

**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 7:02 p.m., Monday, February 10, 2014.

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, Kevin Lower, David Sage, Robert Fazzini, Scott Black, Karen Schmidt, Jim Fruin and Mayor Tari Renner.**

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

**PUBLIC COMMENT:** Mayor Renner opened the Public Comment section of the meeting. He added that there would not be a response from the City under the Public Comment portion of the meeting.

Charles Baue, 601 Lutz Rd., addressed the Council. Mr. Baue read from the September 12, 2005 Council Proceedings regarding the petition to construct Luther Oaks, (Senior Living Community). He called attention to the need to improve Lutz Rd. The Planning Commission's August 24, 2005 minutes noted that David Sage, Planning Commission member, commented that the only access to the facility would be via Lutz Rd. Mr. Sage questioned proceeding knowing that it would be years before this road would be improved. The petitioner confirmed their intention to proceed but hoped Lutz Rd. would receive attention in the near future. The Commission approved the petition and suggested road improvements be addressed in the next five (5) year budget cycle.

Alton Franklin, 508 Patterson Dr., addressed the Council. He believed that the Council had not learned from past mistakes. He cited the US Cellular Coliseum with an annual expenditure over \$2 million. Government should not be involved in business and/or meddle in the local economy. Taxpayers paid for misjudgments. He opposed a Downtown hotel. If it was a good idea, then private companies would be willing to build one. There was no benefit to the citizens. There was a \$14 million funding gap. The City should address pensions first.

The following was presented:

SUBJECT: Proclamation of February 10, 2014 as Alex Wellman Day

**RECOMMENDATION:** That the proclamation be made a matter of record.

**BACKGROUND:** The proclamation will be presented:

Declaring February 10, 2014 to be Alex Wellman Day.

**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

**Mayor Renner read and presented the Proclamation to Alex Wellman. Mr. Wellman was accompanied by his parents, Madalyn Brook, his coach and Lena Chouilhury, Central IL Figure Skating Club's President. Ms. Chouilhury stated that Mr. Wellman started his skating career by participating in the programs offered by the Parks, Recreation & Cultural Arts Department at the Pepsi Ice Center. She thanked Council for their support of this program.**

**Motion by Alderman Fazzini, seconded by Alderman Mwilambwe that the Proclamation be made a matter of record.**

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

**Ayes: Aldermen Stearns, Mwilambwe, Schmidt, Lower, Fazzini, Sage, Fruin and Black.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

SUBJECT: Presentation of Sunshine Award by Illinois Policy Institute

**RECOMMENDATION/MOTION:** That the Award be accepted.

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

**STRATEGIC PLAN SIGNIFICANCE:** Objective 1c. Engaged residents that are well informed and involved in an open governance process.

**BACKGROUND:** In an effort to improve the City's transparency, staff has worked with the Illinois Policy Institute (IPI) to improve the City's website.

On October 17, 2013 the City's overall score was 67.2. David Hales, City Manager and Katie Buydos, Executive Assistant, set the goal of reaching 80 points by April 30, 2014. Craig McBeath, Webmaster, and Ms. Buydos worked together with several other departments to gather the information needed to improve the City's score.

A transparency portal was added to the City's website with links to all the information that the Illinois Policy Institute has mandated that every City have easily available to its residents.

On January 13, 2014 the City reached 77.2 points and by January 31, 2014 reached 88.7 points. The new score surpassed the goal of 80 by 8.7 points.

The City reached 88.7 points by the IPI's deadline for the Sunshine Award which is given to communities annually for holding a score of 80 or more. Of the top twenty-five (25) municipalities rated by the IPI, thirteen (13) are receiving the Sunshine Award this year including one (1) other Central Illinois community: Peoria (92.2). The award is being presented by Brian Costin, IPI's Director of Government Reform.

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

**FINANCIAL IMPACT:** None.

Respectfully submitted for Council consideration.

Prepared by: Kathryn Buydos, Executive Asst.

Recommended by:

David A. Hales  
City Manager

**Mayor Renner introduced this item. He introduced Brian Costin, Illinois Policy Institute's (IPI) Director of Government Reform.**

Mr. Costin stated that the IPI was a 501(3)c non-profit organization. Part of their mission was to assist local governments become more transparent. The Local Transparency Project was started in 2010. It featured a ten (10) point checklist of goals to adopt. The IPI has evaluated over 300 web sites. He cited several highlights on the checklist. He stated that the Sunshine Award was reserved for governments that have excelled. He had attended Illinois State University and was pleased to return to the community. The City was one (1) of fifty-three (53) out of over 7,000 local governments in the state to qualify for this award. The City had the highest score outside of the Chicago metro area. The program helped to fight government corruption, restore the public's trust and increase public participation. He recognized Mayor Renner, David Hales, City Manager, Tracey Covert, City Clerk and Katie Buydos, Executive Asst., and others for their efforts. He presented the award to Mayor Renner.

David Hales, City Manager, addressed the Council. He added Ms. Buydos worked with City staff including Craig McBeath, Webmaster and Ms. Covert, along with staff from the Human Resources and Finance Departments to improve the City's score. It was a team effort. He asked Mr. Costin to comment on a bill that had been presented to state's legislators.

Mr. Costin stated that proposed bill, (HB3312), would have required local governments over a certain size to maintain a web site and include all items from the checklist. Currently, the IPI called for five (5) years of information to be posted. He noted that a new bill would be introduced with new requirements. He expressed his hope that the bill may pass this year.

Mayor Renner thanked Mr. Costin for the award.

The following was presented:

SUBJECT: Council Proceedings of January 27, 2014, Special Session Minutes from July 22, August 12, September 23, October 28, November 12, December 9 and December 16, 2013, and Work Session Minutes from January 13, 2014

**RECOMMENDATION/MOTION:** That the reading of the minutes of the previous Council Proceedings of January 27, 2014, Special Session Minutes from July 22, August 12, September 23, October 28, November 12, December 9 and December 16, 2013, and Work Session Minutes from January 13, 2014 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 1d. City services delivered in the most cost-effective, efficient manner.

**BACKGROUND:** The Council Proceedings of January 27, 2014, Special Session Minutes from July 22, August 12, September 23, October 28, November 12, December 9 and December 16,

2013, and Work Session Minutes from January 13, 2014 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 Mwilambwe that the reading of the minutes of the previous Council Proceedings of January 27, 2014, Special Session Minutes from July 22, August 12, September 23, October 28, November 12, December 9 and December 16, 2013, and Work Session Minutes from January 13, 2014 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, Lower, Fazzini, Sage, Fruin and Black.**

**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 1d. 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, February 6, 2014.

**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 Mwilambwe 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, Lower, Fazzini, Sage, Fruin and Black.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

SUBJECT: Appointment to Public Building Commission

**RECOMMENDATION/MOTION:** That the Appointment be approved and the Resolution adopted.

**STRATEGIC PLAN LINK:** Goal 3. Strong neighborhoods.

**STRATEGIC PLAN SIGNIFICANCE:** Objective 3e. Strong partnership with residents and neighborhood associations.

**BACKGROUND:** I ask your concurrence in the appointment of Thomas Good of 1314 Crown Ct., 61704 to the Public Building Commission. Mr. Good will be serving out the remainder of the term vacated by Robert W. Rush, Jr. His term expiration date is September 30, 2015.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** Mayor contacts all recommended appointments.

**FINANCIAL IMPACT:** None.

Respectfully submitted for Council consideration.

Prepared by: Kathryn Buydos, Executive Asst.

Recommended by:

Tari Renner  
Mayor

#### **RESOLUTION NO. 2014 - 04**

#### **RESOLUTION FOR APPOINTMENT OF THOMAS GOOD AS A COMMISSIONER OF THE PUBLIC BUILDING COMMISSION OF MCLEAN COUNTY**

WHEREAS, the term of Thomas Good as this City's appointee to the Public Building Commission of McLean County, Illinois expires on September 30, 2015 and it is serving the remainder of Robert W. Rush, Jr.'s term.

WHEREAS, the Mayor of the City of Bloomington in accordance with the provisions of Chapter 50 of the Illinois Compiled Statutes Act 20/5 has the responsibility to fill the expiration of a five (5) year term by appointment or reappointment, with the advice and consent of the City Council.

BE IT THEREFORE RESOLVED, that the City Council of the City of Bloomington, now in regular session deems it appropriate to give its advice and consent to the appointment of Thomas Good as a commissioner of the Public Building Commission of McLean County, Illinois serving the remainder of a five (5) year term scheduled to expire on September 30, 2015 or until his successor shall have been qualified and appointed.

BE IT FURTHER RESOLVED, that the City Clerk shall forward a certified copy of this Resolution of Appointment of Thomas Good to the Public Building Commission of McLean County, Illinois.

Adopted by the City Council of the City of Bloomington this 10<sup>th</sup> day of February, 2014.

APPROVED:

Tari Renner  
Mayor

ATTEST:

Tracey Covert  
City Clerk

**Motion by Alderman Fazzini, seconded by Alderman Mwilambwe that the Appointment be approved and the Resolution be adopted.**

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

**Ayes: Aldermen Stearns, Mwilambwe, Schmidt, Lower, Fazzini, Sage, Fruin and Black.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

SUBJECT: Purchase of Thermo Scientific FirstDefender RMX Spectrometer

**RECOMMENDATION/MOTION:** That the purchase of one FirstDefender RMX Spectrometer from Thermo Scientific Portable Analytical Instruments Inc., including a five (5) year warranty and training, be approved in the amount of \$71,800, the Procurement Manager be authorized to issue a Purchase Order, and the Resolution adopted.

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

**STRATEGIC PLAN SIGNIFICANCE:** Objective 1d. Deliver hazardous material services in the most cost effective and efficient manner and to upgrade equipment for the hazardous materials team to provide vital services to the community.

**BACKGROUND:** The Fire Department has the sole hazardous materials team within forty (40) miles of Bloomington/Normal. The team began in 2002 when Mutual Aid Box Alarm System (MABAS) was looking for teams in the downstate area for Hazardous Materials and Technical Rescue (TRT). To prevent duplication of efforts and to eliminate burdening one department,



Normal agreed to take the TRT and the City took the hazardous materials team. Almost all of the start-up equipment was provided by MABAS through State ITTF grants. This included all of the suits, monitoring equipment, weather stations and much more. The total cost per team was around \$500,000. Since that time, MABAS has provided the funds to maintain the equipment. MABAS has not replaced any of the more expensive equipment due to lack of funding.

The FirstDefender RMX is a critical piece of equipment that allows for identification of unknown hazardous materials. The technology that exists in this device is superior to the existing equipment in our inventory. The team is utilizing the *HazMat ID* at this time. This unit requires direct contact with the substance for identification which can add additional risk to personnel during sampling. The *HazMat ID* is also over ten (10) years old and was state of the art when it was purchased by MABAS. The current unit uses FTIR technology. The FirstDefender uses FTIR and Raman technology that complement each other to cover a wider spectrum of substances.

Another advantage to the First Defender is that it is hand held and much easier to use in the field. The *HazMat ID* is a much larger device that requires initial set up. This makes it difficult to use effectively in the field. After evaluating different types of hand held units, the FirstDefender was far superior for the purpose of identifying unknown substances. It also has the advantage of being able to read the sample through a glass vial to prevent contamination to the equipment and minimize contact by personnel.

The Hazardous Materials team has often responded to unknown substance calls including several white powder threats. These responses will continue to be a challenge for our team and for our community with the continued threat of both domestic and international terrorism. The unit can also be utilized in conjunction with Law Enforcement efforts in the event of suspected meth lab activities to identify unstable substances and minimizing contact with potential evidence.

The expected useful life of this unit is ten (10) years, but may be more. The software can be upgraded from any computer to extend the life of the unit. The FirstDefender RMX is a necessary piece of equipment that will allow our Hazardous Materials team to function effectively with unknown hazardous substances to provide safe and effective mitigation operations for personnel and for rapid and effective response to the community.

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

**FINANCIAL IMPACT:** Staff is requesting to waive the formal bid process. After research and evaluation of other units, the Thermo Scientific FirstDefender RMX has the best operational features for use by our hazardous materials team. This is a highly specialized piece of equipment and there are few vendors that produce equipment for this purpose. Along with the equipment purchase, there is a five (5) year service agreement. Ahura Scientific, which sells the unit, was acquired by Thermo Fisher Scientific in 2009 and is the only vendor and servicer of the unit. The funds for the unit will come from Budget Line Item 79990 Other Expenses.

Respectfully submitted for Council consideration.

Prepared by: Lester Siron, Deputy Chief of Operations

Reviewed by: Mike Kimmerling, Fire Chief

Financial & budgetary review by: Jon C. Johnston, Procurement Manager

Recommended by:

David A. Hales  
City Manager

**RESOLUTION NO. 2014 - 05**

**A RESOLUTION WAIVING THE FORMAL BIDDING PROCESS AND  
AUTHORIZING THE PURCHASE OF ONE FIRSTDEFENDER RMX  
SPECTROMETER FOR THE BLOOMINGTON FIRE DEPARTMENT FROM  
THERMO SCIENTIFIC PORTABLE ANALYTICAL INSTRUMENTS INC., A SOLE  
SOURCE PROVIDER, AT A PURCHASE PRICE OF \$71,800**

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

1. That the bidding process be waived and the Purchasing Agent be authorized to Purchase one FirstDefender RMX Spectrometer from Thermo Scientific Portable Analytical Instruments Inc., a sole source provider, at a Purchase Price of \$71,800.

ADOPTED this 10<sup>th</sup> day of February, 2014.

APPROVED this 11<sup>th</sup> day of February, 2014.

APPROVED:

Tari Renner  
Mayor

ATTEST:

Tracey Covert  
City Clerk

**Motion by Alderman Fazzini, seconded by Alderman Mwilambwe that the purchase of one FirstDefender RMX Spectrometer from Thermo Scientific Portable Analytical**

**Instruments Inc., including a five (5) year warranty and training, be approved in the amount of \$71,800, the Procurement Manager be authorized to issue a Purchase Order, and the Resolution adopted.**

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

**Ayes: Aldermen Stearns, Mwilambwe, Schmidt, Lower, Fazzini, Sage, Fruin and Black.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**SUBJECT:** Budget Amendment Necessary to Order Additional Black Wheeled Refuse Carts

**RECOMMENDATION/MOTION:** That Fiscal Year (FY) 2014 Budget Amendment be approved and the Ordinance passed.

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

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

**BACKGROUND:** On September 9, 2013, the City Council passed an ordinance authorizing staff to purchase sixty-five (65) and ninety-five (95) gallon refuse carts, in an amount up to \$950,000. On August 13, 2012, Council approved Rehrig Pacific as the cart vendor. The term of the contract with Rehrig was for one (1) year at the bid price with four (4) annual renewal options. Price increases are possible due to increase in cost of materials, transportation and other factors. The City may negotiate each renewal and seek another vendor if mutual agreement cannot be reached. Further contract extensions are possible by mutual consent. Overall staff has been pleased with the Rehrig product based on experience since recycling collection was automated.

The Council action on September 9, 2013, and related budget amendment was for an estimated 19,000 carts. As the program is being implemented and Council approved an additional cart size of thirty-five (35) gallon, additional carts needed to be ordered that exceed the \$950,000 budgeted amount. A total of 24,537 carts are needed at this time. There are also some additional costs due to increased materials costs, delivery charges, and additional lids to allow recycle carts to be converted to refuse carts. It is proposed that the additional cart costs be paid from capital lease proceeds.

The attached budget amendment includes the necessary funds to cover the additional costs of the refuse carts described above. The budget amendment also incorporates savings in previous

capital lease purchases to cover some of the costs, as well as includes adjustments for some additional costs not previously budgeted for the recycle cart program.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** See Council proceedings dated August 13, 2012, regarding the selection of Rehrig Pacific Company as vendor to provide sixty-five (65) and ninety-five (95) gallon black wheeled recycling and refuse carts with blue lids.

**FINANCIAL IMPACT:** The total increased cost to implement the refuse cart program as outlined by Council is \$286,217.45. Utilizing savings in the already approved capital lease program creates a net impact of \$88,059.75. Therefore, a budget amendment is necessary for \$88,059.75 which is not included in the FY 2014 budget. This budget amendment also includes adjustments for some additional costs related to the recycle cart program expended but not previously budgeted (i.e. delivery charges and some additional carts for citizens). The current budget for the Capital Lease Fund can be found on page 110 in the FY 2014 Budget Book titled Other Funds & Capital Improvement Program. Future year payments on the capital leases are included in the Solid Waste Fund budget. Please see Exhibit 1 for general ledger account numbers.

Respectfully submitted for Council consideration.

Prepared by: Paulette Hurd, Chief Accountant

Reviewed by: Jim Karch, Director of Public Works

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

Legal review by: Rosalee Dodson, Asst. Corporation Counsel

Recommended by:

David A. Hales  
City Manager

**ORDINANCE NO. 2014 – 06**

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

WHEREAS, on April 8, 2013 by Ordinance Number 2013 - 18, the City of Bloomington passed a Budget and Appropriation Ordinance for the Fiscal Year Ending April 30, 2014, which Ordinance was approved by Mayor Stephen F. Stockton on April 9, 2013; 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 2013 - 18 (the Budget and Appropriation Ordinance for the Fiscal Year Ending April 30, 2014) 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 2013 - 18 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 2013 - 18.

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

PASSED the 10<sup>th</sup> day of February, 2014.

APPROVED the 11<sup>th</sup> day of February, 2014.

APPROVED:

Tari Renner  
Mayor

ATTEST:

Tracey Covert  
City Clerk

**EXHIBIT #1**

<b>Account</b>	<b>Fund</b>	<b>Organization</b>	<b>Account Name</b>	<b>Revision</b>
40110110-72140	Capital Lease	FY 2012 Capital Lease	Capital Outlay Equipment Other	\$30,548.70
40110120-72140	Capital Lease	FY 2013 Capital Lease	Capital Outlay Equipment Other	\$64,000.00
40110130-72120	Capital Lease	FY 2014 Capital Lease	Capital Office & Computer Equipment	(\$200,000.00)
40110130-72130	Capital Lease	FY 2014 Capital Lease	Capital Outlay Licensed Vehicles	(\$20,937.00)
40110130-72140	Capital Lease	FY 2014 Capital Lease	Capital Outlay Equipment Other	(\$32,496.00)
40110130-72140	Capital Lease	FY 2014 Capital Lease	Capital Outlay Equipment Other	\$24,726.60
40110130-72140	Capital Lease	FY 2014 Capital Lease	Capital Outlay Equipment Other	\$222,217.45
			Overall Impact on City Budget	\$88,059.75

**Motion by Alderman Fazzini, seconded by Alderman Mwilambwe that Fiscal Year (FY) 2014 Budget 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, Lower, Fazzini, Sage, Fruin and Black.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**SUBJECT:** Application of Ralben, Inc., d/b/a Bonkers, located at 1507 S. Main St., requesting a TAPS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises and the sale of all types of packaged alcohol for consumption off the premises seven (7) days a week

**RECOMMENDATION/MOTION:** That an TAPS liquor license for Ralben, Inc., d/b/a Bonkers, located at 1507 S. Main St., be created, contingent upon compliance with all applicable health and safety codes.

**STRATEGIC PLAN LINK:** Goal 4. Grow the local economy.

**STRATEGIC PLAN SIGNIFICANCE:** Objective 4a. Retention and growth of current local business.

**BACKGROUND:** The Bloomington Liquor Commissioner Tari Renner called the Liquor Hearing to consider the application of Ralben, Inc., d/b/a Bonkers located at 1507 S. Main St., requesting a TAPS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises and the sale of all types of packaged alcohol for consumption off the premises seven (7) days a week. Present at the hearing were Liquor Commissioners Tari Renner, Geoffrey Tompkins and Jim Jordan; George Boyle, Asst. Corporation Counsel, Clay Wheeler, Asst. Police Chief, and Tracey Covert, City Clerk; and Bill Bentley, owner/operator, and Applicant representative.

Commissioner absent: Stephen Stockton.

Commissioner Renner questioned the purpose of this application. He noted that this application involved a 100% change in stockholder. Bill Bentley, owner/operator and Applicant representative, addressed the Commission. He read from a prepared statement. Bonkers was a neighborhood bar with established clientele. Patti Quinn-Jones, current owner/operator and license holder, would manage the business for an additional year. His intention was to maintain the status quo. He cited the other surrounding properties which he owned and/or managed. Bonkers would be an investment property/business.

Commissioner Jordan questioned if there were any contingencies which would require Ms. Quinn-Jones to remain for one (1) year.

Mr. Bentley responded affirmatively. There was a contract between the parties.

Commissioner Jordan questioned if there were any past issues at Bonkers.

George Boyle, Asst. Corporation Counsel, responded negatively.

Motion by Commissioner Tompkins, seconded by Commissioner Jordan that the application by Ralben, Inc., d/b/a Bonkers located at 1507 S. Main St., requesting a TAPS liquor license, which allows the sale of all types of alcohol by the glass for consumption on the premises and the sale of all types of packaged alcohol for consumption off the premises seven (7) days a week be approved contingent upon compliance with life safety codes.

Motion carried, (unanimously).

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** Public notice was published in the Pantagraph on January 6, 2014 in accordance with City Code. In accordance with City Code, approximately six (6) courtesy copies of the Public Notice were mailed. In addition, the Agenda for the January 14, 2014 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. Request is for a change of ownership. Annual fee for a TAPS liquor license is \$2,210.

Respectfully submitted for Council consideration.

Recommended by:

Tari Renner  
Mayor

**Motion by Alderman Fazzini, seconded by Alderman Mwilambwe that a TAPS liquor license for Ralben, Inc., d/b/a Bonkers, located at 1507 S. Main St., be created, contingent upon compliance with all applicable health and safety codes.**

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

**Ayes: Aldermen Stearns, Mwilambwe, Schmidt, Lower, Fazzini, Sage, Fruin and Black.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**SUBJECT:** Approval of the Stone River Group for Professional Services to Obtain Electricity and Natural Gas Pricing for a Three (3) Year Period

**RECOMMENDATION/MOTION:** That a Professional Service Agreement with the Stone River Group, Lincoln, IL, for Professional Energy Services be approved and the Mayor and City Clerk be authorized to execute the necessary documents.

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

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

**BACKGROUND:** This request is for all City natural gas accounts and electricity accounts that have kilowatt-hour (kWh) usage above the municipal aggregation maximum of 15,000 kWh per year. The municipal aggregation program does not cover large electricity users. Examples of large City user accounts include:

Water Treatment Plant  
Water Pumping Stations  
Police Department

Center for Performing Arts  
Creativity Center  
Public Library

City Hall  
Fire Stations

The City has been using Integrys Energy to purchase our energy for the past several years. Currently, the City is paying \$.05116 per kwh, non-summer rates from Ameren and \$.43 per



therm from Nicor Gas. The municipal aggregate rate from Homefield Energy is \$.04539 per kwh. In FY 2013, the City paid \$2.8 million for electricity and \$164,618 for natural gas.

In evaluating the needs of the City, staff found many cities and towns use brokers to purchase their needed power while others, like the City of Peoria, does not use a broker but purchases direct from the market using their own staff. In the first quarter of 2012, the Town of Normal undertook an evaluation process of several electricity consulting companies including Integrys, Direct Energy, MidAmerican Energy and Ameren. At the conclusion of that process, Normal's Council chose the Stone River Group as their exclusive energy broker. City staff has reviewed the process and assessment of Normal and agreed that Stone River Group is well equipped to provide this service.

Other municipalities that Stone River Group has provided this service for include:

Normal	Chillicothe
Lexington	Petersburg
Pawnee	Mt. Zion

Because Stone River has successfully obtained pricing for other cities and towns within the Ameren and NICOR territory, this gives them the best opportunity to maximize cost savings. In addition, the Stone River Group has a strong relationship with sixteen (16) large national electric and natural gas suppliers and has been through this process a number of times. These relationships, as well as the ability to combine several entities in their portfolio of clients, allows Stone River to leverage the buying power of the groups. Their commission rates, paid by the suppliers, are competitive in the market.

In looking at current market conditions, Stone River has been seeing a steady rise in the price of gas and the City will likely see those increases in our next few billing cycles. Electrical power has recently seen downward pressures but has become somewhat volatile. Both situations warrant the use of a broker to monitor the prices and providing fixed amounts at the most advantageous point.

The Stone River Group will be responsible for:

- Determining all accounts that have a usage above 15,000 kWh per year and provide account numbers for natural gas.
- Coordinating the bid process and executing that process with multiple electricity and natural gas suppliers.
- Providing a projected cost savings based on the Ameren price versus the supplier, using last year's kWh data and NICOR's cost per therm.
- Insuring the account transition flow between the new electricity and natural gas supplier and the respective utility works smoothly.

- Providing access to electricity and natural gas usage reports per account.
- Assist staff with any changes to the list of accounts in this program.

The Stone River Group will be available for any questions that may arise during the process and will work with staff in the future.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** Staff has relied heavily of the work done by Normal related to their selection process and decision to use Stone River Group for their energy purchase agreements.

**FINANCIAL IMPACT:** Because the City has such a large use base, we should continue to see very competitive rates by allowing our energy needs be bid on the open market. Similar to municipal aggregation, The Stone River Group will be paid .0015 per KWh of the electric rate and .02 per therm for natural gas. These fees will be paid by the retail electric provider and/or natural gas supplier.

Respectfully submitted for Council consideration.

Prepared by: Mark R. Huber, Director - PACE  
Reviewed by: Barbara J. Adkins, Deputy City Manager  
Financial & budgetary review by: Chris Tomerlin, Budget Analyst  
Legal review by: Jeff Jurgens, Interim Corporate Counsel  
Recommended by:

David A. Hales  
City Manager

(LETTER OF UNDERSTANDING ON FILE IN CITY CLERK'S OFFICE)

**Mayor Renner introduced this item.**

**Alderman Stearns requested background information regarding this item. She understood that this company was recently chosen by the Town of Normal. She questioned Normal's cost savings.**

**David Hales, City Manager, addressed the Council. He noted that the City's costs had been lower after the municipal aggregation. He noted the material provided to the Council regarding this item.**

**Mark Huber, PACE Director, addressed the Council. He introduced Don Frontone, Stone River Group's President. Mr. Frontone addressed the Council. He had worked with Normal for three (3) years. Normal had saved approximately \$260,000 the first term and \$140,000 last one. He worked with sixteen (16) companies and twenty (20) cities.**

**Alderman Stearns questioned if rates were locked for a specific time period. Mr. Frontone responded that one (1) year rates were currently higher than three (3) year rates. This was unusual. He would not solicit bids until the current cold snap breaks. Alderman Stearns commented that commodities were volatile. She questioned Stone River's fee. Mr. Frontone noted that there was a flat fee which was disclosed in the agreement.**

**Alderman Black noted as a County Board member, a similar process was undertaken and actual savings were greater than projected.**

**Motion by Alderman Black, seconded by Alderman Fazzini that a professional service agreement with the Stone River Group, Lincoln, IL, for professional energy services be approved, and 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, Lower, Fazzini, Sage, Fruin and Black.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**SUBJECT: Presentation of Police Department 2013 Annual Report**

**RECOMMENDATION/MOTION: That the Police Department 2013 Annual report be placed on file.**

**STRATEGIC PLAN LINK: Goal 1. Financially sound City providing quality basic services, and Goal 3. Strong neighborhoods.**

**STRATEGIC PLAN SIGNIFICANCE: Provision of public safety, safeguarding of lives and property, and reduce fear and the fear of crime. Conduct policing in the most efficient and cost effective manners through ongoing public partnerships, use of new technologies, increased public communications and internal data analysis.**

**BACKGROUND: In support of the City's Strategic Plan, formally presented and unanimously adopted by the Council on January 25, 2010, and the Police Department's 2012 - 2015 Strategic**

Plan, the Police Department maintains a progressive problem solving stance while engaging citizens and neighborhoods in partnerships.

Specific items to be covered pertain to:

1. A progress report related to projects undertaken as part of the 2012 - 2015 Strategic Plan.
2. A summary of all Part I index crimes for 2013 to include statistical comparisons for crimes in our jurisdiction for the four (4) years prior to 2013.
3. A detailed report showing a comparison of all Part I and Part II crimes as reported in calendar years 2012 and 2013. This report also contains breakdowns of 29 crime categories to include sub-crime categories.
4. A summary and discussion of 2014 crime priorities.
5. A summary and discussion of 2014 internal departmental priorities.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** Residents of Bloomington-Normal Area, McLean County State's Attorney, local law enforcement officials. Monthly Focus Meeting attendees were consulted throughout the year and provided a basis for the included materials.

**FINANCIAL IMPACT:** Not applicable.

Respectfully submitted for Council consideration.

Prepared by: Brendan O. Heffner, Chief of Police

Recommended by:

David A. Hales  
City Manager

**Mayor Renner introduced this item by recognizing Brendan Heffner, Chief of Police.**

**Brendan Heffner, Police Chief, addressed the Council. His PowerPoint presentation had been updated. The Police Department's (PD) 2012 - 2015 Strategic Plan had been updated to include new initiatives. The Plan had five (5) broad goals and sixty-nine (69) projects. As of January 1, 2014, all projects were either completed and/or underway. Four (4) projects completed in 2014 included: 1.) formed an Internal Technology Committee; 2.) launch social media platforms; 3.) expanded the Downtown Camera System to the Dispatch Center; and 4.) finalized the police range study and began repairs.**

**Chief Heffner stated that the 2013 Crime Statistics consisted of information compiled by the FBI (Federal Bureau of Investigation) from reports submitted by the PD. The total Uniform Crime Report (UCR) statistics for calendar year 2013 were 8.2% higher**

than 2012. There were two (2) homicides in 2013 compared to one (1) in 2012. Suspects were arrested in both cases.

There was a thirty-eight percent (38%) increase in Criminal Sexual Assaults in 2013 versus 2012. A second detective was added to investigate cases. These were under reported crimes. New cases are sometimes discovered during investigations.

Alderman Fruin pointed out that percentages could be misleading when there were a limited number of incidents. He added that the five (5) year average was primarily flat.

Chief Heffner addressed Robberies in 2013 which were up thirty-one percent (31%) over 2012. The City was well below the ten (10) year average. He noted a spike in Robberies during 2013. Several suspects were arrested in August 2013 and the trend decreased after those arrests.

Alderman Fruin believed it would be useful to know the percentage of cases when a suspect was arrested versus no arrest.

Alderman Black questioned state and federal trends. Chief Heffner offered to gather data for a future report.

Chief Heffner cited a one percent (1%) increase in Aggravated Assault/Battery which was related to robberies. Residential and Commercial Burglaries were up thirteen percent (13%) from 2012. Many retail thefts are considered burglary if the suspect had the intent to steal. This resulted in the higher number of incidents. The number of burglaries in 2013 was the second lowest of the past five (5) years.

Thefts were up three percent (3%) over 2012. This included crimes such as retail theft, purse snatching, burglary from motor vehicle and theft over \$500. There were ninety (90) cases of burglaries from motor vehicles in December 2013. Suspects had been apprehended.

Motor vehicle thefts had increased twenty percent (20%) over 2012. In December 2013, citizens left vehicles running unoccupied and unlocked. Suspects who had the intent to burglarize a vehicle after finding keys inside, stole the vehicle.

There were eight (8) arson cases reported in 2013, a decrease of thirty-three (33%) compared to 2012.

Driving Under the Influence (DUI) arrests totaled 246 in 2013, the most since 2002. DUI enforcement was Goal 2. Strategy 3 in the 2012 - 2015 Strategic Plan. Officers received additional training as these can be cumbersome arrests. Additional officers had also been assigned to the Downtown.

Alderman Fazzini questioned penalties for DUI and at what point an individual was sent to jail. Chief Heffner stated ordinarily the first arrest resulted in driver's license

suspension. A second offense could result in jail time but multiple arrests were common prior to incarceration. Alderman Fazzini suggested that the laws be made stricter. Chief Heffner believed that the laws were strong enough. It was up to the courts.

Alderman Black requested that next year's report breakdown the number of first time and repeat offenders. Chief Heffner acknowledged that it would take time to obtain this data.

In 2013, digital forensic cases were up significantly. This data represented cases where processing of evidence involved digital devices. This was due to increased use of technology use by criminals. The PD was part of a task force with three (3) officers assigned. Each device takes approximately eighty (80) hours to analyze.

Mr. Hales commented that the City was fortunate to have three (3) full time officers in the Cyber Crimes Unit. He questioned if other jurisdictions utilized City resources and their ability to assist with financing. Chief Heffner responded affirmatively. The Unit does assist multiple jurisdictions.

There was a marked decrease in gang motivated incidents. Chief Heffner cited successful prosecution of cases resulting in the arrest of eight (8) gang members from two (2) gangs involved in multiple shootings. There had been an increase to street level enforcement in troubled areas during the summer 2013.

Alderman Stearns questioned if crime maps were available. Maps were available on the PD's web site. Mr. Hales added that in the past, the PD had focused on areas with aggressive patrols. He recommended that a before and after map be prepared which would show the results of increased patrols.

Alderman Fazzini noted a crime area on Todd Dr. where multiple officers had been assigned with great success. Clay Wheeler, Asst. Police Chief, affirmed Alderman Fazzini's comments. Alderman Fazzini liked the communication that resulted from Police Chief's bimonthly meetings.

Chief Heffner detailed crime priorities for 2014. They included: street level violent crimes; illegal gun possession; intervention in west side youth issues; gang crimes; robbery; narcotics; sex offender violations and burglary. He addressed the topic of conceal carry. The PD had reviewed 300 applications and objected to twelve (12). He hoped to change the perception of the police on the City's west side.

Mr. Hales noted that west side issues included resident's perception and neighborhood safety. A meeting will be held with west side residents in April 2014 to help develop an action plan. It was an ongoing challenge. This initiative included crime, fear of crime, etc. This would be a focus area.

Alderman Mwilambwe stated that other cities have police officers living in troubled areas with housing provided by the cities. Chief Heffner acknowledged that there were officers currently residing in problem areas. A program was offered by the City.

Mayor Renner cited a past practice of cities purchasing homes and providing them to police officers. Mr. Hales agreed that the City could offer housing incentives.

Chief Heffner stated that gang problems would be a priority. Gang members were arrested and returned to the street. Narcotics were an issue. Heroin was everywhere and currently was less expensive than cocaine. The City did not have a methamphetamine issue.

Sex offender violations were a priority. The PD had an officer appointed to the state board.

Mr. Hales questioned domestic violence (DV) incidents. It impacted families and also was a high risk for officers. Chief Heffner said the numbers were up. It was an under reported crime. DV resulted in officer injuries. An additional detective was added to the DV unit last year. PD staff worked closely with local agencies.

Chief Heffner highlighted 2014 priorities. They included: Lexipol Policy project completion; rehabilitation of the indoor range; continued emphasis on DUI suppression; increased social media use; Office of Professional Standards; communications; evaluation of the hiring process and enhanced recruitment efforts.

Alderman Schmidt addressed the indoor range and the LeRoy Gun Club (LGC) which had expressed interest in collaboration. Asst. Chief Wheeler informed the Council that that the roof was currently out for bid. The LGC was interested in purchasing part of the range property.

Alderman Schmidt thanked the PD for an outstanding job.

Alderman Black agreed with the need to improve communication and develop a partnership with the public. He questioned criminals posting photographs online with stolen merchandise. Chief Heffner noted that the PD was using this information successfully.

Alderman Fazzini noted that over the past year when Police Patrol Officers were sworn in, many of them have college degrees, military experience and/or other policing experience. He questioned how many officers have these qualifications. He believed that the public should have this information.

Asst. Chief Wheeler believed that this was a testament to the community. The City offered competitive salaries and benefits.

Alderman Fruin commented on problems shifting between neighborhoods. He wanted the public to become involved in sharing information. He also supported cost sharing for work completed for outside agencies that benefitted the region. Chief Heffner agreed that the PD needed the public's help. Problems were caused by people who were visiting an area. The residents needed to be responsible. Cost sharing might be an option but small departments did not have the budget.

Alderman Mwilambwe congratulated Chief Heffner on his first six (6) months of successful service. He believed that the agenda was ambitious. He appreciated new initiatives, including minority recruitment and team spirit.

Alderman Lower thanked the Chief for his assistance and leadership. He commented on retired officers who had voiced concerns. He wanted better communication with the officers on the street.

**CITY MANAGER DISCUSSION:** David Hales, City Manager, looked for more opportunities in the coming year. Police and fire represented forty percent (40%) of the General Fund budget. He recognized staff movement from reactive to proactive. Communication was key. There needed to be creative/innovative leadership. Statistics represented the City. Future statistics would include performance management comparative data and best practices for crime prevention. The range was critical and needed significant expenditures for repairs. Council needed to adopt a long term policy position regarding the range. Current cost sharing did not cover maintenance. There needed to be improved financial collaboration.

**MAYOR DISCUSSION:** Mayor Renner thanked Mark Huber, PACE Director, for twenty-nine (29) years of service. A reception would be held on Thursday, February 20, 2014 from 2:00 - 4:00 p.m. at the Government Center.

He addressed the process to fill Ward 5 vacancy due to the resignation of Alderman McDade. He cited outreach regarding the procedure for the process. He had been given a lot of advice. There were three (3) years and three (3) months remaining on Alderman McDade's term. According to state statute, this position would appear on the 2015 municipal election ballot. This was a diverse ward. He needed to appoint someone quickly due to the budget cycle. He presented the following process: 1.) applications would be accepted until February 14, 2014 at 4:00 p.m. and 2.) feedback from Council on candidates due by Wednesday, February 19, 2014. He planned to allow media access to applications and to schedule interviews promptly. He also planned to include his recommendation in the Council packet for the February 24, 2014 meeting. If approved, the candidate would take the oath as the first order of business on February 24th.

**ALDERMAN DISCUSSION:** Alderman Stearns had several questions for Chief Heffner and would submit them by via email. She confirmed that Mayor Renner wanted Council feedback on Aldermanic candidates. She also questioned if Aldermen's comments would be made available to the public.



**She also requested a proclamation for Quinn's Shell.**

**Alderman Black questioned if Aldermanic application materials should be placed on the City's web site. He suggested that Council meeting videos be posted on the web and indexed by agenda item. He requested that the live stream of the meeting be placed on the televisions located in the Council chambers. Scott Sprouls, Director of Information Services, addressed the Council. He would investigate same.**

**Motion by Alderman Stearns, seconded by Alderman Schmidt, that the meeting be adjourned. Time: 8:47 p.m.**

**Motion carried.**

**Tracey Covert  
City Clerk**

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