

**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 7:32 p.m., Monday, January 26, 2009.

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, Allen Gibson, David Sage, John Hanson, Jim Finnegan, 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.

Mayor Stockton introduced and welcomed David Hales, new City Manager, on his first day on the job.

The following was presented:

To: Honorable Mayor and Members of the City Council
From: Staff
Subject: Proclamation

The following proclamation has been requested and should be received and placed on file with the City Clerk:

1. Declaring January 31, 2009 Surya Namaskar Yoga Day.

Respectfully,

Tracey Covert
City Clerk

David A. Hales
City Manager

Mayor Stockton introduced Surya Namaskar Yoga Day. Mandava V. Rao, a member of the Hindu/Indian Community thanked the Mayor and Council. Mr. Rao explained that Surya Namaskar translated means Sun Salutation. The science of Yoga was invented in ancient India to promote health and wellness of body, mind and soul.

Mayor Stockton read and presented the Surya Namaskar Yoga Day Proclamation to Mr. Rao.

Motion by Alderman Schmidt, seconded by Alderman Purcell that the Proclamation 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, Finnegan, Gibson, Hanson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

To: Honorable Mayor and Members of the City Council
From: Staff
Subject: Council Proceedings of April 10, 2006 and Work Session Minutes of October 13 and December 8, 2008

The Council Proceedings April 10, 2006 and Work Session Minutes of October 13 and December 8, 2008 have been reviewed and certified as correct and complete by the City Clerk.

Respectfully,

Tracey Covert
City Clerk

David A. Hales
City Manager

Motion by Alderman Schmidt, seconded by Alderman Purcell that the reading of the minutes of the previous Council Meeting of April 10, 2006 and Work Session Minutes of October 13 and December 8, 2008 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, Finnegan, Gibson, Hanson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

To: Honorable Mayor and Members of the City Council
From: Staff
Subject: Bills and Payroll

The following list of bills and payrolls have been furnished to you in advance of this meeting. After examination I find them to be correct and, therefore, recommend their payment.

Respectfully,

Barbara J. Adkins
Deputy City Manager

David A. Hales
City Manager

(ON FILE IN CLERK'S OFFICE)

Motion by Alderman Schmidt, 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, Finnegan, Gibson, Hanson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

To: Honorable Mayor and Members of the City Council
From: Staff
Subject: Change Order No. 1 and Final for 2008 Curb & Gutter Improvements

On July 28, 2008, Council approved a contract with Rowe Construction Co. in the amount of \$642,463.59 to perform the 2008 Curb & Gutter Improvements. The work is now complete. During the completion of the work several items were encountered which resulted in additional cost as follows:

1. Additional pavement removal was performed along the edges of Allin Street to facilitate the curb and gutter installation. This cost was partially offset in savings on curb removal at this location.
2. Additional surface removal was performed at the transitions between the new asphalt surface and the existing street surface. The wider transitions were necessary to achieve the desired ride.
3. Additional hot mix asphalt was placed on Market Street to correct the drainage and improve the ride.
4. An error in the plan quantity for topsoil placement and seeding which under estimated these items was discovered and corrected.

This work was necessary for the orderly and proper completion of the project improvements.

Staff respectfully recommends that Council approve a Change Order to the contract with Rowe Construction in the amount of \$106,480.54 for a new contract total of \$748,944.13 for the 2008 Curb & Gutter Improvements for the extra work completed with the additional funding from Community Development Funds X22440-72530.

Respectfully,

Douglas G. Grovesteen
Director of Engineering

David A. Hales
City Manager

RESOLUTION NO. 2009 - 05

A RESOLUTION AUTHORIZING A CHANGE ORDER IN THE AMOUNT OF \$106,480.54 IN THE CONTRACT BETWEEN THE CITY OF BLOOMINGTON AND ROWE CONSTRUCTION CO FOR THE 2008 CURB AND GUTTER IMPROVEMENTS

WHEREAS, the City of Bloomington has previously entered into a contract with Rowe Construction Co. for the 2008 Curb and Gutter Improvements; and

WHEREAS, for the reasons set forth in a staff report dated January 26, 2009 the following changes were necessary to complete the work:

1. Additional pavement removal was performed along the edges of Allin Street to facilitate the curb and gutter installation. This cost was partially offset in savings on curb removal at this location;

2. Additional surface removal was performed at the transitions between the new asphalt surface and the existing street surface. The wider transitions were necessary to achieve the desired ride;
3. Additional hot mix asphalt was placed on Market Street to correct the drainage and improve the ride;
4. An error in the plan quantity for topsoil placement and seeding which under estimated these items was discovered and corrected; and

WHEREAS, it is the finding of the City Council that the decision to perform the work described in the January 26, 2009 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 \$106,480.54 in the contract between the City of Bloomington and Rowe Construction Co. for the 2008 Curb and Gutter Improvements be approved.

ADOPTED this 26th day of January, 2009.

APPROVED this 27th day of January, 2009.

APPROVED:

Stephen F. Stockton
Mayor

ATTEST:

Tracey Covert
City Clerk

Alderman Stearns noted this Change Order's seventeen percent (17%) increase for the project and questioned same. David Hales, City Manager, addressed the Council. Generally, change orders and the request to waive the formal bid process were concerns for Council. He planned to discuss these two (2) issues with staff. Staff would review the procurement process regarding professional services and construction projects. A strong understanding of the change order process was necessary to maximize the City's ability to negotiate appropriately.

It was not always possible to foresee what these projects may entail, however, staff would work to minimize these changes. Change orders needed to be well documented and in order with specific project budgets. Contingencies were also a necessary part of the

budgeting process. Staff must work to ensure the best, lowest price available. The cost must be justifiable.

Motion by Alderman Schmidt, seconded by Alderman Purcell that the Change Order in the amount of \$106,480.54 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, Finnegan, Gibson, Hanson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Payments from Various Municipal Departments

1. The eighth partial payment to Peace Meal in the amount of \$2,082 on a contract amount of \$25,000 of which \$16,656 will have been paid to date for work certified as 67% complete for the Peace Meal. Completion date – May 2009.
2. The eighth partial payment to Peace Meal in the amount of \$625 on a contract amount of \$7,500 of which \$5,000 will have been paid to date for work certified as 67% complete for the John M. Scott Home Delivered Meals. Completion date – April 2009.
3. The twenty-ninth partial payment to Economic Development Council of Bloomington/Normal in the amount of \$6,666.66 on a contract amount of \$400,000 of which \$193,333.14 will have been paid to date for work certified as 48% complete for the McLean County Economic Development. Completion date – August 2011.
4. The seventh partial payment to the Pantagraph in the amount of \$5,149.64 on a contract amount of \$40,097.92 of which \$32,411.56 will have been paid to date for work certified as 81% complete for the 2008-2009 Seasonal Advertising Services. Completion date – April 2009.
5. The eighth partial payment to Peoria Metro Construction in the amount of \$305,838.90 on a contract amount of \$2,976,502 of which \$1,610,537.61 will have been paid to date for work certified as 54% complete for the Construction of Fire Station #5. Completion date – February 2009.

6. The ninth partial payment to Peoria Metro Construction in the amount of \$118,101.60 on a contract amount of \$2,976,502 of which \$1,728,639.21 will have been paid to date for work certified as 58% complete for the Construction of Fire Station #5. Completion date – February 2009.
7. The seventeenth and final payment to Ratio Architects, Inc. in the amount of \$8,393.62 on a contract amount of \$135,240 of which \$124,767.12 will have been paid to date for work certified as 100% complete for the Miller Park Playground Renovation. Completion date – February 2008.
8. The first partial payment to Farnsworth Group in the amount of \$7,497.60 on a contract amount of \$35,000 of which \$7,497.60 will have been paid to date for work certified as 21% complete for the ICC Petition for Future Hamilton Road Railroad Crossing. Completion date – December 2009.
9. The fourteenth partial payment to Farnsworth Group in the amount of \$8,075.00 on a contract amount of \$130,300 of which \$128,075 will have been paid to date for work certified as 98% complete for the Tanner Street – Morris Avenue to Lake Drive Right of Way Plat. Completion date – August 2008.
10. The eighth partial payment to Testing Services Corporation in the amount of \$978 on a per ton and hour contract of which \$22,627.63 will have been paid to date for work certified as ongoing for the 2008-2009 Asphalt & Portland Concrete Plant Inspection and Laboratory Testing. Completion date – July 2009.
11. The seventh partial payment to Clark Dietz in the amount of \$3,472.70 on a contract amount of \$50,000 of which \$16,173.52 will have been paid to date for work certified as 32% complete for the Water Mapping Services. Completion date – December 2008.
12. The second partial payment to Clark Dietz in the amount of \$3,646.71 on a contract amount of \$16,500 of which \$8,169.76 will have been paid to date for work certified as 50% complete for the Knowledge Transfer Project – Distribution System. Completion date – December 2008.
13. The twelfth partial payment to WHPA Inc. in the amount of \$88,019.47 on a contract amount of \$518,846 of which \$403,467.98 will have been paid to date for work certified as 78% complete for the Strategic Source Water Study. Completion date – September 2009.
14. The thirteenth partial payment to Farnsworth Group in the amount of \$9,341.17 on a contract amount of \$50,000 of which \$44,797.05 will have been paid to date for work certified as 90% complete for the Ultraviolet Light & Hydrogen Peroxide Feasibility Study. Completion date – October 2008.

15. The thirteenth partial payment to Clark Dietz in the amount of \$450 on a contract amount of \$60,000 of which \$53,229.37 will have been paid to date for work certified as 89% complete for the Observation/Inspection of Parkview Phase 1 Water Main Replacement. Completion date – January 2009.
16. The fifth partial payment to Clark Dietz in the amount of \$3,470.46 on a contract amount of \$18,600 of which \$17,755.05 will have been paid to date for work certified as 95% complete for the Inspection Services for Division Street Lighting Services. Completion date – December 2008.
17. The third partial payment to Clark Dietz in the amount of \$210 on a contract amount of \$20,000 of which \$4,189.68 will have been paid to date for work certified as 21% complete for the Towanda Barnes Inspection Services from Route 9 south to Oakland. Completion date – March 2009.
18. The second partial payment to Clark Dietz in the amount of \$6,225.84 on a contract amount of \$21,700 of which \$9,319.99 will have been paid to date for work certified as 43% complete for the Lincoln Street – Bunn to Morrissey Drive Observation. Completion date – July 2009.
19. The seventh partial payment to Clark Dietz in the amount of \$270 on a contract amount of \$20,000 of which \$11,191.90 will have been paid to date for work certified as 56% complete for the Inspection Services for Water Main Installation on West Miller Street. Completion date – December 2008.
20. The thirteenth partial payment to Clark Dietz in the amount of \$14,419.91 on a contract amount of \$305,000 of which \$111,813.63 will have been paid to date for work certified as 37% complete for the Locust/Colton Street Sewer Separation & Water Main Replacement Design (CSO Elimination Phase I). Completion date – January 2009.
21. The eighth and final payment to Rowe Construction Co. in the amount of \$108,480.54 on a contract amount of \$748,944.13, of which \$748,944.13 will have been paid to date for work certified as 100% complete for the 20008 Curb & Gutter Improvements. Completion date – December 2008.

All of the above described payments are for planned and budgeted items previously approved by the City Council. I recommend that the payments be approved.

Respectfully,

David A. Hales
City Manager

Motion by Alderman Schmidt, 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, Finnegan, Gibson, Hanson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Audit of the Accounts for the Township Supervisor of General Assistance Fund and General Town Fund for the Month of December, 2008

Audit of the Accounts for the Township Supervisor of General Assistance Fund and General Town Fund for the month of December, 2008 were presented for Audit by the Township Supervisor.

The Audit of these accounts took place on Monday, January 26, 2009 at 6:30 p.m. in the Conference Room of Bloomington City Hall and should, at this time, be made a matter of record.

Respectfully,

Tracey Covert
City Clerk

Motion by Alderman Schmidt, seconded by Alderman Purcell that the audit of the bills and payroll 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, Finnegan, Gibson, Hanson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Report

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

1. Monthly Receipt & Expenditure Report, December - 2008.

Respectfully,

Tracey Covert
City Clerk

David A. Hales
City Manager

(REPORT ON FILE IN CLERK'S OFFICE)

Motion by Alderman Schmidt, seconded by Alderman Purcell that the report 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, Finnegan, Gibson, Hanson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Waive the Formal Bidding Process and Purchase a Wireless Mesh Camera System

Staff respectfully requests that Council waive the formal bidding process and authorize the purchase a wireless mesh camera system from AgileMesh. AgileMesh is the sole source provider of this technology.

This system is a large temporary mobile video system that can be used in situations where rapid short term public safety coverage is needed. It allows for numerous flexible solutions to aid in

police investigations, information gatherings, and officer and citizen safety. The system is not designed for permanent or long term placement.

The Agile Mesh system can be field deployed in minutes. It uses self-healing mesh network technology to link all cameras and monitors wirelessly. After being placed, all cameras can be viewed by all officers within wireless range using a viewing station.

The cost of the entire AgileMesh system is \$72,976.20. The funds for this purchase have been donated by State Farm Insurance Cos. specifically for this item. Staff respectfully requests that the formal bidding process be waived, a wireless mesh camera system be purchased from AgileMesh in the amount of \$72,976.20, the Purchasing Agent be authorized to issue a Purchase Order for same, and the Resolution adopted.

Respectfully,

Randall D. McKinley
Interim Chief of Police

David A. Hales
City Manager

RESOLUTION NO. 2009 - 06

**A RESOLUTION WAIVING THE FORMAL BIDDING PROCESS AND
AUTHORIZING THE PURCHASE OF A WIRELESS MESH CAMERA SYSTEM
FROM AGILEMESH IN THE AMOUNT OF \$72,976.20**

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

1. That the bidding process be waived and the Purchasing Agent be authorized to Purchase a wireless mesh camera system from AgileMesh in the amount of \$72,976.20.

ADOPTED this 26th day of January, 2009.

APPROVED this 27th day of January, 2009.

APPROVED:

Stephen F. Stockton
Mayor

ATTEST:

Tracey Covert
City Clerk

Motion by Alderman Schmidt, seconded by Alderman Purcell that the Formal Bidding Process be waived, a wireless mesh camera system be purchased from AgileMesh in the amount of \$72,976.20, 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, Finnegan, Gibson, Hanson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Waive the Formal Bidding Process and Approve a Professional Services Agreement with AECOM, Inc. (formerly Consoer, Townsend Envirodyne, Inc.) for Design Services for a New Dust Collection System for the Lime Conveyance System at the Water Treatment Plant

Staff respectfully requests approval of a Professional Services Agreement with AECOM, Inc., (formerly Consoer, Townsend Envirodyne, Inc.) for design services for a new dust collection system for the lime conveyance system at the Water Treatment Plant.

The Water Treatment Plant dust collection system for the lime conveyance system is original to the plant expansion in 1987. It is over twenty (20) years old. It has experienced more problems with its operation and maintenance as it has grown older. These problems include difficulty in changing the filter bags, obsolescence of the filter bags, a general decline in the overall capability of the system to remove dust and numerous welds that have failed on the lime silo. The “bag house” (the enclosure that houses the filter bags) is at the top of the lime silos. In order to replace these bags, staff must climb approximately fifty (50) feet on a vertical ladder to reach the bag house. Staff purchased several years worth of replacement bags when notice was received that the manufacturer would cease operations at the end of 2007. At this time an aftermarket filter bag manufacturer has not been located which may result in the need to have the replacement bags custom made.

Staff has analyzed the problems with this system and has proposed several improvements. The proposed improvements would include using the existing duct work as much as possible but moving the bag house to ground level for more efficient maintenance. The bag house should have a filtering medium that is easily commercially purchased and the system balance (airflow

in/out of the system) should be designed so that there is never undue stress placed on the lime silos causing the steel to flex and the welds to fail.

Staff requested AECOM to submit a proposal for design services for this project. AECOM is the original designer of the water treatment plant expansion and has completed several water treatment plant master plans. They have an intimate knowledge of the plant in general and the dust collection system specifically. A review of this proposal has determined that it is in order. Therefore, staff respectfully recommends that the bidding process be waived for this professional service and that the agreement with AECOM, Inc. be approved in an amount not to exceed \$20,000 with payment to be made from the Water Department, Purification Division, Operation and Maintenance accounts, Other Professional and Technical Services (Account # 5010-X50130-70220).

Respectfully,

Craig M. Cummings
Director of Water

David A. Hales
City Manager

RESOLUTION NO. 2009 - 07

**A RESOLUTION WAIVING THE FORMAL BIDDING PROCESS AND
AUTHORIZING AN AGREEMENT WITH AECOM, INC. FOR THE DESIGN
SERVICES FOR A NEW DUST COLLECTION SYSTEM FOR THE LIME
CONVEYANCE SYSTEM AT THE WATER TREATMENT PLANT IN AN AMOUNT
NOT TO EXCEED \$20,000**

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

1. That the bidding process be waived and authorizing the agreement with AECOM, Inc. for the Design Services for a New Dust Collection System for the Lime Conveyance System at the Water Treatment Plant in an amount not to exceed \$20,000.

ADOPTED this 26th day of January, 2009.

APPROVED this 27th day of January, 2009.

APPROVED:

Stephen F. Stockton
Mayor

ATTEST:

Tracey Covert
City Clerk

Motion by Alderman Schmidt, seconded by Alderman Purcell that the Formal Bidding Process be waived, the agreement with AECOM, Inc. for Design Services for a New Dust Collection System for the Lime Conveyance System at the Water Treatment Plant be approved in an amount not to exceed \$20,000, 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, Finnegan, Gibson, Hanson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Waive the Formal Bidding Process and Enter a Professional Services Agreement with Shive-Hattery, Inc. for Design Services for the Replacement of the Water Mains on Greenwood Avenue

Staff proposes a project to replace the water mains on Greenwood Avenue from Morris Avenue to South Main Street. These water mains are old and the site of frequent water main breaks. Staff is targeting water main replacement projects in areas where the data indicates water mains are at the end of their useful life or for other reasons such as corrosive soils, are subject to frequent water main breaks or do not meet service requirements. The water main on Greenwood Avenue meets those criteria. The project will improve system reliability, fire protection, pressure and will reduce operating costs.

The roads around this area (Greenwood Avenue east and west of Morris, Morris, Veterans Parkway, Six Points Road and Springfield Road) are slated to be improved with new intersections, road configurations, storm sewers, etc. Shive-Hattery, Inc. has been completing the design of the road improvements. Since Shive-Hattery, Inc. has all of the survey and design information for the roads, it would make sense to select them for the water distribution system improvements along Greenwood Avenue within this road construction zone.

Staff respectfully recommends that the formal bidding process be waived for this professional service and the agreement with Shive-Hattery, Inc. be approved in an amount of \$19,500 with the project to be paid for with funds from the Water Department/Depreciation Fund, Consultant Services (Account # X50200-70050).

Respectfully,

Craig M. Cummings
Director of Water

David A. Hales
City Manager

RESOLUTION NO. 2009 - 08

**A RESOLUTION WAIVING THE FORMAL BIDDING PROCESS AND
AUTHORIZING THE AN AGREEMENT WITH SHIVE-HATTERY, INC. FOR DESIGN
SERVICES FOR THE REPLACEMENT OF THE WATER MAINS ON GREENWOOD
AVENUE IN THE AMOUNT OF \$19,500**

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

1. That the bidding process be waived and authorizing an agreement with Shive-Hattery, Inc. for Design Services for the Replacement of the Water Mains on Greenwood Avenue in the amount of \$19,500.

ADOPTED this 26th day of January, 2009.

APPROVED this 27th day of January, 2009.

APPROVED:

Stephen F. Stockton
Mayor

ATTEST:

Tracey Covert
City Clerk

PROPOSAL FOR SERVICES

PROJECT DESCRIPTION: Your project is replacement of 6” and 12” water mains along Greenwood Avenue from Morris Ave to Main Street. The replacement main will be 12” or 16”

as determined by the Water Department and will generally be located in the Right-of-way for Veterans Parkway / Greenwood Avenue.

The undersigned Client and Shive-Hattery, Inc. (S-H) agree as follows:

SCOPE OF SERVICES: S-H will provide the following surveying services:

1. Convert existing survey/design information for the Morris Avenue intersection improvements from IDOT metric to English units. Provide a field check to verify the existing survey data on this section.
2. Provide additional survey data at the intersection of Veterans Parkway and Main Street.
3. Preparation of Construction Documents for:
 - a. Proposed water main plan and profile (where required for conflict detection), 5-6 sheets are anticipated
 - b. Traffic control plan
 - c. Abandonment of existing water mains
 - d. Reconnection of service taps to the new water main
 - e. Standard Details
 - f. Construction Notes.
4. Revise construction plans up to 2 times based on comments from the water department.
5. Provide assistance in securing permits from IEPA and IDOT.
6. Prepare engineer's estimate of probable construction costs.
7. Prepare bid documents for the project.
8. Answer questions during the bidding phase.

CLIENT RESPONSIBILITIES: It will be your responsibility to provide the following:

1. Provide access to the site.
2. Review proposed plans to ensure it matches your need.
3. Pay and permit fees or costs.

SCHEDULE: We will begin our services immediately after receipt of the executed Agreement, which will serve as a notice to proceed. We will provide draft plans within 30 days of receipt of the executed agreement and final plans 15 days after the receipt of review comments from the water department.

COMPENSATION: We will provide the above scope of services for a lump sum fee of \$19,500.00 plus reimbursable expenses. We estimate reimbursable expenses to be \$100.00.

The terms of this proposal are valid for 30 days from the date of this proposal.

ADDITIONAL SERVICES: The following are additional services you may require to complete your project. We can provide these services, but they are not currently part of the scope of services.

1. Creation of private easement descriptions or plats.
2. Construction staking and layout services.
3. Construction observation services.

AGREEMENT: This proposal shall become the Agreement for Services when signed and dated by both parties. The attached STANDARD TERMS AND CONDITIONS dated July 2002 are made a part of this proposal and Agreement for Services. Please return a signed copy to us in the enclosed green envelope.

ACKNOWLEDGMENT OF OFFER AND ACCEPTANCE:

Proposal accepted and work is
Authorized to proceed:

Offer by:

City of Bloomington

Shive – Hattery, Inc.

Stephen F. Stockton
Mayor

David W. Shafer, P.E., P.L.S.
Project Manager

January 27, 2009

(STANDARD TERMS AND CONDITIONS ON FILE IN CLERK’S OFFICE)

Motion by Alderman Schmidt, seconded by Alderman Purcell that the Formal Bidding Process be waived, the Agreement with Shive Hattery, Inc. be approved in the amount of \$19,500, 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, Finnegan, Gibson, Hanson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Change Order in the Reimbursement Amount to the Village of Downs for the City’s Share of the Pump Station and Sanitary Sewer Serving the Kickapoo Creek Drainage Basin

On April 25, 2005, Council approved an intergovernmental agreement with the Village of Downs for the development of an interceptor sewer and pump station to serve the drainage basin

of the main branch of Kickapoo Creek. The agreement included cost estimates for various phases of the design and construction. Per the agreement, the City pays for 85% of the engineering and construction, and 50% of the land acquisition costs.

Work has been proceeding on design and land acquisition items. To date, the City has reimbursed the Village \$292,252.92 against a purchase order for \$300,000. Since 2005, the costs of these items have increased. Farnsworth Group, the engineers for the Village, has supplied updated costs for the proposed work. The greatest change is in the costs for easements and land acquisition which has increased from an estimated \$50,000 to \$230,000. The City's estimated share for design and land acquisition is now estimated at \$434,909.03.

Staff respectfully requests that Council approve a change order in the amount of \$135,000, for a total of \$435,000, for the City's share of the design and acquisition portions of the contract, with payment to be made from the Sewer Capital Projects Fund (X52250-72550).

Respectfully,

Douglas G. Grovesteen
Director of Engineering

David A. Hales
City Manager

RESOLUTION NO. 2009 - 09

**A RESOLUTION AUTHORIZING A CHANGE ORDER IN THE
AMOUNT OF \$135,000 IN THE CONTRACT BETWEEN THE CITY OF
BLOOMINGTON AND THE VILLAGE OF DOWNS FOR THE CITY'S SHARE OF
THE PUMP STATION, AND SANITARY SEWER SERVING THE KICKAPOO CREEK
DRAINAGE BASIN**

WHEREAS, the City of Bloomington has previously entered into a contract with the Village of Downs for the City's share of the Pump Station and Sanitary Sewer Serving the Kickapoo Creek Drainage Basin; and

WHEREAS, for the reasons set forth in a staff report dated January 26, 2009 the cost to pay for 85% of the engineering and construction, and 50% of the land acquisition have increased; and

WHEREAS, it is the finding of the City Council that the decision to perform the work described in the January 26, 2009 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 \$135,000 in the contract between the City of Bloomington and the Village of Downs for the City's Share of the Pump Station, and Sanitary Sewer Serving the Kickapoo Creek Drainage Basin be approved.

ADOPTED this 26th day of January, 2009.

APPROVED this 27th day of January, 2009.

APPROVED:

Stephen F. Stockton
Mayor

ATTEST:

Tracey Covert
City Clerk

Alderman Huette questioned if the City would impose tap on fees. Doug Grovesteen, Director of Engineering, addressed the Council. Once the system was completed, he anticipated tap on fees would be charged.

Alderman Huette noted that it could be years before developers start building on the land. He questioned if the City would charge interest as well. Mr. Grovesteen noted the usual interest rate for tap on fees was six percent (6%).

The Village of Downs borrowed funds for this project. The City would assist with repayment of this loan. The City would pay the Village and the Village would repay the loan. Land costs were paid up front and were not part of this loan amount.

Mr. Grovesteen had requested an update from the Village during December 2008. The Village Mayor informed the City that the Village had received new estimates and would need additional funding. The cost of land was significantly higher than first estimated.

David Hales, City Manager, addressed the Council. He cited the 2005 agreement between the City and the Village. The agreement does not allow the City the opportunity to be part of any consultations regarding changes or cost increases. The Village could enter into contracts without the City's knowledge. This issue was brought forward to keep the Council apprised of the situation.

Mr. Hales suggested that since this contract was four (4) years old, it may be appropriate to initiate an amendment that would allow the City to review and approve future changes. Mr. Grovesteen stated this had been a friendly agreement and he did not believe the Village would oppose an added amendment. Mr. Hales asked Mr. Grovesteen to pursue same.

Motion by Alderman Schmidt, seconded by Alderman Purcell that the Change Order in the amount of \$135,000 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, Finnegan, Gibson, Hanson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Change Order to the Professional Services Agreement with Clark Dietz, Inc. for the Design of Hamilton Road from Timberlake Lane to Main Street

On May 23, 2005, Council approved a contract for professional services with Clark Dietz, Inc., in the amount of \$330,000 for the design of Hamilton Road from Timberlake Lane to Main Street. Since signing the contract changes in the project scope and timetable have resulted in increased costs. Due to the unavailability of Federal Highway Authority and State of Illinois Department of Transportation (IDOT) funding, the project was delayed approximately two (2) years, resulting in the need to update the plans and specifications. Construction plan modifications are needed to comply with newly adopted state standards and to accommodate the recent resurfacing and median work done by IDOT on South Main Street (US 51).

Clark has requested a change order in the amount of \$62,895 to cover the increased costs associated with the necessary changes. Staff has reviewed the detailed cost estimate and believes this to be reasonable and in accordance with the terms of the original agreement. The proposed improvements will widen the current rural cross-section, two-lane road to a five-lane urban facility to match the section of roadway completed in 2007 from Greenwood Ave. to Timberlake. The construction project will be funded in part with federal funds and is currently scheduled for letting by the IDOT in the summer of 2009. Construction is expected to begin in summer 2009 and conclude in the fall of 2010.

In order to spend Motor Fuel Tax Funds to pay for this work, Council is required to adopt a Supplemental Resolution appropriating sufficient Motor Fuel Tax Funds. Staff respectfully recommends that Council approve a change order to the professional services agreement with Clark Dietz, Inc. for the Design of Hamilton Road from Timberlake Lane to Main Street (MFT No. 93-00295-03-PV) in the amount of \$62,895, increasing the maximum not to exceed total to \$392,895 with payment to be made from Motor Fuel Tax Funds (X20300-72530, \$62,895), and further that Council adopt a Supplemental Resolution appropriating \$62,895 in MFT funds.

Respectfully,

Douglas G. Grovesteen
Director of Engineering

David A. Hales
City Manager

RESOLUTION NO. 2009 - 10

**A RESOLUTION AUTHORIZING A CHANGE ORDER IN THE
AMOUNT OF \$62,895 IN THE CONTRACT BETWEEN THE CITY
OF BLOOMINGTON AND CLARK DIETZ, INC. FOR THE DESIGN OF HAMILTON
ROAD FROM TIMBERLAKE LANE TO MAIN STREET**

WHEREAS, the City of Bloomington has previously entered into a contract with Clark Dietz, Inc. for the Design of Hamilton Road from Timberlake Lane to Main Street; and

WHEREAS, for the reasons set forth in a staff report dated January 26, 2009 it was necessary to update the plans and specifications; and

WHEREAS, it is the finding of the City Council that the decision to perform the work described in the January 26, 2009 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 \$62,895 in the contract between the City of Bloomington and Clark Dietz, Inc. for the Design of Hamilton Road from Timberlake Lane to Main Street be approved.

ADOPTED this 26th day of January, 2009.

APPROVED this 27th day of January, 2009.

APPROVED:

Stephen F. Stockton
Mayor

ATTEST:

Tracey Covert
City Clerk

(IDOT RESOLUTION 2010-11, ON FILE IN CLERK'S OFFICE)

Motion by Alderman Schmidt, seconded by Alderman Purcell that the Change Order in the amount of \$62,895 be approved and the Resolutions adopted.

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

Ayes: Aldermen Stearns, Huette, Schmidt, Finnegan, Gibson, Hanson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

To: Honorable Mayor and Members of the City Council
From: Staff
Subject: Renewal of Intergovernmental Agreement Booking Services

For the past several years and pursuant to an Intergovernmental Agreement, the City has transported individuals taken into custody to the McLean County Sheriff's Department for detention, mug shots, booking, and fingerprinting. This has proven to be an efficient and cost effective booking procedure which has reduced the liability since incarcerated subjects are rarely kept in the City's facility.

The cost of the agreement for one (1) year is \$21,419.88 (\$1,784.99 per month), a three percent (3%) increase for 2009. The term of the contract is January 1, 2009 to December 31, 2009. It is renewable on a year to year basis and has been budgeted in line item G15110-70990 Contractual Services.

Staff respectfully recommends that the Intergovernmental Agreement for Booking Services be renewed in the amount of \$21,419.88 and the Mayor and City Clerk be authorized to execute the necessary documents.

Respectfully,

Randall D. McKinley
Interim Chief of Police

David A. Hales
City Manager

**INTERGOVERNMENTAL AGREEMENT BETWEEN
THE COUNTY OF McLEAN AND THE CITY OF BLOOMINGTON**

WHEREAS, the City of Bloomington has requested the County of McLean to provide booking services: and

WHEREAS, the County of McLean has booking facilities: and

WHEREAS, the Constitution of the State of Illinois, Article VII, Section 10 and 5 ILCS 220 et seq. permits and encourages intergovernmental cooperation and agreements;

NOW THEREFORE, the parties hereto agree as follows:

1. The County of McLean will perform booking services for the City of Bloomington which services shall include but not be limited to the following: completing all booking forms, finger-printing, taking mug shots, bonding, releasing and transferring persons in custody.
2. The City of Bloomington Police Department shall deliver any individuals taken into custody to the McLean County Detention Facility for booking. The City may bring individuals to the facility twenty-four (24) hours a day, seven (7) days a week, including holidays. The City will complete the necessary paperwork for each person delivered for booking. The County will not accept any individuals needing or asking for medical care. The City will obtain medical care for any individual apparently in need of such care prior to transferring that person to the facility for booking. The City of Bloomington shall have no responsibility for any individuals once they have been transferred to the County for booking, beyond that which may be required by statute.
3. The County shall have full responsibility for all individuals delivered for booking by the City of Bloomington. This responsibility shall include the cost of any medical care administered during the booking process. The County will indemnify and hold the City harmless from all causes of action, whether judicial or administrative, and the costs of defending any such actions arising out of any intentional or negligent act performed by the County, its employees and/or agents during the course of booking any individual for the City of Bloomington pursuant to this agreement. Such actions shall include, but are not limited to, civil rights actions, property damage actions, personal injury actions, or any actions seeking recovery of money or other remedies.
4. The City of Bloomington will indemnify and hold harmless the County of McLean from all causes of action, whether judicial or administrative, and the costs of defending any such actions arising out of any intentional or negligent acts performed by the City, its employees or agents prior to transferring an individual to the County for booking. Such action shall include but are not limited to civil

rights actions, property damage actions, personal injury actions, or any actions seeking recovery of money or other remedies.

5. The City will pay the County at an annual rate of Twenty One Thousand Four Hundred Nineteen Dollars and eighty eight cents (\$21,419.88) per year for booking services. The City will pay this fee regardless of whether it uses the County's booking services during any particular month and regardless of the number of individuals it delivers to the County for booking.
6. Total amount due herein shall be paid in twelve (12) equal monthly payments of \$1,784.99 at the first of each month.
7. The County may terminate this agreement at any time when payments required hereunder have not been paid. The County is relying on this agreement to hire personnel to satisfy its responsibilities under this agreement accordingly the City of Bloomington may not terminate this agreement without giving the County six (6) months notice of its intent to terminate.
8. This agreement shall be in effect from January 1, 2009 through December 31, 2009. Thereafter this agreement may be renewable on a year to year basis subject to adjustments in the amount charged for the services provided.

APPROVED:

Stephen F. Stockton
Mayor
City of Bloomington

January 27, 2009

Randall McKinley
Interim Chief of Police
City of Bloomington

January 28, 2009

ATTEST:

Tracey Covert
City Clerk
City of Bloomington

January 28, 2009

APPROVED:

Matt Sorensen
Chairman
McLean County Board

Mike Emery
Sheriff
McLean County

December 16, 2008

December 26, 2008

ATTEST:

Peggy Ann Milton
Clerk of the County Board
McLean County

February 2, 2009

Motion by Alderman Schmidt, seconded by Alderman Purcell that the Intergovernmental Agreement for Booking Services be renewed in the amount of \$21,419.88 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, Finnegan, Gibson, Hanson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Renewal of Service Agreement with New World Systems for the Maintenance of the Computer Aided Dispatch (CAD) Software

Staff respectfully requests permission to renew a one (1) year agreement with New World Systems for the maintenance of CAD software. The fee to maintain the CAD software, mapping software and mobile software including all upgrades and maintenance is \$73,280. This amount has been budgeted in G15118-70530 (Repair and Maintenance Office and Computer Equipment). The new agreement would expire on January 31, 2010.

Respectfully,

Randall D. McKinley
Interim Chief of Police

David A. Hales
City Manager

Motion by Alderman Schmidt, seconded by Alderman Purcell that the maintenance agreement with New World Systems be renewed in the amount of \$73,280 and 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, Finnegan, Gibson, Hanson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Sale of 1207 S. Wright

In 1994 the City gave Mildred and Leslie Smith a Community Development Block Grant (CDBG) loan to make repairs to their home at 1207 S. Wright Street. The loan, in the amount of \$4,500 was used to install a new furnace and hot water heater. In 2001, a second CDBG loan in the amount of \$11,500 was given to Mildred Smith to replace the roof. Both loans were secured by mortgages on the property. There was no interest charged on either loan and payment of the principal was deferred until sale of the property or other termination of the owners' interest in the property.

Both of the borrowers are deceased and the loans became due upon their deaths. Staff contacted their heirs to request payment. One of the heirs, Robyn Smith, desired to pay the loan upon the condition that the title to the property be clear. There were a number of other heirs and it would have been necessary to open an estate to eliminate their claims. Ms. Smith desired to avoid the expense and the potential conflict involved in doing this.

An alternative way of clearing title was for the City to foreclose the lien of its mortgages. This would allow the City to acquire the property free of all claims and then sold to Ms. Smith for the loan balances plus the expenses of the suit. Staff agreed to file the foreclosure, served notice on the heirs, and published notice of the proceedings in the newspaper. Ms. Smith was the only person to answer the complaint. The City obtained a judgment of foreclosure and the court is expected to enter an order vesting title in the City on January 28, 2009. Ms. Smith has the necessary funds to pay the City and is prepared to tender payment on the same day the City takes title, and upon receipt of a deed transferring the title to her.

The City will receive \$16,937.30 in exchange for the deed. This is the amount due on the loans plus the costs of filing the foreclosure. Staff respectfully requests that the Contract for Real

Estate for 1207 S. Wright Street to Robyn Smith be approved in the amount of \$16,937.30 and the Mayor and City Clerk be authorized to execute the necessary documents.

Respectfully,

Hannah R. Eisner
Deputy Corporation Counsel

David A. Hales
City Manager

Motion by Alderman Schmidt, seconded by Alderman Purcell that the Contract for Real Estate at 1207 S. Wright Street to Robyn Smith be approved in the amount of \$16,937.

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

Ayes: Aldermen Stearns, Huette, Schmidt, Finnegan, Gibson, Hanson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Code of Conduct for Elected Officials

Alderman Fruin has requested that a Code of Conduct be adopted by the City Council. These kinds of guidelines have been adopted by a number of City Councils and County Boards across the country. The staff takes no position on this matter.

Respectfully,

J. Todd Greenburg
Corporation Counsel

David A. Hales
City Manager

Code of Conduct

- Council members should support the right of every citizen to full and equal participation in the democratic process within the City of Bloomington.

- Council members should work for the common good of all citizens within the City of Bloomington.
- Council members should strive to treat all issues raised before them in a fair and equitable manner.
- Council members should not solicit or knowingly accept any type of financial contribution from any ownership, principal, officer or management person for which the City of Bloomington conducts business. This would include the City of Bloomington itself, as well as all vendors, suppliers, service providers, union organizations, political action groups, etc.
- Council decisions should be fair, objective, made in public, and fully communicated.
- Council members should fully participate in City Council meetings and other public forums while demonstrating respect and courtesy to others, practicing civility and decorum in discussions and debate, listening courteously and attentively, and engaging in effective communication.
- Council members should act in an efficient manner, making decisions and recommendations based upon research and facts.
- Council members should refrain from critical conduct, personal charges or verbal criticism upon the character, motives, ethics or morals of other members of the City Council, City staff or public.
- Council members shall respect and preserve the confidentiality of information provided to them concerning confidential matters of the City, and refrain from disclosing any information received confidentially without proper legal authorization. Confidential information should not be used to advance the personal, financial, or private interests of themselves or others.
- Council members should only use their title when conducting official City business, for information purposes, or as an indication of background and expertise, carefully considering whether they are exceeding or appearing to exceed their authority.
- Council members should respect established channels of communication with City staff, treat staff members professionally, and should not attempt to pressure or influence discussions, recommendations, work schedules or department priorities without the consensus direction of the City Council. Council members should not participate in the meetings of advisory boards and commissions with regard to matters that will come before the City Council.
- To the best of their ability, Council members should represent the official policies and positions of the City Council. In unofficial settings, Council members should be clear in

representing to the public, other agencies and the media whether their comments or statements represent the official City position or a personal viewpoint.

- Council members should always keep in mind in their discussions and decision making that their responsibility is to plan not just for the present time, but with the focused view and commitment on the long-term quality of life for all neighborhoods in the entire community.

Mayor Steve Stockton_____	Date_____
Alderman Allen Gibson_____	Date_____
Alderman David Sage_____	Date_____
Alderman Kevin Huette_____	Date_____
Alderman Judith Stearns_____	Date_____
Alderman Jim Finnegan_____	Date_____
Alderman Karen Schmidt_____	Date_____
Alderman Steven Purcell_____	Date_____
Alderman John Hanson_____	Date_____
Alderman Jim Fruin_____	Date_____

Mayor Stockton introduced this item by stating it was an issue that had been discussed for some time. He appreciated Alderman Fruin’s work in completing this task.

Alderman Fruin had received additional comments from Council members. There were comments, opinions and questions. Based upon this information, he requested a Work Session regarding this issue. The Work Session could be held February 9, 2009, prior to the Council’s regular meeting. It could be on the February 23, 2009 Council Meeting’s Regular Agenda. He stated the goal was consensus on this issue for the Council.

Alderman Schmidt thanked Alderman Fruin for his efforts and gathering the ideas. She fully supported this Code of Conduct and believed it was the right thing to do. There was a lot of cynicism about government in general.

Alderman Fruin stated the Code of Conduct was not a one-owner item. The Council needed to come together as one.

Alderman Stearns noted she and her constituents had concerns regarding this item.

Motion by Alderman Fruin, seconded by Alderman Schmidt that the item be laid over until the Council's February 23, 2009 meeting.

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

Ayes: Aldermen Stearns, Huette, Schmidt, Finnegan, Gibson, Hanson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

MAYOR'S DISCUSSION: Mayor Stockton reminded the Council that a date had not been determined for a Work Session regarding the Living Wage referendum.

CITY MANAGER'S DISCUSSION: David Hales, City Manager, commented on the City's salt situation. There had been delivery difficulties from the Illinois Department of Transportation (IDOT) for shipment of actual advance orders.

Jim Karch, Director of Public Service, addressed the Council. He reiterated the City had a state contract. There was an outstanding order dated December 26, 2008. The vendor, whom the state had contracted with, had a backlog of orders. All municipalities that he had contacted were in the same situation.

Salt reserves were very low. He noted the City was trying to use its reserves responsibly by limiting the amount of salt applied with each snow fall. Citizen safety was the number one goal.

Council direction would be appreciated. Staff could continue to use less and wait for the state's order to be filled. Another option was to select another vendor. Within the state's contract, there was a clause which stated if the vendor was unable to comply with a request within seven (7) days, the municipality would be paid \$.20 per ton per day. In addition, the vendor would pay any additional costs for the municipality to receive salt through another vendor.

Alderman Finnegan questioned the issue impacting the receipt from this vendor. Mr. Karch noted the State of Illinois issued the bid late. The state only received one bid. This vendor had issues with delivery.

Mr. Hales noted the critical issue was if Council wanted the same service level as before. Staff would need to be authorized to have the flexibility to make this happen. The City may need to make emergency purchases. The only other option was to reduce the service level.

Alderman Sage questioned if the vendor would pay the costs of the extra expense. Mr. Hales stated that the City's legal counsel had not reviewed the contract.

Mr. Karch had contacted several other vendors. Many told him they were unable to supply the City with salt. Those who had a supply wanted up to three (3) times the amount of the original contract. Staff wanted Council direction on this issue. Staff would also need to work with media outlets to put this information out to citizens regarding a lower service level.

Mayor Stockton questioned reimbursement from the original vendor. Mr. Karch believed it would equal about twenty-five percent (25%) of the total cost amount from the new vendor.

Alderman Finnegan questioned if the salt supply took care of itself during the summer months. He also questioned if there had been any discussion regarding another dome. Mr. Karch cited the City's eastside expansion. A new dome by Fire Station #6 would save time and fuel. Long term, this was where the City needed to be.

Alderman Purcell stated his concern regarding the amount of salt available and staff's need for flexibility. Mayor Stockton stated staff should be somewhat judicious with the salt supply. Additional sources to procure salt should be identified, subject to legal counsel's review. It was important for the City to stay one storm ahead with the salt supply. The state contract needed to be reviewed prior to next year. Long term, the City needed to double its salt supply.

Alderman Finnegan questioned if the City could acquire salt throughout the year. Mr. Karch stated that the current dome could not hold enough salt for that to be reality.

Alderman Purcell requested an email outlining the costs for another dome.

Alderman Sage questioned if salt could be purchased out of season. Mr. Karch stated this year the commodity market had been difficult.

Alderman Sage expressed his concern about changing service midseason. Alderman Stearns concurred. Council needed to remember the cost of a dangerous situation. There would not be savings if it were a safety issue. Mr. Karch stated there had been no complaints with the level of service provided the previous week.

Alderman Huette believed there were times when the City used too much salt. Limiting the salt usage was a good idea.

Mayor Stockton stated the Council would leave these decisions to the experts (staff). He encouraged the Council to forward any questions or comments to the snow hot line. He encouraged staff to err on the side of safety.

Mr. Hales reminded the Council of the February 9, 2009 Work Session, (City Manager Update FY 2008 – 09 Finances & Budget Challenges FY 2009 – 10). He also suggested a Budget Work Session on February 18, 2009. The City had approximately a

nineteen percent (19%) decrease in sales tax revenue for October 2008. Staff was not anticipating numbers for November or December 2008 to show much improvement.

Staff was considering a \$1.5 million additional reduction to the City's budget. Staff would provide conservative revenue projections. The Council needed to bring the budget into balance. There was no relief in sight.

Mr. Hales also stated that it was a great honor to be City Manager. The City had a great future. The City needed to improve on its past and be more effective.

ALDERMAN'S DISCUSSION: Alderman Gibson stated he believed the Living Wage should be called what he believed it was: the City's Minimum Wage.

Alderman Stearns requested information on how items were placed on Council Agendas. She had been surprised to see the Code of Conduct on this evening's agenda. She questioned if Alderman could simply place an item on the agenda.

Mayor Stockton responded staff would review Robert's Rules to ensure propriety. In the past, agenda items had been determined by the City Manager. He had met with Mr. Hales regarding reconsideration of this issue.

Mr. Hales had spoken with staff regarding planning for future Council meetings. He hoped to have ninety (90) day and one (1) year calendars available. The Council would be able to see tentative agenda items in advance.

Staff was also working towards earlier distribution of Council packets. This would allow the Council to be prepared.

Alderman Purcell thanked Mr. Hales for the time spent this afternoon reviewing agenda questions. He noted Mr. Hales' knowledge base during his short tenure.

Alderman Purcell updated the Council regarding the Scott Street Vacation. He had provided the Gailey Eye Clinic with several dates to review options. He wanted time to come up with options prior to the date this was scheduled for a Council vote.

Alderman Sage thanked Mr. Hales for meeting with him regarding questions about tonight's meeting. He appreciated additional information in the packet regarding some contracted items.

Alderman Finnegan thanked staff for the great road care.

Motion by Alderman Finnegan, seconded by Alderman Schmidt, that the meeting be adjourned. Time: 8:25 p.m.

Motion carried.

**Tracey Covert
City Clerk**

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