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, January 9, 2006.

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: Joseph "Skip" Crawford, Kevin Huette, Michael Matejka, Michael Sprague, Steven Purcell, Karen Schmidt and Mayor Stephen F. Stockton.

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

Absent: Aldermen Jim Finnegan and Allen Gibson.

The following was presented:

Oath of Office – Scott Karstens and Jeffrey Wernsman.

Roger Aikin, Police Chief, introduced Scott Karstens and Jeffrey Wernsman, Police Patrol Officers. Both individuals had completed their eighteen (18) month probationary period. He provided background information on each officer. Officer Karstens was from Chenoa and held an Associates degree. His wife and two (2) daughters were in attendance at this evening's meeting. Officer Wernsman was from Metamora and spent nine years with the Metamora Police Department. He even served as Police Chief. His wife and two (2) sons were in attendance at this evening's meeting. Mr. Wernsman's father served as Metamora's Fire Chief. Both came to the City through the Experienced Officer Hiring Program. Both currently were assigned to the 11:00 p.m. – 7:00 a.m. shift.

Tracey Covert, City Clerk, performed the Oath of Office. Mayor Steve Stockton presented the officers with their certificates. He congratulated the officers and their families. He added that Bloomington was a great place to work and the citizens counted on the Police Department.

The following was presented:

Ann White representing the Canterbury-Vladimir Sister City group addressed the Council. She cited the program's purpose to enhance the cultural richness of the community. This group participated in the Baby Fold's Festival of Trees. The group had set a new goal to raise the community's awareness. The three (3) way association was

formed in July 1988. In 1989, a formal agreement was established. The first visit occurred in 1989. The initial exchanges involved athletics and music. Since that time, there had been educational visits that involved both faculty and students. In addition, there have been medical exchanges. During the past ten (10) years, the group has sponsored one to two, (1 - 2), Russian high school students. A library exchange has also been established. There was a Canterbury Tales celebration to recognize English literature. The visual arts have also been addressed. She cited a Russian film festival which had been held in 1989. There was a Russian garden along Constitution Trail. There also were plans for an English garden. The group looked forward to the future. They were committed to enduring friendships, a family of nations. A hand out was presented to the Council. She invited the Council to attend the group's events.

Mayor Stockton noted the he had participated in the celebration in Canterbury which was held in November 2005. He had the opportunity to interact with the townspeople. He noted that the people of Vladimir brought a different perspective.

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 Matejka, seconded by Alderman Schmidt 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 Crawford, Huette, Schmidt, Sprague, Matejka 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 first partial payment to Economic Development Council of Bloomington/Normal in the amount of \$3,750 on a contract amount of \$45,000 per year of which \$3,750 will have been paid to date for work certified as 8% complete for the McLean County Economic Development. Completion date Annual.
- 2. The sixth partial payment to Charles E. Stuckey in the amount of \$10,637 on a contract amount of \$100,000 of which \$57,683.30 will have been paid to date for work certified as 58% complete for the Facade Program. Completion date April 2006.
- 3. The fifth partial payment to New World Systems in the amount of \$10,500 on a contract amount of \$671,523 of which \$419,339.31 will have been paid to date for work certified as 62% complete for the Police & Fire Computer Aided Dispatch System. Completion date July 2006.
- 4. The twenty-third and final payment to Central Illinois Arena Management in the amount of \$85,247.05 on a contract amount of \$738,188.75 of which \$623,166.29 will have been paid to date for work certified as 100% complete for the Professional Services. Completion date December 2005.
- 5. The thirty-third partial payment to Brisbin, Brook, Beynon Architects in the amount of \$23,161.44 on a contract amount of \$1,421,000 of which \$1,326,100.43 will have been paid to date for work certified as 93% complete for the Arena Architects. Completion date April 2006.
- 6. The first partial payment to PJ Hoerr, Inc. in the amount of \$292,862.88 on a contract amount of \$2,234,000 of which \$292,862.88 will have been paid to date for work certified as 13% complete for the Holiday Pool Renovation. Completion date July 2006.
- 7. The seventh and final payment to Stark Excavating, Inc. in the amount of \$154,879.46 on a contract amount of \$1,495,727.60 of which \$1,501,034.30 will have been paid to date for work certified as 100% complete for the Tipton Park Phase II. Completion date November 2005.
- 8. The second partial payment to Farnsworth Group in the amount of \$10,572.15 on a contract amount of \$168,400 of which \$27,163.68 will have been paid to date for work certified as 16% complete for the Lincoln Street Bunn to Morrissey. Completion date June 2006.

9. The sixth partial payment to Foth & Van Dyke/Daily Division in the amount of \$47,181.73 on a contract amount of \$339,497 of which \$130,094.81 will have been paid to date for work certified as 38% complete for the Mitsubishi Motorway Study Design and Specifications. Completion date - January 2006.

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

Alderman Schmidt questioned Payment 4. The twenty-third and final payment to Central Illinois Arena Management in the amount of \$85,247.05 on a contract amount of \$738,188.75 of which \$623,166.29 will have been paid to date for work certified as 100% complete for the Professional Services. Completion date - December 2005. Tom Hamilton, City Manager, noted that this payment addressed the contractor's original preopening budget for the building. This service agreement was set to expire on December 31, 2005. Central Illinois Arena Management has prepared a proposed budget which would expire on May 1, 2006. This document would be available by the Council's January 23, 2006 meeting.

Motion by Alderman Matejka, seconded by Alderman Schmidt that the payments be approved.

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

Ayes: Aldermen Crawford, Huette, Schmidt, Sprague, Matejka and Purcell.

Nays: None.

Motion carried.

The following was presented:

To: Members of the City Council

From: Stephen Stockton, Mayor

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

I ask that you concur with the following appointment to the Historic Preservation Commission:

Brad Williams, 613 E. Grove, Bloomington. His term will expire 4/30/2009.

Respectfully,

Stephen F. Stockton Mayor

Mayor Stockton introduced Brad Williams. Mr. Williams had an interest in older homes and buildings. Mr. Williams was interested in serving on the Historic Preservation Commission, (HPC). He was qualified to serve and had expressed his appreciation for the opportunity to serve. Mr. Williams was a master carpenter. He had been recommended by the HPC's members. Mr. Williams was pleased to serve the community in an effort to preserve history.

Motion by Alderman Matejka, seconded by Alderman Schmidt that the appointment be approved.

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

Ayes: Aldermen Crawford, Huette, Schmidt, Sprague, Matejka and Purcell.

Nays: None.

Motion carried.

The following was presented:

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Request for Payment to Reimburse RIMCO for Damage Claims on Country Club Place and Northcrest Court

RIMCO, the manager of the City's liability insurance, paid claims to homeowners on Country Club Place and Northcrest Court as follows:

Total =	\$42,957.02
4 Northcrest Court	\$2,539.00
42 Country Club Place	\$8,150.40
41 Country Club Place	\$27,915.45
39 Country Club Place	\$4,352.17

These claims are related to flood damage incurred on January 12, 2005. Staff respectfully requests that Council approve a payment in the amount of \$42,957.02 to RIMCO with payment to be made with Sewer Depreciation Funds (X52200-72550).

Respectfully,

Douglas G. Grovesteen	Tom Hamilton
Director of Engineering	City Manager

Alderman Purcell questioned this item. Tom Hamilton, City Manager, noted that there had been a heavy winter rain. This event occurred prior to the installation of the Canterbury Court storm sewer. At that time, the work was incomplete. The City was obligated to pay for the damages. As of this date, the work is completed. This type of event should not happen again.

Motion by Alderman Matejka, seconded by Alderman Schmidt that the Payment be approved.

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

Ayes: Aldermen Crawford, Huette, Schmidt, Sprague, Matejka and Purcell.

Nays: None.

Motion carried.

The following was presented:

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Request for Payment for Emergency Repairs to the Lake Bloomington Reservoir Slope Wall

At the November 14, 2005 Council meeting, Council approved waiving the formal bidding process and to proceed with repairs to the paved slope on the earthen section of the Lake Bloomington reservoir dam. This work has been completed, and staff respectfully requests approval of the payment to J.G. Stewart Contractors, Inc. for these emergency repairs.

The joints between the concrete panels were resealed, the voids beneath the slope wall were filled, and the toe, or interface between the slope wall and lake bottom was protected with large stones called rip-rap. These repairs ran the entire span of the slope wall and were completed in a timely and professional manner. The invoice for this work is well under the estimated budget of \$150,000 that was approved by Council on November 14, 2005 for this work.

Staff respectfully recommends the payment \$48,730.89 to J.G. Stewart Contractors, Inc. for these emergency repairs to the Lake Bloomington reservoir slope wall. Payment for this work

will be taken from funds from the Water Department/Water Depreciation Fund, Other Capital Improvements (Account # X50200-72620).

Respectfully,

Craig M. Cummings	Tom Hamilton
Director of Water	City Manager

Motion by Alderman Matejka, seconded by Alderman Schmidt that the Payment be approved.

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

Ayes: Aldermen Crawford, Huette, Schmidt, Sprague, Matejka and Purcell.

Nays: None.

Motion carried.

The following was presented:

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Request to Waive the Formal Bidding Process and Lease Steinway Pianos Through Horine's Pianos Plus for the Bloomington Center for the Performing Arts (BCPA)

Staff respectfully requests permission to waive the bidding process and acquire three (3) new Steinway pianos from Horine's Pianos Plus. Staff has selected the Steinway as the brand of piano to be used at BCPA as it is the brand required by 90% of international touring pianists. As such, no substitution of other brands is practical. Steinway pianos are vended by region, with only one dealer per region. Staff is requesting to acquire these instruments from the Central Illinois licensed Steinway vendor, Horine's Pianos Plus of Bloomington.

The types and number of pianos to be acquired were planned in consideration of projected activity levels and were coordinated with BCPA user groups. Based upon this planning, staff recommends acquisition of one (1) Model "D" 9-foot concert grand piano for classical concerts, one (1) Model "B" 7-foot grand piano for jazz concerts and ballroom functions, and one (1) Steinway/Boston studio upright piano, model 118S. These pianos will be acquired via a ten-year lease with payments of \$16,775 per year, with a City buyout/purchase option of \$1.00 at lease end. The total list price of these instruments is \$182,300. Horine's Pianos Plus has agreed to discounts, donations and promotional considerations of \$53,938, reducing the price of these

pianos to \$128,362. A lease based upon this amount has been coordinated by Horine's, through National City Bank, a recognized lease partner for Steinway and Sons.

Staff respectfully requests that the formal bidding process be waived and the lease to acquire these pianos be approved. Funding for this acquisition will come from account X21100-70420 of the Cultural District budget.

Respectfully,

C. Bruce Marquis Executive Director, Cultural District Tom Hamilton City Manager

RESOLUTION NO. 2006 - 01

A RESOLUTION WAIVING THE FORMAL BIDDING PROCESS AND AUTHORIZING THE LEASE OF STEINWAY PIANOS THROUGH HORINE'S PIANOS PLUS FOR THE BLOOMINGTON CENTER FOR THE PERFORMING ARTS (BCPA) AT A PURCHASE PRICE NOT TO EXCEED \$128,362

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

1. That the bidding process be waived and authorizing the Lease of Steinway Pianos Through Horine's Pianos Plus for the Bloomington Center for the Performing Arts (BCPA) at a Purchase Price not to exceed \$128,362.

ADOPTED this 9th day of January, 2006.

APPROVED this 10th day of January, 2006.

Stephen F. Stockton Mayor

ATTEST:

Tracey Covert City Clerk

(CONTRACT AND RESOLUTION 2006 – 07, RESOLTUION AND CERTIFICATE OF INCUMBENCY ON FILE IN CITY CLERK'S OFFICE)

Alderman Huette questioned if it would be a better decision to purchase these pianos. Bruce Marquis, Executive Director – Cultural District, addressed the Council. He noted that the decision was influenced by cash flow. The capital project did not cover all

Fixtures, Furnishings, and Equipment for the Bloomington Center for the Performing Arts. A number of pianos were needed to address the various needs of the facility. Horine's was a licensed Steinway dealer. This was a ten (10) year lease/purchase agreement. Busey Bank was presented with a sponsorship option for the pianos but declined. Alderman Huette questioned if there were any donors/sponsors for the pianos. Mr. Marquis noted that Horine's had reduced the price by \$50,000. This was a partial sponsorship. Alderman Huette questioned if the City could buy out the lease. It was acknowledged that there was a buy out clause.

Motion by Alderman Matejka, seconded by Alderman Schmidt that the formal bidding process be waived, the lease with Horine's Pianos Plus be approved in an amount not to exceed \$128,362 for three Steinway pianos, 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 Crawford, Huette, Schmidt, Sprague, Matejka and Purcell.

Nays: None.

Motion carried.

The following was presented:

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Waive the Formal Bidding Process and Purchase New Mobile Data Terminals (MDT's) for Fire Apparatus

The emergency dispatching software to be used in the City's new dispatch center will require Mobile Data Terminals (MDT's) in each of the Fire Department emergency response vehicles. Staff respectfully requests that Council waive the formal bidding process and authorize the purchase of nineteen (19) MDTs, for a total amount of \$82,368. This will provide MDTs in each fire apparatus and in each ambulance.

Staff has selected a Panasonic Toughbook CF-29 for use in Fire Department vehicles. This is the same MDT purchased in June of 2005 for installation in police vehicles. Prior to that purchase staff received quotes from four (4) vendors. At that time CDS Office Technologies in Springfield, IL submitted the lowest quote. Additionally, CDS Office Technologies holds the State of Illinois contract for Panasonic Toughbook laptop computers.

Staff respectfully requests that Council waive the formal bidding process and authorize the Purchasing Agent to issue a purchase order for \$82,368 to CDS Office Technologies. Payment for this purchase will be made from F15118-72120.

Respectfully,

Keith Ranney Fire Chief Tom Hamilton City Manager

RESOLUTION NO. 2006 - 02

A RESOLUTION WAIVING THE FORMAL BIDDING PROCESS AND AUTHORIZING THE PURCHASE OF NINETEEN (19) MDT'S FROM CDS OFFICE TECHNOLOGIES AT A PURCHASE PRICE OF \$82,368

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

1. That the bidding process be waived and the Purchasing Agent be authorized to Purchase nineteen (19) MDT's from CDS Office Technologies at a Purchase Price of \$82,368.

ADOPTED this 9th day of January, 2006.

APPROVED this 10th day of January, 2006.

Stephen F. Stockton Mayor

ATTEST:

Tracey Covert City Clerk

Alderman Huette questioned this item and if these terminals were replacements. Keith Ranney, Fire Chief, addressed the Council. This would be brand new communications equipment. He described it as front line equipment. It would include GIS, (Geographical Information System), mapping, etc.

Alderman Sprague questioned the phrase front line. Chief Ranney noted that the equipment would be given to the first responders, (fire trucks and ambulances).

Alderman Purcell questioned if this equipment was part of the City's new Communications Center. Chief Ranney responded affirmatively. The cost would be charged back to the Communications Center. This equipment would also aid the AVL, (Automatic Vehicle Locator), system. Motion by Alderman Matejka, seconded by Alderman Schmidt that the formal bidding process be waived, the nineteen (19) MDT's be purchased from CDS Office Technologies in the amount of \$82,368, the Purchasing Agent authorized to issue a Purchase Order for same, and the Resolution adopted.

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

Ayes: Aldermen Crawford, Huette, Schmidt, Sprague, Matejka and Purcell.

Nays: None.

Motion carried.

The following was presented:

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Analysis of Bids - Brush Chipper for Parks and Recreation Department

On Tuesday, December 20, 2005 at 10:15 a.m., bids were publicly opened and read for a brush chipper for the Parks and Recreation Department. This unit will be used by the Forestry Division for the tree trimming operations. The bids were as follows:

FIRM	BID PRICE
Vermeer Sales & Service of Central Illinois (Eureka, IL)	\$30,660*
Alexander Equipment Company Inc. (Lisle, IL)	35,000

*Low and recommended bid

It should be noted that Alexander Equipment did not submit a bid guarantee. The Vermeer BC1400 meets the specification in all respects and this unit has performed very well in the past. The Department has also received excellent service from Vermeer Sales & Service.

Staff respectfully requests that Council approve the low bid of \$30,660 from Vermeer Sales & Service and further that the Purchasing Agent be authorized to issue a purchase order for same. A total of \$35,000 was budgeted in the Fixed Asset Replacement Fund, account F14146-72140 for this unit.

Respectfully,

Jerry Armstrong, Asst. Director - Parks & Recreation Tom Hamilton City Manager The Mayor directed the clerk to call the roll which resulted in the following:

Ayes: Aldermen Crawford, Huette, Schmidt, Sprague, Matejka and Purcell.

Nays: None.

Motion carried.

The following was presented:

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Analysis of Bids - Purchase of Golf Cars for The Den

On Thursday, December 29, 2005, at 10:30 a.m., bids were publicly opened and read for the replacement of sixty-four (64) golf cars for the Parks and Recreation Department. These cars will replace the original fleet of golf cars at The Den which were purchased in 1997. Both bidders submitted the proper bid guarantees. The bids were as follows:

FIRM	TRADE-INS	NET BID PRICE
Battery Specialists + Golf Cars (Taylorville, IL)	\$66,944	\$159,936*
Prairie Land Golf Cars Ltd. (Bloomington, IL)	51,200	162,796
Alternate bid	51,200	172,012

*Low and recommended bid

The low bid submitted by Battery Specialists + Golf Cars for sixty-four (64) Club Car golf cars meets the specification in all respects. All the Bloomington golf courses have Club Car fleets that have performed very well, and the service has been excellent.

The purpose for the golf cars being traded at this time is that most of the batteries need to be replaced as well as some of the controllers. As part of the bid the successful vendor was required to move the Uplink Global Positioning System from the old cars to the new units. The cost of these cars is \$2,499 each. This is \$250 more than the City paid for the replacement of the golf cars at Prairie Vista in 2000. This is an increase in price of less than three (3) percent per year.

Staff respectfully requests that Council accept the low bid of \$159,936 submitted by Battery Specialists + Golf Cars and authorize the Purchasing Agent to issue a purchase order for same.

A total of \$224,000 was budgeted in the Fixed Asset Replacement Fund, account F14154-72140 for the replacement of these units.

Respectfully,

Jerry Armstrong,	Tom Hamilton
Asst. Director - Parks & Recreation	City Manager

Motion by Alderman Matejka, seconded by Alderman Schmidt that the sixty-four (64) replacement golf cars for the Parks and Recreation Department be purchased from Battery Specialists + Golf Cars in the amount of \$159,936, and the Purchasing Agent authorized to issue a purchase order for same.

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

Ayes: Aldermen Crawford, Huette, Schmidt, Sprague, Matejka and Purcell.

Nays: None.

Motion carried.

The following was presented:

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Amendment for Professional Services Agreement from Hanson Engineers Inc. for Fox Creek Road 16 inch Water Main

On March 25, 2002, Council approved an Agreement in the amount of \$40,700 with Hanson Engineers Inc. for the design of the Fox Creek Road 16 inch Water Main. The water main will extend from the west side of the Union Pacific Railroad Bridge to approximately 200 feet east of the I-55/I-74 right of way line. The proposed water main will extend the existing 16 inch diameter water main, currently dead ended on the west side of the Union Pacific Railroad bridge. The water main pipe will be attached to the bridge, then underground from the east end of the railroad bridge to the east limit of the project. The pipe is to be bored underneath the pavement of Beich Road, Fox Creek Road and for I-55/I-74.

This project was originally budged for the 2002-03 fiscal year, however, the Hamilton Road/Fox Creek Road/Veterans Parkway project, in addition to the Illinois Department of Transportation (IDOT) bridge improvement over I-55/I-74 prevented the work from beginning. Both of these projects have since been completed and the water main can now be constructed. This project has been rebudgeted for the current 2005-06 fiscal year.

Staff has negotiated an Amendment to the Design Contract with Hanson Engineers Inc. to provide professional services for the update of the construction plans, survey work and the plat preparation necessary to bid the project.

Staff has reviewed the Amendment from Hanson Engineers Inc. to provide civil engineering services on a time and material basis for a total fee not to exceed \$15,300 and finds it acceptable. Funds to perform this work is included in the F.Y. 2005-06 Water Depreciation Fund (WDF) budget.

Staff respectfully recommends that Council approve the Amendment to the Professional Services Agreement with Hanson Engineers Inc. In an amount not to exceed \$15,300 to provide civil engineering services, the Mayor and City Clerk be authorized to execute the necessary documents, and a Resolution adopted. Payment for this work will be made with Water Depreciation Funds (WDF).

Respectfully,

Douglas G. Grovesteen Director of Engineering Tom Hamilton City Manager

RESOLUTION NO. 2006 - 03

A RESOLUTION AUTHORIZING A CHANGE ORDER IN THE TO THE AGREEMENT BETWEEN THE CITY OF BLOOMINGTON AND HANSON ENGINEERS, INC. FOR THE DESIGN OF THE FOX CREEK ROAD 16 INCH WATER MAIN IN AN AMOUNT NOT TO EXCEED \$15,300

WHEREAS, the City of Bloomington has previously entered into a contract with Hanson Engineers, Inc. for the design of the Fox Creek Road 16 inch Water Main; and

WHEREAS, for the reasons set forth in a staff report dated January 9, 2006 it was necessary to provide professional services for the update of the construction plans, survey work and the plat preparation necessary to bid the project; and

WHEREAS, it is the finding of the City Council that the decision to perform the work described in the January 9, 2006 memo was in the best interest of the citizens of the City of Bloomington.

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

That a change order in an amount not to exceed \$15,300 in the contract between the City of Bloomington and Hanson Engineers, Inc. for the design of the Fox Creek Road 16 inch Water Main be approved.

ADOPTED this 9th day of January, 2006.

APPROVED this 10th day of January, 2006.

Stephen F. Stockton Mayor

ATTEST:

Tracey Covert City Clerk

Motion by Alderman Matejka, seconded by Alderman Schmidt that the Change Order to the Agreement with Hanson Engineers, Inc. for the design of the Fox Creek Road 16 inch Water Main be approved in an amount not to exceed \$15,300, the Mayor and City Clerk 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 Crawford, Huette, Schmidt, Sprague, Matejka and Purcell.

Nays: None.

Motion carried.

The following was presented:

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Change Order #1 for Structured Cabling System at US Cellular Coliseum and Pepsi Ice Center

At the November 14, 2005 meeting, Council awarded the Structured Cabling System installation for the US Cellular Coliseum and Pepsi Ice Center to WM. Masters, Inc., of Bloomington. The project included all necessary data/voice cabling for the coliseum, the public ice center and the parking garage.

At the time of the original award, staff did not have all necessary information to include the outside plant fiber cabling that would tie the US Cellular Coliseum complex into the City's data network. This fiber connection is vital for the operation of the US Cellular Coliseum management team, the Parks and Recreation personnel who will manage the Pepsi Ice Center and the gate system that will manage traffic flow within the parking garage.

The required information has now been gathered and staff requested that WM. Masters, Inc. provide a quote to add this fiber installation to their project. WM. Masters, Inc. has provided a quote of \$7,475 for this addition. Staff believes this to be a fair and reasonable price for the work being performed.

Staff respectfully requests that Council approve change order #1 in the amount of \$7,475. This change order will bring the total contract amount with WM. Masters, Inc. to \$153,160.

Respectfully,

Scott Sprouls I.T. Manager Tom Hamilton City Manager

Motion by Alderman Matejka, seconded by Alderman Schmidt that the Change Order in the contract with WM. Masters, Inc. in the amount of \$7,475 be approved.

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

Ayes: Aldermen Crawford, Huette, Schmidt, Sprague, Matejka and Purcell.

Nays: None.

Motion carried.

The following was presented:

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Change Order for the US Cellular Coliseum

A request for a change order has been received from Johnston Contractors, Inc. for the US Cellular Coliseum. This change order includes four additions to the contract and three deducts from the contract. The net change order requested is for an additional \$76,628. Approximately half (\$37,553) of this change order is for additional steel in the Pepsi Ice Center. This change order will be paid for from the construction contingency.

Construction Contingency	\$1	,000,000
Approved Change Order #1	\$	22,333
Approved Change Order #2	\$	38,948
This Change Order	\$	76,628
Available contingency	\$	862,091

Staff believes the change order is necessary to complete the Coliseum project. Staff respectfully recommends that approve this change order to the Contract with Johnston Contractors, Inc. in the amount of \$76,628 for additional work at the US Cellular Coliseum and Parking Deck.

Respectfully,

Tom Hamilton City Manager

RESOLUTION NO. 2006 - 04

A RESOLUTION AUTHORIZING A CHANGE ORDER IN THE AMOUNT OF \$76,628 IN THE CONTRACT BETWEEN THE CITY OF BLOOMINGTON AND JOHNSTON CONTRACTORS, INC. FOR ADDITIONAL WORK AT THE US CELLULAR COLISEUM AND PARKING DECK

WHEREAS, the City of Bloomington has previously entered into a contract with Johnston Contractors, Inc. for the construction of the US Cellular Coliseum and Parking Deck; and

WHEREAS, for the reasons set forth in a staff report dated January 9, 2006 it was necessary to perform additional work at the US Cellular Coliseum and Parking Deck; and

WHEREAS, it is the finding of the City Council that the decision to perform the work described in the January 9, 2006 memo was in the best interest of the citizens of the City of Bloomington.

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

That a change order in the amount of \$76,628 in the contract between the City of Bloomington and Johnston Contractors, Inc. for additional work at the US Cellular Coliseum and Parking Deck be approved.

ADOPTED this 9th day of January, 2006.

APPROVED this 10th day of January, 2006.

Stephen F. Stockton, Mayor

ATTEST:

Tracey Covert, City Clerk

Alderman Purcell questioned this item. Tom Hamilton, City Manager, noted that this change order addressed the building's roof structure. There were contingency funds available.

Alderman Huette questioned the percentage of the project that was complete. Mr. Hamilton noted that the project was still on schedule, (April 1, 2006 opening date). He reminded the Council that payments were a month or two behind.

Motion by Alderman Matejka, seconded by Alderman Schmidt that the Change Order to the Contract with Johnston Contractors, Inc. be approved in the amount of \$76,628 for additional work at the US Cellular Coliseum and Parking Deck, and the Resolution adopted.

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

Ayes: Aldermen Crawford, Huette, Schmidt, Sprague, Matejka and Purcell.

Nays: None.

Motion carried.

The following was presented:

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Change Order for the Coliseum Parking Deck

A request for a Change Order has been received from Johnston Contractors, Inc. for additional foundation and concrete work at the Coliseum parking deck. The total amount of this change order is \$30,365. Both Johnston Contractors, Inc. and the architects have reviewed this change order and recommend Council approval. Funds for this change order will be paid for from the construction contingency for the overall Coliseum project.

Available contingency	\$862,091.00
Current parking deck change order	<u>\$ 30,365.00</u>
Available contingency	\$831,726.00

Staff respectfully recommends that Council approve this change order to the contract with Johnston Contractors, Inc. in the amount of \$30,365 for additional foundation and concrete work at the Coliseum parking deck.

Respectfully,

Tom Hamilton City Manager

RESOLUTION NO. 2006 - 05

A RESOLUTION AUTHORIZING A CHANGE ORDER IN THE AMOUNT OF \$30,365 IN THE CONTRACT BETWEEN THE CITY OF BLOOMINGTON AND JOHNSTON CONTRACTORS, INC. FOR ADDITIONAL FOUNDATION AND CONCRETE WORK AT THE US CELLULAR COLISEUM PARKING DECK

WHEREAS, the City of Bloomington has previously entered into a contract with Johnston Contractors, Inc., for the US Cellular Coliseum Parking Deck; and

WHEREAS, for the reasons set forth in a staff report dated January 9, 2006 it was necessary to perform additional foundation and concrete work; and

WHEREAS, it is the finding of the City Council that the decision to perform the work described in the January 9, 2005 memo was in the best interest of the citizens of the City of Bloomington.

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

That a change order in the amount of \$30,365 in the contract between the City of Bloomington and Johnston Contractors, Inc., for the US Cellular Coliseum Parking Deck be approved.

ADOPTED this 9th day of January, 2006.

APPROVED this 10th day of January, 2006.

Stephen F. Stockton Mayor

ATTEST:

Tracey Covert City Clerk

Motion by Alderman Matejka, seconded by Alderman Schmidt that the Change Order to the Contract with Johnston Contractors, Inc. be approved in the amount of \$30,365 for additional foundation and concrete work at the US Cellular Coliseum Parking Deck, and the Resolution adopted.

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

Ayes: Aldermen Crawford, Huette, Schmidt, Sprague, Matejka and Purcell.

Nays: None.

Motion carried.

The following was presented:

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Change Order for the Coliseum Parking Deck

A request for a change order has been received from the City's Parking Department for the Coliseum Parking Deck. This change order includes work associated with adding a center island and the associated gating conduit. Both of these items are required for the deck's gating to operate properly. The total cost of this work is \$6,606. This work was not part of the original contract to Johnston Contractors Inc. for the construction of the Coliseum and Parking Deck.

As this work was not part of the original contract with Johnston Contractors, Inc., this change order can not be paid for from the construction contingency. The bond issue for the parking deck contains a positive fund balance of \$72,503.75. Staff recommends that this change order be paid for from these available bond funds. Following approval of this change order the fund balance remaining in the bond issue would be \$65,897.75.

Staff respectfully recommends that Council approve this change order in the amount of \$6,606 for the Coliseum Parking Deck.

Respectfully,

Tom Hamilton City Manager

Motion by Alderman Matejka, seconded by Alderman Schmidt that the Change Order in the Contract with Johnston Contractors in the amount of \$6,606 be approved.

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

Ayes: Aldermen Crawford, Huette, Schmidt, Sprague, Matejka and Purcell.

Nays: None.

Motion carried.

The following was presented:

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Extension of the Property Tax Rebate for the East Douglas Street Apartments

The City has received a request from the new owners of the East Douglas Street Apartment project in Downtown Bloomington for an extension of the TIF agreement through 2009. The current agreement expires in May, 2006. This agreement committed \$480,000 to the project in the form of property tax rebates. To date \$263,214.60 has been collected. The owners have indicated that the additional \$30,000 per year in rebates is needed to make the project break even and remain as affordable housing. They are currently seeking refinancing through the Illinois Housing Development Authority to make up for the loss in property tax rebates after 2009.

Even if the current agreement is extended, the full amount of rebates would not be collected as originally intended. The project simply has not been assessed at the level originally projected. This means the maximum amount rebated to this project would be about \$350,000. Again, this is well short of the \$480,000 originally projected.

Staff respectfully recommends that Council approve this extension as requested. This recommendation is based upon the fact that this project has been good for the Downtown and has been good for the community in that it has provided affordable housing to the City's citizens for the past ten (10) years.

Respectfully,

Tom Hamilton City Manager

Motion by Alderman Matejka, seconded by Alderman Schmidt that the requested extension of the TIF Agreement for the East Douglas Street Apartments be approved and the Mayor and City Clerk be authorized to execute the necessary documents.

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

Ayes: Aldermen Crawford, Huette, Schmidt, Sprague, Matejka and Purcell.

Nays: None.

Motion carried.

The following was presented:

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Professional Services Contracts

Staff respectfully requests approval of four contracts to engage persons and/or groups represented by International Music Network, Love Productions, SRO Artists and Baylin Artists Management to perform services in the Bloomington Center for the Performing Arts, (BCPA) on dates agreed upon dates. Base expenses for these four contracts will be \$87,500.

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 individuals and/or groups was coordinated with the Cultural Commission and the Cultural District's Programming Advisory Committee. Staff and community advisors agree that these visiting professionals would attract broad, positive community involvement and contribute to the public service mission of the Cultural District and the BCPA.

Staff respectfully recommends accepting the contracts for these 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 CITY CLERK'S OFFICE)

Motion by Alderman Matejka, seconded by Alderman Schmidt that the contracts from International Music Network, Love Productions, SRO Artists and Baylin Artistic Management be approved in an amount not to exceed \$87,500, 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 Crawford, Huette, Schmidt, Sprague, Matejka and Purcell.

Nays: None.

Motion carried.

The following was presented:

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Request for Parade Resolution

The Illinois Department of Transportation (IDOT) requires the City Council to adopt a Resolution requesting permission from the Department of Transportation to close or hinder traffic on a State Route. As of this date, the City has only two requests each year for parades on a State Route, typically, US 51. Those requests are for the Labor Day Parade, and the Christmas Parade.

IDOT has requested that each municipality that experiences multiple parades on State Routes pass one blanket Resolution at the beginning of each calendar year in order to minimize paperwork and manpower expenses.

Therefore, staff respectfully requests that the attached Resolution be adopted and the Mayor and City Clerk be authorized to forward the Resolution to the Illinois Department of Transportation.

Respectfully,

Tracey Covert City Clerk Tom Hamilton City Manager

RESOLUTION NO. 2006 – 06

RESOLUTION REGARDING TEMPORARY CLOSING OF STATE RIGHT-OF-WAY ANNUAL COMMUNITY EVENTS

WHEREAS, the City/Village of Bloomington - sponsors parades, road races, festivals and other such events which constitute a public purpose; and

WHEREAS, many of these events are held on State rights-of-way which will require the temporary closure of said highways; and

WHEREAS, Section 4-408 of the Illinois Highway Code, 605 ILCS 5/1-101 et seq., authorizes the State of Illinois Department of Transportation (IDOT) to issue permits to local authorities to temporarily close portions of State Highways for such public purposes.

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

SECTION 1

The City Council/Village Board requests an annual permit allowing the temporary closure of State highways for the purpose of conducting various parades, road races, festivals, and other such events. By receiving an annual permit, the City/Village will be required to notify the Department in writing approximately ten (10) days in advance of all road closures so that all emergency agencies will be notified of the proposed event.

SECTION 2

(A) That traffic from the closed portion of highway shall be detoured over routes with an all-weather surface that can accept that anticipated traffic, which will be maintained to the satisfaction of the Department and which is conspicuously marked for the benefit of traffic diverted from the State highway, except as provided in Subsections (B) and (C) hereof.

(B) That when a marked detour is not provided, police officers or authorized flaggers shall, at the expense of the City/Village of Bloomington _, be positioned at each end of the closed section of roadway and at other points as may be necessary to assist in directing traffic through the temporary detour.

(C) That when the roadway is closed for less than 15 minute, police officers, at the expense of the City/Village of Bloomington -, shall stop traffic for a period not to exceed fifteen (15) minutes and an occasional break shall be made in the procession so that traffic may pass through.

SECTION 3

That the City/Village of Bloomington assumes full responsibility for the direction, protection and regulation of the traffic during the time the detour is in effect.

SECTION 4

That all debris shall be removed by the City/Village of Bloomington prior to reopening the State highway.

SECTION 5

That the closure and detour shall be marked according to the Illinois Manual on Uniform Traffic Control Devices (MUTCD).

SECTION 6

That the City/Village of Bloomington hereby agrees to assume all liabilities and pay all claims for any damage which shall be occasioned by the closing described above and to hold harmless the State of Illinois from all claims arising from the requested road closings.

SECTION 7

That a copy of this resolution be forwarded to the Illinois Department of Transportation; District 5 Bureau of Operations, 13473 IL Hwy. 133, P.O. Box 610, Paris, Illinois 61944-0610 to serve as authorization for the City/Village of Bloomington to request highway closures through December 31, 2004.

PRESENTED and ADOPTED this 9th day of January, 2006.

Stephen F. Stockton Mayor/Village President

ATTEST:

Tracey Covert City Clerk/Village Clerk

Motion by Alderman Matejka, seconded by Alderman Schmidt that the Resolution be adopted and the Mayor and City Clerk be authorized to forward the Resolution to the Illinois Department of Transportation.

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

Ayes: Aldermen Crawford, Huette, Schmidt, Sprague, Matejka and Purcell.

Nays: None.

Motion carried.

The following was presented:

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Petition from Baer, Kilborn, Johnston and Royal Links Sub., Inc. for Approval of the Vacation a Portion of Fort Jesse Road, Vacation of a No-access Strip, and Vacation of Various Easements in the Resubdivision of Lot 1 of Baer-Kilborn Subdivision

A Petition has been received from G. Thomas Baer, Marlene Baer, Harland Kilborn, Eileen Kilborn, William R. Johnston and Royal Links Subdivision, Inc. for approval of the vacation of a portion of Fort Jesse Road, vacation of a no-access strip, and vacation of various easements in the resubdivision of Lot 1 of Baer-Kilborn Subdivision. The right-of-way is the remainder of the

old alignment of Fort Jesse Road, prior to the construction of the "S" curve in 1994, lying east of Airport Road and adjacent to lots 4 and 5 in the Resubdivision of Lot 1 of Baer-Kilborn Subdivision. The developer plans to remove the two existing homes and redevelop the land in accordance with the Preliminary Plan for the Villas at Royal Links approved by Council on December 27, 2005.

Staff has reviewed the plats and has no objection to the vacations in concept. However, the two existing homes and lots rely on the Fort Jesse Road right-of-way for access. Staff believes the right-of-way and easements presently contain utilities which cannot be abandoned until the existing homes are removed. The easement vacation plat also references an easement to GTE North which would have to be vacated by Verizon.

Staff recommends that the Ordinance vacating the right-of-way, no-access strip, and easements be made effective upon approval by Council of a new Final Plat for the Villas at Royal Links PUD The said Final Plat should not be approved by Council until the existing houses are removed and the developer submits letters from all utilities indicating they are in agreement with the vacations.

Staff respectfully recommends that Council approve the Petition and an Ordinance be passed approving the vacation of the portion of right-of-way for Fort Jesse Road, and the vacation of a no-access strip, and vacation of various easements in the resubdivision of Lot 1 of Baer-Kilborn Subdivision, with the Vacation Ordinance taking effect upon approval by Council of a new Final Plat for the Villas at Royal Links PUD.

Respectfully,

Douglas G. Grovesteen Director of Engineering Tom Hamilton City Manager

PETITION FOR VACATION OF STREETS AND EASEMENTS

STATE OF ILLINOIS))ss.

COUNTY OF MCLEAN)

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

Now comes G. Thomas Baer, Marlene Baer, Harland Kilborn, Eileen Kilborn, William R. Johnston and Royal Links Subdivision, Inc. hereinafter referred to as your Petitioner(s), respectfully representing and requesting as follows:

- 1. That your Petitioners are interested as Owners in the premises hereinafter described in Exhibits A and B attached hereto and made a part hereof by this reference;
- 2. That your Petitioners seek approval of the vacation of Ft. Jesse Road and various easements as depicted on the Street and Alley Vacation Plats attached as Exhibits A and B;
- 3. That said vacation is reasonable and proper because such streets and easements are not needed for public right-of-way by said City, or for public utility purposes.

WHEREFORE, your Petitioners pray that said street and easements be vacated.

Respectfully submitted,

G. Thomas Baer, Marlene Baer, Harland Kilborn, Eileen Kilborn, William R. Johnston and Royal Links Subdivision

By: Frank A Miles

ORDINANCE NO. 2006 - 01

AN ORDINANCE PROVIDING FOR THE VACATION OF A PORTION OF THE RIGHT-OF-WAY OF FORT JESSE ROAD, TWO OF THE NO ACCESS STRIPS IN THE RESUBDIVISION OF LOT 1 OF BAER-KILBORN SUBDIVISION AND VARIOUS EASEMENTS IN THE RESUBDIVISION OF LOT 1 OF BAER-KILBORN SUBDIVISION

WHEREAS, there was heretofore filed with the City Clerk of the City of Bloomington, McLean County, Illinois, a petition requesting the vacation of a portion of the right-of-way of Fort Jesse Road, two of the no-access strips in the resubdivision of Lot 1 of Baer-Kilborn Subdivision and various public easements in the resubdivision of Lot 1 of Baer-Kilborn Subdivision; and

WHEREAS, said petition complies in all respects with the ordinances of said City and the statutes of the State of Illinois in such case made and provided; and

WHEREAS, the City Council of said City has the power to pass this Ordinance and grant said vacations; and

WHEREAS, it is reasonable and proper to vacate said portion of the right-of-way of Fort Jesse Road, vacate two of the no-access strips in the resubdivision of Lot 1 of Baer-Kilborn Subdivision and vacate various easements in the resubdivision of Lot 1 of Baer-Kilborn Subdivision as requested in this case.

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

- 1. That a portion of the right-of-way of Fort Jesse Road, two of the no-access strips in the resubdivision of Lot 1 of Baer-Kilborn Subdivision and various public easements in the resubdivision of Lot 1 of Baer-Kilborn Subdivision, as depicted on the Vacation Plats attached as Exhibits A and B, are hereby vacated.
- 2. That this ordinance shall be in full force and effective upon approval by the City Council of a Final Plat for the Villas at Royal Links P.U.D.

PASSED this 9th day of January, 2006.

APPROVED this 10th day of January, 2006.

Stephen F. Stockton, Mayor

ATTEST:

Tracey Covert, City Clerk

EXHIBIT "A"

All that Part of the south Portion of Fort Jesse Road Right-of-Way in the First Church of God Subdivision in the City of Bloomington, McLean County, Illinois, according to the Plat recorded as Document No. 86-23345 and amended by Plat recorded as Document No. 93-6486 in the McLean County Recorder's Office, which lies East of and Adjacent to the East Line of Lot 2 in said Subdivision (amended) and South of and Adjacent to the Southeasterly Extension of the Northerly Line of said Lot 2.

Said Right-of-way to be vacated in Parcel 2 contains 6,286 Sq. Ft. = 0.144 Acre more or less.

Motion by Alderman Matejka, seconded by Alderman Schmidt that the Vacation be approved and the Ordinance passed, effective upon approval of a new Final Plat for the Villas at Royal Links PUD.

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

Ayes: Aldermen Crawford, Huette, Schmidt, Sprague, Matejka and Purcell.

Nays: None.

Motion carried.

MAYOR'S DISCUSSION: Mayor Stockton stated that he needed a Council member to act as a Board member for Community Action, (local social service agency).

CITY MANAGER'S DISCUSSION: Tom Hamilton, City Manager, informed the Council that the City was holding its own, (water). Rain was predicted for the end of the week.

ALDERMEN'S DISCUSSION: Alderman Schmidt questioned if a Work Session would be scheduled regarding the rental housing inspection program. Mayor Stockton noted that a Public Hearing regarding smoking was scheduled for February 2006. He encouraged the Council to keep its options open. The Public Hearing on smoking would be scheduled for a separate evening and a different location. He added that additional Work Sessions topics included vicious dogs. Tom Hamilton, City Manager, noted that there were several big issues. He cited single serve sales, (liquor), and the budget.

Alderman Schmidt questioned the status of cameras in the Downtown. Mr. Hamilton noted that City staff had prepared a method and was in the process of obtaining costs. He questioned Council's expectations. He cited the review process, (case by case or issue by issue). He questioned the cameras purpose, (watch versus monitor). Alderman Schmidt expressed her opinion that other neighborhoods might be interested. She questioned if grant dollars were available. Mr. Hamilton offered to follow up on the questions raised. Alderman Huette noted the number of approved events for the Bloomington Center for the Performing Arts. The US Cellular Coliseum had projected a number of events per year. He questioned ticket sales to date.

Alderman Matejka questioned the marketing plan for the different events. Alderman Sprague noted that over 1,600 season tickets had been sold for indoor football. Alderman Huette expressed his opinion that the promotions for indoor football had been good.

Motion by Alderman Sprague, seconded by Alderman Matejka, that the meeting be adjourned. Time: 8:10 p.m.

Motion carried.

Tracey Covert City Clerk