

**Minutes of Springfield City
Council Meeting
Wednesday, August 3, 2011
City Council Chambers**

PRE-COUNCIL SESSION

City Clerk Cecilia Tumulty called the Pre Council Session of the Springfield City Council to Order at 5:00 p.m., Wednesday, August 3, 2011, in the Council Chambers of the Municipal Center West.

Clerk Tumulty read the following Ordinances and/or Resolutions on Emergency Passage

2011-290 An Ordinance Authorizing A Supplemental Appropriation In The Amount Of \$10,000 For The Office Of Budget And Management, **For Emergency Passage (Requested by Mayor J. Michael Houston)**

2011-291 An Ordinance Authorizing A Supplemental Appropriation In The Amount Of \$104,681 For The Springfield Police Department, **For Emergency Passage (Requested by Mayor J. Michael Houston)**

Clerk Tumulty read the following **Ordinances and/or Resolutions on First Reading** and assigned to the Committee of the Whole into the record of this Council meeting.

2011-292 An Ordinance Authorizing Payment To Jason Mcmillan, A Firefighter For The Springfield Fire Department, For Settlement Of Workers' Compensation Case Number 07-WC-46992 **(Requested by Mayor J. Michael Houston)**

2011-293 An Ordinance Approving The Appointments Of Quinetta Jackson Hale, Kathie E. Wozniak And Tyler D. McHaley And Reappointing Beverly Beard, Marion Dramin And Phillip Litchfield To The Disabilities Commission **(Requested by Mayor J. Michael Houston)**

2011-294 An Ordinance Providing An Exemption Of Section 80.08(C) Of The 1988 City Of Springfield Code Of Ordinances, As Amended, To Allow The Muscular Dystrophy Association To Solicit Contributions At Various Intersections From August 31, 2011, Through September 5, 2011 **(Requested by Mayor J. Michael Houston)**

2011-295 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 **(Requested by Mayor J. Michael Houston)**

2011-296 An Ordinance Repealing Ordinance 182-5-11 And Authorizing Signing Of Checks Drawn On City Funds **(Requested by Mayor J. Michael Houston)**

2011-297 An Ordinance Authorizing A Supplemental Appropriation In The Amount Of \$2,925 For The Springfield Police Department **(Requested by Mayor J. Michael Houston)**

2011-298 An Ordinance Authorizing Execution Of Amendment No. 1 To Reduce Federal Subaward Grant Agreement #2010-07107-01 By \$2,766 From The University Of Illinois For The Springfield Police Department (**Requested by Mayor J. Michael Houston**)

2011-299 An Ordinance Authorizing Payment To In An Amount Not To Exceed \$1,300,000.00 In Total To Emerson Process Management Power & Water Solutions, Inc. In Fiscal Years 2012 And 2013 Pursuant To An Existing Sole Source Agreement Approved Under Ordinance No. 166-04-10 For The Electric And Water Divisions (**Requested by Mayor J. Michael Houston**)

2011-300 An Ordinance Accepting And Authorizing The Execution Of Quotation No. 1103K-141 With Sentry Electric, LLC In An Amount Not To Exceed \$1,625,354.00 For The Purchase Of Streetscape Lighting Materials Over A Five-Year Term For The Electric Division (**Requested by Mayor J. Michael Houston**)

2011-301 An Ordinance Annexing Certain Described Property Located At 304 North Street To The City Of Springfield (Maddox) (**Requested by Mayor J. Michael Houston**)

2011-302 An Ordinance Authorizing Execution Of An Agreement For The Purchase Of A Tandem Axle Truck With High Pressure Vactor And Sewer Cleaning Equipment From Prairie/Archway International Trucks, Inc. At A Net Cost After Trade-In Of A 2002 Jet Truck And A 1994 Vactor Unit Of \$266,888.00 For The Office Of Public Works (**Requested by Mayor J. Michael Houston**)

2011-303 An Ordinance Approving The Final Plat Of Larson's Ginger Creek Minor Subdivision For The Office Of Public Works (**Requested by Mayor J. Michael Houston**)

2011-304 An Ordinance To Increase The Number Of Class C Liquor Licenses By One For Aldi Inc., 3736 Octavus Via (**Requested by Mayor J. Michael Houston**)

The Pre Council Session Concluded at 5:05 p.m.

CITY COUNCIL MEETING

Mayor Houston called the meeting to order at 5:30 p.m. All were invited to rise for the Pledge of Allegiance.

Clerk Tumulty called the roll of City Council members.

PRESENT: Ald. Edwards , Simpson , Turner , Lesko , Cahnman , Jobe , McMenamin , Theilen , Dove , and Mayor Houston .

ABSENT: Ald. Griffin

Mayor Houston then asked for everyone to observe a moment of silence on the passing of Former Alderman Frank Madonia.

Mayor Houston then presented a proclamation for Springfield Sharefest. A copy of the proclamation is included with these minutes. Mayor Houston also announced that the group has been working from 8 a.m. until 9 p.m. in shifts renovating Harvard Park Elementary School.

The second proclamation made by Mayor Houston was to the American Jewish Society for Service Day for August 6, 2011.

Alderman Cahnman recognized the students participating in the American Jewish Society for Service and recognized Rabbi Barry Marks of Temple Israel. Mayor Houston also thanked the students for their volunteer work.

Alderman Simpson also recognized the Principal of Harvard Park Elementary Kimberly Leverette-Brown and thanked her for her service. She also invited everyone to volunteer at the school during their remodeling.

Alderman Cahnman asked how long the remodeling will be taking place. Alderman Simpson responded that the last day will be Sunday, August 7th. Mayor Houston mentioned the three different shifts that are available for volunteers are 8:00 am – 12:00 pm; 1:00 pm – 5:00 pm and 6:00 pm – 9:00 pm.

Alderman Simpson moved to dispense with the reading of the minutes of the July 19, 2011 City Council meeting and approve the minutes. Her motion was seconded by Alderman Dove. The motion carried with a voice vote of 9-0.

Alderman Lesko moved to incorporate the pre-council first reading of ordinances into the record of the council meeting. His motion was seconded by Alderman Dove. The motion carried with a voice vote of 9-0.

Alderman Simpson moved to incorporate the pre-council reading of the consent agenda into the record of the council meeting. Her motion was seconded by Alderman Dove. The motion carried with a voice vote of 9-0.

Alderman Simpson moved to remove Agenda Item Number 2011-288 from the consent agenda and place it back into committee. Her motion was seconded by Alderman Dove.

Mayor Houston explained that this action was being taken in order to create an F1 License. Alderman Cahnman expressed some confusion as to why the action was being taken. Corporation Counsel Mark Cullen explained that Rockin' Robin wishes to take similar action as a similar establishment, which is why they wish to put the Agenda Item back in Committee.

The motion to remove Agenda Item 2011-288 from the consent agenda and place it back in committee carried with a voice vote of 9-0.

Alderman Simpson made a motion to place the revised consent agenda on final passage. Her motion was seconded by Alderman Dove. The consent agenda passed with a vote of 9-0. Ald. Ald. Edwards , Simpson , Turner , Lesko , Cahnman , Jobe , McMenamin , Theilen , Dove all voted yes.

The next item on the agenda was Agenda Item 2011-274, An Ordinance Amending Chapter 96, Section 96.040(D)(1) Of The 1988 City Of Springfield Code Of Ordinances, As Amended, By Authorizing Springfield Police Officers To Suspend Boating Licenses. Alderman Edwards moved to place Agenda Item 2011-274 on final passage. His motion was seconded by Alderman Simpson.

Alderman Cahnman moved to accept Amendment 1 to Agenda Item 2011-274. His motion was seconded by Alderman Simpson.

Alderman Cahnman went on to explain that the amendment simply states that if there is no manager at City Water Light and Power, the chief engineer takes over his duties as stated in the ordinance.

Alderman Edwards stated that he would prefer that the ordinance be kept as is without the amendment. Several of the Aldermen concurred with that statement.

Alderman Cahnman disagreed and stated that he believed that the power should be kept within CWLP and not burden the Mayor with extra duties.

Alderman Theilen stated that he would prefer to have the chief engineer worry about power output as opposed to the suspension of boat licenses.

Alderman McMenamin asked that the ordinance be referred back to the Committee of the Whole, as the amendments are being viewed by the Council for the first time and there has been little time to review them.

Alderman Theilen pointed out that all of the amendments are being proposed by a different Alderman as opposed to the Alderman that had initially proposed the ordinance. Alderman Cahnman added that all of the amendments were concerns that he had brought up in Committee.

Alderman Edwards stated that he had tried to draft a simple, clean ordinance. He went on to state that the Springfield Police Department has stated that they are patrolling the Lake 25 days out of the year. He asked the Council to reject the proposed amendments with the exception of Amendment 4 and to move forward.

Alderman McMenamin expressed some concerns about the lack of information that they have received from CWLP in regards to their lake patrols. He then asked Acting Director Eric Hobbie to comment on the current state of security on the Lake. Director Hobbie responded that CWLP does patrol the Lake seven days a week, 365 days a year. He stated that there are two shifts of patrols, the first starts at 6:45am and the last ends at 8:30pm in the summertime. At high traffic times, like Fourth of July weekend, they have extra patrols during the weekend.

Mayor Houston asked if he was referring to boat patrol. Director Hobbie responded that he was correct.

Alderman Theilen asked Director Hobbie if he had any issues with the proposed ordinance. Director Hobbie responded that if it is the wishes of the Council, they will be happy with the ordinance. He went on to state that recommendations for suspension, will go through CWLP or the Mayor for removal.

Alderman Cahnman asked Director Hobbie if he had any problem with any of the Amendments. Director Hobbie responded that he has not had a chance to review the amendments.

Alderman McMenamin asked about the current process for suspension. The recommendation for suspension is issued and goes through several layers of review before the license is ultimately suspended or not. With this proposed ordinance, the suspension would take place at the patrol officer level. Director Hobbie added that the recommendation to suspend goes through several layers of review,

including review of previous tickets, etc, of the boater before the determination is ultimately made to suspend or not.

Mayor Houston pointed out that the Springfield Police Department would have the option to suspend a license, if they felt that that is what they should do. He went on to state that under any circumstances, a person who has their license suspended would have the right to a hearing.

Alderman Edwards clarified that the ordinance is aimed at giving the Police Department the ability to immediately suspend licenses for people operating their boats in an unsafe manner. He went on to state that it is a safety issue and an effort to curb reckless behavior on the Lake. He stressed that it is important that the boat be removed from the water at the time that the suspension is issued, as opposed to going through the review process. Springfield Police Officers are trained and are professionals. He stated that even during a meeting that he had with the Mayor and the boating club presidents, wreck less behavior was evident. He would like to see the Police have the ability to stop and question an individual.

Alderman McMenemy stated that his concern is that the Police will have a diversion of resources from the streets to the water, when CWLP security is already patrolling the Lake. His concerns stem from existing problems that are occurring on the streets. He stated that while he agrees with the problems that are occurring on the Lake, there are other problems that the Police Department should be looking into. He asked the Mayor to monitor the situation to ensure that their stated duties do not extend beyond this purpose. Mayor Houston stated that he will be monitoring the situation and pointed out that the Police Department has decreased their patrols of the Lake this summer.

Alderman Edwards pointed out that Sunday was one of the calmest days on the Lake potentially because of the Council's discussions on this issue.

Alderman Theilen asked Alderman Edwards if he had received any phone calls about this proposed ordinance that were negative. Alderman Edwards stated that he did receive one call from a constituent. He asked the NPO Police offer to visit the gentleman to discuss the situation. And he did not receive another call from the constituent.

Alderman Jobe asked if the Council is increasing the patrols with the ordinance. Alderman Theilen responded that they are not and that the ordinance simply empowers them with the ability to issue suspensions when they are on patrol.

Mayor Houston clarified that the vote before the Council is on proposed Amendment 1, which allows the Chief Electric Engineer to conduct a hearing on boat license suspension, if there is no general manager.

The motion failed with a vote of 1-7-1. Alderman Cahnman voted yes. Ald. Edwards, Simpson, Turner, Lesko, Jobe, Theilen and Dove voted no. Ald. McMenemy voted Present.

Alderman Cahnman moved to adopt Amendment 2 to Agenda Item 2011-274. His motion was seconded by Alderman Turner.

Alderman Cahnman explained that his amendment would allow CWLP Lake security to recommend the suspension of boat licenses.

Proposed Amendment 2 to Agenda Item 2011-274 failed by a voice vote.

Alderman Cahnman moved to adopt Amendment 3 to Agenda Item 2011-274. The motion died for lack of a second.

Alderman Cahnman moved to adopt Amendment 4 to Agenda Item 2011-274. His motion was seconded by Alderman Theilen.

Mayor Houston explained that the proposed Amendment 4 cleaned up the language in the ordinance. Amendment 4 was adopted by a voice vote of 9-0.

Agenda Item 2011-274, as amended passed by a vote of 7-1-1. Ald. Edwards☒, Simpson☒, Turner☒, Lesko☒, Jobe☒, Theilen☒ & Dove☒ all voted yes. Alderman Cahnman☒ voted no. Alderman McMenamin☒ voted present.

The next item on the agenda was Agenda Item 2011-290, An Ordinance Authorizing A Supplemental Appropriation In The Amount Of \$10,000 For The Office Of Budget And Management, **For** Emergency Passage. Alderman Simpson moved to place the item on emergency passage. Her motion was seconded by Alderman Jobe.

Mayor Houston explained that the ordinance will allow the City to appropriate the grant that was received from Liberty Mutual to pay for the Fourth of July Fireworks display.

Alderman McMenamin asked if there was an emergency for this action. Mayor Houston responded that the money is in the account and there is an outstanding bill to the fireworks display company.

Agenda Item 2011-290 passed with a vote of 9-1. Ald. Edwards☒, Simpson☒, Turner☒, Lesko☒, Cahnman☒, Jobe☒, Theilen☒ & Dove☒ all voted yes. Ald. McMenamin☒ voted no.

The next item on the agenda was Agenda Item 2011-291, An Ordinance Authorizing A Supplemental Appropriation In The Amount Of \$104,681 For The Springfield Police Department, For Emergency Passage. Alderman Simpson made a motion to place the item on emergency passage. Alderman Lesko seconded her motion.

Mayor Houston explained that this money is a grant from the US Justice Department. Both the City of Springfield and Sangamon County's portion of the grants flow through the City. Sangamon County did not expend their money in time to meet their grant requirement. The County has received permission for an extension of their grant in order to buy the equipment as indicated in the grant.

Agenda Item 2011-291 passed with a vote of 9-1. Ald. Edwards☒, Simpson☒, Turner☒, Lesko☒, Cahnman☒, Jobe☒, Theilen☒ & Dove☒ all voted yes. Ald. McMenamin☒ voted no.

Alderman Simpson made a motion to suspend the rules and place on first reading Agenda Items 2011-305, 2011-306, 2011-307, 2011-308, 2011-309 and 2011-310 on first reading. Her motion was seconded by Alderman Cahnman. The motion carried with a voice vote.

Mayor Houston then read the titles of the additional Agenda Items into the record

2011-305 An Ordinance Approving The Appointment Of Melina Tomaras-Collins As Director Of The Office Of Human Resources

2011-306 An Ordinance Approving The Appointment Of Jay J. Wavering As The Purchasing Agent For The City Of Springfield

2011-307 An Ordinance Authorizing Payment Of A Judgment In The Amount Of \$18,637.50 Regarding Sangamon County Circuit Court Case No. 201 0-MR-461, *Calvin Christian, Ill Vs. City Of Springfield*

2011-308 An Ordinance Declaring One Substation Power Transformer As Surplus Property, And Accepting The Bid And Authorizing The Execution Of Contract UE12-05-37- Sale Of One Substation Power Transformer With Knight Brothers, LLC DBA Intermountain Rigging And Heavy Haul In The Amount Of \$65,147.00 For The Electric Division For The Office Of Public Utilities

2011-309 An Ordinance Amending Chapter 105 Of The 1988 City Of Springfield Code Of Ordinances, As Amended, Pertaining To Obligations Of Scrap Operators, And Amending Chapter 1.10 Pertaining To Business Licensing

2011-310 An Ordinance Amending Chapter 90, Section 90.15 Of The 1988 City Of Springfield Code Of Ordinances, As Amended, By Adding A New Liquor Classification Of "F1"

Alderman Cahnman recognized and thanked Claudio Pecori and Larry Estep for their service on the Sangamon County Regional Planning Commission and Springfield Planning and Zoning Commission. He also thanked Carolyn Toney for her service on the Springfield Planning and Zoning Commission as well. Mayor Houston also thanked Alderman Lesko for his service on the Sangamon County Planning Commission as well.

Alderman Turner thanked Police Chief Robert Williams and his neighborhood police officers for the work that they did during the recent National Night Out. She went on to state that this year, neighborhood associations in Wards 2 and 3 worked together on an event and it went very well.

Mayor Houston also mentioned that events took place at Ridgely School with Alderman Lesko. Alderman Jobe mentioned that there were also events in Hawthorne Place and Historic Westside Neighborhoods. The Council also thanked the Chief and the other officers for their efforts, including their cooking skills.

Alderman Cahnman recognized former Alderman Bill Clutter in the audience.

Alderman McMenamin requested that at the next City Council meeting that there be an executive session to update the Council regarding any ongoing union contract negotiations. He also requested that the Springfield Police Department give background information on the recent purchase of a Chevy Impala squad car. His final request would be for the City and CWLP to look into installing charging stations for electric cars, much like the City of Chicago has recently done.

Former Alderman Bill Clutter of 3804 Switchgrass in Springfield addressed the council in regards to the recent problem of copper theft throughout the City. He urged the City Council to adopt the recently introduced ordinance, Agenda Item 2011-309.

Sherri Westerfield of 1630 East Cornell Street in Springfield also shared her story about a fire that broke out in her home because copper was stolen from a utility poll outside her home. She also urged the City Council to adopt the same ordinance.

Alderman Cahnman pointed out that there is only one scrap metal dealer within the corporate limits of Springfield and the rest are outside the city limits, which is why there needs to be companion legislation passed by the County Board. Former Alderman Clutter responded that the City should be taking the lead and implement legislation now.

Alderman Edwards asked Chief Williams for an update on where his efforts stand with looking into the copper thefts. He also mentioned that there used to be a “fleet watch”, in which firefighters, paramedics and police officers all worked together to report suspicious behavior. He would like a similar program instituted for this purpose. Chief Williams responded that it is a multifaceted problem and they are taking a multifaceted approach and making public service announcements. This is a problem that is occurring all over the country. He is committed to using any resources that they can, including the powers in the proposed ordinance. He stated that the community service officers, who run some of the Department’s high profile programs, would be ideal to start such a program as Alderman Edwards is describing. He also welcomed any and all help that they could receive in combating the problem. He also encouraged citizens to contact the police department on the non-emergency number to report any suspicious activity.

Alderman Simpson asked about people pushing carts. Chief Williams responded that once copper is scraped, it loses all of its identifying marks. He encouraged citizens to call in because the police department can take down their name, number, ect. He also mentioned that there are people who legitimately scrap, but it is the people that do it dishonestly that they are looking to go after.

Chief Williams reiterated that the problem is occurring all over the country, not just in our area. He also stated that he is working with other communities throughout Illinois to develop strategies on how best to combat the problem. He has also assigned Deputy Chief Buscher to also investigate additional ways to combat the problem. He urged the citizens to call in any suspicious activity.

Alderman Theilen suggested that the police department write down some information for the neighborhood police officers to pass out when they attend neighborhood association meetings. Chief Williams thanked him for his suggestion and they will start doing that.

CC Cullen also pointed out that the proposed ordinance has been given to the Sangamon County States Attorney’s office as well.

Alderman Simpson moved to adjourn the meeting. Her motion was seconded by Alderman Theilen. The motion carried with a voice vote. The meeting was adjourned at 6:18pm.

Cecilia K. Tumulty

Cecilia K. Tumulty
City Clerk