

**Minutes of Springfield City
Council Meeting
Tuesday, July 5, 2011
City Council Chambers**

PRE-COUNCIL SESSION

Deputy City Clerk Rianne Hawkins called the Pre Council Session of the Springfield City Council to Order at 5:00 p.m., Tuesday, July 5, 2011, in the Council Chambers of the Municipal Center West.

Deputy Clerk Hawkins 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.

2011-261 An Ordinance Amending Sections 90.16, 110.307 And 110.865 Of The 1988 City Of Springfield Code Of Ordinances, As Amended, Pertaining To Fees Charged For Background Investigations (**Requested by Mayor J. Michael Houston**)

2011-262 An Ordinance Authorizing The Execution Of A Tentative Agreement With The International Union Of Operating Engineers, Local 965, On Behalf Of The Office Of Public Works, From June 1, 2011, Through May 31, 2014 (**Requested by Mayor J. Michael Houston**)

2011-263 An Ordinance Authorizing A Supplemental Appropriation In The Amount Of \$107,934.00 For The Office Of Communications To Purchase Broadcast Equipment And Related Expenses For The Audio-Visual Unit (**Requested by Mayor J. Michael Houston**)

2011-264 An Ordinance Authorizing Extension Of Contract #Cs06-08-45 Through December 31, 2011, With, And Additional Payment Of \$25,000.00 For A Total Contract Amount Not To Exceed \$780,000.00 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 J. Michael Houston**)

2011-265 An Ordinance Approving And Authorizing Execution Of Agreement Amendment No. 1 To The Original Webcompliance Service Agreement With Open Access Technology International, Inc. For Webcompliance Subscription Services For A Three-Year Term And Authorizing Payment Of \$55,620.00 In Additional Recurring Fees For Another 36-Month Term, For A Total Amount Payable Of \$134,620.00 To Said Vendor For The Electric Division (**Requested by Mayor J. Michael Houston**)

2011-266 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 \$112,545.00 Under Contract No. UW11-08-45 With Mosaic Crop Nutrition, LLC For The Purchase Of Fluorosilicic Acid For The Water Purification Plant For A Total Amount Payable Of \$225,090.00 Under Said Contract (**Requested by Mayor J. Michael Houston**)

2011-267 An Ordinance Accepting The Bid And Authorizing The Execution Of Contract UE12-04-31 – Dallman Power Plant Unit No. 33 Heater Tube Bundle Replacement With Pingel Exchanger Service, Inc. In The Amount Of \$119,764.00 For The Electric Division Generation Department (**Requested by Mayor J. Michael Houston**)

2011-268 An Ordinance Accepting And Authorizing The Execution Of Quotation CK1100230 With Flowserve US Inc. In The Amount Of \$130,627.00 For The Repair Of Dallman Power Plant Unit No. 33 North Boiler Feed Pump Volute For The Electric Division Generation Department (**Requested by Mayor J. Michael Houston**)

2011-269 An Ordinance Authorizing The Purchase Of A 2012 International 7400 Tandem Axle Dump Truck From Prairie/Archway International Trucks, Inc. For A Total Not To Exceed \$112,417.00 Under State Contract Psd4016932 For The Office Of Public Works (**Requested by Mayor J. Michael Houston**)

2011-270 An Ordinance Approving The Partial Plat Of Vacation Of Lot 1000 Of Buckley Ridge Estates, First Addition, For The Office Of Public Works (**Requested by Mayor J. Michael Houston**)

2011-271 An Ordinance Declaring Real Property And Contents Located At 1411 And 1415 E. Jefferson Street To Be Surplus Property, Directing The Sale Of Said Real Property And Authorizing The Publication Of A Notice Of Said Sale And Request For Proposals (**Requested by Mayor J. Michael Houston**)

The Pre Council Session Concluded at 5:10 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 Griffin and Mayor Houston .

ABSENT: None

Alderman Simpson made a motion to dispense with the reading of the minutes from the June 21, 2011 City Council meeting and approve the minutes. The motion was seconded by Alderman Theilen. The motion carried by a voice vote of 10-0.

Alderman Simpson made a motion to incorporate the pre-council first reading of ordinances into the record of the council meeting. Her motion was seconded by Alderman Griffin. The motion carried by a voice vote of 10-0.

Alderman Simpson made a motion to incorporate the pre-council reading of the consent agenda into the record of the council meeting. The motion was seconded by Alderman Griffin. Alderman McMenamin moved to remove Agenda Item 2011-259 from the Consent Agenda and place it onto the Debate Agenda. His motion was seconded by Alderman Cahnman. The motion to place Agenda Item 2011-259 onto the Debate Agenda carried by a voice vote of 10-0.

Alderman Simpson made a motion to place the revised Consent Agenda on final passage. It was seconded by Alderman Griffin. The Consent Agenda passed by a vote of 10-0. Ald. Edwards ,

Simpson ☒, Turner ☒, Lesko ☒, Cahnman ☒, Jobe ☒, McMenamin ☒, Theilen ☒, Dove ☒, and Griffin☒ all voted yes.

The next item on the agenda was Agenda Item Number 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. Alderman Simpson made a motion to place Agenda Item 2011-247 on final passage. Her motion was seconded by Alderman Theilen.

Agenda Item Number 2011-247 passed by a vote of 10-0. Ald. Edwards ☒, Simpson ☒, Turner ☒, Lesko ☒, Cahnman ☒, Jobe ☒, McMenamin ☒, Theilen ☒, Dove ☒, and Griffin☒ all voted yes.

The next item on the agenda was Agenda Item Number 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”. Alderman Simpson made a motion was made by to place the item on final passage. Her motion was seconded by Alderman Theilen.

Alderman McMenamin asked a series of questions of Economic Development Director Mike Farmer. Alderman McMenamin asked Director Farmer about existing medical facilities that are in the same area as this proposed facility and if they were extended into the enterprise zone at the time they were constructed. Director Farmer responded that they were not. Alderman McMenamin asked why those particular medical facilities were excluded from the enterprise zone. Director Farmer responded that the facilities never asked to be part of the enterprise zone. Alderman McMenamin asked if the sales tax exemption on the building materials could be applied to purchases from around the state, not just in the Springfield area. Director Farmer responded that while they could, the City would encourage the purchase of the needed materials locally. Alderman McMenamin then asked about the process by which the enterprise zone was extended to include the new parcel of land. Director Farmer responded that the process and manner by which the parcel was added to the enterprise zone is not unusual and is consistent with state statute. Director Farmer went on to state that connecting parcels of land by right of ways or city streets is not unusual at all and is how most of the new sections are brought into the existing enterprise zone.

Alderman Edwards asked for a point of order on Alderman McMenamin’s line of questioning. Alderman Edwards was concerned that the questioning did not directly relate to the ordinance that the Council was considering. Alderman McMenamin responded that he feels that it is important that the City does things in a consistent manner. Alderman Edwards pointed out that the questions that Alderman McMenamin was asking were all answered in the Committee of the Whole.

Alderman Simpson asked if anything that the City has done is illegal in any way. Director Farmer responded no and pointed out that the City has followed state statute to the letter. Alderman Simpson asked Alderman McMenamin to come to the point so that the Council can understand what his concerns are with the Ordinance. Alderman McMenamin responded that he felt that it is important to ask questions about the Ordinance given the fact that the City will loose \$250,000.00 tax revenue. Alderman Edwards pointed out that the questions that Alderman McMenamin are asking are the same ones that he asked during the Committee of the Whole. Alderman McMenamin responded that he felt the questions are appropriate.

Alderman Theilen added that the requested area of land is within Ward 8. He went on to state that he has been working on this project for 15 months with the developer and the neighborhood association where this facility will be built. He went on to state that an agreement is being worked out and will be presented before the Council at the next Zoning meeting. Alderman Theilen went on to state that the developer has a desire to buy local products and use local labor in this project. (The neighbors have made requests that are being worked out.) He urged the Council to support the project as it will bring jobs and development to the area.

Alderman Cahnman asked if the City would be forgoing roughly \$92,000 in sales tax revenue due to the way that sales taxes are divided up among the City, County and State. Director Farmer stated that his office had estimated roughly \$60,000 in lost revenue.

Alderman Simpson asked Director Farmer if other communities are doing the same thing with their enterprise zones. Director Farmer responded that other communities are taking similar actions with their enterprise zones and do include parcels of land when asked and approved by their councils. Alderman Simpson asked if this is done for the long term betterment of the community. Director Farmer responded that it is his department's opinion that it does and that while it is a trade off, it will ultimately lead to permanent and construction jobs. Alderman Simpson called the question. It was seconded by Alderman Edwards. The vote on calling the question passed with a voice vote.

Agenda Item Number 2011-253 passed with a vote of 8-0-2. Ald. Edwards , Simpson , Turner , Lesko , Cahnman , Jobe , Dove , and Griffin all voted yes. Ald. McMenamain and Theilen voted present.

The next item on the agenda was Agenda Item Number 2011-254, An Ordinance Annexing Certain Described Real Property Located At 334 S. Meadowbrook Road To The City Of Springfield (Buckley Development LLC). Alderman Simpson made a motion to place the ordinance on final passage. The motion was seconded by Alderman Dove.

Agenda Item Number 2011-254 passed with a vote of 10-0. Ald. Edwards , Simpson , Turner , Lesko , Cahnman , Jobe , McMenamain , Theilen , Dove , and Griffin all voted yes.

The next item on the agenda was Agenda Item Number 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. Alderman Lesko made a motion was made to place the item on final passage. The motion was seconded by Alderman Theilen.

Agenda Item Number 2011-256 passed with a vote of 10-0. Ald. Edwards , Simpson , Turner , Lesko , Cahnman , Jobe , McMenamain , Theilen , Dove , and Griffin all voted yes.

The next item on the agenda is Agenda Item 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. Alderman Cahnman made a motion to place the item on final passage. The motion was seconded by Alderman Simpson.

Agenda Item 2011-257 passed with a vote of 10-0. Ald. Edwards , Simpson , Turner , Lesko , Cahnman , Jobe , McMenamain , Theilen , Dove , and Griffin all voted yes.

The next item on the agenda was Agenda Item Number 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. Alderman Theilen made a motion was made to place the item on final passage. The motion was seconded by Alderman Jobe.

Alderman McMenamain asked Chief Williams what the funds will be used for. Chief Williams responded that the funds will be used to purchase marked squad cards.

Alderman Cahnman asked if there was anything else that the funds could be used for. Chief Williams stated that his senior staff had discussed the funds and determined that the best use of the funds would be to purchase marked squad cars.

Agenda Item Number 2011-259 passed with a vote of 9-0-1. Ald. Edwards ☒, Simpson ☒, Turner ☒, Lesko ☒, Jobe ☒, McMenamain ☒, Theilen ☒, Dove ☒, and Griffin☒ all voted yes. Ald. Cahnman ☒ voted present.

Alderman Simpson made a motion to suspend the rules and place Agenda Item Number 2011-272, An Ordinance Approving The Appointment Of Mark K. Cullen As Corporation Council. The motion was seconded by Alderman Cahnman. Alderman Theilen asked if Mr. Cullen will be available for Committee next week. Mayor Houston responded that he will be. The motion carried by a voice vote of 10-0.

Mayor Houston recognized Jason Garrett from Liberty Mutual for the presentation of a donation for \$10,000.00 for the City of Springfield to help with the cost of the fireworks display. Mayor Houston also thanked the Springfield Jaycees for their help in putting on the fireworks display as well. Mr. Garrett added that the donation comes as a result of the City winning a contest and that it is part of their continued commitment to outreach to the communities in the surrounding areas.

Alderman Theilen recognized and thanked the Springfield Police Department for their work to bust up a burglary ring that had been operating citywide.

Alderman Simpson moved to adjourn the meeting. Alderman Griffin seconded the motion. The motion passed by a voice vote. The meeting was adjourned at 5:52pm

Cecilia K. Tumulty

Cecilia K. Tumulty
City Clerk