

**SUMMEARY MINUTES  
PUBLISHED BY THE AUTHORITY OF THE CITY COUNCIL  
OF BLOOMINGTON, ILLINOIS MONDAY, FEBRUARY 26, 2018; 7:00 P.M.**

The Council convened in Regular Session in the Council Chambers, City Hall Building, at 7:00 p.m., Monday, February 26, 2018.

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

Aldermen: Jamie Mathy (Phone), David Sage, Mboka Mwilambwe, Amelia Buragas, Scott Black, Joni Painter, Diana Hauman, Kim Bray, Karen Schmidt, and Mayor Tari Renner.

Staff Present: Steve Rasmussen, Interim City Manager, Jeffrey Jurgens; Corporation Counsel, Cherry Lawson, City Clerk; Patti-Lynn Silva, Finance Director; Greg Scott, Assistant Chief of Police; Brian Mohr, Fire Chief, Scott Sprouls, IS Director; Nicole Albertson, Human Resource Director; Jim Karch, Public Works Director; Bob Yehl, Water Director; and other City staff were also present.

Mayor Renner asked for a motion to allow Alderman Jamie Mathy to participate in the meeting electronically as he is away on business.

**Motion by Alderman Schmidt and seconded by Alderman Sage that Alderman Mathy be permitted to dial in and participate through telephone.**

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

**Nays: None**

**Recuse: Alderman Jamie Mathy**

**Motion carried**

Mayor Renner stated Alderman Schmidt would like to offer a motion on the Council Agenda.

Alderman Schmidt stated in reviewing the Council Agenda, they realized that though Item 8C is on the agenda for action, the item was actually supposed to be discussed on a Work Session or Committee of the Whole Meeting Agenda.

**Motion by Alderman Schmidt and seconded by Alderman Painter that Item 8(C), the MOU with the BCPA, on the agenda be moved up for the purpose of tabling it to a future meeting; and**

**Ayes: Aldermen Sage, Mwilambwe, Buragas, Painter, Schmidt, Black, Hauman, Mathy and Bray.**

**Nays: None**

Motion carried

Motion by Alderman Schmidt and seconded by Alderman Painter that in accordance with a previous motion to have this item tabled to a Work Session or Committee Of The Whole meeting, I move to table the consideration of the MOU with the BCPA to a Work Session to be held on March 12, 2018.

Motion carried. (Viva Voce)

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

Nays: None

Motion carried

### Recognition/Appointments

- A. Appointment of Gary McGinnis to the Bloomington Human Relations Commission.
- B. Appointment of Robert Garcia to the Property Maintenance Review Board.

### Public Comment

|   |   |
|---|---|
| William Raw                                   | Jesse Smart                               |
| Donna Boelen                                  | Judy Stearns                              |
| Scott Stimeley                                | Doug Schnittker                           |
| Robert Bosquez                                | Glen Ludwig ( <i>Did not speak</i> )      |
| Leon Kaeb                                     | Jim Grossman                              |
| Sue Feldkamp                                  | Tony Sgarlata                             |
| Betty Toland                                  | Gary Lambert                              |
| Barbara Gaffron ( <i>Time did not allow</i> ) | Ron Delaney ( <i>Time did not allow</i> ) |
| Renee Nestler ( <i>Time did not allow</i> )   | Lane Hansen ( <i>Time did not allow</i> ) |
| Bruce Meeks ( <i>Time did not allow</i> )     | Carl Sneed ( <i>Time did not allow</i> )  |

### “Consent Agenda”

*Items listed on the Consent Agenda are approved with one motion, and is provided in **BOLD**, and items that Council pull from the Consent Agenda for discussion are listed with a notation **Pulled from the Consent Agenda**.*

**Motion by Alderman Schmidt and seconded by Alderman Sage that the Consent Agenda and Addendum be approved with the exception of 7A and 7I.**

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

**Ayes: Aldermen Mathy, Sage, Mwilambwe, Buragas, Black, Painter, Hauman, Bray, and Schmidt.**

**Nays: None.**

**Motion carried.**

The following was presented:

Item 7A. Consideration of approving the Minutes of the February 12, 2018 Regular City Council Meeting. *(Recommend the reading of minutes be dispensed and approved as printed.)* **Item pulled from the Consent Agenda for discussion.**

Alderman Bray, in reviewing the minutes, the last section of the minutes, contained an area which states, Aldermen Comments. As we know, we [Council] participated in some robust comments, and exchanges of ideas. Those are not reflective in the current version of the minutes. And so, my suggestion is that we strike this item from tonight's agenda, for revisions that are more reflective of the exchanges and bring that back at another time.

Mayor Renner said, is that a motion. So you are saying want to approve the minutes with the exception of the summary of the Aldermen Comments.

Alderman Bray, I would like to...the motion is to strike the 7A from the tonight's meeting, and we take a pause and an opportunity to go back and review carefully the minutes from the February 12, Meeting and bring those back at another meeting in the future.

Mayor Renner, are you asking the Alderman to bring it back? I am asking for clarification for our county no, city clerk.

Alderman Bray, I am asking that we have an opportunity to review and give some revisions to the Clerk as well as to the Interim City Manager revisions. In this one particular section are more reflective of the exchanges and perhaps in other areas as well. Alderman Sage seconded that motion.

Mayor Renner asked if there were any comments.

Alderman Buragas, so I just want to make sure that I understand what you are looking for Alderman Bray. So, the minutes as they stand are a general overview of comments, they are not terribly specific which standard practice is. Are you asking that we change our standard practice to be more specific, or do you the current summary is not in any way accurate.

Alderman Bray, thank you for your question Alderman Buragas, the latter.

Mayor Renner, are you okay? It looks as though you have a puzzled look.

Ms. Lawson, Alderman Bray would you like to have the Mayor's Comments as well as the Aldermanic Comments added to the minutes to be more reflective of that meeting?

Alderman Bray I would like for us to step away and study what these Aldermen Comments are supposed represent which would be accurate statements of the exchange. I don't find that they currently do that. So, I would like for them to be pulled from tonight's meeting, and everyone have an opportunity to review them and perhaps submit their own comments of what was exchanged, and that we bring them back at a future meeting.

**Motion by Alderman Bray, seconded by Alderman Sage that Council have an opportunity to review and give some revisions to the Clerk as well as to the Interim City Manager revisions. In this one particular section are more reflective of the exchanges and perhaps in other areas as well.**

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

**Ayes: Aldermen Mathy, Sage, Mwilambwe, Buragas, Black, Painter, Hauman, Bray, and Schmidt.**

**Nays: None.**

**Motion carried.**

The following was presented:

Item 7B. Consideration of approving Bills, Payroll, Procurement Card Purchases, and Electronic Transfers in the amount of \$6,541,844.88. *(Recommend the Bills, Payroll, Procurement Card Purchases, and Electronic Transfers be allowed in the amount of \$6,541,844.88, and orders drawn on the Treasurer for the various amounts as funds are available.)*

The following was presented:

Item 7C. Consideration of Approving Appointments to Various Boards and Commissions. *(Recommend Gary McGinnis be appointed to the Bloomington Human Relations Commission and Robert Garcia be appointed to the Property Maintenance Review Board.)*

The following was presented:

Item 7D. Consideration of approving the Revised Schedule for Council Meeting and Council related Boards and Commission Meeting dates for the 2018 Calendar Year to include the Public Safety and Community Relations Board. *(Recommend Council approve the Revised 2018 Calendar of Meeting dates for the City Council and Council related Boards and Commissions.)*

The following was presented:

Item 7E. Consideration of approving an annual software licensing, hosting and maintenance purchase with Kronos, Inc. for Workforce Management Suite and Workforce TeleStaff software subscription in the amount of \$106,950.00, as proposed by the Information Services department. *(Recommend an annual*

*renewal for cloud-based software licensing, hosting and maintenance with Kronos, Inc., for Kronos Workforce Management Suite and Workforce TeleStaff in the amount of \$106,950.00 be approved and the Purchasing Agent be authorized to issue a purchase order for the same.)*

The following was presented:

Item 7F. Consideration of an Agreement with Central Illinois Regional Broadband Network (CIRBN) to replace current Wide Area Network (WAN) circuits for multiple remote City-owned locations for a total agreement price of \$85,781.76, as requested by the Information Services Department. *(Recommend a sixty (60) month agreement (Alternate 1) with Central Illinois Regional Broadband Network, coordinated by the Information Services Department, to provide Wide Area Network (WAN) circuits for City-owned remote locations at Miller Park Zoo, Highland Park Golf Course, Prairie Vista Golf Course, The Den Golf Course and Market Street Parking Garage be approved in the amount of \$85,781.76, and authorize the Interim City Manager and City Clerk to execute the necessary documents.)*

The following was presented:

Item 7G. Consideration of approving a ground lease with Citizens Equity First Credit Union (CEFCU) in the amount of \$14,400 to install and maintain an automated teller machine (ATM) in the parking lot of the Creativity Center, as requested by the Parks, Recreation & Cultural Arts Department. *(Recommend approving a ground lease with Citizens Equity First Credit Union (CEFCU) in the amount of \$14,400 for the installation and maintenance of an ATM in the parking lot, and authorize the Mayor and City Clerk to execute the necessary documents.)*

The following was presented:

Item 7H. Consideration of approving two lease term extensions included in the Short-Term Farm Leases for the 2018 crop season for Farm Lease Numbers 8827 and 8425, as requested by the Legal, Water, and Parks, Recreation & Cultural Arts Departments. *(Recommend two 2018 Short-Term Farm Lease term extensions be approved for Farm Lease Numbers 8827 and 8425, and the Interim City Manager and City Clerk be authorized to execute the necessary documents.)*

The following was presented:

Item 7I. Consideration of approving a bid (BID #2018-28) from Coker Family Inc., d/b/a Battery Specialists + Golf Cars and Contract to provide a new fleet of golf carts for Prairie Vista Golf Course in the amount of \$155,753.80 as requested by the Parks, Recreation & Cultural Arts Department. *(Recommend a bid from Coker Family Inc., d/b/a Battery Specialists + Golf Cars in the total of \$155,753.80 for the purchase a fleet of 60 golf carts at Prairie Vista Golf Course be approved, and the Interim City Manager and City Clerk be authorized to execute the Contract for the golf carts.)* **Item pulled from the Consent Agenda for discussion.**

Alderman Bray, stated she has a few questions about the item. On in this initiative, or this recommendation, there is a purchase of some new golf cars and carts for the Prairie Vista, is that correct?

Mr. Tetzloff, yes. Alderwoman Bray, does this represent all of the carts, are we replacing all carts or just a portion of them? Mr. Tetzloff, all of the carts.

Mr. Wingate affirmed stating, all of the carts. Alderman Bray, I believe that in replacing with new, are we going to up fees because we have a new and improved experience, or? Maybe explain a little bit about what fees might look like.

Mr. Wingate, we actually just increased the cart fee just last year to try to start to get some money for this purchase. There's no plan now to increase that for this coming year.

Alderman Bray, is there a plan to sell the old carts? Do they have some residual value, salvage value? Mr. Wingate stated, the carts will be traded into the Coker Family, and they will be giving us an allowance of \$132,764.60 as a trade in.

Alderman Mathy, according to our package, we have an option to replace the batteries in the existing carts for \$51,000, or replace all of them for \$155,000. Is there more to this why we're making the choice to spend that extra \$100,000? He asked for clarification.

Mr. Wingate, the batteries are just part of the equation. The carts themselves right now are six years old, and other components are also starting to fail. With that large amount of money going into those, it really forces us to keep those longer than what we would want to, and we would see other expensive things like controllers, tires, need to be replaced. Other things would really start to add up with that, so that was why the decision was made. The batteries are just a part of it, but other things are starting to go as well.

Alderman Mathy, it looks like we're upgrading from electric carts to gas carts, as part of this move. Are we given to believe then that every six years, or thereabouts, we're going to have the same capital expense recurring?

Mr. Wingate, the plan right now with the gas carts is we could see a longer life expectancy into those, somewhere in the neighborhood, hopefully, of eight to 10 years on those. Without the need to replace the batteries, we could then keep the carts longer.

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

**Motion by Alderman Bray, seconded by that a bid from Coker Family Inc., d/b/a Battery Specialists + Golf Cars in the total of \$155,753.80 for the purchase a fleet of 60 golf carts at Prairie Vista Golf Course be approved, and the Interim City Manager and City Clerk be authorized to execute the Contract for the golf carts**

**Ayes: Aldermen Mathy, Sage, Mwilambwe, Buragas, Black, Painter, Hauman, Bray, and Schmidt.**

**Nays: None.**

**Motion carried.**

The following was presented:

Item 7J. Consideration of approving a Resolution Waiving the Technical Bidding Requirements and approving a Contract for household refuse services at Lake Bloomington for lake lessees with American

Disposal Services of Illinois, Inc. d/b/a Republic Services of Bloomington as requested by the Water Department. *(Recommend a Resolution be approved Waiving the Technical Bidding Requirements and approving a Contract for household refuse services at Lake Bloomington for lake lessees with American Disposal Services of Illinois, Inc. d/b/a Republic Services of Bloomington in the amount of \$2,084.55 per month for a yearly total of \$25,014.60, and the Mayor and City Clerk be authorized to execute the Resolution, the Interim City Manager and City Clerk be authorized to execute any other necessary documents, and the Purchasing Agent be authorized to issue a Purchase Order for the same.)*

RESOLUTION NO. 2018 – 08

A RESOLUTION WAIVING THE TECHNICAL BIDDING REQUIREMENTS AND APPROVING A CONTRACT FOR REFUSE SERVICES AT LAKE BLOOMINGTON WITH REPUBLIC SERVICES

The following was presented:

Item 7K. Consideration of a Resolution Waiving the Formal bidding process and approving the purchase of paint from Diamond Vogel for White and Yellow Traffic Line Paint and Beads in an amount not to exceed \$75,000 for FY 2019, as requested by Public Works – Street Maintenance Department. *(Recommend that: (1) a Resolution Waiving the Formal Bidding Process be approved and authorize the Mayor and City Clerk to execute the resolution; and (2) the purchase of White and Yellow High Durability Latex Traffic Line Paint and Glass Beads from Diamond Vogel Paint at \$11.50 per gallon of paint and \$.45 cents per pound of beads, not to exceed \$75,000 during Fiscal Year 2019, be approved and the Mayor and City Clerk be authorized to execute the Resolution, the Purchasing Agent be authorized to issue a Purchase Order for same and the Interim City Manager authorized to execute any necessary documentation for the purchase.)*

RESOLUTION NO. 2018 – 09

A RESOLUTION AUTHORIZING WAIVING THE TECHNICAL BIDDING REQUIREMENTS AND APPROVING THE PURCHASE OF TRAFFIC LINE PAINT AND GLASS BEADS FROM DIAMOND VOGLE PAINT

The following was presented:

Item 7L. Consideration of an Ordinance amending the FY2018 Budget in the amount of \$85,550, and approve a Professional Services Contract with Shive Hattery Architect and Engineering for Professional Architectural, Environmental and Land Surveying Services for Miller Park Additional Parking and Zoo Concessions (RFQ 2016-04) as requested by the Parks, Recreation, and Cultural Arts Department. *(Recommend That: (1) the Ordinance amending the FY2018 Budget in the amount of \$85,550, be approved and the Mayor and City Clerk authorized to execute the Ordinance; and (2) the Professional Services Contract with Shive Hattery Architect and Engineering for Professional Architectural, Environmental and Land Surveying Services for Miller Park Additional Parking and Zoo Concessions be approved, and authorize the Interim City Manager and City Clerk to execute the contract and necessary documents.)*

ORDINANCE NO. 2018 - 10

AN ORDINANCE AMENDING THE BUDGET ORDINANCE  
FOR THE FISCAL YEAR ENDING APRIL 30, 2018

The following was presented:

Item 7M. Consideration of an Ordinance amending the FY2018 budget in the amount of \$73,400, and approval of the bid from NETServices, LLC to erect barrier netting at Prairie Vista at a height of 60 feet and a length 500 feet to provide increased safety for the homeowners along Hamilton Road, as well as users of the Constitution Trail as requested by the Parks, Recreation & Cultural Arts Department. *(Recommend that: (1) an Ordinance amending the FY2018 Budget be approved in the amount of \$73,400, and the Mayor and City Clerk be authorized to execute same; and (2) the low bid (RE-BID #2018-10) in the amount of \$73,400, from NetServices LLC, be accepted and a Contract awarded to erect barrier netting on Hole #18 at Prairie Vista Golf Course, and further authorize the Interim City Manager and City Clerk to execute the necessary documents.)*

ORDINANCE NO. 2018 - 11

AN ORDINANCE AMENDING THE BUDGET ORDINANCE  
FOR THE FISCAL YEAR ENDING APRIL 30, 2018

**“Regular Agenda”**

The following was presented:

Item 8A. Discussion and action on various proposed ordinances to amend Chapter 21 of the City Code regarding the City’s residential solid waste program, including potential modification to the garbage rates and service levels, as requested at the City Council meeting on February 12, 2018.

*(Recommend the City Council make one of the following sample motions:*

*Sample Motion 1 (Ordinance 1): That the Ordinance amending Chapter 21 of the City Code to enact provisions changing solid waste fees (i.e., a flat fee of \$26 for all solid waste program users beginning May 1, 2018 and continual annual increases of 3% thereafter) and service levels to provide bi-weekly bulk collection and bi-weekly brush collection be approved and that the Mayor and City Clerk be authorized to execute the ordinance.*

*Sample Motion 2 (Ordinance 2): That the Ordinance amending Chapter 21 of the City Code to enact provisions changing solid waste fees (i.e., a fee increase of \$4 per month for 95 gallon carts, \$4 per month for 65 gallon carts, and \$0 per month for 35 gallon carts and the low-income fee beginning May 1, 2018 and continual annual increases of 3% thereafter) and service levels to provide spring and fall bulk collection and bi-weekly brush collection be approved and that the Mayor and City Clerk be authorized to execute the ordinance.*

*Sample Motion 3 (Ordinance 3): That the Ordinance amending Chapter 21 of the City Code to enact provisions changing solid waste fees (i.e., a fee increase of \$3 per month for 95 gallon carts, \$3 per month for 65 gallon carts, and \$0 per month for 35 gallon carts and the low-income fee beginning May 1, 2018, and continual annual increases of 3% thereafter) and service levels to provide bulk collection in the spring and fall and bi-weekly brush collection and provide for two shift collection of garbage and*



*recycling be approved and that the Mayor and City Clerk be authorized to execute the ordinance.)  
(Presentation by Jim Karch, Director of Public Works, 10 minutes, City Council discussion, 15 minutes.)*

~~(1) ORDINANCE NO. 2018—00~~

~~AN ORDINANCE AMENDING CHAPTER 21 OF THE CITY CODE TO ENACT PROVISIONS  
CHANGING SOLID WASTE FEES AND SERVICE LEVELS TO PROVIDE BI-WEEKLY  
BULK COLLECTION AND BI-WEEKLY BRUSH COLLECTION~~

(2) ORDINANCE NO. 2018 - 12

AN ORDINANCE AMENDING CHAPTER 21 OF THE CITY CODE TO ENACT PROVISIONS  
CHANGING SOLID WASTE FEES AND SERVICE LEVELS TO PROVIDE SPRING AND  
FALL BULK COLLECTION AND BI-WEEKLY BRUSH COLLECTION

~~(3) ORDINANCE NO. 2018—00~~

~~AN ORDINANCE AMENDING CHAPTER 21 OF THE CITY CODE TO ENACT PROVISIONS  
CHANGING SOLID WASTE FEES AND SERVICE LEVELS TO PROVIDE BULK  
COLLECTION IN THE SPRING AND FALL AND BI-WEEKLY BRUSH COLLECTION~~

Mr. Karch, at the last Council meeting on Feb 12th, the Council directed staff to bring back multiple hybrid options both including service level changes and fee increases so that we can bridge the \$1.1 million, \$1.2 million General Fund subsidy. Tonight, all three of the options before you do provide for the bridging of that gap of the General Fund subsidy. They have been doing some communication outreach with the assistance of Nora Dukowitz, Communication Manager, along with partnering with Michael Brown, of the Ecology Action Center.

The Department of Public Works is working on the below to aid in how service is delivered to the community.

- Leverage other technology in this next year whenever we have new substitute drivers that might not be used to a route.
- Leverage knuckle booms as a way to, not replace the full fleet in one year, but look for opportunities to add that, to supplement that one person-type collection system for maybe brush might be an effective thing.
- Roll offs is another facet at our drop off. We might be able to leverage some additional efficiencies in that area.
- Restructure and reclassify some of our existing staff so that we can better utilize the cyclical nature of the solid waste industry.
- Low income fee discount.
- Ongoing three (3%) percent increase

We have multiple contracts, our landfill disposal, it increases on an annual basis by three (3%) percent. We have construction and demolition contracts that we will be bring to the Council within 60 days

for renewal. Those are increased three (3%) percent on an annual basis. There are, also, annual labor costs that increase.

The Enterprise Fund has never funded itself. When the Council takes action and we have this General Fund subsidy eliminated, you're just bridging a one year gap. There is no reserve fund. There's no accounting for the future with our equipment. They are leeching equipment best management practices to start building up your reserve once you purchase that to pay for cash, instead of leveraging lease payments. We are trying to make sure we also plan for the future.

Mr. Karch spoke on the need for ordinances to deal with landlords, and that his department was working with Community Development and Legal Department in collaboration on many of these issues. We can also look at other aspects of our program that are more business-related such as trailer courts, mobile home units in the range above four. There are many communities that don't serve those higher units, and there are some operational issues with those. The provided an overview of the ordinances for consideration.

Ordinance 1 is that high service level, high fee increase. It's a flat fee. The flat fee system we've told you before publicly is \$26. That would be for every cart, so every cart would cost would be \$26 across the board. That would mean if the council were to choose this option, there would be absolutely no changes in any of the service level that we currently have. Everything would stay the same as we have right now, bi weekly for bulk brush, and weekly for garbage. So again, nothing would change with the drop off facility as well.

Ordinance 2 is where we do have some changes to our service level, and we also have some fee increases, but not as dramatic in that way. So we're trying to balance that. The reason why we say it is not as drastic with some of the service level changes is we are offering free spring and fall collection of bulk waste with no limit of what you put out. But then the key is in January, it's the spring. It's a very low cost for somebody can't bring it to the drop off for extended hours. At \$25 for a bucket, we're trying to keep the cost significantly below what it would be our actual service charge if we were to do full cost recovery.

There would be no change in brush. We would be looking at the drop off to extend those hours to try to make it more accommodating, and more like longer into the evening, so it's better for people to maybe have that nine to five type job, so they can still take their material there as well. That would be a four dollar increase on the 65 gallon and the 95 gallon next year, with no change in the 35 gallon in the low income fee.

Ordinance 3 is that one where we're having more impact to our services, and we're having less increase in our fees. So this would be the spring and fall pick up with the first bucket free, \$25 for a bucket after that. Outside of that, it is full cost recovery. If we go to your site it'd be on demand, we would charge what it cost the city from a labor, equipment, disposal standpoint.

When you come to a whole tree line of brush, there are times when that job is something beyond what a regular citizen can do. This would have less fee increase of three dollars and three dollars, for both the 65 and 95, again, with no change in the 65 gallon cart, as well as the low income fee. He commented about having a two shift collection for garbage and recycling, called "Split Shift." Then we would also charge for additional recycle carts. Right now we provide, additional recycle carts at no additional charge. We charge for those additional recycle carts, but this would also include that free unlimited drop off.

The Town of Normal are looking at some changes with some of their drop off facilities, but they are currently just evaluating that. They did implement some fee increases.

**Motion by Alderman Black to approve Ordinance 2 minus the three (3%) percent per year automatic annual increase.**

There was no second. Motion dies for a lack of second.

Alderman Buragas stated she wish to provide an alternative motion for Option 2. She asked whether other members of Council had a preference to the ordinance options. Mayor Renner asked for Alderman Buragas motion. Alderman Buragas stated she would wait until other Council members have commented before initiating a motion.

Alderman Black stated, it's a political decision that Council have to make here. He wished to advocate very strongly for Option 2 for a couple of reasons. Number one, it's a fair compromise piece. It captures some efficiencies. But it also speaks to kind of the cost that we haven't really been able to address over the last few years. Option 2 allows for that 35-gallon, \$16 per month flat fee. In my mind, if you are producing more trash, you should pay more for it. We raised the fee on the water recently, that's going to take effect in May. We start talking about adding \$10 per month to people who have the smallest carts who may not be producing that much garbage. Option 1 is very troubling because it is not a fair way of going about our solid waste program, because you're having people who are producing less waste subsidizing those who are producing more waste.

Alderman Sage is inclined to support, or at least, desire more conversation about the Option 2, but asked for the rationale for the three (3%) percent, the revision of that.

Alderman Black, the reason that the three (3%) percent should be removed it will force Council to look at those efficiencies as the service delivery that staff discussed. Having an automatic increase may appear to the public we're not incentivizing us to find those efficiencies.

Alderman Mwilambwe, expressed concern about complacency in Council and stated he does not want to be critical of the staff, but there is a tendency to think that if the money keeps coming then, everything's going be okay. He asked Mr. Karch what particular number he trying to achieve.

Mr. Karch stated, the direction from Council that Enterprise Fund should have a 15% reserve fee set aside. Even if you approve whatever you approve tonight with the three (3%) percent, the goal for us is to increase efficiency so we can create that reserve fund. It will take us multiple years at that rate. Even if we find multiple efficiencies and we save that money, it will take us a while. The council has full access to that every year on an annual basis. If within the reserve fund you don't see the efficiencies, that is where you have to hold, as a staff, hold me accountable for not coming through on what we're telling you we will do. It allows us to have the ability to fix this from an efficiency standpoint and get those healthy practices in place.

Mr. Karch, explained Ordinance 2 (Option 2). There are people currently who pay for a bulk that is put out at the curb for more than one bucket. For anybody who puts two, multiple buckets of bulk at the curb, they're paying \$25 for every additional bucket. People can then plan accordingly. Maybe for some, this is a way for them to be able to structure how they do their life to be able to even save money from what they would do now. We're just trying to encourage some of those behavior changes, trying to make it

incentivize folks to come to the drop off.

Alderman Buragas asked, is there a significant difference in cost to the City based on cart size? Mr. Karch replied stating the majority of the cost for us is not in the volume at the curb. The actual collection of the cart, it doesn't cost that much more from a plastic standpoint to make a bigger cart. The disposal material of the cart size isn't that much more from a weight standpoint. Alderwoman Buragas asked what year was this made an Enterprise Fund. Mr. Karch stated 2011.

Alderman Buragas expressed concern with the three (3%) percent proposed increase you were talking about cost we have no control over; those efficiencies we cannot capture. The landfill disposal cost, we have no ability to make that process more efficient. Mr. Karch stated that is contractual and is correct.

**Motion by Alderman Buragas seconded by Alderman Mathy to adopt Ordinance No. 2 (Option 2) as presented suggest that the three (3%) percent is a necessity at this point time to number one, make sure we aren't back here next year having the same debate.**

Alderman Schmidt, shared some comments regarding Ordinance number 2 that people may choose, in fact, to gather things around their yards and garages, you know, to avoid that \$25. You know, as you said, we can't control behavior, but I think that's a concern that, you know...

Mr. Karch stated, the City does have enforcement. In conversations with Bob Mahrt, our Interim Community Development Director, there are some mechanisms in place. I think we do need to bring back to the Council some additional enforcement modifications in our Code.

Alderman Schmidt, she would not going to support an ordinance with an automatic three (3%) percent increase. It seems to me that we shouldn't just assume that we're going build that reserve on the backs of our residents, and that maybe we ought to be making some efforts to build some reserves from our overall structure that includes proposals we have not even had a chance to evaluate yet.

Alderman Bray, when we're looking at the factors that actually make up the cost of our collections, it would be fair to say that it's the labor and the equipment that are driving our cost, not how much I put in a trash bin, would that be a correct? Mr. Karch stated that is true, but it is what we have always done with our program, is we've always tried to do encourage and incentivize whenever we started... We encouraged recycling, and that was one of the reasons for the tiers. So you are correct, that's the main driver.

Alderman Bray, the labor costs are fixed because we have our public works folks on the trucks, going down the streets. Regardless of how much trash is in that bin, they've got to be present, they've got to be paid. Then secondly, the equipment, another big driver, having the trucks and the like. The concept that it's based on volume, I reject that. I really don't think that's the driver for our costs, and I don't see this as a user-fee correlation problem for us to solve. I see it more as a flat fee problem for us to solve, because everyone benefits the same by having their trash collected, and by having a clean community. We should incentivize cleanliness and clean community by encouraging folks to continue to put out the trash and have the trash removed regularly. I've lived in other communities where you did not have bulk included, and unfortunately there were dump sites that began to kind of grow up around the community.

Alderman Painter, she is considering motion one. I think that it is fair for everybody to pay the same amount for our trash pick-up. When we considered privatizing, most everybody that I heard from

loved our garbage service, and they want to have bulk collection every other week.

Alderman Hauman, I'm vacillating between having the three (3%) percent and not approving the automatic three percent (3%) increase. Given the Council's history with wages going up every year 2.5% to 3%, we're going to be coming back asking for at least 3% each year just based on salary increases. She will support Option 2, we just approved Lake Bloomington getting privatized trash collection.

Alderman Black, as we vote on this, I would like to just add a piece that maybe one year from now, we mark at a Committee of the Whole that we discuss how this program is working. Alderwoman Painter reminded Council that the three-tiered system was one of the ways that we all fell apart on our efficiencies the first time we went through this. We have asked the garbage department for efficiencies and not received them. She wants to ensure that they do what they say they've been asked to do.

Alderman Mathy, the ordinance Option No. One there is no incentive for recycling in that particular ordinance at all. If it doesn't matter, if everybody is paying the same rate, why do we even have smaller carts? Why even bother with that? Why make any effort whatsoever to recycle the greater purpose, or the greater portion, of your household waste and try to get that taken care of? While I'm sympathetic to concerns about the \$25 per bucket pickup charge, in past years it was reported that our actual cost per bucket is somewhere in the neighborhood of \$125. Mr. Karch stated that is correct.

Alderman Buragas, Alderman Mathy makes excellent points, so all I will say is I think it's time to get it done. I support the motion I made, but if it fails, I will probably support the next one.

Alderman Sage, I'm willing to support motion two, but I get a little concerned that just adopting the three (3%) percent puts us on some kind of a trajectory right away.

Mayor Renner, well given what Alderman Sage has just said, and I think he kind of actually in many ways summarizes a little bit of the conversation here, although obviously we've got many moving parts, we have a motion on the floor that is as presented, that does include the 3%. If that does not receive five votes before we get rid of Option 2, it seems we've got the other moving part of, actually, Scott's original motion, which was Option 2 without the 3%. And then if that doesn't get five votes, then we can move on.

**Motion by Alderman Bray second by Alderman Mathy Council approves the Ordinance amending Chapter 21 of the City Code to enact provisions changing solid waste fees (i.e., a fee increase of \$4 per month for 95 gallon carts, \$4 per month for 65 gallon carts, and \$0 per month for 35 gallon carts and the low-income fee beginning May 1, 2018 and continual annual increases of 3% thereafter) and service levels to provide spring and fall bulk collection and bi-weekly brush collection be approved and that the Mayor and City Clerk be authorized to execute the Ordinance as presented.**

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

**Ayes: Aldermen Mathy, Mwilambwe, Buragas, Black, Hauman, and Bray.**

**Nays: Alderman Sage, Painter, and Schmidt.**

**Motion carried.**

The following was presented:

Item 8B. Presentation of Proposed Interim City Manager FY 2019 Budget – for informational purposes only. *(Recommend presentation and discussion only.) (Presentation by Steve Rasmussen, Interim City Manager and Scott Rathbun, Budget Manager, 10 minutes, City Council discussion, 15 minutes.)*

Mr. Rasmussen, asked Council to consider having a Work Session on March 10 to continue discussions on the budget. He asked Council to respond to the doodle poll that was sent by the Administrative Department.

Budget Highlights presented:

Balance Budget: Achieved by a combination of the council targeted items. Those were the items that you suggested that we look at when we had our November 4th Retreat. We were not able to get the entire amount, and so we went back to the individual departments for additional cuts.

Capital Improvements: Nearly \$26 million in capital improvements which are incorporated into that. Each department annually request increased funding. However after reviewing those request, and the current position of the budget, those request were not approved. Much of that is what allows the City to do the capital improvement that are in the budget.

Operating Capital: Those things that we will continue to do as part of the operational budget, which is different from the five-year capital improvement. Those are those big projects that we talked about, and we'll come back to you based on your guidance last week, a in a month or two, and we can talk about the capital improvement plan. These capital items are the ones that are incorporated into the department's operating budgets.

General Fund Balance: Remains a production 15%, which would be \$15.8 million. We keep that for emergencies to make sure that we have a proper bond rating, and that we can also use some of that to make adjustments on one time basis as we go along from month to month, making sure we replenish it to keep it up at 15%.

Closing the 2.9% Gap: In the 2.9% we were able to close that gap. Those Council targeted items are cost recovery, and that has a lot to do with recovering the fees for service that we provide. We have some business registration in there, parking related budget issues that can be adjusted, and the \$1.1 million in solid waste. Vacancy Savings and those departmental operating costs that he discussed amounting to, \$775,000. When we come down to vacancy savings, \$500,000, well, we're going look at every position that we have to come in. Some of these positions we may not need to fill, some of them we will need to fill. But that amounts to only about 30% of the vacancies. We'll fill two thirds of the vacancy, but the HR department and I will look at that. That made up the difference to the \$2.9 million.

Business Registration Program is an issue that is important for identifying economic development trends, it's important for public safety, and so it is not just simply a money grab. It allows the City to recover much of the business that we do already that cost us money. Now, what will happen is we'll come back to that again. Maybe that's \$100 for 2,000 businesses. Maybe we do it every year. Maybe we don't do it every year.

Parking, we came back with \$400,000 the first time. When we implement our new automated parking, if we charge parking 24 hours a day, seven days a week, we could get \$400,000 out of it. Well, there was some reluctance to do that. We cut it back to \$200,000 because we maybe would have free times in times that we want to promote the downtown businesses. When we went back, we did a careful scrub, and I think we came out with \$140,000 and we came back to \$100,000. We can do that because we've got an automated system, so when we put that number in, it's about right.

Assistant Fire Chief Vaughn, Council were gracious enough, during the last budget, to provide us with funds to hire six additional firefighters. That is a program that we are currently working on. When we become full staff, and we're still working towards that in establishing tests and so on and so forth, that will allow us to bring that overtime down. As far as professional development, the Fire Department has reduced a lot of the training that we've been going out to do. We have got a lot of talent within the department that we're going to be using a lot more of. With that is as we hire these individuals, we're really going to take a strong look at the training that they've already been coming in with. If we don't have to send them to a fire academy, and we can do that in-house to get that same certification levels, we're going to attempt to do that the best we can.

Mr. Rasmussen, \$2.9 million doesn't seem like a big deficit if we're talking about a \$200 million budget. Why are we struggling with that? Well, it's interesting, because if you go back and you look at \$200 million budget, if you look at \$100 million in the General Fund, how much of that do we really have any control over? Not much. In fact, it's about 5%, maybe 7%. It's hard to believe that that much money is committed and we don't have much say on it, but we don't, and it's because much of it is committed and we don't have any strength over it.

Mayor Renner, you're not asking for any direction necessarily, just presentation, reaction and questions tonight? Mr. Rasmussen, we would want any comments that you may have, and then we'll come back in the adopted budget and we'll make the necessary adjustments to it.

Mr. Rasmussen commented on a slide that appeared in the newspaper and stated, what happened in the FY2018, last year, we had a \$214 million budget, and this year we only have a \$207 million total budget. So we have an increase of six million dollars. I've been asked where that six million dollars went. Because what we've said is we had a status quo budget. The amount of money we're taking in and the amount of money we're spending out was the same this year as it was last year.

Mayor Renner what are the next steps in the doodle poll. Mr. Rasmussen, we are asking is which dates you would prefer, because we did not get an answer from all of Council.

Mr. Rasmussen presented the slide on total capital funds stating, we have a total of approximately \$26 million that the City has planned on funding for capital projects in the capital budget that is not the budget that is the five-year capital improvement plan. He referred to that fund as the general operational capital projects, which is where those \$26 million... He referenced the State Motor Fuel Tax, \$9.2 million project, which is the Fox Creek Bridge.

Alderman Sage thanked Mr. Rasmussen for the clarification on the Fox Creek Road Project. When you were talking about some of the restrictions that are placed on Motor Fuel Tax, it's almost a derivative of a larger issue. This is one thing that I appreciate Melissa has done exceedingly well with our priority-based budgeting, and it is identifying how much of our expenses are related to mandates, state mandates and federal mandates. He complimented the Fire Department, for their ability to conduct in-house training

as opposed to attending training sessions.

Alderman Black, thanked Mr. Rasmussen and stated he has enjoyed this process of walking Council through the budget process on touch points many, many times, and giving us ample opportunity to provide feedback and also have the public weigh in on some of these things. I feel as though, because we're so engaged in this process, we'll all, I think, come up with a better budget at the end of this process. I hope we can use this as a model for future budget cycles. Perhaps staff could outline some of these mandated state laws that we could ask for support to either rescind, or have the state take a look at. I think people are really surprised when they find out some of the things that we have to do by state law. It always helps when people come to us with things that they are very specific in targeting them, we can do some the leg work for our state legislators to really hone in on things that will save us money in the long term.

In addition, I've had some concerns about the business registration fees in the past, so I'd love to get some, feedback from the Chamber of Commerce, maybe in the form of a letter. I'm reminded of Bill Rouse comments about multi-year budgeting, and how we kind of position ourselves. A couple of years back we talked about doing maybe two-year budgets, three-year budgets, so we're not constantly thinking very short and medium term. Is there a probation on multiyear contracts?

Mr. Rasmussen stated, we had a meeting today where we talked about the energy issues and the long term contracts. There are some things that we have to do on a yearly basis because we only have a one year budget. However, if we have contracts that will last further than that, it has a note in there that says but it's subject to an annual appropriation by the City Council. So we do have to move forward that way.

The following was presented:

Item 8C. Consideration of approving a Memorandum of Understanding with the Friends of the Bloomington Center for Performing Arts to establish, define, and coordinate a mutually beneficial relationship as requested by the Bloomington Center for the Performing Arts. *(Recommend the City Council approve a five year automatic renewing Memorandum of Understanding with the Friends of the Bloomington Center for Performing Arts, and authorize the Mayor and City Clerk to execute the related documents.) (Presentation by Jay Tetzloff, Director of Parks, Recreation & Cultural Arts, and Jim Waldorf, Friends of the BCPA Board Member, 5 minutes, City Council discussion, 15 minutes.) (Item tabled to a Work Session or Committee of the Whole Meeting.)*

The following was presented:

Item 8D. Consideration of a Resolution adopting the Twenty-Year Materials Recovery and Resource Management Plan for McLean County, Bloomington, and Normal, Illinois as requested by the Public Works Department. *(Recommend a Resolution adopting the Twenty-Year Materials Recovery and Resource Management Plan for McLean County, Bloomington, and Normal, Illinois be approved and that the Mayor and City Clerk be authorized to execute the necessary documents.) (Presentation by Michael Brown, Executive Director for the Ecology Action Center, 5 minutes, City Council discussion, 10 minutes.)*

## RESOLUTION NO. 2018 - 10

### A RESOLUTION ADOPTING THE TWENTY-YEAR MATERIALS RECOVERY AND RESOURCE MANAGEMENT PLAN FOR MCLEAN COUNTY, BLOOMINGTON, AND NORMAL,

SUMMARY MINUTES

PUBLISHED BY THE AUTHORITY OF THE CITY COUNCIL  
OF BLOOMINGTON, ILLINOIS; MONDAY, FEBRUARY 26, 2017; 7:00 P.M



## ILLINOIS

Mr. Brown provided an overview of the his presentation of the Ecology Action Center stating, we are a service provider for the city, the town, and the county acting as an environmental agency, nonprofit agency, providing resources such as solid waste planning, among other services. The Solid Waste Plan has been in the works for approximately two years. We have a good amount of data that's been collected and shambled over this past two years that's led us to this proposal. One of the major sources of data and most important variables here is the McLean County landfill, which is reaching capacity. As provided on in the chart that capacity dropping down very close here as we get into 2018. The most recent estimates look at August of this year that McLean County landfill will reach capacity. Recycling has been improving and increasing for decades. In the past year or so, finally reached our community-wide recycling goal of 40%, things have been stagnated. If we look at the past ten years or so, really we've only been hovering in that upper 30% range, and so really to go further, we need to do more. That's what this proposal does.

We can as well look at the actual composition of our waste as it is being landfilled, a lot of this being recoverable material that we are literally right now burying into a hole in the ground, the more detailed analysis of these materials, including these waste terms, including some very specific numbers on how much recoverable material that could provide some economic benefit that we are, again, burying in the ground. Within this new waste plan we have six new priorities to try and identify these gaps, essentially, that are leaving so much recoverable material not recovered, and at the same time, looking at ways that we can bring that to economic benefit instead. Commercial recycling being a big one, construction and demolition recycling, apartment recycling, food waste composting, otherwise known as organics recycling. A permanent household has this waste collection facility to build upon the great success that we've had as a community and has this waste collection. To support this all, it really is going to take more work, more outreach, and more efforts, to make it all happen.

We have gone through a public hearing process, public comment period, which is actually mandated by the State of Illinois for solid waste plants. Very overwhelming response in terms of the volume of responses we received, 48 written public comments. Forty-seven of those in favor of the plan is written, one was an opposition. It drove all public comment at the public hearing all in favor of the plan. A petition was submitted with 2,333 signatures in favor the plan, so overall, we have 2,389 public comments submitted, 99.9% of those in favor of the solid waste plan.

So to address one possible concern or question that may come up, as it has come up elsewhere, the inclusion of ordinances as a possibility within this plan. Keep in mind this plan is a vision. It is a roadmap. This point is not binding on the city, the town, or the county. The ordinances that are included in here merely are suggestions and that are a possibility in order to help, essentially, improve economics in terms of road density and bumps materials to help keep everything cost effective. The landfill is closing this. This solid waste plan is proposal for the next 20 years to help us transition to, essentially, be a post landfill community. This has been developed through a collaborative stakeholder process, looking at the needs for the future, bringing together stakeholders from waste, from recycling, from institutions, from local governments, from businesses, from nonprofits.

Alderman Sage asked for clarification of the conundrum, between the mandates and voluntary participation. How do you see other communities...I mean, there has to be some methodology that they use to try and work through increasing voluntary participation long before they get to the point where the Big Brother steps in and slaps mandates on.

Mr. Brown state, in the plan, if you look at the timeline that's laid out actually in the front of the plan, it gives kind of like five-year segments to the planned quarterly kind of efforts. Within that, it does indicate pilot programs, voluntary efforts, and increasing technical assistance. He spoke of other efforts that EAC is exploring: working with the rental companies in order to help increase that route densification and the volumes materials, working with those companies to help provide services and that middle ground between them; the waste dollars so that we can help deliver services to them in a cost effective way, hopefully, without any mandates.

Alderman Sage asked whether it EAC is some number of years away before there would be consideration given to mandates? We have a lot of other options that we're going to explore, we're going to experiment with before the hand of government comes down on solid waste. Mr. Brown stated that is ultimately up to the Council and the staff here. It's within the plan as an option. Town of Normal, to be fair, is looking at such options right now, and so...

Alderman Mwilambwe ask questions as it relates to energy production. I know we do produce quite a bit of trash, and, you know, I've had conversations with other folks I think who are here in the audience, Dr. Rowe is one of them, you know, talking about the economics of energy production. Is it feasible?

Mr. Brown, waste energy is a really big, broad topic that we could talk about for hours, especially if we got some experts in here. So that covers a spectrum of technologies such as everything from good, old-fashioned incineration to, you know, plasma electrolysis, to anaerobic digestion. There's all sorts of pros and cons all along the way. There's all sorts of, you know, costs or benefits.

**Motion by Alderman Schmidt second by Alderman Hauman Council approves a Resolution adopting the Twenty-Year Materials Recovery and Resource Management Plan for McLean County, Bloomington, and Normal, Illinois be approved and that the Mayor 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 Mathy, Mwilambwe, Buragas, Black, Hauman, Bray, Sage, Painter, and Schmidt.**

**Nays: None.**

**Motion carried.**

The following was presented:

Item 8E. Discussion and action on an Ordinance implementing regulations on video gaming terminals and setting a one-year moratorium on the addition of new terminals within the City. (*Recommend an Ordinance amending the City Code to Implement Video Gaming License Provisions and approving a Temporary Moratorium on the Addition of Video Gaming Terminals within the City, be approved and the Mayor and City Clerk authorized to execute the Ordinance.*) (*Presentation by Jeffrey Jurgens, Corporation Counsel, 5 minutes, City Council discussion, 10 minutes.*)

ORDINANCE NO. 2018 - 13

AN ORDINANCE AMENDING THE CITY CODE TO IMPLEMENT VIDEO GAMING LICENSE PROVISIONS & ENACTING A TEMPORARY MORATORIUM ON THE ADDITION OF VIDEO GAMING TERMINALS WITHIN THE CITY

Mr. Jurgens stated, this is a continuation of our discussion from last week. This is an ordinance that implements licensing regulations on video gaming within the city of Bloomington. That's something new that the City has not done previously. These regulations mirror the Town of Normal, however, they do not include a licensing fee based on the feedback that we received at the last Council Meeting, there's no licensing fee. The penalties for violating the licensing are a little tougher than what the Town of Normal provides. These regulations also provide that there will be a one year moratorium on the issuing of new video gaming licenses. This means that during this one year period City staff will be able to evaluate and come back to the Council with recommendations on whether or not there should be a ultima cap on the number of video gaming machines within the City, as well as whether additional regulations are necessary, and whether there is any type of fee that should be considered by the City Council.

Mayor Renner ask if the Council is divided but it didn't quite pass, I think have to say, I have absolutely no idea. But can the Liquor Commission recommend a license with the stipulation that they cannot have video gaming, or is that not possible once? You've opened the door, you're stuck.

Mr. Jurgens state, once you've opened the door. It's our opinion that we need to have a structure in place within the city, some sort of licensing structure, if we then want to implement any provisions on regulating those licenses. So there are a lot of communities within the state that have implemented these moratoriums where they've seen kind of an explosion of terminals within their communities, and they'll put a stop on that so that they can take a step back and take a look, and see what types of regulations are right for their community. It's our opinion, if you're going to get in the business of saying whether or not somebody can have a video gaming terminal, first, we need to have a license structure so we have some sort of mechanism to do that.

Alderman Painter stated, she is in favor of the proposed ordinance. Although last year the City received about \$750,000 from these gaming terminals, the net wagering activity; the money that was drawn out of our local economy was almost \$16 million.

Mayor Renner, I think that might be for a quarter...my understanding, it was more like around \$50 million a year? Alderman Painter stated, not just for Bloomington, that approximately \$16 million left our economy.

Alderman Buragas stated, more regulation is good, that some concern should raise over the proliferation of these devices within our community. She think that's a wide-spread question that needs to be asked. She asked for clarification on why a moratorium is a desirable path forward right now as it appears abrupt to her. There are many businesses who are in the process of getting up and running, and have a business plan in place where the moratorium may hurt their business. She expressed concern over the length of the moratorium being one year rather than perhaps six months.

Mayor Renner asked Mr. Jurgens whether he had any comment on that from a legal standpoint. Mr. Jurgens replied he did not. However, Council will find that whenever you implement the moratorium, you're going to have people that are in the process, or considering the process. We did work provisions in there that if they had an application with the in with the gaming board, that they could be potentially

grandfathered in as well as along with everybody else that already has existing gaming terminals. The City did take that into account. In terms of the length of the moratorium, that's purely a policy decision on the on the part of the council.

Alderman Buragas stated, she would be comfortable with a three or six month period with the option to extend it. She asked whether the City has a complete number of the number of video machines are in the community, and is the goal to use the terminal fee to reduce proliferation?

Mr. Jurgens indicated that there was one typo that we would correct in there under Section 122D, where we say this Section 121 shall be automatically repealed in March 1, 2019. Let's just say Section 122, we'll fix that.

**Motion by Alderman Painter second by Alderman Schmidt Council approves an Ordinance amending the City Code to Implement Video Gaming License Provisions and approving a Temporary Moratorium on the Addition of Video Gaming Terminals within the City as written, be approved and the Mayor and City Clerk authorized to execute the Ordinance.**

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

**Ayes: Aldermen Mathy, Mwilambwe, Buragas, Black, Hauman, Bray, Sage, Painter, and Schmidt.**

**Nays: None.**

**Motion carried.**

The following was presented:

Item 8F. Consideration of an Ordinance approving a petition from Macs Convenience Stores, for the approval of a Final Plat for Circle K Subdivision, (located south of General Electric Road, east of Hershey Road), subject to Tap On Fees being paid and the Mayor and City Clerk to be authorized to execute the necessary documents as requested by Public Works. *(Recommend an Ordinance approving a petition from Macs Convenience Stores, for the approval of a Final Plat for Circle K Subdivision, (located south of General Electric Road, east of Hershey Road), subject to Tap On Fees being paid and the Mayor and City Clerk to be authorized to execute the necessary documents.) (Presentation by Robert Mahrt, Interim Community Development Director, 5 minutes, City Council discussion, 10 minutes.)*

ORDINANCE NO. 2018 -

AN ORDINANCE APPROVING THE FINAL PLAT OF CIRCLE K SUBDIVISION

Mr. Mahrt provided a brief overview of the item and indicated this property is located at the corner of Hershey Road and GE Road, and it's 1611 North Hershey Road. It is a four and a half acre tract at southeast corner of the intersection. Across the street is the Country Financial building and the daycare to the south, and residential neighborhoods to the north.

The zoning for the property was changed in October of 2017 from C2 to B2. The plat is in general conformance with the City engineering standards. Some questions were raised about check back issues on the plat. There are provisions within the City Code subdivision ordinance that does allow the City Council to refer this item back to the Planning Commission for interpretation. That would be a recommendation that City staff.

Alderman Black, if we were to go down the path of sending it back to the Planning Commission, would that like automatically trigger a public hearing process? Mr. Mahrt stated, just the legislative public hearing. Alderman Black stated, residents would be able to provide feedback at the hearing.

Alderman Schmidt asked for clarification as to why the item would be referred back to the Planning Commission. Mr. Mahrt stated, there are some questions regarding the setbacks that were placed on the plat. There was a concern that were raised this afternoon by an Alderman, as well as some interpretation issues. If you look at the way the plat is structured, it clearly says that it's not completed in this one section, regarding the front yard setback along Hershey Road.

Mayor Renner, essentially, our options are to approve it, to not approve it, or to send it back to planning?

**Motion by Alderman Painter second by Alderman Buragas recommend this item be sent back to the Planning Commission to refer the Final Plat for a legislative public hearing and require the submission of a Preliminary Plan, which was waived.**

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

**Ayes: Aldermen Mathy, Mwilambwe, Buragas, Black, Hauman, Bray, Sage, Painter, and Schmidt.**

**Nays: None.**

**Motion carried.**

### **City Manager's Discussion**

Mr. Rasmussen did not have any further comments to offer.

### **Mayor's Discussion**

Mayor Renner did not have any further comments to offer.

### **City Aldermen's Discussion**

There were no further comments by the Council.

### **Adjournment**

**Motion by Alderman Black seconded by Alderman Schmidt adjourning the meeting. Meeting adjourned at 9:18 p.m.**

**Motion carried. (Viva Voce)**

**CITY OF BLOOMINGTON**

**ATTEST**

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Tari Renner, Mayor

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Cherry L. Lawson, City Clerk