

**Minutes of Springfield City
Council Meeting
Tuesday, June 21, 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., Tuesday, June 21, 2011, in the Council Chambers of the Municipal Center West.

Clerk Tumulty read the following **Ordinances and/or Resolutions on Emergency Passage** into the record of this Council meeting.

2011-246 An Ordinance To Increase The Number Of Class “A” Liquor Licenses By One For Boones Limited D/B/A Boones Saloon, 301 W. Edwards Street, **For Emergency Passage (Requested by Alderman Sam Cahnman)**

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.

2011-225 An Ordinance Amending Chapter 110, Section 110.160, Of The 1988 City Of Springfield Code Of Ordinances, As Amended, By Increasing The Permit Fee For Commercial Fireworks Displays, **As Amended (Requested by Mayor J. Michael Houston)**

2011-227 An Ordinance Authorizing Payment To Cgi Technologies And Solutions, Inc. For Annual Maintenance Of The City’s Local Government Financial System And The City’s Payroll And Human Resource System From March 1, 2011, Through February 28, 2012, In The Amount Of \$487,523.00, For The Office Of Budget And Management **(Requested by Mayor J. Michael Houston)**

2011-228 An Ordinance Authorizing A Supplemental Appropriation In The Amount Of \$28,620.00 For Lincoln Library **(Requested by Mayor J. Michael Houston)**

2011-229 An Ordinance Authorizing A Transfer Of Funds In The Amount Of \$35,525.00 From One Account To Another Within The Same Fund For The Springfield Police Department **(Requested by Mayor J. Michael Houston)**

2011-230 An Ordinance Authorizing The Execution Of An Intergovernmental Agreement With Sangamon County Department Of Public Health For Boarding Services Of Unclaimed, Impounded Animals In An Amount Not To Exceed \$79,420.00 From February 1, 2011, Through January 31, 2012 **(Requested by Mayor J. Michael Houston)**

2011-231 An Ordinance Accepting The Bid And Authorizing The Execution Of Contract UE12-03-20 – Three-Year Contract For Mercury Sampling For The Dallman Power Plant Unit Nos. 31, 32 And 33 With Frontier Global Sciences Inc. In The Amount Of \$162,695.52 For The Electric Division Generation Department **(Requested by Mayor J. Michael Houston)**

2011-232 An Ordinance Approving And Authorizing The Execution Of A Proposal With CERAM Environmental, Inc. In The Amount Of \$859,000.00 For The Purchase Of Forty (40) New Catalyst

Modules And The Regeneration Of Fifty-Six (56) Catalyst Modules For Dallman Power Plant Unit Nos. 31, 32, And 33 Selective Catalytic Reduction (SCR) System For The Electric Generation Department **(Requested by Mayor J. Michael Houston)**

2011-233 An Ordinance Authorizing Payment To The Illinois Environmental Protection Agency In The Amount Of \$250,000.00 For Annual Air Pollution Control Title V Permit Fees For The Regulatory Affairs Division **(Requested by Mayor J. Michael Houston)**

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

2011-235 An Ordinance Approving And Authorizing The Execution Of A Telecommunications Contract Service Agreement Between The City Of Springfield And Memorial Health System **(Requested by Mayor J. Michael Houston)**

2011-236 An Ordinance Authorizing The Execution Of An Agreement With The State Of Illinois Department Of Transportation For Maintenance And Apportionment Of Energy Costs For Traffic Signals And Traffic Control Devices Located On State Highways Within Or Near The City Of Springfield, For The Office Of Public Works **(Requested by Mayor J. Michael Houston)**

2011-237 An Ordinance Regarding The Variance Request Of Section 153.157(L) Pertaining To Restriction Of Access For Buckley Ridge Estates, Second Addition, For The Office Of Public Works **(Requested by Mayor J. Michael Houston)**

2011-238 An Ordinance Approving The Location And Sketch Map Of Buckley Ridge Estates, Second Addition, For The Office Of Public Works **(Requested by Mayor J. Michael Houston)**

2011-239 An Ordinance Approving/Denying The Variance Request Of Section 153.157(J) Pertaining To Stub Streets For Snyder Lane Minor Subdivision For The Office Of Public Works **(Requested by Mayor J. Michael Houston)**

2011-240 An Ordinance Approving The Final Plat Of The Redivision Of Lot P-10 In Cobblestone Estates, Nineteenth Addition, For The Office Of Public Works **(Requested by Mayor J. Michael Houston)**

2011-241 An Ordinance Authorizing Execution Of An Agreement With The State Of Illinois Department Of Transportation For The Preliminary Engineering Of The Eighth Street Beautification Project (MFT Section No. 10-00471-00-LS) For The Office Of Public Works **(Requested by Mayor J. Michael Houston)**

2011-242 An Ordinance Authorizing Execution Of An Agreement With Hanson Professional Services Inc., For Preliminary Engineering Services For The Eighth Street Beautification Project Consisting Of Improvements On Edwards Street From 7th To 9th Streets And On 8th Street From Edwards To Cook Streets For MFT Section No. 10-00471-00-LS, For The Office Of Public Works **(Requested by Mayor J. Michael Houston)**

2011-243 A Resolution Notifying The State Of Illinois Department Of Transportation That Motor Fuel Tax Funds In The Amount Of \$83,589.00 May Be Used For Preliminary Engineering Services For The Eighth Street Beautification Project Consisting Of Improvements On Edwards Street From 7th To 9th Streets And On 8th Street From Edwards To Cook Streets For MFT Section No. 10-00471-00-LS, For The Office Of Public Works (**Requested by Mayor J. Michael Houston**)

2011-244 An Ordinance Annexing Certain Described Real Property Located At 5 Caravan Lane To The City Of Springfield (**Requested by Mayor J. Michael Houston**)

2011-245 An Ordinance Approving The Appointments Of Kenley R. Wade, Sr., Joan Walters, Dan Cadigan And Gary Plummer To The Citizens' Efficiency Commission. (**Requested by Mayor J. Michael Houston**)

The Pre Council Session Concluded at 5:15 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

ZONING PETITIONS

The first item on the agenda is docket number 2011-016 for the property located at 2936 South 6th Street.

PETITIONER(S): 2636 South 6th Street LLC, William Furling, III.

PRESENT ZONING CLASSIFICATION: I-1, Light Industrial District

REQUESTED ZONING RELIEF: Reclassification to B-1, Highway Business Service District

STAFF RECOMMENDATION IS: Approval

PLANNING AND ZONING COMMISSION RECOMMENDATION IS: Approval of the petition as submitted.

Alderman Jobe made a motion to accept the recommendation by the planning and zoning commission. It was seconded by Alderman Theilen.

Docket Number 2011-016 was approved 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 is docket number 2011-017 for the property located at 2540 South 1st Street.

PETITIONER(S): Ace Sign Company

PRESENT ZONING CLASSIFICATION: B-1, Highway Business Service District

REQUESTED ZONING RELIEF: Reclassification to B-2, General Business Service District and a Variance of Section 155.050, Screening

STAFF RECOMMENDATION IS: Denial in part

PLANNING AND ZONING COMMISSION RECOMMENDATION IS: Denial of the petition as submitted, but recommend approval of a use variance to allow the operation of a sign sales, design and fabrication business. Recommend approval of a variance of Section 155.050, Screening, to allow the existing six (6) foot chain link fence on the north property line to remain with the addition of vinyl slats to visually screen the business operations, and to allow outside storage to be located in an area that is approximately 320' x 255' in the northeast corner to exceed eight (8) feet in height, with the amendment of a seventy-five foot setback for the west side proposed fence.

Alderman Jobe made a motion to accept the recommendation made by the Planning and Zoning Commission. The motion was seconded by Alderman Griffin.

Docket Number 2011-017 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 is docket number 2011-018 for the property located at 2320 North 2nd Street.

PETITIONER(S): Carol J. Lewis

PRESENT ZONING CLASSIFICATION: R-2, Single-Family and Duplex Residence District

REQUESTED ZONING RELIEF: Variance of Section 155.061, Basic yard requirements and Section 155.062, Permitted obstructions in required yards, to allow reconfiguration of the property so that the resulting configurations would consist of three (3) zoning lots with two (2) platted lots each, to reduce the front yard setback and to continue parking in the front yard

STAFF RECOMMENDATION IS: Approval

PLANNING AND ZONING COMMISSION RECOMMENDATION IS: Approval of the petition as submitted

Alderman Cahnman made a motion to accept the recommendation of the Planning and Zoning Commission. The motion was seconded by Alderman Lesko.

Docket Number 2011-018 was approved by a vote of 10-0. Ald. Edwards , Simpson , Turner , Lesko , Cahnman , Jobe , McMenamain , Theilen , Dove , and Griffin all voted yes.

The final item on the zoning agenda is docket number 2011-019 for the property located at 423 West Monroe.

PETITIONER(S): Jim Gvasdinksas

PRESENT ZONING CLASSIFICATION: R-5, General Residence and Office District (Old Ordinance)

REQUESTED ZONING RELIEF: Reclassification to R-3(b), General Residence District and a Variance of Section 155.056, Minimum required lot area per dwelling unit, to allow 390 square feet per dwelling unit, and a Variance of Section 155.091, Residences, to eliminate the parking requirements

STAFF RECOMMENDATION IS: Approve in part and deny in part

PLANNING AND ZONING COMMISSION RECOMMENDATION IS: Approval of the reclassification to R-3(b), General Residence District, and approval of a variance of Section 155.056, Minimum required lot area per dwelling unit, to allow 390 square feet per dwelling unit, contingent upon the number and legal parking requirements are met.

Alderman Cahnman made a motion to accept the recommendation of the Planning and Zoning Commission. The motion was seconded by Alderman Theilen.

Alderman Cahnman asked Mr. Gvasdinksas about his property and how long it had been boarded up. Mr. Gvasdinksas replied that the property had been boarded up for some time between 3-4 years. Alderman Cahnman commended Mr. Gvasdinksas for his work to rehabilitate the building and make it inhabitable.

Mayor Houston also pointed out that the recommendation made by the Planning and Zoning Commission does require that Mr. Gvasdinksas meet the parking requirements for both when the petition is granted and into the future. Alderman Cahnman responded that Mr. Gvasdinksas has made such arrangements.

Docket Number 2011-019 was approved by a vote of 10-0. Ald. Edwards , Simpson , Turner , Lesko , Cahnman , Jobe , McMenamain , Theilen , Dove , and Griffin all voted yes.

PROCLAMATIONS

Mayor Houston proclaimed that Tuesday, June 21, 2011 is Henson Robinson Zoo Day in the City of Springfield. A full copy of this proclamation will be included with these minutes.

Mike Stratton from the Springfield Park District accepted the proclamation on behalf of Henson Robinson Zoo. He thanked the Aldermen and Mayor Houston for the proclamation on behalf of the staff and trustees of the Springfield Park District. He went on to state that the staff at the Zoo works hard to provide their services to the Springfield area and they hope to continue to do so for a long time.

Alderman Cahnman recognized Gray Noll as a member of the Springfield Park Board, who was in the audience.

REGULAR MEETING

Mayor Houston recognized Treasurer Jim Langfelder for the presentation of the financial report. Treasurer Langfelder reported that at the beginning of May, the monthly cash in the corporate fund was at -\$4,785,195.00. Receipts for the month of May totaled \$8,743,926.00. Disbursements for the month of May totaled \$6,323,434.00. The ending cash balance at the end of May for the corporate fund stood at -\$2,364,703.00.

A motion was made by Alderman Simpson to approve the financial report. The motion was seconded by Alderman Griffin. The motion to approve the financial report was approved by a voice vote of 10-0. Ald. Edwards , Simpson , Turner , Lesko , Cahnman , Jobe , McMenamin , Theilen , Dove , and Griffin all voted yes.

A motion was made by Alderman Simpson to dispense with the reading and approve the June 7, 2011 City Council minutes. The motion was seconded by Alderman Griffin. The motion passed by a voice vote of 10-0. Ald. Edwards , Simpson , Turner , Lesko , Cahnman , Jobe , McMenamin , Theilen , Dove , and Griffin all voted yes.

Alderman Simpson moved to incorporate the pre-council first reading of ordinances into the record of the June 21, 2011 City Council meeting. The motion was seconded by Alderman Griffin. The motion passed by a voice vote of 10-0. Ald. Edwards , Simpson , Turner , Lesko , Cahnman , Jobe , McMenamin , Theilen , Dove , and Griffin all voted yes.

Alderman Simpson made a motion to incorporate the pre-council reading of the consent agenda into the record of the meeting. The motion was seconded by Alderman Griffin. The motion passed by a voice vote of 10-0. Ald. Edwards , Simpson , Turner , Lesko , Cahnman , Jobe , McMenamin , Theilen , Dove , and Griffin all voted yes.

Alderman Simpson made a motion to remove Agenda Item Number 2011-229 from the consent agenda and place it on the debate agenda. Alderman Griffin seconded the motion. The motion passed by a voice vote of 10-0. Ald. Edwards , Simpson , Turner , Lesko , Cahnman , Jobe , McMenamin , Theilen , Dove , and Griffin all voted yes.

Alderman Edwards made a motion to move Agenda Item Number 2011-234 from the consent agenda and send it back to the Committee of the whole. The motion was seconded by Alderman Griffin. The motion carried by a voice vote of 10-0. Ald. Edwards , Simpson , Turner , Lesko , Cahnman , Jobe , McMenamin , Theilen , Dove , and Griffin all voted yes.

Alderman Simpson made a motion to place the revised consent agenda on final passage. That motion was seconded by Alderman Dove.

Alderman Griffin asked for clarification that Agenda Item Number 2011-225 was amended to have an effective date of July 11, 2011. Corporation Counsel Pedersen answered that it was amended as such.

The revised consent agenda passed by a vote of 10-0 Ald. Edwards ☒, Simpson ☒, Turner ☒, Lesko ☒, Cahnman ☒, Jobe ☒, McMenamain ☒, Theilen ☒, Dove ☒, and Griffin ☒ all voted yes. Alderman Griffin is recorded as voting no on Agenda Item Number 2011-228.

Next on the agenda was Agenda Item Number 2011-226, An Ordinance Amending Chapter 110 Of The 1988 City Of Springfield Code Of Ordinances, As Amended, Regarding Peddler's And Solicitor's Licenses, As Amended. Alderman Lesko made a motion to move Agenda Item Number 2011-226 back to the Committee of the Whole. The motion was seconded by Alderman Jobe.

Alderman Simpson asked of Alderman Lesko why he is taking this action. Alderman Lesko responded that there are still unresolved issues that need to be worked out before it is ready for the full Council to take action.

The motion to move Agenda Item Number 2011-226 back to the Committee of the Whole passed by a voice 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 2011-229, An Ordinance Authorizing A Transfer Of Funds In The Amount Of \$35,525.00 From One Account To Another Within The Same Fund For The Springfield Police Department. Alderman Simpson made a motion to place Agenda Item Number 2011-229 on final passage. The motion was seconded by Alderman Lesko.

Alderman Simpson made a motion to amend Agenda Item 2011-229. It was seconded by Alderman Theilen. Mayor Houston explained that the amendment changes the account number in which the money will be transferred into. The amendment was accepted by a voice vote of 10-0. Ald. Edwards ☒, Simpson ☒, Turner ☒, Lesko ☒, Cahnman ☒, Jobe ☒, McMenamain ☒, Theilen ☒, Dove ☒, and Griffin ☒ all voted yes.

Agenda Item Number 2011-229, as amended passed by a vote of 9-0-1. Ald. Edwards ☒, Simpson ☒, Turner ☒, Lesko ☒, Jobe ☒, McMenamain ☒, Theilen ☒, Dove ☒, and Griffin ☒ all voted yes. Cahnman ☒ voted present.

The next item on the agenda is Agenda Item Number 2011-246, An Ordinance To Increase The Number Of Class "A" Liquor Licenses By One For Boones Limited D/B/A Boones Saloon, 301 W. Edwards Street, For Emergency Passage. A motion was made by Alderman Cahnman to place Agenda Item Number 2011-246 on final passage. The motion was seconded by Alderman Lesko.

Mayor Houston explained that the reason this Agenda Item was put on emergency passage is that the owners have been under going a renovation of the property and would like to be open in time for the July 4th Holiday.

Agenda Item Number 2011-246 passed by a vote of 11-0. Ald. Edwards ☒, Simpson ☒, Turner ☒, Lesko ☒, Cahnman ☒, Jobe ☒, McMenamain ☒, Theilen ☒, Dove ☒, and Griffin ☒ and Mayor Houston ☒ all voted yes.

Alderman Simpson motioned to suspend the rules and place Agenda Item Number 2011-260, An Ordinance Amending Chapter 30 Of The 1988 City Of Springfield Code Of Ordinances, As Amended, By Adding Sections 30.14 – 30.14.14 Pertaining To Identity Protection. The motion was seconded by Alderman Dove.

Mayor Houston explained that the ordinance has to do with recent state law dealing with Social Security Numbers, which will take effect on July 1, 2011. He went on to explain that the ordinance will name the Human Resources Director to be in charge of implementation and training of employees.

The motion passed by a voice vote of 10-0. Ald. Edwards , Simpson , Turner , Lesko , Cahnman , Jobe , McMenamini , Theilen , Dove , and Griffin all voted yes.

Alderman Edwards announced that the City Council will start to work on the map for their wards. He went on to state that the Council will keep the Mayor informed as to their progress. Mayor Houston asked if the Council will be working with the Regional Planning Commission and Sangamon County. Alderman Edwards responded yes and that they will also be working with Sandy Robinson as their Census person. Alderman Edwards went on to ask if they have a year and a half to complete the process. CC Pedersen responded that she will check for sure and get a response for the Council. Alderman Simpson stated that she had been working with the previous Corporation Council and the previous Mayor's office about the process, but was not given an answer.

Alderman Lesko stated that he would like to be recorded as voting no on Agenda Item Number 2011-225.

Alderman McMenamini pointed out that Alderman Edwards was referring to the remap of the city wards for the next election. He asked if it was true that there is no guidance available for the process. He stated that he had looked through the ordinances and all he could find was the timeline. Alderman Edwards stated that there is guidance because the City is under a consent decree. He pledged to work with Corporation Counsel's office to make sure that Alderman McMenamini receives copies of the decree. He went on to pledge that all ten aldermen will be included in the process.

Tom Schaffer who resides at 3513 South Park in Springfield, addressed the council on the subject of a recent pit bull attack. It is his desire for the Council to take action on this problem in the City. Mayor Houston asked Mr. Schaffer if he had any specific ideas to address the problem. Alderman Theilen added that the problem is city wide. Mr. Schaffer stated that the City of Denver had banned the breed with success. It would be his desire to have such an ordinance in the Springfield.

Alderman Simpson asked Mr. Schaffer if pit bulls were born vicious. Mr. Schaffer responded that the dog's genetics has been developed in this way over years of breeding. Alderman Simpson asked if people of good breeding have pit bulls. Mr. Schaffer responded that people who manage their life functionally never allow their pet to be taken by animal control or become stray or become vicious. He reiterated his desire to see the Council take some kind of action on this problem.

Alderman Griffin asked a question of Director of Public Works Mark Mahoney. He asked if it would be possible to mark the clearance level of over passes on the overpass itself, so that a motorist would know how deep it is as they approach it. Director Mahoney responded that he would have his engineering department look into it.

Alderman Cahnman thanked Mayor Houston for having a press conference last week to promote the City Water Light and Power's Round Up Program. He also reminded CWLP customers about the program and encouraged them to sign up.

A motion was made by Alderman Simpson to adjourn the meeting. It was seconded by Alderman Cahnman. The meeting was adjourned at approximately 6:00pm.

Cecilia K. Tumulty

Cecilia K. Tumulty
City Clerk

WHEREAS, Prominent Springfield citizen Henson C. Robinson began the Henson Robinson Zoo on a tract of land donated to the Springfield Park District by the City of Springfield in 1967; and

WHEREAS, The Henson Robinson Zoo has served Springfield and the surrounding communities since August 29th,1970 with naturalistic animal exhibits and exciting educational opportunities; and

WHEREAS, The zoo served a total of 105, 885 people in 2010; and

WHEREAS, Springfield Park District's Henson Robinson Zoo is home to more than 300 animals native to Australia, Africa, Asia and North and South America; and

WHEREAS, The Henson Robinson Zoo strives to enhance education about wildlife while providing an enjoyable and recreational experience.

NOW THEREFORE I, J. Michael Houston, Mayor of the City of Springfield, Illinois, do hereby proclaim Tuesday, June 21, 2011 to be

HENSON ROBINSON ZOO DAY

in the City of Springfield.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Official Seal of the City of Springfield to be affixed this 21st day of June 2011.