

**Minutes of Springfield City
Council Meeting
Wednesday April 8, 2015
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., Wednesday, April 8, 2015, in the Council Chambers of the Municipal Center West.

Deputy City Clerk Hawkins read the ordinances on the order of First Reading and assigned to the Committee of the Whole.

2015-116 AN ORDINANCE AMENDING CHAPTER 170 OF THE 1988 CITY OF SPRINGFIELD CODE OF ORDINANCES BY REDUCING THE TIME A VACANT BUILDING MAY BE REGISTERED BEFORE IT IS BROUGHT INTO CONFORMITY WITH CITY CODE OR DEMOLISHED **(Requested by Alderman Sam Cahnman)**

2015-119 AN ORDINANCE PROVIDING FOR AND AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2015 OF THE CITY OF SPRINGFIELD, SANGAMON COUNTY, ILLINOIS, IN AN AMOUNT NOT TO EXCEED \$9,095,000 FOR THE PURPOSE OF REFUNDING THE CITY'S GENERAL OBLIGATION REFUNDING BONDS, SERIES 2005A **(Requested by Mayor J. Michael Houston)**

2015-120 AN ORDINANCE AUTHORIZING EXECUTION OF A SETTLEMENT AGREEMENT AND MUTUAL RELEASE REGARDING THE FEDERAL CENTRAL DISTRICT OF ILLINOIS CASE 08-CV-3302, *WELLS V. COKER* **(Requested by Mayor J. Michael Houston)**

2015-121 AN ORDINANCE AMENDING TITLE IX OF THE 1988 CITY OF SPRINGFIELD CODE OF ORDINANCES, AS AMENDED, BY ADDING CHAPTER 106 ESTABLISHING A MINIMUM WAGE IN THE CITY OF SPRINGFIELD **(Requested by Alderman Sam Cahnman)**

2015-122 AN ORDINANCE APPROVING AN AGREEMENT BETWEEN THE CITY OF SPRINGFIELD AND ACE SIGN COMPANY **(Requested by Mayor J. Michael Houston)**

2015-123 AN ORDINANCE AMENDING SECTION 10.18 OF THE 1988 CITY OF SPRINGFIELD CODE OF ORDINANCES, AS AMENDED, PERTAINING TO USE OF THE CORPORATE SEAL OF THE CITY OF SPRINGFIELD **(Requested by Alderman Kris Theilen)**

2015-124 AN ORDINANCE AUTHORIZING EXECUTION OF A MEMORANDUM OF UNDERSTANDING WITH THE U.S. DEPARTMENT OF HOMELAND SECURITY AND THE CITY OF SPRINGFIELD POLICE DEPARTMENT FOR TEMPORARY USE OF PORTABLE MOTOROLA XTS250 RADIOS **(Requested by Mayor J. Michael Houston)**

2015-125 AN ORDINANCE AUTHORIZING PAYMENT TO DONALD CLINE, A FORMER CITY OF SPRINGFIELD PUBLIC WORKS EMPLOYEE, TO SETTLE A WORKERS'

COMPENSATION CLAIM FOR CASE NUMBER 14-WC-13616 **(Requested by Mayor J. Michael Houston)**

2015-126 AN ORDINANCE AUTHORIZING PAYMENT TO HAROLD BUTLER, A FORMER CITY OF SPRINGFIELD PUBLIC WORKS EMPLOYEE, TO SETTLE WORKERS' COMPENSATION CLAIM NUMBERS 1429E175276 AND 14294E092210 **(Requested by Mayor J. Michael Houston)**

2015-127 AN ORDINANCE AUTHORIZING PAYMENT TO WILLIAM WASHINGTON, AN OFFICE OF PUBLIC UTILITIES EMPLOYEE, FOR SETTLEMENT OF A WORKERS' COMPENSATION CLAIM FOR CASE NUMBER 13-WC-27077 **(Requested by Mayor J. Michael Houston)**

2015-128 AN ORDINANCE TO INCREASE THE NUMBER OF CLASS "G" LIQUOR LICENSES BY ONE FOR XTREME DREAMZ CAR CLUB LOCATED AT 1635 E. CARPENTER STREET **(Requested by Mayor J. Michael Houston)**

2015-129 AN ORDINANCE TO INCREASE THE NUMBER OF CLASS "C1" LIQUOR LICENSES BY ONE FOR SIMPLY, LLC D/B/A SIMPLY FAIR, 2357 W. MONROE STREET **(Requested by Mayor J. Michael Houston)**

2015-130 AN ORDINANCE TO INCREASE THE NUMBER OF CLASS "D" LIQUOR LICENSES BY ONE FOR MOTES OF SPRINGFIELD, INC. D/B/A THE CEDAR PUB & GRILL LOCATED AT 3186 SOUTH DIRKSEN PARKWAY **(Requested by Mayor J. Michael Houston)**

2015-131 AN ORDINANCE AUTHORIZING THE PURCHASE OF VACANT OR ABANDONED PROPERTIES ON THE TAX SALES LIST FROM SANGAMON COUNTY, AS TRUSTEE, IN AN AMOUNT NOT TO EXCEED \$32,589.00 FOR THE OFFICE OF PUBLIC WORKS **(Requested by Mayor J. Michael Houston)**

2015-132 AN ORDINANCE APPROVING THE LOCATION AND SKETCH MAP OF THE WABASH COMMERCIAL PARK SUBDIVISION FOR THE OFFICE OF PUBLIC WORKS **(Requested by Mayor J. Michael Houston)**

2015-133 AN ORDINANCE REGARDING THE VARIANCE REQUEST OF SECTION 153.158(b)(2) PERTAINING TO LOT ARRANGEMENT AT SLUMBERLAND – RESUBDIVISION OF LOT 26 OF PRAIRIE CROSSING – PLAT 2, LOCATED EAST OF FURNITURE ROW ON THE SOUTH SIDE OF CHUCKWAGON DRIVE, FOR THE OFFICE OF PUBLIC WORKS **(Requested by Mayor J. Michael Houston)**

2015-134 AN ORDINANCE APPROVING/DENYING THE PRELIMINARY PLAN OF SLUMBERLAND – RESUBDIVISION OF LOT 26 OF PRAIRIE CROSSING – PLAT 2, LOCATED EAST OF FURNITURE ROW ON THE SOUTH SIDE OF CHUCKWAGON DRIVE, FOR THE OFFICE OF PUBLIC WORKS **(Requested by Mayor J. Michael Houston)**

2015-135 AN ORDINANCE AUTHORIZING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$9,429.00 FOR THE OFFICE OF PUBLIC WORKS **(Requested by Mayor J. Michael Houston)**

2015-136 AN ORDINANCE AUTHORIZING EXECUTION OF AN AMENDMENT TO AN ANNEXATION AGREEMENT PREVIOUSLY AUTHORIZED BY ORDINANCE 663-09-05 BETWEEN THE CITY OF SPRINGFIELD, ILLINOIS, AND ABUNDANT FAITH MINISTRY, INC. FOR THE PROPERTY LOCATED AT 2525 SOUTH TAYLOR AVENUE **(Requested by Mayor J. Michael Houston)**

2015-137 AN ORDINANCE AUTHORIZING EXECUTION OF AN AGREEMENT WITH, AND PAYMENT IN THE AMOUNT OF \$46,720.00 TO, THE STATE OF ILLINOIS DEPARTMENT OF TRANSPORTATION FOR TRAFFIC SIGNAL IMPROVEMENTS ON WABASH AVENUE AT THE INTERSECTIONS OF ROBBINS ROAD AND WEST WHITE OAKS DRIVE (MFT SECTION # 15-STATE-01-TL) FOR THE OFFICE OF PUBLIC WORKS **(Requested by Mayor J. Michael Houston)**

2015-138 A RESOLUTION NOTIFYING THE STATE OF ILLINOIS DEPARTMENT OF TRANSPORTATION THAT MOTOR FUEL TAX FUNDS IN THE AMOUNT OF \$46,720.00 MAY BE USED FOR TRAFFIC SIGNAL IMPROVEMENTS ON WABASH AVENUE AT THE INTERSECTIONS OF ROBBINS ROAD AND WEST WHITE OAKS DRIVE, MFT SECTION # 15-STATE-01-TL, FOR THE OFFICE OF PUBLIC WORKS **(Requested by Mayor J. Michael Houston)**

2015-139 AN ORDINANCE ACCEPTING BIDS AND AUTHORIZING THE EXECUTION OF CONTRACT NO. PW 15-02-108 FOR AN AMOUNT NOT TO EXCEED \$1,412,422.00 WITH P.H. BROUGHTON & SONS, INC., STATE HIGHWAY CONSTRUCTION CORP., INC., BEELMAN LOGISTICS, LLC, VULCAN CONSTRUCTION MATERIALS, LP AND COMPLETE ASPHALT SERVICE CO. FOR 2016 MAINTENANCE MATERIALS **(Requested by Mayor J. Michael Houston)**

2015-140 AN ORDINANCE AUTHORIZING EXECUTION OF A TWO-YEAR MASTER AGREEMENT AND ASSOCIATED PRICING SCHEDULES WITH, AND PAYMENT IN AN AMOUNT NOT TO EXCEED \$195,000.00 TO, AT&T CORP. FOR TELEPHONE, CENTREX AND LONG DISTANCE SERVICES FOR THE CITY OF SPRINGFIELD **(Requested by Mayor J. Michael Houston)**

2015-141 AN ORDINANCE ACCEPTING BIDS AND AUTHORIZING CONTRACT UE15-02-96 – ANHYDROUS AMMONIA FOR A FIVE YEAR PERIOD WITH BRANDT CONSOLIDATED, INC. IN AN AMOUNT NOT TO EXCEED \$9,000,000.00 FOR THE OFFICE OF PUBLIC UTILITIES **(Requested by Mayor J. Michael Houston)**

2015-142 AN ORDINANCE ACCEPTING BIDS AND AUTHORIZING THE EXECUTION OF CONTRACT UE15-01-81 – MULTI-YEAR TRANSFORMER ALLIANCE WITH ERMCO INC. AND FLETCHER-REINHARDT COMPANY IN AN AMOUNT NOT TO EXCEED \$3,000,000.00 FOR THE OFFICE OF PUBLIC UTILITIES **(Requested by Mayor J. Michael Houston)**

2015-143 AN ORDINANCE AMENDING ORDINANCE NUMBER 96-03-14 REGARDING AN AGREEMENT WITH BUCKMAN LABORATORIES, INC. FOR THE PURCHASE OF OXAMINE® BY APPROVING A RESTATED AND AMENDED AGREEMENT FOR THE PURCHASE OF

OXAMINE® AND BULAB® FOR A TOTAL AMOUNT NOT TO EXCEED \$720,000.00, FOR THE OFFICE OF PUBLIC UTILITIES **(Requested by Mayor J. Michael Houston)**

2015-144 AN ORDINANCE ACCEPTING BIDS AND AUTHORIZING CONTRACT UE15-02-101 – PORTABLE DEMINERALIZER SERVICES FOR THE DALLMAN POWER PLANT AND INTERSTATE COMBUSTION TURBINE WITH MPW INDUSTRIAL WATER SERVICES, INC. IN AN AMOUNT NOT TO EXCEED \$346,200.00 OVER A THREE-YEAR TERM FOR THE OFFICE OF PUBLIC UTILITIES **(Requested by Mayor J. Michael Houston)**

2015-145 AN ORDINANCE APPROVING A PROPOSAL WITH IBIDEN CERAM ENVIRONMENTAL, INC. IN THE AMOUNT OF \$341,400.00 FOR THE PURCHASE OF 36 NEW CATALYST MODULES FOR DALLMAN POWER PLANT UNIT NOS. 31, 32, AND 33 FOR THE ELECTRIC GENERATION DEPARTMENT FOR THE OFFICE OF PUBLIC UTILITIES **(Requested by Mayor J. Michael Houston)**

2015-146 AN ORDINANCE ACCEPTING BIDS AND AUTHORIZING CONTRACT UE15-02-104 – BACKFILL MATERIALS WITH P.H. BROUGHTON & SONS, INC. AND VULCAN MATERIALS COMPANY IN AN AMOUNT NOT TO EXCEED \$250,000.00 FOR THE OFFICE OF PUBLIC UTILITIES **(Requested by Mayor J. Michael Houston)**

2015-147 AN ORDINANCE APPROVING 38 SEPARATE FARM LEASES WITH VARIOUS TENANTS FOR A ONE-YEAR TERM FOR THE WATER DIVISION OF THE OFFICE OF PUBLIC UTILITIES **(Requested by Mayor J. Michael Houston)**

2015-148 AN ORDINANCE APPROVING A TELECOMMUNICATIONS CONTRACT SERVICE AGREEMENT WITH SPRINGFIELD CLINIC LLP FOR 901 S. KOKE MILL FOR THE OFFICE OF PUBLIC UTILITIES **(Requested by Mayor J. Michael Houston)**

Next, Deputy Clerk Hawkins read the ordinances on the order of the consent agenda.

2015-090 AN ORDINANCE AUTHORIZING A SUPPLEMENTAL APPROPRIATION OF FY15 UNAPPROPRIATED FUND BALANCE IN THE AMOUNT OF \$25,100.00 FOR THE OFFICE OF COUNCIL COORDINATOR **(Requested by Mayor J. Michael Houston)**

2015-091 AN ORDINANCE AUTHORIZING A PAYMENT TO VERIZON WIRELESS FOR MONTHLY DATA SERVICES FOR MDC AND VIDEO UNITS IN AN AMOUNT NOT TO EXCEED \$108,900.00 UNDER STATE MASTER CONTRACT CSM#033559P, FOR THE OFFICE OF HOMELAND SECURITY BUREAU OF EMERGENCY COMMUNICATIONS **(Requested by Mayor J. Michael Houston)**

2015-092 AN ORDINANCE AUTHORIZING A PAYMENT TO MOTOROLA SOLUTIONS INC. FOR MONTHLY STARCOM RADIO SERVICES USED BY THE SPRINGFIELD POLICE DEPARTMENT AND HOMELAND SECURITY IN AN AMOUNT NOT TO EXCEED \$108,120.00 UNDER STATE MASTER CONTRACT CSM#3618850, FOR THE OFFICE OF HOMELAND SECURITY BUREAU OF EMERGENCY COMMUNICATIONS **(Requested by Mayor J. Michael Houston)**

2015-093 AN ORDINANCE APPROVING ADDITIONAL PAYMENT OF \$15,000.00 FOR A TOTAL AMOUNT NOT TO EXCEED \$65,000.00 TO DRAKE, NARUP & MEAD, P.C. FOR RANDALL A. MEAD TO PROVIDE LEGAL SERVICES REGARDING SANGAMON COUNTY COURT CASE NO. 2008-L-176, *MARY YARBOROUGH, INDIVIDUALLY AND AS SPECIAL ADMINISTRATOR OF THE ESTATE OF ERIC JONES v. CITY WATER LIGHT & POWER AND CITY OF SPRINGFIELD* (Requested by Mayor J. Michael Houston)

2015-094 RESOLUTION URGING THE GOVERNOR AND GENERAL ASSEMBLY TO PROTECT FULL FUNDING OF LOCAL GOVERNMENT DISTRIBUTIVE FUND REVENUES (Requested by Mayor J. Michael Houston)

2015-095 AN ORDINANCE ACCEPTING BIDS AND AUTHORIZING THE EXECUTION OF CONTRACT UW15-01-95 – RESIDENTIAL WATER SERVICE MATERIALS WITH HD SUPPLY WATERWORKS, LTD. IN THE AMOUNT OF \$341,744.50, ILLINOIS METER, INC. IN THE AMOUNT OF \$45,275.00, AND MIDWEST METER, INC. IN THE AMOUNT OF \$5,253.65, FOR THE WATER DIVISION FOR THE OFFICE OF PUBLIC UTILITIES (Requested by Mayor J. Michael Houston)

2015-096 AN ORDINANCE ACCEPTING BIDS AND AUTHORIZING THE EXECUTION OF CONTRACT UW15-01-89 – WATER MAIN GATE AND TAPPING VALVES WITH AMERICAN FLOW CONTROL, A DIVISION OF AMERICAN CAST IRON PIPE CO. FOR A ONE-YEAR TERM IN AN AMOUNT NOT TO EXCEED \$360,000.00 FOR THE OFFICE OF PUBLIC UTILITIES (Requested by Mayor J. Michael Houston)

2015-097 AN ORDINANCE ACCEPTING BIDS AND AUTHORIZING THE EXECUTION OF CONTRACT UW15-01-90 – IRON FITTINGS IN AN AMOUNT NOT TO EXCEED \$149,936.50 WITH HD SUPPLY WATERWORKS, LTD., \$105,565.90 WITH ILLINOIS METER, INC., AND \$74,650.00 WITH SCHULTE SUPPLY, INC. FOR THE OFFICE OF PUBLIC UTILITIES (Requested by Mayor J. Michael Houston)

2015-098 AN ORDINANCE APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH CRAWFORD, MURPHY & TILLY, INC. IN AN AMOUNT NOT TO EXCEED \$326,200.00 FOR ENGINEERING SERVICES FOR THE NEW FEED SYSTEMS AT THE WATER PURIFICATION PLANT FOR THE OFFICE OF PUBLIC UTILITIES (Requested by Mayor J. Michael Houston)

2015-101 AN ORDINANCE AMENDING ORDINANCE NUMBER 22-01-14 REGARDING AN AGREEMENT WITH ASCEND PERFORMANCE MATERIALS INC. FOR THE PURCHASE OF 50% DIBASIC ACID AND ADIPIC ACID, BY REDUCING THE AMOUNT TO \$1,376,000.00 FOR THE OFFICE OF PUBLIC UTILITIES (Requested by Mayor J. Michael Houston)

2015-102 AN ORDINANCE AUTHORIZING ADDITIONAL PURCHASE OF ROCK SALT FROM CARGILL, INCORPORATED, SALT DIVISION, UNDER STATE CONTRACT PSD 4017550 AND AUTHORIZING ADDITIONAL PAYMENT IN THE AMOUNT OF \$66,012.00 FOR A TOTAL AMOUNT NOT TO EXCEED \$396,072 FOR THE OFFICE OF PUBLIC WORKS (Requested by Mayor J. Michael Houston)

2015-103 AN ORDINANCE AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH, AND PAYMENT OF \$90,000.00 TO, HERITAGE ENVIRONMENTAL SERVICES FOR THE 2015 HOUSEHOLD HAZARDOUS WASTE COLLECTION EVENT FOR THE OFFICE OF PUBLIC WORKS **(Requested by Mayor J. Michael Houston)**

2015-104 AN ORDINANCE AUTHORIZING APPROVAL OF A STIPULATION AND SETTLEMENT AGREEMENT REGARDING SANGAMON COUNTY CIRCUIT COURT CASE, 13-ED-01, *CONTECH ENGINEERED SOLUTIONS, LLC; WELLS FARGO BANK, NATIONAL ASSOCIATION; WELLS FARGO CAPITAL FINANCE, LLC; AND UNKNOWN OWNERS AND NON-RECORD CLAIMANT*, FOR AN AMOUNT NOT TO EXCEED \$1,837,000.00 FOR THE ELEVENTH STREET EXTENSION FOR THE OFFICE OF PUBLIC WORKS **(Requested by Mayor J. Michael Houston)**

2015-105 AN ORDINANCE AUTHORIZING EXECUTION OF AMENDMENT #2 TO AN AGREEMENT WITH THE STATE OF ILLINOIS, DEPARTMENT OF TRANSPORTATION, FOR CONSTRUCTION OF THE CARPENTER STREET UNDERPASS FROM 9TH TO 11TH STREETS, MFT SECTION 13-00475-00-BR, FOR THE OFFICE OF PUBLIC WORKS **(Requested by Mayor J. Michael Houston)**

2015-106 A RESOLUTION NOTIFYING THE STATE OF ILLINOIS THAT MOTOR FUEL TAX FUNDS IN THE AMOUNT OF \$60,500.00 MAY BE USED TO PURCHASE REAL ESTATE FOR THE CARPENTER STREET UNDERPASS PROJECT, PURSUANT TO THE ILLINOIS HIGHWAY CODE, MFT SECTION #13-00475-00-BR, FOR THE OFFICE OF PUBLIC WORKS **(Requested by Mayor J. Michael Houston)**

2015-107 AN ORDINANCE VACATING A PORTION OF THE ALLEY IN THE BLOCK BOUNDED BY HENRIETTA, WILLIAMS, PASFIELD AND ALLEN STREETS TO THE SPRINGFIELD HOUSING AUTHORITY **(Requested by Mayor J. Michael Houston)**

2015-108 AN ORDINANCE AUTHORIZING PURCHASE OF REAL PROPERTY FROM JACOB J. NOEL LOCATED AT 1609, 1617, 1623 S. 10 ½ STREET AND 1027 N. 10TH STREET IN AN AMOUNT NOT TO EXCEED \$60,500.00 **(Requested by Mayor J. Michael Houston)**

2015-114 AN ORDINANCE AUTHORIZING AN ADDITIONAL PAYMENT OF \$25,000.00 FOR A TOTAL AMOUNT NOT TO EXCEED \$150,000.00 TO LIVINGSTONE, MUELLER, O'BRIEN & DAVLIN, P.C. FOR DEFENSE OF WORKERS' COMPENSATION CLAIMS FROM MARCH 1, 2014, THROUGH FEBRUARY 28, 2015. **(Requested by Mayor J. Michael Houston)**

2015-115 AN ORDINANCE AUTHORIZING EXECUTION OF A TENTATIVE COLLECTIVE BARGAINING AGREEMENT WITH THE INTERNATIONAL ASSOCIATION OF MACHINISTS AND AEROSPACE WORKERS, DISTRICT NO. 9, FROM OCTOBER 1, 2014, THROUGH SEPTEMBER 30, 2017 **(Requested by Mayor J. Michael Houston)**

2015-118 AN ORDINANCE AMENDING CHAPTER 90 OF THE 1988 CITY OF SPRINGFIELD CODE OF ORDINANCES, AS AMENDED, BY ADDING SECTION 90.64, PROHIBITING THE SALE, DELIVERY, RECEIPT OR PURCHASE FOR RESALE OF POWDERED ALCOHOL. **(Requested by Alderman Gail Simpson)**

The Pre-Council session concluded at 5:10pm.

CITY COUNCIL REGULAR AGENDA

Mayor Houston called the April 8, 2015 meeting of the Springfield City Council to order at 5:30pm. He invited everyone to join with him in reciting the pledge of allegiance.

Clerk Tumulty took the roll call of members.

PRESENT: Alderman Edwards☒, Alderman Simpson☒, Alderman Turner☒, Alderman Lesko☒, Alderman Cahnman☒, Alderman Jobe☒, Alderman McMenamin☒, Alderman Theilen☒, Alderman Dove☒ and Alderman McDonough☒.

ABSENT: None

Mayor Houston congratulated Mayor Elect Jim Langfelder and the rest of the winners from the April 7th Municipal Election.

Alderman Simpson made a motion to dispense with the reading and approve the minutes from the March 17, 2015 City Council meeting. Her motion was seconded by Alderman Jobe. The motion passed with a voice vote of 10-0-0.

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 Jobe. The motion passed with a voice vote of 10-0-0.

Alderman Simpson made a motion to incorporate the pre-council reading of the consent agenda into the record of the Council meeting. Her motion was seconded by Alderman Jobe. The motion passed with a voice vote of 10-0-0.

Alderman Simpson made a motion to place the Consent Agenda on final passage. Her motion was seconded by Alderman Dove. The motion passed with a vote of 10-0-0. Alderman Edwards☒, Alderman Simpson☒, Alderman Turner☒, Alderman Lesko☒, Alderman Cahnman☒, Alderman Jobe☒, Alderman McMenamin☒, Alderman Theilen☒, Alderman Dove☒ and Alderman McDonough☒ all voted yes.

The next item on the agenda was Agenda Item 2015-100, An Ordinance Approving A Professional Services Agreement With Talley & Associates, Inc. In An Amount Not To Exceed \$60,000.00 For Lobbying Services For The Office Of Public Utilities. Alderman Jobe made a motion to place Agenda Item 2015-100 on final passage. His motion was seconded by Alderman Theilen. The motion passed with a vote of 10-0-0. Alderman Edwards☒, Alderman Simpson☒, Alderman Turner☒, Alderman Lesko☒, Alderman Cahnman☒, Alderman Jobe☒, Alderman McMenamin☒, Alderman Theilen☒, Alderman Dove☒ and Alderman McDonough☒ all voted yes.

The next item on the agenda was Agenda Item 2015-109, An Ordinance Authorizing Execution Of An Agreement With Phillip P. Ferguson, Sr. For Annexation Of Property Located At 3212 Lightfoot Drive. Alderman Simpson made a motion recess the regular session of the City Council for the purpose of holding a public hearing on Agenda Item 2015-109. Her motion was seconded by Alderman Jobe. The motion passed with a voice vote of 10-0-0.

Alderman Simpson made a motion to adjourn the public hearing and reconvene the regular session of the City Council. Her motion was seconded by Alderman Jobe. The motion passed with a voice vote of 10-0-0.

Alderman Simpson made a motion to place Agenda Item 2015-109 on final passage. Her motion was seconded by Alderman Jobe. The motion passed with a vote of 11-0-0. Alderman Edwards☒, Alderman Simpson☒, Alderman Turner☒, Alderman Lesko☒, Alderman Cahnman☒, Alderman Jobe☒, Alderman McMenamin☒, Alderman Theilen☒, Alderman Dove☒, Alderman McDonough☒ and Mayor Houston all voted yes.

The next item on the agenda was Agenda Item 2015-110, An Ordinance Authorizing Execution Of An Agreement With Cherry Hills Baptist Church, An Illinois Not For Profit Religious Corporation Of Springfield, Illinois, For Annexation Of Property Located At 5152 Old Chatham Road. Alderman Simpson made a motion recess the regular session of the City Council for the purpose of holding a public hearing on Agenda Item 2015-110. Her motion was seconded by Alderman Jobe. The motion passed with a voice vote of 10-0-0.

Alderman Simpson made a motion to adjourn the public hearing and reconvene the regular session of the City Council. Her motion was seconded by Alderman Jobe. The motion passed with a voice vote of 10-0-0.

Alderman Simpson made a motion to place Agenda Item 2015-110 on final passage. Her motion was seconded by Alderman Jobe. The motion passed with a vote of 11-0-0. Alderman Edwards☒, Alderman Simpson☒, Alderman Turner☒, Alderman Lesko☒, Alderman Cahnman☒, Alderman Jobe☒, Alderman McMenamin☒, Alderman Theilen☒, Alderman Dove☒, Alderman McDonough☒ and Mayor Houston all voted yes.

The next item on the agenda was Agenda Item 2015-111, An Ordinance Authorizing Execution Of An Agreement With Knight's Action Park, Inc. For Annexation Of Property Located At 1700 Knight's Recreation Drive. Alderman Simpson made a motion recess the regular session of the City Council for the purpose of holding a public hearing on Agenda Item 2015-111. Her motion was seconded by Alderman Jobe. The motion passed with a voice vote of 10-0-0.

Alderman Simpson made a motion to adjourn the public hearing and reconvene the regular session of the City Council. Her motion was seconded by Alderman Jobe. The motion passed with a voice vote of 10-0-0.

Alderman Simpson made a motion to place Agenda Item 2015-111 on final passage. Her motion was seconded by Alderman Jobe. The motion passed with a vote of 11-0-0. Alderman Edwards☒, Alderman Simpson☒, Alderman Turner☒, Alderman Lesko☒, Alderman Cahnman☒, Alderman Jobe

☐, Alderman McMenamin☐, Alderman Theilen☐, Alderman Dove☐, Alderman McDonough☐ and Mayor Houston all voted yes.

The next item on the agenda was Agenda Item 2015-113, An Ordinance Annexing Certain Described Properties Located In Plateau Park. Alderman Simpson made a motion to place Agenda Item 2015-113 on final passage. Her motion was seconded by Alderman McDonough. The motion passed with a vote of 10-0-0. Alderman Edwards☐, Alderman Simpson☐, Alderman Turner☐, Alderman Lesko☐, Alderman Cahnman☐, Alderman Jobe☐, Alderman McMenamin☐, Alderman Theilen☐, Alderman Dove☐ and Alderman McDonough☐ all voted yes.

Mayor Houston then returned to Agenda Item 2015-112, An Ordinance Annexing Certain Described Real Property Located At 1700 Knight's Recreation Drive To The City Of Springfield. Alderman Simpson made a motion to place Agenda Item 2015-112 on final passage. Her motion was seconded by Alderman Jobe. The motion passed with a vote of 10-0-0. Alderman Edwards☐, Alderman Simpson☐, Alderman Turner☐, Alderman Lesko☐, Alderman Cahnman☐, Alderman Jobe☐, Alderman McMenamin☐, Alderman Theilen☐, Alderman Dove☐ and Alderman McDonough☐ all voted yes.

The next item on the agenda was Agenda Item 2015-117, An Ordinance Amending Chapter 110 Of The 1988 City Of Springfield Code Of Ordinances, As Amended, By Amending Article XXXV Regarding Temporary Or Mobile Food Service Establishment On Private Property, As Amended. Alderman Jobe made a motion to place Agenda Item 2015-117 on final passage. His motion was seconded by Alderman McDonough.

Alderman Simpson asked if the ordinance is going to be further amended. Alderman Jobe stated that it would be.

Mayor Houston recognized Brad Wilson, an attorney with Gates, Wise, Schlosser and Gobel. He stated that he represents Margaret and Jerome Taylor, the owners and operators of MJ's Fish and Chicken Express Food Truck. He stated that he also represents Trevor Miller, the owner of the property in which the food truck operates. He stated that he would be speaking on his client's behalf. He stated that his clients are opposed to the provision of the ordinance which would preclude a food truck from operating in close proximity to a brick and mortar store. He urged the Council to adopt reasonable rules and restrictions that would not stifle the growing food truck business in Springfield.

Alderman Cahnman asked Mr. Wilson if he would agree that some restrictions on where a food truck can operate are reasonable. Mr. Wilson stated that he believes that a food truck should be treated the same as a regular brick and mortar restaurant. Alderman Cahnman asked if Mr. Wilson's clients are located within 300 feet of a current restaurant. Mr. Wilson stated that they do.

Alderman Jobe asked if the location for Mr. Taylor's food truck has been his only location. Mr. Wilson stated that Mr. Taylor had previously operated his food truck in a different location before moving to its current location. Alderman Jobe asked when Mr. Miller opened up his business on South Grand Avenue. Mr. Wilson stated that it was purchased and opened in 2012.

Alderman Edwards asked if Mr. Taylor's truck operates seasonally or year around. Mr. Wilson stated that Mr. Taylor opens his business whenever the weather permits. He stated that if the restrictions are passed, the truck would have to cut its hours and become only seasonal. Alderman Jobe took exception to that

interpretation of the ordinance. Mr. Wilson stated that he would be in favor of any restrictions that currently apply to brick and mortar restaurants.

Alderman Theilen asked if this is the business that a previous speaker at the March 31st Committee meeting had spoken of. The previous speaker indicated that it was. Alderman Theilen asked the owner of China 1 about concerns that she had about the diversion of customers away from her business and the use of her restroom facilities by people who did not patron her business. She also stated that she has concerns about the parking of unauthorized vehicles on her property.

Alderman Simpson stated that it was her understanding that there is only one individual who operates the truck at a time. She asked when the diversion of customers occurs. The owner of China 1 stated that that is what she has heard from customers that come into her store.

Alderman Theilen asked Mr. Wilson to address the issues with the restrooms at his client's food truck. Mr. Wilson stated that his client is not directing his customers to use the restrooms at China 1 Restaurant. He stated that the restrooms are available to the customers on the property in which the food truck sits.

Alderman McMenemy asked how many food truck businesses would be effected by setting a limit on their proximity to brick and mortar restaurants. Public Works Director Mark Mahoney stated that he does not have an accurate answer on that because there is not a food truck permit right now. Alderman McMenemy stated that it is appropriate to have regulations, but he stated that he has concerns about the distance requirement. He stated that the distance requirement could have implications in the future for businesses. He stated that it does not seem that it is a city-wide problem.

Alderman Edwards asked about grandfathering provisions in ordinances. He asked what the recourse would be for businesses in which ordinances would change the way that they operate after they are already up and running. Corporation Counsel Todd Greenburg stated that no business or individual as a right to assume that their behavior might not be regulated at some point in the future. He stated that there is legal precedent for this idea.

Alderman Simpson asked when the idea of "grandfathering" provisions come into play. CC Greenburg stated that it deals with anything land-use related. He stated that it is the line between the City using its police power and the deprivation of viable use of their property. In that case, the fifth amendment to the US Constitution demands that the government pay the fair market value for the property. Alderman Simpson asked what would happen if an owner of a property decide to make the food truck a part of his building. CC Greenburg stated that there is a provision in the ordinance that states that if the structure is permanently anchored to the ground, then it would not be covered by the ordinance at all. Alderman Simpson asked what would constitute permanency. Director Mahoney stated that the structure would need to be anchored in such a way that it would meet the City's building code requirements. Alderman Simpson asked for further clarification. CC Greenburg suggested that it would be similar to the way that a mobile home is anchored to its foundation. Mr. Wilson stated that his clients food truck is anchored using an engineering tied down system.

Next, Mayor Houston recognized Mike Monseur. Mr. Monseur of 35 Fairview Lane in Springfield. He stated that he owns the Godfather's Pizza locations in Springfield. He urged the Council to place regulations on the food trucks that would not interfere with brick and mortar stores.

Alderman Cahnman asked Mr. Monseur to detail the issues that he has had with food trucks. Mr. Monseur explained the problems that he has had. Alderman Cahnman and Mr. Monseur debated some possible solutions to the issues that Mr. Monseur was having.

Next to address the Council was Justin Cooper of Cooper Streetside Bistro Food Truck. He encouraged the Council to adopt reasonable regulations on food trucks.

Next to address the Council was Chad Reese of Chadito's Mexican Grill. He stated that he owns both a food truck and brick and mortar restaurants. He urged the Council to adopt reasonable regulations on food trucks.

Last to speak before the Council was Trevor Miller of 230 South Grand Avenue East. He addressed the parking issues at the China 1 restaurant that was referenced earlier in the meeting.

Alderman Jobe stated that he is not against food trucks. He stated that many cities are facing similar situations and there needs to be some regulations put in place. He stated that this ordinance is a result of lengthy discussions and compromise. Alderman Jobe made a motion to adopt proposed Amendment 2 to Agenda Item 2015-117. He stated that the ordinance will include a footage requirement for set up for the food trucks and an annual \$50 permitting fee. He also stated that the concerns of the downtown have also been addressed in the ordinance. He stated that the location requirements are different in the downtown area as opposed to the other parts of town. He clarified that those new regulations are all included in the amendment that he plans to introduce. His motion to adopt proposed Amendment 2 to Agenda Item 2015-117 was seconded by Alderman Edwards.

Alderman Cahnman asked further questions to clarify the footage requirements for the food trucks.

Alderman Edwards asked if a food truck is permanently tied down, then it would not be subject to the ordinance. CC Greenburg stated that it does not apply to those structures. Alderman Edwards asked for clarification on the two different permits from the Sangamon County Health Department. CC Greenburg stated that his concerns are with Sangamon County and their fee structure. He stated that nothing that the Council does would affect Sangamon County's fee structure.

Alderman Lesko asked about temporary events like auctions. CC Greenburg stated that there are exemptions in the ordinance for special events. Alderman Jobe stated that he would see such a situation as a special event and therefore exempt from the ordinance.

Alderman Cahnman asked for further clarification on the fee for permits from the Sangamon County Department of Public Health. He asked if the fee schedule could be altered. CC Greenburg stated that it would be up to Sangamon County.

Alderman Simpson asked if it could be clarified if Mr. Taylor's food truck is considered a permanent structure. Mayor Houston stated that until an inspector goes out to the facility, it is difficult to determine if it is permanent. Alderman Edwards stated that Mr. Taylor would have to apply as a permanent structure. Director Mahoney stated that typically permanent tie downs are into steel and bolted into the concrete, but would need to consult with the building inspectors to make sure.

Alderman Jobe made a motion to adopt Amendment 3 to Agenda Item 2015-117 to reduce the space between the food truck and the brick and mortar restaurants to 300 feet. His motion was seconded by Alderman McMenamin.

The motion to adopt Amendment 3 to Agenda Item 2015-117 passed with a vote of 9-1-0. Alderman Edwards☒, Alderman Turner☒, Alderman Lesko☒, Alderman Cahnman☒, Alderman Jobe☒, Alderman McMenamin☒, Alderman Theilen☒, Alderman Dove☒ and Alderman McDonough☒ all voted yes. Alderman Simpson☒ voted no.

Alderman Jobe stated that this debate has provided a starting point for the discussions. He stated that he is encouraged by the trend of food trucks coming into Springfield. He stated that there could be additional changes that come before the Council in the coming months.

Alderman Turner stated her agreement with the statements made by Alderman Jobe. She stated that as businesses evolve and change, regulations will evolve and change as well. She stated that she has been troubled by exaggerations that have been presented to the City Council with regards to the food trucks. She stated that she hoped that there could be a more amicable relationship between the brick and mortar restaurants and the food trucks.

Alderman Simpson stated that she has also been troubled with the exaggerations. She stated that there are steps that businesses can take to minimize the issues with their restaurants and the food trucks.

Alderman Theilen stated his agreement with potential backlash of taking those steps. Alderman Turner pointed out that the Council was not given the whole story during the debate.

Alderman Cahnman asked for the rationale with the distance limitation. Alderman Jobe stated that it is a test to see how the regulations are going forward.

The motion to adopt Amendment 2 to Agenda Item 2015-117 passed with a vote of 10-0-0. Alderman Edwards☒, Alderman Simpson☒, Alderman Turner☒, Alderman Lesko☒, Alderman Cahnman☒, Alderman Jobe☒, Alderman McMenamin☒, Alderman Theilen☒, Alderman Dove☒ and Alderman McDonough☒ all voted yes.

Alderman Cahnman asked Mr. Wilson's food truck could be permanently anchored to the ground. Mr. Wilson stated that from his understanding, his client's food truck meets that requirement. He stated that it would be up to the City's building inspectors to determine if it is permanent structure.

Alderman Edwards stated that there is an appeal process if the building inspector does not feel that the structure meets the guidelines to be permanent.

Alderman Jobe asked if the Mr. Taylor's food truck has moved since it has been set up in its current location. Mr. Wilson stated that it has been permanent since it has moved to its current location.

Alderman Lesko asked for clarification on the exemption for auctions. Director Mahoney stated that the Public Works Department consider auctions to be special events.

Agenda Item 2015-117, As Amended passed with a vote of 10-0-0. Alderman Edwards☒, Alderman Simpson☒, Alderman Turner☒, Alderman Lesko☒, Alderman Cahnman☒, Alderman Jobe☒,

Alderman McMenamin☒, Alderman Theilen☒, Alderman Dove☒ and Alderman McDonough☒ all voted yes.

Alderman Simpson made a motion to suspend the rules and place on first reading Agenda Item 2015-149, An Ordinance Amending Chapter 79, Section 79.20 Of The 1988 City Of Springfield Code Of Ordinances, As Amended, By Increasing The Penalty To \$250.00 For Parking On Yale Boulevard Adjacent To Harvard Park School. Her motion was seconded by Alderman Jobe. The motion passed with a voice vote of 10-0-0.

Next to address the Council was Dean Graven of 3411 Mackinaw Lane in Springfield. He thanked the Council for their work during the last four years, especially with regards to improving infrastructure.

Next to address the Council was Judy Fortune. She detailed issues that she was having with City Water Light and Power. Alderman Edwards asked that Council Coordinator Tim Griffin get involved in finding a resolution to the issue, as it has been going on for several months.

Next to address the Council was James Meister of 2100 East Monroe Street. He urged the Council to stress that there be regulations put on motorized bicycles.

With no further business to come before the Council, Alderman Simpson made a motion for adjournment. Her motion was seconded by Alderman Cahnman. The motion passed with a voice vote of 10-0-0 and the meeting was adjourned at 7:09pm.

Cecilia Tumulty

Cecilia Tumulty
City Clerk