



RECORD OF MOTIONS AND VOTES
PUBLISHED BY THE AUTHORITY OF THE CITY COUNCIL
OF BLOOMINGTON, ILLINOIS MONDAY, OCTOBER 22, 2018, 6:00 P.M.

The Council convened in Regular Session in the Council Chambers, City Hall Building, at 6:00 p.m., Monday, October 22, 2018.

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

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

Staff Present: Tim Gleason, City Manager; Steve Rasmussen, Assistant City Manager; Jeffrey Jurgens, Corporation Counsel; Cherry Lawson, City Clerk; Bob Mahrt, Community Development Director; Scott Rathbun, Finance Director; Brian Mohr, Fire Chief; Clay Wheeler, Police Chief; Jay Tetzloff, Parks, Recreation and Cultural Arts Director; Ken Bays, Assistant Police Chief; Greg Scott, Assistant Police Chief; Melissa Hon, Assistant to the City Manager; Scott Sprouls, Information Services Director; and other City staff were also present.

Recognition/Appointments

- A. Proclamation declaring October 29, 2018 "Crossroads Handcrafts of the World 30th Anniversary".
- B. Presentation of the City of Bloomington Police Department Police Officer Commission Certificate to Michael DeReu, who has completed probation.

Public Comment

Mayor Renner opened the meeting to receive public comment, and the following individuals provided comments to the Council:

Scott Stimeling	Dona Boelen	Gary Lambert	Patrick Dullard
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"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 Bray that the Consent

Agenda be approved with the exception of Items 7E and 7I.

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

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

Nays: None.

Motion carried.

The following was presented:

Item 7A. Consideration of approving the Minutes of the October 8, 2018 Regular City Council Meeting, and October 1, 2018 Special Session Meeting. *(Recommend the reading of minutes be dispensed and approved as printed.)*

The following was presented:

Item 7B. Consideration of approving Bills, Payroll, Procurement Card Purchases, and Electronic Transfers in the amount of \$7,650,752.44. *(Recommend the Bills, Payroll, Procurement Card Purchases, and Electronic Transfers be allowed in the amount of \$7,650,752.44 and orders drawn on the Treasurer for the various amounts as funds are available.)*

The following was presented:

Item 7C. Consideration of AUTOMATED MERCHANT SERVICES INC. Processing Agreement Bid Waiver. *(Recommend that the Resolution Authorizing Waiving the Technical Bidding Requirements and Approving an Agreement with AUTOMATED MERCHANT SERVICES INC., for payment processing and technical payment and reporting integration with the City's Tyler MUNIS enterprise resource planning (ERP) system be approved, and the Mayor and City Clerk be authorized to execute the necessary documents.)*

RESOLUTION NO. 2018 - 55

A RESOLUTION AUTHORIZING WAIVING THE TECHNICAL BIDDING REQUIREMENTS AND APPROVING AN AGREEMENT WITH AUTOMATED MERCHANT SERVICES INC.

The following was presented:

Item 7D. Consideration of a Resolution Waiving the Formal Bidding Process allowing the Parks, Recreation, and Cultural Arts Department to participate in an Early Order Program with

Helena Chemical (the distributor) for procurement of Syngenta, BASF, Bayer, Nufarm Chemicals (the manufacturers) Golf Course Chemicals from a single source, as requested by the Parks, Recreation, and Cultural Arts Department. *(Recommend the Resolution Waiving the Formal Bidding Process to allow the Parks, Recreation and Cultural Arts Department to participate in the Syngenta, BASF, Bayer and Nufarm Chemicals "Early Order Discount Program" for Golf Turf Grass Management for the 2019 Golf Season be approved, and the Mayor and City Clerk be authorized to execute the necessary documents.)*

RESOLUTION NO. 2018 - 56

A RESOLUTION AUTHORIZING WAIVING THE TECHNICAL BIDDING REQUIREMENTS AND APPROVING THE PURCHASE OF SYNGENTA, BASF, BAYER AND NUFARM CHEMICALS AND FERTILIZERS FROM HELENA CHEMICALS.

The following was presented:

Item 7E. Consideration of:

- (a) An Ordinance amending the FY 2019 Budget to allocate \$28,000 to the Motor Fuel Tax-MFT Architectural & Engineering for Capital (20300300-70051) account;
- (b) An MFT Resolution, and
- (c) A Preliminary Engineering Services Agreement with Farnsworth Group, Inc., for Engineering Survey Data Collection related to Jersey Avenue Bridge Rehabilitation (RFQ 2015-26), in the amount of \$28,000, as requested by the Public Works Department.

(Recommend that: (a) the Ordinance Amending the Budget Ordinance for the Fiscal Year Ending April 30, 2019 Budget in the Amount of \$28,000, be approved and the Mayor and City Clerk be authorized to execute the ordinance; and (b) the MFT Resolution be approved and the Mayor and City Clerk be authorized to execute the Resolution; and (b) the Preliminary Engineering Services Agreement with Farnsworth Group, Inc., for Engineering Survey Data Collection related to Jersey Avenue Bridge Rehabilitation in the amount of \$28,000, be approved, and the City Manager be authorized to execute the agreement and other related necessary documents.) (Item pulled from the Consent Agenda for discussion)

ORDINANCE NO. 2018 - 90

AN ORDINANCE AMENDING THE BUDGET ORDINANCE FOR THE FISCAL YEAR ENDING APRIL 30, 2019 IN THE AMOUNT OF \$28,000

RESOLUTION NO. 2018 - 57

A RESOLUTION FOR IMPROVEMENT UNDER THE ILLINOIS HIGHWAY CODE

Mayor Renner asked of a motion to approve this item. There was no further discussion from Council.

Motion by Alderman Hauman and seconded by Alderman Schmidt that *a) the Ordinance Amending the Budget Ordinance for the Fiscal Year Ending April 30, 2019 Budget in the Amount of \$28,000, be approved and the Mayor and City Clerk be authorized to execute the ordinance; and (b) the MFT Resolution be approved and the Mayor and City Clerk be authorized to execute the Resolution; and (b) the Preliminary Engineering Services Agreement with Farnsworth Group, Inc., for Engineering Survey Data Collection related to Jersey Avenue Bridge Rehabilitation in the amount of \$28,000, be approved, and the City Manager be authorized to execute the agreement and other related necessary documents.)*

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

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

Recuse: Alderman Buragas

Nays: None.

Motion carried.

The following was presented:

Item 7F. Consideration of an Ordinance providing for the Vacation of a 50 foot portion of the No-Access Line adjacent to Empire Street and a Final Plat of Resubdivision of Lot 6, Lot 17, and Outlot 18 in Empire Business Park Ninth Addition, so the property owned by Biaggi's Ristorante Italiano can have an Empire Street address, as requested by the Public Works Department. *(Recommend the Ordinance providing for the Vacation of a fifty (50) foot portion of the No-Access Line adjacent to Empire Street and the Final Plat of Resubdivision of Lot 6, Lot 17, and Outlot 18 in Empire Business Park Ninth Addition, so the property owned by Biaggi's Ristorante Italiano can have an Empire Street address, be approved, and the Mayor and City Clerk be authorized to executed the necessary documents.)*

ORDINANCE NO. 2018 - 91

AN ORDINANCE PROVIDING FOR
THE VACATION OF A 50 FOOT PORTION OF THE NO-ACCESS LINE ADJACENT TO EMPIRE STREET

AND APPROVAL OF THE FINAL PLAT OF RESUBDIVISION OF LOT 6, LOT 17 & OUTLOT 18 IN
EMPIRE BUSINESS PARK NINTH ADDITION

The following was presented:

Item 7G. Consideration of an Ordinance approving a Special Use Permit to allow an "Educational/Training Facility", a nonconforming use in the R-1B Medium Density Single Family Residential District, for property located at 1311 W Olive St., as requested by the Community Development Department. *(Recommend the Ordinance approving a Special Use Permit to allow an "Educational/Training Facility," a nonconforming use in the R-1B Medium Density Single Family Residential District, for property located at 1311 W Olive St. be approved and the Mayor and City Clerk be authorized to execute the necessary documents.)*

ORDINANCE NO. 2018 - 92

AN ORDINANCE APPROVING A SPECIAL USE PERMIT FOR AN "EDUCATIONAL/TRAINING" FACILITY, A NONCONFORMING USE IN THE R-1B, MEDIUM DENSITY SINGLE FAMILY RESIDENTIAL DISTRICT, FOR PROPERTY LOCATED AT: 1311 W. OLIVE ST.

The following was presented:

Item 7H. Consideration and action on an ordinance amending the City Code to clarify the various department names of the City and specifically that the Water Department will become a division of the City's Public Works Department, as requested by the City Administration. *(Recommend the Ordinance Amending the City Code Provisions on the Various Department Names and Providing that the Water Department Shall be a Division of the Department of Public Works, be approved and the Mayor and City Clerk authorized to execute the ordinance.)*

ORDINANCE NO. 2018 - 93

AN ORDINANCE AMENDING THE CITY CODE PROVISIONS ON THE VARIOUS DEPARTMENT NAMES AND PROVIDING THAT THE WATER DEPARTMENT SHALL BE A DIVISION OF THE DEPARTMENT OF PUBLIC WORKS

The following was presented:

Item 7I. Consideration of an Ordinance amending the City's Schedule of Fees and amending various Chapters within the City Code regarding fees, as requested by the City Manager. *(Recommend the Ordinance amending the Schedule of Fees for the City of Bloomington and amending the City Code be approved, and the Mayor and City Clerk be authorized to execute the necessary documents.) (Item was pulled from the Consent Agenda for discussion)*

ORDINANCE NO. 2018 - 94

AN ORDINANCE AMENDING THE SCHEDULE OF FEES FOR THE
CITY OF BLOOMINGTON AND AMENDING THE CITY CODE

Mayor Renner asked for a motion on this item.

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

Ayes: Aldermen Buragas, Painter, Mwilambwe, Hauman, and Bray.

Nays: Aldermen Sage, Mathy, Schmidt and Black

Motion carried.

The following was presented:

Item 7J. Consideration of approving an application of Outback Steakhouse of Florida, LLC d/b/a Outback Steakhouse Restaurant requesting a Class RAS (Restaurant, All Types of Alcohol, Sunday Sales) liquor license to be located at 1637 E. Empire Street which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week, as requested by the City Clerk's Office. *(Recommend the application of Outback Steakhouse of Florida, LLC d/b/a Outback Steakhouse Restaurant requesting a Class RAS (Restaurant, All Types of Alcohol, Sunday Sales) liquor license to be located at 1637 E. Empire Street which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week be approved, contingent upon the corporation being approved to do business in the State of Illinois and compliance with all health and safety codes.)*

The following was presented:

Item 7K. Consideration of an Ordinance Suspending Portions of Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the City Code for a Wedding Reception at Davis Lodge at Lake Bloomington on November 17, 2018, as provided by the request from Ian Galloway and Jennifer Chedister to allow moderate consumption of beer and wine, as requested by the City Clerk's Office. *(Recommend the Ordinance Suspending Portions of Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the City Code for a Wedding Reception at Davis Lodge at Lake Bloomington on November 17, 2018 be approved, and the Mayor and City Clerk be authorized to execute the necessary documents.)*

ORDINANCE NO. 2018 - 95

AN ORDINANCE SUSPENDING PORTIONS OF SECTION 701 OF CHAPTER 31 AND SECTION 26(d) OF
CHAPTER 6 OF THE CITY CODE FOR A WEDDING RECEPTION ON OCTOBER 6, 2018 AT DAVIS
LODGE AT LAKE BLOOMINGTON

"Regular Agenda"

The following was presented:

Item 8A. Consideration and action on an Ordinance Addressing the Payment of Accrued Sick Leave for Grandfathered Employees to Limit Artificial Pension Increases. *(Recommend the Ordinance Addressing the Payment of Accrued Sick Leave for Grandfathered Employees to Limit Artificial Pension Increases, be approved and the Mayor and City Clerk authorized to execute the Ordinance.) (Presentation by Tim Gleason City Manager, 5 minutes. Council discussion 10 minutes.)*

ORDINANCE NO. 2018 - 96

AN ORDINANCE ADDRESSING THE PAYMENT OF ACCRUED SICK LEAVE FOR GRANDFATHERED EMPLOYEES TO LIMIT ARTIFICIAL PENSION INCREASES

Motion by Alderman Black and seconded by Alderman Bray that the Ordinance Addressing the Payment of Accrued Sick Leave for Grandfathered Employees to Limit Artificial Pension Increases, 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, Painter, Mwilambwe, Buragas, Hauman, Sage, Black, Bray, and Schmidt.

Nays: None.

Motion carried.

The following was presented:

Item 8B. Consideration of a Resolution of Financial Commitment and Administration to apply for the Cycle 2019 Safe Routes to School grant, as requested by the Public Works Department. *(Recommend the Resolution of Financial Commitment and Administration to apply for the Cycle 2019 Safe Routes to School grant be approved, and the Mayor and City Clerk be authorized to execute the necessary documents.) (Brief overview by Tim Gleason, City Manager. Presentation by Jim Karch, Public Works Director 5 minutes, and brief remarks by Dr. Barry Reilly, Bloomington Public Schools District 87 School District, 3 minutes. Council discussion 5 minutes)*

RESOLUTION NO. 2018 - 58

A RESOLUTION OF FINANCIAL COMMITMENT AND ADMINISTRATION

TO APPLY FOR THE CYCLE 2019 SAFE ROUTES TO SCHOOL GRANT

Motion by Alderman Schmidt and seconded by Alderman Painter that the Resolution of Financial Commitment and Administration to apply for the Cycle 2019 Safe Routes to School grant be approved, and 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, Painter, Mwilambwe, Buragas, Hauman, Sage, Black, Bray, and Schmidt.

Nays: None.

Motion carried.

The following was presented:

Item 8C. Consideration of (a) an Ordinance amending the Fiscal Year 2019 Budget to allocate funds to the Solid Waste Fund and (b) the Purchase of one (1) year of Routeware Premium solid waste route optimization software with hardware and software support, going live on December 10, 2018, from Routeware, Inc. of Portland, Oregon, using HGACBuy (exp. 2/28/19), in the amount of \$103,358, as requested by the Public Works Department. *(Recommend the (a) Ordinance amending the Fiscal Year 2019 Budget to allocate funds to the Solid Waste Fund and (b) Purchase of one (1) year of Routeware Premium solid waste route optimization software with hardware and software support, going live on December 10, 2018, from Routeware, Inc. of Portland, OR, using HGACBuy, in the amount of \$103,358, be approved, (c) the Mayor and City Clerk be authorized to execute the necessary documents, and (d) the Procurement Manager be authorized to issue a Purchase Order.) (Brief overview by Tim Gleason. Presentation by Jim Karch, Public Works Director 5 minutes. Council discussion 5 minutes.)*

ORDINANCE NO. 2018 - 97

AN ORDINANCE AMENDING THE BUDGET ORDINANCE
FOR THE FISCAL YEAR ENDING APRIL 30, 2019

Motion by Alderman Hauman and seconded by Alderman Mwilambwe that the (a) Ordinance amending the Fiscal Year 2019 Budget to allocate funds to the Solid Waste Fund and (b) Purchase of one (1) year of Routeware Premium solid waste route optimization software with hardware and software support, going live on December 10, 2018, from Routeware, Inc. of Portland, OR, using HGACBuy, in the amount of \$103,358, be approved, (c) the Mayor and City Clerk be authorized to execute the necessary documents, and (d) the Procurement Manager be authorized to issue a Purchase Order.

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

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

Nays: None.

Motion carried.

The following was presented:

Item 8D. Consideration of a Contract with Stark Excavating, Inc. for construction of Miller Park Zoo additional parking and concessions (Bid #2019-15) in the amount of \$1,058,924, as requested by the Parks, Recreation, and Cultural Arts Department. *(Recommend the Contract with Stark Excavating, Inc., in the amount of \$1,058,924, for construction services provided for the Miller Park Zoo additional parking and concessions be approved, and the City Manager and City Clerk be authorized to execute the contract.) (Brief Overview by Tim Gleason, City Manager. Presentation by Jay Tetzloff, Director of Parks, Recreation, and Cultural Arts, 10 minutes, City Council discussion, 10 minutes.)*

Motion by Alderman Schmidt and seconded by Alderman Painter that the Contract with Stark Excavating, Inc., in the amount of \$1,058,924, for construction services provided for the Miller Park Zoo additional parking and concessions be approved, and the City Manager and City Clerk be authorized to execute the contract.

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

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

Nays: None.

Motion carried.

City Manager's Discussion:

Mr. Gleason presented the stated the lightbulbs for the Chambers are on order and look to have those installed by the next meeting. He provided an overview of the activities that are occurring in and around the community, and deferred to Scott Rathbun, Finance Director who provided a monthly update of the city's finances.

Mayor's Discussion:

Mayor Renner stated that he and Alderman Hauman had attended the McLean County Leadership Poverty Simulation event that simulates poverty, as it was an eye-opening event. He encouraged others to attend next year. He thanked Alderman Schmidt for joining him in attending the Wayman African Methodist Episcopal Church 175th Anniversary celebration on Sunday, October 21.

City Aldermen's Discussion

Alderman Black stated he would not be in attendance at the November 13, 2018 Council Meeting.

Executive Session

A. Personnel -Section 2(c)(1) of 5 ILCS 120/2

Mayor Renner asked for a motion to go into an Executive Session for the purpose of Personnel -Section 2(c)(1) of 5 ILCS 120/2 specifically to discuss the performance of specific employees.

Motioned by Alderman Bray second by Alderman Hauman to enter into a Closed Session Meeting for the purpose of per Section 2(c)(1) of 5 ILCS 120/2.

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

Nays: None

Motion Carried.

Adjourn Closed Session

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

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

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

Nays: None

Motion Carried.

Return to Open Session and Adjourn Meeting

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

Motion by Alderman Black seconded by Alderman Mathy to return to the Open Session Meeting and adjourn. The meeting adjourned at 8:31 pm.

Motion Carried (Viva Voce).

Respectfully submitted,

Cherry L. Lawson
C.M.C., City Clerk