



CITY OF
BLOOMINGTON
SPECIAL SESSION
MEETING
MARCH 27, 2017

AGENDA



**SPECIAL MEETING SESSION AGENDA
OF THE CITY COUNCIL
CITY HALL COUNCIL CHAMBERS
109 E. OLIVE STREET, BLOOMINGTON, IL 61701
MONDAY, APRIL 10, 2017; 5:15 P.M.**

1. Call to Order
2. Roll Call of Attendance
3. Public Comment
4. Consideration of approving the minutes of the Special City Council Meetings for March 27, 2017. (*Recommend that the reading of the minutes be dispensed and approved as printed.*)
(5 minutes)
5. Closed Special Meeting
 - A. Land Acquisition – Section 2(c) (5) of 5 ILCS 120/2 (30 minutes)
 - B. Personnel – Section 2(c) (1) of 5 ILCS 120/2 (20 minutes)
6. Adjourn Closed Session and Return to Open Session
7. Presentation and discussion of the Legislative Advocacy Agenda (*Presentation by David Hales, City Manager 10 minutes, Council discussion 30 minutes.*)
 - A. State Legislators Annual Work Session Meeting scheduled, April 17, 2017
 - B. Illinois Municipal League 2017 Legislative Agenda, “Moving Cities Forward”
8. Adjourn (*approximately 6:55PM*)



**SPECIAL SESSION MEETING
AGENDA ITEM NO. 4**

FOR COUNCIL: April 10, 2017

SUBJECT: Consideration of approval the minutes of the Special City Council Meetings for March 27, 2017.

RECOMMENDATION/MOTION: That the reading of the minutes be dispensed and approved as printed.

STRATEGIC PLAN LINK: Goal 1. Financially sound City providing quality basic services.

STRATEGIC PLAN SIGNIFICANCE: Objective 1d. City services delivered in the most cost-effective, efficient manner.

BACKGROUND: The Special City Council Meeting Minutes have been reviewed and certified as correct and complete by the City Clerk.

In accordance with the Open Meetings Act, Council Proceedings are made available for public inspection and posted to the City's web site within ten (10) days after Council approval.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable.

FINANCIAL IMPACT: Not applicable.

Respectfully submitted for Council consideration.

Prepared by: Cherry L. Lawson, C.M.C., City Clerk

Recommended by:

A handwritten signature in black ink, appearing to read "David A. Hales".

David A. Hales, City Manager

Attachments:

- March 27, 2017 Special Session Meeting Minutes

SPECIAL SESSION CITY COUNCIL MEETING

City Hall Conference Room
109 E. Olive Street, Bloomington, IL 61701
Monday, March 27, 2017; 5:00 PM

1. Call to Order

The Council convened in Special Session in the Council Chambers, City Hall Building at 5:00 p.m., Monday, March 27, 2017. The meeting was called to order by Mayor Renner.

2. Roll Call

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

Aldermen Joni Painter, Diane Hauman, Mboka Mwilambwe, Scott Black (5:41 PM), Kevin Lower, Jim Fruin, Karen Schmidt, David Sage, Amelia Buragas and Mayor Tari Renner.

Staff present: Jeffrey Jurgens, Corporation Counsel; Cherry Lawson, City Clerk; Brendan Heffner, Police Chief; Austin Grammer, Economic and Development Coordinator; and Diane Crutcher, Center of Performance Development, Inc.

Staff Absent: David Hales, City Manager; and Steve Rasmussen, Assistant City Manager

3. Public Comment

There were no comments offered.

4. Consideration of approving the minutes of the Special City Council Meetings for March 13, 2017.

Mayor Renner asked for a motion to approve the minutes.

Motion by Alderman Hauman second by Alderman Schmidt to approve the minutes as presented.

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

Nays: None

Motion carried.

5. Closed Special Session Meeting

SPECIAL SESSION CITY COUNCIL MEETING
City Hall Conference Room
109 E. Olive Street, Bloomington, IL 61701
Monday, March 27 2017; 5:00 PM
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- A. Land Acquisition 2(c) (5) of 5 ILCS 120/2
- B. Personnel –Section 2(c) (1) of 5 ILCS 120/2

Mayor Renner requested a motion to go into Closed Session per Section 2(c) (5) of 5 ILCS120, and Section 2(c) (1) of 5 ILCS 120/2.

Motion by Alderman Schmidt second by Alderman Hauman to enter into Closed Session Meeting per Section 2(c) (5) of 5 ILCS120, and Section 2(c) (1) of 5 ILCS 120/2.

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

Nays: None

Motion carried.

- 6. Adjourn Closed Session and Return to Open Session

Mayor Renner asked for a motion to adjourn the Closed Session Meeting and return to Open Session.

Motion by Alderman Schmidt seconded by Alderman Hauman to adjourn the Closed Session Meeting and return to Open Session.

Motion Carried (Viva Voce).

- 7. Adjournment

Motion by Alderman Hauman seconded by Alderman Schmidt to adjourn. Time: 5:42 PM.

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

Nays: None

Motion carried.

CITY OF BLOOMINGTON

ATTEST

Tari Renner, Mayor

Cherry L. Lawson, City Clerk



**SPECIAL SESSION MEETING
AGENDA ITEM NO. 7A/7B**

FOR COUNCIL: April 10, 2017

SUBJECT: Consideration of adopting a Resolution supporting the 2017 Illinois Municipal League's (IML) Agenda and the Financial and Capital Needs of the City of Bloomington.

RECOMMENDATION/MOTION: That the Resolution be adopted supporting the 2017 Illinois Municipal Agenda and Calling for the Support of Certain Financial and Capital Needs of the City of Bloomington, and authorize the Mayor and City Clerk to execute the necessary documents.

STRATEGIC PLAN LINK: Goal 5. Great Place to Live – Livable, Sustainable City.

STRATEGIC PLAN SIGNIFICANCE: Objective 5b. City decisions consistent with plans and policies.

BACKGROUND: Since 1913, the Illinois Municipal League (IML) has been the collective voice of cities, villages and towns, currently representing nearly 1,300 communities including the City of Bloomington. By educating members about current legislative issues and advocating on their behalf, the IML ensures that local elected officials and their constituents are represented in the decision-making process.

The IML has established a Legislative Agenda for 2017, focusing on five key issue areas: Municipal Authority; Municipal Revenue and Taxation; Meetings, Public Records and Notifications; Labor Law, Compensation and Employment Benefits; and Intergovernmental Cooperation. Specifically on this year's agenda are the topics of:

- Public Safety Pension Fund Consolidation
- Automatic Appropriation Authority for Local Funds
- Extension of Home Rule Eligibility
- Federal Definition of "Catastrophic Injury" in PSEBA Law
- Public Safety Employee Arbitration Reform
- Reinstatement of Public Duty Doctrine
- Assess Interest on Overdue Utility Payments
- Protect Equalized Assessed Value of Property
- Application Fee Provision for Telecom Utility Access to Public Right-Of-Way
- Notification to Taxing Bodies of Petition to Reduce Equalized Assessed Value
- Allow Municipalities to Select the Form of Surety used by Developers
- Sensible Change to Bidding Municipal Services

In addition to the IML's 2017 Agenda, staff is requesting support for the following financial and capital needs items specific to the City of Bloomington:

- Maintaining and even increasing the municipal share of Local Government Distributive Fund (LGDF) revenue. The LGDF distributions play a crucial role in keeping the local tax burden low, and additional LGDF revenues could be used to help offset costs incurred from unfunded state mandates.
- The Fox Creek Road Bridge replacement proposed will provide pedestrian and bike access over the Union Pacific railroad and increase the safety and capacity of Fox Creek Road. Approximately \$2.3 million, (60%) of the bridge replacement costs are eligible for reimbursement from the Illinois Commerce Commission's (ICC) Grade Crossing Protection Fund (GCPF).
- City Council's adoption of Resolution No. 2014-52 on October 28, 2014, identifying priority Illinois Department of Transportation (IDOT) projects, and requested that IDOT give priority and attention to the following projects within the City:
 - a. **Rerouting U.S. Route 150/IL Route 9**: The current routing of U.S. Route 150/IL Route 9 along Lee Street from Empire Street to Locust Street is detrimental to the neighborhood character and public safety. It also poorly serves the trucking industry. Accordingly, rerouting this section to U.S. Business 51 on Center Street would be fairly inexpensive and easily achieved. This would involve converting Locust to two-way traffic from Lee Street to Main Street to accommodate the necessary rerouting.
 - b. **Veterans Parkway and Illinois Route 9**: Substantial improvements are needed to the intersection at Veterans Parkway and Illinois Route 9. The City requests that IDOT move forward with the traffic congestion mitigation phase one engineering study that has been budgeted in the past. Advance preemption capabilities to improve response time and adaptive traffic signal control are also necessary for public safety.
 - c. **Hamilton Road Extension**: An extension of Hamilton Road on the southeast side, from Bunn Street to Commerce Parkway, is necessary to improve the east-west arterial streets within the City. This would have a substantial economic impact, but the project is estimated to cost \$14.5 million. Accordingly, the City seeks the assistance of IDOT in completing the project.

As many of the issues outlined in the IML's 2017 Legislative Agenda are of key importance to the City of Bloomington and other communities throughout the State of Illinois, and there are financial and capital needs specific to the City of Bloomington, the City seeks to formally lend its support by adoption of a resolution.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable.

FINANCIAL IMPACT: Not applicable.

NUMBER OF REQUIRED VOTES TO APPROVE THE ITEM:

Respectfully submitted for Council consideration.

Prepared by: Melissa Hon, Assistant to the City Manager

Financial & budgetary review by: Carla A. Murillo, Budget Manager

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:



David A. Hales
City Manager

Attachments:

- Resolution
- Illinois Municipal League 2017 Legislative Agenda
- Illinois Municipal League 2017 Moving Cities Forward

RESOLUTION NO. 2017 - __

**A RESOLUTION SUPPORTING THE 2017 ILLINOIS MUNICIPAL LEAGUE'S
LEGISLATIVE AGENDA AND CALLING FOR THE SUPPORT OF CERTAIN
FINANCIAL AND MAJOR CAPITAL NEEDS OF THE CITY OF BLOOMINGTON**

PART 1 - THE 2017 ILLINOIS MUNICIPAL LEAGUE'S LEGISLATIVE AGENDA

WHEREAS, since 1913, the Illinois Municipal League (IML) has been the collective voice of cities, villages, and towns; and

WHEREAS, the IML currently represents nearly 1,300 communities including the City of Bloomington; and

WHEREAS, by educating members about current legislative issues and advocating on their behalf, the IML ensures that local elected officials and their constituents are represented in the decision-making process; and

WHEREAS, the IML has established a Legislative Agenda for 2017, focusing on twelve key areas; and

WHEREAS, many of the issues included in the IML's 2017 Legislative Agenda are of key importance to the City of Bloomington and other communities throughout the State of Illinois; and

PART 2- THE FINANCIAL AND MAJOR CAPITAL NEEDS OF THE CITY OF BLOOMINGTON

WHEREAS, the City Council supports maintaining and even increasing the municipal share of Local Government Distributive Fund (LGDF) revenue, and LGDF distributions play a crucial role in keeping the local tax burden low, and additional LGDF revenues could be used to help offset costs incurred from unfunded state mandates; and

WHEREAS, The Fox Creek Road Bridge replacement is being proposed to provide pedestrian and bike access over the Union Pacific railroad and to increase the safety and capacity of Fox Creek Road, and approximately \$2.3 million (60%) of the bridge replacement costs are eligible for reimbursement from the Illinois Commerce Commission's (ICC) Grade Crossing Protection Fund (GCPF); and

WHEREAS, the City Council adopted Resolution No. 2014-52 on October 28, 2014, identifying priority Illinois Department of Transportation (IDOT) projects, and requested that IDOT give priority and attention to the following projects within the City:

Rerouting U.S. Route 150/IL Route 9: The current routing of U.S. Route 150/IL Route 9 along Lee Street from Empire Street to Locust Street is detrimental to the neighborhood character and public safety. It also poorly serves the trucking industry. Accordingly, rerouting this section to U.S. Business 51 on Center Street would be fairly inexpensive and easily achieved. This would involve converting Locust to two-way traffic from Lee Street to Main Street to accommodate the necessary rerouting.

Veterans Parkway and Illinois Route 9: Substantial improvements are needed to the intersection at Veterans Parkway and Illinois Route 9. The City requests that IDOT move forward with the traffic congestion mitigation phase one engineering study that has been budgeted in the past. Advance preemption capabilities to improve response time and adaptive traffic signal control are also necessary for public safety.

Hamilton Road Extension: An extension of Hamilton Road on the southeast side, from Bunn Street to Commerce Parkway, is necessary to improve the east-west arterial streets within the City. This would have a substantial economic impact, but the project is estimated to cost \$14.5 million. Accordingly, the City seeks the assistance of IDOT in completing the project.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BLOOMINGTON, ILLINOIS:

That the Mayor and the City Council of the City of Bloomington hereby endorse and support the 2017 Illinois Municipal League's Legislative Agenda and further calls for the support of the City projects referenced within this resolution.

ADOPTED this ____ day of April, 2017

APPROVED this ____ day of April, 2017.

CITY OF BLOOMINGTON

ATTEST

Tari Renner, Mayor

Cherry L. Lawson, City Clerk

APPROVED AS TO FORM

Jeffrey P. Jurgens, Corporation Counsel



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2017 LEGISLATIVE AGENDA



2/10/17

Legislative Issue Areas



MUNICIPAL AUTHORITY

The operation of municipalities is a complex task that requires partnerships with both the federal and state government. The enactment of laws and regulations that preempt local authority only hinders the ability of municipal officials to meet the needs of residents and address community problems. Municipal officials must maintain the autonomy necessary to fulfill their appropriate responsibilities to those who elected them.

MUNICIPAL REVENUE AND TAXATION

Illinois municipalities continue to require additional revenues. The League commends the State for the provision of revenue sharing to Illinois municipalities. This successful partnership must be continued in good faith and in recognition that most of the services that benefit Illinoisans are provided by local government. Municipal governments must also have the autonomy to address their local revenue needs.

MEETINGS, PUBLIC RECORDS AND NOTIFICATIONS

The Illinois Municipal League believes that a vibrant democracy requires the active participation of an engaged citizenry. Citizens elect their local leaders and have an obligation to hold their leaders accountable. The Open Meetings Act, Freedom of Information Act and public notification laws are essential accountability mechanisms. These laws must be balanced to consider staff obligations, personnel information sensitivities, evolving technology and occasional abuses of the process by those seeking public information.

LABOR LAW, COMPENSATION AND EMPLOYMENT BENEFITS

As with the private sector, compensation and benefits decisions involving local government employees are appropriately made by the employer. Wages and benefits must balance the interests of the employee, employer and taxpayer. The General Assembly and Governor must avoid approving policies that increase the costs of municipal compensation, benefits and personnel without providing revenues to offset the financial obligations created by their actions. Existing state labor and employment policies must also be reexamined with the intent of ensuring that local governments can maintain personnel costs at sustainable levels.

INTERGOVERNMENTAL COOPERATION

Local governments and Illinois taxpayers benefit from the broad authority that allows local governments to cooperatively pool resources and share services. Service cooperation and consolidation reduces the cost of local governments, eliminates redundancies and appropriates resources wisely and effectively.

Illinois Municipal League: 2017 Legislative Agenda

PUBLIC SAFETY PENSION FUND CONSOLIDATION

HB 2682 – SPONSOR: Rep. Spain (R-Peoria)

ISSUE:

Public safety pension costs continue to increase and threaten to divert available municipal revenues away from funding other important programs and services intended to secure the health, safety and welfare of municipal residents. Benefit reductions appear highly unlikely following court decisions upholding what appears to be an absolutist interpretation of the “impairment clause” within the Illinois Constitution. The existence of 663 separate municipal public safety pension funds restricts investment opportunities and creates overlapping administrative expenses.

IML SOLUTION:

Combining administrative functions among the municipal public safety pension funds would reduce administrative costs and result in savings to municipalities and taxpayers. Consolidating investment dollars among the 663 municipal public safety pension funds would increase investment returns by allowing for added diversification and expanded investment authority.

AUTOMATIC APPROPRIATION AUTHORITY FOR LOCAL FUNDS

HB 617 – SPONSOR: Rep. McCombie (R-Savanna)

ISSUE:

Annual appropriation authority is required for Motor Fuel Tax (MFT), casino gaming, video gaming, Use Tax and 9-1-1 revenues to be distributed to municipalities. As we learned during the 2016 Fiscal Year, an annual appropriation requirement can prevent these funds from being distributed, despite the fact that they are non-General Revenue Funds and do not affect state government budgets.

IML SOLUTION:

Amend the Motor Fuel Tax, casino gaming, video gaming, Use Tax and 9-1-1 revenue laws to make them continuing appropriations so funds are automatically distributed (as with Local Government Distributive Fund revenue) without the need for an annual appropriation enactment by the General Assembly and Governor.

EXPANSION OF HOME RULE ELIGIBILITY

SJRC 9 – SPONSOR: Sen. Hutchinson (D-Olympia Fields)

ISSUE:

Municipalities of varying sizes must address similar problems and should have a broad array of powers available to meet community challenges. The Illinois Constitution automatically grants home rule status to municipalities that reach a population threshold in excess of 25,000 residents. Non-home rule communities are granted limited authority compared to home rule communities.

IML SOLUTION:

Grant municipalities with populations in excess of 5,000 residents home rule status. This would provide 171 communities with additional tools that they do not presently possess to address local issues. There are currently 213 home rule communities established either by population or referendum.

FEDERAL DEFINITION OF “CATASTROPHIC INJURY” IN PSEBA LAW

HB 2352 – SPONSOR: Rep. Ives (R-Wheaton)

ISSUE:

The Public Safety Employee Benefits Act (PSEBA) provides taxpayer-funded, lifetime health insurance benefits to police officers and firefighters, their spouses and dependents up to the age of 26. Eligibility for PSEBA benefits occurs when an employee is “catastrophically injured” while responding to an emergency. The absence of a definition of “catastrophic injury” within the PSEBA statute means that municipalities must pay lifetime health insurance premiums to otherwise able-bodied and employable individuals.

IML SOLUTION:

The ideal solution is to define “catastrophic injury” to mean an injury severe enough to preclude gainful employment. This would entail using the federal definition of “catastrophic injury,” which is found in the federal Public Safety Officer Benefits Act (PSOB).

PUBLIC SAFETY EMPLOYEE ARBITRATION REFORM

HB 797 – SPONSOR: Rep. Sosnowski (R-Rockford)

ISSUE:

Arbitrators are rendering decisions in labor disputes that compel local governments to offer wage and benefit awards that exceed available revenues. This results in budgetary difficulties, service reductions and layoffs to other employees.

IML SOLUTION:

Require arbitrators to base decisions primarily on actual available revenues and a municipality’s current financial status.

REINSTATEMENT OF PUBLIC DUTY DOCTRINE

SB 2029 – SPONSOR: Sen. Clayborne (D-East St. Louis)

ISSUE:

For decades, the common law public duty rule protected governmental entities and their employees from burdensome litigation costs. The public duty rule provides that a governmental entity and its employees do not owe a duty of care to provide services to individual members of the general public, such as police and fire protection services, because public entities owe a broader duty to the public at large. In 2016, the Illinois

Supreme Court ruled 4-3 that the public duty rule is no longer viable in Illinois common law.

IML SOLUTION:

The General Assembly should restore the broad protections previously provided by the common law public duty rule by codifying the public duty rule into statute. This would restore a long-standing policy that has always protected local governments and their employees from litigation costs.



ASSESS INTEREST ON OVERDUE UTILITY PAYMENTS

SB 937 – SPONSOR: Sen. McGuire (D-Crest Hill)

ISSUE:

During the budget impasse of Fiscal Year 2016, the State was not authorized to make utility payments for State facilities throughout Illinois. This led to several municipalities and private utility vendors continuing to provide services in the absence of payments. When the budget impasse was settled and bills were eventually paid, private utility companies such as Ameren and American Water received interest payments along with the vouchered amount. Municipalities providing identical services were not entitled to interest payments.

IML SOLUTION:

The General Assembly should require the State to treat a past due utility bill the same regardless of whether the bill is submitted by a private utility or a municipal utility.

PROTECT EQUALIZED ASSESSED VALUE OF PROPERTY

SB 56 – SPONSOR: Sen. Stadelman (D-Rockford)

ISSUE:

The assessed value of property used to be based solely on the property's "fair cash value." A 2010 law allows for the use of "compulsory sales" as fair comparable sales in the assessment challenge process. This policy results in a reduction in the assessed value of properties within a taxing district. Consequently, local governments must increase the mill rates to sustain the tax dollars needed to support local taxing bodies.

IML SOLUTION:

Eliminate the use of compulsory sales to establish assessed property value during an assessment challenge.

APPLICATION FEE PROVISION FOR TELECOM UTILITY ACCESS

TO PUBLIC RIGHT-OF-WAY – HB 2819 – SPONSOR: Rep. Andersson (R-Geneva)

ISSUE:

The Fourth Judicial Circuit Court found that an application fee for a permit to construct any facility on, over, above, along, upon, across or within a municipal right-of-way by a telecommunications carrier is prohibited.

IML SOLUTION:

The General Assembly should allow communities to apply an application fee to telecommunication carriers that want to gain access to the public right-of-ways.

NOTIFICATION TO TAXING BODIES OF PETITION TO REDUCE EQUALIZED ASSESSED VALUE – SB 1247 – SPONSOR: Sen. Althoff (R-McHenry)

ISSUE:

The Code of Civil Procedure does not require that taxing bodies be notified when a property owner is seeking an action in circuit court to reduce the equalized assessed value (EAV) of their property by \$100,000 or more. Consequently, local governments cannot present evidence challenging the proposed reduction in EAV and would, in any event, be unable to attempt to compensate for such a significant loss of EAV.

IML SOLUTION:

The statute within the Property Tax Code concerning appeals before the Property Tax Appeal Board (35 ILCS 200/16-180) includes a requirement that all affected taxing bodies receive notice from the board of review when a property owner files a petition seeking a reduction in EAV of \$100,000 or greater. A similar provision should be added to the Code of Civil Procedure.

ALLOW MUNICIPALITIES TO SELECT THE FORM OF SURETY USED BY DEVELOPERS – HB 3751 – SPONSOR: Rep. Moylan (D-Des Plaines)

ISSUE:

Throughout Illinois, developers have declared bankruptcy or abandoned partially built developments. This requires the municipality to collect the surety to complete subdivision infrastructure improvements such as streets, water pipes and sidewalks. If the subdivision improvements are guaranteed with a letter of credit, collection of funds is much simpler.

IML SOLUTION:

The General Assembly should restore the authority of municipalities to determine the form of surety that will be accepted for improvements within a subdivision.

SENSIBLE CHANGE TO BIDDING MUNICIPAL SERVICES HB 2681 – SPONSOR: Rep. Sente (D-Vernon Hills)

ISSUE:

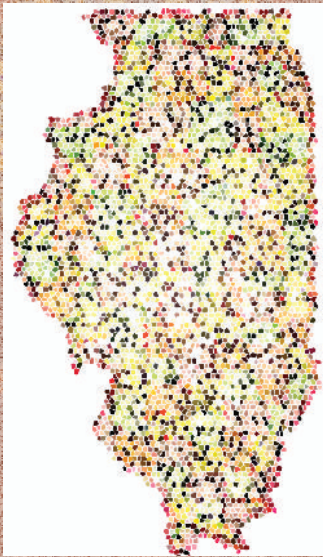
Non-home rule municipalities are prohibited from seeking up-front cost information for services provided by architects, engineers and land surveyors if those services are likely to exceed a cost of \$25,000. This process is known as Qualified Based Selection (QBS). Only after a firm has been selected can a municipality and the selected individual or firm begin negotiations for fees. Using QBS may prevent the local government from finding the best value among firms that meet the necessary qualifications because the traditional bidding system is not allowed.

IML SOLUTION:

Adopt the federal financial threshold for QBS, which would allow municipalities to use the Request for Qualifications (RFQ) process for projects that cost below \$150,000. This process allows municipalities to use a conventional bidding process for hiring professional services.



IML AT A GLANCE



1,298
COMMUNITIES
REPRESENTED



OVER 100 YEARS
OF ADVOCACY



2,000
CONFERENCE
ATTENDEES IN 2016

112,310
WEBSITE VISITS
IN 2016



12,908
MONTHLY MAGAZINE
SUBSCRIPTIONS

ABOUT THE ILLINOIS MUNICIPAL LEAGUE

Municipalities across Illinois provide critical services that citizens rely upon every day. These local municipalities are uniquely qualified to govern themselves, effectively managing their resources for the benefit of their citizens and the State.

Since 1913, the Illinois Municipal League (IML) has been the collective voice of cities, villages and towns. By educating members about current legislative issues and advocating on their behalf, IML ensures that local elected officials and their constituents are represented in the decision-making process.

ILLINOIS MUNICIPAL LEAGUE CORE PRINCIPLES

- Maintain Local Control
- Preserve Home Rule Authority
- Oppose Unfunded Mandates
- Preserve the Rights of Municipalities to Decide Employee Wages and Benefits
- Protect State-Shared Revenues



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KAREN DARCH
Village President
Barrington
IML President



MARK W. ECKERT
Mayor
Belleville
IML First Vice President



EUGENE WILLIAMS
Village President
Lynwood
IML Second Vice President

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www.IML.org



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MOVING CITIES FORWARD

February 21, 2017



MOVING CITIES FORWARD

Illinois' municipalities have reached a critical tipping point that has been worsened by the uncertainty created by the state's problematic financial outlook.

For many years, local leaders have made a series of decisions – difficult decisions – to maintain the financial solvency of their communities. All the while, local leaders have expressed concern that the state's financial problems would spill over and engulf local governments.

Necessary solutions can no longer be deferred. Illinois public policy toward local government is in need of immediate reform.

The “Moving Cities Forward” platform includes several significant solutions prioritized by the cities, villages and towns throughout Illinois. Several of these solutions have been sought by municipal leaders for many years. Some have been included within the Illinois Municipal League's (IML) legislative agenda and approved as resolutions by the IML membership. The purpose of the “Moving Cities Forward” legislative proposal is to reemphasize that these issues remain priorities and to urge state leaders to actively seek to support their cities, villages and towns.

Bills have been introduced for most initiatives in the “Moving Cities Forward” proposal. In some cases, IML will seek to include proposals currently without bill numbers into a broader budget and reform package.



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Moving Cities Forward

AUTOMATIC APPROPRIATION AUTHORITY FOR LOCAL FUNDS

HB 617 (Rep. McCombie)

Policy Objective: Require several local revenue sources that are collected and distributed by the state to become continuing appropriations so that funds are automatically distributed to local governments and not dependent on the budget process.

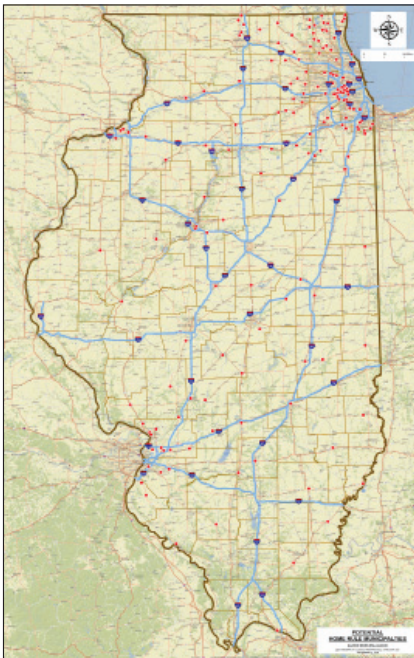
Problem: Annual appropriation authority is required for Motor Fuel Tax (MFT), casino gaming, video gaming, Use Tax and 9-1-1 revenues to be distributed to municipalities. As we learned during the 2016 fiscal year, an annual appropriation requirement can prevent these funds from being distributed, despite the fact that they are non-General Revenue Funds and do not affect state government budgets.

Solution: Amend the Motor Fuel Tax, casino gaming, video gaming, Use Tax and 9-1-1 revenue laws to make them continuing appropriations so funds are automatically distributed (as with Local Government Distributive Fund revenue) without the need for an annual appropriation enactment by the General Assembly and Governor.



EXPANSION OF HOME RULE ELIGIBILITY

SJRCA 9 (Sen. Hutchinson)



Policy Objective: Amend the Illinois Constitution to expand eligibility for home rule status to give all municipalities that reach a population above 5,000 residents additional governing tools to meet the needs of their communities.

Problem: Municipalities of varying sizes must address similar problems and should have a broad array of powers available to meet community challenges. The Illinois Constitution automatically grants home rule status to municipalities that reach a population in excess of 25,000 residents. Non-home rule communities are granted limited authority compared to home rule communities.

Solution: Grant municipalities with populations in excess of 5,000 residents home rule status. This would provide 171 communities with additional tools that they do not presently possess to address local issues. There are currently 213 home rule communities established either by population or referendum.

CONSTITUTIONAL AMENDMENT TO LIMIT FUTURE STATE MANDATES

HJRCA 24 (Rep. Durkin)



Policy Objective: Amend the Illinois Constitution to require the state to fund state mandates.

Problem: The General Assembly frequently imposes unfunded state mandates on local governments. This increases the cost to local taxpayers and affects local government services.

Solution: The Illinois Constitution should be amended to require a three-fourths majority vote in order to impose an unfunded mandate on a unit of local government or school district. The intent would be to make it more difficult to impose an unfunded mandate unless a clear and compelling public policy purpose exists for raising local government operating costs.

PUBLIC SAFETY ARBITRATION REFORM

HB 797 (Rep. Sosnowski)

Policy Objective: Require the arbitration process to recognize the financial limitations that constrain municipal budgets.

Problem: Arbitrators are rendering decisions in labor disputes that compel local governments to offer wage and benefit awards that exceed available revenues. This results in budgetary difficulties, service reductions and layoffs to other employees.

Solution: Require arbitrators to base decisions on actual available revenues and a municipality's current financial situation.



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PUBLIC SAFETY PENSION CONSOLIDATION

HB 2682 (Rep. Spain)



Policy Objective: Address long-term costs by consolidating 663 separate public safety pension funds into a single fund for greater efficiency.

Problem: Public safety pension costs continue to increase and threaten to divert available municipal revenues away from funding other important programs and services intended to secure the health, safety and welfare of municipal residents.

Solution: Non-benefit reforms remain viable options for both short-term cost management and long-term cost reduction because such reforms would not be prohibited by the Illinois Constitution. Consolidating the 663 separate suburban and downstate public safety pension funds would reduce duplicative administrative costs and expand investment authority to achieve higher returns to offset the costs to municipalities and their taxpayers.

OPTIONAL UNFUNDED MANDATES FOR COMMUNITIES WITH FEWER FINANCIAL RESOURCES

HB 788 (Rep. Demmer)

Policy Objective: Allow local governments to exempt themselves from unfunded mandates that would create an unfeasible economic burden.

Problem: Unfunded state mandates only increase the costs of local governments. Additional mandates are imposed each year over the opposition of local governments. Some local governments are less able to absorb the costs of new mandates.

Solution: Allowing local governments to exempt themselves from specific unfunded mandates by a majority vote of the corporate authorities would reduce unwanted costs and protect the integrity of local revenue streams and budgets.



REASONABLE EXEMPTIONS FROM PREVAILING WAGE

SB 1360 (Sen. Rooney)

Policy Objective: Allow for reasonable exemptions from the Prevailing Wage Act.

Problem: Studies in other states and localities demonstrate that prevailing wage laws add significant costs to public construction projects. The Illinois Prevailing Wage Act should provide some measure of relief for public bodies and their taxpayers.

Solution: Amend the Prevailing Wage Act to provide an exemption for public works projects valued up to a specific dollar amount.

WORKERS' COMPENSATION REFORMS

Policy Objective #1: Reduce employer costs under the Workers' Compensation Act by reducing the number of weeks used to calculate Permanent Partial Disability benefits.

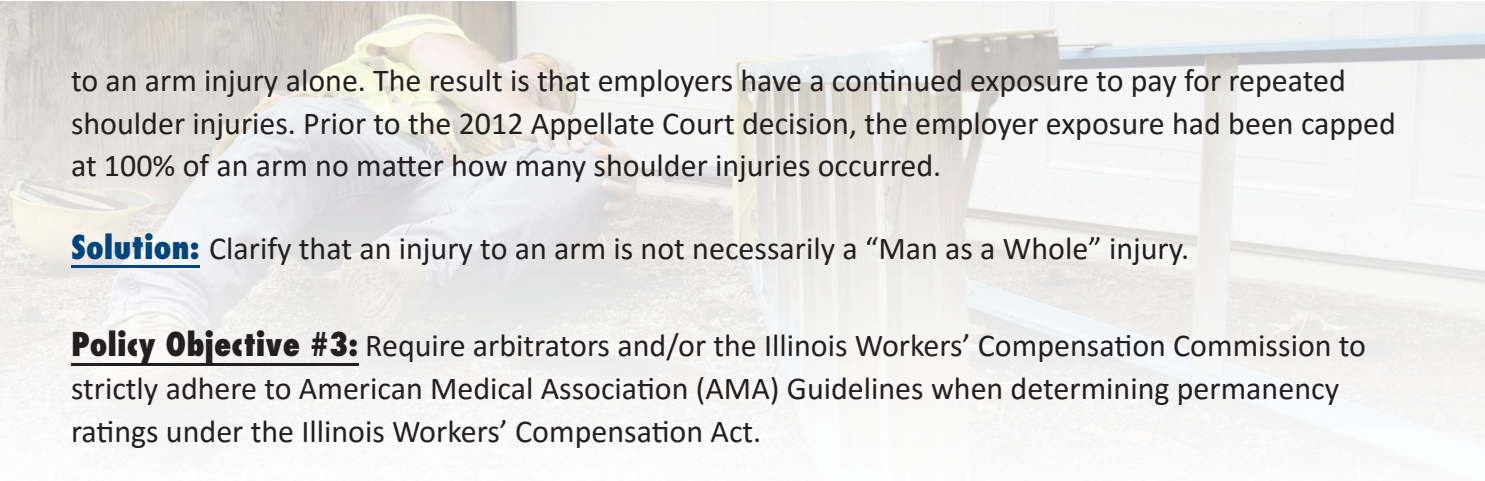
Problem: In July 2005, the Workers' Compensation Act was amended to change certain factors of compensation under the Act. This included the amount of compensation for non-fatal permanent partial disability under the "loss of use" schedule. The number of weeks for each injury under the schedule was increased by 7.5 percent. The change resulted in a significant increase in compensable amounts and higher employer costs.

Solution: Amend the Workers' Compensation Act to revert the compensation amounts and calculations back to the pre-July 2005 levels.

Policy Objective #2: Modify the Workers' Compensation Act to reduce the number of weeks that benefits are paid for a shoulder injury.

Problem: In 2012, the Illinois Appellate Court issued a ruling in *Will County Forest Preserve District v. Illinois Workers' Compensation Commission* to affirm an arbitrator and Illinois Workers' Compensation Commission decision that an injury to the claimant's shoulder entitled them to "Man as a Whole" compensation rather than compensation on the schedule as





to an arm injury alone. The result is that employers have a continued exposure to pay for repeated shoulder injuries. Prior to the 2012 Appellate Court decision, the employer exposure had been capped at 100% of an arm no matter how many shoulder injuries occurred.

Solution: Clarify that an injury to an arm is not necessarily a “Man as a Whole” injury.

Policy Objective #3: Require arbitrators and/or the Illinois Workers’ Compensation Commission to strictly adhere to American Medical Association (AMA) Guidelines when determining permanency ratings under the Illinois Workers’ Compensation Act.

Problem: In 2011, the Workers’ Compensation Act was amended to add the AMA Guidelines to Permanent Impairment to the list of criteria that should be used to determine permanency. A review of arbitrator decisions and anecdotal evidence from defense counsel shows that the guidelines are being applied inconsistently. Subjective impairment ratings provided by physicians, along with historic decisions of the Illinois Workers’ Compensation Commission (prior to the changes), are being admitted and given weight in new cases, greatly reducing the potential value of the change.

Solution: Mandate use of the AMA Guidelines to Permanent Impairment based upon the most current edition at the time of the rating or review. The statute also likely needs to be changed so that no weight is given to physician impairment ratings that are subjectively arrived at, or historic rating decisions of the Illinois Workers’ Compensation Commission.

TOUGHER SENTENCING FOR REPEAT GUN OFFENDERS

Policy Objective: Reduce gun crime violence perpetuated by repeat offenders by enhancing criminal sentencing to remove the most violent persons from Illinois’ cities, villages and towns.

Problem: Illinois has seen a proliferation of gun crime violence that shows no sign of abating.

Solution: State law should mandate that repeat gun crime offenders serve longer prison sentences.





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