTEMS AT THE DALLMAN POWER PLANT FOR A ONE-YEAR TERM WITH CENTRAL STONE COMPANY IN AN AMOUNT NOT TO EXCEED \$3,670,500.00 FOR THE ELECTRIC DIVISION **(Requested by Mayor J. Michael Houston)**

Alderman Simpson made a motion to place Agenda Item 2011-457 onto the consent agenda. Her motion was seconded by Alderman Griffin.

Alderman Griffin asked about the two other companies that had submitted lower bids, but did not meet the contract specifications. Director Hobbie responded that the other companies did not meet the requirements because the lime that is needed requires calcium carbonate for the scrubbers to work properly. Just getting limestone is not effective, which is why CWLP must pre-qualify all of the bidders before the bid is awarded. He also pointed out that there were tests done and that the limestone did not meet their specifications. Alderman Griffin expressed concern that the company was hired when they are negligent in getting their limestone tested. He also pointed out that one of the companies was hired for another contract further along in the packet. Director Hobbie responded that for this particular contract, there needs to be certain technical requirements that need to be met in order for the material to work as it should.

The motion to place Agenda Item 2011-457 onto the consent agenda passed with a voice vote of 10-0.

**2011-458** AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION OF A TELECOMMUNICATIONS CONTRACT SERVICE AGREEMENT BETWEEN THE CITY OF SPRINGFIELD AND MEMORIAL HEALTH SYSTEM (3225 HEDLEY ROAD) FOR THE ELECTRIC DIVISION **(Requested by Mayor J. Michael Houston)**

Alderman Simpson made a motion to place Agenda Item 2011-458 onto the consent agenda. Her motion was seconded by Alderman Griffin. The motion carried with a voice vote of 10-0.

**2011-459** AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION OF A TELECOMMUNICATIONS CONTRACT SERVICE AGREEMENT BETWEEN THE CITY OF SPRINGFIELD AND MEMORIAL HEALTH SYSTEM (4550 WEST ILES AVENUE) FOR THE ELECTRIC DIVISION **(Requested by Mayor J. Michael Houston)**

Alderman Simpson made a motion to place Agenda Item 2011-459 onto the consent agenda. Her motion was seconded by Alderman Griffin. The motion carried with a voice vote of 10-0.

**2011-460** AN ORDINANCE APPROVING THE APPOINTMENTS OF JUDGE STUART SHIFFMAN AND DAVIDA FANNIEL TO THE LINCOLN LIBRARY BOARD OF TRUSTEES **(Requested by Mayor J. Michael Houston)**

Alderman Simpson made a motion to place Agenda Item 2011-460 onto the consent agenda. Her motion was seconded by Alderman Griffin. The motion carried with a voice vote of 10-0.

**2011-461** AN ORDINANCE TO DECREASE THE NUMBER OF CLASS "E" LIQUOR LICENSES BY ONE AND INCREASE THE NUMBER OF CLASS "D" LIQUOR LICENSES BY ONE FOR STUGOTS, INC. D/B/A DI PIERO'S OF SPRINGFIELD, 2690 S. DIRKSEN PARKWAY **(Requested by Mayor J. Michael Houston)**

Alderman Simpson made a motion to place Agenda Item 2011-461 onto the consent agenda. Her motion was seconded by Alderman Griffin. The motion carried with a voice vote of 10-0.

**2011-462** AN ORDINANCE TO DECREASE 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 made a motion to place Agenda Item 2011-462 onto the consent agenda. His motion was seconded by Alderman Griffin. The motion carried with a voice vote of 10-0.

**2011-463** AN ORDINANCE AMENDING CHAPTER 33 AND CHAPTER 171 OF THE 1988 CITY OF SPRINGFIELD, CODE OF ORDINANCES, AS AMENDED, BY ABOLISHING THE PLUMBING COMMISSIONS, THE DEPARTMENT OF MOTOR VEHICLE PARKING AND THE CAPITAL IMPROVEMENT ADVISORY COMMITTEE (**Requested by Mayor J. Michael Houston**)

Alderman Simpson made a motion to place Agenda Item 2011-463 onto the consent agenda. Her motion was seconded by Alderman Griffin.

Alderman Cahnman asked what the functions of the three entities are and why the Administration feels they are no longer necessary. Bill Logan, Executive Assistant to Mayor Houston explained each of the boards and why they are being eliminated. He stated that the Motor Vehicle Parking Board was established to recommend fees to the City for parking. The Board has only met once and has not met for several years and therefore it has outlived its usefulness. He went on to explain that the Plumbing Commission was to register all plumbing contractors wishing to do business within the City of Springfield. Since the State of Illinois has taken over those functions, there is no need for that commission. The Capitol Improvement Advisory Committee was established to help the Budget Director determine the costs for capital improvements. All of the commissions have outlived their usefulness and have not met in a long time. Alderman Cahnman asked for clarification on when the last time that the Capital Improvements Advisory Committee had met. Council Coordinator Joe Davis responded that he served on the committee and it had been three years since they had met.

Alderman McMenemy asked about the Department of Motor Vehicle Parking and the duties that that department will now fall under. CC Cullen responded that it is within the Department of Public Works. Public Works Director Mark Mahoney pointed out that there is a division of Motor Vehicle Parking within Public Works and it is overseen by Sam Wilkerson. Director Mahoney pointed out that the division also includes the parking meter readers and other staff as well. Alderman McMenemy asked if the ordinance is addressing processes that are already in existence within the Department. Director Mahoney stated that the processes have been in place for some time. He is unsure and has no knowledge of what the Parking Commission ever did. Alderman McMenemy pointed out that there is a discrepancy in the Code on whether it is a Department or a Commission. Director Mahoney stated that the day to day functions lie within his office and Sam Wilkerson.

Alderman Cahnman asked about language that is stricken from the Code that references the Police Community Review Commission. CC Cullen responded that he will review the language, but it is redundant and should no longer be included in the code.

The motion to place Agenda Item 2011-463 onto the consent agenda passed with a voice vote of 10-0.

**2011-464** AN ORDINANCE AUTHORIZING EXECUTION OF AN AGREEMENT WITH NIEMANN HOLDINGS, LLC FOR REDEVELOPMENT ASSISTANCE FOR THE PROPERTY LOCATED AT 204 E. CARPENTER STREET UTILIZING CENTRAL AREA TAX INCREMENT FINANCE FUNDS IN AN AMOUNT NOT TO EXCEED \$2,000,000.00 FOR THE OFFICE OF PLANNING AND ECONOMIC DEVELOPMENT (**Requested by Mayor J. Michael Houston**)

Alderman Simpson made a motion to place Agenda Item 2011-464 onto the debate agenda. Her motion was seconded by Alderman Cahnman.

Alderman Cahnman recognized representatives from Neimann Foods in the audience. Rich Neimann, Jr. of Quincy addressed the Committee as the CEO of Neimann Foods. He stated that they are an associate owned company and they are interested in opening a new facility that will be 30,000-35,000 square feet.

Alderman Cahnman asked how Neimann Foods came to choose this particular location. Mr. Neimann responded that the location has the best opportunity to be successful in the area and to make the store profitable. He also stated that there is limited space downtown and that they are setting up the store to accommodate walk in and drive and park traffic as well. He also stated that they have done a similar store in Champaign-Urbana. Alderman Cahnman asked if the store will include a food court. Mr. Neimann responded that the store will have a lot of prepared foods to appeal to the medical district. Alderman Cahnman asked how many construction and permanent jobs will be created with the store. Mr. Neimann stated that he was uncertain about the number of construction jobs, but there will be 70 full time jobs in the store. Alderman Cahnman asked when the store might be open. Mr. Neimann stated that the goal is to open the store in late 2012 or early 2013. Alderman Cahnman expressed his support for the project and asked his colleagues to join him in that support. Mr. Neimann pointed out that one concern that they do have is with the high speed rail coming near the proposed facility.

Alderman McMenemy asked what the total land acquisition and development costs for the project. Mr. Neimann stated that the land acquisition will cost roughly \$2.1 million. For the project, it is estimated at \$8 million. Alderman McMenemy thanked him for their investment in the community.

Alderman Simpson asked if the other stores used tax increment financing in Springfield. Mr. Neimann responded that he did not believe that they did. They did use property tax rebate funds when they moved a store. Alderman Simpson asked if the project is dependent on tax increment financing. Mr. Neimann stated that the project would not work without the funding. Alderman Simpson asked the size of the store. Mr. Neimann stated that it will be between 30,000 and 35,000 square feet. She asked how the size is in relation to the other stores. Mr. Neimann responded that their largest store is 68,000 square feet and the average size is 56,000 square feet.

Alderman Cahnman asked if Neiman Foods had received tax increment financing district funding for their store in Sherman. Mr. Neimann responded that they did. Alderman Cahnman asked what the total cost of the project would be. Mr. Neimann stated that it is currently estimated at \$8 million.

Alderman Simpson asked if the prepared food portion of the grocery stores would be in direct competition with the independently run cafeterias within the hospitals. A response from the audience was that the cafeterias are part of the hospitals and not independently run.

Alderman Jobe expressed his support for the proposed project and thanked Economic Director Mike Farmer and his department for their work.

The motion to place Agenda Item 2011-464 onto the debate agenda passed with a voice vote of 10-0.

**2011-465** AN ORDINANCE ACCEPTING AND AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH MISSISSIPPI LIME COMPANY IN AN AMOUNT NOT TO EXCEED \$525,000.00 FOR THE PURCHASE OF HYDRATED LIME FOR THE DALLMAN POWER PLANT UNIT NO. 4 FOR A TWO-YEAR TERM FOR THE ELECTRIC DIVISION (**Requested by Mayor J. Michael Houston**)

Alderman Simpson made a motion to place Agenda Item 2011-465 onto the consent agenda. Her motion was seconded by Alderman Griffin.

Alderman Dove asked about the details of the contract and the company that it was awarded to. He expressed concern about their previous lowest bid on an early contract and why the lime would work for this use, but not for the other use. Director Hobbie responded use of the lime is different in this case. It controls acid mist in bags that only exist in Unit 4, not in the other three units. He also pointed out that hydrated lime is part of the pollution control chain that helps to control the acid mist within the process.

Director Hobbie also addressed an earlier question from Alderman Edwards on Agenda Item 2011-456. He stated that there is a mutual agreement that allows for the City to extend the contract from year to year. Alderman Edwards asked how long the extensions can be done. CC Cullen responded that this is the third time that the clause has been used to extend the contract. He also stated he will look into it, but he believes that the extension limits it to 10 years.

The motion to place Agenda Item 2011-465 onto the consent agenda passed with a voice vote of 10-0.

**2011-466** AN ORDINANCE ACCEPTING AND AUTHORIZING THE EXECUTION OF AN OIL AND GREASE AGREEMENT WITH USA HOIST COMPANY, INC. IN AN AMOUNT NOT TO EXCEED \$146,400.00 FOR MAINTENANCE SERVICES FOR DALLMAN POWER PLANT COMPLEX STACK ELEVATORS FOR THE ELECTRIC DIVISION (**Requested by Mayor J. Michael Houston**)

Alderman Simpson made a motion to place Agenda Item 2011-466 onto the consent agenda. Her motion was seconded by Alderman Griffin. The motion passed with a voice vote of 10-0.

Alderman Simpson relayed a concern from a constituent about trucks with naked individuals in them. She asked if there was an ordinance that covers that type of activity. CC Cullen responded that he was unsure, but would look into it.

Alderman Edwards stated that reports had circulated that former Convention and Visitor's Bureau Director Tim Farley was trying to raise taxes. He pointed out that Mr. Farley had brought employees to lay off last year in order to save the City money and to raise revenue. He also stated that the Council had voted to give his Department more money.

Alderman Edwards also expressed concern about the enforcement of handicap parking zones. He had received a complaint from a constituent that had problems with people parking in a handicap zone. The constituent had complained to the Police Department and to the Mayor's office. Police Chief Williams addressed the concerns. He pointed out that there is some handicap parking that is not clearly marked and if they are not marked correctly the Police Department cannot write citations. Chief Williams also pledged to follow up with the constituent and the business about the problem. He also stated that especially during this time of year, the SPD has aggressively policed those violations and have worked with volunteers and the Secretary of State's office to crack down on the problem.

Alderman Theilen announced that he will be volunteering for Toys for Tots on Sunday, December 4 11am-4pm at Baby's R Us.

James Meister of 1209 South 16<sup>th</sup> Street in Springfield addressed the committee with several concerns. He expressed concern about proper notification for residents of ordinance violations and administrative court hearings. He also expressed concern about inappropriate imagery that is on trucks that go throughout the City. He also encouraged the Council to ensure that local construction firms are used to build the new County Market.

Alderman Cahnman asked if the code violations that he is referring to are outside his properties. Mr. Meister responded that they were inside his properties and the inspector could not properly do the inspection because he was not present.

Alderman Lesko pointed out that Director Mahoney was taking notes on his comments and hopefully, he will see changes soon. He thanked him for his comments.

Alderman Simpson asked if the Public Works Department sends out letters notifying property owners of violations. Director Mahoney responded that they do and included is an appointment time as well as a contact number to set up an appointment to meet with a building inspector. Director Mahoney pointed out that anything outside the property, a code violation can be written up without the owner being present. But larger items and for things within the property, a letter is sent and an appointment is set up. He also pointed out that it is in the best interests of the City do correct the problems before they go into administrative court.

Alderman Cahnman asked if the letters include a specific time for the inspections. Director Mahoney responded that it depends on the nature of the violation. If an inspector cannot get into the home, they have to go to administrative court to get a warrant to enter the home. Director Mahoney also pledged to look into Mr. Meister's case specifically and find out what happened.

Alderman Simpson made a motion to adjourn. His motion was seconded by Alderman Jobe. The motion passed with a vote of 10-0 and the meeting was adjourned at 6:19pm.

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