

**CITY OF BLOOMINGTON
COUNCIL MEETING AGENDA
109 E. OLIVE
MONDAY, SEPTEMBER 22, 2014, 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**
- 5. Public Comment**
- 6. Recognition/Appointments**
 - A. Appointment of Ward 8 Alderman. (Recommend that the Appointment be approved.)**
 - B. 2014 Beautification Awards (15 minutes).**
- 7. “Consent Agenda”**

(All items under the Consent Agenda are considered to be routine in nature and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member, City Manager or Corporation Counsel so requests, in which event, the item will be removed from the Consent Agenda and considered in the Regular Agenda, which is Item #9.

The City’s Boards and Commissions hold Public Hearings prior to some Council items appearing on the Council’s Meeting Agenda. Persons who wish to address the Council should provide new information which is pertinent to the issue before them.)

 - A. Council Proceedings of September 8, 2014. (Recommend that the reading of the minutes of the previous Council Proceedings of September 8, 2014 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. Request Waiver Formal Bid Process for Water Sample Analysis. (Recommend that the formal bid process be waived, the Council authorize payment to PDC Laboratories, Inc., Peoria, IL, in the amount of \$100,000 for various laboratory services for additional water sample analysis; primarily nitrate and nitrate related compounds and the Resolution adopted.)**
- D. Waive Formal Bid Process and Authorize the Purchase of Water Main Supplies to Construct a new Water Main on MacArthur Ave. between Livingston and Morris Ave. (Recommend that the formal bid process be waived, the purchase of water main supplies from Water Products Company, Bloomington, IL be approved, in the amount of \$17,584, to construct a new water main on MacArthur Ave., and the Resolution adopted.)**
- E. Rejection of Request for Proposal (RFP) for Lime Sludge Removal from Storage Lagoons at the Water Treatment Plant and Enter into a One (1) Year Contract with Oros and Busch for same. (Recommend that all submissions for RFP for Lime Sludge Removal (2015 – 17) be rejected, the formal bid process be waived, the City enter into a one (1) year renewal contract with Oros and Busch for same, the Mayor and City Clerk be authorized to execute the necessary documents, and any associated contracts approved in form and substance by Corporation Counsel.)**
- F. Analysis of Bids for Water Treatment Chemicals. (Recommend that the bids be awarded, on a price per ton basis, to the qualified low bidder: Kemira Water Solutions – Ferric Sulfate; Carus Corporation – Sodium Hexametaphosphate; Tanner Industries – Anhydrous Ammonia; JCI Jones – Liquor Chlorine; for the next twelve (12) months and the Purchasing Agent be authorized to issue Purchase Orders. Exceptions: 2012 Carbon Dioxide bid from Prax Air was presented and approved as a three (3) year with a maximum four percent (4%) price escalator in year three (2014) and 2013 Hydrofluosilicic Acid bid from Mosaic Crop Nutrition, LLC was presented and approved as a three (3) year with no price increase in year two (2014).)**
- G. Bicycle Lanes on Jersey Ave. (Recommend that the bicycle lanes for Jersey Ave. from the Sugar Creek bridge from Towanda Ave. be approved.)**
- H. Change Order for Contract, (Bid# 2014 – 39), for 2014 Bond General Resurfacing for Resurfacing Arrowhead Ln. at Lake Bloomington. (Recommend that the Change Order using the unit prices from Rowe Construction for the 2014 Bond General Resurfacing Program be accepted, and the Change Order be approved in the base amount of \$40,000 to be paid out of the FY 2015 Budget, the Mayor and City Clerk be authorized to execute the necessary documents, and the Resolution adopted.)**
- I. Suspension of Ordinances to Allow Consumption of Alcohol at the Lake Bloomington Davis Lodge on October 11, 2014. (Recommend that the Ordinance be passed.)**

- J. Lake Bloomington Lease Transfer Petition for Lot 8, Block 4 of Camp Kickapoo from Ellen T. Flanagan to Ellen T. Flanagan Revocable Living Trust. (Recommend that the Lake Lease Transfer be approved and the Mayor and City Clerk be authorized to execute the necessary documents.)**
- K. Lake Bloomington Lease Transfer Petition for Lot 11, Block 3 of Camp Iroquois from Helen F. Welch to John S. and Terry Hoffman. (Recommend that the Lake Lease Transfer be approved and the Mayor and City Clerk be authorized to execute the necessary documents.)**
- L. Text Amendment to Chapter 4. Air Pollution, Section 26. Open Fire Regulations. (Recommend that the Text Amendment be approved and the Ordinance passed.)**
- M. Fiscal Year 2015 Budget Amendment for the Community Development Block Grant (CDBG) in the amount of \$315,649. (Recommend that the Budget Amendment be approved and the Ordinance passed.)**

8. Public Hearing

- A. Public Hearing regarding the Removal of the Road Barrier on W. Jefferson St. at Allin St.**

9. “Regular Agenda”

- A. Comprehensive Master Plan Update. Presentation by Vasudha Pinnamararju, McLean County Regional Planning Commission’s Executive Director. (10 minutes). Question and Answer Period – (10 minutes).**
- B. Enterprise Zone Application Update. Presentation by Frank Koehler, Interim Economic Development Coordinator. (10 minutes). Question and Answer Period – (10 minutes).**

10. City Manager’s Discussion

11. Mayor’s Discussion

12. City Aldermen’s Discussion

13. Executive Session - cite section

14. Adjournment

15. Notes



FOR COUNCIL: September 22, 2014

SUBJECT: Appointment of Alderman Ward 8

RECOMMENDATION/MOTION: That the Appointment be approved.

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: I ask your concurrence in the appointment of Diana Desio Hauman, 48 Kenfield Circle, Bloomington, 61704 to the position of Alderman Ward 8. This position will appear on the 2015 municipal election ballot.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Mayor interviewed all applicants.

FINANCIAL IMPACT: None.

Respectfully submitted for Council consideration.

Prepared by: Tracey Covert, City Clerk

Recommended by:

Tari Renner
Mayor

Motion: That the Appointment be approved

Motion: _____ Seconded by: _____

	Aye	Nay	Other		Aye	Nay	Other
Alderman Black				Alderman Mwilambwe			
Alderman				Alderman Sage			
Alderman Fruin				Alderman Schmidt			
Alderman Lower				Alderman Stearns			
				Mayor Renner			



FOR COUNCIL: September 22, 2014

SUBJECT: Council Proceedings of September 8, 2014

RECOMMENDATION/MOTION: That the reading of the minutes of the previous Council Proceedings of September 8, 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 September 8, 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:

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

David A. Hales
City Manager

Attachments: Attachment 1. Draft Council Proceedings for September 8, 2014

Motion: That the reading of the minutes of the previous Council Proceedings of September 8, 2014 be dispensed with and the minutes approved as printed.

Motion: _____ Seconded by: _____

	Aye	Nay	Other		Aye	Nay	Other
Alderman Black				Alderman Painter			
Alderman				Alderman Sage			
Alderman Fruin				Alderman Schmidt			
Alderman Lower				Alderman Stearns			
Alderman Mwilambwe							
				Mayor Renner			

**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 7:03 p.m., Monday, September 8, 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, Joni Painter, Scott Black, Karen Schmidt, Jim Fruin and Mayor Tari Renner.

City Manager David Hales, City Clerk Tracey Covert, and Corporate Counsel Jeff Jurgens 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.

Patricia Marton, 1114 E. Grove St., addressed the Council. She addressed Bullying Awareness Month. She continued to develop material regarding abuse. She cited statutes and penalties. She restated her belief that City staff would benefit from training. She had spoken with victims of abuse. Preventive measures needed to be developed. She was participating in the Public Safety Working group as part of the City's Comprehensive Plan. She thanked the Council for the opportunity to address them.

Alton Franklin, 508 Patterson Dr., addressed the Council. He reflected on past results. He was a fan of jazz music. He expressed his hope that the Council would approve the application of Setinthebar, Inc., for a liquor license. A jazz venue would be an appropriate in the Downtown. Jazz music would attract a mature audience. He understood that there were misgivings.

Donny Herrin, 1504 Julie Dr., addressed the Council. He thanked the Council for the opportunity to address them. He addressed the City's Comprehensive Plan update. He had attended the Mayoral Open House on Friday, September 5, 2014. He had spoken with Vasudha Pinnamaraju, McLean County Regional Planning Commission's Executive Director. He was concerned about the planning and development. He planned to monitor the plan's progress. He noted the plan's broad depth. It addressed all facets of life. He expressed his concern regarding the scope. There needed to be more participation from the Council. He cited public outreach to various committees and groups. He wanted to see the Council's involvement.

Dorothy Dean, 711 E. Empire, addressed the Council. She had been a resident of the City for thirty-seven (37) years. She resided in the Old East Side Neighborhood. She cited the Constitution Trail at Empire and Locust which was described as an eyesore. Landscaping was limited to none existent. She requested a park on this the Trail's twenty-fifth anniversary. There was not a park in walking distance. There could be a long narrow park with trees and benches. The trail was unsafe. It jogged and individuals took short cuts.

The following was presented:

SUBJECT: Council Proceedings of August 25, 2014

RECOMMENDATION/MOTION: That the reading of the minutes of the previous Council Proceedings of August 25, 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 August 25, 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 Painter, seconded by Alderman Schmidt that the reading of the minutes of the previous Council Proceedings of August 25, 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, Painter, Lower, 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.

FINANCIAL IMPACT: Total disbursements to be approved \$6,358,733.32, (Payroll total \$2,267,788.21, and Accounts Payable total \$4,090,945.11).

Respectfully submitted for Council consideration.

Prepared by: Patti-Lynn Silva, Director of Finance

Recommended by:

David A. Hales
City Manager

(ON FILE IN CLERK'S OFFICE)

Motion by Alderman Painter, seconded by Alderman Schmidt 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, Painter, Lower, Sage, Fruin and Black.

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Illinois Commerce Commission (ICC) Petition and Filing for Installation of Pedestrian Crossings of the Railroad Tracks along the north side of Washington St., west of Western Ave.

RECOMMENDATION/MOTION: That the Petition be approved for filing with the ICC.

STRATEGIC PLAN LINK: Goal 2. Upgrade City infrastructure and facilities.

STRATEGIC PLAN SIGNIFICANCE: Objective 2a. Better quality roads and sidewalks.

BACKGROUND: The Illinois Department of Transportation (IDOT) is in the process of using federal funding to upgrade the Union Pacific (UP) railroad tracks from Chicago to St. Louis in order to provide High Speed Rail (HSR) train travel along the corridor. As part of that project, improvements are being made to at-grade rail crossings to provide safer pedestrian crossing of the HSR track. The IDOT-HSR project is providing funding for improvement of the pedestrian crossing of the UP HSR mainline track on the north side of Washington St., just west of Western Ave. However, the project does not currently provide funding for continuing the pedestrian route through the UP right of way, across the two (2) UP side tracks west of the mainline HSR track, to a logical terminus point at the City sidewalk. Unless the pedestrian route is extended across the two (2) UP side tracks, a pedestrian heading west from the HSR mainline track would still have to cross grassy soil and two (2) sets of bare tracks prior to reaching the City sidewalk on the west side of UP right of way.

Edward Gower, attorney with Hinshaw & Culbertson, LLP, Springfield, IL, has drafted a petition for the City which seeks an order from the ICC mandating the IDOT-HSR Project to fund the installation of a pedestrian crossing of the mainline HSR track and the two (2) side tracks west of the mainline, with five foot (5') wide concrete sidewalk between each rail crossing and the City sidewalk on each side of railroad right of way.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable.

FINANCIAL IMPACT: The petition as drafted requests all costs be funded by the IDOT-HSR project. However, the ICC may rule that some or all of the cost of crossing the two (2) side tracks must be funded by the City. Additional Council approval will be requested should City funding be required.

Respectfully submitted for Council consideration.

Prepared by: Greg Kallevig, PE, CFM
Reviewed by: Jim Karch, Director of Public Works
Financial & budgetary review by: Chris Tomerlin, Budget Analyst
Carla A. Murillo, Budget Manager
Legal review by: Jeffrey R. Jurgens, Corporation Counsel
Recommended by:

David A. Hales
City Manager

(ON FILE IN CLERK'S OFFICE)

Motion by Alderman Painter, seconded by Alderman Schmidt that the Petition be approved for filing with the ICC.

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

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

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Waive Formal Bid Process and Authorize the Purchase of Personal Protective Equipment – Firefighting Turnout Gear

RECOMMENDATION/MOTION: That the formal bid process be waived, the purchase of twenty-five (25) complete sets (jacket and pants) of Globe Gold Millenia XT G-Xtreme Firefighter Turnout Gear from Municipal Emergency Services, Inc. (MES), Deer Creek, IL, be approved, in the amount of \$62,400, 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 1a. Budget with adequate resources to support defined services and level of service, and 1d. City services delivered in the most cost-effective and efficient manner.

BACKGROUND: Council authorized the purchase of replacement turnout gear as part of the FY 2015 budget.

Firefighter protective clothing is on a seven (7) year replacement schedule. This schedule is based on the National Fire Protection Association’s recommended useful life for firefighting protective wear. Since 2006, the Fire Department has made considerable investments in this particular Turnout Gear providing consistency in use for firefighters and cost savings.

The gear that the department uses was selected in 2006 during an extensive evaluation process that involved technical specification comparison, wear testing, warranty and cost. A major determining factor was that the gear has a shell warranty of seven (7) years against any damage that occurs during firefighting operations, eliminating gear repair line item previously budgeted at \$15,000 per year.

Attached is a letter from the Globe Manufacturing Company stating that Municipal Emergency Services, Inc. (MES) in the sole authorized dealer of Globe turnout gear is the State of Illinois.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable.

FINANCIAL IMPACT: The total cost for the Firefighter Turnout Gear is \$62,400 which has been budgeted in Fire – Protective Wear (10015210 - 62191). Stakeholders can locate this in the FY 2015 Budget Book titled “Budget Overview & General Fund” on page 272.

Respectfully submitted for Council consideration.

Prepared by: Eric Vaughn, Deputy Fire Chief - Administration

Reviewed by: Michael Kimmerling, Fire Chief

Financial & budgetary review by: Chris Tomerlin, Budget Analyst
Carla A. Murillo, Budget Manager

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:

David A. Hales
City Manager

RESOLUTION NO. 2014 - 42

**A RESOLUTION WAIVING THE FORMAL BIDDING PROCESS AND
AUTHORIZING THE PURCHASE OF FIREFIGHTING TURNOUT GEAR FOR THE
FIRE DEPARTMENT FROM MUNICIPAL EMERGENCY SERVICES, INC. AT A
PURCHASE PRICE OF \$62,400**

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 Firefighting Turnout Gear at a Purchase Price of \$62,400.

ADOPTED this 8th day of September, 2014.

APPROVED this 9th day of September, 2014.

APPROVED:

Tari Renner
Mayor

ATTEST:

Tracey Covert
City Clerk

Motion by Alderman Painter, seconded by Alderman Stearns that the formal bid process be waived, the purchase of twenty-five (25) complete sets (jacket and pants) of Globe Gold Millenia XT G-Xtreme Firefighter Turnout Gear from Municipal Emergency Services, Inc. (MES), Deer Creek, IL, be approved, in the amount of \$62,400, 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, Painter, Lower, Sage, Fruin and Black.

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Waive Formal Bid Process and Authorize the Purchase of Fire Priority Dispatch System from Priority Dispatch

RECOMMENDATION/MOTION: That the formal bid process be waived, the purchase of a Fire Priority Dispatch System from Priority Dispatch, Salt Lake City, UT be approved, in the amount of \$53,759, the Purchasing Agent be authorized to issue a Purchase Order, the Resolution be adopted, and the City Manager or his designee to execute the necessary documents.

STRATEGIC PLAN LINK: Goal 1. Financially sound City providing quality basic services, and Goal 2. Upgrade City infrastructure and facilities.

STRATEGIC PLAN SIGNIFICANCE: Objective 1d. City services delivered in the most cost-effective, efficient manner, and 2d. Well-designed, well maintained City facilities emphasizing productivity and customer service.

This purchase will allow the Communications Center too quickly and efficiently process requests from the public for Fire Department Services. In turn, the Fire Department will be better prepared with information to respond to calls with appropriate resources.

BACKGROUND: The Fire Priority Dispatch System from Priority Dispatch is a unified fire protocol system used by 911 telecommunicators to intake emergency calls from the public. The system uses systematic caller interrogation to logically prioritize responses and provide life-saving pre-arrival instructions. The system reduces liability, increases the effectiveness of call processing, and creates measureable data to implement a continuous quality improvement program. The Communications Center currently utilizes the Medical Priority Dispatch System from Priority Dispatch to provide Emergency Medical Dispatch to callers. Using the same limited source provider will allow the City to integrate with the Fire Priority Dispatch System allowing for the most efficient and cost effective protocol system choice. The Fire Priority Dispatch System will also benefit our Insurance Services Office (ISO) Public Protection Classification. In the June 2014 ISO Summary Report, Item 420 Telecommunications, the City received 80 of 100 possible points. The missing points were due to a specific lack of fire emergency dispatch protocols. This system would qualify for those additional points. Dispatch and communication account for ten percent (10%) of the final Public Protection Classification score. This will provide the City of Bloomington with sufficient points to move into a Class 2 category from a Class 3.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable.

FINANCIAL IMPACT: The total project cost is \$53,759. This cost will be split between the Bloomington Communications Center, Fire, and Police Departments as follows:

Priority Dispatch Sales Quote #103671 (\$13,530 for Training)

Account	Description	Amount
10015210-71340	FIRE Telecomm	\$6,500
10015210-70632	FIRE Professional Develop	\$4,500
10015118-70632	COMM CTR Professional Develop	\$550
10015110-70632	POLICE Professional Develop	\$1,980

Priority Dispatch Products and Services Sale Quote #104235 (\$40,229)

Account	Description	Amount
10015210-70690	FIRE Other Purchased Services	\$3,484
10015118-70530	COMM CTR Repr/Mtnc Office & Computer	\$36,745

Stakeholders can locate the Police, Communication Center and Fire Budgets in the FY 2015 Budget Book titled “Budget Overview & General Fund” on pages 251, 262, 272-273 respectively.

Respectfully submitted for Council consideration.

Prepared by: Darren Wolf, Communications Center Manager
Eric Vaughn, Deputy Fire Chief - Administration

Reviewed by: Michael Kimmerling, Fire Chief

Financial & budgetary review by: Chris Tomerlin, Budget Analyst
Carla A. Murillo, Budget Manager

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:

David A. Hales
City Manager

RESOLUTION NO. 2014 - 43

A RESOLUTION WAIVING THE FORMAL BIDDING PROCESS AND AUTHORIZING THE PURCHASE OF A FIRE PRIORITY DISPATCH SYSTEM FOR FROM PRIORITY DISPATCH AT A PURCHASE PRICE OF \$53,759

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 a Fire Priority Dispatch System at a Purchase Price of \$53,759.

ADOPTED this 8th day of September, 2014.

APPROVED this 9th day of September, 2014.

APPROVED:

Tari Renner
Mayor

ATTEST:

Tracey Covert
City Clerk

Motion by Alderman Painter, seconded by Alderman Schmidt that the formal bid process be waived, the purchase of a Fire Priority Dispatch System from Priority Dispatch, Salt Lake City, UT be approved, in the amount of \$53,759, the Purchasing Agent be authorized to issue a Purchase Order, the Resolution be adopted, and the City Manager or his designee 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, Painter, Lower, Sage, Fruin and Black.

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Analysis of Request for Proposal (RFP) for Annual Maintenance Agreement for Citywide Network and VoIP Telephone Infrastructure

RECOMMENDATION/MOTION: That RFP for hardware/software maintenance, troubleshooting, configuration assistance and remote monitoring of network and VoIP, (Voice over Internet Protocol), infrastructure be awarded to Sentinel Technologies Inc., Springfield, IL, the agreement be approved, in the amount of \$93,308 for the first year and including up to four (4) option years, 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: The City’s local and wide area network consists of well over one hundred (100) devices spread across roughly forty (40) locations. The City’s VoIP infrastructure consists of multiple virtualized servers, located in different geographical locations for redundancy, and approximately 500 telephone devices. Network and VoIP infrastructure is critical to City operations as it supports thousands of end user devices, (desktop computers, laptop computers, network printers, mobile devices, telephones, security cameras and access control, HVAC systems, lighting systems, websites, remote connectivity), used twenty-four (24) hours by seven (7) days a week to carry out operations throughout the City.

Staff recently released an RFP, (Request For Proposal), seeking proposals to provide hardware and software maintenance, remote configuration assistance, onsite and remote diagnostic and repair services for the City’s network and VoIP infrastructure. Responses were received from the following vendors:

Company	Location	Proposal Cost	
Sentinel Technologies, Inc.	Springfield, IL	\$93,308.00	**recommend
Netech Corporation	Peoria, IL	\$103,732.66	

Staff evaluated the proposal responses from both vendors and found each to be in order and fully responsive. Staff is recommending Council approve the contract with Sentinel Technologies.

The City’s network and VoIP infrastructure is composed of Cisco Systems, Inc. equipment. A requirement of the RFP is that the vendors possess a minimum Gold Level certification from Cisco. This means they has received in depth technical training and have demonstrated their ability to support, troubleshoot and maintain complex environments such as the City.

Staff believes either responding vendor would be capable of providing the required services, but is recommending Sentinel Technologies as the lowest responsible bidder. Sentinel has also provided this service historically, has performed well, and therefore already has a very good knowledge of the City’s infrastructure.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable.

FINANCIAL IMPACT: The \$93,308 has been budgeted in the FY 2015 Budget under Information Services - Repair/Maintenance Office and Computer Equipment (10011610 - 70530). Stakeholders can locate this in the FY 2015 Budget Book titled “Budget Overview & General Fund” on page 164.

Respectfully submitted for Council consideration.

Prepared by: Scott Sprouls, Director of Information Services

Reviewed by: Alexander S. McElroy, Asst. to the City Manager

Financial & budgetary review by: Chris Tomerlin, Budget Analyst
Carla A. Murillo, Budget Manager

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:

David A. Hales
City Manager

Motion by Alderman Painter, seconded by Alderman Schmidt that the RFP for hardware/software maintenance, troubleshooting, configuration assistance and remote monitoring of network and VoIP, (Voice over Internet Protocol), infrastructure be awarded to Sentinel Technologies Inc., Springfield, IL, the agreement be approved, in the amount of \$93,308 for the first year and including up to four (4) options years, 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, Painter, Lower, Sage, Fruin and Black.

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Suspension of Ordinances to Allow Consumption of Alcohol at Lake
Bloomington Davis Lodge on September 13, 2014

RECOMMENDATION/MOTION: That the Ordinance 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 Tari Renner called the Liquor Hearing to order to hear the request of Daniel Lear and Christina Raymer to allow moderate consumption of alcohol at their September 13, 2014, wedding reception to be held at the Lake Bloomington Davis Lodge. Present at the hearing were Liquor Commissioners Tari Renner and

Tracey Covert, City Clerk; and Donald and Suzanne Raymer, bride's parents and requestor's representatives.

Commissioner Renner opened the liquor hearing and requested that the requestor's representatives address this request. Suzanne Raymer, mother of bride, addressed the Commission. The wedding ceremony and reception would commence at 4:00 p.m. The wedding ceremony and reception would be held at the Lake Bloomington Davis Lodge on September 13, 2014. She anticipated 130 guests. Famous Dave's located at 1603 B Morrissey, would provide the food and beverage services. She noted that liquor service would be limited to beer and wine only. Liquor service will end at 11:00 p.m. Quiet hours at Davis Lodge commence at 10:00 p.m.

Commissioner Renner stated that the request of Daniel Lear and Christina Raymer to allow moderate consumption of alcohol at the Lake Bloomington Davis Lodge for their September 13, 2014 wedding reception be approved.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The Agenda for the August 28 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.

Recommended by:

Tari Renner
Mayor

ORDINANCE NO. 2014 - 97

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, Daniel Lear and Christina Raymer are planning to hold their wedding reception at the Lake Bloomington Davis Lodge from 3:00 p.m. to 11:00 p.m. on September 13, 2014; and

WHEREAS, Daniel Lear and Christina Raymer 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 September 13, 2014 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 8th day of September 2014.

APPROVED this 9th day of September 2014.

APPROVED:

Tari Renner
Mayor

ATTEST:

Tracey Covert
City Clerk

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

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

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

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Suspension of Ordinances to Allow Consumption of Alcohol at Lake
Bloomington Davis Lodge on May 23, 2015

RECOMMENDATION/MOTION: That the Ordinance 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 Tari Renner called the Liquor Hearing to order to hear the request of Lucas Deal and Barbara Earnest to allow moderate consumption of alcohol at their May 23, 2015, wedding reception to be held at the Lake Bloomington Davis Lodge. 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 Jean Deal, mother of the groom and requestor's representative.

Commissioner Renner opened the liquor hearing and requested that the requestor's representative address this request. Jean Deal, mother of the groom, addressed the Commission. The wedding ceremony and reception would be held at the Lake Bloomington Davis Lodge on May 23, 2015. It would start around 5:00 p.m. and end at 10:00 p.m. She anticipated 135 guests. Hickory River Smokehouse, located at 5101 W. Holiday Dr., Peoria would provide the food service. Work continued on a City licensed caterer, (alcoholic beverages). She noted that

liquor service would be limited to beer and wine only. Quiet hours at Davis Lodge commence at 10:00 p.m.

Motion by Commissioner Tompkins, seconded by Commissioner Jordan that the request of Lucas Deal and Barbara Earnest to allow moderate consumption of alcohol at the Lake Bloomington Davis Lodge for their May 23, 2015 wedding reception be approved.

Motion carried, unanimously.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The Agenda for the August 12, 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.

Respectfully submitted for Council consideration.

Recommended by:

Tari Renner
Mayor

ORDINANCE NO. 2014 - 98

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 LAKE BLOOMINGTON DAVIS LODGE

WHEREAS, Lucas Deal and Barbara Earnest are planning to hold their wedding reception at the Lake Bloomington Davis Lodge from 4:00 p.m. to 11:00 p.m., May 23, 2015; and

WHEREAS, Lucas Deal and Barbara Earnest 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 May 23, 2015 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 8th day of September, 2014.

APPROVED this 9th day of September, 2014.

APPROVED:

Tari Renner
Mayor

ATTEST:

Tracey Covert
City Clerk

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

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

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

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Application of Setinthebar, Inc., d/b/a Jazz Upfront, located at 105 W. Front St., requesting a TAS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week

RECOMMENDATION/MOTION: That an TAS liquor license for Setinthebar, Inc., d/b/a Jazz Upfront, located at 105 W. Front 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 order to hear the application of Setinthebar, Inc., d/b/a Jazz Upfront, located at 105 W. Front St., requesting a TAS liquor license which would allow the sale of all types of alcohol by the glass for consumption on 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 James Gaston, owner/operator and James Bass, attorney, Applicant's representatives.

Commissioner Renner opened the liquor hearing and requested that the Applicant's representatives address this request. James Bass, Applicant's attorney, addressed the Commission. James Gaston, his client, was seeking a liquor license at the Downtown tavern currently known as Eleven.

Commissioner Renner noted that this request would not result in a net increase to the number of Downtown taverns. If approved, a liquor license would have to be created. He noted Mr. Gaston's past application to establish a jazz café. There were concerns regarding the proposed location, (400 block of N. Main St.).

James Bass, Applicant's attorney noted that this application represented an opportunity for Mr. Gaston to apply for a liquor license at a different address, (i.e. on W. Front St.). He believed that a jazz club would be a nice addition to the Downtown. A jazz club was a good idea.

Commissioner Renner that Jazz Upfront would benefit from it location, (i.e. near the Rt. 66 corridor). He addressed BASSET, (Beverage Alcohol Sellers and Servers Education and Training), training.

Mr. Gaston responded affirmatively. He planned to retain Eleven's staff. Some of these individuals were BASSET certified. He planned to require all staff to be BASSET certified.

Commissioner Tompkins spoke in support of this application. He noted Mr. Gaston's experience in the entertainment industry. He expressed his support of this application.

Commissioner Renner informed the Commission that he had spoken with Council members. The location should not be an issue.

Commissioner Jordan questioned if there would be live entertainment. Mr. Gaston responded affirmatively. He planned to host live entertainment on Friday and Saturday nights. In addition, live entertainment might be offered on either Wednesday and/or Thursday nights.

Motion by Commissioner Tompkins, seconded by Commissioner Jordan to recommend to the City Council that a TAS liquor license for Setinthebar, Inc., d/b/a Jazz Upfront, located at 105 W. Front St., be created contingent upon compliance with all health safety codes.

Motion carried, unanimously.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Public notice was published in the Pantagraph on August 5, 2014 in accordance with City Code. In accordance with City Code, approximately seventy-nine (79) courtesy copies of the Public Notice were mailed on August 5, 2014. In addition, the Agenda for the August 12, 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: Annual fee for a TAS liquor license is \$2,210.

Respectfully submitted for Council consideration.

Recommended by:

Tari Renner
Mayor

Alderman Fruin questioned this item.

Mayor Renner recalled conversations from a year ago, (July 2013). The applicant was encouraged to find a new location.

Motion by Alderman Painter, seconded by Alderman Schmidt that a TAS liquor license for Setinthebar, Inc., d/b/a Jazz Upfront, located at 105 W. Front 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, Painter, Lower, Sage, Fruin and Black.

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Request for a change of classification by Parkway Partners, LLC, d/b/a Marriott Residence Inn, located at 2180 Ireland Grove Rd., requesting the addition of a P, packaged liquor, which allows the sale of packaged liquor for consumption off the premises seven (7) days a week, to their RAS liquor license which allows the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week

RECOMMENDATION/MOTION: That a change of classification from an RAS to an RAPS liquor license for Parkway Partners, LLC, d/b/a Marriott Residence Inn, located at 2180 Ireland Grove Rd., be approved contingent upon compliance with all health 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 order to hear the request for a change of classification by Parkway Partners, LLC, d/b/a Marriott Residence Inn, located at 2180 Ireland Grove Rd., requesting the addition of a P,

packaged liquor, which allows the sale of packaged liquor for consumption off the premises seven (7) days a week, to their RAS liquor license which allows the sale of all types of alcohol by the glass for consumption on 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 Julie Davis, attorney and Applicant's representatives.

Commissioner Renner opened the liquor hearing and requested that the Applicant's representatives address this request for a change of classification. Julia Davis, Applicant's attorney, addressed the Commission. The Marriott Residence Inn had been approved for an RAS liquor license. There will be a market within the hotel. It would be located near the front of the hotel's lobby. The Residence Inn offered suite rooms. Rooms offered refrigerators and microwaves. Only packaged beer and wine would be offered for sale in the market. She presented the Commission with photographs of sample lobby markets. She described same as small grocery retail stores. Packaged beer and wine would be offered for sale to hotel guests. The suites offered refrigerators. Hotel guests would be able to consume alcohol in their rooms. She restated that the market store was for hotel guests. Sale hours would be in compliance with City Code.

Commissioner Tompkins questioned the system. He hoped that the Residence Inn would not adopt an honor system. Ms. Davis cited the Residence Inn's twenty-four (24) staffing. Hotel guests would make purchases from the store and identification would be checked.

Commissioner Jordan questioned counter service and security. Ms. Davis noted that the market would be adjacent to the front desk. In addition, there would be security cameras.

Commissioner Jordan expressed his concerns regarding staffing, access and underage sales. This market should not be compared to a grocery store. Ms. Davis added that there would be a door.

Commissioner Jordan stated that the area was open to all hotel guests. He cited concerns regarding check out and security. Ms. Davis restated that there would be desk staff.

Commissioner Jordan noted that hotels represented a different venue. There would be hotel guests under the age of twenty-one (21).

Commissioner Renner cited proper staffing.

Commissioner Jordan expressed his concern regarding control. The room needed to be secured and this fact should be addressed.

Commissioner Renner noted that the Commission had communicated its concern regarding security and controlling underage sales.

Ms. Davis noted product placement. The market would be open twenty-four/seven, (24/7). Beer and wine would be secured during nonsale hours.

Motion by Commissioner Tompkins, seconded by Commissioner Jordan to recommend to the City Council that a change of classification from an RAS to an RAPS liquor license for Parkway Partners, LLC, d/b/a Marriott Residence Inn, located at 2180 Ireland Grove Rd., be approved contingent upon compliance with all health safety codes.

Motion carried, unanimously.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The Agenda for the August 12, 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 classification. Annual fee for an RAPS liquor license is \$2,210.

Respectfully submitted for Council consideration.

Recommended by:

Tari Renner
Mayor

Motion by Alderman Painter, seconded by Alderman Schmidt that a change of classification from an RAS to an RAPS liquor license for Parkway Partners, LLC, d/b/a Marriott Residence Inn, located at 2180 Ireland Grove Rd., be approved contingent upon compliance with all health safety codes.

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

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

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Application of Highland CVS, LLC, d/b/a CVS Pharmacy #8660, located at 210 N. Center St., currently holding a PAS liquor license which allows the sale of all types of packaged liquor for consumption off the premises seven (7) days a week; to remove condition 2.) No single serve sales permitted before 12 noon

RECOMMENDATION/MOTION: That condition 2.) No single serve sales permitted before 12 noon for Highland Park CVS, LLC d/b/a CVS Pharmacy #8660, located at 210 N. Center St., be removed.

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 order regarding the removal of a license condition for Highland CVS, LLC, d/b/a CVS Pharmacy #8660, located at 210 N. Center St., currently holding a PAS liquor license which allows the sale of all types of packaged liquor for consumption off the premises seven (7) days a week; to remove condition 2.) no single serve sales permitted before 12 noon. 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.

Commissioner Renner opened the liquor hearing and noted concerns raised regarding the sale of single serve alcoholic beverages.

George Boyle, Asst. Corporation Counsel, addressed the Commission. He had contacted Kevin Frost, CVS's Store Manager. Mr. Frost had informed him in July 2014 that the store had stopped stocking and selling half pints and pints of spirits at the end of June 2014. Mr. Frost reached out the CVS's corporate officials regarding complaints/concerns raised by the City. CVS has voluntarily agreed to cease all sales of single serve alcoholic items upon the depletion of existing stock. It was anticipated that these sales would cease by the end of August 2014. Mr. Boyle added that the City had defined a single serve beer as any amount lower than forty ounces, (40 oz.). CVS has been a good Downtown corporate citizen.

It was noted that the City Clerk's Office provides a listing of liquor license conditions to the license holder annually. The conditions list should be posted.

Motion by Commissioner Tompkins, seconded by Commissioner Jordan to recommend to the City Council that condition 2.) no single serve sales permitted before 12 noon for Highland Park CVS, LLC d/b/a CVS Pharmacy #8660, located at 210 N. Center St., be removed.

Motion carried, unanimously.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The Agenda for the August 12, 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: Request is for removal of a license condition. Annual fee for a PAS liquor license is \$1,410.

Respectfully submitted for Council consideration.

Recommended by:

Tari Renner
Mayor

Motion by Alderman Painter, seconded by Alderman Schmidt that condition 2.) No single serve sales permitted before 12 noon for Highland Park CVS, LLC d/b/a CVS Pharmacy #8660, located at 210 N. Center St., be removed.

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

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

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Contract for Motor Fuel Tax (MFT) Project Administration and Engineering Services, Clark Dietz Inc.

RECOMMENDATION/MOTION: That the MFT Resolution be adopted.

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 July 28, 2014, the Bloomington City Council unanimously approved a contract for \$53,275 for engineering and administrative services with Clark Dietz Inc. to “close out” Motor Fuel Tax projects. The road/traffic work on these projects is finished but volumes of documentation work remains to meet state requirements for Motor Fuel Tax funding. The Public

Works Department cannot complete this administrative work in-house because of limited staffing.

The matter comes back to the Council because of an administrative oversight. A Motor Fuel Tax Resolution is required to allocate MFT funds for the Clark Dietz contract. The resolution should have been included with the July 28, 2014, materials.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable.

FINANCIAL IMPACT: This was not included in the FY 2015 Adopted Budget however, sufficient FY 2015 budgeted funds remain in the MFT - Engineering Services (20300300 - 70050) line item account to cover the cost. Stakeholders can locate this in the FY 2015 Budget Book titled "Other Funds & Capital Improvement Program" on page 11.

Respectfully submitted for Council consideration.

Prepared by: Stephen Arney, Public Works Administration

Reviewed by: Sue McLaughlin, ICMA-CM, Interim Asst. City Manager

Financial & budgetary review by: Chris Tomerlin, Budget Analyst
Carla A. Murillo, Budget Manager

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:

David A. Hales
City Manager

(RESOLUTION NO. 2014 – 44 ON FILE IN CLERK’S OFFICE)

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

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

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

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Analysis of Bids and Approval of a Contract with Structural Preservation Systems, LLC for Pepsi Ice Center Parking Structure Repairs

RECOMMENDATION/MOTION: That the bid for construction services for the Pepsi Ice Center Parking structural repairs be awarded to Structural Preservation Systems, LLC, in the amount of \$1,098,836, the contract be approved, the Mayor and City Clerk be authorized to execute the necessary documents and any associated contracts approved in form and substance by Corporation Counsel.

STRATEGIC PLAN LINK: Goal 2. Upgrade City infrastructure and facilities.

STRATEGIC PLAN SIGNIFICANCE: Objective 2d. Well-designed, well-maintained City facilities emphasizing productivity and customer service. Procurement of construction services will address the structural deficiency issues identified in the Pepsi Ice Center Parking Structure.

BACKGROUND: Walker Restorations conducted a condition appraisal of the Pepsi Ice Center Parking Structure and identified approximately \$1.2 - \$1.6 million in known repairs that are associated with deficiencies in the initial design and construction. These known repairs generally consist of external post-tensioning strengthening of the double tee, Fiberglass Reinforced Polymer, (FRP), repairs to the load-bearing spandrel panel and FRP repairs to the exterior columns on the north and south elevations.

On June 9, 2014, the Council approved a proposal from Walker Restorations for architectural and engineering services to perform the predesign evaluation, construction document preparation, and site observation services during the construction process.

Construction documents were issued to three (3) prequalified contractors on July 25, 2014 and a pre-bid meeting was held on July 30, 2014 with all three (3) contractors present. All bids were due and issued on August 21, 2014. Legal analysis of the responses found all three (3) bids contained substantive deficiencies and materially nonresponsive to the terms outlined in the bid solicitation.

An addendum was issued on August 25, 2014 with final bids due September 5, 2014. Bid submissions were received from two (2) contractors. The results of their bids are contained in the following chart:

Company	City, State	Lump Sum Contract Amount
Structural Preservation, LLC	Elgin, IL	\$1,098,836
Golf Construction	Hammond, IN	\$1,264,760

Upon legal review, both responses were found to satisfy the bid requirements. Staff recommends accepting the low bidder and approving a contract with Structural Preservation, LLC for construction service for the Pepsi Ice Center Parking Structure repairs.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Holland & Knight LLP.

FINANCIAL IMPACT: Since the total costs of this project are sizeable, unknown, and subject to a potential reimbursement; it is recommended by Finance staff that General Fund balance be utilized in the short term for all related costs until the design and repair of the parking structure is complete. Once full project costs are known the City can execute a short term debt instrument to reimburse the General Fund balance and finance the project until reimbursement can be achieved. The City's General Fund balance is limited and will be further impacted by upcoming year end budget transfers related to FY 2014. Therefore, this financing approach has been recommended.

Respectfully submitted for Council consideration.

Prepared by: Alexander S. McElroy, Asst. to the City Manager

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

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:

David A. Hales
City Manager

Mayor Renner introduced this item.

David Hales, City Manager, addressed the Council. He noted City staff's recommendation. The bid was opened on August 20, 2014. A third addendum had been issued which provided additional time to complete the work. The majority of the parking garage would be reopened by Thanksgiving. He noted that Greg Meeder, Holland & Knight, was in attendance at this evening's meeting. The City would front end the funding for this project. At the same the time, the City would comply with the US Cellular Coliseum's construction contract and proceed to mediation first prior to arbitration.

Alderman Stearns described this item as a major project. She questioned if the only option was to restore the structure and put it into use. She informed the Council that she had submitted questions to Mr. Hales.

Mr. Hales informed the Council that he had responded to the questions via email.

Alderman Stearns noted that her questions had not been included on the Council Questions/Comments and Staff Response Report. Mr. Hales noted that this document addressed items listed on the agenda.

Alderman Stearns questioned the future of the US Cellular Coliseum. She questioned the building's profitability. She noted citizen support. She believed that the new hockey contract was an important document. She questioned if the contract terms were being adhered to. She had anticipated a detailed report regarding the status of the CIAM, (Central IL Arena Management), agreement by June 30, 2014.

Mr. Hales noted that the Council had been emailed information that addressed the outside auditor's concerns. The contract would be up for renewal. This contracts terms and conditions would be examined.

Mayor Renner noted that this discussion was not part of this item.

Alderman Sage added his appreciation for a quick response which addressed some of the Council's questions. The next steps addressed resolution.

Alderman Lower echoed Alderman Sage's comments. He encouraged Mr. Hales to exercise due diligence to addressed Alderman Stearns' concerns. He wanted to see further study.

Mayor Renner noted that this item would be listed on a future Council meeting agenda.

Motion by Alderman Schmidt, seconded by Alderman Black the bid for Construction Services for the Pepsi Ice Center Parking Structural Repairs be awarded to Structural Preservation Systems, LLC, in the amount of \$1,098,836, the contract be approved, the Mayor and City Clerk be authorized to execute the necessary documents and any associated contracts approved in form and substance by Corporation Counsel.

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

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

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Application of Wehrenberg, Inc., d/b/a Bloomington Galaxy 14 Cine, located at 1111 Wylie Dr., requesting an EAS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week

RECOMMENDATION/MOTION: That an EAS liquor license for Wehrenberg, Inc., d/b/a Bloomington Galaxy 14 Cine, located at 1111 Wylie Dr., 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 order to hear the application of Wehrenberg, Inc., d/b/a Bloomington Galaxy 14 Cine, located at 1111 Wylie Dr., requesting an EAS liquor license which would allow the sale of all types of alcohol by the glass for consumption on 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 Menke, Wehrenberg's Executive Vice President and Chief Operating Officer and Applicant's representative.

Commissioner Renner opened the liquor hearing and requested that the Applicant's representative address this request. Bill Menke, Wehrenberg's Executive Vice President and Chief Operating Officer, addressed the Commission. Mr. Menke introduced John Mitchell, General Counsel and Jeff Brand, Chief Financial Officer.

Commissioner Renner noted that GKC Theatres, Inc., d/b/a Carmike, located at 415 Detroit Dr., had recently been approved for a liquor license. He cited Carmike's business model which was different from Wehrenberg. Wehrenberg planned to change four (4) of the theaters to twenty-one (21) or older to enter. In addition, the seating in each theater would be reduced. He added his belief that Wehrenberg's staff had reached out to Alderman Scott Black.

Mr. Menke informed the Commission that he had prepared a PowerPoint presentation for the hearing. He presented information regarding Wehrenberg. He addressed the company's history. Current operations included liquor service in a number of their facilities. Four (4) theaters would be changed to their Five Star brand. Alcoholic beverages would be served in these theaters.

Five Star lounges were upscale. Access to same was controlled. Patrons must be twenty-one (21) or older to enter. Identification would be scanned. He noted the seating configuration: eight foot (8') row spacing with twenty-eight inch, (28") risers. Five Star lounges offered wireless call service for food and beverages. Seats would be reserved. There would be a full menu, (food and beverages). The theaters would also provide potential meeting space. There would be wait staff, food would be plated and cocktails would be served in glassware.

He restated that four (4) theaters would be converted. Five Star theaters offered kiosk. Individuals must provide proof that they were twenty-one (21) years or older. A portion of the lobby would be converted to serve the Five Star lounges exclusively. Each theater would offer between forty-one to fifty-four (41 – 54) seats. There would not be a lobby bar. Seating was compared between the existing and Five Star. He stressed that the number of seats would be reduced.

Mr. Menke addressed the menu, (food and beverages). Dine in your seat service would be offered. Wait staff would be dressed in black. If patrons ordered popcorn and soft drinks from Five Star staff, there would be free refills during the movie. The Commission was presented with a sample menu for review. The menu included a built in light.

Galaxy would offer lobby concessions for the other ten (10) remaining theaters. These would be family friendly theaters with no alcohol service.

Mr. Menke readdressed operational controls. Identification would be checked. Patrons must be twenty-one (21) or older to enter a Five Star theater. He addressed over imbibing, one drink per person, per order. TIPS, (Techniques for Intervention Procedures by Servers of Alcohol), training was required. He also addressed guest safety. Wehrenberg hired off duty City Police Patrol Officers. Wehrenberg had been serving alcohol in its theaters since 1997. There had been no incidents in other Wehrenberg Theaters that served alcohol. He noted that Wehrenberg had two (2) locations which hosted Five Star lobby bars.

Commissioner Renner questioned if Wehrenberg had any interest in a lobby bar. Mr. Menke responded negatively. These lobby bars were part of Wehrenberg's current operations. The model for the City included only twenty-one (21) or older, a defined service area, and alcoholic beverages delivered to the seat.

Mr. Menke cited benefits to the City. Galaxy would offer four (4) Five Star dine-in theaters and ten (10) family friendly theaters. He cited tax revenue. He addressed employment. There would be short term construction jobs. He anticipated hiring forty to fifty (40 – 50) part time staff. He noted Wehrenberg's investment in the facility. The construction time line was ninety (90) days. The plan called for a 2015 opening. Work would commence after final approval. Wehrenberg believed that there would be increased box office and food & beverage revenues. Alcohol sales have averaged 1.11 drinks per person per show. Alcohol sales were ten percent (10%) of total food and beverage sales.

Commissioner Tompkins noted that Wehrenberg's application had been prepared well. Mr. Menke had addressed all issues. Patrons would be segregated by age. There would be controlled access to alcohol.

Commissioner Jordan noted that security had been addressed by hiring off duty City Police Patrol Officers on weekends, holidays and big picture releases. Mr. Menke cited Wehrenberg's practice of being prepared. The Galaxy has worked with the City since its opening.

Commissioner Jordan cited the one (1) drink limit per order. He questioned if patrons needed to order food with a beverage order. Mr. Menke noted that a food order was not required. He cited the mandatory TIPS training. He restated that 1.11 drink average. Wehrenberg was experienced in handling liquor sales. Theater staff was guarded.

Commissioner Jordan noted Wehrenberg's well thought out plan. He hoped that there would be no problems at the facility.

Commissioner Tompkins noted that Amanda Hill was the Galaxy's General Manager.

Commissioner Renner stated that Wehrenberg's presentation was well done. He planned to speak with the various Council members. He would like to see Wehrenberg's investment in the community. This change would create jobs. Five Star theaters would be unique for the City and in Central IL. This was an economic development opportunity.

Mr. Menke addressed the playing field for movie theaters. Movie theaters were competing for expendable income. Wehrenberg was attempting to address guest convenience. Five Star theaters offered a child free zone.

Motion by Commissioner Jordan, seconded by Commissioner Tompkins to recommend to the City Council that an EAS liquor license for Wehrenberg, Inc., d/b/a Bloomington Galaxy 14 Cine, located at 1111 Wylie Dr., be created contingent upon compliance with all health safety codes.

Motion carried, unanimously.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Public notice was published in the Pantagraph on August 4, 2014 in accordance with City Code. In accordance with City Code, approximately five (5) courtesy copies of the Public Notice were mailed on August 4, 2014. In addition, the Agenda for the August 12, 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: Annual fee for an EAS liquor license is \$2,210.

Respectfully submitted for Council consideration.

Recommended by:

Tari Renner
Mayor

Mayor Renner introduced this item. Movie theaters were reinventing themselves. He recalled the vote on the Palace Theater. Wehrenberg had chosen a different approach. Four (4) of their fourteen (14) theaters would be for those twenty-one (21) and over. Full

food and beverage service would be offered. He added that Wehrenberg was from the St. Louis, MO area and had a clean record.

Bill Menke, Wehrenberg's Executive Vice President, addressed the Council. Wehrenberg was the oldest family owned movie theater business. Wehrenberg offered sixteen (16) locations in four (4) states. The Five Star concept was started in 2010. The concept included a twenty-one (21) and older environment. Patrons must show proof of age, (i.e. government issued photo identification was required). Individual's identification is scanned electronically. Access to the Five Star theaters was controlled by a staffed kiosk. Staff would escort patrons to their reserved seats. Patrons would be presented with a menu. A call button is used to order food and/or beverages. Wait staff delivered all food and/or beverage orders. Alcohol service would not be offered in the lobby nor would alcohol service be offered in the remaining ten (10) theaters. The Five Star concept had been successful. Wehrenberg had not been issued a violation.

Mayor Renner noted that the seating in the Five Star theaters would be reduced from the current seating.

Mr. Menke added that Five Star theaters offered eight foot (8') row spacing. There would be plenty of circulation space. Wehrenberg was raising the bar, (i.e. seating and amenities).

Alderman Lower had a simple question: how would patrons be segregated.

Mr. Menke noted that the Five Star theaters would be located in the north corner of the building. The kiosk meant controlled access to the theaters. Patrons' age was checked twice, (at the time of ticket purchase and at the kiosk).

Alderman Lower questioned if Wehrenberg would offer a separate lobby and entrance. Mr. Menke restated that there would be controlled access by the staffed kiosk. The theater building would have a common entrance and restrooms.

Alderman Lower noted the law enforcement presence at the theater. He believed that these officers worked under a buy back agreement. He questioned if Wehrenberg paid the full cost. He cited Downtown issues and the City's police pension issues. The taxpayers were footing the bill for this service.

Alderman Sage acknowledged the economic redevelopment. He questioned readmittance if a patron left a Five Star theater.

Mr. Menke noted that the patron should have his/her ticket stub. The kiosk would be staffed. Traffic during a movie showing was minimal and easily controlled by staff.

Alderman Sage questioned if the kiosk would be staffed. Mr. Menke responded affirmatively. The staffed kiosk would control the four (4) Five Star theaters.

Alderman Painter cited her misgivings. She believed that it would divide families. She liked movie theaters the way there were. The concept did not appeal to her. The Palace offered a restaurant and a movie. She reluctantly supported same.

Mr. Menke cited his forty-six (46) years in the movie theater business. He started by ushering in the theater. Wehrenberg offered a full palate of movies. The norm showed that families viewed movies together. Five Star theaters were often used as date nights. Five Star theaters offered dinner and a movie or a movie with popcorn and soft drinks. Five Star theaters offered free popcorn and soft drink refills. Five Star theater provided quick service. Food was delivered within fifteen (15) minutes. Patrons tended to show up thirty (30) minutes prior to the movie. Five Star theaters had been successful. He noted Wehrenberg's experience with same. Five Star would offer top movies. It was a niche business. The Five Star theaters were free of children and teenagers. Wehrenberg would offer a complete palate of movies at its fourteen (14) screens.

Alderman Black thanked Mr. Menke for the presentation. He also thanked Wehrenberg for the investment. He questioned whose identification would be checked. Mr. Menke noted that all patrons' identification would be scanned. Wehrenberg's staff did a good job.

Alderman Black noted the challenges facing the entertainment industry. He cited all of the options available today. It appeared that Wehrenberg was being proactive. He questioned if Wehrenberg would be requesting economic incentives. The City had policies regarding same. Five Star theaters would offer a different experience. He noted the free market and Wehrenberg's effort to promote its business. His concerns had been addressed and he planned to support this item.

Alderman Stearns noted that the Palace theater had been approved. She believed that Wehrenberg would also request a liquor license. She cited economic development and alcohol being used as an incentive. There would be consequences to same. Families had no options. She described this item as sad and stated her opposition to same.

Mr. Menke restated that Wehrenberg's plan call for four (4) of fourteen (14) theaters to be Five Star. Five Star theaters had controlled access. No one under twenty-one (21) was allowed to enter. It was hoped that Five Star theaters would rejuvenate the movie business. Wehrenberg had taken a look at the industry and had made some of its theaters more comfortable. He cited Wehrenberg's investment on the City's west side. He restated that ten (10) theaters would remain alcohol free.

Alderman Fruin noted that Wehrenberg would still offer the traditional movie theater model. There would be ten (10) alcohol free theaters. Movie goers would have a choice.

Motion by Alderman Black, seconded by Alderman Schmidt that an EAS liquor license for Wehrenberg, Inc., d/b/a Bloomington Galaxy 14 Cine, located at 1111 Wylie Dr., 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 Mwilambwe, Schmidt, Painter, Sage, Fruin and Black.

Nays: Aldermen Stearns and Lower.

Motion carried.

The following was presented:

SUBJECT: Text Amendment to Chapter 44 (Zoning) of the Bloomington City Code, Section 44-3.2 Definitions, and Section 44.6-30 Table of Authorized Principal Uses in Each Zoning District, to address Medical Marijuana

RECOMMENDATION: That the Text Amendment be approved and the Ordinance passed.

STRATEGIC PLAN LINK: Goal 3. Grow the local economy and Goal 4. Strong neighborhoods.

STRATEGIC PLAN SIGNIFICANCE: Objective 3e. Strong working relationships among the City, businesses, economic development organizations and 4c. Preservation of property/home valuations.

BACKGROUND: In 2013, the State of Illinois enacted legislation entitled “Compassionate Use of Medical Cannabis Pilot Program Act”, more commonly known as Medical Marijuana legislation. Under the Act, a total of twenty-two (22) Cultivation Centers and sixty (60) Dispensing Organizations, or facilities, would be allowed within the state. The location of these centers would be based on a fixed number established by the legislature and centered around State Police Districts. For the McLean County area, only one (1) Cultivation Center and only one (1) Dispensing Facility would be authorized.

Within the state legislation, specific standards were established regulating the location of Cultivation Centers and Dispensing Organizations. Under state law, Cultivation Centers may not be located within 2,500’ of the property line of a pre-existing public or private preschool or elementary or secondary school or day care center, day care home, group care home, part day care child care facility, or an area zoned for residential use.

Dispensing facilities may not be located within 1,000’ of the property line of a pre-existing public or private preschool or elementary or secondary school, or day care center, day care home, group day care home, or part day child care facility. A registered dispensing organization may not be located in a house, apartment, condominium or an area zoned for residential use. Finally, a registered dispensing facility may not share office space with a physician.

The legislation further provided that municipalities may enact reasonable zoning ordinances regulating cultivating centers and dispensing facilities, provided the ordinances are not in

conflict with state law, or Administrative Rules of the Department of Agriculture or Department of Public Health. However, municipalities are prohibited from unreasonably prohibiting the cultivation, dispensing or use of medical marijuana.

The initial proposal to the Planning Commission suggested the Cultivation Centers and Dispensing Organizations, or Facilities, be restricted to Special Uses in the M - 1 and M - 2 Zoning Districts. After extensive discussions and public commentary, the Planning Commission agreed that since no additional conditions were being inserted as part of the Special Use recommendation, the proposed uses should be treated as permitted uses. Moreover, the Commission felt that the Dispensing Organizations or Facilities were similar in nature to other uses, such as pharmacies requiring prescriptions and should therefore be authorized within the “C” and “B” Districts, subject to the state’s locational restrictions. Additional language was added to the City Zoning Ordinance to clarify the definition of a Day Care Home to be consistent with applicable state definitions.

Subsequent to the release of Administrative Rules earlier this year, questions arose concerning interpretations of language in the legislation. Syntax and punctuation differences left open the question did Cultivation Centers have to be 2,500’ distant from a residential area or simply not in an area zoned for residential use. Likewise, did Dispensing Organizations or Facilities have to be 1,000’ distant from a residential area or simply not within an area zoned for residential use? And what did constitute an area zoned for residential use? Within the City, some “C” Districts and some “B” districts do allow for residential either as a permitted or special use, even though the intended or primary purpose of the district was for commercial or business purposes.

A recent ruling by JCAR, (Joint Committee on Administrative Rules), attempted to answer these questions. JCAR is comprised of members of both the Illinois Senate and General Assembly. They had initially released the full Administrative Rules in April of this year. The recent ruling differentiated between areas zoned exclusively for residential use, such as a Single Family or Multi Family District, or an area with mixed use, such as our “C” or “B” districts. The new ruling provides that Cultivation Centers may not be located within 2,500’ of an area zoned exclusively for residential use but can be within 2,500’ or less of an area with mixed use zoning. Likewise, a Dispensing Organization or Facility can be within an area having mixed use zoning, such as our “C” or “B” Districts, but cannot be within an area zoned exclusively for residential use.

An applicant to the state wishing to establish a Cultivation Center or a Dispensing Organization/Facility must, as part of the application to the state, include an affidavit from the municipality where such a Center or Facility is proposed that the exact location of the Cultivation Center or Dispensing Organization/Facility is in compliance with local zoning regulations. While there is a check off that states that “there are no local zoning restrictions specific to a medical cannabis dispensary at the identified location”, it does leave open to interpretation as under what provisions a Cultivation Center or dispensing Organization/Facility would be found.

City staff understands that the City of Lincoln is recommending that the uses be treated as specific permitted uses within certain zoning districts, subject to the state's locational requirements.

Some communities have taken a softer approach, relying on state locational restrictions and interpretation of their own zoning provisions to guide the potential locations of a cultivation center or dispensing organization/facility. That is, a Cultivation Center is simply an indoor agricultural operation and would be allowed wherever such facilities would be authorized, (permitted or special use), subject to state locational restrictions. And to the same extent, a Dispensing Organization or Facility would be similar to a pharmacy and would be allowed wherever such facilities would be authorized, (permitted or special use), subject to state locational restrictions. The recent case of the proposed Special Use within McLean County is an example of this approach. The Cultivation Center was seen as the same as agricultural processing, which is a special use similar to fertilizer plants or seed sales and requires a Special Use permit in the County's Commercial Districts and M - 1 Zone. It is however a permitted use in the M - 2 Zone.

However, there is a concern as to the state legislation in that each section begins with the provision that "this section is scheduled to be repealed on January 1, 2018". We do not know the intention of this language, so it was considered more prudent to go on record with the legislation as it is currently written and not leaving the door open to unintended provisions when the legislation expires or is modified on or before January 1, 2018.

Another issue to consider is that the state is basically enacting legislation which is in essence a land use matter. Namely, should a particular activity, which in this case involves medical marijuana, be allowed in a community and within so many feet of a school, day care center or the like? Land use decisions are customarily the purview of municipalities, as evidenced by Court rulings, comprehensive plans, zoning ordinances and other documents. Caution should be taken in returning land use decisions to the state, notwithstanding as in this case the nullification of home rule authority. By adopting the stated "zoning" requirements, the City also assumes compliance over other elements of the code, (e.g., landscaping, parking, etc.), and provides for an approval process.

Many communities have taken a more regulatory approach. Some have listed Cultivation Centers and Dispensing Organizations/Facilities as special uses within a particular zoning district, subject to that community's procedural regulations for special uses, (public hearings, notification of adjacent property owners, etc.). The Village of Niles in Cook County is even recommending to their Council that an eight (8) month moratorium be put in place to allow for consideration of the question. The challenge is the state is now accepting applications for the Centers or Facilities. Even though additional Centers or Facilities may be provided for in Cook County based on population, the total number of authorized Centers or Facilities may be licensed during that eight (8) month period. The Village of Downers Grove in DuPage County also made the activities special uses within their manufacturing districts, and applied the separation requirements, (2,500' and 1,000'), to public parks as well.

COMMUNITY GROUPS / INTERESTED PARTIES CONTACTED: Courtesy copies of the notification were sent to fifteen (15) Architectural and Engineering Firms, as is customary in any public hearings. Notice of the public hearing was provided to the Pantagraph and published on July 28, 2014, as required. This agenda item received considerable coverage by the local media due in part to its subject matter and the need for what amounted to a second but actually primary public hearing. An oversight caused the City to re-hold the public hearing.

An Attorney representing clients interested in pursuing approval of a Dispensing Organization of Facility spoke in favor of the proposed legislation.

FINANCIAL IMPACT: There is no financial impact on the City as we are merely providing for a text amendment to the City's zoning ordinance.

Respectfully submitted for Council consideration.

Prepared by: Frank Koehler, Int. Economic Development Coordinator

Reviewed by: Sue McLaughlin, ICMA-CM, Interim Asst. City Manager

Financial & budgetary review by: Chris Tomerlin, Budget Analyst
Carla A. Murillo, Budget Manager

Legal review by: Jeffrey R. Jurgens, 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 your petitioner respectfully representing and requesting as follows:

1. That certain provisions of the text of Chapter 44, Sections 44.3-2 and 44.6-30 of the Bloomington City Code no longer contribute to the public welfare for the following reasons:
 - a. Do not provide definitions for medical marijuana cultivation centers and medical marijuana dispensing organizations; and
 - b. Do not provide for appropriate zoning standards consistent with applicable state standards, for the regulation of medical marijuana cultivation centers and medical marijuana dispensing organizations.
2. That your petitioner hereby requests that said Sections be amended as hereinafter proposed in Exhibit “A”.
3. That the approval of said amendment will substantially reflect the philosophy and intent of Chapter 44 of the Bloomington City Code – 1960; and
4. That the approval of said amendment 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 petition respectfully prays that this petition to amend Chapter 44, Sections 44.3-2 and 44.6-30 of the Bloomington City Code - 1960 as stated herein be approved in the public interest.

Respectively submitted:

By: Frank Koehler, Interim Economic Development Coordinator

ORDINANCE NO. 2014 - 99

AN ORDINANCE TO AMEND THE TEXT OF CHAPTER 44, SECTIONS 44.3-2 AND 44.6-30 OF THE BLOOMINGTON CITY CODE

WHEREAS, there was heretofore filed with the City Clerk of the City of Bloomington, McLean County, Illinois, a Petition praying for the amendment of Chapter 44, Sections 44-3.2, and 44.6-30 of the Bloomington City Code; and

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

WHEREAS, the text amendment prayed for in said petition is in the public interest; and

WHEREAS, The City Council of said City has the power to pass ordinance to amend Section(s) of Chapter 44 of the Bloomington City Code – 1960.

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

1. That the Chapter 44, Sections 44.3-2 and 44.6-30 of the Bloomington City Code – 1960 shall and the same are hereby amended as hereinafter printed in Exhibit “A”.
2. This Ordinance shall take effect immediately upon passage and approval.

PASSED this 8th day of September, 2014.

APPROVED this 9th day of September, 2014.

APPROVED:

Tari Renner,
Mayor

ATTEST:

Tracey Covert
City Clerk

EXHIBIT A

A. Amend Section 44.3.2 Definitions by inserting the following:

Medical Marijuana Cultivation Centers

“Cultivation center” means a facility operated by an organization or business that is registered by the Department of Agriculture to perform necessary activities to provide only registered medical cannabis dispensing organizations with usable medical cannabis.

Medical Marijuana Dispensing Organizations

“Medical cannabis dispensing organization”, or “dispensing organization”, or “dispensary organization” means a facility operated by an organization or business that is registered by the Department of Financial and Professional Regulation to acquire medical cannabis from a registered cultivation center for the purpose of dispensing cannabis, paraphernalia, or related supplies and educational materials to registered qualifying patients.

B. Amend Section 44.3.2 Definitions – Day Care Home, which presently reads

DAY CARE HOME (NIGHT CARE HOME): A dwelling unit in which care is provided for more than three (3) children that is licensed by the Illinois Department of Children and Family Services under the Illinois Child Care Act of 1969 (225 ILCS 10/1 et seq.). No day care home operator may care for more than a total of eight (8) children, not including the caregiver’s own children under age twelve (12). (Ordinance No. 2006-137)

To read as follows:

DAY CARE HOME (NIGHT CARE HOME): A dwelling unit in which care is provided for more than three (3) children including the caregiver’s own children, that is licensed by the Illinois Department of Children and Family Services under the Illinois Child Care Act of 1969 (225 ILCS 10/1 et seq.). No day care home operator may care for more than a total of eight (8) children, not including the caregiver’s own children under age twelve (12). (Ordinance No. 2006-137)

C. Amend Section 44.6-30 by inserting the following:

	A	R1 A	R1 B	R1 C	R1 H	R 2	R3 A	R3 B	R4	S 2	S 4	S 5	C 1	C 2	C 3	B 1	B 2	B 3	M 1	M 2	W 1	
Medical Marijuana Cultivation Center																				P	P	
Medical Marijuana Dispensing Organization													P	P	P	P	P	P	P	P	P	

Mayor Renner introduced this item.

Frank Koehler, Interim Economic Development Coordinator, addressed the Council. In 2013, the state passed a medical marijuana bill. The statute addressed cultivation and dispensing facilities. McLean County would be allowed one (1) of each type of facility under the law. The state statute included location restrictions. The Joint Commission on Administrative Rules had adopted rules. Some communities throughout

the state had adopted more restrictive policies. Local governmental units cannot prohibit these facilities. The Planning Commission and City staff were recommending no additional restrictions. A common sense approach had been taken. These facilities were being treated as a permitted use within certain zoning districts. The Text Amendment provided guidance to the City Planner.

Mayor Renner noted that the Town of Normal had decided to follow the state's regulations.

Alderman Black expressed support for a common sense approach. It represented a good place to start. He expressed his support of a free market. These facilities might result in additional revenue. He believed that the state had chosen to start at the medical level.

Alderman Stearns addressed the Special Use Permit and the required notification regarding same.

Mr. Koehler noted that the City was prohibited from adopting additional standards. Adopting a requirement for a Special Use Permit would give the false sense of adjudication. The City was prohibited from adopting additional regulations. It must comply with state statute.

Alderman Stearns stated that if the City cannot prohibit these facilities then it should not address same. Mr. Koehler cited land use which was the purview of municipal government. The City had adopted a zoning code.

Alderman Stearns expressed her support for a Special Use Permit. She was concerned about location. She cited schools, neighborhoods, children, etc. Medical marijuana was a starting point. She was concerned about the negative effects on the community and the state. She added concerns regarding impaired drivers. She found the situation sad. She advocated for a Special Use Permit to allow neighborhood participation. She expressed her interest in amending the proposed Text Amendment.

Alderman Mwilambwe questioned the applicant statement. Mr. Koehler addressed the Notice of Proper Zoning Form. He described it as a certification of proper zoning. There was no fee associated with same. The City may want to revisit business registration.

Alderman Lower understood those who were in support of this statute. However, there was no proof that cannabis had any beneficial effects. He had spoken with the McLean County Sheriff and Sheriff elect. They both had reservations regarding this statute. The state had made implementation cumbersome. He was concerns regarding prescription drugs. He questioned the wisdom of the state legislature. He expressed his disappointment. Law enforcement would be burdened with enforcing this statute. This could be expensive. He frowned upon the Planning Commission's action. He had spoken with Rex Diamond, Planning Commission member. He anticipated future problems.

Alderman Schmidt addressed medical marijuana as medicine. It provided relief for those with chronic pain and serious illness. It can be a valuable tool. There had been a lot of research regarding same. She appreciated the action taken by the state legislature and appreciated City staff's efforts to address same.

David Hales, City Manager, addressed the Council. The City had been contacted by business interest regarding these facilities. The Zoning code needed to be clarified and specifically address medical marijuana. City staff would know where these facilities would be permitted.

Motion by Alderman Schmidt, seconded by Alderman Painter 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, Painter, Lower, Sage, Fruin and Black.

Nays: None.

Motion carried.

CITY MANAGER'S DISCUSSION: None.

MAYOR'S DISCUSSION: Mayor Renner recognized Emily Bell, Human Resources Director, for her thirty-five (35) years of service to the City. Her anniversary date with the City was September 10th.

He also thanked Aldermen Lower, Mwilambwe and Painter for their participation in the Labor Day Parade. He added that Alderman Schmidt rode the Book Bike in the parade.

He addressed the Ward 8 vacancy. The application deadline was tomorrow, September 9, 2014. Applications would be placed on the City's web site. He would announce his selection on Thursday, September 11, 2014.

ALDERMEN'S DISCUSSION: Alderman Fruin requested clarification.

Mayor Renner stated that an application had been received this date. He welcomed Council's comments. Nora Durkowitz, Communications Manager, would ensure that the applications would be available tomorrow.

Alderman Black cited the petition from change.org. He wanted the City to acknowledge same. He questioned if a decision had been made.

David Hales, City Manager, addressed the Council. CIAM, (Central IL Arena Management), has not banned Bassnectar. They elected not to book same. No official action has been taken. CIAM has protocols in place.

Alderman Black noted that Bassnectar had been popular the last two (2) years. He acknowledged that there were costs to hosting same. He questioned how Bassnectar compared to country western concerts. The US Cellular Coliseum had successfully hosted Bassnectar. He did not want to discriminate against same.

Alderman Fruin recalled when the City discouraged a group from coming to speak at the Public Library.

Alderman Schmidt noted that the Council had failed to pass the Text Amendment regarding carriage walks. She questioned the status of same.

Mr. Hales stated that if the City had removed a carriage walk without permission, the City would reinstall same.

Alderman Stearns restated that carriage walks would be restored.

She questioned if Mr. Hales' email would be sent out this evening.

Mayor Renner restated that the Council Questions/Comments and Staff Responses Report addressed items listed on the meeting agenda.

She requested that Mr. Hales' response to her questions be posted on the City's web site.

Alderman Lower added that in the near future he looked forward to answers for the questions raised by Alderman Stearns.

He also addressed the Patriot's Day Celebration which will be held on September 11, 2014. The event will end at Miller Park from 5:00 until 8:00 p.m. He recalled his personal experience regarding this date.

Motion by Alderman Black, seconded by Alderman Schmidt, that the meeting be adjourned. Time: 8:30 p.m.

Motion carried.

**Tracey Covert
City Clerk**

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FOR COUNCIL: September 22, 2014

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 (September 18, 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:

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

David A. Hales
City Manager

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

Motion: _____ Seconded by: _____

	Aye	Nay	Other		Aye	Nay	Other
Alderman Black				Alderman Painter			
Alderman				Alderman Sage			
Alderman Fruin				Alderman Schmidt			
Alderman Lower				Alderman Stearns			
Alderman Mwilambwe							
				Mayor Renner			



FOR COUNCIL: September 22, 2014

SUBJECT: Request Waiver Formal Bid Process for Water Sample Analysis

RECOMMENDATION/MOTION: Recommend that the formal bid process be waived, the Council authorize payment to PDC Laboratories, Inc., Peoria, IL, in the amount of \$100,000, for various laboratory services for additional water sample analyses; primarily nitrate and nitrate related compounds and the Resolution adopted.

STRATEGIC PLAN LINK: Goal 2: Upgrade City infrastructure and utilities.

STRATEGIC PLAN SIGNIFICANCE: Objective 2b. Quality water for the long term.

BACKGROUND: The Water Department has chosen to opt out of the IEPA, (IL Environmental Protection Agency), laboratory program due to price, as well as report timeliness and accuracy in adhering to the City's compliance sampling schedule. Additionally, IEPA is not set up to analyze environmental samples that are not part of a regulatory compliance schedule. The Water Department is required to perform coliform tests on eighty (80) distribution system samples per month to ensure the City's water system is safe. Testing is also performed to meet the required microbiological testing for new water main construction. Bacterial tests are routinely run on samples from customers with water quality concerns.

In order to maintain certification, time and effort is required to perform the required quality control/quality assurance testing to demonstrate the City's reported results are valid. The volume of microbiological samples analyzed per month, and the immediate public health consequences in the unlikely event of possible contamination, justify the time and expense of maintaining certification. To maintain compliance with the Safe Drinking Water Act regulations, the water is required to be analyzed by a laboratory certified for analysis of those chemical constituents. The City is approved for certain in-house testing activities that need to be analyzed immediately, like pH, turbidity, alkalinity and hardness. City staff routinely runs those tests.

Due to the time required by the extra processing and the need for additional specialized instrumentation, the Water Department generally has an outside laboratory perform those analyses. The Water Department has a certified laboratory run lake and watershed samples for data consistency and validity, for additional parameters, and due to the sheer number of samples which need to be analyzed from storm runoff events and in times of rapid changes in nitrate concentration in the lakes and streams.

Staff recommends waiving the formal bid process and awarding the water testing services to PDC Laboratory, Peoria, IL, for the following reason: PDC has provided analysis services for the City's regulatory compliance and environmental samples for over a decade. They also provide services that IEPA and other laboratories do not offer: email alerts of results and on-line access

to preliminary and final test results. These services help City staff address issues in a timely fashion, allowing the City to maintain compliance.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable.

FINANCIAL IMPACT: This is budgeted in the Water Purification-Other Professional Services (50100130-70220) account in the FY 2015 Budget. Stakeholders can locate this in the FY 2015 Budget Book titled “Other Funds & Capital Improvement Program” on page 142.

Prepared by: Brett Lueschen, Interim Director of Water

Reviewed by: Sue McLaughlin, ICMA-CM, Interim Asst. City Manager

Financial & Budgetary review by: Chris Tomerlin, Budget Analyst
Carla Murillo, Budget Manager

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:



David A. Hales
City Manager\

Motion: That the formal bid process be waived, the Council authorize payment to PDC Laboratories, Inc., Peoria, IL, in the amount of \$100,000, for various laboratory services for additional water sample analyses; primarily nitrate and nitrate related compounds and the Resolution adopted.

Motion: _____ Seconded by: _____

	Aye	Nay	Other		Aye	Nay	Other
Alderman Black				Alderman Painter			
Alderman				Alderman Sage			
Alderman Fruin				Alderman Schmidt			
Alderman Lower				Alderman Stearns			
Alderman Mwilambwe							
				Mayor Renner			

RESOLUTION NO. 2014 -

**A RESOLUTION WAIVING THE FORMAL BIDDING PROCESS AND
AUTHORIZING THE PAYMENT FOR LABORATORY SERVICES FOR WATER
TESTING AT THE WATER TREATMENT PLANT FROM PDC LABORATORIS AT A
COST OF \$100,000**

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

1. That the bidding process be waived and the Purchasing Agent be authorized to issue a Purchase Order for Laboratory Services for Water Testing at the Water Treatment Plant from PDC Laboratories a cost of \$100,000.

ADOPTED this 22nd day of September, 2014.

APPROVED this ___day of September, 2014.

APPROVED:

Tari Renner
Mayor

ATTEST:

Tracey Covert
City Clerk



FOR COUNCIL: September 22, 2014

SUBJECT: Waive Formal Bid Process and Authorize the Purchase of Water Main Supplies to Construct a new Water Main on MacArthur Ave. between Livingston and Morris Ave.

RECOMMENDATION/MOTION: Recommend that the formal bid process be waived, the purchase of water main supplies from Water Products Company, Bloomington, IL be approved, in the amount of \$17,584, to construct a new water main on MacArthur Ave. and the Resolution adopted.

STRATEGIC PLAN LINK: Goal 1. Financially sound City providing quality basic services and Goal 2. Upgrade City infrastructure.

STRATEGIC PLAN SIGNIFICANCE: Objective 1d. City services delivered in the most cost-effective, efficient manner and Objective 2. Quality water for the long term.

BACKGROUND: The City's Public Works Department is performing road work and sewer improvements on MacArthur Ave. City staff believe that this is a perfect opportunity to replace a poorly conditioned water main in conjunction with the sewer replacement. Public Works is waiting to proceed on resurfacing the pavement until the Water Department completes the new replacement water main, due to an unavoidable delay in design engineering.

The City's Water Department Distribution Division will construct the new water main. The project consists of two (2) City blocks and the timeline on the water main work will be two (2) weeks. City staff estimates that the City will save \$150,000 by handling the work in-house.

City staff did request quotations for the materials that will be needed for this project. Staff chose to request quotations instead of going out for bid for the materials due to the time sensitivity of this project. Staff believed by acquiring three (3) quotations a fair pricing for the materials would be obtained. Below is the breakdown of the three (3) quotations:

Vendors Name	Amount
Water Products Company, Bloomington IL	\$17,584.00
Ferguson Waterworks, DeKalb IL	\$21,644.05
HD Supply Waterworks, Washington IL	\$24,034.80

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: A letter was sent to the neighborhood on March 28, 2014.

FINANCIAL IMPACT: The total project cost for materials is \$17,584. This is budgeted in the Water Transmission & Distribution-Other Supplies (50100120-71190) account. Stakeholders can locate this in the FY 2015 Budget Book titled “Other Funds & Capital Improvement Program” on page 138.

Respectfully submitted for Council consideration.

Prepared by: Brett Lueschen, Interim Director of Water Director

Reviewed by: Sue McLaughlin, ICMA-CM, Interim Asst. City Manager

Financial & Budgetary review by: Chris Tomerlin, Budget Analyst
Carla Murillo, Budget Manager

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:



David A. Hales
City Manager

Motion: That the formal bid process be waived, the purchase of water main supplies from Water Products Company, Bloomington, IL be approved, in the amount of \$17,584, to construct a new water main on MacArthur Ave. and the Resolution adopted.

Motion: _____ Seconded by: _____

	Aye	Nay	Other		Aye	Nay	Other
Alderman Black				Alderman Painter			
Alderman				Alderman Sage			
Alderman Fruin				Alderman Schmidt			
Alderman Lower				Alderman Stearns			
Alderman Mwilambwe							
				Mayor Renner			

RESOLUTION NO. 2014 -

**A RESOLUTION WAIVING THE FORMAL BIDDING PROCESS AND
AUTHORIZING THE PURCHASE OF WATER MAIN SUPPLIES FOR THE
MACARTHUR AVENUE WATER MAIN FROM WATER PRODUCTS COMPANY AT
A PURCHASE PRICE OF \$17,584**

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 issue a Purchase Order for water mains supplies for the MacArthur Ave. water main from Water Products Company at a Purchase Price of \$17,584.

ADOPTED this 22nd day of September, 2014.

APPROVED this ___day of September, 2014.

APPROVED:

Tari Renner
Mayor

ATTEST:

Tracey Covert
City Clerk



FOR COUNCIL: September 22, 2014

SUBJECT Rejection of Request for Proposal (RFP) for Lime Sludge Removal from Storage Lagoons at the Water Treatment Plant (#2015 – 27) and Enter into a One (1) Year Contract with Oros and Busch for same

RECOMMENDATION/MOTION: Recommend that all submissions for RFP for Lime Sludge Removal (2015 – 27) be rejected, the formal bid process be waived, the City enter into a one (1) year renewal contract with Oros and Busch for same, the Mayor and City Clerk be authorized to execute the necessary documents, and any associated contracts approved in form and substance by Corporation Counsel.

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 Water Department recently requested proposals for a five (5) year contract to remove lime sludge from the Water Treatment Plant's storage lagoons. Lime sludge is a reusable byproduct of the water softening process. It is removed from the sludge lagoons by a contractor and marketed to farmers for pH control of their farmland. This process must take place each year as the water softening process creates about 25,000 lbs. of sludge each day. Oros and Busch was awarded the current contract, which will expire on September 30, 2014. The final year's cost was approximately \$31.84 per dry ton of lime sludge removed.

The City received two (2) responses to the RFP. The City responded to a question posed during the pre-bid meeting concerning applicability of prevailing wage requirements. The City's response was that prevailing wages applied. One (1) of the vendors submitted an alternate RFP, stating that Illinois' prevailing wage requirements did not apply to the disposal of municipal sludge, not otherwise related to any other construction. The difference in cost for one (1) year's lime sludge removal was a reduction estimated at \$43,000 due to the difference in the two (2) wage rates.

Staff requested verification of the exemption for municipal sludge removal operations from the Illinois Department of Labor (IDOL). IDOL responded that, indeed, municipal sludge removal operations not otherwise related to other construction activities were not subject to Illinois' prevailing wage requirements. Unfortunately, the response did not arrive until after the RFP was opened.

Staff is hopeful that if an RFP is issued for Fiscal Year 2016 without the prevailing wage requirement, more proposals might be obtained. In the interim, this one (1) year contract with Oros and Busch will meet the City's immediate needs as well as avoid unnecessary costs.

Oros and Busch Application Technologies was the lowest submittal for the RFP. They also have the current five (5) year award, which expires September 30, 2014. Staff requests that all proposals be rejected and a contract be awarded to Oros and Busch Application Technologies in the anticipated amount of \$37.00 per dry ton of lime removed from October 1, 2014 to April 30, 2015.

The City will issue an RFP early in FY 2015 for Lime Sludge Removal services.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: IDOL and Oros and Busch.

FINANCIAL IMPACT: This work was budgeted in the FY 2015 Adopted Budget in the Water Purification-Landfill and Residual Disposal (50100130-70650) account for \$250,000. The Treatment Plant generates approximately 5,000 dry tons of lime solids per year, for an estimated project removal cost of \$185,000. Stakeholders can locate this in the FY 2015 Budget Book titled "Other Funds & Capital Improvement Program" on page 142.

There are three to four (3 – 4) years of solids in storage; if field conditions allow for removal of greater quantities this backlog will be addressed.

Respectfully submitted for Council consideration.

Prepared by: Richard M. Twait, Superintendent of Water Purification

Reviewed by: Sue McLaughlin, ICMA-CM, Interim Asst. City Manager

Financial & Budgetary review by: Chris Tomerlin, Budget Analyst
Carla Murillo, Budget Manager

Legal review by: Jeff Jurgens, Corporation Counsel

Recommended by:



David A. Hales
City Manager

Attachments: Attachment 1. Contract

Motion: That all submissions for RFP for Lime Sludge Removal (2015 – 27) be rejected, the City enter into a one (1) year contract with Oros and Busch for same, the Mayor and City Clerk be authorized to execute the necessary documents, and any associated contracts approved in form and substance by Corporation Counsel.

Motion: _____ Seconded by: _____

	Aye	Nay	Other		Aye	Nay	Other
Alderman Black				Alderman Painter			
Alderman				Alderman Sage			
Alderman Fruin				Alderman Schmidt			
Alderman Lower				Alderman Stearns			
Alderman Mwilambwe							
				Mayor Renner			

**CITY OF BLOOMINGTON
CONTRACT RENEWAL AGREEMENT WITH OROS & BUSCH APPLICATION
TECHNOLOGIES, INC. FOR LIME SLUDGE REMOVAL**

THIS AGREEMENT, dated this ____ day of September, 2014, is between the City of Bloomington (hereinafter "CITY") and Oros & Busch Application Technologies, Inc. (hereinafter "OROS & BUSCH").

WHEREAS, the CITY is seeking to extend the current service agreement with OROS & BUSCH for the removal of lime sludge from the City's storage facility located adjacent to and downstream from the Lake Bloomington reservoir.

NOW THEREFORE, the parties agree as follows:

Section 1. Recitals. The recitals set forth above are incorporated into this Section 1 as if specifically stated herein.

Section 2. Description of Services. OROS & BUSCH shall furnish all equipment, materials, labor, coordination, agricultural testing, farmer contacts and agreements, IEPA coordination and other incidentals as may be necessary to remove lime sludge from the City's storage facility located adjacent to and downstream from the Lake Bloomington reservoir. OROS & BUSCH shall keep the sludge storage facility site clean and is totally responsible for all equipment and materials used in this operation that may be kept at this site. OROS & BUSCH will abide by and comply with applicable governmental laws, regulations and rules in the performance of its activities under this contract. OROS & BUSCH will erect any and all equipment on the site that it may need to liquefy and remove lime sludge. All machinery and equipment shall remain the property of the Contractor and shall be removed by Contractor within sixty (60) days following the termination of this Agreement, except as otherwise provided herein.

Section 3. Payment & Term. For the Work performed by OROS & BUSCH, the CITY shall pay OROS & BUSCH the following based on the removal ton of lime sludge:

(i) Initial Term (10/1/14 – 4/30/15): \$37.00 (per dry ton)

This contract shall be renewed for one term from October 1, 2014 to April 30, 2015.

Section 4. Prevailing Wage. Based on representations from OROS & BUSCH, as well as the Illinois Department of Prevailing Wage, as this project is not otherwise associated with a construction project, prevailing wage is not required to be paid.

Section 5. Default and Termination. Either party shall be in default if it fails to perform all or any part of this Contract. For purposes of this Contract, any disruption in service caused or created by OROS & BUSCH's failure to obtain proper permits or financial difficulties, including insolvency, reorganization and/or voluntary and involuntary bankruptcy, shall be deemed to be within OROS & BUSCH'S control and shall constitute an event of default hereunder. If either party is in default, the other party may terminate this Contract upon giving written notice of such termination to the party in default. Such notice shall be in writing and provided thirty (30) days prior to termination.

Section 6. Indemnification. To the fullest extent permitted by law, OROS & BUSCH shall indemnify and hold harmless CITY, its officers, officials, agents and employees from claims, demands, causes of action and liabilities of every kind and nature whatsoever arising out of or in connection with OROS & BUSCH's operations performed under this Contract, except for loss, damage or expense arising from the sole gross negligence or willful misconduct of the CITY or the CITY's agents, servants or independent contractors who are directly responsible to CITY. This indemnification shall extend to claims occurring after this Contract is terminated as well as while it is in force. The indemnity shall apply regardless of any concurrent negligence, whether active or passive, of the CITY or CITY's officers, officials, agents, employees, or any other persons or entities. The indemnity set forth in this section shall not be limited by insurance requirements or by any other provision of this Contract.

Section 7. General Liability Insurance. OROS & BUSCH shall maintain general liability insurance for bodily injury and property damage arising directly from its negligent acts or omissions, as set forth within the Invitation to Bid, with general limits shall be less than \$2,000,000.00. Certificates of insurance shall be provided to CITY and CITY shall be named as an additional insured under the policy.

Section 8. Representations of Vendor. OROS & BUSCH hereby represents it is legally able to perform the work.

Section 9. Assignment. Neither party may assign this Contract, or the proceeds thereof, without written consent of the other party.

Section 10. Compliance with Laws. OROS & BUSCH and all work performed under this Contract by OROS & BUSCH shall at all times comply with all laws, ordinances, statutes and governmental rules, regulations and codes.

Section 11. Governing Law. This Agreement shall be governed by and interpreted pursuant to the laws of the State of Illinois.

Section 12. Joint Drafting. The parties expressly agree that this agreement was jointly drafted, and that both had opportunity to negotiate its terms and to obtain the assistance of counsel in reviewing its terms prior to execution. Therefore, this agreement shall be construed neither against nor in favor of either party, but shall be construed in a neutral manner.

Section 13. Attorney Fees. In the event that any action is filed in relation to this agreement, the unsuccessful party in the action shall pay to the successful party, in addition to all the sums that either party may be called on to pay, a reasonable sum for the successful party's attorneys' fees.

Section 14. Paragraph Headings. The titles to the paragraphs of this agreement are solely for the convenience of the parties and shall not be used to explain, modify, simplify, or aid in the interpretation of the provisions of this agreement.

Section 15. Counterparts. This agreement may be executed in any number of counterparts, each of which shall be deemed to be an original, but all of which together shall constitute the same instrument.

CITY OF BLOOMINGTON

OROS & BUSCH, INC.

By: _____
Its Mayor

By: _____
Its _____

ATTEST:

By: _____
City Clerk

By: _____
Its _____



FOR COUNCIL: September 22, 2014

SUBJECT: Analysis of Bids for Water Treatment Chemicals

RECOMMENDATION/MOTION: That the bid, (#2015 - 35), be awarded, on a price per ton basis, to the qualified, responsive low bidders as noted in the table, for the next twelve (12) months with the exceptions that carbon dioxide is being presented as the third year of a three (3) year agreement with a four percent (4%) per year escalator and hydrofluosilicic acid is being presented as the second year of a three (3) year agreement with no price increases.

CHEMICAL	VENDOR	Unit of Measure	CURRENT YEAR	LAST YEAR	% Change
Ferric Sulfate	Kemira	Ton	\$177.53	\$190.00	-6.6%
Carbon Dioxide^	PraxAir	Ton	\$62.73	\$60.32	4.0%
Sodium Hexametaphosphate~	Carus Corporation	Ton	\$1,930.00	\$1,940.00	-0.5%
Liquid Chlorine	JCI Jones	Ton	\$320.00	\$500.00	-36.0%
Anhydrous Ammonia	Tanner Industries	Ton	\$1,640.00	\$1,640.00	0.0%
Hydrofluosilicic Acid*	Mosaic	Ton	\$522.00	\$522.00	0.0%

All chemicals are delivered on an as needed truckload basis, except for a single 20,000 pound shipment of sodium hexametaphosphate.

^ Third year of a three (3) year agreement with a maximum four percent (4%) escalator. The current year price reflects a four percent (4%) price increase.

~ Single 20,000 pound shipment price.

* Second year of a three (3) year agreement with no price increases.

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

STRATEGIC PLAN SIGNIFICANCE: Objective 1.e. Partnering with others for the most cost-effective service delivery.

BACKGROUND: On September 11, 2014, bids were opened for the City’s water treatment chemical needs. With the exception of the four percent (4%) increase for carbon dioxide, (third year of a three (3) year agreement with a four percent (4%) per year escalator), prices remained steady or declined. Chlorine had the most significant price decrease (thirty-six percent/36%) for a three (3) year constant price agreement.

The use of these individual chemicals in the water treatment process is as follows:

Ferric Sulfate – A compound used to increase the removal of suspended materials, such as small soil particles, that are suspended in the water. Basically, very small suspended particles clump together to settle quicker in the water treatment plant.

Carbon Dioxide – The compound that gives pop its fizz is the same material used to lower the pH in water after the removal of dissolved minerals through the use of lime, (the water softening process). Lime greatly increases the pH of the water and that pH must be lowered to prevent the formation of scale on the filters and to make the water palatable. Carbon Dioxide, which forms a weak acid, is bubbled into the water to accomplish this.

Sodium Hexametaphosphate – This phosphate compound is used to prevent scale from forming on the filters in the water treatment plant.

Liquid Chlorine – Chlorine is used as a disinfectant in water treatment plants. It is a strong oxidant so it helps with taste and odor as well. In the United States, a minimal amount of chlorine must be present in the pipes in all areas of the water distribution system to continue working as a disinfectant all the way to a customer’s water service connection.

Anhydrous Ammonia – Ammonia is added to the water already containing chlorine to form a class of compounds known as chloramines. Chloramines act as disinfectants, just like chlorine, but are stable in the water delivered to customers for a longer period of time than just chlorine alone.

Hydrofluosilicic Acid – Commonly just referred to as fluoride, this chemical is added to the water to increase the amount of fluoride in drinking water to levels which are optimal for the protection of adults, but to a greater extent, children’s teeth from cavities. There is a modest amount of naturally occurring fluoride in the water taken from our reservoirs; the addition of hydrofluosilicic acid simply increases that to optimal levels. The addition of fluoride to optimal levels is a state law in Illinois.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Public notice of the bid was published in the Pantagraph on August 27, 2104. A total of eleven (11) bids were received by the September 11, 2014 deadline. Two (2) no bids were received.

FINANCIAL IMPACT: Payment for the purchase of water treatment chemicals for the year will be made from the Water Purification Budget-Water Treatment Chemicals (50100130-71720). This account is budgeted for \$825,439 in Fiscal Year 2015. Stakeholders can locate this in the FY 2015 Budget Book titled “Other Funds & Capital Improvement Program” on page 143.

Respectfully submitted for Council consideration.

Prepared by: Richard Twait, Superintendent of Water Purification

Reviewed by: Brett Lueschen, Interim Director of Water

Financial & budgetary review by: Chris Tomerlin, Budget Analyst
Carla A. Murillo, Budget Manager

Legal review by: Jeff Jurgens, Corporation Counsel

Recommended by:



David A. Hales
City Manager

Motion: That the bids be awarded, on a price per ton basis, to the qualified low bidder: Kemira Water Solutions – Ferric Sulfate; Carus Corporation – Sodium Hexametaphosphate; Tanner Industries – Anhydrous Ammonia; JCI Jones – Liquid Chlorine; for the next twelve (12) months and the Purchasing Agent be authorized to issue Purchase Orders. Exceptions: 2012 Carbon Dioxide bid from Prax Air was presented and approved as a three (3) year with a maximum four percent (4%) price escalator in year three (2014) and 2013 Hydrofluosilicic Acid bid from Mosaic Crop Nutrition, LLC was presented and approved as a three (3) year with no price increase in year two (2014).

Motion: _____ Seconded by: _____

	Aye	Nay	Other		Aye	Nay	Other
Alderman Black				Alderman Painter			
Alderman				Alderman Sage			
Alderman Fruin				Alderman Schmidt			
Alderman Lower				Alderman Stearns			
Alderman Mwilambwe							
				Mayor Renner			

**City of Bloomington, Illinois
 Bid #2015-35 Analysis
 Water Purification Chemicals
 September 11, 2014**

Units				ton			ton	ton	ton	ton	ton	ton		ton	ton			ton
Bidder	City Docs	Addendum #1	Bid Signed	Sodium HexaMeta Phosphate	Total Freight Cost per ton	Single 20,000 lb shipment (delivered)	Sodium HexaMeta Phosphate 3 year agreement	Hydro-Fluosilic Acid (25 percent acid) 3 year agreement	Liquid Chlorine	Liquid Chlorine 3 year Agreement	Carbon Dioxide 3 year agreement	Anhydrous Ammonia	Total Freight Cost per ton	Anhydrous Ammonia 3 year agreement	Ferric Sulfate	Solution or Dry Chemical	Total Freight Cost per ton	Ferric Sulfate 3 year agreement
Water Solutions Unlimited	Y	Y	Y	\$2,000.00	included	\$19,800.00	No Bid	--	--	--	--	No Bid	--	--	No Bid	--	--	--
Shannon Chemical	Y	Y	Y	\$2,200.00 (\$2,400.00 delivered)	\$200.00	\$19,545.40	\$2,323.77	--	No Bid	--	--	No Bid	--	--	No Bid	--	--	--
Chemtrade	N	Y	Y	No Bid	--	--	--	--	No Bid	--	--	No Bid	--	--	\$240.00 (\$0.12/lb)	60% Solution	included	No Bid
Mosaic	--	--	--	--	--	--	--	\$522.00 a	--	--	--	--	--	--	--	--	--	--
Brenntag Mid-South	Y	Y	Y	\$3,181.00	included	--	No Bid	--	No Bid	--	--	--	--	--	No Bid	--	--	--
JCI Jones Chemicals	Y	Y	Y	No Bid	--	--	--	--	\$400.00	\$320.00	--	No Bid	--	--	No Bid	--	--	--
Carus Corporation	Y	Y	Y	\$2,040.00	included	\$19,300.00 (\$0.965/lb)	No Bid	--	No Bid	--	--	No Bid	--	--	No Bid	--	--	--
Carus Corporation-Alexander Chemical	Y	Y	Y	No Bid	--	--	--	--	\$440.00	No Bid	--	No Bid	--	--	No Bid	--	--	--
Kemira Water Solutions	Y	Y	Y	No Bid	--	--	--	--	No Bid	--	--	No Bid	--	--	\$177.53	60% Solution	included	No Bid
GeoSpecialty Chemicals	No Bid	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
Praxair	--	--	--	--	--	--	--	--	--	--	\$62.73 b	--	--	--	--	--	--	--
Rowell Chemical	No Bid	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
Tanner Industries	Y	Y	Y	No Bid	--	--	--	--	No Bid	--	--	\$1,640.00	included	No Bid	No Bid	--	--	--

Notes: a) Year 2 of a 3 year agreement with no price change b) Year 3 of a 3 year agreement w/ 4% per year increase

FOR COUNCIL: September 22, 2014

SUBJECT: Bicycle Lanes on Jersey Ave.

RECOMMENDATION/MOTION: Recommend that the bicycle lanes for Jersey Ave. from the Sugar Creek bridge to Towanda Ave. be approved.

STRATEGIC PLAN LINK: Goal 1. Financially sound City providing quality basic services; and Goal 5. Great place — livable, sustainable City.

STRATEGIC PLAN SIGNIFICANCE: Objectives 1e. Partnering with others for the most cost-effective service delivery; 5b. City decisions consistent with plans and policies; and 5d. appropriate leisure and recreational opportunities responding to the needs of residents.

BACKGROUND:

Jurisdiction of Jersey Ave. is divided between the City and the Town of Normal. The City’s jurisdiction stretches east from the Sugar Creek bridge to Towanda Ave. The City will resurface its portion of this road using local Motor Fuel Tax (MFT) revenue.



This summer, Normal created bicycle lanes along its portion of Jersey Ave. Based on City staff’s conversations with the City’s consultant, Ed Barsotti, League of Illinois Bicyclists, staff knows with certainty that the City’s Bicycle Master Plan, due this fall, will recommend that these bike lanes be continued along the City’s eastern portion of Jersey Ave. The ideal time to create bike lanes is immediately after resurfacing, because the street will need to be restriped at that time. Therefore, City staff requests Council approval to proceed with bicycle lanes at this time. Although the Master Plan is not complete, it would be inefficient and financially wasteful to wait for the plan’s completion and return to the street to create the bicycle lanes.

In summary, Jersey Ave. is an appropriate street for bicycle lanes and is a sensible location – partially because our neighboring community, Normal, already placed them there. Creating the bike lanes now is consistent with plans and policies and constitutes partnership for cost-efficient service delivery.

Scope of project: Jersey Ave. will remain a two (2) lane road, with one (1) lane in each direction, plus two (2) bike lanes, one (1) in each direction. Parking will remain on the north side of the street. To provide space for bicycle lanes, parking will be eliminated on the south side of the street. No homes front the south side of Jersey Ave. along the project area.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Letters were sent to property owners and residents whose homes abut Jersey Ave., from the Sugar Creek bridge to Towanda Ave., to inform affected residents and invite comments. This included residents of Normal who live on the north side of Jersey Ave.

The plan received strong support from Town of Normal staff during discussions, and a note from Mercy Davidson, Normal’s Town Planner, has been provided to the Council.

FINANCIAL IMPACT: The total street project including the bicycle lanes will be funded in the amount of \$40,000 through the local MFT contract with McLean County Asphalt, (Bid# 2015 - 09). The contract with McLean County Asphalt was approved by City Council on June 23, 2014. This project is being charged to Capital Improvement-Program-FY 2015 Local Motor Fuel Tax (40100100-72530-40600).

Respectfully submitted for Council consideration.

Prepared by: Stephen Arney, Public Works Administration

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

Financial & budgetary review by: Chris Tomerlin, Budget Analyst
Carla Murillo, Budget Manager

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:



David A. Hales
City Manager

Attachments: Attachment1. Letter to residents. Note of support from the Town of Normal.

Motion: That the bicycle lanes for Jersey Ave. from the Sugar Creek bridge to Towanda Ave. be approved.

Motion: _____ Seconded by: _____

	Aye	Nay	Other		Aye	Nay	Other
Alderman Black				Alderman Painter			
Alderman				Alderman Sage			
Alderman Fruin				Alderman Schmidt			
Alderman Lower				Alderman Stearns			
Alderman Mwilambwe							
				Mayor Renner			



Public Works Department
115 E. Washington St., PO BOX 3157
Bloomington, IL 61702-3157
Phone: 309-434-2225
Fax: 309-434-2201

September 8, 2014

Dear Jersey Avenue residents and property owners:

You may be aware that the City of Bloomington has jurisdiction along Jersey Avenue from the Sugar Creek bridge to Towanda Avenue. Because of this, I wanted to make you aware of plans for upcoming work.

The Bloomington Public Works Department plans to mill and overlay the street yet this year. After the asphalt resurfacing, the Department wants to paint designated bicycle lanes along the route and link them to Normal's bike lanes on the western portion of Jersey Avenue.

Our planning shows that creating bike lanes will require reduction of a parking lane. I am proposing that we leave parking on the north side of the street and eliminate the lane of parking on the south side, which has no Bloomington homes fronting it. Before doing this, we wanted to make sure that public input was sought.

Your opinion matters to us. Please do not hesitate to e-mail, call or write to my office no later than Sept. 17 with questions or concerns. We have scheduled City Council action for September 22. Please indicate "bike lanes" in the subject line of any e-mails.

Sincerely,

Jim Karch, P.E., CFM
Director of Public Works
City of Bloomington
115 E. Washington St. PO BOX 3157
Bloomington, IL 61702-3157
jkarch@cityblm.org

"Providing good stewardship of the public infrastructure and equipment safely through competitive services and excellent customer relations."



Public Works Department
115 E. Washington St., PO BOX 3157
Bloomington, IL 61702-3157
Phone: 309-434-2225
Fax: 309-434-2201

September 8, 2014

Dear Jersey Avenue residents and property owners:

You may be aware that the City of Bloomington has jurisdiction along Jersey Avenue from the Sugar Creek bridge to Towanda Avenue. Because of this, I wanted to make you aware of plans for upcoming work.

The Bloomington Public Works Department plans to mill and overlay the street yet this year. After the asphalt resurfacing, the Department wants to paint designated bicycle lanes along the route and link them to Normal's bike lanes on the western portion of Jersey Avenue.

Our planning shows that creating bike lanes will require reduction of a parking lane. I am proposing that we leave parking on the north side of the street, in front of your homes, and eliminate the lane of parking on the south side, which has no homes fronting it. The Town of Normal's staff agrees with our plans.

While you live in Normal, your opinion matters to us. Please do not hesitate to e-mail, call or write to my office no later than Sept. 17 with questions or concerns. We have scheduled City Council action for September 22. Please indicate "bike lanes" in the subject line of any e-mails.

Sincerely,

Jim Karch, P.E., CFM
Director of Public Works
City of Bloomington
115 E. Washington St. PO BOX 3157
Bloomington, IL 61702-3157
jkarch@cityblm.org

"Providing good stewardship of the public infrastructure and equipment safely through competitive services and excellent customer relations."

To: Jim Karch <jkarch@cityblm.org>
From: Mercy Davison <mdavison@normal.org>
Date: 09/09/2014 11:49AM
Cc: Gene Brown <gbrown@normal.org>
Subject: Jersey bike lanes

Jim,

Town staff is supportive of your plan to mark bike lanes on Jersey east of the bridge up to Towanda. It's fine with us that the parking remain on the north side of the street with "No Parking" marked on the south side, even though this is opposite of what we've done west of the bridge. It should cause no issues for cyclists or drivers.

Thanks for cooperating with us on the Jersey project. It is an important east-west corridor for bicycle transportation.

Best,
Mercy

Mercy Davison

Town Planner

100 E. Phoenix Ave.

Normal, IL 61761

(309) 454-9590

FOR COUNCIL: September 22, 2014

SUBJECT: Change Order for Contract, (Bid# 2014 - 39), for 2014 Bond General Resurfacing for Resurfacing Arrowhead Ln. at Lake Bloomington

RECOMMENDATION/MOTION: Recommend that the Change Order using the unit prices from Rowe Construction for the 2014 Bond General Resurfacing Program be accepted, and the Change Order be approved in the base amount of \$40,000 to be paid out of the FY 2015 Budget, the Mayor and City Clerk be authorized to execute the necessary documents, and the Resolution adopted.

STRATEGIC PLAN LINK: Goal 2. Upgrade City infrastructure and facilities; Goal 4. Strong neighborhoods; and Goal 5. Great place – livable, sustainable City.

STRATEGIC PLAN SIGNIFICANCE: Objective 2a. Better quality roads and sidewalks; Objective 4d. Improved neighborhood infrastructure; and Objective 5a. Well-planned City with necessary services and infrastructure.

BACKGROUND: The replacement/resurfacing of the City owned and maintained roads and lanes around Lake Bloomington had been minimal or non-existent for many years. The resurfacing program resumed in FY 2014 with some of the worst lanes, (Nighthawk, Davis Lodge Rd. and Parkview Ln.), being resurfaced, for a total of \$200,000. The plan was to budget \$100,000 per year in order to keep up with the needs. However, no funds were budgeted in FY 2015.

Arrowhead Ln. is in an advanced state of deterioration. Numerous complaints of hazardous conditions from residents were received, and Lake Maintenance staff reported that the roadway had deteriorated to the point where further damage was unavoidable during routine snow removal operations.

Cold patch asphalt was applied to the very worst spots this spring, but the damage will reappear when freeze/thaw conditions return and snow removal operations resume.

Staff requests that \$40,000 be transferred from the FY 2015 Adopted Budget in Lake Maintenance-Other Professional & Technical Services (50100140-70220) to Lake Maintenance-Street Construction (50100140-72530).



COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: This work was advertised in The Pantagraph on February 24 and March 3, 2014 and a pre-bid meeting was held at 10:30 a.m. on March 3, 2014 in the Public Works Department's Conference Room. Area residents were informed of the City's intention to repair the road before this winter through phone conversations and during a Lake Bloomington Association's Resident Advisory Committee meeting at Lake Bloomington.

FINANCIAL IMPACT: The FY 2015 Adopted Budget has \$300,000 budgeted in Lake Maintenance-Other Professional & Technical Services (50100140-70220). Stakeholders can locate this in the FY 2015 Budget Book titled "Other Funds & Capital Improvement Program" on page 146. If Council approves this change order, \$40,000 of budgeted funds will be transferred to Lake Maintenance-Street Construction (50100140-72530). No funds have been expended to date from Lake Maintenance-Other Professional & Technical Services, which was budgeted to perform a cluster onsite waste pilot system and study for City owned areas around Lake Bloomington. This pilot may be delayed.

Respectfully submitted for Council consideration.

Prepared by: Rick Twait, Superintendent of Water Purification

Reviewed by: Sue McLaughlin, ICMA-CM, Interim Asst. City Manager

Financial & budgetary review by: Chris Tomerlin, Budget Analyst
Carla Murillo, Budget Manager

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:



David A. Hales
City Manager

Attachments: Attachment 1. Resolution

Motion: That the Change Order using the unit prices from Rowe Construction for the 2014 Bond General Resurfacing Program be accepted, and the Change Order be approved in the base amount of \$40,000 to be paid out of the FY 2015 Budget, the Mayor and City Clerk be authorized to execute the necessary documents, and the Resolution adopted.

Motion: _____ Seconded by: _____

	Aye	Nay	Other		Aye	Nay	Other
Alderman Black				Alderman Painter			
Alderman				Alderman Sage			
Alderman Fruin				Alderman Schmidt			
Alderman Lower				Alderman Stearns			
Alderman Mwilambwe							
				Mayor Renner			

RESOLUTION NO. 2014 -

**A RESOLUTION AUTHORIZING A CHANGE ORDER
IN THE AMOUNT OF \$40,000 IN THE CONTRACT BETWEEN THE
CITY OF BLOOMINGTON AND ROWE CONSTRUCTION**

WHEREAS, the City of Bloomington has previously entered into a contract with Row Construction and

WHEREAS, for the reasons set forth in a staff report dated September 22, 2014 it was necessary to; and

WHEREAS, it is the finding of the City Council that the decision to perform the work described in the September 22, 2014 memo was in the best interest of the citizens of the City of Bloomington.

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

That a change order in the amount of \$40,000 in the contract between the City of Bloomington and Rowe Construction be approved.

ADOPTED this 22nd day of September, 2014.

APPROVED this ____ day of September, 2014.

APPROVED:

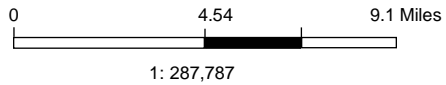
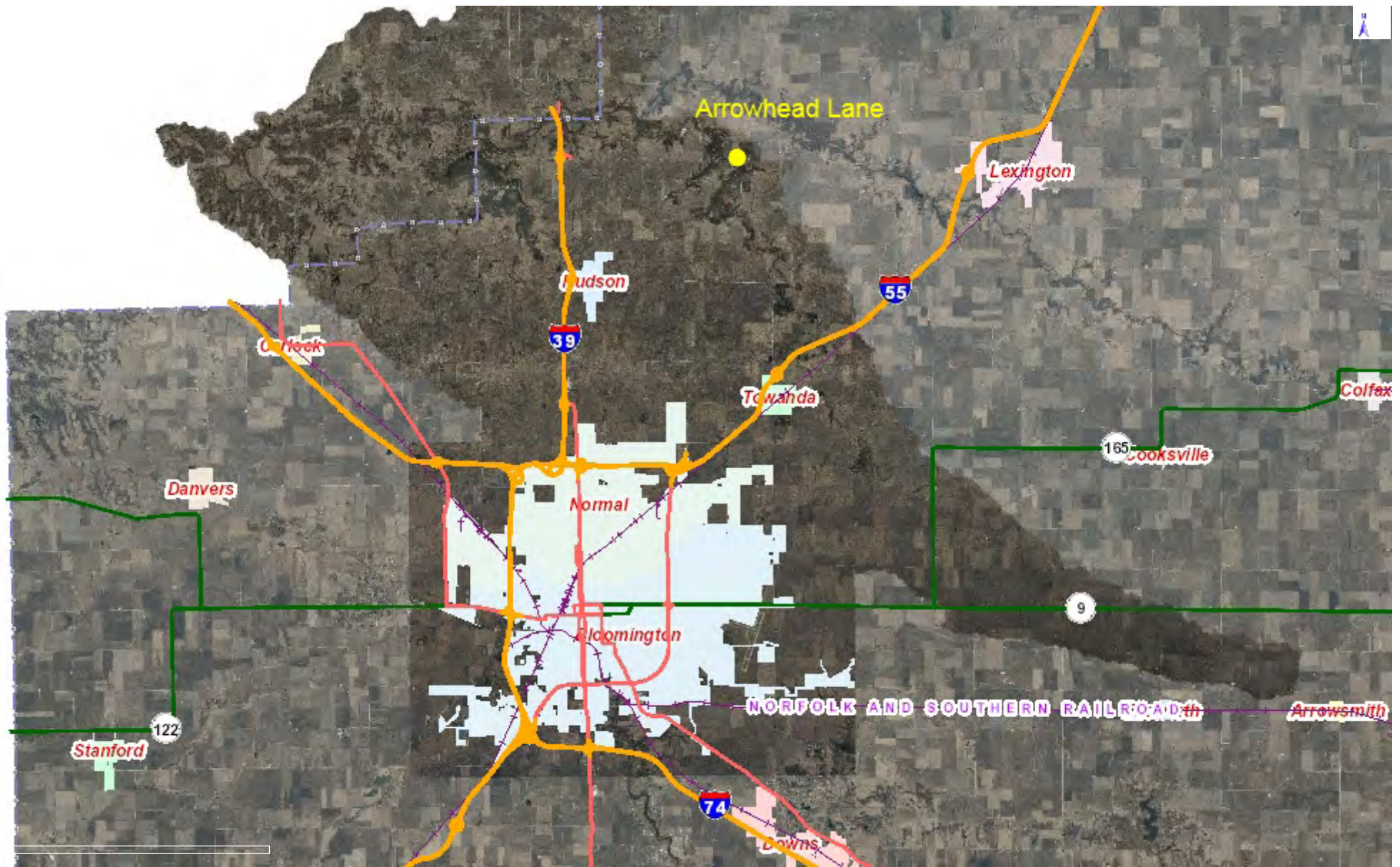
Tari Renner
Mayor

ATTEST:

Tracey Covert
City Clerk



Location Map: Arrowhead Lane Road Resurfacing



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Notes



FOR COUNCIL: September 22, 2014

SUBJECT: Suspension of Ordinances to Allow Consumption of Alcohol at the Lake Bloomington Davis Lodge on October 11, 2014

RECOMMENDATION/MOTION: That the Ordinance 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 Tari Renner called the Liquor Hearing to order to hear the request of Philip Wayne and Emmalee Baker to allow moderate consumption of alcohol at their October 11, 2014, wedding reception to be held at the Lake Bloomington Davis Lodge. 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 Philip Wayne, groom and Emmalee Baker, bride and requestors' representatives.

Commissioner Renner opened the liquor hearing and requested that the requestor's representatives address this request. Philip Wayne and Emmalee Baker, groom and bride, addressed the Commission. The wedding ceremony and reception would be held at the Lake Bloomington Davis Lodge on October 11, 2014. It would start around 5:00 p.m. and end at 11:00 p.m. They anticipated 100 guests. Famous Dave's, located at 1603 B Morrissey Dr., would provide the food and beverage service. Liquor service would be limited to beer and wine only. Quiet hours at Davis Lodge commence at 10:00 p.m.

Motion by Commissioner Tompkins, seconded by Commissioner Jordan that the request of Philip Wayne and Emmalee Baker to allow moderate consumption of alcohol at the Lake Bloomington Davis Lodge for their October 11, 2014 wedding reception be approved.

Motion carried, unanimously.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The Agenda for the September 9, 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.

Respectfully submitted for Council consideration.

Prepared by: Tracey Covert, City Clerk

Reviewed by: Rick Twait, Supt. of Water Purification – Lake Bloomington
Brett Lueschen, Interim Director of Water

Recommended by:

Tari Renner
Mayor

Attachments: Attachment 1. Ordinance

Motion: That the Ordinance be passed.

Motion: _____ Seconded by: _____

	Aye	Nay	Other		Aye	Nay	Other
Alderman Black				Alderman Painter			
Alderman Fazzini				Alderman Sage			
Alderman Fruin				Alderman Schmidt			
Alderman Lower				Alderman Stearns			
Alderman Mwilambwe							
				Mayor Renner			

ORDINANCE NO. 2014 -

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, Philip Wayne and Emmalee Baker are planning to hold their wedding reception at the Lake Bloomington Davis Lodge from 5:00 p.m. to 11:00 p.m. on October 11, 2014; and

WHEREAS, Philip Wayne and Emmalee Baker 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 October 11, 2014 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 22nd day of September, 2014.

APPROVED this ___th day of September, 2014.

APPROVED:

Tari Renner
Mayor

ATTEST:

Tracey Covert
City Clerk



FOR COUNCIL: September 22, 2014

SUBJECT: Lake Bloomington Lease Transfer Petition for Lot 8, Block 4 of Camp Kickapoo, from Ellen T. Flanagan to Ellen T. Flanagan Revocable Living Trust

RECOMMENDATION/MOTION: That the Lake Lease Transfer 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 1a. Budget with adequate resources to support defined services and level of services.

BACKGROUND: The sewage disposal system inspection was completed in August 2014. The septic system appears to be functioning normally. The septic tank needed to be pumped and McBrayer has pumped the tank, but it should be checked regularly. A chlorine tablet should be placed in the chlorinator tube regularly as needed. The age of the sewage disposal system is over twenty-five (25) years. The McLean County Health Department estimates sewage disposal systems have an average life span of approximately twenty to twenty-five, (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: Not applicable.

FINANCIAL IMPACT: This petition will have a neutral financial impact in that the current lease uses the current formula, (\$0.40 per \$100 of Equalized Assessed Value), for determining the Lake Lease Fee. With this transfer, the lake lease formula will generate \$748.28 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: Connie Fralick, Office Manager

Reviewed by: Sue McLaughlin, ICMA-CM, Interim Asst. City Manager

Financial & budgetary review by: Chris Tomerlin, Budget Analyst
Carla A. Murillo, Budget Manager

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:



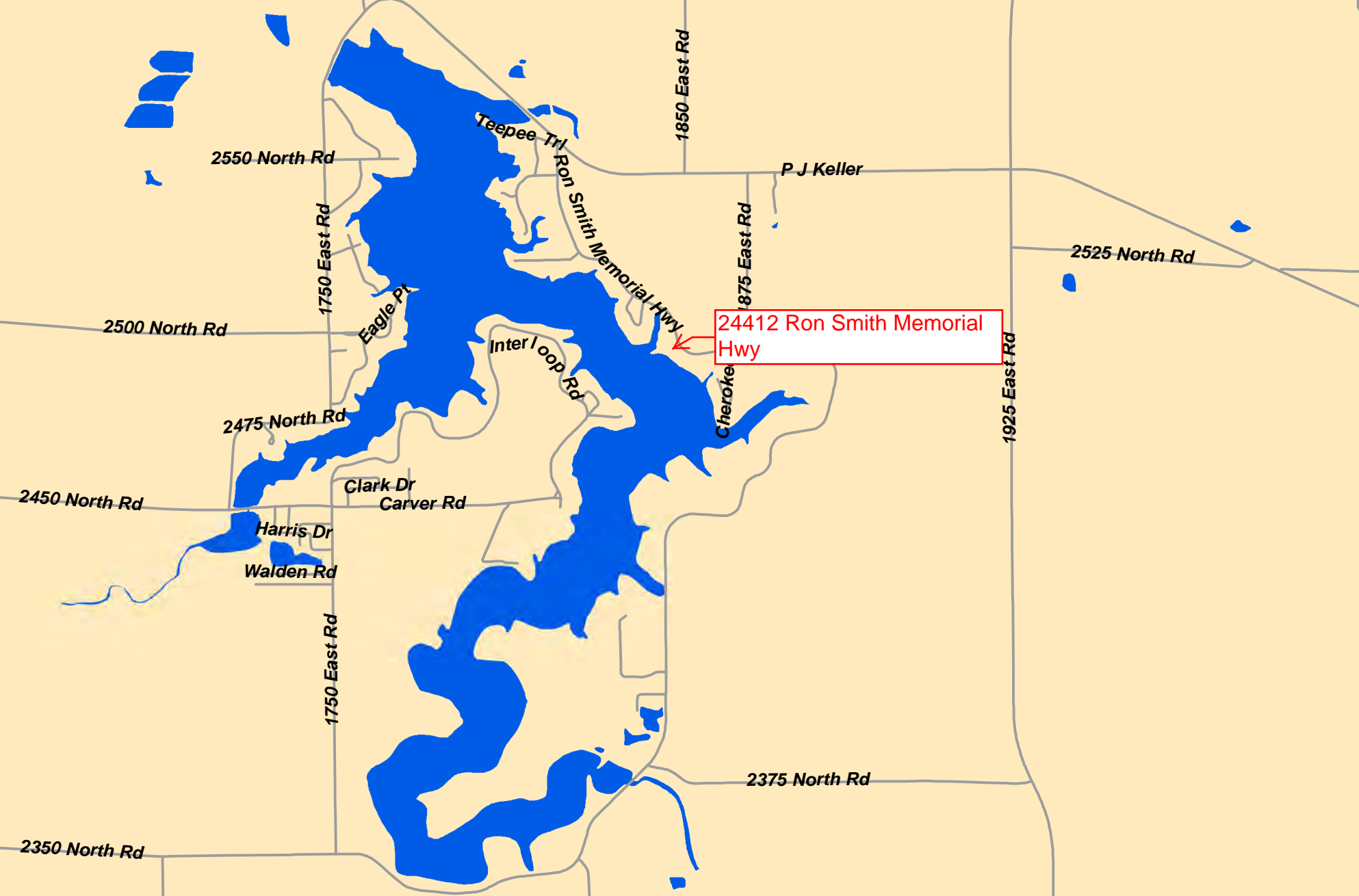
David A. Hales
City Manager

Attachments: Attachment 1. Maps

Motion: That the Lake Lease Transfer be approved and the Mayor and City Clerk be authorized to execute the necessary documents.

Motion: _____ Seconded by: _____

	Aye	Nay	Other		Aye	Nay	Other
Alderman Black				Alderman Painter			
Alderman				Alderman Sage			
Alderman Fruin				Alderman Schmidt			
Alderman Lower				Alderman Stearns			
Alderman Mwilambwe							
				Mayor Renner			



24412 Ron Smith Memorial Hwy

24444

Ron Smith Memorial Hwy

24418

24414

24412

24400

24412 Ron Smith Mem Hwy
Lot: 8
Block: 4
Camp: Kickapoo

24398

24396

24388



FOR COUNCIL: September 22, 2014

SUBJECT: Lake Bloomington Lease Transfer Petition for Lot 11, Block 3 of Camp Iroquois, from Helen F. Welch to John S. and Terry Hoffman

RECOMMENDATION/MOTION: That the Lake Lease Transfer 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 1a. Budget with adequate resources to support defined services and level of services.

BACKGROUND: The sewage disposal system inspection was completed in August 2014. The septic system appears to be functioning normally. The septic tank does not need to be pumped but should be checked regularly. The tank is closer than ten feet (10') to the house, and the sink in the basement would need to be removed or routed to the septic system. The pump station does not have a capacity of 1.5 times the daily flow and it does not have a dual pump. The age of the sewage disposal system is over thirty-six (36) years. The McLean County Health Department estimates sewage disposal systems have an average life span of approximately twenty to twenty-five (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: Not applicable.

FINANCIAL IMPACT: This petition will have a financial impact in that the current lease uses the current formula, (\$.15 per \$100 of Equalized Assessed Value/EAV), for determining the Lake Lease Fee or \$270.87 per year. With this transfer, the lease will be moved to the \$.40 per \$100 of EAV, this change will generate \$722.33 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: Connie Fralick, Office Manager

Reviewed by: Sue McLaughlin, ICMA-CM, Interim Asst. City Manager

Financial & budgetary review by: Chris Tomerlin, Budget Analyst
Carla Murillo, Budget Manager

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:



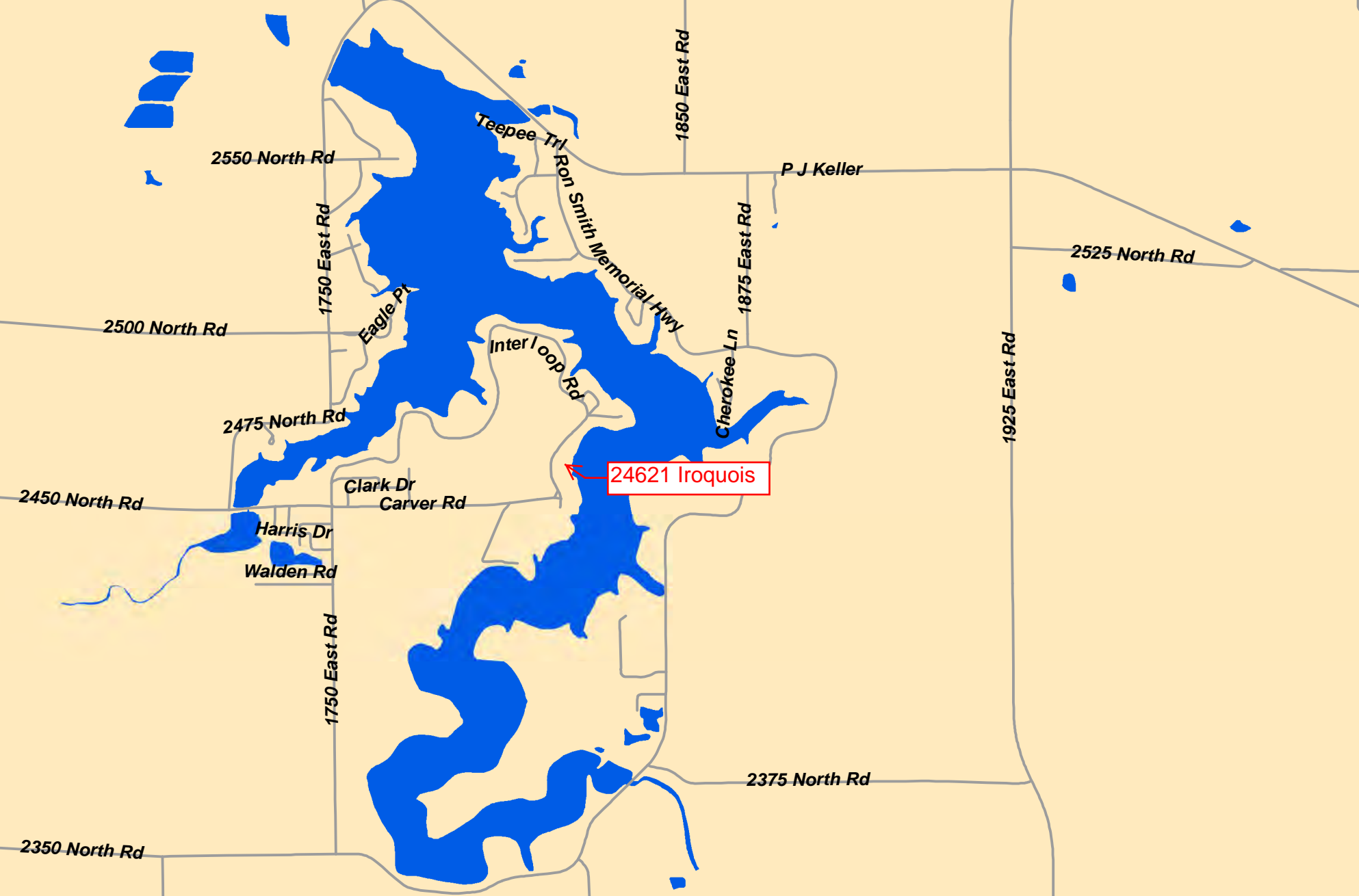
David A. Hales
City Manager

Attachments: Attachment 1. Maps

Motion: That the Lake Lease Transfer be approved and the Mayor and City Clerk be authorized to execute the necessary documents.

Motion: _____ Seconded by: _____

	Aye	Nay	Other		Aye	Nay	Other
Alderman Black				Alderman Painter			
Alderman				Alderman Sage			
Alderman Fruin				Alderman Schmidt			
Alderman Lower				Alderman Stearns			
Alderman Mwilambwe							
				Mayor Renner			



24621 Iroquois

2550 North Rd

1850 East Rd

P J Keller

1750 East Rd

2525 North Rd

2500 North Rd

Eagle Pt

Teepee Trl
Ron Smith Memorial Hwy

1875 East Rd

Interloop Rd

Cherokee Ln

2475 North Rd

1925 East Rd

2450 North Rd

Clark Dr
Carver Rd

Harris Dr

Walden Rd

1750 East Rd

2375 North Rd

2350 North Rd

Iroquois Ln

24659

24621

**24621 Iroquois Ln.
Lot: 11
Block: 3
Camp: Iroquois**



FOR COUNCIL: September 22, 2014

SUBJECT: Text Amendment to Chapter 4. Air Pollution, Section 26. Open Fire Regulations

RECOMMENDATION/MOTION: Recommend that the Text Amendment be approved and the Ordinance passed.

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; Objective 1d. City services delivered in the most cost-effective, efficient manner; and Objective 1e. Partnering with others for the most cost-effective service delivery.

BACKGROUND: Since the enactment of an ordinance establishing open burning permits, (September 10, 2010), only one (1) organization has requested and made payment for an open burning permit. This organization was a non for profit, (church), and this amendment would bring the City in line with the Town of Normal as there is no fee charged. The Fire Department recommends that the \$50 permit fee be eliminated from the City Code. Organizations that wish to have a bonfire will still be required to obtain a permit and their site be inspected prior to the event.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable.

FINANCIAL IMPACT: None.

Respectfully submitted for Council consideration.

Prepared by: Eric Vaughn, Deputy Fire Chief - Administration

Reviewed by: Michael Kimmerling, Fire Chief

Financial & budgetary review by: Chris Tomerlin, Budget Analyst
Carla Murillo, Budget Manager

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:



David A. Hales
City Manager

Attachment: Attachment 1. Ordinance

Motion: That the Text Amendment be approved and the Ordinance passed.

Motion: _____ Seconded by: _____

	Aye	Nay	Other		Aye	Nay	Other
Alderman Black				Alderman Painter			
Alderman				Alderman Sage			
Alderman Fruin				Alderman Schmidt			
Alderman Lower				Alderman Stearns			
Alderman Mwilambwe							
				Mayor Renner			

ORDINANCE NO. 2014 -

**AN ORDINANCE AMENDING BLOOMINGTON
CITY CODE CHAPTER 4, SECTION 26**

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

SECTION 1. That Chapter 4, Section 26 of Bloomington City Code, 1960, as amended, shall be further amended as follows (unless otherwise noted, additions are indicated by underlines; deletions indicated by strikeouts):

- E. Bonfire may be allowed only for officially sponsored activities of civic, educational and religious organizations. Bonfires are not approved for the general public. Allowed bonfires are subject to the following conditions:
 - 2. The organization requesting the bonfire must obtain a burn permit (~~\$50.00~~) from the Bloomington Fire Department at least 48 hours prior to the lighting of the bonfire. A fire department official will need to inspect the site the day of the burn.

SECTION 2. Except as provided herein, the Bloomington City Code, 1960, as amended shall remain in full force and effect.

SECTION 3. In the event that any section, clause, provision, or part of this Ordinance shall be found and determined to be invalid by a court of competent jurisdiction, all valid parts that are severable from the invalid parts 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 immediately after the date of its publication as required by law.

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 22nd day of September, 2014.

APPROVED this ____ day of September, 2014.

APPROVED:

Tari Renner
Mayor

ATTEST:

Tracey Covert
City Clerk



FOR COUNCIL: September 22, 2014

SUBJECT: Fiscal Year 2015 Budget Amendment for the Community Development Block Grant (CDBG) in the amount of \$315,649

RECOMMENDATION/MOTION: Recommend that the Budget Amendment be approved and the Ordinance passed.

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

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

BACKGROUND: State statutes require expenditures incurred within each individual fund not to exceed the appropriation amount set forth in the annual budget of an established fiscal period. In an effort to strengthen the fiscal controls of the budgetary process, City staff has prepared a budgetary amendment for the current Fiscal Year (FY). This action corresponds with the August 24, 2009 discussion where City staff committed to the Council that the majority of budget amendments would be presented in the FY the expenditure occurred rather than in the proceeding FY.

The FY 2015 Budget included an appropriation of \$590,000 for the CDBG fund. This projection was based upon the grant dollars that were received from the federal Department of Housing and Urban Development (HUD) in the previous fiscal year. Grant awards are normally announced by HUD in February of each year; however, the 2014 - 2015 grant award letter was not received until April 2014. The City was awarded \$567,978 for FY 2015. Therefore, City staff is requesting a budget amendment to the Community Development Administration – Federal Grants revenue line item to \$567,978 versus the originally projected \$590,000. The difference of \$22,022 was taken from the demolition budgeted activity.

In addition, \$337,671 was the total carryover from FY 2014, which is the result of receiving more program income than what was projected and unbudgeted carryover funds from the previous year. Program income is revenue that is received from the principal and interest payments on housing rehabilitation loans. The majority of the CDBG loan data base is “deferred loans” (i.e. loans that do not require any payment as long as the recipient is the owner and occupant of the property). Loans are paid in full upon vacating the property - death; sale or leasing of the property. There is no way to predict how many of these “deferred” loans will be paid in full during the fiscal year; which usually results in receiving more revenue than projected. Carryover dollars have been allocated to already established FY 2015 budget line items within the Community Development budget, as follows:

Administration	\$5,000	(22402410-70610-50000) Advertising
Rehabilitation Loans	\$50,000	(22402430-79020) Rehab Loans
Rehabilitation Grants	\$200,000	(22402430-79130)
Rehab. Service Delivery	\$2,671	(22402430-70690) Other Purchased Services
Demolition	\$52,978	(22402440-70651)
Public Services	\$5,000	(22402450-79130) Grants
Total:	\$315,649	Net budget amendment

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable.

FINANCIAL IMPACT: The revenue line item for Community Development Administration – Federal Grants (22402410-53110) will be raised by a “net” amount of \$315,649. The expenditure line items: a “net” amount of \$52,978 for Community Development Capital Improvement – Demolition (22402440-70651); Community Development Rehabilitation-Loans: \$50,000 (22402430-79020); Community Development Rehabilitation-Grants: \$200,000 (22402430-79130); Community Development Rehabilitation- Other Purchased Services: \$2,671 (22402430-70690); Community Development Community Services-Grants: \$5,000 (22402450-79130); and Community Development Administration- Advertising: \$5,000 (22402410-70610).

Stakeholders can locate the budgets for these accounts in the FY 2015 Budget Book titled “Other Funds & Capital Improvement Program” on pages 38 through 49.

Respectfully submitted for Council consideration.

Prepared by: Sharon Walker, Division Mngr. - Code Enforcement

Reviewed by: Tom Dabareiner, Director of Community Development
Sue McLaughlin, ICMA-CM, Interim Asst. City Manager

Financial & Budgetary review by: Chris Tomerlin, Budget Analyst
Carla Murillo, Budget Manager

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:



David A. Hales
City Manager

Attachment: Attachment 1. Ordinance

Motion: That the Budget Amendment be approved and the Ordinance passed

Motion: _____ Seconded by: _____

	Aye	Nay	Other		Aye	Nay	Other
Alderman Black				Alderman Mwilambwe			
Alderman				Alderman Sage			
Alderman Fruin				Alderman Schmidt			
Alderman Lower				Alderman Stearns			
Alderman Painter							
				Mayor Renner			

ORDINANCE NO. 2014 –

**AN ORDINANCE AMENDING THE BUDGET ORDINANCE
FOR THE FISCAL YEAR ENDING APRIL 30, 2015**

WHEREAS, on April 21, 2014 by Ordinance Number 2014 - 35, the City of Bloomington passed a Budget and Appropriation Ordinance for the Fiscal Year Ending April 30, 2015, which Ordinance was approved by Mayor Tari Renner on April 28, 2014; and

WHEREAS, a budget amendment is needed as detailed below;

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

Section One: Ordinance Number 2014 - 35 (the Budget and Appropriation Ordinance for the Fiscal Year Ending April 30, 2015) is further hereby amended by inserting the following line item and amount presented in Exhibit #1 in the appropriate place in said Ordinances.

Section Two: Except as provided for herein, Ordinance Number 2014 - 35 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 2014 - 35.

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

PASSED the 22nd day of September, 2014.

APPROVED the ____ day of September, 2014.

APPROVED:

Tari Renner
Mayor

ATTEST:

Tracey Covert
City Clerk

Exhibit #1

Account Code	Fund	Organization	Account Name	Revision
22402410-53110	Community Development	Community Development Administration	Federal Grants	(\$315,649.00)
22402440-70651	Community Development	Community Development Capital Improvements	Demolition	\$52,978.00
22402430-79020	Community Development	Community Development Rehabilitation	Rehab Loans	\$50,000.00
22402430-79130	Community Development	Community Development Rehabilitation	Rehab Grants	\$200,000.00
22402430-70690	Community Development	Community Development Rehabilitation	Rehab Other Purchased Services	\$2,671.00
22402450-79130	Community Development	Community Development Community Services	Grants	\$5,000.00
22402410-70610	Community Development	Community Development Administration	Advertising	\$5,000.00
			Overall Impact on City Budget	\$0.00

NOTICE

Public Notice is hereby given that the Bloomington City Council will hold a public hearing regarding the Removal of the Road Barrier on W. Jefferson St. at Allin St.

Notice is hereby given that a Public Hearing will be held upon said Petition on Monday, September 22, 2014 at 7:00 p.m., in the City Council Chambers, City Hall, 109 E. Olive St., Bloomington, Illinois, at which time all interested persons may present their views upon such matters pertaining thereto.

In compliance with the Americans with Disabilities Act and other applicable federal and state laws, the hearing will be accessible to individuals with disabilities. Persons requiring auxiliary aids and services should contact the City Clerk, preferably no later than five days before the hearing.

The City Clerk may be contacted either by letter at 109 E. Olive St., Bloomington, IL 61701, or by telephone at 309/434 - 2240. The City Hall is equipped with a text telephone (TDD) that may also be reached by dialing 309/829 - 5115.

Tracey Covert
City Clerk

Published: September 5, 2014

CITY OF BLOOMINGTON
COMPREHENSIVE PLAN

COMMUNITY OUTREACH

PRESENTED BY
Vasudha Pinnamaraju
Executive Director, MCRPC



What we've heard

July 1 - September 3rd



Words in Green: Community values
Words in Blue: Suggestions for improvement

July 1 - September 7

Who responded

Survey Respondents

1,160



62%

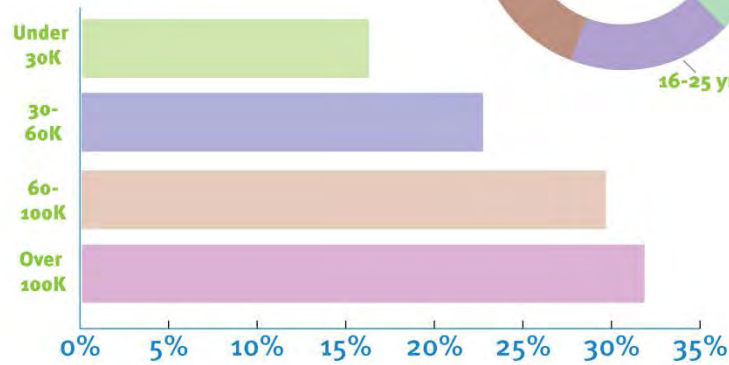
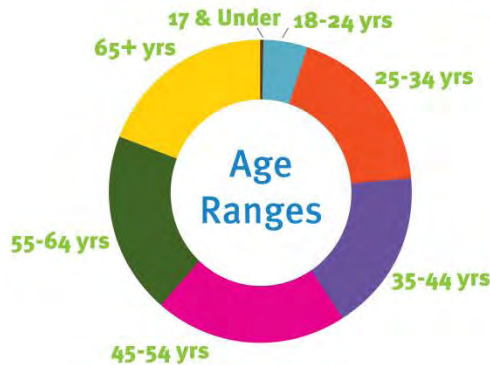
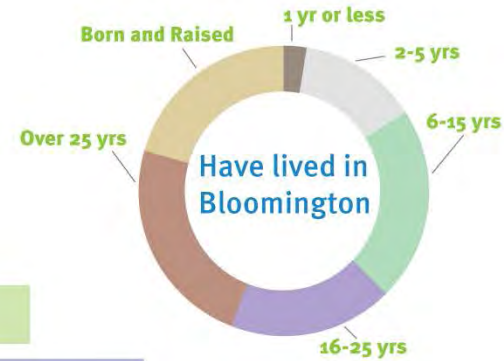
38%



18%
Renter

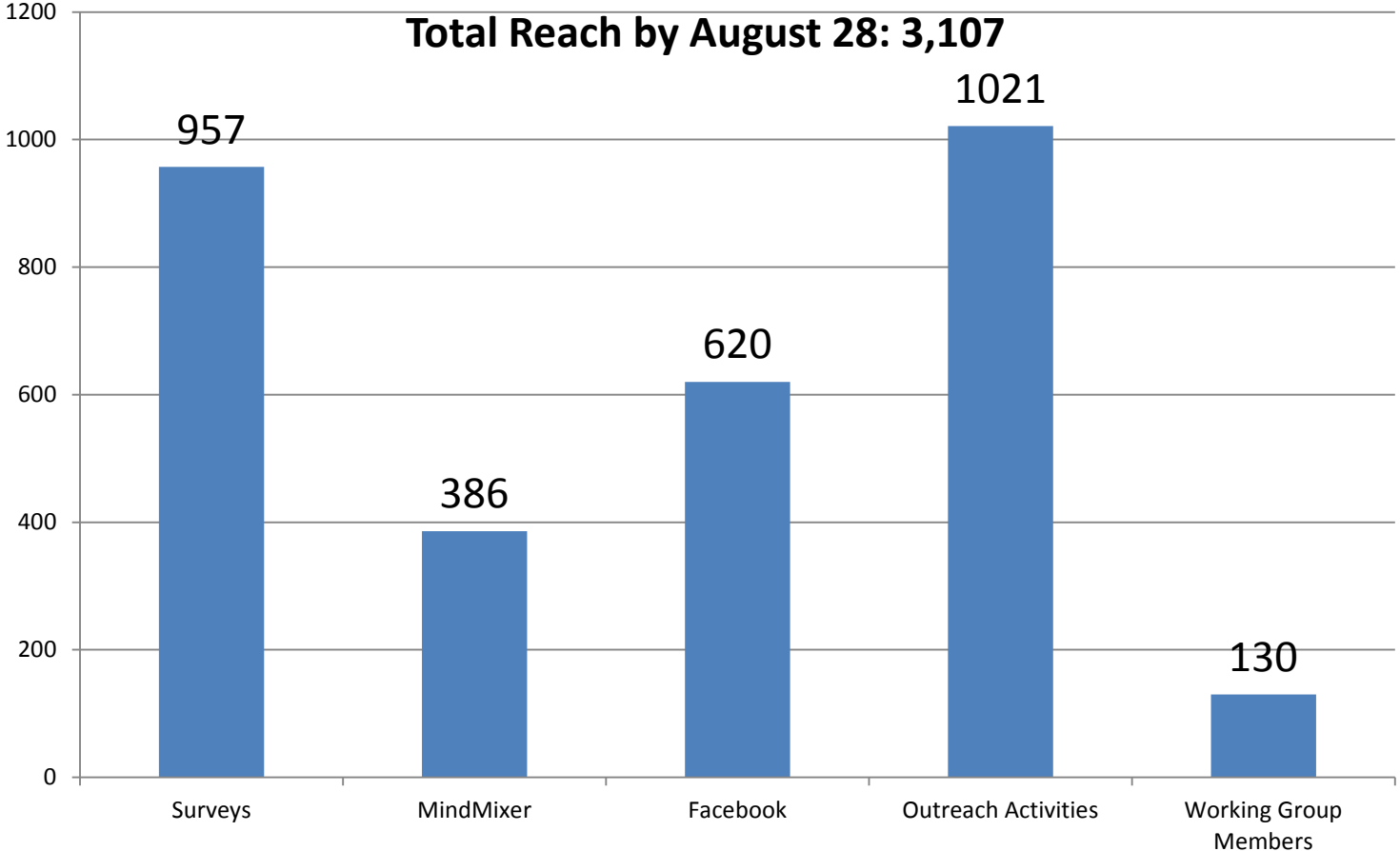


82%
Owner



Goal – 10% of the community (7,660)

Reach



Questions?

Vasudha Pinnamaraju, AICP

Executive Director, MCRPC

Phone: (309) 828-4331 X22

E: vpinnamaraju@mcplan.org



FOR COUNCIL: September 22, 2014

Subject: Bloomington/Normal/McLean and County Enterprise Zone (EZ)

RECOMMENDATION: Discussion purposes only.

STRATEGIC PLAN LINK: Goal 3. Grow the local economy; Goal 5. Great place – livable, sustainable City; and Goal 6. Prosperous Downtown Bloomington.

STRATEGIC PLAN SIGNIFICANCE: Objectives 3a. Retention and growth of current local businesses; 3b. Attraction of new targeted businesses that are the right fit for Bloomington; 3e. Strong working relationship among the city, businesses, economic development organizations; 5a. Well planned City with necessary services and infrastructure; 5e. More attractive City: commercial areas and neighborhoods; 6a. More beautiful, clean Downtown; 6b. Downtown vision and plan used to guide development, redevelopment and investments; and 6e. Preservation of historic buildings

BACKGROUND: In 1983, the State of Illinois created a new economic development initiative, EZ, which provided for state, and encouraged local incentives to and incent companies to locate and/or expand within a designated area. In January 1983, unemployment in Illinois stood at 12.9%, while areas such as Rockford, Joliet and others saw unemployment rates as high as twenty-five percent (25%) or more.

EZ vary in size from nine (9) square miles up to fifteen (15) square miles, depending on the number of governmental units which are involved within the zone. For example, some zones, as approved by the state, are fully included within a single municipality. Other zones, such as the Bloomington-Normal Zone, involve Bloomington, Normal and McLean County. Governmental jurisdictions wishing to establish an EZ had to complete an application and submit a request to the state.

In all, a total of ninety-nine (99) EZ were created. They had an initial life of twenty (20) years, and provided for both state and local incentives. These incentives ranged, and still include at the state level, exemption from state sales tax for items used in the construction or renovation of a building and purchased within the state, investment tax credits, utility tax credits, and the like. Local incentives, which were established by each EZ, included various levels of property tax abatement, permit fee waivers and other local inducements.

The Bloomington-Normal Economic Development Commission (EDC) serves as the Zone Administrator for the Bloomington-Normal EZ. They process requests for EZ certification so that companies can qualify for state incentives. They also make sure the companies requesting EZ status conform to the local requirements for EZ certification.

In 2003, the State authorized the extension of EZ for another ten (10) years. Over the years, many EZ, including ours, removed local incentives from their offerings, and relied solely on state authorized incentives.

In 2013, the state enacted new regulations with respect to EZ. EZ were given a three (3) year extension, during which time each zone has to undergo a recertification process, with no guarantee that the EZ will be approved. Local EZ can, during this recertification process, amend their boundaries removing property which no longer requires EZ status, and add other parcels for which development incentives would be appropriate. Local EZ must also identify their work force territory, and describe how the new EZ would address unemployment, underemployment and other issues within their area. The EDC is currently in the process of completing the application.

Property which is being removed from the EZ involves the area where the wind farm was located. As no new development will be anticipated, this acreage is being freed up to allow for inclusion of other property for which development or redevelopment is encouraged. In recent years, the City added territory to the zone, which includes the Downtown area and, most recently, acreage associated with the Central Illinois Regional Airport, (CIRA). In the new certification process, the City is requesting that the Downtown area be expanded northwesterly to include more of the former railroad yards; include an area at the southwest quadrant of W. Market St. and the I-74 Interchange; include an area at the intersection of S. Main St. and I-74 interchange; include the former GE (General Electric) Plant on GE Rd.; include the former Electrolux complex and adjacent properties at Chestnut and Main St.; and industrial areas north and south of Oakland Ave. along the Robinson St. corridor. City staff is still fine tuning these sites.

Additionally, as part of the certification process, but not this evening, City staff will have recommendations as to restoration of local incentives as part of the EZ incentive package. City staff does not have a framework for this package, but the final package will be included as part of our certification application to the state.

The present schedule, as outlined by the EDC, 1.) envisions preparation of designating ordinances and intergovernmental agreements in mid-October; 2.) hosting a Public Hearing on the EZ Certification in mid-October, (time, date and location not yet determined), 3.) discussion and determination of local incentives during October and November; 4.) finalization of application, and 5.) submittal of the package to the state in mid-to-late December prior to the December 31, 2014 deadline.

COMMUNITY GROUPS / INTERESTED PARTIES CONTACTED: EDC.

FINANCIAL IMPACT: To be determined at a future date.

Respectively submitted for Council consideration.

Prepared by: Frank Koehler, Interim Economic Development Coordinator

Reviewed by:

Financial and budgetary impact review by:

Legal review by:

Recommended by:

A handwritten signature in black ink, appearing to read "David A. Hales". The signature is fluid and cursive, with the first name "David" being the most prominent part.

David A. Hales
City Manager

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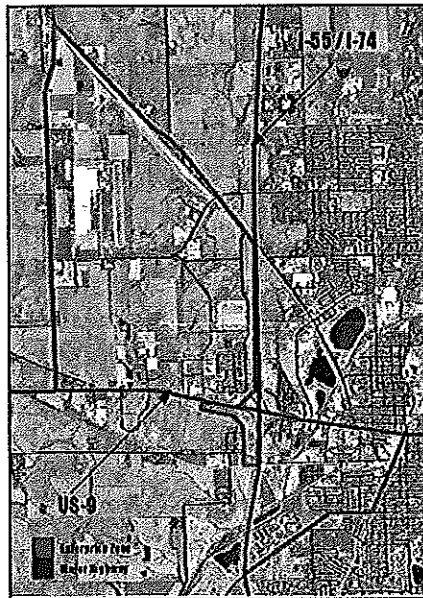
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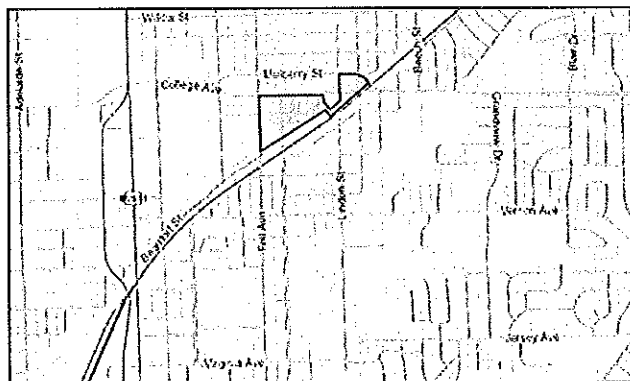
Enterprise Zone Maps

Click on each map below to view a larger version.

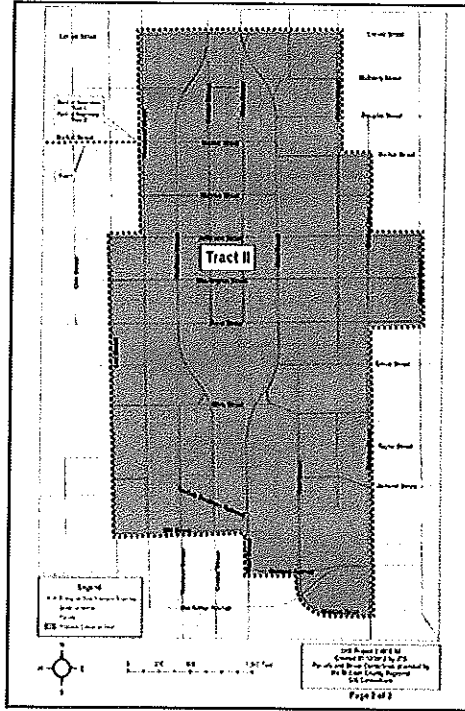
West Side



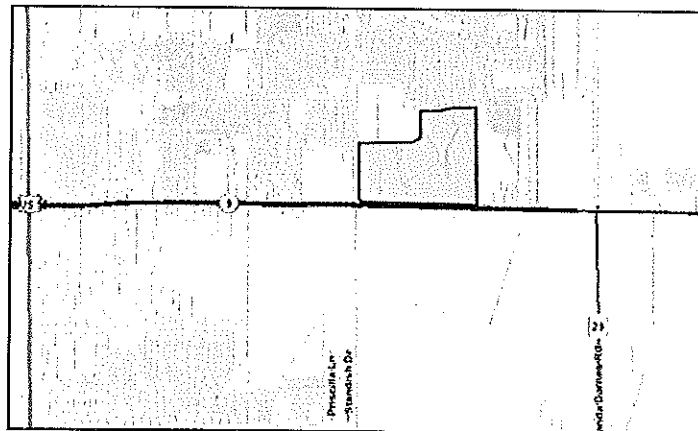
Uptown Normal



Downtown Bloomington



Empire Business Park



Central Illinois Regional Airport



Bloomington-Normal
ECONOMIC DEVELOPMENT COUNCIL

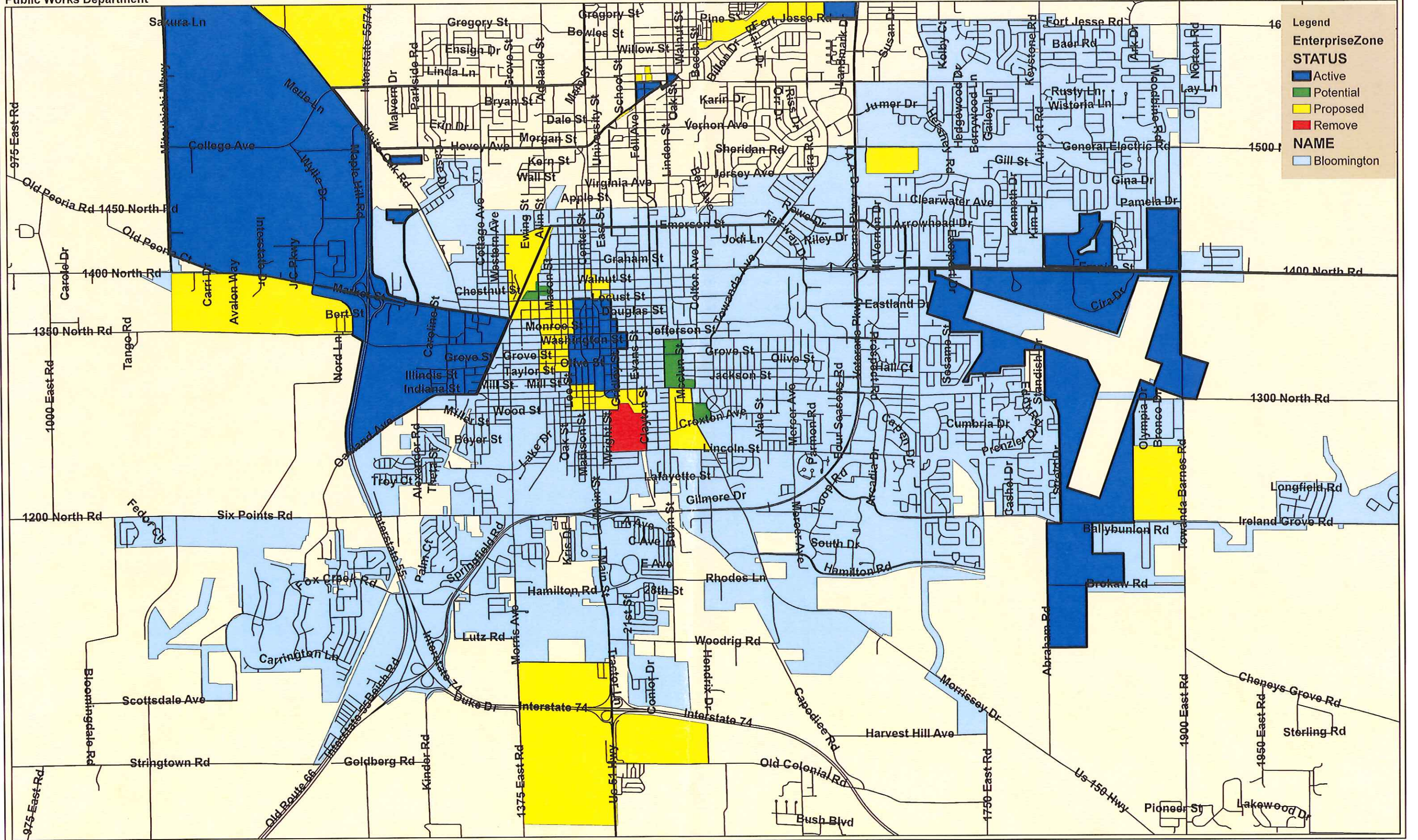
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	Higher Education	Cost of Doing Business	Area Maps			
	Business Environment	Area Maps				
	Incentives & Financing					
	Area Maps					

Enterprise Zone



Legend

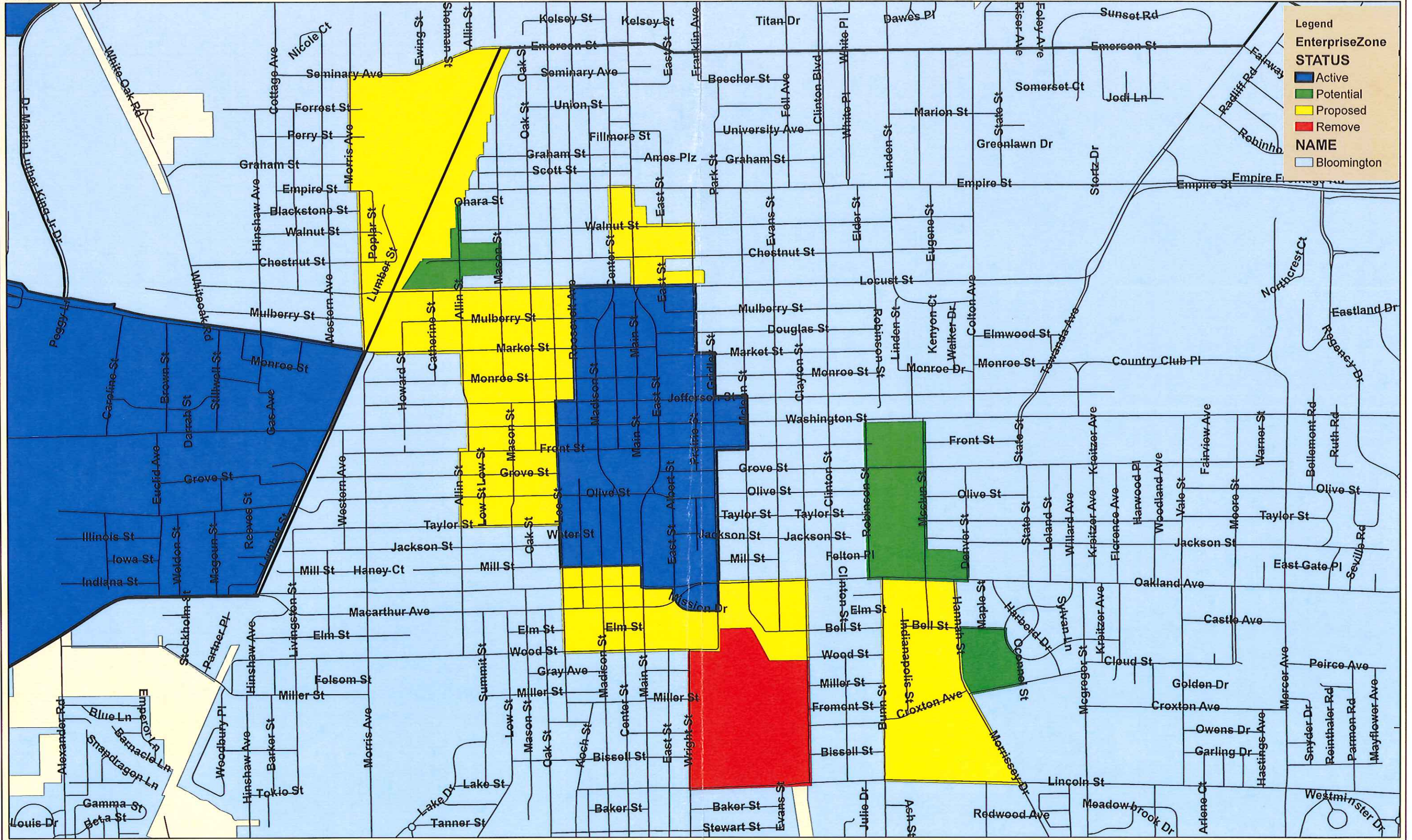
EnterpriseZone STATUS

- Active
- Potential
- Proposed
- Remove

NAME

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Enterprise Zone



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