

**SUMMARY MINUTES
PUBLISHED BY THE AUTHORITY OF THE CITY COUNCIL
OF BLOOMINGTON, ILLINOIS
MONDAY, NOVEMBER 14, 2016; 7:00 P.M.**

1. Call to Order

The Council convened in Regular Session in the Council Chambers, City Hall Building, at 7:00 p.m., Monday, November 14, 2016. The Meeting was called to order by Mayor Tari Renner.

2. Pledge of Allegiance to the Flag

The Meeting was opened by Pledging Allegiance to the Flag followed by a moment of silent prayer.

3. Remain Standing for a Moment of Silent Prayer

4. Roll Call

Mayor Renner directed the City Clerk to call the roll and the following members of Council answered present:

Aldermen: Kevin Lower, David Sage, Mboka Mwilambwe, Amelia Buragas, Joni Painter, Karen Schmidt, Scott Black, Diana Hauman, Jim Fruin, and Mayor Tari Renner.

Alderman absent: None.

Staff Present: David Hales; City Manager, Steve Rasmussen; Assistant City Manager, Jeffrey Jurgens; Corporation Counsel, Cherry L. Lawson; City Clerk, Jim Karch; Public Works Director, Brian Mohr; Fire Chief, Patti-Lynn Silva; Director of Finance, Scott Sprouls; Director of Information Services and other City staff were also present.

5. Recognition / Appointments

The following were presented:

- A. Proclamation Declaring November 17, 2016 as “Prematurity Awareness Day.”
- B. Proclamation of Gordon Vayo Placing 2nd In the World Series of Poker of 2016.
- C. Recognition of the Heritage Award for Preservation Excellence to Gaye Beck; Greg Shaw and Mollie Ward; Matthew and Rebecca Spears, and Keith and Diana Thompson.
- D. Appointment of Kellie Williams to the Cultural District Commission.

6. Public Comment

Mayor Renner opened the meeting to receive Public Comment. The following individuals provided comments during the meeting.

Bruce Meeks
Aaron of Mars
Alton Franklin
Donna Boelen
Gary Lambert
Paula Stubblefield

6. Consent Agenda

The following was presented:

Mayor Renner asked Council whether there were any items to be removed from the Consent Agenda for further discussion.

Motion by Alderman Schmidt, seconded by Alderman Black, that the Consent Agenda Items be approved with the exceptions of items 7H and 7E.

Mayor Renner directed the Clerk to call the roll which resulted in the following:

Ayes: Aldermen Lower, Sage, Mwilambwe, Buragas, Painter, Schmidt, Black, Hauman and Fruin.

Nays: None.

Motion carried.

The following was presented:

Item 7A. Consideration of approving the Minutes of the October 24, 2016 Regular City Council Meeting and the Minutes of the September 19, 2016 Special Session Meeting.

The following was presented:

Item 7B. Consideration of approving Bills, Payroll, and Electronic Transfers in the amount of \$7,098,164.09.

The following was presented:

Item 7C. Consideration of approving an appointment to the Cultural District Commission.

The following was presented:

Item 7D. Consideration of approving the issuance of a Purchase Order in the amount of \$147,576.83 to CDWG, Inc. from the State of Illinois Department of Central Management Services (CMS) Joint Purchasing Contract (CMS69451150) for Microsoft Enterprise Agreement licensing.

The following was presented:

Item 7E. Consideration of approving a Land Donation and Construction Agreement with Habitat for Humanity of McLean County for the distribution of vacant property for development of affordable housing for low and moderate income residents in the City. *(Item was pulled from the Consent agenda for Council to discuss in further detail.)*

The following was presented:

Item 7F. Consideration of approving a Land Donation Agreement with Youth build McLean County for the donation of land (vacant lots and vacant single-family homes) for development of new and rehabilitated affordable housing for low and moderate income residents in the City.

The following was presented:

Item 7G. Consideration of adopting a Resolution approving a change order to the contract with JG Stewart Inc., for the construction of two (2) concrete basketball courts at Sunnyside Park.

RESOLUTION NO. 2016-38

A RESOLUTION APPROVING A CHANGE ORDER TO THE CONTRACT WITH J.G. STEWART, INC. AND AUTHORIZING THE NECESSARY CONCRETE WORK FOR TWO BASKETBALL COURTS AT SUNNYSIDE PARK

The following was presented:

Item 7H. Consideration of a Resolution approving a cost modification associated with the IDOT Motor Fuel Tax Agreement with Farnsworth Group, Inc. for Professional Engineering Design Services for Linden Street Bridge Rehabilitation Improvements, RFQ No. 2015 – 26. *(Item was pulled from the Consent agenda for Council to discuss in further detail.)*

RESOLUTION NO. 2016-39

A RESOLUTION AUTHORIZING A CHANGE ORDER IN THE AMOUNT OF \$7,100.00 IN THE CONTRACT BETWEEN THE CITY OF BLOOMINGTON AND FARNSWORTH GROUP, INC.

The following was presented:

Item 7I. Consideration of an Ordinance approving a Petition from Greyhound Properties, LLC, for an Expedited Final Plat for Morrissey Crossing Subdivision, located South of Veterans Parkway and West of Morrissey Drive, and rescinding Ordinance No. 2013-83 and Ordinance No. 2016-40.

ORDINANCE NO. 2016-____

AN ORDINANCE RESCINDING TWO PRIOR FINAL PLATS AND APPROVING THE
FINAL PLAT OF MORRISSEY CROSSING

The following was presented:

Item 7J. Consideration of the application of Crawford's Corner Pub, LLC, d/b/a Crawford's Corner Pub, located at 610 W. Chestnut, requesting a TAS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week.

The following was presented:

Item 7K. Consideration of approving an Ordinance Suspending Portions of Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the City Code for a Wedding Reception on November 19, 2016.

ORDINANCE NO. 2016-118

AN ORDINANCE SUSPENDING PORTIONS OF SECTION 701 OF CHAPTER 31 AND
SECTION 26(d) OF CHAPTER 6 OF THE CITY CODE FOR A WEDDING RECEPTION ON
NOVEMBER 19, 2016, AT DAVIS LODGE

The following was presented:

Item 7L. Consideration of approving an Ordinance Suspending Portions of Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the City Code for a Wedding Reception on January 14, 2017.

ORDINANCE NO. 2016-119

AN ORDINANCE SUSPENDING PORTIONS OF SECTION 701 OF CHAPTER 31 AND
SECTION 26(d) OF CHAPTER 6 OF THE CITY CODE FOR A WEDDING RECEPTION ON
JANUARY 14, 2017, AT DAVIS LODGE

The following was presented:

Item 7M. Consideration of approving an Ordinance Suspending Portions of Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the City Code for a Wedding Reception on April 29, 2017.

ORDINANCE NO. 2016-120

AN ORDINANCE SUSPENDING PORTIONS OF SECTION 701 OF CHAPTER 31 AND SECTION 26(d) OF CHAPTER 6 OF THE CITY CODE FOR A WEDDING RECEPTION ON APRIL 29, 2017, AT DAVIS LODGE

The following was presented:

Item 7H. Consideration of a Resolution approving a cost modification associated with the IDOT Motor Fuel Tax Agreement with Farnsworth Group, Inc. for Professional Engineering Design Services for Linden Street Bridge Rehabilitation Improvements, RFQ No. 2015 – 26.

RESOLUTION NO. 2016-39

A RESOLUTION AUTHORIZING A CHANGE ORDER
IN THE AMOUNT OF \$7,100.00 IN THE CONTRACT BETWEEN THE
CITY OF BLOOMINGTON AND FARNSWORTH GROUP, INC.

No discussion was needed.

Motion by Alderman Painter, seconded by Alderman Schmidt, that the City Council approve a Resolution authorizing a change order with Farnsworth Group, Inc. regarding Professional Engineering Services Agreement for Design and Construction Plan Preparation of Linden Street Bridge Rehabilitation, and that an IDOT Resolution for Improvement By Municipality be approved, in the amount of \$7,100.00, and authorize the Mayor and City Clerk to execute the necessary documents, and the City Manager to take all actions, including execution of documents, necessary to authorize the work.

Mayor Renner directed the Clerk to call the roll which resulted in the following:

Ayes: Aldermen Lower, Sage, Mwilambwe, Painter, Schmidt, Black, Hauman, and Fruin.

Nays: None.

Recused: Alderman Amelia Buragas

[7:44 PM Minutes:] Alderman Amelia Buragas left the dais.

[7:45 PM Minutes:] Alderman Amelia Buragas returned to the Meeting.

Motion carried.

The following was presented:

Item 7E. Consideration of approving a Land Donation and Construction Agreement with Habitat for Humanity of McLean County for the distribution of vacant property for development of affordable housing for low and moderate income residents in the City.

Alderman Fruin asked how many vacant lots the City of Bloomington has. He suggested, for a future meeting, that Council discuss the City of Bloomington's vacant properties to see if any can be taken off the City's list and given to YouthBuild and Habitat for Humanity.

Motion by Alderman Fruin, seconded by Alderman Hauman, that Council approves the Land Donation and Construction Agreement with Habitat of McLean County for the distribution of vacant lots obtained through activities of the Community Development Department's Code Enforcement Division.

Mayor Renner directed the Clerk to call the roll which resulted in the following:

Ayes: Aldermen Lower, Sage, Mwilambwe, Buragas, Painter, Schmidt, Black, Hauman, and Fruin.

Nays: None.

Motion carried.

Regular Agenda

The following was presented:

Item 8A. Consideration of adopting a Resolution urging Illinois State Leaders to release downstate operating assistance grant funds to public transportation providers, including Connect Transit.

RESOLUTION NO. 2016-40

A RESOLUTION URGING ILLINOIS STATE LEADERS TO RELEASE DOWNSTATE OPERATING ASSISTANCE GRANT FUNDS TO PUBLIC TRANSPORTATION PROVIDERS, INCLUDING CONNECT TRANSIT

Alderman Black encouraged everyone to take a look at the Work Session video on the City's Website (www.cityblm.org) to see all the information that was discussed in regards to the Connect Transit routes, updates and concerns that were addressed.

Alderman Lower questioned whether an emergency Resolution could be prepared by the Board to try and continue to operate portions of the Connect Transit Entity that are most needed by those who need it the most in case funding does not come through from the State.

Mr. Johnson stated one of the challenges Connect Transit is facing is that the Federal and State funding that they receive, is on a reimbursement basis only. Local money is utilized to obtain grants. Unfortunately, Federal or State funds cannot be put into reserve. Local funding is the only source that can be put into reserve. Connect Transit is not able to put local funding into reserve at this time. Connect Transit needs to start looking at possible contingencies to see what can be done if funding does not come through from the State. The State's funding problems are not going away any time soon. Planning is key to figuring out how they can continue to provide consistent services to this community.

Mayor Renner asked how much it costs Connect Transit to operate services to our community, and how much funding has not come through yet.

Mr. Johnson stated that sixty-five (65%) percent of funding, to operate, comes from the State. This is an amount that is too high to be able to replicate from any other funding unit.

Alderman Lower stated concerns with having to tell the public that Connect Transit services would cease if proper funding does not come through from the State.

Alderman Buragas stated it is difficult to provide a service to the community when the State is not coming through with funds that were intended to be used for transit services. She suggested to members of the community, that they should call the State Legislators and encourage our Legislators to make this an incredibly high priority in order to avoid this very dramatic shutdown.

Motion by Alderman Hauman, seconded by Alderman Black, that the Resolution be adopted urging Illinois State Leaders to release downstate operating assistance grant funds to public transportation providers, including Connect Transit, and authorize the Mayor and City Clerk to execute the necessary document.

Mayor Renner directed the Clerk to call the roll which resulted in the following:

Ayes: Aldermen Lower, Sage, Mwilambwe, Buragas, Painter, Schmidt, Black, Hauman, and Fruin.

Nays: None.

Motion carried.

The following was presented:

Item 8B. Consideration of an Ordinance approving the proposed *Estimated* 2016 Tax Levy for the Bloomington Public Library.

ORDINANCE 2016-_____

AN ORDINANCE LEVYING TAXES FOR THE CITY OF BLOOMINGTON – LIBRARY, MCLEAN COUNTY, ILLINOIS FOR THE FISCAL YEAR BEGINNING MAY 1, 2016 AND ENDING APRIL 30, 2017 FOR THE CITY OF BLOOMINGTON

Jean Hamilton stated the Bloomington Library is requesting Council adopt the estimated 2016 Library Property Tax Levy in the amount of \$4,683,111.00. With an exception of a \$33,000.00 increase in fiscal year 2015, the Library Property Tax Levy has been flat for the past seven years, resulting in a continually decreasing tax rate. Through the requested increase, the Bloomington Library will be able to continue to provide a high level of service, offer a high return on the tax payer's investment, and invest in the Community's future.

Alderman Schmidt commented on eroding Library services within local high schools over the past few years. It is very important to preserve the services the Bloomington Library is offering to the Community in terms of education and technology access.

Mayor Renner mentioned that the Bloomington Library is a main source for many individual's access to the internet.

Alderman Painter stated technology needs to continue to be made available to the people who need it within the Community, through the Library.

Alderman Lower stated Council is adding an additional service to the Library and has not yet looked into any other ways to pay for that service. The private sector should be looked at for possible donations.

Alderman Mwilambwe stated that even though the Tax Levy increase would only increase individual's taxes by about .3 cents, it still adds up over time, given the increases in the past few years. Some of the Library's future plans for services are not researched thoroughly, nor does the Library know if the community will use those services.

Alderman Hauman stated that the Bloomington Library is an asset to the Community.

Alderman Fruin suggested that the Township Supervisor prepare a chart showing all taxing bodies within Bloomington over the past ten years. This chart needs to be made public on the City's website.

Motion by Alderman Schmidt, seconded by Alderman Painter that Council approves the Ordinance adopting the Estimated 2016 Property Tax Levy in the amount of \$4,683,111, and authorize the Mayor and City Clerk to execute the necessary documents.

Mayor Renner directed the Clerk to call the roll which resulted in the following:

Ayes: Aldermen Buragas, Painter, Schmidt, Black, Hauman, and Fruin.

Nays: Alderman Lower, Sage, and Mwilambwe.

Motion carried.

The following was presented:

Item 8C. Consideration of an Ordinance approving the proposed *Estimated* 2016 Tax Levy for the City of Bloomington.

ORDINANCE 2016-_____

AN ORDINANCE LEVYING TAXES FOR THE CITY OF BLOOMINGTON, MCLEAN COUNTY, ILLINOIS FOR THE FISCAL YEAR BEGINNING MAY 1, 2016 AND ENDING APRIL 30, 2017 FOR THE CITY OF BLOOMINGTON

Mr. Hales stated the recommendation is to approve the estimated 2016 Property Tax Levy for the City of Bloomington for \$20,061,265.00 dollars. Staff has also provided for consideration, that a very critical public safety need the City has, is to continue to work on bringing down very high emergency response time rate. Currently the emergency response time is around eight (8) minutes. The National Standard and the City of Bloomington's goal is six (6) minutes. After proper analysis it was discovered that the only way to get this response time down was to hire additional personnel. Staff does feel with the tax levy increase of about \$500,000.00, it would still result in a tax decrease, of about one dollar. Utilizing and dedicating these funds to help bring down the emergency response time, would be a great way to bring the investment to life.

Ms. Silva clarified that the Tax Levy is an estimate. By law an estimate has to be adopted and made public for 20 days prior to adoption. So the action tonight would not be to adopt the actual levy, but to adopt the estimate for the levy. Then the final adoption would be done in December of 2016.

Alderman Fruin stated he is not against hiring six additional paramedics however, he will vote against any motion that will increase property taxes for the City of Bloomington. He suggested finding additional funds within other sources.

Alderman Hauman asked if other options have been looked at to provide the additional funding.

Alderman Lower stated the City is spending money in places that are not primarily fundamental needs within the Community. If the City needs to decrease response times, then that needs to be done, however it should not be linked to a City Tax Levy.

Alderman Buragas stated that this Levy is giving the City an opportunity to increase their revenues, without increasing the amount of taxes paid due to the City's growth. Capturing this growth is the responsible thing to do. The needs within the Community will continue to be larger than the City's abilities no matter what decision the Council chooses.

Alderman Black asked if the Levy is not passed, what happens to the timeline for the State Statute.

Ms. Silva stated Council would have to hold a special meeting to discuss and approve an estimate, as the deadline is December 29, 2016 regardless. Council has twenty days to meet, discuss and make a decision on the levy Ordinance.

Alderman Black stated Council has to make a decision. Council cannot keep postponing these types of items. If there are Council members whom feel cuts need to be made elsewhere, then those sources need to be presented for discussion.

Mayor Renner stated that in his three and half years as Mayor, no sources have ever been brought to his attention, regardless of how many times this conversation has come up. No Council member has brought forward an idea or sources as to where these cuts can be made.

Alderman Fruinn stated he has sent multiple emails to his fellow Board members with sources to explore for monetary cuts. Those emails have never gotten any attention. These are two separate issues that need to be separated. One is lowering response times and the other is raising our property taxes.

Motion by Alderman Hauman, seconded by Alderman Lower, that Council approves the Ordinance to adopt the *Estimated* 2016 Property Tax Levy in the amount of \$20,061,265, and authorize the Mayor and City Clerk to execute the necessary documents.

Mayor Renner directed the Clerk to call the roll which resulted in the following:

Ayes: Aldermen Sage, Mwilambwe, Buragas, Painter, Schmidt, Black, Hauman, and Fruin.

Nays: Alderman Lower.

Motion carried.

The following was presented:

Item 8D. Consideration of approving a Professional Services Contract with the BKV Group for Professional Architectural Services to design an elevator to comply with the Americans with Disabilities Act (ADA) at the Coliseum, (RFQ 2016-04).

Mr. Rasmussen stated that he was going to highlight three key points to the presentation packet Council was given. The Coliseum is not within ADA requirements. The Illinois Attorney General has directed the City to submit a plan which addresses this issue by July of 2017. The cost of this research, to come up with a plan is about \$120,000.00. This will be a complicated engineering project, as the building was originally designed without an elevator in its plans. A plan was given within the packet to show that the elevator will be placed outside the front of the building. It has been asked why the building was not made with an elevator when it was first built. The assumption is that the use for the Coliseum has changed over time. The recommendation is to approve the study which has to be in by July 11, 2017.

Mr. Hales suggested that the BKV group take a look at two separate ways to accomplish this project. One would be to put the elevator on the outside, as presented. The other would be to factor in and come up with a cost to put the elevator on the inside of the building.

Alderman Lower asked if the ADA regulations have changed. He wanted to know how the building originally passed the ADA regulations and now is no longer in compliance.

Alderman Schmidt stated that we opened the Coliseum with the intentions of having concerts in the building. This was signed off on when the building was first built. It is very confusing to see that the rules or regulations have now been changed to say the building is no longer in compliance.

Mr. Jurgens stated the rules or regulations have not necessarily changed. This item should have been considered prior. Legal Counsel is looking into why some of these issues existed when the building was constructed.

Motion by Alderman Black, seconded by Alderman Hauman, that the Professional Services Contract with the BKV Group for Professional Architectural Services to design an elevator to comply with the Americans with Disabilities Act (ADA) at the Coliseum in the amount of \$120,270.00 be approved, and authorize the City Manager and City Clerk to execute the necessary documents.

Mayor Renner directed the Clerk to call the roll which resulted in the following:

Ayes: Aldermen Lower, Sage, Mwilambwe, Buragas, Painter, Schmidt, Black, Hauman, and Fruin.

Nays: None.

Motion carried.

The following was presented:

Item 8E. Consideration of approving the purchase of 2- 2018 International Navistar 4300LP Horton Type MED, Model 623 Type I Ambulances.

Chief Mohr stated there are currently seven ambulances in the fleet. There are four frontline ambulances and three that are in reserve. The reserve ambulances are used to replace one of the frontline ambulances during maintenance, scheduled maintenance, or during standby events. In the 2017 budget they originally planned to replace one ambulance and two engines. However, since that point in time, the 2008 ambulance has had an engine failure. After consideration of all equipment, Staff is requesting the purchase of two ambulances.

Motion by Alderman Schmidt, seconded by Alderman Lower, that Council approves the purchase of two (2) – 2018 International Navistar 4300LP Horton Type MED, Model 623 Type I ambulances from Foster Coach of Sterling, IL through the Suburban Purchasing Cooperative for the amount of \$523,746.00, and authorizes City Manager and City Clerk be authorized to execute the necessary documents.

Mayor Renner directed the Clerk to call the roll which resulted in the following:

Ayes: Aldermen Lower, Sage, Mwilambwe, Buragas, Painter, Schmidt, Black, Hauman, and Fruin.

Nays: None.

Motion carried.

The following was presented:

Item 7I. Consideration of an Ordinance approving a Petition from Greyhound Properties, LLC, for an Expedited Final Plat for Morrissey Crossing Subdivision, located South of Veterans Parkway and West of Morrissey Drive, and rescinding Ordinance No. 2013-83 and Ordinance No. 2016-40.

ORDINANCE NO. 2016-____

AN ORDINANCE RESCINDING TWO PRIOR FINAL PLATS AND APPROVING THE
FINAL PLAT OF MORRISSEY CROSSING

Mr. Jurgens came forward and noted that Item 7I was originally supposed to be pulled from the agenda. The final plat required an update. There were departments that were unable to review the plat after the update was made. The Developer has been made aware and has agreed to wait until the November 28, 2016 Council meeting for approval. He explained that the rules allow for a reconsider to be made by anyone who voted in the majority. He is asking for a consideration of a Motion to reconsider the vote approving the Ordinance for the Expedited Final

Plat for Morrissey Crossing, rescinding Ordinance No. 2013-83, and rescinding Ordinance No. 2016-40. The proper update would be made and the item would be brought back to Council at the November 28, 2016 meeting.

City Manager's Discussion

Mr. Hales stated on Thursday, November 10th, 2016 the City gave recognition of Veterans within the City of Bloomington organization. There were a minimum of seventy (70) Veterans recognized. Thanks were extended to the Human Resources Department and the Employee Activity Committee.

Mayor Discussion

Mayor Renner had not items of discussion.

City Alderman's Discussion

Alderman Fruin mentioned the Turkey Trot on November 24, 2016 and encouraged the community to come out and participate.

Alderman Hauman wanted to say Happy Thanksgiving as she will not be at the next two Council meetings.

Alderman Black stated on November 15, 2016 he would be at the Convergence of Purpose Statue at noon. His intentions are to get a group of elected officials together to show the community they are committed to working together, to overcome their differences. There have been a lot of upset people in the community, due to the Presidential election outcome. Alderman Black wanted to bring people together to show commitment regardless of political differences.

Adjournment

Motion made by Alderman Schmidt, seconded by Alderman Buragas, to adjourn the meeting at 9:06 p.m.

Motion carried (viva voce).

CITY OF BLOOMINGTON

ATTEST

Tari Renner, Mayor

Cherry L. Lawson, City Clerk