

**COUNCIL PROCEEDINGS
PUBLISHED BY THE AUTHORITY OF THE CITY COUNCIL
OF BLOOMINGTON, ILLINOIS**

The Council convened in regular Session in the Council Chambers, City Hall Building, at 7:30 p.m., Monday, April 26, 2010.

The Meeting was opened by Pledging Allegiance to the Flag followed by Silent Prayer.

The Meeting was called to order by the Mayor who directed the City Clerk to call the roll and the following members answered present:

Aldermen: Judy Stearns, Kevin Huette, Bernie Anderson, John Hanson, Jennifer McDade, Steven Purcell, Karen Schmidt, Jim Fruin and Mayor Stephen F. Stockton.

Alderman Absent: David Sage.

City Manager David Hales, City Clerk Tracey Covert, and Corporate Counsel Todd Greenburg were also present.

The following was presented:

SUBJECT: Proclamations

RECOMMENDATION: That the proclamations be made a matter of record.

BACKGROUND:

1. Recognition of the 2009 - 10 Central Catholic High School (CCHS) Girls Basketball Team – Members of the 2009 - 10 CCHS Girls Basketball Team.
2. Declaring April, 2010 as Blue Bow Campaign – Child Abuse Prevention Month – Member of the Children’s Aid Foundation.
3. Declaring May 2 through May 8, 2010 as Municipal Clerk’s Week – Tracey Covert, City Clerk.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable.

FINANCIAL IMPACT: Not applicable.

Respectfully submitted for Council consideration.

Prepared by:

Recommended by:

Tracey Covert
City Clerk

David A. Hales
City Manager

Mayor Stockton recognized the Central Catholic High School (CCHS) Girls Basketball Team and their Coach, Debbie Kaufman. Ms. Kaufman addressed the Council. The team had a thirty-two to one (32 – 1) record by the end of the season. This was a school record for the most wins for both boys and girls teams. The team was comprised of six (6) seniors, six (6) juniors, one (1) sophomore, and one (1) freshman. She was proud of the girl’s accomplishments off the court. They had an average GPA (Grade Point Average) of 3.5. The team was also heavily involved in the community. She appreciated the Council’s time and was honored to receive this recognition. Mayor Stockton was proud of the team and cited their hard work. He read and presented the Proclamation to Coach Kaufman. The team’s coaches and eight (8) team members were present.

Mayor Stockton read and presented the Proclamation declaring April 2010 as Blue Bow Campaign – Child Abuse Prevention Month to Mindy Smith, Children Home and Aid. Ms. Smith addressed the Council. Blue Bow Campaign began with a merger with Children’s Foundation ten (10) years ago. They were proud to be partners with other agencies in the community.

Mayor Stockton read and presented the Proclamation declaring May 2 – 8, 2010 as Municipal Clerk’s Week. He acknowledged Tracey Covert, City Clerk. He cited her work on the Records of Motions and Votes and the production of Council Proceedings. He also cited other duties of the Clerk’s office: issuance of licenses and processing FOIA, (Freedom of Information Act), requests.

Motion by Alderman Anderson, seconded by Alderman Purcell that the proclamations be made a matter of record.

The Mayor directed the clerk to call the roll which resulted in the following:

Ayes: Aldermen Stearns, Huette, Schmidt, McDade, Anderson, Hanson, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Council Proceedings of January 14, 2008, March 10, 2008 and February 8, 2010; and Executive Session Minutes of March 22, 2010

RECOMMENDATION: That the reading of the minutes of the previous Council Proceedings of January 14, 2008, March 10, 2008 and February 8, 2010; and Executive Session Minutes of March 22, 2010 be dispensed with and the minutes approved as printed.

BACKGROUND: The Council Proceedings of January 14, 2008, March 10, 2008 and February 8, 2010; and Executive Session Minutes of March 22, 2010 have been reviewed and certified as correct and complete by the City Clerk.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable.

FINANCIAL IMPACT: Not applicable.

Respectfully submitted for Council consideration.

Prepared by:

Recommended by:

Tracey Covert
City Clerk

David A. Hales
City Manager

Motion by Alderman Anderson, seconded by Alderman Purcell that the reading of the minutes of the previous Council Meetings of January 14, 2008, March 10, 2008 and February 8, 2010; and Executive Session Minutes of March 22, 2010 be dispensed with and the minutes approved as printed.

The Mayor directed the clerk to call the roll which resulted in the following:

Ayes: Aldermen Stearns, Huette, Schmidt, McDade, Anderson, Hanson, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Bills and Payroll

RECOMMENDATION: That the bills and payroll be allowed and orders drawn on the Treasurer for the various amounts as funds are available.

BACKGROUND: The list of bills and payrolls will be furnished to you on Friday, April 23, 2010 by posting via the City's web site.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable.

FINANCIAL IMPACT: Not applicable.

Respectfully submitted for Council consideration.

Prepared by:

Recommended by:

Timothy Ervin
Director of Finance

David A. Hales
City Manager

(ON FILE IN CLERK'S OFFICE)

Motion by Alderman Anderson, seconded by Alderman Purcell that the bills and payroll be allowed and orders drawn on the Treasurer for the various amounts as funds are available.

The Mayor directed the clerk to call the roll which resulted in the following:

Ayes: Aldermen Stearns, Huette, Schmidt, McDade, Anderson, Hanson, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Payments from Various Municipal Departments

RECOMMENDATION: That the payments be approved.

BACKGROUND: All of the described payments are for planned and budgeted contracts previously approved by the City Council.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable.

FINANCIAL IMPACT: As follows:

1. The tenth partial payment to the Pantagraph in the amount of \$3,530.32 on a contract amount of \$46,580.16 of which \$40,208.60 will have been paid to date for work certified as 86% complete for the 2009 - 2010 Seasonal Advertising Services. Completion date – April 2010.

2. The fourth partial payment to Downtown Bloomington Association in the amount of \$29,698.79 on a contract amount of \$125,000 of which \$129,368.03 (\$8,802.59 in reimburseables) will have been paid to date for work certified as 96% complete for the Downtown Redevelopment Plan Partnership. Completion date – December 2009.
3. The twelfth and final payment to Economic Development Council of Bloomington/Normal in the amount of \$6,666.66 on a contract amount of \$80,000 of which \$79,999.92 will have been paid to date for work certified as 100% complete for the McLean County Economic Development. Completion date – April 2010.
4. The twenty-first partial payment to Interchange City West in the amount of \$166,449.76 on a contract amount of \$3,912,913.66 of which \$2,684,518.19 will have been paid to date for work certified as 68% complete for the Interchange City West Tax Rebate. Completion date – April 2016.
5. The third partial payment to Carl Walker, Inc. in the amount of \$4,233.06 on a contract amount of \$28,600 of which \$15,060.85 (\$260.85 in reimburseables) will have been paid to date for work certified as 52% complete for the Design for Market St. Garage Restoration. Completion date – June 2010.
6. The second partial payment to Illinois Department of Transportation in the amount of \$137,131.90 on a contract amount of \$624,200 of which \$157,055.81 will have been paid to date for work certified as 25% complete for the Constitution Trail Project – Grove St. to Croxton Ave. Completion date – October 2010.
7. The seventeenth partial payment to Thompson Dyke & Associates in the amount of \$954.22 on a contract amount of \$248,500 of which \$270,900.49 (\$31,533.49 in reimburseables) will have been paid to date for work certified as 96% complete for the McGraw Park – Phase II. Completion date – June 2010.
8. The sixth partial payment to McLean County Asphalt in the amount of \$64,287.34 on a contract amount of \$375,000 of which \$295,956.44 will have been paid to date for work certified as 93% complete for the 2009 - 2010 Street & Alley Repair. Completion date – June 2010.
9. The third partial payment to Testing Services Corporation in the amount of \$81 on a per ton and hour contract of which \$2,694.50 will have been paid to date for work certified as ongoing for the 2010 - 2011 Asphalt & Portland Concrete Plant Inspection & Laboratory Testing. Completion date – December 2011.
10. The fortieth partial payment to Clark Dietz, Inc. in the amount of \$1,417.32 on a contract amount of \$392,895 of which \$377,130.01 will have been paid to date for work certified as 96% complete for the Hamilton Road – Timberlake to Main St., f/k/a Hamilton & Main St. Completion date – April 2010.

11. The first partial payment to Stark Excavating, Inc. in the amount of \$24,627.42 on a contract amount of \$929,561.50 of which \$24,627.42 will have been paid to date for work certified as 3% complete for the Division B – TIF District Streetscape Improvements. Completion date – August 2010.
12. The twenty-sixth partial payment to Whittman Hydro Planning Associates, Inc. in the amount of \$8,755.50 on a contract amount of \$868,846 of which \$857,501.48 will have been paid to date for work certified as 99% complete for the Strategic Source Water Study. Completion date – September 2010.
13. The twenty-seventh partial payment to Clark Dietz, Inc. in the amount of \$2,847.50 on a contract amount of \$305,000 of which \$218,710.40 will have been paid to date for work certified as 72% complete for the Locust/Colton St. Sewer Separation & Water Main Replacement (CSO Elimination Phase I). Completion date – October 2011.

Respectfully submitted for Council consideration.

Prepared by:

Recommended by:

Tracey Covert
City Clerk

David A. Hales
City Manager

Motion by Alderman Anderson, seconded by Alderman Purcell that the payments be approved.

The Mayor directed the clerk to call the roll which resulted in the following:

Ayes: Aldermen Stearns, Huette, Schmidt, McDade, Anderson, Hanson, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Reports

RECOMMENDATION: That the reports be received and placed on file.

BACKGROUND: The following reports should be received and placed on file with the City Clerk:

1. Monthly Receipt & Expenditure Report, March, 2010.

2. Bloomington Firemen's Pension Fund for Fiscal Year 2008-2009.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable

FINANCIAL IMPACT: Not applicable.

Respectfully submitted for Council consideration.

Prepared by:

Reviewed by:

Recommended by:

Tracey Covert
City Clerk

Timothy Ervin
Director of Finance

David A. Hales
City Manager

Alderman Stearns questioned how the funding need for the Firemen's Pension Fund was decided for the coming year (FY 2010 - 2011). It appeared that assets were used to pay current pension costs. She expressed concern for the fund's future. Tim Ervin, Finance Director, addressed the Council. In the last few years, the City's annual deposit had paid for the current years liabilities. This year's actuarial would include a five (5) year forecast. The report would be available in July 2010. In the past, the City funded this pension fund at the Department of Insurance's statutory level.

Alderman Stearns expressed concern based on the national economy. Mr. Ervin stated this was part of long term forecasting. Mayor Stockton added there were a number of things vying for the Council's attention and funding.

Alderman Stearns would like to see a report regarding the other post employment benefit (OPEB) liabilities. She was concerned about the impact on bond ratings. David Hales, City Manager, addressed the Council. He stated the issue was the same for the Police Pension Fund and IMRF, (Illinois Municipal Retirement Fund). Pension plans across the country had taken a hit due to risky equity investments. The City would continue to take some losses and could not make up for those in one (1) year. Mayor Stockton stated the City needed to deal with three things: 1.) how funds were invested for Police and Fire; 2.) the hiring practice and its impact on benefit costs; and 3.) the cost of catching up.

Alderman Stearns stated it was all part of the big picture. Mayor Stockton noted that Mr. Hales was developing a plan.

Alderman Fruin questioned the glossary and definitions. Art Tepfer, Tepfer Consulting Group, Ltd., (outside actuary), needed to be contacted.

Motion by Alderman Anderson, seconded by Alderman Purcell that the reports be placed on file and made a matter of record.

The Mayor directed the clerk to call the roll which resulted in the following:

Ayes: Aldermen Stearns, Huette, Schmidt, McDade, Anderson, Hanson, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Appointments and Reappointments to Various Boards and Commissions

RECOMMENDATION: That the appointments and reappointments be approved.

BACKGROUND:

Police Pension Board:

Reappoint Curt Oyer, 30 Brandywine Ct., and Roger Elliott, 306 E Grove St. Their terms will expire on April 30, 2012.

Cultural District Commission:

Appoint Carole Ringer, 27 Country Club Place, and Mark deVeer, 210 Parkview. Their terms will expire April 30, 2013.

Public Library Board:

Reappoint Wilma Bates, 3402 Stephanie Road, Blake Mier, 9 Pendleton Way, and Narendra Jaggi, 3117 Ridge Crest Drive. Their terms will expire on April 30, 2013.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable.

FINANCIAL IMPACT: Not applicable.

Respectfully submitted for Council consideration.

Prepared by:

Recommended by:

Katie Buydos
Executive Assistant

Stephen F. Stockton
Mayor

Motion by Alderman Anderson, seconded by Alderman Purcell that the appointments and reappointments be approved.

The Mayor directed the clerk to call the roll which resulted in the following:

Ayes: Aldermen Stearns, Huette, Schmidt, McDade, Anderson, Hanson, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Request to Pay Stark Excavating, Inc. for Emergency Repair of a Sewer and Manhole on Market Street at Clayton Street (Ward 4)

RECOMMENDATION: That the payment be approved.

BACKGROUND: A sink hole was discovered below the pavement in the intersection of Market Street at Clayton Street. The hole was related to an old brick manhole that is connected to a relief sewer around nineteen feet (19') deep. There was also a water main running through the brick manhole which is no longer allowed. This type of repair is beyond the scope of what City crews can handle. Stark Excavating, Inc. was requested to replace the manhole and shift its location away from the water main. The excavation was backfilled and the street repaired. A time and materials bill has been submitted for this work in the amount of \$35,143.74. Staff has reviewed the bill and finds it to be in order.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Adjacent property owners and residents.

FINANCIAL IMPACT: Payment for this work in the amount of \$35,143.747 will be paid with Sewer Maintenance & Operations Funds, (X52100-70550). This fund currently has a negative fund balance.

Respectfully submitted for Council consideration.

Prepared by:

Financial review:

Recommended by:

Jim Karch
Director of Public Works

Tim Ervin
Finance Director

David A. Hales
City Manager

Motion by Alderman Anderson, seconded by Alderman Purcell that the payment be approved.

The Mayor directed the clerk to call the roll which resulted in the following:

Ayes: Aldermen Stearns, Huette, Schmidt, McDade, Anderson, Hanson, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

SUBJECT: General Obligation Funds Projects – Rejection of Bids for Barrel Roof Replacement at the Bloomington Center for the Performing Arts (BCPA)

RECOMMENDATION: That all bids be rejected and the project rebid.

BACKGROUND: On February 22, 2010, Council authorized the utilization of the General Obligation Bond Series 2004 for projects at the BCPA, Pepsi Ice Center and O’Neil Pool.

An Invitation to Bid for the barrel roof replacement at the BCPA was published on March 12, 2010 and received until March 30, 2010. Eleven (11) firms received the invitation and three (3) firms responded with bids. One firm responded with a no bid.

The specifications stated that alternate bids would be considered. Of the bids received, only one (1) bid met the specifications as written and was the highest bid received. A total of three (3) alternate bids were submitted by two (2) vendors. The vendor with the lowest alternate bid did not submit all the necessary documents. Additionally, the lowest bid was not a firm and final cost as it contained the following vendor’s statement: “Due to the chemical raw material shortages and global capacity constraints, there is now a great volatility of the insulation market. Because of these issues, our underlayment prices have greatly increased over the past several weeks. Please be aware that due to the frequency of the cost increases and the shortages of product, we will not be able to sign off on a contract price until we have received your go-ahead and have been able to confirm the latest prices and availability.”

A third vendor provided two (2) alternate bids, which were higher than the lowest bid and proposed spraying polyurethane foam. Staff is not familiar with this process and is not comfortable recommending this process until further information is obtained.

Due to all of these circumstances, staff respectfully requests that all bids be rejected and that the project be rebid.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable.

FINANCIAL IMPACT: Not applicable.

Respectfully submitted for Council consideration.

Prepared by:

John Kennedy
Director Parks, Recreation & Cultural Arts

Reviewed by:

Barbara J. Adkins
Deputy City Manager

Recommended by:

David A. Hales
City Manager

Motion by Alderman Anderson, seconded by Alderman Purcell that all bids be rejected and the project rebid.

The Mayor directed the clerk to call the roll which resulted in the following:

Ayes: Aldermen Stearns, Huette, Schmidt, McDade, Anderson, Hanson, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Analysis of Bids - General Obligation Funds Projects – Pepsi Ice Center Lighting Project

RECOMMENDATION: That the purchase and installation of fifty-four (54) Fluorescent Light Fixtures for the Pepsi Ice Center from MAC Solutions, in the amount of \$21,939 be approved, and the Purchasing Agent be authorized to issue a Purchase Order for same.

BACKGROUND: On February 22, 2010, Council approved the utilization of the General Obligation Bond Series 2004 for projects at the Bloomington Center for the Performing Arts, Pepsi Ice Center and O’Neil Pool.

Currently the Pepsi Ice Center has fifty-four (54) light fixtures over the ice rink utilizing metal halide light bulbs which are 461 watts. In the interest of installing more energy efficient fixtures, bids to install cold weather application T-5 Fluorescent Light Fixtures, which are 234 watts, to replace the metal halide fixtures was advertised on March 22, 2010 and received until April 7, 2010. Eight (8) vendors submitted the following bids that met specifications:

Emmett-Scharf Electric	Bloomington, IL	\$33,695 Alternate Bid
Emmett-Scharf Electric	Bloomington, IL	\$32,200
Weber Electric	Bloomington, IL	\$29,995
Twin City Electric	Bloomington, IL	\$29,215
Hammer Enterprises	Clinton, IL	\$28,300
Wilcox Electric & Service	Normal, IL	\$28,276
Wilcox Electric & Service	Normal, IL	\$23,165 Alternate Bid
Illinois Prairie Electric	Bloomington, IL	\$26,860
Anderson Electric	Bloomington, IL	\$25,275
MAC Solutions	Lansing, IL	\$21,939*

*Low and recommended bid

MAC Solutions has experience in replacing many metal halide rink lighting fixtures in athletic facilities. Staff has received favorable feedback from facilities that have used MAC Solutions in the retrofitting of light fixtures.

This project will qualify for the Illinois Department of Commerce and Economic Opportunity's Public Sector Electric Efficiency Program. After approval, staff will work with the vendor to complete the necessary application to be eligible to receive a rebate for this energy efficiency project. The exact amount of the rebate has not yet been determined, however staff believes the amount will be approximately \$4,500 to \$5,000.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable.

FINANCIAL IMPACT: Funds are available in the 2004 General Obligation Bonds, account X40750-4075-70990.

Respectfully submitted for Council consideration.

Prepared by:

Reviewed by:

John Kennedy
Director Parks, Recreation & Cultural Arts

Barbara J. Adkins
Deputy City Manager

Recommended by:

David A. Hales
City Manager

Motion by Alderman Anderson, seconded by Alderman Purcell that the purchase and installation of fifty-four (54) Fluorescent Light Fixtures for the Pepsi Ice Center from MAC Solutions, in the amount of \$21,939 be approved, and the Purchasing Agent be authorized to issue a Purchase Order for same.

The Mayor directed the clerk to call the roll which resulted in the following:

Ayes: Aldermen Stearns, Huette, Schmidt, McDade, Anderson, Hanson, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Analysis of Quotations - General Obligation Funds Projects – Pepsi Ice Center Dehumidifiers

RECOMMENDATION: That the purchase of three (3) dehumidifiers for the Pepsi Ice Center, from BMIL Technologies, Inc. in the amount of \$7,750 be approved, and the Purchasing Agent be authorized to issue a Purchase Order for same.

BACKGROUND: On February 22, 2010, Council approved the utilization of the General Obligation Bond Series 2004 for projects at the Bloomington Center for the Performing Arts, Pepsi Ice Center and O’Neil Pool.

The doors to the lockers rooms at the Pepsi Ice Center must remain closed, and for this reason, the dehumidifiers in the ice rink are not effective in reducing the amount of moisture in the locker rooms which has caused the lockers to begin rusting. Dehumidifiers are commonly located within locker rooms of ice rinks, but were not included when the Pepsi Ice Center was constructed.

Bids for three (3) dehumidifiers were advertised on March 17, 2010 however the City did not receive any responses. Staff researched through the Internet and by calling other ice rinks for possible vendors and was only able to locate two (2) who provided us with the following quotations which are less than the \$10,000 bid threshold for the dehumidifiers:

BMIL Technologies, LLC	\$7,750.00* Lowest Quote
Munters	\$7,757.48

Staff respectfully recommends that Council accept the low quotation from BMIL Technologies, LLC in the amount of \$7,750 for three (3) dehumidifiers which will be installed by Parks Maintenance staff.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable.

FINANCIAL IMPACT: Funds are available in the 2004 General Obligation Bonds, account X40750-4075-70990.

Respectfully submitted for Council consideration.

Prepared by:

John Kennedy
Director Parks, Recreation & Cultural Arts

Reviewed by:

Barbara J. Adkins
Deputy City Manager

Recommended by:

David A. Hales
City Manager

Motion by Alderman Anderson, seconded by Alderman Purcell that the purchase of three (3) dehumidifiers for the Pepsi Ice Center from BMIL Technologies, Inc. in the amount of \$7,750 be approved, and the Purchasing Agent be authorized to issue a Purchase Order for same.

The Mayor directed the clerk to call the roll which resulted in the following:

Ayes: Aldermen Stearns, Huette, Schmidt, McDade, Anderson, Hanson, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Quotations for Traffic Signal Equipment

RECOMMENDATION: That the Traffic Signal Parts be Purchased from Traffic Control Corporation in the amount of \$54,593.80 and from Brown Traffic Products in the amount of \$21,384, the Purchasing Agent be authorized to issue a Purchase Order for same, and the Resolution adopted.

BACKGROUND: Staff has received quotations for traffic signal parts to be used to repair traffic signals throughout the City. Traffic Control Corporation and Brown Traffic Products are the manufacturers' sole source providers for this equipment. Staff has worked with both companies in the past for equipment repairs and parts. The majority of the parts will be used to repair traffic signals in the Downtown which are severely rusted and use older energy inefficient bulbs. All new equipment will be black. The repair work will be performed by City staff during routine maintenance. The following quotes were received:

Project. Jim Karch, Director – Public Works, addressed the Council. He offered to research the same. Alderman Purcell believed that both items would be eligible for the program.

Motion by Alderman Anderson, seconded by Alderman Purcell that the Traffic Signal Parts be purchased from Traffic Control Corporation in the amount of \$54,593.80 and from Brown Traffic Products in the amount of \$21,384, the Purchasing Agent be authorized to issue a Purchase Order for same, and the Resolution adopted.

The Mayor directed the clerk to call the roll which resulted in the following:

Ayes: Aldermen Stearns, Huette, Schmidt, McDade, Anderson, Hanson, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Analysis of Sealed Bids for Skid Steer for Public Works Department

RECOMMENDATION: That the bid for one (1) Maintenance Skid Steer for Public Works Operations Division be awarded to Bobcat of Bloomington, in the amount of \$52,675 and the Purchasing Agent be authorized to issue a Purchase Order for same.

BACKGROUND: The City currently has a 1988 Gehl 6625DX with Bucket, Sweeper, Snow Blade, Pallet Forks, and Planer which has been budgeted to be replaced during FY09/10. The Skid Steer and attachments are depreciated over ten (10) years with the exception of the Cold Planer that is depreciated over fifteen (15) years. This unit and attachments have been carried over many additional years. Due to the operational efficiencies of new equipment and attachments, and the increased cost of maintaining this aging equipment, staff prepared bid specifications to replace the current Skid Steer and attachments. Sealed bids were accepted at the City Clerk’s Office until 11:30 a.m. on April 7, 2010 and were publicly opened. The results of the sealed bids are as follows:

Vendor	Addendum	Warranty Option	Trade Allowance	Net Price
Bobcat of Bloomington	Yes	\$2,200	\$6,000	\$52,675
Martin Equipment, Goodfield				No Bid
Birkey’s Farm, Hudson	Yes	N/A	\$8,995	\$61,495
Vermeer				No Bid
Altorfer	Yes	\$500	\$11,000	\$69,090
McAllister	Yes	\$1,750.00	\$0	\$62,700

The bid from Bobcat of Bloomington, for a Bobcat S-185 and attachments meets all the minimum requirements of the bid specification. Staff respectfully recommends accepting the low bid from Bobcat of Bloomington in the net amount of \$54,875 to purchase a Bobcat S-185, attachments, trailer and extended three (3) year warranty.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable.

FINANCIAL IMPACT: \$75,000 has been budgeted in the Equipment Replacement Fund, 16120-72140 for this purchase.

Respectfully submitted for Council consideration.

Prepared by:

Recommended by:

Jim Karch
Director of Public Works

David A. Hales
City Manager

Alderman Purcell questioned if the Bobcat was better for grinding. Jim Karch, Director – Public Works, addressed the Council. The City was utilizing a machine from 1988. The City was acquiring the Bobcat for aggressive pothole patching.

Motion by Alderman Anderson, seconded by Alderman Purcell that the bid for one (1) Maintenance Skid Steer for Public Works Operations Division be awarded to Bobcat of Bloomington, in the amount of \$52,675 and the Purchasing Agent be authorized to issue a Purchase Order for same.

The Mayor directed the clerk to call the roll which resulted in the following:

Ayes: Aldermen Stearns, Huette, Schmidt, McDade, Anderson, Hanson, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Purchase of a Replacement Large Format Scanner

RECOMMENDATION: That the replacement large format scanner be purchased from the Pitman Company in the amount of \$15,023, and the Purchasing Agent be authorized to issue a Purchase Order for same.

BACKGROUND: The Engineering Division of Public Works Department uses a large format scanner to digitize plan drawings and other large format documents. The current scanner has failed. Staff has engaged repair technicians to estimate the cost of repair and have received an estimate of approximately \$9,500, with only a thirty (30) day warranty. The defective scanner was purchased in December of 2003, and is now over six (6) years old. In staff's opinion it would not be advisable to repair the current scanner at over half the price of a new one.

The replacement scanner would be purchased under the current waiver of the bidding process approved by Council on April 27, 2009, whereby Council authorized staff to obtain multiple quotes for this type of equipment, in lieu of a formal bidding process during FY 2010.

Staff has requested proposals for replacement scanners and has received the following:

ScanTastik, Inc.	Rancho Cucamonga, CA	\$16,025	
Pitman Company	Chicago, IL	\$15,023	** recommended
ESRI, Inc.	Redlands, CA	\$15,500	

Staff respectfully requests Council approval to purchase the replacement large format scanner, and the Purchasing Agent be authorized to issue a Purchase Order for same.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable.

FINANCIAL IMPACT: There are available funds in Information Services account code G11610-72120 for this replacement.

Respectfully submitted for Council consideration.

Prepared by:

Reviewed by:

Recommended by:

Scott A. Sprouls
Director of Information Services

Barbara J. Adkins
Deputy City Manager

David A. Hales
City Manager

Motion by Alderman Anderson, seconded by Alderman Purcell that the replacement large format scanner be purchased from the Pitman Company in the amount of \$15,023 and the Purchasing Agent be authorized to issue a Purchase Order for same.

The Mayor directed the clerk to call the roll which resulted in the following:

Ayes: Aldermen Stearns, Huette, Schmidt, McDade, Anderson, Hanson, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Proposed Change Order #1 to the Illinois Department of Transportation, (IDOT) - Reimbursement for Hamilton Road from Timberlake Lane to Main Street (MFT Section 93-00295-03-PV) (Ward 1)

RECOMMENDATION: That the Change Order to the Agreement with IDOT - Reimbursement for Hamilton Road - Timberlake Lane to Main Street be decreased in the amount of \$200,528.00.

BACKGROUND: On July 27, 2009, Council approved a Joint Agreement with IDOT to fund roadway improvements on Hamilton Road from Timberlake Lane to Main Street (US 51). The Agreement provides that the City will reimburse the State for part of the construction costs. Funding for the project is provided from Federal American Relief and Recovery Act funds, Federal Surface Transportation Urban funds, State of Illinois funds, partial matching Motor Fuel Tax (MFT) funds from the City, and City sewer and water funds.

The proposed improvements will widen the current two (2) lanes, rural cross section, to a five (5) lane urban facility to match the section of roadway completed in 2007 from Greenwood Ave. to Timberlake. The project includes a new sixteen inch (16”) water main and sanitary sewer along Hamilton Road.

IDOT opened bids for the project on November 6, 2009. The project was subsequently awarded to Stark Excavating, Inc. with a total contract amount of \$4,249,741.21. The estimated cost at the time the Joint Agreement was approved by Council was \$4,900,000. Since the bid from Stark Excavating was approximately \$650,000 below the original estimate, the encumbered amounts from the Water Depreciation Fund and MFT funds can be reduced. The bid prices for the project sanitary sewer items were higher than anticipated, resulting in the need for additional funds from the Sewer Depreciation account. Work on the project began in mid February and completion is scheduled for June 17, 2011.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: IDOT.

FINANCIAL IMPACT: The total requested change order is a net decrease of \$200,528.00 to the project cost.

The estimated City share of the project is as follows:

Requested Change Orders

(\$98,000.00)	Water Depreciation	(X50200-72540)
\$95,000.00	Sewer Depreciation	(X52200-72550)
(\$197,528.00)	MFT Fund	(X20300-72530)

Current Encumbrances Previously Approved by Council

\$466,000.00	Water Depreciation	(X50200-72540)	E0000113
\$277,000.00	Sewer Depreciation	(X52200-72550)	E0000114

\$450,528.00 MFT Fund (X20300-72530) E0000112

Respectfully submitted for Council consideration.

Prepared by: Reviewed by: Reviewed as to legal sufficiency:

Jim Karch Craig M. Cummings J. Todd Greenburg
Director of Public Works Director of Water Corporation Counsel

Recommended by:

David A. Hales
City Manager

Motion by Alderman Anderson, seconded by Alderman Purcell that the Change Order to the Agreement with IDOT – Reimbursement for Hamilton Road – Timberlake Lane to Main Street be decreased in the amount of \$200,528.

The Mayor directed the clerk to call the roll which resulted in the following:

Ayes: Aldermen Stearns, Huette, Schmidt, McDade, Anderson, Hanson, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Change Order #1 for Lincoln Street - Bunn Street to Morrissey Drive (MFT Section 93-00283-00-RP) (Wards 1 & 4)

RECOMMENDATION: That the Change Order to the contract with Rowe Construction Co. for Lincoln Street - Bunn Street to Morrissey Drive in the amount of \$99,412.96 be approved and the Resolution adopted.

BACKGROUND: On August 25, 2008, Council approved a contract with Rowe Construction Co. for the construction of Lincoln Street from Bunn Street to Morrissey Drive. The total original contract amount was \$3,476,726.41. During construction large amounts of petroleum impacted soil and debris were encountered in the right of way near the old ICG Railroad embankment. The contaminated soil was unknown prior to the start of construction. After discovery of the contamination, CES Group of IL, Inc. was contacted to perform a chemical analysis of the soil.

Tests indicated that petroleum contamination levels were too high to use the soil in traditional fill applications. Over 1,200 tons of soil and debris, (the types of debris encountered included pieces of old vehicles, large chunks of concrete, plastic material, and metal) needed to be removed from the site and properly disposed of at the Allied Waste landfill. Since the original project specifications did not include this type of disposal, the additional work resulted in increased costs. Rowe Construction agreed to perform the disposal of the contaminated material at cost without any markups or additional trucking fees.

Additional increases to the cost of the project were due to: 1) several unknown water services which were relocated to avoid the new storm sewers; 2) the addition of under drains in limited areas to control ground water; and 3) conversion of the pedestrian signal heads to meet the guidelines of the new Manual on Uniform Traffic Control Devices. Savings realized during the project included working with the contractor to eliminate the need to perform bituminous surface removal on all of Morrissey Drive (US 150) and the acquisition of additional easements to avoid the need for a significant amount of retaining wall near Bunn Street.

This change order request also includes additional funds to address remaining drainage issues at the intersection of Lincoln and Bunn Streets. Water has been observed this spring continuously seeping through the pavement at the intersection. Testing has been performed by staff to determine if the water occurring at the intersection is City water. These tests indicate that the water seeping at the intersection is not City water, and is likely the result of ground water traveling through the gravel base installed as part of this project to the bottom of the hill. Staff is working with Rowe to resolve this issue through installation of a series of under drains and/or inlets to relieve the ground water pressure at the intersection.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable.

FINANCIAL IMPACT:

<u>Fund Information</u>	<u>Current Contract</u>	<u>Change Order #1</u>	<u>Fund Totals</u>
Motor Fuel Tax (X20300-72530)	\$3,053,931.61	\$ 78,437.24	\$ 3,132,368.85
Sewer Depreciation (X52200-72550)	\$ 127,403.60	\$ (1,380.48)	\$ 126,023.12
Water Depreciation (X50200-72540)	\$ 295,391.20	\$ 22,356.20	\$ 317,747.40
		Total Revised Contract	\$ 3,576,139.37

This change order request is for \$99,412.96. The increased MFT Fund costs for this change order are included in the 2009-2010 Capital Improvement Budget. There are sufficient funds available from the Water Depreciation account to cover the costs. Budgeted amounts for Fiscal Year 2009-2010 are as follows.

Motor Fuel Tax Funds (X20300-72530)	\$150,000
Water Depreciation (X50200-72540)	\$ 3,500

Respectfully submitted for Council consideration.

Prepared by:

Reviewed as to legal sufficiency:

Recommended by:

Jim Karch
Director of Public Works

J. Todd Greenburg
Corporation Counsel

David A. Hales
City Manager

RESOLUTION NO. 2010 - 20

**A RESOLUTION AUTHORIZING A CHANGE ORDER IN THE
AMOUNT OF \$99,412.96 IN THE CONTRACT BETWEEN THE CITY OF
BLOOMINGTON AND ROWE CONSTRUCTION CO. FOR LINCOLN STREET -
BUNN STREET TO MORRISSEY DRIVE**

WHEREAS, the City of Bloomington has previously entered into a contract with Rowe Construction Co. for Lincoln Street - Bunn Street to Morrissey Drive; and

WHEREAS, for the reasons set forth in a staff report dated April 26, 2010 it was necessary to perform additional work; and

WHEREAS, it is the finding of the City Council that the decision to perform the work described in the April 26, 2010 memo was in the best interest of the citizens of the City of Bloomington.

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

That a change order in the amount of \$99,412.96 in the contract between the City of Bloomington and Rowe Construction Co. for Lincoln Street - Bunn Street to Morrissey Drive be approved.

ADOPTED this 26th day of April, 2010.

APPROVED this 27th day of April, 2010.

Stephen F. Stockton
Mayor

ATTEST:

Tracey Covert
City Clerk

Alderman Anderson commented on the improvements the Public Works Department had made to Council memorandums. The department had done a good job of providing additional information on Change Orders.

Motion by Alderman Anderson, seconded by Alderman Purcell that the Change Order to the Contract with Rowe Construction Co. for Lincoln Street – Bunn Street to Morrissey Drive in the amount of \$99,412.96 be approved and the Resolution adopted.

The Mayor directed the clerk to call the roll which resulted in the following:

Ayes: Aldermen Stearns, Huette, Schmidt, McDade, Anderson, Hanson, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Revised Local Agency Agreements for Federal Participation for the Installation of Traffic Signals at the Intersection of Hershey Road and College Avenue, (Ward 3) and the Resurfacing of Ireland Grove Road from Veterans Parkway to the Kickapoo Creek Bridge, (Ward 8)

RECOMMENDATION: That the revised Local Agency Agreements for Federal Participation between the City and the Illinois Department of Transportation (IDOT) be approved, and the Mayor and City Clerk be authorized to execute the necessary documents.

BACKGROUND: On July 27, 2009, Council approved a Local Agency Agreement for Federal Participation for the Installation of Traffic Signals at the Intersection of Hershey Road and College Avenue and the Resurfacing of Ireland Grove Road from Veterans Parkway to the Kickapoo Creek Bridge. Motor Fuel Tax (MFT) Resolutions for the City's portion of the projects were approved by Council on January 8, 2006 and July 27, 2009.

The projects were bid in November 2009 and are currently under construction. The Hershey & College Signal bid was well below the engineers estimate, but the Ireland Grove Road Resurfacing bid was slightly higher than the estimate. In order to utilize all of the Federal Funding and cover the Ireland Grove Road amount that is over the estimate, IDOT will shift part of the Federal Funding from the signal project to the resurfacing project. These revised agreements facilitate this fund transfer.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable.

FINANCIAL IMPACT: A summary of the projects bids and funding follows:

Hershey & CollegeIreland Grove Rd

Bid Amount	\$173,775.70	\$551,824.81
Original Federal Funding	\$200,000.00	\$420,000.00
Revised Federal Funding	\$150,000.00	\$470,000.00
Original MFT Funding	\$21,000.00	\$76,100.00
Revised MFT Funding	\$24,000.00*	\$82,000.00*

* Once the projects are complete, additional MFT funding will be appropriated to pay the City's share.

Respectfully submitted for Council consideration.

Prepared by:

Reviewed as to legal sufficiency:

Recommended by:

Jim Karch
Director of Public Works

Todd Greenburg
Corporation Counsel

David A. Hales
City Manager

Alderman Fruin questioned if the Town of Normal shared the cost of this item. Jim Karch, Director – Public Works, addressed the Council. The cost was exclusively the City's for the infrastructure. There was an intergovernmental agreement with the Town for the northwest corner of the intersection.

Motion by Alderman Anderson, seconded by Alderman Purcell that the revised Local Agency Agreements for Federal Participation between the City and the Illinois Department of Transportation (IDOT) be approved, and the Mayor and City Clerk be authorized to execute the necessary documents

The Mayor directed the clerk to call the roll which resulted in the following:

Ayes: Aldermen Stearns, Huette, Schmidt, McDade, Anderson, Hanson, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Renewal of Towing Services for 10,000 GVW and Under with Joe's Towing & Recovery

RECOMMENDATION: That the first annual renewal option for the towing of vehicles 10,000 GVW and under with Joe's Towing & Recovery be approved for the period of one (1) year

starting May 1, 2010 and ending April 30, 2011 and that the Purchasing Agent be authorized to issue a Purchase Order for same.

BACKGROUND: A bid was let on March 5, 2009 for light duty towing, (10,000 GVW and under). Two (2) bids were received. Brown's Towing submitted a "No Bid", and the other was from Joe's Towing & Recovery. The specifications were for the towing, winching, and other miscellaneous services for City owned cars, trucks and light equipment. The specifications also included Police ordered towing or relocation and storage of vehicles. The vendor must provide services as needed twenty-four (24) hours a day for 365 days per each awarded year. On April 13, 2009, Joe's Towing was selected to provide these services. The arrangement was for one (1) year starting May 1, 2009 with annual renewal options until April 30, 2014. Staff was directed at the time to meet with towing vendors that expressed interest but did not bid.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: A meeting with towing vendors was held on April 9, 2009. The vendors expressed interest in the City setting up and maintaining two (2) rotational towing lists using City staff. One (1) list would cover City owned vehicles and equipment and one (1) list would cover Police ordered towing. They suggested that the annual referral fee be dropped and that vehicles towed would be stored and disposed of at each individual vendor's lot. This would create increased work load for City staff, lost revenue, more difficulty tracking vehicles, and increased confusion for owners picking up their vehicles.

Staff recommended that the towing vendors collectively put forth a proposal that met the City's towing requirements. A letter was mailed on November 12, 2009 inviting the towing vendors to participate in a discussion regarding the City's towing needs. The following vendors were mailed an invitation: Accurate Towing; Baird Towing; Brown's Towing; Joe's Towing; Redneck Towing; S&S Towing; Ralph's Southtown Towing; Wink's Towing; Absolute Towing, Lloyd's Towing, and Walden Towing.

The meeting was held on November 17, 2009. Joe's Towing and Southtown Towing were the only vendors that attended the meeting. They did not have any recommendations. Both meetings were attended by staff representing the Public Works, Finance, and Police Departments.

FINANCIAL IMPACT: The term for renewal is one (1) year beginning May 1, 2010 and ending April 30, 2011 with annual renewal options upon mutual agreement of both parties until April 30, 2014. The specifications require that the City not be charged for the following services:

Description of Service

- Towing of City owned cars and equipment under 10,000 GVW
- Towing of other cars and equipment
- Tire changes
- Abandoned and impounded vehicle storage charge to the City
- Storage of City owned vehicles

Power Starting or Jump Starting of City owned vehicles

Joe's Towing agreed with the above specifications. Additionally the bid includes the following services and fees for those same:

Winching	\$50.00
Outside City mileage rate	\$2.00/mile
Transport/tow vehicles to and from the BPD Range per round trip	\$50.00
Vehicles for training purposes (one time fee per vehicle)	\$0

Amount to be paid to the City of Bloomington per fiscal year:

Fiscal year 2010/2011	\$47,500
Fiscal year 2011/2012	\$47,500
Fiscal year 2012/2013	\$47,500
Fiscal year 2013/2014	\$47,500

As a condition of this arrangement, Joe's Towing is required to pay the City an annual referral fee for receiving referrals from the Police Department. This will include tows from accident scenes, arrests that require the vehicle to be towed and abandoned vehicles that the owner would retrieve. This payment will be made to the City upon issuance of the Purchase Order.

Staff respectfully recommends that Council exercise the first annual renewal option for the towing of vehicles 10,000 GVW and under with Joe's Towing & Recovery for the period of one (1) year starting May 1, 2010 and ending April 30, 2011 and that the Purchasing Agent be authorized to issue a Purchase Order for same.

Respectfully submitted for Council consideration.

Prepared by:

Jim Karch
Director of Public Works

Recommended by:

David A. Hales
City Manager

Alderman Schmidt expressed her appreciation for trying to bring vendors together regarding this issue.

Motion by Alderman Anderson, seconded by Alderman Purcell that the first annual renewal option for the towing of vehicles 10,000 GVW and under with Joe's Towing & Recovery be approved for the period of one (1) year starting May 1, 2010 and ending April 30, 2011 and the Purchasing Agent be authorized to issue a Purchase Order for same.

The Mayor directed the clerk to call the roll which resulted in the following:

Ayes: Aldermen Stearns, Huette, Schmidt, McDade, Anderson, Hanson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Professional Services Agreement for the Regency Pump Station Rehabilitation Engineering Design Services, (Ward 8)

RECOMMENDATION: That the Professional Engineering Design Services Agreement with Clark Dietz in the amount of \$93,400 be approved, and the Mayor and City Clerk be authorized to execute the necessary documents.

BACKGROUND: The Regency Pump Station was originally constructed in 1968. It includes a concrete wet well and steel dry well. The steel dry well is about twenty five feet (25') below ground and houses the pumps, valves and controls for the station. Many of the station components are in poor condition and require repeated maintenance. Since the existing dry well is below grade, inspection and maintenance is quite difficult and requires monitoring. A new station is necessary. The services of a professional engineering company are needed to properly size, design and permit the new facility.

Clark Dietz was selected using the Professional Services Quality Based Selection Process. This process involved: 1) Sending out Request for Qualifications (RFQ) specific to the project; 2) reviewing the submitted Statement of Qualifications based on the criteria outlined in the RFQ and narrowing the eight (8) submittals down to two (2) consultants; 3) interviewing these two (2) consultants, and 4) selecting a top consultant and negotiating a fee with them.

Staff respectfully requests that Council approve a Professional Engineering Design Services Agreement with Clark Dietz in the amount of \$93,400, and the Mayor and City Clerk be authorized to execute the necessary documents.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable.

FINANCIAL IMPACT: Funds for this work are available in Sewer Depreciation Funds, X52200-72550.

Respectfully submitted for Council consideration.

Prepared by:

Reviewed as to legal sufficiency:

Recommended by:

Jim Karch
Director of Public Works

J. Todd Greenburg
Corporation Counsel

David A. Hales
City Manager

PROFESSIONAL SERVICES AGREEMENT

Project Name (“Project”)

City of Bloomington
Regency Pump Station Rehabilitation

This Agreement is by and between

City of Bloomington (“Client”)
115 E. Washington Street
Bloomington, IL 61702-3157

and

Clark Dietz, Inc. (“Clark Dietz”)
125 West Church Street
Champaign, Illinois 61820

Who agree as follows:

Client hereby engages Clark Dietz to perform the services set forth in Part I -Services and Clark Dietz agrees to perform the Services for the compensation set forth in Part III -Compensation. Clark Dietz shall be authorized to commence the Services upon execution of this Agreement and written authorization to proceed from Client. Client and Clark Dietz agree that this signature page, together with Parts I-IV and attachments referred to therein, constitute the entire Agreement between them relating to the Project.

Approved for Client

By: Stephen F. Stockton
Title: Mayor

Date: April 27, 2010

Approved for Clark Dietz

By: Terrence K. Boyer
Title: Vice President

Date: April 27, 2010

PART I SERVICES

A. Project Description

The existing Regency Pump Station is a 1960's vintage Smith & Loveless can style sewer pump station with a 27 feet deep wet well. One of the pumps is out of service and the valves and electrical equipment are beyond their useful life and need replacing. Reliability of the station is a concern with only one operational pump and occasional problems with solids plugging the pump. The pump station may be larger than needed as three gravity sewer lines feeding the wet well are oversized now that the City has separated sewers in this area. There are also concerns about the integrity of the existing 1450 feet long force main fed by this pump station.

B. Scope

Clark Dietz agrees to perform professional services in connection with the Project as stated herein:

1. Project Administration

- 1.1. Develop a written project work plan that addresses work tasks, milestones, schedules, deliverables, roles/responsibilities and similar project implementation and communication details.
- 1.2. Conduct a project kickoff meeting with the City to finalize the project objectives and to review and discuss work tasks, deliverables, milestones, schedules, and similar project details. Meet with operations personnel to determine their preferences and make a site visit to the City's last lift station project. Discuss pumping options and layout options. Discuss SCADA requirements.
- 1.3. Prepare monthly project status reports in a format approved by the City.
- 1.4. Coordinate with City's geotechnical consultant. Geotechnical needed for design (soil boring and report) and construction (soil and concrete testing).
- 1.5. Project Management

2. Field Data Collection

- 2.1. Acquire existing City digital mapping (1"= 200, 2ft contours basis) and develop lift station site plan layout sheets (1"= 20').
- 2.2. Obtain right-of-way information from existing City and/or County records to identify lot locations and determine public vs. private property ownership at the lift station. Obtain title report and locate property boundaries.

- 2.3. Complete field surveys to provide additional topography and surface features, locate above and below ground utilities, and tie the proposed project into the existing lot corner monumentation.
 - 2.4. Assess condition of force main by running a camera up the last -50 feet of force main and recommend upgrades as needed. Perform field pump down testing with assistance from City to determine the Hazen Williams “C” coefficient. Note: At this time it is not anticipated that a new force main will be required.
 - 2.5. Install City owned flow monitoring equipment on the three gravity sewers feeding the wet well. Download data collected after rainstorm events and review.
 - 2.6. Reduce field survey information and produce existing condition drawings in client requested format.
 - 2.7. Prepare preliminary CADD plan and section drawings from the information obtained during the field investigation for use in the design evaluation and final design.
 - 2.8. Geotechnical investigations -Due to the deep excavation required, a geotechnical report is needed.
 - 2.9. Contact utility companies to obtain available location and elevation information.
 - 2.10. Submit environmental, biological, cultural and other associated permits or sign-offs.
3. Preliminary Design (60%)
- 3.1. Evaluate pump and system hydraulics and develop system head curves for evaluation of the existing and future pumps. This will include evaluation for different flow rates.
 - 3.2. Consult with various pump manufactures (i.e. Flygt, KSB, etc.) to select specific pumps for the pump station. Evaluate the pump selection alternatives to determine suitability for this application and consider physical constraints.
 - 3.3. Use existing drawings from the City to model and evaluate the hydraulics of the lift station.
 - 3.4. Investigate the lift station electrical system to verify the accuracy of the existing electrical drawings and to document any changes to the electrical system.
 - 3.5. Evaluate the existing electrical service and determine if additional electrical service is required for the new pumps. The evaluation of the existing electrical service will include a determination of a method of maintaining at least one pump

in service while the pumps are being replaced and the electrical system is being upgraded. It will also include an evaluation of standby power options.

- 3.6. Develop preliminary equipment and layout drawings.
 - 3.7. Develop preliminary electrical power drawings.
 - 3.8. Develop preliminary one line electrical drawings.
 - 3.9. Evaluate pump and control upgrades. Include interconnection with existing SCADA system.
 - 3.10. Complete design computations to establish the type, size, and location of lift station improvements.
 - 3.11. Prepare a preliminary opinion of probable project cost.
 - 3.12. If needed, prepare and submit an easement needs drawing documenting overall right-of-way requirements.
 - 3.13. Prepare and submit to City a Preliminary Design Report documenting the system hydraulic analysis, pump alternatives, recommendations for upgrading the electrical system, force main recommendations and a preliminary opinion of probable costs. The report will include preliminary drawings showing the recommended alternative.
 - 3.14. Meet with City staff to discuss the Preliminary Design Report.
4. Final Design (90%)
- 4.1. Conduct additional field investigation to obtain final information for the development of drawings and specifications.
 - 4.2. Review and finalize hydraulic calculations and develop a final system curve for the pumps selected.
 - 4.3. Develop final pump controls and sequence of operation.
 - 4.4. Develop suggested construction sequencing and any bypass pumping needs.
 - 4.5. Prepare construction contract documents incorporating any review comments by the City staff. These documents will generally include:
 - a. Construction Drawings
 - Cover Drawing
 - General Notes, Index, Legend, Benchmarks

- Site Plan
 - Pump Station Plan and Section Drawings
 - Flow Meter Installation Details
 - Structural Modifications and Detail Drawings
 - System Control Diagrams
 - Electrical One Line Diagrams
 - Electrical Plans and Details
 - Miscellaneous Detail Drawings
- b. Construction Specifications
- Notice to Bidders
 - Bid Proposal
 - Certification
 - Bid Bond
 - Performance and Payment Bond
 - Instructions to Bidders
 - General Conditions
 - Supplementary Conditions
 - Technical Specifications
- 4.6. Prepare opinion of probable construction cost.
- 4.7. Prepare IEPA construction permit application for submittal by the City. Respond to questions from IEPA regarding the permit applications.
- 4.8. Prepare other state and local permit applications with supporting documentation for submittal by the City to permitting agencies. Respond to questions from agencies regarding the permit applications.
- 4.9. Submit drawings to utility companies and conduct a utility coordination meeting with local utilities to obtain their input regarding the project.
- 4.10. Prepare and submit three (3) sets of plans, specifications, and the project cost estimate (95% submittal) to City and meet with City to discuss and receive their final review comments.
- 4.11. Prepare and submit final construction documents in hard copy (3 sets) and electronic format to the City. Documents shall be in Microsoft Word, Excel, and AutoCAD format.
- 4.12. Provide electronic (PDF) and hard copies of relevant design calculations.
- 4.13. If needed, prepare and submit one permanent easement plat and legal description and one temporary easement plat and legal description for construction. This scope does not include acquisition services for required easements.

5. Bidding Process

- 5.1. Prepare advertising notice for project and submit to City for publication.
- 5.2. Issue bidding documents to prospective bidders and maintain document holders list.
- 5.3. Conduct pre-bid meeting and prepare meeting minutes.
- 5.4. Prepare and issue addenda as needed.
- 5.5. Attend bid opening and prepare tabulation of bids.
- 5.6. Review contractor bids and make a recommendation regarding construction contract award.
- 5.7. Prepare contract documents for execution by contractor and City.

6. Construction Phase

- 6.1. Assist City in conducting a pre-construction conference.
- 6.2. Review shop drawings.
- 6.3. Attend progress / pay meetings and process the associated pay applications.
- 6.4. Answer contractor questions, provide clarifications and issue change orders, as necessary.
- 6.5. Prepare record drawings based on the record drawings maintained by the contractor during construction. Provide copies of field books and survey data.
- 6.6. Review contractor provided O&M Manuals.
- 6.7. Provide periodic site observation services.
- 6.8. Provide project startup testing. Assist in lining up the contractor provided equipment training.

C. Schedule

Clark Dietz will begin the work immediately upon written authorization. The first step will be to have a Kickoff Meeting followed shortly by the installation of the flow monitors in the three gravity sewers feeding the wet well. Assuming we are able to get a couple of decent sized rainstorm events within the first two months of installation, Clark Dietz proposes to be complete the preliminary design one month after accumulating this data, which is the basis for the design.

Final design would take an additional six to eight weeks. Assuming the weather cooperates, the total duration of the project is approximately five months.

D. Assumptions/Conditions

This agreement is subject to the following assumptions/conditions:

1. This Agreement and any legal actions concerning its validity, interpretation and performance shall be governed by the laws of the State of Illinois.
2. If televising the last -50 feet of force main shows no signs of corrosion or damage and the Hazen Williams "C" coefficient determined from pump down testing is within the expected range, the remainder of the force main will be assumed to be in a satisfactory condition and not need replacing.
3. The City will provide personnel and equipment needed for the confined space entry during the installation and removal of the three flow monitors. CDI to install and the City to remove the flow monitors. City to provide the associated software for downloading of the data to a CDI laptop. CDI to download the data after significant rainfall events (3 events assumed).
4. A 30% design submittal is not necessary for a smaller lift station design. CDI will maintain communication throughout so that there are no surprises at the 60% submittal.
5. CDI will work with the City's geotechnical consultant, Testing Services Corp, for both design and construction services. The geotechnical consultant's cost will be direct billed to the City.
6. Periodic site visits are based on three months of construction at 80 hours/month (240 hours).
7. Four progress / pay meetings.
8. One day of field startup.
9. This agreement does not include permanent or temporary construction easement negotiation/acquisition services.
10. This agreement does not include the preparation of assessment roles or schedules.
11. Local permits for this project (street cuts, utility relocations, etc.) will be obtained by the Client with information provided by Clark Dietz. All permit fees will be paid by the Client.
12. State permits for this project will be obtained by the Client with information provided by Clark Dietz. All permit fees will be paid by the Client.

13. No Federal permits are anticipated for this project.
14. This agreement does not include contaminated site Phase I or Phase II environmental assessment investigations or remediation activities.
15. This agreement does not include cultural, historic, archeological, or wetland assessment investigations or remediation activities.

E. Electronic Data Format

The Drawings for this project will be provided to the Client in printed format on paper and electronically in Adobe© Portable Document Format (PDF).

Clark Dietz will provide the Record Drawings for this project in electronic format. The files will be produced in AutoCAD.

PART II CLIENT'S RESPONSIBILITIES

Client shall, at its expense, do the following in a timely manner so as not to delay the services:

A. Informational/Reports

Provide Clark Dietz with reports, studies, site characterizations, regulatory decisions and similar information relating to the Services that Clark Dietz may rely upon without independent verification unless specifically identified as requiring such verification.

B. Representative

Designate a representative for the project who shall have the authority to transmit instructions, receive information, interpret and define Client's requirements and make decisions with respect to the Services. The Client representative for this Agreement will be Russ Waller, City of Bloomington.

C. Decisions

Provide all criteria and full information as to Client's requirements for the Services and make timely decisions on matters relating to the Services.

D. Other

Provide Clark Dietz with all available construction plans for utilities, streets, subdivisions and drainage facilities that may be pertinent to the project.

PART III COMPENSATION

A. Compensation

Compensation for the Services shall be as follows:

Compensation to Clark Dietz for services rendered by employees working on the Project in accordance with PART I, SERVICES of this Agreement will be at the hourly billing rates shown in the attachment, "Schedule of General Billing Rates". The total compensation authorized by this Agreement will not exceed \$93,400. See attached "Exhibit A" for breakdown of fee estimate by task.

1. Payment for outside consulting and/or professional services performed by a subconsultant will be at actual invoice cost to Clark Dietz plus ten percent for administrative costs. Clark Dietz will obtain written Client approval before authorizing these services.
2. Payment for expenses incurred directly on behalf of the Project at actual cost to Clark Dietz plus ten percent for administrative costs.

B. Billing and Payment

1. Timing/Format

- a. Invoices shall be submitted monthly for Services completed at the time of billing and are due upon receipt. Invoices shall be considered past due if not paid within 30 calendar days of the due date. Such invoices shall be prepared in a form supported by documentation as Client may reasonably require.
- b. If payment in full is not received by Clark Dietz within 30 calendar days of the due date, invoices shall bear interest at one-and-one-half (1.5) percent of the past due amount per month, which shall be calculated from the invoice due date.
- c. If the Client fails to make payments within 30 calendar days of due date or otherwise is in breach of this Agreement, Clark Dietz may suspend performance of services upon seven (7) calendar days' notice to the Client. Clark Dietz shall have no liability whatsoever to the Client for any costs or damages as a result of suspension caused by any breach of this Agreement by the Client. Upon payment in full by the Client, Clark Dietz shall resume services under this Agreement, and the time schedule and compensation shall be equitably adjusted to compensate for the period of suspension plus any other reasonable time and expense necessary for Clark Dietz to resume performance.

2. Billing Records

Clark Dietz shall maintain accounting records of its costs in accordance with generally accepted accounting practices. Access to such records will be provided

during normal business hours with reasonable notice during the term of this Agreement and for 3 years after completion.

(PART IV – STANDARD TERMS AND CONDITIONS; SCHEDULE OF GENERAL BILLING RATES, AND EXHIBIT A – FEE ESTIMATE ON FILE IN CLERK’S OFFICE)

Alderman Purcell questioned the goal for replacement. Jim Karch, Director of Public Works, addressed the Council. This was a lift station and not the force main. It dated back to 1968 and had been consistently giving the City problems. It was operating on one (1) pump. The City needed to move forward. He wanted an accurate flow measure. He would report to the Council before future action was taken.

Motion by Alderman Anderson, seconded by Alderman Purcell that the Professional Engineering Design Services Agreement with Clark Dietz in the amount of \$93,400 be approved, and the Mayor and City Clerk be authorized to execute the necessary documents.

The Mayor directed the clerk to call the roll which resulted in the following:

Ayes: Aldermen Stearns, Huette, Schmidt, McDade, Anderson, Hanson, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Text Amendments to allow the Zoning Board of Appeals to Grant Variations to the Gridley, Allin, Pricketts (GAP) Form Based Code

RECOMMENDATION: That the Text Amendment be approved and the Ordinance passed.

BACKGROUND: In April, 2007, Council adopted a form based code for the Gridley, Allin, Pricketts (GAP) neighborhood. This was the culmination of many months of work by a consultant, neighbors and City staff, intended to preserve the character of the GAP neighborhood. Since that time, staff has come to realize with adoption of the code, there is no provisional language granting the Zoning Board of Appeals authority to hear appeals and special use cases.

On March 10, 2010, a petition was presented to the Planning Commission outlining a change to this code. No one was present from the public to provide testimony for or against the change. The Commission recommended by a unanimous vote that Council pass the Ordinance as presented. Staff respectfully recommends approval of a modification in the City’s Zoning Ordinance that would allow approval of zoning variations in the GAP form-based code districts.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Public notice was placed in the newspaper, agendas were posted on the City's web site and notice was provided to media outlets. Since this ordinance is not site specific, a direct mailing was excluded.

FINANCIAL IMPACT: Not applicable.

Respectfully submitted for Council consideration.

Prepared by:

Reviewed by:

Recommended by:

Mark R. Huber
Director, PACE

Barbara J. Adkins
Deputy City Manager

David A. Hales
City Manager

PETITION FOR ZONING TEXT AMENDMENT

State of Illinois)
) ss.
County of McLean)

TO: THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF BLOOMINGTON, MCLEAN COUNTY, ILLINOIS

Now comes the City of Bloomington, McLean County, Illinois, a municipal corporation hereinafter referred to as the petitioner respectfully representing and requesting as follows:

1. That the text of Chapter 44, Section 44.13-4, of the Bloomington City Code, 1960 no longer contributes to the public welfare for the following reasons:
 - a. The Zoning Code does not allow for any variance in the Gridley, Allin, & Pickett (GAP) Form-Based Code.
2. That your petitioner hereby requests that following said Sections be amended as hereinafter proposed:
 - a. Section 44.13-4 A. be amended by inserting in the first sentence, “Gridley, Allin, & Prickett (GAP) Form-Based Code (Section 44.6-26) except where in conflict with other provisions of this section”.
3. That the approval of said amendment will substantially reflect the philosophy and intent of Chapter 44 of the Bloomington City Code, 1960; and
4. That the approval of said amendment will offer benefits to the general public in excess of the hardships, limitations or restrictions imposed upon any definitive faction of the City of Bloomington, McLean County, Illinois that is affected by the proposed text of said Section.

WHEREFORE, your petitioner respectfully prays that this petition to amend Chapter 44, Section 44.13-4 A. of the Bloomington City Code, 1960 as stated herein be approved in the public interest.

Respectfully submitted,

By: Mark R. Huber
Director of PACE

ORDINANCE NO. 2010 - 16

**AN ORDINANCE TO AMMEND THE TEXT OF CHAPTER 44, SECTION 44.13-4 A.
OF THE BLOOMINGTON CITY CODE, 1960**

WHEREAS, there was heretofore filed with the City Clerk of the City of Bloomington, McLean County, Illinois, a Petition praying for the amendment of Chapter 44, Section 44.13-4 A, of the Bloomington City code, 1960; and

WHEREAS, the Bloomington Planning and Zoning Commission, after proper notice was given, conducted a public hearing on said Petition; and

WHEREAS, the text amendment prayed for in said Petition is in the public interest; and

WHEREAS, the City Council of said City has the power to pass this Ordinance to amend said 44.13-4 A Chapter 44 of the Bloomington City Code-1960.

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Bloomington, McLean County, Illinois:

1. That the Chapter 44, Section 44.13-4 A. of the Bloomington City Code-1960 shall and the same are hereby amended:
 - a. Section 44.13-4 A. is to change as follows:
 - A. Authority. The Board of Zoning Appeals hereafter may permit variations to the following sections of this Code, the Schedule of Bulk Regulations (Section 44.6-40); Accessory Buildings and Use Regulations (Section 44.4-4), Lot and Yard Regulations (Section 44.4-5), Landscaping Provisions (Section 44.4-7), Off-Street Parking and Loading Regulations (Division 7), Special Use Regulations (Division 10), Gridley, Allin, & Prickett (GAP) Form-Based Code (Section 44.6-26) except where in conflict with other provisions of this section, and to allow the enlargement and structural alterations of nonconforming structures (Section 44.4-6). Such variations shall only be granted when the variation would be in harmony with this Code's general purpose and intent. The Board of Zoning Appeals may grant variances only in specific instances where there would be practical difficulties or particular hardships in carrying out the strict letter of those Sections of this Code stated herein.

Any and all variations to this Code granted by the Board of Zoning Appeals prior to January 9, 1996 are hereby authorized and validated. Under no circumstances shall the Board of Zoning Appeals grant a variation to allow a use of land not permissible under the terms of the Code in the zoning district involved or any use of land expressly or by implication prohibited by the terms of this Code in said zoning district. (Ordinance No. 2006-137)

2. Ordinance shall take effect immediately upon passage and approval.

PASSED this 26th day of April, 2010.

APPROVED this 27th day of April, 2010.

Stephen F. Stockton
Mayor

ATTEST:

Tracey Covert
City Clerk

UNAPPROVED MINUTES

**MINUTES
BLOOMINGTON PLANNING COMMISSION
REGULAR MEETING,
WEDNESDAY, MARCH 24, 2010, 4:00 P.M.
COUNCIL CHAMBERS, CITY HALL
109 E. OLIVE ST., BLOOMINGTON, ILLINOIS**

MEMBERS PRESENT: Chairperson Stan Cain, Mr. Tom Baughan, Mr. Ken DuLac, Mr. Tyhad Harrison, Mr. Greg Shaw, Mrs. Julie Morton, Mr. Bill Schulz.

MEMBERS ABSENT: Ms. Susan Brandt, Mr. Charles Stuckey, Mr. Robert Wills.

OTHERS PRESENT: Mr. Mark Huber (Director of Planning and Code Enforcement), Mr. Mark Woolard (City Planner).

CALL TO ORDER: Chairperson Cain called the meeting to order at 4:00 P.M.

ROLL CALL: Mr. Woolard called the roll. A quorum was present.

REGULAR AGENDA:

C. Z-04-10 Public Hearing and review on the petition submitted by the City of Bloomington, Illinois, a municipal corporation, requesting the amendment of Chapter 44 (Zoning), Sections 44.13.1, 44.13-4, of the Bloomington City Code, 1960, as amended, by changing 1) the required four concurring votes for motion approvals by the Board of Zoning Appeals to a majority vote of

the members present; and 2) the code to allow for variances in the Gridley, Allin, & Pickett (GAP) Form-Based Code.

Mr. Woolard gave a summary of the two text amendments. Currently the Zoning Board of Appeals must have four positive votes to approve a petition and the first amendment would change the ordinance such that a petition could be approved by a majority of the Board members present at a meeting. If there are four members present that is considered a quorum yet all four must vote yes to approve a petition.

Mr. Huber explained that there have been cases where we did not have the four votes which in turn almost guarantee a hearing with the City Council. The Council has expressed they would like to see more decisions made at the Board level. The Board has also expressed an aversion to cases that cannot be decided with a majority vote. They would prefer to not overburden staff with additional reports and taking cases to the Council.

Mrs. Morton was concerned that a member who does not agree with voting for something but would vote yes because they do not want the case to go back through the system. Huber explained that the issue of needing four for approval has been an issue over the years but it came up so rarely that it was not that much of an issue. The Board has had a lot better attendance recently. Mr. Shaw felt that many other boards and even Congress say that they only need a majority of those present for decisions. The Commission continued the discussion on how many members should be on the Board, the peer pressure in voting, and the effects of not having the majority rule.

The Commission continued to discuss the first amendment. Some Commissioners were concerned about having a lower number of Board members who would be making far reaching decisions affecting the neighborhoods and three people will not be a sufficient number. Other Commissioners felt the number of the board members is a separate issue from the majority rule issue.

Huber explained that the second amendment would allow people to apply for a variance in the Gridley, Allin & Prickett Form Based Code where as now we cannot allow a variance. The consensus of the Commission was that this amendment is necessary.

Chairperson Cain opened the public hearing. There was discussion whether to move forward with the amendment, or part thereof, and the appeals process

Hearing no comments, the public hearing was closed.

Mr. Shaw moved to amend case Z-04-10 by eliminating the first element of, “the required four concurring votes for motion approvals by the Board of Zoning Appeals to a majority vote of the members present”, and leaving intact element two about, “the code to allow for variances in the Gridley, Allin, & Pickett (GAP) Form-Based Code”, with a note to city staff asking to return with an alternative on the first element. Mr. Harrison seconded the motion which passed by a vote of 7 to 0 with the following votes being cast on roll call:

Mr. Baughan--yes; Mr. Shaw--yes; Mrs. Morton--yes; Mr. Schulz--yes; Mr. Harrison—yes; Mr. Cain--yes; Mr. Stuckey--absent; Mr. Wills--absent; Ms. Brandt--absent; Mr. DuLac--yes.

Alderman Schmidt stated this seemed to be a house keeping detail. She had no further questions.

Motion by Alderman Anderson, seconded by Alderman Purcell that the Text Amendment be approved and the Ordinance passed.

The Mayor directed the clerk to call the roll which resulted in the following:

Ayes: Aldermen Stearns, Huette, Schmidt, McDade, Anderson, Hanson, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Lake Bloomington Lease Transfer Petition for Lot 3, Block 27 of Camp Potawatomie from Richard M. Seehuus to Shannon and Steven Patterson

RECOMMENDATION: That the Lake Lease be approved and the Mayor and City Clerk be authorized to execute the necessary documents.

BACKGROUND: Staff has reviewed the Lake Bloomington Lease Transfer Petition for Lot 3, Block 27 of Camp Potawatomie from Richard M. Seehuus to Shannon and Steven Patterson. The sewage disposal system was recently inspected and is in order. This petition is in order and staff recommends that this transfer be approved.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable.

FINANCIAL IMPACT: This petition will have a neutral financial impact in that the lease would use the current formula, (\$0.40 per \$100 of Equalized Assessed Value) for determining the Lake Lease Fee. This lake lease income will be posted to Lake Lease revenue account 5010-50100-50110-57590.

Respectfully submitted for Council consideration.

Prepared by:

Reviewed as to legal sufficiency:

Recommended by:

Craig M. Cummings
Director of Water

J. Todd Greenburg
Corporation Counsel

David A. Hales
City Manager

Motion by Alderman Anderson, seconded by Alderman Purcell that the Lake Lease be approved and the Mayor and City Clerk be authorized to execute the necessary documents.

The Mayor directed the clerk to call the roll which resulted in the following:

Ayes: Aldermen Stearns, Huette, Schmidt, McDade, Anderson, Hanson, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Lake Bloomington Lease Transfer Petition for Lot 11, Block 1 of Camp Kickapoo from Robert B. and Marsha M. Cheeseman to Leroy Shouse and Diane G. Shouse

RECOMMENDATION: That the Lake Lease and Supplemental Agreement be approved, and the Mayor and City Clerk be authorized to execute the necessary documents.

BACKGROUND: Staff has reviewed the Lake Bloomington Lease Transfer Petition for Lot 11, Block 1 of Camp Kickapoo from Robert B. and Marsha M. Cheeseman to Leroy Shouse and Diane G. Shouse. This petition is in order, including the septic system inspection. Approval of this transfer would result in one person leasing two (2) lots at Lake Bloomington for an unknown period of time. Current City Code prohibits such action.

This lake lot transfer is not without precedent in that the petitioner wishes to lease two (2) lots. The lot they are currently leasing will be vacated by the petitioner and is currently listed on the real estate market. The petitioners, through their real estate agent, have stated that they will not lease or rent their current residence and that it will remain empty until sold. This is an activity that has happened before, however with the current real estate market being somewhat depressed, and the fact that this Council has another lake lease petition before it with a similar issue (one person leasing two (2) lots at the lake). Staff has prepared a supplemental agreement to incorporate with the lease transfer which addresses this issue.

The Bloomington City Code, in Chapter 23, Section 60.1 specifically prohibits a person from leasing two (2) lots at Lake Bloomington with the exception of four (4) exemptions which staff does not view as relevant to the current transfer petition.

With the supplemental agreement incorporated into this lease transfer, staff recommends Council approval. However, there are several actions the Council could take concerning this petition. These are:

1. Deny the petition based upon the prohibition contained in the current Ordinance.

2. Allow the petition to proceed based upon the Petitioner's currently leased lot being on the market for sale.
3. Change the exceptions to the leasing of two (2) lots in specific instances where one home is currently listed for sale.
4. Provide for some different conditions to be included in the lake lease transfer (i.e. a date certain for a sale of their current home).
5. Change the Ordinance to allow for leasing of two (2) lots at Lake Bloomington.

Concerning the first three (3) options, staff views them as straight forward. Option four (4) is a fundamental change in the way Lake Lease transfers have been handled for decades.

It is staffs understanding from discussions with various Lake Bloomington residents and/or individuals familiar with Lake Lease transfers that there are instances where two (2) lots are currently leased by the same individual, or at least persons with common interests such as a husband and wife, or an individual and a lot leased in a business name.

In addition, it has not been uncommon for one person leasing a lot to purchase another home at the Lake while then placing there current home on the market. These homes have generally sold rather quickly but there has never been any assurance to the City that this condition (a person leasing two (2) lots) would not last beyond a certain period of time. Since the lot that is listed for sale could conceivably be on the market for an extended period of time, staff believes this issue should be addressed by Council. The several instances where two (2) or more lots being leased by one (1) individual has not caused any undue problems, and staff believes that option four (4) should be seriously considered.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The Lake Bloomington Association.

FINANCIAL IMPACT: This petition will have a neutral financial impact in that the lease would use the current formula, (\$0.40 per \$100 of Equalized Assessed Value) for determining the Lake Lease Fee. This lake lease income will be posted to Lake Lease revenue account 5010-50100-50110-57590.

Respectfully submitted for Council consideration.

Prepared by:

Reviewed as to legal sufficiency:

Recommended by:

Craig M. Cummings
Director of Water

J. Todd Greenburg
Corporation Counsel

David A. Hales
City Manager

**AN AGREEMENT BETWEEN LEROY SHOUSE AND DIANE SHOUSE AND THE
CITY OF BLOOMINGTON, ILLINOIS FOR THE LEASE OF CERTAIN LOTS
LOCATED AT LAKE BLOOMINGTON**

This Agreement is made and entered into this _____ day of _____, 2010, by and between the City of Bloomington, an Illinois municipal corporation situated in McLean County, Illinois (hereinafter referred to as “City”) and Leroy Shouse and Diane Shouse (hereinafter referred to as “Lessee”).

RECITALS

A. Lessee currently leases from the City Lot 3, Block 5 of Camp Iroquois (hereinafter referred to as “Lot 3”) located at Lake Bloomington.

B. Lessee has requested to lease from the City Lot 11, Block 1 of Camp Kickapoo, currently leased to Robert B. Cheeseman and Marsha M. Cheeseman.

C. Chapter 23, Section 60.1 of the Bloomington City Code, specifically prohibits a person from leasing two lots at Lake Bloomington, with the exception of four exemptions (Section 60.1 (b)(1-4)).

D. As a condition to approval of the Lake Bloomington Lease Transfer Petition (a copy of which is attached hereto) in which the City leases to Lessee “Lot 11, Block 1 of Camp Kickapoo according to the private unrecorded plat of the ground belonging to the City located around Lake Bloomington in Hudson and Money Creek Townships in McLean County, Illinois,” certain conditions must be met.

NOW, THEREFORE, in consideration of the foregoing recitals and the mutual covenants and agreements herein made, the City and Lessee agrees as follow:

1. Lessee shall list Lot 3, for sale within two (2) weeks of approval of the Lake Bloomington Lease Transfer.
2. Lessee shall sell Lot 3 within two (2) years of approval of the Lake Bloomington Lease Transfer.
3. In the event Lessee fails to sell Lot 3 as provided in paragraph 2, Lessee may seek an extension of the lease for up to one (1) year, subject to City Council approval.
4. Lessee shall make all reasonable efforts to sell Lot 3 within two (2) years of approval of the Lake Bloomington Lease Transfer, including, but not limited to, incorporating aggressive marketing tools in the sale of the Lot and establishing a sales price consistent with market comparables for the area.
5. Lessee shall not rent Lot 3 to third parties.

6. Lessee shall be responsible for maintaining Lot 3 in good condition.

IN WITNESS WHEREOF, Lessee and the City have entered into this Agreement the day and year first above written, by so executing, each of the parties warrant that it possesses full right and authority to enter into this Agreement.

City of Bloomington, Illinois,
A Municipal Corporation

By: Leroy Shouse

By: Stephen F. Stockton
Mayor

By: Diane Shouse

Date: April 27, 2010

Date: April 28, 2010

Attest:

Tracey Covert
City Clerk

Mayor Stockton introduced this item. It was a unique situation. David Hales, City Manager, addressed the Council. Mr. Hales stated that for the last several decades there had been little change to City Code regarding lake leases. There had been lease restrictions. Typically placed on the consent agenda was an assignment of a lease. In this situation there would be a time period when one (1) party would hold two (2) lots. There had been a supplemental agreement with conditions. The Council may have to amend the City Code in the future. He cited the City's goal for lake leases and the role of the Lake Association.

Craig Cummings, Director of Water, addressed the Council. This lake lease transfer was rather routine. Mr. and Mrs. Shouse needed to sell their current lake property. Two (2) lots would then be owned by one (1) party. They had a two (2) year time limit to sell the current home. They had to maintain both properties and aggressively market their home for sale.

Mayor Stockton clarified that the City did not want someone to corner the market for redevelopment. He questioned if the owners would be allowed to extend their request if the property had not sold in two (2) years. Mr. Cummings stated the Council would review the owner's attempts to sell the property. Mayor Stockton expressed his support for this item. He believed the property would sell. Mr. Cummings noted that the owners would technically be in violation if this had not been brought to the Council. Mayor Stockton

clarified that the real estate closing was scheduled for Wednesday April 28, 2010. Mr. Cummings added there had been discussions with the realtor. This situation had occurred in the past.

Alderman Schmidt questioned this process. She cited the two (2) years allowed to sell the property and the potential extension. She expressed concern that there could be no end. Mr. Hales stated that if the other party failed to comply with the terms the City could terminate the lease agreement. A sublease would not be allowed. The owners needed to ask a reasonable price for the property. Additional conditions would have to be met for an extension to be granted.

Alderman Fruin tried to recall past history. He believed that the average time a lake property was on the market was short. He questioned the history of multiple lot ownership. Mr. Hales stated staff had not been aggressive in auditing. Staff did have a study underway to look at lake lease revenue versus costs. Mayor Stockton did not believe that previous situations were in violation of the City Code. The property owner's intentions were innocent. Mr. Hales discussed photos of older cabins versus newer homes. The lake leases will expire in 2031. Mayor Stockton expressed support for a meeting with the homeowners group. The lake was built as a reservoir. The City needed to come up with a long term plan.

Alderman Purcell believed the ordinance was a good idea. There were individuals who held multiple lots. These individuals were upgrading their residence.

Motion by Alderman Anderson, seconded by Alderman McDade that the Lake Lease and Agreement be approved and the Mayor and City Clerk be authorized to execute the necessary documents.

The Mayor directed the clerk to call the roll which resulted in the following:

Ayes: Aldermen Stearns, Huette, Schmidt, McDade, Anderson, Hanson, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Lake Bloomington Lease Transfer Petition for Lots 2 and 3, Block 15 of Camp Iroquois from J&J Cleaning Service, LLP and John and Lisa Larkin to John Larkin and Lisa Larkin

RECOMMENDATION: That the Lake Lease and Supplemental Agreement be approved and the Mayor and City Clerk be authorized to execute the necessary documents.

BACKGROUND: Staff has reviewed the Lake Bloomington Lease Transfer Petition for Lots 2 and 3, Block 15 of Camp Iroquois from J&J Cleaning Service, LLP and John and Lisa Larkin to John Larkin and Lisa Larkin. Approval of this transfer would result in one person leasing two (2) lots at Lake Bloomington for an unknown period of time. Current City Code prohibits such action. A supplemental agreement addressing this issue has been prepared.

This lake lot transfer is not without precedent in that the petitioner wishes to lease an adjacent lot with the future plans to remove the smaller structures on each individual small lot, join the lots as one and build a larger structure on the larger lot. Staff generally supports this activity as it reduces density at the Lake.

The difference with this petition is that the petitioner wishes to delay the removal of the structures until some time in the future. The Bloomington City Code, in Chapter 23, Section 60.1 specifically prohibits a person from leasing two (2) lots at Lake Bloomington with the exception of four (4) exemptions which staff does not view as relevant to the current transfer.

Frank Miles, buyer's attorney, has provided staff with a letter stating the intentions of the petitioners which included some prohibitions covering the time until the removal of the structures occurs and the lots are joined, or the date certain arrives and the petitioner would be required to sell the adjacent lot if the actions did not take place.

With the supplemental agreement incorporated into this lake lease transfer, staff respectfully recommends that Council approve this transfer. However, staff believes there are several actions the Council could take concerning this petition. These are:

1. Deny the petition based upon the prohibition contained in the current Ordinance.
2. Provide for some different conditions to be included in the lake lease transfer (i.e. a shorter period for action).
3. Change the Ordinance to allow for leasing of two (2) lots at Lake Bloomington.

Concerning the first two (2) options, staff views them as straight forward. Option three (3) is a fundamental change in the way Lake Lease transfers have been handled for decades.

Staff understands from discussions with various Lake Bloomington residents and/or individuals familiar with Lake Lease transfers that there are instances where two (2) lots are currently leased by the same individual, or at least persons with common interests such as a husband and wife, or an individual and a lot leased in a business name. The several instances where two (2) or more lots being leased by one (1) individual has not caused any undue problems, and staff believes that option three (3) should be seriously considered.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The Lake Bloomington Association.

FINANCIAL IMPACT: This petition will have a neutral financial impact in that the lease would use the current formula, (\$0.40 per \$100 of Equalized Assessed Value) for determining

2. Lessee shall join Lot 2 and Lot 3 as one and build a larger structure on the larger lot within five (5) years of approval of the Lake Bloomington Lease Transfer.

3. In the event Lessee fails to join the lots as provided in paragraph 2, Lessee may seek an extension of the lease for up to one (1) year, subject to City Council approval.

4. Lessee shall use the existing cottage located on Lot 3 as they have in the past and shall not use the new cottage located on Lot 2 in any significant way, except to accommodate overflow guests on holidays and special events.

5. Lessee shall not rent to third parties either cottage located on Lot 2 or Lot 3.

6. In the event Lessee remove the cottage and build a new structure, the existing septic system shall be inspected and adequately sized for the new structure if the existing system will be used.

7. Lessee shall be responsible for maintaining each cottage located on Lot 2 and Lot 3 in good condition.

IN WITNESS WHEREOF, Lessee and the City have entered into this Agreement the day and year first above written, by so executing, each of the parties warrant that it possesses full right and authority to enter into this Agreement.

City of Bloomington, Illinois,
A Municipal Corporation

By: John Larkin

By: Lisa Larkin

Stephen F. Stockton
Mayor

Date: April 27, 2010

Date: May 7, 2010

Attest:

Tracey Covert
City Clerk

Mayor Stockton introduced this item.

Alderman Hanson excused himself and left the Council Chambers due to a conflict of interest.

Craig Cummings, Director of Water, addressed the Council. The purchasers wanted to purchase the adjacent lot. Both lots were off the water. He referred to the lots as postage stamp size. The structures on the property were 900 square foot cabins. The purchaser would like to eventually combine the lots, remove the structures on both properties, and build a new home with a new septic system. This would reduce density at the lake. City building codes and County zoning would still be followed if the lots were combined. A year round residence would be established. The conditions negotiated with the purchasers were that the first (1st) structure be removed within two (2) years and the second (2nd) structure removed within five (5) years. He was in support of the combination of these two (2) lots.

Alderman Purcell questioned the lot size. Mr. Cummings stated the lots were less than a quarter acre. The lots were off the water. He supported reduced density of the lake.

Motion by Alderman Schmidt, seconded by Alderman Purcell that the Lake Lease and Agreement be approved and the Mayor and City Clerk be authorized to execute the necessary documents.

The Mayor directed the clerk to call the roll which resulted in the following:

Ayes: Aldermen Stearns, Huette, Schmidt, McDade, Anderson, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Fiscal Year 2010 Budget Amendment

RECOMMENDATION: That the Budget Amendment be approved and the Ordinance passed.

BACKGROUND: State of Illinois statutes require expenditures incurred within each individual fund not to exceed the appropriation amount set forth in the annual budget of an established fiscal period. In an effort to strengthen the fiscal controls of the budgetary process, staff has prepared a list of budgetary amendments for the current Fiscal Year. This action corresponds with the August 24, 2009 discussion where staff committed to Council that the majority of budget amendments would be presented in the fiscal year the expenditure occurred rather than in the proceeding fiscal year.

The appropriated budget of individual funds may be exceeded for several reasons such as but not limited to:

- Prior year encumbrances paid out of the fiscal period in question
- Transfers to cover higher than planned expenses
- Purchases and/or projects (ex. grants) that were approved in mid year but not included within the appropriated budget
- Projects approved after the annual budget was approved
- Cost incurred for unforeseen circumstances

Staff has prepared documentation which itemizes the proposed end year budgetary amendments and a short description of the reason behind the budget amendment. As a reminder, as part of the Financial Impact section for each Council memo, if necessary a statement is included that will disclose the need for a budget amendment if the applicable item is approved by the City Council.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable.

FINANCIAL IMPACT: Not applicable.

Respectfully submitted for Council consideration.

Prepared by:

Reviewed by:

Recommended by:

Timothy L. Ervin
Director of Finance

Barbara J. Adkins
Deputy City Manager

David A. Hales
City Manager

ORDINANCE NO. 2010 - 17

**AN ORDINANCE AMENDING THE BUDGET ORDINANCE
FOR THE FISCAL YEAR ENDING APRIL 30, 2010**

Whereas on April 13, 2009 by Ordinance Number 2009 - 22, the City of Bloomington passed a Budget and Appropriation Ordinance for the Fiscal Year Ending April 30, 2010, which Ordinance was approved by Mayor Stephen F. Stockton on April 14, 2009; and

Whereas a budget amendment is needed as detailed below;

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

Section One: Ordinance Number 2009 - 22 (the Budget and Appropriation Ordinance for the Fiscal Year Ending April 30, 2010) is further hereby amended by inserting the following line items and amounts as presented in Exhibit #1.

Section Two: Except as provided for herein, Ordinance Number 2009 - 22 shall remain in full force and effect, provided, that any budgeted or appropriated amounts which are changed by reason of the amendments made in Section One of this Ordinance shall be amended in Ordinance Number 2009 -22.

Section Three: This Ordinance shall be in full force and effect upon its passage and approval.

PASSED the 26th day of April, 2010.

APPROVED the 27th day of April, 2010.

APPROVED:

Stephen F. Stockton
Mayor

ATTEST:

Tracey Covert
City Clerk

David Hales, City Manager, introduced this item. The Council had discussed bringing budget amendments during the Fiscal Year (FY). With any budget there may be unforeseen items. He believed the budget amendments were reasonable and appropriate. In many cases it was a housekeeping issue.

Tim Ervin, Director of Finance, addressed the Council. He highlighted the ten (10) amendments related to the ten (10) different funds. In three (3) funds the City's expenditures exceeded the revenues. Money was transferred from other funds to offset expenditures. For three (3) funds there was no money spent, there were bookkeeping entries. Another fund was the Pepsi Ice Center Capitol Project Fund. Staff had brought forward excess bond funds.

Alderman Purcell questioned why the budget amendments were not included in FY 2010 - 2011. Mr. Ervin stated the grants were received in the new year. Two (2) transfers were recommended by the City's outside auditor, Sikich LLP. The firm had matched credits with debits.

Alderman Purcell clarified there was no additional money needed. Mr. Ervin noted the outside audit had started that day.

Alderman Purcell thanked Mr. Ervin for his hard work. Mayor Stockton added that this was the last Council meeting for the FY.

Motion by Alderman Schmidt, seconded by Alderman Hanson that the Budget Amendment be approved and the Ordinance passed.

The Mayor directed the clerk to call the roll which resulted in the following:

Ayes: Aldermen Stearns, Huette, Schmidt, McDade, Anderson, Hanson, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Presentation of the 2009 Bloomington Police Department Annual Report

RECOMMENDATION: That the report be received and placed on file.

BACKGROUND: The Police Department prepares an annual report each year. This year's report had been provided to the Council. It has also been placed on the City's web site. It can be found under the Police Department's Publication section.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable

FINANCIAL IMPACT: Not applicable.

Respectfully submitted for Council consideration.

Prepared by:

Randy McKinley
Police Chief

Recommended by:

David A. Hales
City Manager

Mayor Stockton introduced this item. The Council had received the report prior to the meeting. David Hales, City Manager, addressed the Council. He believed a presentation of the Police Department's Annual Report should be at a public hearing. The Police and Fire Departments received half the General Fund budget. He requested Randy McKinley, Police Chief, to present the Police Department's Annual Report highlights including: statistics, trends and successes.

Chief McKinley addressed the Council. He had a PowerPoint presentation. The Council was given a copy of the report four (4) weeks ago. Many changes had occurred in the Police Department (PD) in the past year and a half. The department was headed in the right direction. He believed the PD was headed toward a more proactive approach to providing police services. There was a three (3) year strategic plan with specific and measurable goals. These were listed on page 6 of the report. He planned to address a couple of the more critical pages of the report.

Goal 1: to reduce crime and the fear of crime. The PD concentrated enforcement efforts on targeted areas. In September 2010, the PD would provide an annual review. The PD continued their monthly meetings for neighborhood watch groups. He cited the collaboration with other agencies.

Goal 2: improve the quality of life in our neighborhoods. There was a new approach, problem oriented policing had a significant impact. Command staff provided assignments to officers. The officers were given staff and resources to find solutions to problems. He cited examples including: junk vehicles, walk and talks, and underage drinking. The Downtown camera project had been placed on hold pending action on the Downtown Bloomington Strategy. The Traffic Division's Safe Traffic Enforcement Program (STEP) had reduced the number of citations, fatalities and injuries.

Goal 3: enhance community and Police partnerships. He was proud of the Nuisance Abatement Program. One (1) day a week, PACE inspectors ride along with dayshift officers to deal with Ordinance Violations. They focus on twenty (20) properties at a time. The Information Services (IT) staff was working with the PD to develop intranet to enhance communication throughout the department. This internal site served as a 24/7/365 (24 hours a day, 7 days a week, 365 days a year), information clearinghouse. It was accessible within the PD and also in police vehicles. It was a collaborative effort to increase efficiency and coordinate the police officers' efforts. It provided real time information sharing. The PD continued to enhance their web site. In November 2009, the PD conducted their first (1st) web based citizen survey. It had raised some areas of concern for staff to work on. In response to those concerns the PD increased stop and talks, and bike and foot patrols.

Goal 4: develop personnel and improve departmental efficiencies. He wanted to increase communication and improve relationships. During January 2010, the PD conducted their first (1st) employee survey since 2002. He wanted to promote training that was relevant and pertinent to employees. In September 2009, the PD brought in a consultant to train the staff in Problem Oriented Policing (POP). It had been working well.

He was pleased with the goals and accomplishments made in the past year. He cited page seven (7) of the report, the organizational chart. There had been a drastic change since the previous year. The PD had been completely reorganized. Changes had proved to be beneficial. They added a fourth (4th) patrol shift from 6:00 p.m. to 4:00 a.m. They also added a Street Crimes Division. The whole group contained eighteen (18) people working under one (1) roof. He cited the Criminal Investigations Division and the Cyber Crime Unit. It was state of the art work. It had been outstanding for the community. It included two (2) investigators who were also federal agents. Calls for service had increased by a couple thousand in 2009. They attributed that to the increase in the number of meetings with the public. Adult and juvenile arrests were down. He restated that the PD was headed in the right direction. He encouraged those present to read the report and contact him with questions.

Alderman Anderson commended the PD on the cyber unit and the interface with the schools. Chief McKinley stated the PD had a federal grant to establish cyber units in eight (8) other police agencies. Mayor Stockton questioned what other departments had come to the City to observe what they were doing. Chief McKinley responded that Champaign, Peoria, Rockford, Decatur, and Clinton PD had approached the City.

Alderman Schmidt expressed her compliments for the focus area meetings. They had been successful in addressing neighborhood issues. They had helped to build a sense of community. Chief McKinley noted that the meetings were held on the first (1st) Wednesday of every month at 5:30 p.m. He encouraged others to attend. The meeting lasted for one (1) hour.

Alderman Stearns expressed her amazement in seeing the difference in the PD. Leadership was also part of that. The focus area concept had made a significant difference. She had noticed abandoned cars disappearing. The PD had done well addressing blighted properties. Chief McKinley stated City departments worked together to be more efficient. The PD could not do without the Legal Department, PACE and Public Works.

Alderman Purcell thanked Chief McKinley for his report and hard work. Mayor Stockton recognized all the highlights. He was glad to see the Strategic Plan. He cited the proactive approach, focus, technology (cyber crime), working across departments, and the department morale. The PD was on the right track. Chief McKinley stated there had been a change of attitude.

Motion by Alderman Schmidt, seconded by Alderman Purcell that the report be received and placed on file.

The Mayor directed the clerk to call the roll which resulted in the following:

Ayes: Aldermen Stearns, Huette, Schmidt, McDade, Anderson, Hanson, Fruin and Purcell.

Nays: None.

Motion carried, (viva voce).

The Council extended its appreciation to the Police Department and expressed its belief that the department is moving in the right direction.

The following was presented:

SUBJECT: Analysis of Proposals for a Single Stream Recycling Facility

RECOMMENDATION: Staff recommends that Council accept the proposal Henson Disposal Inc. for providing the Single Stream Recycling Facility for the City's recycling material.

BACKGROUND: On December 8, 2008, a presentation was made to Council on the benefits of converting to curbside single stream recycling. The City currently collects dual stream recycling material at the curb and takes the material to the Town of Normal's transfer station at 1301 Warriner Street, Normal. The City had a contract with Phoenix Paper for the processing of co-mingled paper and a contract with Resource Management in Chicago Ridge for the co-mingled containers which have expired.

Currently, the City has an intergovernmental agreement with the Town for the acceptance and transfer of recycling material which expires May 15, 2010. Additionally, the City plans to change its curbside recycling program from a dual to a single stream collection program once the intergovernmental agreement with the Town expires.

Proposals were solicited from qualified vendors to accept and transfer acceptable single stream recyclable materials starting Monday, May 17, 2010. Any potential processing solutions for the City's single stream materials were considered in the selection process.

Four (4) firms were issued a proposal packet, including the Town which provides the existing service. A pre-proposal conference was held on March 31, 2010. Two (2) firms responded with proposals. The proposal from Henson Disposal, Inc. meets all of the City's minimum requirements as stated in the Request for Proposal (RFP).

Using the material pricing and hauling costs at the time of the proposal opening, the difference of material payment for the two (2) proposals are as follows:

Henson Disposal, Inc.	Payment to City	\$21.05 per ton
Midwest Fiber Recycling	City to Pay Vendor	\$8.50 per ton

The pricing is dependent upon the market or commodity values for the single stream material and the hauling rate which is dependent upon fuel prices. The City currently pays an estimated \$60,000 to the Town annually for the current transfer station contract. Using the estimated 3,000 tons of recycled material per year that the City generates, this could be a savings of approximately \$120,000.

The following is a list of benefits for conversion to the single stream recycle program:

- Studies and surveys have shown that recycle material is increased by at least twenty percent (20%) when conversion to single stream is made. Every ton of increased recycle material saves the City on the cost to dispose of the material at the landfill. This would further reduce the cost of our Waste Management Division and bring us closer to citizens paying for the service that they receive.
- Single stream recycling could be implemented utilizing the current recycle trucks until funding is available to replace them. If the existing recycle trucks were to break down, rear packer garbage trucks could be used as back up.
- Citizens will experience an immediate benefit from curbside single stream recycling due to the convenience of not having to use specified containers and not having to sort their recyclables.
- The majority of communities that make any changes to their recycle program are changing to curbside single stream recycling.
- Single stream recycling is considered the environmentally friendly way for the City to increase our “green” appearance with the public.
- Single stream recycling sets up the City to convert to automated collection in the future.

Staff respectfully recommends accepting the proposal from Henson Disposal, Inc. to provide Single Stream Recycling until May 1, 2012.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Ecology Action Center, a City Council Work Session, and the Town of Normal.

FINANCIAL IMPACT: It is anticipated that conversion to single stream recycling will increase the recycling volume which will reduce the overall cost of solid waste disposal. In addition, the performance measure used for recycling collection is anticipated to decrease. This is another step toward bringing the service level in line with the cost of service.

Respectfully submitted for Council consideration.

Prepared by:

Reviewed by:

Financial review by:

Jim Karch
Director of Public Works

Kim Nicholson
Purchasing Agent

Tim Ervin
Director of Finance

Recommended by:

David A. Hales
City Manager

Mayor Stockton stated that David Hales, City Manager, requested this item be laid over for additional analysis. Mr. Hales addressed the Council. He would like this item to be laid over until the Council's May 10, 2010 meeting in order to have further discussion with the vendors.

Alderman Huette questioned if the vendors would like to address the Council. He also questioned if it would be better to wait. Mayor Stockton stated additional information had come in since the item was scheduled. Staff would explore that information. There could be some possible changes to staff's proposal. Mr. Hales supported the Mayor's comments. He would like to take the vendor's comments into consideration. Mayor Stockton would provide notice to those in the audience who were interested in this item. Mr. Hales reiterated that it would benefit staff to lay over this item to complete additional work. Staff would provide a recommendation in two (2) weeks.

Motion by Alderman McDade, seconded by Alderman Schmidt that the item be laid over until the Council's May 10, 2010 meeting.

The Mayor directed the clerk to call the roll which resulted in the following:

Ayes: Aldermen Stearns, Huette, Schmidt, McDade, Anderson, Hanson, Fruin and Purcell.

Nays: None.

Motion carried, (viva voce).

MAYOR'S DISCUSSION: Mayor Stockton cited an article in the Pantagraph regarding the interest in the Castle Theater. He had met with proponents. The issues revolved around code enforcements and Liquor Commission issues. The venue would only be open for special events. It would be more of a club atmosphere. He cited the City's past investment. There would be some conditions concerning parking. It was possible that it would come before the Commission in the next month or two.

CITY MANAGER'S DISCUSSION: David Hales, City Manager, reminded the Council of the May 10, 2010 Work Session. Cathy Orr, TIF Attorney, would address various economic tools to fund improvements. Carson Bise, TishlerBise, would also present a report regarding fiscal impact analysis on June 14, 2010. How to plan for growth would also be discussed. These were major action items.

He cited a couple of days spent in Springfield: IML's (Illinois Municipal League), Lobby Day and Senator Bill Brady's Legislative Day. He noted individuals in opposition to the Governor's request to reduce the Local Government Distributive Fund (LGDF). The General Assembly would finish without a budget decision. It would come after the election.

Next month, he planned to bring an update to the Action Plan. Staff would prepare a quarterly report to assess same.

ALDERMEN'S DISCUSSION: Alderman McDade commented on the Citizens Voice Meeting. Alderman Anderson passed out a handout. The purpose was to establish general guidelines to provide a structure for quarterly Citizens Voice meetings. The first (1st) meeting would be Monday May 3, 2010 from 6:30 – 7:00 p.m. at the Bloomington Center for Performing Arts.

Alderman Anderson stated the guidelines would be reviewed after each meeting. This was their first (1st) attempt. Mayor Stockton stated this was an opportunity for the public to raise their issues.

Alderman Fruin thanked Aldermen Anderson and McDade for their leadership with the meetings. He appreciated the openness and growth that could occur. He also thanked Katie Buydos, Executive Assistant, for the laminated cards. David Hales, City Manager, stated they were a continual reminder for the Council. Alderman Fruin clarified for the public that the cards contained the City's strategic goals. He also hoped that everyone had enjoyed his "My Town Story from McLean County".

Alderman Schmidt echoed Aldermen Fruin's comments. She would like to see the cards posted on the walls. It would help to keep the Council focused and keep things moving forward.

Alderman Purcell supported single stream recycling. He also informed the Council that the Neighborhood Committee was trying to reach out to neighborhood watch groups and associations to complete a survey regarding neighborhood issues. Mayor Stockton had requested individual Aldermen to become experts in areas such as communication and neighborhood quality of life. These efforts had made a difference.

Alderman Stearns cited the McLean County Regional Planning Commission's (MCRPC) breakfast. The Mayor from Carmel, IN had spoken. Carmel had some innovative and creative ideas. This Indianapolis suburb had grown substantially. Alleys were used for refuse pick up. She believed if there was a way then the City should find it. The City of Carmel did not have in house refuse pick up. It was different and she found it refreshing.

Alderman Anderson expressed appreciation to the Beautification Committee and their warehouse district clean up. This weekend they would be working in the Miller Park area.

Motion by Alderman Purcell, seconded by Alderman Stearns, that the meeting be adjourned. Time: 9:20 p.m.

Motion carried.

**Tracey Covert
City Clerk**