

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

**The Council convened in regular Session in the Council Chambers, City Hall Building, at 7:30 p.m., Monday, March 10, 2008.**

**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 Tom Hamilton, City Clerk Tracey Covert, and Corporate Counsel Todd Greenburg were also present.**

**Mayor Stockton opened the meeting by welcoming Boy Scout Troop 19. The scouts in attendance were working towards their Citizenship Badge.**

**The following was presented:**

To:           Honorable Mayor and Members of the City Council  
From:         Staff  
Subject:      Opening of One Bid for Contract #7 Furnace and Water Heater Replacements for Community Development

Bids were received by the City Clerk for Contract #7 Furnace and Water Heater Replacements for Community Development. There is \$20,600 budgeted for this item. Only one bid was received by the City Clerk and it is City policy in situations where only one bid is received to have the bid opened and read at the Council Meeting.

Staff requests that Council authorize the Director of PACE to open the bid at the March 10, 2008 Meeting and present the Council with a recommendation prior to the end of the Council Meeting concerning award of the bid.

Respectfully,

Tracey Covert  
City Clerk

Tom Hamilton  
City Manager

**Motion by Alderman Purcell, seconded by Alderman Gibson that the Bid be opened at the Council meeting, referred to staff for analysis and reported back to Council prior to the end of the 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.**

**The following was presented:**

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Council Proceedings of December 12, 2005

The Council Proceedings of December 12, 2005 have been reviewed and certified as correct and complete by the City Clerk.

Respectfully,

Tracey Covert  
City Clerk

Tom Hamilton  
City Manager

**Motion by Alderman Hanson, seconded by Alderman Huette that the reading of the minutes of the previous Council Proceedings of December 12, 2005 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,

Brian J. Barnes  
Director of Finance

Tom Hamilton  
City Manager

(ON FILE IN CLERK'S OFFICE)

**Motion by Alderman Hanson, seconded by Alderman Huette 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: Payments from Various Municipal Departments

1. The seventeenth partial payment to Town of Normal in the amount of \$293,414.79 on a percentage basis contract of which \$3,452,679.45 will have been paid to date for work certified as ongoing for the Metro Zone Sales Tax Rebate. Completion date – Ongoing.
2. The twenty-first partial payment to APACE Architects & Design in the amount of \$21,555 on a contract amount of \$349,800 of which \$298,556.60 will have been paid to date for work certified as 85% complete for the Design of Fire Station #5. Completion date – May 2008.

3. The fifth partial payment to Farnsworth Group in the amount of \$1,795.58 on a contract amount of \$60,945.31 of which \$47,028.11 will have been paid to date for work certified as 77% complete for the Downtown Main Street Beautification Preliminary Report, Field Survey and Project Development. Completion date – April 2008.
4. The fourteenth partial payment to Stark Excavating, Inc. in the amount of \$138,903.60 on a contract amount of \$2,959,945.10 of which \$2,929,897.88 will have been paid to date for work certified as 99% complete for the Fox Creek Road & Scottsdale Avenue Improvements. Completion date – September 2007.
5. The fourth partial payment to Stark Excavating, Inc. in the amount of \$51,972.50 on a contract amount of \$1,925,274.55 of which \$225,002.34 will have been paid to date for work certified as 12% complete for the Morris Avenue – Miller to Fox Hill Apartments. Completion date – January 2009.
6. The seventeenth partial payment to Consoer Townsend & Associates in the amount of \$4,547.37 on a contract amount of \$185,000 of which \$91,137.68 will have been paid to date for work certified as 49% complete for the Electrical Improvements at Lake Bloomington. Completion date – December 2007.
7. The seventh and final payment to Clark Dietz in the amount of \$250.23 on a contract amount of \$16,000 of which \$16,000 will have been paid to date for work certified as 100% complete for the Lighting Improvements at Division Street. Completion date – December 2008.
8. The fifth partial payment to Clark Dietz in the amount of \$777.05 on a contract amount of \$15,000 of which \$10,666.35 will have been paid to date for work certified as 71% complete for the Permit Modification from IDNR Evergreen Reservoir Fish Barrier. Completion date – December 2008.
9. The tenth partial payment to Farnsworth Group in the amount of \$6,249.50 on a contract amount of \$45,000 of which \$36,964.04 will have been paid to date for work certified as 82% complete for the Wastewater Treatment System at Lake Bloomington – Lake Bloomington Cluster. Completion date – October 2008.
10. The first partial payment to Lewis, Yockey & Brown, Inc. in the amount of \$5,018 on a contract amount of \$12,000 of which \$5,018 will have been paid to date for work certified as 42% complete for the Design of the Water Main Abandonment on South Main from Miller to Oakland. Completion date – July 2008.
11. The fifth partial payment to Clark Dietz in the amount of \$7,336.18 on a contract amount of \$60,000 of which \$15,254.41 will have been paid to date for work certified as 25% complete for the Observation/Inspection of Parkview Water Main Replacement. Completion date – October 2008.

12. The seventh partial payment to Clark Dietz in the amount of \$6,060.02 on a contract amount of \$47,000 of which \$41,378.95 will have been paid to date for work certified as 88% complete for the Construction Observation of James/Charles Place. Completion date – November 2008.
13. The fifth partial payment to Clark Dietz in the amount of \$3,010.20 on a contract amount of \$25,000 of which \$22,134.06 will have been paid to date for work certified as 84% complete for the Main Replacement on Oak and Roosevelt. Completion date - December 2008.
14. The fifty-fifth partial payment to Farnsworth Group in the amount of \$2,748 on a contract amount of \$1,077,688.73 of which \$1,021,863.48 will have been paid to date for work certified as 95% complete for the Design Transmission Water Main to Lake Bloomington. Completion date – February 1, 2008.
15. The third and final payment to Institutorm Technologies USA, Inc. in the amount of \$15,000 on a contract amount of \$291,950 of which \$284,372 will have been paid to date for work certified as 100% complete for the Roosevelt: Wood to S. Slough Lining 36” Sewer. Completion date – October 2007.

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,

Tom Hamilton  
City Manager

**Motion by Alderman Hanson, seconded by Alderman Huette 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: Payment for Repairs to a High Service Pump

Booster pump number three (3) at the Enterprise Zone Pump Station was declining in pumpage which indicated a problem. The pump was removed for service and sent to Thomas Pump Company, Inc., for repair. This firm has a history of repair work for the City. The quotation to repair the pump was as follows:

Thomas Pump Company, Incorporated \$12,511.85

Staff respectfully requests that Council authorize payment of \$12,511.85 to Thomas Pump Company, Inc. for the repair of the booster pump number three (3) at the Enterprise Zone Pump station. Payment will be made from Water Department, Distribution Division, Operation and Maintenance Funds, Machinery Equipment and Maintenance Account (5010-50120-70540).

Respectfully,

Craig M. Cummings  
Director of Water

Tom Hamilton  
City Manager

**Alderman Stearns questioned the following two (2) items. She specifically questioned if the pump and motor were already repaired. Craig Cummings, Director of Water, stated that both items were still in need of repair. The City had backup equipment for both. This item would approve the quotation and authorize payment.**

**Alderman Purcell questioned the number of pumps at the Enterprise Zone Pump Station. Mr. Cummings stated the facility houses three (3) pumps that alternate pumping five million (5,000,000) gallons of water per day at sixty (60) pounds of pressure per square inch. The goal for the future was to have smaller pumps which do the same amount of work, but with greater energy savings.**

**This was a typical repair due to years of usage. The Water Department had a program in place to rotate pumps and perform preventative maintenance. Because this was the public water service, the City does not want failure of any type.**

**Alderman Stearns questioned if looking long term there would be a new pumping station. Mr. Cummings answered affirmatively. The time line was approximately eighteen (18) months and no cost estimate had been determined.**

**Motion by Alderman Hanson, seconded by Alderman Huette that the payment 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: Accept a Quotation for the Repairs to a Pump Station Motor

Pump number three (3) at the Enterprise Zone pump station was recently noted to be decreasing in output. Since the pump was being taken out of service for inspection and repairs, staff recommended that the motor be rehabilitated at the same time as a preventative maintenance measure. Staff sought a quotation from the vendor that has repaired our high service motors in the past. That quotation was as follows:

Foremost Industrial Technologies	\$3,314.36
----------------------------------	------------

Staff respectfully requests that Council accept the quotation of \$3,314.36 from Foremost Industrial Technologies for the rehabilitation of the high service motor for pump number three (3) at the Enterprise Zone Pump Station and that the payment be approved. Payment will be made from Water Department, Distribution Division, Operation and Maintenance Funds, Machinery Equipment and Maintenance Account (5010-50120-70540).

Respectfully,

Craig M. Cummings  
Director of Water

Tom Hamilton  
City Manager

**Motion by Alderman Hanson, seconded by Alderman Huette that the quotation be accepted and the payment 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: Request to Pay Stark Excavating, Inc. for the Emergency Repairs of the 24 Inch Water Main on Ft. Jesse Road

In late January, a 24 inch water main under Ft. Jesse Road, near Towanda Avenue, broke. This water main was under the pavement in the westbound lane of traffic and due the large size of the water main, the entire road needed to be shut down to facilitate repairs. In order to make this repair as quickly as possible so that the road could be reopened, staff requested additional resources to assist in the repairs.

Stark Excavating was retained on a time and material basis to assist in the excavation and repair. A bill has been received for their services in the amount of \$10,570.13. Staff has reviewed this invoice and found it to be in order.

Staff respectfully requests that Council approve the payment in the amount of \$10,570.13 to Stark Excavating, Inc. Funds for this payment will be made with Water Department, Transmission and Distribution Division, Maintenance Funds (X50120-70590).

Respectfully,

Craig M. Cummings  
Director of Water

Tom Hamilton  
City Manager

**Alderman Purcell questioned the age of the pipe which needed to be fixed. Mr. Cummings stated the pipe dated back to the 1930's and the pipe itself was in very good shape. The leak started at a joint.**

**Motion by Alderman Hanson, seconded by Alderman Huette that the payment 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: Payment for Evergreen Lake Nutrient Management Project

As part of the City's source water quality protection program, staff has been working with the McLean County Soil and Water Conservation District to control the amount of nutrients entering the reservoirs. The nutrient this project targets is nitrogen, which can lead to nitrate formation. State and federal drinking water standards limit the allowable amount of nitrate in finished water.

This funding is used to provide cost sharing to crop producers in the Evergreen Lake watershed for implementing nutrient management plans for their farm fields. Soil tests are used by certified crop advisors to develop customized fertilizer application plans for individual fields. Precision application of nutrients results in lower overall application rates, and less nutrients that can be lost from the fields.

Funding for the Evergreen Lake Nutrient Management Program in the amount of \$100,000 was approved in the FY07/08 budget under the capital project titled: Stream Bank Stabilization, Easement or Purchase. These funds encompass the City's watershed protection plans whether it is nutrient management, stream bank stabilization or other source water quality protection methods.

The cost share will be disbursed by the McLean County Soil and Water Conservation District, the City's longtime partner and technical service provider for this project. Staff respectfully requests that Council approve the disbursement of funds the crop producers through the McLean County Soil and Water Conservation District for the Evergreen Lake Watershed nutrient management project, in the amount of \$44,424.15. Payment will be made with Water Depreciation Funds, Stream Bank Stabilization, Easement or Purchase 5020-X50200-72510.

Respectfully,

Craig M. Cummings  
Director of Water

Tom Hamilton  
City Manager

**Motion by Alderman Hanson, seconded by Alderman Huette that the payment 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: Waive the Formal Bidding Process and Enter a Professional Services Agreement with Clark Dietz, Inc. for Mapping Services to Incorporate Water System Construction Drawings into the City's GIS Map

Staff has requested a quotation from Clark Dietz, Inc., for services related to the incorporation of Water Department construction drawings into the City Geographic Information System (GIS) maps. Currently there are numerous areas of the City that do not have up-to-date construction drawings related to the water system.

Clark Dietz, Inc., working in close relationship with the Water and Engineering Departments, will add the construction drawings; create water facility line drawings including fire hydrants and valves; create a full size map for the water system; and incorporate new construction drawings as they are added to the water system. Initially, these drawings and facilities will be added to the GIS base maps without extremely accurate locations. This will be rectified over time when the Water Department determines Global Positioning System (GPS) locations of the facilities which will locate these facilities with a high degree of accuracy.

Staff respectfully recommends that the bidding process be waived and that Council approve the Agreement with Clark Dietz, Inc. in an amount not to exceed \$50,000, and that the Mayor and City Clerk be authorized to execute the necessary documents. Fund for this project will be paid from the Water Department/Depreciation Fund, Consultant Services (Account # X50200-70050).

Respectfully,

Craig M. Cummings  
Director of Water

Tom Hamilton  
City Manager

**RESOLUTION NO. 2008 - 15**

**A RESOLUTION WAIVING THE FORMAL BIDDING PROCESS AND  
AUTHORIZING AN AGREEMENT FOR MAPPING SERVICES FOR THE WATER  
DEPARTMENT FROM CLARK DIETZ, INC. AT A PURCHASE PRICE NOT TO  
EXCEED \$50,000**

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

1. That the bidding process be waived and authorizing an Agreement for Mapping Services from Clark Dietz, Inc. at a purchase price not to exceed \$50,000.

ADOPTED this 10<sup>th</sup> day of March, 2008.

APPROVED this 11<sup>th</sup> day of March, 2008.

APPROVED

Stephen F. Stockton  
Mayor

ATTEST:

Tracey Covert  
City Clerk

### **PROFESSIONAL SERVICES AGREEMENT**

Project Name (“Project”)

City of Bloomington  
Water Mapping Services – 2007/2008

This Agreement is by and between

City of Bloomington (“Client”)  
603 W Division Street  
Bloomington, IL 61701

and

Clark Dietz, Inc. (“Clark Dietz”)  
1817 South Neil Street, Suite 100  
Champaign, Illinois 61820  
Who agree as follows:

Client hereby engages Clark Dietz to perform the services set forth in Part I - Services and Clark Dietz agrees to perform the Services for the compensation set forth in Part III - Compensation. Clark Dietz shall be authorized to commence the Services upon execution of this Agreement and written authorization to proceed from Client. Client and Clark Dietz agree that this signature

page, together with Parts I-IV and attachments referred to therein, constitute the entire Agreement between them relating to the Project.

Approved for Client

By: Stephen F. Stockton  
Title: Mayor  
Date: March 31, 2008

Approved for Clark Dietz

By: Ron Leverich  
Title: Sr. Vice President  
Date: 11/21/07

## PART I SERVICES

### A. Project Description

Clark Dietz shall provide Water Mapping Services for the City of Bloomington Water Department for project areas that have not been previously incorporated into the City of Bloomington's GIS system. The project area will be within the corporate limits of City of Bloomington and will be for the area South of I-55 and will not include any transmission lines.

### B. Scope

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

Clark Dietz will prepare electronic shapefiles format for City of Bloomington Water Mains line work (with sizes), Fire Hydrants, and Water Valves.

Clark Dietz will link scanned images of construction drawings, provided by City of Bloomington, to the Water Main line work prepared by Clark Dietz.

Clark Dietz will do a pre-approved pilot area supplied by the City before commencing work on the entire study area.

Clark Dietz will submit routine updates of electronic files, during the course of this project, to the City of Bloomington Engineering Department, to keep their GIS system current.

This project provides approximately 400 hours of mapping services under this Agreement.

D. Assumptions/Conditions (If applicable)

This agreement is subject to the following assumptions/conditions:

1. Clark Dietz will not review or revise any existing GIS populated areas..
2. Applicable construction drawings shall be scanned and provided to Clark Dietz by the City of Bloomington.
3. Clark Dietz will not provide any hard copy printouts or maps to the City of Bloomington.
4. Clark Dietz will not assign Fire Hydrant or Water Valve City of Bloomington identification numbers.
5. This agreement does not include the preparation of right of way or temporary construction easement drawings, descriptions or negotiation/acquisition services.
6. This agreement does not include the preparation of assessment roles or schedules.
7. This agreement does not include geotechnical investigations.
8. No local, State or Federal permits are anticipated for this project.
9. This agreement does not include contaminated site Phase I or Phase II environmental assessment investigations or remediation activities.
10. This agreement does not include cultural, historic, archeological, or wetland assessment investigations or remediation activities.

PART II  
CLIENT'S RESPONSIBILITIES

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

A. Information/Reports

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

B. Representative

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

C. Decisions

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

D. Other

City of Bloomington will perform or provide Clark Dietz with the following items:

- \* Copies of scanned construction plans as the City of Bloomington may have on file (i.e., construction plans for existing infrastructure within the project limits). The data will be supplied in TIFF format with group 4 compression applied.
- \* A copy of the City of Bloomington Fire Hydrant database with pertinent available fields from the 'FireHouse' system from the Bloomington Fire Department.
- \* A copy of the City of Bloomington 'Service Valves' database from the Engineering Department, in 'dbf', DBASE format.
- \* A copy of 2006 Aerial photos for City of Bloomington in \*.SID format.
- \* A copy of City of Bloomington 'Property Lot Lines' in ESRI shapefile format.
- \* A copy of City of Bloomington 'Buildings' in ESRI shapefile format.
- \* A copy of City of Bloomington 'Existing Water Mains' in ESRI shapefile format.
- \* A copy of City of Bloomington 'Existing Large Service, Sprinkler, and Distribution Valves' in ESRI shapefile format.
- \* A copy of City of Bloomington 'Fire Hydrants' in ESRI shapefile format.
- \* A copy of City of Bloomington 'Water Main Map Book' in ESRI shapefile format.
- \* A copy of City of Bloomington 'Wall Map' in ESRI shapefile format.
- \* A copy of City of Bloomington 'Subdivision Boundary' in ESRI shapefile format.
- \* A copy of City of Bloomington 'Streets' in ESRI shapefile format.
- \* A copy of City of Bloomington 'Corporate Boundary' in ESRI shapefile format.
- \* A copy of City of Bloomington 'Storm Sewer and Sanitary Sewers' in ESRI shapefile format.

PART III  
COMPENSATION

A. Compensation

Compensation for the Services shall be as follows:

Compensation to Clark Dietz for services rendered by employees working on the Project in accordance with PART I, SERVICES of this Agreement will be at the hourly billing rates shown in the attachment, "Schedule of General Billing Rates". The total compensation authorized by this Agreement will not exceed \$50,000.

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

B. Billing and Payment

1. Timing/Format

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

2. Billing Records

Clark Dietz shall maintain accounting records of its costs in accordance with generally accepted accounting practices. Access to such records will be provided during normal business hours with reasonable notice during the term of this Agreement and for 3 years after completion.

(PART IV STANDARD TERMS & CONDITIONS PAGE 1 & 2, SCHEDULE OF GENERAL BILLING RATES ON FILE IN CLERK'S OFFICE)

**Alderman Huette questioned the benefit for this service. Tom Hamilton, City Manager, explained this would give the City computerized mapping of the water mains. It would be another layer of data used by several departments within the City. This would be a joint effort with McLean County and the Town of Normal.**

**Craig Cummings, Director of Water, addressed the Council. The City has ten (10) years of drawings and maps that needed to be digitized and included in the City map. Digitized maps are more accurate and would coordinate with McLean County's Geographic Information System (GIS) mapping. The files need to be digitized and this was one way for the City to catch up.**

**Mayor Stockton questioned the age of some of the City' water mains. Mr. Cummings noted that some dated back to the 1880's. The City has general information on many of the older sections of town. The newer areas need to be added.**

**Alderman Stearns questioned if the vendor was qualified. Mr. Cummings stated that the City had a professional service contract with this vendor and did review their qualifications. This vendor was also working with the Town of Normal.**

**Alderman Purcell questioned if the dollar amount on the bid would be enough to cover the entire cost of the project. Mr. Cummings responded affirmatively.**

**Motion by Alderman Hanson, seconded by Alderman Huette that the formal bidding process be waived, the agreement with Clark Dietz, Inc. be approved in an amount not to exceed \$50,000, 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: Analysis of Sealed Bids for the Installation of Nine (9) Water Services at Lake Bloomington**



The Water Department will be abandoning an old deteriorating water main serving nine (9) properties located on 1750 East Road at Lake Bloomington. New water services will need to be installed at all nine (9) properties from a newer main, located along 1750 East Road, to the water meters in the homes.

Staff has prepared bid specifications to install all nine (9) water services. Sealed bids were due at the Office of the City Clerk on February 22, 2008 at 2:00 P.M. at which time they were publicly opened and read. The results of the sealed bids are as follows:

<b>Vendor</b>	<b>Total Bid Price</b>
<b>Tom Laskowski Plumbing Inc.</b>	<b>\$68,280.00</b>
<b>GLI / Plumbing America</b>	<b>\$61,300.00</b>

The low bidder GLI/Plumbing America meets the minimum requirements set forth in the bid specifications. Funds for this project will be drawn from the Water Department Repair/Maintenance/Infrastructure Fund (Account # 5010-50120-70550).

Staff respectfully recommends accepting the low bid from GLI/Plumbing America in the total amount of \$61,300 for the installation of nine water services at Lake Bloomington.

Respectfully,

Craig Cummings  
Director of Water

Mark Huber  
Director of PACE

Tom Hamilton  
City Manager

**Motion by Alderman Hanson, seconded by Alderman Huette that the bid be awarded to GLI/Plumbing America in the amount of \$61,300, and the Purchasing Agent be authorized to issue a Purchase Order for same.**

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

**Ayes: Aldermen Stearns, Huette, Schmidt, 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: Professional Services Contract

Staff respectfully requests approval of contracts to engage persons and/or groups represented by Leftfield Productions, Inc., The Los Lobos Corporation, and Opus 3 Artists LLC to perform services in the Bloomington Center for the Performing Arts on dates agreed by staff. Base expenses for the contracts will be \$55,500.

Staff further respectfully advises Council that contract provisions prohibit public announcements of any persons/groups and/or dates of services until said contracts have been executed by both parties.

The selection of these artists was coordinated with the Cultural Commission and the Cultural District's Programming Advisory Committee. Staff and community advisors agree that the visiting professionals would attract broad, positive community involvement and contribute to the public service mission of the Cultural District and the Bloomington Center for the Performing Arts.

Staff respectfully recommends accepting these contracts for the performances and further that the Mayor and City Clerk be authorized to execute the necessary documents. Funding for these contracts will come from account X21100-70220 of the Cultural District budget, to be offset by future revenues.

Respectfully,

C. Bruce Marquis  
Executive Director, Cultural District

Tom Hamilton  
City Manager

(CONTRACTS ON FILE IN CLERK'S OFFICE)

**Motion by Alderman Hanson, seconded by Alderman Huette that the contracts from Leftfield Productions, Inc., The Los Lobos Corporation, and Opus 3 Artists LLC in the amount of \$55,000 be accepted and that 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: Ratification of Collective Bargaining Agreement with Police Benevolent and Protective Association Unit 21

On February 4, 2008 the City and Police Benevolent and Protective Association Unit 21 held their last mediation session. Serving on the bargaining committee for the City were Todd Greenburg, Jeff Sanders, Randy McKinley, and Angie Brown. A Tentative Agreement was reached with Unit 21 and was voted on by the Unit 21 membership on February 21, 2008.

Highlights of the Agreement are as follows:

- Four year term of agreement
- Base wages will be increased by 2% on May 1, 2007, 2% on November 1, 2007, 3.5% on May 1, 2008, 3% for May 1, 2009 and 3% for May 1, 2010. The Union reserves the right to reopen wages in years 2009 and 2010.
- Increase in vacation schedule to include 2 weeks at date of hire and 2 weeks at 1 year of service.
- Sick Leave Abuse Language
- Increase in Sick Leave Buyback hours to 1440 hours with money paid into the Retirement Health Saving Plan.
- Eight (8) hours of sick time paid into the Retirement Health Savings Plan if an Officer is maxed out on sick time.
- Phase in of employee contributions for Health Insurance Premiums with the last year of the contract being a 25% contribution for employee, employee plus one and family coverage.
- Felony Indictment Language that allows the City to place Officers charged with a felony on administrative leave without pay.

The staff recommends ratification of the Tentative Agreement by the City Council.

Respectfully,

Todd Greenburg  
Corporation Counsel

Randy McKinley  
Asst. Police Chief

Angie Brown  
Human Resources Specialist

Roger Aikin  
Police Chief

Tom Hamilton  
City Manager

**Alderman Huette requested information regarding the longevity clause within the contract. He questioned the net impact of this scale percentage increase and requested that Tom Hamilton, City Manager, email him the longevity scale. Mr. Hamilton responded affirmatively. He went on to say this increase applied only to those who have met the eligibility years. Everyone will not receive an increase every year.**

**Alderman Stearns questioned the felony indictment language that would allow the City to require administrative leave without pay. What other situations within the Police Department would require administrative leave without pay. Todd Greenburg, Corporate Counsel, addressed the Council. Any violation of the rules and regulations of the Bloomington Police Department might result in unpaid leave. It would than be subject to the filing of agreements by the officer in return.**

**Motion by Alderman Hanson, seconded by Alderman Huette that the Collective Bargaining Agreement with Police Benevolent and Protective Association Unit 21 be ratified 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: Adoption of the National Electric Code/2008

Every few years, code writing authorities update their codes and standards to reflect changes in materials, methods and technology related to their specific discipline. This is the case with the *National Electric Code, NFPA 70* (NEC), used by the Building Safety Division as the standard for electrical work in the City. PACE staff has reviewed the new code, presented the changes to the Electrical Commission for review, and held a public information meeting to search out additional feedback. Notices were published in the Pantagraph and mailed to electrical contractors and the Home Builders Association. The Electrical Commission unanimously recommended approval of the new code. There were no public comments received.

As a regular part of evaluating standards, staff also reviewed the associated fees charged for electrical permits. Over the past several years, Council has made it a practice to adjust fees with code adoptions to keep increases at a more frequent but moderate rate. With the last increase set with the 2005 edition of the NEC, staff proposes a fee increase averaging approximately nine percent (9%) with this code adoption.

At this time, staff respectfully requests the Council adopt the changes to Chapter 15 of the Municipal Code that will formally adopt the 2008 edition of the National Electric Code and the associated fee schedule as proposed.

Respectfully,

Mark R. Huber  
Director, of PACE

Tom Hamilton  
City Manager

**ORDINANCE NO. 2008 - 17**

**AN ORDINANCE AMENDING BLOOMINGTON CITY CODE CHAPTER 15**

BE IT ORDAINED by the City Council of the City of Bloomington, Illinois:

SECTION 1. That Bloomington City Code Chapter 15, Section 1, shall be and the same is hereby amended to read as follows (additions are indicating by underlining; deletions are indicated by strikeouts):

There is hereby created a commission which shall be known as the Electrical Commission of the City and which shall consist of six members. The ~~chief~~ Electrical Inspector shall be a member and ex officio chairman of such commission. Of the other five members, one shall be an electrical contractor, one a journeyman electrician, one a representative of an inspection bureau maintained by the fire underwriters (or, if no such representative resides in the City, then the Chief of the Fire Department,) one a representative of an electrical supply company and one shall be a registered professional engineer. Such members shall be appointed for one year by the Mayor, by and with the advice and consent of the City Council.

SECTION 2. That Bloomington City Code Chapter 15, Section 4, shall be and the same is hereby amended to read as follows (additions are indicating by underlining; deletions are indicated by strikeouts):

**SEC. 4 ELECTRICAL CONTRACTOR - REQUIRED TO ~~REGISTER~~ BE LICENSED - REGISTRATION LICENSE FEE.**

All electrical work in the City shall be done by a ~~registered~~ licensed electrical contractor or his employees except as otherwise provided in this Chapter. Before any person, firm, or corporation shall engage in the business of electrical contracting in the City and before any person, firm, or corporation now engaged in said business or any class thereof shall continue in said business of electrical contracting in the City, such person, firm, or corporation shall be required to ~~register~~ have a license and pay a ~~registration~~ license fee of Fifty Dollars (\$50.00) yearly, which ~~Certificate of Registration~~ license issued thereunder shall expire on the 31st day of December of the year in which it was issued. The City Clerk shall keep a suitable record of all licenses and registrations. ~~No electrical contractor registration will be offered to a contractor outside of McLean County who is not registered in his own area of residence, in order for that contractor to perform one or more jobs in this jurisdiction.~~

Nothing in this Code shall prevent a builder-occupant of a single-family residence from installing or doing electrical work in such residence, including accessories, without an Electrical Contractor ~~Certificate of Registration~~ license; however, a builder-occupant is subject to all other provisions of this Code.

To qualify as an owner-occupant, the single-family residence to be worked on must be resided in by the owner-occupant for a period of at least one (1) year from the date an occupancy certificate is issued or final inspection is completed.

SECTION 3. That Bloomington City Code Chapter 15, Section 5, shall be and the same is hereby amended to read as follows (additions are indicating by underlining; deletions are indicated by strikeouts):

SEC. 5 APPLICATION FOR CERTIFICATE OF REGISTRATION LICENSE - EXAMINATION - ISSUANCE OF ~~CERTIFICATE OF REGISTRATION LICENSE~~.

(a) Any person, firm or corporation ~~with a McLean County address~~ desiring to engage in the business of electrical contracting shall apply for ~~registration~~ a license to the Electrical Inspector, ex officio chairman of the Electrical Commission, stating the name and place of business of the applicant and the name of the representative of the applicant who will act as supervisor of the work to be done under the license. Such application shall be at least eighteen years of age, accompanied by satisfactory affidavit that the applicant has had at least four years experience being employed full-time as an Electrician or Electrician Helper. Installing and altering electrical wiring and apparatus for a ~~registered~~ licensed electrical contractor with at least two of those years of experience just prior to the time of application.

(b) Before a ~~Certificate of Registration~~ license shall be issued, the applicant or his or its representative shall, following reasonable advance notice, present himself for examination and appear before the Electrical Commission at a time and place set by them and pay an review examination fee of Fifty Dollars (\$50.00). Said Commission shall review ~~examine~~ such applicant as to his practical knowledge of the installation and alteration of electrical equipment and his knowledge of the rules and regulations for the installation of electrical wiring devices and equipment as set forth in the Code of the City and in the then current edition of the National Electrical Code, as published by the National Fire Protection Association. ~~Such examination shall be in whole or in part in writing and shall be of practical character as determined by the Commission but sufficiently strict to test thoroughly the experience and qualifications of the applicant. In the event any applicant fails to pass the examination given either with the City of Bloomington or the Town of Normal, he shall not present himself for reexamination in either municipality before six (6) months shall elapse from the date of his last examination.~~

(c) Each applicant for a license under this Division must pass an examination prior to the issuance of such license. Candidates for the Electrical Contractor License must pass the "Standard Master Electrician" examination administered by the International Code Council or its designated testing agent. In the event any applicant fails to pass the International Code Council's National Contractor Trades Examination, he shall not present himself for reexamination before six (6) months shall elapse from the date of his last examination.

(d) (e) Any firm, person or corporation who shall have filed proper application, paid the Fifty Dollar (\$50.00) fee passed examination and placed on file with the City Clerk a certificate of liability insurance in an amount not less than \$300,000 aggregate bodily injury, \$100,000 aggregate property damage, shall be entitled to receive a ~~certificate of registration~~ license to do electrical work and to engage in the business of electrical contracting in the City.

(e) (d) A ~~certificate~~ license issued under this Section can be revoked by the Electrical Commission only, and the ground for such action must be the refusal of any contractor

to correct work which he has installed improperly when directed to do so by the Electrical Inspector; or repeated and obvious lack of ability or desire to perform his work properly.

(f) ~~(e)~~The Electrical Commission may issue a limited ~~Certificate of Registration~~ license to a person, firm, or corporation licensed as a heating contractor in the City of Bloomington. The Certificate would permit the holder to do branch circuit electrical power wiring to new heating or cooling equipment being installed in existing residential buildings. The work to be performed under this limited certificate shall include not more than the actual branch circuitry required to serve or connect four ton or less of air conditioning or five horse power of air conditioning and heating combined, or 7,000 watts of air conditioning and heating combined. This certificate shall not permit the installation of wiring for electric heating equipment which uses electricity as the primary source of fuel, and/or heat through the use of resistance type elements or other electricity-to-heat-converter systems. The examination for this ~~registration~~ license shall be the "Standard Maintenance Electrician" examination administered by the International Code Council or its designated testing agent. ~~similar to paragraph (b) above, but more limited in scope as established by the Electrical Commission.~~ The review examination fee shall be Fifty Dollars (\$50.00). The annual renewal fee shall be Fifty Dollars (\$50.00).

SECTION 4. That Bloomington City Code Chapter 15, Section 6, shall be and the same is hereby amended to read as follows (additions are indicating by underlining; deletions are indicated by strikeouts):

No person granted a ~~Certificate of Registration~~ license under provisions of this division shall install, repair or perform any wiring after the expiration of the ~~Certificate of Registration~~ license or after the ~~Certificate of Registration~~ license shall have been suspended or revoked by the Electrical Commission, as herein provided. When a ~~Certificate of Registration~~ license shall have expired in the year issued, a renewal shall be taken out before any further permits will be issued by the Electrical Inspector. Any person having secured an Electrical Contractor's ~~Certificate of Registration~~ license under the conditions above set forth shall be granted a renewal of such ~~certificate~~ license, provided application is made to the Electrical Inspector by the holder of such ~~certificate~~ license and upon payment of Fifty Dollars (\$50.00) with such renewal request.

All ~~Certificate of Registration~~ licenses ~~or licenses~~ renewals of the same shall expire on the 31st day of December of each year, and a renewal shall be obtained on or before January 31st of the following year.

Any ~~Certificate of Registration~~ license ~~or license~~ forfeited for nonpayment of the renewal fee may be reinstated upon the payment of the annual renewal fee, plus Fifteen Dollars (\$15.00) for each month, or portion of a month that such delinquency has continued; provided, however, that after the same has been delinquent and not in force on March 1st of the following year, then the same shall be null and void and shall not be renewed.

A ~~Certificate of Registration~~ license will be automatically ~~terminated~~ put in an inactive status after a period of twelve (12) months consecutive inactivity ~~in either Bloomington or Normal~~ and except as herein provided, the Electrical Commission is permitted to ~~shall not~~ reissue the holder's ~~certificate~~ license without reexamination. The Electrical Contractor's license



inactive status can remain with payment of the annual renewal fee of Fifty Dollars (\$50.00). The twelve (12) month period will start at the end of the year during which the contractor was last active in Bloomington or Normal.

Such ~~registration~~ inactive license may be reinstated without ~~written examination~~ review by the Electrical Commission if the contractor can furnish satisfactory evidence of his qualifications, and if the person who originally took the examination is to be in charge of the work to be performed. The contractor must furnish evidence of his qualifications in writing to the Electrical Inspector for the consideration of the Electrical Commission. Such reinstatement must include and place on file with the City Clerk a current certificate of liability insurance in an amount not less than \$300,000 aggregate bodily injury, \$100,000 aggregate property damage, before being entitled to receive a license to do electrical work and to engage in the business of electrical contracting in the City.

SECTION 5. That Bloomington City Code Chapter 15, Section 7, shall be and the same is hereby amended to read as follows (additions are indicating by underlining; deletions are indicated by strikeouts):

SEC. 7 ELECTRICAL CONTRACTOR - ~~CERTIFICATE OF REGISTRATION LICENSE~~ LICENSE NOT TO BE LOANED OR ASSIGNED.

~~Certificate of Registration Licenses~~ issued by the Electrical Commission shall not be loaned, rented, assigned or transferred. Any ~~registered~~ licensed contractor whose named license holders employment is terminated or becomes deceased must have another named representative who meets the qualifications of Section 5(a) apply within thirty (30) days for examination and ~~re-registration~~ re-license

SECTION 6. That Bloomington City Code Chapter 15, Section 7.1, shall be and the same is hereby amended to read as follows (additions are indicating by underlining; deletions are indicated by strikeouts):

SEC. 7.1 RECIPROCAL PROVISIONS.

Any person, firm or corporation who licensed for the current year in any city, town or village in the State of Illinois where the requirements of licensing were at the date of such license substantially equal to the requirements in force in this City and such city, town or village extends a similar privilege to the persons licensed under this Electrical Code, they shall not be required to take an examination, but shall pay a annual registration fee of Fifty Dollars (\$50.00) as provided in this Chapter. Such reciprocal registration must include and place on file with the City Clerk a current certificate of liability insurance in an amount not less than \$300,000 aggregate bodily injury, \$100,000 aggregate property damage, to engage in electrical contracting for such year in this City, and shall file a current copy of his license with the Electrical Inspector.

SECTION 7. That Bloomington City Code Chapter 15, Section 8, shall be and the same is hereby amended to read as follows (additions are indicating by underlining; deletions are indicated by strikeouts):

Any person, firm, or corporation that shall do any electrical work, or that shall engage in the business of electrical contractor without obtaining a ~~Certificate of Registration~~ license as herein provided for or that shall re-violate any of the provisions of this Chapter shall be fined not less than ~~Twenty One Hundred Dollars (\$20.00)~~ (\$100.00) nor more than Five Hundred Dollars (\$500.00) for each offense and a separate and distinct offense shall be regarded as committed every day on which such person, firm, or corporation shall continue to operate contrary to the provisions of this Chapter.

SECTION 8. That Bloomington City Code Chapter 15, Section 10, shall be and the same is hereby amended to read as follows (additions are indicating by underlining; deletions are indicated by strikeouts):

The office of Electrical Inspector is hereby created who shall ~~be appointed by the City Manager. He shall~~ receive such compensations as may be provided by ordinance. He shall be under the supervision of the Director of Planning and Code Enforcement.

SECTION 9. That Bloomington City Code Chapter 15, Section 14, shall be and the same is hereby amended to read as follows (additions are indicating by underlining; deletions are indicated by strikeouts):

The Electrical Inspector shall enforce all laws relating to the installation, alteration and use of electrical equipment; to see that the construction, maintenance and control of all electrical appliances and apparatus and systems of electrical wiring and systems of poles for the carriage of said electrical wires and the electrical wiring of all buildings in the City, either public or private, and electric or illuminated signs or billboards shall conform to and comply with the rules and regulations established by this Article. The Electrical Inspector, in the discharge of his official duties, and upon proper identification, shall have authority to enter any buildings, structure or premises at any reasonable hour. In dangerous situations the Electrical Inspector shall have the authority to order service discontinued to any property until such conditions are corrected. Said Electrical Inspector shall have the authority to order service discontinued to any property until such conditions are corrected. Said Electrical Inspector in the work of his office shall have the same powers as a Police Officer.

~~The said Electrical Inspector shall establish and maintain an office at the City Hall in the City, and it~~ It shall be the duty of said Electrical Inspector to end the dangers associated with ~~officer to the end that dangers attendant upon~~ the use of electricity, to inspect in the manner hereinafter provided all uses of electricity within the corporate limits of the City or on City owned property outside the corporate limits of the City, whether used either as a motive power or for heating, lighting ~~or for telegraph~~ or telephone purposes; or for any other purpose whatever requiring a connection system of wires or of poles and wires extending throughout, along, or across the streets, alleys or other public places of the City or any portion thereof, or where electricity is used in any private property within the City when connected with any such general system of electrical power or any isolated system.

SECTION 10. That Bloomington City Code Chapter 15, Section 17, shall be and the same is hereby amended to read as follows (additions are indicating by underlining; deletions are indicated by strikeouts):

No electrical wiring for light, heat, or power or maintenance or repair of or to any electrical conductor, equipment or material regulated by The National Electrical Code or as adopted and or modified in this Chapter other purposes shall be installed in a building or structure nor shall an alteration or extension of an existing electrical wiring system be made without being appropriately licensed and or registered and until a permit has been issued therefore.

All electrical equipment shall be installed, altered, or changed under the supervision of the Electrical Inspector of said City, and no person shall use any electricity in said electrical equipment without first having said equipment inspected and approved according to these rules and regulations and the Code of the City.

All work on a particular job must be performed by the ~~registered~~ licensed contractor or his employee representative who the permit was issued to. ~~The only exception, including any registered subcontractor, would be charitable work performed for non-profit organizations.~~

The provisions of this Section shall not apply to:

(a) Repairs and Maintenance. Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.

(b) Public Service Agencies. The installation, alteration, or repair of electrical equipment for the operation of communications and signals or the transmission of intelligence by wire by public service agencies.

(c) Power Companies. The installation, alteration, or repair of electrical equipment of a power or public service company for its use in the generation, transmission, distribution, or metering of electricity; and such other maintenance or construction as may be required to insure the safe and adequate transmission of electricity to the premises being served by said power company.

(d) Temporary Testing Systems. The installation of any temporary system required for the testing or servicing of electrical equipment or apparatus. Such system must be approved as safe for the location wherein or on it is to be used by the Electrical Inspector.

(e) Railway Utilities. The installations or equipment employed by a railway utility in the exercise of its functions as a public carrier and located outdoors ~~or in buildings used exclusively for that purpose.~~

- (f) Transmitting Equipment. The electrical equipment used for radio or television transmission, except the equipment and wiring for power supply and installation of towers and antennae.

SECTION 11. That Bloomington City Code Chapter 15, Section 18, shall be and the same is hereby amended to read as follows (additions are indicating by underlining; deletions are indicated by strikeouts):

Prior to the issuance of an electrical permit, plans, specifications, and schedules in sufficient detail shall be filed with the Electrical Inspector showing the location and capacity of all lighting facilities, electrically operated equipment and light and power circuits required for all service equipment for new buildings or structures or major rewiring projects. Minor permits may be issued with only a simple sketch or written description of the work to be done submitted. A permit shall be issued only to a ~~registered~~ licensed electrical contractor or an owner of an owner-occupied single family home. The Electrical Inspector shall be notified of any change of deviation from the plans submitted.

SECTION 12. That Bloomington City Code Chapter 15, Section 19(a) and (b), shall be and the same is hereby amended to read as follows (additions are indicating by underlining; deletions are indicated by strikeouts):

- (a) Fee Schedule:

Service Entrance or Feeder

0 to 100 amp	\$ 25.00	
101 to 200 amp	<del>\$ 50.00</del>	<u>\$55.00</u>
201 to 400 amp	<del>\$ 75.00</del>	<u>\$80.00</u>
401 to 600 amp	<del>\$100.00</del>	<u>\$110.00</u>
601 to 800 amp	<del>\$150.00</del>	<u>\$165.00</u>
801 to 1000 amp	<del>\$200.00</del>	<u>\$220.00</u>
1001 to 1200 amp	<del>\$250.00</del>	<u>\$275.00</u>
Over 1200 amp	<del>\$300.00</del>	<u>\$330.00</u>

- (b) Fee Schedule:

<u>Valuation</u>	<u>Fee</u>
\$500.00 or less	\$25.00
\$501.00 to \$1,000.00	<del>\$30.00</del> <u>\$35.00</u>
\$1,001.00 to \$10,000.00	<del>\$30.00</del> <u>\$35.00 plus \$1.60 per hundred or fraction thereof over \$1,000.00</u>

\$10,001.00 to \$50,000.00	\$ <del>165.00</del> <u>\$179.00</u> plus \$. <del>40</del> <u>.50</u> per hundred or fraction thereof over \$10,000.00
Above \$50,001.00	\$ <del>325.00</del> <u>\$379.00</u> plus \$. <del>20</del> <u>.30</u> per hundred or fraction thereof over \$50,000.00.

Permits issued to owner occupied single-family residences, where owner is doing work without the help of a contractor, shall be charged a permit fee based on the above schedules with an additional 50% surcharge.

SECTION 13. That Bloomington City Code Chapter 15, Section 20(d), (e), (f), (g) and (h), shall be and the same is hereby amended to read as follows (additions are indicating by underlining; deletions are indicated by strikeouts):

(d) Instead of a qualified company electrician being employed by a company, work allowed in the annual limited permit shall be performed by a ~~registered~~ licensed electrical contractor upon notification of and approval by the Electrical Inspector or the Director of Planning and Code Enforcement ~~or his designee~~.

~~(e) To be a qualified company electrician, one must appear before the Electrical Commission and pass its required examinations.~~

~~(e)~~ (e) To be a qualified company electrician, one must appear before the Electrical Commission for review and pass the “Standard Maintenance Electrician” examination administered by the International Code Council or its designated testing agent. ~~its required examinations.~~

~~(g)~~ (f) The annual limited permit shall at no time be used for work performed beyond the premises for which it was issued.

~~(h)~~ (g) The ~~examination~~ review fee for the qualified company electrician test shall be Fifty Dollars (\$50.00).

SECTION 14. That Bloomington City Code Chapter 15, Section 21, shall be and the same is hereby amended to read as follows (additions are indicating by underlining; deletions are indicated by strikeouts):

During the installation of electrical wiring systems and service equipment, the Electrical Inspector shall make inspections to insure compliance with the provisions of this Chapter.

The Electrical Inspector shall within one (1) working day of notification of completion by the contractor make his inspection. No work in connection with an electric wiring system shall be covered or concealed until it has been inspected and permission to do so has been granted by the Electrical Inspector, and he is hereby authorized to demand the removal of any flooring,

lathing, plaster, sheet or metal, or other material which may conceal any electrical wiring or apparatus contrary to the provisions of this Article.

On completion of the inspection of any electrical wiring or apparatus designed to be concealed and found to be in compliance with the provisions of this Article, it shall be the duty of said Inspector to post a "Rough-In" inspection sticker on a ~~front window or other visible~~ location, and said sticker shall be considered as expressed permission to conceal any part of the system, but no concealment shall take place until such sticker has been posted by said Inspector.

On completion of the work, the Electrical Inspector shall inspect the work to insure compliance with all requirements.

It shall be unlawful to use or permit the use of, or to supply current for new electric wiring for heat, light or power in a building or structure, unless approved by the Electrical Inspector. No electrical current shall be turned on to such equipment so inspected, nor shall any company wires be connected therewith, until such approval is procured.

Emergency service can be performed if life or property is endangered by delay or if undue or unnecessary hardship is or will be caused by such delay. Such service must be reported to the Electrical Inspector for the purpose of obtaining his property inspection within seventy-two (72) hours following the performance of such service.

Any work which is rejected by the Electrical Inspector shall be corrected and reinspected within thirty (30) days.

If, upon reinspection, an electric wiring system is found defective and unsafe, the Electrical Inspector shall revoke all certificates and permits in effect; and the use of such system shall be discontinued until it has been made to conform to this Chapter and after a new permit has been issued.

SECTION 15. That Bloomington City Code Chapter 15, Section 24, shall be and the same is hereby amended to read as follows (additions are indicating by underlining; deletions are indicated by strikeouts):

#### SEC. 24 ELECTRICAL CODE MODIFICATIONS - ADDITIONAL PROVISIONS.

The following modifications and/or additional provisions are hereby adopted and included in and as a part of the Electrical Code of the City and shall supersede any other provisions of this Code:

- (a) Type AC or MC cables shall have an enclosed ground conductor equal in size to the current carrying conductors and used in concealed applications only.
- (b) Type "S" fuses and fuse adapters for plug fuses are mandatory, unless circuit breaker type panels are installed.

- (c) The use of #10 gauge or smaller aluminum or copper-clad aluminum wire is prohibited.
- (d) All snap or toggle switches used in any location shall be of a type which has an equipment ground terminal.
- (e) Ceiling mounted lighting outlet boxes in dwelling units more than three (3) feet from any wall shall be ceiling (paddle) fan listed and be secured according to the listing installation instructions. Garages and closets not having ceiling fans are excluded.
- (f) Section 210.8 - Ground-Fault Circuit-Interrupter Protection for Personnel is hereby modified as follows:
  - (1) In dwelling units, GFCI protection is not required for receptacles in garages, that are not readily accessible and use a single receptacle located within the ceiling space for an garage opener that, in normal use, is not easily moved from one place to another and that is cord-and-plug connected.
  - (2) In dwelling units, GFCI protection is not required for receptacles in unfinished basements not intended as habitable rooms and limited to storage areas, work areas, and the like, with receptacles that are not readily accessible, a single receptacle for sump pump use or a duplex receptacle for two sump pumps located within dedicated space for each sump pump that, in normal use, is not easily moved from one place to another and that is cord-and-plug connected.

SECTION 16. That Bloomington City Code Chapter 15, Section 28, shall be and the same is hereby amended to read as follows (additions are indicating by underlining; deletions are indicated by strikeouts):

The following regulations shall be followed:

~~First:~~ 1. No wire or wires shall be installed, operated or maintained over any street, alley, sidewalk or building in this City which shall be likely seriously to interfere with the work of the Fire Department in the use of ladders or other apparatus, or which shall obstruct or render hazardous the use of fire escapes, and on complaint of the Chief of the Fire Department to the person, firm or corporation maintaining said wires, said obstructing, interfering or hazardous wires shall be removed or property rearranged.

~~Second:~~ 2. The Chief of the Fire Department or said Electrical Inspector or a competent person delegated by them or either of them shall have the power to cause the removal of all wires or the turning off of all electrical current where the circuits interfere with the work of the Fire Department during the progress of a fire. The said Electrical Inspector is hereby authorized and empowered to cause the turning off of electric current from all conductors or

apparatus which are deemed by him to be in an unsafe condition or which have not been installed in conformity with the provisions of this Article. No person, firm or corporation shall supply or cause to be supplied any electric current to conductors or apparatus which have been deemed by said Inspector to be in an unsafe condition or which have not been installed in conformity with the provisions of this Article and from which the said Electrical Inspector has caused the electric current to be turned off.

~~Third: The Electrical inspector, by and with the consent of the City Manager, shall have power to deputize one or more assistants, and each one of said assistants shall in every case be known to be competent to discharge the duties of Electrical Inspector, and the rights and privileges conferred upon the Electrical Inspector are hereby conferred upon each assistant to the Electrical Inspector when properly appointed.~~

~~Fourth: 3.~~ The words or terms "electrical wiring and apparatus" as used in this Article shall be construed to include all material, devices, machinery, appliances, appurtenances or conductors used in connection with the production of electric light, heat or power or the transmission of electrical signals, except where specifically limited.

~~Fifth: 4.~~ The Electrical inspector shall decide all questions not provided for in this Article pertaining to installation, operation or maintenance of electrical wiring and apparatus.

~~Sixth: 5.~~ No person, firm or corporation shall interfere with the said Electrical Inspector or any competent person or persons lawfully deputized to assist him as hereinabove provided, while in the performance of duty, and each such interference shall be deemed to constitute a separate offense within the intent and meaning of this Section.

~~Seventh: No person, firm or corporation shall install, bury or place:~~

~~(1) any underground electrical wires or cables less than five (5) feet horizontally from any water main; or~~

~~(2) any electrical service less than five (5) feet horizontally from any water service.~~

SECTION 17. That Bloomington City Code Chapter 15, Section 30, shall be and the same is hereby amended to read as follows (additions are indicating by underlining; deletions are indicated by strikeouts):

~~Any person who shall violate any provision of this Chapter shall, upon conviction, be punished by a fine of not less than Twenty Dollars (\$20.00) nor more than Five Hundred Dollars (\$500.00), and each day's failure to comply with any such provision shall constitute a separate offense.~~

Any person who shall violate a provision of this Code or shall fail to comply with any of the requirements therefore or who shall erect, construct, alter, or add to in violation of an approved plan or directive of the Electrical Inspector, or of a permit or certificate under the provisions of this Code shall be guilty of a misdemeanor, punishable by a fine of not more than



Five Hundred Dollars (\$500.00) or by imprisonment not exceeding six (6) months, or both such fine and imprisonment. Each day that a violation continues shall be deemed a separate offense.

SECTION 18. Except as provided herein, the Bloomington City Code, as amended, shall remain in full force and effect.

SECTION 19. The City Clerk shall be, and she is hereby directed and authorized to publish this Ordinance in pamphlet form as provided by law.

SECTION 20. This Ordinance is enacted pursuant to the authority granted to the City as a home rule unit by Article VII, Section 6 of the 1970 Illinois Constitution.

SECTION 21. This Ordinance shall take effect ten (10) days after passage and approval.

PASSED this 10<sup>th</sup> day of March, 2008.

APPROVED this 11<sup>th</sup> day of March, 2008.

APPROVED:

Stephan F. Stockton  
Mayor

ATTEST:

Tracey Covert  
City Clerk

**Motion by Alderman Hanson, seconded by Alderman Huette that the National Electric Code be adopted, the Text Amendments 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, 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: Petition Submitted by Interchange City West, LLC, Requesting Approval of the Final Plat for Resubdivision of Interstate Business Park Subdivision, 8<sup>th</sup> Addition

A petition has been submitted by Interchange City West, LLC requesting approval of a Final Plat for Resubdivision of Interstate Business Park, 8<sup>th</sup> Addition. This subdivision is located south of West Market Street (IL Rte. 9) and east of Interstate Drive. Staff reviewed the Final Plat and finds it in conformance with the provisions of the Preliminary Plan approved May 10, 2004.

There are no fees due from this Resubdivision as they were paid prior to recording the plat for the original 8<sup>th</sup> Addition. Staff respectfully recommends that Council approve the petition and adopt an Ordinance approving the Final Plat for the Resubdivision of Interstate Business Park, 8th Addition.

Respectfully,

Douglas G. Grovesteen  
Director of Engineering

Tom Hamilton  
City Manager

**PETITION FOR APPROVAL OF FINAL PLAT**

State of Illinois )  
 )ss.  
County of McLean )

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

Now comes INTERCHANGE CITY WEST, L.L.C., an Illinois Limited Liability Company, 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 described in Exhibit A which is attached hereto and made a part hereof by this reference;
2. That your petitioner seeks approval of the Final Plat for the subdivision to be known and described as Resubdivision of Interstate Business Park, 8<sup>th</sup> Addition, Bloomington, Illinois, which Final Plat is attached hereto and made a part hereof;
3. That your petitioner also seeks approval of the following exemptions or variations from the provisions of Chapter 24 of the Bloomington City Code, 1960: None;
4. That your petitioner hereby dedicates to the public, all public rights of way and easements shown on said Final Plat;

WHEREFORE, your petitioner INTERCHANGE CITY WEST, L.L.C., an Illinois Limited Liability Company, prays that the Final Plat for the Resubdivision of Interstate Business Park, 8<sup>th</sup> Addition, Bloomington, Illinois, submitted herewith be approved with the exemptions or variations as requested herein.

Respectfully submitted,  
INTERCHANGE CITY WEST,  
LLC, an Illinois Limited  
Liability Company, Petitioner

Robert J. Lenz  
It's Attorney

**ORDINANCE NO. 2008 - 18**

**AN ORDINANCE APPROVING THE FINAL PLAT OF THE  
RESUBDIVISION OF INTERSTATE BUSINESS PARK, 8<sup>TH</sup> ADDITION**

WHEREAS, there was heretofore filed with the City Clerk of the City of Bloomington, McLean County, Illinois, a Petition for approval of the Final Plat of the Resubdivision of Interstate Business Park, 8<sup>th</sup> Addition, legally described in Exhibit A attached hereto and made a part hereof by this reference; and

WHEREAS, said Petition requests the following exemptions or variations from the provisions of Chapter 24 of the Bloomington City Code-1960, as amended: None; and

WHEREAS, said Petition is valid and sufficient and conforms to the requirements of the statutes in such cases made and provided and the Final Plat attached to said Petition was prepared in compliance with requirements of the Bloomington City Code.

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

1. That the Final Plat of the Resubdivision of Interstate Business Park, 8<sup>th</sup> Addition, and any and all requested exemptions and/or variations be, and the same is hereby approved and all dedications made therein are accepted.
2. That this Ordinance shall be in full force and effective as of the time of its passage and approval.

PASSED this 10<sup>th</sup> day of March, 2008.

APPROVED this 11<sup>th</sup> day of March, 2008.

APPROVED:

Stephan F. Stockton  
Mayor

ATTEST:

Tracey Covert  
City Clerk

**EXHIBIT A**

Lot 28 and Lot 29 in Interstate Business Park 8<sup>th</sup> Addition, according to the Plat thereof recorded as Document No. 2008-00001024, being a part of Lot 1 in the NW ¼ and a part of Lot 4 in the NE ¼ all in Section 1, Township 23 North, Range 1 East of the Third Principal Meridian, City of Bloomington, McLean County, Illinois, also being part of the land subdivided for the Estate of Jacob Motter, deceased, recorded in Chancery Record 15, page 563 in the office of the Clerk of the Circuit Court of McLean County, Illinois, containing 6.59 acres, more or less.

**Motion by Alderman Hanson, seconded by Alderman Huette that the Final Plat 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, 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: Petition submitted by Ryan W. Scritchlow requesting approval of the Final Plat of the Scritchlow Subdivision, commonly located at 1005 Maple Street (Case FS-01-08) (Ward 4)

**BACKGROUND INFORMATION:**

Adjacent Zoning

north - B-1 Highway Business District  
south - R-1C Single Family Residence District  
east - B-1 and R-1C  
west - S-2 Public Lands and Institutions District

Adjacent Land Uses

north - single family dwellings  
south - single family dwelling  
east - commercial use & dwellings  
west - storm water detention basin

Comprehensive Plan: recommends Low/Medium Density Residential land use for the property in question.

The petitioner is requesting the waiver of the preliminary plan submission requirement and approval of the final plat for the resubdivision of this property into three (3) lots. The property in question contains an area of approximately one (1) acre and presently is the site of a single family dwelling and a detached two (2) car garage. The final plat depicts the following lots:

Lot one (1) is vacant land containing an area of approximately 0.23 of an acre;

Lot two (2) is the site of the two (2) car garage and contains an area of approximately 0.54 of an acre; and

Lot (3) is the site of the single family dwelling and contains an area of approximately 0.23 of an acre.

The petitioner recently purchased this property for use as his place of residence. He also owns and operates a landscaping company, and he wishes to demolish the existing 20' x 20' garage and build a new 30' x 54' garage on Lot 2 to store his company's vehicles and equipment. He is requesting the rezoning of Lot one (1) from R-1A, Single Family Residence District to R-1C, Single Family Residence District and the rezoning of Lots two (2) and three (3) from R-1A, Single Family Residence District to B-1, Highway Business District in Case Z-03-08.

The requirement for the submission of a preliminary plan can be waived for this subdivision which contains only three (3) lots and does not require the construction or installation of street improvements. However, the final plat should be revised to show the dedication to the City of ten (10) feet off of the east side of Lots 1, 2 and 3 for additional public right of way for Maple Street.

#### PLANNING COMMISSION PUBLIC HEARING:

The Planning Commission held a public hearing on this petition on Wednesday, February 27, 2008. Arguments in favor of this petition were presented at this hearing by Mr. Frank Miles, Attorney at Law, 202 North Center Street. Mr. Miles testified that he represented Mr. Ryan W. Scritchlow in this matter. Mr. Scritchlow had previously requested the rezoning of all of the property in question to B-1, Highway Business District but withdrew the request after receiving a negative recommendation from the Planning Commission on November 14, 2007.

Mr. Miles noted that subsequent discussion with Mr. Mark R. Huber, Director of Planning and Code Enforcement, had lead to a more acceptable proposal, as follows: Lot one (1) would be zoned R-1C and be compatible with the R-1C zoning to the south, Lots two (2) and three (3) would be zoned B-1 as are the lots to the north and east, and the B-1 zoning would allow Mr. Scritchlow to build the 30' x 54' garage he desires to use in connection with his landscaping business.

Mr. Miles affirmed that his client was amenable to modifying the plat in order to provide for the dedication of ten (10) feet off of the east side of these lots for public right of way for Maple Street. He stated that he believed that there are no adjacent roadway improvement fees or other fees to be paid in connection with creating these three (3) lots.

Mr. Doug Grovesteen, Director of Engineering, noted that there would still be tap-on fees for water and sewer to the new lots and a new water service to Lot two (2.) He was unsure whether fees had already been paid for the house that Mr. Scritchlow already occupies.

No testimony was presented in opposition to this petition at this public hearing.

PLANNING COMMISSION RECOMMENDATION:

After having given due consideration to this petition and the testimony presented at the public hearing, the Planning Commission passed a motion by a vote of 9 to 0 recommending that Council waive the preliminary plan submission requirement and approve the Final Plat of the Scritchlow Subdivision, as revised to show the dedication to the City of ten (10) feet off of the east side of Lots 1, 2 and 3 for additional public right of way for Maple Street.

STAFF RECOMMENDATION:

Staff concurs with the Planning Commission and respectfully recommends Council approval of this petition.

Respectfully,

Kenneth Emmons  
City Planner

Tom Hamilton  
City Manager

**PETITION FOR APPROVAL OF FINAL PLAT**

State of Illinois )  
 )ss.  
County of McLean )

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

Now comes RYAN SCRITCHLOW, 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 thereinof the premises hereinafter legally described in Exhibit A which is attached hereto and made a part hereof by this reference, of is a mortgagee or vendee in possession, assignee of rents, receiver, executor (executrix), trustee, lessee or other person, firm or corporation or the duly authorized agents of any of the above persons having proprietary interest in said premises;
2. That your petitioner seeks approval of the Final Plat for the subdivision of said premises to be known and described as SCRITCHLOW SUBDIVISION.
3. That your petitioner also seeks approval of the following exemptions or variations from the provisions of Chapter 24 of the Bloomington City Code, 1960: Preliminary Plan and all adjacent street improvement obligations, water tap-on fees, sewer tap-on fees, storm water and parkland dedication or fee in lieu obligations.

WHEREFORE, your petitioner respectfully prays that said Final Plat for the SCRITCHLOW SUBDIVISION submitted herewith be approved with the exemptions or variations as requested herein.

Respectfully submitted,

By Ryan W. Scritchlow



**ORDINANCE NO. 2008 - 19**

**AN ORDINANCE APPROVING THE FINAL PLAT OF THE  
SCRITCHLOW SUBDIVISION**

WHEREAS, there was heretofore filed with the City Clerk of the City of Bloomington, McLean County, Illinois, a Petition for approval of the Final Plat of the Scritchlow Subdivision, legally described in Exhibit A attached hereto and made a part hereof by this reference; and

WHEREAS, said Petition requests the following exemptions or variations from the provisions of the Bloomington City Code-1960, as amended:

Preliminary Plan and all adjacent street improvement obligations, water tap –on fees, sewer tap-on fees, storm water and parkland dedication or fee in lieu obligations *with the exception that all applicable water and sewer tap on fees will be paid when Lot 1 is built upon;* and

WHEREAS, said Petition is valid and sufficient and conforms to the requirements of the statutes in such cases made and provided and the Final Plat attached to said Petition was prepared in compliance with requirements of the Bloomington City Code except for said requested exemptions and/or variations; and

WHEREFORE, said exemptions and/or variations are reasonable and in keeping with the intent of the Land Subdivision Code, Chapter 24 of the Bloomington City Code-1960, as amended.

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

1. That the Final Plat of the Scritchlow Subdivision and any and all requested exemptions and/or variations be, and the same is hereby approved.
2. That this Ordinance shall be in full force and effective as of the time of its passage this 10<sup>th</sup> day of March, 2008.

APPROVED:

Stephan F. Stockton  
Mayor

ATTEST:

Tracey Covert  
City Clerk

**EXHIBIT A**

Lots 7 & 8 in Block 4 in Croxton’s Addition to the City of Bloomington, McLean County, Illinois.

**Alderman Sage expressed his appreciation to staff. He saw cooperation and intentional time and effort between staff and the petitioner.**

**Motion by Alderman Hanson, seconded by Alderman Huetten that the Final Plat be approved and the Ordinance be passed, contingent upon the payment of all applicable water and sewer tap on fees at the time the south lot is built upon.**

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

**Ayes: Aldermen Stearns, Huetten, 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: Petition submitted by Ryan W. Scritchlow requesting the rezoning of Lot 1 in the Scritchlow Subdivision from R-1A Single Family Residence District to R-1C Single Family Residence District and the rezoning of Lots 2 and 3 in the Scritchlow Subdivision from R-1A Single Family Residence District to B-1 Highway Business District, commonly located at 1005 Maple Street (Case Z-03-08) (Ward 4)

**BACKGROUND INFORMATION:**

Adjacent Zoning

north - B-1 Highway Business District  
south - R-1C Single Family Residence District  
east - B-1 and R-1C  
west - S-2 Public Lands and Institutions District

Adjacent Land Uses

north - single family dwellings  
south - single family dwelling  
east - commercial use & dwellings  
west - storm water detention basin

Comprehensive Plan: recommends low/medium density residential land use for the property in question.

The property in question contains an area of approximately one (1) acre and presently is the site of a single family dwelling and a detached two (2) car garage. The petitioner recently purchased this property for use as his place of residence. He owns and operates a landscaping company and wants to demolish the existing 20' x 20' two (2) car garage and build a new 30' x 54' garage to store his company's vehicles and equipment. The petitioner is requesting approval of the final plat for the resubdivision of this property into three (3) lots in Case FS-01-08. He is requesting the rezoning of the proposed Lot 1 (the southeastern 0.23 acres of this property) from R-1A to R-1C. Lot 1 is vacant land that is just north of a residential neighborhood that is also zoned R-1C. He is requesting B-1 zoning for the proposed Lot 2 (the site of the garage) and the proposed Lot 3 (the site of the house). Both of these lots are south and west of an area that is presently zoned B-1. Approval of this petition will extend the B-1 zoning an additional 110.6 feet south along the west side of Maple Street across from B-1 zoning on the east side of the street.

#### PLANNING COMMISSION PUBLIC HEARING:

The Planning Commission held a public hearing on this petition on Wednesday, February 27, 2008. Arguments in favor of this petition were presented Mr. Frank Miles, Attorney at Law, 202 North Center Street. Mr. Miles testified that he represented Mr. Ryan W. Scritchlow in this matter. Mr. Scritchlow had previously requested the rezoning of all of the property in question to B-1, Highway Business District but had withdrawn that request after receiving a negative recommendation from the Planning Commission on November 14, 2007.

Mr. Miles said that subsequent discussion with Mr. Mark R. Huber, Director of Planning and Code Enforcement, had lead to a more acceptable proposal, as follows: Lot 1 would be zoned R-1C and be compatible with the R-1C zoning to the south, Lots 2 and 3 would be zoned B-1 as are the lots to the north and east, and the B-1 zoning would allow Mr. Scritchlow to build the 30' x 54' garage he desires to use in connection with his landscaping business.

Mr. Miles distributed a letter of support written and signed by Terri and Galen Jones, the neighbor to the south at 1007 Maple Street. Mr. Scritchlow testified that of the two (2) neighbors to the north one (1) owns a masonry business and the other owns a carpet laying company.

No testimony was presented in opposition to this petition at this public hearing.

#### PLANNING COMMISSION RECOMMENDATION:

After having given due consideration to this petition and the testimony presented at the public hearing, the Planning Commission passed a motion by a vote of 9 to 0 recommending City Council approval of this petition for rezoning in Case Z-03-08.

#### STAFF RECOMMENDATION:

Staff concurs with the Planning Commission and respectfully recommends Council approval of this petition as presented.

Respectfully,

Kenneth Emmons  
City Planner

Tom Hamilton  
City Manager

**PETITION FOR ZONING MAP AMENDMENT**

State of Illinois        )  
                                  ) ss.  
County of McLean     )

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

Now comes RYAN W. SCRITCHLOW, 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, trustee, lessee or 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 legally described in Exhibit "A" presently has a zoning classification of R-1A Single Family under the provisions of Chapter 44 of the Bloomington City Code, 1960;
3. That the present zoning on said premises is inappropriate due to error in original zoning, technological changes altering the impact or effect of the existing land uses, or the area in question having changed such that said present zoning is no longer contributing to the public welfare;
4. That your petitioner hereby request that the Official Zoning Map of the City of Bloomington, McLean County, Illinois be amended to reclassify said premises into the R-1C zoning district classification for proposed Lot 1, Scritchlow Subdivision; B-1 Highway Business zoning district classification for Proposed Lots 2 and 3 in Scritchlow Subdivision;
5. That said requested zoning classification is more compatible with existing uses and/or zoning of adjacent property than the present zoning of said premises; and
6. That said requested zoning classification is more suitable for said premises and the benefits realized by the general public in approving this petition will exceed the hardships

imposed on your petitioner by the present zoning of said premises.

WHEREFORE, your petitioner respectfully prays that the Official Zoning Map of the City of Bloomington, McLean County, Illinois be amended by changing the zoning classification of the above-described premises from R-1A to R-1C for Proposed Lot 1 and B-1 Highway Business for Proposed Lots 2 and 3.

Respectfully submitted,

By: Ryan W. Scritchlow

**ORDINANCE NO. 2008 - 20**

**AN ORDINANCE REZONING PROPOSED LOTS 1, 2 AND 3 IN SCRITLOW  
SUBDIVISION, BLOOMINGTON, ILLINOIS FROM R-1A SINGLE FAMILY  
RESIDENCE DISTRICT TO R-1C FOR PROPOSED LOT 1; B-1 HIGHWAY BUSINESS  
DISTRICT FOR PROPOSED LOTS 2 AND 3**

WHEREAS, there was heretofore filed with the City Clerk of the City of Bloomington, McLean County, Illinois, a Petition for rezoning of certain premises hereinafter described in Exhibit A; and

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

WHEREAS, the City Council of said City has the power to pass this Ordinance and rezone said premises.

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

1. That the premises hereinafter described in Exhibit A shall be and the same are hereby rezoned from R-1A Single Family Residence District to R-1C for Proposed Lot 1 and B-1 Highway Business District for Proposed Lots 2 and 3 in the Scritchlow Subdivision.
2. The Official Zoning Map of said City shall be amended to reflect this change in zoning classification.
3. This Ordinance shall take effect immediately upon passage and approval.

PASSED this 10<sup>th</sup> day of March, 2008.

APPROVED this 11<sup>th</sup> day of March, 2008.

APPROVED:

Stephen F. Stockton  
Mayor

ATTEST:

Tracey Covert  
City Clerk

**EXHIBIT A**

Proposed Lot 1:

The Southerly 50 feet of the Easterly 200 feet of Lot 8, Block 4 in Croxton’s Addition to the City of Bloomington.

Proposed Lots 2 & 3:

Lots 7 & 8 in Block 4 in Croxton’s Addition to the City of Bloomington EXCEPT the Southerly 50 feet of the Easterly 200 feet thereof.

**Motion by Alderman Hanson, seconded by Alderman Huette that the Rezoning 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, 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: Petition submitted by the State of Illinois Historic Preservation Agency Requesting the Rezoning of 906 Monroe Drive from R-1B, Single Family Residence District to S-2, Public Lands and Institutions District (Case Z-02-08) (Ward 4)

BACKGROUND INFORMATION:

Adjacent Zoning

north - R-1B Single Family Residence District  
south - R-1B Single Family Residence District  
east - R-1B Single Family Residence District  
west - R-1B Single Family Residence District

Adjacent Land Uses

north - single family dwelling  
south - single family dwelling  
east - single family dwelling  
west - single family dwelling

Comprehensive Plan: recommends Low/Medium Density Residential land use for the property in question.

The property in question contains an area of 11,849.5 square feet and presently is the site of a single family dwelling with an attached two (2) car garage. The Illinois Historic Preservation Agency has purchased this property and is planning to renovate it as the new visitor center for the David Davis Mansion State Historic Site (Clover Lawn), located to the north at 1000 Monroe Drive. Office space for three (3) employees will also be located within this dwelling. The off-street parking facilities for visitors and employees will remain at Clover Lawn. A new sidewalk will be installed along the west side of Davis Ave. from the new visitor center to Clover Lawn.

#### PLANNING COMMISSION PUBLIC HEARING:

The Planning Commission held a public hearing on this petition on Wednesday, February 27, 2008. Testimony in favor of this petition was presented at this hearing by Ms. Jane Rhetta, Architect for the State Historic Sites, Illinois Historic Preservation Agency, #1 Old State Capitol Plaza, Springfield, Illinois, and Ms. Marcia D. Young, Site Manager at the David Davis Mansion State Historic Site, 1000 Monroe Drive. Ms. Rhetta displayed a site diagram of Clover Lawn and reviewed the current procedure for conducting tours of the David Davis Mansion. She stated that visitors presently are directed to go to the current visitors' center located to the north of the mansion to view an orientation video before they take the guided tour through the mansion. She noted that under the new procedure this orientation video will be shown at the new visitors' center at 906 Monroe Drive. Visitors who are arriving in automobiles will park in parking spaces east of the mansion and walk to the new visitor's center. Visitors who are arriving in buses will be divided into two (2) groups with one (1) group viewing the video first and then taking the guided tour and vice versa. Buses will stop on Davis Ave. to let visitors off at the new visitors' center, but they will be parked at the parking area north of the mansion.

Ms. Young testified that between one hundred (100) and two hundred (200) people visit the David Davis Mansion per week during the busy season. She stated that visitors will enter the new visitors' center through the east side door, be greeted by the center's staff, go to the living room/ dining room area to view the orientation video, then exit out the east side door and walk to the front door of the mansion for the guided tour. The public will not use the south front door of the new visitors' center. She testified that there will be no change in the exterior appearance of the building and additional landscaping will be installed to screen the property to the east.

Mr. Richard Baxa, 408 N. Linden St., testified that he had no objection to the requested change in zoning but was wondering if the change from a residence to a visitors' center will eliminate that domicile to cast a vote on the question of having speed bumps installed on Linden Street. He stated that the Traffic Control Committee gives one (1) vote to each property owner.

Mr. Doug Grovesteen, Director of Engineering, responded that every property owner would have a vote on the question of speed bumps. He stated that if the Illinois Historic Preservation Agency absorbs 906 Monroe Drive into its David Davis Mansion State Historic Site it would have just one (1) vote. No other persons presented testimony in favor of or in opposition to this petition at this public hearing.

#### PLANNING COMMISSION RECOMMENDATION:



After having given due consideration to this petition and the testimony presented at the public hearing, the Planning Commission passed a motion by a vote of 9 to 0 recommending Council approval of this petition in Case Z-02-08.

**STAFF RECOMMENDATION:**

Staff concurs with the Planning Commission and respectfully recommends Council approval of this petition.

Respectfully,

Kenneth Emmons  
City Planner

Tom Hamilton  
City Manager

**PETITION FOR ZONING MAP AMENDMENT**

State of Illinois        )  
  ) ss.  
County of McLean     )

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

Now comes State of Illinois Historic Preservation Agency – David Davis Mansion State Historic Site, 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, trustee, lessee or other person, firm or corporation or the duly authorized agents of any of the above persons having proprietary interest in said premises; and,
2. That said premises legally described in Exhibit A presently has a zoning classification of R- 1B under the provisions of Chapter 44 of the Bloomington City Code, 1960; and,
3. That the present zoning on said premises is inappropriate due to error in original zoning, technological changes altering the impact or effect of the existing land uses, or the area in question having changed such that said present zoning is no longer contributing to the public welfare; and,

4. That your petitioner hereby request that the Official Zoning Map of the City of Bloomington, McLean County, Illinois be amended to reclassify said premises into the S - 2 zoning district classification; and,
5. That said requested zoning classification is more compatible with existing uses and/or zoning of adjacent property than the present zoning of said premises; and
6. That said requested zoning classification is more suitable for said premises and the benefits realized by the general public in approving this petition will exceed the hardships imposed on your petitioner by the present zoning of said premises.

WHEREFORE, your petitioner respectfully prays that the Official Zoning Map of the City of Bloomington, McLean County, Illinois be amended by changing the zoning classification of the above-described premises from R- 1B to S - 2.

Respectfully submitted,

Paula Cron  
Superintendent  
Historic Site Director

**ORDINANCE NO. 2008 - 21**

**AN ORDINANCE REZONING 906 MONROE DRIVE, BLOOMINGTON, ILLINOIS  
FROM R – 1B, SINGLE FAMILY RESIDENCE DISTRICT TO S – 2, PUBLIC LANDS  
AND INSTITUTIONS DISTRICT**

WHEREAS, there was heretofore filed with the City Clerk of the City of Bloomington, McLean County, Illinois, a Petition for rezoning of certain premises hereinafter described in Exhibit A; and

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

WHEREAS, the City Council of said City has the power to pass this Ordinance and rezone said premises.

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

1. That the premises hereinafter described in Exhibit A shall be and the same are hereby rezoned from R – 1B District to S - 2 District.
2. The Official Zoning Map of said City shall be amended to reflect this change in zoning classification.
3. This Ordinance shall take effect immediately upon passage and approval.

PASSED this 10<sup>th</sup> day of March, 2008.

APPROVED this 11<sup>th</sup> day of March, 2008.

APPROVED:

Stephen F. Stockton  
Mayor

ATTEST:

Tracey Covert  
City Clerk

**EXHIBIT A**

906 Monroe Drive, Bloomington, Illinois

Description: Lot 32 in Davis 1960 Home place Addition to the City of Bloomington, in McLean County, Illinois.

**Alderman Fruin questioned if the house in question was actually one of the houses off of the driveway to the David Davis Mansion. Tom Hamilton, City Manager, responded affirmatively.**

**Motion by Alderman Hanson, seconded by Alderman Huette that the Rezoning 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, 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: Annual Performance Evaluation of City Manager, Tom Hamilton, and Ordinance Establishing the Salary of the City Manager

The City Council reviews the performance of the City Manager annually and adjusts compensation accordingly. Currently, the City Manager receives total annual cash compensation of \$132,379.88 of which \$9,000 is paid into the ICMA 457 deferred compensation plan.

During the period of December 2007 through February 2008, the City Manager was evaluated under the same performance compensation program used to evaluate all salaried exempt and nonexempt nonunion employees. The evaluation periods were from January 1 to December 31, 2006, and from January 1 to April 30, 2007. A recommended increase of 2.6% would raise his annual cash compensation to \$135,821.92 effective January 1, 2007 from which \$9,000 will be contributed to the City Manager's ICMA account. Effective May 1, 2007, a recommended increase of 2.2% would raise his annual cash compensation to \$138,810.10 from which \$9,000 will be contributed to the City Manager's ICMA account.

In the past, Mr. Hamilton's performance evaluations were based upon the calendar year. Starting with the 2007 – 2008 fiscal year, his evaluations will be based upon the City's fiscal year, May 1 through April 30.

I respectfully request that Council adopt the Ordinance establishing the salary and other compensation for the City Manager.

Respectfully,

Stephen F. Stockton  
Mayor

**ORDINANCE NO. 2008 - 16**

**AN ORDINANCE ESTABLISHING THE SALARY OF THE CITY MANAGER**

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

SECTION 1. Effective January 1, 2007, the salary of the City Manager shall be \$135,821.92 per year from which a minimum of \$9,000.00 will be contributed to the City Manager's deferred compensation account in the Section 457 plan administered by the International City Manager's Association (ICMA).

SECTION 2. Effective May 1, 2007, the salary of the City Manager shall be \$138,810.10 per year from which a minimum of \$9,000.00 will be contributed to the City Manager's deferred compensation account in the Section 457 plan administered by the International City Manager's Association (ICMA).

SECTION 3. This Ordinance shall take upon its passage and approval retroactive to January 1, 2007.

PASSED this 10th day of March, 2008.

APPROVED this 11th day of March, 2008.

APPROVED:

Stephen F. Stockton  
Mayor

ATTEST:

Tracey Covert  
City Clerk

**Mayor Stockton reminded the Council they had significant discussion during an Executive Sessions regarding this matter. He also reminded the Council of the confidentiality issues surrounding this discussion.**

**Motion by Alderman Finnegan, seconded by Alderman Hanson to call the question.**

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

**Ayes: Aldermen Schmidt, Finnegan, Gibson, Hanson, and Fruin.**

**Nays: Aldermen Stearns, Huette, Sage and Purcell.**

**Motion failed.**

**Mayor Stockton asked Alderman Stearns to start the discussion as she had removed the item from the Consent Agenda. Alderman Stearns cited the City's budget crisis and the attempt to cut another million dollars (\$1,000,000) from the budget. She believed the City was on a "spending spree" and taxing, taxing, taxing its citizens. The Council was reviewing the employee benefits program to see if it was financially feasible. She stated top wages should be reduced as the private sector would be doing. She encouraged the Council to vote no as this item represented another hand in the citizens' pockets. She could not vote affirmatively on this item. She suggested a salary freeze for top level employees within the City. Mayor Stockton questioned her ideas. She did not have details, but this proposal was unacceptable. This item represented lack of planning and poor projections.**

**Alderman Schmidt questioned why Alderman Stearns did not voice these concerns during Executive Session. Alderman Stearns believed her concerns were well known. Mayor Stockton again cautioned the Council regarding confidentiality.**

**Alderman Gibson stated the Council had met in Executive session and a consensus had been reached. The Council had reached a consensus. He questioned if the intention was to undermine same. Mayor Stockton acknowledged the Executive Session. The only way for this ordinance to be effective was for the Council vote at a regularly scheduled Council meeting.**

**Alderman Hanson expressed his concern about bringing critical personnel issues into the Council chambers. He believed it was very risky and opening the City to possible legal issues.**

**Motion by Alderman Gibson, seconded by Alderman Finnegan to call the question.**

**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.**

**Motion by Alderman Finnegan, seconded by Alderman Hanson that the Ordinance be passed.**

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

**Ayes: Aldermen Schmidt, Finnegan, Gibson, Hanson, and Fruin.**

**Nays: Aldermen Stearns, Huette, Sage and Purcell.**

**Motion carried.**

**The following was presented:**

**Mark Huber, Director of PACE, presented the sole bid for Contract #7 Furnace and Water Heater Replacements for Community Development. Mayol Plumbing and Heating submitted a bid of \$18,060, (\$15,000 for the furnace and \$3,060 for the water heater). The bid was lower than budgeted and he recommended Council approval.**

**Motion by Alderman Schmidt, seconded by Alderman Gibson that the bid be awarded to Mayol Plumbing and Heating in the amount of \$18,060, and an order to proceed be issued.**

**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 cited the work on the City budget which includes tax increases and spending cuts. He acknowledged the compromise on the City Manager's salary issue. He encouraged the Council to keep the budget moving. Often compromise is needed to accomplish things.**

**CITY MANAGER'S DISCUSSION: Tom Hamilton, City Manager reminded the Council the City offices would be closed on Friday, March 21, 2008 for the Good Friday Holiday. Refuse would be picked up as usual.**

**ALDERMEN'S DISCUSSION: Alderman Finnegan attended a Riley Drive landlord meeting. It was well attended by the area's landlords. He recognized staff who attended as well. After the meeting, the consensus was that the landlords would work together and meet with residents regarding the crime issues in the area.**

**Alderman Hanson cited a critical incident report the Police Department (PD) had sent to the Council. There were many good things happening in the PD. He extended his thanks and appreciation. Mayor Stockton acknowledged some of the incidents. He suggested having those officers attend a Council meeting for formal recognition. Alderman Hanson added having those officers talk at area schools would also be a positive for the community.**

**Alderman Sage recognized staff. He met with Rick Clem, Director of Public Service. He was pleasantly surprised by the approach and plan the City takes towards street repair. He had also met Craig Cummings, Director of Water, regarding a water**



issue within his ward. Finally, he met with Barb Adkins, Deputy City Manager, regarding a demolition issue. He appreciated the staff and their hard work.

Alderman Fruin complimented the Pantagraph's decision to require registration for editorial comments. He believed this would go a long way in counteracting misinformation. People would be required to acknowledge who they are by email and date of birth before they post their comments. Mayor Stockton noted the City web site had become more interactive. Citizens can voice their concerns on the City's website and not have to use the Pantagraph.

Alderman Schmidt noted that Downtown parking issues were being worked on and taken seriously. Tom Hamilton, City Manager, stated the City had been working closely with the Downtown Bloomington Association, (DBA) to address parking concerns and evaluate alternatives.

Alderman Purcell thanked the PD for the information regarding good deeds occurring in our community.

He cited the Council's Work Session regarding Early Retirement Incentive Program, which was held prior to the Council's regular meeting. He believed early retirement for some staff would help the City's bottom line. The Council's goal was a balanced budget. It would try to control the budget by reducing spending, fee and/or tax increases. He believed all department heads should have their salaries frozen.

Alderman Stearns cited her interest in a Parkway Pride initiative. Information would be mailed to residents with their monthly water bills.

Alderman Stearns echoed the other aldermen in their praise of the PD.

Alderman Gibson requested an update on the Fire Department's training building. Mr. Hamilton stated the capitol program needed to be completed. This building may be pushed back by one year. Alderman Fruin questioned if the tower, which is located in rural Bloomington Township, would be useable by the City's Fire Department. Mr. Hamilton offered to email the information after conversations with the Bloomington Township Fire Chief.

Motion by Alderman Huette, seconded by Alderman Schmidt, that the meeting be adjourned. Time: 8:28 p.m.

Motion carried.

Tracey Covert  
City Clerk

**This page intentionally left blank.**