

**CITY OF BLOOMINGTON  
COUNCIL MEETING AGENDA  
109 E. OLIVE  
MONDAY, NOVEMBER 24, 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. Oath – Stephen Rasmussen, Asst. City Manager.**

**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 November 10, 2014 and Special Session Minutes of November 5, 2014. (Recommend that the reading of the minutes of the previous Council Proceedings of November 10, 2014 and Special Session Minutes of November 5, 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. Appointment/Reappointments to John M. Scott Health Care Commission. (Recommend that the Appointment and Reappointments be affirmed.)**

- D. Purchase of Scheduled Vehicle Replacement for Facilities Management Office. (Recommend that the purchase of one (1) Ford Transit Connect from Curry Motors, Frankfort, IL using the Northwest Suburban Purchasing Cooperative Contract Number 139 be approved, in the amount of \$22,195, and the Procurement Manager be authorized to issue a Purchase Order.)**
- E. Rejection of Bid for Replacement of the Headquarters Station Overhead Door Openers, (Bid 2015 – 42). (Recommend that the bid be rejected and that Procurement Manager and Fire Department staff be authorized to enter into negotiations with Childers Door Service of Central Illinois for completion of work described in the original bid document, to waive the formal bid process for this project, authorize the issuance of a Purchase Order with Childers Door Service of Central Illinois for the work at a price approved by the City Manager, and the Resolution adopted.)**
- F. Analysis of Request for Proposal (RFP) and Contract Award to Anderson Building Services, Inc. for Fire Headquarters Station Kitchen Remodel, (RFP 2015 – 40). (Recommend that the RFP for Fire Headquarters Station Kitchen Remodel be awarded to Anderson Building Services, Inc., Normal, IL, the contract be approved, in the amount of \$55,995, and the Mayor and City Clerk be authorized to execute the necessary documents.)**
- G. Review of Executive Session Minutes from 1995 – 2014. (Recommend that the Resolution be adopted.)**
- H. Application of Asia, LLC, d/b/a Asia, located at 407 N. Hershey Rd., requesting an RAS liquor license which would allow the sale of all types of alcohol for consumption on the premises seven (7) days a week. (Recommend that an RAS liquor license for Asia, LLC, d/b/a Asia, located at 407 N. Hershey Rd., be created, contingent upon compliance with all applicable health and safety codes with the following conditions: 1.) the application be reviewed by Mr. Liu’s attorney and 2.) floor plan be provided prior to the Council’s November 24, 2014 meeting.)**
- I. Lake Bloomington Lease Transfer Petition for Lot 3 and the East ½ of Lot 2, Block 1 of Camp Iroquois, from Donald William Davisson to Donald William Davisson & Sue Ann Davisson, Co-Trustees of the Bill Davisson Trust dated October 8, 2014. (Recommend that the Lake Lease Transfer be approved and the Mayor and City Clerk be authorized to execute the necessary documents.)**
- J. Lake Bloomington Lease Transfer Petition for Lot 17, Block 5 of Camp Kickapoo, from Tilio Giacobassi Declaration of Trust dated October 23, 1997, Tilio Giacobassi, Trustee to Martha E. Giacobassi Trust dated November 13, 2013, Martha Giacobassi, Julie Ann Giacobassi, and Michael John Giacobassi, Trustees. (Recommend that the Lake Lease Transfer be approved and Mayor and City Clerk be authorized to execute the necessary documents.)**

**8. “Regular Agenda”**

- A. Reconsideration and Action on Resolution Authorizing the Purchase of Lots 47 & 48 in the Empire Business Park and a Cooperation Agreement with Central Catholic High School.**
  - i. City Council Request for Reconsideration of Resolution Adoption and Agreements. (That the Council reconsider the approval of the Resolution and agreements passed on November 10, 2014.) 5 minutes**
  - ii. City Council Action on Reconsideration of Resolution and Agreements Authorizing the Purchase of Lots 47 & 48 in the Empire Business Park Preliminary Plan Utilizing a \$750,000 State Legislative Grant, Enter into a Purchase Agreement with FOB Development, Inc., and a Cooperation Agreement with Central Catholic High School. 15 minutes**
  - iii. City Council Consideration of Alternative Proposals for Utilizing a \$750,000 State Legislative Grant. 20 minutes**
- B. Adoption of the 2014 Tax Levy for \$23,719,066 as Estimated. (Recommend that 2014 Tax Levy be approved, in the amount of \$23,719,066, and the Ordinance passed.) 15 minutes**
- C. Abatements of Debt Service for the 2014 Tax Levy. (Recommend that the Resolutions for Abatement of \$8,586,896.91 of property taxes for the 2014 Tax Levy debt service payments be adopted.) 5 minutes**
- D. Presentation of FY 2014 Comprehensive Annual Financial Report, (CAFR), as Audited. 40 minutes: Presentation – 20 minutes and Question & Answer – 20 minutes**

**9. City Manager’s Discussion**

**10. Mayor’s Discussion**

**11. City Aldermen’s Discussion**

**12. Executive Session - cite section**

**13. Adjournment**

**14. Notes**



FOR COUNCIL: November 24, 2014

SUBJECT: Council Proceedings of November 10, 2014 and Special Meeting Minutes of November 5, 2014

**RECOMMENDATION/MOTION:** That the reading of the minutes of the previous Council Proceedings of November 10, 2014 and the Special Meeting Minutes of November 5, 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 November 10, 2014 and the Special Meeting Minutes of November 5, 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 November 10, 2014  
Attachment 2. Draft Special Meeting Minutes of November 5, 2014

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Motion: That the reading of the minutes of the previous Council Proceedings of November 10, 2014 and the Special Meeting Minutes of November 5, 2014 be dispensed with and the minutes approved as printed.

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

	Aye	Nay	Other		Aye	Nay	Other
Alderman Black				Alderman Painter			
Alderman Fruin				Alderman Sage			
Alderman Hauman				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 7:00 p.m., Monday, November 10, 2014.

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

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

**Aldermen: Judy Stearns, Kevin Lower, David Sage, Diana Hauman, Joni Painter, Scott Black, Karen Schmidt, Jim Fruin, Mboka Mwilambwe and Mayor Tari Renner.**

**City Manager David Hales, Chief Deputy City Clerk Renee Gooderham, and Corporate Counsel Jeff Jurgens were also present.**

**Staff absent: City Clerk Tracey Covert.**

**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.

Gary Lambert, 3018 E. Oakland Ave., addressed the Council. He cited concerns with Purchase of Lot 47 and 48 of Empire Business Park Preliminary Plan utilizing a \$750,000 state legislative grant from Senator Bill Brady and entering into an Agreement with Central Catholic High School.

Mike Whelan, 2614 Rainbow, Unit #1, addressed the Council. He cited support for the Text Amendment to Chapter 1, Adoption of Administrative Adjudication System. He had practiced law for thirty-seven (37) years. The last seven (7), he was a certified arbitrator in the 11<sup>th</sup> Judicial Circuit in the mandatory arbitration program. He believed same would free court system time.

Alton Franklin, 508 Patterson Dr., addressed the Council. He had attended the Council Retreat held on November 7 & 8, 2014. He believed the exercise on values should have focused on courage, honor and commitment.

Josh Schmidgall, Bloomington, address the Council. He was from Cities Talk FM 92.9 radio station. He welcomed Stephen Rasmussen, Asst. City Manager.

Dale Mills, 3008 Clearwater, addressed the Council. He believed the sign at Miller Park was too small. Children would still climb on same.

**The following was presented:**

Meritorious Service Award for Shawn Albert, presented by Brendan Heffner, Police Chief.

**Brendan Heffner, Police Chief presented same. He noted that Officer Albert's level of commitment was unparalleled.**

**The following was presented:**

Presentation to former Alderman Rob Fazzini.

**The following was presented:**

Introduction Austin Grammer, Economic Development (ED) Coordinator.

**David Hales, City Manager, addressed the Council. He noted that Mr. Grammer previously was employed at Heartland Community College, in the Workforce Development Center as the Customized Training Coordinator. He holds a Bachelor's Degree in Communications and was currently working on a Masters in Business Administration.**

**Austin Grammer, ED Coordinator, addressed the Council. He was looking forward to working with Bloomington Normal Economic Development Center, Downtown Business Association and on other special projects.**

**The following was presented:**

National Education Award for Miller Park Zoo, presented to Jay Tetzloff, Miller Park Superintendent.

**The following was presented:**

Community Development Participation in Community Development Block Grant Program 40<sup>th</sup> Year, presented to Tom Dabareiner, Director of Community Development and Sharon Walker, Code Enforcement Division Manager.

**Sharon Walker, addressed the Council. Ms. Walker introduced Jennifer Toney, Grants Coordinator.**

**David Hales, City Manager, addressed the Council. He stated Ms. Walker was the epitome of customer service.**

**The following was presented:**

Proclamation Declaring November 2014 American Diabetes Month, presented to Lori Schlosser, Chair ADA Greater Illinois Area Community Leadership Board.

**The following was presented:**

Introduction of Stephen Rasmussen, Asst. City Manager.

**David Hales, City Manager, addressed the Council. Mr. Rasmussen was a retired Army Colonel who received the Bronze Star. He held a Bachelor's Degree in Engineering and Masters in English and International Affairs. He would oversee the following departments: Public Works, Water, Community Development and Parks, Recreation and Cultural Arts.**

**Stephen Rasmussen, Asst. City Manager, addressed the Council. He was excited to begin working with same on various projects.**

**The following was presented:**

SUBJECT: Council Proceedings of October 27, 2014

**RECOMMENDATION/MOTION:** That the reading of the minutes of the previous Council Proceedings of DATE 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 October 27, 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 Black that the reading of the minutes of the previous Council Proceedings of October 27, 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, Schmidt, Painter, Lower, Hauman, Sage, Fruin, Mwilambwe and Black.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

SUBJECT: Bills and Payroll

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

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

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

**BACKGROUND:** The list of bills and payrolls will be posted on the City's website on November 6, 2014.

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

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

Respectfully submitted for Council consideration.

Prepared by: Renee Gooderham, Chief Deputy City Clerk

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

Recommended by:

David A. Hales  
City Manager

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

**Nays: None.**

**Motion carried.**

**The following was presented:**

**SUBJECT:** Appointment to the Bloomington-Normal Japan Sister City Committee and Board of Library Trustees

**RECOMMENDATION/MOTION:** That the Appointments be approved.

**STRATEGIC PLAN LINK:** Goal 4. Strong neighborhoods.

**STRATEGIC PLAN SIGNIFICANCE:** Objective 4e. Strong partnership with residents and neighborhood associations.

**BACKGROUND:** I ask your concurrence in the appointment of Catrina Lee Murphy 1219 South Mason, Bloomington, IL 61701, to the Bloomington-Normal Sister City Committee (Japan). Her three (3) year term will expire April 30, 2017. Ms. Murphy is replacing Rich Strle.

I ask your concurrence in the appointment of Jared Allen Brown 18 Chatsford Court, Bloomington, IL 61704, to the Board of Library Trustees. His three (3) year term will expire April 30, 2017. Mr. Brown is replacing Peggy Burton.

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

**FINANCIAL IMPACT:** None.

Respectfully submitted for Council consideration.

Prepared by: M. Beth Oakley, Executive Asst.

Recommended by:

Tari Renner  
Mayor

**Motion by Alderman Painter, seconded by Alderman Black Appointments be approved.**

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

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

**Nays: None.**

**Motion carried.**

**The following was presented:**

**SUBJECT:** Citywide Fuel Purchase for Fleet Vehicles and Equipment. (Bid #2015-19 Re Bid)

**RECOMMENDATION/MOTION:** That the Bid from Evergreen FS to purchase Fuel for one (1) year with the option of four (4) one year renewals based upon overall performance by Evergreen FS and mutual agreement of both parties be approved and the Procurement Manager authorized to issue a Purchase Order for same.

**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 October 14, 2014, a bid was released to supply fuel for the City's vehicle and equipment needs. On October 24, 2014, the bids were opened and the results are as follows. The prices are per gallon markup over Terminal cost:

Bidders Name	Unleaded Gasoline Transport	Unleaded Gasoline Tank Wagon	No.1 Diesel Transport	No.1 Diesel Tank Wagon	No.2 Diesel Transport	No.2 Diesel Tank Wagon	PL	Kerosene
Evergreen FS	\$.02	\$.18	\$.02	\$.18	\$.02	\$.18	3%	3%
Heritage Petroleum	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid

Staff recommends awarding the Bid to Evergreen FS as they meet all of the requirements of the bid. The bid evaluations have shown this to be in the best interest of the City.

These specifications are important to the City’s ability to respond to its citizens needs in a natural or man-made disaster. These services include, bulk fuel transport to the bulk tank at the Public Works fuel station, deliveries to various smaller fuel tanks at the parks, golf courses, emergency generators for the Water Department, Fire Stations, US Cellular Coliseum, sewer lift pump stations, and to fire apparatus at working fires. The fuel cards are used to purchase fuel from local stores when the Public Works Department fuel station is out of service for maintenance. The local tank farm insures the ability to deliver fuel from the tank farm to the City in the event of disaster. The City has used this service in recent winters during the big snow events when bulk fuel transports could not deliver fuel. Evergreen FS offers a fuel risk management program (hedging) that allows school and municipalities to pool their fuel purchases for volume discounts and guaranteed fuel costs. Evergreen FS provides fuel storage tank sampling and testing with storage tank maintenance recommendations at no charge to the City on an annual basis.

The timely approval of this bid is important for the City to have the ability to purchase fuel on contract or (hedge fuel) starting November 12, 2014 as this is the time historicity that fuel is at its lowest.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** Public notice of the bid was published in the Pantagraph on October 14, 2014. One (1) bid and one (1) no bid was received by the October 24, 2014 deadline.

**FINANCIAL IMPACT:** In Fiscal Year 2014, the City Purchased 375,191 gallons of transport fuel, 72,459 gallons of tank wagon fuel, and 17,966 gallons from a local retailer for a total of 465,616 gallons of fuel at a cost of \$1,510,696. It is projected that in FY 2015, the City will spend approximately \$1,572,000 for fuel. FY 2016 is expected to be relatively unchanged. Fleet will propose for approval \$1,495,202 for the purchase of fuel for the City from the Fleet Management-Fuel account (10016310-71070).

Respectfully submitted for Council consideration.

Prepared by: Rob Kronen, Superintendent of Fleet Maintenance

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

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 Black that the Bid from Evergreen FS to purchase Fuel for one (1) year with the option of four (4) one year renewals be approved, and the Procurement Manager shall be authorized to issue a Purchase Order for same.**

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

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

**Nays: None.**

**Motion carried.**

**The following was presented:**

**SUBJECT:** Analysis of RFQ for Professional Engineering Services Agreement with Midwest Engineering Associates, Inc. for the Briarwood Subdivision Infrastructure Rehabilitation project (RFQ #2015-16)

**RECOMMENDATION/MOTION:** Recommend that the Agreement with Midwest Engineering Associates, Inc. for the Briarwood Subdivision Infrastructure Rehabilitation project be approved, in the amount of \$170,881.79, 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.

**STRATEGIC PLAN SIGNIFICANCE:** Objective 2a. Better quality roads and sidewalks, 2c. Functional, well-maintained sewer collection system; and 2d. Well-designed, well-maintained City facilities emphasizing productivity and customer service.

**BACKGROUND:** The Briarwood Subdivision was constructed in 1921. Minimal improvements to the sewers, water mains and streets have been performed since its construction. A few residents have experienced sewer backup problems and several residents have expressed

concern about flooding during rain events and the poor condition of the streets. This project involves the complete rehabilitation of the sewers, water mains and streets in the subdivision. Staff recommended and Council approved including provisions in the FY 2015 budget to engage the services of a consultant for the Briarwood Subdivision Infrastructure Rehabilitation project.

Midwest Engineering Associates, Inc. was selected using the Professional Services Quality Based Selection Process. This process involved: 1) sending out Request for Qualifications (RFQ) specific to the project; 2) reviewing the submitted Statement of Qualifications based on the criteria outlined in the RFQ and narrowing the list to three consultants; 3) interviewing the consultants; and 4) selecting a top consultant and negotiating a fee with them.

These four (4) tasks are often referred to as a two-step professional services selection process. The City's Procurement Manager reviewed this process relative to the subject contract and confirmed that the procedure was performed in accordance with applicable standards. A list of the engineering firms that submitted Statements of Qualifications and the three (3) engineering firms that were selected for interviews were selected.

In accordance with The Brooks Act - Federal Government Selection of Architects and Engineers (Public Law 92-582), the Illinois Local Government Professional Services Selection Act (50 ILCS 510) and the Architectural, Engineering, and Land Surveying Qualifications Based Selection Act (30 ILCS 535), the Quality Based Selection Process must be followed if federal or state grants, loans or any other federal or state monies are used to fund any portion of the project.

Under the proposed professional engineering services contract, the selected engineering firm will be performing surveys, design and preparing construction documents. The contract amount included in the Professional Engineering Services Contract will be a not to exceed amount. The final overall rates and fee proposed by Midwest Engineering Associates, Inc. is fair, appropriate and competitive for the scope of work included. The anticipated design completion date is May 10, 2015.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** The Request for Qualifications (RFQ #2015-16) was posted on the City website and advertised in The Pantagraph on August 1 and August 8, 2014.

**FINANCIAL IMPACT:** This project is budgeted for \$150,000 in the FY 2015 Budget under Motor Fuel Tax-Engineering Services (20300300-70050). Stakeholders can locate this in the FY 2015 Budget Book titled "Other Funds & Capital Improvement Program" on pages 11, 279, 292 and 293. The \$20,881.79 difference in funding will come from the construction portion of the Linden Street Bridge Deck replacement budgeted in FY 2015 for \$660,000. This project will only use approximately \$60,000 for the design portion and Public Works will rebudget the \$600,000 in a future fiscal year allowing the budgeted funds to be available in the Motor Fuel Tax Fund for the Briarwood project.

Respectfully submitted for Council consideration.

Prepared by:

Kevin Kothe, City Engineer

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

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 Black that the Agreement with Midwest Engineering Associates, Inc. for the Briarwood Subdivision Infrastructure Rehabilitation project be approved, in the amount of \$170,881.79, and the Mayor and City Clerk be authorized to execute the necessary documents, and the Resolution adopted.**

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

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

**Nays: None.**

**Motion carried.**

**The following was presented:**

SUBJECT: Purchase of GovDelivery Software Licenses

**RECOMMENDATION/MOTION:** That the two (2) year agreement with GovDelivery, for a license and subscription of an Email and Digital Subscription Management environment, be approved and that the Procurement Manager be authorized to issue a Purchase Order for same. The license is sold through the General Services Administration (GSA GS-35F-0256K) contract by FedResults, Inc. of Herndon, VA for a total of \$24,000.00, billed annually in two \$12,000 payments.

**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:** Police and Information Services Departments staff have identified a need for the E911 Call Center dispatchers to be able to post messages on the various social networks that

the City uses to enhance communication delivery to its citizens. The dispatchers do not need full access to social media sites that would allow replying to incoming messages. Rather, they simply need to be able to post messages that could often be of a high priority. Staff has been researching how best to provide this access to a relatively large number of internal users.

Today, staff uses a software solution called HootSuite to efficiently deliver a single message to multiple social networks at once. HootSuite is an enterprise solution that allows staff to provide access for multiple City users to the City's various social network accounts without having to share the administrative level credentials for those sites. HootSuite also logs all activity to provide auditing capabilities for the social networking sites. This system works very well for the power users throughout multiple City departments, providing them the full access they need while also tracking and managing all account activity.

HootSuite, however, is a relatively expensive solution when a larger number of users need to be given relatively limited access to those social networking sites. For the Call Center dispatchers, staff needs to provide only the capability to send simple but high priority messages out through the social networks. The HootSuite system is overkill for this relatively simple need, and becomes expensive when that larger number of users needs to be accommodated.

Information Services staff has also identified the need to upgrade or replace the current email list serve solution. The City is currently using an aging list manager solution from Lyris. Staff researched the features, functionality and cost to upgrade our current version of the Lyris product. Through the upgrade, its functionality would be greatly improved. It would also provide more than simple email list management as the current version does, adding the ability to send messages through the multiple social sites the City now uses.

Although the Lyris product has performed well for what it was designed for, staff believes there might be an opportunity to find a single solution that could provide both email list management and the limited "send only" capability needed for the larger number of City users. With the popularity of social media forms of communication, staff believes it critical to be able to provide access to this form of communication in an easy and safe way. This access will allow City departments to communicate more effectively to a wider citizen audience.

Through its research, staff has identified a solution from GovDelivery as being able to both replace the Lyris List Manager and to also augment the HootSuite social media management environment. GovDelivery will provide social media access at a lower cost for City staff, (such as the Call Center dispatchers), that need only a basic ability to send out messages to multiple social networks at one time.

Although there are other solutions on the market that provide certain subsets of the features of the GovDelivery solution, staff believes GovDelivery to be a very complete solution at an extremely competitive cost. GovDelivery is also created specifically with the needs of governmental agencies in mind. Below are a list of features/functions that staff believes help set the GovDelivery solution apart from any competitors.



Unlimited Contacts  
Unlimited Storage  
Unlimited messages to subscribers  
Self-subscribe to specific lists/topics  
99% guaranteed deliverability to subscribers  
24/7 technical support  
Email bounce back management  
Website message archive available at no extra cost  
Single message to many platforms at once (email, text, Twitter, Facebook, RSS feeds)  
All-in-one electronic communications platform  
Page notification when web pages are updated  
Sign-up available by both topics and sub-topics  
Work flow settings to limit access by staff  
Ability to export data and reports from system  
Cross promotion between other agencies also using the GovDelivery system. Listings on other agencies registration pages.  
Users can choose instant, daily, weekly or monthly alerts  
Citizens can opt in to receive updates from agency via personalized RSS feed  
Target a specific audience by filtering subscriber data  
Tailored to meet the needs of government; only available to, and used by, governmental agencies  
Section 508 compliance; accessibility standards for users that require screen readers to obtain information

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

**FINANCIAL IMPACT:** Staff has identified the following cost comparisons in support of the GovDelivery solution.

\$57,500 – HootSuite yearly cost to provide limited “post only” social media site access to thirty (30) users, by purchasing additional licenses.

\$12,000 – Lyris yearly cost to provide current email list management functionality, while also providing social media integration.

\$12,000 – GovDelivery yearly cost to provide current email list management with social media integration and also providing limited “post only” access to an unlimited number of users within the City.

Funds for the license subscription of the GovDelivery Email and Digital Subscription Management environment are included in the FY 2015 Budget under Information Services-Repair and Maintenance Office and Computer Equipment account (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

**RESOLUTION NO. 2014 - 54**

**A RESOLUTION WAIVING THE FORMAL BIDDING PROCESS AND  
AUTHORIZING THE PURCHASE OF SOFTWARE LICENSES FOR THE E911 CALL  
CENTER FROM GOVDELIVERY AT A PURCHASE PRICE OF \$24,000**

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

1. That the bidding process be waived and the Procurement Manager be authorized to issue a Purchase Order for software licenses for the E911 Call Center from GovDelivery at a Purchase Price of \$24,000.

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

APPROVED this 12<sup>th</sup> day of November, 2014.

APPROVED:

Tari Renner  
Mayor

ATTEST:

Tracey Covert  
City Clerk

(ON FILE IN CLERK'S OFFICE)

**Motion by Alderman Painter, seconded by Alderman Black that the two (2) year agreement with GovDelivery, for a license and subscription of an Email and Digital**

**Subscription Management environment, in the amount of \$24,000, be approved, the Mayor and City Clerk authorized to execute the necessary documents.**

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

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

**Nays: None.**

**Motion carried.**

**The following was presented:**

**SUBJECT:** Waive Formal Bid Process and Authorize Payment to Stark Excavating, Inc., for Installation of an Additional Fire Hydrant and Water Main for Replacement on State St.

**RECOMMENDATION:** That the Formal Bid Process be waived, payment to Stark Excavating, Inc., for installation of a fire hydrant and water main be approved, in the amount of \$28,543.42, and the Resolution adopted.

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

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

**BACKGROUND:** Stark Excavation was the contractor performing water main and sewer replacement work for the Locust Colton CSO project. Work was performed during the Locust Colton CSO project. During the time Stark was performing water main work on E. Washington St., the former Director of Water instructed Stark Excavation to install an additional fire hydrant and water main at Washington St. and State St. The additional fire hydrant was installed to provide fire protection to Washington Grade School. The closest fire hydrant to the school was located on the north side of Washington Street. The water main was extended on Washington to State; this will prevent future excavation that would have to close Washington St. when infrastructure needs to be replaced. The work was performed by Stark, was not IEPA eligible.

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

**FINANCIAL IMPACT:** This was not appropriated in the FY 2015 Budget but there are budgeted funds available in the Water Transmission & Distribution-Water Main Construction & Improvement (50100120-72540). 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

Reviewed by: Sue McLaughlin, 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 - 55**

**A RESOLUTION WAIVING THE FORMAL BIDDING PROCESS AND  
AUTHORIZING THE PAYMENT TO STARK EXCAVATING, INC., FOR  
INSTALLATION OF A FIRE HYDRANT AND WATER MAIN IN THE AMOUNT OF  
\$28,543.42**

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

1. That the bidding process be waived and the Payment be authorized to Stark Excavating, Inc., in the amount of \$28,543.42 for fire hydrant and water main installation.

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

APPROVED this 12<sup>th</sup> day of November, 2014.

APPROVED:

Tari Renner  
Mayor

ATTEST:

Tracey Covert  
City Clerk

**Motion by Alderman Painter, seconded by Alderman Black that the Formal Bid Process be waived, payment to Stark Excavating, Inc., for installation of a fire hydrant and water main be approved, in the amount of \$28,543.42, and the Resolution adopted.**

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

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

**Nays: None.**

**Motion carried.**

**The following was presented:**

**SUBJECT:** Scheduled Vehicle Replacement for the Public Works Engineering Division Departments

**RECOMMENDATION/MOTION:** Purchase One (1) Ford Transit Connect from Curry Motors Frankfort, IL utilizing the Northwest Suburban Purchasing Cooperative Contract Number 139, in the amount of \$22,195, be approved and the Procurement Manager be authorized to issue a Purchase Order for same.

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

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

**BACKGROUND:** The Engineering Division has a Mitsubishi IMEV that is on a two (2) year lease. The lease ends this January. The IMEV is a very dependable unit that has not had any major problems during the lease period. The IMEV is an electric vehicle with limited range capabilities. It has not proved to be a good fit for inspections in the Engineering Division because of the small size and limited cargo space. In addition, the small size makes it difficult to go over curbs and on construction sites hard to see when parked along the side of the road at inspection sites. The cargo area is not sufficient to transport the needed testing and inspection equipment. Staff will continue to explore areas where electric vehicles can be utilized by the City. The Transit Connects that are in service at the City have proven to be very useful. They provide secure storage and keep expensive tools and equipment out of the weather. The IMEV will be returned at the end of the lease.

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

**FINANCIAL IMPACT:** The \$22,281 budgeted for the replacement of this vehicle is in the FY 2015 Budget under the FY 2015 Capital Lease-Capital Outlay Licensed Vehicles (40110131-72130). The replacement unit will cost \$22,195. Stakeholders can find this information in the FY 2015 Budget Book titled "Other Funds & Capital Improvement Program" on pages 114 and 265.

Respectfully submitted for Council consideration.

Prepared by: Rob Kronos, Superintendent of Fleet Maintenance

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

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 Black that the Purchase One (1) Ford Transit Connect from Curry Motors Frankfort, IL utilizing the Northwest Suburban Purchasing Cooperative Contract Number 139, in the amount of \$22,195, be approved and the Procurement Manager be authorized to issue a Purchase Order for same.**

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

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

**Nays: None.**

**Motion carried.**

**The following was presented:**

SUBJECT: Scheduled Vehicle Replacements for the Water Department

**RECOMMENDATION/MOTION:** Purchase three (3) Ford Transit Connects from Curry Motors Frankfort, IL utilizing the Northwest Suburban Purchasing Cooperative Contract Number 139, in the amount of \$66,585, be approved and the Procurement Manager be authorized to issue a Purchase Order for same.

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

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

**BACKGROUND:** Water Transmission and Distribution Division has a 2006 Dodge Dakota that currently has over 112,000 miles. It is scheduled for replacement this Fiscal Year (FY). This unit

has had front end, brake, drive line, and transmission problems. The maintenance cost to date for this unit is \$13,295.87.

The Water Meter Service Division has a 2006 Dodge Dakota that will have about 84,000 miles on it when the replacement arrives and has a total maintenance cost to date of \$9,452.21. This unit has had brake, suspension, transmission, and electrical issues. The Water Meter Service Division also have a 2007 Dodge Dakota that will have over 93,000 miles on it when the replacement arrives and has a total maintenance cost of \$11,769.67 to date. This unit has had engine and body electrical, steering, brake, and transmission issues.

There is currently a Transit Connect in service at the Water Department and it has proven to be very useful. It provides secure storage and keeps expensive tools and equipment out of the weather. Staff request that the replaced units be declared surplus and sold at public auction on Public Surplus.com. The units are expected to bring a total of \$15,000 at auction.

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

**FINANCIAL IMPACT:** The Water Transmission and Distribution 2006 Dodge Dakota replacement will be paid out of the FY 2015 Capital Lease-Capital Outlay Licensed Vehicles (40110131-72130) and has \$22,281 in the FY 2015 Budget. The replacement unit will cost \$22,195.

The Water Meter Service Division 2006 and 2007 Dodge Dakotas replacements will be paid out of the FY 2015 Capital Lease-Capital Outlay Licensed Vehicles (40110131-72130) and have \$46,154 budgeted respectively. The replacement units will cost \$44,390 in total. Stakeholders can find this information in the FY 2015 Budget Book titled "Other Funds & Capital Improvement Program" on pages 114 and 266.

Respectfully submitted for Council consideration.

Prepared by: Rob Kronen, Superintendent of Fleet Maintenance

Reviewed by: Brett Lueschen, Interim Director of Water

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 Black that the Purchase three (3) Ford Transit Connects from Curry Motors Frankfort, IL utilizing the Northwest**

**Suburban Purchasing Cooperative Contract Number 139, in the amount of \$66,585, be approved and the Procurement Manager be authorized to issue a Purchase Order for same.**

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

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

**Nays: None.**

**Motion carried.**

**The following was presented:**

**SUBJECT: Analysis of Bids for the Police Department Uniform and Equipment Purchase (Bid #2015-18)**

**RECOMMENDATION/MOTION:** That the bid be awarded to Sam Harris Uniforms to provide Police Officer uniforms on an “as needed” basis, for the amount not to exceed the annual police uniform budget, with the terms of said bid being until April 30, 2015, with the option for five (5) one-(1) year renewals, and the Procurement Manager be authorized to issue a blanket Purchase Order for same.

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

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

**BACKGROUND:** The City last signed an equipment purchase contract for police uniforms and equipment in March 2008. In order to assure the City is receiving competitive pricing on specified uniform and equipment with a high level of service, the bid was published in September 24, 2014. Only two (2) companies, Ray O’Heron Company and Sam Harris Uniforms, submitted complete bids for this contract. A third company submitted a bid, but was not responsive to all items, only footwear. An analysis of the bids submitted showed that Sam Harris Uniforms bid was lower on a majority of the individual items. The cumulative cost of initially outfitting an officer indicated that Sam Harris Uniforms was \$353.39 less than Ray O’Heron. More in depth analysis indicated that the items of clothing most often replaced were on average twenty-three percent (23%) less expensive through Sam Harris Uniforms.

Below is a line by line cost of items included in this bid:



<b>Item</b>	<b>Sam Harris Uniforms</b>	<b>Ray O’Heron</b>
Short Sleeve Shirt	\$49.95	\$61.00
Long Sleeve Shirt	\$53.95	\$67.50
Pants	\$68.50	\$80.50
Dress Pants	\$57.95	\$74.50
Coat	\$245.00	\$300.00
Summer Hat	\$43.00	\$59.00
Winter Hat	\$46.50	\$64.00
Garrison Belt	\$19.95	\$21.00
Duty Belt	\$39.95	\$41.00
Tie	\$6.95	\$4.99
Holster	\$140.00	\$176.00
Glove Pouch	\$15.95	\$16.00
Baton Holder	\$27.50	\$25.95
OC Holder	\$27.50	\$25.95
Handcuff Holder	\$27.50	\$25.95
Magazine Pouch	\$32.75	\$32.50
Raincoat	\$56.50	\$59.00
Boots	\$142.95	\$184.00
Outer Shirt Vest Carrier	\$64.95	\$72.00

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

**FINANCIAL IMPACT:** In FY 2015 Budget, \$131,000 is budgeted under Police-Uniforms (10015110-62190). Stakeholders can locate this in the FY 2015 Budget Book titled “Budget Overview & General Fund” on page 250. As of the date of this memo, \$99,958.47 remains available in the FY 2015 Budget.

Respectfully submitted for Council consideration.

Prepared by: Timothy Stanesa, Lt.

Reviewed by: Kenneth Bays, Asst. Police 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

**Motion by Alderman Painter, seconded by Alderman Black that the bid be awarded to Sam Harris Uniforms to provide Police Officer uniforms on an “as needed” basis, for the amount not to exceed the annual police uniform budget, with the terms of said bid being until April 30, 2015, with the option for five (5) one (1) year renewals, and the Procurement Manager be authorized to issue a blanket Purchase Order for same.**

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

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

**Nays: None.**

**Motion carried.**

**The following was presented:**

**SUBJECT:** Professional Engineering Services Agreement with Lewis, Yockey & Brown, Inc. (LYB) for the Ft. Jesse Rd. Reconstruction project

**RECOMMENDATION/MOTION:** That the Agreement with LYB for the Ft. Jesse Rd. Reconstruction project be approved, in the amount of \$125,000, and 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.

**STRATEGIC PLAN SIGNIFICANCE:** Objective 2a. Better quality roads and sidewalks, and 2d. Well-designed, well-maintained City facilities emphasizing productivity and customer service.

**BACKGROUND:** Staff recommended and Council approved including provisions in the FY 2015 budget to engage the services of a consultant for the Ft. Jesse Rd. Reconstruction project.

LYB completed the design, construction plans and specifications for the previous Ft. Jesse Rd. Reconstruction project between Airport Rd. and Kaisner Dr. Since the current project is a direct extension of this prior project, LYB has survey data and other records which will allow them to perform the work quickly and more efficiently. This is particularly important since the Mclean County Highway Department recently awarded a contract to reconstruct Towanda Barnes Rd. from Ft. Jesse Rd. to the Towanda Village limits. The contiguous or sequential construction of these two (2) projects will have less impact on the adjacent residents and commuters which utilize the subject roads.

Under the proposed professional engineering services contract, the selected engineering firm will be performing surveys, completing designs and preparing construction documents. The contract amount included in the Professional Engineering Services Contract will be a not to exceed

amount. The final overall rates and fee proposed by LYB is fair, appropriate and competitive for the scope of work included.

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

**FINANCIAL IMPACT:** This project is budgeted for \$80,000 in the FY 2015 Budget under Motor Fuel Tax-Engineering Services (20300300-70050). Stakeholders can locate this in the FY 2015 Budget Book titled “Other Funds & Capital Improvement Program” on pages 11, 279, 288 and 289. To compensate for the \$45,000 gap in funding, the construction portion of the Linden St. Bridge Deck replacement budgeted in FY 2015 for \$660,000 will use approximately \$60,000 for the design portion and Public Works will re budget the \$600,000 in a future fiscal year allowing the budgeted funds to be available in the Motor Fuel Tax Fund for the Ft. Jesse Rd. Reconstruction project.

Respectfully submitted for Council consideration.

Prepared by: Kevin Kothe, City Engineer

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

**Motion by Alderman Painter, seconded by Alderman Black that the Agreement with Lewis, Yockey & Brown, Inc. for the Ft. Jesse Rd. Reconstruction project be approved, in the amount of \$125,000, and the Mayor and City Clerk be authorized to execute the necessary documents, and the Resolution adopted.**

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

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

**Nays: None.**

**Motion carried.**

**The following was presented:**

**SUBJECT:** Application of Mac's Convenience Stores, LLC, d/b/a Circle K #1407, located at 2412 S. Main St., requesting a GPBS liquor license which would allow the sale of packaged beer and wine only for consumption off the premises seven (7) days a week

**RECOMMENDATION/MOTION:** Recommend that a GPBS liquor license for Mac's Convenience Stores, LLC, d/b/a Circle K #1407, located at 2412 S. Main St., be created, contingent upon compliance with all applicable health and safety codes with the following condition: 1.) all store staff be BASSET certified within sixty (60) days of liquor license creation.

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

**STRATEGIC PLAN SIGNIFICANCE:** Objective 4.a. 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 Mac's Convenience Stores, LLC, d/b/a Circle K #1407, located at 2412 S. Main St., requesting a GPBS liquor license which would allow the sale of packaged beer and wine only for consumption off the premises seven (7) days a week. Present at the hearing were Liquor Commissioners Tari Renner, Geoffrey Tompkins and Jim Jordan; George Boyle, Asst. Corporation Counsel, Clay Wheeler, Asst. Police Chief, and Tracey Covert, City Clerk; and Ed Van Etten, District Manager and Applicant's representative.

Commissioner Renner opened the liquor hearing and requested that the Applicant's representatives address this request. Ed Van Etten, District Manager and Applicant's representative, addressed the Commission. Mac's Convenience Stores, LLC was acquiring the two (2) Super Pantries located in the City. This store was located at 2412 S. Main St. This application was filed due to the change of ownership.

Commissioner Renner questioned Mr. Van Etten's liquor sales experience. Mr. Van Etten cited his fourteen (14) years of experience in the convenience store industry.

Commissioner Tompkins questioned the Emergency Contact sheet that had been filed as part of the application. Mr. Van Etten noted the Mac's corporate office had established a security call center. Local contacts would be either the Store Manager or himself.

Commissioner Tompkins cited the violation summary which had been included with the application. These violations involved sales to minors.

Mr. Van Etten informed the Commission that Mac's had adopted CBT, (Computer Based Training), for the stores' staffs. Store staff was instructed to check identification for anyone who appeared to be under the age of forty (40). Stores received evening telephone reminders to check identification. There was a sales log for restricted sales items, (alcohol and tobacco products). If store staff was found to have not checked identification, it was grounds for termination.

Commissioner Tompkins noted the total dollar value of the fines paid in the last three (3) years. He added that the City required BASSET, (Beverage Alcohol Sellers and Servers Education and Training), training for store managers.

Mr. Van Etten informed the Commission that all store staff would be BASSET certified. Commissioner Renner questioned if Mac's application was a leap of faith.

Commissioner Jordan questioned employee longevity. Mr. Van Etten noted that in the past employee tenure had been two to three (2 – 3) years. Due to company restraints regarding full/part time employees, employee tenure had been reduced to twelve to eighteen (12 - 18) months.

Commissioner Jordan questioned management presence at the store. Mr. Van Etten noted that the store manager generally worked first shift and the assistant store manager worked either second or third shift. Mac's currently held four (4) liquor licenses in the City.

George Boyle, Asst. Corporation Counsel, noted that Mac's application did not list any violations that occurred in the City.

Mr. Van Etten informed the Commission that he had been promoted to District Manager in October 2012. There had not been a violation at the stores in his district during his tenure as District Manager.

Mr. Boyle referred to the listing that had been included in Mac's application. There were five (5) violations listed in Normal. He acknowledged that there had not been a violation for Mac's since October 2012.

Commissioner Renner stated that there had been some issues with Mac's but there had not been a single violation since Mr. Van Etten became District Manager.

Commissioner Jordan added that this application involved a change of ownership.

Commissioner Renner restated that all store staff would be BASSET certified. He recommended that this occur within sixty (60) days after the liquor license is issued. Mr. Van Etten stated that he would contact Heartland Community College regarding the next class.

Motion by Commissioner Jordan, seconded by Commissioner Tompkins to recommend to the Council that a GPBS liquor license for Mac's Convenience Stores, LLC, d/b/a Circle K #1407, located at 2412 S. Main St., be approved contingent upon compliance with all health safety codes with the following condition: 1.) all store staff be BASSET certified within sixty (60) days of liquor license creation.

Motion carried, (unanimously).

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** Public notice was published in the Pantagraph on October 6, 2014 in accordance with City Code. In accordance

with City Code, approximately three (3) courtesy copies of the Public Notice were mailed on October 3, 2014. In addition, the Agenda for the October 14, 2014 Meeting of the Liquor Commission was placed on the City's web site. There also is a list serve feature for the Liquor Commission.

**FINANCIAL IMPACT:** None. Request is for a change of ownership. Annual fee for a GPBS liquor license is \$1,180.

Respectfully submitted for Council consideration.

Recommended by:

Tari Renner  
Mayor

**Motion by Alderman Painter, seconded by Alderman Black that a GPBS liquor license for Mac's Convenience Stores, LLC, d/b/a Circle K #1407, located at 2412 S. Main St., be created, contingent upon compliance with all applicable health and safety codes with the following condition: 1.) all store staff be BASSET certified within sixty (60) days of liquor license creation.**

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

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

**Nays: None.**

**Motion carried.**

**The following was presented:**

**SUBJECT:** Application of Mac's Convenience Stores, LLC, d/b/a Circle K #1421, located at 1206 N. Towanda Barnes Rd., requesting a GPBS liquor license which would allow the sale of packaged beer and wine only for consumption off the premises seven (7) days a week

**RECOMMENDATION/MOTION:** Recommend that a GPBS liquor license for Mac's Convenience Stores, LLC, d/b/a Circle K #1421, located at 1206 N. Towanda Barnes Rd., be created, contingent upon compliance with all applicable health and safety codes with the following condition: 1.) all store staff be BASSET certified within sixty (60) days of liquor license creation.

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

**STRATEGIC PLAN SIGNIFICANCE:** Objective 4.a. 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 Mac's Convenience Stores, LLC, d/b/a Circle K #1421, located at 1206 N. Towanda Barnes Rd., requesting a GPBS liquor license which would allow the sale of packaged beer and wine only for consumption off the premises seven (7) days a week. Present at the hearing were Liquor Commissioners Tari Renner, Geoffrey Tompkins and Jim Jordan; George Boyle, Asst. Corporation Counsel, Clay Wheeler, Asst. Police Chief, and Tracey Covert, City Clerk; and Ed Van Etten, District Manager and Applicant's representative.

Commissioner Renner opened the liquor hearing and requested that requested that the Applicant's representatives address this request. Ed Van Etten, District Manager and Applicant's representative, addressed the Commission. Mac's Convenience Stores, LLC was acquiring the two (2) Super Pantries located in the City. This store was located at 1206 N. Towanda Barnes Rd. This application was filed due to the change of ownership.

Commissioner Renner questioned Mr. Van Etten's liquor sales experience. Mr. Van Etten cited his fourteen (14) years of experience in the convenience store industry.

Commissioner Tompkins questioned the Emergency Contact sheet that had been filed as part of the application. Mr. Van Etten noted the Mac's corporate office had established a security call center. Local contacts would be either the Store Manager or himself.

Commissioner Tompkins cited the violation summary which had been included with the application. These violations involved sales to minors.

Mr. Van Etten informed the Commission that Mac's had adopted CBT, (Computer Based Training), for the stores' staffs. Store staff was instructed to check identification for anyone who appeared to be under the age of forty (40). Stores received evening telephone reminders to check identification. There was a sales log for restricted sales items, (alcohol and tobacco products). If store staff was found to have not checked identification, it was grounds for termination.

Commissioner Tompkins noted the total dollar value of the fines paid in the last three (3) years. He added that the City required BASSET, (Beverage Alcohol Sellers and Servers Education and Training), training for store managers.

Mr. Van Etten informed the Commission that all store staff would be BASSET certified.

Commissioner Renner questioned if Mac's application was a leap of faith.

Commissioner Jordan questioned employee longevity. Mr. Van Etten noted that in the past employee tenure had been two to three (2 - 3) years. Due to company restraints regarding full/part time employees, employee tenure had been reduced to twelve to eighteen (12 - 18) months.

Commissioner Jordan questioned management presence at the store. Mr. Van Etten noted that the store manager generally worked first shift and the assistant store manager worked either second or third shift. Mac's currently held four (4) liquor licenses in the City.

George Boyle, Asst. Corporation Counsel, noted that Mac's application did not list any violations that occurred in the City.

Mr. Van Etten informed the Commission that he had been promoted to District Manager in October 2012. There had not been a violation at the stores in his district during his tenure as District Manager.

Mr. Boyle referred to the listing that had been included in Mac's application. There were five (5) violations listed in Normal. He acknowledged that there had not been a violation for Mac's since October 2012.

Commissioner Renner stated that there had been some issues with Mac's but there had not been a single violation since Mr. Van Etten became District Manager. He encouraged Mr. Van Etten to continue his efforts to kept Mac's record clean.

Commissioner Jordan added that this application involved a change of ownership. He questioned the lot size at this location. Mr. Van Etten responded that he did not know. Commissioner Jordan questioned if diesel fuel was available for sale at this location. Mr. Van Etten responded affirmatively.

Commissioner Renner restated that all store staff would be BASSET certified. He recommended that this occur within sixty (60) days after the liquor license is issued. Mr. Van Etten stated that he would contact Heartland Community College regarding the next class.

Motion by Commissioner Jordan, seconded by Commissioner Tompkins to recommend to recommend to the Council that a GPBS liquor license for Mac's Convenience Stores, LLC, d/b/a Circle K #1421, located at 1206 N. Towanda Barnes Rd., be approved contingent upon compliance with all health safety codes with the following condition: 1.) all store staff be BASSET certified within sixty (60) days of liquor license creation.

Motion carried, (unanimously).

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** Public notice was published in the Pantagraph on October 6, 2014 in accordance with City Code. In addition, the Agenda for the October 14, 2014 Meeting of the Liquor Commission was placed on the City's web site. There also is a list serve feature for the Liquor Commission.

**FINANCIAL IMPACT:** None. Request is for a change of ownership. Annual fee for a GBPS liquor license is \$1,180.

Respectfully submitted for Council consideration.



Recommended by:

Tari Renner  
Mayor

**Motion by Alderman Painter, seconded by Alderman Black that a GPBS liquor license for Mac’s Convenience Stores, LLC, d/b/a Circle K #1421, located at 1206 N. Towanda Barnes Rd., be created, contingent upon compliance with all applicable health and safety codes with the following condition: 1.) all store staff be BASSET certified within sixty (60) days of liquor license creation.**

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

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

**Nays: None.**

**Motion carried.**

**The following was presented:**

SUBJECT: Amendment to Prevailing Wage Resolution regarding Apprenticeship Requirements for Public Contracts in Excess of \$100,000

**RECOMMENDATION/MOTION:** Recommend that the Amended Resolution Ascertain the Prevailing Rates of Wages for Laborers, Workers and Mechanics Engaged in Public Works be adopted to include language requiring apprenticeship participation requirements for public contracts in excess of \$100,000.

**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:** The Prevailing Wage Act (820 ILCS 130/1 *et seq.*) requires that public bodies such as the City, which awards any construction contract for public work or doing such work by day labor, shall ascertain the general prevailing hourly rates of wages for employees engaged in such work, and shall require that all contractors of the City pay those wages to their workers. This Act requires public bodies to adopt a resolution or ordinance ascertaining the wages by the end of July each year.

On July 14, 2014, the City adopted a Resolution Ascertain the Prevailing Rates of Wages for Laborers, Workers and Mechanics Engaged in Public Works with the City of Bloomington.

Although not required by law, the Resolution, as proposed, contained language requiring contractors to provide proof of participation in an apprenticeship program if the contract is in excess of \$100,000. This had been a past practice of the City and was believed to have originally been added at the request of the Trades and Labor Council.

When the Resolution was discussed by the Council at the July 14, 2014 meeting, there were questions on whether the apprenticeship threshold had been lower in the past and this language was removed from the Resolution to allow the Council time to ascertain the correct number. The \$100,000 threshold has now been confirmed as the past practice of the City and accordingly this amended resolution is provided to incorporate and include the apprenticeship language.

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

**FINANCIAL IMPACT:** Not applicable.

Respectfully submitted for Council consideration.

Prepared by: Jeffrey R. Jurgens, Corporation Counsel

Review by: Tracey Covert, City Clerk

Recommended by:

David A. Hales  
City Manager

## **RESOLUTION NO. 2014 – 56**

### **AMENDED RESOLUTION OF THE CITY OF BLOOMINGTON, McLEAN COUNTY, ILLINOIS ASCERTAINING THE PREVAILING RATES OF WAGES FOR LABORERS, WORKERS AND MECHANICS ENGAGED IN PUBLIC WORKS WITH THE CITY OF BLOOMINGTON**

WHEREAS, the Prevailing Wage Laws, 820 ILCS 130/1 et seq., as amended, require that each public body awarding any construction contract for public work or doing such work by day labor shall ascertain the general prevailing hourly rates of wages for employees engaged on such work; and

WHEREAS, “public work”, as defined in the Prevailing Wage Law, includes commercial or industrial projects financed in whole or in part through the issuance of revenue bonds by the City of Bloomington under authority of the Industrial Project Bond Act or Home Rule Ordinance or financed in whole or in part through other public funds, without regard to what person or entity formally contracts for such work; and

WHEREAS, the statutes further provide that said rates be published, publicly posted and/or kept available for inspection by any interested party in the Office of the Secretary of State and Labor Department; and

WHEREAS, the City of Bloomington believes Prevailing Wage Law should apply to private commercial economic development projects directly supported by public funds, including projects supported by Tax Increment Financing or tax incentives of any kind; and

WHEREAS, when the City of Bloomington timely adopted its resolution ascertaining the prevailing rates of wages on July 14, 2014, it was adopted without language requiring participation in apprenticeship programs for construction contracts in excess of \$100,000 as there had been debate as to the previous dollar amount threshold for this requirement; and

WHEREAS, City officials and staff have reviewed previous records and the City has historically set the apprenticeship requirement for those construction contracts in excess of \$100,000 and would like to continue said requirement and make such a part of the City's requirements on the award of construction contracts; and

WHEREAS, the City of Bloomington believes that contractors awarded contracts for public work as defined by state statute and this Resolution should, as a prerequisite to such contract, provide proof of participation in apprenticeship and training programs approved and registered with the United States Department of Labor's Bureau of Apprenticeship and Training for all construction contracts in excess of \$100,000.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Bloomington, County of McLean, State of Illinois that the prevailing wages as established and regularly updated by the Illinois Department of Labor are incorporated herein by reference as the prevailing rates of hourly wages in the City of Bloomington, Illinois for the laborers, workers and mechanics specified therein who are engaged in the construction of public works within the jurisdiction of this municipality; and

BE IT RESOLVED that the prevailing wages as established and regularly updated by the Illinois Department of Labor, as show on the attached McLean County Prevailing Wage for June 2014, shall be paid to laborers, workers and mechanics specified therein when such persons perform work on private commercial economic development projects directly supported by public funds, including projects supported by Tax Increment Financing or tax incentives of any kind; and

BE IT RESOLVED that contractors shall submit to the City on a monthly basis all certified payroll records for prevailing wage work performed by contractor **employees and subcontractors**. The certified payroll records must include the following for each employee employed on the project: Name, Address, Telephone Number, Social Security Number, Job Classification, hourly wages paid in each pay period, number of hours worked each day and starting and ending time of work each day. The contractor shall submit these records with a signed statement that the records are true and accurate, that the wages paid to each worker are

not less than the prevailing rate and that the contractor is aware that filing records known to be false is a Class B misdemeanor offense; and

BE IT RESOLVED that contractors awarded contracts for public work as defined by state statute and this Resolution should, as a prerequisite to such contract, provide proof of participation in apprenticeship and training programs approved and registered with the United States Department of Labor's Bureau of Apprenticeship and Training for all construction contracts in excess of \$100,000; and

BE IT RESOLVED that nothing herein contained shall be construed to apply said prevailing hourly rates of wages in the locality to any work or employment other than public works or private commercial economic development projects directly supported by public funds as defined in the Act and this Resolution; and

BE IT RESOLVED that contractors awarded contracts for public work as defined by state statute and this Resolution should, as a prerequisite to such contract, obtain the current prevailing wage rates from the Illinois Department of Labor and regularly check for updated prevailing wage rates during the entire duration of said contract for the locality; and

BE IT RESOLVED that the City Clerk shall mail a copy of this Resolution to any employer, any association of employers, and to any person or association of employees who have filed or do file their names and addresses with the Clerk requesting copies of any determination under said law of the particular rates and of the particular classes of persons whose wages will be affected by such rates; and

BE IT RESOLVED that this Resolution shall supersede and take effect over Resolution 2014-29 and shall be considered the City's governing resolution on prevailing wages until further amendment and/or adoption of a new resolution setting for the prevailing wages in July of 2015; and

BE IT RESOLVED that the City Clerk shall promptly file a certified copy of this Resolution with the Department of Labor of the State of Illinois; and

BE IT RESOLVED that the City Clerk, as required by law, shall cause to be published in a newspaper of general circulation within the area of this municipality a notice of this Resolution and that it is the effective prevailing wage determination of this public body.

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

APPROVED this 12<sup>th</sup> day of November, 2014.

APPROVED:

Tari Renner  
Mayor

ATTEST:

Tracey Covert  
City Clerk

**Motion by Alderman Painter, seconded by Alderman Black that the Amended Resolution Ascertaining the Prevailing Rates of Wages for Laborers, Workers and Mechanics Engaged in Public Works be adopted to include language requiring apprenticeship participation requirements for public contracts in excess of \$100,000.**

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

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

**Nays: None.**

**Motion carried.**

**The following was presented:**

**SUBJECT:** Text Amendment to Chapter 29, Section 194B Clarifying When Vehicles May Be Impounded by the Police

**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 1d. City Services delivered in the most cost-effective, efficient manner.

**BACKGROUND:** In June, Chapter 29, Section 194B of the City Code was updated to reference the state statute providing for impoundment of motor vehicles by municipalities. That statute enumerates several offenses for which vehicles may be impounded. The statute also contains a catch-all provision that provides vehicles may be impounded when operated or used “in the commission of, or the attempt to commit, any other misdemeanor or felony offense in violation of the Criminal Code of 1961 or the Criminal Code of 2012, when so provided by local ordinance.” The proposed text amendment adds the catch-all language from the state statute to the City’s impoundment ordinance and thereby clarifies that vehicles may be impounded when used in the commission of, or in the attempt to commit, a felony or misdemeanor in the referenced criminal codes.

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

**FINANCIAL IMPACT:** Not applicable.

Respectfully submitted for Council consideration.

Prepared by: George D. Boyle, Asst. Corporation Counsel

Recommended by:

David A. Hales  
City Manager

**ORDINANCE NO. 2014 - 107**

**AN ORDINANCE AMENDING THE BLOOMINGTON CITY CODE CHAPTER 29,  
SECTION 194B – VEHICLE SEIZURE AND IMPOUNDMENT**

SECTION 1. That the Bloomington City Code Chapter 29 Section 194B shall be and is hereby amended to read as follows: (additions are indicated by underlining; deletions are indicated by strikeouts):

**SEC. 194B VEHICLE SEIZURE AND IMPOUNDMENT.**

(a) Fee, Seizure and Impoundment. Vehicles used in the offenses listed in Section 11-208.7(b) of the Illinois Vehicle Code, 625 ILCS 5/11-208.7(b) or in any other misdemeanor or felony offense in violation of the Criminal Code of 1961 or the Criminal Code of 2012 are hereby declared contraband and subject to seizure and impoundment. The impoundment of any vehicle used in the commission of any of the foregoing offenses shall subject the owner to an administrative fee of \$400.00 plus costs of towing and storage.

(b) Removal and Seizure. Whenever a police officer has probable cause to believe that a vehicle is subject to seizure and impoundment pursuant to this Section, the police officer may cause the vehicle to be removed and relocated to a secure location. The officer shall inform any person in control of the vehicle of the seizure and the right to a prompt probable cause hearing and an administrative impoundment hearing as provided in this Section.

At the time the vehicle is towed, the officer shall notify or make a reasonable attempt to notify the owner, lessee, or person identifying himself or herself as the owner or lessee of the vehicle, or any person who is found to be in control of the vehicle at the time of the alleged offense, of the fact of the seizure and of the right of the vehicle owner or lessee to an administrative hearing. The police officer shall also provide notice that the motor vehicle will remain impounded pending the completion of an administrative hearing, unless the owner or lessee of the vehicle, or a lienholder, posts with the municipality a bond equal to the administrative fee as provided by this Section and pays for all towing and storage charges.

(c) Notice. The City will provide the registered owner or lessee of the vehicle and any lienholder of record with a notice of hearing. The notice shall:

1. be served upon the owner, lessee, and any lienholder of record either by personal service or by first class mail to the interested party's address as registered with the Secretary of State;
2. be served upon interested parties within 10 days after a vehicle is impounded by the City; and

3. contain the date, time, and location of the administrative hearing. An initial hearing shall be scheduled and convened no later than 45 days after the date of the mailing of the notice of hearing.

(d) Prompt Probable Cause Hearing. At any time prior to an administrative impoundment hearing, at the request of the owner of a vehicle or a person with authority from an owner, the Police Chief or his designee shall hold a prompt probable cause hearing. Said hearing shall occur within 24 hours of the request, excluding Saturdays, Sundays and holidays. At the hearing, any interested person shall be given a reasonable opportunity to be heard and present evidence. Formal rules of evidence shall not apply, and hearsay evidence shall be admissible. At the prompt probable cause hearing, the Police Chief or his designee shall determine whether probable cause exists for the seizure and impoundment of the vehicle pursuant to this Section and, if asserted by the owner, whether the vehicle was stolen from the owner. If the Police Chief or his designee determines that probable cause exists for the continued impoundment of the vehicle, the Police Chief or his designee shall order the vehicle held pending an impoundment hearing or payment of the bond and any towing and storage fees due. If the Police chief or his designee determines that probable cause for impoundment does not exist or that the vehicle was stolen from the owner, the Police Chief or his designee shall order the immediate release of the vehicle without payment of any penalties, fees or costs.

(e) Administrative Impoundment Hearing. A hearing officer designated by the City Manager shall hold an administrative impoundment hearing within 45 days of the notice of impoundment hearing sent pursuant to subsection (c) of this Section. A person seeking the hearing may waive the foregoing time restraint. At the impoundment hearing, any interested person shall be given a reasonable opportunity to be heard. Formal rules of evidence shall not apply, and hearsay evidence shall be admissible. The impoundment hearing shall comply with the requirements set forth in Section 11-208.7 of the Illinois Vehicle Code, 625 ILCS 5/11-208.7. At the impoundment hearing, the hearing officer shall determine by a preponderance of the evidence whether the vehicle was used in violation of a listed offense or whether the vehicle was stolen from the owner. If the hearing officer determines that the vehicle was not utilized in violation of any offense listed in Section 11-208.7(b) of the Illinois Vehicle Code, 625 ILCS 5/11-208.7(b), or that the vehicle was stolen from the owner, the hearing officer shall order the immediate release of the vehicle without payment of any administrative fee and the expeditious return of any bond or fee already paid by the vehicle owner or his agent. Any bond or fee returned shall be to the person who paid the bond or fee, unless directed otherwise by that person. Any person claiming a vehicle ordered released under this subsection shall have seven days from the date of the order of release within which to claim the vehicle without accruing additional storage charges; thereafter, the person claiming the vehicle shall be responsible for paying any and all storage charges that accrue. If the hearing officer determines the vehicle was used in the commission of a listed offense, the hearing officer shall order the vehicle held pending payment of the fee and any towing and storage fees which may be due.

(f) Innocent Defendant. In the event that a person is acquitted of all charges stemming from the incident for which the vehicle was impounded or is not charged within six months for any offense stemming from the incident for which the vehicle was impounded, that person may apply to the Police Chief for a full refund of any bond or administrative fee paid to release the vehicle.



A disposition of court supervision will be considered as a conviction and not an acquittal. Participation in a diversion program or similar program to avoid judicial consequences shall not be considered an acquittal for purposes of this Section. A plea agreement which calls for the dismissal of the charge for which the vehicle was impounded in exchange for a guilty plea to any other charge shall not be considered an acquittal for purposes of this Section. The Police Chief shall refund any bond or administrative fee paid, if an acquittal occurs or if charges are not likely to be brought within 6 months. Any fee or bond returned shall be to the person who paid the bond or fee, unless directed otherwise by that person. Any person claiming a vehicle ordered released under this subsection shall have seven days from the date of the order of release within which to claim the vehicle without accruing additional storage charges; thereafter, the person claiming the vehicle shall be responsible for paying any and all storage charges that accrue.

(g) Release of Vehicle. A vehicle seized and impounded under this Section shall be released to the owner or the owner's agent upon payment of the bond or administrative fee and all towing and storage fees accrued. Payment of the bond or administrative fee and towing and storage fees does not waive an owner's right to an impoundment hearing.

(h) Unclaimed Vehicle. Any vehicle not claimed by its owner or other interested party within thirty-five days after the impoundment hearing shall be considered abandoned and sold pursuant to State law. An owner or interested party may claim his/her vehicle by paying the administrative fee, towing and storage fees any time prior to sale of the vehicle.

(i) Nothing in this section shall be construed to prohibit the holding, forfeiture or impoundment of any vehicle pursuant to any other law or statute.

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

SECTION 3. The City Clerk is hereby directed and authorized to publish this Ordinance in pamphlet form as provided by law.

SECTION 4. This Ordinance is enacted pursuant to the authority granted to the City as a home rule unit by Article VII, Section 6 of the 1970 Illinois Constitution.

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

PASSED this 10<sup>th</sup> day of November, 2014.

APPROVED:

Tari Renner  
Mayor

ATTEST:

Tracey Covert  
City Clerk

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

**Nays: None.**

**Motion carried.**

**The following was presented:**

**SUBJECT:** Petition from Fox Creek Village, LLC Requesting Approval of a Final Plat for Fox Creek Village, 4<sup>th</sup> Addition, Located South of Fox Creek Rd. and West of Union Pacific Railroad

**RECOMMENDATION/MOTION:** That the Final Plat be approved and the Ordinance passed.

**STRATEGIC PLAN SIGNIFICANCE:** Goal 5. Great place – livable, sustainable City.

**STRATEGIC PLAN SIGNIFICANCE:** Objective 5a. Well-planned City with necessary services and infrastructure.

**BACKGROUND:** The original preliminary plan for the Fox Creek Village Planned Unit Development was passed by Council on May 23, 2003. The last approved final plat for this area was passed by council on July 22, 2013. The subject final plat conforms to the amended Preliminary Plan passed by Council on September 9, 2013.

Public improvements for this subdivision are ongoing; as a result, a punchlist for this subdivision does not exist at this time.

In accordance with the Annexation Agreement approved by Council April 25, 1994, there are no tap on fees required to be paid for this development before final platting. However, a revolving commercial surety bond for performance guarantee has been posted by the developer in the amount of \$150,000.00

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** Fox Creek Village, LLC.

**FINANCIAL IMPACT:** The cost of all public improvements, platting, and recording will be borne by the petitioner.

Respectfully submitted for Council consideration.

Prepared by: Anthony J Meizelis, PE, Civil Engineer I

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

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 APPROVAL OF FINAL PLAT**

State of Illinois )  
 )ss.  
County of McLean )

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

Now comes Fox Creek Village, LLC, an Illinois limited liability company hereinafter referred to as your petitioner, respectfully representing and requesting as follows:

1. That your petitioner is the owner of the freehold or lesser estate thereinof the premises hereinafter legally described in Exhibit A which is attached hereto and made a part hereof by this reference, of is a mortgagee or vendee in possession, assignee of rents, receiver, executor (executrix), trustee, lessee or other person, firm or corporation or the duly authorized agents of any of the above persons having proprietary interest in said premises;
2. That your petitioner seeks approval of the Final Plat for the subdivision of said premises to be known and described as Fourth Addition to Fox Creek Village Subdivision, Bloomington, Illinois.
3. That your petitioner also seeks approval of the following exemptions or variations from the provisions of Chapter 24 of the Bloomington City Code, 1960: None other than permitted by the Preliminary Plan and/or Annexation Agreement.

WHEREFORE, your petitioner respectfully prays that said Final Plat for the Fourth Addition to Fox Creek Village Subdivision submitted herewith be approved with the exemptions or variations as requested herein.

Respectfully submitted,

FOX CREEK VILLAGE, LLC,  
By Snyder Properties Trust, Member

By: Stephen W. Snyder  
One of its Trustees

**ORDINANCE NO. 2014 - 108**

**AN ORDINANCE APPROVING THE FINAL PLAT OF THE  
FOURTH ADDITION TO FOX CREEK VILLAGE SUBDIVISION**

WHEREAS, there was heretofore filed with the City Clerk of the City of Bloomington, McLean County, Illinois, a Petition for approval of the Final Plat of the Fourth Addition to Fox Creek Village Subdivision, legally described in Exhibit A attached hereto and made a part hereof by this reference; and

WHEREAS, said Petition requests the following exemptions or variations from the provisions of the Bloomington City Code-1960, as amended: None other than permitted by the Preliminary Plan and/or Annexation Agreement; and

WHEREAS, said Petition is valid and sufficient and conforms to the requirements of the statutes in such cases made and provided and the Final Plat attached to said Petition was prepared in compliance with requirements of the Bloomington City Code except for said requested exemptions and/or variations; and

WHEREFORE, said exemptions and/or variations are reasonable and in keeping with the intent of the Land Subdivision Code, Chapter 24 of the Bloomington City Code-1960, as amended.

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

1. That the Final Plat of the Fourth Addition to Fox Creek Village Subdivision and any and all requested exemptions and/or variations be, and the same is hereby approved.
2. That this Ordinance shall be in full force and effective as of the time of its passage this 10<sup>th</sup> day of November, 2014.

APPROVED:

Tari Renner  
Mayor

ATTEST:

Tracey Covert  
City Clerk

## Exhibit A – Legal Description

### Tract 1:

A part of Outlot 46 in the Second Addition to Fox Creek Village Subdivision in the City of Bloomington, McLean County, Illinois, according to the plat recorded as Document No. 2008-26743 in the McLean County Recorder's Office, a part of Lot 2 in Fox Creek Country Club in the City of Bloomington, McLean County, Illinois, according to the plat recorded as Document No. 95-26592 in said Recorder's Office and a part of Lot 4 in Capen's Subdivision of Part of Sections 13 and 24, Township 23 North, Range 2 East of the Third Principal Meridian, McLean County, Illinois, more particularly described as follows: Beginning at the Southernmost Corner of Lot 58 in the Third Addition to Fox Creek Village Subdivision Planned Unit Development in the City of Bloomington, Illinois, according to the plat recorded as Document No. 2013-21601 in the McLean County Recorder's Office. From said Point of Beginning, thence northwest 135.95 feet along the Southwesterly Line of said Lot 58 and the Southwesterly Line of Winding Way; thence northeast 19.97 feet along the West Line of Winding Way which forms an angle to the right of 270°-00'-00" with the last described course to the Southeast Corner of Lot 55 in said Third Addition; thence northwest 81.55 feet along the South Line of said Lot 55 and the South Line of Lot 54 in said Third Addition which forms an angle to the right of 90°-00'-00" with the last described course; thence west 475.44 feet along the South Line of said Third Addition and the westerly extension thereof which forms an angle to the right of 153°-58'-53" with the last described course; thence south 250.00 feet along a line which forms an angle to the right of 90°-00'-00" with the last described course to the Westerly Extension of the North Line of Outlot 26 in Fox Creek Village Subdivision according to the plat recorded as Document No. 2003-46554 in said Recorder's Office; thence east 623.28 feet along said Westerly Extension and the North Line of said Outlot 26 which forms an angle to the right of 90°-00'-00" with the last described course to the Northeast Corner of said Outlot 26 being on the Northwesterly Right-of-Way Line of the former Chicago and Alton Railroad, said Right-of-Way Line also being the Southeasterly Line of Lot 4 in said Capen's Subdivision; thence northeast 5.50 feet along said Right-of-Way Line which forms an angle to the right of 116°-00'-45" with the last described course; thence northwest 25.00 feet along said Right-of-Way Line which forms an angle to the right of 90°-00'-00" with the last described course; thence northeast 134.35 feet along said Right-of-Way Line which forms an angle to the right of 270°-00'-00" with the last described course to the Point of Beginning.

### Tract 2:

A part of Lot 4 in Capen's Subdivision of Part of Sections 13 and 24, Township 23 North, Range 1 East of the Third Principal Meridian, and a part of Sections 18 and 19, Township 23 North, Range 2 East of the Third Principal Meridian, McLean County, Illinois, more particularly described as follows: Beginning at the Southeast Corner of Outlot 26 in Fox Creek Village Subdivision Planned Unit Development in the City of Bloomington, Illinois, according to the plat recorded as Document No. 2003-46554 in the said McLean County Recorder's Office. From said Point of Beginning, thence southwest 183.38 feet along the Northwesterly Right-of-Way Line of the former Chicago and Alton Railroad, said Right-of-Way Line also being the Southeasterly Line of said Lot 4 to the Southeast Corner thereof; thence west 687.80 feet along

the South Line of said Lot 4 which forms an angle to the left of 115°-15'-08" with the last described course to the Southwest Corner of said Lot 4; thence north 590.34 feet along the West Line of said Lot 4 which forms an angle to the left of 90°-45'-37" with the last described course to the intersection of said West Line and the Westerly Extension of the North Line of said Outlot 26; thence east 361.31 feet along said Westerly Extension which forms an angle to the left of 90°-00'-00" with the last described course to a corner of said Outlot 26 lying 618.97 feet east of the Northeast Corner thereof; thence south 30.00 feet along a North-South Line of said Outlot 26 which forms an angle to the left of 90°-00'-00" with the last described course; thence west 75.81 feet along an East-West Line of said Outlot 26 which forms an angle to the left of 90°-00'-00" with the last described course; thence south 404.66 feet along the West Line of said Outlot 26 which forms an angle to the left of 270°-00'-00" with the last described course to the Southwest Corner of said Outlot 26; thence east 482.66 feet along the South Line of said Outlot 26 which forms an angle to the left of 270°-00'-00" with the last described course to the Point of Beginning.

PIN: Part of 21-19-176-036  
Part of 21-19-176-037

**Motion by Alderman Painter, seconded by Alderman Black that the Final Plat be approved and the Ordinance passed.**

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

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

**Nays: None.**

**Motion carried.**

**The following was presented:**

**SUBJECT:** Application of BNN Enterprises LLC, d/b/a Smoke Rings etc., located at 1414 S. Main St., requesting a PAS liquor license which would allow the sale of all types of packaged for consumption off the premises seven (7) days a week

**RECOMMENDATION/MOTION:** Recommend that a PAS liquor license for BNN Enterprises LLC, d/b/a BNN Enterprises LLC, located at 1414 S. Main St., be created, contingent upon compliance with all applicable health and safety codes with the following conditions: 1.) no single serve sales and 2.) no liquor sales on Sunday until 12 noon.

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

**STRATEGIC PLAN SIGNIFICANCE:** Objective 4.a. 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 BNN Enterprises LLC, d/b/a Smoke Rings etc., located at 1414 S. Main St., requesting a PAS liquor license which would allow the sale of all types of packaged for consumption off the premises seven (7) days a week. Present at the hearing were Liquor Commissioners Tari Renner, Geoffrey Tompkins and Jim Jordan; George Boyle, Asst. Corporation Counsel, Clay Wheeler, Asst. Police Chief, and Tracey Covert, City Clerk; and Brian Haskins, owner/operator and Applicant's representative.

Commissioner Renner opened the liquor hearing and stated that this Application had been laid over by the Commission at their September 9, 2014 meeting to allow City staff to address the separation distance between Smoke Rings and two (2) nearby churches, (Integrity Deliverance Ministries Integrity Church located at 1409 S. Main St. and Pilgrim Holiness Church located at 1409 S. East St.). It was noted that the City Code stated that the distance must be more than 100'.

George Boyle, Asst. Corporation Counsel, addressed the Commission. He reference state statute which also contained the 100' provision. He stated his understanding of this statute which addressed nearest part of the building not the property line boundaries.

Commissioner Tompkins questioned Mr. Boyle's interpretation. Mr. Boyle restated that there was no prohibition.

Commissioner Renner reminded the Commission that the Applicant had agreed to no single serve sale items.

Commissioner Jordan expressed his concerns. He cited the location of the two (2) churches and the impact of Pastor Brown's testimony at the Commission's September 9, 2014 meeting. He also cited neighborhood opposition. He recalled concerns raised regarding truck loading and unloading at this business. He questioned if the applicant planned to request a "T", Tavern, license after obtaining a "P", Packaged liquor license.

Commissioner Renner also stated that liquor sales would not be allowed until after 12 noon on Sundays.

Commissioner Renner questioned if there was anyone present who which to address this application either in support of or in opposition to.

Brian Haskins, owner/operator and Applicant representative, addressed the Commission. He thanked City staff for their efforts regarding the distances between his business and the two (2) churches. He had also taken measurements.

Commissioner Renner acknowledged that the distances were over 100', (i.e. Integrity Deliverance Ministries Integrity Church located at 1409 S. Main St. – 132' and Pilgrim Holiness Church located at 1409 S. East St. - 108').



Mr. Haskins addressed delivery concerns. Deliveries would be made in the morning. He agreed to the two (2) conditions, (no single serve sales and no Sunday sales until after 12 noon).

Commissioner Jordan questioned video gaming. Mr. Haskins stated that his business was not eligible. He would need a license to sell by the glass to be eligible.

Motion by Commissioner Tompkins, seconded by Commissioner Jordan to recommend to the Council that a PAS liquor license for BNN Enterprises LLC, d/b/a Smoke Rings etc., located at 1414 S. Main St., be approved contingent upon compliance with all health safety codes with the following conditions: 1.) no single serve sales and 2.) no liquor sales on Sunday until 12 noon.

Motion carried, (unanimously).

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** Public notice was published in the Pantagraph on September 2, 2014 in accordance with City Code. In accordance with City Code, approximately 121 courtesy copies of the Public Notice were mailed on August 29, 2014. In addition, the Agenda for the October 14, 2014 Meeting of the Liquor Commission was placed on the City's web site. There also is a list serve feature for the Liquor Commission.

**FINANCIAL IMPACT:** This application represents a new liquor license. Annual fee for a PAS liquor license is \$1,410.

Respectfully submitted for Council consideration.

Recommended by:

Tari Renner  
Mayor

**Alderman Lower stated he had spoken with business owners and Pastor Joseph Brown, Integrity Deliverance Ministries Integrity Church, located at 1409 S. Main St. They had concerns with a liquor license at this location. He stated citizens and business owners worked hard to make the area vibrant.**

**Mayor Renner noted that this item had been heard twice by the Liquor Commission. The neighborhood had not expressed opposition. Rev. Brown had indicated support with the condition of no liquor sales on Sunday until 12 noon.**

**Motion by Alderman Lower, seconded by Alderman Schmidt that a PAS liquor license for BNN Enterprises LLC, d/b/a BNN Enterprises LLC, located at 1414 S Main St., be denied.**

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

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

**Nays: None.**

**Motion carried.**

**The following was presented:**

SUBJECT: 2015 Employee Benefit Renewal Summary

**RECOMMENDATION/MOTION:** Informational. Provider contracts are under legal review and will be provided for Council approval.

**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:** In August of this year, the Council approved a contract with Arthur J. Gallagher & Co. (AJG) to act as consultant and insurance broker for employee benefits. Since then, AJG has been meeting regularly with staff and has proceeded to act on the City's behalf in negotiating 2015 insurance rates with the City's employee benefit providers for health, dental, and life insurance. AJG also shopped the market through an RFP for stop loss coverage for the City's self-insured health plan, (Preferred Provider Organization or PPO plan) medical claims and undertook an analysis to determine whether the City should purchase stop loss coverage for the PPO prescription drug plan.

AJG has provided the attached summaries on their stop loss market analysis and 2015 renewal activities. The overall renewal results are positive and the graph provided by AJG provides comparative information on health care pricing and increases. Table 1 provides each plans increase. Table 2 indicates the total increase in calendar 2015 versus 2014 for health, dental and vision coverage. Full-time City employees have a choice in health plans between the self-insured PPO plan administered by Blue Cross and the fully-insured Health Alliance HMO plan. Sworn police also have access to a union plan which is under their control. All full-time employees also have the option of electing dental and vision coverage. The City covers the cost basic life insurance coverage for all full-time employees.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** The citizens and employees of the City.

**FINANCIAL IMPACT:** Not applicable.

Table 1: Summary of Increases for Plans

	Total 2014 Monthly Premium	Total 2015 Monthly Premium	Monthly Increase for Employee
PPO Health Plan*			
Single	\$566	\$609.69	\$10.92
Employee + One	\$1,148	\$1,294.16	\$20.79
Family	\$1,923	\$2,066.44	\$35.86
Health Alliance HMO			
Single	\$661	\$736	\$18.62
Employee + One	\$1,069	\$1,447	\$36.63
Family	\$1,798	\$2,001	\$50.66
	Total 2014 Monthly Premium	Total 2015 Monthly Premium	Monthly Increase for Employee
Dental			
Single	\$30.08	\$30.30	\$0.11
Employee + One	\$60.55	\$61.00	\$0.23
Family	\$91.67	\$92.36	\$0.34
Vision**			
Single	\$8.21	\$8.21	\$0
Employee + One	\$13.06	\$13.06	\$0
Family	\$17.89	\$17.89	\$0
Group Life/AD&D			

Table 2: Employees' total monthly increase in calendar 2015 versus 2014.

	PPO	HMO
Single Health, Dental, Vision	\$11.03	\$18.73
Family Health, Dental, Vision	\$36.21	\$51.00

\*PPO Health plan increase includes expected increase to both medical and pharmacy plan costs. The medical claims are administered by Blue Cross/Blue Shield and the pharmacy by Catamaran under separate contracts.

\*\*Vision coverage is under contract to VSP and renews in 2017.

Respectfully submitted for Council consideration.

Prepared by: Laurie Wollrab, MBA, PHR, Comp& Benefit 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

**David Hales, City Manager, addressed the Council. He noted that Council had approved a contract with Arthur J. Gallagher & Co. (AJG) to act as consultant and insurance broker for employee benefits. AJG proactively reviewed employee benefits, identified best practices going forward and assists employees with healthy life style choices.**

**Erin N. Duffy, AJG's Area Vice President Public Sector Practice Health & Welfare Consulting, addressed the Council. AJG was the City's advocate. The goal was to manage costs, viewing the City holistically.**

**She noted that Blue Cross Blue Shield (BCBS), Preferred Provider Organization (PPO), renewal was a 3.9% increase. The average was 7.5%. Health Alliance, Health Maintenance Organization (HMO), had 11.27% renewal increase. BCBS' dental plan renewal increase was .7%. Life insurance costs remained the same. Prescription drug purchasing group, Catamaran Pharmacy Benefit Manager, had a projected savings of -6.5%. Discounts and rebates assisted with the savings.**

**AJG was asked to contact other stop loss carriers for competitive rates. Those contacted denied coverage due several claims running outside the stop loss. It was expected that premiums would double due to same. The renewal was negotiated from 13.3% to 7.6%.**

**Ms. Duffy noted table 1: Summary of Increases for Plans. Medical benchmarking information was provided. The Municipal Cooperative, known as IPBC, was a group of seventy-five (75) cities and villages who share in the cost of benefits. AJG compared the City's information to that of IPBC and all of AJG's customers across the country.**

**Mr. Hales questioned the HMO increase factors. Ms. Duffy stated the HMO was fully insured product. Limited data was provided due to same. There were large claims.**

**Mr. Hales questioned the Cadillac tax. Ms. Duffy explained it was an excise tax that begins 2018. It was a forty percent (40%) tax on plan values in excess of \$10,200 single employees and \$27,500 family. AJG goal was to begin planning now.**

**Ms. Duffy noted one of the initiatives was to establish an insurance committee. The committee would have employees from the unions and departments. The committee would address the renewal process, health care reform, wellness and how to engage employees with their benefits. The average employee tenure was 9.4 years. AJG's goal was to extend same.**

**Alderman Black cited concern with the Cadillac tax. Ms. Duffy stated the tax begins January 1, 2018. She believed it was critical to current union negotiations. The underwriters were currently trending all renewals at 9.3%. The federal government had not provided any more information since the establishment of same.**

**Mr. Hales reminded Council that the Police Union's had negotiated control over designing their health plan. Employees costs was twenty-five percent (25%).**

**Alderman Fruin cited encouragement with the establishment of employee committees. He questioned AJG's measurements with reference to the Cadillac tax. Ms. Duffy responded that every group was different. She noted that groups who have fifty percent (50%) employees in unions have a higher threshold.**

**Alderman Fruin questioned norms and/or averages of other municipalities. Ms. Duffy referred to the Medical Benchmarking chart that had been provided to the Council.**

**The following was presented:**

**SUBJECT: Purchase of Lots 47 and 48 of Empire Business Park Preliminary Plat Utilizing a \$750,000 State Legislative Grant from Senator Bill Brady and to Enter into an Agreement with Central Catholic High School for Use of said Land as a Practice Field**

**RECOMMENDATION/MOTION: That the Purchase of Lots 47 & 48 Empire Business Park and Agreements be approved, and the Resolution adopted.**

**STRATEGIC PLAN SIGNIFICANCE: Goal 5. Great place – livable, sustainable City.**

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

**BACKGROUND: Sen. Brady has offered a \$750,000 state legislative grant to allow the City to purchase property next to McGraw Park, in the Empire Business Park, that Central Catholic High School is interested in for a practice football field. There are several moving parts to this transaction, which include a purchase agreement with the seller of the property, an Agreement with Central Catholic High School and a grant agreement with the Department of Commerce and Economic Opportunity, (DECEO) (CCHS).**

A draft Purchase Agreement has been created, which lists the purchase price as \$750,000. An appraisal of the property was completed which valued the property at \$766,000.

Proposed in this purchase agreement, seller pays three percent (3%) but the Buyer's three percent (3%) is waived. The seller and buyer split the remaining closing costs. Also, the seller/developer is required to complete road improvements, which include Halls Ferry Rd.

connection to the south at the intersection with Cornelius Dr. and the extension of Cornelius Dr. east through the intersection with Halls Ferry within eighteen (18) months.

A draft agreement with CCHS is also proposed. In this agreement, the CCHS will enter into a fifteen (15) year agreement, with three (3) five (5) year renewals. They will have the ability to withdraw from the agreement, with a ninety (90) days notice, after each five (5) year increment. However, they are willing to continue to pay the \$1,700 per year for the remaining term of the agreement, if they opt out.

CCHS will take on the primary responsibilities for creating the practice field and maintaining, mowing and cleaning it at their own cost on a regular basis. CCHS will pay the City \$1,700 annually in rent for use of the field after it's created. This annual amount will increase, at a rate of the cost of living in the 6<sup>th</sup> and 11<sup>th</sup> years. CCHS expects work to begin immediately to create the practice field in time for the start of the 2015 practice season. Finally, CCHS will provide liability insurance coverage and list the City as an additional insured.

The City will take responsibility for annual turf management at a cost of \$2,500 per year. The City will also be allowed to open up the field for third party use with proper notice.

The \$750,000 allocated by Sen. Brady will be distributed through DCEO. Interim Bobbie Herakovich, Director of Parks, Recreation and Cultural Arts contacted DCEO and has completed a grant survey. This survey provides information for a forthcoming legal contract for the grant award which will be scheduled for Council consideration. Staff received official notification from DCEO that the \$750,000 legislative grant is allocated in the state's bond fund.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: CCHS.**

**FINANCIAL IMPACT:** It is estimated that there will be approximately \$433 for title charges (buyer) and recording fees. These fees will be paid from the Economic Development – Other Professional & Technical Services account (10019170-70220). The City will provide annual turf management that is estimated to be approximately \$2,500 per year and will not start until FY 2016. This expense will be proposed in the Parks Maintenance – Other Repair & Maintenance account (10014110-70590). The Stakeholder may locate the closing costs in the FY 2015 Budget Book titled “Budget Overview & General Fund” on page 386.

Respectfully submitted for Council consideration.

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

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

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:

David A. Hales  
City Manager

**David Hales, City Manager, addressed the Council. He noted that discussion to acquire land for the expansion of McGraw Park originated in 2009 and with a \$31 billion State of Illinois Capitol Bill. He had spoken with Senator Brady who stated each legislator was given an allocation. There was short timeframe to make recommendations. They receive numerous requests. Central Catholic High School (CCHS) requested in 2009 to expand McGraw Park. CCHS stated that expansion would be non exclusive and used for football practice. Mr. Hales noted that they currently lease land at the Central Illinois Regional Airport. The lease expires 2015.**

**The bill provided the opportunity to acquire approximately four (4) acres. It would allow CCHS to have a practice football field, and allow for provide soccer fields. The public would have use of same after the football season. CCHS would enter into \$1,700 yearly lease agreement. CCHS would also spend \$20,000 to improve and develop the land.**

**Alderman Black was conflicted. He noted that the expansion was not part of the Parks Master Plan. He questioned rejection. Mr. Hales believed the money would go to another municipality. Senator Brady would make the determination.**

**Alderman Black believed accepting the grant benefited the community.**

**Alderman Mwilambwe questioned land use for soccer fields. Mr. Hales responded affirmative. He noted that the agreement required CCHS to develop a concept plan. The plan would be subject to approval.**

**Alderman Mwilambwe questioned cost. Mr. Hales stated \$2500 for turf management.**

**Alderman Hauman questioned current tax rate. She questioned tax dollars received from same. Mr. Hales believed the rate was farm land and dollars received were low.**

**Alderman Hauman questioned other land for CCHS' use. Mr. Hales stated none close to the school.**

**Alderman Stearns noted that once the City was owner the land would be tax exempt. She believed this was not a proper way to spend public money.**

**Alderman Fruin believed there was minimal cost to the City. He noted that there were a lot of organizations using City parks.**

**Alderman Lower was uncertain. He acknowledged Alderman Stearns' concerns. He believed support of the agreement could bring in revenue.**

**Alderman Painter questioned lighting and practice times. Football practices would end by 6:30 p.m. She questioned edification language. Jeff Jurgens, Corporation Counsel, addressed the Council. The contract had mirror language.**

**Motion by Alderman Fruin, seconded by Alderman Black that the Purchase of Lots 47 & 48 Empire Business Park and Agreements be approved, the Mayor and City Clerk be authorized to execute the necessary documents, and the Resolution adopted.**

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

**Ayes: Aldermen Painter, Hauman, Sage, Fruin, and Black.**

**Nays: Alderman Schmidt, Lower, Mwilambwe and Stearns.**

**Motion carried.**

**The following was presented:**

SUBJECT: Text Amendment to Chapter 1. Adoption of Administrative Adjudication System

**RECOMMENDATION/MOTION:** Recommend that the Text Amendment to Chapter 1 City Code Relating to Ordinance Enforcement through Administrative Adjudication be approved and the Ordinance passed.

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

**STRATEGIC PLAN SIGNIFICANCE:** Objective1d. City Services delivered in the most cost-effective, efficient manner.

**BACKGROUND:** For several months, staff from several departments have been working on the establishment of an administrative adjudication system to adjudicate City ordinance Violations, (OV). To establish an administrative court, the City need only pass an ordinance creating a hearing unit. A hearing officer will also need to be appointed who must be an attorney licensed to practice law in the State of Illinois for at least three (3) years. Upon approval of the ordinance establishing the administrative adjudication system, staff will issue a Request for Qualifications (RFQ) to obtain the necessary hearing officers. Under administrative adjudication, fines cannot exceed \$50,000 and the hearing officer's decision can be enforced, after the appeal period, in the same manner as a court judgment. To ensure due process, decisions of the hearing officer are appealable under the Administrative Review Law.

As an overview of the process, complaints will be brought before the hearing officer by the filing of a written pleading by an authorized City official. Service of the pleading/complaint can



simply be mailed to the defendant. A hearing will then be held, (at least fifteen/15 days after service), at City Hall promptly after the pleading is filed and served.

Some of the benefits of administrative adjudication include: 1.) that the City will keep 100% of any fines and costs assessed as opposed to the portion of costs assessed by the county when the circuit court is utilized to handle complaints; 2.) convenience to residents and staff (e.g. establish hearing times that work for the City and hold the hearings at City Hall); 3.) a hearing officer is appointed to specifically concentrate on and enforce local City issues; 4.) the formal rules of evidence do not apply; and 5.) certain procedures allow some decisions/fines to be collected as a special assessment.

In 2013, the City filed approximately 1,200 code violations in circuit court. The vast majority of these are behavioral violations, with typically ten (10) or fewer property/building code violations being filed each month. This last October, the City filed 151 complaints in circuit court. Note the number of complaints filed does not represent the number of citations actually issued. If a citation is paid and/or timely resolved, no complaint is filed on the matter.

Under the current system, if a defendant is found guilty of a violation and issued a fine of \$100, the circuit court also assesses “court costs” in the amount of \$127. The City also collects attorney fees in the amount of \$25. Accordingly, a \$100 fine quickly turns into an actual financial obligation of \$252 on the part of the violator. A fine of \$200 has court costs of approximately \$147 and those with multiple violations are charged higher court costs. The ordinance proposed by staff includes a hearing cost charge of \$100, which should equate to a savings of approximately \$52 for offenders while still allowing the City to recoup its costs.

Under the administrative adjudication ordinance being proposed to the Council, the administrative court will have jurisdiction over all OV, including property, building code and behavioral violations.

Staff believes that establishment of a City administrative court will create an easier process for prosecuting code violations and thus bring about more accountability and increased code enforcement.

Upon adoption, the goal would be to have the administrative court established and operating by January 2015. This will allow time to obtain the necessary hearing officers, order the necessary forms and have the Code Hearing Department operational. Staff anticipates minimal costs associated with the establishment of the Code Hearing Department, including any necessary security at City Hall during hearings, will be more than offset by the assessment of the hearing costs, increased prosecutions, enforcement actions and collections.

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

**FINANCIAL IMPACT:** This is a new program for the City and all financial impact based on the data available and best estimates at this time. The financial impact of the program will be reevaluated after a few months and adjustments will be made if necessary.

The program will be managed by Corporation Counsel Office and all accounts will be setup in this department. Corporation Counsel will issue an RFQ to hire two (2) contractual hearing officers at an estimated cost of \$145 per hour. There will be the potential for four (4) hours of hearings each Wednesday. The defendant will be charged \$100 per violation. Based on current historical data, there are 100 cases found in favor of the City. All non-compliant defendants who do not pay, will be turned over to a collection agency who will retain thirty percent (30%) of the fines. Bad debt is estimated at ten percent (10%).

If the program is approved, a budget amendment will be brought back to Council to adjust the current year's budget for estimates of both revenues and expenditures.

**Program Estimated Monthly Financial Impact**

Revenue	
Court fee per violation	\$100
Court cases per month	\$100
Court fee revenue/month (based on wins)	\$10,000
Less 10% Bad Debt (10 cases/month – collection fee of 30% of court fee/violation)	\$(300)
<b>Total Revenue</b>	<b>\$9,700</b>
Expenses	
Hearing Officers 16 hours/month @\$145/hour	\$2,320
Forms and other administrative fees	\$250
<b>Total Expenses</b>	<b>\$2,570</b>
<b>Net Revenue</b>	<b>\$7,130</b>

Respectfully submitted for Council consideration.

Prepared by: Jeffrey R. Jurgens, Corporation Counsel

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

Recommended by:

David A. Hales  
City Manager

**Alderman Black left the dias at 8:41 p.m.**

**Jeff Jurgens, Corporation Counsel, addressed the Council. He defined administrative adjudication as a system for code violations. The violations would include property code's; building code and behavioral.**

**A Request for Qualifications would be taken for a hearing officer. A collection agency would be retained. Security and/or Police officers would be needed for the behavioral violations. Corporation Counsel staff would be utilized. Hearings would be recorded and held in the Council Chambers. The program would begin early 2015.**

**Alderman Black returned at 8:43 p.m.**

**The City would have direct control of enforcement. Code violations were heard at the McLean County Law and Justice Center twice a month. The hearing officer would dedicate every Wednesday. An advantage was repeat offenders would be remembered.**

**Mr. Jurgens believed the City would not have financial burden. This process would generate revenue. He noted that current court fees range from \$125 - \$200, and the City receives the full violation payment.**

**Mayor Renner noted that cases would be handled expeditiously. Mr. Jurgens responded affirmatively. Strict guidelines would be established.**

**In 2013, there were 1,200 cases filed in circuit court. Behavioral violations were heard twice a month.**

**David Hales, City Manager, addressed the Council. He noted that the Town of Normal had taken similar action.**

**Alderman Black questioned conflict of interest. Mr. Jurgens stated that there would be a code of conduct and state statute required hearing officers to attend training. Alderman Black questioned supervision. Mr. Jurgens stated that the hearing officer would be contractual.**

**Alderman Mwilambwe questioned program evaluation. Mr. Jurgens responded that an evaluation would be completed looking at number of fines paid and general feedback from the community. He noted that the process could be returned to the circuit court any time.**

**Alderman Sage questioned appeal process. Mr. Jurgens responded individuals could appeal to the circuit court. They would have the same rights as they do now. Appealing a case would be cost effective starting in a lower court.**

**Alderman Sage believed there would be benefits to having public comment on this item. He recommended placing same on a Committee of the Whole meeting.**

**Alderman Lower echoed Alderman Sage's comments. He noted that there were concerns with property rights.**

**Alderman Stearns echoed Alderman Lower's comments. She believed this was a major change.**

**Motion by Alderman Stearns, seconded by Alderman Fruin that the Text Amendment to Chapter 1 Relating to Ordinance Enforcement through Administrative Adjudication be postponed for a public hearing to be held on December 8, 2014.**

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

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

**Nays: None.**

**Motion carried.**

**CITY MANAGER'S DISCUSSION: David Hales, City Manager, thanked everyone who attend the Council Retreat on November 7 & 8, 2014.**

**He noted that there was a Veterans Day Ceremony on November 11, 2014 at 10:49 a.m. to be held at the McLean County History Museum, located at 200 N. Main St.**

**MAYOR'S DISCUSSION: Mayor Renner noted he would be accepting a recognition award for the establishment of the pension policy from the Illinois Public Pension Association on December 5, 2014. He thanked the Council for their hard work on same. He believed the policy was a model for others to follow.**

**ALDERMEN'S DISCUSSION: Alderman Lower acknowledged the Marine Corp's birthday. He questioned how many blue or gold star families were in the community.**

**Alderman Stearns thanked those in attendance for their military service.**

**Motion by Alderman Black, seconded by Alderman Hauman, that the meeting be adjourned. Time: 9:17 p.m.**

**Motion carried.**

**Renee Gooderham  
Chief Deputy City Clerk**

**COUNCIL PROCEEDINGS  
SPECIAL MEETING  
PUBLISHED BY THE AUTHORITY OF THE CITY COUNCIL  
OF BLOOMINGTON, ILLINOIS**

**The Council convened in Special Session in the Council Chambers, City Hall Building, at 5:30 p.m., Wednesday, November 5, 2014.**

**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: Mboka Mwilambwe, David Sage, Joni Painter, Scott Black, Karen Schmidt, Jim Fruin, Diana Hauman and Mayor Tari Renner.**

**Alderman absent: Kevin Lower and Judy Stearns.**

**City Manager David Hales, City Clerk Tracey Covert, and Deputy Corporate Counsel Angela Fyans-Jimenez were also present.**

**NOTICE OF SPECIAL MEETING  
CITY OF BLOOMINGTON  
CITY COUNCIL  
NOVEMBER 5, 2014**

YOU AND EACH OF YOU ARE HEREBY NOTIFIED that there will be a Special Meeting of the City Council of the City of Bloomington, Illinois, in the Council Chambers at City Hall, 109 E. Olive Street, Bloomington, IL on WEDNESDAY, NOVEMBER 5, 2014 AT 5:30 P.M.

**SPECIAL MEETING AGENDA**

1. Call to Order
2. Roll Call
3. Public Comment
4. Change Order #2R1 for the Pepsi Ice Center Garage, (PICPG), Structural Repairs. (Recommend that Change Order #2R1 to the PICPG structural repair, with Structural Preservation Systems, LLC be approved and the Resolution adopted.) *Council Memorandum with Attachments.*
5. Adjourn.

**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.**

**No one came forward to address the Council.**

**The following was presented:**

**SUBJECT:** Change Order #2R1 for the Pepsi Ice Center Garage, (PICPG), Structural Repairs

**RECOMMENDATION/MOTION:** Recommend that Change Order #2R1 to the PICPG structural repair, with Structural Preservation Systems, LLC be approved and the Resolution adopted.

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

**STRATEGIC PLAN SIGNIFICANCE:** Objectives 2c. Well-designed, well-maintained City facilities emphasizing productivity and customer service.

**BACKGROUND:** The City has been working closely with Structural Preservation Systems, LLC, (Structural), for construction services for the needed repairs at the PICPG and Walker Restoration, LLC, (Walker), for professional construction observation services to oversee the work being performed by Structural. It came to staff's attention on October 24, 2014 that there were two (2) issues requiring the attention of the City in terms of change orders:

- 1) Epoxy Injection of cracks found in certain double tees.
- 2) Change in Methods – From “Double Tee Removal and Replacement” to “External Post-Tensioning in Lieu of Replacing Double Tee”.

During the process of preparing the double tees for the carbon Fiber Reinforced Polymer, (FRP), applications, significant cracks were found on the double tees which needed immediate attention. The cracks were made visible only through the sanding and grinding of the double tees.

Before the FRP application could be applied, Structural stated that the cracks needed to be strengthened and sealed with pressurized epoxy ejections. Structural contacted Walker and made them aware of the needed repairs. Walker reviewed the cracks and proposed a method of repairs and agreed with Structural's assessment. Due to the time sensitive nature of the repairs, Structural moved forward with the repairs in good faith that a change order would be approved. There were 110 locations that epoxy was injected in the exterior columns and 390 locations where epoxy was injected in the double tees. The total cost of the epoxy injections is \$39,591.50.

Structural is also proposing a change in methods from a “Double Tee Removal and Replacement” to “External Post Tensioning in Lieu of Replacing Double Tee”. The proposed change in method has been reviewed by Walker and recommended as an acceptable alternative. The proposed change in method would significantly shorten the construction schedule for the project, (from April 2015 to December 5, 2014), open more parking stalls for Coliseum and Pepsi Ice Center patrons, eliminate the need for the use of a crane and the temporary closure of

Olive St., eliminate the risks associated with demolition, and reduce the cost of the project from \$263,741 to \$206,109.

The proposed External Post-Tensioning method has been successfully performed by Structural in Wallingford, PA on the Plush Hills Condominium Parking Garage and in Gaithersburg, MD on the Washington Center Parking Facility IV.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** Walker Restoration LLC.

**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 garage is complete. Once full project costs are known the City can execute a short term debt instrument to reimburse 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 and therefore, this financing approach has been recommended.

Respectfully submitted for Council consideration.

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

Recommended by:

David A. Hales  
City Manager

### **RESOLUTION NO. 2014 - 54**

#### **A RESOLUTION AUTHORIZING A CHANGE ORDER IN THE AMOUNT OF (\$18,040.50) IN THE CONTRACT BETWEEN THE CITY OF BLOOMINGTON AND STRUCTURAL PRESERVATION SYSTEMS, LLC**

WHEREAS, the City of Bloomington has previously entered into a contract with Structural Preservation Systems, LLC; and

WHEREAS, for the reasons set forth in a staff report dated November 5, 2014 it was necessary to inject epoxy into cracks found on double tees and change methodology from Double Tee Removal and Replacement to External Post-Tensioning in Lieu of Replacing Double Tee; and

WHEREAS, it is the finding of the City Council that the decision to perform the work described in the November 5, 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 (\$18,040.50) in the contract between the City of Bloomington and Structural Preservation Systems, LLC be approved.

ADOPTED this 5<sup>th</sup> day of November, 2014.

APPROVED this 6<sup>th</sup> day of November, 2014.

APPROVED:

Tari Renner  
Mayor

ATTEST:

Tracey Covert  
City Clerk

**Mayor Renner introduced this item. This Change Order reflected additional and better information regarding this project.**

**David Hales, City Manager, expressed his appreciation to those Council members in attendance. Time was of the essence. He complimented Structural Preservation Systems, LLC (SPS). The firm brought these items to the City's and Walker Restoration Consultants attention. The end result would be additional cost savings for the City. The double T would be shored up and not replaced. Kyle Stanish, Walker Restoration Consultants' Project Manager, and City staff reviewed the recommendation. Additional benefits to this Change Order included a shortened time frame for project completion. Mr. Stanish was in attendance at this evening's meeting.**

**He noted that the epoxy injection work was necessary. He cited the overall cost savings of this change order.**

**Alderman Schmidt expressed her appreciation to City staff and the contractor. She requested commentary regarding the structural integrity of this change order.**

**Kyle Stanish, Project Engineer with Walker Restoration Consultants, addressed the Council. The double T would be strengthened in place. The structural capacity would meet code requirements. He noted SPS experience as a contractor. He also addressed durability. This change order will match the estimated life of the parking structure. He cited the importance of normal maintenance.**

**Mr. Hales questioned if this change was originally considered as a viable option.**

**Mr. Stanish responded affirmatively. He had initially had concerns regarding durability. He noted SPS experience with similar projects, (i.e. Washingtonian Center Parking Facility IV and Plush Mills Condominium Parking Garage). He added that this was not a new approach.**

**Motion by Alderman Black, seconded by Alderman Schmidt that Change Order #2R1 to the PICPG with Structural Preservation Systems, LLC be approved and the Resolution adopted.**

**Ayes: Sage, Mwilambwe, Painter, Schmidt, Black, Hauman and Fruin.**

**Nays: None.**

**Motion carried.**

**Mayor Renner thanked City staff and Mr. Stanish as this Change Order resulted in a shorter timeline, reduced repair cost and protected the public. This was good news.**

**Mr. Hales added that Mr. Stanish provided construction observation services regarding this repair. The hope was for the Pepsi Ice Center Parking Garage to reopen by December 20, 2014.**

**Motion by Alderman Schmidt, seconded by Alderman Hauman, that the meeting be adjourned. Time: 5:37 p.m.**

**Motion carried.**

**Tracey Covert  
City Clerk**

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FOR COUNCIL: November 24, 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 November 26, 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

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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 Fruin				Alderman Sage			
Alderman Hauman				Alderman Schmidt			
Alderman Lower				Alderman Stearns			
Alderman Mwilambwe							
				Mayor Renner			



FOR COUNCIL: November 24, 2014

SUBJECT: Appointment/Reappointments to John M. Scott Health Care Commission (JMSHCC)

**RECOMMENDATION/MOTION:** Recommend that the Appointment and Reappointments be affirmed.

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

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

**BACKGROUND:** I ask your affirmation of the following appointment/reappointments:

McLean County Dental Society: Appointment of Dr. David Wyse. Dr. Wyse will replace Dr. Stephen Doran. McLean County Dental Society is authorized to appoint a member to this board.

Per Section II of the JMSHCC by-laws, Dr. David Wyse shall serve out a term ending April 30, 2017 and a new term will be added ending April 30, 2020. He will then be able to serve for two (2) additional terms with the option of a maximum of three (3) consecutive terms.

Second Presbyterian Church: Appointment of Dr. Scott Hamilton. Dr. Hamilton will replace Dr. James Swanson's, appointment. Second Presbyterian Church is authorized to appoint a member of their church to this Board.

Per Section II of the JMSHCC by-laws, Dr. Scott Hamilton shall serve out a term ending April 30, 2015 and a new term will be added ending April 30, 2017. He will then be able to serve for two (2) additional terms with the option of a maximum of three (3) consecutive terms.

Bloomington Regional Optometric Society: Dr. John Couillard. Reappointment to this Board.

Per Section II of the JMSHCC by-laws, Dr. John Couillard shall serve a third term which will end April 30, 2017.

9<sup>th</sup> District Nurses Association: Dr. Donna Hartweg. Reappointment to this Board.

Per Section II of the JMSHCC by-laws, Dr. Donna Hartweg shall serve a second term which will end April 30, 2015.

McLean County Health Department: Susan (Albee) Grant. Reappointment to this Board.

Per Section II of the JMSHCC by-laws, Susan (Albee) Grant shall serve a second term which will end April 30, 2015.

OSF St. Joseph Medical Center: Annette Martinez. Reappointment to this Board.

Per Section II of the JMSHCC by-laws, Annette Martinez shall serve a second term which will end April 30, 2015.

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

**FINANCIAL IMPACT:** None.

Respectfully submitted for Council consideration.

Prepared by: Beth Oakley, Executive Asst.

Recommended by:

Tari Renner  
Mayor

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Motion: That the Appointment and Reappointments be affirmed.

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

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







FOR COUNCIL: November 24, 2014

SUBJECT: Purchase of Scheduled Vehicle Replacement for Facilities Management Office

**RECOMMENDATION/MOTION:** Recommend that the purchase of one (1) Ford Transit Connect from Curry Motors, Frankfort, IL using the Northwest Suburban Purchasing Cooperative (SPC) Contract Number 139 be approved, in the amount of \$22,195, and the Procurement Manager be authorized to issue a Purchase Order.

**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.

In order to be responsive to citizen needs, adequate resources must be provided to employees to fulfill the goal of providing quality basic services.

**BACKGROUND:** The Facilities Management Office currently has a 1999 Chevrolet S10 pick-up truck that is due for replacement. This unit has 78,800 miles on it. It is fifteen (15) years old and rusting badly. Due to the rust the parking brake and brake calipers have been repaired along with replacing the fuel tank that rusted through. It has also had issues with the steering, front suspension, and the air conditioning system. Maintenance cost to date is \$8,432.84.

Staff is recommending replacing the pick-up truck with a Transit Connect. This will allow for secure storage of building maintenance supplies and keep expensive tools and equipment out of the weather.

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

**FINANCIAL IMPACT:** Facilities Management Office has \$23,493 budgeted in the FY 2015 Capital Lease - Capital Outlay Licensed Vehicles (40110131 - 72130). Stakeholders can find this in the FY 2015 Budget Book titled "Other Funds & Capital Improvement Program" on pages 108 and 114.

Respectfully submitted for Council consideration.

Prepared by: Rob Kronen, Superintendent of Fleet Maintenance

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

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. SPC 2015 Ford Transit Connect Cargo Van Contract #139  
Attachment 2. Photograph

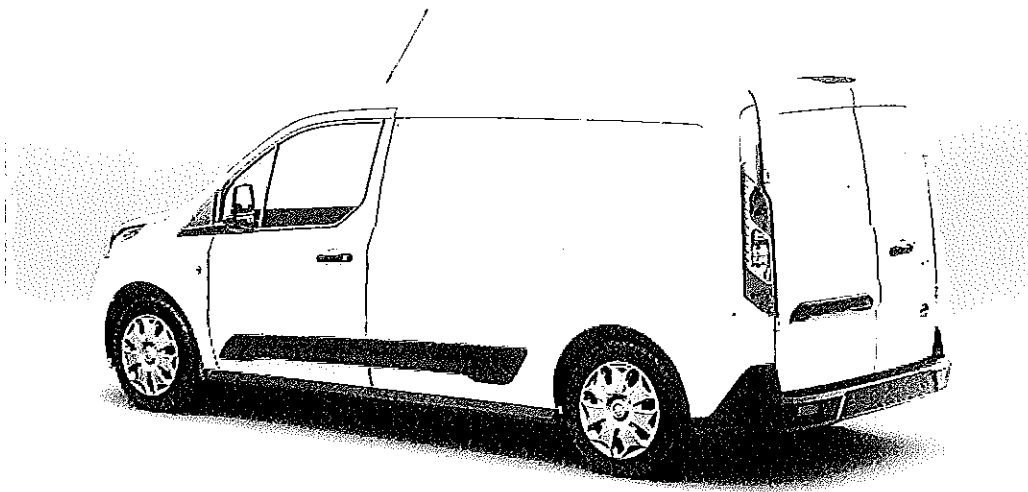
Motion: That the purchase of one (1) Ford Transit Connect from Curry Motors, Frankfort, IL using the Northwest Suburban Purchasing Cooperative Contract Number 139 be approved, in the amount of \$22,195, and the Procurement Manager be authorized to issue a Purchase Order

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

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



2015 Ford Transit Connect Cargo Van  
Contract# 139



Currie Motors Fleet

"Nice People To Do Business With"

Your Full-Line Municipal Dealer  
[www.CurrieFleet.com](http://www.CurrieFleet.com)

GOOD THRU: 03/2015



find us on  
**Facebook**



follow us on  
**twitter**



## Currie Motors Frankfort

### SPC Contract Winner

## 2015 Ford Transit Connect XL Cargo Van

Call Tom Sullivan (815) 464-9200

**Standard Package: \$18,986.00**

Warranty 3 Years 36,000 miles Bumper to Bumper/ 5 Years 60,000 Power train

Free Delivery With in 30 Miles from Point of purchaser's Billing Address

#### Exterior

Bodyside Moldings – Gray, molded-in-color  
Front Bumper – Gray, Molded-in-Color  
Grille – Gray, Molded-in-Color  
Manual Adjust Exterior Mirrors with Manual Fold – Black, Molded in Color  
Rear Bumper and Rear Bumper End Caps – Gray, Molded in Color  
Dual Sliding Side Doors Without Glass on Either Side  
180 Degree Rear Cargo Doors -  
Side & Rear Cargo Door Handles – Black, Molded in Color  
Halogen Headlamps

#### Interior

2 Front Cupholders  
2 Front Speakers  
2-Way Manual Driver Seat  
4-Way Adjustable Steering Column  
12V Powerpoint in Center Console  
AM/FM Stereo Receiver  
Audio Input Jack  
Cargo Tie Down Hooks  
Front Vinyl Floor Cover  
2-Way Manual Passenger Seat with Folding Back  
Power Front Row Windows with One-Touch Down on Drivers Side  
Vinyl Seating Surfaces

#### Powertrain/Functional

2.5L DOHC I-4 Gas Engine  
6-Speed SelectShift® Automatic Transmission  
Alternator – 150A  
Battery 60 Amp hour, 590 Cold Cranking Amp  
Breaking – Power Front & Rear Disc Brakes  
Breaking – ABS with ESC & RSC  
Breaking – Electronic Emergency Brake Assist  
Breaking – Hill Launch Assist  
Electric Power-Assist Steering (EPAS)  
Front Wheel Drive  
Fuel Tank – 15.8 Gal with Easy Capless Fuel Fill (with fill door cover & misfuel inhibitor)  
Suspension – MacPherson Strut Independent Front Suspension  
Tires – 215/55 R 16 97H XL All Season  
Wheels – 6.5" x 16" Steel with XL Full Wheel Covers

#### Safety/Security

Driver & Passenger Front Airbags  
Driver & Passenger Side Airbags  
1<sup>st</sup> Row Curtain Airbags  
Power Central Single Door – Locks with One Step Unlocking  
Remote Keyless-Entry with 2 Key Fobs  
SecuriLock® Passive Anti-Theft System (PATS)  
Tire Pressure Monitoring system (TPMS)

**Factory Order Cutoff Date: March 2015**

Contract# 139



**Model**

<input type="checkbox"/>	XL Cargo Van	STD
<input type="checkbox"/>	XL Cargo Van LWB	1384.00
<input type="checkbox"/>	XLT Cargo Van	1625.00
<input type="checkbox"/>	XLT Cargo Van LWB	2726.00
<input type="checkbox"/>	XL Wagon LWB only	3085.00
<input type="checkbox"/>	XLT Wagon	2525.00
<input type="checkbox"/>	XLT Wagon LWB	4511.00

**Powertrain**

<input type="checkbox"/>	2.5L DOHC I-4 Gasoline	STD
<input type="checkbox"/>	1.6L Ecoboost (n/a with LWB Wagons)	678.00
<input type="checkbox"/>	Trailer Tow Packet	337.00
<input type="checkbox"/>	Block Heater	29.00

**Glass**

<input type="checkbox"/>	No Side/Rear Glass	STD
<input type="checkbox"/>	Rear Door Privacy Glass	508.00
<input checked="" type="checkbox"/>	Side/Rear Door Privacy Glass	568.00
<input checked="" type="checkbox"/>	Windshield Defroster	320.00
<input checked="" type="checkbox"/>	Rear Defroster	129.00

**Doors**

<input type="checkbox"/>	Rear Symmetrical Doors	N/C
<input type="checkbox"/>	Rear Liftgate	N/C

**Exterior**

<input type="checkbox"/>	Reverse Sensing System	252.00
<input checked="" type="checkbox"/>	Daytime Running Lights	38.00
<input checked="" type="checkbox"/>	Large Exterior Mirrors	166.00
<input type="checkbox"/>	4-Corner Strobe	850.00
<input type="checkbox"/>	Splash Guards	119.00

**Interior**

<input type="checkbox"/>	AM/FM CD w/Sync	634.00
<input type="checkbox"/>	AM/FM CD w/Camera	490.00
<input type="checkbox"/>	CD w/Sync & Camera	827.00
<input type="checkbox"/>	Cloth Seats	85.00
<input type="checkbox"/>	4-Way Drivers Seat w/Fixed Passenger	119.00
<input type="checkbox"/>	4-Way Drivers Seat w/Folding Passenger	81.00
<input type="checkbox"/>	All Weather Mats	52.00
<input checked="" type="checkbox"/>	Cruise Control	192.00
<input type="checkbox"/>	Rear Cargo LED Light – cargo vans only	60.00
<input checked="" type="checkbox"/>	Key Fobs	56.00
<input type="checkbox"/>	Keyed Alike	48.00



**Accessories**

<input type="checkbox"/>	Adrian Van Package	1565.00
<input type="checkbox"/>	Ladder Rack	650.00
<input checked="" type="checkbox"/>	Rustproofing/Undercoating	395.00
<input checked="" type="checkbox"/>	5 Year 100,000 mile Powertrain Care	1195.00
<input checked="" type="checkbox"/>	Delivery over 50 Miles	150.00

**Exterior Color**

<input type="checkbox"/>	Tectonic Silver – Wagon only
<input type="checkbox"/>	Deep Impact Blue – Wagon only
<input type="checkbox"/>	Magnetic Metallic – Wagon only
<input type="checkbox"/>	Solar – Wagon only
<input type="checkbox"/>	Dark Blue
<input type="checkbox"/>	Race Red
<input type="checkbox"/>	Silver Metallic
<input type="checkbox"/>	Panther Black
<input checked="" type="checkbox"/>	Frozen White

**Interior Color**

<input checked="" type="checkbox"/>	Pewter Vinyl	STD
<input type="checkbox"/>	Charcoal Black Cloth	85.00



Please enter the following:

Agency Name & Address

City of Bloomington  
336 South main st  
Bloomington ILL 61701

Contact Name

Rob Krones

Phone Number

309-434-2296

Purchase Order Number

Total Dollar Amount

\$22,195.00

Total Number of Units

1

Delivery Address

336 South main st  
Bloomington ILL. 61701

**Please submit P.O. & tax exempt letter with Vehicle Order:**

*Currie Motors  
9423 W. Lincoln Hwy  
Frankfort, IL 60423  
PHONE: (815)464-9200 FAX: (815) 464-7500  
CurrieFleet@gmail.com  
Contact Person: Tom Sullivan*

IF WE HAVE MISSED AN OPTION, PLEASE CONTACT OUR OFFICE.  
COMPLETE UNITS IN STOCK FOR IMMEDIATE DELIVERY, CAN BE VIEWED  
ON OUR WEBSITE [WWW.CURRIEFLEET.COM](http://WWW.CURRIEFLEET.COM)



PARKING  
FOR CITY OF  
BLOOMINGTON  
VEHICLE  
MAINTENANCE  
FACILITY  
ONLY

PARKING  
FOR CITY OF  
BLOOMINGTON  
VEHICLE  
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PARKING  
FOR CITY OF  
BLOOMINGTON  
VEHICLE  
MAINTENANCE  
FACILITY  
ONLY



BLOOMINGTON  
BUILDING SAFETY





FOR COUNCIL: November 24, 2014

SUBJECT: Rejection of Bid for Replacement of the Headquarters Station Overhead Door Openers, (Bid 2015-42)

**RECOMMENDATION/MOTION:** Recommend that the bid be rejected and the Procurement Manager and Fire Department staff be authorized to enter into negotiations with Childers Door Service of Central Illinois for completion of work described in the original bid document, to waive the formal bid process for this project, authorize the issuance of a Purchase Order with Childers Door Service of Central Illinois for the work at a price approved by the City Manager, 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 levels of services

**BACKGROUND:** On November 6, 2014 at 2:00 PM, bids were publicly opened and read for the replacement of the Headquarters Station Overhead Door Openers. At that time only one (1) bid was received, but the bid packet was incomplete. The only documentation received was a Childers Proposal dated August 6, 2014 and a bid bond.

<u>Company</u>	<u>Location</u>	<u>Bid</u>
Childers Door Service	Hudson, IL	\$17,192.08

The Scope of Work included replacement of seven (7) outdated overhead door openers and the additional installation of safety devices on each door.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** The bid was advertised in The Pantagraph on October 17, 2014. The following companies were sent Notice to Bid for Bid 2015 - 42:

Childers Door Service	Hudson, IL
Midstate Overhead Doors	Bloomington, IL
Pinnacle Door	Bloomington, IL
Sunburst Doors	Bloomington, IL

**FINANCIAL IMPACT:** The Fire Department budgeted funds for this project in the FY 2015 Budget, Fire – Other Miscellaneous Expenses account (10015210 - 79990). The total budget approved in this account for FY 2015 is \$225,000 of which \$185,219.42 is still available. Stakeholders can locate this in the FY 2015 Budget Book titled “Budget Overview & General Fund” on page 273.

Respectfully submitted for Council consideration.

Prepared by: Eric Vaughn, Deputy Fire Chief - Administration

Reviewed by: Les Siron, Interim 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

**Attachments:** Attachment 1. Resolution  
Attachment 2. Record of Bid Opening for Bid No.: 2015 - 42  
Attachment 3. City Plan Holder's List, Bid No.: 2015 - 42  
Attachment 4. Mailing List for Bid No.: 2015 - 42

Motion: That the bid be rejected and the Procurement Manager and Fire Department staff be authorized to enter into negotiations with Childers Door Service of Central Illinois for completion of work described in the original bid document, to waive the formal bid process for this project, authorize the issuance of a Purchase Order with Childers Door Service of Central Illinois for the work at a price approved by the City Manager, and the Resolution adopted.

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

	Aye	Nay	Other		Aye	Nay	Other
Alderman Black				Alderman Painter			
Alderman Fruin				Alderman Sage			
Alderman Hauman				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 OVERHEAD DOOR OPENERS FOR  
HEADQUARTERS STATION FROM CHLDERS DOOR SERVICE AT A PURCHASE  
PRICE APPROVED BY THE CITY MANAGER**

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

1. That the bidding process be waived and the Procurement Manager be authorized to Purchase Overhead Door Openers for Headquarters Station at a Purchase Price approved by the City Manager.

ADOPTED this 24<sup>th</sup> day of November, 2014.

APPROVED this \_\_\_day of November, 2014.

APPROVED:

Tari Renner  
Mayor

ATTEST:

Tracey Covert  
City Clerk



CITY CLERK  
 109 EAST OLIVE STREET  
 BLOOMINGTON, IL 61702-3157  
 309.434.2240 tel  
 309.434.2802 fax

RECORD OF BID OPENING FOR:

**BID # 2015-42**

**Replacement of Overhead Door Operators and Installation of Safety Devices at the City's Headquarters  
 Fire Station**

DATE: November 6, 2014

TIME: 11:00 a.m.

Bidder's Name	City, State	Mandatory City Documents	Bid Signed	Bid Bond	Bid Price
Chillers	Hudson, IL	no	no	yes	17,192.08

WITNESSES:

*[Handwritten signatures]*

\*Disclaimer: This is a Bid tabulation for record of the Bid opening. Bids have not been reviewed and have not been presented to council. This does not represent any Award. Prices or options/alternates will not be included on the tabulation.

Childers Door Service of Central Illinois, LLC

P.O. Box 233  
Hudson, IL 61748

# PROPOSAL

Date	Estimate #
8/6/2014	10808

ADDRESS SERVICE REQUESTED

Phone: 309-726-1307 Fax: 309-726-1907

Name / Address
Bloomington Fire Department 310 N. Lee Bloomington, IL 61701

Customer Contact	Captain Leman
Customer Phone	(309) 434-2500
Customer Fax	(309)434-2291
Customer Cell Phone	(309) 275-1786
Job:	HDQ New Ops

Sales Rep.	JT
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Description	Qty	U/M	Rate	Total
Liftmaster Model T-12' low profile industrial duty trolley style operator, 1/2 HP, 115 volts, single phase. Open/Close/Stop wall station. Includes CPS-U photo eyes. Operator includes brake for safety.	7		860.45	6,023.15
Microwave Sensor Device (1 sensor for inside, 1 sensor for outside)	14		439.76571	6,156.72
Conduit For Photo Eye Wiring 8- 1/2" Sticks; 3-90s; 6-Flex con.;4' 1/2" flex & 1-Box	7		50.80	355.60
Antenna Accessory Kit 25'	7		52.48	367.36
894LT 4 Button Security + 2.0 learning Remote. one button can control the gate operator, the other can control the garage door opener. Each button is independently compatible and programmable	7		47.75	334.25
Commercial operator installation.	7		225.00	1,575.00
Safety device installation	28		85.00	2,380.00
QUOTE for FIRE Station Safety package. Used for most recent operator install at Station #3 to prevent vehicle damage and increase open/close safety.				

**TO ORDER: Return a signed copy of proposal with 75% deposit.**

Accepting Signature \_\_\_\_\_ / / \_\_\_\_\_  
Date of Acceptance

Acceptance and Confirmation  
Proposals are valid for 30 days from the date stipulated on the estimate. If the Proposal is to your satisfaction, 75% of the total is required upon placement of order with the balance of 25% plus extras due immediately on project completion. A signed acceptance and purchase order will allow us to schedule production of your order. If a deposit and acceptance is not received by the required date Childers Door Service of Central Illinois, LLC reserves the right to withdraw from this agreement. Variations and alterations to the contracted project will be quoted and charged as they arise.

**CANCELLATION FEE:**  
A fee of 50% of the total proposed price will be charged for cancellation of a signed proposal.

Installation is based on estimated timeframe.  
Due to changing weather-as moisture effects how products dry and seal,  
we may have to reschedule. We will call you a couple of days before to confirm your installation.

<b>Subtotal</b>	\$17,192.08
<b>Sales Tax (0.0%)</b>	\$0.00
<b>Total</b>	\$17,192.08

We propose to furnish the services above according to the specifications listed.  
Any options proposed are NOT included in Total.  
No electrical work.

## City of Bloomington Planholder's List

Project: Fire Overhead Door Operators Replacement  
City Project No.: N/A  
City Bid No.: 2015-42

#	Business	Contact/Name	Address	Phone #	Fax #	Email address
1	Children's Door Service of Central IL, LLC	Jarrod Thompson	P.O. Box 233, Hudson, IL 61748	309-827-3222	309-726-1907	jarrod@childrensdoor.com info@childrensdoor.com
2	Prime Vendor Inc.	Kimberly Douritt	2422 Cedar Avenue, Wilmington NC 28403	800-746-9554	800-746-8307	bids20@prfms-vendor.com
3	Sqft - Construction Software Technologies, Inc.	Sqft Content team	C/O: Cushing Co, 420 W. Huron Street, Chicago, IL 60654	800-364-2059 ext. 7172	886-570-8187	protecs@sqft.com
4	CMID	Joe Schrenser	30 Technology Parkway S, Suite 500, Norcross, GA, 30092	770.209.3436	800.774.9097	joeschrenser@jrepcb.com
5	Pinnacle Door	Rhett S. Hillard	100T McGraw Dr., Bloomington, IL 61701	309-829-3667	309-829-1377	rhett.hillard@pinnacle.com
6	Midstate Overhead Doors Inc	Jeff Shafer	2373 N. Route 121 Decatur, IL 62526	217-422-9030		jeff.shafer7@aol.net
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Childer's Door Service  
[info@ChildersDoor.com](mailto:info@ChildersDoor.com)

Pinnacle Door  
[rhett.hillard@dhpace.com](mailto:rhett.hillard@dhpace.com)

Midstate Overhead Doors  
703 E Lincoln St,  
Bloomington, IL 61701  
[MidstateOHDoors@aol.com](mailto:MidstateOHDoors@aol.com)

Sunburst Doors  
[Sunburstdoors@gmail.com](mailto:Sunburstdoors@gmail.com)



FOR COUNCIL: November 24, 2014

SUBJECT: Analysis of Request for Proposal, (RFP), and Contract Award to Anderson Building Services, Inc. for Fire Headquarters Station Kitchen Remodel, (RFP 2015 – 40)

**RECOMMENDATION/MOTION:** Recommend that the RFP for Fire Headquarters Station Kitchen Remodel be awarded to Anderson Building Services, Inc., Normal, IL, the contract approved, in the amount of \$55,995, and the Mayor and City Clerk be authorized to execute the necessary documents.

**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.

**BACKGROUND:** The City issued an RFP for the purpose of remodeling the Headquarters Fire Station Kitchen. Headquarters is staffed daily by nine (9) Firefighters who work twenty-four (24) hour shifts. The Headquarters kitchen was last remodeled in the early 1990s. Due to the heavy daily use, cabinets and counter tops have deteriorated and are in need of replacement. The RFP stated that all materials should be able to withstand heavy daily use and demonstrate good durability characteristics and low maintenance. The design should maximize functionality of the space and have pleasing aesthetics that blend with the existing decor.

The deadline for RFP submittals was October 28, 2014, at 2:00 PM, the City received two (2) proposals:

Company	City	Price	Bid Type
Anderson Building Services, Inc.	Normal, IL	\$45,850	Base
“	“	\$8,400	Add Alternate
“	“	\$1,745	Voluntary Add Alternate
		\$55,995	Total Proposed Bid
CAD Construction	Tremont, IL	\$42,291	Incomplete Base
“	“	\$14,391	Incomplete Add Alternate
		\$56,682	Total Proposed Bid

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** The RFP was advertised in The Pantagraph on October 8, 2014. A list of Plan holders was provided to the Council. A List of Pre-proposal Meeting held on October 15, 2014 at 10:00 AM has also been provided.



**FINANCIAL IMPACT:** The Fire Department budgeted funds for this project in the FY 2015 Budget, Fire – Other Miscellaneous Expenses account (10015210 - 79990). The total budget approved in this account for FY 2015 is \$225,000 of which \$185,219.42 is still available. Stakeholders can locate this in the FY 2015 Budget Book titled “Budget Overview & General Fund” on page 273.

Respectfully submitted for Council consideration.

Prepared by: Eric Vaughn, Deputy Fire Chief - Administration

Reviewed by: Les Siron, Interim 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

- Attachments:**
- Attachment 1. Contract
  - Attachment 2. Anderson Building Services, Inc., Proposal Form, dated October 28, 2014
  - Attachment 3. CAD Construction, Proposal Form, dated October 28, 2014
  - Attachment 4. City of Bloomington Plan holder’s List, City RFP 2015-40
  - Attachment 5. Pre-Proposal Meeting, dated October 15, 2015, City RFP 2015-40
  - Attachment 6. Mailing List, City RFP 2015-40

Motion: That the RFP for Fire Headquarters Station Kitchen Remodel be awarded to Anderson Building Services, Inc., Normal, IL, the contract approved, in the amount of \$55,995, 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 Fruin				Alderman Sage			
Alderman Hauman				Alderman Schmidt			
Alderman Lower				Alderman Stearns			
Alderman Mwilambwe							
				Mayor Renner			

**CITY OF BLOOMINGTON  
CONTRACT WITH ANDERSON BUILDING SERVICES  
FOR FIRE HEADQUARTERS KITCHEN REMODEL**

**THIS AGREEMENT**, dated this \_\_\_\_ day of November, 2014, is between the City of Bloomington (hereinafter "CITY") and Anderson Building Services, Inc. (hereinafter "ANDERSON").

**WHEREAS**, the City sought proposals for a remodel of the Fire Headquarters' kitchen located at 310 N. Lee Street in Bloomington; and

**WHEREAS**, there were two responses to the request for proposals, however the response by ANDERSON was the only complete proposal and was deemed by the City Council to be the best value and price.

**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.** ANDERSON shall remodel the Headquarters Fire Station, located at 310 N. Lee Street in Bloomington, as set forth in RFP #2015-40, including Addendum No. 1, Addendum No. 2, Addendum 3, and the response to the RFP provided by ANDERSON, as well as the Voluntary Alternate Design No. 2. ANDERSON shall further complete the Scope of Work and complete the specifications set forth in these documents and provide a guarantee as to the Work set forth in RFP #2015-40.

**Section 3. Incorporation of RFP & Proposal Terms.** The provisions of RFP #2015-40, a Request for Proposal for Fire Headquarters Kitchen Remodel, as well as Addenda Nos. 1, 2 and 3, and the proposal submitted by ANDERSON, including the Voluntary Alternate Design No. 2, shall be incorporated into this Agreement and made a part thereof and shall be considered additional contractual requirements that must be met by ANDERSON. In the event of a conflict between the terms of the RFP/Proposal and this Contract, this Contract shall govern.

**Section 4. Payment.** For the work performed by ANDERSON under this Contract, the CITY shall pay ANDERSON \$55,995.00. The payment terms set forth in the RFP shall govern payment.

**Section 5. Default and Termination.** Either party shall be in default if it fails to perform all or any part of this Contract. 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. The non-defaulting party shall be entitled to all remedies, whether in law or equity, upon the default or a violation of this Contract. In addition, the prevailing party shall be entitled to reimbursement of attorney's fees and court costs.

**Section 6. Indemnification.** To the fullest extent permitted by law, ANDERSON 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 ANDERSON'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. CITY shall maintain no liability once the spoils material is delivered to ANDERSON at which point ANDERSON assumes full responsibility and releases CITY of any and all claims associated therewith.

**Section 7. General Liability Insurance.** ANDERSON shall maintain general liability insurance for bodily injury and property damage arising directly from its negligent acts or omissions, 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.** ANDERSON hereby represents it is legally able to perform the work that is subject to this Contract and shall further abide by all obligations contained with the RFP, addenda thereto, and obligations made within its proposal to the CITY.

**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.** ANDERSON and all work by ANDERSON 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 it terms prior to execution. Therefore, this agreement shall be construed neither against nor in favor of either party, but shall 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

ANDERSON DISPOSAL, INC.

By: \_\_\_\_\_  
Its Mayor

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

ATTEST:

By: \_\_\_\_\_  
City Clerk

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

**PROPOSAL FORM**

**RFP #2015-40**

**Fire Headquarters Kitchen Remodel**

The proposer agrees to contract with the City of Bloomington to provide all necessary services, labor, supervision, machinery, tools, apparatus, documents and any other means to do all the work and furnish all the materials specified in the proposal in the manner and time therein as set forth by the proposer and that the proposer will take in full payment the amount set forth hereon. The cost of all labor, material and equipment necessary for the completion of the proposed work, even though not shown or specified, shall be included in the total price for the various items shown herein.

We further agree to complete all of the above work in a complete, neat, and workmanlike manner. Payment of prevailing wage rates as predetermined by the Bloomington City Council pursuant to the Prevailing Wage Ordinance 2014-29 is acknowledged. The proposer certifies by signature below that it has not been barred from contracting with a unit of State or Local government in the State of Illinois as a result of a violation of Section 33E-3 or 33E-4 of the Criminal Code of 1961, as amended.

**DESCRIPTION**

**COST**

**Proposal Price**

\$ 45,850.00

**Add Alternate** for Additional 650 sq. Ft. of Flooring, <sup>4" vinyl cove</sup> <sub>base incl.</sub>

\$ 8,400.00

Add Alternate for voluntary design #2 A00

1,745.00

Estimated starting date after award of proposal: 30 days

Estimated number of days to completion: 30-45

\* Does not include asbestos abatement

Anderson Building Services Inc Barbara A. Anderson  
Name of Company Authorized Signature

203 Rich Drive Normal IL 61761  
Address City State Zip

309-454-7778 309-454-7779  
Telephone Number Fax Number

barbeandersonbuilding.com 10/28/14  
Email Address Date



Anderson Building Services Inc  
Firm

Barbara Q. Anderson  
Authorized Signature

10/28/14  
Date

**PLEASE NOTE: Failure to return the signed addendum with your sealed RFP will result in disqualification from this RFP.**

Misty Shafer, Procurement Specialist  
10/21/2014

**END OF DOCUMENT**

## **PROPOSAL**

### **COB FIRE STATION #1 KITCHEN REMODEL**

Date: 10/28/14

To: City of Bloomington Fire Department,  
C/O Misty Shafer

From: Tom Anderson

Re: Remodel Fire Station #1 Kitchen and Reception Area

Remove existing wooden kitchen cabinetry.

Provide new Schrock Select, Bayfield Hickory, heavy duty pulls and premium drawer slides, and plywood end panels. Includes (3) 30 x 90 lockers, each with (1) keyed lock on lower (2) door portion of cabinet only.

Provide solid surface acrylic, Corinthian Countertops: Color: Java, w/rounded edge finish.

Replace sink with under mount, silgranite, double bowl sink: Blanco Model 440179, brown.

Faucet: Pull down type as per attached

Remove and reset existing gas stove, New hood, and existing microwave (into new cabinet).

Remove and dispose of all existing materials.

Electrical: under cabinet light fixtures and 2 additional separate circuits as requested.

Plumbing: tie into existing piping system in place for new sink, with no modifications; removal of the water piping and capping off of the water for the removal of the dishwasher; labor to install double bowl sink (by GC) in countertop. Remove and replace existing Culligan water filtration system.

Paint block wall at exposed locker wall.

Remove and replace floor tile with ceramic as per attached.

Color Scheme: See attachment

**TOTAL PROPOSED PRICE:** **\$45,850.00**

**ADD OPTION: 650 sq. ft. additional floor tile including 4" vinyl cove base** **ADD \$8,400.00**

**Voluntary Alternate for Design #2 Peninsula option** **ADD \$1,745.00**

Price includes performance bond.

Price does not include any asbestos abatement

**GENERAL MANAGER**  
THOMAS A. ANDERSON  
TOM@ANDERSONBUILDINGSERVICES.COM  
MOBILE: 309.275.7770

**OFFICE MANAGER**  
BARBARA A. ANDERSON  
BARB@ANDERSONBUILDINGSERVICES.COM  
MOBILE: 309.275.7772



# PROPOSAL FORM

## RFP #2015-40

### Fire Headquarters Kitchen Remodel

The proposer agrees to contract with the City of Bloomington to provide all necessary services, labor, supervision, machinery, tools, apparatus, documents and any other means to do all the work and furnish all the materials specified in the proposal in the manner and time therein as set forth by the proposer and that the proposer will take in full payment the amount set forth hereon. The cost of all labor, material and equipment necessary for the completion of the proposed work, even though not shown or specified, shall be included in the total price for the various items shown herein.

We further agree to complete all of the above work in a complete, neat, and workmanlike manner. Payment of prevailing wage rates as predetermined by the Bloomington City Council pursuant to the Prevailing Wage Ordinance 2014-29 is acknowledged. The proposer certifies by signature below that it has not been barred from contracting with a unit of State or Local government in the State of Illinois as a result of a violation of Section 33E-3 or 33E-4 of the Criminal Code of 1961, as amended.

#### DESCRIPTION

#### COST

**Proposal Price**

\$ 42,291.00

**Add Alternate** for Additional 650 sq. Ft. of Flooring

\$ 14,391.00

Estimated starting date after award of proposal: Five WEEKS

Estimated number of days to completion: Fifteen Business DAYS

CAD Construction  
Name of Company

Jeff Erickson  
Authorized Signature

508 E PEARL ST. UNIT A-1 TREMONT IL 61568  
Address City State Zip

309.925.2092  
Telephone Number

309.925.2091  
Fax Number

cad.jeff@frontier.com  
Email Address

10/28/14  
Date



AD Construction  
Firm

[Signature]  
Authorized Signature

10/28/14  
Date

**PLEASE NOTE: Failure to return the signed addendum with your sealed RFP will result in disqualification from this RFP.**

Misty Shafer, Procurement Specialist  
10/21/2014

**END OF DOCUMENT**

## City of Bloomington Planholder's List

Project: Fire HQ Kitchen Remodel  
City Project No.: N/A  
City RFP No.: 2015-40

#	Business	Contact/Name	Address	Phone #	Fax #	Email address
1	Taner Construction, LLC	Brian Mammanga	1012 Ekstam Dr, Ste 1, Bloomington, IL 61704	309-261-5049	309-561-2033	brtan@tanerconstruction.com brian@tanerconstruction.com sandy@tanerconstruction.com
2	McGraw-Hill Construction/Dodge	DeAnne Morman	3315 Central Ave, 8th Springs AR 71913	815/363-5957	815-363-5967	DeAnne.morman@mhfi.com
3	J Spencer Construction LLC	Brock Spencer	2028 Warehouse Rd., Normal, IL 61761	309-454-5885	309-462-1989	bsj@spencerconstruction.com
4	Prima Vendor Inc.	Kimberly Doumit	4622 Cedar Avenue, Wilmington NC 28403	800-746-9554	800-746-8307	bica20@prima-vendor.com
5	Farnsworth Group, Inc.	Jeff Zivadlo	200 West College Ave., Suite 301   Normal, IL 61761	309.663.8436 x 212	309.663.8662	awood@f-w.com, doumitson@f- w.com, jzivadlo@f-w.com, rehnhaas@f- w.com
6	ISqft	Mike Taylor	420 West Huron Street, Chicago, IL 60654	800-364-2059 x 7172	866-570-8187	mtaylor@ISqft.com
7	McGraw-Hill Construction/Dodge	Herb Weyerstraas	1333 Burr Ridge Pkwy, Burr Ridge IL 60627	630-520-0421	630-266-8211	Herb.Weyerstraas@mhfi.com
8	P.J. Hoerr, Inc.	Andrew Carvey	117 Marie Lane, Normal, IL 61761	309-888-9567 x6209	309-888-9556	Andrew@pjhoerr.com
9	BldTool	Tammy Lorge	14205 N. Mopac, Suite 550, Austin TX 78728	512.634.5991	550-214-3924	tlorge@bldtool.com
10	Shive-Hattery Architecture + Engineering	Christopher J. Niebur	2103 Eastland Drive   Bloomington, IL 61704	309.662.8992 x 6287	309.662.5808	niebur@shive-hattery.com
11	Johinco Construction	Bridget Price	107 W. First St./P.O. Box 469 Mackinaw, IL 61755	309.359.3000	309.359.3900	bridgetprice@johincoconstruction.com
12	G. A. Rich & Sons, Inc.	Bill Abdisson, Jr.	P.O. Box 50, 204 S., Perry St., Deer Creek IL 61733	309-447-6231	309-447-6500	bill@garich.com
13	Bld Clerk	Christine Hadley	28 N. Clark St. Suite 450, Chicago, IL 60602	312.380.4834	312.380.4796	chadley@bldclerk.com
14	Chief City Mechanical	Todd Reyer	101 Northtown Road, Normal, IL 61761	309-827-0099	309-827-7287	Todd@ChiefCityMechanical.com
15	Illinois Profile Electric	Kimberly Gerdes	1605 GE Road, Bloomington, IL 61704	309-664-0162	309-664-0165	Kim@ipolec.biz, Brian@ipolec.biz, Dana@ipolec.biz
16	The Lane Company	Brian DeLong	407 Bronco Dr. STE. A, Bloomington, IL	309-663-8412	309-662-6924	brian@thelane.com
17	Prairie Fire Sprinkler, Inc.	Kim Hill	2383 E. Federal Drive, Decatur, IL 62526	217-877-3333		khill@prairiefiresprinklers.com
18	Central IL Plan Rooms	Scott Rutherford	1620 S. 5th Street, Springfield, IL 62703	217-679-1077	217-544-6570	plans@centralil.com
19	CAD Construction Inc.	Jeff Erickson	508 E Pearl A-1, Tremont IL 61568	309-657-6994	309-925-2091	jeff.eric@cadcon.com
20	TriMark	Deborah Moutry	6100 W. 73rd Street, Bedford Park, IL 60638	708-496-1700		dmcourt@trimarkusa.com
21	Anderson Electric	Keith Toy	1609 S. Morris Ave., Bloomington, IL 61701	309-828-4422	309-827-6431	Keith@anderson-electric.com



CITY OF  
**Bloomington** ILLINOIS

PROCUREMENT SERVICES  
109 EAST OLIVE STREET  
PO BOX 3157  
BLOOMINGTON, IL 61702-3157  
309.434.2333 or 309.434.2330 Tel  
309.434.2874 fax

ATTENDANCE RECORD FOR PRE-PROPOSAL MEETING:

RFP #2015-40

Fire Headquarters Kitchen Remodel

DATE: October 15, 2014

TIME: 10:00 a.m.

Attendee's Name (Please Print)	Company Name	Phone Number Fax Number	E-mail address
[REDACTED]	[REDACTED]	[REDACTED] 309-434-2330 309-434-2874	[REDACTED]
Misty Shafer	City of Bloomington	309-434-2330 309-434-2874	mshafer@cityblm.org
Brian Gaddy	Illinois Private Fire	309-664-0162 309-664-6165	info@ipfc.biz
Tom Anderson Barb Anderson	Anderson Building Services Inc	309-454-7778 309-454-7779	tom@andersonbuilding.com barbandersonbuilding.com
LEE VANDEGROOD	THE LAWRE CO. HVAC	309-665-8412	BRAND@THELAWRECO.COM
JEFF ERIKSON	CAD construction	(309 657) 6994 309-925-2092	cad.jeff@frontier.com
James Schreiber	Fire	484-8500	
Lance Benedict	Fire	434-2500	
[REDACTED]	Bloomington Facilities	309-275-1627	
Eric Daughn	BFD	434-2631	edaughn@cityblm.org

**STELLE CONSTRUCTION  
3001 1/2 GILL ROAD  
BLOOMINGTON, IL 61704**

**CORNERSTONE CONSTRUCTION LLC  
25 QUEST DRIVE  
BLOOMINGTON, IL 61704**

**SHIVE HATTERY, INC.  
2103 EASTLAND DRIVE  
BLOOMINGTON, IL 61704**

**Hoffman Ochs General Contractors  
3807 GE Road, Suite 1  
Bloomington, Illinois 61704**

**BLDD ARCHITECTS INC.  
201 EAST GROVE STREET  
BLOOMINGTON, IL 61701**

**FRANCOIS ASSOCIATES  
118 W WASHINGTON STREET  
BLOOMINGTON, IL 61701**

**ASSOCIATED CONSTRUCTORS  
103 CAROLINE STREET  
BLOOMINGTON, IL 61701**

**JOHNSTON CONTRACTORS  
#9 HEARTLAND DRIVE, STE C  
BLOOMINGTON, IL 61704**

**FELMLEY DICKERSON COMPANY  
803 EAST LAFAYETTE STREET  
BLOOMINGTON, IL 61701**

**HADDEN BUILDERS  
13963 N 1000 EAST ROAD  
BLOOMINGTON, IL 61701**

**PJ HOERR INC  
117 MERLE LANE  
NORMAL, IL 61761**

**FARNSWORTH GROUP  
200 WEST COLLEGE AVENUE  
NORMAL, IL 61761**

**J REX SWITZER AIA  
2412 E WASHINGTON STREET  
SUITE 6 A  
BLOOMINGTON, IL 61704**

**CORE CONSTRUCTION  
1300 WARRINER STREET  
NORMAL, IL 61761**

**TARTER CONSTRUCTION  
1012 EKSTAM DRIVE  
BLOOMINGTON, IL 61704**

**J SPENCER CONSTRUCTION  
ATTN: BROCK SPENCER  
2028 Warehouse Road  
Normal, IL 61761**

**Kelley Construction Contractors, Inc  
201 N. 8th St.  
Pekin, IL 61554**

**Anderson Building Services  
203 Rich Drive  
Normal, IL 61761**

**G A Rich and Sons  
204 S. Perry Street  
Deer Creek IL 61733**

**The Lane Company  
401 Bronco Drive  
Bloomington, IL 61704**

**Nordine Remodeling LLC**  
**112 Merle Lane Suite 205**  
**Normal, IL 61761**

**JB Construction & Remodeling, Inc**  
**815 Kingsley St.**  
**Normal , IL 61761**

**Parker Builders Inc**  
**511 S. McLunn**  
**Bloomington, IL 61701**

**Johnston Contractors, Inc.**  
**303 N. Hershey, Suite B**  
**Bloomington, IL 61704**



FOR COUNCIL: November 24, 2014

SUBJECT: Review of Executive Session Minutes from 1995 - 2014

**RECOMMENDATION/MOTION:** Recommend that the 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:** The Open Meeting Act requires a semiannual review of approved Executive Session Minutes to determine whether a need for confidentiality still exists as to the City's past Executive Session Minutes. The determination on which minutes are going to be released and which minutes still require confidential treatment must be reported on in open session. The Resolution makes this report.

The Council met previously on October 27 and November 10, 2014 in Executive Session to review the Executive Session Minutes and to make the determinations required by the Open Meetings Act. The Resolution reports on the release and/or partial release of the meeting minutes from October 10, 2011, January 24, 2014, February 10 and 24, 2014, March 24, 2014 and July 28, 2014, and the need for the continued confidential treatment of redacted portions from those and other meeting minutes listed in Schedule B.

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

**FINANCIAL IMPACT:** Not applicable.

Respectfully submitted for Council consideration.

Prepared by: Tracey Covert, City Clerk

Legal review by: Jeffrey Jurgens, Corporation Counsel

Recommended by:

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

David A. Hales  
City Manager

**Attachment:** Attachment 1. Resolution

---

Motion: **That the Resolution be adopted.**

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

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



**RESOLUTION NO. 2014 - \_\_\_\_**

**A RESOLUTION REPORTING THE RELEASE AND RETENTION  
OF EXECUTIVE SESSION MINUTES**

WHEREAS, the City Council of the City of Bloomington, Illinois has met from time to time in executive session for purposes authorized by the Illinois Open Meetings Act; and

WHEREAS, pursuant to the requirements of 5 ILCS 120/2.06(c), a review of all closed session minutes has been completed; and

WHEREAS, the City Council has determined that portions of the minutes of the meetings listed on Schedule A, attached hereto, no longer require confidential treatment and should be made available for public inspection and that the redacted portions of said meeting minutes still have a need for confidential treatment and should not be released; and

WHEREAS, the City Council has further determined that a need for confidentiality still exists as to the Executive Session Minutes from the meetings set forth on Schedule B, attached hereto and incorporated by reference; and

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

Section 1. The Executive Session Minutes from those meetings set forth on Schedule A, attached hereto and incorporated by reference, are released in part with the confidential information redacted. The preamble to this Resolution is incorporated into the body of this resolution.

Section 2. The City Clerk is hereby authorized and directed to make the un-redacted portion of the minutes from those meetings listed in Schedule A available for inspection and copying in accordance with the Open Meetings Act and standing procedures of the Clerk's Office.

Section 3. The City Clerk is hereby authorized and directed to destroy the verbatim audio recording for those Executive Sessions that have been approved by the Council and after eighteen (18) months have passed.

Section 4. This Resolution shall be in full force and effect from and after its passage and approval according to law.

ADOPTED this 24<sup>th</sup> day of November, 2014.

APPROVED this \_\_\_\_ day of November, 2014.

Tari Renner  
Mayor

ATTEST:

Tracey Covert  
City Clerk

**SCHEDULE A  
TO BE RELEASED**

<b>DATE</b>	<b>REASON</b>
October 11, 2011	Section 2(c)(12) Settlement* Section 2(c)(11) Litigation
January 27, 2014	Section 2(c)(12) Settlement*
February 10, 2014	Section 2(c)(21) Review of Closed Session*
February 24, 2014	Section 2(c)(21) Review of Closed Session
March 24, 2014	Section 2(c)(21) Review of Closed Session*
July 28, 2014	Section 2(c)(12) Settlement* Section 2(c)(6) Sale or Lease of Real Estate*

**\*Denotes release with redactions, as a need for confidentiality still exists as to part of said minutes.**

**SCHEDULE B  
TO BE RETAINED**

<b>DATE</b>	<b>REASON</b>
January 23, 1995	Section 2(c)(1) Personnel
June 12, 1995	Section 2(c)(2) Collective Bargaining
February 26, 1996	Section 2(c)(1) Personnel
October 14, 1996	Section 2(c)(2) Collective Bargaining
November 12, 1996	Section 2(c)(2) Collective Bargaining
February 24, 1997	Section 2(c)(1) Personnel
March 10, 1997	Section 2(c)(2) Collective Bargaining
May 12, 1997	Section 2(c)(2) Collective Bargaining
July 14, 1997	Section 2(c)(2) Collective Bargaining
October 13, 1997	Section 2(c)(2) Collective Bargaining
January 26, 1998	Section 2(c)(1) Personnel
July 14, 1998	Section 2(c)(2) Collective Bargaining
July 27, 1998	Section 2(c)(2) Collective Bargaining
December 28, 1998	Section 2(c)(1) Personnel
May 10, 1999	Section 2(c)(2) Collective Bargaining
June 14, 1999	Section 2(c)(2) Collective Bargaining
September 13, 1999	Section 2(c)(5) Purchase or Lease of Real Estate
November 22, 1999	Section 2(c)(1) Personnel
December 13, 1999	Section 2(c)(1) Personnel
December 11, 2000	Section 2(c)(1) Personnel
November 13, 2001	Section 2(c)(1) Personnel
May 28, 2002	Section 2(c)(2) Collective Bargaining
September 23, 2002	Section 2(c)(2) Collective Bargaining
November 12, 2002	Section 2(c)(1) Personnel
March 8, 2004	Section 2(c)(1) Personnel
May 10, 2004	Section 2(c)(2) Collective Bargaining
February 28, 2005	Section 2(c)(1) Personnel
March 14, 2005	Section 2(c)(1) Personnel
March 28, 2005	Section 2(c)(6) Sale or Lease of Real Estate
May 9, 2005	Section 2(c)(2) Collective Bargaining
August 14, 2006	Section 2(c)(1) Personnel
August 28, 2006	Section 2(c)(1) Personnel
August 13, 2007	Section 2(c)(2) Collective Bargaining
November 13, 2007	Section 2(c)(2) Collective Bargaining
December 10, 2007	Section 2(c)(1) Personnel
January 7, 2008	Section 2(c)(1) Personnel
February 11, 2008	Section 2(c)(2) Collective Bargaining Section 2(c)(1) Personnel
June 9, 2008	Section 2(c)(5) Purchase or Lease of Real Estate
August 19, 2008	Section 2(c)(1) Personnel

<b>DATE</b>	<b>REASON</b>
October 13, 2008	Section 2(c)(5) Purchase or Lease of Real Estate
November 3, 2008	Section 2(c)(1) Personnel
November 17, 2008	Section 2(c)(1) Personnel
November 18, 2008	Section 2(c)(1) Personnel
November 19, 2008	Section 2(c)(1) Personnel
March 9, 2009	Section 2(c)(2) Collective Bargaining Section 2(c)(11) Litigation
March 30, 2009	Section 2(c)(2) Collective Bargaining Section 2(c)(1) Personnel
April 6, 2009	Section 2(c)(2) Collective Bargaining Section 2(c)(1) Personnel
April 13, 2009	Section 2(c)(2) Collective Bargaining
April 27, 2009	Section 2(c)(2) Collective Bargaining
May 26, 2009	Section 2(c)(2) Collective Bargaining
June 8, 2009	Section 2(c)(2) Collective Bargaining
June 22, 2009	Section 2(c)(2) Collective Bargaining
June 27, 2009	Section 2(c)(2) Collective Bargaining
August 10, 2009	Section 2(c)(2) Collective Bargaining
September 28, 2009	Section 2(c)(2) Collective Bargaining Section 2(c)(5) Purchase or Lease of Real Estate Section 2(c)(6) Sale or Lease of Real Estate
December 14, 2009	Section 2(c)(2) Collective Bargaining
January 11, 2010	Section 2(c)(2) Collective Bargaining
January 25, 2010	Section 2(c)(2) Collective Bargaining Section 2(c)(5) Purchase or Lease of Real Estate
February 8, 2010	Section 2(c)(2) Collective Bargaining Section 2(c)(6) Sale or Lease of Real Estate
February 22, 2010	Section 2(c)(2) Collective Bargaining
April 5, 2010	Section 2(c)(2) Collective Bargaining
April 26, 2010	Section 2(c)(6) Sale or Lease of Real Estate Section 2(c)(2) Collective Bargaining
June 28, 2010	Section 2(c)(1) Personnel
September 27, 2010	Section 2(c)(1) Personnel
November 8, 2010	Section 2(c)(5) Purchase or Lease of Real Estate
November 22, 2010	Section 2(c)(2) Collective Bargaining
March 28, 2011	Section 2(c)(2) Collective Bargaining
May 9, 2011	Section 2(c)(2) Collective Bargaining Section 2(c)(11) Litigation
June 13, 2011	Section 2(c)(2) Collective Bargaining
July 11, 2011	Section 2(c)(1) Personnel
August 8, 2001	Section 2(c)(5) Purchase or Lease of Real Estate
December 19, 2011	Section 2(c)(5) Purchase or Lease of Real Estate
May 29, 2012	Section 2(c)(2) Collective Bargaining
August 17, 2012	Section 2(c)(1) Personnel

<b>DATE</b>	<b>REASON</b>
October 10, 2011	Section 2(c)(5) Purchase or Lease of Real Estate
November 8, 2012	Section 2(c)(1) Personnel
December 10, 2012	Section 2(c)(1) Personnel
December 17, 2012	Section 2(c)(2) Collective Bargaining Section 2(c)(1) Personnel
February 25, 2013	Section 2(c)(29) Meet with External Auditors Section 2(c)(2) Collective Bargaining
July 22, 2013	Section 2(c)(5) Purchase or Lease of Real Estate
September 23, 2013	Section 2(c)(12) Settlement
November 12, 2013	Section 2(c)(1) Personnel Section 2(c)(5) Purchase or Lease of Real Estate
December 9, 2013	Section 2(c)(11) Potential Litigation Section 2(c)(1) Personnel
December 16, 2013	Section 2(c)(11) Potential Litigation Section 2(c)(1) Personnel
January 27, 2014	Section 2(c)(12) Settlement Section 2(c)(2) Collective Bargaining
February 10, 2014	Section 2(c)(2) Collective Bargaining
March 24, 2014	Section 2(c)(2) Collective Bargaining
April 7, 2014	Section 2(2)(11) Litigation
June 23, 2014	Section 2(c)(11) Litigation Section 2(c)(2) Collective Bargaining
July 7, 2014	Section 2(c)(1) Personnel
July 28, 2014	Section 2(c)(1) Personnel Section 2(c)(11) Litigation Section 2(c)(6) Sale or Lease of Real Estate Section 2(c)(5) Purchase or Lease of Real Estate
August 11, 2014	Section 2(c)(5) Purchase or Lease of Real Estate
September 15, 2014	Section 2(c)(11) Litigation



FOR COUNCIL: November 24, 2014

**SUBJECT:** Application of Asia, LLC, d/b/a Asia, located at 407 N. Hershey Rd., requesting an RAS liquor license which would allow the sale of all types of alcohol for consumption on the premises seven (7) days a week

**RECOMMENDATION/MOTION:** Recommend that an RAS liquor license for Asia, LLC, d/b/a Asia, located at 407 N. Hershey Rd., be created, contingent upon compliance with all applicable health and safety codes with the following conditions: 1.) the application be reviewed by Mr. Liu's attorney and 2.) floor plan be provided prior to the Council's November 24, 2014 meeting.

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

**STRATEGIC PLAN SIGNIFICANCE:** Objective 4.a. 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 Asia, LLC, d/b/a Asia, located at 407 N. Hershey Rd., requesting an RAS liquor license which would allow the sale of all types of alcohol 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 Mike Liu, owner/operator and Applicant's representative.

Commissioner Renner opened the liquor hearing and requested that the Applicant's representatives address this request. He noted that this application had also appeared on the Commission's October 14, 2014 meeting agenda. Mike Liu, owner/operator and Applicant's representative, addressed the Commission. The business plan was to open a restaurant and serve alcohol with dinner.

Mr. Liu noted that this was his second application. He had attended Heartland Community College's BASSET, (Beverage Alcohol Sellers and Servers Education and Training), class which had been held on November 3, 2014. The restaurant's planned opening was the end of November.

Commissioner Renner noted that Asia's location had formerly operated as Ming's Restaurant. Mr. Liu noted that the restaurant offered a dining area with a small bar. He restated his hope to be granted a liquor license. Asia would offer Asian cuisine. It would be a formal dining restaurant.

Commissioner Tompkins noted that Mr. Liu had been encouraged to fine tune his application. Mr. Liu stated that Asia's floor plan would be the same as a Ming's Restaurant. He had reached out

to the former owner and requested a copy of the restaurant's floor plan. He had also called the realtor. He had tried to obtain the document. He restated that there would be no changes to the building's interior.

Commissioner Tompkins noted that items on the Questionnaire lacked a proper answer. Mr. Liu had worked with Lyndel Armstrong, attorney/CPA, (Certified Public Accountant), regarding the application.

Commissioner Renner believed that there were inconsistent answers.

Commissioner Jordan questioned if Mr. Liu had consulted with an attorney. Mr. Liu informed the Commission that his attorney had reviewed the application.

Commissioner Jordan questioned the bar area. Mr. Liu informed the Commission that the bar had three (3) stools and served as the restaurant's service bar.

Commissioner Jordan noted that Mr. Liu had purchased the building.

Commissioner Tompkins questioned the Emergency Call-in Sheet. Mr. Liu stated that staff interviews were being conducted.

Motion by Commissioner Jordan, seconded by Commissioner Renner to recommend to the Council that an RAS liquor license for Asia, LLC, d/b/a Asia, located at 407 N. Hershey Rd., be approved contingent upon compliance with all health safety codes with the following conditions: 1.) the application be reviewed by Mr. Liu's attorney and 2.) floor plan be provided prior to the Council's November 24, 2014 meeting.

Ayes: Commissioner Jordan and Renner.

Nays: Commissioner Tompkins.

Motion carried.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** Public notice was published in the Pantagraph on October 27, 2014 in accordance with City Code. In accordance with City Code, approximately thirty-seven (37) courtesy copies of the Public Notice were mailed on October 27, 2014. In addition, the Agenda for the November 4, 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:** New liquor license would be created. Annual fee for an RAS liquor license is \$2,210.

Respectfully submitted for Council consideration.



Recommended by:

Tari Renner  
Mayor

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Motion: That an RAS liquor license for Asia, LLC, d/b/a Asia, located at 407 N. Hershey Rd., be created, contingent upon compliance with all applicable health and safety codes with the following conditions: 1.) the application be reviewed by Mr. Liu's attorney and 2.) floor be provided prior to the Council's November 24, 2014 meeting

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

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

## **Chapter 6: Section 4B: Creation of New License – Findings**

(a) Standard for Creation. The City Council shall not create a new liquor license unless it has previously found that the creation of such license is necessary for the public convenience of residents of Bloomington and is in the best interest of the City of Bloomington. (Ordinance No. 1981-18)

(b) Factual Criteria. In deciding whether creation of a new license is necessary, the City Council shall consider:

- (1) The class of liquor license applied for;
- (2) Whether most of the establishment's anticipated gross revenue will be from sale of alcohol or other resources;
- (3) The character and nature of the proposed establishment;
- (4) The general design, layout and contents of the proposed establishment;
- (5) The location of the proposed establishment and the probable impact of a liquor establishment at that location upon the surrounding neighborhood or the City as a whole giving particular consideration to; (Ordinance No. 2004-2)

(a) the type of license(s) requested in the application;

(b) the nature of the proposed establishment; (Ordinance No. 2004-2)

(c) the location of the building of the proposed establishment in relation to any dwelling, church, school, hospital, home for the aged, indigent or veteran's and their wives, or any military or naval station with particular emphasis on its entrances/exits, windows and parking facilities; (Ordinance No. 2004-2)

(d) the hours of operation of the proposed establishment; (Ordinance No. 2004-2)

(e) the effect of live entertainment and/or amplified music in the proposed establishment upon persons in the surrounding area, particularly with respect to any dwelling, church, school, hospital, home for the aged, indigent or veteran's and their wives, or any military or naval station; (Ordinance No. 2004-2)

(f) signs and lights which are visible from the exterior of the proposed establishment;

(g) whether a Sunday license is being requested for the proposed establishment;

(h) the extent to which other businesses are licensed to sell alcoholic beverages at retail in the area under consideration;

(i) whether and what types of alcohol the applicant proposes to sell in single serving sizes for consumption off of the premises. (Ordinance No. 2004-2)

- (6) The probable demand for the proposed liquor establishment in the City;
- (7) The financial responsibility of the applicant;
- (8) Whether the applicant, or (if the applicant is a partnership or corporation) whether any partner, officer or director of the applicant has ever held a liquor license and his or her performance as a licensee; (Ordinance No. 1977-69)
- (9) Whether the applicant intends to furnish live entertainment in the establishment, and if so, the nature of such entertainment;
- (10) Whether the applicant intends to obtain a dancing permit pursuant to Chapter 7 of Bloomington City Code;
- (11) Whether the proposed establishment poses any problem to the Bloomington Police Department or Liquor Commissioner in the enforcement of City Ordinance or State and Federal Law;
- (12) Whether a current City of Bloomington liquor license has been issued for the premises sought to be licensed in the application;
- (13) Whether the premises complies with all pertinent health and safety codes applicable within the City of Bloomington;
- (14) No license shall be created for, or maintained by, an establishment whose primary or major focus is video gaming. In determining whether an establishment's primary or major focus is video gaming, the following factors may be considered.

(a) The layout and design of the establishment, including such factors as:

1. the number of video gaming machines relative to the customer seating capacity of the establishment; and
2. the square footage of space devoted to video gaming relative to the amount of space devoted to other activities;

(b) Whether the probable revenue derived from the establishment will be primarily from video gaming;

(c) The number of employees at the establishment and their proposed function;

(d) Other relevant factors. (Ordinance No. 2013-13)

(15) The recommendation of the Liquor Commission. (Ordinance No. 2013-13)

(c) All licenses created hereby are subject to issuance by the Mayor in his discretion as provided in 235 ILCS 5/4-4 and Section 37 of this Chapter. (Ordinance No. 2013-13)

MINUTES OF THE BLOOMINGTON  
LIQUOR COMMISSION

October 14, 2014

The Bloomington Liquor Commissioner Tari Renner called the Liquor Hearing to order to hear the application of Asia, LLC, d/b/a Asia, located at 407 N. Hershey Rd., requesting an RAS liquor license which would allow the sale of all types of alcohol 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 Mike Liu, owner/operator and Applicant's representative.

Commissioner Renner opened the liquor hearing and requested that requested that the Applicant's representatives address this request. Mike Liu, owner/operator and Applicant's representative, addressed the Commission. The business plan was to open a restaurant and serve alcohol with dinner.

Commissioner Renner questioned Mr. Liu's liquor sales experience. Mr. Liu responded that he had none. He was not BASSET, (Beverage Alcohol Sellers and Servers Education and Training), certified. He planned to hire experienced staff.

Commissioner Renner recommended that the restaurant's staff would be BASSET certified.

Commissioner Tompkins stated that he had several concerns. He read from the liquor license application. Answers appeared to be incomplete/incorrect.

Commissioner Renner summarized that the liquor license application was incomplete.

Commissioner Tompkins questioned if Mr. Liu had read and was familiar with Chapter 6. Alcoholic Beverages of the City Code. Mr. Liu responded affirmatively.

Commissioner Tompkins addressed the floor plan which he described as an incomplete line drawing. Mr. Liu noted that this location was the former Ming's Restaurant. No changes had been made to the building's interior.

Commissioner Jordan questioned the restaurant's staffing. Mr. Liu stated that Asia would employ twelve (12) people. Commissioner Jordan questioned if the restaurant would be staffed by family. Mr. Liu noted a combination of family and outside individuals.

Commissioner Jordan questioned video gaming. Mr. Liu responded negatively.

Commissioner Jordan recommended that Mr. Liu consult with an attorney. Mr. Liu informed the Commission that he had retained an attorney.

Commissioner Tompkins addressed the financial statement. Mr. Liu noted that the financial documents were his personal information.

Commissioner Renner noted that Sarbjit Jhattu, was listed as the co-owner. Mr. Jhattu also owned/operated Puran Indian Restaurant located at 1704 Eastland Dr., Suite 9.

Clay Wheeler, Asst. Police Chief, addressed the Commission. Mr. Jhattu had been issued an Ordinance Violation (OV) for underage sales on November 22, 2013. He failed to check identification.

George Boyle, Asst. Corporation Counsel, addressed the Commission. Mr. LN was issued an OV. Puran Indian Restaurant was cited for a Liquor Violation, (LV). Each violation fine had been paid.

Commissioner Renner offered Mr. Liu advice: his application needed to be strengthened. There were concerns regarding his co-owner due to a sale to a minor LV.

Commissioner Jordan recommended that Mr. Liu consult with his attorney. The attorney should review the liquor application and make the necessary corrections/improvements. Mr. Liu needed to enhance his presentation.

Commissioner Renner restated his encouragement that Mr. Liu become BASSET certified. The Commission needed to have greater confidence in the restaurant's management.

Motion by Commissioner Tompkins, seconded by Commissioner Jordan to deny the application by Asia, LLC, d/b/a Asia, located at 407 N. Hershey Rd., requesting an RAS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises be denied.

Motion carried, (viva voce).

There being no further business before the Commission, the meeting adjourned at 4:35 p.m.

Respectfully,

Tracey Covert, CRM, CMC, RMC  
City Clerk



FOR COUNCIL: November 24, 2014

**SUBJECT:** Lake Bloomington Lease Transfer Petition for Lot 3 and the East ½ of Lot 2, Block 1 of Camp Iroquois, from Donald William Davisson to Donald William Davisson & Sue Ann Davisson, Co-Trustees of the Bill Davisson Trust dated October 8, 2014

**RECOMMENDATION/MOTION:** Recommend 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 October 2014. The septic system appears to be functioning normally, and was pumped at this time. The property does not have a basement, only a small crawl space. Outlet baffle has a good amount of corrosion. Over half the sand filter system is located under the driveway. 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 about \$529.60 per year in lease income. This lake lease income will be posted to Lake Maintenance - Lease Income (50100140 - 57590). Stakeholders can locate this in the FY 2015 Budget Book titled "Other Funds & Capital Improvement Program" on page 146.

Respectfully submitted for Council consideration.

Prepared by: Connie Fralick, Office Manager

Reviewed by: Sue McLaughlin, ICMA-CM  
Interim Assistant 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

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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 Fruin				Alderman Sage			
Alderman Hauman				Alderman Schmidt			
Alderman Lower				Alderman Stearns			
Alderman Mwilambwe							
				Mayor Renner			



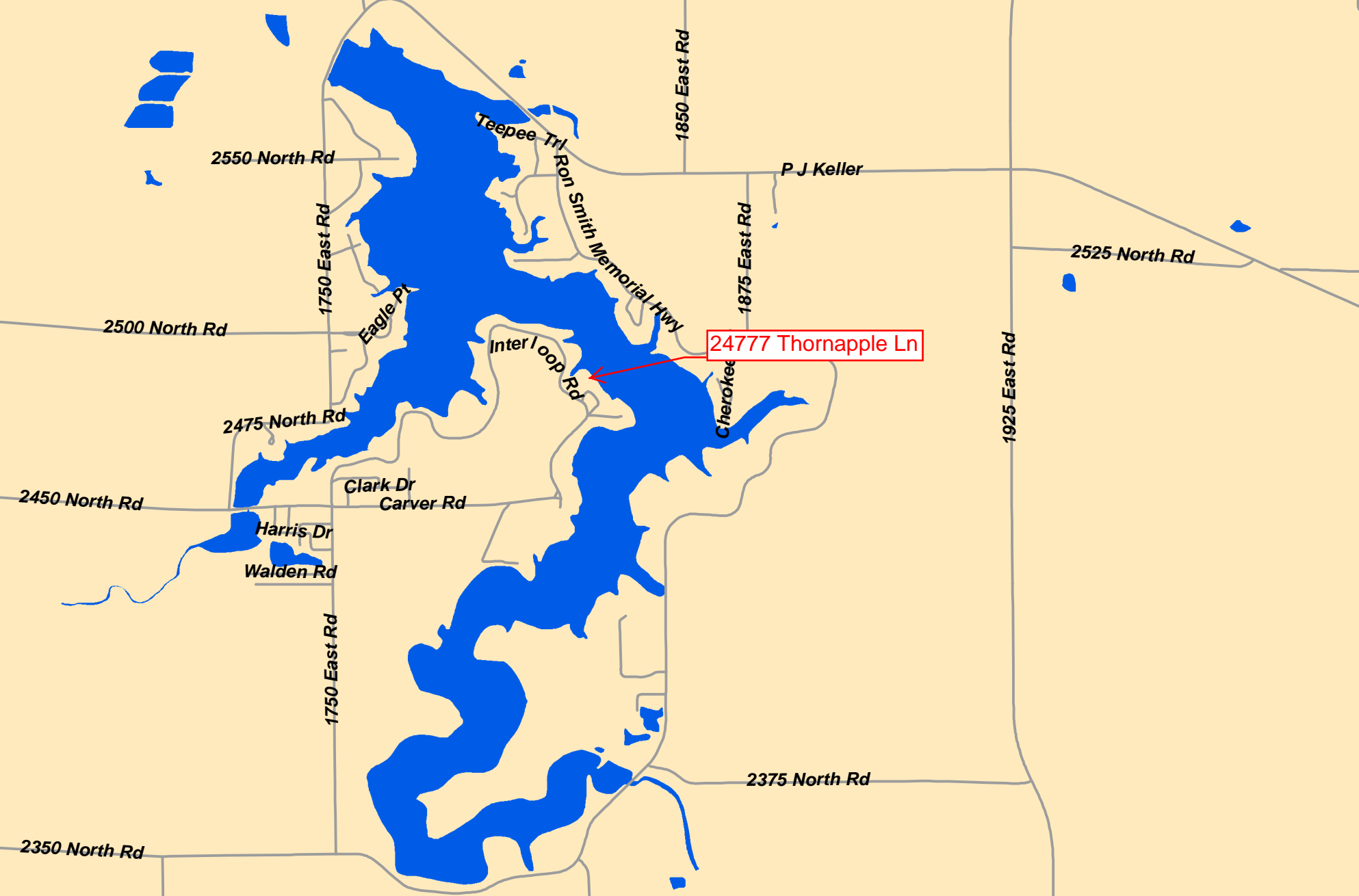
24777

24775

24773

24771





24777 Thornapple Ln

Interloop Rd

Cherokee

Eagle Pt

Clark Dr  
Carver Rd

Harris Dr

Walden Rd

P J Keller

2550 North Rd

2500 North Rd

2475 North Rd

2450 North Rd

2350 North Rd

2525 North Rd

2375 North Rd

1850 East Rd

1875 East Rd

1925 East Rd

1750 East Rd

1750 East Rd



FOR COUNCIL: November 24, 2014


**SUBJECT:** Lake Bloomington Lease Transfer Petition for Lot 17, Block 5 of Camp Kickapoo, from Tilio Giacobassi Declaration of Trust dated October 23 1997, Tilio Giacobassi, Trustee to Martha E. Giacobassi Trust dated November 13, 2013, Martha Giacobassi, Julie Ann Giacobassi, and Michael John Giacobassi, Trustees

**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 June 2014. The septic system appears to be functioning normally, and was pumped. The age of the sewage disposal system is over fifty-nine (59) 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. This property will be used seasonally.

**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, (\$0.15 per \$100 of Equalized Assessed Value), for determining the Lake Lease Fee. With this transfer, the lake lease formula will generate about \$106.67 per year in lease income. This lake lease income will be posted to Lake Maintenance - Lease Income (50100140 - 57590). Stakeholders can locate this in the FY 2015 Budget Book titled "Other Funds & Capital Improvement Program" on page 146.

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 Fruin				Alderman Sage			
Alderman Hauman				Alderman Schmidt			
Alderman Lower				Alderman Stearns			
Alderman Mwilambwe							
				Mayor Renner			

*Cherokee Ln*

24831

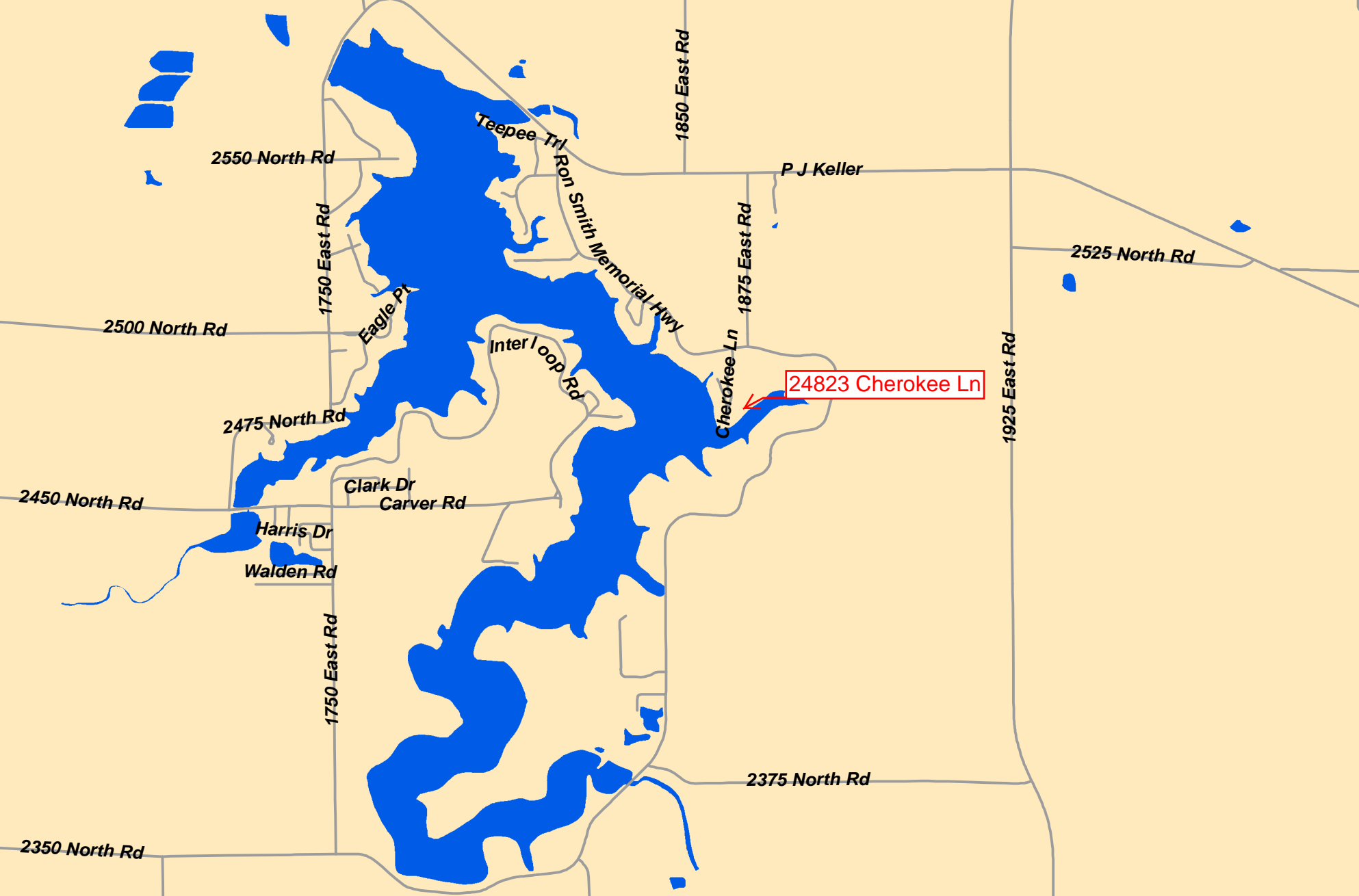
24823

24819

24807

24789

24823 Cherokee Ln  
Lot: 17  
Block: 5  
Camp: Kickapoo



2550 North Rd

1850 East Rd

P J Keller

1750 East Rd

2500 North Rd

Teepee Trl  
Ron Smith Memorial Hwy

1875 East Rd

2525 North Rd

2475 North Rd

Interloop Rd

24823 Cherokee Ln

Cherokee Ln

1925 East Rd

2450 North Rd

Clark Dr  
Carver Rd

Harris Dr

Walden Rd

1750 East Rd

2375 North Rd

2350 North Rd

**Item 8A.**

**Documents provided are from the Council's  
November 10, 2014 Meeting.**



FOR COUNCIL: November 10, 2014

**SUBJECT:** Purchase of Lots 47 and 48 of Empire Business Park Preliminary Plat utilizing a \$750,000 state legislative grant from Senator Bill Brady and to enter into an Agreements with Central Catholic High School for the use of said land as a practice field

**RECOMMENDATION/MOTION:** That the Purchase of Lots 47 & 48 Empire Business Park and Agreements be approved, and the Resolution adopted.

**STRATEGIC PLAN SIGNIFICANCE:** Goal 5. Great place – livable, sustainable City.

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

**BACKGROUND:** Sen. Brady has offered a \$750,000 state legislative grant to allow the City to purchase property next to McGraw Park, in the Empire Business Park, that Central Catholic High School is interested in for a practice football field. There are several moving parts to this transaction, which include a purchase agreement with the seller of the property, an Intergovernmental Agreement with Central Catholic High School and a grant agreement with the Department of Commerce and Economic Opportunity.

A draft Purchase Agreement has been created, which lists the purchase price as \$750,000. An appraisal of the property was completed which valued the property at \$766,000.

Proposed in this purchase agreement, Seller pays 3% but the Buyer's 3% is waived. The Seller and Buyer split the remaining closing costs. Also, the Seller/Developer is required to complete road improvements, which include Halls Ferry Road connection to the south at the intersection with Cornelius Drive and the extension of Cornelius Drive east through the intersection with Halls Ferry within 18 months.

A draft IGA with CCHS is also proposed. In this agreement, the high school will enter into a 15 year agreement, with three 5-year increments. They will have the ability to withdraw from the agreement, with a 90 day notice, after each 5 year increment. However, they are willing to continue to pay the \$1,700 per year for the remaining term of the agreement, if they opt out.

The school will take on the primary responsibilities for creating the practice field and maintaining, mowing and cleaning it at their own cost on a regular basis. The school will pay the city \$1,700 annually in rent for use of the field after it's created. This annual amount will increase, at a rate of the cost of living in the 6<sup>th</sup> and 11<sup>th</sup> years. The school expects work to begin immediately to create the practice field in time for the start of the 2015 practice season. And, finally, they will provide liability insurance coverage and list the City as an additional insured.



The City will take responsibility for annual turf management at a cost of \$2,500 per year. The City will also be allowed to open up the field for third party use with proper notice.

The \$750,000 allocated by Sen. Brady will be distributed through the Department of Commerce and Economic Opportunity. Interim Parks Director Bobbie Herakovich contacted DCEO and has completed a grant survey. This survey provides information for a forthcoming legal contract for the grant award which we will schedule for Council consideration. We have received official notification from DCEO that the \$750,000 legislative grant is allocated in the State's bond fund.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** Central Catholic High School.

**FINANCIAL IMPACT:** It is estimated that there will be approximately \$433 for title charges (buyer) and recording fees. These fees will be paid from the Economic Development – Other Professional & Technical Services account (10019170-70220). The City will provide annual turf management that is estimated to be approximately \$2,500 per year and will not start until FY 2016. This expense will be proposed in the Parks Maintenance – Other Repair & Maintenance account (10014110-70590). The Stakeholder may locate the closing costs in the FY 2015 Budget Book titled “Budget Overview & General Fund” on page 386.


Respectfully submitted for Council consideration.

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

Financial & Budgetary review by: Carla A. Murillo, Budget Manager

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:



David A. Hales  
City Manager

- Attachments:
1. Resolution
  2. Cooperation Agreement with Central Catholic High School
  3. Plat

Motion: **That the Purchase of Lots 47 & 48 Empire Business Park and Agreements be approved and 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 Fruin				Alderman Sage			
Alderman Hauman				Alderman Schmidt			
Alderman Lower				Alderman Stearns			
Alderman Mwilambwe							
				Mayor Renner			

**RESOLUTION 2014 - \_\_\_\_**

**A RESOLUTION AUTHORIZING THE PURCHASE OF LOCTS 47 & 48 IN THE  
EMPIRE BUSINESS PARK AND A COOPERATION AGREEMENT CENTRAL  
CATHOLIC HIGH SCHOOL**

WHEREAS, Illinois State Senator Bill Brady has offered a legislative grant to the City, in the amount of \$750,000, for the limited purpose of purchasing property next to McGraw Park; and

WHEREAS, the City can utilize the property as park property and Central Catholic High School, due to its interest in using part of the property as a football practice field, has agreed to help develop a portion of the property so that it can be utilized for park purposes; and

WHEREAS, by utilization of the legislative grant and negotiations by the City, the City is able to purchase the property under its appraised value and by paying only nominal closing costs; and

WHEREAS, by utilization of the cooperation agreement with Central Catholic High School, the City will receive no-cost upgrades to the property as well as compensation for their use of the property as a practice football field; and

WHEREAS, the City Council has determined that approving the property purchase agreement and cooperation agreement are in the best interests of the City.

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

1. That the above recitals are hereby incorporated into the body of this Resolution and restated as though set forth herein.
2. That the Agreement to Purchase Lots 47 and 48 in the Empire Business Park, as well as the Cooperation Agreement Between the City of Bloomington and Central Catholic High School, are hereby approved and the City Manager and City Clerk are authorized to execute said documents, as well as any ancillary documents, necessary to effectuate the property transactions.
3. This Resolution shall become effective immediately upon its passage and approval as required by law.

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

APPROVED this \_\_\_\_ day of November, 2014.

APPROVED:

Tari Renner  
Mayor

ATTEST:

Tracey Covert  
City Clerk

**COOPERATION AGREEMENT BETWEEN THE CITY OF BLOOMINGTON AND  
CENTRAL CATHOLIC HIGH SCHOOL**

THIS AGREEMENT, made this \_\_\_\_\_ day of \_\_\_\_\_ 2014, by and between the CITY OF BLOOMINGTON, a municipal corporation organized under the laws of the State of Illinois (hereinafter referred to as "City") and CENTRAL CATHOLIC HIGH SCHOOL (hereinafter referred to as "Central Catholic"). Central Catholic and City shall jointly be referred to as "Parties."

WHEREAS, Central Catholic currently utilizes land owned and operated by the Central Illinois Regional Airport for the school's practice football program; and

WHEREAS, the space that is currently used lies within the Federal Aviation Administration's restricted flight path zone; and

WHEREAS, Central Catholic has been given notice that it has until the end of 2015 to identify an alternative location for practice football activities; and

WHEREAS, the State of Illinois has graciously allocated seven hundred and fifty thousand dollars (\$750,000.00) of funding in hopes that a regional solution can be achieved; and

WHEREAS, staff from Central Catholic and the City have discussed various options through which the community can benefit; and

WHEREAS, given its close proximity to school grounds, Central Catholic has asked the City to accept funding from the State of Illinois for the purpose of acquiring land adjacent to McGraw Park, a park owned and maintained by the City; and

WHEREAS, the land purchased by the City would be permitted through the Parks and Recreation Department to Central Catholic for purposes of maintaining and utilizing a practice football field; and

WHEREAS, the constituencies of both Parties will effectively be served by this arrangement.

NOW, THEREFORE, for and in consideration of the mutual promises, terms, covenants, and conditions set forth herein, the Parties agree as follows:

1. **Permit Granted.** The City hereby agrees to grant to Central Catholic priority use and Central Catholic accepts the practice football field premises as depicted on the attached Exhibit A – Lot 47 (2.2 acres) and Lot 48 (1.7 acres) (hereinafter referred to as "Property").
2. **Term.** The term of this Agreement shall be for three (3) five-year increments (a total of fifteen (15) years) from the effective date herein provided. Either party shall have the right to terminate this Agreement at any time after the first 5-year increment, and

each 5-year increment thereafter, by providing proper written notice of termination not less than ninety (90) days prior to the date of termination of such term as outlined under paragraph 13 of this Agreement.

3. **Permit Fee.** For its use of the Property, Central Catholic shall pay to the City the sum of one-thousand seven hundred dollars (\$1,700.00) per year for the first five (5) years with a cost of living increase assessed the 6<sup>th</sup> and 11<sup>th</sup> years. Central Catholic shall pay this amount within thirty (30) days after the start of its fiscal year.
4. **Construction.** Central Catholic shall invest a minimum of twenty thousand dollars (\$20,000.00) to perform, as may be necessary, work to convert the Property from its current condition to a practice football field. Upon receipt of initial plans and specifications for the project, including any drafts of such plans and specifications, Central Catholic shall promptly deliver such documents to the City for its review. If the City believes that the plans and specifications are not consistent with the scope of the project and/or this Agreement, the City shall provide written notice to Central Catholic of that concern within seven (7) days after the City's receipt of the plans and specifications. Promptly after Central Catholic's receipt of the City's written notice, representatives of both Parties shall meet and confer to address and resolve the concern set forth in the City's written notice. If the City and Central Catholic are unable to resolve the concern set forth in the City's written notice, the City shall notify Central Catholic in writing, within fourteen (14) days of its decision to terminate this Agreement.
5. **Operational Costs.** Central Catholic shall be solely responsible for the operational costs of the Property during the entire term of their permitted use. Such costs shall include, but not be limited to, all maintenance.
6. **Use.** Central Catholic shall have priority of use and possession of the Property from the effective date through the term of this Agreement, except as otherwise provided herein. The City may allow third party use of the Property for park-related activities at such time and on such conditions as it may permit, including, but not limited to, the City's affiliates.
7. **Supervision.** Neither party shall have any responsibility whatsoever for supervising the other party's programs, use of the Property, or employees, volunteers, participants and/or agents. Each party shall be solely responsible, at its own expense, for providing adequate adult supervision at all times in connection with its use of the Property. Neither party shall be responsible in any way for employment of personnel to implement or supervise the other party's programs on the Property. Each party acknowledges and assumes complete responsibility for its staff or volunteers used to properly and adequately supervise its activities hereunder. Daily maintenance of the Property is the responsibility of the agency utilizing the field. Annual turf management shall be the responsibility of the City. Repair of vandalism shall be corrected within 24 hours and shall be the responsibility of the permitted group.

8. **Insurance.** City and Central Catholic, at their sole expense, shall maintain comprehensive general public liability insurance, including contractual liability coverages, and such other types of insurance in such amounts and with such A-rated companies as are reasonably acceptable to the City and Central Catholic, but, in any event, no less than one million dollars (\$1,000,000.00) per occurrence and one million dollars (\$1,000,000.00) aggregate. An insurance certificate naming the City of Bloomington as an additional insured shall be annually submitted to the City.
9. **Indemnification.** To the extent legally possible, the City shall indemnify and hold Central Catholic, its officers, agents, employees, and volunteers harmless from and against any and all claims, actions, liabilities, costs, including costs of defense, arising out of or in any way related to any act or failure to act by Central Catholic and its employees, agents, officers, volunteers and contractors in connection with this Agreement. To the extent legally possible, Central Catholic shall indemnify and hold the City, its officers, agents, employees, and volunteers harmless from and against any and all claims, actions, liabilities, costs, including costs of defense, arising out of or in any way related to any act or failure to act by the City and its employees, agents, officers, volunteers and contractors in connection with this Agreement.
10. **Entire Agreement.** This Agreement incorporates the full and complete understanding of the Parties to the exclusion of any terms or provisions not expressly set forth herein.
11. **Amendments.** This Agreement may be amended from time to time upon the mutual written agreement of the Parties hereto. Any such amendment shall be in writing.
12. **Waivers.** No term or condition of this Agreement shall be deemed waived by any party unless the term or condition to be waived and the circumstances giving rise to such waiver are set forth specifically in a duly authorized and written waiver of such party. No waiver by any party of any term or condition of this Agreement shall be deemed or construed a waiver of any other term or condition of this Agreement, nor shall waiver of any breach be deemed to constitute a waiver of any subsequent breach, whether of the same or different provisions of this Agreement.
13. **Notices.** Notices or other writings which either party is required to or may wish to serve upon the other party in connection with this Agreement shall be in writing and shall be delivered personally or sent by registered or certified mail, return receipt requested, postage prepaid, addressed as follows:

If to City:

City of Bloomington  
Attn: Director of Parks and Recreation  
109 E. Olive Street  
Bloomington, Illinois 61801

If to Central Catholic:  
Central Catholic High School  
Attn: Sean Foster, Principal  
1201 Airport Road  
Bloomington, Illinois 61704

14. **Severability.** If any provision of this Agreement is invalid for any reason, such invalidation shall not render invalid other provisions that can be given effect without the invalid provision.

15. **Applicable Law.** This Agreement shall be governed by, and construed in accordance with, the laws of the State of Illinois.

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be executed the day and year first written above.

CITY OF BLOOMINGTON, ILLINOIS

CENTRAL CATHOLIC HIGH SCHOOL

By: \_\_\_\_\_  
Tari Renner, Mayor

By: \_\_\_\_\_  
Sean Foster, Principal

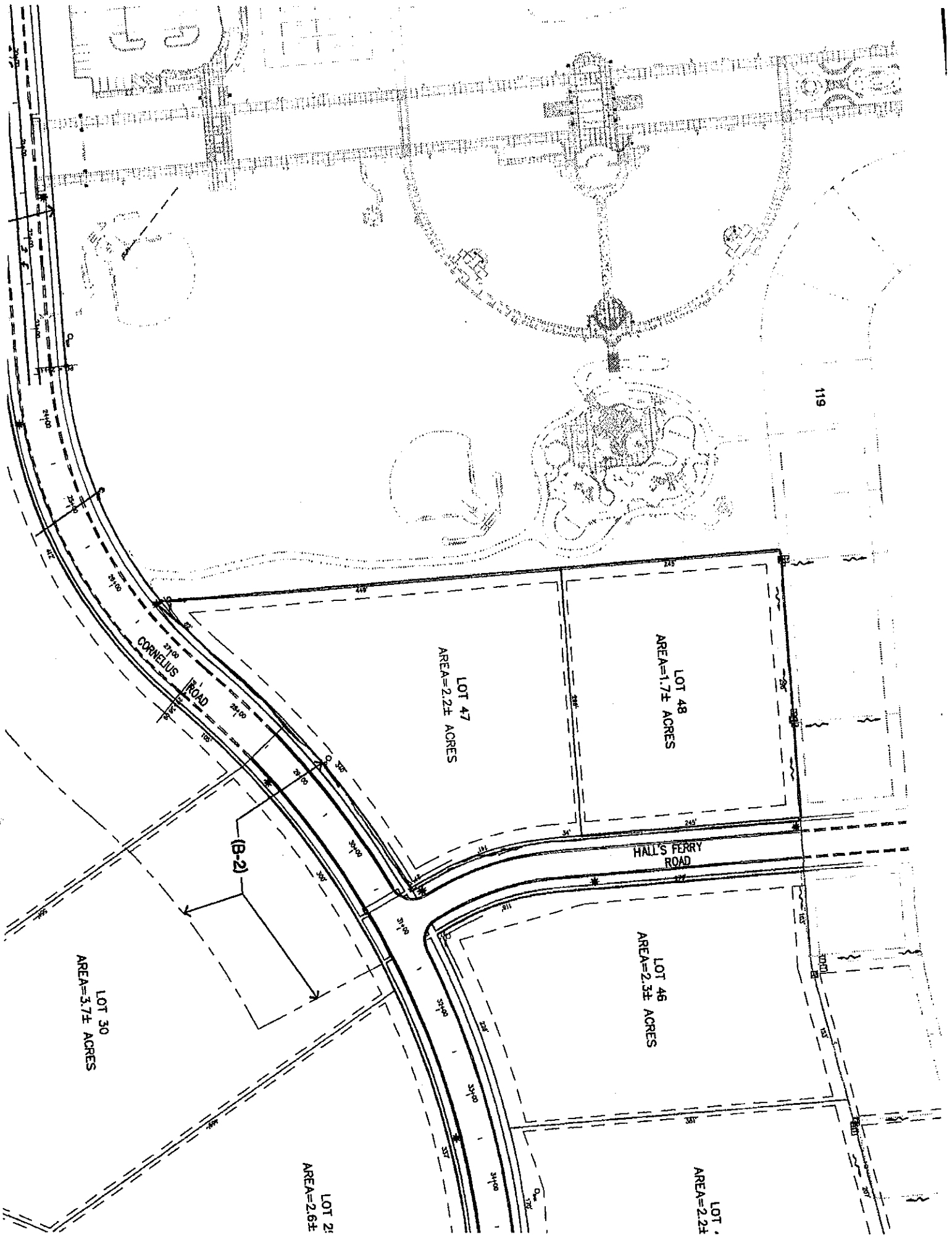
Attest: \_\_\_\_\_  
Tracey Covert, City Clerk

Attest: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_







FOR COUNCIL: November 24, 2014

SUBJECT: Adoption of the 2014 Tax Levy for \$23,719,066 as estimated

**RECOMMENDATION/MOTION:** Recommend that 2014 Tax Levy be approved, in the amount of \$23,719,066, 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.

**BACKGROUND:** There are three (3) components of the property tax formula that affect an increase or decrease in a homeowners property taxes. The dollar amount requested by the City or any of the other overlapping tax districts, the amount of the final Equalized Assessed Value (EAV) which is one third of the properties assessed value, and the tax rate that is generated by dividing the dollar amount by the EAV:

$$\text{Tax formula:} \quad \frac{\text{Dollar Levy}}{\text{Final EAV}} = \text{Tax Rate}$$

The City adopts its tax levy based on a *preliminary* EAV which is an estimate and subject to the appeals process. The Final EAV is completed by January 1, 2014. The tax rate generated is later applied to individual property owner’s tax bill on April 1, 2014 and bills are sent out on May 1<sup>st</sup>.

2014 Tax formula Estimate	<u>\$23,719,066</u>	
(Preliminary EAV):	\$1,802,822,457	1.3157%

This year the City’s tax levy estimate is \$23,719,066, (*see Exhibit 1 for the tax levy break out by component*), which appears to result in a lower tax rate than last year. Depending on what happens to the City’s final EAV homeowner’s could receive a slight decrease in property taxes levied by the City. (*See Exhibit 2 for estimated impact to individual homeowners.*)

Expenditures related to the property tax levy are primarily related to pension funding and operating costs for public safety and the Bloomington Public Library.

**COUNCIL COMMITTEE BACKGROUND:** A preliminary discussion of the 2014 Tax Levy was held at the October 20, 2014 Committee of the Whole meeting and the estimated 2014 Tax Levy was presented at the October 27, 2014 Council Meeting which were both public meetings.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** Information was presented at two (2) public meetings.

**FINANCIAL IMPACT/ANALYSIS:** The Council adopted the Tax Levy last year with only a slight increase for the Public Library of \$33,233 for a final levy of \$23,219,066. The City Manager and Finance Director recommended the Council adopt the Tax Levy estimate of \$23,719,066 which increases the overall levy by \$500,000. **This increase will be solely dedicated to fund the Police and Fire Pensions.**

Staff has created two (2) exhibits. Exhibit 1 depicts the recommendations and allocation for the 2014 Tax Levy. Exhibit 2 is the estimated impact to the taxpayer.

Respectfully submitted for Council consideration.

Prepared by: Carla Murillo, Budget Manager

Reviewed by: Patti-Lynn Silva, Finance Director

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:



David A. Hales  
City Manager

**Attachments** Attachment 1. Tax Levy Ordinance  
Attachment 2: Exhibits 1 & 2

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Motion: That 2014 Tax Levy be approved, in the amount of \$23,719,066, and the Ordinance passed

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

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

**ORDINANCE 2014 - \_\_\_\_**

**AN ORDINANCE LEVYING TAXES FOR THE CITY OF BLOOMINGTON, MCLEAN COUNTY, ILLINOIS FOR THE FISCAL YEAR BEGINNING MAY 1, 2014 AND ENDING APRIL 30, 2015 FOR THE CITY OF BLOOMINGTON**

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

Section One. (a) The sum of Twenty-three Million, Seven Hundred Nineteen Thousand and Sixty Six dollars (\$23,719,066) being the total sum of the appropriation heretofore legally made which is to be collected from the tax levy of the fiscal year of the City of Bloomington, McLean County, Illinois, beginning May 1, 2014 and ending April 30, 2015, for all corporate purposes and including General Corporate Purposes, Payment of Bonds and Interest on Bonds, Public Library, Fire Pension Fund, Police Pension Fund, Public Parks Fund, Fire Protection Fund, Police Protection Fund, IMRF Fund, and FICA Taxes Fund as appropriated for the fiscal year beginning May 1, 2014 and ending April 30, 2015 as passed by the City Council of said City at its regular meeting held on the 28<sup>th</sup> of April, 2014, shall be and the same is hereby levied on all taxable property within the said City of Bloomington, subject to taxation for said current fiscal year. The specific amounts as levied for the various objects heretofore named appear in the right hand column under the designation "Amount to be raised by Taxation", the said tax so levied being for appropriations heretofore made for said tax levy, the current fiscal year which are to be collected from said tax levy, the total amount of which has been ascertained as aforesaid for the objects and purposes as follows:

CITY OF BLOOMINGTON, MCLEAN COUNTY ILLINOIS

(b) The tax rate against the said taxable property of the City of Bloomington for the year 2014 for and on account of the aforesaid tax levy be, and the same is hereby set for said taxable year as follows:

I. General Corporate Purposes	\$1,287,233
II. Police Protection Fund	\$1,354,421
III. Fire Protection Fund	\$1,183,228
IV. Public Parks	\$1,001,415
V. Fire Pension Fund	\$4,196,000
VI. Police Pension Fund	\$4,008,000
VII. Illinois Municipal Retirement Fund	\$2,502,907
VIII. FICA Taxes Fund	\$1,459,009
IX. General Bond and Interest	\$2,180,143
X. Public Library Fund	\$4,546,710
Total	\$23,719,066

Section Two: The City Clerk shall make and file with the County Clerk of said County of McLean, a duly certified copy of this Ordinance; the amount levied by Section One of this Ordinance is required by said City to be levied by taxation as aforesaid and extended upon the

appropriate tax books for the fiscal year of said City beginning May 1, 2014 and ending April 30, 2015.

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

Section Four: Where a rate is shown in the Table in Section 1(b), the County Clerk is directed to levy a tax at that rate without regard to either statutory rate for such levy or the number of dollars shown in that fund. Where no rate is shown in the Table above, the rate of tax for each such fund shall be the rate necessary to collect the number of dollars levied by the City for such fund. The rate at which a tax shall be levied for General Corporate purpose shall be that rate necessary, after rates for all other funds are established, to result in a total levy of \$23,719,066.

Section Five: This Ordinance is enacted pursuant to and as an exercise of the City of Bloomington's authority as a home rule unit pursuant to Article VII, Section 6 of the 1970 Constitution of the State of Illinois. Any and all provisions of the Statutes of the State of Illinois regarding rates of tax are hereby declared to be superseded to the extent that they conflict herewith.

Section Six: This Ordinance shall be in full force and effect from and after its passage, signing, approval, and recording, according to law.

PASSED this 24th day of November, 2014.

APPROVED this \_\_\_\_ day of November, 2014.

APPROVED:

Tari Renner  
Mayor

ATTEST:

Tracey Covert  
City Clerk

## Exhibit 1: 2014 Proposed & Historical Tax Levy

<i>Levy Type</i>	<b>2014 Proposed Tax Levy</b>	<b>2013 Adjusted Levy Amount</b>	<b>2012 Adjusted Levy Amount</b>	<b>2011 Adjusted Levy Amount</b>	<b>2010 Adjusted Levy Amount</b>
BONDS & INTEREST	\$ 2,180,143	\$ 2,180,143	\$ 2,180,143	\$ 2,179,980	\$ 2,179,867
FIRE PENSION	\$ 4,196,000	\$ 3,946,000	\$ 2,908,472	\$ 3,111,552	\$ 3,407,498
FIRE PROTECTION	\$ 1,183,228	\$ 1,183,228	\$ 1,183,228	\$ 1,183,182	\$ 1,183,182
GENERAL CORPORATE	\$ 1,287,233	\$ 1,287,233	\$ 2,901,180	\$ 2,979,867	\$ 1,927,000
IMRF	\$ 2,502,907	\$ 2,502,907	\$ 2,502,907	\$ 2,502,956	\$ 2,502,956
LIABILITY INSURANCE	-	-	-	-	-
POLICE PENSION	\$ 4,008,000	\$ 3,758,000	\$ 3,181,581	\$ 3,306,933	\$ 4,057,967
POLICE PROTECTION	\$ 1,354,421	\$ 1,354,421	\$ 1,354,421	\$ 1,354,332	\$ 1,354,332
PUBLIC BENEFIT	-	-	-	-	-
PUBLIC PARKS	\$ 1,001,415	\$ 1,001,415	\$ 1,001,415	\$ 1,001,487	\$ 1,001,487
ROAD AND BRIDGE	-	-	-	-	-
SOCIAL SECURITY	\$ 1,459,009	\$ 1,459,009	\$ 1,459,009	\$ 1,459,097	\$ 1,459,097
LIBRARY	\$ 4,546,710	\$ 4,546,710	\$ 4,513,477	\$ 4,513,519	\$ 4,513,519
<b>TOTALS</b>	<b>\$ 23,719,066</b>	<b>\$ 23,219,066</b>	<b>\$ 23,185,833</b>	<b>\$ 23,592,905</b>	<b>\$ 23,586,905</b>
Dollar Increase/(Decrease)	\$ 500,000	\$ 33,233	\$ (407,072)	\$ 6,000	\$ 80,230
Percent Increase/(Decrease)	2.15%	0.14%	-1.73%	0.03%	0.34%
Tax Rate	1.3157	1.3181	1.3161	1.3103	1.3110

## Exhibit 2: 2014 Tax Levy Impact to the Taxpayer

Information Table	
Prior Year Tax Levy	\$23,219,066
Prior Year Tax Rate	1.3181%
Avg Home Value	\$165,000
**2014 Preliminary EAV	\$1,802,822,457

\*\*2014 Preliminary EAV      \$1,802,822,457      **\*\* The preliminary EAV is subject to change through the tax appeals process.**

Proposed Levy Increase	Revised Levy	New Rate	Avg Home Value	Old Bill	New Bill	Increase/(Decrease)
\$500,000	\$23,719,066	1.3157%	\$165,000	\$725	\$724	(\$1.33)



FOR COUNCIL: November 24, 2014

SUBJECT: Abatements of Debt Service for the 2014 Tax Levy

**RECOMMENDATION/MOTION:** Recommend that the Resolutions for the Abatement of \$8,586,896.91 of property taxes for the 2014 Tax Levy for debt service payments be 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 services

**BACKGROUND:** The adoption of the following Resolutions are required to abate property tax for debt service the City intends to pay from funding sources other than property tax revenue. The City’s bond ordinances secure issued debt with property tax revenue; unless sufficient funds are available elsewhere to secure the debt. This covenant which guarantees payment to investors increases the marketability of City bonds and reaps a lower interest rate on debt service payments. Council action is required to abate the Bond & Interest portion of the tax levy which must be filed with the County Clerk’s Office. Staff recommends abating \$8,586,896.91 of the 2014 Tax Levy for annual debt service whereas the City has funds set aside to cover this balance.

	Current Levy Amount as per County Clerk	Abated these Resolutions	Balance to be Levied for 2014
2004 Multi-Purpose Bond	\$1,156,652.91	\$1,156,652.91	
PBC Lease	\$1,148,685.00	\$1,148,685.00	
2005 GO Bond	\$741,348.00	\$741,348.00	
2007 GO Bond	\$275,725.00		\$275,725.00
2009 GO Bond	\$118,400.00		\$118,400.00
2011 GO Bond	\$1,261,875.00	\$1,261,875.00	
2012 Taxable GO Bond	\$2,408,761.50	\$1,786,193.50	\$662,568.00
2013A Refunding Bond	\$1,163,450.00		\$1,163,450.00
2013B & 2013C GO Bonds	\$1,159,050.00	\$1,159,050.00	
2014A & 2014B Bonds	\$1,333,092.50	\$1,333,092.50	
Total	\$10,767,039.91	\$8,586,896.91	\$2,180,143.00

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



**FINANCIAL IMPACT:** The City will abate \$8,586,896.91 in annual debt service and levy only \$2,180,143 in the 2014 Property Tax Levy or approximately twenty percent (20%) of total annual debt service. The City has historically abated similar balances and levied \$2,180,143 for debt service for the last seven (7) years.

Respectfully submitted for Council consideration.

Prepared by: Paulette Hurd, Chief Accountant

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

Legal review by: Kyle Harding, Chapman & Cutler

Recommended by:



David A. Hales  
City Manager

**Attachments:** Attachment 1. Resolutions

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Motion: That the Resolutions for the Abatement of \$8,586,896.91 of property taxes for the 2014 Tax Levy for debt service payments be adopted.

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

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

**RESOLUTION NO. 2014 - \_\_\_\_\_**

A RESOLUTION abating all or a portion of the taxes heretofore levied to pay debt service on certain general obligation bonds of the City of Bloomington, McLean County, Illinois.

\* \* \*

WHEREAS, the City Council (the "*City Council*") of the City of Bloomington, McLean County, Illinois (the "*City*"), by ordinances of the City Council adopted on the 14<sup>th</sup> day of July, 2014, 14<sup>th</sup> day of October, 2013, 27<sup>th</sup> day of February, 2012, 23<sup>rd</sup> day of May, 2011, 9<sup>th</sup> day of November, 2009, 23<sup>rd</sup> day of July, 2007, 24<sup>th</sup> day of October, 2005, 27<sup>th</sup> day of September, 2004, and 6<sup>th</sup> day of June, 2003 (as supplemented, the "*Bond Ordinances*"), has heretofore issued and has outstanding its general obligation bonds, as further described on Exhibit A attached hereto (collectively, the "*Bonds*"); and

WHEREAS, duly certified copies of the Bond Ordinances were filed in the office of the County Clerk of The County of McLean, Illinois (the "*County Clerk*"); and

WHEREAS, the City Council has determined and does hereby determine that the City has funds on hand and lawfully available (the "*Available Funds*") to pay all or a portion of the principal of and interest on the Bonds due on December 1, 2015, and on June 1, 2016 (collectively, the "*Debt Service Payments*"); and

WHEREAS, the City Council has further determined and does hereby further determine that it is necessary and in the best interests of the City to apply the Available Funds to the Debt Service Payments and abate all or a portion of the taxes heretofore levied in the Bond Ordinances for the year 2014 for the Debt Service Payments; and

WHEREAS, the Available Funds have been deposited to the credit of the bond and interest funds of the City established pursuant to the Bond Ordinances for the purpose of paying principal of and interest on the Bonds:

NOW, THEREFORE, Be It and It Is Hereby Resolved by the City Council of the City of Bloomington, McLean County, Illinois, in the exercise of its home rule powers, as follows:

*Section 1. Incorporation of Preambles.* The City Council hereby finds that all of the recitals contained in the preambles to this Resolution are full, true and correct and does incorporate them into this Resolution by this reference.

*Section 2. Abatement of Tax.* The taxes heretofore levied in the Bond Ordinances for the year 2013 shall be abated by the amount of the Available Funds, as more particularly described in Exhibit B attached hereto.

*Section 3. Filing of Resolution.* Forthwith upon the adoption of this Resolution, the City Clerk shall file a certified copy hereof with the County Clerk, and it shall be the duty of the County Clerk to abate the taxes heretofore levied in the Bond Ordinances for the year 2014 in accordance with the provisions hereof.

*Section 4. Effective Date.* This Resolution shall be in full force and effect forthwith upon its passage by the City Council and signing and approval by the Mayor.

ADOPTED by the City Council on November 24, 2014.

APPROVED on November \_\_\_\_, 2014.

---

Mayor

Attest:

---

City Clerk

**EXHIBIT A**

**THE BONDS, DESCRIBED AS FOLLOWS:**

**I. TAXABLE GENERAL OBLIGATION REFUNDING BONDS, SERIES 2014A**

**GENERAL OBLIGATION REFUNDING BONDS, SERIES 2014B**

Original principal amount: \$14,920,000 – Series 2013A  
\$9,700,000 – Series 2014B

Dated: September 4, 2014

Originally issued: September 4, 2014

Amount outstanding: \$24,620,000

Maturing on June 1 of the years and in the amounts and bearing interest at the rates percent per annum as follows:

**\$14,920,000 TAXABLE GENERAL OBLIGATION REFUNDING BONDS, SERIES 2014A**

<u>YEAR</u>	<u>AMOUNT (\$)</u>	<u>RATE (%)</u>
-------------	--------------------	-----------------

2015	\$685,000	3.00
2016	415,000	3.00
2017	480,000	3.00
2018	565,000	3.00
2019	645,000	3.00
2020	635,000	3.00
2021	735,000	3.00
2022	845,000	3.00
2023	935,000	3.00
2024	900,000	3.15
2025	675,000	3.75
2026	695,000	3.75
2027	725,000	3.75
2028	755,000	3.75
2029	785,000	3.75
2030	815,000	4.15
2031	850,000	4.15
2032	890,000	4.15
2033	925,000	4.15
2034	965,000	4.15

**\$9,700,000 GENERAL OBLIGATION REFUNDING BONDS, SERIES 2014B**

<u>YEAR</u>	<u>AMOUNT (\$)</u>	<u>RATE (%)</u>
-------------	--------------------	-----------------

2015	\$355,000	2.00
2016	100,000	3.00
2018	100,000	3.00
2020	160,000	3.00
2021	160,000	3.00
2022	160,000	3.00
2023	150,000	3.00
2024	320,000	3.00
2025	700,000	3.00
2026	820,000	3.00
2027	930,000	3.00
2028	1,050,000	3.00
2029	535,000	3.25
2030	630,000	3.50
2031	720,000	3.75
2032	830,000	3.75
2033	930,000	3.75
2034	1,050,000	3.75

## II. GENERAL OBLIGATION BOND, SERIES 2013C

Original principal amount: \$9,225,000 – Series 2013C  
Dated: November 12, 2013  
Originally issued: November 12, 2013  
Amount outstanding: \$9,225,000

Maturing on December 1 of the years and in the amounts and bearing interest at the rates percent per annum as follows:

<u>YEAR</u>	<u>AMOUNT (\$)</u>	<u>RATE (%)</u>
2015	\$930,000	2.00
2016	950,000	2.00
2017	970,000	2.00
2018	990,000	2.00
2019	1,015,000	3.00
2020	1,045,000	3.00
2021	1,075,000	3.00
2022	1,110,000	3.00
2023	1,140,000	3.00

**III. GENERAL OBLIGATION REFUNDING BONDS, SERIES 2013A**

Original principal amount: \$7,800,000  
Dated: October 29, 2013  
Originally issued: October 29, 2013  
Amount outstanding: \$6,700,000

Maturing on June 1 of the years and in the amounts and bearing interest at the rates percent per annum as follows:

<u>YEAR</u>	<u>AMOUNT (\$)</u>	<u>RATE (%)</u>
2015	\$970,000	3.00
2016	965,000	3.00
2017	965,000	4.00
2018	970,000	4.00
2019	720,000	4.00
2020	725,000	3.00
2021	720,000	3.00
2022	335,000	3.00
2023	330,000	3.00



**IV. TAXABLE GENERAL OBLIGATION BONDS, SERIES 2012**

Original principal amount: \$7,660,000  
Dated: April 18, 2012  
Originally issued: April 18, 2012  
Amount outstanding: \$2,390,000

Maturing on December 1 of the years and in the amounts and bearing interest at the rates percent per annum as follows:

<u>YEAR</u>	<u>AMOUNT (\$)</u>	<u>RATE (%)</u>
2015	\$2,390,000	1.57

V. **GENERAL OBLIGATION REFUNDING BONDS, SERIES 2011**

Original principal amount: \$5,075,000  
Dated: June 9, 2011  
Originally issued: June 9, 2011  
Amount outstanding: \$3,670,000

Maturing on June 1 of the years and in the amounts and bearing interest at the rates percent per annum as follows:

<u>YEAR</u>	<u>AMOUNT (\$)</u>	<u>RATE (%)</u>
2015	\$715,000	2.50%
2016	1,170,000	3.00%
2017	1,140,000	3.00%
2018	645,000	3.50%

**VI. GENERAL OBLIGATION REFUNDING BONDS, SERIES 2009**

Original principal amount: \$2,840,000  
Dated: November 30, 2009  
Originally issued: November 30, 2009  
Amount outstanding: \$2,840,000

Maturing on June 1 of the years and in the amounts and bearing interest at the rates percent per annum as follows:

<u>YEAR</u>	<u>AMOUNT (\$)</u>	<u>RATE (%)</u>
2025	\$840,000	4.125
2026	1,000,000	4.125
2027	1,000,000	4.250

**VII. GENERAL OBLIGATION BONDS, SERIES 2007**

Original principal amount: \$10,000,000  
Dated: August 29, 2007  
Originally issued: August 29, 2007  
Amount outstanding: \$8,605,000

Maturing (or subject to mandatory redemption) on June 1 of the years and in the amounts and bearing interest at the rates percent per annum as follows:

<u>YEAR</u>	<u>AMOUNT (\$)</u>	<u>RATE (%)</u>
2015	\$330,000	4.250
2016	345,000	4.250
2017	355,000	4.250
2018	370,000	4.000
2019	390,000	4.125
2020	405,000	4.125
2021	420,000	4.125
2022	435,000	4.125
2023	455,000	4.250
2024	475,000	4.250
2025	495,000	4.375
2026	520,000	4.375
2027	540,000	4.375
2028	560,000	4.500
2029	585,000	4.500
2030	615,000	4.500
2031	640,000	4.500
2032	670,000	4.500

**VIII. GENERAL OBLIGATION BONDS, SERIES 2005**

Original principal amount: \$9,900,000  
Dated: November 10, 2005  
Originally issued: November 10, 2005  
Amount outstanding: \$6,595,000

Maturing on December 1 of the years and in the amounts and bearing interest at the rates percent per annum as follows:

<u>YEAR</u>	<u>AMOUNT (\$)</u>	<u>RATE (%)</u>
2015	\$490,000	3.875
2016	510,000	3.875
2017	530,000	3.875
2018	550,000	3.875
2019	570,000	3.875
2020	595,000	3.875
2021	620,000	3.950
2022	640,000	4.000
2023	670,000	4.050
2024	695,000	4.050
2025	725,000	4.100

**IX. GENERAL OBLIGATION DEMAND BONDS, SERIES 2004**

Original principal amount: \$15,600,000  
Dated: October 13, 2004  
Originally issued: October 13, 2004  
Amount outstanding: \$9,700,000

Maturing (or subject to redemption) on June 1 of the years and in the amounts and bearing interest at the rates percent per annum as follows:

<u>YEAR</u>	<u>AMOUNT (\$)</u>	<u>RATE (%)<sup>1</sup></u>
2015	\$800,000	
2016	800,000	
2017	900,000	
2018	900,000	
2019	900,000	
2020	1,000,000	
2021	1,000,000	
2022	1,100,000	
2023	1,100,000	
2024	1,200,000	

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<sup>1</sup> The bonds bear interest at a weekly floating rate (unless converted to a fixed interest rate)

**EXHIBIT B**

**TAXES LEVIED AND TO BE ABATED:**

**I. TAXABLE GENERAL OBLIGATION REFUNDING BONDS, SERIES 2014A**

**GENERAL OBLIGATION REFUNDING BONDS, SERIES 2014B**

<u>LEVY YEAR</u>	<u>AMOUNT OF TAX LEVIED PURSUANT TO BOND ORDINANCE (\$)</u>	<u>AMOUNT OF TAX HERETOFORE ABATED (\$)</u>	<u>AMOUNT OF TAX NOW ABATED (\$)</u>	<u>AMOUNT OF TAX TO BE EXTENDED (\$)</u>
2014	\$3,200,000.00	\$1,866,907.50	\$1,333,092.50	\$0.00
2015	3,200,000.00	1,917,357.50	0.00	1,282,642.50
2016	3,200,000.00	1,746,757.50	0.00	1,453,242.50
2017	3,200,000.00	1,786,707.50	0.00	1,413,292.50
2018	3,200,000.00	1,656,057.50	0.00	1,543,942.50
2019	3,200,000.00	1,579,907.50	0.00	1,620,092.50
2020	3,200,000.00	1,496,757.50	0.00	1,703,242.50
2021	3,200,000.00	1,446,907.00	0.00	1,753,093.00
2022	3,200,000.00	1,344,457.50	0.00	1,855,542.50
2023	3,200,000.00	1,227,407.50	0.00	1,972,592.50
2024	3,200,000.00	1,133,720.00	0.00	2,066,280.00
2025	3,200,000.00	1,044,382.50	0.00	2,155,617.50
2026	3,200,000.00	949,470.00	0.00	2,250,530.00
2027	3,200,000.00	1,494,282.50	0.00	1,705,717.50
2028	3,200,000.00	1,416,107.50	0.00	1,783,892.50
2029	3,200,000.00	1,346,980.00	0.00	1,853,020.00
2030	3,200,000.00	1,259,255.00	0.00	1,940,745.00
2031	3,200,000.00	1,192,315.00	0.00	2,007,685.00
2032	3,200,000.00	1,105,577.50	0.00	2,094,422.50

## II. TAXABLE GENERAL OBLIGATION BONDS, SERIES 2013B

### GENERAL OBLIGATION BONDS, SERIES 2013C

<u>LEVY YEAR</u>	<u>AMOUNT OF TAX LEVIED PURSUANT TO BOND ORDINANCE (\$)</u>	<u>AMOUNT OF TAX HERETOFORE ABATED (\$)</u>	<u>AMOUNT OF TAX NOW ABATED (\$)</u>	<u>AMOUNT OF TAX TO BE EXTENDED (\$)</u>
2014	\$1,700,000.00	\$540,950.00	\$1,159,050.00	\$0.00
2015	1,700,000.00	539,750.00	0.00	1,160,250.00
2016	1,700,000.00	538,950.00	0.00	1,161,050.00
2017	1,700,000.00	538,550.00	0.00	1,161,450.00
2018	1,700,000.00	538,675.00	0.00	1,161,325.00
2019	1,700,000.00	539,575.00	0.00	1,160,425.00
2020	1,700,000.00	541,375.00	0.00	1,158,625.00
2021	1,700,000.00	539,150.00	0.00	1,160,850.00
2022	1,700,000.00	542,900.00	0.00	1,157,100.00
2023	1,700,000.00	1,700,000.00	0.00	0.00
2024	1,700,000.00	1,700,000.00	0.00	0.00
2025	1,700,000.00	1,700,000.00	0.00	0.00
2026	1,700,000.00	1,700,000.00	0.00	0.00
2027	1,700,000.00	1,700,000.00	0.00	0.00



### III. GENERAL OBLIGATION REFUNDING BONDS, SERIES 2013A

<u>LEVY YEAR</u>	<u>AMOUNT OF TAX LEVIED PURSUANT TO BOND ORDINANCE (\$)</u>	<u>AMOUNT OF TAX HERETOFORE ABATED (\$)</u>	<u>AMOUNT OF TAX NOW ABATED (\$)</u>	<u>AMOUNT OF TAX TO BE EXTENDED (\$)</u>
2014	\$1,600,000.00	\$436,550.00	\$0.00	\$1,163,450.00
2015	1,600,000.00	465,500.00	0.00	1,134,500.00
2016	1,600,000.00	499,100.00	0.00	1,100,900.00
2017	1,600,000.00	787,900.00	0.00	812,100.00
2018	1,600,000.00	811,700.00	0.00	788,300.00
2019	1,600,000.00	838,450.00	0.00	761,550.00
2020	1,600,000.00	1,245,050.00	0.00	354,950.00
2021	1,600,000.00	1,260,100.00	0.00	339,900.00

**IV. TAXABLE GENERAL OBLIGATION BONDS, SERIES 2012**

<u>LEVY YEAR</u>	<u>AMOUNT OF TAX LEVIED PURSUANT TO BOND ORDINANCE (\$)</u>	<u>AMOUNT OF TAX HERETOFORE ABATED (\$)</u>	<u>AMOUNT OF TAX NOW ABATED (\$)</u>	<u>AMOUNT OF TAX TO BE EXTENDED (\$)</u>
2014	\$3,500,000.00	\$1,091,238.50	\$1,786,193.50	\$622,568.00
2015	3,500,000.00	3,500,000.00	0.00	0.00

**V. GENERAL OBLIGATION REFUNDING BONDS, SERIES 2011**

<u>LEVY YEAR</u>	<u>AMOUNT OF TAX LEVIED PURSUANT TO BOND ORDINANCE (\$)</u>	<u>AMOUNT OF TAX HERETOFORE ABATED (\$)</u>	<u>AMOUNT OF TAX NOW ABATED (\$)</u>	<u>AMOUNT OF TAX TO BE EXTENDED (\$)</u>
2014	\$2,500,000.00	\$1,238,125.00	\$1,261,875.00	\$0.00
2015	2,500,000.00	1,303,225.00	0.00	1,196,775.00
2016	2,500,000.00	1,832,425.00	0.00	667,575.00
2017	2,500,000.00	2,500,000.00	0.00	0.00
2018	2,500,000.00	2,500,000.00	0.00	0.00
2019	2,500,000.00	2,500,000.00	0.00	0.00
2020	2,500,000.00	2,500,000.00	0.00	0.00
2021	2,500,000.00	2,500,000.00	0.00	0.00
2022	2,500,000.00	2,500,000.00	0.00	0.00
2023	2,500,000.00	2,500,000.00	0.00	0.00

**VI. GENERAL OBLIGATION REFUNDING BONDS, SERIES 2009**

<u>LEVY YEAR</u>	<u>AMOUNT OF TAX LEVIED PURSUANT TO BOND ORDINANCE (\$)</u>	<u>AMOUNT OF TAX NOW ABATED (\$)</u>	<u>AMOUNT OF TAX TO BE EXTENDED (\$)</u>
2014	\$118,400.00	\$0.00	\$118,400.00
2015	118,400.00	0.00	118,400.00
2016	118,400.00	0.00	118,400.00
2017	118,400.00	0.00	118,400.00
2018	118,400.00	0.00	118,400.00
2019	118,400.00	0.00	118,400.00
2020	118,400.00	0.00	118,400.00
2021	118,400.00	0.00	118,400.00
2022	118,400.00	0.00	118,400.00
2023	958,400.00	0.00	958,400.00
2024	1,083,750.00	0.00	1,083,750.00
2025	1,042,500.00	0.00	1,042,500.00

**VII. GENERAL OBLIGATION BONDS, SERIES 2007**

<u>LEVY YEAR</u>	<u>AMOUNT OF TAX LEVIED PURSUANT TO BOND ORDINANCE (\$)</u>	<u>AMOUNT OF TAX PREVIOUSLY ABATED (\$)</u>	<u>AMOUNT OF TAX NOW ABATED (\$)</u>	<u>AMOUNT OF TAX TO BE EXTENDED (\$)</u>
2014	\$875,000.00	\$599,275.00	\$0.00	\$275,725.00
2015	875,000.00	600,012.00	0.00	274,988.00
2016	875,000.00	600,962.00	0.00	274,038.00
2017	875,000.00	596,762.00	0.00	278,238.00
2018	875,000.00	598,156.00	0.00	276,844.00
2019	875,000.00	599,756.00	0.00	275,244.00
2020	875,000.00	601,562.00	0.00	273,438.00
2021	875,000.00	598,575.00	0.00	276,425.00
2022	875,000.00	601,225.00	0.00	273,775.00
2023	875,000.00	599,087.00	0.00	275,913.00
2024	875,000.00	597,618.00	0.00	277,382.00
2025	875,000.00	601,587.00	0.00	273,413.00
2026	875,000.00	600,775.00	0.00	274,225.00
2027	875,000.00	600,675.00	0.00	274,325.00
2028	875,000.00	601,025.00	0.00	273,975.00
2029	875,000.00	601,825.00	0.00	273,175.00
2030	875,000.00	598,075.00	0.00	276,925.00

**VIII. GENERAL OBLIGATION BONDS, SERIES 2005**

<u>LEVY YEAR</u>	<u>AMOUNT OF TAX LEVIED PURSUANT TO BOND ORDINANCE (\$)</u>	<u>AMOUNT OF TAX NOW ABATED (\$)</u>	<u>AMOUNT OF TAX TO BE EXTENDED (\$)</u>
2014	\$741,348.00	\$741,348.00	\$0.00
2015	741,973.00	0.00	741,973.00
2016	741,823.00	0.00	741,823.00
2017	740,898.00	0.00	740,898.00
2018	739,198.00	0.00	739,198.00
2019	741,626.00	0.00	741,626.00
2020	742,853.00	0.00	742,853.00
2021	737,808.00	0.00	737,808.00
2022	741,440.00	0.00	741,440.00
2023	738,799.00	0.00	738,799.00
2024	739,863.00	0.00	739,863.00

**IX. GENERAL OBLIGATION DEMAND BONDS, SERIES 2004**

<u>LEVY YEAR</u>	<u>AMOUNT OF TAX LEVIED PURSUANT TO BOND ORDINANCE (\$)</u>	<u>AMOUNT OF TAX NOW ABATED (\$)</u>	<u>AMOUNT OF TAX TO BE EXTENDED (\$)</u>
2014	\$1,156,652.91	\$1,156,652.91	\$0.00
2015	1,223,405.79	0.00	1,223,405.79
2016	1,187,999.96	0.00	1,187,999.96
2017	1,152,000.01	0.00	1,152,000.01
2018	1,216,396.14	0.00	1,216,396.14
2019	1,175,677.21	0.00	1,175,677.21
2020	1,235,999.96	0.00	1,235,999.96
2021	1,191,999.99	0.00	1,191,999.99
2022	1,248,088.03	0.00	1,248,088.03

State of Illinois            )  
  ) SS  
COUNTY OF MCLEAN    )

**FILING CERTIFICATE**

I, the undersigned, do hereby certify that I am the duly qualified and acting County Clerk of The County of McLean, Illinois, and as such official I do further certify that on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, there was filed in my office a duly certified copy of a resolution, numbered 2014-\_\_\_\_\_, and entitled:

A RESOLUTION abating all or a portion of the taxes heretofore levied to pay debt service on certain general obligation bonds of the City of Bloomington, McLean County, Illinois.

(the “*Resolution*”) duly adopted by the City Council of the City of Bloomington, McLean County, Illinois (the “*City*”), on the 24th day of November, 2014, and that the same has been deposited in the official files and records of my office.

I do further certify that the taxes heretofore levied for the payment of the City’s outstanding general obligation bonds, as described in the Resolution, will be abated as provided in the Resolution.

IN WITNESS WHEREOF I hereunto affix my official signature and the seal of said County this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
County Clerk

[SEAL]



**RESOLUTION NO. 2014 -**

**A RESOLUTION ABATING TAX LEVY FOR RENT PAYABLE UNDER LEASE AGREEMENT BETWEEN THE PUBLIC BUILDING COMMISSION, MCLEAN COUNTY AND THE CITY OF BLOOMINGTON FOR THE OLD CHAMPION BUILDING AND THE EXPANSION OF THE PARKING GARAGE**

WHEREAS, the City of Bloomington is a home rule unit pursuant to the provisions of Article VII, Section 6 of the 1970 Constitution of the State of Illinois, which Section authorizes home rule units to incur debt without referendum; and

WHEREAS, the City of Bloomington, pursuant to procedures adopted in Ordinance No. 2001 - 121 and Ordinance No. 2003 - 125 as shown in Chapter 16, Article VI of the Bloomington City Code, 1960 as amended, decided to enter into an agreement the "Lease" with the Public Building Commission to lease a portion of the old Champion Building and to expand the parking garage, passed November 13, 2001 and December 22, 2003; and

WHEREAS, pursuant to the authority of said home rule ordinances and provisions of all ordinances relating thereto, the City levied taxes to be extended against all the taxable property within the City of Bloomington for the year 2014, payable in year 2015 to make rental payments due under the Lease; and

WHEREAS, although the City levied \$1,148,685 for the year 2014 to make payments due under the Lease in 2015, the amount of the City's rental payment due under the Lease in 2015 is \$719,509; and

WHEREAS, there are surplus funds on hand from incremental property and sales tax revenues and interest from the investment of these revenues in an amount sufficient to pay such rental payment.

NOW, THEREFORE, BE IT RESOLVED by the City of Bloomington, McLean County, Illinois, that the levy against taxable property in the City of Bloomington for the year 2014, payable in 2015 of \$1,148,685 on account of the Lease is hereby abated in its entirety, and the County Clerk of McLean County, Illinois is authorized and directed not to extend the same on the tax books of the City of Bloomington property for the tax year levy 2014.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be delivered to the County Clerk of McLean County, Illinois under official seal of the Clerk of the City.

ADOPTED this 24<sup>th</sup> day of November, 2014.

APPROVED this \_\_\_\_<sup>th</sup> day of November, 2014.

APPROVED:

Tari Renner  
Mayor

ATTEST:

Tracey Covert  
City Clerk



FOR COUNCIL: November 24, 2014

SUBJECT: Presentation of the FY 2014 Comprehensive Financial Annual Report (CAFR) as Audited

**RECOMMENDATION/MOTION:** Presentation only.

**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.

The production of the City's annual financial statements and completion of the annual audit process by a qualified independent entity outside the City provides assurance of the City's financial status and internal control framework.

**BACKGROUND:** The City's CAFRs for both the City and the US Cellular Coliseum were issued on October 30, 2014, by Sikich LLP, an independent audit firm who provided an unqualified or "clean" opinion on both sets of financial statements. An unqualified opinion means the financial statements have been audited to gain reasonable assurance that the financial statements are presented fairly in all material respects.

Sikich conducts its annual audits in accordance with auditing standards generally accepted in the United States of America and standards issued by the Comptroller General of the United States.

The CAFRs are posted on the City's website on October 31<sup>st</sup> and subsequently, hardcopies documents were also provided to Council members.

Other reports: Several other documents are also issued as a result of the audit. These items include the federal Single Audit and TIF (Tax Increment Financing) financial and compliance reports. Copies have been or will be forwarded to the Council. As noted in the City's CAFR, our auditors rely on audits conducted by other auditors for various component units or related entities that must be incorporated in the City's financial statements.

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

**FINANCIAL IMPACT:** An unqualified audit opinion is a major factor in maintaining the City's credit rating.

Respectfully submitted for Council consideration.

Prepared by:

Paulette Hurd, Chief Accountant

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

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:

A handwritten signature in black ink, appearing to read "David A. Hales". The signature is fluid and cursive, with a prominent initial "D" and "H".

David A. Hales  
City Manager