

**City Council Questions/Comments & Staff Responses for Monday, July 23, 2012**  
**As of July 23, 2012 at 5:12 AM**

**WORK SESSION - Managed Competition**

**Alderman:** Robert Fazzini

**Questions/Comments:**

1. Under Process: “I would like to add that we will investigate the results in at least three other comparable size cities who moved from city to private with the service being considered. I would also like to find at least one comparable size city where the move from city to private was not successful to determine the pitfalls to be considered.”

**Staff Response:** Will be addressed in a general report to Council.

2. Under Challenges: “I would like to see another bullet point added to specifically address the issue of equipment as to the disposition of current city equipment and the cost to reacquire in today’s dollars if a future decision is made to move from private back to city for providing the service.”

**Staff Response:** Will be included in detailed assessment.

3. “Under the services identified for potential review: “I would like to include: Garbage and related services. We found that Peoria and Urbana have these services successfully provided privately. In my previous banking experience, I financed a private garbage service company in Rochelle that was successful in the opinion of the City of Rochelle.”

**Staff Response:** Included in updated list.

**CONSENT AGENDA**

**Alderman:** Robert Fazzini

**Item 6A:** Consent Agenda –“Council Proceedings of Citizen Voice Meeting on April 30, 2012 and Council Meeting on July 9, 2012”

**Question/Comment:** “My comment regarding zoos was more accurately that: I don’t believe it is humane for large animals to be in small, confined cages as in our current zoo. The accuracy of my observation was confirmed in the new plan where it is recommended to enlarge the cages for the tigers, which shows that our zoo folks also recognize that current cages for large animals are inadequate.”

**Staff Response:** Staff will review minutes.

**Alderwoman:** Judy Stearns

**Item 6H:** Consent Agenda –“Purchase of fourteen (14) variable speed drives for the Heating and Ventilation and Air Conditioning (HVAC) System in the US Cellular Coliseum, Variable Speed Drives devices that will allow the building operator to control the motor speed of the supply fans, thus lowering the electric supply to run the motor”

**Question/Comment:** “On 6H, the HVAC, I am assuming this is coming out of the general fund? Is this expense reported anywhere on the Coliseum financial report?”

**Staff Response:** Coliseum Capital Projects are budgeted in the Coliseum Fund because the Coliseum Fund is an enterprise fund. The City transfers general revenue dollars into the Coliseum Fund for Capital Projects.

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**REGULAR AGENDA**

**Alderman:** Robert Fazzini

**Item 8A:** Regular Agenda –“Ordinance Amending the City’s Ordinances to Permit Video Gambling as Permitted by State Law”

**Question/Comment:** “Would it be possible for a small portion of the revenue increase to the City of Bloomington be segregated and dedicated to help fund a gambler’s addiction organization? My thought is 10% or between \$28M to \$61M based on the income projections provided in the proposal.”

**Staff Response:** City Manager Hales would not recommend additional revenue be segregated and dedicated to help fund a gambler’s addiction organization. The current law mandates that 25% of the net proceeds be set aside in the State of Illinois Human Services Budget to provide gambling addiction intervention.

**Alderman:** Robert Fazzini

**Item 8B:** Regular Agenda –“Proposed Ordinance Amending Chapter 27, Section 8 of the City Code, Rules Governing the Use of City Water and adding Section 36, Water Emergency Response Ordinance, to Chapter 27”

**Question/Comment:** “In the new (c) I would like to see the City Manager or the Mayor recognized to have the authority to instruct the appropriate city personnel to reconnect water service”

**Staff Response:** Staff will recommend the following verbiage-“City Manager in consultation with the Water Department Director” for sections: 8 and 36. See attachment.

**Alderman:** Robert Fazzini

**Item 8C:** Regular Agenda –“Construction Contract for the Fire/Rescue Training Tower”

**Question/Comment:** “Does staff anticipate that the total cost budgeted of \$650,000 will be sufficient after considering the \$85,000 for Farnsworth and the \$327,233 for P.J. Hoerr?”

**Staff Response:** Staff put together a comprehensive estimate of cost for this project including contingency funds in an effort to prevent having the project run over budget. Staff does not foresee this project exceeding the amount authorized. So far, each step of the project has come in under the estimated amount.

**GENERAL QUESTIONS/COMMENTS:**

**Alderman:** Bernie Anderson

**Question/Comment:** “I have no questions at this time.”

**Alderman:** Robert Fazzini

**Question/Comment:** “No additional questions or comments.”

Prepared by: Barbara J. Adkins, Deputy City Manager

Addendum to the proposed Ordinance Amending Chapter 27, Section 8 of the City Code, Rules Governing the Use of City Water and amending the proposed Section 36, Water Emergency Response Ordinance, to Chapter 27.

(additions are indicated by italicizing and underlining; deletions are indicated by strikeouts):

**Chapter 27: Section 8: Rules Governing Use of City Water.**

(c) ~~(d)~~ Unauthorized Reconnection of Water Service. No customer shall reconnect or cause or allow the reconnection of water service to any premise to which the City has disconnected water service in any manner other than provided in this Chapter. ~~Only the Director of Engineering or Water, his officers, and employees may~~ the City Manager, the Water Director, his officers, and employees may reconnect a water service. Any customer who reconnects water service to a premise contrary to the provisions of this Chapter shall be liable for payment of a fine as provided in Section 15 of this Chapter in addition to any other fees or charges assessed as a result of special measures which must be taken to disconnect the service as a result of the reconnection. In any prosecution charging an unauthorized reconnection of water service, the person lawfully in possession and/or in control of the premises shall be presumed to have made, caused or allowed the reconnection of the water service. (Ordinance No. 1994-43)

**Chapter 27: Section 36: Water Emergency Response Ordinance.**

(a) DECLARATION OF POLICY, PURPOSE, AND INTENT

Whenever, in the judgment of the City Council of the City of Bloomington, Illinois, it becomes necessary to conserve water in the service area, due to drought, water treatment capacity or other conditions, the City of Bloomington, Illinois City Manager, in consultation with the Water Department Director is authorized to issue a Proclamation that existing drought or other conditions prevail over fulfillment of the usual water-use demands. The Proclamation is an attempt to prevent depleting the water supply to the extent that water-use for human consumption, sanitation, fire protection and other essential needs become endangered.

(d) RESPONSES TO MODERATE, EXTREME, AND SEVERE DROUGHT ALERT PHASES

Levels of drought are set forth in this ordinance as moderate, severe, and extreme. Proclamations issued by the City of Bloomington, Illinois City Manager, in consultation with the Water Department Director shall coordinate an appropriate response to the level of drought which exists.

Proclamations setting forth responses to the various drought alert phases shall be made by the City of Bloomington, Illinois *City Manager*, in consultation with the Water Department *Director* and are to be based upon local and/or regional monitoring data.

A. Moderate Drought Alert Phase: If conditions indicate that a moderate drought condition is present and is expected to persist, the City of Bloomington, Illinois *City Manager*, in consultation with the Water Department *Director* shall notify municipal and county governments and issue press releases concerning the drought conditions to the news media. Large or key water users will be contacted directly by the Water Department.

B. Severe Drought Alert Phase: A drought of this severity requires official declaration and implementation of mandatory water use restrictions by the City of Bloomington, Illinois *City Manager*, in consultation with the Water Department *Director*. In such cases, the *City Manager*, in consultation with the Water Department *Director* will notify municipal and county governments in the affected drought areas. The Utility will also issue press releases concerning the drought conditions to the news media.

C. Extreme Drought Alert Phase: The City of Bloomington, Illinois *City Manager*, in consultation with the Water Department *Director* will notify municipal and county governments in the affected drought areas, and issue press releases concerning the drought conditions to the news media. Water-use restrictions imposed during extreme drought conditions are mandatory.

(f) WATER RATES

In the event of an extreme drought related water shortage, the City of Bloomington, Illinois *City Manager*, in consultation with the Water Department *Director* is hereby authorized to monitor water use. Under extreme drought conditions the Water Department's drought water rates will be enacted through the duration of the drought for all water users except as otherwise noted in this Ordinance. These water rates are defined as the water rates in effect at the time of the extreme drought declaration multiplied by 1.50.

(g) RATIONING

In the event that a drought or other condition(s) threaten(s) the preservation of public health and safety, the City of Bloomington, Illinois *City Manager*, in consultation with the Water Department *Director* is hereby authorized to ration water.

(j) VARIANCES

Persons not capable of immediate water use reduction, or curtailment, because of equipment damage or other extreme circumstances, shall commence gradual reduction of water use within twenty-four hours of the declaration of water use curtailment/reduction and shall apply for a variance from curtailment.

Persons requesting exemption from the provisions of this Ordinance shall file a petition for variance with the City of Bloomington, Illinois ~~City Manager~~ ~~Water Department~~ within ten days after such curtailment becomes effective.

When the Drought Ordinance has been invoked by the City of Bloomington, Illinois ~~City Manager~~ in consultation with the ~~Water Department~~ Director, all petitions for variances shall be reviewed by the City of Bloomington, Illinois ~~City Manager~~ in consultation with the ~~Water Department~~ Director. Petitions shall contain the following:

The City of Bloomington, Illinois ~~City Manager~~ in consultation with the ~~Water Department~~ Director may, in writing, grant temporary variances for existing water uses otherwise prohibited under the Ordinance if it is determined that failure to grant such variances would cause an emergency condition adversely affecting health, sanitation, or fire protection for the public or the petitioner and if one or more aforementioned conditions is met. The City of Bloomington, Illinois ~~City Manager~~ in consultation with the ~~Water Department~~ ~~Water~~ Director shall approve or deny any such variance. Any such variance so ratified may be revoked by later action of the City of Bloomington, Illinois ~~City Manager~~ in consultation with the ~~Water Department~~ Director. ~~Any such variance denied by the City of Bloomington, Illinois ~~Water Department~~ Director can be appealed to the City of Bloomington, Illinois ~~City Manager~~.~~

No such variance shall be retroactive or otherwise justify any violation of this Ordinance occurring prior to the issuance of the variance.

Variances granted by the City of Bloomington, Illinois ~~Water Department~~ Director or ~~City Manager~~ shall be subject to the following conditions, unless waived or modified by the City of Bloomington, Illinois ~~Water Department~~ or ~~City Manager~~.