

**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 7:40 p.m., Monday, March 8, 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, David Sage, John Hanson, Jennifer McDade, Steven Purcell, Karen Schmidt, Jim Fruin and Mayor Stephen F. Stockton.

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

The following was presented:

SUBJECT: Council Proceedings of January 11, 2010, Work Session of December 14, 2009, and the Executive Session Minutes of February 22, 2010

RECOMMENDATION: That the reading of the minutes of the previous Council Proceedings of January 11, 2010, Work Session of December 14, 2009, and the Executive Session Minutes of February 22, 2010 be dispensed with and the minutes approved as printed.

BACKGROUND: The Council Proceedings of 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 Purcell, seconded by Alderman Anderson that the reading of the minutes of the previous Council Meeting of January 11, 2010, Work Session of December 14, 2009 and the Executive Session Minutes of February 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, Sage, 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, March 5, 2010 by posting via the City's web site.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable.

FINANCIAL IMPACT:

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)

Alderman McDade noted that citizens were raising questions regarding this report. David Hales, City Manager, addressed the Council. City staff was attempting to answer all questions received by the Friday prior to the Council meeting by Monday (the Council meeting date) in order to share the information with the Council.

Motion by Alderman Purcell, seconded by Alderman Anderson 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, Sage, 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 second partial payment to Carl Walker, Inc. in the amount of \$2,262.64 on a contract amount of \$28,600 of which \$10,827.79 (\$239.79 in reimburseables) will have been paid to date for work certified as 37% complete for the Design of Market St. Garage Restoration. Completion date – June 2010.
2. The fourth partial payment to Illinois Department of Transportation in the amount of \$3,405.62 on a contract amount of \$42,604 of which \$41,027.63 will have been paid to date for work certified as 96% complete for the Construction of the Downtown Main St. (Front to Washington) Beautification. Completion date – July 2009.
3. The thirteenth partial payment to Peoria Metro Construction in the amount of \$151,591.42 on a contract amount of \$2,959,542 of which \$2,826,303.20 will have been paid to date for work certified as 95% complete for the Construction of Fire Station #5. Completion date – August 2009.
4. The nineteenth partial payment to Stark Excavating, Inc. in the amount of \$77,521.30 on a contract amount of \$2,550,426 of which \$2,500,426.01 will have been paid to date for work certified as 98% complete for the McGraw Park Phase II – General Construction. Completion date – April 2010.

5. The fifteenth and final payment to Farnsworth Group in the amount of \$2,225 on a contract amount of \$130,300 of which \$130,300 will have been paid to date for work certified as 100% complete for the Tanner Street – Morris Ave. to Lake Dr. Right of Way Plat. Completion date – August 2008.
6. The thirty-eighth partial payment to Clark Dietz, Inc. in the amount of \$2,114.06 on a contract amount of \$392,895 of which \$374,147.89 will have been paid to date for work certified as 95% complete for the Design of Hamilton Rd – Timberlake to Main St. (f/k/a Hamilton & Main St.) Completion date – February 2010.
7. The twenty-fifth and final payment to McLean County in the amount of \$1,080.79 on a contract amount of \$100,000 of which \$77,617.69 will have been paid to date for work certified as 78% complete for the East Side Corridor Design Study. Completion date – November 2009.
8. The sixth and final payment to Illinois Department of Transportation in the amount of \$217,851.76 on a contract amount of \$1,368,149.18 of which \$1,368,149.18 will have been paid to date for work certified as 100% complete for the Construction of Hamilton Road – Greenwood to Timberlake. Completion date – September 2007.
9. The second partial payment to Gildner Plumbing, Inc. in the amount of \$78,080.75 on a contract amount of \$251,326 of which \$151,801.20 will have been paid to date for work certified as 60% complete for the Water Main Repair Parkview Project – Phase II – Miller, Wood, Pancake and Barker. Completion date – December 2010.
10. The twenty-fifth partial payment to Whittman Hydro Planning Associates, Inc. in the amount of \$100,641.56 on a contract amount of \$868,846 of which \$848,745.98 will have been paid to date for work certified as 98% complete for the Strategic Source Water Study. Completion date – September 2010.
11. The third partial payment to Shive-Hattery in the amount of \$1,957.92 on a contract amount of \$19,500 of which \$13,814.12 will have been paid to date for work certified as 71% complete for the Design for Water Main Replacement on Greenwood Ave. Completion date – December 2009.
12. The third partial payment to Clark Dietz, Inc. in the amount of \$6,132.75 on a contract amount of \$20,000 of which \$11,079.41 will have been paid to date for work certified as 55% complete for the Inspection Services for Parkview area Water Main Project Phase II. Completion date – December 2010.
13. The fourth partial payment to Clark Dietz, Inc. in the amount of \$5,354 on a contract amount of \$20,000 of which \$16,433.41 will have been paid to date for work certified as 82% complete for the Inspection Services for Parkview area Water Main Replacement Project Phase II. Completion date – December 2010.

Respectfully submitted for Council consideration.

Prepared by:

Recommended by:

Tracey Covert
City Clerk

David A. Hales
City Manager

Motion by Alderman Purcell, seconded by Alderman Anderson 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, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Professional Services Agreement with AECOM Technical Services, Incorporated (AECOM) for Design Services for the Analysis, Design, Recommendation, Specification Development, and Bidding Services for a Replacement to the Sludge Decant Pump at the Water Treatment Plant

RECOMMENDATION: That the Agreement with AECOM for Design Services for the Analysis, Design, Recommendation, Specification Development, and Bidding Services for a Replacement to the Sludge Decant Pump at the Water Treatment Plant in the amount of \$13,000 be approved, the Mayor and City Clerk be authorized to execute the necessary documents, and the Resolution adopted.

BACKGROUND: The Water Treatment Plant Sludge Decant Pumps are pumps used to return water that has been settled at the lime sludge lagoons near the Water Treatment Plant. These pumps are critical to keeping the plant in compliance with federal water discharge regulations and can only be out of service for a short duration. These pumps are working in a severe duty environment where the water is very caustic and can be full of abrasive lime sludge particles causing accelerated wear on the pump seals and impeller. There have been several pump failures over the last few years due to these extreme conditions. Generally, there is one (1) sludge decant pump operating while the other is maintained as a back-up unit. At this time the primary pump is out of service and cannot be economically repaired. The back-up pump is also in need of a complete replacement or rebuild. The situation is urgent as the City only has a sole pump for this critical service.

Staff seeks engineering expertise to examine the current operating conditions including the motor/pump sizing, electrical requirements and impeller/pump case selection to determine the

optimal pump for the conditions. This analysis is expected to allow for developing specifications for a new pump to take all of the operating conditions into account.

AECOM designed the Water Treatment Plant expansion in the late 1980's and is familiar with it and its operating conditions. AECOM has completed a very preliminary analysis of the pumping conditions as they relate to the sizing of the motor and has determined that the motor horsepower should be increased from fifty (50) to sixty (60). Once the pumping parameters are analyzed, staff would work with AECOM for competitive bidding services for the specified pump for the operating conditions encountered at the plant.

Staff respectfully recommends that Council authorize an Agreement with AECOM in the amount of \$13,000 with the project to be paid for from the Water Department/Depreciation Fund, Consultant Services (Account # X50200-70050).

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable.

FINANCIAL IMPACT: These design projects will require the payment of \$13,000 from the Water Fund, Depreciation, Consultant Services X50200-72540. The Water Fund has a positive balance. This sludge pump design was not included in the FY 2009/10 capital budget. Since other projects have been delayed this year, the Water Department's Water Depreciation Fund has a positive balance.

Respectfully submitted for Council consideration.

Prepared by:

Recommended by:

Craig M. Cummings
Director of Water

David A. Hales
City Manager

RESOLUTION NO. 2010 - 11

A RESOLUTION WAIVING THE FORMAL BIDDING PROCESS AND AUTHORIZING AN AGREEMENT WITH AECOM TECHNICAL SERVICES, INC. FOR DESIGN SERVICES FOR THE ANALYSIS, DESIGN, RECOMMENDATION, SPECIFICATION DEVELOPMENT AND BIDDING SERVICES FOR A REPLACEMENT TO THE SLUDGE DECANT PUMP AT THE WATER TREATMENT PLANT IN THE AMOUNT OF \$13,000

Be It Resolved by the City Council of the City of Bloomington, Illinois,

1. That the bidding process be waived and Agreement with AECOM Technical Services, Inc. for Design Services for the Analysis, Design, Recommendation, Specification Development, and Bidding Services for a Replacement to the Sludge Decant Pump at the Water Treatment Plant in the amount of \$13,000 be approved.

ADOPTED this 8th day of March, 2010.

APPROVED this 9th day of March, 2010.

Stephen F. Stockton
Mayor

ATTEST:

Tracey Covert
City Clerk

Alderman Purcell questioned this item and the need for an engineer. Craig Cummings, Director of Water, addressed the Council. This firm will look at conditions, materials, pumps, etc. The vendor will specify the appropriate pump. The liability will rest with the City. This was a conservative approach. He anticipated the cost at \$35,000 for a submersible pump. The repair cost was estimated at \$15,000. The plan was to purchase one (1) and see if the other one is repairable. The repair would be matched to the specifications.

Motion by Alderman Purcell, seconded by Alderman Anderson that the Agreement with AECOM for Design Services for a Replacement to the Sludge Decant Pump at the Water Treatment Plant in the amount of \$13,000 be approved, the Mayor and City Clerk be authorized to execute the necessary documents, 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, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Change Order #2 to the Agreement with the McLean County Regional Planning Commission (MCRPC) for Aerial Photography of Areas from the City up to and Including the Reservoirs and their Watersheds and Upgrading the Pixilation of these Maps for Greater Resolution

RECOMMENDATION: That the Change Order be approved and the Resolution adopted.

BACKGROUND: In February 2006, Council approved a contract with MCRPC for Aerial Photography and GIS Mapping Services. This agreement included aerial photography for Lake Bloomington, Lake Evergreen, and their watersheds. Article XI of the agreement included the provision for optional projects such as periodic updates.

In 2009, aerial photography updates were being made for the City. Staff determined that it would be advantageous to include areas of the watersheds for the two (2) reservoirs in this update. These watershed area maps are very precise and can be used for decisions on watershed monitoring and planning, such as erosion control, conservation acreage and best management practices in the watersheds. This can ultimately positively impact the water quality in the two (2) drinking water reservoirs.

Staff respectfully recommends that Council approve the change order in the amount of \$14,153.44 to MCRPC with payment to be made from Water Fund Operation and Maintenance accounts, divided equally between Distribution and Purification Divisions #5010-50120-70220 and Other Professional and Technical Services #5010-50130-70220.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable.

FINANCIAL IMPACT: Payment in the amount of \$14,153.44 is to be made from Water Fund Operation and Maintenance accounts, divided equally between Distribution and Purification Divisions #5010-50120-70220 and Other Professional and Technical Services #5010-50130-70220. The Water Operation and Maintenance Fund have a positive fund balance and the Change Order will have little impact on the Water Department's FY 2009/10 budget.

Respectfully submitted for Council consideration.

Prepared by:

Recommended by:

Craig M. Cummings
Director of Water

David A. Hales
City Manager

RESOLUTION NO. 2010 - 12

A RESOLUTION AUTHORIZING A CHANGE ORDER IN THE AMOUNT OF \$14,153.44 IN THE CONTRACT BETWEEN THE CITY OF BLOOMINGTON AND MCLEAN COUNTY REGIONAL PLANNING COMMISSION

WHEREAS, the City of Bloomington has previously entered into a contract with McLean County Regional Planning Commission for Aerial Photography of Areas from the City up to and Including the Reservoirs and their Watersheds; and

WHEREAS, for the reasons set forth in a staff report dated March 8, 2010 it was necessary to update the aerial photography of the City's watersheds and the two (2) reservoirs; and

WHEREAS, it is the finding of the City Council that the decision to perform the work described in the March 8, 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 \$14,153.44 in the contract between the City of Bloomington and McLean County Regional Planning Commission for updated Aerial Photography of the reservoirs and their watersheds be approved.

ADOPTED this 8th day of March, 2010.

APPROVED this 9th day of March, 2010.

Stephen F. Stockton
Mayor

ATTEST:

Tracey Covert
City Clerk

Alderman Purcell questioned this item. He noted the 2009 photographs and questioned filming the watershed. Craig Cummings, Director of Water, addressed the Council. He noted that the photography would be a higher resolution. It would document land use patterns. The City would be able to apply for grants. These photographs would be detailed. Elevations would be determined. These would be digital files.

Alderman Purcell questioned the number of square miles of watershed. Mr. Cummings was unsure. The City would have photographs of the entire area with good resolution.

Mayor Stockton noted that these photographs would become a part of the McGIS.org, (McLean County Geographic Information System). This web site offered a tremendous amount of information. Mr. Cummings agreed that these photographs would become a part of the system. The information would be in the public domain. There would be local detail. This information would be needed if there were dramatic changes to land use patterns.

Motion by Alderman Purcell, seconded by Alderman Anderson that the Change Order in the amount of \$14,153.44 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, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Written Promotional Exam for Police Department

RECOMMENDATION: That the Agreement for Testing Services with Stanard & Associates be approved in the amount of \$20,190, the Mayor and City Clerk be authorized to execute the necessary documents and the Resolution adopted.

BACKGROUND: Staff requests permission to waive the formal bidding process and enter into an agreement with Stanard and Associates to develop test materials for the next Sergeants/Lieutenants promotional exam for the Police Department. The written test will consist of 120 multiple choice questions and the written assessment will consist of between ten and fifteen (10-15) items. The test will be graded by three (3) assessors with knowledge and training in the grading procedure. The goal was to establish a high quality test for the promotional examinations from a reputable organization. City staff selected three (3) firms and interviewed two (2) of them.

Stanard & Associates has been conducting promotional testing since 1976. This firm has a partnership with the Illinois Chiefs of Police Association. They conduct promotional testing for several large cities and when contacted, all of these agencies expressed satisfaction with the firm and noted no problems. Issues were encountered with the previous company during the July 2009 examinations. Two (2) companies were interviewed with Stanard and Associates meeting the department's needs. City staff performed due diligence and performed reference checks before recommending this firm.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Board of Police and Fire Commissioners.

FINANCIAL IMPACT: The total cost of the testing is \$20,190. The cost of the exam has been budgeted in the Fire and Police Commission line item G15210-70220 for \$19,000 and Human Resources G11410-70990 for \$1,190.

Respectfully submitted for Council consideration.

Prepared by:

Recommended by:

Randall D. McKinley
Chief of Police

David A. Hales
City Manager

RESOLUTION NO. 2010 – 12A

**A RESOLUTION WAIVING THE FORMAL BIDDING PROCESS AND APPROVING
AN AGREEMENT WITH STANARD AND ASSOCIATES FOR PROMOTIONAL
TESTING FOR THE POLICE DEPARTMENT IN THE AMOUNT OF \$20,190**

Be It Resolved by the City Council of the City of Bloomington, Illinois,

1. That the bidding process be waived and an Agreement with Standard and Associates for Promotional Testing for the Police Department in the amount of \$20,190 be approved.

ADOPTED this 8th day of March, 2010.

APPROVED this 9th day of March, 2010.

Stephen F. Stockton
Mayor

ATTEST:

Tracey Covert
City Clerk

Motion by Alderman Purcell, seconded by Alderman Anderson that the Agreement for Testing Services with Stanard & Associates be approved in the amount of \$20,190, the Mayor and City Clerk be authorized to execute the necessary documents 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, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Application of G/JAMN, d/b/a Bandana's Bar B-Q, located at 502 IAA Dr., for an RBS liquor license which would allow the sale of beer and wine by the glass for consumption on the premises seven (7) days a week

RECOMMENDATION: Based upon the report from the Liquor Hearing, the Liquor Commission recommends to the City Council that a RBS liquor license for G/JAMN, d/b/a Bandana's Bar B-Q, located at 502 IAA Dr., be created, contingent upon compliance with all applicable health and safety codes.

BACKGROUND: The Bloomington Liquor Commissioner Stephen Stockton called the Liquor Hearing to order to hear the application of G/JAMN, d/b/a Bandana's Bar B-Q, located at 502 IAA Dr., for an RBS liquor license which would allow the sale of beer and wine by the glass for consumption on the premises seven (7) days a week.

Present at the hearing were Liquor Commissioners Steve Stockton, Rich Buchanan, and Marabeth Clapp; George Boyle, Assistant Corporation Counsel; Renee Gooderham, Chief Deputy Clerk; and Anthony Barnes, General Manager and Applicant representative.

Commissioner Stockton opened the liquor hearing. He requested that the Applicant present the business plan. Anthony Barnes, manager and Applicant representative, addressed the Commission. He had twenty (20) years experience in restaurant service. Previously employed as Bandana's District Manager in Columbia, MO. Based on past experience with the company he was asked to relocate. His goal is to have the restaurant break even. Emphasis would be placed on the food rather the alcohol sales. He will advertise according to corporate standards. It was his belief that to be successful he has to draw people to the restaurant. He hopes to accomplish this through community volunteerism. His preference was to be General Manager over a District Manager. There was more opportunity to meet people.

Commissioner Stockton questioned as General Manager if there were previous issues with alcohol. Mr. Barnes responded only as District Manager and the employees involved were terminated.

Commissioner Buchanan questioned if the restaurant was a franchise. Mr. Barnes responded affirmatively. He would enter into a three (3) year sublease with the corporation. The philosophy of the corporation was sweat equity.

Commissioner Clapp questioned if all types of alcohol were provided at other restaurants. Mr. Barnes responded at the Creve Coeur and Rockford restaurants.

Commissioner Buchanan questioned the percentage of gross alcohol sales. Mr. Barnes stated that alcohol sales were less then ten percent (10%). Currently there were six (6) beers on tap. It was his belief that people come in for the food.

Commissioner Stockton inquired about the transfer. Mr. Barnes replied the transfer was scheduled for February 22, 2010. Commissioner Stockton noted that a letter must be received requesting permission for a temporary liquor license. Mr. Barnes stated his belief that the request had been provided at the time of the application. Renee Gooderham, Chief Deputy Clerk, located the request within the applicant file. He was reminded that the current license holder must maintain current liquor liability. The temporary liquor license could be picked up on February 23, 2010.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Public notice was published in the Pantagraph in accordance with City Code. In accordance with City Code, approximately twenty seven (27) courtesy copies of the Public Notice were mailed. In addition, the Agenda for the February 9, 2010 Meeting of the Liquor Commission was placed on the City's web site. There also is a list serve feature for the Liquor Commission.

FINANCIAL IMPACT: Neutral.

Respectfully,

Reviewed and concur:

Stephen F. Stockton
Chairman of Liquor Commission

Randall D. McKinley
Police Chief

Motion by Alderman Purcell, seconded by Alderman Anderson that an RBS liquor license for G/JAMN, d/b/a Bandana's Bar B-Q, located at 502 IAA Dr., be created, contingent upon compliance with all applicable health and safety codes.

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: Extension of Police Sergeant and Lieutenant Eligibility Lists

RECOMMENDATION: That the Ordinance be passed.

BACKGROUND: The Board of Fire and Police Commissioners prepares the eligibility lists for the entry level hiring and promotion of uniformed police officers and firefighters. The eligibility list for Police Sergeant expired on December 1, 2009. In addition, the Police Lieutenant's eligibility list expired on September 8, 2009. New eligibility lists are not yet available. There

are persons remaining on the expired list. Staff respectfully requests that the Council revive the expired lists and extend them both until August 15, 2010.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED Board of Fire & Police Commissioners, Police Sgt. & Lt.'s union, and City staff.

FINANCIAL IMPACT: Not applicable.

Respectfully submitted for Council consideration.

Prepared by:

Reviewed as to legal sufficiency:

Tracey Covert
City Clerk

J. Todd Greenburg
Corporation Counsel

Recommended by:

David A. Hales
City Manager

ORDINANCE NO. 2010 - 11

AN ORDINANCE EXTENDING THE CURRENT ELIGIBILITY LIST FOR POLICE SERGEANTS AND LIETENANTS TO AUGUST 15, 2010

WHEREAS, the Board of Fire and Police Commissioners prepares eligibility lists which are used to promote individuals within the Police Department to the ranks of Sergeant and Lieutenant; and

WHEREAS, under the home rule authority granted to the City of Bloomington by Article VII, Section 6 of the Illinois Constitution, the City Council has the authority to authorize the Board of Fire and Police Commissioners to extend the expiration date of an eligibility list; and

WHEREAS, at its regular meeting of March 1, 2010, the Board of Fire and Police Commissioners vacated the results of the promotional testing for Police Sergeant and Lieutenant; and

WHEREAS, this action requires that the City Council consider passage of an ordinance extending the expiration date of the current Police Sergeants and Lieutenant's eligibility list.

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

That the Board of Fire and Police Commissioners of the City of Bloomington, Illinois be authorized to extend the expiration date of the current lists for Police Sergeant originally established on December 1, 2006 and Police Lieutenant originally established September 6, 2006 on or until August 15, 2010.

PASSED this 8th day of March, 2010.

APPROVED this 9th day of March, 2010.

Stephen F. Stockton
Mayor

ATTEST:

Tracey Covert
City Clerk

Motion by Alderman Purcell, seconded by Alderman Anderson that the Ordinance be passed.

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: Special Use permit for Westminster Village, 2025 E. Lincoln Street

RECOMMENDATION: That the Special Use Permit be approved and the Ordinance passed.

BACKGROUND: Westminster Village is in the process of updating and creating a small addition to the healthcare portion of their operation in order to better provide services for their residents. Since the project requires additional building area, the zoning code requires their existing special use permit be evaluated and a new special use permit be approved by council.

A public hearing concerning this petition was brought before the Zoning Board of Appeals (ZBA) on February 17, 2010. At the hearing, Westminster was represented by both the architectural firm working on the building designs and the administrator of the facility. There was public support for the project while no objections were expressed.

After due consideration, the ZBA voted 6-0 to recommend Council approval of a Special Use Permit for expansion of the Martin Health Center. Staff concurs with the unanimous recommendation of the ZBA and respectfully requests that a Special Use Permit be approved and the Ordinance passed.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Notice of this Petition was placed in the newspaper as required by Ordinance, signs were placed on the property and notices were directly mailed to adjoining property owners.

FINANCIAL IMPACT: Not applicable.

Respectfully submitted for Council consideration.

Prepared by:

Reviewed by:

Recommended by:

Mark R. Huber
Director, PACE

Barb Adkins
Deputy City Manager

David A. Hales
City Manager

**PETITION FOR A SPECIAL USE PERMIT FOR PROPERTY LOCATED AT:
2025 EAST LINCOLN STREET, BLOOMINGTON, IL 61701**

State of Illinois)
) ss.
County of McLean)

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

Now comes Lynn DeCair, Executive Director hereinafter referred to as your petitioner, respectfully representing and requesting as follows:

1. That your petitioner is the owner of the freehold or lesser estate therein of the premises hereinafter legally described in Exhibit “A”, which is attached hereto and made a part hereof by this reference, or is a mortgagee or vendee in possession, assignee of rents: receiver, executor (executrix); trustee, lease, or any other person, firm or corporation or the duly authorized agents of any of the above persons having proprietary interest in said premises;
2. That said premises presently has a zoning classification of R-3B under the provisions of Chapter 44 of the Bloomington City Code, 1960;
3. That under the provisions of Chapter 44, Section 44.6-30 of said City Code Nursing Homes, are allowed as a special use in an R-3B zoning district;
4. That the establishment, maintenance, or operation of said special use on said premises will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;
5. That said special use on said premises will not be injurious to the use and enjoyment of other property in the immediate vicinity of said premises for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;
6. That the establishment of said special use on said premises will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the of R-3B zoning district;
7. That the exterior architectural treatment and functional plan of any proposed structure on said premises will not be so at variance with either the exterior architectural treatment and functional plan of the structures already constructed or in the course of construction in the immediate neighborhood or the character of the applicable district, as to cause a substantial depreciation in the property values within the neighborhood adjacent to said premises;

8. That adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided to said premises for said special permitted use;
9. That adequate measures have been or will be taken to provide ingress and egress to and from said premises so designed as to minimize traffic congestion in the public streets; and
10. That said special permitted use on said premises shall, in all other respects, conform to the applicable regulations of the of R-3B zoning district in which it is located except as such regulations may, in each instance, be modified by the City Council of the City of Bloomington pursuant to the recommendations of the Bloomington Board of Zoning Appeals.

WHEREFORE, your petitioner respectfully pray that said special use for said premises be approved.

Respectfully submitted,

Lynn DeCair
Executive Director

ORDINANCE NO. 2010 - 12

**AN ORDINANCE APPROVING A SPECIAL USE PERMIT FOR A
ADDITIONS / ALTERATIONS FOR PROPERTY LOCATED AT: 2025 EAST
LINCOLN STREET**

WHEREAS, there was heretofore filed with the City Clerk of the City of Bloomington, McLean County, Illinois, a petition requesting a Special Use Permit for a Additions/Alterations for certain premises hereinafter described in Exhibit "A" ; and

WHEREAS, the Bloomington Board of Zoning Appeals, after proper notice was given, conducted a public hearing on said petition; and

WHEREAS, the Bloomington Board of Zoning Appeals, after said public hearing made findings of fact that such Special Use Permit would comply with the standards and conditions for granting such special permitted use for said premises as required by Chapter 44, Section 44.6-30 of the Bloomington, City Code, 1960; and

WHEREAS the City Council of the City of Bloomington has the power to pass this Ordinance and grant this special use permit.

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

1. That the Special Use Permit for Additions/Alterations on the premises hereinafter described in Exhibit "A" shall be and the same is hereby approved.
2. This Ordinance shall take effect immediately upon passage and approval.

PASSED this 8th day of March, 2010.

APPROVED this 9th day of March, 2010.

Stephen F. Stockton
Mayor

ATTEST:

Tracey Covert
City Clerk

EXHIBIT "A"

ID: 46 21-11-301-014

Westminster Village

Part of southwest – beginning northeast corner Garling Subdivision, east 1486.94', south 225', southeast 200', southwest 382.31, southwest 226.78', southwest 223.84', southwest 389.37', southwest 367.33', southwest 348.81', southwest to west line, north to south line Garling Subdivision, east 202.89, north 454', to Point of the Beginning (Except First Federal Subdivision & except 2514 square feet for road as in 00/25926) Section 11, Township 23, Range 2 East, 44.48 acres.

Alderman Purcell compared this petition to the Heritage Enterprises' Special Use petition. This industry was evolving, expanding, and offering better services.

Motion by Alderman Purcell, seconded by Alderman Anderson that the Special Use Permit 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, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Appointment(s) and Reappointment(s) to Various Boards and Commissions

RECOMMENDATION: That the appointments be recommended by the City and forwarded to the County of McLean.

BACKGROUND:

McLean County Regional Planning Commission

Jhun Medina – 2517 Fox Trot Trail. His term will expire on December 31, 2012.

Tari Renner, 2 Sable Oaks Ct. His term will expire on December 31, 2012.

Both individuals will be placed in vacant positions on this Board.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable.

FINANCIAL IMPACT: None.

Respectfully submitted for Council consideration.

Recommended by:

Stephen F. Stockton
Mayor

Mayor Stockton introduced Jhun Medina. Mr. Medina has been a resident of the City since 1998. He had moved here from California with State Farm. Mr. Medina would bring diversity to the Regional Planning Commission. He was a participant in the Multi Cultural Leadership program.

Mayor Stockton introduced Tari Renner. Mr. Renner has served three (3) terms on the McLean County Board. He was familiar with the role of the Regional Planning Commission. He was abreast of local issues. He would bring perspective to the Commission while learning from its members. He thanked the Mayor for his kind offer. He planned on attending the Regional Planning Commission's March meeting.

Mayor Stockton informed the Council that Mr. Renner had resigned from the County Board. He thanked both for their service and reminded them that attendance was important.

Motion by Alderman Purcell, seconded by Alderman Anderson that the appointments be recommended by the City and forwarded to the County of McLean.

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: Resolution for the Illinois Department of Housing and Development Authority (IHDA), Single Family Owner Occupied Rehabilitation (SFOOR) Program

RECOMMENDATION: That the Certificate of Incumbency be approved, the Mayor and City Clerk be authorized to execute the necessary documents, and the Resolution adopted.

BACKGROUND: IHDA has requested that the City supply a Certificate of Incumbency and signed Resolution as authorization for participation in the SFOOR program. The SFOOR grant

provides housing rehabilitation loans to single family, owner occupied, low/moderate income households, within the City's Corporate Limits.

Assistance will be provided in the form of a five or ten (5 – 10) year forgivable loan, depending upon the amount of assistance. The grant spans a two (2) year period from May 2010 until April 2012 and is expected to assist a minimum of nine (9) households.

These documents must be received by IHDA by March 10, 2010.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The IHDA/SFOOR grant participation was approved by Council on February 22, 2010.

FINANCIAL IMPACT: Potential loss of a \$378,000 grant.

Respectfully submitted for Council consideration.

Prepared by:

Reviewed by:

Recommended by:

Mark Huber
Director of PACE

Barbara J. Adkins
Deputy City Manager

David A. Hales
City Manager

RESOLUTION NO. 2010 - 13

A RESOLUTION APPROVING PARTICIPATION IN THE ILLINOIS HOUSING DEVELOPMENT AUTHORITY (IHDA) SINGLE FAMILY OWNER OCCUPIED REHABILITATION (SFOOR) PROGRAM (May 1, 2010 – April 30, 2012)

Whereas, the Illinois Housing Development Authority (IHDA) has awarded a grant of \$378,000.00 to the City of Bloomington for the Single Family Owner Occupied Rehabilitation (SFOOR) Program; and

Whereas, the Single Family Owner Occupied Rehabilitation (SFOOR) Program benefits the City of Bloomington by preventing blighted conditions and promoting stable neighborhoods.

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

That the City of Bloomington shall enter into a Grant Agreement with the Illinois Housing Development Authority (IHDA), as program administrator of the HOME Investment Partnerships Program for the State of Illinois, wherein the Authority agrees to make a grant to the City of Bloomington, which shall be used to make forgivable loans to assist low income households to finance the rehabilitation, of their single family owner occupied residence, all in accordance with the terms and conditions set forth in the Grant Agreement.

That Stephen Stockton, Mayor of the City of Bloomington, be and is hereby authorized to execute and deliver to the Authority the Grant Agreement and all other documents and instruments relating to the Grant to be delivered to the Authority in connection with the closing of the Grant.

That the City of Bloomington hereby ratifies, authorizes and confirms all documents and instruments previously executed in connection with the Grant.

ADOPTED this 8th day of March, 2010.

APPROVED this 9th day of March, 2010.

Stephen F. Stockton
Mayor

ATTEST:

Tracey Covert
City Clerk

Motion by Alderman Purcell, seconded by Alderman Anderson that the Certificate of Incumbency be approved, the Mayor and City Clerk be authorized to execute the necessary documents, 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, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

SUBJECT: An Ordinance Amending “An Ordinance Describing and Designating an Area Located Partially Within the City of Bloomington, Town of Normal and Unincorporated McLean County as an Enterprise Zone”

RECOMMENDATION: That the Agreement be approved, the Mayor and City Clerk be authorized to execute the necessary documents and the Ordinance passed.

BACKGROUND: This ordinance submitted by the Economic Development Council of the Bloomington-Normal (EDC) Area seeks to extend the boundaries of the Bloomington/Normal/McLean County Enterprise Zone in order to cover approximately 10.6 acres located at 422 White Oak Rd., Normal. The site in question is home to Midwest Fiber Inc., an existing company.

Midwest Fiber Recycling is a family-owned business specializing in the collection, processing, and marketing of recyclable commodities. Midwest Fiber at present employs more than fifty (50) persons in Central Illinois, operates over 260,000 square feet of processing and warehouse buildings and recycles more than 210 million pounds of cardboard, newspaper, office paper, plastic, and non-ferrous metals each year. The EDC has been working with Midwest Fiber Inc. to expand its operations by building a new state-of-the-art, Single Stream Material Recovery Facility, which will serve as a hub for single stream residential and commercial recycling throughout Central Illinois. The project carries an estimated cost of \$6,872,312 and will result in the creation of twenty (20) new jobs in the first year, with an additional twenty-one (21) jobs to be created in years two through five (2-5) of the project.

The new facility will be constructed on an unused portion of the site currently occupied by the existing Midwest Fiber facility. The EDC wishes to extend the boundaries of the McLean County/Bloomington/Normal Enterprise Zone to cover the full 10.6 acres of this parcel. Enterprise Zone status will allow Midwest Fiber to purchase building materials for their new facility using the sales tax exemption native to the Enterprise Zone.

The EDC supports this project for a number of reasons. First and foremost, this project will create new jobs in our community and will increase the property tax base through new investment. Secondly, this project will have important environmental sustainability benefits for Central Illinois. The construction of a local single stream recycling facility will give Central Illinois communities the option of choosing single stream recycling as an alternative to incumbent municipal programs.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: EDC, Normal, and McLean County.

FINANCIAL IMPACT: The creation of an estimated twenty (20) new jobs in the first year of the project, with an additional twenty-one (21) jobs to be created in years two through five (2-5) of the project.

Respectfully submitted for Council consideration.

Prepared by:

J. Todd Greenburg
Corporation Counsel

Recommended by:

David A. Hales
City Manager

ORDINANCE NO. 2010 - 13

AN ORDINANCE AMENDING “AN ORDINANCE DESCRIBING AND DESIGNATING AN AREA LOCATED PARTIALLY WITHIN THE CITY OF BLOOMINGTON, THE TOWN OF NORMAL AND UNINCORPORATED MCLEAN COUNTY AS AN ENTERPRISE ZONE” - MIDWEST FIBER, INC.

WHEREAS, the City of Bloomington did, on December 26, 1984, adopt Ordinance No. 1984-131, which ordinance describes and designates an area located partially within the City of Bloomington, Town of Normal and unincorporated McLean County as an Enterprise Zone; and

WHEREAS, the City of Bloomington did, on numerous occasions after establishment of the Enterprise Zone, adopt Ordinances amending Ordinance No. 1984-131, including those lengthening the duration of the Enterprise Zone and amending the territory included within the Enterprise Zone; and

WHEREAS, the City of Bloomington now desires to amend the territory included within the Enterprise Zone and to memorialize the same by amending the Enterprise Zone Intergovernmental Agreement (as hereafter defined); and

WHEREAS, a public hearing regarding such amendments has been held as provided by law.

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

SECTION ONE: That Appendix “A”, which is attached to Ordinance No. 1984-131 and incorporated by reference in Section One of said Ordinance, as amended by subsequent Ordinances modifying the boundary of the territory included within the Enterprise Zone, shall be, and the same is, hereby further amended by adding the territory described in Exhibit A to the territory of the Enterprise Zone.

SECTION TWO: That the Mayor of the City of Bloomington, Illinois shall have, and is hereby given authority to execute the Amendment to the Enterprise Zone Intergovernmental Agreement between the Town of Normal, Illinois, the City of Bloomington, Illinois, and the County of McLean, Illinois (the “Enterprise Zone Intergovernmental Agreement”) attached hereto as Exhibit B, which Amendment memorializes the addition of the territory identified in this Ordinance to the territory of the Enterprise Zone.

SECTION THREE: That the provisions of Ordinance No. 1984-131 as previously amended and as hereby amended, being “An Ordinance Describing and Designating an Area Located Partially within the City of Bloomington, the Town of Normal, and Unincorporated McLean County as Enterprise Zone” shall remain in full force and effect.

SECTION FOUR: That this Ordinance shall be in full force and effect from and after its passage and approval and publication as required by law and from and after its approval by the Illinois Department of Commerce and Economic Opportunity.

SECTION FIVE: That the City Clerk be and is hereby directed and authorized to publish this Ordinance in pamphlet form as required by law and forward a certified copy of this Ordinance to the Illinois Department of Commerce and Economic Opportunity for its approval and to file a certified copy of this Ordinance with the County Clerk for McLean County.

SECTION SIX: That this Ordinance is adopted pursuant to the authority granted the City of Bloomington by the Illinois Enterprise Zone Act, and pursuant to Home Rule Authority.

SECTION SEVEN: That the Enterprise Zone Administrator is hereby authorized and directed to cause application to be made to the State of Illinois pursuant to the Illinois Enterprise Zone Act.

APPROVED:

Stephen F. Stockton
Mayor

ATTEST:

Tracey Covert
City Clerk

The foregoing ordinance was approved by the Mayor and City Council of the City of Bloomington on the 8th day of March, 2010.

The foregoing ordinance was published in pamphlet form on the 10th day of March, 2010.

EXHIBIT A

Tract 1:

A strip of land, 3 feet in width, lying 1.5 feet on each side of the following described lines and being a part of the Northeast Quarter of Section 31, Township 24 North, Range 2 East of the Third Principal Meridian, McLean County, Illinois. Beginning at the intersection of the White Oak Road (formerly U.S. Route 150) with the centerline of Hovey Avenue in the Town of Normal, Illinois. From said Point of Beginning, thence southeast along the centerline of said White Oak Road to a line perpendicular to said centerline, said line intersecting the Southwest Line of Outlot 28 in the Second Re-subdivision of Normal Industrial Park Subdivision, Normal Illinois, at a point lying 1.5 feet northwest of the Southernmost Corner of said Outlot; thence northeast along said line to the Southwest Line of said Outlot.

Tract 2:

Lot 26 and Outlots 28 and 29 of the Second Re-subdivision of Normal Industrial Park, according to the Plat thereof, recorded March 15, 1974 as Document No. 74-2089, in

McLean County, Illinois.

Said Tracts 1 and 2 together, contain 10.6 acres, more or less.

EXHIBIT B

AMENDMENT TO ENTERPRISE ZONE INTERGOVERNMENTAL AGREEMENT -- MIDWEST FIBER, INC.

This Amendment is entered into the 16th day of March, 2010, by and between the City of Bloomington, a municipal corporation, the Town of Normal, a municipal corporation, and the County of McLean, a body politic and incorporate, pursuant to the authority granted under Article VII, Section 10 of the Illinois Constitution and State law.

WHEREAS, the parties entered into an Intergovernmental Agreement in December, 1984, for the purpose of creating and operating an Enterprise Zone within the jurisdiction of said parties pursuant to the Illinois Enterprise Zone Act (the "Act"); and

WHEREAS, the Enterprise Zone was originally certified as an enterprise zone by the Department of Commerce and Economic Opportunity of the State of Illinois effective July 1, 1985; and

WHEREAS, the Enterprise Zone now compasses approximately 6.069 square miles; and

WHEREAS, the Act allows an enterprise zone to encompass up to 13 square miles if the zone is a joint effort of three or more units of government; and

WHEREAS, it has been determined that certain additional territory contiguous to the Enterprise Zone totaling up to approximately 0.01625 square miles would be benefitted by being encompassed within the boundaries of said Enterprise Zone; and

WHEREAS, it would be in the best interests of the citizens of the City of Bloomington, Illinois, the Town of Normal, Illinois, and the County of McLean, Illinois that said additional territory be included in the Enterprise Zone.

NOW, THEREFORE, BE IT AGREED BETWEEN THE PARTIES AS FOLLOWS:

1. That Section 2 "Description" of the Intergovernmental Agreement, and the property described in Exhibit "E1-a" and incorporated in said Section by reference, as subsequently amended, be and the same is hereby amended to include therein the area described in Exhibit A attached hereto (the "Amended Area"), and the Amended Area is hereby designated as part of the Enterprise Zone pursuant to and in accordance with the Act, subject to the approval of the State as provided in the Act.
2. Except to the extent amended hereby, that all provisions, agreements, stipulations,

rights, obligations, and duties set forth in the original Intergovernmental Agreement, as subsequently amended, are hereby ratified and confirmed, and are hereby applied to the Amended Area of the Enterprise Zone in their entirety.

THE UNDERSIGNED PARTIES HAVE CAUSED THIS AMENDMENT TO INTERGOVERNMENTAL AGREEMENT TO BE EXECUTED BY THEIR DULY DESIGNATED OFFICIALS, PURSUANT TO AUTHORITY CONFERRED BY THEIR RESPECTIVE GOVERNING BODIES THE DATE FIRST SHOWN ABOVE.

City of Bloomington
a Municipal Corporation

Town of Normal
a Municipal Corporation

By Stephen F. Stockton
Mayor

By Christopher Koos
Mayor

Attest:

Attest:

Tracey Covert
City Clerk

Wendellyn J. Briggs
City Clerk

County of McLean
a Body Politic and Corporate

By Matt Sorenson
County Board Chairman

Attest:

Peggy Ann Milton
County Clerk

(APPENDIX A – ORDINANCE NO. 1984-131 ON FILE IN CLERK’S OFFICE)

Mayor Stockton introduced this item. David Hales, City Manager, addressed the Council. The Council recently had a similar discussion regarding CAMTEK. Midwest Fiber was tied to the City’s recycling program.

Motion by Alderman Schmidt, seconded by Alderman Purcell to suspend the rules to allow someone to speak.

Motion carried.

Ken Springer, Economic Development Council's Project & Data Analyst, addressed the Council. The Enterprise Zone's boundaries would be expanded to 422 White Oak Rd., Normal. Midwest Fiber was established in 1990. This request involved an expansion project. Midwest Fiber planned to offer single stream recycling in Central Illinois. He estimated that this project would create twenty (20) new jobs during its first year. There was the potential for an additional twenty-one (21) positions if a second shift is merited. Currently, there was a residence on the 10.6 acre site. This request would result in jobs and capital investment. This could be the only single stream facility between Chicago and St. Louis.

Alderman Anderson questioned if there was a size limit to the Enterprise Zone. He also questioned the financial impact. Mr. Springer stated that there were not any local incentives. The risk was born by the state.

Mayor Stockton noted that purchases can be made anywhere within the state.

Alderman Stearns questioned the expiration date of the Enterprise Zone. Mr. Springer noted that it was set to expire in 2015. Alderman Stearns questioned if there were other business requests. Mr. Springer noted that there was plenty of acreage still available.

Alderman Purcell questioned truck traffic and if there would be an increase in same. Mr. Springer stated that he did not know at this time. Mayor Stockton stated that this issue would be addressed by the Town of Normal. Mr. Springer noted that Midwest Fiber was located in an industrial area.

Tari Renner, 2 Sable Oaks Ct., addressed the Council. As a County Board member, he had voted on Enterprise Zone issues. Enterprise Zones must be addressed systematically. One of the disadvantages was that each County has been granted the same number of square miles.

Motion by Alderman McDade, seconded by Alderman Schmidt to return to order.

Motion carried.

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

Nays: None.

Motion carried.

MAYOR'S DISCUSSION: Mayor Stockton addressed the Economic Development Council's One Voice project. In Washington DC, the group met with area legislators and administrative officials.

CITY MANAGER'S DISCUSSION: David Hales, City Manager, updated the Council regarding the ICW Agreement. A draft report had been received from Sorling, Northrup, Hanna, Cullen & Cochran, Ltd., (SNHCC), Springfield law firm. A meeting was held on Friday, March 5, 2010. SNHCC was preparing the final document. Sikich had reviewed the financial information. An Executive Session would be held on March 22, 2010 regarding Pending Litigation. SNHCC would share their opinion. He planned to place the Agreement on the Council's April 12, 2010 meeting agenda. The City had reached \$10,000 in fees. The cost will exceed the amount allotted. He wanted to make the Council aware of same.

Mr. Hales addressed the majority of a quorum. There were ten (10) elected officials. Four (4) or more represented the majority of a quorum. The Council should not discuss City business when four (4) or more elected officials were present. The public must have advance notice, the ability to attend and minutes must be taken.

Alderman McDade thanked Mr. Hales for the clarification. She believed the entire Council was interested in this information.

Alderman Fruin also thanked Mr. Hales for the information. He noted that situations would occur. He believed that Todd Greenburg's, Corporation Counsel, explanation should prevail. This Council participated in community events.

Mr. Hales expressed his appreciation to City staff for their efforts on the budget. They had done a terrific job.

ALDERMEN'S DISCUSSION: Alderman Sage addressed a couple of items. He cited the IML (Illinois Municipal League) Review's article regarding awarding contracts and when to issue bids. This magazine was a good resource.

He also wanted to create awareness regarding the development of David Hales, City Manager, Fiscal Year 2010 – 2011 performance evaluation. He had partnered with Alderman Fruin. They were developing a frame work. The content would be driven by the ICMA's, (International City Managers Association), best strategic practices list and the City's 2010 policy and management agenda. Katie Buydos, Executive Assistant, would prepare a folder for each Alderman. The goal would be to match the performance evaluation to the fiscal year. The deadline was May 1, 2010.

Mayor Stockton noted that two (2) Aldermen had started the process by preparing the groundwork. All will have a role.

Alderman Fruin thanked Alderman Sage for his leadership.

Alderman Purcell congratulated the Central Catholic High School's Girls' Basketball team on their state championship.

Alderman Stearns announced that she was hosting a Ward 4 street plans meeting on Wednesday, March 10, 2010 at 7:30 p.m. at the Public Library. She also planned to address the Citizen's Survey. The purpose of this meeting was to communicate with citizens. She clarified that a meeting notice was not required for her Town Hall Meeting.

Motion by Alderman Schmidt, seconded by Alderman McDade, that the meeting be adjourned. Time: 8:22 p.m.

Motion carried.

**Tracey Covert
City Clerk**

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