

**CITY OF BLOOMINGTON  
COUNCIL MEETING AGENDA  
109 E. OLIVE  
MONDAY, APRIL 8, 2013, 7:00 P.M.**

- 1. Call to order**
- 2. Pledge of Allegiance to the Flag**
- 3. Remain Standing for a Moment of Silent Prayer**
- 4. Roll Call of Attendance**
- 5. Public Comment**
- 6. Recognition/Appointments**
- 7. "Consent Agenda"**
  - A. Council Proceedings of March 25, 2013 and Special City Council Meeting Minutes of December 10 and 17, 2012 and February 25, 2013. (Recommend that the reading of the minutes of the previous Council Proceedings of March 25, 2013 and the Special City Council Meeting Minutes of December 10 and 17, 2012 and February 25, 2013 be dispensed with and the minutes approved as printed.)**
  - B. Bills and Payroll. (Recommend that the Bills and Payroll be allowed and the orders drawn on the Treasurer for the various amounts as funds are available.)**
  - C. Analysis of RFP for Installation of one (1) New Outdoor Warning Siren. (Recommend that the RFP for the installation of one (1) New Outdoor Warning Siren be awarded to Innotech Communications, in the amount of \$33,954.49, and the Purchasing Agent be authorized to issue a Purchas Order.)**
  - D. Change Order for the FY 2013 Utility Maintenance Contract. (Recommend that a change order be executed in the amount of \$200,000 to fund various water pump repair projects.)**

- E. **Two (2) Year Extension of Auditors Contract. (Recommend that audit contract be extended with Sikich, LLP for annual audits of the City and US Cellular Coliseum and other advisory/consulting services as required.)**
  - F. **Application of Illinois State University Board of Trustees, for the Shakespeare Festival, located at 48 Sunset Rd., for a Limited Alcoholic Liquor License, Class LB, which will allow the selling and serving of beer and wine only by the glass for consumption on the premise. (Recommend that an LB liquor license for Illinois State University Board of Trustees, for the Shakespeare Festival, located at 48 Sunset Rd., be created, contingent upon compliance with all applicable health and safety codes.)**
  - G. **Suspension of Ordinances to Allow Consumption of Alcohol at Lake Bloomington's Davis Lodge on April 13, 2013. (Recommend that the Ordinance suspending Section 26(d) of Chapter 6 and Section 701 of Chapter 31 to allow the suspension and consumption of alcohol at the Lake Bloomington's Davis Lodge on April 13, 2013 be passed.)**
  - H. **Easement Agreement between the City and Ameren Illinois Company for the Repair and Construction of Transmission Lines located at Evergreen Lake. (Recommend that the Easement Agreement with Ameren Illinois be approved and the Mayor and City Clerk be authorized to execute the necessary documents.)**
  - I. **Lake Bloomington Lease Transfer Petition for Lot 4, Block 22 of Camp Potawatomie from Mary Jane Hayes to Bruce W. and Pamela T. Cather. (Recommend that the Lake Lease be approved and the Mayor and City Clerk be authorized to execute the necessary documents.)**
- 8. "Regular Agenda"**
- A. **Adoption of the FY 2014 Recommended Budget. (Recommend that Ordinance be adopted.) 30 minutes**
  - B. **Eagle View Park Funding. (Recommend that \$600,000 in FY 2013 City Funding to build Eagle View Park be approved and the Budget Amendment Ordinance passed.) 20 minutes**
- 9. City Manager's Discussion**
- 10. Mayor's Discussion**
- 11. City Aldermen's Discussion**
- 12. Executive Session - cite section**
- 13. Adjournment**
- 14. Notes**



FOR COUNCIL: April 8, 2013

**SUBJECT:** Council Proceedings of March 25, 2013 and Special City Council Meeting Minutes of December 10 and 17, 2012 and February 25, 2013

**RECOMMENDATION/MOTION:** That the reading of the minutes of the previous Council Proceedings of March 25, 2013 and the Special City Council Meeting Minutes of December 10 and 17, 2012 and February 25, 2013 be dispensed with and the minutes approved as printed.

**STRATEGIC PLAN LINK:** Goal 1. Financially sound City providing quality basic services.

**STRATEGIC PLAN SIGNIFICANCE:** Objective 1.d. City services delivered in the most cost-effective, efficient manner.

**BACKGROUND:** The Council Proceedings of March 25, 2013, the Executive Session Minutes of December 10 and 17, 2012, and the Special Session Minutes of December 10 and 17, 2012 and February 25, 2013 have been reviewed and certified as correct and complete by the City Clerk.

In compliance with the Open Meetings Act, Council Proceedings must be approved within thirty (30) days after the meeting or at the Council's second subsequent regular meeting whichever is later.

In accordance with the Open Meetings Act, Council Proceedings are made available for public inspection and posted to the City's web site within ten (10) days after Council approval.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** Not applicable.

**FINANCIAL IMPACT:** Not applicable.

Respectfully submitted for Council consideration.

Prepared by: Tracey Covert, City Clerk

Recommended by:

David A. Hales  
City Manager

**Attachments:** Attachment 1. Proceedings of March 25, 2013, Special City Council Meeting Minutes of December 10 and 17, 2012 and February 25, 2013

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Motion: \_\_\_\_\_ Seconded by: \_\_\_\_\_

	Aye	Nay	Other		Aye	Nay	Other
Alderman Mathy				Alderman Purcell			
Alderman Fazzini				Alderman Sage			
Alderman Fruin				Alderman Schmidt			
Alderman McDade				Alderman Stearns			
Alderman Mwilambwe							
				Mayor Stockton			

**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 7:00 p.m., Monday, March 25, 2013.

The Meeting was opened by Pledging Allegiance to the Flag followed by moment of silent prayer.

The Meeting was called to order by the Mayor who directed the City Clerk to call the roll and the following members answered present:

**Aldermen:** Judy Stearns, Mboka Mwilambwe, Jamie Mathy, Robert Fazzini, Jennifer McDade, Steven Purcell, Karen Schmidt, Jim Fruin and Mayor Stephen F. Stockton.

**Alderman absent:** David Sage.

City Manager David Hales, City Clerk Tracey Covert, and Asst. Corporate Counsel George Boyle were also present.

**Staff absent:** Todd Greenburg, Corporation Counsel.

The following was presented:

**Oath of Office for Police Patrol Officers:** Ryne Donovan and Trenton Hovland.

Mayor Stockton introduced Clay Wheeler, Interim Police Chief. There were two (2) individuals who would be taking their oath as Police Patrol Officers this evening.

Clay Wheeler, Interim Police Chief, addressed the Council. He introduced Ryne Donovan and Trenton Hovland, Police Patrol Officers. Ryne Donovan was a Central Illinois native. He held a Bachelor's degree from Eastern Illinois University. Trenton Hovland held a Bachelor's degree from South Dakota State University. His background was in accounting.

Tracey Covert, City Clerk, administered the Oath.

Officer Hovland addressed the Council. He was pleased with his experience at the City. There was a good group of people to work with. Officer Donovan appreciated the opportunity to serve the City. He looked forward to his career with the City.

Mayor Stockton welcomed the new officers to the City. He hoped both would have long careers with the City. Citizens put their trust in the City's public safety employees. He wished them the best.

**The following was presented:**

**SUBJECT:** Council Proceedings of March 11, 2013 and Executive Session Minutes of February 25, 2013

**RECOMMENDATION/MOTION:** That the reading of the minutes of the previous Council Proceedings of March 11, 2013 and the Executive Session Minutes of February 25, 2013 be dispensed with and the minutes approved as printed.

**STRATEGIC PLAN LINK:** Goal 1. Financially sound City providing quality basic services.

**STRATEGIC PLAN SIGNIFICANCE:** Objective 1.d. City services delivered in the most cost-effective, efficient manner.

**BACKGROUND:** The Council Proceedings of March 11, 2013 and the Executive Session Minutes of February 25, 2013 have been reviewed and certified as correct and complete by the City Clerk.

In compliance with the Open Meetings Act, Council Proceedings must be approved within thirty (30) days after the meeting or at the Council's second subsequent regular meeting whichever is later.

In accordance with the Open Meetings Act, Council Proceedings are made available for public inspection and posted to the City's web site within ten (10) days after Council approval.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** Not applicable.

**FINANCIAL IMPACT:** Not applicable.

Respectfully submitted for Council consideration.

Prepared by: Tracey Covert, City Clerk

Recommended by:

David A. Hales  
City Manager

**Motion by Alderman Fazzini, seconded by Alderman Fruin that the reading of the minutes of the previous Council Proceedings of March 11, 2013 and the Executive Session Minutes of February 25, 2013 be dispensed with and the minutes approved as printed.**

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

**Ayes:** Aldermen Stearns, Mwilambwe, Schmidt, McDade, Mathy, Fazzini, Fruin and Purcell.

**Nays:** None.

**Motion carried.**

**The following was presented:**

SUBJECT: Bills and Payroll

**RECOMMENDATION/MOTION:** That the bills and payroll be allowed and orders drawn on the Treasurer for the various amounts as funds are available.

**STRATEGIC PLAN LINK:** Goal 1. Financially sound City providing quality basic services.

**STRATEGIC PLAN SIGNIFICANCE:** Objective 1.d. City services delivered in the most cost-effective, efficient manner.

**BACKGROUND:** The list of bills and payrolls will be posted on the City's website on Thursday, March 21, 2013 by posting via the City's web site.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** Not applicable.

**FINANCIAL IMPACT:** Total disbursements information will be provided via addendum.

Respectfully submitted for Council consideration.

Prepared by: Tracey Covert, City Clerk

Financial & budgetary review by: Patti-Lynn Silva, Director of Finance

Recommended by:

David A. Hales  
City Manager

**Motion by Alderman Fazzini, seconded by Alderman Fruin that the Bills and Payroll be allowed and the orders drawn on the Treasurer for the various amounts as funds are available.**

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

**Ayes: Aldermen Stearns, Mwilambwe, Schmidt, McDade, Mathy, Fazzini, Fruin and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**SUBJECT:** Approval of Resolution to Purchase 28,201 square feet of land from the Illinois Department of Transportation along Veterans Parkway at Hamilton Road in the amount of \$56,400

**RECOMMENDATION/MOTION:** That the Resolution be adopted.

**STRATEGIC PLAN LINK:** Goal 2. Upgrade City Infrastructure and Facilities and Goal 5. Great Place – Livable, Sustainable City.

**STRATEGIC PLAN SIGNIFICANCE:** Objective 2.a. Better quality roads and sidewalks, objective 5.a. Well-planned City with necessary services and infrastructure. The requested action is a continuance of commitments the City made in 2003 in order to expand and improve Hamilton Road.

**BACKGROUND:** In 2003, the City needed to acquire 16,422.12 square feet of property located at 240 Greenwood Avenue for the Hamilton Road improvement project. The property was owned by Marti Rave. As part of the transaction, Mr. Rave suggested exchanging land which the City had acquired from the Illinois Department of Transportation for the then-existing Greenwood Avenue right of way lying to the west of Mr. Rave’s property. The City agreed to transfer the “Greenwood Avenue” property to Mr. Rave, subject to a public utility easement for the City of Bloomington.

Several months ago, Mr. Rave informed the City that he desired for the City to transfer the surplus Greenwood Ave. property to him. The City discovered that, under the original terms of the conveyance of the Greenwood Ave. property from the Illinois Department of Transportation to the City, the City needed to obtain the approval of IDOT in order to convey the property to a third party. At the City’s request, IDOT has appraised the parcel at \$56,400.00, which the City must pay to IDOT in order to have authority to eventually deed the property to Mr. Rave.

The City staff has prepared a Resolution of intent to purchase the property from IDOT, and to pay to IDOT the amount of \$56,400.00. It is the opinion of the City’s Corporation Counsel that the City is contractually obligated to take the recommended actions.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** Marti Rave.



**FINANCIAL IMPACT:** The FY 2013 Motor Fuel Tax Budget did not appropriate funds to purchase 28,201 square feet of land from the Illinois Department of Transportation along Veterans Pkwy. at Hamilton Rd. in the amount of \$56,400. As indicated in the background, staff recommends the City purchase the property in the amount of \$56,400 from line item 20300300-72510. The Motor Fuel Tax Fund has sufficient funds to pay for this unbudgeted expenditure. The Finance Department will prepare and present a comprehensive budget amendment to Council at a later date to incorporate this purchase into the FY 2013 Budget. As of April 30, 2012, the fund balance within the Motor Fuel Tax Fund is \$4,525,708. Stakeholders may locate information in regards to the Motor Fuel Tax Fund in the FY 2013 Capital, Enterprise, and Other Fund Budget Document on Page #10.

Respectfully submitted for Council consideration.

Prepared by & reviewed as to legal sufficiency: J. Todd Greenburg, Corporation Counsel

Financial & budgetary review by: Timothy L. Ervin, Budget Officer

Recommended by:

David A. Hales  
City Manager

## **RESOLUTION NO 2013 - 04**

### **A RESOLUTION TO PURCHASE CERTAIN RIGHT OF WAY FROM THE ILLINOIS DEPARTMENT OF TRANSPORTATION**

WHEREAS, the City of Bloomington has previously acquired from the State of Illinois certain property described in the body of this Resolution; and

WHEREAS, the City of Bloomington, on September 22, 2003, entered into an agreement to acquire property from a private party, Marti Rave, which was used to expand and improve Hamilton Road in the City of Bloomington; and

WHEREAS, the September 22, 2003 Agreement included a provision to request the Illinois Department of Transportation (IDOT) to transfer title to certain existing Greenwood Avenue right of way to the City; and

WHEREAS, IDOT has performed an appraisal of such property and has indicated in writing to the City that the Greenwood Avenue right of way is valued at \$56,400.00; and

WHEREAS, the September 22, 2003 Agreement was in the best interests of the citizens of the City of Bloomington by expanding and improving Hamilton Road in the City of Bloomington;

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BLOOMINGTON

Section One: That the staff of the City of Bloomington is authorized to take all necessary steps to acquire the consent of the Illinois Department of Transportation to convey the following real estate to Marti Rave or such person or persons designated by Marti Rave:

Parcel 1:

A part of Old Route 66 situated adjacent to and northwesterly of Lot 2 in Townley and O'Neal's Subdivision of parts of Lots 41, 42 and 43 in the Subdivision of Section 17, Township 23 North, Range 2 East of the Third Principal Meridian, McLean County, Illinois, as recorded in Book 12 at Page 336 in the McLean County Recorder's Office, more particularly described as follows:

Commencing at the northeast corner of said Lot 2, thence South 36 degrees 32 minutes 03 seconds West, 101.70 feet along the northwesterly line of said Lot 2 to a found iron pin, being the Point of Beginning; thence continuing South 36 degrees 32 minutes 03 seconds West, 163.45 feet along said northwesterly line to a found iron pin; thence South 41 degrees 57 minutes 53 seconds West, 178.45 feet along said northwesterly line to a found iron pin on the northerly line of Hamilton Road; thence North 64 degrees 01 minute 35 seconds West, 59.86 feet along the northwesterly extension of the northerly line of Hamilton Road to a found iron pin on the southeasterly line of a parcel of land dedicated for a portion of S.B.I. Route 4, Section 16 right of way according to the Right of Way Plat recorded August 9, 1922, in Book 352 at Page 110 in said Recorder's Office; thence North 41 degrees 02 minutes 47 seconds East, 196.99 feet along the southeasterly line of said Dedication to a found iron pin; thence North 39 degrees 01 minute 51 seconds East, 200.00 feet along said southeasterly line to a found iron pin; thence North 35 degrees 27 minutes 34 seconds East, 25.88 feet along said southeasterly line to a found iron pin; thence South 00 degrees 04 minutes 57 seconds East, 87.20 feet to the Point of Beginning, containing 22,028 square feet, more or less. No PIN Assigned

situated in the County of McLean in the State of Illinois.

Parcel 2:

A part of Old Route 66 situated adjacent to and northwesterly of Lot 2 in Townley and O'Neal's Subdivision of parts of Lots 41, 42 and 43 in the Subdivision of Section 17, Township 23 North, Range 2 East of the Third Principal Meridian, McLean County, Illinois, as recorded in Book 12 at Page 336 in the McLean County Recorder's Office, more particularly described as follows: Commencing at the Northeast Corner of said Lot 2, thence south 36 degrees 32 minutes 03 seconds west, 265.15 feet along the Northwesterly Line of said Lot 2 to a found iron pin; thence south 41 degrees 57 minutes 53 seconds west, 178.45 feet along said Northwesterly Line to a found iron pin on the Northerly Line of Hamilton

Road; thence north 64 degrees 01 minute 35 seconds west, 59.86 feet along the Northwesterly Extension of the Northerly Line of Hamilton Road to a found iron pin on the Southeasterly Line of a Parcel of Land dedicated for a portion of S.B.I. Route 4, Section 16 Right-of-Way according to the Right-of-Way Plat recorded August 9, 1922, in Book 352 at Page 110 in said Recorder's Office, being the Point of Beginning; thence north 41 degrees 02 minutes 47 seconds east, 196.99 feet along the Southeasterly Line of said Dedication to a found iron pin; thence north 39 degrees 01 minutes 51 seconds east, 200.00 feet along said Southeasterly Line to a found iron pin; thence north 35 degrees 21 minutes 40 seconds east, 299.68 feet along said Southeasterly Line to a found iron pin on the Northernmost Corner of said Dedication; thence south 38 degrees 51 minutes 15 seconds west, 79.75 feet along the Northwesterly Line of said Dedication to a found iron pin on the Southeasterly Right-of-Way Line of F.A. Route 5, Section 16R; thence south 35 degrees 43 minutes 09 seconds west, 80.91 feet along said Southeasterly Right-of-Way Line; thence south 39 degrees 20 minutes 09 seconds west, 526.51 feet along said Southeasterly Right-of-Way Line to a found iron pin on the Northwesterly Line of said Dedication for S.B.I. Route 4; thence south 38 degrees 51 minutes 15 seconds west, 160.89 feet along said Northwesterly Line to a found iron pin on the Southernmost Corner of said Dedication; thence north 42 degrees 39 minutes 37 seconds east, 152.28 feet along the Southeasterly Line of said Dedication to the Point of Beginning, containing 8,477 square feet, more or less; Except that portion lying southwest of the Northerly Line of Hamilton Road extended westerly to the Southeasterly Right-of-Way Line of F.A. Route 5, Sec 16R; And also except that portion lying northeast of the West Line of Greenwood Avenue extended north to the Southeasterly Right-of-Way Line of F.A. Route 5, Sec 16R, McLean County, Illinois. No PIN Assigned

situated in the County of McLean in the State of Illinois.

Section Two:

That the staff of the City of Bloomington is authorized to pay to the Treasurer, State of Illinois the amount of \$56,400.00 (fifty-six thousand, four hundred dollars) for the above described real estate.

ADOPTED this 25<sup>th</sup> day of March, 2013.

APPROVED this 26<sup>th</sup> day of March, 2013.

APPROVED:

Steven F. Stockton, Mayor

ATTEST:

Tracey Covert, City Clerk

**Motion by Alderman Fazzini, seconded by Alderman Fruin that the Resolution be adopted.**

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

**Ayes: Aldermen Stearns, Mwilambwe, Schmidt, McDade, Mathy, Fazzini, Fruin and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

SUBJECT: Ratification of Contract with Lodge 1000 for the period of May 1, 2012 until April 30, 2014

**RECOMMENDATION/MOTION:** That the Contract be ratified.

**STRATEGIC PLAN LINK:** Goal 1. Financially Sound City Providing Quality Basic Services

**STRATEGIC PLAN SIGNIFICANCE:** Objective: d. City services delivered in the most cost effective, efficient manner; and e. Partnering with others for the most cost effective service delivery.

**BACKGROUND:** On May 23, 2012, the parties began negotiating the terms for a collective bargaining agreement to replace the Agreement that expired on April 30, 2012. The expired Agreement and Addendum can be located at [www.cityblm.org](http://www.cityblm.org) under Human Resources in a folder titled Labor Contracts. On February 28, 2013 the parties reached Tentative Agreements on the issues listed below. On March 13, 2013 Lodge 1000 ratified the Tentative Agreements.

Grievance Process

- Reduced grievance process from three steps to two steps.
- Increased time frame to 10 business days.

Hours of Work

- Standardized hours for all Lodge 1000 employees excluding Water Plant Operators and late shift Water Meter Service employee (7:00 a.m. to 3:30 p.m.)
- Agreed to Crewleader pay if more than one person is called out and accountability of same.

Promotions and Job Vacancies

- Limited bids for positions during a six (6) month period.
- Deleted prohibition on probationary employees being considered for Lodge 1000 posted vacancies.

- Increased qualification period from 45 calendar days to 90 calendar days.

#### Sick Leave

- Eliminated Sick Leave Buy Back and monthly RHS contributions for employees hired after March 25, 2013.

#### Wages

- May 1, 2011 wage table will be increased by 2% on May 1, 2012 (with retro) and 2% on May 1, 2013.
- Reduced May 1, 2011 wage table by 5% for employees hired after March 25, 2013. New table to be increased by 2% on May 1, 2013.
- \$500 signing bonus paid upon ratification of the Agreement.
- Agreed to increase shift differentials for the third shift from \$.25 to \$.35 per hour and increase first shift differentials from \$.30 to \$.40 per hour.
- Eliminated employees shopping for uniforms and safety shoes on City time.

#### Licenses and Certifications

- Incorporated current agreement to pay employees in Laboratory Technician, Water Plant Operator and Water Plant Operator/Relief positions who have a Colilert certification for required positions an additional \$.20 per hour. This requirement will be included in the job description as a requirement.

#### CDL positions

- Documentation of current positions that require a CDL license.

#### Managed Competition

- Updated language in Section 1.4 Non-Bargaining Unit Employees and Section 10.3 Consolidation or Elimination of Jobs to work in conjunction with the new Managed Competition Language.
- Pre-bargained impact and effects of Managed Competition.

#### Term of Agreement

- Agreed to a two (2) year term of Agreement expiring on April 30, 2014.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** Council and Lodge 1000.

**FINANCIAL IMPACT:** The financial impact of the Tentative Agreements includes:

- Gained efficiencies on hours of work and grievance procedures.
- Eliminated Sick Leave Buy Back and RHS benefits for employees hired after March 25, 2013.
- Reduction in overall wage table by 5% for employees hired after March 25, 2013.
- Increase in wage tables for existing employees by 2% effective May 1, 2012 (with retro) and 2% effective May 1, 2013.
- Increase in shift differential costs by \$584.00 dollars.

- \$500 signing bonus for bargaining unit employees.

Respectfully submitted for Council consideration.

Prepared by: Angie Brown, Human Resources Specialist

Reviewed by: Emily Bell, Director of Human Resources

Reviewed by: Jim Karch, Director of Public Works

Reviewed by: Craig Cummings, Director of Water

Financial & budgetary review by: Timothy Ervin, Budget Officer

Reviewed as to legal sufficiency: J. Todd Greenburg, Corporation Counsel

Recommended by:

David A. Hales  
City Manager

**Motion by Alderman Fazzini, seconded by Alderman Fruin that the Contract be ratified.**

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

**Ayes: Aldermen Stearns, Mwilambwe, Schmidt, McDade, Mathy, Fazzini, Fruin and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**SUBJECT: Ratification of Contract with Police Benevolent Labor Committee (Sergeants and Lieutenants) for the period of May 1, 2011 until April 30, 2014**

**RECOMMENDATION/MOTION: That the Contract be ratified.**

**STRATEGIC PLAN LINK: Goal 1. Financially Sound City Providing Quality Basic Services.**

**STRATEGIC PLAN SIGNIFICANCE:** Objective: d. City services delivered in the most cost effective, efficient manner and e. Partnering with others for the most cost effective service delivery.

**BACKGROUND:** On August 14, 2012 the parties began negotiating the terms for a collective bargaining agreement to replace the Agreement that expired on April 30, 2011. The expired Agreement can be located at [www.cityblm.org](http://www.cityblm.org) under Human Resources in a folder titled Labor Contracts. On March 4, 2013 the parties reached a Tentative Agreement. On March 7, 2013 the Union ratified the Tentative Agreement.

#### Wages

May 1, 2011	2% (Longevity per contract will be applied)
November 1, 2011	1% (Longevity per contract will be applied)
May 1, 2012	1.5% (Longevity per contract will be applied)
November 1, 2012	1.5% (Longevity per contract will be applied)
May 1, 2013	1.5% (Longevity per contract will be applied)
November 1, 2013	1.5% (Longevity per contract will be applied)

Increases in pay prior to the effective date of this Agreement shall be paid retroactively for all hours worked or paid to officers employed in the bargaining unit on the effective date of this agreement or who have retired since May 1, 2011. No other sections of this Agreement shall be applied retroactively.

#### Emergency Leave

- Agreed to eliminate Emergency Leave benefit. Officers on emergency leave shall utilize accrued paid time off (except sick leave) in order to remain in a paid status during the period of such Emergency Leave.

#### Health Insurance

- Employees will be eligible for the Blue Cross/Blue Shield PPO Well Plan and the Health Alliance HMO Well Plan. The Well Plan raises deductibles from \$250 to \$400.

#### Promotional Process

- Agreed to allow all Sergeants to take the Promotional Exam, but they must have 18 months service as a Sergeant to be eligible to be promoted.
- Agreed to changes in educational points.
- Agreed to update language on Command Preference Points. Changed the deviation the Chief may assign from two (2) to three (3).
- Agreed to increase the timeframe for Sergeants to notice the City they would like to sit for the Lieutenants exam from 140 days to 135 days from the test date.
- Agreed to allow Sergeants scheduled to work to take the exam on duty. Sergeants not on duty would not be eligible for overtime.
- Agreed to allow the Union two monitors for the exam.

#### Transfer of Firearm

- Agreed to provide service weapon and one ammunition clip on last day of actual work for Sworn Officers retiring in good standing or leaving on disability with a minimum of 20 years of uninterrupted service with the Bloomington Police Department.

#### Compensatory Time Off

- Agreed to have all Compensatory time banks converted to straight time hour banks. Every officer is limited to taking 120 fixed compensatory time hours off work per calendar year. Only 40 compensatory time hours may be placed in the officer's comp time bank per calendar year from overtime worked on hire-bank for non-City entities (i.e. Wehrenberg Theater; Wal-Mart; Bloomington High School).

#### Hire Back Work

- Agreed that the above referenced compensatory time off changes will be eliminated and prior compensatory time language reinstated, if the City raises the hire-back rate above \$70 per hour. The \$70 per hour rate can be increased by the amount of the percentage increase each May 1.

#### Managed Competition

- Agreed to the following language:

“The City agrees that it will not replace officers or allow officers other than bargaining unit members to perform traditional core police functions such as patrol and investigations as has historically been performed by bargaining unit members, except during limited training or in cases of emergency (i.e. natural or man-made disasters). The City may, however, assign the following work to other than bargaining unit members, including volunteers, where such assignment of work does not result in the layoff or replacement of any full-time bargaining unit member(s) in violation of Section 14.1 Union Security: grant writing, fleet maintenance or other activities which historically have not been performed by bargaining unit members.”

#### Term of Agreement

- Agreed to a three (3) year term of Agreement expiring on April 30, 2014.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** City Council and Police Benevolent Labor Committee (Sergeants and Lieutenants).

#### **FINANCIAL IMPACT:**

- Reduced the amount of paid leave time by eliminating Emergency Leave.
- Reduced the cost of the City Health Insurance costs.
- Limited the amount of Compensatory Time an Officer can use.
- Agreed to an outside employment rate that can be increased as the bargaining unit receives increases.
- Increased wage tables for employees by 2% effective May 1, 2011 (with retro), 1% effective November 1, 2011 (with retro), 1.5% effective May 1, 2012 (with retro),



1.5% effective November 1, 2012 (with retro), 1.5% effective May 1, 2013 and 1.5% effective, November 1, 2013.

Respectfully submitted for Council consideration.

Prepared by: Angie Brown, Human Resources Specialist

Reviewed by: Emily Bell, Director of Human Resources

Reviewed by: Clay Wheeler, Interim Police Chief

Reviewed by: Robert Wall, Asst. Police Chief

Financial & budgetary review by: Timothy L. Ervin, Budget Officer

Reviewed as to legal sufficiency: J. Todd Greenburg, Corporation Counsel

Recommended by:

David A. Hales  
City Manager

**Motion by Alderman Fazzini, seconded by Alderman Fruin that the Contract be ratified.**

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

**Ayes: Aldermen Stearns, Mwilambwe, Schmidt, McDade, Mathy, Fazzini, Fruin and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

SUBJECT: Professional Services Contract for the Bloomington Center for Performing Arts

**RECOMMENDATION/MOTION:** That the contract from GFour in the amount of \$34,000 be approved and the Mayor and City Clerk be authorized to execute the necessary documents.

**STRATEGIC PLAN LINK:** Goal 4 - Grow the Local Economy; Goal 5 - Great Place – Livable, Sustainable City; Goal 6 - Prosperous Downtown Bloomington

**STRATEGIC PLAN SIGNIFIGANCE:** Objective 4.e. - Strong working relationship among the City, businesses, economic development organizations; Objective 5.d. – Appropriate leisure and recreational opportunities responding to the needs of residents; Objective 6.c. – Downtown becoming a community and regional destination.

**BACKGROUND:** Staff respectfully requests approval of a contract to engage persons and/or groups represented by: GFour Production, Inc. to perform entertainment services in the Bloomington Center for the Performing Arts. Contract expenses for the contract will be \$34,000.00. The contract price covers the artist fees for the performance coming to the BCPA in April 2013. For proprietary and competitive advantage reasons we do not mention the acts by name in the staff back up report. As is standard industry practice, some artist contracts require some additional expenses for items such as travel, meals and lodging that vary from artist to artist. Travel expenses and local lodging fees occur less often, however virtually all artists are provided with meals and non-alcoholic beverages.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** The selection of these artists was coordinated with the Cultural Commission and the BCPA’s Programming Advisory Committee. Staff and community advisors agree that the visiting professionals would attract broad, positive community involvement and contribute to the public service mission of the Bloomington Center for the Performing Arts.

**FINANCIAL IMPACT:** The FY 2013 Budget appropriates funds in object 21101100-70220 within the BCPA budget to offset fees incurred to perform entertainment's services in the BCPA. These fees will be offset through future revenue generated from revenue such as ticket sales, grants, playbills, concessions, adverting, and sponsorships generated as part of each performance. Additionally, these revenues will offset additional artist expenses which may arise in regards to travel, meals, and/or lodging. Stakeholders may locate this purchase in the FY 2013 Capital, Enterprise, and Other Fund Budget Document on page #49.

Respectfully submitted for Council consideration.

Prepared by: Joel Aalberts, Performing Arts Manager

Reviewed by: John R. Kennedy, Director of Parks, Rec and Cultural Arts

Reviewed by: Barbara J. Adkins, Deputy City Manager

Financial & budgetary review by: Timothy L. Ervin, Budget Officer

Reviewed as to legal sufficiency: J. Todd Greenburg, Corporation Counsel

Recommended by:

David A. Hales  
City Manager

**Motion by Alderman Fazzini, seconded by Alderman Fruin that the contract from GFour in the amount of \$34,000 be approved and the Mayor and City Clerk be authorized to execute the necessary documents.**

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

**Ayes: Aldermen Stearns, Mwilambwe, Schmidt, McDade, Mathy, Fazzini, Fruin and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**SUBJECT:** Text Amendment to Chapter 44. Zoning, for Additional Zoning Definitions and Table Modifications for “Distribution Centers” and “Transfer Stations”

**RECOMMENDATION/MOTION:** That the Text Amendment to Chapter 44. Zoning, Definitions and Table Modifications, be approved and the Ordinance passed.

**STRATEGIC PLAN LINK:** Updating the City’s zoning ordinance provides for continuity with the 2015 Strategic Plan Goals of Grow the Local Economy and Great Place – Livable, Sustainable City.

**STRATEGIC PLAN SIGNIFICANCE:** The proposed changes will provide prospective developers better guidance to the City’s plan for business and economic growth and well as sustaining, providing, and protecting business development.

**BACKGROUND:** In the fall of 2012 the Wirtz Company approached the City with a proposal for development of a distribution center in a commercial area of west Bloomington. This development proposal reiterated a short coming in the City’s zoning code related to defining “distribution centers”. While we were confident where such an operation could and should be located and were using the term “transfer services” to justify zoning requirements, staff felt better definitions were warranted. Ultimately, the owner of the property opted to rezone the property to remove the doubt of whether the previous zoning was appropriate. However, the question of properly defining uses remained.

In November of 2012 Staff started conversation with the Planning Commission concerning proper definition of uses related to “transfer centers”, “transfer stations”, and “distribution centers”. This conversation lead to a staff initiated petition for a zoning text amendment.

The first formal proposal from staff came to the Commission on January 9, 2013. After a lengthy discussion over the vagueness of the proposed definition for “distribution center”, the

Commission tabled the matter to allow commission members an opportunity to draft proposals that might better serve the City's needs.

The Planning Commission reconvened on February 27, 2013 to reconsider the definitions. Presented were three additional definitions; two by commission members and one additional staff proposal. After thoroughly discussing the issue a definition was crafted that satisfied all of those on the Board. This is the definition presented as part of this petition.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** Besides the required public notices, notification of the proposed changes to the zoning ordinance were mailed to local developers and design professionals.

**FINANCIAL IMPACT:** There is no immediate financial impact to the City. However, the potential long-term impact of this memo may impact the location of a business may choose to build and location has the potential to positively impact the City's economic environment.

Respectfully submitted for Council consideration,

Prepared by: Mark R. Huber, Director, PACE Department

Financial & budgetary review by: Timothy L. Ervin, Budget Officer

Legal review by: J. Todd Greenburg, Corporation Counsel

Recommended by:

David A. Hales  
City Manager

**PETITION FOR ZONING TEXT AMENDMENT**

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 Bloomington, McLean County, Illinois, a municipal corporation hereinafter referred to as you petitioner respectfully representing and requesting as follows:

1. That the text of Chapter 44, Sections 44.3 - 2, Definitions, and Section 44.6 - 30, Table of Authorized Principal Uses in Each Zoning District, of the Bloomington City Code, 1960 no longer contribute to the public welfare for the following reason:
  - a. Current terms in the zoning ordinance are obsolete, vague, or not suitable for determining use of property or assignment to a zoning classification; and
  - b. The terms “distribution centers” and “transfer station” are not defined or included as permitted uses in Chapter 44.
2. That your petitioner hereby requests that said Sections be amended as hereinafter proposed in Exhibit A.
3. That the approval of said amendments will substantially reflect the philosophy and intent of Chapter 44 of the Bloomington City Code, 1960; and
4. That the approval of said amendments will offer benefits to the general public in excess of the hardships, limitations or restrictions imposed upon any definitive faction of the City of Bloomington, McLean County, Illinois that is affected by the proposed text of said Sections.

WHEREFORE, your petitioner respectfully requests that this petition to amend Chapter 44, Section 44.3 - 2 and 44.6 - 30 of the Bloomington City Code, 1960 as stated herein be approved in the public interest.

Respectfully submitted,

By: Mark Huber  
Director - PACE

## EXHIBT A

That the Bloomington City Code, 1960, as amended, be further amended by amending Chapter 44, Sections 44.6 - 30 and appendix C: (additions are indicated by underlining; deletions are indicated by strikeouts):

**Distribution Centers** – A building where goods are received and/or stored for delivery to the ultimate customer at remote locations.

**Transfer Station** - A solid waste facility or site at which temporary storage and transference of solid waste from one vehicle or container to another, generally of larger capacity, occurs prior to transportation to a point of processing or disposal. A transfer station is an intermediary point between the location(s) of waste generation (e.g., households, businesses, industries) and the site(s) of ultimate processing or disposal.

“Distribution Centers” is to be added to the tables and marked with a “P” in the S - 5, B - 1, B - 2, M - 1, M - 2, and W - 1 districts

“Transfer Stations” is to be added to the tables and marked with a “P” in the M - 2 District.

“Transfer Services” shall be removed from the tables.

**ORDINANCE 2013 - 15**

**AN ORDINANCE AMENDING CHAPTER 44 OF THE BLOOMINGTON CITY CODE**

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

**SECTION 1.** That the Bloomington City Code, 1960, as amended, be further amended by adding the following definitions, alphabetically to Section 44.3 - 2: (additions are indicated by underlining; deletions are indicated by strikeouts):

**Distribution Centers** – A building where goods are received and/or stored for delivery to the ultimate customer at remote locations.

**Transfer Station** - A solid waste facility or site at which temporary storage and transference of solid waste from one vehicle or container to another, generally of larger capacity, occurs prior to transportation to a point of processing or disposal. A transfer station is an intermediary point between the location(s) of waste generation (e.g., households, businesses, industries) and the site(s) of ultimate processing or disposal.

**SECTION 2.** That the Bloomington City Code, 1960, as amended, be further amended by amending Chapter 44, Sections 44.6 - 30 and appendix C: (additions are indicated by underlining; deletions are indicated by strikeouts):

“Distribution Centers” is to be added to the tables and marked with a “P” in the S - 5, B - 1, B - 2, M - 1, M - 2, and W - 1 districts

“Transfer Stations” is to be added to the tables and marked with a “P” in the M -2 District.

“Transfer Services” shall be removed from the tables.

**SECTION 3.** Except as provided herein, the Bloomington City Code, 1960, as amended shall remain in full force and effect.

**SECTION 4.** The City Clerk is hereby authorized to publish this ordinance in pamphlet form as provided by law.

**SECTION 5.** This ordinance shall be effective ten (10) days after the date of its publication.

**SECTION 6.** This ordinance is passed and approved pursuant to the home rule authority granted Article VII, Section 6 of the 1970 Illinois Constitution.

PASSED this 25<sup>th</sup> day of March, 2013.

APPROVED this 26<sup>th</sup> day of March, 2013.

APPROVED:

Stephen F. Stockton  
Mayor

ATTEST:

Tracey Covert  
City Clerk

**Motion by Alderman Fazzini, seconded by Alderman Fruin 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: Aldermen Stearns, Mwilambwe, Schmidt, McDade, Mathy, Fazzini, Fruin and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**SUBJECT:** Lake Bloomington Lease Transfer Petition for Lots 23 and 25, Block 3 of Camp Kickapoo from Arthur Kuchan to Joel and Constance Bankes

**RECOMMENDATION/MOTION:** That the Lake Lease be approved and the Mayor and City Clerk be authorized to execute the necessary documents.

**STRATEGIC PLAN LINK:** Goal 1: Value for your tax dollars and fees.

**STRATEGIC PLAN SIGNIFICANCE:** Objective 1: Budget with adequate resources to support defined services and level of services.

**BACKGROUND:** Staff has reviewed the Lake Bloomington Lease Transfer Petition for Lots 23 and 25, Block 3 of Camp Kickapoo from Arthur Kuchan to Joel and Constance Bankes. The sewage disposal system inspection was completed in late January of 2013 and the septic system was functioning properly at that time. The age of the sewage disposal system is 23 years. The McLean County Health Department estimates sewage disposal systems have an average life span



of approximately 20-25 years. However, this can be affected greatly by usage patterns of the premises (seasonal versus full time occupancy) and system maintenance.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** There were no Community Groups contacted for this petition as it is a routine matter.

**FINANCIAL IMPACT:** This petition will have a positive financial impact since the current lease calculate the lease fee based upon a lower factor, (\$0.15 per \$100 of Equalized Assessed Value) in the calculation of the annual Lake Lease Fee. The new agreement will increase the factor from \$0.15 to \$0.40 within the calculation of the lake lease formula (\$0.40 per \$100 of Equalized Assessed Value). This calculation will generate approximately \$570 per year in lease income. This lease income is accounted for within the Water Fund Lake Maintenance function and is deposited into the revenue account 50100140-57590.

Respectfully submitted for Council consideration.

Prepared by: Craig M. Cummings, Director of Water

Reviewed by: Barbara J. Adkins, Deputy City Manager

Financial & budgetary review by: Timothy L. Ervin, Budget Officer

Recommended by:

David A. Hales  
City Manager

**Motion by Alderman Fazzini, seconded by Alderman Fruin that the Lake Lease be approved and the Mayor and City Clerk be authorized to execute the necessary documents.**

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

**Ayes: Aldermen Stearns, Mwilambwe, Schmidt, McDade, Mathy, Fazzini, Fruin and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**SUBJECT:** Petition by Tara and Jeffrey Henry, requesting approval of Rezoning from R - 1A, Single-Family Residence District to R - 1A, Single-Family Residence District, with an S - 4 Historic Preservation District overlay for the property located at 1316 E. Washington

**RECOMMENDATION/MOTION:** That the Council approve the Rezoning Petition and the Ordinance passed.

**STRATEGIC PLAN LINK:** Goal 3. Strong Neighborhoods, Objective b. Upgraded quality of older housing stock. Goal 4. Grow the local economy, Objective d. Retention and growth of current local businesses. Goal 5. Great place – livable, sustainable city, Objective b. City decisions consistent with plans and policies.

**STRATEGIC PLAN SIGNIFICANCE:** The approval of the rezoning will encourage the preservation and upgrading over the years of the older house as well as that of nearby houses. According to the *City of Bloomington Historic Preservation Plan, 2004 Edition*, Historic preservation work done on the older homes not only has a greater impact (than new construction) on local labor demand but on local suppliers as well. Dollar for dollar, historic preservation is one of the highest job-generating economic development options available.

**BACKGROUND:** This petitioner is seeking approval of the S - 4 rezoning to preserve the cultural and historic character of the site as well as becoming eligible for partial funding of improvements through the Eugene D. Funk grants.

The Historic Preservation Commission reviewed the rezoning request on February 21, 2013. The meeting was only attended by the petitioner. No one else from the public spoke on this petition.

The Planning Commission reviewed the petition on February 27, 2013. The meeting was only attended by the petitioner. No one else from the public spoke on this petition.

The property is identified as a historically significant site in the City of Bloomington Historic Preservation Plan and is on the National Register of Historic Places. The house was built in 1900 for businessman Lyman Graham and was designed by Arthur L. Pillsbury. The house is located in an area that the City of Bloomington Historic Preservation Plan identifies as, “Potential Sites For Recognition As Historical Resources”. The plan states, “As Bloomington grew, the “better” neighborhoods moved eastward. This area developed during the early to mid-twentieth century for large estate-sized properties. Many of the homes were designed by local architects for the families of locally successful business and community leaders. The neighborhood is well maintained with a variety of architectural styles.”

Thus the site and area has early significance to Bloomington and the nation because of Adlai E. Stevenson II and other prominent citizens who lived in the area and with the architects being local, homes may have had a significant local character or flavor into its design. Adlai E. Stevenson II was the grandson of the Vice-President of the United States and he continued the family tradition of public service. He was a popular Governor for Illinois and was the United States Ambassador to the United Nations.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** The notice for the rezoning was published as required by the State of Illinois, followed by “notice” signs placed on

the property, and approximately 50 pieces of direct mail to property owners within 500 feet of the site.

**FINANCIAL IMPACT:** With future improvements to the property, this rezoning has the potential to generate additional property taxes within future years as the value of the property increases with improvements financed through potential grants and out of pocket by the petitioners.

Respectfully submitted for Council consideration.

Prepared by: Mark Woolard, City Planner

Reviewed by: Mark Huber, Director of PACE

Financial & budgetary review by: Timothy L. Ervin, Budget Officer

Reviewed as to legal sufficiency: J. Todd Greenburg, Corporation Counsel

Recommended by:

David A. Hales  
City Manager

**PETITION FOR ZONING MAP AMENDMENT**

State of Illinois )  
 ) ss.  
County of McLean )

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

Now comes Tara and Jeffrey Henry, 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 legally described in Exhibit A, which is attached hereto and made a part hereof by this reference, or are a mortgagee or vendee in possession, assignee of rents, receiver, executor (executrix), trustee, lessee or other person, firm or corporation or the duly authorized agents of any of the above persons having proprietary interest in said premises;

2. That said premises legally described in Exhibit “A” presently has a zoning classification of R – 1A, Single Family Residence District under the provisions of Chapter 44 of the Bloomington City Code, 1960;
3. That the present zoning on said premises is inappropriate due to error in original zoning, technological changes altering the impact or effect of the existing land uses, or the area in question having changed such that said present zoning is no longer contributing to the public welfare;
4. That your petitioners hereby request that the Official Zoning Map of the City of Bloomington, McLean County, Illinois be amended to reclassify said premises into the R – 1A with an S – 4, Historic Preservation District overlay, zoning district classification;
5. That said requested zoning classification is more compatible with existing uses and/or zoning of adjacent property than the present zoning of said premises; and
6. That said requested zoning classification is more suitable for said premises and the benefits realized by the general public in approving this petition will exceed the hardships imposed on your petitioners by the present zoning of said premises.

WHEREFORE, your petitioners respectfully pray that the Official Zoning Map of the City of Bloomington, McLean County, Illinois be amended by changing the zoning classification of the above-described premises from R - 1A to an R – 1A with an S – 4 overlay.

Respectfully submitted,

By: Tara and Jeffrey Henry

**ORDINANCE NO. 2013 - 16**

**AN ORDINANCE REZONING 1316 E. WASHINGTON STREET  
FROM R – 1A, SINGLE FAMILY RESIDENCE DISTRICT TO R – 1A WITH AN S – 4,  
HISTORIC PRESERVATION DISTRICT OVERLAY**

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

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

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

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

1. That the premises hereinafter described in Exhibit “A” shall be and the same are hereby rezoned from R – 1A, Single Family Residence District to an R – 1A with an S – 4, Historic Preservation District overlay.
2. The Official Zoning Map of said City shall be amended to reflect this change in zoning classification.
3. This Ordinance shall take effect immediately upon passage and approval.

PASSED this 25<sup>th</sup> day of March, 2013.

APPROVED this 26<sup>th</sup> day of March, 2013.

APPROVED:

Stephen F. Stockton  
Mayor

ATTEST:

Tracey Covert  
City Clerk

## **EXHIBIT A**

### Legal Description

100 feet off the east side of Outlot 2 of Jesse W. Fell's Addition to Outlots in the City of Bloomington, in McLean County, Illinois.

**Motion by Alderman Fazzini, seconded by Alderman Fruin that the Rezoning be approved and the Ordinance passed.**

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

**Ayes: Aldermen Stearns, Mwilambwe, Schmidt, McDade, Mathy, Fazzini, Fruin and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

SUBJECT: Public Hearing on the Fiscal Year FY 2014 Recommended Budget

**RECOMMENDATION/MOTION:** Not applicable.

**STRATEGIC PLAN LINK:** The whole Strategic Plan is unequivocally linked to the annual City Budget.

**STRATEGIC PLAN SIGNIFICANCE:** The budget is a financial plan which stipulates the approach the City will undertake to achieve the strategic plan in accordance with the aspirations of Council.

**BACKGROUND:** The City is required by state statute to adopt an annual appropriation Ordinance by May 1, 2013. The recommended budget was distributed to Council in two (2) budget books at the Monday, February 11, 2013 Council meeting. The first notebook represents the City's General Fund, while the second book presents each Non-General Fund(s) in addition to the proposed Capital Improvement Fund.

The Council held a public forum on February 27, 2013 at the Bloomington Center for the Performing Arts (BCPA) to solicit opinion from City-wide stakeholders in regards to the proposed FY 2014 recommended budget. Additionally, the City held a Council work session on Saturday, March 3, 2013 to provide the governing board the opportunity to discuss the budget. The public hearing scheduled tonight is an occasion required by State statute and required to be conducted prior to the adoption of the FY 2014 Budget. The adoption of the proposed FY 2014 budget is set to occur on the Monday, April 8, 2013 budget meeting.

Subsequent to the public form and Council work session, Council directed staff to integrate into the Capital Improvement Fund \$60,000 for the *design work* for Lutz Road. This design will widen the road approximately 2 feet on each lane and provide a new overlay and limited improvements to the drain and ditch infrastructure. The \$60,000 will have a net zero impact on the FY 2014 Capital Improvement Fund. The net zero impact derives from an equivalent reduction in expenditures related to the Route 66 Bike Trail enhancement which are expected to occur in FY 2015 rather than FY 2014.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** The public hearing has been advertised in the Pantagraph.

**FINANCIAL IMPACT:** The proposed FY 2014 Budget expenditures for thirty-five City funds are \$169.4 million, while budgeted revenue is \$163.3 million. The \$6.1 million difference will be offset by fund balance and net assets in the appropriate funds within the City's fund structure.

Respectfully submitted for Council consideration.

Prepared by and financial & budgetary review by: Timothy L Ervin, Budget Officer

Reviewed by: Barbara J. Adkins, Deputy City Manager

Recommended by:

David A. Hales  
City Manager

**Mayor Stockton introduced this item. He opened the Public Hearing on the proposed Fiscal Year (FY) 2014 Budget. He planned to allow each speaker three and a half (3½) minutes to address the Council. He requested that each speaker sign in before addressing the Council.**

**Meredith and Thomas Lovelass, 3205 Wisteria Ln., addressed the Council. They stated the need for a traffic signal at Autorow and G.E. Rd. They noted the number of properties that they were associated with in this area. The traffic volume impacted the businesses. There were additional business opportunities in the area as there were vacant lots. He cited the area around Brad Barker Honda, located at 1602 G.E. Rd, as an example. He noted the lack of access to an easy exit. He noted the speed of the traffic at Veterans Pkwy. and G.E. Rd. There had been a number of traffic accidents which Brad Barker Honda had provided aid/assistance. Traffic backed up trying to exit the various businesses. Motorist were forced to turn right. Tenant had been lost. There had been leasing issues due to this situation. He believed that this traffic signal would pay for itself. In addition to the traffic signal, there would be turn lanes**

**Ron Schultz, 1208 E. Oakland Ave., addressed the Council. He addressed priorities. He cited the taxpayers/voters. He noted that the proposed budget contain fourteen to**

fifteen (14 – 15) new positions. He support additional positions for police and fire. The other positions were unnecessary. The Water Department needed a good civil engineer. He cited pensions. New personnel would add to the City's pension obligations. The Council should fund the pensions with the City's Reserve Fund. He addressed infrastructure. City roads were in terrible condition. Additional dollars were needed. The Water Department was headed in the right direction with the alternative water supply. He also cited the on going sewer study. City sidewalks were also in need of attention. Outsourcing should be evaluated for every City department located within the City Hall.

Mr. Schultz noted the City's use of consultants and the money spent. This practice needed to be evaluated. He believed that the state would place school pensions as the responsibility of local schools. The City needed to cut back on expenses.

Lane Hanson, 116 S. Devonshire Dr., addressed the Council. The Council needed to look at priorities. The pensions needed to be funded and the street needed to be repaired. He cited additional parks and quality of life issues. The City Code needed to be adjusted. The City needed to look beyond the lowest bidder. The City should also request guarantees. The recommendation was to use surplus dollars to pay for the park. He believed that there were other areas where the City was behind.

Alton Franklin, 508 Patterson, addressed the Council. He acknowledged the comments which had already been made. He cited the City's surplus funds. There needed to be an intimate look at the City's finances. He cited the City's outstanding pension obligations, \$130 million. The estimate was \$60 million to repair the City's streets. The Council had not established priorities. Nothing was being done. He cited change orders. He addressed budget highlights. The City's budget was \$160 million but the City spent \$183 million. The City was on a bad road.

Mr. Franklin believed that the City had substantial infrastructure issues. He cited sewer and water. He noted the cost for Eagle View Park, \$600,000 and an approved half way house, \$75,000. He admired what has been done. The Council needed to go beyond the talk and set priorities.

Carl Woodward, 3009 Thornwood, addressed the Council. He was a small business owner. The Council needed to be responsible. He cited the City's pension obligations, \$130 million. He restated that the Council needed to be responsible. He cited the cost for pensions, infrastructure, and health care. He noted the losses, (millions per year) at the Bloomington Center for the Performing Arts and US Cellular Coliseum. He questioned if the City had a plan. The Council needed to listen to David Hales, City Manager.

Mr. Woodward believed that the Council as a group had been irresponsible. The City had the cash which was due to the pensions. He added that the City had health care obligations. The City had been following the state's legal minimum payments into the pension funds. The City could not afford additional employees. He restated that the Council was being irresponsible. The City needed to reduce expenses. The Council needed financial discipline.



**Bruce Meeks, 1402 Wright St., addressed the Council. He had attended the Budget Work Session which had been held on Saturday, March 2, 2013. He noted the citizens' low level interest. He had contacted City staff via email regarding video streaming this Work Session. Video streaming was not used for this meeting. There needed to be more open access. The City needed to hire a communications person. In addition, there needed to be additional Information Technology positions to implement MUNIS. He viewed the placement of the budget on the City's web site as a positive.**

**Mr. Meeks cited a demolition project on Prairie St., (see page 244). The City needed to take care of its responsibilities. This was City owned property which was not in compliance with the City Code.**

**He requested that the City publish a record of unspent allocated funds. The budget process needed to be expanded. Citizens were not participating and/or involved in the process. Growth was key to new jobs.**

**Mayor Stockton closed the Public Hearing. He noted that there was some disappointment with the proposed budget. The Council did listen. He believed that there would be disagreement with Council actions. The Council had to make tough decisions. The Council attempted to look into the future and set priorities. The Council would vote on the FY 2014 Budget Ordinance at their April 8, 2013 meeting. He welcomed additional comments on the budget and encouraged those present to contact an alderman.**

**The following was presented:**

**SUBJECT: Renewal of Towing Bid 10,000 GVW and Under to Joe's Towing & Recovery**

**RECOMMENDATION/MOTION:** That the City exercises the fourth (4<sup>th</sup>) Annual Renewal Option to the Towing Bid 10,000 GVW and Under to Joe's Towing & Recovery for the period of one (1) year commencing May 1, 2013 and ending April 30, 2014.

**STRATEGIC PLAN LINK:** Goal 1: Financially Sound City Providing Quality Basic Services.

**STRATEGIC PLAN SIGNIFICANCE:** In order to be responsive to citizen needs, adequate resources must be provided to employees to fulfill the goal of providing quality basic services. This provides value to the citizen and allows services to be delivered in a cost-effective manner.

**BACKGROUND:** A bid was let on March 5, 2009 for light duty towing. Two (2) bids were received on March 19, 2009. Brown's Towing submitted a "No Bid" the other was from Joe's Towing & Recovery. The specification was for the towing, winching, and other miscellaneous services for City-owned cars trucks and light equipment 10,000 GVW and under. The specification included Police-ordered tows and/or relocation and storage of vehicles. The vendor must provide services as needed twenty-four (24) hours a day for 365 days per each awarded year. Joe's Towing was awarded the contract on April 13, 2009. The contract was for one (1)

year which began on May 1, 2009 with annual renewals until April 30, 2014. This is the final renewal that can be exercised in regards to the original RFP issued in 2009.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** City Staff organized a meeting with tow vendors on April 9, 2009. Tow vendors expressed interest in the City setting up and maintaining two (2) rotational towing lists used by City Staff. One (1) list would cover City-owned vehicles and equipment and one (1) list would cover Police-ordered tows. The attendees suggested the annual referral fee be dropped and vehicles towed would be stored and disposed of at each individual vendor's lot. This would create increased workloads for City Staff, lost revenue, more difficult tracking of vehicles and increased confusion for owner's picking up their vehicles. City Staff recommended the tow vendors get together and put forth a proposal to meet the bid requirements. A letter was sent out November 12, 2009 to invite the following tow vendors to participate in a meeting to discuss the City's towing contract with contact information for any questions they might have; Accurate Towing, Baird Towing, Brown's Towing, Joe's Towing, Redneck Towing, S&S Towing, Ralph's Southtown Towing, Wink's Towing, Absolute Towing, Lloyd's Towing, and Walden Towing. The meeting was held on November 17, 2009. Joe's Towing and Southtown Towing were the only vendors which attended the meeting. These two attendees offered no recommended changes to the tow contract. Both meetings were attended by City Staff which consisted of Public Works, Finance, and the Police Department. No meeting was set up for this year as no one expressed any interest in a change to the tow contact at this time. City Staff will solicit proposals for Towing Services prior to the current contract expiration date.

**FINANCIAL IMPACT:** The term for the renewal is for one (1) year which begins on May 1, 2013 and ends on April 30, 2014. The contract specifications require no charge to the City for specific tow services which include:

**Description of ServiceAmount**

Towing of City owned cars and equipment under 10,000 GVW	No Charge to the City
Towing of other cars and equipment	No Charge to the City
Tire changes	No Charge to the City
Abandoned and impounded vehicle storage charge to the City	No Charge to the City
Storage of City owned vehicles	No Charge to the City
Power Starting or Jump Starting of City owned vehicles	No Charge to the City

Additionally, the bid included specific services the vendor would provide to the City and designates set amounts the City would be charged for these services. Lists of these tow services provided by the vendor which requires City reimbursement includes:

**Description of ServiceAmount**

Winching	\$50.00
Outside City mileage rate	\$2.00/mile
Transport/tow vehicles to and from the BPD Range per round trip	\$50.00
Vehicles for training purposes (one-time fee per vehicle)	\$0.00

As a condition of the tow contract, Joe's Towing is required to pay the City an annual referral fee for the receipt of tow referrals from the Police Department. This tow referral includes tows from accident scenes and Police Department arrests which require the vehicle to be towed. This revenue is accounted for in line item 10010010-57990 and the vendor will issue a payment to the City upon the issuance of a Purchase Order by the City.

Respectfully submitted for Council consideration.

Prepared by: Jim Karch, Director of Public Works  
Reviewed by: Barbara J. Adkins, Deputy City Manager  
Financial & budgetary review by: Timothy L. Ervin, Budget Officer  
Reviewed as to legal sufficiency: J. Todd Greenburg, Corporation Counsel  
Recommended by:

David A. Hales  
City Manager

**Mayor Stockton introduced this item.**

**David Hales, City Manager, addressed the Council. He cited the information which had been provided to the Council. In 2009, a bid for Towing Vehicles 10,000 GVW and Under was issued. There appeared to be a lot of interest. This was the last renewal option. The City would have the opportunity to solicit interest and bids. The bid process was labor intensive. A process would be developed by the City's administrative staff. City staff would solicit the Council's direction prior to bidding.**

**Alderman Stearns expressed her appreciation for Mr. Hales' comments. She was responding to individuals who had been towed.**

**Clay Wheeler, Interim Police Chief, addressed the Council. Some items were retrievable. This was governed by state law. He added that Bruce Pedigrew, Joe's Towing, was present.**

**Alderman Stearns addressed storage fees. Vehicle owners did not understand same. She believed that there should be a provision that no storage fees would be charged if a vehicle was retrieved in eight (8) hours. She restated that as a start no fee should be charged if a vehicle was retrieved within eight (8) hours.**

**Mr. Hales did not believe that this was the time/place to renegotiate the bid's provisions. He acknowledged that there had been complaints. The fees charged were**

competitive. City staff would take a comprehensive look prior to issuing a bid. There was a regulatory process. High fees were not popular.

Alderman Schmidt expressed her support for Alderman Stearns' request. She also cited eight (8) hours. The City's name was attached to towing. She had learned a lot about towing.

Mayor Stockton noted that there were some concerns were costs for storage fees. He questioned what happened if the tow was found to be invalid. Interim Chief Wheeler stated that if found innocent, the towing charges were reimbursed.

Mayor Stockton acknowledged that this was not the place to negotiate. This renewal would be for an additional year. The City Manager and Interim Police Chief would look into this issue. The Council needed to address the renewal now.

Alderman Stearns was troubled by the concept. She noted the individual guilt versus honest mistakes. Towing was a business which provided a service. If a car is towed, the service needed to be paid for. She questioned why the City was paid by Joe's Towing. There was too much here. She restated her discomfort with this item. She requested that this item be laid over. The City did not act like the Town of Normal. Town staff investigated what worked for the Town. She restated that she did not understand the fee. Towing fees should be fair.

Alderman Fruin did not believe that this was the right time/place to negotiate. He added that there were other issues. Better solutions could be included in the City's next contract.

Alderman McDade questioned options and the City staff time involved.

Mr. Hales responded at least eight (8) hours. He added that a Work Session was needed. He reminded them that the bid expired on April 30, 2013. There was not enough time to rebid.

Mayor Stockton believed that Mr. Hales had made note of the Council's concerns.

Alderman Stearns expressed her willingness to support this item if Joe's Towing's owner was willing to discuss the storage fee, (i.e. no fee if a vehicle is retrieved within eight (8) hours. People believed that they had been treated unfairly.

Mayor Stockton noted that the owner may mitigate services.

Alderman Purcell questioned the towing fee if the storage fee was removed.

Bruce Pedigo, Joe's Towing owner/operator, ADDRESS, addressed the Council. The bid had submitted three (3) years ago. The franchise fee was included in the cost of the tow. The City retained vehicles which were not picked up. Approximately 336 vehicles

were sold per year. The impound fee was charged when vehicles were towed to the garage. He provided a breakdown of the various fees. If an individual has broken the law, then the vehicle was impounded, (\$80 plus \$4 per mile, \$35 impound fee, \$40 storage). He stated his willingness to work with the Police Department. He added that if the Police Department had made mistake, the no fees were charged.

Alderman Purcell stated that the fee would be \$164. Mr. Pedigo responded affirmatively. He added his willingness to meet with the Council.

Mayor Stockton questioned the impound fee. Mr. Pedigo noted that it was applied to vehicles which are placed in the yard. Private property tows were different. He added that the City had a post tow hearing process.

George Boyle, Asst. Corporation Counsel, addressed the Council. He noted that the Council had not suspended the rules. This item involved a contract/purchase order.

Mayor Stockton viewed Joe's Towing as an extension of the Police Department.

Mr. Pedigo informed the Council that Joe's Towing had the ability to alter rates.

Motion by Alderman Schmidt, seconded by Alderman Fazzini that the City exercises the fourth (4<sup>th</sup>) Annual Renewal Option to the Towing Bid 10,000 GVW and Under to Joe's Towing & Recovery for the period of one (1) year commencing May 1, 2013 and ending April 30, 2014.

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

Ayes: Aldermen Mwilambwe, Schmidt, McDade, Mathy, Fazzini, Fruin and Purcell.

Nays: Alderman Stearns.

Motion carried.

**CITY MANAGER'S DISCUSSION: None.**

**MAYOR'S DISCUSSION:** Mayor Stockton informed the Council that a Public Hearing regarding a server training ordinance was scheduled for Tuesday, March 26, 2013 at 5:00 p.m. at the Bloomington Center for the Performing Arts. All of the City's liquor license holders had been notified. It appeared that the Town of Normal was waiting for the City to take action. Sample ordinances, (from other communities and the City), have been posted/provided.

**ALDERMEN'S DISCUSSION:** Alderman Fruin questioned preliminary discussions regarding the City providing financial support for the air traffic control tower at the Central Illinois Regional Airport (CIRA). The tower needed to remain open. He cited the price of safety. The City needed to provide assistance to fund this critical service.

Mayor Stockton stated that there was no specific proposal. The FAA (Federal Aviation Administration) had denied CIRA's appeal. CIRA was the largest airport affected. He cited safety concerns. The tower could not be shut down. The City would work with other governmental units. CIRA would seek reimbursement. There was no solid proposal. He cited CIRA's efforts to bring in Frontier Airlines. He believed that there would be more information later in the week.

Alderman Fazzini cited the need to educate the public. The tower was manned by contract employees. CIRA was spending fewer FAA dollars. He added that Peoria's tower remained open.

Mayor Stockton acknowledged that the FAA was closing the most efficient operation.

Alderman Fazzini had attended One Voice with Mayor Stockton, Alderman McDade and David Hales, City Manager. He had also attended the National League of Cities Conference. The conference preceded One Voice. The sessions were beneficial. He cited the economic benefit by welcoming veterans. He noted the various speakers. Many were national government leaders. Vice President Joe Biden made a presentation regarding gun control. Rev. Al Sharpton addressed the diversity breakfast. He had met people from other communities and learned from same.

Alderman McDade cited the Mayor's notes from One Voice which had been provided to the Council. One Voice was a Bloomington Normal Economic Development Council (BN EDC) program. BN EDC was a public/private partnership. BN EDC was sixty percent (60%) privately funded. It advocated economic development within BN.

She also addressed the airport issue. Various entities would work together to provide quality safe air service.

Alderman McDade thanked Mr. Hales and City staff for their efforts to answer the Council's complicated questions.

Finally, she thanked the Public Works crews for their efforts due to the snow storm.

Alderman Stearns noted her efforts to analyze the proposed FY 2014 Budget. Comments had been received. She believed that complicated questions had been put on the back table. She was not ready to issue her stance on the budget. She addressed the Tax Levy for the past three (3) years. Funding for the Police and Fire Pension funds had decreased. She had also reviewed Fitch's and Standard and Poors' opinions. They had cited pension funding, debt and the City bond rating.

Motion by Alderman McDade, seconded by Alderman Schmidt, that the meeting be adjourned. Time: 8:20 p.m.

Motion carried.

**Tracey Covert  
City Clerk**

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SPECIAL SESSION  
CITY COUNCIL  
City Hall Conference Room  
December 10, 2012

Council present: Aldermen Bernard Anderson, David Sage, Mboka Mwilambwe, Rob Fazzini, Karen Schmidt, Jim Fruin, Steven Purcell, Judy Stearns, and Mayor Stephen Stockton.

Council absent: Alderman Jennifer McDade.

Staff present: David Hales, City Manager and Tracey Covert, City Clerk.

Others present: Betty McCain, ASC Sr. Claims Adjuster.

Mayor Stockton called the Special Session to order at 4:30 p.m.

Motion by Alderman Schmidt, seconded by Alderman Purcell to recess to Executive Session regarding Claims Settlement – Section 2 (c) () and Personnel – Section 2 (c) (1).  
Time: 4:31 p.m.

Motion carried, (viva voce).

Motion by Alderman Anderson, seconded by Alderman Schmidt to return to Special Session and adjourn. Time: 6:45 p.m.

Motion carried, (viva voce).

Respectfully submitted,

Tracey Covert  
City Clerk

SPECIAL SESSION  
CITY COUNCIL  
City Hall Conference Room  
December 17, 2012

Council present: Aldermen Bernard Anderson, David Sage, Mboka Mwilambwe, Rob Fazzini, Karen Schmidt, Jim Fruin, Steven Purcell, Judy Stearns and Jennifer McDade, and Mayor Stephen Stockton.

Staff present: David Hales, City Manager, Barb Adkins, Deputy City Manager, Todd Greenburg, Corporation Counsel, Emily Bell, Director – Human Resources (HR), Angie Brown, HR Specialist, Mike Kimmerling, Fire Chief, John Kennedy, Parks, Recreation & Cultural Arts Director, Jim Karch, Public Works Director, and Tracey Covert, City Clerk.

Others present: Jim Bard and Lisa Calloway, Clark Smith Baird.

Mayor Stockton called the Special Session to order at 5:00 p.m. He noted the meeting's topics: Collective Bargaining and Personnel.

Motion by Alderman Anderson, seconded by Alderman Purcell to recess to Executive Session regarding Collective Bargaining – Section 2 (c) (2) and Personnel – Section 2 (c) (1). Time: 5:01 p.m.

Motion carried, (viva voce).

Motion by Alderman Anderson, seconded by Alderman Schmidt to return to Special Session and adjourn. Time: 6:45 p.m.

Motion carried, (viva voce).

Respectfully submitted,

Tracey Covert  
City Clerk

SPECIAL SESSION  
CITY COUNCIL  
City Hall Conference Room  
February 25, 2013

Council present: Aldermen Jamie Mathy, David Sage, Mboka Mwilambwe, Rob Fazzini, Karen Schmidt, Jim Fruin, Steven Purcell, and Jennifer McDade, and Mayor Stephen Stockton.

Council absent: Aldermen Stearns.

Staff present: David Hales, City Manager Barb Adkins, Asst. City Manager, Todd Greenburg, Corporation Counsel, Clay Wheeler, Interim Police Chief, Emily Bell, Human Resources (HR) Director, Patti-Lynn Silva, Finance Director, Paulette Hurd, Chief Accountant, and Tracey Covert, City Clerk.

Others present: Lisa Calloway, Clark, Baird & Smith, LLP attorney and Chad Lucas, Sikitch Partner.

Mayor Stockton called the Special Session to order at 5:00 p.m.

He cited the reasons for calling this meeting – Auditor’s Report, Section 2 (c) (29) and Collective Bargaining, Section 2 (c) (2).

Motion by Alderman Fazzini, seconded by Alderman Mwilambwe to recess to Executive Session regarding Auditor’s Report – Section 2 (c) (29) and Collective Bargaining, Section 2 (c) (2). Time: 5:01 p.m.

Motion carried, (viva voce).

Motion by Alderman Purcell, seconded by Alderman Schmidt to return to Special Session and adjourn. Time: 6:25 p.m.

Motion carried, (viva voce).

Respectfully submitted,

Tracey Covert  
City Clerk



FOR COUNCIL: April 8, 2013

SUBJECT: Bills and Payroll

**RECOMMENDATION/MOTION:** That the bills and payroll be allowed and orders drawn on the Treasurer for the various amounts as funds are available.

**STRATEGIC PLAN LINK:** Goal 1. Financially sound City providing quality basic services.

**STRATEGIC PLAN SIGNIFICANCE:** Objective 1.d. City services delivered in the most cost-effective, efficient manner.

**BACKGROUND:** The list of bills and payrolls will be posted on the City’s website on Thursday, April 4, 2013 by posting via the City’s web site.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** Not applicable.

**FINANCIAL IMPACT:** Total disbursements information will be provided via addendum.

Respectfully submitted for Council consideration.

Prepared by: Tracey Covert, City Clerk

Financial & budgetary review by: Patti-Lynn Silva, Director of Finance

Recommended by:

David A. Hales  
City Manager

**Attachment:** Attachment 1. Bills and Payroll on file in the Clerk’s office. Also available at [www.cityblm.org](http://www.cityblm.org)

Motion: \_\_\_\_\_ Seconded by: \_\_\_\_\_

	Aye	Nay	Other		Aye	Nay	Other
Alderman Mathy				Alderman Purcell			
Alderman Fazzini				Alderman Sage			
Alderman Fruin				Alderman Schmidt			
Alderman McDade				Alderman Stearns			
Alderman Mwilambwe							
				Mayor Stockton			



FOR COUNCIL: April 8, 2013

**SUBJECT:** Analysis of RFP for Installation of one (1) New Outdoor Warning Siren

**RECOMMENDATION/MOTION:** That that the RFP for the installation of one (1) New Outdoor Warning Siren be awarded to Innotech Communications, in the amount of \$33,954.49, and the Purchasing Agent be authorized to issue a Purchas Order.

**STRATEGIC PLAN LINK:** Goal 2- Upgrade City Facilities and Infrastructure

**STRATEGIC PLAN SIGNIFICANCE:** Objective 2.d. - This outdoor warning siren is not operating properly at present. The location (atop Cargill) is difficult to access, perform work, and maintain. Based on the age and the above factors, this siren has been selected for replacement as we continue to ensure up to date operational outdoor warning sirens for public notifications, especially during severe weather. Failure to maintain the outdoor warning siren system places the public at greater risk during these type of events.

**BACKGROUND:** The Outdoor Warning Siren system is designed to alert people that are outdoors as danger approaches and encourage them to take cover inside. It is not designed to alert people already inside. Depending on where a citizen lives in relation to siren location and the wind direction and strength, the ability to hear the sirens from inside will vary. The system has a series of overlaps in system coverage, and as a result, most residents will be able to hear one if not several sirens in the event they are activated.

The system currently consists of nineteen (19) sirens located in the City. They are different in age and coverage area, and as such, the spacing may not be equal, but the alert capability should be consistent. Most are located in the public way, while others, such as at the downtown State Farm Insurance Building is on private property. Elevation, size and area to be covered have governed where these units have been located.

The Fire Department has oversight responsibility of the outdoor siren and warning system. This oversight includes selecting additional sites for new sirens as the City grows, to establish a maintenance procedure for the system, to provide for monitoring of the status of the sirens and to write specifications for new purchases. The City's Engineering division of Public Works assists the Fire Department on establishing sirens in need of repair or replacement based on age and condition of the siren as well as providing for some of the repair work and general maintenance of the existing units. Failure to maintain this system can adversely affect the public's early warning to weather and other hazards.

This siren project calls for the removal of the existing siren that sits on top of Cargill and would move it to the corner of Washington and Euclid St. This would allow of ease of maintenance by the Engineering Department in the future.

Two (2) bids were received on the project. Innotech Communications submitted a bid of \$33,954.49 and Emmet-Scharf Electric submitted a bid of \$38, 188.00.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** None.

**FINANCIAL IMPACT:** The FY 2013 Budget appropriated \$60,000 for the installation and/or replacement of Outdoor Warning Sirens in line item 10015210-72140. The total cost to replace this unit is purchase the unit is \$33,954.49. There are sufficient budgeted funds on hand to pay for the replacement of this Outdoor Warning Siren. Stakeholders may locate this purchase in the FY 2013 General Fund Budget Document on Page #238.

Respectfully submitted for Council consideration.

Prepared by: Michael Kimmerling, Fire Chief

Financial & Budgetary review by: Timothy L. Ervin, Budget Officer

Recommended by:

David A. Hales  
City Manager

**Attachments:** Attachment 1. Maps

Motion: \_\_\_\_\_ Seconded by: \_\_\_\_\_

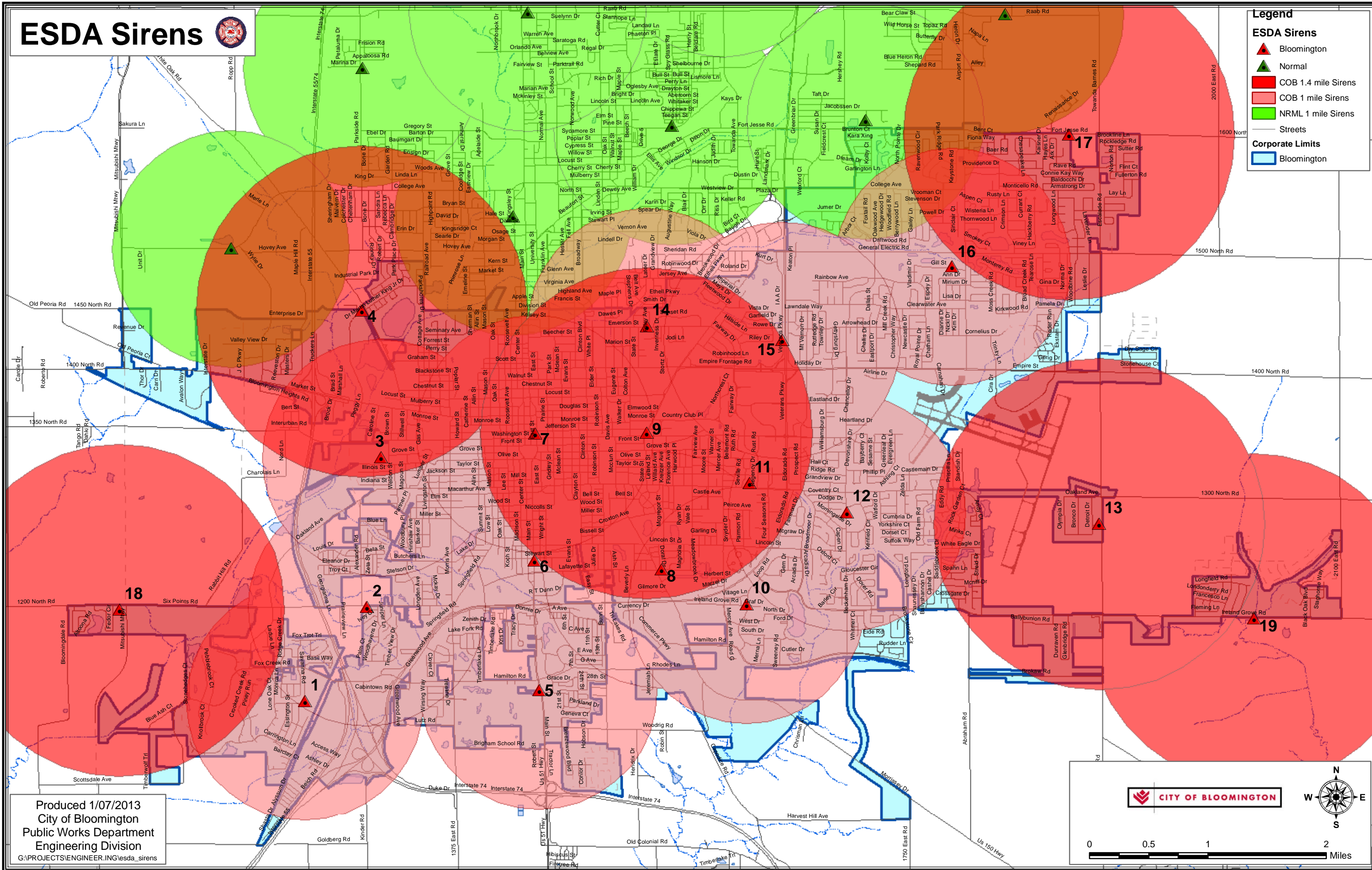
	Aye	Nay	Other		Aye	Nay	Other
Alderman Fazzini				Alderman Purcell			
Alderman Fruin				Alderman Sage			
Alderman McDade				Alderman Schmidt			
Alderman Mathy				Alderman Stearns			
Alderman Mwilambwe							
				Mayor Stockton			

# ESDA Sirens



**Legend**

- ESDA Sirens
  - Bloomington
  - Normal
  - COB 1.4 mile Sirens
  - COB 1 mile Sirens
  - NRML 1 mile Sirens
  - Streets
- Corporate Limits
  - Bloomington



Produced 1/07/2013  
City of Bloomington  
Public Works Department  
Engineering Division  
G:\PROJECTS\ENGINEER\ingesda\_sirens

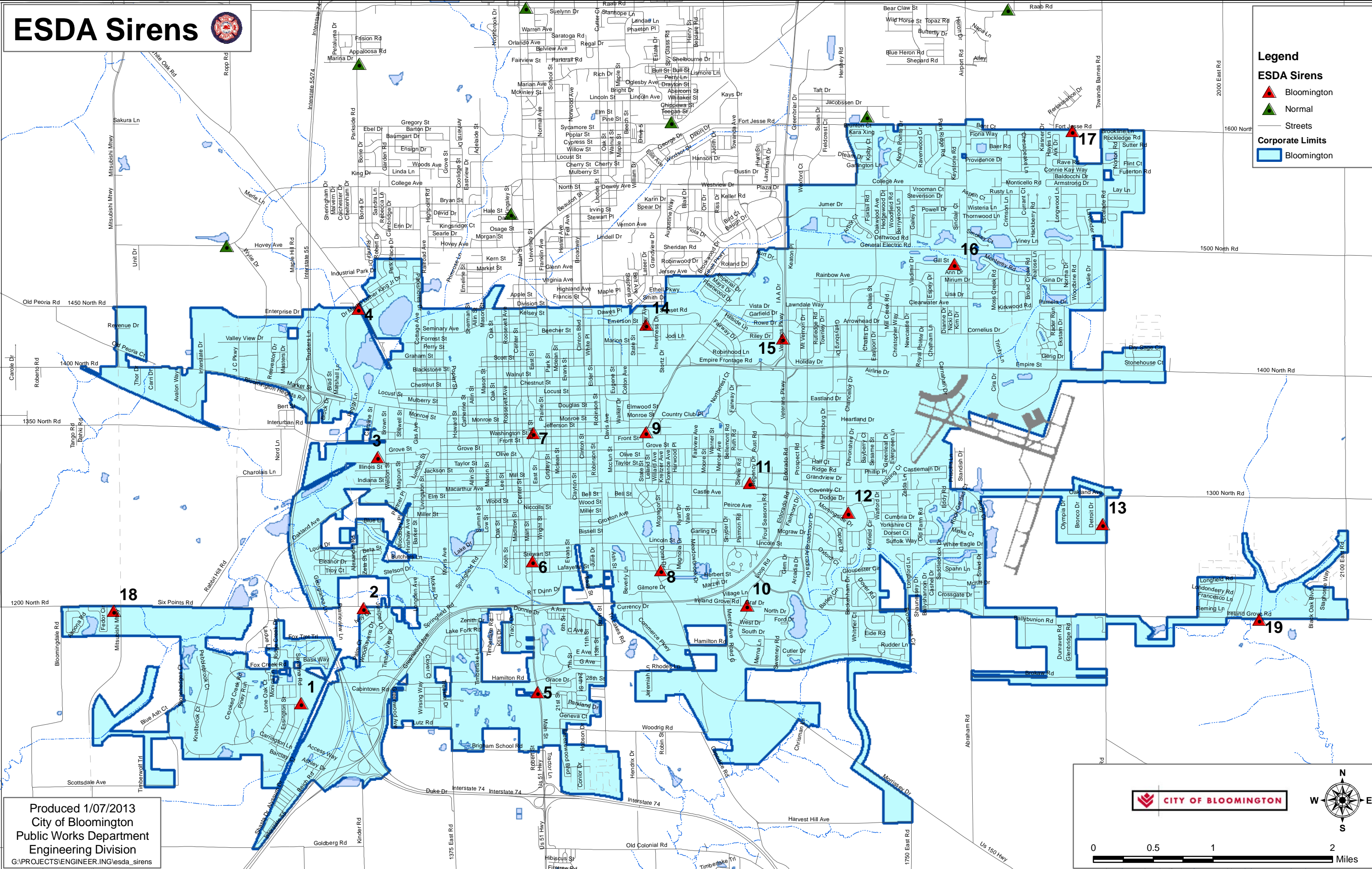
CITY OF BLOOMINGTON

0 0.5 1 2 Miles

# ESDA Sirens



- Legend**
- ESDA Sirens
    - Bloomington (Red triangle)
    - Normal (Green triangle)
  - Streets (Thin black line)
  - Corporate Limits (Blue outline)
  - Bloomington (Light blue fill)



Produced 1/07/2013  
City of Bloomington  
Public Works Department  
Engineering Division  
G:\PROJECTS\ENGINEER\ING\esda\_sirens

CITY OF BLOOMINGTON

0 0.5 1 2 Miles





FOR COUNCIL: April 8, 2013

**SUBJECT:** Change Order for the FY 2013 Utility Maintenance Contract

**RECOMMENDATION/MOTION:** That a change order be executed in the amount of \$200,000 to fund various water pump repair projects.

**STRATEGIC PLAN LINK:** Goal 2 - Upgrade City Infrastructure and Facilities, and Goal 6 – Great Place – Livable and Sustainable City.

**STRATEGIC PLAN SIGNIFICANCE:** Objectives 2.b. and 6.a. - The utility maintenance program for the City provides good stewardship by maintaining the existing water main infrastructure and improves quality of life.

**BACKGROUND:** At the August 13, 2012 meeting, Council executed the FY 2013 Utility Maintenance Contract with George Gildner, Inc. in the amount of \$400,000 for FY 2013 (contract will expire on April 30, 2013). Upon execution of the Contract, Gildner has completed eight repair projects and several additional projects are expected to be completed this spring. Some of the completed and anticipated projects include maintenance on pumps at the Lake Bloomington Water Treatment Plant and Fort Jesse Water Pump Station. This work involves repairing large pumps that have failed or need maintenance. A complete list of completed and future projects including descriptions and actual cost or estimated cost is attached.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** This work was advertised in The Pantagraph on June 25 and July 2, 2012 and a pre-bid meeting was held at 10:00 a.m. on July 2, 2012 in the Public Works Department Conference Room.

**FINANCIAL IMPACT:** The FY 2013 budget includes \$400,000.00 for the contractual work. Revisions to the original contract budget are outlined in the table. The difference between the original and revised budget is solely within the Water Fund. The contract amounts for the Sewer and Storm Water Fund will not alter from the original contractual amount. The Water Fund has sufficient net assets to absorb the contract revision.

	<u>ORIGINAL</u>	<u>REVISED</u>
Storm Water Fund (53103100-72550)	\$150,000.00	\$150,000.00
Sewer Fund (51101100-72550)	\$200,000.00	\$200,000.00
Water Fund (50100120-72540)	\$ 50,000.00	\$250,000.00
Total Contract	\$400,000.00	\$600,000.00

Respectfully submitted for Council consideration.

Prepared by: Craig Cummings, Director of Water

Reviewed by: Jim Karch, PE, CFM, Director of Public Works

Reviewed by: Barbara J. Adkins, Deputy City Manager

Financial & Budgetary review by: Timothy L. Ervin, Budget Officer

Recommended by:

David A. Hales  
City Manager

**Attachments:** Attachment 1. Project List

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Motion: \_\_\_\_\_ Seconded by: \_\_\_\_\_

	Aye	Nay	Other		Aye	Nay	Other
Alderman Fazzini				Alderman Purcell			
Alderman Fruin				Alderman Sage			
Alderman McDade				Alderman Schmidt			
Alderman Mathy				Alderman Stearns			
Alderman Mwilambwe							
				Mayor Stockton			

## FY2013 UTILITY MAINTENANCE CONTRACT

### COMPLETED AND PAID PROJECTS

PROJECT DESCRIPTION	FUNDING	START DATE	END DATE	COST
Ft Jesse Pump Station - Pump Repair #1	Water	11/11/2012	11/1/2012	\$4,777.54
Lake Bloomington Plant - Pump Repair #1	Water	11/20/2012	11/20/2012	\$6,420.03
Lake Bloomington Plant - Pump Repair #2	Water	12/4/2012	12/6/2012	\$18,007.48
109-111 Parkview - Storm Sewer Repair	Storm	10/15/2012	11/9/2012	\$4,469.04
14 Canterbury - Sanitary MH Adjustment	Sewer	10/25/2012	11/9/2012	\$5,240.10
1804 S. Hershey Rd - Sanitary Sewer Repair	Sewer	10/30/2012	11/9/2012	\$9,248.80
Cottage Ave - Sanitary Sewer Replacement	Sewer	10/25/2012	12/17/2012	\$33,206.74
Railroad Sewer - Debris Removal #1	Sewer	12/4/2012	12/19/2012	\$7,054.35
Washington & Mercer - Manhole Repair	Storm	12/19/2012	12/19/2012	\$1,294.16
Luther Oaks - Sewer Screen Installation	Sewer	1/8/2013	1/16/2013	\$1,627.26
Ft Jesse Pump Station - Pump Repair #2	Water	1/7/2013	1/7/2013	\$13,555.88
Railroad Sewer - Debris Removal #2	Sewer	2/18/2013	2/25/2013	\$6,317.82
Sugar Creek Lift Station - Wall Removal	Sewer	2/11/2013	3/1/2013	\$5,036.42
Washington & Mercer - Manhole Replacement	Storm	3/12/2013	3/15/2013	\$13,825.26
Sugar Creek Lift Station - Air Relief Valve Repair	Sewer	3/1/2013	3/21/2013	\$8,177.63
Oakland & Clayton - Sewer Repair	Sewer	3/11/2013	3/11/2013	\$1,719.89
<b>TOTAL PROJECTS TO DATE</b>				<b>\$139,978.40</b>
Storm Water Project Total				\$19,588.46
Sewer Project Total				\$77,629.01
Water Project Total				\$42,760.93

### COMPLETED, BILLED, BUT NOT PAID PROJECTS

PROJECT DESCRIPTION	FUNDING	START DATE	END DATE	COST
Lake Bloomington Plant - Pump Repair #3	Water	2/21/2013	3/15/2013	\$68,896.53

### FUTURE PROJECTS

PROJECT DESCRIPTION	FUNDING	START DATE	END DATE	COST ESTIMATE
Mackinaw Pumping Pool - Motor Repair	Water			\$20,000.00
Division Street Pump Station - Butterfly Valve Repair	Water			\$23,000.00
Lake Bloomington Plant - Pump Repair #4	Water			\$10,000.00
Mitsubishi Pump Station - Butterfly Valve Replacement	Water			\$30,000.00
Division Street Pump Station - Pump Repair #1	Water			\$24,000.00
Division Street Pump Station - Pump Repair #2	Water			\$24,000.00
<b>TOTAL FUTURE PROJECTS</b>				<b>\$131,000.00</b>
<b>WATER PROJECTS GRAND TOTAL</b>				<b>\$242,657.46</b>
ORIGINAL WATER FUNDING				\$50,000.00
<b>ADDITIONAL WATER FUNDING</b>				<b>\$192,657.46</b>



FOR COUNCIL: April 8, 2013

**SUBJECT:** Two (2) Year Extension of Auditors Contract

**RECOMMENDATION/MOTION:** That audit contract be extended with Sikich, LLP for annual audits of the City and US Cellular Coliseum and other advisory/consulting services as required.

**STRATEGIC PLAN LINK:** Goal 1. Financially sound City providing quality basic services.

**STRATEGIC PLAN SIGNIFICANCE:** Objective 1.a. Budget with adequate resources to support defined services and level of services.

**BACKGROUND:** The City has used Sikich, LLP for its annual city-wide audit including the Coliseum audit for the last five years ending with the FY2012 audit. The City has also used Sikich for additional financial studies, which include internal control reviews. Sikich has provided exemplary and responsive service and is currently working with Finance to implement many of the audit and internal control recommendations. As a new Finance Director, it is critical to have a responsive, technically proficient firm, who is familiar with the City's finances as an available resource. Finance will also need to receive advice throughout the final phases of the Tyler Conversion which includes the comprehensive conversion of the water meter reading and billing system. Finance respectfully requests a two-year extension of the Sikich contract. Quote fees are as follows:

<b>FY2012 Audit Fees</b>	<b>FY2013 Audit Fees as quoted</b>	<b>FY2014 Audit Fees as quoted</b>
City Audit - \$78,200	City Audit - \$80,700	City Audit - \$83,200
Coliseum Audit - \$33,800	Coliseum Audit - \$34,800	Coliseum Audit - \$35,900

If the contract extension is approved, an Audit Services Request for Proposals (RFP) will be issued in January 2015 for the FY 2015 – FY 2019 time period.

Note: Fees are increasing by the 2011 Annual Consumer Price Index of 3.2% for the Midwest Region for both years. Any additional work as requested by the City is quoted based on existing hourly rates at the time of request.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** Not applicable.

**FINANCIAL IMPACT:** Not applicable.

Respectfully submitted for Council consideration.

Prepared by:

Patti-Lynn Silva, Finance Director

Recommended by:

David A. Hales  
City Manager

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Motion: \_\_\_\_\_ Seconded by: \_\_\_\_\_

	Aye	Nay	Other		Aye	Nay	Other
Alderman Fazzini				Alderman Purcell			
Alderman Fruin				Alderman Sage			
Alderman McDade				Alderman Schmidt			
Alderman Mathy				Alderman Stearns			
Alderman Mwilambwe							
				Mayor Stockton			



FOR COUNCIL: April 8, 2013

**SUBJECT:** Application of Illinois State University Board of Trustees, for the Shakespeare Festival, located at 48 Sunset Rd., for a Limited Alcoholic Liquor License, Class LB, which will allow the selling and serving of beer and wine only by the glass for consumption on the premise

**RECOMMENDATION/MOTION:** That an LB liquor license for Illinois State University Board of Trustees, for the Shakespeare Festival, located at 48 Sunset Rd., be created, contingent upon compliance with all applicable health and safety codes.

**STRATEGIC PLAN LINK:** Goal 5. Great Place – Livable, Sustainable City.

**STRATEGIC PLAN SIGNIFICANCE:** Objective 5.d. Appropriate leisure and recreational opportunities responding to the needs of residents.

**BACKGROUND:** The Bloomington Liquor Commissioner Marabeth called the Liquor Hearing to order to hear the application of Illinois State University Board of Trustees, for the Shakespeare Festival, located at 48 Sunset Rd., requesting an LB liquor license which allows the sale of beer and wine only by the glass for consumption on the premises seven (7) days a week. Present at the hearing were Liquor Commissioners Marabeth Clapp, Steve Petersen, Geoffrey Tompkins and Jim Jordan; George Boyle, Asst. Corporation Counsel, Clay Wheeler, Interim Police Chief, and Tracey Covert; City Clerk, and Dick Folse, Managing Director and Applicant representative.

Commissioners absent: Stephen Stockton and Mark Gibson.

Commissioner Clapp opened the liquor hearing and requested that the Applicant address the Commission. Dick Folse, Managing Director and Applicant representative, addressed the Commission. Illinois State University Foundation's Ewing Cultural Center hosted the Shakespeare Festival in the 438 seat theater located on the grounds. Patrons are allowed to picnic on the grounds. Bottled beer and wine would be offered for sale. Annual attendance at the Festival was 9,000 - 10,000. The property was fenced and gated. The gates were manned by Festival employees/volunteers. The Festival is held from June through August. Illinois State has held a liquor license for the Festival since 2008.

Commissioner Clapp questioned the Festival's experience. Mr. Folse informed the Commission that identification was checked, notices were posted, employees were trained and Festival employees/volunteers watched the patrons as they exited.

Commissioner Clapp questioned the alcohol servers. Mr. Folse noted that they would be Festival employees who were twenty-one (21) years of age or older. The beer and wine would be sold by the bottle.

Commissioner Petersen questioned if alcohol must be purchased. Mr. Folsie noted that patrons were allowed to bring their own alcohol. There was a thirty-six (36) year history of allowing same.

Commissioner Tompkins commended Mr. Folsie as the Festival was well operated. He questioned the parking situation. Mr. Folsie noted the agreement between the Festival and St. John's Lutheran Church located at 1617 E. Emerson St. Festival employees assist patrons with parking and crossing Emerson St. The residents of Sunset Rd. do not want Festival patrons walking on their street.

Motion by Commissioner Tompkins, seconded by Commissioner Jordan that the application of Illinois State University Board of Trustees, for the Shakespeare Festival, located at 48 Sunset Rd., requesting an LB liquor license which would allow the sale of beer and wine only by the glass for consumption on the premises seven (7) days a week, be approved.

Motion carried, (viva voce).

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** The Agenda for the March 12, 2013 Meeting of the Liquor Commission was placed on the City's web site. There also is a list serve feature for the Liquor Commission.

**FINANCIAL IMPACT:** None.

Prepared by: Tracey Covert, City Clerk

Respectfully:

Stephen F. Stockton  
Liquor Commissioner

Motion: \_\_\_\_\_ Seconded by: \_\_\_\_\_

	Aye	Nay	Other		Aye	Nay	Other
Alderman Fazzini				Alderman Purcell			
Alderman Fruin				Alderman Sage			
Alderman McDade				Alderman Schmidt			
Alderman Mathy				Alderman Stearns			
Alderman Mwilambwe							
				Mayor Stockton			



FOR COUNCIL: April 8, 2013

**SUBJECT:** Suspension of Ordinances to Allow Consumption of Alcohol at Lake Bloomington's Davis Lodge on April 13, 2013

**RECOMMENDATION/MOTION:** That the Ordinance suspending Section 26(d) of Chapter 6 and Section 701 of Chapter 31 to allow the suspension and consumption of alcohol at the Lake Bloomington's Davis Lodge on April 13, 2013 be passed.

**STRATEGIC PLAN LINK:** Goal 5. Great Place – Livable, Sustainable City.

**STRATEGIC PLAN SIGNIFICANCE:** Objective 5.d. Appropriate leisure and recreational opportunities responding to the needs of residents.

**BACKGROUND:** The Bloomington Liquor Commissioner Marabeth Clapp called the Liquor Hearing to order to hear the request of the Melissa Creech and Ronnie Brady to allow moderate consumption of alcohol at Lake Bloomington's Davis Lodge for their wedding reception on April 13, 2013. Present at the hearing were Liquor Commissioners Marabeth Clapp, Steven Petersen, Geoffrey Tompkins and Jim Jordan; George Boyle, Asst. Corporation Counsel; Clay Wheeler, Interim Police Chief; and Tracey Covert, City Clerk; and Melissa Creech and Ronnie Brady, bride and groom.

Commissioners absent: Stephen Stockton and Mark Gibson.

Commissioner Clapp opened the liquor hearing and requested that Melissa Creech and Ronnie Brady, bride and groom, address the Commission regarding their request. Ms. Creech addressed the Commission. She informed them that the wedding reception was scheduled for Saturday, April 13, 2013. Alcohol service would be provided to the approximate 120 wedding guests. Alcohol service would be limited to beer. Famous Liquors located at 1404 E. Empire would provide alcohol service. Nelson Catering, Springfield, IL, had been retained to provide the food. The reception was scheduled from 3:00 until 10:00 p.m.

Commissioner Clapp noted that the City Clerk's Office would verify acceptable licensure.

Motion by Commissioner Tompkins, seconded by Commissioner Petersen that the request of Melissa Creech and Ronnie Brady to allow moderate consumption of alcohol at Lake Bloomington's Davis Lodge for their wedding reception on April 13, 2013 be approved.

Motion carried, (viva voce).

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** The Agenda for the March 12, 2013 Meeting of the Liquor Commission was placed on the City's web site. There also is a list serve feature for the Liquor Commission.



**FINANCIAL IMPACT:** None.

Respectfully submitted for Council consideration.

Prepared by: Tracey Covert, City Clerk

Reviewed by: Craig Cummings, Director of Water

Reviewed by: Barbara J. Adkins, Deputy City Manager

Legal review by: Rosalee Dodson, Assistant Corporation Counsel

Recommended by:

David A. Hales  
City Manager

**Attachments:** Attachment 1. Ordinance  
Attachment 2. Release and Hold Harmless Agreement

---

Motion: \_\_\_\_\_ Seconded by: \_\_\_\_\_

	Aye	Nay	Other		Aye	Nay	Other
Alderman Fazzini				Alderman Purcell			
Alderman Fruin				Alderman Sage			
Alderman Mathy				Alderman Schmidt			
Alderman McDade				Alderman Stearns			
Alderman Mwilambwe							
				Mayor Stockton			

**ORDINANCE NO. 2013 -**

**AN ORDINANCE SUSPENDING PORTIONS OF SECTION 701 OF CHAPTER 31 AND SECTION 26(d) OF CHAPTER 6 OF THE BLOOMINGTON CITY CODE FOR A WEDDING RECEPTION AT THE LAKE BLOOMINGTON DAVIS LODGE**

WHEREAS, Melissa Creech and Ronnie Brady are planning to hold their wedding reception at the Lake Bloomington Davis Lodge from 3:00 p.m. to 10:00 p.m. on April 13, 2013; and

WHEREAS, Melissa Creech and Ronnie Brady have requested permission from the City to serve beer and wine during this event; and

WHEREAS, in order to legally possess alcohol in a City Park, Section 701(a), (b) and (c) of Chapter 31 of the Bloomington City Code, which prohibits the drinking, selling and possessing alcohol beverages with the City parks and Section 26(d) of Chapter 6 of the Bloomington City Code, which prohibits possession of open alcohol on public property must be suspended;

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

Section 1: That Sections 701(a), (b) and (c) of Chapter 31 and Section 26(d) of Chapter 6 of the Bloomington City Code, 1960, as amended, are suspended for the duration of the wedding reception at the Lake Bloomington Davis Lodge on April 13, 2013 under the conditions set forth in the rental agreement.

Section 2: Except for the date of date set forth in Section 1 of this Ordinance, Sections 701(a), (b) and (c) of Chapter 31 and Section 26(d) of Chapter 6 of the Bloomington City Code, 1960, shall remain in full force and effect. Nothing in this Ordinance shall be interpreted as repealing said Sections 701(a), (b) and (c) of Chapter 31 and Section 26(d) of Chapter 6.

Section 3: This Ordinance shall be effective on the date of its passage and approval.

Section 4: This Ordinance is adopted pursuant to the home rule authority granted the City of Bloomington by Article VII, Section 6 of the 1960 Illinois Constitution.

PASSED this 8<sup>th</sup> day of April, 2013.

APPROVED this 9<sup>th</sup> day of April, 2013.

APPROVED:

Stephen F. Stockton  
Mayor

ATTEST:

Tracey Covert  
City Clerk

RELEASE AND HOLD HARMLESS AGREEMENT

The undersigned, in consideration of the permission granted by the City of Bloomington to use the Davis Lodge at Lake Bloomington, does hereby agree to indemnify and hold harmless the City of Bloomington, its officers, agents and employees from and against any and all claims, damages, losses, and expenses arising out of the use by the undersigned and guests of the undersigned of Davis Lodge on the dates for which permission has been granted by the City.

DATED this 28 day of June, 20 18.

RENTAL DATE (S) April 13, 2013

SIGNED

Melvin Ch





FOR COUNCIL: April 8, 2013

**SUBJECT:** Easement Agreement between the City and Ameren Illinois for the Repair and Construction of Transmission Lines located at Evergreen Lake

**RECOMMENDATION/MOTION:** That the Easement Agreement with Ameren Illinois be approved and the Mayor and City Clerk be authorized to execute the necessary documents.

**STRATEGIC PLAN LINK:** Goal 5. Great Place – Livable, Sustainable City.

**STRATEGIC PLAN SIGNIFICANCE:** Objection 5.a. This project will improve electric energy services for the residents near Evergreen Lake.

**BACKGROUND:** Ameren Illinois wants to rebuild a 9.72 mile section of a transmission line from their McLean substation at Evergreen Lake. This project will consist of replacing existing wood structures, replacing conductor/shield wire and installing two dead end structures in place of existing H-frame structures. All replaced or new structures will be installed within the parameters of an existing Ameren easement. The easement is required to change two existing structures to 3-pole structures with guys to help prevent black outs. Work is expected to begin on the project in April, with initial construction scheduled to be completed in June, weather permitting.

There is an existing easement agreement between the City and Ameren Illinois for this location, however, the agreement makes reference to 2-pole H-frame structures and not the proposed 3-pole dead end structures. While the new structures will be within the existing right-of-way, Ameren Illinois has requested a supplemental easement agreement to clarify the change to the 3-pole structures.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** McLean County Parks & Recreation Department

**FINANCIAL IMPACT:** There is no immediate financial impact upon this easement.

Respectfully submitted for Council consideration.

Prepared by: Rosalee Dodson, Assistant Corporation Counsel

Financial & Budgetary review by: Timothy L. Ervin, Budget Officer

Recommended by:

David A. Hales  
City Manager

- Attachments:** Attachment 1. Easement Agreement  
 Attachment 2. Easement Diagram  
 Attachment 3. Request Letter from Ameren Illinois  
 Attachment 4. Letter from Mclean County Dept. of Parks & Recreation
- 

Motion: \_\_\_\_\_ Seconded by:

	Aye	Nay	Other		Aye	Nay	Other
Alderman Fazzini				Alderman Purcell			
Alderman Fruin				Alderman Sage			
Alderman McDade				Alderman Schmidt			
Alderman Mathy				Alderman Stearns			
Alderman Mwilambwe							
				Mayor Stockton			

**This area to be used for recording information only.**

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### **EASEMENT AGREEMENT**

BY THIS AGREEMENT entered into and executed this \_\_\_\_\_ day of April, 2013, that THE CITY OF BLOOMINGTON, an Illinois municipal corporation, its successors and assigns, hereinafter referred to as Grantor, whether one or more and whether an individual, individuals, or a corporation and unto AMEREN ILLINOIS COMPANY d/b/a AMEREN ILLINOIS, an Illinois corporation, 1901 Chouteau, Mail Code 700, St. Louis, Missouri 63103, its successors, assigns, agents, lessees, tenants, contractors, sub-contractors and licensees, hereinafter referred to as Grantee,

WITNESSETH:

CONSIDERATION Grantor does hereby grant, bargain, convey, and confirm unto Grantee the perpetual right and easement for a multi-guyed storm structure consisting of three wood poles, 10 downguys and anchors extending from said poles, and other appurtenant fixtures attached thereto, on, upon, along, over, through, across, and under the following described lands situated in Woodford County, Illinois, more particularly described on Exhibit "A" attached hereto and made a part hereof.

Together with the perpetual right, permission, privilege, and authority in Grantee to survey, stake, construct, reconstruct, erect, place, keep, operate, maintain, inspect, patrol, add to the number of and relocate at will, at any time, and from time to time, in, on, upon, along, over, through, across, and under the herein described easement a line or lines of towers, poles, conduits and appurtenances, crossarms, wires, cables, transformers, anchors, guy wires, foundations, footings, and any other appurtenances, for the purpose of transmitting electric energy or other power, and for telecommunications; to trim, cut, clear or remove, at any time, and from time to time, by any means whatsoever, from said easement or the premises of the Grantor adjoining the same on either side trees, brush, and any and all obstructions of whatsoever kind or character which, in the judgment of Grantee, may endanger the safety of, or interfere with, the surveying, staking, construction, reconstruction, erection, placement, retention, operation, maintenance, inspecting, patrolling, addition to and relocation of, Grantee's facilities; and the right of ingress and egress to, from, and over the herein described easement and any of the adjoining lands of the Grantor at any and all times for doing anything necessary or convenient in the exercise of the rights herein granted; also the privilege of removing at Grantee's option at any time, any or all of Grantee's improvements erected in, on, upon, over, and under the herein described easement.

The Grantor agrees that it will not erect any building or structure or create or permit any hazard or obstruction of any kind or character which, in the judgment of Grantee, will interfere with the surveying, staking, construction, reconstruction, erection, placement, retention, operation, maintenance, inspection, patrolling, addition to and relocation of Grantee's facilities.

The Grantor warrants and covenants unto Grantee that, subject to liens and encumbrances of record at the date of this easement, it is the owner of the above described land and has full right and authority validly to grant this easement, and that Grantee may quietly enjoy the premises.

The Grantee shall be responsible for actual damages occurring on the herein described property as a result of the construction, operation, maintenance or repair of Grantee's facilities and shall reimburse the Grantor for such loss or damages.

TO HAVE AND TO HOLD the easement aforesaid, with all and singular the rights, privileges, appurtenances and immunities thereto belonging or in anywise appertaining unto said Grantee, its successors, assigns, agents, lessees, tenants, contractors, subcontractors, and licensees, forever.

This easement conveyance shall run with the land and shall be binding upon the parties hereto, their heirs, successors, executors, administrators, and assigns.

IN WITNESS WHEREOF, the Grantor has hereunto set Grantor's hand and seal the day and year first above written.

GRANTOR: CITY OF BLOOMINGTON

By: \_\_\_\_\_

\_\_\_\_\_  
Stephen F. Stockton, Mayor

ACCEPTANCE

AMEREN ILLINOIS COMPANY hereby accepts the foregoing Easement Agreement and agrees to the terms thereof.

GRANTEE: AMEREN ILLINOIS COMPANY

By: \_\_\_\_\_

\_\_\_\_\_





## **EXHIBIT A**

TRACT #1 (Structure 125) –

The East Half of the Southeast Quarter of Section 12, Township 25 North, Range 1 East of the Third Principal Meridian, Woodford County, Illinois, LESS AND EXCEPT a tract of land described as beginning at the Southeast corner of said Section 12; thence Northerly along the East line of said Section 12, a distance of 1100 feet; thence West 580 feet; thence South 350 feet; thence West 360 feet; thence South 320 feet; thence West 400 feet; thence South 430 feet, more or less, to the South line of said Quarter Section; thence East to the point of beginning.

TAX I.D. #19-12-400-002

TRACT #2 (Structure 130) –

The South Fourteen Hundred (1400) feet of the Southeast Quarter (SE ¼) of Section One (1) in Township Twenty-five (25) North, Range One (1) East of the Third Principal Meridian, Woodford County, Illinois, less and except a tract of land 0.556 acre and a right-of-way 0.194 acre, as conveyed from the City of Bloomington to Corn Belt Energy Corporation by Special Warranty Deed dated 9/28/2012 and recorded as Document #1207000 in the Recorder's Office of Woodford County, Illinois.

TAX I.D. #19-01-400-016

This easement grants the right to place the said Storm Structures with guy wires extending Northwesterly and Southwesterly from said poles within the existing transmission line and it shall replace existing Structures 125 and 130.

*Drawing of  
Transmission Line  
Easement*



*Grid North  
Scale: 1" = 800'*

*THIS SKETCH DOES NOT DEPICT  
A BOUNDARY SURVEY*

*Ameren Illinois*

*Plotted Easement  
Book 36, Page 274  
Recorded in McLean, Co. IL*

*Job No. AM13168*

*Date: 04-01-2013  
Drawn By: CZ*

*Zahner & Associates, Inc.  
26 N Jackson Street  
Perryville, MO 63775  
(573)547-1771*



April 1, 2013

City of Bloomington  
David Hales – City Manager  
109 E. Olive Street  
Bloomington, IL 61701

**McLean-El Paso Transmission Line Maintenance Project**

To Whom It May Concern:

This letter is regarding Ameren Illinois' upcoming transmission line rebuild project. I am outlining in this letter Ameren Illinois' intent to secure additional easement from the City of Bloomington for the above-mentioned transmission line project.

The transmission project is scheduled to rebuild approximately 9.72 miles of line from our McLean Substation (structure 95) to our El Paso Tap (structure 175). This project will consist of replacing existing wood pole structures, replacing conductor/shield wire and installing a few dead-end structures in place of existing H-frame structures. All replaced or new structures will be installed on existing right-of-way.

Specifically in the Evergreen Lake area, on property currently owned by the City of Bloomington, we will be replacing existing structures at structures 122-124, 126,129 and 131. We will be installing new 3-pole dead-end structures at structures 125 and 130. We will also be replacing the wire at these locations which span the lake. Initial construction is scheduled to be completed in June 2013, weather permitting. An additional construction period in the Fall of 2013 may be required if the work cannot be completed during the scheduled outage time for the line.

As stated above, our current design calls for the installation of a 3-pole dead-end structure at two locations that were previously 2-pole H frame structures. The new structures will increase the reliability of the line and resolve any NERC clearance issues. The existing easements for these two locations make reference to the 2-pole structure and the location of each. While the new structures will be within the existing right-of-way, Ameren feels it pertinent to request supplemental easement to clarify the change to the 3-pole structure. The new easement document will only mention these two locations and specifically clarify that they are to be 3-pole structures with the respective number of anchors to hold the line. The remainder of the existing easement document will remain in full force and effect.

Ameren Illinois does not anticipate these new structures to have any additional impact on the City's property. We have also been working closely with the McLean County Park Board to make sure we conduct ourselves in the best manner possible for the park.

We hope that this letter satisfies your request for additional information on the project. Should you have any further questions concerning this matter, please feel free to contact me at the number listed below.



---

City of Bloomington  
David Hales – City Manager  
April 1, 2013  
Page 2

Sincerely,

A handwritten signature in black ink, appearing to read "Brett S. Farner", with a long horizontal line extending to the right.

Brett S. Farner  
Senior Real Estate Agent,  
Ameren Services Company  
As Agent for Ameren Illinois  
314 / 554-2979  
[bfarner@ameren.com](mailto:bfarner@ameren.com)

BSF/mdk

cc: Mike Robinson – Coates Field Services (via email)



**DEPARTMENT OF PARKS AND RECREATION**

(309)434-6770 FAX (309)726-2025 [www.mcleancountyil.gov/parks](http://www.mcleancountyil.gov/parks)  
13001 Recreation Area Dr. Hudson, IL 61748-7594

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March 26, 2013

Ameren Electric

To Whom It May Concern:

The McLean County Department of Parks & Recreation recognizes the need for the electrical line and/or pole upgrade. The Park's Department also recognizes that these upgrades will involve lines and/or poles that go through COMLARA Park and Evergreen Lake. The Park's Department does not have any objections for these upgrades. The only thing that the Park's Department asks from Ameren or its contractors is that areas that are cleared out for upgrades have minimal native tree removal. We do realize after scouting areas that will be affected have a lot of non-native Autumn Olive and Japanese Honeysuckle growing. We invite Ameren or its contractors to remove as much of these non-native species as they wish. If assistance is needed from the Park's Department for identification of non-native species, we will be more than happy to assist.

If you have any questions, please feel free to contact me via e-mail at [Michael.steffa@mcleancountyil.gov](mailto:Michael.steffa@mcleancountyil.gov) or by cell phone at (309) 242-5806.

Thank you,

Michael J. Steffa  
Director  
McLean County  
Department of Parks & Recreation  
13001 Recreation Area Dr.  
Hudson, Illinois 61748  
(309) 434-6770  
Cell: (309) 242-5806



FOR COUNCIL: April 8, 2013

**SUBJECT:** Lake Bloomington Lease Transfer Petition for Lot 4, Block 22 of Camp Potawatomie from Mary Jane Hayes to Bruce W. and Pamela T. Cather

**RECOMMENDATION/MOTION:** That the Lake Lease be approved and the Mayor and City Clerk be authorized to execute the necessary documents.

**STRATEGIC PLAN LINK:** Goal 1: Value for your tax dollars and fees.

**STRATEGIC PLAN SIGNIFICANCE:** Objective 1: Budget with adequate resources to support defined services and level of services.

**BACKGROUND:** Staff has reviewed the Lake Bloomington Lease Transfer Petition for Lot 4, Block 22 of Camp Potawatomie from Mary Jane Hayes to Bruce W. and Pamela T. Cather. The sewage disposal system inspection was completed in March of 2013 and the septic system was functioning properly at that time. The age of the sewage disposal system is unknown. The McLean County Health Department estimates sewage disposal systems have an average life span of approximately 20-25 years. However, this can be affected greatly by usage patterns of the premises (seasonal versus full time occupancy) and system maintenance.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** There were no Community Groups contacted for this petition as it is a routine matter.

**FINANCIAL IMPACT:** This petition will have a positive financial impact in that the current lease uses the old formula, (\$0.15 per \$100 of Equalized Assessed Value) for determining the Lake Lease Fee. With this lake lease transfer, the lake lease formula will be \$0.40 per \$100 of Equalized Assessed Value and will generate about \$460 per year in lease income. This lake lease income will be posted to Lake Lease revenue account 50100140-57590.

Respectfully submitted for Council consideration.

Prepared by: Craig M. Cummings, Water Department Director

Reviewed by: Barbara J. Adkins, Deputy City Manager

Financial & Budgetary review by: Chris Tomerlin, Budget Analyst

Legal review by: Rosalee Dodson, Assistant Corporation Counsel

Recommended by:

David A. Hales  
City Manager

**Attachments:** Attachment 1. Transfer Petition  
Attachment 2. New Lake Lease  
Attachment 3. Maps

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Motion: \_\_\_\_\_ Seconded by: \_\_\_\_\_

	Aye	Nay	Other		Aye	Nay	Other
Alderman Fazzini				Alderman Purcell			
Alderman Fruin				Alderman Sage			
Alderman McDade				Alderman Schmidt			
Alderman Mathy				Alderman Stearns			
Alderman Mwilambwe							
				Mayor Stockton			



**LAKE BLOOMINGTON LEASE TRANSFER PETITION**

That the purchase price and rentals having been paid to the City of Bloomington for:

Lot 4 Block 22 of Camp Potawatomi

I respectfully petition the City Council of the City of Bloomington, Illinois to approve the transfer of the Lease on the above property:

From: Mary Jane Hayes (Sellers Name)

To: Bruce W & Pamela T Cather (Buyers Name)

Mary Jane Hayes

(Signatures

of Seller)

\*\*\*\*\*

To the Honorable Mayor and City Council of the City of Bloomington, Illinois:

Now comes Bruce W & Pamela T Cather (Buyer) and respectfully shows that He/She/They became the purchaser of all right, title and interest of

Mary Jane Hayes (Seller) In and

to the Lease made on the (Date) 11/29/1997 upon the above property, all located in McLean County, Illinois, together with all the improvements, buildings and appurtenances thereon situated and thereunto belonging, and that the said (Seller)

Mary Jane Hayes has executed deed of transfer of their interest in said premises and an assignment of the Leases therefore your petitioner.

Petitioner further shows that in and by the terms of said Leases it was provided that the Lessee shall not sell, assign or transfer said premises without the written consent of the Lessor.

Petitioner therefore prays that the written consent to said transfer may be forthwith provided by the said Lessor, the City of Bloomington, Illinois and your petitioner has submitted herewith a form of said written consent.

Respectfully submitted,  
Bruce Cather  
Pamela Cather

(Signature of Buyer(s))

\*\*\*\*\*

WRITTEN CONSENT TO TRANSFER INTEREST IN LEASES UPON LOT 4  
BLOCK 22 CAMP Potawatomi, OF LAKE BLOOMINGTON.

Now comes the City of Bloomington and gives this, its written consent to the assignment on all right, title and interest of (seller) Mary Jane Hayes in and to the premises known as Lot 4 Block 22 in Camp Potawatomi, McLean County, Illinois and to the leases thereon executed by the City of Bloomington, Illinois.

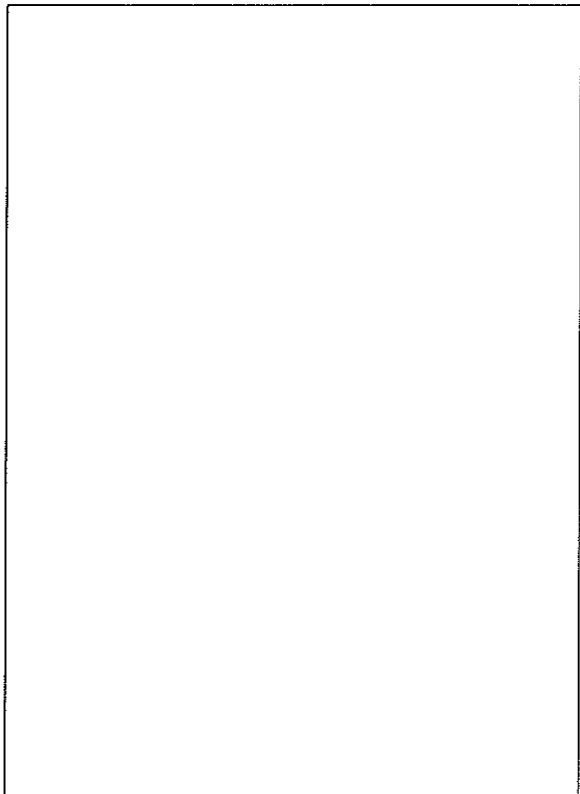
Said consent to said assignment and transfer however, is with the express understanding that the said Lessor retains all right in said leases provided, and particularly its right to the payment of any unpaid rental thereon with all legal remedies incidental thereto.

Executed this \_\_\_\_\_ day of \_\_\_\_\_,

\_\_\_\_\_  
Mayor

LAKE BLOOMINGTON LEASE

THIS LEASE is entered into on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ between the City of Bloomington, a municipal corporation, of McLean County, Illinois, hereinafter called CITY and



Bruce W and Pamela T  
Cather

(if more than one Lessee, cross out 2 of the following that do not apply) (as joint tenants) (as tenants in common) (as tenants by the entirety) of, Normal, County of McLean, State of Illinois, hereinafter called "Lessee,"

WITNESSETH

In consideration of the mutual covenants hereinafter contained, the parties agree as follows:

1. PREMISES. The City leases to Lessee the following described real estate owned by the City in the vicinity of Lake Bloomington, Illinois as follows:

Lot 44 in Block 22 in the camp Potawatomie according to the private unrecorded plat of the ground belonging to the City located around Lake Bloomington in Hudson and Money Creek Townships in McLean County, Illinois.  
(18) 07 12 206 003

2. TERM OF LEASE. The term of this Lease shall be for a term commencing (**cross out the one that does not apply**) (on the date of this Lease) (on January 1 following the date of this Lease) and terminating on December 31, 2131, unless sooner terminated as provided in this Lease.

3. RENT.

(SELECT THE RENT TO BE PAID BY CROSSING OUT 2 OF THE 3 RENT OPTIONS.)

A. Lessee shall pay as rent yearly, in advance, on or before the first day of January of each year, the amount designated hereafter:

1) ~~If this Lease is executed prior to January 1, 1998, rent shall be charged at the rate of 15¢ (\$.15) per \$100 of equalized assessed value (hereafter EAV) for said property, in-~~

~~cluding land and improvements, as determined by the Supervisor of Assessments of McLean County, Illinois. Said rate will remain in effect upon assignment of this Lease to (a) Lessee's spouse or to a corporation, trust or other entity created by Lessee or Lessee's spouse if Lessee or Lessee's spouse occupies the property immediately after said assignment, or (b) a Lessee who paid fair market value for the property (i.e., a purchaser) prior to January 1, 1998 for the assignment of the prior Lease.~~

2) If this Lease is executed by a Lessee who, after December 31, 1997, paid fair market value for an assignment of a Lease on which the rent was 15¢ (\$.15) per \$100 EAV, the rent shall be charged at the rate of 40¢ (\$.40) per \$100 EAV. This rate will remain in effect throughout the remainder of the term of this Lease regardless of subsequent assignments thereafter.

~~3) If the Lessee is not eligible for the 15¢ (\$.15) or 40¢ (\$.40) per \$100 EAV rental rate, the rent shall be charged at the rate of \_\_\_\_\_¢ (\$.\_\_\_\_\_) per \$100 EAV.~~

SELECT THE RENT TO BE PAID BY CORSSING OUT 2 OF THE 3 RENT OPTIONS.

- B. In the event the system of real estate taxation is changed from its present basis of assessment at no more than one-third of market value, the assessed value as then determined by the Supervisor of Assessments of McLean County will be adjusted so that it will reflect no more than one-third of the market value of the premises. If assessed value is no longer used as the basis of taxation, then the annual changes in the Consumer Price Index, or successor index, for all items for the Chicago region, published by the United States Department of Labor will be the basis for determining changes in the property value for purpose of calculating the annual rent with the following condition. Either City or Lessee may review the value of the property as adjusted by the Consumer Price Index every five years to compare it to the actual fair market value of the property. If the property value determined by the formula set forth in this lease is five percent (5%) or more greater or less than the actual fair market value of the property, the rent for that year shall be recalculated using one third of the actual fair market value and rent adjustments for all subsequent years shall be based on the actual fair market value as adjusted for changes in the Consumer Price Index. If the Consumer Price Index or its successor index is no longer published by the. United States Department of Labor or is no longer used, an appropriate economic indicator will be used to determine the annual change in rent, if any.
4. REAL ESTATE TAXES. Lessee shall pay all real estate taxes levied during the term of this Lease against said premises and improvements thereon by the State of Illinois or any subdivision thereof.
5. IMPROVEMENTS. Lessee shall be permitted to make improvements upon the premises that are in compliance with the laws of the State of Illinois and the ordinances of the City and the County of McLean. The ordinances of the City shall be in full force and effect and in the same manner as if the above-described premises were located within the boundaries of the City of Bloomington. Prior to commencement of construction of any improvements, Lessee shall be required to petition and receive approval from all governmental bodies having jurisdiction over said premises.
6. SEPTIC SYSTEM. Lessee agrees to comply with all sanitary laws and regulations of any governmental body having jurisdiction over the leased premises. Lessee agrees at all times to use Lessee's property in such manner and dispose of the sewage generated from said property so as not to contaminate the waters of Lake Bloomington. When a public sanitary sewer is made avail-

able to serve the leased premises, the City shall have a right to require Lessee to connect to the sewer within a reasonable time after notice is given.

7. **WATER.** Lessee shall be permitted to purchase water from the City through water mains provided by the City, and Lessee will pay the rates in effect from time to time for water sold to Lake Bloomington customers. Lessee agrees not to pump water directly from Lake Bloomington except for the purpose of watering and maintaining lawns and other landscape materials on the leased premises, and such pumping shall cease at any time there are and for as long as there are restrictions in effect for the City of Bloomington that restrict the watering of lawns.
8. **GARBAGE.** City will provide weekly garbage service at a fee to be set by the City from time to time, which shall be in addition to the annual rent paid by Lessee. However, so long as no residence is located on the leased premises, no fee for garbage collection will be paid by Lessee.
9. **ASSIGNMENT.** Lessee shall not have the right to sell, assign, or transfer this Lease or to rent, sublet or to allow other persons to occupy the premises without the written consent of the City. However, the City shall not withhold its consent to a sale, assignment or transfer of this Lease if Lessee is not in default as defined in paragraph 13 and the sale, assignment or transfer is made in accordance with all applicable City ordinances and such rules and regulations as adopted by the City from time to time pursuant to paragraph 10. City will promptly issue a new Lease to the new Lessee containing the same terms as this lease. Thereupon, this Lease will automatically terminate and the parties will be freed of any obligations thereunder. Lessee shall have the right to mortgage Lessee's interest in said premises, but Lessee shall not have the right to mortgage the interest of City in the premises.
10. **RULES & REGULATIONS.** Lessee and those occupying the leased premises are subject to such reasonable rules and regulations as may be adopted by Lessor from time to time after notice of hearing on such proposed rules and regulations is given to Lessee.
11. **USE OF AND ACCESS TO LAKE.** Lessee and those persons lawfully occupying the leased premises shall have the right to use Lake Bloomington for boating, swimming, fishing, and other recreational uses, but shall be subject to the reasonable rules and regulations of Lessor, which rules and regulations will apply equally to Lessees of Lake Bloomington property and the public generally. City grants to Lessee an easement for access to Lake Bloomington over property owned by the City lying between the shoreline of Lake Bloomington and the boundary of the leased premises.
12. **TREE CUTTING.** No trees on the leased premises shall be removed without the permission of the City except that Lessee can trim trees for safety, plant health, or aesthetic reasons, and Lessee may remove dead trees from the leased premises.
13. **DEFAULT.** If Lessee defaults in the payment of rent or defaults in the performance of any of the covenants or conditions hereof, City may give to Lessee notice of such default and, if Lessee does not cure any rent default within thirty (30) days, or other default within sixty (60) days after the giving of such notice or, if such other default is of such nature that it cannot be completely cured within such sixty (60) days, if Lessee does not commence such curing within such sixty (60) days and thereafter proceed with reasonable diligence and in good faith to cure such default, then Lessor may terminate this Lease on not less than thirty (30) days notice to Lessee and, on the date specified in said notice, the term of this Lease shall terminate and Lessee shall then quit and surrender the premises to City. If this Lease shall have been so terminated by City, City may, at any time thereafter, resume possession of the premises by any lawful means and remove Lessee or other occupants and their effects. Remedies of City hereunder are in addition to any other remedy allowed by law.

- 14. **TERMINATION BY LESSEE.** Lessee shall have the right to terminate this Lease upon sixty (60) days written notice to the City of Bloomington and, in that event, Lessee may remove any improvements from the property and shall restore the ground to the condition it was in when first leased to the City. Any improvements remaining on the property after the Lease terminates shall be deemed abandoned by the Lessee and shall become the property of the City.
  
- 15. **EMINENT DOMAIN.** If the leased premises or any part thereof is taken or damaged by eminent domain or the threat thereof, the just compensation received in payment shall be divided between City and Lessee as follows:  
  

That portion of the award for the taking and/or damaging the City's remainder interest in the land following the expiration of this Lease shall be paid to City. That portion of the award for the taking or damaging the leasehold interest of Lessee in the leased premises or the improvements located thereon shall be paid to Lessee.
  
- 16. **PRIOR LEASE TERMINATED.** If there is in effect upon the execution of this Lease a prior Lease between the City and Lessee covering the same premises as this Lease, then said Lease is terminated as of the commencement of the term on this Lease as set forth in Paragraph 2.
  
- 17. **NOTICE.** Any notice by either party to the other shall be in writing and shall be deemed to be duly given if delivered personally or mailed postpaid by regular mail, except that a notice given under Paragraph 12 must be delivered personally or mailed by registered or certified mail in a postpaid envelope, addressed as follows:

City  
  
 City of Bloomington  
 City Hall  
 109 E. Olive Street  
 Bloomington, IL 61701

Lessee Name and Mailing Address  
  
Bruce W & Pamela T Cather  
25007 Wood Thrush  
Hudson IL 61748  
#

Lessee Billing Address  
  
Bruce W & Pamela T Cather  
1411 Ironwood Dr  
Normal IL 61761

- 18. **BINDING EFFECT.** This agreement shall be binding upon the heirs, personal representatives, successors, and assigns of each of the parties hereto.

IN WITNESS WHEREOF, the Lessor has caused this instrument to be executed by its Mayor and City Clerk, and the Lessee has executed this agreement as of the day and year above written.

-Lessor-

-Lessee-

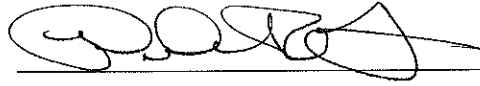
CITY OF BLOOMINGTON

By: \_\_\_\_\_

Bruce Cather

Its Mayor

Attest:



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City Clerk

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Nighthawk Rd

24895

25005

25007

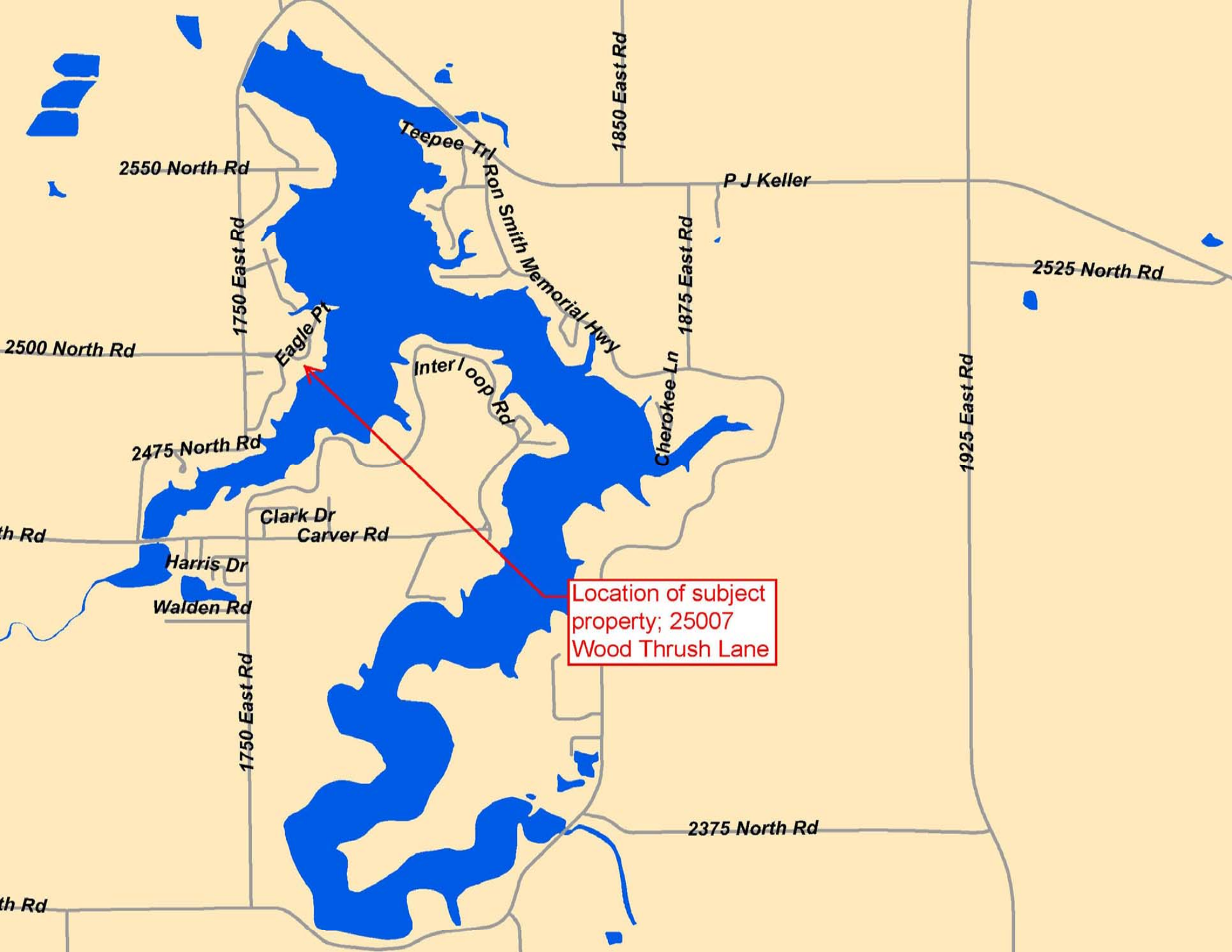
25009

25013

25015

2501

25007 Wood Thrush Cir  
Lot: 4  
Block: 22  
Camp: Potawatomie



Location of subject property; 25007 Wood Thrush Lane





FOR COUNCIL: April 8, 2013

**SUBJECT:** Adoption of the FY 2014 Recommended Budget

**RECOMMENDATION/MOTION:** That the Ordinance be adopted.

**STRATEGIC PLAN LINK:** The whole Strategic Plan is unequivocally linked to the annual City Budget.

**STRATEGIC PLAN SIGNIFICANCE:** The budget is a financial plan which stipulates the approach the City will undertake to achieve the strategic plan in accordance with the aspirations of Council.

**BACKGROUND:** The City is required by state statute to adopt an annual appropriation Ordinance by May 1, 2013. The recommended budget was distributed to Council in two (2) budget books at the Monday, February 11, 2013 Council meeting. The first notebook represents the City's General Fund, while the second book presents each Non-General Fund(s) in addition to the proposed Capital Improvement Fund.

The Council held a public forum on February 27, 2013 at the Bloomington Center for the Performing Arts (BCPA) to solicit opinion from City-wide stakeholders in regards to the proposed FY 2014 recommended budget. Additionally, the City held a Council work session on Saturday, March 3, 2013 to provide the governing board the opportunity to discuss the budget. Finally, Council held a public hearing on the March 25, 2013 City Council meeting which is required by State statute and required to be conducted prior to the adoption of the FY 2014 Budget.

Staff has made one change in regards to the proposed budget and the budget presented to Council for formal approval. Subsequent to the public forum and Council work session, Council directed staff to integrate into the Capital Improvement Fund \$60,000 for the **design work** for Lutz Road. This design will widen the road approximately 2 feet on each lane and provide a new overlay and limited improvements to the drain and ditch infrastructure. The \$60,000 will have a net zero impact on the FY 2014 Capital Improvement Fund. The net zero impact derives from an equivalent reduction in expenditures related to the Route 66 Bike Trail enhancement which are expected to occur in FY 2015 rather than FY 2014.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** The public hearing has been advertised in the Pantagraph.

**FINANCIAL IMPACT:** The proposed FY 2014 Budget expenditures for thirty-five City funds are \$169.4 million, while budgeted revenue is \$163.3 million. The \$6.1 million difference will be offset by fund balance and net assets in the appropriate funds within the City's fund structure.

Respectfully submitted for Council consideration.

Prepared by, financial & budgetary  
review by:

Timothy L Ervin, Budget Officer

Reviewed by:

Patti-Lynn Silva, Director of Finance

Legal review by:

Rosalee Dodson, Assistant Corporation Counsel

Recommended by:

David A. Hales  
City Manager

**Attachments:** Attachment 1. Ordinance  
Attachment 2. FY 2014 Budget Summary  
Attachment 3. Budget Public Hearing Proceedings (Unapproved)

Motion: \_\_\_\_\_ Seconded by: \_\_\_\_\_

	Aye	Nay	Other		Aye	Nay	Other
Alderman Fazzini				Alderman Purcell			
Alderman Fruin				Alderman Sage			
Alderman McDade				Alderman Schmidt			
Alderman Mathy				Alderman Stearns			
Alderman Mwilambwe							
				Mayor Stockton			

**ORDINANCE NO. 2013 - XX**

**BUDGET AND APPROPRIATION ORDINANCE  
FISCAL YEAR ENDING APRIL 30, 2014  
CITY OF BLOOMINGTON**

Make appropriations for all Corporate Purposes for the Fiscal Year beginning May 1, 2013 and ending April 30, 2014, for the City of Bloomington, McLean County, Illinois.

Be It Ordained by the City Council of the City of Bloomington, Illinois: that passage of the Budget Document shall be in lieu of passage of a separate Appropriation Ordinance, as required by 65 ILCS 5/8-2-9 and 5/8-2-9.4.

Section One. That the amounts as listed in Exhibit A, or so much thereof as may be authorized by law, as may be needed and same is hereby appropriated for such purposes as General Fund, Motor Fuel Tax Fund, Sister City Fund, Special Opportunities Available in Recreation (SOAR.) Fund, Board of Election Fund, Drug Enforcement Fund, BCPA Fund, BCPA Donations Fund, Community Development Fund, Illinois Housing & Development Fund (IHDA), Rehabilitation Fund, Library Maintenance and Operation Fund, Library Equipment Replacement Fund, General Bond and Interest Fund, Market Square Tax Increment Financing (TIF) Bond Redemption Fund, 2004 Arena Bond Redemption, 2004 Multi-Project Bond Redemption, Capital Improvements Fund, Central Bloomington TIF Fund, Pepsi Ice Center Capital Fund, 2011 Capital Lease Fund, 2012 Capital Lease Fund, 2013 Capital Lease Fund, Water Maintenance and Operation Fund, Sewer Maintenance and Operation Fund, Parking Maintenance and Operation Fund, Coliseum Parking Fund, Lincoln Parking Facility Fund, Storm Water Management Fund, Storm Water Depreciation Fund, U.S. Cellular Coliseum Fund, Central Illinois Arena Management (CIAM), Solid Waste Fund, Golf Operations Fund, Employee Group Health Care Fund, Retiree Employee Group Health Care Fund, Casualty Fund, Judgment Fund, Flex Cash Fund, Park Dedication Fund, J.M. Scott Health Care Fund, Police Pension Fund and the Fire Pension Fund for the fiscal year of said City of Bloomington, McLean County, Illinois, beginning May 1, 2013 and ending April 30, 2014.

Section Two. The amount appropriated for each object or purpose is set forth in the Annual Budget for the year ending April 30, 2014, a copy of which is available at the City Clerk's Office and incorporated by reference.

(NOTE: Amounts appropriated hereby are contained in the Annual Budget for the year ending April 30, 2014, published in book form, copies of which are available for inspection at City Hall, Bloomington Public Library, and other places throughout the City.)

Section Three. That all sums of money not needed for immediate specific purposes may be invested in City of Bloomington Tax Warrants, Tax Sale Certificate, or Notes of Indebtedness, General Water, Parking or Sewer Revenue Bonds, in securities of the Federal Government, in Federal Insured Savings and Loan Associations, Certificates of Deposit in Commercial Banks, or other instruments as allowed by law.

Section Four. Pursuant to 65 ILCS 5/8-2-9.6, and the home rule authority granted to the City of Bloomington pursuant to Article 7, Section 6 of the 1970 Illinois Constitution, the Finance Director, with the concurrence of the City Manager is authorized to revise the annual budget by deleting, adding to, changing or creating sub-classes within object classes budgeted

previously to a Department, Board or Commission, and to transfer amounts within a particular fund established by this Ordinance, with the restrictions that no such action may be taken which shall increase the budget in the event funds are not available to effectuate the purpose of the revision, and that the City Council shall hereafter be notified of such action by written report of the City Manager.

Section Five. Partial Invalidity. If any section, subdivision, sentence or clause of this Ordinance is for any reason held invalid or to be unconstitutional, such decision shall not affect the validity of the remaining portion of this Ordinance.

Section Six. That all Ordinances or parts of Ordinances conflicting with any of the provisions of this Ordinance be and the same are hereby repealed.

Section Seven. This Ordinance shall be in full force and effect from and after its passage.

PASSED by the City Council of the City of Bloomington, Illinois this 8<sup>th</sup> day of April, 2013.

APPROVED by the Mayor of the City of Bloomington, Illinois this 9<sup>th</sup> day of April, 2013.

APPROVED:

Stephen F. Stockton  
Mayor

ATTEST:

Tracey Covert  
City Clerk

**EXHIBIT A**  
**CITY OF BLOOMINGTON, IL**  
**FY 2014 BUDGET**  
**SUMMARY OF REVENUES, EXPENDITURES AND CHANGE IN FUND BALANCES BY FUND**  
**(ALL FIGURES PROVIDED ARE ESTIMATES)**

Fund	Actual Fund Balance FY 2012	Projected Revenues Fiscal Year FY 2013	Projected Expenditures Fiscal Year FY 2013	Estimated Fund Balance Ending 4/30/2013	Budgeted Revenue Fiscal Year FY 2014	Budgeted Expenditures Fiscal Year FY 2014	Proposed Fund Balance Ending 4/30/2014	Fund Balance Percentage Change
General Fund	\$ 14,479,077	\$ 74,345,863	\$ 71,648,179	\$ 17,176,761	\$ 76,304,305	\$ 76,269,408	\$ 17,211,658	0.20%
Sister City	\$ 85,849	\$ 34,011	\$ 75,206	\$ 44,654	\$ 27,201	\$ 27,201	\$ 44,654	0.00%
Special Olympics and Recreation (SOAR)	\$ 204,492	\$ 261,832	\$ 294,336	\$ 171,988	\$ 260,689	\$ 292,538	\$ 140,139	-18.52%
BCPA	\$ 879,326	\$ 3,101,105	\$ 3,077,714	\$ 902,717	\$ 3,162,055	\$ 3,259,087	\$ 805,685	-10.75%
Judgment/Unemployment	\$ 29,320	\$ 120,680	\$ 150,000	\$ -	\$ 160,000	\$ 160,000	\$ -	0.00%
Flex Cash	\$ (35,433)	\$ 437,000	\$ 437,000	\$ (35,433)	\$ 442,500	\$ 442,500	\$ (35,433)	0.00%
Police Pension	\$ -	\$ 3,311,122	\$ 3,311,122	\$ -	\$ 3,186,581	\$ 3,186,581	\$ -	0.00%
Fire Pension	\$ -	\$ 3,115,854	\$ 3,115,854	\$ -	\$ 2,913,472	\$ 2,913,472	\$ -	0.00%
Parking Fund	\$ (1,228,048)	\$ 493,699	\$ 498,584	\$ (1,232,933)	\$ 493,989	\$ 482,710	\$ (1,221,654)	0.91%
<b>General Fund Total:</b>	<b>\$ 14,414,583</b>	<b>\$ 85,221,166</b>	<b>\$ 82,607,995</b>	<b>\$ 17,027,754</b>	<b>\$ 86,950,792</b>	<b>\$ 87,033,497</b>	<b>\$ 16,945,049</b>	<b>-0.49%</b>
<b>Special Revenue:</b>								
Motor Fuel Tax	\$ 4,525,708	\$ 2,301,728	\$ 3,489,909	\$ 3,337,527	\$ 2,322,998	\$ 2,130,000	\$ 3,530,525	5.78%
Board of Elections	\$ 405,490	\$ 505,874	\$ 472,421	\$ 438,943	\$ 496,244	\$ 466,713	\$ 468,474	6.73%
Drug Enforcement	\$ 353,163	\$ 113,800	\$ 71,017	\$ 395,946	\$ 53,100	\$ 166,071	\$ 282,975	-28.53%
Community Development	\$ 1,396	\$ 953,321	\$ 960,306	\$ (5,589)	\$ 934,671	\$ 935,165	\$ (6,083)	-8.84%
IHDA Single Family Owner Occupied Rehabilitation	\$ (9,218)	\$ 105,000	\$ 92,900	\$ 2,882	\$ 105,000	\$ 105,000	\$ 2,882	0.00%
Library	\$ 2,802,750	\$ 5,485,443	\$ 5,379,783	\$ 2,908,410	\$ 5,396,045	\$ 5,400,842	\$ 2,903,613	-0.16%
Park Dedication	\$ 1,071,466	\$ 22,851	\$ 90,500	\$ 1,003,817	\$ 90,500	\$ 175,000	\$ 851,317	-15.19%
<b>Special Revenue Total:</b>	<b>\$ 9,150,755</b>	<b>\$ 9,488,017</b>	<b>\$ 10,556,836</b>	<b>\$ 8,081,936</b>	<b>\$ 9,330,558</b>	<b>\$ 9,378,791</b>	<b>\$ 8,033,703</b>	<b>-0.60%</b>
<b>Debt Service:</b>								
General Bond and Interest	\$ 6,739,928	\$ 4,129,385	\$ 2,688,537	\$ 8,180,776	\$ 4,243,649	\$ 6,365,891	\$ 6,058,534	-25.94%
Market Square TIF Bond Redemption	\$ 1,592,979	\$ 273,780	\$ 1,204,203	\$ 662,556	\$ -	\$ -	\$ 662,556	0.00%
2004 Coliseum Bond Redemption	\$ 2,272,767	\$ 1,309,531	\$ 1,709,531	\$ 1,872,767	\$ 1,665,044	\$ 1,665,044	\$ 1,872,767	0.00%
2004 Multi-Project Bond Redemption	\$ 753,986	\$ 419,990	\$ 412,500	\$ 761,476	\$ 619,500	\$ 517,300	\$ 863,676	13.42%
<b>Debt Service Total:</b>	<b>\$ 11,359,660</b>	<b>\$ 6,132,686</b>	<b>\$ 6,014,771</b>	<b>\$ 11,477,575</b>	<b>\$ 6,528,193</b>	<b>\$ 8,548,235</b>	<b>\$ 9,457,533</b>	<b>-17.60%</b>
<b>Capital Projects:</b>								
Capital Improvement	\$ 2,479,221	\$ 4,296,000	\$ 5,386,074	\$ 1,389,147	\$ 4,821,000	\$ 6,202,000	\$ 8,147	-99.41%
Capital Lease	\$ 526,666	\$ 5,572,750	\$ 6,099,416	\$ -	\$ 1,708,087	\$ 1,708,087	\$ -	0.00%
Central Bloomington TIF Development	\$ 55,952	\$ -	\$ 4,435	\$ 51,517	\$ -	\$ 10,000	\$ 41,517	-19.41%
Pepsi Ice Center Capital Project	\$ 4,185	\$ -	\$ 2,211	\$ 1,974	\$ -	\$ -	\$ 1,974	0.00%
<b>Capital Project Total:</b>	<b>\$ 3,066,024</b>	<b>\$ 9,868,750</b>	<b>\$ 11,492,136</b>	<b>\$ 1,442,638</b>	<b>\$ 6,529,087</b>	<b>\$ 7,920,087</b>	<b>\$ 51,638</b>	<b>96.42%</b>
<b>Enterprise:</b>								
Water	\$ 17,092,048	\$ 19,966,524	\$ 19,652,345	\$ 17,406,227	\$ 18,078,500	\$ 20,390,282	\$ 15,094,445	-13.28%
Sewer	\$ (1,820,074)	\$ 7,757,365	\$ 6,074,425	\$ (137,134)	\$ 5,998,113	\$ 4,329,230	\$ 1,531,749	1216.97%
Storm Water	\$ (390,264)	\$ 5,007,418	\$ 5,431,922	\$ (814,768)	\$ 3,535,100	\$ 4,303,123	\$ (1,582,791)	-94.26%
Solid Waste	\$ 2,016,607	\$ 6,218,672	\$ 6,710,401	\$ 1,524,878	\$ 6,374,494	\$ 7,625,840	\$ 273,532	-82.06%
Abraham Lincoln Parking Deck	\$ (47,972)	\$ 463,040	\$ 485,961	\$ (70,893)	\$ 476,000	\$ 437,011	\$ (31,904)	55.00%
Golf Courses	\$ 94,398	\$ 2,704,000	\$ 2,805,303	\$ (6,905)	\$ 3,053,100	\$ 3,045,386	\$ 809	111.72%
US Cellular Coliseum	\$ 1,385,688	\$ 1,534,531	\$ 1,668,851	\$ 1,251,368	\$ 1,911,044	\$ 1,919,915	\$ 1,242,497	-0.71%
<b>Enterprise Total:</b>	<b>\$ 18,330,431</b>	<b>\$ 43,651,550</b>	<b>\$ 42,829,208</b>	<b>\$ 19,152,773</b>	<b>\$ 39,426,351</b>	<b>\$ 42,050,787</b>	<b>\$ 16,528,337</b>	<b>-13.70%</b>
<b>Internal Service Fund:</b>								
Casualty Insurance	\$ 3,055,450	\$ 3,755,666	\$ 2,952,142	\$ 3,858,974	\$ 2,966,312	\$ 2,728,361	\$ 4,096,925	6.17%
Employee Insurance and Benefits	\$ 1,665,963	\$ 8,300,290	\$ 9,299,194	\$ 667,059	\$ 9,243,475	\$ 9,634,466	\$ 276,068	-58.61%
Employee Retiree Group Healthcare	\$ (754,041)	\$ 2,243,850	\$ 1,941,151	\$ (451,342)	\$ 2,336,942	\$ 1,682,368	\$ 203,232	145.03%
<b>Internal Service Fund Total:</b>	<b>\$ 3,967,372</b>	<b>\$ 14,299,806</b>	<b>\$ 14,192,487</b>	<b>\$ 4,074,691</b>	<b>\$ 14,546,729</b>	<b>\$ 14,045,195</b>	<b>\$ 4,576,225</b>	<b>-12.31%</b>
<b>Fiduciary:</b>								
JM Scott Total:	\$ 3,494,281	\$ 1,680	\$ 360,620	\$ 3,135,341	\$ 1,000	\$ 461,187	\$ 2,675,154	-14.68%
<b>Fiduciary Fund Total:</b>	<b>\$ 3,494,281</b>	<b>\$ 1,680</b>	<b>\$ 360,620</b>	<b>\$ 3,135,341</b>	<b>\$ 1,000</b>	<b>\$ 461,187</b>	<b>\$ 2,675,154</b>	<b>-14.68%</b>
<b>Total:</b>	<b>\$ 63,783,106</b>	<b>\$ 168,663,655</b>	<b>\$ 168,054,053</b>	<b>\$ 64,392,708</b>	<b>\$ 163,312,710</b>	<b>\$ 169,437,779</b>	<b>\$ 58,267,639</b>	<b>-9.51%</b>

- A These funds are being consolidated into the General Fund; therefore the negative fund balance will be absorbed by the General Fund.
- B Negative fund balance is believed to be related to grant funding.
- C This fund continues to have a deficit balance. The City will be conducting a rate analysis study to evaluate options for making the operations of this fund self-supporting.
- D This fund continues to have a deficit balance. The City is evaluating options to eliminate future deficits.
- Z The difference between proposed revenues and expenditures will be drawn from fund balances.

SUBJECT: Public Hearing on the Fiscal Year FY 2014 Recommended Budget

**RECOMMENDATION/MOTION:** Not applicable.

**STRATEGIC PLAN LINK:** The whole Strategic Plan is unequivocally linked to the annual City Budget.

**STRATEGIC PLAN SIGNIFICANCE:** The budget is a financial plan which stipulates the approach the City will undertake to achieve the strategic plan in accordance with the aspirations of Council.

**BACKGROUND:** The City is required by state statute to adopt an annual appropriation Ordinance by May 1, 2013. The recommended budget was distributed to Council in two (2) budget books at the Monday, February 11, 2013 Council meeting. The first notebook represents the City's General Fund, while the second book presents each Non-General Fund(s) in addition to the proposed Capital Improvement Fund.

The Council held a public forum on February 27, 2013 at the Bloomington Center for the Performing Arts (BCPA) to solicit opinion from City-wide stakeholders in regards to the proposed FY 2014 recommended budget. Additionally, the City held a Council work session on Saturday, March 3, 2013 to provide the governing board the opportunity to discuss the budget. The public hearing scheduled tonight is an occasion required by State statute and required to be conducted prior to the adoption of the FY 2014 Budget. The adoption of the proposed FY 2014 budget is set to occur on the Monday, April 8, 2013 budget meeting.

Subsequent to the public form and Council work session, Council directed staff to integrate into the Capital Improvement Fund \$60,000 for the *design work* for Lutz Road. This design will widen the road approximately 2 feet on each lane and provide a new overlay and limited improvements to the drain and ditch infrastructure. The \$60,000 will have a net zero impact on the FY 2014 Capital Improvement Fund. The net zero impact derives from an equivalent reduction in expenditures related to the Route 66 Bike Trail enhancement which are expected to occur in FY 2015 rather than FY 2014.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** The public hearing has been advertised in the Pantagraph.

**FINANCIAL IMPACT:** The proposed FY 2014 Budget expenditures for thirty-five City funds are \$169.4 million, while budgeted revenue is \$163.3 million. The \$6.1 million difference will be offset by fund balance and net assets in the appropriate funds within the City's fund structure.

Respectfully submitted for Council consideration.

Prepared by and financial & budgetary review by: Timothy L Ervin, Budget Officer

Reviewed by:

Barbara J. Adkins, Deputy City  
Manager

Recommended by:

David A. Hales  
City Manager

**Mayor Stockton introduced this item. He opened the Public Hearing on the proposed Fiscal Year (FY) 2014 Budget. He planned to allow each speaker three and a half (3½) minutes to address the Council. He requested that each speaker sign in before addressing the Council.**

**Meredith and Thomas Lovelass, 3205 Wisteria Ln., addressed the Council. They stated the need for a traffic signal at Autorow and G.E. Rd. They noted the number of properties that they were associated with in this area. The traffic volume impacted the businesses. There were additional business opportunities in the area as there were vacant lots. He cited the area around Brad Barker Honda, located at 1602 G.E. Rd, as an example. He noted the lack of access to an easy exit. He noted the speed of the traffic at Veterans Pkwy. and G.E. Rd. There had been a number of traffic accidents which Brad Barker Honda had provided aid/assistance. Traffic backed up trying to exit the various businesses. Motorist were forced to turn right. Tenant had been lost. There had been leasing issues due to this situation. He believed that this traffic signal would pay for itself. In addition to the traffic signal, there would be turn lanes**

**Ron Schultz, 1208 E. Oakland Ave., addressed the Council. He addressed priorities. He cited the taxpayers/voters. He noted that the proposed budget contain fourteen to fifteen (14 – 15) new positions. He support additional positions for police and fire. The other positions were unnecessary. The Water Department needed a good civil engineer. He cited pensions. New personnel would add to the City's pension obligations. The Council should fund the pensions with the City's Reserve Fund. He addressed infrastructure. City roads were in terrible condition. Additional dollars were needed. The Water Department was headed in the right direction with the alternative water supply. He also cited the on going sewer study. City sidewalks were also in need of attention. Outsourcing should be evaluated for every City department located within the City Hall.**

**Mr. Schultz noted the City's use of consultants and the money spent. This practice needed to be evaluated. He believed that the state would place school pensions as the responsibility of local schools. The City needed to cut back on expenses.**

**Lane Hanson, 116 S. Devonshire Dr., addressed the Council. The Council needed to look at priorities. The pensions needed to be funded and the street needed**

to be repaired. He cited additional parks and quality of life issues. The City Code needed to be adjusted. The City needed to look beyond the lowest bidder. The City should also request guarantees. The recommendation was to use surplus dollars to pay for the park. He believed that there were other areas where the City was behind.

Alton Franklin, 508 Patterson, addressed the Council. He acknowledged the comments which had already been made. He cited the City's surplus funds. There needed to be an intimate look at the City's finances. He cited the City's outstanding pension obligations, \$130 million. The estimate was \$60 million to repair the City's streets. The Council had not established priorities. Nothing was being done. He cited change orders. He addressed budget highlights. The City's budget was \$160 million but the City spent \$183 million. The City was on a bad road.

Mr. Franklin believed that the City had substantial infrastructure issues. He cited sewer and water. He noted the cost for Eagle View Park, \$600,000 and an approved half way house, \$75,000. He admired what has been done. The Council needed to go beyond the talk and set priorities.

Carl Woodward, 3009 Thornwood, addressed the Council. He was a small business owner. The Council needed to be responsible. He cited the City's pension obligations, \$130 million. He restated that the Council needed to be responsible. He cited the cost for pensions, infrastructure, and health care. He noted the losses, (millions per year) at the Bloomington Center for the Performing Arts and US Cellular Coliseum. He questioned if the City had a plan. The Council needed to listen to David Hales, City Manager.

Mr. Woodward believed that the Council as a group had been irresponsible. The City had the cash which was due to the pensions. He added that the City had health care obligations. The City had been following the state's legal minimum payments into the pension funds. The City could not afford additional employees. He restated that the Council was being irresponsible. The City needed to reduce expenses. The Council needed financial discipline.

Bruce Meeks, 1402 Wright St., addressed the Council. He had attended the Budget Work Session which had been held on Saturday, March 2, 2013. He noted the citizens' low level interest. He had contacted City staff via email regarding video streaming this Work Session. Video streaming was not used for this meeting. There needed to be more open access. The City needed to hire a communications person. In addition, there needed to be additional Information Technology positions to implement MUNIS. He viewed the placement of the budget on the City's web site as a positive.

Mr. Meeks cited a demolition project on Prairie St., (see page 244). The City needed to take care of its responsibilities. This was City owned property which was not in compliance with the City Code.



**He requested that the City publish a record of unspent allocated funds. The budget process needed to be expanded. Citizens were not participating and/or involved in the process. Growth was key to new jobs.**

**Mayor Stockton closed the Public Hearing. He noted that there was some disappointment with the proposed budget. The Council did listen. He believed that there would be disagreement with Council actions. The Council had to make tough decisions. The Council attempted to look into the future and set priorities. The Council would vote on the FY 2014 Budget Ordinance at their April 8, 2013 meeting. He welcomed additional comments on the budget and encouraged those present to contact an alderman.**



FOR COUNCIL: April 8, 2013

**SUBJECT:** Eagle View Park Funding

**RECOMMENDATION/MOTION:** That \$600,000 in FY 2013 City Funding to build Eagle View Park be approved and the Budget Amendment Ordinance passed.

**STRATEGIC PLAN LINK:** Goal 2 – Upgrade City Infrastructure and Facilities; Goal 3 – Strong Neighborhoods; Goal 5 - Great Place to Live—Livable, Sustainable City

**STRATEGIC PLAN SIGNIFICANCE:** 2.d. - Well-designed, well maintained City facilities emphasizing productivity and customer service; 3.e. – Strong partnerships with residents and neighborhood associations; 5.a. - Well-planned City with necessary services and infrastructure.

**BACKGROUND:** Eagle View Park is identified in the 2005 East Side Plan Addendum to the 1997 Parks and Recreation Comprehensive Plan (see the attached excerpt referring to NP#1, neighborhood park #1, located east of Towanda-Barnes Road, halfway between Fort Jesse and General Electric roads). It is also listed as a priority in the Near Term of the 2010 Parks Master Plan Update (see attached) – due to the obligation for the Open Space Lands Acquisition and Development (OSLAD) Grant funding. After the completion of Gaelic Park, Eagle View Park rises to the highest priority in new park development in the current Parks Master Plan.

In June 2008, staff, with City Council approval from the May 12, 2008 meeting, applied for the OSLAD Grant from the Illinois Department of Natural Resources (IDNR) and was subsequently awarded a \$400,000 matching grant to develop Eagle View Park that carried an expiration date of December 31, 2011. The estimated cost to develop the park was set at \$1 million. The City of Bloomington signed the Resolution from IDNR, stating “The City of Bloomington hereby certifies and acknowledges that it has 100% of the funds necessary (includes cash and value of donated land) to complete the pending Open Space Lands Acquisition and Development (OSLAD)/Land and Water Conservation Funds (LWCF) project within the timeframe specified herein for project execution, and that failure to adhere to the specified project timeframe or failure to proceed with the project because of insufficient funds or change in local recreation priorities is sufficient cause for project termination which will also result in the ineligibility of the local project sponsor for subsequent IDNR outdoor recreation grant assistance consideration in the next two (2) consecutive grant cycles following project termination.” A current concern is if the project is not bid out in a timely fashion, and construction progress has not been shown; then the City of Bloomington will not have met its obligation for “substantial” completion by December 31, 2013 as required by the grant.

On July 9, 2012, City Council authorized the hiring of park design firm, Planning Resources, Inc. to complete final park design, construction documents, bid development and construction management.

On February 18, 2013, the Infrastructure Committee received an update on this project and provided unanimous support to bid the construction of Eagle View Park. The final park design (see attached drawing), construction documents and bidding documents are now finished and the project is ready for bidding. To develop the park fully as shown in the final plans, cost estimates could be as high as \$1,400,000; however staff has worked with Planning Resources, Inc. to

design the park in such a way to include all the amenities required by the grant application at the original cost estimate of \$1,000,000. Alternate bid prices will be requested during the bid process for additional items such as sports lighting for one (1) softball field, additional parking spaces, additional shelter and a few smaller site amenities (shown as Alternate Phase 2 on the park drawing). If bid prices received allow for some or all of the Alternate Phase 2 items to be included within the \$1,000,000 budget, they would be added to the bid award. The net cost to the City, after the \$400,000 grant reimbursement is received, will be approximately \$600,000. Should substantial completion of the park not be reached by December 31, 2013 and IDNR denies any additional extension to the OSLAD grant, the City would lose the \$400,000 grant and also be ineligible for future OSLAD grant assistance for at least two years.

The reason the fully developed park has a cost estimate greater than the original \$1,000,000 is two-fold. First, the original cost estimates were created almost six (6) years ago during the first grant application in 2007. Second, within the last 20 months, the City has lost access to two (2) lighted softball fields at R.T. Dunn behind the Armory due to the Armory needing additional space for training purposes, therefore Staff added lights to one (1) softball field in Eagle View plans to meet the needs of the community. A lighted, programmed softball field creates the need for additional parking in Eagle View Park. These elements were not included in the 2007 cost estimates. If the bids come in at prices too high to allow the Alternate Phase 2 items to be included at this time, Staff will work to budget for these at a future time within the Parks, Recreation & Cultural Arts Capital Improvement Plan.

Staff inquired with the IDNR Grant Administrator about the possibility of another extension and was informed our project would not be considered for another extension until September or October, at which time if the request is denied it would be too late for construction to beat the December 31, 2013 deadline. The City Manager has requested from the IDNR Director that an extension be considered now instead of the September or October time frame. The IDNR Director has denied that request.

In order to meet the December 31, 2013 deadline for substantial completion, a construction contract would need to be awarded sometime before May 1, 2013. After receiving bids, Staff would need to come back to the City Council for approval of the construction contract.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** Illinois Department of Natural Resources and neighbors of Eagle View subdivisions.

**FINANCIAL IMPACT:** The FY 2013 Budget did not appropriate funds for the construction of Eagle View Park. As specified in the background section the total cost of the construction of Eagle View Park would approximately be \$1,000,000; however, a \$400,000 OSLAD Grant would reduce the City contribution to \$600,000. Staff recommends the \$600,000 would be offset with unrestricted fund balance from the General Fund. Upon passage of this memo the \$600,000 would be transferred from the General Fund to the Capital Improvement Fund 40100100-72570 in FY 2013 as a subsequent budget amendment. Staff has attached the budget amendment ordinance and supporting documentation. The transfer from the General Fund is needed since although four capital projects were not completed in FY 2013, Staff has incorporated this savings into the FY 2014 Proposed Budget so these dollars are not available for this project. Staff estimates the ending FY 2013 unrestricted fund balance for the General Fund will be sufficient to offset this addition to the FY 2013 Budget and maintain compliance with the City's reserve policy.

Respectfully submitted for Council consideration.

Prepared by: John R. Kennedy, Director of Parks, Rec & Cultural Arts

Financial & Budgetary review by: Timothy L. Ervin, Budget Officer

Legal review by: Rosalee Dodson, Assistant Corporation Counsel

Recommended by:

David A. Hales  
City Manager

- Attachments:**
- Attachment 1. Ordinance
  - Attachment 2. Budget Amendment – Exhibit #1
  - Attachment 3. General Fund Unrestricted Fund Balance Summary as of February 20, 2013
  - Attachment 4. Email Conversation: John Kennedy and Jamie Mathy
  - Attachment 5. State of IL Dept of Natural Resources Resolutions
  - Attachment 4. 2005 East Side Plan Addendum to the 1997 Parks and Recreation Comprehensive Plan
  - Attachment 5. Excerpt from Parks Master Plan
  - Attachment 6. Eagle View Park Concept
  - Attachment 7. Letter sent to Marc Miller, Director of IL Dept of Natural Resources
  - Attachment 8. Letter from Marc Miller, Director of IL Dept of Natural Resources

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Motion: \_\_\_\_\_ Seconded by: \_\_\_\_\_

	Aye	Nay	Other		Aye	Nay	Other
Alderman Fazzini				Alderman Purcell			
Alderman Fruin				Alderman Sage			
Alderman McDade				Alderman Schmidt			
Alderman Mathy				Alderman Stearns			
Alderman Mwilambwe							
				Mayor Stockton			

**ORDINANCE NO. 2013 -**

**AN ORDINANCE AMENDING THE BUDGET ORDINANCE  
FOR THE FISCAL YEAR ENDING APRIL 30, 2013**

WHEREAS, on April 23, 2012 by Ordinance Number 2012 - 23, the City of Bloomington passed a Budget and Appropriation Ordinance for the Fiscal Year Ending April 30, 2013, which Ordinance was approved by Mayor Stephen F. Stockton on April 24, 2012; and

WHEREASE, 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 2012 - 22 (the Budget and Appropriation Ordinance for the Fiscal Year Ending April 30, 2013) is further hereby amended by inserting the following line items and amounts presented in Exhibit #1 in the appropriate place in said Ordinances.

Section Two: Except as provided for herein, Ordinance Number 2012 - 23 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 2012 - 23.

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

PASSED the 25<sup>th</sup> day of June, 2012.

APPROVED the 26<sup>th</sup> day of June, 2012.

APPROVED:

STEPHEN F. STOCKTON  
MAYOR

ATTEST:

TRACEY COVERT  
CITY CLERK

**Budget Amendment for Construction of Eagle View Park**

**Exhibit 1**

<b>Account Code</b>	<b>Fund</b>	<b>Account Name</b>		<b>Revised Budget</b>	<b>Description</b>
40100100-53120	Capital Improvement Fund	State Grant	<sup>1</sup>	\$ (400,000)	OSLAD Grant
40100100-72570	Capital Improvement Fund	Park Construction and Improvement	<sup>2</sup>	\$ 1,000,000	Construction of Eagle View Park
40100100-85100	Capital Improvement Fund	Transfer from the General Fund	<sup>3</sup>	\$ 600,000	Transfer from the General Fund
10019180-89410	General Fund	Transfer To Capital Improvement Fund	<sup>4</sup>	\$ (600,000)	Transfer to Capital Improvement Fund

<b>Financial Scope of the Project</b>		
Construction of Eagle View Park	<sup>1</sup>	\$ 1,000,000
OSLAD Grant (State of Illinois)	<sup>2</sup>	\$ (400,000)
<b>Sub-Total:</b>		<b>\$ 600,000</b>

<sup>3,4</sup> - The \$600,000 (net) will be funded through the Capital Improvement Fund, thus the General Fund will transfer \$600,000 to the Capital Improvement Fund to offset the \$600,000 expenditure.



# Jason A. Barickman

## State Senator

2401 E. Washington Street, Suite 201  
Bloomington, IL 61704  
309/661-2788

211 E. Madison Street, Suite 3  
Pontiac, IL 61764  
815/844-4642

Fax: 815/768-2656  
E-mail: [jason@jasonbarickman.org](mailto:jason@jasonbarickman.org)  
Website: [www.jasonbarickman.org](http://www.jasonbarickman.org)

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April 2, 2013

Bloomington City Council  
109 E. Olive Street  
Bloomington, IL 61701

Dear City Council Member:

I was contacted by Jim Fruin regarding the Eagle View Park project and the consequences of declining the State of Illinois OSLAD grant funds. My office has been in contact with the Governmental Affairs division of the Department of Natural Resources (DNR).

If the City of Bloomington declines the funding, they will be ineligible for any DNR grant program for two years. After the two year period, Bloomington would be able to apply and be considered for any grant program administered by DNR.

This is a difficult decision for the Council to make. I hope the information I provided helps. Please do not hesitate to contact me if I can be of further assistance.

Sincerely,

A handwritten signature in black ink that reads "Jason".

Jason Barickman  
State Senator

**General Fund  
Cash Flow Commitment  
Fiscal Year Projected Unreserved Fund Balance 2013**

<b>April 30, 2013 Projected Budgetary Fund Balance:</b>	<b>\$</b>	<b>17,027,754 *</b>
<i>Non Spendable/Reserved Funds Related to Coliseum Loan</i>		(2,300,000)
<i>FY 2013 Exposure for Deficit Funds</i>		(1,000,000)
<b>Total Spendable Fund Balance:</b>	<b>\$</b>	<b>13,727,754</b>
<b>Total Cash Flow Commitment GOAL</b>	<b>\$</b>	<b>13,727,754</b> <span style="color: red;">(11,543,570) **</span>
Available Unreserved Fund Balance above Commitment	<b>\$</b>	<b>2,184,184</b>

<b>FLOOR</b>	<b>10% 2013 Budgeted General Fund Expenditures as restated* (\$87,628,426) including transfers</b>	<b>8,762,843</b>
"Cash Flow Commitment Goal"	<b>13% - As Calculated Based on Reserves of Various Revenues &amp; Costs</b>	<b>11,543,570</b>
<b>GOAL</b>	<b>15% 2013 Budgeted General Fund Expenditures as restated *( 87,628,426) including transfers</b>	<b>13,144,264</b>

\* General Fund budgeted expenditures now include the following funds: Sister City, SOAR, BCPA, Judgement, Flex Cash, Pension Contribution Funds, and Parking Operations and Maintenance Funds.

\*\* The "Cash Flow Commitment" is defined in the Cities Fund Balance Policy as dated May 11, 2012. This commitment is designed to ensure that funds are available to meet the Cities commitments and builds in flexibility for any unanticipated expenditures and is designed to create a reserve between 10% and 15%.

^^ The unrestricted fund balance in the 2012 Comprehensive Annual Financial Statement represents unrestricted fund balance as of April 30, 2012. This exhibit rolls forward unrestricted fund balance through the projected FY2013 operations.

	Monthly Expenditures
One month	7,302,369
Two months	14,604,738
Three months	21,907,107
Four months	29,209,475
Five months	36,511,844
Six months	43,814,213



**Email Exchange Between Alderman Mathy and  
John Kennedy, Director of Parks, Recreation & Cultural Arts**

To: Jamie Mathy/Cityblm@Cityblm  
From: John Kennedy/Cityblm  
Date: 03/05/2013 10:02AM

Subject: Re: Was there actually a commitment to build Eagle View Park?

Alderman Mathy,

I do not believe anyone has ever said "Yes, we are going to build Eagle View Park". For assistance, I have attached two forms that are excerpts from the 2 IDNR OSLAD Grants which staff was authorized by the City Council to submit applications. The first grant was an OSLAD *Acquisition* Grant. This grant paid approx. 50% of the purchase price to buy an additional 8+ acres from the developer (above and beyond they 6.15 acres the developers donated to the City per Ordinance). The second grant was an OSLAD *Development* Grant. The Development grant is the grant that is set to expire December 31, 2013.

The attachments are the Resolution of Authorization forms for each grant. The Resolutions state 2 things:

- 1) In short, The City certifies and acknowledges that it has 100% of the funds necessary to compete the pending OSLAD project within the timeframes...
- 2) In short, For property acquired with OSLAD assistance, agree to place a covenant restriction on the project property deed at the time of recording that stipulates the property must be used, in perpetuity, for public outdoor recreation purposes in accordance with OSLAD programs and cannot be sold or exchanged, in whole or part, to another party without approval from the Illinois DNR.

I include this as information as to how our grant applications are **viewed by IDNR** as a commitment to build the park.

If I can help in any other manner, please let me know.

Thanks, John Kennedy, CPRP

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To: City Council and Mayor@Cityblm, David Hales/Cityblm@Cityblm, Barb Adkins/Cityblm@Cityblm, John Kennedy/Cityblm@Cityblm  
From: Jamie Mathy/Cityblm  
Date: 03/04/2013 10:47PM  
Subject: Was there actually a commitment to build Eagle View Park?

It has been stated numerous times recently that the City's integrity is on the line regarding Eagle View Park. It has been stated that the City made a commitment to build Eagle View Park.

I know there are multiple instances where people are taking as implied, either by actions taken (buying land) or not taken (not taking down the developers sign) but I would like to know if anyone from the City of Bloomington or City Council ever signed anything that said we would do it, or said the words "Yes, we are going to build Eagle View Park".

I have not been privy to past conversations on the topic and would like this answer. I am aware of Alderman Fruin's opinion on the matter- if there are other opinions on what was or was not said, I would appreciate knowing about them.

Respectfully, Jamie Mathy

STATE OF ILLINOIS / DNR  
OSLAD/LWCF PROJECT APPLICATION FORM

DOC-3 RESOLUTION OF AUTHORIZATION

- 1. Project Sponsor:  
Bloomington City of
- 2. Project Title:  
Eagleview South Park

The Bloomington City of (local project sponsor) hereby certifies and acknowledges that it has 100% the funds necessary (includes cash and value of donated land) to complete the pending OSLAD/LWCF project within timeframes specified herein for project execution, and that failure to adhere to the specified project timeframe or failure to proceed with the project because of insufficient funds or change in local recreation priorities is sufficient cause for project termination which will also result in the ineligibility of the local project sponsor for subsequent Illinois DNR outdoor recreation grant assistance consideration in the next two (2) consecutive grant cycles following project termination.

Acquisition and Development Projects

It is understood that the project should be completed within the timeframe established in the project agreement and a Final Billing reimbursement request will be submitted to IDNR as soon as possible after project completion.

The Bloomington City of (local project sponsor) further acknowledges and certifies that it will comply with all terms, conditions and regulations of 1) the Open Space Lands Acquisition and Development (OSLAD) program (17 IL Adm. Code 3025) or federal Land & Water Conservation Fund (LWCF) program (17 IL Adm. Code 3030), as applicable, 2) the federal Uniform Relocation Assistance & Real Property Acquisition Policies Act of 1970 (P.L. 91-646) and/or the Illinois Displaced Persons Relocation Act (310 ILCS 40 et. seq.), as applicable, 3) the Illinois Human Rights Act (775 ILCS 5/1 et. seq.), 4) Title VI of the Civil Rights Act of 1964, (P.L. 83-352), 5) the Age Discrimination Act of 1975 (P.L. 94-135), 6) the Civil Rights Restoration Act of 1988, (P.L. 100-259) and 7) the Americans with Disabilities Act of 1990 (PL 101-336); and maintain the project area in an attractive and safe conditions, keep the facilities open to the general public during regular hours consistent with the type of facility, and obtain from the Illinois DNR written approval for any change or conversion of approved outdoor recreation use of the project site prior to initiating such change or conversion; and for property acquired with OSLAD/LWCF assistance, agree to place a covenant restriction on the project property deed at the time of recording which stipulates the property must be used, in perpetuity, for public outdoor recreation purposes in accordance with the OSLAD/LWCF programs and cannot be sold or exchanged, in whole or part, to another party without approval from the Illinois DNR.

BE IT FURTHER PROVIDED that the Bloomington City of (local project sponsor) certifies to the best of its knowledge that the information provided within the attached application is true and correct. This Resolution of Authorization has been duly discussed and adopted by the Bloomington City of (local project sponsor) at a legal meeting held on the \_\_\_ day of \_\_\_\_\_, 20\_\_.

Dean K.D.  
(Authorized Signature)  
Dir. of Parks & Rec.  
(title)

ATTESTED BY:

[Signature]  
Assistant Director  
(title)

STATE OF ILLINOIS / DNR  
OSLAD/LWCF PROJECT APPLICATION FORM

DOC-3 RESOLUTION OF AUTHORIZATION

- 1. Project Sponsor: Bloomington, City of
- 2. Project Title: Eagle View

The Bloomington, City of (local project sponsor) hereby certifies and acknowledges that it has 100% of the funds necessary (includes cash and value of donated land) to complete the pending OSLAD/LWCF project within the timeframes specified herein for project execution, and that failure to adhere to the specified project timeframe or failure to proceed with the project because of insufficient funds or change in local recreation priorities is sufficient cause for project grant termination which will also result in the ineligibility of the local project sponsor for subsequent Illinois DNR outdoor recreation grant assistance consideration in the next two (2) consecutive grant cycles following project termination.

Acquisition and Development Projects

It is understood that the project should be completed within the timeframe established in the project agreement and the Final Billing reimbursement request will be submitted to IDNR as soon as possible after project completion.

The Bloomington, City of (local project sponsor) further acknowledges and certifies that it will comply with all terms, conditions and regulations of 1) the Open Space Lands Acquisition and Development (OSLAD) program (17 IL Adm. Code 3025) or federal Land & Water Conservation Fund (LWCF) program (17 IL Adm. Code 3030), as applicable, 2) the federal Uniform Relocation Assistance & Real Property Acquisition Policies Act of 1970 (P.L. 91-646) and/or the Illinois Displaced Persons Relocation Act (310 ILCS 40 et. seq.), as applicable, 3) the Illinois Human Rights Act (775 ILCS 5/1-101 et.seq.), 4) Title VI of the Civil Rights Act of 1964, (P.L. 83-352), 5) the Age Discrimination Act of 1975 (P.L. 94-135), 6) the Civil Rights Restoration Act of 1988, (P.L. 100-259) and 7) the Americans with Disabilities Act of 1990 (PL 101-336); and will maintain the project area in an attractive and safe conditions, keep the facilities open to the general public during reasonable hours consistent with the type of facility, and obtain from the Illinois DNR written approval for any change or conversion of approved outdoor recreation use of the project site prior to initiating such change or conversion; and for property acquired with OSLAD/LWCF assistance, agree to place a covenant restriction on the project property deed at the time of recording that stipulates the property must be used, in perpetuity, for public outdoor recreation purposes in accordance with the OSLAD/LWCF programs and cannot be sold or exchanged, in whole or part, to another party without approval from the Illinois DNR.

BE IT FURTHER PROVIDED that the Bloomington, City of (local project sponsor) certifies to the best of its knowledge that the information provided within the attached application is true and correct. This Resolution of Authorization has been duly discussed and adopted by the Bloomington, City of (local project sponsor) at a legal meeting held on the 17 day of March, 2007

Deantol  
(Authorized Signature)

Dir of Recs & Rec.  
(title)

ATTESTED BY: [Signature]  
Assistant Director  
(title)

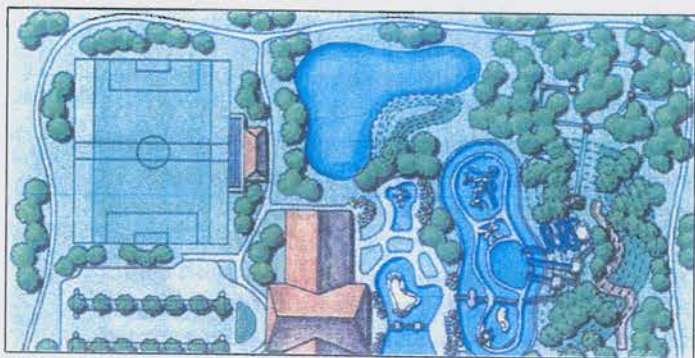
## CHAPTER IV – PLAN RECOMMENDATIONS

### 4.1 PLAN RECOMMENDATIONS

In order for the City to meet its open space and recreational obligations arising from new development, it must consider the acquisition of additional land that might be available either now or in the future. Some of this potential could be realized through the City buying or leasing recreational facilities and sites currently owned and operated by private concerns as they become available. In addition, the City can negotiate for the provision of sites for City open space and recreational facilities as sites are presented and approved for development. The careful application of its subdivision regulations will result in substantial open space opportunities particularly when the City has a strong negotiating position such as when parcels are proposed for annexation or City services are desired.

This East Side Plan Update recommends the acquisition of fifteen potential sites for significant proposed open space, recreational, municipal and/or educational facilities. Map 6 exhibits the general location of these sites.

#### 4.11 NPA 7 (described in order of their location and ordered from north to south)



Bloomington Edge Park boasts a major aquatic facility which includes indoor pool and sprayground, outdoor water slides and outdoor spray facilities. The facility will pay for the cost of ongoing operations through the use of user fees (north half shown).

unincorporated McLean County in Towanda Township but is considered for future annexation to Bloomington. It could be provided in conjunction with a detention/retention facility. It should be connected to the proposed trail system.

**The second recommended facility is a proposed public school/park site (NP#2)** approximately halfway between General Electric Road and Route 9, located approximately one-quarter mile east of Towanda Barnes Road. The proposed school site would be located adjacent to the neighborhood park to permit portions of the school building to be utilized for park/recreation purposes. The school site could be used for both middle school and elementary school buildings if necessary. This site was selected to maximize access for the school facility and provide a school site serving the northern portions of NPA 7. This proposed park would also be designed to meet the needs of new residential neighborhoods that would surround the site. It should be improved with typical neighborhood park improvements. The neighborhood park would also have its service area reduced by Towanda Barnes Road.. It is presently located in unincorporated McLean County in Towanda Township and could also be provided in conjunction with a detention/retention facility. It should also be connected to the proposed trail system.

**The third recommended facility is a proposed public school/ neighborhood park site (NP#3)** located south of Route 9 and approximately one-half mile east of the Airport. This proposed school site

**The first recommended facility is a proposed neighborhood park (NP#1)** located east of Towanda Barnes Road in the northern portion of NPA 7 southeast of Bittner Park and approximately half way between Fort Jesse and General Electric to serve residents of new development in the northern portions of the Study Area and neighborhood park facilities mentioned above. As with the service area for Bittner Park (outside the Study Area), the service area for this proposed park will be somewhat reduced by Towanda Barnes Rd. which is a barrier to pedestrians from the east. This property is currently located in

## **CITY OF BLOOMINGTON PARKS MASTER PLAN PRIORITIES AND FINANCING APPROACH FOR NEAR TERM AND FUTURE PROJECTS**

The following outlines the proposed approach for the current economic times to identify and rank the Priorities for the Parks Department in each of their near-term budget years. The intent is to keep the Future Projects List in perspective and available should funding opportunities or exceptional circumstances arise that would merit a revision to the Priorities listed below.

The initial Priorities should be completing current commitments and the renovation of the playgrounds that are well beyond their “standard life span”. The highest priority within the current commitments is to the Department of Natural Resources to complete Gaelic Park by the grant deadline of December 2010. This would have Gaelic Park designed and issued for competitive bids during the coming fall/winter months for construction starting in the spring of 2010. The second, Eagle View South, is a similar project that the DNR has awarded a grant to the City of Bloomington. The budget for each project is \$1,000,000, with \$400,000 in grant funding available for each park. Any forfeiture of an awarded OSLAD Grant would have a drastic impact on the City's ability to receive future grants.

Park playground renovations that should be completed as soon as possible include the following locations:

- Emerson Park
- Ewing Park II
- Sunnyside Park
- Miller Park
- Buck-Mann Park
- Evergreen Park
- Franklin Park
- Pepper Ridge Park

In addition to the renovation of these playgrounds, the following parcels should be placed high on the Priority list for development. They are geographically in locations where additional services are warranted and in some cases, overdue:

- Wittenberg Woods Park
  - Woodberry Park
  - Westwood Park
  - Sugar Creek Park

# Eagle View Park

## Bloomington, Illinois

### Final Concept

#### A) Concept Data:

- Parking - 64 Total (22 Phase 1)  
9 Carpool priority spaces
- Multi-Use trail - ± 0.75 miles

#### B) Sustainable Initiatives:

- Bioswale infiltration area
- Native plantings/ prairie
- Permeable paver (option)
- Balanced cut and fill grading
- Bicycle parking
- Carpooling spaces
- Recycling bins

#### C) Stormwater Management:

- Detain stormwater on site to reduce amount sent to sewer
- Reduce pollution by treating stormwater on site with bioswales, rain garden and optional green roof
- Reduce impervious surfaces with the use of permeable pavers (Option)

#### D) Reduced Maintenance:

- Use of native/ non-invasive plants and low mow turf alternatives reduce mowing

#### E) Social Capital:

- ADA Accessible
- Social gathering spaces
- Bike and pedestrian linkages
- Interpretive signs that speak to the sustainable principles



**Summer 2005** Developers of Eagle View and Eagle View South subdivision donate 6.15 acres of land per Parkland Dedication Ordinance.

**October 2005** The City Council adopts an amendment to the 1997 Parks and Recreation Plan, and indicates the number one recommended Facility to be a Neighborhood park, located east of Towanda Barnes and half-way between Fort Jesse and General Electric.

**March 2007** City Council approves a Staff recommendation to apply for an OSLAD Grant to acquire an additional 8.08 acres from the Developer, at a cost of \$244,600 to create 14.5 total acres for a Neighborhood park. The grant would cover approximately 50% of this land purchase cost.

**August 2007** City of Bloomington purchases the 8.08 acres from ARK IV Developers for \$242,400.

**May 2008** On May 12, 2008, The City Council approved the Staff recommendation to apply for \$400,000 OSLAD Grant to develop Eagle View South Park. The estimated budget cost is \$1,000,000. This would bring reduce the City cost to \$600,000, after the reimbursable grant is received from the State of Illinois.

**June 2008** OSLAD Grant is submitted prior to July 1, 2008 deadline.

**January 2009** City receives \$122,300 OSLAD Grant payment for the acquisition of the 8.08 acres purchased in 2007.

**May 2009** City is notified by the Illinois Department of Natural Resources of its successful application for the \$400,000 OSLAD Development Grant, with a December 2011 deadline for completing Eagle View South Park.

**February 2011** Staff requests a one-year extension of the \$400,000 Grant to a new deadline of December 2012.

**September 2011** IDNR notifies City of a one-year extension on the \$400,000 OSLAD Grant, with a new expiration date of December 2012.

**December 5, 2011** Pantagraph reporter Rachel Wells requests a ride-a-long with Alderman Jim Fruin to get an overview of interests of residents in Ward 9, of which the planned Eagle View South Park is highlighted.

**December 6, 2011** Eagle View Neighborhood(s) meet at CIRA with City officials to further clarify the long-standing inquiry as to ownership and maintenance responsibility of the Detention Basin in the far northeast corner of the Neighborhood. This initiative was led by Ron and Doreen Swan who had spoken at the October 10, 2011 City Council meeting. Also discussed at the CIRA meeting was

the ongoing Homeowner maintenance of the City owned Detention Basin on Towanda Barnes.

**December 21, 2011** Two residents, Peggy Miles and Jessica Oester asked to visit with Alderman Jim Fruin on the City's current timetable to build Eagle View South Park before the Grant expires in 2012.

**December 21, 2011** E-Mail sent to City staff asking for a joint meeting with neighbors to better understand the 2012 timetable for construction of the Park.

**January 5, 2012** Jim Fruin meets with Peggy Miles, Dale Strain and Jessica Oester to help answer questions in preparation for a Neighborhood meeting on January 17 in which City staff will attend and help explain current status of Park, and existing Budget challenges.

**January 17, 2012** Neighborhood meeting held at Morningstar United Methodist Church. Those in attendance included approximately 80 Eagle View residents, City Manager David Hales, Alderman Jim Fruin and Pantagraph report Rachel Wells. Residents were appreciative of the comments from Mr. Hales and Mr. Kennedy.

**February 13, 2012** Neighborhood representatives Peggy Miles, Craig Fisher and Jessica Oester presented a Fact booklet to the City Council. The distributed materials included a petition to finish the Park with signatures of 300+ residents.

**July 9, 2012** City Council approves a contract with Planning Resources for Professional Design Services, Bid development and Construction Management for Eagle View Park.

**September 7, 2012** The Illinois Department of Natural Resources provides a further extension of the pending \$400,000 OSLAD Development Grant, with a deadline of December 2013 for completing Eagle View Park.

**September 25, 2012** Neighborhood meeting held at Morningstar Church between the City of Bloomington staff, Planning Resources and dozens of neighbors from the Eagle View neighborhoods.

**October 23, 2012** Neighborhood meeting held at Morningstar Church between the City of Bloomington staff, Planning Resources and dozens of neighbors from the Eagle View neighborhoods to show Final Concept drawing.



## Eagle View Park - Bloomington Illinois

### Final Concept Plan

18-Oct-12

#### Estimate of Probable Costs

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1	Removals, Demolition & Site Protection	\$12,100.00
	construction fencing along three sides, erosion control in critical disturbed areas only	
2	Site Grading and Excavation:	\$50,000.00
3	Site Drainage and Water Service	\$55,910.00
4	Site Electrical	\$15,000.00
5	Site Concrete & Pavement	\$350,554.00
	includes concrete walks, 8' wide paths, and reduced parking lot	
6	Site Structures	\$27,500.00
	includes 1 shelter and port-a-potty enclosure	
7	Athletic Field Development	\$161,000.00
	includes 2 ballfields and fencing, and soccer field	
8	Basketball Court Development	\$22,860.00
	concrete pavement	
9	Volleyball Court Development	\$10,820.00
10	Creative Play Area	\$155,000.00
	includes 2-5, 5-12 and teen area	
11	Site Furnishings	\$29,900.00
12	Landscape Plantings & Restoration	\$82,395.00
	includes Kentucky blue grass, athletic turf, woodland, and ornamental plantings	
	Project Total:	\$973,039.00
13	5% contingency	\$48,651.95
	Grand Total:	\$1,021,690.95

## Alternate Bid Items

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Sports Lighting (softball field)  
Parking Lot/ Second Entrance  
Shelter Building B  
Engineered Wood Fiber Mulch  
Permeable Pavers (parking lot)  
Bituminous Pavement Basketball Court  
Sand for Volleyball Court  
14-car Parking along Lay Lane

## Items by Parks, Recreation & Cultural Arts Department

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CPA Apparatus bought, stored by contractor, installed by owner  
Teen Apparatus bought, stored by contractor, installed by owner  
Native Prairie Installation  
Sand for Volleyball Court  
Engineered Wood Fiber Mulch  
Basketball Court Painting

## Eagle View Park

City of Bloomington Parks, Recreation & Cultural Arts  
Bloomington, Illinois

### Project Schedule: Revised 4.3.13

Week of July 23, 2012	Kick-off Meeting with the Parks, Recreation & Cultural Arts Department, Site Inventory & Analysis
July 23 – August 31	Coordinate with the Parks, Recreation & Cultural Arts Department regarding progress schedule and survey
September 4– 14, 2012	Design Refinement, prepare two revised concept plans for presentation and order of magnitude estimate
Week of September 17	Meeting with the Parks & Recreation staff to review two revised concept plans, revise as needed per comments received
September 24, 2012	Meet with the residents of the City of Bloomington to present the two revised concept plans
September 25 –October 5, 2012	Prepare Design Development drawing based on the input received from resident meeting #1, including revised estimate of costs
Week of October 8, 2012	Conference Call Meeting with the Parks & Recreation staff to review Design Development Plan, revise as needed
October 23, 2012	Meet with the residents of the City of Bloomington to present the Final Design Development drawing
November 13, 2012	City Council Meeting, PRI or Parks, Recreation & Cultural Arts Department to present final Design Development Plan and gain authorization to proceed with Construction Documents
October 26 – November 9	PRI prepares 50% CDs, project manual, and construction estimate
November 12, 2012	50% Submittal – Parks, Recreation & Cultural Arts Department to review and provide comments/mark-ups
November 16, 2012	Receive Parks, Recreation & Cultural Arts Department comments
November 12 – December 6	PRI prepares 75% CDs, project manual, and construction estimate
December 7	75% Submittal – Parks, Recreation & Cultural Arts Department to review and

	provide comments/mark-ups
December 14	Receive Parks, Recreation & Cultural Arts Department comments
<del>December 10 – January 11, 2013</del>	<del>PRI prepares 100% CDs, project manual, and construction estimate</del>
January 14, 2013	100% Submittal – Parks, Recreation & Cultural Arts Department to review and provide comments/mark-ups
January 18, 2013	Receive Parks, Recreation & Cultural Arts Department comments
February 25 – March 18, 2013 *	Revise 100% cd's as needed, Bid Documents complete
March 20, 2013	City of Bloomington to Advertise for Bids
April 3, 2013	Bid Opening at 10:00 AM
April 4 - 5, 2013	Bid Tabulation
April 22, 2013	City Council Approval – Bid Award
Week of April 29, 2013	Pre-construction Meeting (weather permitting)
Week of April 19, 2013	Commence Construction (weather permitting)
April 29 - May 29, 2013	Review and approval of submittals
September 27, 2013	Substantial completion
November 29, 2013	Final Completion

\* Pending city council approval



*Office of the City Manager  
David A. Hales  
City Manager*

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February 18, 2013

Mr. Marc Miller, Director  
Illinois Department of Natural Resources  
One Natural Resources Way  
Springfield, IL 62702-1271

Dear Director Miller,

As you are aware, the City of Bloomington has been planning for the development of Eagle View Park for the last several years and currently has a \$400,000 Open Space Lands Acquisition and Development (OSLAD) Grant #OS 09-1645. This grant was originally set to expire in December 2011, however the Illinois Department of Natural Resources has approved two (2) one-year extensions resulting in the current deadline of December 31, 2013. The economic climate and the City's competing infrastructure needs has been the reason behind our extension requests.

Significant progress has been made on the Eagle View Park project. In our current fiscal year, the City has hired Planning Resources, Inc. to develop final park plans, construction documents and prepare the project for bidding. This work is essentially complete with the project being ready to bid in the very near future, pending funding approval from the City Council.

The City is currently researching all funding alternatives in order to build the park before the December 31, 2013 OSLAD grant deadline. One alternative includes the City Council approving our FY 2014 Budget (May 1, 2013 through April 30, 2014) with enough funds to build the park during the fiscal year, however, this may not allow enough time to complete construction prior to the December 31, 2013 deadline. City staff has been in communication with our OSLAD Grant Administrator, Mr. Ronald Whitmore regarding options. Mr. Whitmore has stated that any additional extension requests for this grant would not be eligible for review until September or October of this year. At that point in time, the City would not have enough time to try and meet the December 31 deadline if an additional request was not granted.

I am writing to you to ask consideration of a request for an additional extension at this time, rather than waiting until September or October.

Since 1998, the City of Bloomington has received or been awarded over \$4 million worth of grants for acquisition and development of parks through the OSLAD grant program. These

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109 E. Olive  
PO Box 3157  
Bloomington, Illinois 61702-3157  
dhales@cityblm.org

Phone: (309) 434-2210  
Fax: (309) 434-2802  
TTY (309) 829-5115

*"Jewel of Midwest Cities."*



*Office of the City Manager  
David A. Hales  
City Manager*

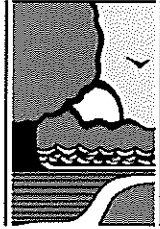
include development of Clearwater Park, Tipton Park, McGraw Park (Phases I and II), Gaelic Park and acquisitions of McGraw Park and Eagle View Park, renovations of Holiday Park/Pool and Miller Park. The City of Bloomington sincerely appreciates your support in assisting us to receive these grant awards. This program has been extremely successful state wide, providing assistance to many local units of government for the protection of open space and development of many parks. The grant program is outstanding and professionally managed and has been a very important service in improving the quality of life for our citizens. In these unprecedented financial times it has become very difficult for the City of Bloomington to come up with our matching funds, however the City continues to work towards honoring our commitments in OSLAD grants as we have shown over many years of shared grant projects.

Respectfully,

A handwritten signature in blue ink, appearing to read "David A. Hales".

David A. Hales  
City Manager

cc: Stephen F. Stockton, Mayor  
City Council  
Barbara J. Adkins, Deputy City Manager  
John R. Kennedy, Director of Parks, Recreation and Cultural Arts



# Illinois Department of Natural Resources

One Natural Resources Way Springfield, Illinois 62702-1271  
<http://dnr.state.il.us>

Pat Quinn, Governor  
Marc Miller, Director

February 26, 2013

Mr. David Hales, City Manager  
City of Bloomington  
109 E. Olive  
P.O. Box 3157  
Bloomington, IL 61720-3157

Dear Mr. Hales:

We appreciate receiving your recent letter expressing concerns regarding the City's current fiscal situation and implementation of the OSLAD-funded Eagle View South project.

As a reminder, at the time of application for grant funds, your agency certified it had 100% of the funds necessary to complete this project. As you know, the City has been granted two previous extensions from the original project agreement expiration date with little progress on the project. The \$400,000 grant for this project was awarded in May, 2009.

I understand current economic conditions may affect the City's ability to complete the project by the current expiration date. However, we must ensure progress continues to be made on this project. Therefore, based on the lack of progress to date, the City will need to submit quarterly status reports until project completion.

After discussions with my staff, your request for an extension at this time will not be approved. You may submit your request in the fall, and a decision will be made based on several factors (amount of progress made on the project, current economic conditions, prior request for extensions, etc).

Sincerely,

Marc Miller  
Director



# Jason A. Barickman

## State Senator

2401 E. Washington Street, Suite 201  
Bloomington, IL 61704  
309/661-2788

211 E. Madison Street, Suite 3  
Pontiac, IL 61764  
815/844-4642

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E-mail: [jason@jasonbarickman.org](mailto:jason@jasonbarickman.org)  
Website: [www.jasonbarickman.org](http://www.jasonbarickman.org)

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April 2, 2013

Bloomington City Council  
109 E. Olive Street  
Bloomington, IL 61701

Dear City Council Member:

I was contacted by Jim Fruin regarding the Eagle View Park project and the consequences of declining the State of Illinois OSLAD grant funds. My office has been in contact with the Governmental Affairs division of the Department of Natural Resources (DNR).

If the City of Bloomington declines the funding, they will be ineligible for any DNR grant program for two years. After the two year period, Bloomington would be able to apply and be considered for any grant program administered by DNR.

This is a difficult decision for the Council to make. I hope the information I provided helps. Please do not hesitate to contact me if I can be of further assistance.

Sincerely,

A handwritten signature in black ink that reads "Jason". The signature is stylized with a large, sweeping initial "J" and a cursive "ason".

Jason Barickman  
State Senator