

**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 7:34 p.m., Monday, June 27, 2005.

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: Allen Gibson, Michael Matejka, Michael Sprague, Jim Finnegan, 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 Kevin Huette, and J.E. "Skip" Crawford III.

The following was presented:

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Council Proceedings of December 13, 2004

The Council proceedings of December 13, 2004 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 Sprague, seconded by Alderman Schmidt that the reading of the minutes of the previous Council Meeting of December 13, 2004 be dispensed with and the minutes approved as printed.

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

Ayes: Alderman Schmidt, Finnegan, Gibson, Sprague, Matejka and Purcell.

Nays: None.

Motion carried.

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 Sprague, 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: Alderman Schmidt, Finnegan, Gibson, 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 Soules Bird Repellent Co. in the amount of \$6,000 on a contract amount of \$24,000 of which \$6,000 will have been paid to date for work certified as 25% complete for the Bird Control. Completion date - July 2007.
2. The eighteenth partial payment to BMJ Development Co. in the amount of \$269,565.71 on a contract amount of \$3,000,000 of which \$2,805,497.32 will have been paid to date

- for work certified as 94% complete for the Eastland Mall Sales Tax Rebate.
Completion date - July 2008.
3. The first partial payment to McLean County Soil & Water Conservation in the amount of \$14,633.50 on a contract amount of \$58,534 of which \$14,633.50 will have been paid to date for work certified as 25% complete for the Professional Services. Completion date - Annual.
 4. The fourteenth partial payment to Turner Construction Company in the amount of \$6,518 on a contract amount of \$187,824 of which \$109,608 will have been paid to date for work certified as 58.36% complete for the Project Management Services for the Bloomington Center for the Performing Arts. Completion date - June 2006.
 5. The twelfth partial payment to Central IL Arena Management Inc. in the amount of \$38,603.30 on a contract amount of \$738,188.75 of which \$228,971.26 will have been paid to date for work certified as 31% complete for the Professional Services. Completion date - December 2005.
 6. The fifth partial payment to D & H Electric in the amount of \$32,220 on a contract amount of \$2,777,272 of which \$201,150 will have been paid to date for work certified as 7% complete for the Design/Build for the U.S. Cellular Coliseum. Completion date - April 2006.
 7. The eleventh partial payment to Mid-Illinois Mechanical, Inc. in the amount of \$44,574 on a contract amount of \$3,387,343 of which \$880,672.69 will have been paid to date for work certified as 19% complete for the Design/Build for the U.S. Cellular Coliseum. Completion date - April 2006.
 8. The sixth partial payment to G.A. Rich & Sons, Inc. in the amount of \$59,655.60 on a contract amount of \$1,194,558 of which \$210,578.40 will have been paid to date for work certified as 18% complete for the Design/Build for the U.S. Cellular Coliseum. Completion date - April 2006.
 9. The third partial payment to Automatic Fire Sprinkler, LLC. in the amount of \$14,112 on a contract amount of \$355,000 of which \$47,142 will have been paid to date for work certified as 13% complete for the Design/Build for the U.S. Cellular Coliseum. Completion date - April 2006.
 10. The first partial payment to Henson Robinson Co. in the amount of \$115,726.50 on a contract amount of \$1,015,685 of which \$115,726.50 will have been paid to date for work certified as 3% complete for the Design/Build for the U.S. Cellular Coliseum. Completion date - April 2006.
 11. The third partial payment to Felmley Dickerson in the amount of \$22,905 on a contract amount of \$663,114 of which \$40,545 will have been paid to date for work certified as

- 6% complete for the Design/Build for the U.S. Cellular Coliseum. Completion date - April 2006.
12. The fourth partial payment to Merrill Iron & Steel Inc. in the amount of \$155,505.60 on a contract amount of \$795,654 of which \$298,551.60 will have been paid to date for work certified as 38% complete for the Design/Build Erection for the U.S. Cellular Coliseum. Completion date - April 2006.
 13. The sixth partial payment to Merrill Iron & Steel, Inc. in the amount of \$65,693.43 on a contract amount of \$1,526,586 of which \$1,197,439.85 will have been paid to date for work certified as 78% complete for the Design/Build Fabrication for the U.S. Cellular Coliseum. Completion date - April 2006.
 14. The second partial payment to Hoerr Inc. in the amount of \$91,800 on a contract amount of \$782,930 of which \$100,800 will have been paid to date for work certified as 13% complete for the Design/Build for the U.S. Cellular Coliseum. Completion date - April 2006.
 15. The ninth partial payment to Stark Excavating, Inc. in the amount of \$167,531.40 on a contract amount of \$3,557,749 of which \$2,337,010.51 will have been paid to date for work certified as 66% complete for the Design/Build for the U.S. Cellular Coliseum. Completion date - April 2006.
 16. The fourteenth partial payment to Johnston Contractors, Inc. in the amount of \$174,243.66 on a contract amount of \$3,374,550 of which \$1,730,508.83 will have been paid to date for work certified as 42% complete for the Design/Build for the U.S. Cellular Coliseum. Completion date - April 2006.
 17. The second partial payment to Pipeworks, Inc. in the amount of \$22,320 on a contract amount of \$65,500 of which \$36,270 will have been paid to date for work certified as 55% complete for the Design/Build for the U.S. Cellular Coliseum. Completion date - April 2006.
 18. The second partial payment to Felmley Dickerson in the amount of \$945 on a contract amount of \$15,200 of which \$1,350 will have been paid to date for work certified as 9% complete for the Design/Build Doors, Frames and Hardware for the U.S. Cellular Coliseum. Completion date - April 2006.
 19. The third partial payment to Felmley Dickerson in the amount of \$130,950 on a contract amount of \$823,000 of which \$403,020 will have been paid to date for work certified as 47% complete for the Design/Build Concrete, Excavating and Foundation for the U.S. Cellular Coliseum. Completion date - April 2006.
 20. The sixth partial payment to Johnston Contractors, Inc. in the amount of \$31,046.98 on a contract amount of \$371,005 of which \$111,667.13 will have been paid to date for work

- certified as 26% complete for the Design/Build for the U.S. Cellular Coliseum Parking Deck. Completion date - April 2006.
21. The fourth partial payment to Technical Design Services, Inc. in the amount of \$1,400 on a contract amount of \$21,000 of which \$13,567.16 will have been paid to date for work certified as 65% complete for the Cabling System for the U.S. Cellular Coliseum. Completion date - March 2006.
 22. The second partial payment to Felmley Dickerson in the amount of \$25,000 on a contract amount of \$212,000 of which \$43,000 will have been paid to date for work certified as 20% complete for the Library Expansion. Completion date - June 2006.
 23. The fifteenth partial payment to Stark Excavating, Inc. in the amount of \$215,818 on a contract amount of \$2,518,251.70 of which \$1,792,634 will have been paid to date for work certified as 71% complete for the Airport Road - Route 9 to Gill Street. Completion date - November 2005.
 24. The first partial payment to Daily & Associates Engineering, Inc. in the amount of \$11,673.90 on a contract amount of \$339,497 of which \$11,673.90 will have been paid to date for work certified as 3% complete for the Mitsubishi Motorway Study Design and Specifications. Completion date - January 2006.
 25. The fifth partial payment to Rowe Construction Company in the amount of \$108,181 on a contract amount of \$917,226.95 of which \$698,728 will have been paid to date for work certified as 76% complete for the Ft. Jesse Road Improvements - Phase I - East of Airport Rd. to Kaisner Dr. Completion date - August 2005.
 26. The eighteenth partial payment to Clark Dietz, Inc. in the amount of \$376.74 on a contract amount of \$366,591.65 of which \$337,340.04 will have been paid to date for work certified as 92% complete for the Hamilton Road - Greenwood to Timberlake Lane. Completion date - July 2005.
 27. The first partial payment to Clark Dietz, Inc. in the amount of \$29,868.25 on a contract amount of \$330,000 of which \$29,868.25 will have been paid to date for work certified as 9% complete for the Hamilton Road - Timberlake to Main Street. Completion date - December 2006.
 28. The sixth partial payment to Clark Dietz, Inc. in the amount of \$1,764.97 on a contract amount of \$22,000 of which \$9,070.20 will have been paid to date for work certified as 41% complete for the Water Department Emergency Response Plan. Completion date - December 2005.
 29. The sixth partial payment to Consoer Townsend in the amount of \$2,888.90 on a contract amount of \$74,700 of which \$25,765.02 will have been paid to date for work certified as 34% complete for the Comprehensive Water Distribution System Hydraulic Model a/k/a Master Plan. Completion date - July 2005.

30. The third partial payment to Farnsworth Group in the amount of \$13,831.41 on a contract amount of \$35,000 of which \$31,866.09 will have been paid to date for work certified as 91% complete for the Study of Powder Activated Carbon for Taste and Odor Removal / Bloomington Water Treatment Plant Taste and Odor Study. Completion date - October 2005.
31. The first partial payment to Clark Dietz, Inc. in the amount of \$7,701.37 on a contract amount of \$44,000 of which \$7,701.37 will have been paid to date for work certified as 18% complete for the Sugar Creek Headwater Study. Completion date - January 2006.
32. The fourth and final payment to Stark Excavating, Inc. in the amount of \$22,938.67 on a contract amount of \$301,467.67 of which \$301,467.67 will have been paid to date for work certified as 100% complete for the Canterbury Ct. 42" Relief Storm Sewer. Completion date - May 2005.
33. The first partial payment to Stark Excavating, Inc. in the amount of \$23,825 on a contract amount of \$94,673 of which \$23,825 will have been paid to date for work certified as 25% complete for the Greenwood Ave. Sanitary Sewer Relocation. Completion date - August 2005.

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 Purcell questioned Payment 5. The twelfth partial payment to Central IL Arena Management Inc. in the amount of \$38,603.30 on a contract amount of \$738,188.75 of which \$228,971.26 will have been paid to date for work certified as 31% complete for the Professional Services. Completion date - December 2005. Tom Hamilton, City Manager, noted that CIA (Central Illinois Arena) were involved in pre opening work. He cited the ticketing system as an example. CIA staff will insure that the building will be up and running. CIA staff was involved in sponsorship and suites and club seat sales. Mayor Stockton questioned when the City would enter into a new contract with CIA. Mr. Hamilton recalled that the management agreement would become effective on January 1, 2006.

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

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

Ayes: Alderman Schmidt, Finnegan, Gibson, Sprague, Matejka and Purcell.

Nays: None.

Motion carried.

The following was presented.

To: Honorable Mayor and Members of the City Council
From: Staff
Subject: Audit of the Accounts for the Township Supervisor of General Assistance Fund and General Town Fund for the Month of May, 2005

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

The Audit of these accounts took place on Monday, June 27, 2005 at 6:30 p.m. in the Conference Room of Bloomington City Hall and should, at this time, be made a matter of record.

Respectfully,

Tracey Covert
City Clerk

Motion by Alderman Sprague, seconded by Alderman Schmidt that the audit of the bills and payrolls for the Township for the month of May, 2005 be made a matter of record.

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

Ayes: Alderman Schmidt, Finnegan, Gibson, Sprague, Matejka and Purcell.

Nays: None.

Motion carried.

The following was presented.

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

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

1. Motor Fuel Tax Allotment for the month of May, 2005.
2. Monthly Receipt & Expenditure Report, May, 2005.

Respectfully,

Tracey Covert
City Clerk

Tom Hamilton
City Manager

REPORTS ON FILE IN CLERK'S OFFICE

Motion by Alderman Sprague, seconded by Alderman Schmidt that the reports be received and placed on file.

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

Ayes: Alderman Schmidt, Finnegan, Gibson, 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 Approve Payment of \$20,538 to Larry Bielfeldt for the City's Share of the Construction Cost of Over Sizing Sanitary Sewer in Hawthorne Commercial Park Subdivision

On November 26, 2001, Council approved an Annexation Agreement with Larry Beilfeldt for Hawthorne Commercial Park Subdivision. This subdivision is located south of General Electric Road, west of Towanda-Barnes Road, east of Golden Eagle Subdivision, and north of McGraw Park Subdivision. The Annexation Agreement obligated the City to pay for over sizing the sanitary sewer through the subdivision to serve other developments to the south and east.

Farnsworth Group, acting as the developer's agent, has submitted a request for payment in the amount of \$20,538 to oversize 1,598 feet of sewer from 8" and 10" pipe to 10" and 12" pipe in the Hawthorne Commercial Park Subdivision. Staff has reviewed the bill and finds it to be reasonable.

This is not a budgeted expense, however, there are sufficient funds in the Sewer Depreciation Fund to pay this bill. Staff respectfully recommends that Council approve the payment of \$20,538 to Larry Beilfeldt with payment to be made from Sewer Depreciation Funds (X52200-72550).

Respectfully,

Douglas G. Grovesteen
Director of Engineering

Tom Hamilton
City Manager

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

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

Ayes: Alderman Schmidt, Finnegan, Gibson, 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 Approve Payment of \$32,275 to Larry Bielfeldt for the City's Share of the Construction Cost of Over Sizing Sanitary Sewer in Sapphire Lake Subdivision First Addition

On November 26, 2001, Council approved an Annexation Agreement, with Larry Beilfeldt for Sapphire Lake Subdivision. Sapphire Lake Subdivision is located south of G. E. Road, west of Towanda-Barnes Road, east of Golden Eagle Subdivision, and north of McGraw Park Subdivision. The Annexation Agreement obligated the City to pay for over sizing the sanitary sewer through the subdivision to serve other developments to the south and east.

Farnsworth Group, acting as the developers agent, has submitted a request for payment in the amount of \$32,275 to oversize 2,169 feet of sewer from 10" and 12" pipe to 12", 15" and 24" pipe in the First Addition to Sapphire Lake Subdivision. Staff has reviewed the bill and finds it to be reasonable.

This is not a budgeted expense, however, there is sufficient money in the Sewer Depreciation Fund to pay this bill. Staff respectfully recommends that Council approve the payment of

\$32,275 to Larry Beilfeldt with payment to be made from Sewer Depreciation Funds (X52200-72550).

Respectfully,

Douglas G. Grovesteen
Director of Engineering

Tom Hamilton
City Manager

Motion by Alderman Sprague, seconded by Alderman Schmidt that the payment be approved.

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

Ayes: Alderman Schmidt, Finnegan, Gibson, 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 Pay the Illinois Environmental Protection Agency for a Combined Sewer Non Point Discharge Elimination System (NPDES) Permit

The Illinois Environmental Protection Agency (IEPA) requires that all cities with combined sewer overflows obtain a yearly permit. For a city of Bloomington's size, with over 25,000 in population, the permit fee is \$20,000 per year. The City has received a notice from the IEPA that the fee is now due for the period of July 1, 2005 through June 30, 2006.

Staff respectfully requests that Council authorize payment to the Illinois Environmental Protection Agency for the Combined Sewer NPDES Permit in the amount of \$20,000 with payment to be made from the Storm Water Management Fund (X55100-70550).

Respectfully,

Douglas G. Grovesteen
Director of Engineering

Tom Hamilton
City Manager

Motion by Alderman Sprague, seconded by Alderman Schmidt that the payment be approved.

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

Ayes: Alderman Schmidt, Finnegan, Gibson, Sprague, Matejka and Purcell.

Nays: None.

Motion carried.

The following was presented.

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Honoring Mr. David Heidloff by Naming a New Road as Heidloff Lane

As part of the construction of the Hamilton Road and Veterans Parkway Improvements, a new section of road was built connecting two relocated segments of Greenwood Avenue. To avoid having multiple intersections of Greenwood Avenue at Greenwood Avenue generating confusion, staff found it necessary to give this section of road a different name other than Greenwood Avenue.

The new section of road is about 675 feet long and runs east/west between the two relocated sections of Greenwood Avenue. There are currently no addresses or driveways that are affected by this action.

In honor of Mr. David Heidloff, who was a teacher and Principal at Trinity Lutheran School for a number of years, the name chosen is Heidloff Lane. Part of this section of road is adjacent to Trinity Lutheran School property.

Staff respectfully recommends that Council approve the naming of this new section of road as Heidloff Lane.

Respectfully,

Douglas G. Grovesteen
Director of Engineering

Tom Hamilton
City Manager

Motion by Alderman Sprague, seconded by Alderman Schmidt that the new section of road be named Heidloff Lane.

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

Ayes: Alderman Schmidt, Finnegan, Gibson, Sprague, Matejka and Purcell.

Nays: None.

Motion carried.

The following was presented.

To: Honorable Mayor and Members of the City Council
From: Staff
Subject: Permission to Sell Surplus Vehicles

Earlier this year, (2005) several replacement vehicles were purchased for various departments. Staff was not satisfied with the trade allowance offered by the dealers for those vehicles. At that time staff recommended that the vehicles be sold after the new vehicles were delivered and put into service.

At this time staff would like to declare these vehicles surplus and respectfully requests permission to sell these vehicles in a public Internet auction or by sealed bid.

Respectfully,

Daniel Augstin
Supt. of Equipment Maintenance

Kim Nicholson
Purchasing Agent

Tom Hamilton
City Manager

Motion by Alderman Sprague, seconded by Alderman Schmidt that the vehicles be declared surplus and sold in a public Internet auction or by sealed bid.

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

Ayes: Alderman Schmidt, Finnegan, Gibson, Sprague, Matejka and Purcell.

Nays: None.

Motion carried.

The following was presented.

To: Honorable Mayor and Members of the City Council
From: Staff
Subject: Corrected Bid Total Read for Downtown Intersection Improvements MFT Section 02-00328-00-TL

Bidding proposals for the Street Improvement Section 02-00328-00-TL were received until 10:00 a.m. on Tuesday, May 17, 2005, in the office of the City Clerk. There was a sole bid which was opened and read at the May 23, 2005 council meeting. The bid total was read as \$341,435.55. Upon further review, staff discovered an error in the bidder's schedule of prices. The error was the omission of one (1) Handhole to be Adjusted. It increased the value of the total bid by \$290.79.

As all items are in order, staff respectfully recommends that the Council recognize the corrected bid from Rowe Construction Co. in the amount of \$341,726.34 for said work with payment to be made from Motor Fuel Tax Fund (X20300072530).

Respectfully,

Douglas G. Grovesteen
Director of Engineering

Tom Hamilton
City Manager

Motion by Alderman Sprague, seconded by Alderman Schmidt that the corrected bid total be approved.

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

Ayes: Alderman Schmidt, Finnegan, Gibson, 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 of Blackberry Mobile Solution Hardware and Software

Staff has been researching solutions to provide mobile accessibility to the City's contact, calendaring and email system. As a result of that research, staff believes the Blackberry mobile device, from the company Research In Motion (RIM), is the best solution for the City's needs.

The Blackberry solution will not only provide mobile users send and receive access to their contact, calendaring and email information but, with the Nextel version of the device, is able to function as a replacement for a City cell phone. The Blackberry wireless network also natively encrypts the data traffic making it a nice fit for the City's secure networking policies.

The initial configuration being proposed will support up to twenty (20) Blackberry devices. Staff believes this number of licenses to be a good starting point. Allowing enough users to provide a varied initial testing environment while also being a small enough group to be easily managed.

In order to implement the Blackberry solution, the City needs to purchase the Blackberry Enterprise Server software, the Hewlett Packard server hardware with Microsoft Windows 2003 operating system and the IBM/Lotus Domino Enterprise Server software over which the Blackberry software is installed.

All of these items actually end up being purchased from specific vendors. RIM only sells the Blackberry Enterprise Server software direct to customers, not through any reseller channels. Staff typically purchases the Hewlett Packard server hardware through HP's Western States Contracting Alliance (WSCA), as authorized by Council during the May 9, 2005 meeting.

Microsoft software is purchased from the State of Illinois licensing agreement through a named reseller (CDWG, Inc.). The IBM/Lotus Domino Enterprise Server software is also purchased through a governmental pricing program with a named reseller (PTC Select).

Pricing on the various pieces of the Blackberry solution are as follows:

Description	Company	Location	Price
Blackberry Enterprise	Research In Motion (RIM)	Ontario, Canada	\$5,124.00
HP DL380 server	Hewlett Packard	Palo Alto, CA	\$7,983.00
Microsoft Win2003 server	CDWG, Inc.	Vernon Hills, IL	\$782.69
IBM Domino Server	PTC Select	Peoria, IL	\$2,282.00
		Total	\$16,171.69

Staff respectfully requests that Council waive the formal bidding process and authorize the Purchasing Agent to issue the following purchase orders: \$5,124 to Research In Motion, Inc.;

\$7,983 to Hewlett Packard; \$782.69 to CDWG, Inc., and \$2,282 to PTC Select. Payments will be made from funds budgeted in the Computer Services Equipment Fixed Asset (F11610-72120) and Office and Computer Supplies (G11610-71010) accounts.

Respectfully,

Scott Sprouls
I.T. Manager

Brian Barnes
Finance Director

Tom Hamilton
City Manager

RESOLUTION NO. 2005 - 80

**A RESOLUTION WAIVING THE FORMAL BIDDING PROCESS AND
AUTHORIZING THE PURCHASE OF BLACKBERRY MOBILE SOLUTION
HARDWARE AND SOFTWARE FROM VARIOUS VENDORS AT A PURCHASE
PRICE OF \$16,171.69**

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 Blackberry Mobile Solution Hardware and Software from various vendors at a purchase price of \$16,171.69.

Adopted this 27th day of June, 2005.

Approved this 28th day of June, 2005.

Stephen F. Stockton
Mayor

ATTEST:

Tracey Covert
City Clerk

Motion by Alderman Sprague, seconded by Alderman Schmidt that the formal bidding process be waived, the Blackberry Mobile Solution Hardware and Software be purchased from the various vendors in the total amount of \$16,171.69, the Purchasing Agent authorized to issue Purchase Orders for same, and the Resolution adopted.

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

Ayes: Alderman Schmidt, Finnegan, Gibson, 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 Authorize the Purchase of LED Traffic Signal Lamps from Traffic Control Corp.

On August 9, 2004 the Council approved receiving a grant from the Illinois Clean Energy Foundation for the replacement of incandescent traffic signal lamps with LED lamps in an amount not to exceed \$96,195. The amount of assistance per bulb varies from \$25 to \$60 depending on the bulb color and type. Some of the benefits of LED bulbs are that they use up to 85% less energy, last 10 times longer, and enhance safety through better light quality visibility.

Staff has received quotes from three different vendors of LED lamps: Brown Traffic Products (BTP) supplier of Dialight lamps, Traffic Control Corp. (TCC) supplier of Gelcor lamps, and Act One (AO) supplier of Act One lamps.

After evaluating the prices quoted and the associated products, staff believes the best value for the price to be from Traffic Control Corp. for Gelcor lamps. Gelcor lamps are manufactured by General Electric. The City has some Dialight lamps in the existing system which have not shown the dependability expected from LED lamps. Act One is an unknown product which has not been used previously in this area. Prices for the most numerous types of lamps needed are:

Vendor	Brand	Red Ball	Green Ball	Red ⇒	Green ⇒	Grn/Yel ⇒
BTP	Dialight	39.25	73.30	38.20	52.60	73.00
TCC	Gelcor	35.70	75.60	36.75	51.45	81.90
AO		38.00	79.00	30.80	47.50	83.00

Staff investigated the possibility that the LED lamps were available from the State purchasing contract. Although available through the State contract, the prices quoted from Brown Traffic Products and Traffic Control Corp. were less than the prices listed on the State contract.

Staff respectfully recommends that Council waive the formal bidding process and authorize the purchase of LED signal lamps from either Traffic Control Corp. or Brown Traffic Products in an amount not to exceed \$120,000 with payment to be made with Traffic Funds (16230-70590).

Respectfully,

Douglas G. Grovesteen
Director of Engineering

Tom Hamilton
City Manager

RESOLUTION NO. 2005 - 81

**A RESOLUTION WAIVING THE FORMAL BIDDING PROCESS AND
AUTHORIZING THE PURCHASE OF LED SIGNAL LAMPS FROM TRAFFIC
CONTROL CORP. OR BROWN TRAFFIC PRODUCTS AT A PURCHASE PRICE NOT
TO EXCEED \$120,000**

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 LED signal lamps from Traffic Control Corp. or Brown Traffic Products at a Purchase Price not to exceed \$120,000.

Adopted this 27th day of June, 2005.

Approved this 28th day of June, 2005.

Stephen F. Stockton, Mayor

ATTEST:

Tracey Covert, City Clerk

Motion by Alderman Sprague, seconded by Alderman Schmidt that the formal bidding process be waived, the LED signal lamps be purchased from Traffic Control Corp. or Brown Traffic Products in an amount not to exceed \$120,000, 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: Alderman Schmidt, Finnegan, Gibson, 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 Four Sport Utility Vehicles (SUV) from the Central Illinois Mitsubishi Cooperative Purchasing Program

The Fire Department has two vehicles in need of replacement, a 1992 Chevrolet Lumina and a 1996 Chevrolet Yukon. The Parks and Recreation Department has one vehicle in need of

replacement, a 1995 GMC Jimmy, and the Engineering Department a 1999 Jeep Cherokee Sport that was involved in a traffic accident on June 20, 2005 that the City's insurance carrier RIMCO declared a total loss. The accident was not the fault of staff and the faulty party's insurance company has assumed liability and will reimburse the City for the loss.

After reviewing the Central Illinois Mitsubishi Cooperative Purchasing Program, staff respectfully requests to purchase four (4) 2005 Mitsubishi Endeavor LS two wheel drive SUV's. The cost for an Endeavor LS is \$21,478.93. These vehicle would be ordered and received through O'Brien Mitsubishi of Normal, and the three vehicles being replaced will be sold after the new vehicles are delivered and put into service.

Comparatively, a 2005 Ford Explorer equipped similarly, purchased from the State of Illinois Joint Purchasing Contract would cost \$21,525 with an extended warranty included in the purchase price.

The Endeavor has a 10 year, 100,000 mile factory warranty. The Explorer would have coverage for 7 years, 100,000 miles with the additional extended warranty. These vehicles are typically replaced around 100,000 miles, but usually takes up to 10 years to accumulate that mileage.

Staff respectfully recommends that Council waive the formal bidding process and purchase four replacement vehicles using the Central Illinois Mitsubishi Cooperative Purchasing Program in the total amount of \$85,915.72.

Funds are available in the Equipment Replacement Fund. F15210-72130 for the two vehicles for Fire and F14110-72130 for the vehicle for Parks. The additional funds required to pay the balance of the vehicle for the Engineering Department will come from F16210-72130.

Respectfully,

Daniel Augstin
Supt. of Equipment Maintenance

Kim Nicholson
Purchasing Agent

Tom Hamilton
City Manager

RESOLUTION NO. 2005 - 82

A RESOLUTION WAIVING THE FORMAL BIDDING PROCESS AND AUTHORIZING THE PURCHASE OF FOUR SPORT UTILITY VEHICLES (SUV) FROM THE CENTRAL ILLINOIS MITSUBISHI COOPERATIVE PURCHASING PROGRAM AT A PURCHASE PRICE OF \$85,915.72

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 Four Sport Utility Vehicles (SUV) from the Central Illinois Mitsubishi Cooperative Purchasing Program at a purchase price of \$85,915.72.

Adopted this 27th day of June, 2005.

Approved this 28th day of June, 2005.

Stephen F. Stockton
Mayor

ATTEST:

Tracey Covert
City Clerk

Alderman Schmidt questioned this item and when City staff determined to purchase from Mitsubishi. Tom Hamilton, City Manager, noted that the Police Department had certain performance mechanicals. At this time, City staff did not plan to purchase additional vehicles from Mitsubishi.

Motion by Alderman Sprague, seconded by Alderman Schmidt that the formal bidding process be waived, the four (4) vehicles be purchased using the Central Illinois Mitsubishi Cooperative Purchasing Program in the amount of \$85,915.72, the Purchasing Agent be authorized to issue a Purchase Order for same, and the Resolution adopted.

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

Ayes: Alderman Schmidt, Finnegan, Gibson, 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 Two Trucks for the Parks and Recreation Department and the Public Service Department

The City is in need of two additional vehicles to the fleet, a 10,000 GVW dump truck for the Parks and Recreation Department, and a pickup truck for the Public Service Department, Vehicle aintenance Facility for the new Assistant Superintendent of Equipment Maintenance.

There is an immediate need for these vehicles, and the order deadlines have passed to order them from either the State of Illinois Joint Purchasing Contract or through the City's own formal bidding process. Staff contacted the dealers that the City normally purchases these types of vehicles from, and Barker Motor Company of Bloomington has two trucks in stock that met the basic specification needs of these two departments.

The purchase price for the 10,000 GVW dump truck for the Parks and Recreation Dept. is \$26,017.03, and the pickup truck for the Public Service Department is \$23,174.67, for a total of \$49,191.70. Funds are budgeted in the Equipment Replacement Fund for these purchases, Parks \$35,000 in F14110-72130, Public Service \$30,000 in F16150-72130.

Staff respectfully requests that Council waive the formal bidding process and authorize the Purchasing Agent to issue a Purchase Order to Barker Motors in the amount of \$49,191.70 for same.

Respectfully,

Daniel Augstin
Supt. of Equipment Maintenance

Kim Nicholson
Purchasing Agent

Tom Hamilton
City Manager

RESOLUTION NO. 2005 - 83

A RESOLUTION WAIVING THE FORMAL BIDDING PROCESS AND AUTHORIZING THE PURCHASE OF TWO TRUCKS FOR THE PARKS AND RECREATION DEPARTMENT AND THE PUBLIC SERVICE DEPARTMENT FROM BARKER MOTOR COMPANY AT A PURCHASE PRICE OF \$49,191.70

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 two trucks for the Parks and Recreation Department and the Public Service Department from Barker Motor Company at a purchase price of \$49,191.70.

Adopted this 27th day of June, 2005.

Approved this 28th day of June, 2005.

Stephen F. Stockton, Mayor

ATTEST:

Tracey Covert, City Clerk

Alderman Finnegan questioned this item. Dan Augstin, Superintendent of Vehicle Maintenance, addressed the Council. The City had missed the order deadline from the manufacturer. The City could wait until August 2005 to order a 2006 vehicle model. The new year's models would not be available until September or October 2005.

Motion by Alderman Sprague, seconded by Alderman Schmidt that the formal bidding process be waived, the two (2) trucks be purchased from Barker Motor Company

in the amount of \$49,191.70, 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: Alderman Schmidt, Finnegan, Gibson, 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 Vehicles for Police Department Using the State of Illinois Joint Purchasing Contract

The Police Department has in its budget the replacement of eight vehicles and the addition of two cars to the unmarked fleet. The vehicles in need of replacement are cars used by the Detectives Unit, Pro Active Unit and Crime Scene Unit. The Detective and Pro Active Unit vehicles to be replaced are 1994 through 1997 Ford Crown Victoria's, and the Crime Scene Unit vehicle to be replaced is a 1995 Ford van.

All the vehicles will be purchased from Miles Chevrolet, Decatur using the State of Illinois Joint Purchasing Contract. The vehicles being purchased are 2005 Chevrolet Impalas and a 2005 Chevrolet Tahoe PPV.

The purchase price of the Impalas for the Detectives Unit is \$17,366.44 each. The purchase price for the Impala for the Pro Active Unit is \$18,822.07, and the Tahoe PPV for the Crime Scene Unit is \$26,927. The total price of all of the new vehicles is \$184,680.51. The eight vehicles being replaced will be sold after the new vehicles are delivered and put into service.

Staff respectfully recommends waiving the formal bidding process and authorizing the purchase of ten vehicles from Miles Chevrolet using the State of Illinois Joint Purchasing Contract for a total amount of \$184,680.51. Funds are available in the Equipment Replacement Fund, F15110-72130.

Respectfully,

Daniel Augstin
Supt. of Equipment Maintenance

Kim Nicholson
Purchasing Agent

Tom Hamilton
City Manager

RESOLUTION NO. 2005 - 84**A RESOLUTION WAIVING THE FORMAL BIDDING PROCESS AND
AUTHORIZING THE PURCHASE OF TEN REPLACEMENT VEHICLES FOR THE
POLICE DEPARTMENT FROM MILES CHEVROLET USING THE STATE OF
ILLINOIS JOINT PURCHASING CONTRACT AT A PURCHASE PRICE OF
\$184,680.51**

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 ten replacement vehicles for the Police Department from Miles Chevrolet using the State of Illinois Joint Purchasing Contract at a purchase price of \$184,680.51.

Adopted this 27th day of June, 2005.

Approved this 28th day of June, 2005.

Stephen F. Stockton
Mayor

ATTEST:

Tracey Covert
City Clerk

Motion by Alderman Sprague, seconded by Alderman Schmidt that the formal bidding process be waived, ten (10) replacement vehicles for the Police Department be purchased from Miles Chevrolet using the State of Illinois Joint Purchasing Contract in the amount of \$184,680.51, 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: Alderman Schmidt, Finnegan, Gibson, 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 and Replacement Mobile Data Computers for Police Vehicles

Staff has researched the replacement of mobile data computers (MDC) installed in the Police emergency vehicles. The current MDC's were purchased in 2000 and are becoming a performance problem for the officers in the field.

The emergency dispatching software to be used in the City's new dispatch center will require newer, higher performing MDC's. Staff is seeking to replace 32 existing MDC's and purchase five (5) additional for a total of 37. This will provide MDC's necessary for the current vehicles with one additional to be used by support staff for staging and testing of systems and as a backup in case of failure.

Staff has selected a Panasonic Toughbook CF-29 for the replacement MDC's. This model is commonly used in emergency vehicles and other situations where a hardened computer is needed. The CF-29 is also the model replacement for the existing MDC's (Panasonic CF-27) and provides the added benefit of fitting into the mounting hardware already installed in the vehicles.

Staff has received quotes for the CF-29's from the following vendors:

PTC Select	Peoria, IL	\$172,629.00
CDW Government, Inc.	Vernon Hills, IL	\$170,985.00
CDS Office Technologies	Springfield, IL	\$163,649.00 ** recommended
EComputer, Inc.	Elmhurst, IL	\$182,260.00

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 \$163,649 to CDS Office Technologies. Payment will be made from funds budgeted in the Computer Services Equipment Fixed Asset account (F11610-72120).

Respectfully,

Roger J. Aikin
Police Chief

Tom Hamilton
City Manager

RESOLUTION NO. 2005 - 85

**A RESOLUTION WAIVING THE FORMAL BIDDING PROCESS AND
AUTHORIZING THE PURCHASE OF MOBILE DATA COMPUTERS FOR POLICE
VEHICLES FROM CDS OFFICE TECHNOLOGIES AT A PURCHASE PRICE OF
\$163,649**

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 Mobile Data Computers for Police Vehicles from CDS Office Technologies at a purchase price of \$163,649.

Adopted this 27th day of June, 2005.

Approved this 28th day of June, 2005.

Stephen F. Stockton
Mayor

ATTEST:

Tracey Covert
City Clerk

Motion by Alderman Sprague, seconded by Alderman Schmidt that the formal bidding process be waived, the Mobile Data Computers for Police Vehicles be purchased from CDS Office Technologies in the amount of \$163,649, 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: Alderman Schmidt, Finnegan, Gibson, 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 Citation Automation and Voice Command Software and Hardware for Police Patrol Vehicles

Staff has undertaken a project of automating citation writing and racial profiling data collection in the squad cars. Advanced Public Safety has proposed a system that would allow this automation. This software is patented and only available from Advanced Public Safety, the sole source provider for this technology. Benefits of the proposed system include:

- Voice Technology
- Provides clear voice command and verbal response of queried information.
- Can be set up to control any keyboard function
- Keeps officers attention on the road or on the violator, as the officer does not have to keep looking down and typing on the keyboard.

- Citation Technology
- Prints a readable citation on the State approved form.
- Provides traffic study data without paper.
- Supplies a database of all traffic stop information.
- Decreases traffic stop times by up to 50%.
- Increases officer productivity.
- Collects racial profiling data without additional paperwork.
- Provides a platform for updating mobile computer software.
- Electronically captures and relays data to the Circuit Clerk's Office, eliminating keying and entering the information.

Staff respectfully requests that Council waive the formal bidding process and approve the purchase of the Advanced Public Safety software and hardware for thirty-six (36) vehicles and the DUI processing room in the amount of \$104,370.50. Funds for this purchase are available in the fixed asset replacement account #F11610-72120.

Respectfully,

Roger J. Aikin
Chief of Police

Tom Hamilton
City Manager

RESOLUTION NO. 2005 - 86**A RESOLUTION WAIVING THE FORMAL BIDDING PROCESS AND
AUTHORIZING THE PURCHASE OF CITATION AND VOICE SOFTWARE AND
HARDWARE FROM ADVANCED PUBLIC SAFETY AT A PURCHASE PRICE OF
\$104,370.50**

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 citation and voice software and hardware from Advanced Public Safety at a Purchase Price of \$104,370.50.

Adopted this 27th day of June, 2005.

Approved this 28th day of June, 2005.

Stephen F. Stockton
Mayor

ATTEST:

Tracey Covert
City Clerk

Motion by Alderman Sprague, seconded by Alderman Schmidt that the formal bidding process be waived, the citation and voice software and hardware be purchased from Advanced Public Safety, in the amount of \$104,370.50, 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: Alderman Schmidt, Finnegan, Gibson, Sprague, Matejka and Purcell.

Nays: None.

Motion carried.

The following was presented.

June 27, 2005

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To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Analysis of Bids for Police Handguns

On June 7, 2005, bids were requested for the purchase of fifteen (15) Sigarms handguns for the Police Department. These handguns are replacements for those given to retired officers and for three (3) additional officers hired under a Federal Grant. Bids were opened on June 21, 2005 at 10:00 a.m. in the office of the City Clerk, and are as follows:

Jon Filbrun, SigArms, Springfield, IL	\$9,285.00
Shore Galleries, Lincolnwood, IL	\$8,846.10

Staff respectfully requests that the low bid submitted by Shore Galleries be accepted and a Purchase Order be issued in the amount of \$8,846.10 for the purchase of fifteen (15) handguns. Funds for this purchase will come from the Project Safe Neighborhood Grant Account (X20950-62190).

Respectfully,

Roger J. Aikin
Police Chief

Tom Hamilton
City Manager

Motion by Alderman Sprague, seconded by Alderman Schmidt that the bid from Shore Galleries in the amount of \$8,846.10 for Police Handguns be accepted 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: Alderman Schmidt, Finnegan, Gibson, 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 - Mid Size Rotary Mower for Highland Park Golf Course

On Tuesday, June 21, 2005 at 9:45 a.m., bids were publicly opened and read for a mid-sized rotary mower for the Parks & Recreation Department. This unit will replace a 1999 Jacobsen HR-5111 mid-sized rotary at Highland Park. Burris Equipment Co. and Cross Implement did not submit bid guarantees with their bids. The bids are as follows:

FIRM	TRADE-IN	NET BID PRICE
Birkey's Farm Store (Urbana, IL)	\$2,230.00	\$31,499.00*
Erb Turf Equipment, Inc. (Belleville, IL)	500.00	33,156.09
Turf Professionals Equipment Co. (Hazelwood, MO)	2,500.00	33,801.00
Alternate Bid	2,500.00	33,755.00
Cross Implement (Minier, IL)	18,983.00	34,900.00
Burris Equipment Co. (Waukegan, IL)	500.00	52,543.00

*Low and recommended bid

The Jacobsen HR-5111 bid by Birkey's Farm Store meets the specification in all respects. The unit being traded has some engine problems so it was decided that it be traded a year early. Two other units were moved back on the replacement schedule to accommodate this purchase. The Parks and Recreation Department currently has three other HR-5111's and they have performed well.

Staff respectfully requests that Council accept the low bid of \$31,499 submitted by Birkey's Farm Store and authorize the Purchasing Agent to issue a purchase order for same. A total of \$45,000 is available in the Fixed Asset Replacement Fund, account F14150-72140 for this unit.

Respectfully,

Jerry Armstrong,
Asst. Director Parks & Recreation

Tom Hamilton
City Manager

Motion by Alderman Sprague, seconded by Alderman Schmidt that the bid submitted by Birkey's Farm Store in the amount of \$31,499 be accepted 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: Alderman Schmidt, Finnegan, Gibson, 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 to the Professional Service Agreement with Farnsworth Group for the Design of Intersection Improvements at Various Intersections on Business Route US 51

On June 14, 2004, Council approved a contract with Farnsworth Group to provide professional services for the design of intersection improvements at various intersections on Business Route US 51 in the amount of \$46,600. The original scope of the work was to collect survey data and prepare bid documents to improve the geometrics and upgrade the traffic signals at the intersections of Front Street & Madison Street (Busn. Rt. US 51), Olive Street & Center Street (Busn. Rt. US 51), and Front Street & East Street (Busn. Rt. US 51).

Since that time, site investigation identified old brick traffic signal vaults instead of handholes at the northeast and southeast corners of the East and Front Street intersection. Handholes to replace those vaults needed to be designed.

It was also determined that the two (2) existing mast arm assemblies and poles with single mast arms at the southeast corner of Madison and Front were in conflict with future pedestrian movements, and needed to be replaced with one (1) mast arm assembly and pole with dual mast arms placed outside the pathway of pedestrian movements. A pavement marking plan was also added to the contract.

Farnsworth submitted a proposal to perform the additional work on a time and material basis at a cost not to exceed \$5,396.40, for a new contract amount of \$51,996.40. Staff has examined the submittal by Farnsworth Group for additional payment and finds it acceptable.

Original Contract 6/14/04	\$46,600.00
<u>This Change Order</u>	<u>\$5,396.40</u>
New Total Contract Amount	\$51,996.40

Staff respectfully requests that Council approve a Change Order to the design contract with Farnsworth Group for the design of Intersection Improvements at Various Intersections on Business Route US 51 in the additional amount of \$5,396.40 for a new total contract amount of \$51,996.40 . Payment will be made with Motor Fuel Tax Funds (X20300-72530).

Respectfully,

Douglas G. Grovesteen
Director of Engineering

Tom Hamilton
City Manager

Motion by Alderman Sprague, seconded by Alderman Schmidt that the Change Order in the amount of \$5,396.40 be approved.

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

Ayes: Alderman Schmidt, Finnegan, Gibson, 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 to the Contract with P.J. Hoerr, Inc. for the Renovation of the Bloomington Center for the Performing Arts

P.J. Hoerr, Inc. has requested the following change orders to their contract for work associated with the renovation of the Bloomington Center for the Performing Arts. The total amount of these change orders is \$7,096.62. There were six (6) change orders requested, however, staff agreed to pay for the following additional work:

1. Removal of an old air-conditioning unit in Room 103	774.62
2. Provide monitoring for Lead Paint	1,694.00
4. Increase size of louver L1.3	1,682.00
5. Removal of bar joists and install metal stud joists	<u>2,278.00</u>
Total this Change Order	7,096.62
Original Contract	<u>10,988,200.00</u>
New Total Amount	10,995,296.62

This work was outside the contract of P.J. Hoerr because the air-conditioning unit removal was not listed on the demolition drawings; a full lead paint monitoring program had not been established; the opening for the louver was much larger than originally thought, and the bar joists need to be removed to accept the new design of duct work.

This amount will be added to the guaranteed bid price and will be paid for out of the renovation contingency fund. Staff respectfully recommends that Council approve these change orders to

the contract with P.J. Hoerr, Inc. in the amount of \$7,096.62. Payment for this work will come from account X21100-72620.

Respectfully,

C. Bruce Marquis
Executive Director

Tom Hamilton
City Manager

Alderman Schmidt noted that the memorandum noted six (6) changes. She questioned which two (2) were noted listed. Bruce Marquis, Executive Director - Cultural District, addressed the Council. He noted that item 3 was not agreed to by City staff. A new water pipe was installed under the stage. This work was completed by a subcontractor. He added that he only recalled five (5) changes.

Motion by Alderman Sprague, seconded by Alderman Schmidt that the Change Order be approved.

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

Ayes: Alderman Schmidt, Finnegan, Gibson, Sprague, Matejka and Purcell.

Nays: None.

Motion carried.

The following was presented.

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Modification of Redevelopment Agreement with Tim and Vicki Tilton for Rehabilitation of the Monroe Centre

The City entered into a Contract for Private Redevelopment with Tim and Vicki Tilton for the rehabilitation of the old Miller Hardware building at 200 W. Monroe in 1999. This property is now known as the Monroe Centre.

The City loaned the Tiltens \$275,000 which required repayment over a seven (7) year period by making seven annual installment payments. The loan was secured by a second mortgage on the building. According to the terms of the Contract, the loan should be paid in full by October 1, 2006.

The Tiltens completed all of rehabilitation work and began making payments as required by the agreement, however, their cash flow situation made it difficult to make a single lump sum

payment in some years resulting in some missed, late and partial payments. The principal balance due on the loan is \$101,857.16.

The Tiltions recently approached staff and requested that the City modify the Contract to give them an additional three years to pay the loan off and convert it to monthly rather than annual installment payments. As previously noted, the Tiltions completed all of the rehabilitation work within the time provided in the Contract and have made a good faith effort to make the required payments.

Staff believes it is reasonable to modify the Contract as requested and respectfully recommends Council approval, and further that the Mayor and City Clerk be authorized to execute the necessary documents.

Respectfully,

Hannah R. Eisner
Deputy Corporation Counsel

Tom Hamilton
City Manager

**Amendment to Contract for Private Redevelopment Pursuant to the Bloomington Illinois
Downtown Bloomington Tax Increment Redevelopment Plan Monroe Centre Project**

This Amendment is made to a certain Contract for Private Redevelopment Pursuant to the Bloomington Illinois Downtown Bloomington Tax Increment Redevelopment Plan Monroe Centre Project (hereinafter referred to as the "Contract") dated September 3, 1999 between the City of Bloomington, Illinois (hereinafter referred to as "City") and Timothy I. Tilton and Vicki L. Tilton (hereafter referred to as "Redeveloper").

WITNESSETH

Whereas, City loaned Redeveloper \$275,000.00 to finance the redevelopment of the Monroe Centre; and

Whereas, City disbursed all of the loan funds as provided in the Contract; and

Whereas, according to Section 5A of the Contract Redeveloper was to repay the loan by making seven equal annual payments beginning on October 1, 2000; and

Whereas, Redeveloper made the required payment in October 2000, 2001, 2002 and 2003, but made only partial payment in 2004; and

Whereas, the principal balance of the loan due as of the date of this Amendment was One Hundred and One Thousand Eight Hundred and Fifty Seven and 16/100th Dollars (101,857.16); and

Whereas, Redeveloper has asked City to amend the Contract by modifying the payment terms to allow the remaining principal balance to be paid in equal monthly installments and extend the time for repayment three years; and

Whereas, City has agreed to modify the Contract as requested.

Now, therefore, in consideration of the mutual promises each party has given to the other and other good and valuable consideration, the parties agree as follows:

1. The provisions of Section 5A of the Contract are hereby amended to require repayment of the loan on or before September 30, 2010 by making monthly installment payments in the amount of One thousand six hundred sixteen and 78/100th Dollars (\$1,616.78) beginning on July 1, 2005.

2. Redeveloper agrees to execute a new Promissory Note for the current unpaid principal balance of the loan.

3. That except as modified by this Amendment, all of the terms and conditions of the Contract shall remain in full force and effect.

Dated this 31, day of May, 2005.

City:

Redeveloper:

City of Bloomington, A Municipal Corporation,

By: Stephen F. Stockton
Mayor

Timothy I. Tilton
Vicki L. Tilton

ATTEST:

Tracey Covert
City Clerk

Motion by Alderman Sprague, seconded by Alderman Schmidt that the “Contract for Private Redevelopment Pursuant to the Bloomington Illinois Downtown Bloomington Tax Increment Redevelopment Plan Monroe Centre Project” be amended, 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: Alderman Schmidt, Finnegan, Gibson, Sprague, Matejka 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 AFSCME Local 699 (Library Employees)

Representatives of AFSCME Local 699, the Public Library and the City have reached tentative agreement on the terms of a collective bargaining agreement which covers bargaining unit employees of the Library. The bargaining unit ratified the contract at a meeting held on June 14, 2005.

Highlights of the agreement are as follows:

- Term of Agreement: Five years (May 1, 2005 through April 30, 2010).
- Wage Increase: 3% increase in base wages.
- Health Insurance: Change in payment of premiums. Prior to this agreement, employees electing "single employee" health insurance coverage paid no monthly premium. Beginning on January 1, 2007, employees electing "single employee" coverage will pay 10% of the monthly premium. On January 1, 2008, the employee portion of the premium will increase to 15% of the monthly premium, and on January 1, 2009, the premium will increase to 20%, where it will remain for the remainder of the contract. Employees electing "single plus one" or family health insurance coverage currently pay approximately 33% of the combined monthly premium. On January 1, 2007, this amount will decrease to 27% of the monthly premium, where it will remain for the remainder of the contract.
- In exchange for the "buy in" for paying a portion of the monthly premium, employees selecting single employee coverage will receive a one-time-only bonus of \$250.
- The Blue Cross PPO plan will be amended on January 1, 2006. Deductibles will increase from \$150 annually to \$250 annually (single employee) and from \$300 annually to \$500 annually for employees electing family coverage. An HMO plan available through OSF will be eliminated and will be replaced by an HMO available through Health Alliance.
- In return for the increased deductibles, the Library/City agrees to reimburse employees electing single employee coverage up to \$100 for the cost of the increased deductibles during the first year of coverage under the new plan. Employees electing family coverage will be reimbursed up to \$200 for the increased deductibles for the first year of coverage under the new plan.

- The Library, when hiring a librarian with at least five years experience as a librarian may start such an employee at the five-year longevity step rather than the beginning step.
- LTAs (Library Technical Assistants) who earn a library-related associate degree will be placed at the next longevity step.

Various non-economic language changes were also agreed to between the parties.

The Library and staff believe this collective bargaining agreement to be satisfactory and recommend ratification by Council and the Library Board of Trustees.

Respectfully submitted,

Matthew Kubiak
Director Public Library

Todd Greenburg
Corporation Counsel

Tom Hamilton
City Manager

Motion by Alderman Sprague, seconded by Alderman Schmidt that the collective bargaining agreement with AFSCME Local 699 (Library Employees) be ratified.

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

Ayes: Alderman Schmidt, Finnegan, Gibson, 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 Adopt a Supplemental MFT Resolution Correcting the MFT Resolution Appropriating MFT Funds for the Design of Mitsubishi Motorway.

On May 23, 2005, Council approved a contract in the amount of \$339,497 with Daily and Associates, Engineers, Inc. to provide Professional Services for the Preparation of an Intersection Design Study and Construction Plans & Specifications for Mitsubishi Motorway from Six Points Road to the South Line of Area B of the Palmer Property.

The MFT Resolution adopted with the contract contained an error in the wording of the appropriated dollar amount. A conflict existed between the written and numerical amounts listed on the resolution. The Illinois Department of Transportation has approved a resolution

appropriating \$300,000 corresponding to the written amount and requires that a supplemental resolution in the amount of \$39,497 be adopted to attain the intended total of \$339,497.

Staff respectfully recommends that Council adopt a supplemental resolution in the amount of \$39,497 to appropriate MFT Funds (X20300-70050) for the subject contract and that the Mayor and City Clerk be authorized to execute the necessary documents.

Respectfully,

Douglas G. Grovesteen
Director of Engineering

Tom Hamilton
City Manager

(RESOLUTION 2005-87 ON FILE IN THE CITY CLERK'S OFFICE)

Motion by Alderman Sprague, seconded by Alderman Schmidt that the Resolution be adopted.

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

Ayes: Alderman Schmidt, Finnegan, Gibson, Sprague, Matejka and Purcell.

Nays: None.

Motion carried.

The following was presented.

To: Members of the City Council

From: Liquor Commission

Subject: Application of Emily and Paul Todino, d/b/a Todino's Pizza, located at 4109 E. Oakland Ave., Unit B, for an RBS liquor license, which will allow the sale of beer and wine by the glass for consumption on the premises seven (7) days a week

The Bloomington Liquor Commissioner Stephen Stockton called the Liquor Hearing to hear the application of Emily and Paul Todino, d/b/a Todino's Pizza, located at 4109 E. Oakland Ave., Unit B, requesting an RBS liquor license which allows the sale of beer and wine by the glass for consumption on the premises seven (7) days a week. Present at the hearing were Liquor Commissioners Stephen Stockton, Rich Buchanan, Marabeth Clapp and Steve Petersen; Hannah Eisner, Deputy Corporation Counsel, Sgt. Larry Shepherd, Police Department, and Tracey Covert, City Clerk; Emily Todino, owner and Applicant representative.

Commissioner Stockton requested that the Applicant explain the business plan. Emily Todino, Applicant representative and owner, addressed the Commission. Todino's Pizza was family

restaurant which had been open for sixteen (16) months. The restaurant was open until 10:00 p.m. from Sunday through Thursday, and was open until 11:00 p.m. on Friday and Saturday. The application was for a beer and wine license which would be a nice addition to the menu. The restaurant offers its full menu and a buffet on Friday through Sunday.

Commissioner Stockton questioned the Applicant's experience with a liquor license. Ms. Todino informed the Commission that her mother-in-law had experience with a liquor license. She operated a restaurant which offered alcohol and one which had not. She currently manages Todino's. Her mother-in-law and brother-in-law managed the restaurant four (4) days during the week. Ms. Todino managed the restaurant on the week ends. She restated that Todino's was a family restaurant.

Commissioner Buchanan stated that he had stopped by the restaurant and peeked in the window as Todino's was not open. He noted that the seating for patrons must be in the back. Ms. Todino informed the Commission that there was seating for 185. Todino's opens for business at 11:00 a.m.

Commissioner Buchanan questioned the church family sign. Ms. Todino informed the Commission that Todino's hosted a nondenominational friends and family fellowship meeting on Wednesday and Sunday. This service is provided as a courtesy and no money changes hands. Hannah Eisner, Deputy Corporation Counsel, informed the Commission that there was no conflict with the City Code as this service is not the principal business. Commissioner Stockton expressed his opinion that the service could be viewed as a positive.

Commissioner Stockton questioned if there would be any entertainment. Ms. Todino responded negatively to live bands and dancing.

Based on the above, the Liquor Commission recommends to the City Council that an RBS liquor license for Emily and Paul Todino, d/b/a Todino's Pizza, located at 4109 E. Oakland Ave., Unit B, be created, contingent upon compliance with all applicable health and safety codes.

Respectfully,

Stephen F. Stockton
Chairman of Liquor Commission

Motion by Alderman Sprague, seconded by Alderman Schmidt that an RBS liquor license for Emily and Paul Todino, d/b/a Todino's Pizza, located at 4109 E. Oakland Ave., Unit B, be created, contingent upon compliance with all applicable health and safety codes.

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

Ayes: Alderman Schmidt, Finnegan, Gibson, Sprague, Matejka and Purcell.

Nays: None.

Motion carried.**The following was presented.**

To: Honorable Mayor and Members of the City Council
From: Staff
Subject: Ordinance Prohibiting the Use of Groundwater as a Potable Water Supply

An Ordinance was passed on February 28, 2005 that prohibited the use of groundwater as a potable water supply in the vicinity of an abandoned gas station at 914 East Oakland Avenue. The Illinois Environmental Protective Agency (IEPA) requires passage of this type of Ordinance as a condition for issuance of a "No Further Remediation" letter for the clean up of contaminated sites.

The Ordinance passed did not include all of the effected area. In order to correct this problem, the original Ordinance must be repealed and a new Ordinance passed. Staff respectfully requests that Council repeal Ordinance 2005-15 and the new Ordinance be passed to include all of the effected areas.

Respectfully,

Hannah R. Eisner
Deputy Corporation Counsel

Tom Hamilton
City Manager

ORDINANCE NO. 2005 - 59

AN ORDINANCE PROHIBITING THE USE OF GROUNDWATER AS A POTABLE WATER SUPPLY BY THE INSTALLATION OR USE OF POTABLE WATER SUPPLY WELLS OR BY ANY OTHER METHOD

WHEREAS, certain properties in the City of Bloomington, Illinois have been used over a period of time for commercial/industrial purposes; and

WHEREAS, because of said use, concentrations of certain chemical constituents in the groundwater beneath the City may exceed Class I groundwater quality standards for potable resource groundwater as set forth in 35 Illinois Administrative Code 620 or Tier 1 residential remediation objectives as set forth in 35 Illinois Administrative Code 742; and

WHEREAS, the City of Bloomington desires to limit potential threats to human health from groundwater contamination while facilitating the redevelopment and productive use of properties that are the source of said chemical constituents.

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

SECTION 1: Use of groundwater as a potable water supply prohibited. Except for such uses or methods in existence before the effective date of this ordinance, the use or attempted use of groundwater as a potable water supply by the installation or drilling of wells or by any other method, including at points of withdrawal by the City of Bloomington, is hereby prohibited within the area described below and shown on Exhibit A, which is attached hereto and incorporated herein by reference.

PROHIBITED AREAS FOR GROUNDWATER AS POTABLE WATER SUPPLY

Using Metric State Plane Coordinates in the Illinois East Zone using Nad 83 format:

Vertice Points	Northing	Easting
1	422915.54	244799.87
2	422920.77	244952.15
3	422829.18	244800.93
4	422834.07	244953.89

SECTION 2: Penalties. Any person violating the provisions of this ordinance shall be subject to a fine of not less than \$50.00 nor more than \$100.00 for each violation. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

SECTION 3: Definitions.

Person is any individual partnership, co-partnership, firm, company, limited liability company, corporation, association, joint stock company, trust, estate, political subdivision, or any other legal entity, or their legal representatives, agents or assigns.

Potable water is any water for human or domestic consumption, including, but not limited to, water used for drinking, bathing, swimming, washing dishes, or preparing foods.

SECTION 4: Repealer. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed insofar as they are in conflict with this ordinance.

SECTION 5: Severability. If any provision of this ordinance or its application to any person or under any circumstances is adjudged invalid, such adjudication shall not affect the validity of the ordinance as a whole or of any portion not adjudged invalid.

SECTION 6: Effective date. This ordinance shall be in full force and effect from and after its passage.

PASSED this 27th day of June, 2005.

APPROVED this 28th day of June, 2005.

APPROVED:

STEPHEN F. STOCKTON
Mayor

ATTEST:

TRACEY COVERT
City Clerk

Motion by Alderman Sprague, seconded by Alderman Schmidt that Ordinance No. 2005-15 be repealed and the new Ordinance be passed.

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

Ayes: Alderman Schmidt, Finnegan, Gibson, Sprague, Matejka and Purcell.

Nays: None.

Motion carried.

The following was presented.

June 27, 2005

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To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Ordinance Authorizing the Acquisition of an Easement across 609 W. Hamilton Road through Eminent Domain

The City needs to acquire an easement across the south ten feet of the property at 609 W. Hamilton Road to install a sanitary sewer main. The sewer is being installed as part of the Hamilton Road/Morris Avenue Road improvement project. It will allow the City to provide sewer service to this and other properties along Hamilton Road and Morris Avenue that do not currently have sewer. This property is owned by Bryan Cox, and is improved with a single family home that is not currently served by City sewer.

Staff had the easement interest appraised and offered Mr. Cox \$3,350 in accordance with the appraiser's findings. The offer was extended on April 4, 2005, with no response to date. Prior to making contact with individual property owners, staff held an informational meeting with the homeowners at Prairie Vista Golf Course on March 21, 2005. Mr. Cox did not attend that meeting.

Staff has attempted to contact Mr. Cox by phone, and mailed follow up letters with no results. The City must obtain this easement in order to install this sanitary sewer main. Although staff is always hopeful that an agreement can be reached, the City will most likely have to use its power of eminent domain to acquire this easement.

An Ordinance must be passed authorizing the use of eminent domain as a prerequisite for instituting condemnation proceedings. Staff will continue to try to make contact with Mr. Cox, however, respectfully recommend that the Ordinance be passed.

Respectfully,

Hannah Eisner
Deputy Corporation Counsel

Tom Hamilton
City Manager

ORDINANCE NO. 2005 - 60**ORDINANCE AUTHORIZING THE ACQUISITION OF A PERMANENT AND TEMPORARY EASEMENTS FOR CONSTRUCTION OF A SANITARY SEWER**

WHEREAS, the City of Bloomington plans to construct a sanitary sewer along the north right of way of West Hamilton Road as shown on Plans for Proposed Street Improvements Surface Transportation Urban Program City of Bloomington, Illinois City Section 93-00295-02-PV Hamilton Road - F.A.U. Rte. 6371 Morris Avenue on file in the Engineering Department at the City of Bloomington; and

WHEREAS, the City of Bloomington cannot construct the sanitary sewer within the existing road right of way and the City of Bloomington must acquire permanent and temporary easements from persons who own property adjacent to the right of way to do so.

NOW, THEREFORE BE IT ORDAINED by the City Council for the City of Bloomington, Illinois.

SECTION 1. That it is hereby determined that the sanitary sewer should be constructed as shown on Plans for Proposed Street Improvements Surface Transportation Urban Program City of Bloomington, Illinois City Section 93-00295-02-PV Hamilton Road - F.A.U. Rte. 6371 Morris Avenue on file in the Engineering Department at the City of Bloomington for the use and benefit of the public and that acquisition of easements from persons who own property within the project area is necessary to construct sanitary sewer as planned.

SECTION 2. That is hereby determined that it is necessary and desirable for the City of Bloomington to acquire a permanent easement across the following described real property which said easement is required and needed for construction of the sanitary sewer as previously described:

That part of Lot 1 and the west 25 feet of Lot 2 in Koehler Subdivision, McLean County, Illinois, recorded as Document Number 48606; described as follows with bearings being used referring to a local assumed datum: Beginning at the southwest corner of the above described Lot 1; thence along the westerly line of said Lot 1, North 00°-08'-45" West 10.00 feet; thence South 89°-59'-42" East 106.82 feet, to the east line of the west 25 feet of Lot 2 of the above described Koehler Subdivision; thence along said east line, South 00°-36'-19" East 10.00 feet, to the southerly line of aforesaid Lot 2; thence along the southerly line of said Lot 1 and Lot 2, North 89°-59'-42" West 106.90 feet, to the Point of Beginning, containing 0.025 of an acre, more or less.

SECTION 3. That is hereby determined that it is necessary and desirable for the City of Bloomington to acquire a temporary easement across the following described real property which said easement is necessary, required and needed for construction of the sanitary sewer as previously described:

That part of Lot 1 and the west 25 feet of Lot 2 in Koehler Subdivision, McLean County, Illinois, recorded as Document Number 48606; described as follows with bearings being used referring to a local assumed datum: Commencing at the southwest corner of the above described Lot 1; thence along the westerly line of said Lot 1, North 00°-08'-45" West 10.00 feet, to the Point of Beginning; thence continuing along said westerly line North 00°-08'-45" West 7.00 feet; thence South 89°-59'-42" East 106.77 feet, to the east line of the west 25 feet of Lot 2 of the above described Koehler Subdivision; thence along said east line, South 00°-36'-19" East 7.00 feet; thence North 89°-59'-42" West 106.82 feet, to the Point of Beginning, containing 0.017 of an acre, more or less.

SECTION 4. That the Corporation Counsel, his or her staff and any attorney retained to represent the City of Bloomington for this purpose be and hereby are authorized, empowered and directed to negotiate for and on behalf of the City of Bloomington with the owner or owners of the herein above described real property for the acquisition of an easement thereon by the City of Bloomington.

SECTION 5. In the event that the City of Bloomington is unable to agree with the owner or owners of said property as to the compensation to be paid for the permanent and temporary easement, then said easements as legally described in Sections 2 and 3 of this Ordinance shall be acquired by the City of Bloomington through condemnation and the Corporation Counsel, his or her staff and any attorney retained to represent the City of Bloomington for this purpose are hereby authorized, empowered and directed to institute proceedings in any court of competent jurisdiction to acquire such permanent and temporary easements for the City of Bloomington in accordance with the eminent domain laws of the State of Illinois.

SECTION 5. This Ordinance shall take effect and be in full force from and after its passage.

PASSED this 27th day of June, 2005.

APPROVED this 28th day of June 2005.

APPROVED:

STEPHEN F. STOCKTON
Mayor

ATTEST:

TRACEY COVERT
City Clerk

Alderman Purcell questioned this item. Tom Hamilton, City Manager, noted that City staff has attempted to speak with Bryan Cox, property owner. Mr. Cox has not answered his telephone nor responded to the City's letters. Alderman Purcell questioned if the property was needed for the Hamilton Rd. Project. Mr. Hamilton responded

affirmatively. Public meetings were held. The City had made Mr. Cox an offer. Now the courts will force the sale.

Motion by Alderman Sprague, seconded by Alderman Schmidt that the Ordinance be passed.

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

Ayes: Alderman Schmidt, Finnegan, Gibson, Sprague, Matejka and Purcell.

Nays: None.

Motion carried.

The following was presented.

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Housekeeping Budget Amendments

State statutes require that the City not exceed in any individual fund than appropriated in the budget for that fiscal year. Every year staff prepares a list of "Housekeeping" budget amendments wherein line items are adjusted as needed to ensure being within the requirements, as well as adjusting line items for other technical reasons.

Inevitably some lines items go over budget each year which require "housekeeping" budget amendments at year end. These budget amendments deal only with technical adjustments, and rather than constantly amend these items during the year, the amendments are made year end, and only for those items needed. These amendments do not include funds where expenditures were less than budgeted.

Necessary adjustments to items include purchases or projects (such as grants) that were approved in midyear but not budgeted. Projects approved after the budget was published, unforeseen circumstances (such as retirements of specific personnel and unfunded mandates) and emergencies requiring expenditures that were not budgeted. Payouts for items from previous years, thus throwing off the expected budgeted outlay, plain errors in budgeting, wherein projected expenses were exceeded, or simply a typo in the official budget.

Staff respectfully requests that the Housekeeping Budget Amendments be approved, and the Ordinance passed.

June 27, 2005

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Respectfully,

Brian J. Barnes
Finance Director

Tom Hamilton
City Manager

ORDINANCE NO 2005 - 61**AN ORDINANCE AMENDING THE BUDGET ORDINANCE
FOR THE FISCAL YEAR ENDING APRIL 30, 2005**

Whereas on April 26, 2004 by Ordinance Number 2004-28, the City of Bloomington passed a Budget and Appropriation Ordinance for the Fiscal Year Ending April 30, 2005, which Ordinance was approved by Mayor Judy Markowitz on April 27, 2004; and

Whereas a budget amendment is needed as detailed below.

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

Section One: Ordinance Number 2004-28 (the Budget and Appropriation Ordinance for the Fiscal Year Ending April 30, 2005) is further hereby amended by inserting the following line items and amounts in the appropriate place in said Ordinances:

Line Item	Budget	Before Amendment	After Amendment
2070 20700 74020	Board of Elections	\$25,000	\$77,000
To McLean County - Many line items were over, mostly health insurance, printing, furniture and this transfer cost. This amendment covers the total amount for the Fund.			
2090 20900 72130	Drug Enforcement Fund	\$0	\$32,000
Capital Outlay Licensed Vehicles - Many line items were over, mostly supplies and capital equipment cost. This amendment covers the total amount for the Fund.			
2230 22300 80150	Res. Rehabilitation Tax Fund	\$0	\$79,500
Transfer to Fixed Asset Replacement Fund - Transfers made larger than were previously anticipated.			
2240 22430 79020	Community Devl. Fund	\$129,833	\$185,800
Loans - Higher than anticipated activity.			
2710 27100 80920	Task Force 6 Fund	\$0	\$50,000
To Task Force 6 Grant Fund- Unbudgeted transfer out.			
2810 28100 79990	Task Force 6 Federal Grant Fund	\$0	\$22,000
Other Miscellaneous Expense- Unbudgeted grant related activity.			
3030 30300 73160	Market Square TIF Bond Redemption	\$250,000	\$3,500,000
Principal - Bonds were refinanced to save interest cost.			
3040 30400 80230	Central Bloomington TIF Bond Redemption	\$0	\$34,485

To Central Bloomington TIF Development -- Technical adjustment to close out older debt service fund.

3060 30600 73597	Arena Bond Bond Redemption	\$0	\$926,566
Interest -- Amount of payments were unknown at the time of budgeting last year.			
3062 30620 73598	Multi-Project Bond Bond Redemption	\$0	\$133,510
Interest -- Amount of payments were unknown at the time of budgeting last year.			
4010 40100 72570	Capital Improvements Fund	\$330,000	\$430,000
Park Const. and Improvements - Extra parks work.			
4040 40400 72570	Southeast Development Fund	\$0	\$150,000
Park Const. and Improvements - Completion of park work to close out old bond fund.			
4070 40720 72620	Arena Capital Project Fund	\$19,856,000	\$27,049,787
Other Capital Improvements - Project encumbered faster than anticipated.			
4075 40750 72620	Public Ice Rink Capital Projects Fund	\$2,960,000	\$4,690,612
Other Capital Improvements - Project encumbered faster than anticipated.			
4080 40800 72620	Cultural Dist. Capital Projects Fund	\$1,700,000	\$12,000,000
Other Capital Improvements - Project encumbered faster than anticipated.			
4090 40900 72190	Library Expansion Project Fund	\$0	\$212,000
Other Capital Outlay - Project started faster than anticipated.			
5050 50500 72540	IEPA Loan Disbursement Fund	\$3,000,000	\$3,802,000
Watermain Const. and Improvement - New pipeline project proceeded faster than budgeted.			
5230 52300 72120	Sewer Fixed Asset Repl. Fund	\$0	\$25,000
Capital Outlay office and Computer Equipment - Unbudgeted purchase.			
5410 54100 61100	Parking and Maintenance Operation Fund	\$216,000	\$239,780
Full time salaries - Reallocated salaries to help balance Lincoln Lot budget.			
5420 54200 72140	Parking Fixed Asset Repl. Fund	\$34,000	\$92,000
Capital Equipment Non office - Purchased equipment for Market Street Lot hourly parking capability.			
5440 54400 72620	West Side Parking Facility Projects Fund	\$2,800,000	\$3,063,000
Other Capital Improvements - Project encumbered faster than anticipated.			

5610 56100 70220	U.S. Cellular Coliseum Operating Fund	\$0	\$952,000
Other Professional and Technical Services - Starting costs began midyear.			
5620 56200 72140	U.S. Cellular Coliseum Fixed Asset Fund	\$0	\$828,000
Capital Equipment Non-Office - Starting costs began midyear.			
7020 70200 79030	Flex Cash Fund	\$141,000	\$255,000
Flex Cash -- Medical - Higher than anticipated activity.			
7030 70300 80120	Park Dedication Fund	\$0	\$1,066,000
Transfer To Capital Improvements - Higher than anticipated activity.			
7040 70400 80270	Detention Basin Fund	\$513,071	\$542,000
Transfer to Storm Water Depreciation - Transfer to close out old fund and transfer balance to the new Storm Water Utility.			

Section Two: Except as provided for herein, Ordinance Number 2004-28 shall remain in full force and effect, provided, that any budgeted or appropriated amounts which are changed by reason of the amendments made in Section One of this Ordinance shall be amended in Ordinance Number 2004-28.

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

PASSED this 27th day of June, 2005.

APPROVED this 28th day of June, 2005.

APPROVED:

STEVE STOCKTON
Mayor

ATTEST:

TRACEY COVERT
City Clerk

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

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

Ayes: Alderman Schmidt, Finnegan, Gibson, Sprague, Matejka and Purcell.

Nays: None.

Motion carried.

The following was presented.

To: Honorable Mayor and Members of the City Council
From: Staff
Subject: Amend Ordinance to Allow for Yearly Police Candidate Examinations

Staff wishes to amend Subsection (d) of Chapter 2, Section 63 of the Bloomington City Code, 1960 to change the procedure for hiring Police Officers. Currently the Police Department tests every two years for new hires. Staff requests permission to test annually as candidates on the eligibility list are often unavailable for hiring as they have taken advantage of other employment.

Staff also requests that the Board of Fire and Police Commissioners have the ability to interview candidates in initial groups of 15, followed by subsequent groups of 10. Currently, candidates are interviewed in initial groups of 20 and subsequent groups of 20. This change will allow for smaller groups providing the ability to conduct background investigations and oral interviews in a more timely manner. The outcome should be fewer candidates seeking other employment before the entire process is completed.

Staff respectfully requests that Council approve the amendment and that the Ordinance be passed.

Respectfully,

Roger J. Aikin
Chief of Police

Tom Hamilton
City Manager

ORDINANCE NUMBER 2005 - 62

**AN ORDINANCE AMENDING CHAPTER 2, SECTION 63 OF
THE BLOOMINGTON CITY CODE TO PERMIT ANNUAL
TESTING FOR POLICE OFFICER INITIAL HIRES
AND TO PERMIT INTERVIEWING OF POLICE CANDIDATES
IN POOLS OF 15 AND 10**

WHEREAS, the City of Bloomington, acting through its Board of Fire and Police Commissioners, currently tests entry-level candidates seeking to be hired as Police Officers for the City every two years; and

WHEREAS, the Board of Fire and Police Commissioners is requesting the City for authority to test candidates seeking employment as Bloomington Police Officers on an annual basis, since candidates on a biannual list sometimes become unavailable for hiring because such candidates have taken advantage of other employment opportunities; and

WHEREAS, the Board of Fire and Police Commissioners is also requesting the ability to interview candidates for Bloomington Police Officers in initial groups of 15, followed by subsequent groups of 10; and

WHEREAS, such changes to the hiring process for entry-level police officers requires the exercise of authority granted to the City of Bloomington by Article VII, Section 6 of the 1970 Illinois Constitution; and

WHEREAS, such changes to the City's hiring procedures for entry-level police officers is in the best interests of the citizens of the City of Bloomington.

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

Section One: Subsection (d) of Chapter 2, Section 63 of the Bloomington City Code, 1960, as amended, is further amended as follows (additions are shown by underlining; deletions are shown by strikeouts):

(d) Rules. Such Board of Commissioners shall make such rules and make such appointments and removals except those herein reserved to the City Manager in ~~Chapter 24, Article 14, of the Revised Cities and Villages Act, the Illinois Municipal Code (65 ILCS 5/1-1-1, et seq.),~~ as amended. The Board is authorized to prepare an interim Register of Eligibles of candidates for original appointment to the Police and Fire Departments. Except as otherwise set forth in this Section, the Board shall continue to follow the procedures for original appointments to the Fire and Police Departments set forth in the Illinois Municipal Code.

(1) Fire Department ~~This~~ The interim Register of Eligibles for the Fire Department will distinguish between the 25 candidates who have obtained the highest combined scores for all tests administered by the Board prior to background investigation and oral interviews, and all other

candidates. The Board shall then proceed to conduct background investigations and oral interviews with such 25 candidates and prepare a Register of Eligibles placing such 25 candidates in rank order. After 20 appointments have been made from the Register of Eligibles, the Board shall proceed to conduct background investigations and oral interviews on the next 20 remaining candidates who have obtained the highest combined scores for all tests administered by the Board prior to background investigation and oral interviews and shall prepare a new Register of Eligibles based on such additional testing. The rank order of the new Register of Eligibles shall not give priority to those candidates on the first Register unless the total combined scores of such candidates justify such priority. The procedure shall continue to be followed after every 20 appointments until no candidates remain to be hired from a Register of Eligibles or until the expiration of two years from the date the original Register of Eligibles was approved by the Board, whichever occurs first.

(2) Police Department The interim Register of Eligibles for the Police Department will distinguish between the 15 candidates who have obtained the highest combined scores for all tests administered by the Board prior to background investigation and oral interviews, and all other candidates. The Board shall then proceed to conduct background investigations and oral interviews with such 15 candidates and prepare a Register of Eligibles placing such 15 candidates in rank order. After 10 appointments have been made from the Register of Eligibles, the Board shall proceed to conduct background investigations and oral interviews on the next 10 remaining candidates who have obtained the highest combined scores for all tests administered by the Board prior to background investigation and oral interviews and shall prepare a new Register of Eligibles based on such additional testing. The rank order of the new Register of Eligibles shall not give priority to those candidates on the first Register unless the total combined scores of such candidates justify such priority. The procedure shall continue to be followed after every 10 appointments until no candidates remain to be hired from a Register of Eligibles or until the expiration of one year from the date the original Register of Eligibles was approved by the Board, whichever occurs first.

~~Except for the manner set forth above, the Board shall continue to follow the procedures for original appointments to the Fire and Police Departments set forth in the Illinois Municipal Code (Ill. Rev. Stat. ch. 24, Par. 10-2.1-1, et seq.).~~

Section Two: Except as provided in this Ordinance, the Bloomington City Code, 1960, as amended, shall remain in full force and effect.

Section Three: The City Clerk is authorized to publish this ordinance in pamphlet form as provided by law.

Section Four: This ordinance shall go into effect 10 days after the date of its publication.

Passed this 27th day of June, 2005.

Approved this 28th day of June, 2005.

APPROVED: Stephen F. Stockton
Mayor

ATTEST:

Tracey Covert
City Clerk

Motion by Alderman Sprague, seconded by Alderman Schmidt that the Text Amendment be approved and the Ordinance passed.

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

Ayes: Alderman Schmidt, Finnegan, Gibson, 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 PARK Developers and RAB2 Corporation, Requesting Approval of a Building Setback Vacation Plat

A petition has been received from PARK Developers and RAB2 Corporation, requesting Council approval of a Building Setback Vacation Plat for Lot 23 in Eagle View Subdivision. This subdivision is located south of Fort Jesse Road and east of Towanda-Barnes Road.

This plat calls for the vacation of the west 5 feet of the east 30 foot Building Setback of Lot 23 in Eagle View Subdivision, reducing the east building setback to 25 feet. Staff has reviewed the above said Building Setback Vacation Plat and finds it acceptable.

Staff respectfully recommends that Council approve the Petition seeking approval of a Building Setback Vacation Plat for Lot 23 in Eagle View Subdivision, and that an Ordinance be passed.

Respectfully,

Douglas G. Grovesteen
Director of Engineering

Tom Hamilton
City Manager

**PETITION FOR APPROVAL OF BUILDING SETBACK VACATION PLAT OF LOT 23
EAGLE VIEW SUBDIVISION**

STATE OF ILLINOIS)
)ss
COUNTY OF McLEAN)

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

NOW COMES PARK Developers, Inc., an Illinois corporation, and RAB2 Corporation, an
Illinois corporation, hereinafter referred to as your petitioners, respectfully representing and
requesting as follows:

1. That your petitioners are the owners of the freehold estate of the premises hereinafter
described in Exhibit A attached hereto and made a part hereof and made a part hereof by
reference;
2. That your petitioners seek approval of the Building Setback Vacation Plat of Lot 23 Eagle
View Subdivision, Bloomington, Illinois, which Plat is attached hereto and made a part hereof.

Wherefore, your petitioners pray that the Building Setback Vacation Plat of Lot 23 Eagle View
Subdivision submitted herewith be approved with the exemptions or variations as requested
herein.

Respectfully submitted,

PARK Developers, Inc., and RAB 2 Corporation
By: Mercer Turner, their Attorney

STATE OF ILLINOIS)
)SS
McLEAN COUNTY)

I, the undersigned Notary Public in and for said County, in the State aforesaid, do hereby
certify that Mercer Turner, personally known to me to be the same person whose name is
subscribed to the foregoing instrument, appeared before me this day in person and acknowledged
that he signed, sealed and delivered the said instrument as his free and voluntary act for the uses
and purposes therein set forth.

Given under my hand and notarial seal, this 16th day of June, 2005

Tammy R. Keener
Notary Public

ORDINANCE NO. 2005 - 63**AN ORDINANCE APPROVING THE BUILDING SETBACK VACATION PLAT OF
LOT 23 EAGLE VIEW SUBDIVISION**

WHEREAS, there was heretofore filed with the City Clerk of the City of Bloomington, McLean County, Illinois a Petition for approval of the Building Setback Vacation Plat of Lot 23 Eagle View Subdivision, Bloomington, Illinois, legally described in Exhibit A attached hereto and made a part hereof by this reference; and

WHEREAS, said Petition is valid and sufficient and conforms to the requirements of the statutes in such cases made and provided and the Building Setback Vacation Plat of Eagle View Subdivision attached to said Petition was prepared in compliance with the 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 Building Setback Vacation Plat of Lot 23 Eagle View Subdivision is hereby approved.
2. That this Ordinance shall be in full force and effective as of the time of its passage and approval.

PASSED this 27th day of June, 2005.

APPROVED this 28th day of June, 2005.

Stephen F. Stockton
Mayor

ATTEST:

Tracey Covert
City Clerk

EXHIBIT A

The West 5 feet of the East 30 feet of Lot 23 in Eagle View Subdivision in the City of Bloomington, McLean County, Illinois to the plat recorded as Document No. 2004-14929 in the McLean County Recorder's Office, except the South 30 feet thereof.

Motion by Alderman Sprague, seconded by Alderman Schmidt that the Vacation be approved and the Ordinance passed.

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

Ayes: Alderman Schmidt, Finnegan, Gibson, 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 Nova Enterprises, Requesting Approval of a Final Plat for Towanda Barnes Business Park, Sixteenth Addition

A petition has been received from Nova Enterprises, requesting Council approval of a Final Plat for Towanda-Barnes Business Park, Sixteenth Addition. This subdivision is located west of Towanda-Barnes Road, south of Oakland Avenue and north of Ireland Grove Road. The Final Plat is in conformance with the Preliminary Plan approved on June 10, 1996.

The public improvements have been finished, therefore, no performance guarantee is required for this Addition. In addition, per the agreement, there are no tap on fees due from the subdivision.

Staff respectfully recommends that Council approve the Petition and adopt an Ordinance approving the Final Plat for the Towanda-Barnes Business Park, Sixteenth Addition.

Respectfully,

Douglas G. Grovesteen
Director of Engineering

Tom Hamilton
City Manager

PETITION FOR APPROVAL OF A 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 NOVA ENTERPRISES, an Illinois Partnership, 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 described in Exhibit A attached hereto and made a part hereof and made a part hereof by this reference.
2. That your Petitioner seeks approval of the Final Plat for the subdivision of said premises to be known and described as Sixteenth Addition to Towanda-Barnes Business Park, 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.

Wherefore, your Petitioner prays that the Final Plat for the Sixteenth Addition to Towanda Barnes Business Park, Bloomington, Illinois, subdivision submitted herewith be approved with the exemption or variation as requested herein.

Respectfully submitted,

NOVA ENTERPRISES, an Illinois Partnership

By: John Albee
 Gene Shrader
 Glen E. Cenckendorf
 Managing Partners

ORDINANCE NO. 2005 - 64

**AN ORDINANCE APPROVING THE FINAL PLAT OF THE TOWANDA BARNES
BUSINESS PARK 16TH ADDITIONS 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 Towanda Barnes Business Park, 16th Addition 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: 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 the 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 Towanda Barnes Business Park 16th Addition 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 27th day of June, 2005.

PASSED this 27th day of June, 2005.

APPROVED this 28th day of June, 2005.

Stephen F. Stockton
Mayor

ATTEST:

Tracey Covert
City Clerk

EXHIBIT A

A part of the Northeast Quarter of Section 7, Township 23 North, Range 3 East of the Third Principal Meridian, in the City of Bloomington, McLean County, Illinois, described as follows: Beginning at the Southwest Corner of Lot 27 in the Fourteenth Addition to Towanda Barnes Business Park in the City of Bloomington, Illinois, according to the Plat recorded as Document No. 2005-5160 in the McLean County Recorder's Office. From said Point of Beginning, thence north 345.69 feet along the West Line of said Lot 27 and the West Line of Wicker Road in said Fourteenth Addition to the Northwest Corner of Wicker Road, being a point on the South Line of Lot 2 in G.K.C. Theatres Subdivision according to the Plat recorded as Document No. 2002-24698 in said Recorder's Office lying 23.00 feet east of the Southwest Corner thereof; thence west 300.00 feet along the South Line of said Lot 2 and the Westerly Extension thereof which form an angle to the right of 90°-00'-00" with the last described course; thence south 344.14 feet along a line which forms an angle to the right of 90°-00'-00" with the last described course to a point on the South Line of Tract 2 conveyed by Deed recorded as Document No. 92-33913 in said Recorder's Office lying 300.00 feet west of the Point of Beginning; thence east 300.00 feet along the South Line of said Tract 2 which forms an angle to the right of 90°-17'-45" with the last described course to the Point of Beginning, containing 2.375 acres, more or less.

Motion by Alderman Sprague, seconded by Alderman Schmidt 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: Alderman Schmidt, Finnegan, Gibson, 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 Links at Ireland Grove, LLC, Requesting Approval of a Final Plat for the Links at Ireland Grove Road Subdivision

A petition has been received from Links at Ireland Grove Road, LLC, requesting Council approval of a Final Plat for the Links at Ireland Grove Road Subdivision. This subdivision is located south of Ireland Grove Road, and west of Towanda-Barnes Road. The Final Plat is in conformance with the Preliminary Plan.

The public improvements have not been finished, therefore, a performance guarantee is required for this Addition as well as various tap on fees due.

Staff respectfully recommends that Council approve the Petition and adopt an Ordinance approving the Final Plat for the Links at Ireland Grove Road Subdivision, subject to Petitioner posting the necessary performance bond and paying the tap on fees before recording the plat.

Respectfully,

Douglas G. Grovesteen
Director of Engineering

Tom Hamilton
City Manager

PETITION FOR APPROVAL OF A 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 the Links at Ireland Grove Road, LLC, 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 described in Exhibit "A" 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 "The Links at Ireland Grove Road Subdivision, 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 prays that the Final Plat for the "The Links at Ireland Grove Road Subdivision, Bloomington, Illinois, submitted herewith be approved with the exemption or variation as requested herein.

Respectfully submitted,

THE LINKS AT IRELAND GROVE ROAD, LLC
By: William C. Wetzel
Its: Attorney

ORDINANCE NO. 2005 - 65**AN ORDINANCE APPROVING THE FINAL PLAT OF THE LINKS AT IRELAND GROVE ROAD SUBDIVISION BLOOMINGTON, ILLINOIS**

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 Links at Ireland Grove Road Subdivision, Bloomington, Illinois, 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 the 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 "The Links at Ireland Grove Road Subdivision, Bloomington, Illinois 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 27th day of June, 2005.

APPROVED this 28th day of June, 2005.

Stephen F. Stockton
Mayor

ATTEST:

Tracey Covert
City Clerk

EXHIBIT A

A part of the North half of Lot 1 of the Northwest Quarter of section 18 and a part of the West Half of the Northeast Quarter of Section 18, Township 23 North, Range 3 East of the Third Principal Meridian, in the City of Bloomington, McLean County, Illinois, described as follows: Beginning at a point on the East Line of the West Half of the Northeast Quarter of said Section 18 lying 53.49 feet south of the Northeast Corner thereof, said Point being on the South Right-of-Way Line of Ireland Grove Road in the City of Bloomington, Illinois, which line is also the South Line of a parcel of land taken by the Bloomington-Normal Airport Authority by Decree of Condemnation entered in the Circuit Court of McLean County, Illinois, in the Case No. 92 ED 7 on August 5, 1992, in McLean County, Illinois. From said Point of Beginning, thence south 376.84 feet along said East Line; thence west 210.00 feet along a line which forms an angle to the left of $90^{\circ}-00'-00''$ with the last described course; thence north 16.00 feet along a line which forms an angle to the left of $90^{\circ}-00'-00''$ with the last described course; thence west 470.00 feet along a line which forms an angle to the left of $270^{\circ}-00'-00''$ with the last described course; thence south 1700.16 feet along a line which is parallel with the East Line of the West Half of the Northeast Quarter of said Section 18 and which forms an angle to the left of $270^{\circ}-00'-00''$ with the last described course; thence east 680.00 feet along a line which forms an angle to the left of $270^{\circ}-00'-00''$ with the last described course to a point on the East Line of the West Half of the Northeast Quarter of said Section 18 lying 2061.00 feet south of the Point of Beginning; thence south 472.13 feet along said East Line which forms an angle to the left of $90^{\circ}-00'-00''$ with the last described course to a point on the North Line of the Railroad Easement contained in the Agreement dated October 2, 1869 and recorded April 10, 1926 as Document No. 14268 in Deed Book 379, Page 8, in the McLean County Recorder's Office lying 74.21 feet north of the Southeast Corner of the West Half of the Northeast Quarter of said Section 18; thence west 1324.06 feet along the North Line of said Railroad Easement, which line is 50 feet normally distant north of and parallel with the Centerline of the Norfolk Southern Railway Company's Main Track and forms an angle to the left of $89^{\circ}-53'-36''$ with the last described course to a point on the West Line of the Northeast Quarter of said Section 18 lying 80.89 feet north of the Southwest Corner of said Northeast Quarter; thence north 1252.89 feet along the West Line of said Northeast Quarter, which line is also the East Line of Lot 1 in the Northwest Quarter of said Section 18 and forms an angle to the left of $90^{\circ}-17'-45''$ with the last described course to the Southeast Corner of the North Half of said Lot 1; thence west 925.80 feet along the South Line of the North Half of said Lot 1 which forms an angle to the left of $270^{\circ}-03'-16''$ with the last described course to a Point lying 400.00 feet east of the Southwest Corner of the North Half of said Lot 1; thence north 980.88 feet along a line which forms an angle to the left of $89^{\circ}-45'-23''$ with the last described course; . thence northwest 60.21 feet along a line which forms an angle to the left of $184^{\circ}-45'-49''$ with the last described course; thence north 237.23 feet along a line which forms an angle to the left of $175^{\circ}-14'-11''$ with the last described course to a point on the South Line of said Parcel taken by Decree of Condemnation; thence southeast 328.83 feet along said South Line and said South Right-of-Way Line of Ireland Grove Road, which form an angle to the left of $88^{\circ}-42'-10''$ with the last described course; thence northeast 200.56 feet along said South Line and said South Right-of-Way Line which form an angle to the left of $185^{\circ}-43'-17''$ with the last described course; thence east 400.00 feet along said South Line and said South Right-of-Way Line which form an angle to the left of

175°-42'-38" with the last described course; thence east 600.08 feet along said South Line and said South Right-of-Way Line which form an angle to the left of 179°-02'-43" with the last described course; thence east 700.00 feet along said South Line and said South Right-of-Way Line which form an angle to the left of 180°-57'-17" with the last described course; thence northeast 30.30 feet along said South Line and said South Right-of-Way Line which form an angle to the left of 182°-51'-45" with the last described course to the Point of Beginning, containing 77.857 acres, more or less. This property has been subdivided into nine lots, numbered 301, 302 and 304 through 310, inclusive, one outlot, numbered 303, the streets and easements as shown. Said Subdivision is to be known as "The Links at Ireland Grove Road Subdivision" in the City of Bloomington, McLean County, Illinois.

Motion by Alderman Sprague, seconded by Alderman Schmidt 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: Alderman Schmidt, Finnegan, Gibson, 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 Links at Ireland Grove, LLC, Requesting Approval of a Final Plat for the Dunraven Subdivision

A petition has been received from Links at Ireland Grove Road, LLC, requesting Council approval of a Final Plat for the Dunraven Subdivision. This subdivision is located south of Ireland Grove Road, and west of Towanda-Barnes Road. The Final Plat is in conformance with the Preliminary Plan.

The public improvements have not been finished, therefore a performance guarantee is required for this Addition, as well as various tap on fees due.

Staff respectfully recommends that Council approve the Petition and adopt an Ordinance approving the Final Plat for the Dunraven Subdivision, subject to the Petitioner posting the necessary performance bond and paying the tap on fees before recording the plat.

Respectfully,

Douglas G. Grovesteen
Director of Engineering

Tom Hamilton
City Manager

PETITION FOR APPROVAL OF A 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 The Links at Ireland Grove Road, LLC, 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 described in Exhibit "A" 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 "Dunraven Subdivision, 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 prays that the Final Plat for the "Dunraven Subdivision, Bloomington, Illinois, submitted herewith be approved with the exemption or variation as requested herein.

Respectfully submitted,

THE LINKS AT IRELAND GROVE ROAD, LLC

By: William C. Wetzel
Its: Attorney

ORDINANCE NO. 2005 - 66**AN ORDINANCE APPROVING THE FINAL PLAT OF DURNAVEN SUBDIVISION
BLOOMINGTON, ILLINOIS**

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 "Dunraven Subdivision, Bloomington, Illinois", 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 the 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 "Dunraven Subdivision, Bloomington, Illinois" 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 27th day of June, 2005.

APPROVED this 28th day of June, 2005.

Stephen F. Stockton
Mayor

ATTEST:

Tracey Covert
City Clerk

EXHIBIT A

A part of the West Half of the Northeast Quarter of Section 18, Township 23 North, Range 3 East of the Third Principal Meridian, in the City of Bloomington, McLean County, Illinois, described as follows: Beginning at the Southwest Corner of Lot 301 in the Links at Ireland Grove Road Subdivision in the City of Bloomington, Illinois. From said Point of Beginning, thence west 60.00 feet along the South Line of Glenbridge Road in said Subdivision to the Southwest Corner thereof; thence north 16.00 feet along the West Right-of-Way Line of said Glenbridge Road which forms an angle to the right of 270°-00'-00" with the last described course to the South Right-of-Way Line of Ballybunion Road in said Subdivision; thence west 470.00 feet along said South Right-of-Way Line which forms an angle to the to the right of 90°-00'-00" with the last described course to the Northeast Corner of Lot 10 in said Subdivision; thence south 907.00 feet along the East Line of said Lot 10 which forms an angle to the right of 90°-00'-00" with the last described course; thence east 180.00 feet along a line which forms an angle to the right of 90°-00'-00" with the last described course; thence north 3.00 feet along a line which forms an angle to the right of 90°-00'-00" with the last described course; thence east 120.00 feet along a line which forms an angle to the right of 270°-00'-00" with the last described course; thence south 6.00 feet along a line which forms an angle to the right of 270°-00'-00" with the last described course; thence east 230.00 feet along a line which forms an angle to the right of 90°-00'-00" with the last described course to a point lying 150.00 feet normally distant west of the East Line of the West Half of the Northeast Quarter of said Section 18 and 894.00 feet south of the Point of Beginning; thence north 894.00 feet along a line parallel with said East Line and which forms an angle to the right of 90°-00'-00" with the last described course to the Point of Beginning, containing 11.02 acres, more or less.

Motion by Alderman Sprague, seconded by Alderman Schmidt 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: Alderman Schmidt, Finnegan, Gibson, 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 Links at Ireland Grove, LLC, Requesting Approval of a Final Plat for the Dunraven PUD

A petition has been received from Links at Ireland Grove Road, LLC, requesting Council approval of a Final Plat for the Dunraven PUD. This development is located south of Ireland Grove Road, and west of Towanda-Barnes Road. The Final Plat is in conformance with the Preliminary Plan. There are various tap on fees due from this development.

Staff respectfully recommends that Council approve the Petition and adopt an Ordinance approving the Final Plat for the Dunraven PUD, subject to Petitioner paying the tap on fees before recording the plat.

Respectfully,

Douglas G. Grovesteen
Director of Engineering

Tom Hamilton
City Manager

**PETITION FOR APPROVAL OF A FINAL PLAT FOR A PLANNED UNIT
DEVELOPMENT**

STATE OF ILLINOIS)
)ss
COUNTY OF McLEAN)

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

NOW COMES The Links at Ireland Grove Road, LLC, 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 described in Exhibit "A" attached hereto and made a part hereof by this reference;
2. That your Petitioner seeks approval of the Final Plat for a Planned Unit Development on said premises to be known and described as "Dunraven PUD", 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.

Wherefore, your Petitioner prays that the Final Plat for said Planned Unit Development submitted herewith be approved.

Respectfully submitted,

THE LINKS AT IRELAND GROVE ROAD, LLC
By: William C. Wetzel, Its: Attorney

ORDINANCE NO. 2005 - 67

AN ORDINANCE APPROVING THE FINAL PLAT OF DURNAVEN P.U.D.

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 for “Dunraven PUD”, as legally described in said Petition; 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.

WHEREAS, said Petition is valid and sufficient and conforms to the requirements of the statutes and the Final Plat attached to said Petition was prepared in compliance with the 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 Final Plat of the “Dunraven PUD” be and the same is hereby approved.
2. That this Ordinance shall be in full force and effect as of the time of its passage and approval this 27th day of June, 2005.

Stephen F. Stockton
Mayor

ATTEST:

Tracey Covert
City Clerk

EXHIBIT A

A part of the West Half of the Northeast Quarter of Section 18, Township 23 North, Range 3 East of the Third Principal Meridian, in the City of Bloomington, McLean County, Illinois, described as follows: Beginning at the Southeast Corner of Lot 301 in the Links at Ireland Grove Road Subdivision in the City of Bloomington, Illinois. From said Point of Beginning, thence west 150.00 feet along the South Line of said Lot 301 to the Southwest Corner thereof, said Southwest Corner being on the East Right-of-Way Line of Glenbridge Road in Dunraven Subdivision in the City of Bloomington, Illinois; thence south 883.88 feet along the East Right-of-Way Line of said Glenbridge Road which forms an angle to the right of 90°-00'-00” with the last described course to a point lying 10.12 feet north of the Southeast Corner of said Glenbridge Road; thence east 150.00 feet along a line which forms an angle to the right of 90°-00'-00” with the last described course to a point on the East Line of the West Half of the Northeast Quarter of said Section 18 lying 883.88 feet south of the Point of Beginning; thence

north 883.88 feet along said East Line which forms an angle to the right of 90°-00'-00" with the last described course to the Point of Beginning, containing 3.04 acres more or less.

Motion by Alderman Sprague, seconded by Alderman Schmidt 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: Alderman Schmidt, Finnegan, Gibson, 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 submitted by Roger Ehlers and Betty Ehlers requesting approval of the Final Plat of the Ehlers Subdivision at 306 and 308 North Clinton Street (Ward 6) with the following waivers: 1.) waiver of the Preliminary Plan requirements; 2.) waiver of the fee in lieu of providing storm water detention; 3.) waiver of park dedication or fee in lieu thereof; and 4.) waiver of the minimum lot area requirement (Case FS-02-05)

BACKGROUND INFORMATION:

Adjacent Zoning

north - R-2 Mixed Residence District
south - B-1 Highway Business District
east - B-1 Highway Business District
west - B-1 Highway Business District

Adjacent Land Uses

north - single family dwelling
south - vacant used car lot
east - beauty shop
west - single family dwellings

Present Zoning: B-1 Highway Business District.

Comprehensive Plan: recommends " Neighborhood Commercial " use for this property.

This land is presently one lot of record that the Petitioners wish to subdivide into two lots so that these two addresses can be sold as separate lots. A dry cleaner is operating at 306 N. Clinton St. and 308 N. Clinton St. is the site of a tire retailer. The Petitioners are requesting the following waivers from the Bloomington Land Subdivision Code:

- 1.) waiver of the Preliminary Plan requirements;
- 2.) waiver of the fee in lieu of providing storm water detention;

- 3.) waiver of park dedication or fee in lieu thereof; and
- 4.) waiver of the minimum lot area requirement

The requested waiver of the Preliminary Plan requirement is appropriate for this simple two lot, 0.1584 acre subdivision, that does not require installation of any infrastructure improvements to be dedicated to the City. The requested waiver of the fee in lieu of providing storm water detention should not be granted, and the petitioners should pay a minimum of \$850 storm water detention fee for one half of an acre based on \$1,700 per acre.

The waiver of park dedication or fee in lieu thereof should be granted until the property in question is ever occupied by a residential use. The waiver of the minimum lot area requirement is unnecessary since the floor area of the existing buildings do not occupy more than 50% of the lot area of the lots that they are located on.

PLANNING COMMISSION PUBLIC HEARING:

The Planning Commission held a public hearing on this petition on June 8, 2005 and recommends the same. Mr. J. Michael Grosso, Attorney at Law, 1400 S. Morris Avenue, stated that he represents the applicants, the applicants are aware of the City staff's report, have no problems with it, and will pay the storm water detention fee.

Mr. Kenneth Emmons, City Planner, had previously reported a \$269.28 storm water fee calculated on the property's actual acreage (0.1584 of an acre). Mr. Doug Grovesteen, Director of Engineering, corrected that determination and stated that the City's policy is to require a fee based on a minimum of one-half acre using \$1,700 per acre. Chairperson Cain inquired if it would make a difference that the fee is \$850 instead of \$269.28 as originally stated. Mr. Grosso replied that it was his expectation that the Petitioners would be willing to pay whichever fee is required. He also stated that his clients propose to sell one of the lots.

No other testimony was presented in favor of or in opposition to this petition at this public hearing.

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission closed the public hearing on this petition on June 8, 2005, and passed a motion by a vote of 8 to 0 recommending Council approval of the Final Plat in Case FS-02-05 with waivers for 1.) the Preliminary Plan requirements and 2.) parkland dedication or fee in lieu thereof until such time as the property is ever occupied by a residential use.

STAFF RECOMMENDATION:

The Staff concurs with the Planning Commission recommendation and recommends approval of this Final Plat.

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 Roger Ehlers and Betty Ehlers, hereinafter referred to as your Petitioners respectfully representing and requesting as follows:

1. That your Petitioners are the Owners of the freehold or lesser estate therein of the premises hereinafter described in Exhibit“A” attached hereto and made a part hereof by this reference;
2. That your Petitioners seek approval of the Final Plat for the subdivision of said premises to be known and described as Ehlers Subdivision to the City of Bloomington, Illinois which Final Plat is attached hereto and made a part hereof;
3. That your Petitioners also seek approval of the following exemptions or variations from the provisions of Chapter 24 of the Bloomington City Code, 1960:
 - 1.) Waiver of Preliminary Plan.
 - 2.) Payment of a fee in lieu of providing storm water detention.
 - 3.) A waiver of public park land dedication.
 - 4.) Waiver of minimum area for lot requirement.
 - 5.) Waiver of preliminary plat plan.

Wherefore, your Petitioner prays that the Final Plat for the Ehlers Subdivision to the City of Bloomington, Illinois subdivision submitted herewith be approved with the exemptions or variations as requested herein.

Respectfully submitted,

By: Roger D. Ehlers
Betty Ehlers

ORDINANCE NO. 2005 - 68

AN ORDINANCE APPROVING THE FINAL PLAT OF EHLERS 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 Ehlers Subdivision, legally described in Exhibit "A"; and

WHEREAS, said Petition requests the following exemptions or variations from the provisions of Chapter 24 of the Bloomington City Code - 1960 as amended:

- 1.) Waiver of the Preliminary Plan;
- 2.) Waiver of public parkland dedication or fee in lieu thereof until such time as the property is ever occupied by a residential use; 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 the 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 Final Plat of the Ehlers 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 effect as of the time of its passage and approval this 27th day of June, 2005.

Stephen F. Stockton
Mayor

ATTEST:

Tracey Covert
City Clerk

EXHIBIT A

Lot 1 of Block 2 of William Dimmetts 4th Addition to the City of Bloomington, McLean County, Illinois.

Parcel Identification number: 43-21-04-287-007

Alderman Schmidt questioned the request to waive the Preliminary Plan Tom Hamilton, City Manager, addressed the Council. This Petition was heard before the Planning Commission. A simple subdivision can be handled as an expedited final plat.

Alderman Purcell questioned if an apartment building would be built on this property. Mr. Hamilton noted that the property was small. It would be hard to meet the City's parking requirements. An apartment building is only allowed in the B - 1 Highway Business District by Special Use. He has not heard that the Petitioner plan to change the use of this property.

Motion by Alderman Sprague, seconded by Alderman Schmidt that the Final Plat be approved with the following waivers: 1.) Preliminary Plan requirement, and 2.) waiver of park dedication or fee in lieu thereof until such time as the property is ever occupied by a residential use, and the Ordinance passed.

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

Ayes: Alderman Schmidt, Finnegan, Gibson, 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 submitted by Paul F. Nord and Karen Nord requesting approval of a Special Use Permit to allow Mini-Warehouses at Lots 2 and 3 on the east side of the Business Park at Nord Subdivision in a B-1, Highway Business District southeast of the Illinois Route 9 / Mitsubishi Motorway intersection (Case SP-03-05)

BACKGROUND INFORMATION:

Adjacent Zoning

north: A - Agriculture (County)
south: B-1 - Highway Business
east: M-1 - Manufacturing District
west: B-1 - Highway Business

Adjacent Land Uses

north: vacant lot
south: vacant lot
east: Carrie Scharf PUD
west: vacant lot

The property in question is a 2.1235 acre vacant site proposed for use as Mini-Warehouses. Two 65' x 180' one story mini-warehouse buildings containing a total of 76 storage cubicles are proposed for this site. These will be 10' x 20' cubicles containing 200 square feet. A U-Haul moving trailer rental service will also operate at this site, and outdoor parking spaces will be leased for the storage of motor homes.

The Zoning Code stipulates the following standards and conditions for Mini-Warehouses as a Special Use:

(1.) Minimum Fencing/Screening Requirements: A six (6) foot high fence shall be required around the perimeter of the lot to be used as a mini-warehouse. Said fence shall be constructed of decorative concrete block or wire mesh with opaque slats interwoven into the wire mesh to provide an opaque screen. A landscaping strip, twenty (20) feet in width, shall be provided along all street frontages and along borders where a mini-warehouse site abuts any residence district.

(2.) Minimum Lot Area: Two (2) acres.

(3.) Minimum Lot Width: One hundred (100) feet.

(4.) Minimum Yard Requirements:

Front: Twenty (20) feet

Side: Twenty (20) feet

Rear: Twenty (20) feet

(5.) Maximum Height: Thirty-five (35) feet or two (2) stories, whichever is lower.

(6.) Minimum Off-Street Parking:

(a) One (1) space for each ten (10) storage cubicles, equally distributed throughout the storage area;

(b) Two (2) spaces for the mini-warehouses manager's office;

(c) One (1) space for every twenty-five (25) cubicles to be located at the manager's office for the use of prospective clients.

(7.) Maximum Floor Area: No storage cubicle shall have a gross floor area greater than five thousand (5,000) square feet.

(8.) On-site Circulation and Driveway widths:

(a) All one-way driveways shall provide for one (1) ten (10) foot wide parking lane and one (1) fifteen (15) foot wide travel lane. Traffic direction and parking shall be designated by signing or painting;

(b) All two-way driveways shall provide for one (1) ten (10) foot wide parking lane and two (2) twelve (12) foot travel lanes;

(c) The parking lanes may be eliminated when the driveway does not serve storage cubicles.

(9) Additional Requirements: Fire protection shall be provided to meet the City Fire Prevention Code (Chapter 17 of the Bloomington City Code.)

A review of the site plan filed with the petition indicates the following:

- A six foot high opaque slat fence will be provided along the north, south and east sides of the mini-warehouse site. It should also be installed along the west side of this site as required.
- A landscaping strip, 20 feet in width, will be provided along the Nord Drive street frontage.
- The lot size is more than two acres as required.
- The lot width exceeds the minimum 100 foot required.
- The front, side and rear setback of the buildings exceed the minimum requirement of 20 feet. The buildings will be only one story in height.
- The 13 parking spaces required for Phase 1, and the 26 spaces required after Phase 2 will be provided in the final site plan with seven of the spaces located at the manager's office.
- No storage cubicle shall have a gross floor area greater than 5,000 square feet.
- On site circulation and driveway widths will accommodate two-way travel.
- Buildings will meet the City Fire Prevention Code (Chapter 17 of the Bloomington City Code.)

BOARD OF ZONING APPEALS' PUBLIC HEARING:

The Board of Zoning Appeals held a public hearing on this petition on June 15, 2005 and recommends the same. Mr. Frank Miles, Attorney at Law, 202 N. Center Street, the Petitioners' legal counsel, was present to speak in favor of this petition at this hearing. He testified that the Petitioners will comply with all City requirements for this special use permit and are not requesting variances. No testimony was presented at this public hearing in opposition to this petition.

Twenty four property owners near the property in question were sent written notice of this public hearing.

Mr. Kenneth Emmons, City Planner, recommended that the Board of Zoning Appeals pass a motion recommending Council approval of this petition in Case SP-03-05 to allow a special use permit for mini-warehouses provided that the six foot high opaque slat fence be installed along the west side of this site as required.

BOARD OF ZONING APPEALS' RECOMMENDATION:

After consideration of this petition and testimony presented at the hearing, the Board of Zoning Appeals passed a motion by a vote of 6 to 0 recommending Council approval of this petition in Case SP-03-05. The Board of Zoning Appeals based this recommendation on the conclusion that the petitioner met the following standards as applicable by Chapter 44, Section 7.30 (d), (2) in finding of facts:

(executrix), trustee, lessee, or any other person, firm or corporation or the duly authorized agents of any of the above persons having proprietary interest in said premises;

2.) That said premises presently has a zoning classification of B-1 under the provisions of Chapter 44 of the Bloomington City Code - 1960, as amended;

3.) That under the provisions of Chapter 44, Section 7.30 (K) of said City Code Mini-warehouses are allowed as a special use in a B-1 zoning district;

4.) That the establishment, maintenance, or operation of said special use on said premises will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;

5.) That said special use on said premises will not be injurious to the use and enjoyment of other property in the immediate vicinity of said premises for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;

6.) That the establishment of said special use on said premises will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the B-1 District zoning district;

7.) That the exterior architectural treatment and functional plan of any proposed structure on said premises will not be so at variance with either the exterior architectural treatment and functional plan of the structures already constructed or in the course of construction in the immediate neighborhood or the character of the applicable district, as to cause a substantial depreciation in the property values within the neighborhood adjacent to said premises;

8.) That adequate utilities, access roads, drainage, and/or necessary facilities have been or are being provided to said premises for said special permitted use;

9.) That adequate measures have been or will be taken to provide ingress and egress to and from said premises so designed as to minimize traffic congestion in the public streets; and

10.) That said special permitted use on said premises shall, in all other respects, conform to the applicable regulations of the B-1 zoning district in which it is located except as such regulations may, in each instance, be modified by the City Council of the City of Bloomington pursuant to the recommendations of the Bloomington Board of Zoning Appeals.

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

Respectfully submitted,

Paul F. and Karen Nord

By: Frank Miles, one of their attorneys

ORDINANCE NO. 2005 - 69

**AN ORDINANCE APPROVING A SPECIAL USE PERMIT FOR A
MINI-WAREHOUSE IN THE B-1 DISTRICT**

WHEREAS, there was heretofore filed with the City Clerk of the City of Bloomington, McLean County, Illinois a Petition requesting a special use permit for a mini-warehouse for certain premises hereinafter described in Exhibit "A"; and

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

WHEREAS, the Bloomington Board of Zoning Appeals, after said public hearing, made findings of fact that such special use permit would comply with the standards and conditions for granting such special permitted use for said premises as required by Chapter 44, Sections 7.30 (E) and 7.30 (K) of the Bloomington City Code - 1960, as amended; and

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

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

1. That the special use permit for a Mini-warehouse on the premises hereinafter described in Exhibit A shall be and the same is hereby approved.
2. That this Ordinance shall take effect immediately upon passage and approval.

PASSED this 27th day of June, 2005.

APPROVED this 28th day of June, 2005.

Stephen F. Stockton
Mayor

ATTEST:

Tracey Covert
City Clerk

EXHIBIT A

Lots 2 and 3 in Business Park at Nord Farms Subdivision, which now constitute a part of the following:

Part of the W ½ of the NW ¼ of Section 1 and part of the NE ¼ of Section 2, all in Township 23 North, Range 1 East of the Third Principal Meridian, McLean County, Illinois, more particularly

described as follows: Beginning at the northwest corner of Joseph A. and Carrie G. Scharf Industrial P.U.D. Subdivision on the east line of the W ½ of the NW ¼ of Section 1 said point also being on the south right of way line of F.A. Route 693/Illinois Route 9 thence S.01°-03'-29"E. 1218.37 feet on said east line of the W ½ of the NW ¼ of Section 1 to the north right of way line of the former Penn Central Railroad, said point also being the southwest corner of Joseph A. and Carrie G. Scharf Industrial P.U.D Subdivision; thence N.67°-30'-18"W. 916.10 feet on said north right of way line of the former Penn Central Railroad; thence northwesterly on said right of way line 408.50 feet on a non-tangential curve concave to the northeast having a central angle of 04°-04'-01", a radius of 5755.00 feet and a chord of 408.42 feet bearing N.65°-25'-31"W. from the last described course; thence N.63°-23'-05"W. 970.03 feet on said right of way line; thence N.09°-15'-16"W. 67.96 feet to the west line of the East 45 acres of the of Section 2 as fenced and occupied; thence N. 00°-34'-38" W. 183.68 feet on said west line of the East 45 acres of the NE ¼ of Section 2 as fenced and occupied to the south right of way line of F.A. Route 693/Illinois Route 9; thence N.89°-33-20"E. 731.78 feet on said right of way line; thence N.86°-41'-35"E. 200.25 feet on said right of way line; thence N.89°-33-20"E. 824.06 feet on said right of way line; thence northeasterly on said right of way line 275.22 feet on a tangential curve concave to the southeast having a central angle of 00'-27'-34", a radius of 34317.47 feet and a chord of 275.22 feet bearing N.89°-47'-07"E. from the last described course; thence S.74°-41'-39"E. 46.05 feet on said right of way line to the Point of Beginning containing. 36.34 acres, more or less, with assumed bearings given for description purposes only.

Legal Description Tract 2

Part of the SW ¼ of Section 36 and part of the SE ¼ of Section 35, all in Township 24 North, Range 1 East of the Third Principal Meridian, McLean County, being more particularly described as all that portion of the dedicated and occupied public road right of way of F.A. Route 693/Illinois Route 9 lying north of and adjacent to the north line of the hereon described Tract 1.

PIN 20-01-100-006
20-01-100-007

Motion by Alderman Sprague, seconded by Alderman Schmidt that the Special Use be approved and the Ordinance passed.

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

Ayes: Alderman Schmidt, Finnegan, Gibson, 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 submitted by City of Refuge Church of God in Christ requesting approval of a Special Use Permit for a new church building and accessory off-street parking lot to be constructed at 1111, 1113, and 1115 West Olive Street in an R-2, Mixed Residence District (Case SP-04-05)

BACKGROUND INFORMATION:

Adjacent Zoning

north: R-2, Mixed Residence District
 south: R-2, Mixed Residence District
 east: R-2, Mixed Residence District
 west: R-1C, High Density Single Family Residence District

Adjacent Land Uses

north: single family residences
 south: single family residences
 east: single family residences
 west: Union Pacific Railroad

Current Land Use: Three single family dwellings.

Comprehensive Plan: Recommends low to medium density residential use for this property.

The property in question is a 1.02 acre site currently occupied by three single family dwellings that the petitioner wishes to purchase, raze and subsequently construct a church and parking lot thereon. The site plan filed with the petition indicates that the proposed building will contain 14,700 square feet, and the proposed parking lot will have 47 parking spaces and two driveways to West Olive Street.

Section 7.30 (7) of the Zoning Code stipulates the following standards and conditions for this Special Use:

- (1) Minimum fencing / screening requirements: Parking lots shall be screened from adjacent dwellings in accordance with Section 4.73 (a) of this Code
- (2) Minimum lot area: two (2) acres
- (3) Minimum lot width: two hundred (200) ft.
- (4) Minimum yard requirements are the same as required in the zoning district in which the Special Use is proposed. (front yard- 25 ft., side yard- 6 ft., rear yard- 25 ft.)
- (5) Maximum Height: Forty-five (45) feet or two (3) stories, (whichever is lower)
- (6) Additional requirements: Parking spaces shall be provided in accordance with Section 7.22 of this Code. One (1) parking space for every two hundred (200) square feet of gross floor area)

A review of the site plan filed with the petition indicates the following regarding the above standards and conditions for this special use permit:

- No solid opaque landscaping or solid opaque fence to screen or buffer the parking lot from adjacent dwellings is shown on the site plan.
- A 0.08 acre variance of the two acre minimum lot area requirement for this special use permit has been requested to allow this church on a 1.02 acre lot.
- The property in question complies with the 200 foot minimum lot width requirement.
- The proposed Special Use will be able to comply with the minimum building set back requirements.
- The proposed Special Use will be able to comply with the maximum building height limitation.
- The 74 space minimum off-street parking space requirement for a 14,700 square foot church will be satisfied by using the 32 space parking lot across West Olive Street to the south and the new 47 space parking lot to be constructed on the property in question (a total of 79 spaces)
- Since the proposed parking lot will be at a higher elevation than the proposed building, the site plan should indicate how storm water detention will be provided for this parking lot and how the storm water will be flood routed to an out-fall sewer.
- The site plan should show the other information required by Bloomington City Code, Chapter 44, Section 7.30 (6).

BOARD OF ZONING APPEALS' PUBLIC HEARING:

The Board of Zoning Appeals held a public hearing on this petition on June 15, 2005 and recommends the same. Rev. Colleen Bennett, Senior Pastor of the City of Refuge Church of God in Christ, 1226 N. Hershey Rd., was present to speak in favor of this petition at this hearing.

She testified that the Church has been conducting worship services and Christian outreach activities in this neighborhood from the 1313 West Taylor Street site for the past 29 years. They will comply with all City requirements for this Special Use permit except for the minimum lot area requirement. That requirement is the subject of the requested variance in Case Z-13-05. Rev. Bennett testified that the Church has outgrown the present sanctuary and plans to have Cornerstone Construction build a one story 400 seat church building with a nursery and a small gym/youth center on the property in question.

Mr. Willie T. Adams, 1108 W. Olive St., inquired regarding where the church's parking lot will be located and whether such lot will be gated and secured at night to discourage gang members from assembling there at night.

He expressed concern about gang vandalism, crime, and violence as he has had a railroad spike thrown through his house window. Rev. Bennett responded that the Church will comply with Code requirements for fencing, landscaping and night lighting of the parking lots, but that the parking lots would not be secured at night by a locked gate. She noted that for the past 29 years the Church or Church property has not been bothered or plagued by gang activities or vandalism. Rev. Bennett also noted that she is chaplain at the McLean County Jail providing her opportunities to become acquainted with gang members and counsel them. She testified that the Church has a youth outreach program that can help reform gang members.

Ms. Deborah Boston, 1105 East Olive Street, inquired regarding vehicular traffic utilizing the public alley behind her home to access the Church site. She inquired if the Church wanted to close that alley.

Rev. Bennett answered negatively to both questions. Mr. Steve Ladage, President of Cornerstone Construction, L.L.C., the Church's building contractor, testified the Church may request the vacation of the public alley west of the subject property, but it will not request the closing of the east-west alley to the north. He also testified that a new site plan is being prepared as recommended by City staff.

No testimony was presented at this public hearing in opposition to this petition. Thirty two property owners near the property in question were sent written notice of this public hearing.

Mr. Kenneth Emmons, City Planner, recommended that the Board of Zoning Appeals pass a motion recommending Council approval of this petition in Case SP-04-05 to allow for this church as a special use with the stipulation that:

1. A solid opaque landscaping or solid opaque fence to screen or buffer the parking lot from adjacent dwellings shall be shown on the site plan;
2. The site plan must indicate how storm water detention will be provided for the parking lot and how the storm water will be flood routed to an out-fall sewer; and
3. The site plan must show the other information required by Bloomington City Code, Chapter 44, Section 7.30 (6).

BOARD OF ZONING APPEALS' RECOMMENDATION:

The Board of Zoning Appeals approved the requested 0.08 of an acre variation of the 2.00 acre minimum lot area requirement after this public hearing on June 15, 2005. After consideration of this petition and the testimony presented at this hearing, the Board of Zoning Appeals passed a motion by a vote of 6 to 0 recommending Council approval of this petition in Case SP-04-05. The Board of Zoning Appeals based this recommendation on the conclusion that the Petitioner

met the following standards as applicable by Chapter 44, Section 7.30 (d), (2) in finding of facts:

1. That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, comfort or general welfare;
2. That Special Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;
3. That the establishment of the Special Use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the zoning district;
4. That adequate utilities, access roads, drainage and/or necessary facilities have been or will be provided;
5. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets; and
6. That the Special Use shall, in all other respects, conform to the applicable regulations of the district in which is located, except as such regulations may be modified by the Council pursuant to the recommendations of the Board of Zoning Appeals.

STAFF RECOMMENDATION:

City staff concurs with the Board of Zoning Appeals and respectfully recommends Council approval of this petition in Case SP-04-05 .

Respectfully,

Kenneth Emmons
City Planner

Tom Hamilton
City Manager

PETITION FOR SPECIAL USE PERMIT

STATE OF ILLINOIS)
)ss
COUNTY OF McLEAN)

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

NOW COMES The City of Refuge Church of God in Christ, 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 described in Exhibit "A" which is attached hereto and made a part hereof by this reference, or is a mortgagee or vendee in possession, assignee of rents, receiver, executor (executrix), trustee, lessee, or any other person, firm or corporation or the duly authorized agents of any of the above persons having proprietary interest in said premises;
2. That said premises presently has a zoning classification of R-2, Mixed Residence District under the provisions of Chapter 44 of the Bloomington City Code - 1960, as amended;
- 3.) That under the provisions of Chapter 44, Section 7.30 (K) of said City Code churches are allowed as a special use in an R-2 Mixed Residence zoning district;
- 4.) That the establishment, maintenance, or operation of said special use on said premises will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;
- 5.) That said special use on said premises will not be injurious to the use and enjoyment of other property in the immediate vicinity of said premises for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;
- 6.) That the establishment of said special use on said premises will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the R-2 Mixed Residence District zoning district;
- 7.) That the exterior architectural treatment and functional plan of any proposed structure on said premises will not be so at variance with either the exterior architectural treatment and functional plan of the structures already constructed or in the course of construction in the immediate neighborhood or the character of the applicable district, as to cause a substantial depreciation in the property values within the neighborhood adjacent to said premises;
- 8.) That adequate utilities, access roads, drainage, and/or necessary facilities have been or are being provided to said premises for said special permitted use;
- 9.) That adequate measures have been or will be taken to provide ingress and egress to and from said premises so designed as to minimize traffic congestion in the public streets; and

10.) That said special permitted use on said premises shall, in all other respects, conform to the applicable regulations of the R-2 zoning district in which it is located except as such regulations may, in each instance, be modified by the City Council of the City of Bloomington pursuant to the recommendations of the Bloomington Board of Zoning Appeals.

WHEREFORE, your Petitioner respectfully prays that said special use for said premises be approved.

Respectfully submitted,

Reverend Colleen Bennett
Pastor of City of Refuge Church of God In Christ

ORDINANCE NO. 2005 - 70

AN ORDINANCE APPROVING A SPECIAL USE PERMIT FOR A CHURCH AT 1111, 1113, and 1115 W. OLIVE ST.

WHEREAS, there was heretofore filed with the City Clerk of the City of Bloomington, McLean County, Illinois a Petition requesting a special use permit for a mini-warehouse for certain premises hereinafter described in Exhibit "A"; and

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

WHEREAS, the Bloomington Board of Zoning Appeals, after said public hearing, made findings of fact that such special use permit would comply with the standards and conditions for granting such special permitted use for said premises as required by Chapter 44, Sections 7.30 (E) and 7.30 (K) of the Bloomington City Code - 1960, as amended; and

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

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

1. That the special use permit for a church on the premises hereinafter described in Exhibit(s) A shall be and the same is hereby approved.
2. That this Ordinance shall take effect immediately upon passage and approval.

PASSED this 27th day of June, 2005.

APPROVED this 28th day of June, 2005.

Stephen F. Stockton
Mayor

ATTEST:

Tracey Covert
City Clerk

EXHIBIT A

1111 W. Olive

Lot 9 in Clerk's Subdivision of Lot 12 in the subdivision of the south half, Section 5, Township 23N, Range 2E.

1113 W. Olive

County Clerk's Subdivision of lot 12, south half Section 5, Township 23N, Range 2E, Lot 10
County Clerk's Subdivision and part of the vacated Olive St. Laying south and adjacent thereto.

1115 W. Olive

West Olive Subdivision Lot 1.

**Motion by Alderman Sprague, seconded by Alderman Schmidt that the Special Use
be approved and the Ordinance passed.**

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

Ayes: Alderman Schmidt, Finnegan, Gibson, Sprague, Matejka and Purcell.

Nays: None.

Motion carried.

The following was presented.

To: Honorable Mayor and Members of the City Council
From: Staff
Subject: Resolution Authorizing City of Bloomington to Sponsor the July 4, 2005
Fireworks Display at Lake Bloomington

The Lake Bloomington Association continues to find that the cost of liability insurance for the annual fireworks display on the 4th of July to be prohibitive. Since the City contributes to the fireworks display and is owner of the Lake, the Lake Bloomington Association has asked the City to again sponsor the event this year to insure liability insurance coverage. The only way for the City to extend its liability coverage to the event is for the City to sponsor the fireworks display. The attached Resolution formally makes the City the sponsor.

This will be the fifteenth consecutive year of City sponsorship. The Association has not had problems with fires, burns, property damage or personal injuries from past fireworks displays. To help reduce the City's exposure, hold harmless agreements will be required from those persons actually setting off the fireworks.

Staff would like the fireworks display at Lake Bloomington on July 4, 2005, to be held as planned. Under this proposal, our liability would not be much different than our fireworks exposure at Miller Park. Therefore, Staff respectfully recommends the attached Resolution be adopted as presented.

Respectfully,

Tom Hamilton
City Manager

RESOLUTION NO. 2005 - 88

**RESOLUTION AUTHORIZING CITY OF BLOOMINGTON TO SPONSOR
THE JULY 4, 2005 FIREWORKS DISPLAY AT LAKE BLOOMINGTON**

WHEREAS, a fireworks display has been an integral part of the Lake Bloomington Association's 4th of July celebration for many years; and

WHEREAS, due to liability insurance problems for the Lake Bloomington Association which would jeopardize the annual fireworks display if the event is not sponsored by the City of Bloomington; and

WHEREAS, the City of Bloomington, as owner of Lake Bloomington, is desirous of continuing the annual 4th of July fireworks display; and

WHEREAS, the City of Bloomington believes the fireworks display is a fitting finale to the celebration of our Nation's Birthday.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Bloomington, McLean County, Illinois as follows:

That the City of Bloomington is hereby authorized to sponsor the July 4, 2005, fireworks display at Lake Bloomington.

BE IT FURTHER RESOLVED that this Resolution is operative in full force and effect upon its adoption by the Bloomington City Council.

ADOPTED this 27th day of June, 2005.

APPROVED this 28th day of June, 2005.

APPROVED:

Stephen F. Stockton, Mayor

ATTEST:

Tracey Covert, City Clerk

Motion by Alderman Sprague, seconded by Alderman Schmidt that the Resolution be adopted.

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

Ayes: Alderman Schmidt, Finnegan, Gibson, 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

On July 4, 2005 the Lake Run Club is sponsoring the Park to Park Run, a five mile run. The parade route includes Main St., which is State Route 51. The Illinois Department of Transportation requires Council to adopt a Resolution requesting permission from the Department of Transportation to close or hinder traffic on a State Route.

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. 2005 - 89

WHEREAS, the Lake Run Club is sponsoring a five mile run in the City of Bloomington, Illinois, which event constitutes a public purpose;

WHEREAS, this five mile run will require the temporary closure of one lane of Route 51, a State Highway in the City of Bloomington, Illinois from Wood Street to Division Street;

WHEREAS, Section 4-408 of the Illinois Highway Code authorizes the Department of Transportation 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 of the City of Bloomington that permission to close Route 51 from Wood Street to Division Street as above designated, be requested of the Department of Transportation.

BE IT FURTHER RESOLVED that this closure shall occur during the approximate time period between 7:30 a.m. to 10:00 a.m. on July 4, 2005.

BE IT FURTHER RESOLVED that this closure is for the public purpose of a five mile run.

BE IT FURTHER RESOLVED, that the City of Bloomington assumes full responsibility for the direction, protection, and regulation of the traffic during the time the detour is in effect.

BE IT FURTHER RESOLVED, that police officers or authorized flaggers shall, at the expense of the City of Bloomington be positioned at the end of the closed section and at other points (such as intersections) as may be necessary to assist in directing traffic through the closure.

BE IT FURTHER RESOLVED, that police officers, flaggers, and officials shall permit emergency vehicles in emergency situations to pass through the closed area as swiftly as is safe for all concerned.

BE IT FURTHER RESOLVED, that all debris shall be removed by the City of Bloomington prior to reopening the State highway.

BE IT FURTHER RESOLVED, that such signs, flags, barricades, etc., shall be used by the City of Bloomington as may be approved by the Illinois Department of Transportation. These items shall be provided by the City of Bloomington.

BE IT FURTHER RESOLVED, that the closure shall be marked according to the Illinois Manual on Uniform Traffic Control Devices.

BE IT FURTHER RESOLVED, that an occasional break shall be made in the procession so that traffic may pass through. In any event, adequate provisions will be made for traffic on intersecting highways pursuant to conditions noted above.

BE IT FURTHER RESOLVED, that the City of Bloomington hereby agrees to assume all liabilities and pay all claims or any damage which shall be occasioned by the closing described above.

BE IT FURTHER RESOLVED, that the City of Bloomington shall provide a comprehensive general liability insurance policy or an additional insured endorsement in the amount of \$100,000 per person and \$500,000 aggregate which as the Illinois Department of Transportation and its officials, employees, and agents as insureds and which protects them from all claims arising from the requested road closing.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Department of Transportation to serve as a formal request for the permission sought in this resolution and to operate as part of the conditions of said permission.

ADOPTED on this 27th day of June, 2005.

APPROVED on this 28th day of June, 2005.

Stephen F. Stockton,
Mayor

ATTEST:

Tracey Covert
City Clerk

Motion by Alderman Sprague, seconded by Alderman Schmidt that the Resolution be adopted.

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

Ayes: Alderman Schmidt, Finnegan, Gibson, Sprague, Matejka and Purcell.

Nays: None.

Motion carried.

MAYOR'S DISCUSSION: Mayor Stockton informed the Council that the Governor had proclaimed a drought due to weather. He requested that City staff present a report at each Council meeting. Citizens had questioned him regarding what action the City has taken.

Tom Hamilton, City Manager, addressed the Council. Currently the lakes, (Evergreen and Bloomington) were in great condition. The taste and order problems have been minimized. The water treatment plant has a capacity of over 22 million gallons. The City will look for opportunities to conserve water whenever possible. City staff will keep their eye on the water levels. He noted that the City might consider alternative day watering which would impact consumption. Grass will go dormant. He cited a recent article in the Pantagraph which included a listing of excellent tools. If necessary, City staff would provide a recommendation.

Alderman Sprague questioned the treatment capacity. Mr. Hamilton noted that capacity was a mechanical issue. Craig Cummings, Director of Water, addressed the Council. A portion of the treatment plant is for carbonization. The per day goal is thirty (30) million gallons. This amount would be the lake's capacity. The average daily pumping is twelve (12) million gallons. The plant currently is pumping twenty-one (21) million plus gallons per day. There is some capacity for growth. An expansion is budgeted and planned for at the plant.

CITY MANAGER'S DISCUSSION: None.

ALDERMEN'S DISCUSSION: Alderman Purcell noted the usefulness of the Mitsubishi Endeavor. He also questioned Police cars. He acknowledged that the Galiant was not set up to be a squad car. He noted that this evening the City purchased Mitsubishi vehicles for the first time in sixteen (16) years.

Alderman Sprague invited all present to the Fourth of July Park to Park Run (Miller Park to Fairview Park) at 7:30 a.m.

He also thanked the Public Service Department to their response to his call. There was a vacant home and the situation was addressed within the matter of hours.

Motion by Alderman Sprague, seconded by Alderman Matejka, that the meeting be adjourned. Time: 7:55 p.m.

Motion carried.

Tracey Covert
City Clerk

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