

**CITY OF BLOOMINGTON
COUNCIL MEETING AGENDA
109 E. OLIVE
MONDAY, February 9, 2015 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 – Brian Mohr, Fire Chief.**
- B. Appointment of Josh Barnett to the Planning Commission.**

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 #8.)

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 January 26, 2015, Work Session of January 26, 2015 and Citizens Summit of January 20, 2015. (Recommend that the reading of the minutes of the previous Council Proceedings of January 26, 2015, Work Session of January 26, 2015, and Citizens Summit of January 20, 2015 be dispensed with and the minutes approved as printed.)**
- B. Bills and Payroll. (Recommend that the bills and payroll be allowed and orders drawn on the Treasurer for the various amounts as funds are available.)**
- C. Appointment to the Bloomington Planning Commission. (Recommend that the Appointment be approved.)**

- D. Analysis of Bid and Contract Award to Allstate Power Vac, Inc., for FY 2015 CCTV Sewer Inspection Contract, Bid #2015-52. (Recommend that the bid for FY 2015 CCTV Sewer Inspection Contract be awarded to Allstate Power Vac, Inc., in the amount of \$97,000, and the Mayor and City Clerk authorized to execute the necessary documents.)**
- E. Acceptance of Application to the Illinois Department of Commerce for the U.S. Cellular Coliseum Energy Evaluation and Retro-Commissioning Project. (Recommend that the U.S. Cellular Coliseum Energy Evaluation be approved and, the Mayor and City Clerk be authorized to execute the necessary documents.)**
- F. Supplemental Motor Fuel Tax (MFT) Resolution for Dr. Martin Luther King Jr. Dr. (Oakland to Washington) MFT Section 82-00240-00-PV. (Recommend that the Supplemental MFT Section 82-00240-00-PV in the amount of \$30,000 be approved, the Mayor and City Clerk authorized to execute the necessary documents, and the Resolution adopted.)**
- G. Revision of October 25, 2004 IMRF Resolution 2004-88; Resolution to Include Compensation Directed Into a Retirement Health Savings Plan (RHS) as IMRF (Illinois Municipal Retirement Fund) Earnings. (Recommend Approval of the Revised Resolution to Exclude Certain Compensation Directed into a Retirement Health Savings Plan (RHS) as IMRF (Illinois Municipal Retirement Fund) Earnings be approved, and the Mayor and City Clerk authorized to execute the necessary documents and the Resolution adopted.)**
- H. Petition submitted by John G. Nottoli Land Trust requesting the approval of a Rezoning from M-1, Restricted Manufacturing District to B-2, General Business Service District for property located north of Oakland Ave., west of McClun Street and east of the Constitution Trail. (Recommend that the Rezoning be approved and the Ordinance Passed.)**
- I. Request to Approve a Budget Amendment in the FY 2015 Police Department Budget for purchase of Police Marked Patrol Vehicle. (Recommend that the Budget Amendment Ordinance be passed and purchase of one (1) 2015 Police Pursuit Vehicle using the State of Illinois Joint Purchasing Contract number 4017160 2015 from Morrow Brothers Ford, Greenfield, IL in the amount of \$29,940 be approved and the Procurement Manager authorized to issue a Purchase order.)**
- J. Suspension of Ordinances to Allow Consumption of Alcohol at Davis Lodge on April 25, 2015. (That the Ordinance be passed.)**

- K. **Application of Marplayaa, Inc., d/b/a Windy City Wieners, located at 116 W. Washington St., requesting an RBS liquor license which would allow the sale of beer and wine only by the glass for consumption on the premises seven (7) days a week. (Recommend that an RBS liquor license for Big Cheese, Inc., d/b/a Windy City Wieners, located at 116 W. Washington St., be created, contingent upon compliance with all building, zoning, health, and safety codes.)**
 - L. **Application of Big Cheese, Inc, d/b/a Flingers Pizza Pub, located at 1503 E. Vernon Ave., requesting an RAS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week. (Recommend that an RAS liquor license for Big Cheese, Inc., d/b/a Flingers Pizza Pub, located at 1503 E. Vernon Ave., be created, contingent upon compliance with all applicable building, zoning, health, and safety codes.)**
 - M. **Text Amendment to Chapter 20, Section 180 of the City Code Pertaining to Parking. (Recommend that The Amendments to Chapter 29 of the City Code be adopted.)**
 - N. **Petition from Illinois Wesleyan University for Approval of Sanitary and Storm Sewer Easement Dedications in a Part of Blocks 6 in Phoenix Addition and a part of Block 5 in the Resurvey of Blocks 4, 5, 7, and 11 Phoenix Addition. (Recommend that the Dedications be approved and the Ordinances passed.)**
8. **“Regular Agenda”**
- A. **Waive the Formal Bid Process and Approve Professional Services Agreement with F.B. Leopold, Inc. of Zelienople, Pennsylvania, a proprietary filter underdrain manufacturer, for the retrofit of two filters (#14 and #15) at the Water Treatment Plant. (Recommend that the Formal Bid Process be waived and the Professional Services Agreement with F.B. Leopold, Inc. of Zelienople, Pennsylvania in the amount of \$370,760 be approved, and the Mayor and City Clerk authorized to execute the necessary documents.) Time 20 minutes. Presentation 10 minutes, Q/A 10 minutes.**
 - B. **Analysis of Bids and Approval of Contract for Relocation of the two (2) 24” Transmission Mains in the Town of Normal at the Main St. Bridge, Bid #2015-49. (Recommend that the Bid for \$326,640 for Relocation of the two (2) Transmission Mains be accepted contingent on acquisition of necessary easement from Stark Excavating, Inc. and contract approval in the amount of \$326,640, and the Mayor and City Clerk be authorized to execute the necessary documents.) Time 15 minutes. Presentation 5 minutes, Q/A 10 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: February 9, 2015

SUBJECT: Council Proceedings of January 26, 2015, Work Session of January 26, 2015 and Citizens Summit of January 20, 2015

RECOMMENDATION/MOTION: Recommend that the reading of the minutes of the previous Council Proceedings of January 26, 2015, Work Session of January 26, 2015, and Citizens Summit of January 20, 2015 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 Council Proceedings of January 26, 2015, Citizens Summit of January 20, 2015 and Work Session of January 26, 2015 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: Renee Gooderham, Chief Deputy 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 January 26, 2015
 Attachment 2. Draft Work Session of January 26, 2015
 Attachment 3. Draft Citizens Summit of January 20, 2015

Motion: That the reading of the minutes of the previous Council Proceedings of January 26, 2015, Work Session of January 26, 2015, and Citizens Summit of January 20, 2015 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, January 26, 2015.

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

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

Staff Absent: Tracey Covert, City Clerk.

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.

Mayor Renner noted that eight (8) Comment Cards were received. He requested a motion to suspend the rules to allow more than five (5) individuals to speak. He noted that the three (3) minutes limit would be maintained.

Motion by Alderman Schmidt, seconded by Alderman Stearns to suspend the rules to allow more than five (5) individuals to speak.

Motion carried, (viva voce).

Dale Naffzinger, 1610 S. Main St., addressed the Council. He had attended the Citizens Summit (CS) on January 20, 2015. He questioned the budget deficit in relationship to the Local Motor Fuel Tax and Amusement Tax. He believed Pensions required review. The City was here to provide for the Community. He believed citizens were taking care of the City. Citizens want the needs addressed prior to wants.

Josh Schmidgall, 2212 Beacon Ct., addressed the Council. He believed the City was weak and lost.

Sue Feldkamp, 1401 Wright St., addressed the Council. She thanked Mayor Renner for the invitation to the CS. She believed there was positive dialogue. She questioned

feasibility studies. She noted that actions were not taken on same. She requested more summits. She believed the citizens should make City decisions.

Bruce Meeks, addressed the Council. He had submitted a proposed open government data ordinance. Feedback had not been received. He requested a line by line budget detail at the City Manager's February 23, 2015 Budget presentation.

Alton Franklin, 508 Patterson Dr., addressed the Council. He attended the CS. He believed Council was not hearing citizens. Great ideas required action. He believed generating revenue equaled increased taxes. Council was not taking action, cuts were required.

Gary Lambert, 3018 E. Oakland Ave., addressed the Council. He attended the CS. He noted that the 2015 Citizen Priority Survey was provided at same. He read from page nine (9), *Q2 The City of Bloomington has adopted six (6) broad strategic goals*. He cited the rankings. He requested Council keep same in mind as the budget was prepared. He noted that Patti Lynn Silva, Finance Director, had provided a handout at the CS. Street improvements would be funded from the Local Motor Fuel Tax. No funds were spent for street improvements. Operating expenses borrowed could lead to disaster.

Brexton Isaacs, 506 E. Empire St., addressed the Council. He thanked Mayor Renner for his comments reference racist remarks made by a Police Patrol Officer. He believed such comments were unacceptable. He believed elected officials' had the responsibility to unite the Community.

Cecelia Tuchart, P.O. Box 2, addressed the Council. She cited concern with Morton Community Bank safety deposit box practices. While she was in the hospital her safety deposit box was opened by same.

Mayor Renner noted that Council does not usually respond to Public Comment. He requested Ms. Tuchart meet with him after tonight's meeting.

The following was presented:

State of the City Address by Mayor Tari Renner.

Mayor Renner addressed the Council. He noted that www.nerdwallet.com ranked Bloomington as the one of the top ten (10) growth economies. CNN Money indicated Bloomington as one of the best small Metro areas to live. He noted another designation; one (1) of the ten (10) best Metro areas for working retirement and singles. He cited the following community amenities: fastest growing community; great workforce; highest education; low crime rate; high speed rail; multi entertainment and strategic location.

He believed with the challenges, progress had been made. He thanked Staff and Council for their team effort. The year consisted with openness, transparency and transition. New Staff brought new ideas and energy.

He noted awards received: Transparency from the Illinois Policy Institute Transparency; Pension Funding Policy State wide and Financial Management from the International City Managers Association on Financial Management.

He noted FY 15 budget challenges: snow removal, Pepsi Ice Parking Deck, and Coliseum HVAC system.

He attended the US Conference of Mayors held in Washington D.C. He noted Bloomington was virtually the only city conducting Mayoral Open House, Town Hall Meetings, Citizens Academy and Citizens Summits.

He believed cultural change would improve city service efficiencies and effectiveness. Department Managers would be evaluated and/or hired based on their responsiveness to citizens. He believed employee moral had improved.

He noted that there were tough upcoming Budget choices. The City had been doing more with less for six (6) years. He believed local government make things happen. There were unfunded mandates. Citizens understand what they are paying for at the local government level. Police, Fire, 911 Center Public Works, Water Economic Development and Parks Recreation & Cultural Arts were core services. He requested creative ideas.

Growing the local economy would assist the community. He believed same was a core function. There were concerns with Strip malls and Malls nationwide. In the twenty – first (21st) century the focus was on Downtowns and historic neighborhoods. He believed without revitalization of the Downtown (DT), Bloomington would not grow economically. There were many DT assets. He cited the Route 66 Visitor Center as an example. He believed same was strategic for the macro economy. He noted the possible southeast library expansion. There was private/public interest to join in same. There was renewed private interest in locating a hotel adjacent to the Coliseum. He believed same would add to the performance schedule. Investments were needed to make progress.

He believed there was a lot to build on. Progress had been made by working together and understanding each other. Continued teamwork brings endless possibilities.

The following was presented:

Proclamation Declaring February 2015 Therapeutic Recreation Month, presented to Barb Wells, Parks, Recreation Supervisor, and Nicole Kohler, SOAR Manager, Recreation and Cultural Arts.

The following was presented:

Connect Transit Presentation by Andrew Johnson, Connect Transit General Manager.

Mayor Renner, introduced Andrew Johnson, General Manager for Connect Transit (CT). Mr. Johnson, CT General Manager, addressed the Council. He stated that 2014 had

been a great year. He cited the following examples; twenty –five percent (25%) ridership increase in 2014, forty percent (40%) increase in the last three (3) years and continued investments in outreach and technology. He noted in 2011 there were 1.8 million trips, 2014 there were 2.6 million trips. 2015 trips were anticipated to reach three (3) million.

The bus shelter and stop study/survey was complete. Community outreach would begin. There would be a move from flag stops to fixed stops. The belief was these were reliable and safer. An Open House would be held on January 29, 2015 from 4:40 – 6:00 in the City Hall Council Chambers.

He noted CT was leading a multi - state joint procurement for buses. Thirty (30) buses would be received over the next five (5) years. The joint procurement was with twenty – eight agencies from seven (7) states. The procurement allowed for better pricing and faster delivery time. Connect Transit received a \$2 million grant from Federal Letters of Opportunity. This would assist with payment for same.

Buses would begin generating revenue by offering advertising on the side and rear. Soon there would be a wrapped bus.

He noted that outreach included state and local elected officials. A member of Congress had ridden the buses.

He cited the following upcoming projects: installation of new shelters and stops; five to ten (5 – 10) new buses and improvement of transfer stations, including design work for Front St. A Comprehensive Cost Analysis (CCA) would be conducted spring 2015. The consultant would review operational processes. He believed results would provide: efficient and effective routing, bus frequency, greater span of service and possibly seven (7) day a week service.

Creative funding was required to obtain goals. He cited appreciation with the City funding assistance. It had been years since the federal government passed a surface transportation bill. He did not believe same would change. Federal and State government provide eight – five percent (85%) operational funding. Local funding was the key. He believed increased ridership and public input provided demand. Work would continue to look for nontax revenue.

Alderman Fruin questioned the current budget. Mr. Johnson stated the budget was a little under the projected. He noted diesel was locked in a low rate.

Alderman Sage thanked Mr. Johnson for the update. He noted that Connect Transit was operating similar to a business. Mr. Johnson acknowledged the Transit Board and staff for their teamwork.

Alderman Lower questioned preemptive signaling. He noted that the City of Champaign working with the Fire Department received a grant to have GPS & GIS

installed on the buses. Mr. Johnson stated there had been informal discussions on same. The CCA would address same.

Alderman Black thanked Mr. Johnson for the presentation. He had ridden the bus. He noted that drivers were equipped with iPad's and an App was available to track buses.

The following was presented:

Mclean County Regional Planning Commission Presentation by Vasudha Pinnamaraju, AICP.

Mayor Renner introduced Vasudha Pinnamaraju, Mclena County Regional Planning Commission Director. Ms. Pinnamaraju, addressed the Council. Phase II Comprehensive Plan was complete. The Bring It On Bloomington! Survey had 2000 respondents from diverse backgrounds.

Ms. Pinnamaraju reviewed the four (4) core survey questions. She explained the organization of responses. There were 8000 individual responses. She believed feedback was positive and same reflected the community.

She reviewed the Core Value responses on page eight and nine (8 & 9). Seven (7) Core Values were identified: 1.) small town feel with big City amenities; 2.) stable economy; 3.) good education system; 4.) dynamic neighborhoods; 5.) solid infrastructure; 6.) healthy community; and 7.) effective government. She noted that respondents in Ward 6 & 7 believe they were unsafe. Big city amenities were reflected in the educational choices and the variety of entertainment options.

Alderman Streams left the dais at 7:55 p.m.

Respondents believed that Bloomington provided a stable economy due to the highly educated white collar workforce and range of good paying employment opportunities.

The education system offered quality schooling in the public and private sector. Ms. Pinnamaraju noted that funding changes for public schools was a concern. There were requests for increasing educational opportunities for low income youth.

There was support for neighborhood revitalization and preservation especially surrounding the Downtown (DT). There was belief that the DT was the center of history, government and law. The DT would be a good mixed use neighborhood. There were requests to dissolve the east west divide.

Respondents cited value with parks, trails, streets and community facilities. They acknowledged aging infrastructure.

Alderman Stearns returned at 8:01 p.m.

Trails, parks and other recreational options were recognized as part of a healthy community. There was appreciation for locally grown food and farmers' markets. There were requests for safe walking/biking trail and the use of multi modal transportation. There was concern with the preserving the natural environment.

Respondents requested thrifty stewardship of City resources. Citizens requested consideration of issues raised before actions were taken. They valued the city staff's work.

Ms. Pinnamaraju read the Unified Community Vision. She noted that proposed alternative perspectives were provided in the plan. The belief was to limit the role of government.

Ms. Pinnamaraju believed challenges were uniting and integrating the DT core, established neighborhood and future developments, and enduring future economic stability. The example she provided was Veterans Parkway dividing the city.

The next steps were to present the plan to the Planning Commission June 2015 for approval. Same would be recommended for Council approval July 2015.

David Hales, City Manager, addressed the Council. He thanked Ms. Pinnamaraju and staff for their work on the project. He believed the results were key to future planning.

Alderman Fruin questioned other community participation. Ms. Pinnamaraju cited an intergovernmental agreement with Bloomington Housing Authority, the Town of Normal, District 87 and Unit 5.

Alderman Mwilambwe believed the survey presented was positive. It was a nice contrast during budget preparation. Ms. Pinnamaraju acknowledged positive comments.

The following was presented:

SUBJECT: Council Proceedings of January 12, 2015

RECOMMENDATION/MOTION: Recommend that the reading of the minutes of the previous Council Proceedings of January 12, 2015 be dispensed with and the minutes approved as printed.

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

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

BACKGROUND: The Council Proceedings of January 12, 2015 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: Renee Gooderham, Chief Deputy Clerk

Recommended by:

David A. Hales
City Manager

Motion by Alderman Painter, seconded by Alderman Stearns that the reading of the minutes of the previous Council Proceedings of January 12, 2015 be dispensed with and the minutes approved as printed.

Motion by Alderman Painter, seconded by Alderman Stearns that the bills and payroll be allowed and 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 Mwilambwe, Schmidt, Painter, Lower, Hauman, Sage, Black, Stearns and Fruin.

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.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable.

FINANCIAL IMPACT: Total disbursements to be approved \$4,409,386.34, (Payroll total \$2,205,556.05, Accounts Payable total \$2,066,809.30, and PCard total \$137,020.99).

Respectfully submitted for Council consideration.

Prepared by: Patti-Lynn Silva, Director of Finance

Recommended by:

David A. Hales
City Manager

Motion by Alderman Painter, seconded by Alderman Stearns that the bills and payroll be allowed and 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 Mwilambwe, Schmidt, Painter, Lower, Hauman, Sage, Black, Stearns and Fruin.

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Payment to State of Illinois in Excess of the Estimated Amount Approved in the Amount of \$323,285.19 for FAP Route 704, (I-55 BUS – Veterans Pkwy.), State Section (1)N & TS-1, City MFT Section 81-00230-00-PV and Change Order in the Amount of \$135,527.46

RECOMMENDATION/MOTION: Recommend that the Final Payment to the State of Illinois Treasurer in the amount of \$323,285.19 and Change Order in the Amount of \$135,527.46 be approved, and the Resolution adopted.

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

STRATEGIC PLAN SIGNIFICANCE: Objective 1d. City services delivered in the most cost-effective, efficient manner and Objective 2a. Better quality roads and sidewalks.

BACKGROUND: The Council approved a City/State Agreement on November 8, 2010 with the Illinois Department of Transportation, (IDOT), acting on behalf of the State of Illinois for FAP Route 704, (I-55 BUS – Veterans Pkwy.), State Section (1)N & TS-1, City MFT Section 81-00230-00-PV, commonly known as the intersection of Veterans Pkwy. and Morris Ave., (and also the intersections of Morris Ave. and Six Points Rd., and Veterans Pkwy. and Greenwood Ave.).

The Public Works Department has received the Final Invoice, (#107487), from IDOT for the project. The pavement, trail and signal work which the City agreed to pay for was under the agreed estimate. However the water main relocation work exceeded the estimate. This cost overrun was primarily due to a conflict discovered during construction with an existing utility on Six Points Rd. The conflicting utility had a pre-existing easement which necessitated realigning the City’s water main at additional engineering cost and additional construction cost.

	MFT	Water	Total
Estimated Cost from City/State Agreement	\$191,245.00	\$603,513.00	\$794,758.00
Final City Share	\$178,557.37	\$739,040.46	\$917,597.83
Difference from Estimated: surplus (deficit)	\$12,687.63	(\$135,527.46)	(\$122,839.83)
Paid to Date (Council dated June 13, 2011)	\$143,011.23	\$451,301.41	\$594,312.64
Final Payment Due (see invoice)	\$35,546.14	\$287,739.05	\$323,285.19

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: IDOT, District 5.

FINANCIAL IMPACT: A Motor Fuel Tax Resolution in the amount of \$191,245.00 was previously approved by Council on November 11, 2010 therefore no supplemental resolution is necessary to expend MFT funds. However, the Council needs to approve a Change Order in the amount of \$135,527.46 for Water Transmission & Distribution - Water Main Construction & Improvements (50100120 - 72540). Stakeholders can locate the budget for the change order amount in the Budget Book titled “Other Funds & Capital Improvement Program” on page 138.

Respectfully submitted for Council consideration.

Prepared by: Greg Kallevig, Project Engineer

Reviewed by: Jim Karch, PE, CFM, Director of Public Works
Brett Lueschen, Interim Water Director

Reviewed by: Steve Rasmussen, 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. 2015 - 2

A RESOLUTION AUTHORIZING A CHANGE ORDER IN THE AMOUNT OF \$135,527.36 IN THE CONTRACT BETWEEN THE CITY OF BLOOMINGTON AND ILLINOIS DEPARTMENT OF TRANSPORTATION (IDOT) FOR VETERANS PKWY. (AT MORRIS AVE.) STATE SECTION (1)N&TS1, CITY SECTION 81-00230-00-PV

WHEREAS, the City of Bloomington has previously entered into a contract with IDOT approved November 8, 2010; and

WHEREAS, for the reasons set forth in a staff report dated January 26, 2015 it was necessary to relocate the water main on Six Points Rd. at additional cost to the project; and

WHEREAS, it is the finding of the City Council that the work described in the January 26, 2015 memo is germane to the original contract as signed and is in the best interest of the City of Bloomington and authorized by law.

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

That a Change Order in the amount of \$135,527.36 in the contract between the City of Bloomington and IDOT be approved.

ADOPTED this 26th day of January, 2015.

APPROVED this 27th day of January, 2015.

APPROVED:

Tari Renner
Mayor

ATTEST:

Tracey Covert

Motion by Alderman Painter, seconded by Alderman Stearns that the Final Payment to the State of Illinois Treasurer in the amount of \$323,285.19 and Change Order in the Amount of \$135, 527.46 be approved, and the Resolution adopted.

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

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

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Final Payment to State of Illinois in the Amount of \$175,447.38 for the Constitution Trail (Grove to Croxton), Illinois Project HPP-4070/001/000, City Section 05-00333-00-BT, and Approval of a Change Order to Pay an Additional \$24,001.94

RECOMMENDATION/MOTION: Recommend that the Final Payment to the State of Illinois Treasurer in the amount of \$175,447.38 and Change Order in the amount of \$24,001.94 be approved, and the Resolution adopted.

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

STRATEGIC PLAN SIGNIFICANCE: Objective 1d. City services delivered in the most cost-effective, efficient manner and Objective 2a. Better quality roads and sidewalks.

BACKGROUND: The Council approved a City/State Agreement on April 27, 2009 with the Illinois Department of Transportation (IDOT), acting on behalf of the State of Illinois for administration of a Federal grant to construct Constitution Trail (Grove to Croxton), Illinois Project HPP-4070/001/000, City Section 05-00333-00-BT.

The Public Works Department has received the Final Invoice, (#107500), from IDOT for the project. The trail, pavement, and sewer work which the City agreed to pay for was under the agreed estimate. However the water main relocation work exceeded the estimate. This cost overrun was primarily due to a conflict discovered during construction with an existing buried retaining wall south of Oakland Avenue. Part of the conflicting retaining wall had to be removed and part of the water main had to be realigned at additional construction cost.

	Federal Grant	Park Dedication	Water	Total
Estimated Cost from City/State Agreement	\$1,000,000.00	\$494,200.00	\$130,000.00	\$1,624,200.00
Final City Share	\$1,000,000.00	\$372,275.19	\$154,001.94	\$1,526,277.13
Difference from Estimated: surplus (deficit)	\$0.00	\$121,924.81	(\$24,001.94)	\$97,922.87
Paid to Date	\$1,000,000.00	\$350,829.75	\$0.00	\$594,312.64
Final Payment Due (see invoice)	\$0.00	\$21,445.44	\$154,001.94	\$175,447.38

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: IDOT, District 5.

FINANCIAL IMPACT: The Council needs to approve a Change Order in the amount of \$24,001.94 for Water Transmission & Distribution - Water Main Construction & Improvements (50100120 - 72540). Stakeholders can locate the budget for the change order amount in the Budget Book titled “Other Funds & Capital Improvement Program” on page 138.

Respectfully submitted for Council consideration.

Prepared by: Greg Kallevig, PE, CFM, Project Engineer

Reviewed by: Jim Karch, PE, CFM, Director of Public Works
Brett Lueschen, Interim Water Director
Steve Rasmussen, 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. 2015 - 3

A RESOLUTION AUTHORIZING A CHANGE ORDER IN THE AMOUNT OF \$24,001.94 IN THE CONTRACT BETWEEN THE CITY OF BLOOMINGTON AND ILLINOIS DEPARTMENT OF TRANSPORTATION (IDOT) FOR CONSTITUTION TRAIL (GROVE TO CROXTON), ILLINOIS PROJECT HPP-4070/001/000, CITY SECTION 05-00333-00-BT

WHEREAS, the City of Bloomington has previously entered into a contract with IDOT approved April 27, 2009; and

WHEREAS, for the reasons set forth in a staff report dated January 26, 2015 it was necessary to remove a buried retaining wall and relocate the water main south of Oakland Avenue at additional cost to the project; and

WHEREAS, it is the finding of the City Council that the work described in the January 26, 2015 memo is germane to the original contract as signed and is in the best interest of the City of Bloomington and authorized by law.

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

That a Change Order in the amount of \$24,001.94 in the contract between the City of Bloomington and IDOT be approved.

ADOPTED this 26th day of January, 2015.

APPROVED this 27th day of January, 2015.

APPROVED:

Tari Renner
Mayor

ATTEST:

Tracey Covert
City Clerk

Motion by Alderman Painter, seconded by Alderman Stearns that the Final Payment to the State of Illinois Treasurer in the amount of \$175,447.38 and Change Order in the amount of \$24,001.94 be approved, and the Resolution adopted.

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

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

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Ratification of Agreement with Police Benevolent Labor Committee Telecommunicators for the period of May 1, 2014 through April 30, 2016

RECOMMENDATION/MOTION: Recommend that the Agreement with Police Benevolent Labor Committee Telecommunicators be ratified, and the Mayor and City Clerk be authorized to execute the necessary documents.

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

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

BACKGROUND: On August 28, 2014 the parties began negotiating the terms for a collective bargaining agreement to replace the Agreement that would expire on April 30, 2015. The expired contract can be located at www.cityblm.org under Human Resources in a folder titled Labor Contracts. A draft of the new Collective Bargaining Agreement has been provided to the Council. On December 12, 2014, the parties reached Tentative Agreement on the issues listed below. The Contract has been ratified.

Leave Time

- Eliminate payment at time of separation of Float Days and Personal Convenience Leave for employees with less than one (1) year of service.
- Running FMLA concurrent with Sick Leave.
- Ability to use up to twenty-four (24) hours of sick leave for your parent per fiscal year.
- Modification of contract language to include civil union partner in the definition of immediate family.
- Reduce the number of months that a new employee will receive twenty (20) hours of sick leave from nine (9) months to two (2) months.
- Modification of Rapid Accrual language to only one-time in an employee's career beginning May 1, 2014.
- Elimination of RHS contributions for employees hired after May 1, 2014.

Wages and Benefits

- May 1, 2014 wage increase of 2.25% with retroactivity.
- May 1, 2015 wage increase of 2.25%.

- Update the Overtime Call In Procedure
- Allow shift trades in four (4) hour increments.

Miscellaneous Items

- Addition of Language on Paycheck Distribution.
- Modification of Employee Break Language.
- Modification of Parking access.
- Modification of probationary language to allow a three (3) month extension. Require seasonal employees who become full-time employees to have a three (3) month probationary period.
- Agreement to allow seasonal employees to pick their hours of work by their length of employment as a seasonal employee.
- Modification of grievance language that increases the length of time lines to file and respond to grievances. Changes also allow for each party to reject one (1) panel of arbitrators and require the use of Arbitrators from the National Academy of Arbitrators.
- Increase shifts bids to twice a year.
- Ability to consult with a union representative, if available, prior to submitting to a drug or alcohol test.

Term of Agreement

- Two (2) year Agreement

Other minor changes can be found in the draft Collective Bargaining Agreement.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: City Council and Police Benevolent Labor Committee Telecommunicator employees.

FINANCIAL IMPACT: The financial impact of the Tentative Agreements includes: Increase in wage tables by 2.25% effective May 1, 2014. Increase in wage tables by 2.25% effective May 1, 2015. Estimated cost of these wage increases for full-time employees during the term of the contract, excluding longevity increases, is approximately \$50,000.

Respectfully submitted for Council consideration.

Prepared by: Angie Brown, Human Resources Specialist

Reviewed by: Nicole Albertson, Human Resources Director

Financial & Budgetary review by: Paulette Hurd, Chief Accountant

Legal review by: Angela Fyans- Jimenez, Sorling Northrup

Recommended by:

David A. Hales, City Manager

(ON FILE IN CLERK'S OFFICE)

Motion by Alderman Painter, seconded by Alderman Stearns that the Agreement with Police Benevolent Labor Committee Telecommunicators be ratified, and the Mayor and City Clerk be authorized to execute the necessary documents.

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

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

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Intergovernmental Agreement with Evergreen Memorial Cemetery

RECOMMENDATION/MOTION: Recommend that the Intergovernmental Agreement with Evergreen Memorial Cemetery 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. Goal 2. Revenue for City rendered services.

STRATEGIC PLAN SIGNIFICANCE: 1a. Shared City services delivered in the most cost-effective, efficient manner and 1b. Collaborating efforts with a coterminous municipal entity.

BACKGROUND: During the past few years, the City has been receiving, hauling and paying for the disposal of both leaves and unchipped brush from Evergreen Memorial Cemetery. The Evergreen Memorial Cemetery is owned and operated by the City of Bloomington Township and is partly funded through a tax levy. The City of Bloomington Township is coterminous with the City of Bloomington.

Prior to the City accepting leaves and brush, Evergreen Memorial Cemetery paid for the material hauling and disposal. An intergovernmental agreement was not in place covering acceptance. The City has been responsible for the cost associated with the Cemetery leaves and branches disposal. The proposed agreement would allow the Cemetery to continue delivering leaves to the City transfer station and unchipped branches to the drop off facility at no charge from present until April 1, 2015. Effective April 1, 2015, through March 31, 2016, Evergreen Memorial Cemetery would be charged a flat fee of \$2,200. The fee includes \$1,000 per year for the disposal of leaves and \$1,200 a year for the disposal of unchipped branches. Such fee shall be paid to the City in a lump sum by June 1, 2015.

The City and the Cemetery will track the amount of leaves and branches being delivered and/or received from April 1, 2015, through March 31, 2016. Modifications to the intergovernmental agreement would be based on the data collected.

There are no other intergovernmental agreements such as this covering both the City of Bloomington and other agencies.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Evergreen Memorial Cemetery.

FINANCIAL IMPACT: The \$2,200 will be billed by Public Works and the revenue will be recorded in the Solid Waste - Brush Pick-Up (54404400-54322) account in the FY 2016 Proposed Budget.

Respectfully submitted for Council consideration.

Prepared by: Maria Basalay, Public Works Office Manager

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

Reviewed by: Steve Rasmussen, 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

EVERGREEN MEMORIAL CEMETERY INTERGOVERNMENTAL AGREEMENT

This Memorandum of Understanding and Agreement is made and entered into on this ____ day of January, 2015, by and with the City of Bloomington, McLean County, Illinois, herein referred to as "City" and Evergreen Memorial Cemetery, herein referred to as "Cemetery."

WHEREAS, the City has collaborated for the past few years with Evergreen Memorial Cemetery to dispose of Cemetery leaves and branches; and

WHEREAS, the Evergreen Memorial Cemetery of Bloomington Township is a cemetery owned and operated by Bloomington Township and is funded, at least in part, through a tax levy that is levied by Bloomington Township; and

WHEREAS, Bloomington Township is coterminous with the City of Bloomington and the Mayor and City Council therefore serve as the Township Trustees for Bloomington Township; and

WHEREAS, the City is providing this reduced cost for services provided during the term of this agreement because of the overlapping entity relationship, including primarily the fact that it shares a governing board and is coterminous, and the cost effectiveness of providing shared services; and

WHEREAS, the City has recently covered the cost of expenses associated with the disposal of Cemetery leaves and branches; and

WHEREAS, the exact measurement and cost of the debris has not been tracked throughout this collaborative effort.

THEREFORE, IT IS AGREED BY THE CITY AND CEMETERY AS FOLLOWS:

Section 1. Interim. The Cemetery will continue to deliver leaves to the City transfer station and unchipped branches to the City of Bloomington's drop off facility located at the southeast corner of East Street and Jackson Street in Bloomington at no charge from present until April 1, 2015.

Section 2. Tracking and Payment. Effective April 1, 2015, through March 31, 2016, the Cemetery will continue to deliver leaves to the City transfer station and unchipped branches to the City of Bloomington's drop off facility located at the southeast corner of East Street and Jackson Street in Bloomington or as otherwise designated by the City for a flat fee of \$2,200. This fee represents \$1,000 per year for the disposal of leaves and \$1,200 per year for the disposal of unchipped branches. This fee should be paid in a lump sum payable by June 1, 2015, to the City from the Cemetery. During the time period of April 1, 2015 – March 31, 2016, both the City and Cemetery will track the amount of debris delivered to the City transfer station in order to obtain more accurate figures of the leaves and branches being received from the Cemetery.

Section 3. Term of Agreement and Amendments to Agreement. This agreement shall remain in full force and effect from the date first above written until March 31, 2016. Thereafter, this Agreement shall roll-over for successive one-year periods (expiring on March 31 of the subsequent year). However, at any time after October 31, 2016, this Agreement can be terminated/cancelled by either party for any reason by notifying the other party of its intent to terminate/cancel the Agreement. Such notice of intent to terminate/cancel the Agreement shall be provided in writing to the representative of the other party who signed this Agreement (or their duly qualified successor) at least ninety (90) calendar days prior to the proposed date of cancellation.

Any automatic roll-over or notice of intent to terminate/cancel the Agreement does not prohibit the parties from renegotiating a future agreement or an amendment to this Agreement.

Should this Agreement roll-over past March 31, 2016, or should this Agreement be amended by the parties in the future, the parties agree that the fee structure as outlined in Section 2 shall be replaced with an amount based on full and partial costs associated with disposal of the material. Specifically, the structure can include, but shall not exceed:

- a. Charging the Cemetery full cost as established by cubic yards of debris delivered to the City during the tracking period, in addition to labor and equipment expenses incurred as well as charges assessed to the City by external entities to dispose of the debris, or
- b. Charging the Cemetery partial costs, as established by cubic yards of debris delivered to the City during the tracking period, to cover the costs of disposal only. These costs would include City labor expenses as well as payments to external entities for disposal of unchipped branches and the disposal of leaf debris, or
- c. Providing the service free of charge to the Cemetery.

EXECUTED and ADOPTED this ____ day of January, 2015, at Bloomington, Illinois.

City of Bloomington, Illinois,
A Municipal Corporation

Evergreen Memorial Cemetery
Board of Trustees

By: Tari Renner, Mayor

By: _____
Eugene C. Lorch, BOT President

Motion by Alderman Painter, seconded by Alderman Stearns that the Intergovernmental Agreement with Evergreen Memorial Cemetery be approved, and the Mayor and City Clerk be authorized to execute the necessary documents.

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

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

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Suspension of Ordinances to Allow Consumption of Alcohol at Davis Lodge on January 31, 2015

RECOMMENDATION/MOTION: Recommend that the Ordinance be passed.

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

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

BACKGROUND: The Bloomington Liquor Commissioner Tari Renner called the Liquor Hearing to order to hear the request of Diana Martinez and Jody Cabanaw to allow moderate consumption of alcohol at their January 31, 2015, wedding reception to be held at Davis Lodge. Present at the hearing were Liquor Commissioners Tari Renner, Geoffrey Tompkins and Jim Jordan; George Boyle, Asst. Corporation Counsel, Clay Wheeler, Asst. Police Chief, and Renee Gooderham, Chief Deputy Clerk.

Staff Absent: Tracey Covert, City Clerk.

Commissioner Renner opened the liquor hearing and requested that the requestor's representatives address this request. Diana Martinez addressed the Commission. The wedding ceremony and reception would be held at the Davis Lodge on January 31, 2015. It would start around 4:00 p.m. and end at 10:30 p.m. She anticipated 100 guests. Redbird Catering, located at 1507 N. Main St., would provide the food and beverage service. Liquor service would be limited to beer and wine only.

Motion by Commissioner Tompkins, seconded by Commissioner Jordan that the request of Diana Martinez and Jody Cabanaw to allow moderate consumption of alcohol at the Miller Park Pavilion for their January 31, 2015 wedding reception be approved.

Motion carried, (viva voce).

Commissioner Renner stated that this item would appear on the Council's January 26, 2015 Consent Agenda. He encouraged them to attend same.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The Agenda for the January 13, 2015 Meeting of the Liquor Commission was placed on the City's web site. There also is a list serve feature for the Liquor Commission.

FINANCIAL IMPACT: None.

Respectfully submitted for Council consideration.

Reviewed by: Brett Lueschen, Interim Water Director

Recommended by:

Tari Renner
Mayor

ORDINANCE NO. 2015 - 5

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

WHEREAS, Diana Martinez and Jody Cabanaw are planning to hold their wedding reception at the Davis Lodge from 4:00 p.m. to 10:30 p.m. on January 31, 2015; and

WHEREAS, Diana Martinez and Jody Cabanaw have requested permission from the City to serve beer and wine during this event; and

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

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

Section 1: That Sections 701(a), (b) and (c) of Chapter 31 and Section 26(d) of Chapter 6 of the Bloomington City Code, 1960, as amended, are suspended for the duration of the wedding reception at the Davis Lodge on January 31, 2015 under the conditions set forth in the rental agreement.

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

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

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

PASSED this 26th day of January, 2015.

APPROVED this 27th day of January, 2015.

APPROVED:

Tari Renner
Mayor

ATTEST:

Tracey Covert
City Clerk

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

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

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

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Proposed Water Main Extension from Doyte and Carolyn Burton for property located at 2107 W. Washington St.

RECOMMENDATION/MOTION: Recommend that the Agreement with Doyte and Carolyn Burton for a Water Main Extension 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 1 e. Partnering with other for the most cost-effective service delivery.

BACKGROUND: Doyte and Carolyn Burton, property owner of 2107 W. Washington St. in Mclean County, has requested permission to tap-on to the City's Water Main to serve the above property. Currently, the property is outside and not contiguous to the City's Corporate Limits. The Water Main Extension Agreement between Doyte and Carolyn Burton and the City will allow the property to connect to the City's water main now and provide for annexation to the City whenever the parcel becomes contiguous and the City so request.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Doyte and Carolyn Burton

FINANCIAL IMPACT: All cost of connection to the City's water main will be borne by the property owner.

Respectfully submitted for Council consideration.

Prepared by: Brett Lueschen, Interim Water Director

Reviewed by: Steve Rasmussen, Asst. City Manager

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

Legal review by: Jeffrey R. Jurgens, Corporation Council

Recommended by:

David A. Hales
City Manager

WATER & PROPOSED WATER MAIN EXTENSION AGREEMENT

THIS AGREEMENT made and entered into this 26th; day of January, 2015, by and between the City of Bloomington, a Municipal Corporation, hereinafter called "CITY" and Doyte and Carolyn Burton, owner(s) of the real property hereinafter described and called "CUSTOMER", WITNESSETH:

For and in consideration of the mutual covenants and undertakings herein made, CITY and CUSTOMER herein covenant and agree as follows:

1. CITY agrees to plan, supervise and permit the construction of approximately 500' feet of 2 inch water main to be extended along the street(s) and highway(s) known as W. Washington St., for use of the CUSTOMER in obtaining water service from the water reservoir and water main system of CITY to and for the benefit of the property or properties in McLean County owned by CUSTOMER and legally described as:

The East ½ of the following described premises: A part of the Northwest Quarter of Section 6, Township 23 North, Range 2 East of the Third Principal Meridian described as follows: Commencing at a point 1554.65 feet East of the Southwest corner of Nafziger's Subdivision of a part of the Northwest Quarter of Section 6, Township 23 North, Range 2 East of the Third Principal Meridian, thence North 120 feet, thence Southeasterly along the North line of the Illinois Traction Railroad's old line 224.5 feet, thence South to the South line of said Nafziger's Subdivision, thence West along the South line of said Nafziger's Subdivision to the Place of Beginning, situated in McLean County, Illinois.

PIN# 21-06-176-007 a/k/a 2107 W. Washington St.

and shown by plat of said area attached hereto and made a part hereof, and in accordance with specifications approved by the CITY.

2. CUSTOMER agrees to pay his/her share of the cost of the water main completed as follows: the total cost of the water main divided by the number of lineal feet of said main, divided by two, multiplied by the frontage of the above described property. CUSTOMER'S contribution is \$430.00 payable in advance. Alternatively, the CITY may allow the CUSTOMER to pay the amount in three (3) installments. The first installment is payable prior to the customer connecting to the water main. The second installment plus interest is due one year from the date of this agreement. The third installment plus interest is due two years from the date of this agreement. Interest on the unpaid balance shall be 6%. The City may disconnect water if any payment is more than 30 days past due. The payment schedule is attached.

3. CUSTOMER agrees that said extended water main shall become the property of and subject to the control of the CITY as a part of its water distribution system and that CUSTOMER and his/her property shall become subject to and shall be obligated to conform to all ordinances and other rules and regulations of the CITY with regard to the construction, use and maintenance of water mains and for the payment of charges for water services now in effect and as hereinafter enacted and amended from time to time.

4. CUSTOMER certifies that Doyte and Carolyn Burton are all of the owners and their spouses and mortgagees of said above-described property and there are no other parties who have any other right, title or interest in said property.

5. As a covenant running with the land, CUSTOMER agrees that in the event any portion of the above-described property hereafter becomes contiguous with the corporate boundaries of the City of Bloomington, CUSTOMER will within one hundred eighty (180) days after the City Council adopts a Resolution requiring him to do so, annex said property to the City of Bloomington by petition or if required by the City, by an annexation agreement. Simultaneously or at the earliest time CUSTOMER could legally petition to do so, CUSTOMER will petition for annexation to the Bloomington-Normal Water Reclamation District. Upon failure of CUSTOMER to do any of the foregoing, the CITY in its sole discretion may discontinue water service to said property and may refuse and continue to refuse water service to such property until all such annexations have been completed. Alternatively, the CITY may seek injunctive or other judicial relief to force CUSTOMER to comply with the terms of this Paragraph and annex into the CITY.

6. This Agreement does not affect the operation of City ordinances. At the time of annexation, CUSTOMER will in an Annexation Agreement:

- (1) be required to agree to dedicate street right-of-way abutting his property in such amounts as may be required in the then current street plan;
- (2) be required to agree to dedicate any utility easements requested by the CITY at that time;

- (3) be required to agree to participate financially to the cost of making local improvements affecting customer's property.

7. CUSTOMER covenants and agrees that he/she will not permit or allow any other person, firm or corporation to connect or annex to said water main or use water therefrom or in any other way benefit from the service provided to CUSTOMER under the terms of this AGREEMENT, except where express written permission has been procured therefore from CITY.

8. CUSTOMER and CITY agree that covenants herein contained are the essence of this Agreement.

IN WITNESSETH WHEREOF the parties have hereunto set their hands and seals the day and year above written.

ATTEST:

CITY OF BLOOMINGTON

Tracey Covert, City Clerk

Mayor Tari Renner

Motion by Alderman Painter, seconded by Alderman Stearns that the Agreement with Doyte and Carolyn Burton for a Water Main Extension be approved and the Mayor and City Clerk be authorized to execute the necessary documents.

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

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

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Proposed Water Main Extension from Roy Whittinghill for property located at 2113 W. Washington St.

RECOMMENDATION/MOTION: Recommend that the Agreement with Roy Whittinghill for a Water Main Extension 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 1 e. Partnering with other for the most cost-effective service delivery.

BACKGROUND: Roy Whittinghill, property owner of 2113 W. Washington St in Mclean County, has requested permission to tap-on to the City's Water Main to serve the above property. Currently, the property is outside and not contiguous to the City's Corporate Limits. The Water Main Extension Agreement between Roy Whittinghill and the City will allow the property to connect to the City's water main now and provide for annexation to the City whenever the parcel becomes contiguous and the City so request.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Roy Whittinghill.

FINANCIAL IMPACT: All cost of connection to the City's water main will be borne by the property owner.

Respectfully submitted for Council consideration.

Prepared by: Brett Lueschen, Interim Water Director

Reviewed by: Steve Rasmussen, Assistant City Manager

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

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:

David A. Hales
City Manager

WATER & PROPOSED WATER MAIN EXTENSION AGREEMENT

THIS AGREEMENT made and entered into this 26th day of January, 2015, by and between the City of Bloomington, a Municipal Corporation, hereinafter called "CITY" and Roy Whittinghill, owner(s) of the real property hereinafter described and called "CUSTOMER", WITNESSETH:

For and in consideration of the mutual covenants and undertakings herein made, CITY and CUSTOMER herein covenant and agree as follows:

1. CITY agrees to plan, supervise and permit the construction of approximately 500' feet of 2 inch water main to be extended along the street(s) and highway(s) known as W. Washington St., for use of the CUSTOMER in obtaining water service from the water reservoir

and water main system of CITY to and for the benefit of the property or properties in McLean County owned by CUSTOMER and legally described as:

The West 117 feet of the following described premises: The East ½ of the following described premises: A part of Lot 21 in C.A. Nafziger's Subdivision of part of the Northwest Quarter of Section 6, Township 23 North, Range 2 East of the Third Principal Meridian, described as follows: Commencing at a point 1220.5 feet East of the Southwest corner of said Nafziger's Subdivision, thence North 129 feet, thence Southeasterly along the North line of the Illinois Traction Railway's old line 330.45 feet, thence South 120 feet, thence West along the South line of said Nafziger's Subdivision 334 to the place of beginning, in McLean County, Illinois.

PIN# 21-06-176-008 a/k/a 2113W. Washington St.

and shown by plat of said area attached hereto and made a part hereof, and in accordance with specifications approved by the CITY.

2. CUSTOMER agrees to pay his/her share of the cost of the water main completed as follows: the total cost of the water main divided by the number of lineal feet of said main, divided by two, multiplied by the frontage of the above described property. CUSTOMER'S contribution is \$430.00 payable in advance. Alternatively, the CITY may allow the CUSTOMER to pay the amount in three (3) installments. The first installment is payable prior to the customer connecting to the water main. The second installment plus interest is due one year from the date of this agreement. The third installment plus interest is due two years from the date of this agreement. Interest on the unpaid balance shall be 6%. The City may disconnect water if any payment is more than 30 days past due. The payment schedule is attached.

3. CUSTOMER agrees that said extended water main shall become the property of and subject to the control of the CITY as a part of its water distribution system and that CUSTOMER and his/her property shall become subject to and shall be obligated to conform to all ordinances and other rules and regulations of the CITY with regard to the construction, use and maintenance of water mains and for the payment of charges for water services now in effect and as hereinafter enacted and amended from time to time.

4. CUSTOMER certifies that Roy Whittinghill are all of the owners and their spouses and mortgagees of said above-described property and there are no other parties who have any other right, title or interest in said property.

5. As a covenant running with the land, CUSTOMER agrees that in the event any portion of the above-described property hereafter becomes contiguous with the corporate boundaries of the City of Bloomington, CUSTOMER will within one hundred eighty (180) days after the City Council adopts a Resolution requiring him to do so, annex said property to the City of Bloomington by petition or if required by the City, by an annexation agreement. Simultaneously or at the earliest time CUSTOMER could legally petition to do so, CUSTOMER will petition for annexation to the Bloomington-Normal Water Reclamation District. Upon failure of CUSTOMER to do any of the foregoing, the CITY in its sole discretion may discontinue water service to said property and may refuse and continue to refuse water service to

such property until all such annexations have been completed. Alternatively, the CITY may seek injunctive or other judicial relief to force CUSTOMER to comply with the terms of this Paragraph and annex into the CITY.

6. This Agreement does not affect the operation of City ordinances. At the time of annexation, CUSTOMER will in an Annexation Agreement:

- (1) be required to agree to dedicate street right-of-way abutting his property in such amounts as may be required in the then current street plan;
- (2) be required to agree to dedicate any utility easements requested by the CITY at that time;
- (3) be required to agree to participate financially to the cost of making local improvements affecting customer's property.

7. CUSTOMER covenants and agrees that he/she will not permit or allow any other person, firm or corporation to connect or annex to said water main or use water therefrom or in any other way benefit from the service provided to CUSTOMER under the terms of this AGREEMENT, except where express written permission has been procured therefore from CITY.

8. CUSTOMER and CITY agree that covenants herein contained are the essence of this Agreement.

IN WITNESSETH WHEREOF the parties have hereunto set their hands and seals the day and year above written.

ATTEST:

CITY OF BLOOMINGTON

Tracey Covert
City Clerk

Tari Renner
Mayor

Motion by Alderman Painter, seconded by Alderman that the Agreement with Roy Whittinghill for a Water Main Extension be approved and the Mayor and City Clerk be authorized to execute the necessary documents.

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

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

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Proposed Water Main Extension from John Thomas for property located at 2117 W. Washington St.

RECOMMENDATION/MOTION: Recommend that the Agreement with John Thomas for a Water Main Extension 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 1 e. Partnering with other for the most cost-effective service delivery.

BACKGROUND: John Thomas, property owner of 2117 W. Washington St. in Mclean County, has requested permission to tap-on to the City's Water Main to serve the above property. Currently, the property is outside and not contiguous to the City's Corporate Limits. The Water Main Extension Agreement between John Thomas and the City will allow the property to connect to the City's water main now and provide for annexation to the City whenever the parcel becomes contiguous and the City so request.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: John Thomas.

FINANCIAL IMPACT: All cost of connection to the City's water main will be borne by the property owner.

Respectfully submitted for Council consideration.

Prepared by: Brett Lueschen, Interim Water Director

Reviewed by: Steve Rasmussen, Assistant City Manager

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

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:

David A. Hales
City Manager

**WATER & PROPOSED WATER
MAIN EXTENSION AGREEMENT**

THIS AGREEMENT made and entered into this 26th; day of January, 2015, by and between the City of Bloomington, a Municipal Corporation, hereinafter called "CITY" and John Thomas, owner(s) of the real property hereinafter described and called "CUSTOMER", WITNESSETH:

For and in consideration of the mutual covenants and undertakings herein made, CITY and CUSTOMER herein covenant and agree as follows:

1. CITY agrees to plan, supervise and permit the construction of approximately 500' feet of 2 inch water main to be extended along the street(s) and highway(s) known as W. Washington St., for use of the CUSTOMER in obtaining water service from the water reservoir and water main system of CITY to and for the benefit of the property or properties in McLean County owned by CUSTOMER and legally described as:

The West ½ of the following described premises: A part of Lot 21 in C.A. Nafziger's Subdivision of part of the Northwest Quarter of Section 6, Township 23 North, Range 2 East of the Third Principal Meridian, described as follows: Commencing at a point 1220.5 feet East of the Southwest corner of said Nafziger's Subdivision, thence North 129 feet, thence Southeasterly along the North line of the Illinois Traction Railway's old line 330.45 feet, thence South 120 feet, thence West along the South line of said Nafziger's Subdivision 334 to the place of beginning, in McLean County, Illinois.

PIN# 21-06-176-003 a/k/a 2117 W. Washington St.

and shown by plat of said area attached hereto and made a part hereof, and in accordance with specifications approved by the CITY.

2. CUSTOMER agrees to pay his/her share of the cost of the water main completed as follows: the total cost of the water main divided by the number of lineal feet of said main, divided by two, multiplied by the frontage of the above described property. CUSTOMER'S contribution is \$430.00 payable in advance. Alternatively, the CITY may allow the CUSTOMER to pay the amount in three (3) installments. The first installment is payable prior to the customer connecting to the water main. The second installment plus interest is due one year from the date of this agreement. The third installment plus interest is due two years from the date of this agreement. Interest on the unpaid balance shall be 6%. The City may disconnect water if any payment is more than 30 days past due. The payment schedule is attached.

3. CUSTOMER agrees that said extended water main shall become the property of and subject to the control of the CITY as a part of its water distribution system and that CUSTOMER and his/her property shall become subject to and shall be obligated to conform to all ordinances and other rules and regulations of the CITY with regard to the construction, use and maintenance of water mains and for the payment of charges for water services now in effect and as hereinafter enacted and amended from time to time.

4. CUSTOMER certifies that John Thomas are all of the owners and their spouses and mortgagees of said above-described property and there are no other parties who have any other right, title or interest in said property.

5. As a covenant running with the land, CUSTOMER agrees that in the event any portion of the above-described property hereafter becomes contiguous with the corporate boundaries of the City of Bloomington, CUSTOMER will within one hundred eighty (180) days after the City Council adopts a Resolution requiring him to do so, annex said property to the City of Bloomington by petition or if required by the City, by an annexation agreement. Simultaneously or at the earliest time CUSTOMER could legally petition to do so, CUSTOMER will petition for annexation to the Bloomington-Normal Water Reclamation District. Upon failure of CUSTOMER to do any of the foregoing, the CITY in its sole discretion may discontinue water service to said property and may refuse and continue to refuse water service to such property until all such annexations have been completed. Alternatively, the CITY may seek injunctive or other judicial relief to force CUSTOMER to comply with the terms of this Paragraph and annex into the CITY.

6. This Agreement does not affect the operation of City ordinances. At the time of annexation, CUSTOMER will in an Annexation Agreement:

- (1) be required to agree to dedicate street right-of-way abutting his property in such amounts as may be required in the then current street plan;
- (2) be required to agree to dedicate any utility easements requested by the CITY at that time;
- (3) be required to agree to participate financially to the cost of making local improvements affecting customer's property.

7. CUSTOMER covenants and agrees that he/she will not permit or allow any other person, firm or corporation to connect or annex to said water main or use water therefrom or in any other way benefit from the service provided to CUSTOMER under the terms of this AGREEMENT, except where express written permission has been procured therefore from CITY.

8. CUSTOMER and CITY agree that covenants herein contained are the essence of this Agreement.

IN WITNESSETH WHEREOF the parties have hereunto set their hands and seals the day and year above written.

ATTEST:

CITY OF BLOOMINGTON

Tracey Covert
City Clerk

Tari Renner
Mayor

Motion by Alderman Painter, seconded by Alderman Stearns that the Agreement with John Thomas for a Water Main Extension be approved and the Mayor and City Clerk be authorized to execute the necessary documents.

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

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

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Proposed Water Main Extension from Doyle Martin for property located at 2119 W. Washington St.

RECOMMENDATION/MOTION: Recommend that the Agreement with Doyle Martin for a Water Main Extension 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 1 e. Partnering with other for the most cost-effective service delivery.

BACKGROUND: Doyle Martin, property owner of 2119 W. Washington St. in Mclean County, has requested permission to tap-on to the City's Water Main to serve the above property. Currently, the property is outside and not contiguous to the City's Corporate Limits. The Water Main Extension Agreement between Doyle Martin and the City will allow the property to connect to the City's water main now and provide for annexation to the City whenever the parcel becomes contiguous and the City so request.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Doyle Martin

FINANCIAL IMPACT: All cost of connection to the City's water main will be borne by the property owner.

Respectfully submitted for Council consideration.

Prepared by: Brett Lueschen, Interim Water Director

Reviewed by: Steve Rasmussen, Assistant City Manager

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

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:

David A. Hales
City Manager

WATER & PROPOSED WATER MAIN EXTENSION AGREEMENT

THIS AGREEMENT made and entered into this 26th day of January 2015, by and between the City of Bloomington, a Municipal Corporation, hereinafter called "CITY" and Doyle Martin, owner(s) of the real property hereinafter described and called "CUSTOMER", WITNESSETH:

For and in consideration of the mutual covenants and undertakings herein made, CITY and CUSTOMER herein covenant and agree as follows:

1. CITY agrees to plan, supervise and permit the construction of approximately 500' feet of 2 inch water main to be extended along the street(s) and highway(s) known as W. Washington St., for use of the CUSTOMER in obtaining water service from the water reservoir and water main system of CITY to and for the benefit of the property or properties in McLean County owned by CUSTOMER and legally described as:

A part of Lots 21 and 22 in C.A. Nafziers's Subdivision of part of the Northwest Quarter of Section 6, Township 23 North, Range 2 East of the Third Principal Meridian, described as follows: Commencing at a point 890.5 feet East of the Southwest corner of said Nafziger's Subdivision, thence North 137 feet, thence Southeasterly along the North line of the Illinois Traction Railways old line 330.4 feet, thence South 129 feet, thence West along the South line of said Nafziger's Subdivision 330 feet to the place of beginning, in McLean County, Illinois.

PIN# 21-06-152-002 a/k/a 2119 W. Washington St.

and shown by plat of said area attached hereto and made a part hereof, and in accordance with specifications approved by the CITY.

2. CUSTOMER agrees to pay his/her share of the cost of the water main completed as follows: the total cost of the water main divided by the number of lineal feet of said main, divided by two, multiplied by the frontage of the above described property. CUSTOMER'S contribution is \$430.00 payable in advance. Alternatively, the CITY may allow the CUSTOMER to pay the amount in three (3) installments. The first installment is payable prior to the customer connecting to the water main. The second installment plus interest is due one year from the date

of this agreement. The third installment plus interest is due two years from the date of this agreement. Interest on the unpaid balance shall be 6%. The City may disconnect water if any payment is more than 30 days past due. The payment schedule is attached.

3. CUSTOMER agrees that said extended water main shall become the property of and subject to the control of the CITY as a part of its water distribution system and that CUSTOMER and his/her property shall become subject to and shall be obligated to conform to all ordinances and other rules and regulations of the CITY with regard to the construction, use and maintenance of water mains and for the payment of charges for water services now in effect and as hereinafter enacted and amended from time to time.

4. CUSTOMER certifies that Doyle Martin_ are all of the owners and their spouses and mortgagees of said above-described property and there are no other parties who have any other right, title or interest in said property.

5. As a covenant running with the land, CUSTOMER agrees that in the event any portion of the above-described property hereafter becomes contiguous with the corporate boundaries of the City of Bloomington, CUSTOMER will within one hundred eighty (180) days after the City Council adopts a Resolution requiring him to do so, annex said property to the City of Bloomington by petition or if required by the City, by an annexation agreement. Simultaneously or at the earliest time CUSTOMER could legally petition to do so, CUSTOMER will petition for annexation to the Bloomington-Normal Water Reclamation District. Upon failure of CUSTOMER to do any of the foregoing, the CITY in its sole discretion may discontinue water service to said property and may refuse and continue to refuse water service to such property until all such annexations have been completed. Alternatively, the CITY may seek injunctive or other judicial relief to force CUSTOMER to comply with the terms of this Paragraph and annex into the CITY.

6. This Agreement does not affect the operation of City ordinances. At the time of annexation, CUSTOMER will in an Annexation Agreement:

- (1) be required to agree to dedicate street right-of-way abutting his property in such amounts as may be required in the then current street plan;
- (2) be required to agree to dedicate any utility easements requested by the CITY at that time;
- (3) be required to agree to participate financially to the cost of making local improvements affecting customer's property.

7. CUSTOMER covenants and agrees that he/she will not permit or allow any other person, firm or corporation to connect or annex to said water main or use water therefrom or in any other way benefit from the service provided to CUSTOMER under the terms of this AGREEMENT, except where express written permission has been procured therefore from CITY.

8. CUSTOMER and CITY agree that covenants herein contained are the essence of this Agreement.

IN WITNESSETH WHEREOF the parties have hereunto set their hands and seals the day and year above written.

ATTEST: CITY OF BLOOMINGTON

Tracey Covet
City Clerk

Tari Renner
Mayor

Motion by Alderman Painter, seconded by Alderman Stearns that the Agreement with Doyle Martin for a Water Main Extension be approved and the Mayor and City Clerk be authorized to execute the necessary documents.

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

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

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Proposed Water Main Extension from Lori Burton for property located at 2201W. Washington St.

RECOMMENDATION/MOTION: Recommend that the Agreement with Lori Burton for a Water Main Extension 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 1 e. Partnering with other for the most cost-effective service delivery.

BACKGROUND: Lori Burton, property owner of 2201 W. Washington St. in Mclean County, has requested permission to tap-on to the City's Water Main to serve the above property. Currently, the property is outside and not contiguous to the City's Corporate Limits. The Water Main Extension Agreement between Lori Burton and the City will allow the property to connect to the City's water main now and provide for annexation to the City whenever the parcel becomes contiguous and the City so request.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Lori Burton

FINANCIAL IMPACT: All cost of connection to the City's water main will be borne by the property owner.

Respectfully submitted for Council consideration.

Prepared by: Brett Lueschen, Interim Water Director

Reviewed by: Steve Rasmussen, Assistant City Manager

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

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:

David A. Hales
City Manager

**WATER & PROPOSED WATER
MAIN EXTENSION AGREEMENT**

THIS AGREEMENT made and entered into this 26th; day of January, 2015, by and between the City of Bloomington, a Municipal Corporation, hereinafter called "CITY" and Lori Burton, owner(s) of the real property hereinafter described and called "CUSTOMER", WITNESSETH:

For and in consideration of the mutual covenants and undertakings herein made, CITY and CUSTOMER herein covenant and agree as follows:

1. CITY agrees to plan, supervise and permit the construction of approximately 500' feet of 2 inch water main to be extended along the street(s) and highway(s) known as W. Washington St., for use of the CUSTOMER in obtaining water service from the water reservoir and water main system of CITY to and for the benefit of the property or properties in McLean County owned by CUSTOMER and legally described as:

A part of Lots 22 and 23 in C.A. Nafziger's Subdivision of part of the Northwest Quarter of Section 6, Township 23 North, Range 2 East of the Third Principal Meridian, described as follows: Commencing at a point 569.5 feet East of the Southwest corner of said Nafziger's Subdivision; thence North 144 feet, thence Southeasterly along the North line of the Illinois Traction Railways old line 321.35 feet; thence South 147 feet, thence West along the South line of said Nafziers's Subdivision 321 feet to the point of beginning, EXCEPTING therefrom the West 110 feet, in McLean County, Illinois.

PIN# 21-06-152-004 a/k/a 2201 W. Washington St.

and shown by plat of said area attached hereto and made a part hereof, and in accordance with specifications approved by the CITY.

2. CUSTOMER agrees to pay his/her share of the cost of the water main completed as follows: the total cost of the water main divided by the number of lineal feet of said main, divided by two, multiplied by the frontage of the above described property. CUSTOMER'S contribution is \$ 430.00 payable in advance. Alternatively, the CITY may allow the CUSTOMER to pay the amount in three (3) installments. The first installment is payable prior to the customer connecting to the water main. The second installment plus interest is due one year from the date of this agreement. The third installment plus interest is due two years from the date of this agreement. Interest on the unpaid balance shall be 6%. The City may disconnect water if any payment is more than 30 days past due. The payment schedule is attached.

3. CUSTOMER agrees that said extended water main shall become the property of and subject to the control of the CITY as a part of its water distribution system and that CUSTOMER and his/her property shall become subject to and shall be obligated to conform to all ordinances and other rules and regulations of the CITY with regard to the construction, use and maintenance of water mains and for the payment of charges for water services now in effect and as hereinafter enacted and amended from time to time.

4. CUSTOMER certifies that Lori Burton are all of the owners and their spouses and mortgagees of said above-described property and there are no other parties who have any other right, title or interest in said property.

5. As a covenant running with the land, CUSTOMER agrees that in the event any portion of the above-described property hereafter becomes contiguous with the corporate boundaries of the City of Bloomington, CUSTOMER will within one hundred eighty (180) days after the City Council adopts a Resolution requiring him to do so, annex said property to the City of Bloomington by petition or if required by the City, by an annexation agreement. Simultaneously or at the earliest time CUSTOMER could legally petition to do so, CUSTOMER will petition for annexation to the Bloomington-Normal Water Reclamation District. Upon failure of CUSTOMER to do any of the foregoing, the CITY in its sole discretion may discontinue water service to said property and may refuse and continue to refuse water service to such property until all such annexations have been completed. Alternatively, the CITY may seek injunctive or other judicial relief to force CUSTOMER to comply with the terms of this Paragraph and annex into the CITY.

6. This Agreement does not affect the operation of City ordinances. At the time of annexation, CUSTOMER will in an Annexation Agreement:

- (1) be required to agree to dedicate street right-of-way abutting his property in such amounts as may be required in the then current street plan;
- (2) be required to agree to dedicate any utility easements requested by the CITY at that time;

- (3) be required to agree to participate financially to the cost of making local improvements affecting customer's property.

7. CUSTOMER covenants and agrees that he/she will not permit or allow any other person, firm or corporation to connect or annex to said water main or use water therefrom or in any other way benefit from the service provided to CUSTOMER under the terms of this AGREEMENT, except where express written permission has been procured therefore from CITY.

8. CUSTOMER and CITY agree that covenants herein contained are the essence of this Agreement.

IN WITNESSETH WHEREOF the parties have hereunto set their hands and seals the day and year above written.

ATTEST:

CITY OF BLOOMINGTON

Tracey Covert
City Clerk

Tari Renner
Mayor

Motion by Alderman Painter, seconded by Alderman Stearns that the Agreement with Lori Burton for a Water Main Extension be approved and the Mayor and City Clerk be authorized to execute the necessary documents.

**The Mayor directed the clerk to call the roll which resulted in the following:
Ayes: Aldermen Mwilambwe, Schmidt, Painter, Lower, Hauman, Sage, Black, Stearns and Fruin.**

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Government Center: Operation & Maintenance Costs / Attachment No. 13

RECOMMENDATION/MOTION: Recommend that Attachment Number 13 to the Amendment to the Lease and Operation and Maintenance Agreement for the City and County Office Building be approved, and the Mayor and City Clerk be authorized to execute the necessary documents.

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

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

BACKGROUND: On November 20, 2001, the Public Building Commission (“Commission”), McLean County (“County”) and the City of Bloomington (“City”) entered into a lease for the Government Center that included a maintenance and operation agreement. Pursuant to the agreement, every year the costs of maintenance of the Government Center are proposed and then split equally between the County and the City. For the period between January 1, 2015, and ending December 31, 2015, the total cost is \$765,314. Again, this is split equally, so the City’s share of the expenses is \$382,657. The amount is paid to the Commission on a semi-annual basis, specifically by June 30th and September 30th each year. A copy of the Budget Worksheet Report provided by the County outlining the detailed expenses is attached. The historic costs are as follows:

<u>YEAR</u>	<u>TOTAL COSTS</u>
<u>2012</u>	<u>\$767,271</u>
<u>2013</u>	<u>\$748,864</u>
<u>2014</u>	<u>\$748,418</u>

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable.

FINANCIAL IMPACT: This expense is included in the City’s FY 2016 Proposed Budget under Government Center Repair/Maintenance Building (10015485-070510)

Respectfully submitted for Council consideration.

Prepared by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:

David A. Hales
City Manager

**ATTACHMENT NUMBER 13 TO THE AMENDMENT TO THE LEASE
AND OPERATION AND MAINTENANCE AGREEMENT
FOR THE CITY AND COUNTY OFFICE BUILDING**

Pursuant to the provisions of that certain AMENDMENT TO THE LEASE AND OPERATION AND MAINTENANCE AGREEMENT for the City and County Office Building, commonly known as the “Government Center,” located at 115 East Washington Street, Bloomington, Illinois, dated November 20, 2001, between the undersigned parties, the City of Bloomington and the County of McLean agree to pay the Public Building Commission of McLean County for the period beginning January 1, 2015 and ending December 31, 2015, the sum of \$765,314.00.

The Public Building Commission of McLean County agrees to perform the operation, maintenance, upkeep, and safekeeping functions for the City and County Office Building for the

one-year period beginning January 1, 2015, said functions being all pursuant to the provisions of Section III of the Lease, dated November 20, 2001.

The City of Bloomington and County of McLean agree to cause the necessary tax levies to be made to provide for the collection of the funds needed to pay the amount hereinabove set forth.

ATTEST:

County Clerk
Board of McLean County, Illinois

APPROVED:

Chairman, Board of McLean County, Illinois
Executed:

ATTEST:

Secretary,
Public Building Commission of McLean
County, Illinois

APPROVED:

Chairman,
Public Building Commission of McLean
County, Illinois

ATTEST:

Tracey Cover, City Clerk,
City of Bloomington, Illinois

APPROVED:

Tari Renner, Mayor
City of Bloomington, Illinois
Executed:

Alderman Schmidt cited concern with personnel costs. There was no oversight for custodian or maintenance overtime. She requested a conversation with the Public Building Commission prior to the next renewal.

David Hales, City Manager, addressed the Council. He stated the County Administrator facilitates the contract. They have the responsibility to maintain the building. He reminded Council that the City manages/responsibility for the Abraham Lincoln Parking Deck.

Aldermen Lower, Sage and Black echoed Alderman Schmidt's comments.

Alderman Lower questioned better building management. He believed the building had vacant spaces. The County and City should reevaluate the unused space.

Alderman Black believed it was inefficient to maintain City Hall and the Government Center buildings. Long term planning was needed. His vision was to have a building for City Hall which contained the Library, and plenty of office/meeting space.

Motion by Alderman Schmidt, seconded by Alderman Black that Attachment Number 13 to the Amendment to the Lease and Operation and Maintenance Agreement for the City and County Office Building be approved, and the Mayor and City Clerk be authorized to execute the necessary documents.

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

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

Nays: None.

Motion carried.

The following was presented:

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

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

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Text Amendment to Chapter 2, Sections 39, 42 and 54A and Chapter 16, Article IV Sections 48 – 50, 52 and 58 of the City Code Pertaining to Procurement

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

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

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

BACKGROUND: Parts of the City’s current procurement processes are outdated, ineffective and unclear and should be improved. As a result of these deficiencies procurements transactions are subject to too many interpretations. The current code is a source of frustration to both staff and vendors alike. Well managed updates will provide clear and practical direction on a daily basis. After extensive (since October 2013) review and evaluation of the City’s procurement process, practice and ordinances, Finance and Legal staff presented recommendations for updates to the Code to a City Council work session on 12/8/14. Based on “Best Practice” of industry leaders in public procurement the revisions:

1. Establishment of legal authority
2. Provide uniform policies throughout the organization
3. Build public confidence in public procurement

4. Ensure fair and equitable treatment of everyone
5. Provide for increased efficiency, economy, purchasing power and flexibility
6. Fostering effective broad based competition
7. Safeguard the integrity of the procurement system
8. Prevent against corruption, waste, fraud and abuse

Under the proposed ordinance revisions Council maintains three (3) strong levels of control on city wide procurement with the addition of a fourth (4th) level:

1. The adoption of a comprehensive line item budget for operating and capital expenditures for all funds.
2. The approval of all award of bids, request for proposals, contracts, over \$50,000, previously \$25,000. Council approves all bid waivers over \$25,000.
3. The approval of the check warrant for all sums due from the city (all bills except employee costs) before bills can be paid.
4. The approval of a formal project management plan for the design, construction, and oversight of all public facility construction over \$500,000.

Once the proposed ordinance revisions are adopted, the Finance Department under the direction of the Administration and Legal departments, will establish formal regulations encompassing the ordinance changes and outlining procedures for procurement under \$50,000. Changes to procurement procedures will be reviewed and tested by external auditors. The Procurement Division will serve as the funnel for procurement transactions providing internal control insuring compliance with regulations and best practices. Regulations for procurement under \$50,000 will include but is not limited to:

1. A formal bid process for procurement over \$25,000, previously \$10,000: unless there is a specific exemption as outlined in the ordinance, which will be substantiated by procurement and approved by the City Manager, e.g., sole source, limited source.
2. A minimum of three (3) formal quotes are required for procurement over \$10,000 up to \$25,000 unless there is a specific exemption as outlined in the ordinance, which will be substantiated and approved by procurement, e.g., sole source, limited source.
3. Procedures for procurement under \$10,000 already exist which will be revised, made into formal regulations, and approved by auditors.
4. Internal audit procedures will be expanded to detect patterns of abuse and ensure compliance with new regulations. Findings will be actionable and reported to Human Resources and Administration.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Public Presentation on December 8, 2014 Council Work Session.

FINANCIAL IMPACT: Enterprise effectiveness will be a key impact of clarifying and implementing proposed changes decreasing reputational risk in the vendor communities. Increasing the bid limit will allow small business' to participate without incurring the cost of submitting formal bids/requests for proposals.

Respectfully submitted for Council consideration.

Prepared by: Jon Johnston, Procurement Manager
Patti-Lynn Silva, Finance Director

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 the Ordinance was the same from the December 8, 2014 Work Session Presentation.

Alderman Black noted that the proposed ordinance was in line with other city Ordinances. He reminded Council that Aldermen were policy makers. He believed same provided staff flexibility

Alderman Lower stated he had spoken with Brett Lueschen, Interim Water Director and Chief Brian Mohr, Fire Department. They had explained the ordinance was a better way to handle the day to day operations. He agreed with same. He believed that amounts should remain the same. It was a matter of oversight.

Alderman Stearns cited concerns with accountability, change orders, waive bids. She believed Council was accountable to constituents' on same. \$25,000 was a lot of money. The current ordinance provided Council with an opportunity to review. She heard at the Citizens Summit, held on January 20, 2015 to look at the details, analyze, and provide oversight.

Motion by Alderman Stearns, seconded by Alderman Lower that the City Manager's authority to procure, on the open market, commodities, and supplies and services, and construction, repair and maintenance projects, costing not more than Thirty Thousand Dollars (\$30,000.00) per individual purchase, contract and/or procurement.

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

Ayes: Aldermen Stearns and Lower.

Nays: Aldermen Sage, Mwilambwe, Painter, Schmidt, Black, Hauman and Fruin.

Motion failed.

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

Nays: Aldermen Lower and Stearns.

Motion carried.

CITY MANAGER'S DISCUSSION: David Hales, City Manager, addressed the Council. He noted that staff had begun the Sanitary Sewer/Storm Water Rate Study process. He requested establishing an Advisory Committee.

He expressed appreciation with Alderman Painter's assistance on the Tucci Agreement. There were areas in the city which did not have sanitary sewer or water lines. He believed a procedure policy and/or ordinance would promote infill. It would address recapture costs.

He noted that the Police Department had conducted Diversity training. He requested that Nicole Albertson, Human Resources Director, look at the city wide training. He was working, with staff, on an action plan to address workplace diversity.

He noted that there was some renewed interest in the Colonial Plaza.

He thanked Council for their support with the Citizens Summit, held on January 20, 2015. He believed there was great input.

He thanked Brendan Heffner, Police Chief, for his participation with the Breaking Barriers Community Forum.

MAYOR'S DISCUSSION: Mayor Renner thanked Aldermen Schmidt and Sage for their work on the Citizens Summit (CS). He thanked Alderman Black for attending the Mayoral Open House on Friday, January 23, 2015.

He had attended the US Conference of Mayors in Washington, D.C. last week. Approximately 250 Mayors attended same. There was interaction with Cabinet Secretary's. He noted that the Market Place Fairness Act could be passed soon. The Act guarantees that Amazon and EBay pay sales tax. He believed same would have a financial impact on the budget. He cited Mayoral nationwide concerns: crime, infrastructure, and at risk youth.

He noted that Carmike Palace Cinema 10 soft opening was scheduled for February 6, 2015. He reminded Council that the theater was the former Palace Theater. Seating had been reduced from 1800 to 600. It would have a small Sports Bar and the dinner theater.

ALDERMEN'S DISCUSSION: Alderman Fruin noted the renewed interest and optimism with the potential redevelopment of store fronts.

He expressed thanks to the Mayor for informing a citizen, during Public Comment, that they could speak to a Mayor, Alderman or Department Head after the Council meeting.

Mayor Renner stated that it was important to acknowledge the public when they want to solve a problem. He encouraged attendance at the Mayoral Open House. He believed same provided an opportunity to possibly solve a problem on the spot. Alderman Fruin expressed concern with using Public Comment for commercial and/or campaign proposes.

He expressed thanks to the Mayor for the State of the City Address. He believed same was a balance of challenges' and successes.

He expressed concern with Conflict of Interest. He questioned addressing same and follow through. Mayor Renner stated that he had spoken with Jason Chamber, McLean County State's Attorney. He suggested that this topic possibly be placed on a Committee of the Whole agenda.

Alderman Hauman thanked staff for their participation with the CS. She had heard positive comments. She believed it was a give and take. She would like CS at least twice a year.

Alderman Black reminded Council of the Open House with Aldermen Sage, Schmidt and himself on January 27, 2015 at Miller Park Pavilion from 6:00 to 8:00 p.m.

Alderman Stearns explained her reasoning behind not signing the Not In Our Town pledge. She shared the dislike of hate. She believed it was never ok to hate. She questioned stopping hate. She believed same was not just about racism. She questioned the treatment of the mentally ill.

She noted comments made by a Bloomington Police Officer were made known due to a trial. She questioned why not before same. She believed there could have been a better opportunity for discipline.

Alderman Mwilambwe expressed appreciation for citizen's who attended the CS. He believed comments received assisted the city with moving forward and provided opportunity towards improvement.

Alderman Lower expressed thanks to Alderman Schmidt and those who attended the Breaking Barriers Forum held on January 22, 2015. He believed there was a healing process.

He noted that he would be conducting an Open House on February 2, 2015 at the Lafayette Club from 6:30 to 8:30 p.m.

Motion by Alderman Hauman, seconded by Alderman Schmidt, that the meeting be adjourned. Time: 9:14 p.m.

Motion carried.

**Renee Gooderham
Chief Deputy Clerk**

WORK SESSION
Solid Waste Fund
January 26, 2015

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

Staff Present: City Manager David Hales, Steve Rasmussen, Asst. City Manager, Chief Deputy Clerk Renee Gooderham, and Corporate Counsel Jeff Jurgens.

Staff Absent: Tracey Covert, City Clerk.

The Work Session was called to order at 6:10 p.m. Mayor Renner cited the Work Session agenda.

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 Council.

David Hales, City Manager, addressed the Council. He questioned next steps for the Solid Waste Fund. Council should consider if there was enough information or to continue with public input. He reminded Council that an online budget survey had been conducted and the Citizen's Summit held on January 20, 2015. Clear direction was sought.

Steve Rasmussen, Asst. City Manager, addressed the Council. He acknowledged Steve Arney, Public Works Administration, Jim Karch, Public Works Director, George Kutz, Asst. Supt. Solid Waste, Patti Lynn Silva and the Finance Department staff for their presentation assistance.

Mr. Rasmussen cited the purpose of the presentation. He noted that Solid Waste was an Enterprise Fund. Expenditures should not exceed revenue. This had not been achieved. The presentation would address: the FY15 Performance and how to continue efforts; the three (3) year Forecast and setting the FY16 plan; and recommendations.

He noted that Solid Waste Services had a \$2.5 million deficit. The fund costs approximately \$8million a year, revenue generated was \$5.5 million. He discussed options: 1.) subsidize the fund or 2.) make changes allowing for a savings or increased revenue. He suggested increasing bulk charges, decreasing services, initiating charges for brush pick up, or establishing cart fees. He noted with increased bulk service efficiency staff could be placed on other services. He stated that Bulk & Brush required twenty-one (21) employees and fifteen (15) pieces of equipment, and Garbage & Recycling required eleven (11) employees and eleven (11) pieces of equipment. He noted that Garbage & Recycling required one (1) employee per truck due to automated services. The Solid Waste Fund expenditures consisted of sixty percent (60%) Bulk and Brush and forty percent (40%) Refuse and Recycling. He noted that 100% revenue was generated from Refuse & Recycling.

He reminded Council that the Solid Waste Division had forty - one (41) employees handling others responsibilities: street sweeping, staffing the drop-off center, leaf collection, and snow/ice removal.

He cited various revenue generating options. Two (2) options would generate revenue to within \$500,000 of the deficit. These were: 1.) Option C - 2: Charge seventy – five (\$75) for every bucket and 2.) Option E - 2: Charge a thirty dollar (\$30) flat rate.

The FY16 deficit was estimated at \$18,000 with Option C - 2: Mr. Rasmussen believed charging seventy – five dollars (\$75) per bucket was excessive.

He recommended the following: .1) freeze cart size; 2.) select Option G – 1; 3.) subsidize the Solid Waste Fund 3.) allow the market to determine bulk waste service levels or 4.) operate a knuckleboom truck. Mr. Rasmussen explained that cart size would be determined by the number of individuals residing in a home. He believed that this option would reduce stacking or hanging excess refuse bags. Carts would be cost sixty dollar (\$60).

Option G - 1: Charge twenty – five dollars (\$25) per bucket estimated that there would fifty percent (50%) less pickups. This scenario would assist with the reduction of general operating costs and reducing the deficit to \$495,000.

He believed continued subsidy to Solid Waste would require funding from the property tax. He stated to generate one (\$1) million dollars in revenue the average household's property tax would increase thirteen dollars (\$13) a year. A seven dollar (\$7) a year increase or sixty cents (.60) per month would generate \$500,000.

Mr. Rasmussen believed bulk waste services would decline by allowing the market to determine service levels. Staff currently providing same would be moved to Parks, Recreation & Cultural Arts. He noted that same had eight to nine (8 – 9) critical vacancies.

Mr. Rasmussen recommended purchasing one (1) knuckleboom truck. He explained use of same would require staff on the street to collect dropped residue. He suggested developing a 'call-in' system. Citizens would call-in to schedule bulk pick-up, alleviating the need to have trucks searching streets.

Alderman Mwilambwe questioned fifty dollars (\$50) per bucket. Mr. Rasmussen stated he would provide those figures.

Alderman Black questioned required timeline. Mayor Renner stated Council would provide the timeline. Alderman Black requested a Work Session on same.

David Hales, City Manager, addressed the Council. He noted that brush season would soon arrive. He believed it was beneficial to release price or service changes prior to same.

Alderman Lower questioned the subsidy amount. Mr. Hales stated that the subsidy was approximately \$1.2million. He noted that the subsidy was in the total projections for FY16.

Motion by Alderman Black, seconded by Alderman Schmidt to adjourn. Time: 6:32 p.m.

Renee Gooderham
Chief Deputy Clerk

CITIZENS SUMMIT
Bloomington Center for the Performing Arts (BCPA)
January 20, 2015

Council present: Aldermen Mboka Mwilambwe, Kevin Lower, David Sage, Diana Hauman, Judy Stearns, Scott Black, Joni Painter, Jim Fruin and Mayor Pro Tem Karen Schmidt.

Council Absent: Mayor Tari Renner.

Staff present: David Hales, City Manager, Steve Rasmussen, Asst. City Manager, Patti-Lynn Silva, Finance Director, Jim Karch, Director of Public Works, Tina Salamone, Performing Arts Director, Brett Lueschen, Interim Water Director, Brendan Heffner, Chief of Police, Brian Mohr, Fire Chief, Tom Dabareiner, Planning and Code Enforcement Director, Scott Sprouls, Information Services Director, Alex McElory, Asst. to the City Manager, Nora Dukowitz, Communications Manager and Renee Gooderham, Chief Deputy Clerk.

Staff absent: Tracey Covert, City Clerk.

Mayor Pro Tem Schmidt called the Citizens Summit to order at 6:00 p.m.

PUBLIC COMMENT

Alderman Sage 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.

Josh Schmidgall, 2212 Beacon Ct., addressed the Council. He had looked up the definition of summit. He believed Government looked down upon the citizens. Citizens were ignored.

Mayor Pro Tem Schmidt thanked those in attendance. She believed this was an opportunity to share ideas.

Mayor Pro Tem Schmidt noted that Mayor Renner was attending the U.S. Conference of Mayors held in Washington, D.C. Mayor Renner had prepared a videotaped welcome.

Alderman Sage reviewed the agenda and described the Aldermen and Staff roles and responsibilities. He noted that the BCPA Ballroom was divided into ten (10) tables consisting of the following: one (1) Alderman, one (1) staff person and eleven (11) citizens.

David Hales, City Manager, addressed the Summit. He explained that tonight was an opportunity to hear recommendations on services, fees associated and priorities. He noted that during the early 2000's focus and priority was City growth. The city subsidized residential development. There was little long range planning. He cited the Grove Subdivision as an example. Assisting with the Grove development the City would spend over \$10 million on streets, sewers and sidewalks.

He noted the \$50 million spent on the Pepsi Ice Center, Coliseum, Pepsi Parking Deck and the renovation of the BCPA. He stated that funding for same was taken from the city's cash reverses. He became City Manager in 2009. The City was in a financial crisis. He cited the elimination of one hundred (100) full time employees, credit rating downgraded, cash on hand depleted and the vacant fire house on the city's southwest side were repercussions. The Recession caught the City off guard.

From 2009 – 2013 the City was in a rebuilding phase. He cited the following examples: 1.) building the General Fund Balance to \$15 million; 2.) deficit elimination; 3.) increased credit rating to AA plus; 4.) refunded over \$30 million in outstand debt, lowered interest rates; 5.) established performance measurement and management program; 6.) establishing fiscal impact analysis; 7.) establishing water supply priorities; and 8.) developing various Master Plan's.

There was a belief that the new normal was an age of fiscal crisis. Revenue had slowed. Constraints continued for the City. The Fire and Police Pension Policy was established. It would save \$70 million over thirty (30) years. He noted that the State Legislature decides pensions and benefits. He cited workers compensation as another challenge.

He believed that current programs and services required defining. There needed to be an understanding of the costs, establishment of priorities and understanding what citizens were willing to pay for. He referred to same as Priority Based Budgeting.

Patti Lynn Silva, Director of Finance, addressed the Summit. She noted that each table was provided with the Fiscal overview presented in October 2014. Fiscal Year (FY) 2015 had a \$525,000 variance. She noted that Sales Tax (ST) had slowed. She believed if trends continued FY15 would end with a \$2.1 million deficit. The City was currently in a spending freeze.

She noted that the City was very dependent on ST. The General Fund (GF) consisted of forty percent (40%) of ST, twenty – three percent (23%) of Property Tax and the rest from other taxes.

A structural deficit was identified in the GF for FY 2016 – 2019. Predications indicate expenses will exceed income. She explained that ST was reported four (4) months after consumer spending. She noted that Christmas ST would be reported March 2015. There were no indications that ST would increase. Salary and benefits increase yearly \$2.5 million, not including workman's compensation. The Pension Policy will save money in the long term. She believed unless the City had economic development, raised taxes, or no longer provided a certain service there financial crisis would continue.

She encouraged those present to attend the City Manager's Budget presentation on February 23, 2015.

Nora Dukowitz, Communications Manager addressed the Summit. She noted that each table was provided: 1.) Fiscal overview; 2.) results of the Citizens Priority Survey; 3.) inventory of City Programs and costs; 4.) table top flip charts; and 5.) table topic and scenario. She requested that tables select a scribe and reporter. Topics were Public Safety, Solid Waste and Parks Recreation and Cultural Arts. Participants were given fifty (50) minutes to discuss scenarios.

Those present at each table were:

Table 1: Alderman Lower; Jim Karch, Director of Public Works; Citizens: Josh Barnett, Dale Naffziger, Steve Ambrose, Mike Ausili, Jeremy Kelley, Charlie Harris, David Purlee, Rick Heiser, Bruce Naffziger and Arthur D. Eiff. Topic: Public Safety.

Table 2: Alderman Sage; Tina Salamone, Performing Arts Director; Citizens: Sue Feldkamp, Troy Bowman, Roger Callender, Gary Lambert, Ron Schultz, Victoria Harris, Sue Denzer, Dennis J. Hite, Mike Fitzgerald and Chuck Montgomerie. Topic: Solid Waste.

Table 3: Alderman Mwilambwe; Brett Lueschen, Interim Water Director; Citizens: Larry Blake; Paula Stubblefield; J. Balmer; Chip Frank; Jim Grossman; Mike Stretch; James Rybarczyk; Glen Ludwig; and Bill Wilson. Topic: Parks Recreation & Cultural Arts.

Table 4: Alderman Streans; Brendan Heffner, Chief of Police; Citizens: Mark Cooper; Matt Giordano; Ky Ajayi; Dan Metz; John Reed; Wes Newport; Kelly Neptune; Dale Strain. Topic: Solid Waste

Table 5: Alderman Painter; Brian Mohr, Fire Chief; Citizens: Beverly Edgerton; Herm Harding; Dayo Ajayi; Monika Metz; Wayne Brown; and Surena Fish. Topic: Parks Recreation & Cultural Arts.

Table 6: Alderman Schmidt; Nicole Albertson, Human Resources Director; Citizens: Judy Henry; Becky Petta; Nick Grojean; Erik Prenzler; Danny Leifel; Lea Cline; Jim Jaeger; and David Kotarba. Topic: Public Safety.

Table 7: Alderman Black; Steve Rasmussen, Asst. City Manager; Allen Swanson; Phil Boulds; Archan Shekara; Craig Gates; Dave Toland; Raymundo Martinez; Mary Litwiller; and Ken Hlebasko. Topic: Public Safety.

Table 8: Alderman Hauman; Alex McElroy, Asst. to the City Manager; Citizens: Kiranmayi Konam; Don Herrin; Jeff Donaldson; Goverdhan Galpalli; Nathan Gates; Joyce Kaye; Tim Tilton; Dave Blaser; and James Adams. Topic: Parks Recreation & Cultural Arts.

Table 9: Alderman Fruin; Tom Dabareiner, Planning & Code Enforcement Director; Citizens: Michael Gorman; Roger Curtis; Aggie Hedin; Willie Halbert; Doug Burrichter; Bud Clark; Janice Bush; Roger Elm; and Frank Hoffman. Topic: Parks Recreation & Cultural Arts.

Table 10: Scott Sprouls, Information Services Director; Citizens: Jessielee Hinshaw; Allen Gibson; Hans Peterson; Michael Fischer; Nancy Clark; Michael O'Donnell; Anita Ashley; and Mike Wilson. Topic: Solid Waste.

The following were suggestions from each table flipchart:

Parks, Recreation and Cultural Arts

- Promote use on more projects – increase fees

- Use Miller Park for more private one on one on empty zoo days
 - Golf paths –
 - Golf courses – go down to less, use land for tax generating revenue – Raise fees
 - Variable fee structure based on income on special needs program with caps and built in review of same
 - BCPA – Increase fee, increase use of building
 - Constitution Trail – do upgrades
 - Miller Park – upgrade pavilion
 - New subdivision – all infrastructure paid by developer – change city codes
 - City maintains, developer pays
-
- Reduce twelve (12) employees
 - Reduce Miller Park Zoo/BCPA subsidies
 - Raise zoo admission fees
 - Set fixed amount to subsidize & let Department come up w/ the difference
 - Privatize golf courses (franchise)
 - Find private funding/(sponsorship for the Miller Park Zoo/BCPA
 - Raise rental fees for sports fields
-
- Consider selling the Coliseum
 - Reach out to local businesses for funds that have been allocated
 - Advertise inside Recreational facilities
 - Define the need.
 - Increase user fees on places like Miller Park Pavilion. i.e: weddings
 - Questioned Pepsi Ice service demand
 - Possibly raise service fees
 - Review the programs to determine usage fees. Survey the attendees of the programs.
 - Look at \$581.593 and see where funds are going
 - Are some of the fees too low?
 - Lack of marketing on what is available in this community?
 - What would marketing costs be? What is current marketing?
 - Improvements to buildings would be an investment
 - Cost effective
 - Use friends of the Miller Park Zoo to create benefactors
 - Why is the City supporting “regional attractions”?
 - Combine Bloomington & Normal Parks & Recreation/District
 - Vary fees based on where you live
 - Naming rights of BCPA
 - Is there a threshold of attendance that we are not losing money on events?
 - Review ticket prices
 - Are we doing a good enough job promoting and marketing events?
 - 557 total events per year at the BCPA
 - Encourage feedback for people using services
 - Request patron list from Civic Center & Krannert Center

- Establish BCPA Dinner shows
- Market to college students

Public Safety

- Personnel – Fire
 - Supervisor to subordinate ratio
 - 1:1.5
 - Fire Standard Operating Procedure (SOP)?
 - Staffing part of negotiations?
 - 130 staff cut in 2009
 - Didn't fill positions
- Cut expenses
- Make government more efficient
- Don't raise/increase taxes
- Quality of service needs maintained
- Address response time
- 8 hr. shift – 7 days/week?
- City firefighters not equal to Chicago firefighters
- Weight room
- Putting out fires
- Outsource Paramedics
- Audit from independent organization on how time is being spent in Fire Department (FD)
 - Are performance standards being meant?
- Is this a state problem or city problem?
- Can't cut Public Safety
- How do we address building needs?
- What's being done w/ empty fire station?
- Response times are not what they should be
- Opportunities to share empty fire station
- Where are response times lowest?
 - Northeast
- Bloomington & Normal build library together – union vs non union
- Reciprocity agreements?
- Human life is more important
- Airport – station
- Pension
 - Reducing head count
 - Minimum eligibility
 - How do we increase – state law
 - Do we reduce head count, increase efficiency, proximity?
 - Layers of management?
 - Public Works, for example
 - Need to start looking at unnecessary layers
 - Police & FD are specifically trained; need to preserve these
- Why do we have a communications specialist for both police & fire?
- Who are essential & who can we combine?

- Bloomington has more unions than Normal
- Going to have reduce unions. Will not be easy.
- # of employees doesn't make a company better
- For example Postal Service
- Have to limit how much we structure upward
- Do we have to have a certain number of Sgt's & Lt's?
- Police has a flatter structure
- National Fire Protection Association (NFPA) – Best Practices
- Smaller span of control in the “hazard zone”
- Does our response time depend on lean staffing?
- Are there *proximity levels of management that can be “leaned” out?
- Thank you to Headquarters for a fire one of the members had in '09
- Are all of the Police Sgt's necessary?
- We are down five (5) police officers – what if we had a riot?
- Is police required for staffing like Fire?
- What is the biggest driver of overtime?
- Reconcile budget shortfalls
- Sell unused station/property?
- Eliminate unnecessary spending in noncore services? (quality of life)
- Prioritize budget for core issues first
- Not enough info to make informed decision on lowering response times
- Pensions –
- Priorities
 - Capital improvements
 - Core services
 - Pensions
- Empty fire station building (Six Points) to sell?
- Federal dollars
- Add another station
 - Shared station
- Buildings need updating
- Prioritize needs versus wants
- Intelligent traffic signals to lower response times = less stations needed long term
- Possible joint or shared sources
- Co-ordinate changes with adjoining towns
- Find a solid funding source
- Release some mandates on the city from the state
- Prioritize -> Proactive funding (save on infrastructure cost\$)
- Citizen interactions
- Cost of livings?
- Holding line on hiring and spending increases
- Outsourcing of jobs that will not require pensions?

Solid Waste

- Excess bags, piles ->
 - Is it enforced?
 - City follow-up
- Suggest pick-up same day as recycling
- Some heavy users put out disproportionate amount, others never
 - Charge for it beyond a certain amount/frequency (e.g. more than one)
- Recycling
 - Need opportunities for businesses to participate
 - Municipal system we have good for quality of life
 - Incentivize recycling for everyone – residences, businesses
- Garbage
 - Evaluate new system after six (6) months -> has it happened?
 - Density
 - Municipal system convenient, better than many other communities
 - Greater differential between 35/65/95 gallon containers
- Snow Removal
 - Requirement for residents and businesses to clear sidewalks
 - Enforcement
 - Revenue generation
 - Electronics
 - Cooperate w/ other governmental entities
 - Change state law
 - Incentives to recycle
 - Increase fee for additional bulk waste “bucket”
 - Enforce regulations re-trash, bulk containers, quantity
 - Encourage recycling by increasing fees for garbage pick-up (35/65/95)
 - Cooperate w/ Normal
 - Business recycling
- Bulk pick-up is a problem:
 - Who is/isn't paying for it?
 - How is it being picked up? (specifically, Bloomington process vs Normal's process)
 - Number of vehicles used vs. drop-off facility?
 - No schedule for bulk waste
 - Limit to once a month
 - Rentals: Private contractors
 - Landlord education of responsible waste disposal
 - Crews need to enforce the billing for the extra work they do for residents (not packing correctly)
 - Get rid of limits on loads per day at drop-off facility
 - Out-source bulk pick-up
 - Distinctions between residential/commercial bulk pick-up
 - Separate thought process and practices for recycling vs. other solid waste vs. bulk
 - Increase charge for “2nd bucket” pick-up so it's in line w/ what it costs

- Eliminate bulk waste pickup
- Privatize bulk waste if it can't be made self sufficient
- Would elimination reduce pension liability?
- Do reductions in union staff impact contracts?
- Can bulk waste equipment be repurposed if program is eliminated?
- What would it take to make bulk waste program self-sufficient?
 - Can it be reduced to the point where it is self-sufficient?
- Keep “drop off” location for bulk waste & possibly expand this location
 - Entire table concurs on this point
 - 8 for 8

- Privatize waste removal
- Individuals pay separate find own source to contract
- City contract with private company
- Can just bulk be contracted out?
- Limit bulk to less pick-ups
- Get ballpark costs from private companies
- Quit hiring consultants
- Cut down

- Solid waste fees 30% short
- Fines
- Greater enforcement of codes
- Higher -> Bulk waste cost for rental properties
- Less frequent pick up for bulk waste
- Increase recycle

The following were “Parking Lot” suggestions:

- Cap total property tax at 1% of property value
- Have a group of IL mayors go to Springfield and lobby legislature to remove public services pensions out of state constitution. Possible amendment.

- Establish a Park District. Move Miller Park Zoo, Parks, Recreation & Cultural Arts, Coliseum, to that District

- Accountability for contracted work
- More quality control on road work & other contracted work

- Section 8 housing?
 - What advantages?
- Enforce clearing sidewalks after snow storm – Keep better track of landlords & their properties – Can surprise inspections be done? Unfortunately there are “slumlords” & renters are afraid to complain

The following were other questions and/or comments:

- Comments from neighbors – street repair, water mains/sewers (major concern from everyone who contacted me), housing complex on Oakland – use metal garbage cans – couldn't they have city carts, slowdown on spending of Constitution Trail/parks/Miller Park Zoo, how to control panhandlers in neighborhood, some neighbors can't afford 50/50 on sidewalks
- You can state the rental owner are okay
- Eliminate sticks for extra bags – just charge people for extra bags not in garbage cans
- How come there is no mention of Economic Development in all the documents. Did I miss it?
- What percent of seats at the BCPA and Coliseum are filled for each seat?
- Thanks Tina. BCPA 550 venues per year, how many are “free” gratis, how many are fees, please respond to Jim Fruin
- Didn't have the opportunity to say this – In terms of revenue streams, we, as a city, do a poor job in collecting code violation fees. I have never been in a city that lets things slide like they do here – if a citizen doesn't meet the expectations of the law; they need to pay the legal fine.
- This has been a great experience and I applaud the Council for this initiative. It was also worthwhile to meet taxpayers from other wards and listen to their comments from a perspective different than mine. I hope this assists the Council in successfully accomplishing completion of the 2016 budget.
- Unclear in statement, articulate cost/benefit/analysis, need to distinguish bulk waste program from recycling participations, work on enhancing citizen responsibility, communicate widely info, pickup dates, kinds of pickup, alternatives to curbside, hire professional grant-getter, re: raising fees: needs-based exemptions coordinate with county, McLean County Regional Planning
- (I was at solid waste table. I've thought of some more possibilities to save money.) Increase liquor license fees substantially; increase Off Track Betting (OTB) fees; charge downtown bars a lot for extra policing needed for unruly patrons; increase local gas tax for road improvements; charge private groups that make heavy use of city parks (i.e. private football taking over parks on weekends); submit ambulance bills promptly to insurers; increase fines for ordinance violations; eliminate K-9 unit due to new marijuana laws – will no longer be effective in drug searches; increase trash cart fees, especially for larger carts; abandon school resource offices; no staff should take home city vehicles unless job takes them out on overnight emergencies; increase water charges; increase golf fees; no need for another fire station; discourage urban sprawl. Force developers to bear the cost of streets, sewers, sidewalks; note: we live in one of the richest countries in the world. We are the top 1% -> whining about taxes is a luxury for people whose needs are mostly well met. Change Coliseum management. Demand accountability; increase retirement age for police & fire; resist calls for an east side library branch; hire fewer expensive consultants. When they mess up (garbage cart predictions) do not rehire them; hire another full-time inspector to check for property ordinance violations – place liens on properties that are constantly out of compliance; keep the Miller Park Zoo & programs for children -> not everything is about money, and our youngest citizens didn't have a voice tonight

- Why does CIAM report not match auditor's report which shows \$100,000s in losses? Which shows lost money? Why is income (revenue) not known for point of sale? Coliseum I don't have my notes but I believe there were areas pointed out where possible fraud or abuse could take place – Have these loopholes been closed? i.e. petty cash being used for employee loans, refer to BLNews for Diane Benjamin's outline of the report, need to look at more cuts, cut wasteful spending and don't say there isn't any.

The meeting adjourned at 8:15 p.m.

Respectfully submitted,

Renee Gooderham
Chief Deputy Clerk



FOR COUNCIL: February 9, 2015

SUBJECT: Bills and Payroll

RECOMMENDATION/MOTION: Recommend 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 January 8, 2015.

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 Clerk

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

Recommended by:

David A. Hales
City Manager

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

Motion: _____ Seconded by: _____

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



FOR COUNCIL: February 9, 2015

SUBJECT: Appointment to the Bloomington Planning Commission

RECOMMENDATION/MOTION: Recommend that the Appointment 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 Josh Barnett of 55 Brookshire Green, Bloomington, IL 61704, to the Planning Commission. Josh replaces Stan Cain who is ineligible for reappointment due to term limits. His three (3) year term will expire April 30, 2017.

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:

A handwritten signature in black ink that reads "Tari Renner".

Tari Renner
Mayor

Motion: **That the Appointment be approved.**

Motion: _____ Seconded by: _____

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

Planning Commission

Mayor Appointed	Staff/Chair	First Name	Last Name	Expiration	Appointment Date	Year Appt	Email	Street	City	Zip	HomePhone	WorkPhone	CellPhone	FaxNumber	Reappointment
x	Chair/Southeast	Stan	Cain	04/30/15	08/08/11	1997	stan.cain.bshi@statefarm.com	10 Barley Circle	Bloomington	61704	664-1904	763-1032			
x	Vice Chair/Southeast	J. Alan	Balmer	04/30/15	08/22/11	2011	jbalmr@betadigm.com	16 Fountain Lake Court	Bloomington	61704	663-5848		287-9421		
x	Southeast	David	Stanczak	04/30/16	09/10/12	2012	dts1202@yahoo.com	6 Buckhurst Ct	Bloomington	61704		664-1817	750-1413		
x	Southeast	Ryan	Scritchlow	04/30/17	01/14/13	2013	rscritch@hotmail.com	1005 S. Maple	Bloomington	61701			287-6294		
x	Southeast	Rob	Wills	04/30/15	08/08/11	2007		1309 Longford	Bloomington	61704					
x	Southwest	Christopher	Cornell	04/30/17	10/14/13	2013	christopherdcornell@gmail.com	2605 Binghamton Ln	Bloomington	61705	824-8335				
x	Southwest	Rex	Diamond	04/30/16	04/23/12	2012	rexdiamond@comcast.net	2915 Fox Creek Rd	Bloomington	61705	585-0606				
x		Kevin	Suess	04/30/17	04/14/14	2014	kevinsuess@gmail.com	113 Kreitzer	Bloomington	61701	846-1866		829-9962		
x	Northeast	John	Protzman	04/30/17	08/25/14	2014	protz99@msn.com	2913 Southfork Rd	Bloomington	61704			261-6241		
x	Northeast	James	Pearson	04/30/15	07/25/11	2011	jpear764@aol.com	14 Hearthstone Ct	Bloomington	61704	663-4646		530-3582		
	Staff	Mark	Woolard					109 E Olive St	Bloomington	61701					
	Staff	Mary	Sellmeyer					110 E Olive St	Bloomington	61701					

Details:

Term: 3 years
 Term Limit per City Code: 3 terms/9 years
 Members: 10 members
 Number of members the Mayor appoints: 10
 Type: Internal
 City Code:
 Required by State Statute: No
 Intergovernmental Agreements: None
 Funding budgeted from COB for FY2014: None
 Meetings: 2nd and 4th Wed of each month at 4:00pm - Council Chambers

Number of Vacancies: 0
 Number of Expired Board Members (Blm Appointments only): 4
 Number of Expired Board Member Eligible for Reappointment: 2

Appointment/Reappointment Notes:

12/20/2011 - It was suggested that there be 2 members from each of the four quadrants (Washington and Main/51) and 2 at-large appointments

Northeast	Bill	Schulz						2103 Woodfield	Bloomington	61704	663-1194					Not eligible
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FOR COUNCIL: February 9, 2015

SUBJECT: Analysis of Bid and Contract Award to Allstate Power Vac, Inc., for FY 2015 CCTV Sewer Inspection Contract, Bid #2015-52

RECOMMENDATION/MOTION: Recommend that the bid for FY 2015 CCTV Sewer Inspection Contract be awarded to Allstate Power Vac, Inc., in the amount of \$97,000, and the Mayor and City Clerk authorized to execute the necessary documents.

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

STRATEGIC PLAN SIGNIFICANCE: Objectives 2c. Functional, well maintained sewer collection system; 5a. Well-planned City with necessary services and infrastructure.

BACKGROUND: Work proposed includes CCTV sanitary sewer inspection and heavy and light sewer cleaning in various locations throughout the City. Sewers were selected for televising and cleaning based on information obtained from prior sewer televising work or emergency repairs. Pipes that may impact next year’s street resurfacing program were also included. The proposed package included pay items for sewer televising, cleaning, and miscellaneous pay items and an alternative technology section. Contractors were not required to provide pricing for the additive alternate technology pay items.

The contract allows ninety (90) calendar days for the work to be completed from the issuance of the Notice to Proceed. The selected contractor will be required to provide a Performance Bond and Certificates of Insurance within ten (10) days after receipt of the Notice of Award.

The Public Works Department’s Engineering Division prepared plans and specifications for the FY 2015 CCTV Sewer Inspection. Five (5) proposals were received. The proposal tabulation is listed below:

Allstate Power Vac, Inc. (Low Proposal)	\$ 98,340.00
Visu-Sewer of Illinois, LLC	\$ 99,637.50
Tele Scan, Inc.	\$ 102,281.25
National Power Rodding Corp.	\$ 139,275.50
Hoerr Construction, Inc.	\$ 180,265.00 (As Read - \$224,879.60)
<i>Engineer’s Estimate</i>	\$ 103,550.00

BUDGET:

Sanitary Sewer	Arcadia Sewer Rehabilitation	\$ 624,000
Sanitary Sewer	Sewer & Manhole Lining Program	\$ 500,000
Sanitary Sewer	Manhole Rehabilitation	\$ 165,000
Sanitary Sewer	Sanitary CCTV Evaluations	+ \$ 408,000
Total Budget		\$ 1,697,000
FY 2015 Sewer Rehabilitation - Awarded on 12/15/14		<u>- \$ 1,600,000</u>

Amount to be Awarded for FY 2015 CCTV Sewer Inspection - \$ 97,000

The Public Works Department staff will work with the contractor to limit the contract costs to the awarded and budgeted amount.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Advertised in The Pantagraph on January 12 and 19, 2015, and a pre-bid meeting was held at 9:30 AM on January 16, 2015, in the Public Works Department Training Room.

FINANCIAL IMPACT: Funds for this expenditure will come from the Sewer-Engineering Services (51101100-70050) FY 2015 Budget. Stakeholders can locate this in the FY 2015 Budget Document titled "Other Funds & Capital Improvement Program" on page 158.

Respectfully submitted for Council consideration.

Prepared by: Ryan L. Otto, PE, Project Engineer

Reviewed by: Jim Karch, P.E., CFM, Director of Public Works
Steve Rasmussen, 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. Proposal Tabulation
Attachment 2. Map
Attachment 3. Contract

Motion: That the bid for FY 2015 CCTV Sewer Inspection Contract be awarded to Allstate Power Vac, Inc., in the amount of \$97,000, 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
FY 2015 CCTV SEWER INSPECTION

PROJECT NO. # 50-18-53007-15-00

CITY BID NO. 2015-52

Proposal Tabulation

Proposal Opening Date: 1/26/2015

Proposal Opening Time: 2:00 PM

Prepared By: RLO 1/27/2015

Attended By: Ryan Otto

Andrew Coffey

Tony Meizelis

Recommended Proposal

ITEM	DESCRIPTION	UNIT	APPROX QTY	Engineer's Estimate		Allstate Power Vac, Inc.		Visu-Sewer of Illinois, LLC		Tele Scan, Inc.		National Power Rodding Corp.		Hoerr Construction, Inc.	
				UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL	UNIT COST	TOTAL
1	CCTV Sewer Inspection, 6" TO 12" DIA	LF	22775	\$2.00	\$45,550.00	\$1.60	\$36,440.00	\$2.00	\$45,550.00	\$1.25	\$28,468.75	\$3.72	\$84,723.00	\$1.90	\$43,272.50
2	CCTV Sewer Inspection, 13" TO 18" DIA	LF	6500	\$2.00	\$13,000.00	\$1.70	\$11,050.00	\$2.00	\$13,000.00	\$1.25	\$8,125.00	\$3.72	\$24,180.00	\$2.25	\$14,625.00
3	CCTV Sewer Inspection, 19" TO 24" DIA	LF	1000	\$3.00	\$3,000.00	\$1.90	\$1,900.00	\$2.00	\$2,000.00	\$1.25	\$1,250.00	\$3.72	\$3,720.00	\$3.05	\$3,050.00
4	CCTV Sewer Inspection, 25" TO 36" DIA	LF	1000	\$3.00	\$3,000.00	\$1.90	\$1,900.00	\$2.00	\$2,000.00	\$1.25	\$1,250.00	\$3.72	\$3,720.00	\$4.35	\$4,350.00
5	Light Duty Sewer Cleaning, 6" TO 12" DIA	LF	10000	\$0.75	\$7,500.00	\$1.40	\$14,000.00	\$0.20	\$2,000.00	\$1.25	\$12,500.00	\$0.01	\$100.00	\$1.74	\$17,400.00
6	Light Duty Sewer Cleaning, 13" TO 18" DIA	LF	2000	\$0.75	\$1,500.00	\$1.50	\$3,000.00	\$0.20	\$400.00	\$1.25	\$2,500.00	\$0.01	\$20.00	\$2.00	\$4,000.00
7	Light Duty Sewer Cleaning, 19" TO 24" DIA	LF	250	\$1.00	\$250.00	\$1.60	\$400.00	\$4.00	\$1,000.00	\$2.25	\$562.50	\$0.01	\$2.50	\$3.55	\$887.50
8	Light Duty Sewer Cleaning, 25" TO 36" DIA	LF	250	\$2.00	\$500.00	\$2.00	\$500.00	\$4.00	\$1,000.00	\$3.25	\$812.50	\$0.01	\$2.50	\$6.85	\$1,712.50
9	Heavy Duty Sewer Cleaning, 6" TO 12" DIA	LF	4500	\$2.00	\$9,000.00	\$2.90	\$13,050.00	\$2.20	\$9,900.00	\$1.75	\$7,875.00	\$0.01	\$45.00	\$6.31	\$28,395.00
10	Heavy Duty Sewer Cleaning, 13" TO 18" DIA	LF	750	\$2.50	\$1,875.00	\$4.40	\$3,300.00	\$2.75	\$2,062.50	\$2.25	\$1,687.50	\$0.01	\$7.50	\$10.64	\$7,980.00
11	Heavy Duty Sewer Cleaning, 19" TO 24" DIA	LF	250	\$3.50	\$875.00	\$4.50	\$1,125.00	\$5.00	\$1,250.00	\$4.00	\$1,000.00	\$0.01	\$2.50	\$15.94	\$3,985.00
12	Heavy Duty Sewer Cleaning, 25" TO 36" DIA	LF	250	\$4.00	\$1,000.00	\$5.20	\$1,300.00	\$7.50	\$1,875.00	\$5.00	\$1,250.00	\$0.01	\$2.50	\$31.45	\$7,862.50
13	Traffic Control and Protection	LS	1	\$6,000.00	\$6,000.00	\$3,000.00	\$3,000.00	\$2,000.00	\$2,000.00	\$3,000.00	\$3,000.00	\$5,000.00	\$5,000.00	\$18,000.00	\$18,000.00
14	Mobilization	LS	1	\$3,000.00	\$3,000.00	\$4,000.00	\$4,000.00	\$3,100.00	\$3,100.00	\$7,000.00	\$7,000.00	\$6,500.00	\$6,500.00	\$9,120.00	\$9,120.00
15	Removal of Protruding Lateral Connections	EA	25	\$300.00	\$7,500.00	\$135.00	\$3,375.00	\$500.00	\$12,500.00	\$1,000.00	\$25,000.00	\$450.00	\$11,250.00	\$625.00	\$15,625.00
					\$103,550.00		\$98,340.00		\$99,637.50		\$102,281.25		\$139,275.50		\$180,265.00*

* As Read
 \$224,879.60

SUBMITTED ADDITIVE ALTERNATE TECHNOLOGY PROPOSALS
 (Contractors were not required to submit prices on these items)

National Power Rodding Corp.

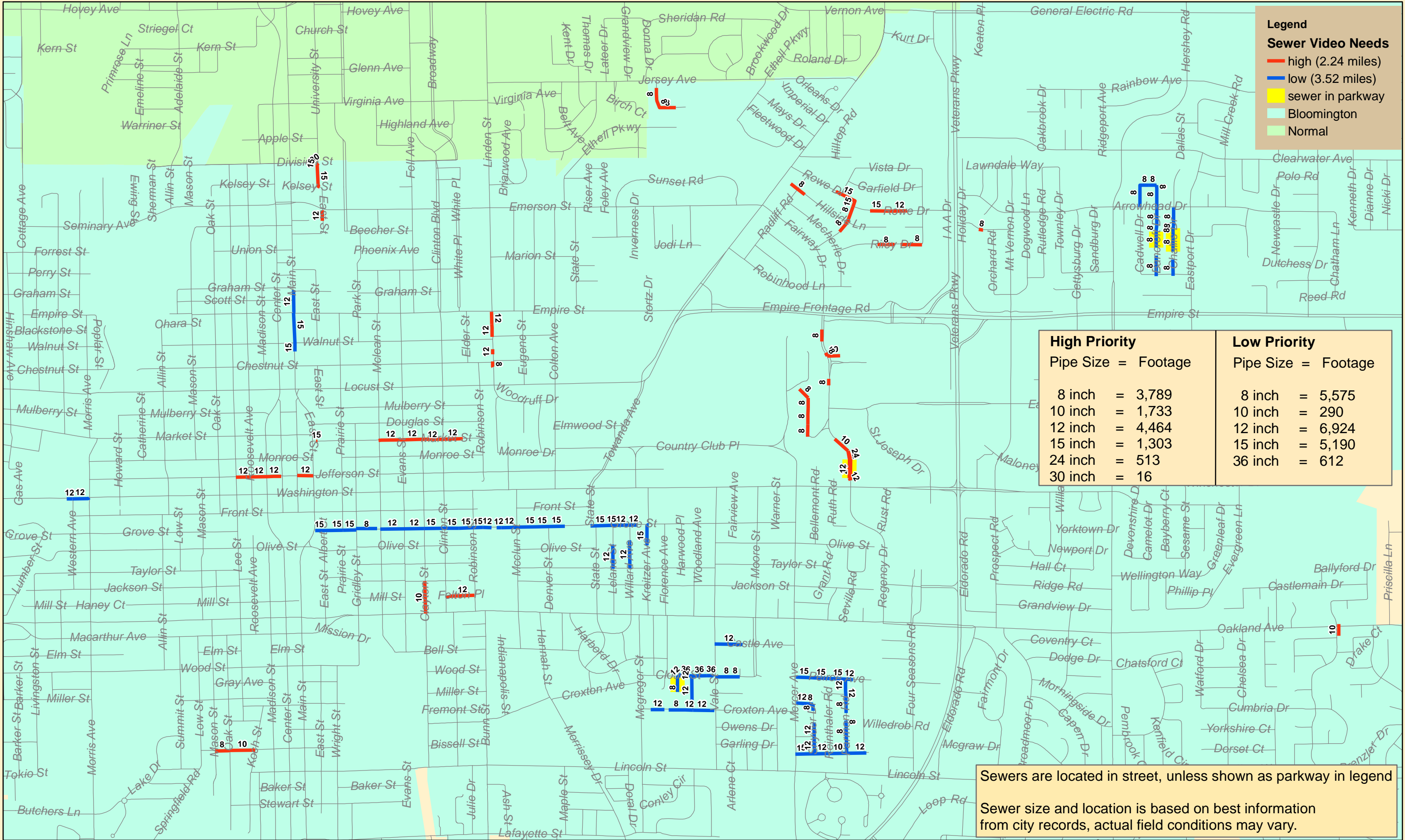
DESCRIPTION	UNIT	ADDITIONAL UNIT PRICE PER LINEAR FOOT			
		SONDE	SONAR	3D LASER	MULTI
6" TO 12" DIA Sewers	LF	\$ 3.50	5.00	\$ 6.00	12.00
13" TO 18" DIA Sewers	LF	\$ 3.50	5.00	\$ 6.00	12.00
19" TO 24" DIA Sewers	LF	\$ 3.50	\$ 5.00	\$ 6.50	\$ 12.00
25" TO 36" DIA Sewers	LF	\$ 3.50	\$ 5.00	\$ 6.50	\$ 12.00

Hoerr Construction, Inc.

DESCRIPTION	UNIT	ADDITIONAL UNIT PRICE PER LINEAR FOOT			
		SONDE	SONAR	3D LASER	MULTI
6" TO 12" DIA Sewers	LF	\$ 10.00	10.00	10.00	10.00
13" TO 18" DIA Sewers	LF	\$ 10.00	10.00	10.00	10.00
19" TO 24" DIA Sewers	LF	\$ 10.00	10.00	10.00	10.00
25" TO 36" DIA Sewers	LF	\$ 10.00	10.00	10.00	10.00

Allstate Power Vac, Inc., Visu-Sewer of Illinois, LLC, & Tele Scan Inc. did not submit prices for the additive alternate technology items.

FY 2015 CCTV Sewer Inspections



Legend

Sewer Video Needs

- high (2.24 miles)
- low (3.52 miles)
- sewer in parkway
- Bloomington
- Normal

High Priority		Low Priority	
Pipe Size	Footage	Pipe Size	Footage
8 inch	= 3,789	8 inch	= 5,575
10 inch	= 1,733	10 inch	= 290
12 inch	= 4,464	12 inch	= 6,924
15 inch	= 1,303	15 inch	= 5,190
24 inch	= 513	36 inch	= 612
30 inch	= 16		

Sewers are located in street, unless shown as parkway in legend

Sewer size and location is based on best information from city records, actual field conditions may vary.

AGREEMENT

THIS AGREEMENT, Made and entered into this **9th day of February 2015**, by and between, **Allstate Power Vac, Inc.**, first party, also hereinafter referred to as "Contractor", and the City of Bloomington, a municipal corporation, second party.

WITNESSETH:

THAT WHEREAS, the City of Bloomington, did in January 2015, by advertisement, call for bids for furnishing all labor and material for the construction of **FY 2015 CCTV SEWER INSPECTION** project for said City.

AND WHEREAS, in pursuance of said call for bids said first party, did on January 26, 2015, submit this bid to said City of Bloomington for furnishing all of the labor and materials for the construction of said **FY 2015 CCTV SEWER INSPECTION** on file in the office of the City Engineer of said City. A copy of which specifications, plans and profiles of said improvement on file in the City Engineer's Office are hereby referred to and made a part hereof by reference, and said first party being the lowest responsible bidder was awarded the contract for the construction of the said improvement, which bid of said Contractor is hereto attached and made a part hereof.

THEREFORE, it is covenanted and agreed upon the part of said first party that in consideration of the amounts to be paid by said City, he will furnish all labor, tools, machinery and materials for the construction of said improvement complete, in accordance with the said plans, profiles and specifications, call for bids, and said contractor's bid, each herein set out and made a part hereof.

And it is also understood and agreed that the Proposal Package, Specifications, Special Provisions, Contractor's Proposal, Contract Bond and Project Addenda hereto attached, and the Plans for **FY 2015 CCTV SEWER INSPECTION** are all essential documents of this contract and are a part hereof.

IT IS FURTHER AGREED that said Contractor will furnish a bond to the City of Bloomington in the penal sum of **\$97,000.00** executed by said contractor and at least two responsible persons as sureties or by some surety company satisfactory to the said City of Bloomington and the City Council, as a guarantee that said Contractor faithfully will perform the work in accordance with this agreement.

Said bond shall be conditioned to save and keep harmless said City from any and all claims, demands, loss, suits, costs, expenses and damages which may be brought, sustained or recovered against said City by reason of any negligence, default or failure of the said contractor in building, constructing or completing said improvement and its appurtenances, or any part thereof, and that said improvement when constructed shall be free from all defects and remain in good order and condition for one year from its completion and acceptance by the City of Bloomington, ordinary wear and tear, and damage resulting from accident or willful destruction excepted; which bond is attached hereto and made a part hereof.

IT IS FURTHER AGREED that said Contractor shall complete all work within 90 calendar days of written NOTICE TO PROCEED.

IT IS EXPRESSLY UNDERSTOOD AND AGREED that whenever the said City may deem necessary, additional or new bond shall be furnished by said Contractor with such sureties as will be satisfactory to the said City Council, as a guarantee that said Contractor will faithfully perform the work in accordance with the terms of this agreement.

IT IS FURTHER AGREED that should said Contractor fail to complete the work within the time herein specified for doing the same, then he shall pay the expense of the City Inspector or Inspectors from the date specified for completion until said work is completed and shall pay to the City all other expenses created by reason of such failure to complete said work in the specified time or by reason of such time being extended.

This agreement shall not be assigned, nor any part of the work subcontracted without the written consent of the City of Bloomington endorsed hereon, and in no case shall such consent relieve the party

of the first part from the obligations herein entered into by said party, or change the terms of this agreement.

IT IS FURTHER STIPULATED AND AGREED by and between the parties hereto that all ordinances now in force in the City of Bloomington respecting and regulating public improvement, not in conflict with the terms of this contract, shall be a part and parcel of this contract.

The number of inspectors to be placed on said work shall be determined by the City of Bloomington, but if at any time on account of a disregard of any of the provisions of this contract by the said first party, or on account of the failure of said first party to faithfully perform the work in accordance with this contract, additional inspectors shall be deemed necessary by said City, the pay of such additional inspectors shall be charged to said Contractor and be deducted from the amount due said Contractor on final settlement under this contract.

The Contractor and all persons employed on the work shall obey the instruction of the City Engineer or the inspector on said work. Any person who shall refuse or neglect to so obey, or who shall be deemed incompetent by said City Engineer or said Inspector shall at once be removed from the work by the Contractor when so required by said Engineer or Inspector.

The City of Bloomington hereby covenants and agrees, in consideration of the faithful performance of the covenants and agreements in this contract specified to be kept and performed by first party, to pay party of the first part, when this contract shall be wholly carried out and completed upon the part of the said Contractor, and when said work shall have been finally accepted by said City of Bloomington, the amounts set forth in first party's bid in manner as herein and in said call for bids provided.

IT IS FURTHER AGREED AND UNDERSTOOD that the work to be done pursuant to this contract shall be done under the direction and to the satisfaction of the City of Bloomington, and that, except as otherwise provided in the said ordinance or the judgment of the court, said City, except as by law provided, or any officer thereof, shall not be liable for any portion of the expense of said work, nor for any delinquency or persons or property assessed.

This contract and the bond herein provided for, shall be signed in triplicate and be subject to the approval of the City of Bloomington.

IN TESTIMONY WHEREOF the said first party has hereunto set his hand and seal, and the City of Bloomington has caused this agreement to be signed by its Mayor, its corporate seal to be attached, and said signing and sealing to be attested by its City Clerk on the day and year first above written.

(Seal)

ATTEST;

City Clerk

CITY OF BLOOMINGTON

By: _____
MAYOR TARI RENNER

WITNESS:

CONTRACTOR (Seal)



FOR COUNCIL: February 9, 2015

SUBJECT: Acceptance of Application to the Illinois Department of Commerce for the U.S. Cellular Coliseum Energy Evaluation and Retro-Commissioning Project

RECOMMENDATION/MOTION: Recommend that the Application to U.S. Cellular Coliseum for Energy Evaluation and Retro-Commissioning Project approved, and the Mayor and City Clerk authorized to execute the necessary documents.

STRATEGIC PLAN LINK: Goal 1. Financially Sound City Providing Quality Basic Services and 2. Upgrade City Infrastructure & Facilities.

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

BACKGROUND: In December 2014, Central Illinois Arena Management staff contacted the Smart Energy Design Assistance Center (SEDAC) regarding the Public Sector Retro-Commission Program. SEDAC manages this program to assist public sector facilities in identifying low-cost to no-cost energy saving improvements that will have an estimated payback period of 1.5 years or less. Funding for the evaluation and administrative portions of the program is provided through the Department of Commerce and Economic Opportunity (DCEO). Funding for the improvements recommended by the evaluation is entirely the facility owner's responsibility. These improvements must be completed within ten (10) months of the evaluation or by March 31, 2016, whichever date arrives first. A copy of the completed program application is attached. Additional program information from Jim McNally, the professional who will perform the evaluation, is also attached. In 2012, this same program was used to perform a Retro-Commissioning project at the Police Department. Installation of occupancy sensors and building automation system improvements were the major recommended improvements implemented.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Smart Energy Design Assistance Center (SEDAC), 360 Energy Group, McNally Engineer, Ltd.

FINANCIAL IMPACT: Initial costs involve staff time to assist with the evaluation. Most of the financial impact related to this project will be determined by the results of the evaluation. The Retro-Commissioning Application requires that at least \$10,000 worth of recommended improvements be implemented within ten (10) months of the evaluation or by March 31, 2016. There is also a financial consequence if the recommended improvements are not completed. As shown on the attached correspondence from Robert Irmiger of the 360 Group, the City will be required to pay for the evaluation costs if the recommended improvements are not performed. The approximate cost for the evaluation is \$30,000 to \$65,000. Implementation of at least \$10,000 of recommended improvements is preferred. Some of the proposed improvements may

take place even if this Retro-Commissioning program is not pursued. The FY 2016 Proposed Budget includes \$200,000 for Maintenance and \$50,000 for Building Automation System Improvements at the Coliseum.

Respectfully submitted for Council consideration.

Prepared by: Russel Waller, P.E., Facilities Manager
 Jim Appio, U.S. Coliseum Assistant
 General Manager-Operations

Reviewed by: Steve Rasmussen, 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:



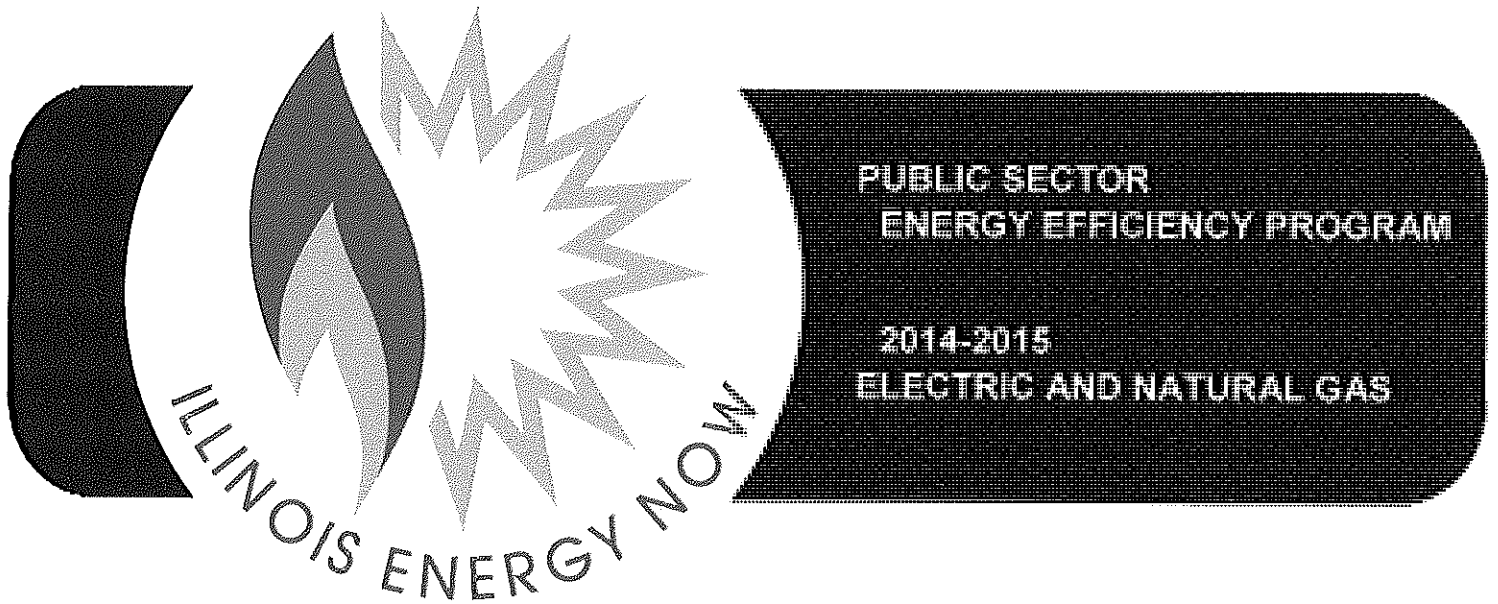
David A. Hales
 City Manager

- Attachments:** Attachment 1: Retro-Commissioning Application
 Attachment 2: Robert Irmiger Correspondence
 Attachment 3: Jim McNally Correspondence
 Attachment 4: Recommendations from 2012 Bloomington Police Department Retro-Commissioning

Motion: That the Application to U.S. Cellular Coliseum for Energy Evaluation and Retro-Commissioning Project approved, and the Mayor and City Clerk 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			



PUBLIC SECTOR RETRO-COMMISSIONING PROGRAM APPLICATION

**PROGRAM YEAR 7: 2014-2015
START DATE: JUNE 1, 2014**

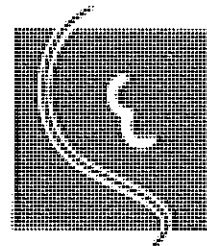
**FOR
LOCAL GOVERNMENT, PUBLIC
COMMUNITY COLLEGES, PUBLIC
AND STATE/FEDERAL**

Conducted by the Smart Energy Design Assistance Center (SEDAC)



**Illinois
Department of Commerce
& Economic Opportunity**

Pat Quinn, Governor
Adam Pollet, Director



**SMART
ENERGY
DESIGN**
Assistance Center

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GUIDELINES

Background

The purpose of Illinois Department of Commerce & Economic Opportunity (DCEO) Public Sector RCx Program is to help public sector clients (including units of local government, K-12 school districts, community colleges, public universities, and state buildings) identify low-cost to no-cost energy saving improvements that will have an estimated total payback of 1.5 years or less. Instead of focusing attention on capital improvements, the program offers retro-commissioning guidance by identifying measures to improve the control, scheduling, and operation of a building so it can meet peak performance. The end result: significant energy and demand savings that, in many cases, also improve occupant comfort and productivity.

The Smart Energy Design Assistance Center (SEDAC) manages the Illinois DCEO's Public Sector Retro-Commissioning (RCx) Program. SEDAC is an applied research program at the University of Illinois at Urbana-Champaign. The 360 Energy Group is a collaborative partner working with SEDAC.

The RCx services are delivered through a "service-incentive" program. This means the retro-commissioning analysis is the incentive to the customer and is fully funded by Illinois Department of Commerce & Economic Opportunity (DCEO) in partnership with investor-owned utilities. Participants are expected to cover the costs associated with implementing the measures recommended by the retro-commissioning analysis (\$10,000 minimum requirement), arranging implementation in a timely matter, attending meetings, assisting Retro-commissioning Service Providers (RSPs) in acquiring facility information, and tracking implementation expenses. Incentives for RCx measures beyond the \$10k required investment, and any capital improvements such as lighting or HVAC upgrades, may be available under DCEO's Public Sector Standard Incentive Program or Custom Incentive Program (www.ILEEPS.org).

Eligibility

Eligibility for the 2014-2015 DCEO Public Sector Retro-Commissioning Program is limited to public buildings that:

- Receive electrical delivery service from Ameren Illinois or ComEd, regardless of their choice of supplier. Public buildings receiving natural gas from Ameren Illinois, Nicor Gas, North Shore Gas, or Peoples Gas may also be eligible for inclusion of natural gas savings measures.
- Are at least 5 years old and have a building size of at least 150,000 (gross) square feet*
- Have a functioning building automation system and the client agrees to provide BAS access to the RCx provider.
- Have an energy use index (indices) showing a potential to produce significant electrical and natural gas savings through RCx.

** Newer and smaller buildings with a high energy savings potential may be considered on a case by case basis.*

In reviewing program applications, the Program Administrator will give preference to facilities with the following characteristics.

- High annual energy savings potential
- Gross square footage of the building at least 150,000 square feet
- Are more than 5 years old
- The presence of an existing and functional building automation system (BAS) with direct digital control (DDC)
- Strong commitment by the facility owner to implement RCMs and to be actively involved in the retro-commissioning process. Active involvement will include:
 - Providing access to the facility
 - Providing time for facility personnel to interface with the Retro-Commissioning Service Provider
 - Providing and assisting with the reporting, and collection of, information pertaining to the retro-commissioning of the facility
 - Administratively prioritizing and championing the RCx effort with facility staff
- No planned major system renovations or retrofits
- Accessible and up to date building documentation and records

To be considered for the program, applicants must:

- Submit a notice of interest (NOI) form
- Submit RCx application (after approval of NOI)—*assistance is available from SEDAC*
- Provide energy bills for 1 to 2 years
- Present up-to-date as-built drawings

Successful applicants must express agreement to:

- Commit funding (minimum \$10,000 implementation requirement) to participate in the process
- Begin implementation of measures in the current fiscal year (ending May 31, 2015)
- Upon receipt of RCx plan, implement at least \$10,000 worth of selected measures within 10 months, or by March 31st, 2016, whichever deadline arrives first

Incentives

The Retro-Commissioning (RCx) Program is a “service-incentive” program. This means the retro-commissioning analysis and implementation technical assistance is itself the incentive to the customer and is funded by the Illinois Department of Commerce and Economic Opportunity (DCEO) in partnership with investor-owned utilities.

In the program, retro-commissioning services are conducted exclusively by either SEDAC staff or pre-approved service providers. The SEDAC covers RCx service costs at 100% provided that:

- Implementation of at least one measure is initiated during the same program year (by May 31, 2015)
- At least \$10,000 worth of selected measures are implemented within 10 months or by March 31, 2016

For projects that are not completed within this timeline, the customer will be expected to reimburse SEDAC for the full cost of any completed RCx planning costs, program-funded investigation activities, and verification report costs.

Program participants are expected to cover the costs associated with contracting or arranging for the implementation of recommended measures, attending meetings, and assisting RSPs in acquiring facility information. Other DCEO incentives may be available for measures implemented beyond the required \$10,000 investment and clients are encouraged to investigate. However, any matching contributions made toward efficiency measures incentivized through DCEO's other programs may not be double-counted as contributions toward the \$10,000 RCx expense total.

Retro-Commissioning Service Provider

A qualified Retro-Commissioning Service Provider (RSP) team will be provided by the program administrator to conduct the retro-commissioning services at no cost to the customer.

During the retro-commissioning process, the facility's staff will assist the RSP in acquiring access and information regarding the building systems, operation, controls system, and any other pertinent information necessary to identify and evaluate potential retro-commissioning measures. The RSP will use the information gathered from site visits and equipment data trends to generate the Retro-Commissioning Plan.

The RSP is not responsible for implementing the Retro-Commissioning Plan measures. However, the RSP will provide guidance and technical assistance during the Implementation Phase to aid in the successful implementation of the selected measures. Implementation of the retro-commissioning measures is the responsibility of the facility owner.

Upon completion of the customer's implementation activities, the RSP will return to inspect the facility to verify the installation and proper operation of the retro-commissioning measures. The RSP will prepare and submit the Verification Report that summarizes the final findings and impacts from the project.

Facility Owner

The facility owner shall make available to the RSP a competent facility representative who is knowledgeable in the building systems, equipment, and operation. The individual shall provide the RSP access to the building, its Building Automation System (BAS), and any pertinent building documentation necessary to develop a thorough understanding of the operation, systems, equipment, and use of the building. The facility staff will collaborate with the RSP to identify measures acceptable to the facility.

The estimated time commitment from the customer to support the retro-commissioning effort is likely to total 60 to 100 hours of a senior facility manager over the 18- to 24-month project duration.

The facility owner is responsible for implementing the selected retro-commissioning measures. The owner may exercise the option to subcontract the effort to a contractor or use their own staff to complete the work. Additionally, the owner is responsible for gathering contractor invoices or tracking in-house labor and equipment costs for implementation efforts.

Select facilities may be visited by an independent program evaluator after the verification phase. The facility owner is expected to cooperate with evaluator inquiries.

The Retro-Commissioning Process

The RCx program is an 18-24 month program. As part of the program, SEDAC will assign a qualified Retro-Commissioning Service Provider to conduct the retro-commissioning analysis at no cost to the customer.

The RCx Service Provider will perform a building assessment to diagnose problems and identify a range of RCx measures that will have an estimated combined simple payback of 1.5 years or less based on electric and natural gas savings¹. Once the recommendations are received, the facility owner must select retro-commissioning measures to implement and will have 10 months (or until March 31, 2016, whichever deadline arrives first), from receipt of recommendations, to implement at least \$10,000 of agreed upon measures. After the measures are implemented, the RCx expert will revisit the site to verify measures have been completed and will re-evaluate facility trending data.

The Retro-Commissioning Program consists of four major stages.

1. Application Phase
2. Planning, Investigation, and Recommendation (PIR) Phase
3. Implementation Phase
4. Verification Phase

1. Application Phase (*approx. 3-4 weeks*)

The retro-commissioning application phase begins with a pre-screening process. Interested clients must fill out a DCEO Public Sector RCx Notice of Interest (NOI) form to be considered for the program.

Once the NOI form is received, SEDAC will confirm eligibility of the project with the client. If eligible, SEDAC will assign a potential Retro-Commissioning Service Provider (if one has not been identified) to the project to develop a Scope of Work² and support the client in completing the RCx project application.

As part of the scope of work, SEDAC will direct the potential RSP to conduct a brief preliminary walkthrough of the property to assess energy savings potential for the building. Once both the RCx Project Application and Scope of Work are complete, the client will be notified within two weeks of project's acceptance or rejection.

In cases where a participant application is not accepted for enrollment, the applicant will be given the specific reasons the application was not accepted (e.g. the facility is not a good candidate for retro-commissioning because there are several major equipment renovations that should be completed prior to retro-commissioning). In addition, the customer will be directed to the appropriate DCEO programs (e.g. the Public Sector Electric Efficiency Standard and Custom Incentive Program for capital investment projects).

¹ The RCx study may also highlight energy savings opportunities found outside the scope of this project. These energy savings opportunities that are not part of the RCx process will be provided in a separate section of the RCx report.

² In the cases where SEDAC performs the RCx analysis in house, a formal scope of work during the application phase will not be required.

- **Customer Role: Complete Notice of Intent and Application**
- **RSP Role: Develop Scope of Work, Assist Client with RCx Project Application**
- **Deliverable: Program Acceptance or Rejection**
- **Duration: 3 to 4 weeks**

2. Planning, Investigation, and Recommendation Phase (PIR) (approx. 3-5 months)

Following acceptance of a project into the program and selection of an RSP, the Planning, Investigation, and Recommendation (PIR) phase begins. This phase commences with a project kick-off meeting with the owner representative, the customer's facility staff and contractors, the RSP, and SEDAC. As part of this phase, the RSP will then conduct detailed site assessments, diagnostic testing, and trending analyses to evaluate current facility operating procedures and equipment functionality. The findings are used to generate the Retro-Commissioning Plan for the project and assess potential measures and project economics. The Planning, Investigation & Recommendation Phase typically takes three to five months to complete³.

The Retro-Commissioning Plan establishes the framework and direction for the Implementation Phase. Upon its completion, another meeting is held with the owner representative and engineering staff to review the scope of the plan and the impacts and economics of the identified potential measures. The primary goal is to commit to spending at least \$10,000 for selected retro-commissioning measures that result in a bundled estimated simple payback of 1.5 years or less.

At the completion of this phase, the facility owner selects measures for implementation, which are noted on a Customer Selection Form that is submitted to DCEO with the Plan. Implementation of at least one measure must begin before May 31, 2015, and at least \$10,000 worth of selected measures must be implemented within 10 months or by March 31, 2016, whichever deadline arrives first.

- **Customer Role: Provide building documentation and support RSP,s information collection process. Complete Customer Selection Form provided in Retro-Commissioning Plan. Collect invoices, document in-house labor.**
- **Deliverable: Retro-Commissioning Plan, Completed Initial Customer Selection Form**
- **Duration: 3-5 months**

3. Implementation Phase (approx. 2-10 months)

The Implementation Phase is the phase in which RCx measures are carried out. Throughout the Implementation Phase, the retro-commissioning measures and associated costs, savings, and economic impacts will be updated and summarized in the Customer Selection Form. In the event that additional retro-commissioning measures are discovered or existing measures are modified, the RSP will update the Customer Selection Form and review such measures with the owner.

³ Due to the nature of some measures (i.e. seasonal considerations with testing HVAC equipment), this phase may extend beyond five months. Extensions must be pre-approved by the DCEO Program Administrator.

The implementation team includes the facility engineers, operational staff, and the mechanical, electrical, and controls contractors. The goal of this phase is to fully implement all agreed-upon retro-commissioning measures and stand ready for final verification.

The implementation costs used to calculate project economics under the program of the measures are based upon reasonable, estimated market costs as determined solely by the program team. Resources to obtain estimated market costs include, but are not limited to: industry accepted project estimation resources, vendor quotes, or professional judgment. The customer is afforded the flexibility to utilize in-house staff or an outside contractor to implement retro-commissioning measures. Final implementation costs may vary from the estimated market costs; however, the actual implementation costs will be utilized to support RCx program requirements.

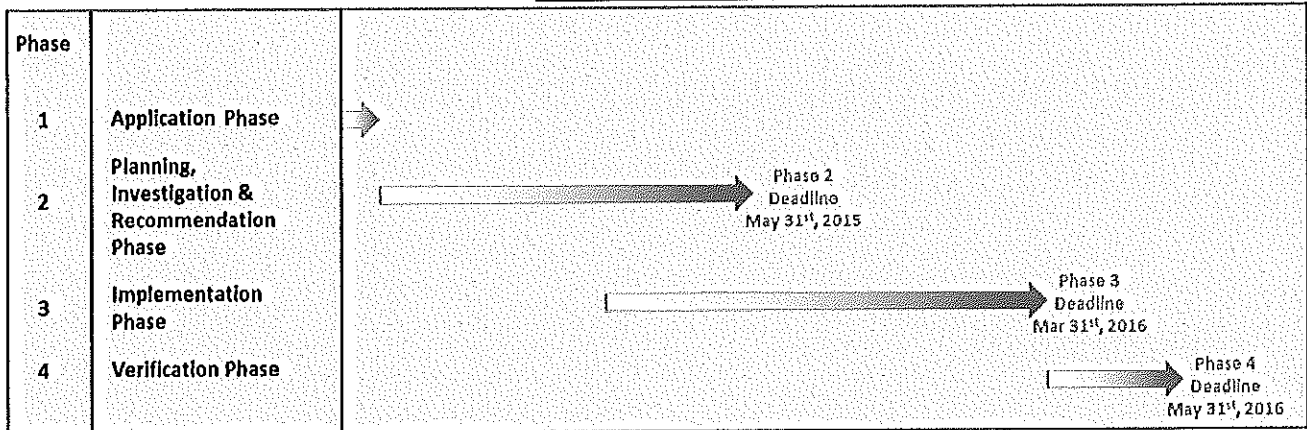
- **Customer Role:** Contract or arrange for implementation activities, and manage completion of recommended measures.
- **RSP Role:** Provide assistance to client, update customer selection form (if applicable), collect proof of RCM initiation.
- **Deliverable:** Implementation of Retro-commissioning Measures
- **Duration:** 2-10 months, depending on the month in which Implementation activities commence.

4. Verification Phase (*approx. 3-weeks-2 months*)

During the Verification Phase, the RSP evaluates facility trending data (from the building BAS, facility sub-meters, or utility meter) and revisits the site to verify that measures have been properly completed (e.g. new control strategies are functioning properly, repairs have been made, etc). The RSP then prepares and submits the Verification Report that summarizes the final findings and impacts from the project.

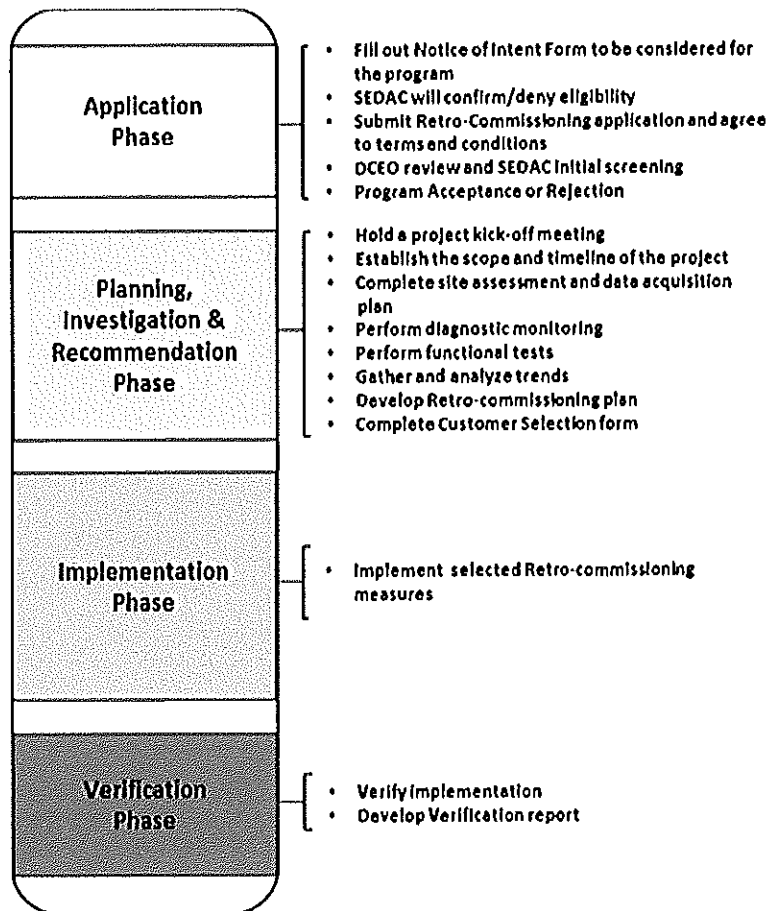
- **Customer Role:** Support RSP,s verification process
- **Deliverable:** Verification Report and Verified Customer Selection Form
- **Duration:** 3 weeks-2 months, depending on the month in which Verification activities are completed.

Project Timeline



Note: Implementation of selected measures to meet minimum \$10,000 requirement must be completed within 10 months from receipt of the Retro-Commissioning Plan or before March 31st, 2016, whichever deadline arrives first.

Retro-Commissioning Process Overview





PUBLIC SECTOR RETRO-COMMISSIONING PROGRAM • 2014-2015

APPLICATION

The Public Sector Retro-Commissioning (RCx) Program is available to qualifying public sector customers within the Commonwealth Edison and Ameren Illinois Utilities service areas. The goal of this program is to help facility owners identify and implement opportunities to improve the efficiency of major energy systems and reduce energy costs without adversely affecting facility or system operations.

Pre Application Checklist

Please confirm you meet the following minimum eligibility requirements before submitting an application to participate in the program:

- Are you an Ameren Illinois or Commonwealth Edison electricity delivery services customer, regardless of which electric supplier you have chosen to purchase power from?
- Are you an Ameren Illinois, Nicor Gas, North Shore Gas, or Peoples Gas natural gas delivery services customer?
- Is your building a public facility, such as government, municipal, or public school?
- Is your building at least 5 years old and exceeds 150,000 ft² in gross space?⁴
- Does your building have an existing and functional building automation system (BAS)?

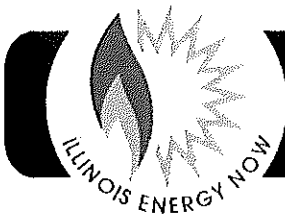
IF SELECTED FOR PARTICIPATION, CAN YOU ACCEPT THE FOLLOWING RESPONSIBILITIES?

- Are you willing to commit to spending at least \$10,000 on the implementation of selected retro-commissioning measures?
- Are you willing to provide access to the facility and time for facility personnel to interface with the retro-commissioning service provider during all phases of the project?
- Are you willing to provide and assist with the reporting and collection of information pertaining to the operation of the facility during all phases of the project? Additionally, if applicable, will you make every effort to allow the RSP access to the BAS?
- Are you willing to initiate implementation of at least one mutually selected retro-commissioning measure according to the scope and procedures outlined by SEDAC no later than May 31, 2015 and implement at least \$10,000 worth of selected measures within 10 months, or by March 31st, 2016, whichever deadline arrives first?

NEXT STEPS

If you answered yes to the above questions, please complete this application and submit it to SEDAC for consideration. In reviewing your application, SEDAC will look for evidence that cost-effective retro-commissioning opportunities exist at your facility. SEDAC's decision regarding selection of program applicants and the retro-commissioning program will be final and binding for all parties.

⁴ Preferably, the facility should be at least 5 years old and exceed 150,000 (gross) square feet. However, newer and smaller buildings with a high energy savings potential may be considered.



**PUBLIC SECTOR
RETRO-COMMISSIONING PROGRAM • 2014-2015**

Customer Acceptance of Application Terms

By signing below, I certify that:

- The information contained in this application is accurate and complete to the best of my knowledge, and I will provide additional information if requested;
- I have read and understood the obligations of program participants, including the commitment of \$10,000 to implement selected retro-commissioning measures, and I agree to make a good faith effort to comply with all requirements if selected for participation in the program;
- Ameren Illinois, Commonwealth Edison, Nicor Gas, North Shore Gas or Peoples Gas may release historical account data to the program administrator – including SEDAC (University of Illinois/360 Energy Group, LLC) and the assigned Retro-Commissioning Service Provider – for the facility under consideration.

(Signature of individual with authority to bind applicant to these terms required)

Signature: _____
Name (printed): _____
Title: _____
Date: _____

Submit Completed Applications To

For SEDAC RCx service, please send this completed application to:
312-264-2379 (fax) or RCx@SEDAC.org (email)

Questions may be directed to:
Robert Irmiger, 360EG SEDAC Program Manager
312-546-9961 (voice) or robert@SEDAC.org (email)

Contact Information

Facility name: US Cellular Coliseum	Facility owner name: City of Bloomington (Illinois)	
Facility address: 101 South Madison Street		
City: Bloomington	State: Illinois	Zip: 61701
Federal Employer Identification Number (FEIN): 376001563		
Project contact name: Jim Appio	Project contact title: Associate General Manger - Operations	
Project contact phone: 309-434-2665	Project contact fax: 309--434-2667	
Project contact email: jimappio@uscellularcoliseum.com		
Property manager: n/a	Property Management Firm: n/a	
Facility engineer: Russ Waller	Facility engineer firm: City of Bloomington	
Program referred to you by: Jim McNally, P.E. - McNally Engineers Ltd.		

General Facility Information

Facility name: US Cellular Coliseum		
Facility type: Ice rink, stadium		
Year of Construction: 2006	Number of Floors: 3	
Total floor area (ft ²): 180,000	Total conditioned area (ft ²): 180,000	% currently occupied: 100%

Electric Utility Account Info

Delivery company: <input checked="" type="checkbox"/> Ameren <input type="checkbox"/> ComEd	
Supply company (if different from delivery company): Homefield	
Account number(s): 62844-76009	Meter number(s): 07798534
Total annual electricity use (kW/yr): 4,765,143 kWh (2013)	Total annual electric cost (\$): \$343,046 (2013)
Electric peak demand (kW): 1,299 KW (2011)	Month of electric peak demand: July

Natural Gas Utility Account Info

Delivery company: <input type="checkbox"/> Ameren <input checked="" type="checkbox"/> Nicor Gas <input type="checkbox"/> North Shore Gas <input type="checkbox"/> Peoples Gas	
Supply company (if different from delivery company):	
Account number(s): 5620669770 0	Meter number(s): 1508833
Total annual gas use (therms/yr): 178,535 therms (2013)	Total annual gas cost (\$): \$97,639 (2013)

Facility General Description

Outline the major facility space types, their scheduling, and typical occupant density (e.g. 10,000 ft², 24 hour computer center that is unoccupied).

Describe the major interior loads of the facility and identify any that dictate how the HVAC system is operated. (Add additional rows as necessary.)

Space / Location	Type	# of Occupants	Scheduled Hours and Days of Occupancy
US Cellular Ice (Bowl)	Hockey stadium	Seats 5,000-hockey	Varies with scheduled events.
Pepsi Ice	Public ice rink	300	7AM-11PM (7 days/week)
Administrative	Offices		8AM-5PM (also occupied during schedul

Briefly describe past energy efficiency projects or studies completed for the facility.

SEDAC Level-III study, Lighting: T5 fixtures added at Bowl for non-event use.

Describe any currently planned energy efficiency, renovation, or equipment replacement/upgrade projects for the facility.

Present plans are to get the building HVAC & controls back to being fully operational.

Are there any scheduling issues that could affect the retro-commissioning work (e.g. major renovations or equipment replacements/upgrades)?

No

Facility Staff

Please identify key individuals responsible for the operation of the facility and state how long they have held their current positions.

Contact Name	Position	Years in this Position	Facility Responsibilities
Jim Appio	Asst. GM- Ops.	9 years	in charge of maintaining the facility
Brandon Scheirer	Facility Engr.	1.5 years	HVAC and control maintenance

Please indicate the level of access and capability the chief facility engineer, staff, and/or controls contractor have to interact with the facility's building automation system (BAS) (select one):

- None
- Some (e.g. able to adjust set points and schedules)
- Full (e.g. able to modify control logic and trend facility data)

Indicate what training resources are available to the facility staff (check all that apply):

- None
- In-house
- Manufacturer or vendor courses
- Utility courses
- College/vocational schools
- Professional associations
- Other: _____

Describe the facility manager's and staff's receptiveness to and interest in improving the energy efficiency of the facility.

Very interested in reducing energy use.

Is anyone tracking on-going energy use?

Monthly electricity and gas use is put into a spreadsheet.

If accepted into the program, designate individuals that will act as a part of the owner's project team and the amount of discretionary time to assist in the retro-commissioning process:

Position	Name	Amount of Time to Assist (per week)
Building Chief Engineer:	Brandon Scheirer	3-4 hrs/week
Operations Manager:	Jim Appio	2-3 hours/week
Safety Manager:		
Sustainability Coordinator:		
Internal Controls Specialist:		
External Controls Contractor:		
Others:		

Building Automation System

Identify the type and manufacturer of the facility's building automation system (BAS). If the facility does not have a BAS, please indicate.

JCI Metasys

Is the BAS capable of trending and storing data for numerous points simultaneously?

Yes

When is the BAS likely to be replaced or receive a major upgrade?

Not in near future

What components of the facility are controlled with direct digital control (DDC) equipment?

Fan Start/Stop, damper modulation, AHU and space temperature setpoint & control, valve modulation, Chilled & hot water temperature setpoint & control. Lighting control in ice rinks, public corridors, and concourse areas.

What components of the facility are controlled, not just actuated, pneumatically?

None

Summarize any peak load shedding strategies currently being used.

None

Is the BAS managed internally or through an external controls contractor? internally

If managed externally, please provide the following:

Controls Contractor Contact Info	
Company name:	Name of primary contact person:
Contact phone:	Contact email address:

Equipment Inventory

Please complete the following table listing the facilities major HVAC and lighting system components. Add more rows as necessary.

Equipment	Type	Size	Age
Cooling equipment			
Chiller 1 (example)	Centrifugal	300 tons	15 years
Chiller-1 (brine)	CIMCO	80 tons	8 years
Chiller-2 (brine)	CIMCO	80 tons	8 years
Chiller-3 (brine)	CIMCO	80 tons	8 years
Heat Rejection equipment			
Cooling Tower 1 (example)	Open, cross flow, induced draft	350 tons	15 years
Cooling tower-1	BAC centrifugal fan type	240 tons	8 years
Heating Equipment			
Boiler 1 (example)	Hot water condensing	1200 MBH	15 years
Boiler-1	(atmospheric)	1630 MBH	8 years
Boiler-2	(atmospheric)	1630 MBH	8 years)
Air handling equipment			
AHU 1 (example)	VAV w/hot water reheat	25,000 CFM	5 years
There are 17 RTUs in the building	CV w/ gas-fired heat & DX cooling	167,500 cfm	8 years
See attached Air Handler table.			

Air Handlers

US Cellular Coliseum
Bloomington, Illinois

Tag	Type Serves	Supply Air (CFM)	Fan Motor HP	Htg	AC
	TOTALS	167,500	207.5		
AHU-1	Bowl		75	Gas-fired	DX
AHU-2	Bowl		75	Gas-fired	DX
AHU-3	Lockers		5	Gas-fired	DX
AHU-4	Lockers		5	Gas-fired	DX
AHU-5	Pepsi Ice Dehumidifier		7.5	Gas-fired	
AHU-6	Admin Offices		5	Gas-fired	DX
AHU-7	Event Level Offices			Gas-fired	DX
AHU-8	Concourse		1	Gas-fired	DX
AHU-9	Concourse		1	Gas-fired	DX
AHU-10	Offices		3	Gas-fired	DX
AHU-11	Bldg Ofc		5	Gas-fired	DX
AHU-13	Kitchen		10	Gas-fired	DX
AHU-14	Sound Room		3	Gas-fired	DX
AHU-15	Entry		3	Gas-fired	DX
AHU-16	Rest. Dining Area		3	Gas-fired	DX
AHU-17	N. Suite Level Corridor		3	Gas-fired	DX
AHU-18	S. Suite Level Corridor		3	Gas-fired	DX

Domestic water heating equipment			
DHW 1 (example)	Natural gas fired	20,000 BTUH	10 years
DWH-1 & DWH-2 (showers)	Natural gas	400 MBH each	8 years
ZWH-1 & ZWH-2 (for Zambonis)	Natural Gas	200 MBH each	8 years
5 electric wtr htrs (for concessions)	Electric	18 KW each	8 years
Lighting systems			
Main office area (example)	32W T8s w/electronic ballasts	40% of occupied ft2	4 years
Main Ice (Bowl)	1000 Watt MH	40% Of bldg	8 years
Pepsi Ice	32W T8s w/elect ballast hibay fixtures	20% of bldg	4 years
Other areas	32W T8s w/ elect ballast 2x4 lay-in fixt	40% of bldg	8 years

Outline the current control strategies of the facility's HVAC and lighting systems.

Strategy	Description
Cooling Equipment	
What is the operating schedule of major cooling equipment?	Ice making: Available all year. RTUs have their own DX cooling system available on demand.
What is the chilled water supply temperature set point?	15 F to 8 F
What is the condenser water set point? Is it reset?	dna
Are there VFDs on the cooling tower fans?	No. There are 2-speed motors.
Describe the cooling equipment staging strategy.	Staging is to maintain brine temp. at setpoint.
Describe the use of any air-side or water-side economizers.	Compressor heat is used for underfloor (under ice) heating.
Heating Equipment	
What is the operating schedule of major heating equipment?	Available at all times in the year.
What is the maximum operating temperature?	180 Deg F
Describe the heating equipment staging strategy.	Boilers staged to maintain setpoint temp.
What is the entering and leaving water temperature? Is it reset?	yes
What is the flow rate?	don't know
What is the maximum working pressure?	12 psi
Air Handling Equipment	
Does the HVAC system have an automatic shutdown?	Yes. However it is not used due to problems.
Is an optimum start/stop strategy used?	No
Is the air distribution system VAV or CV?	CV
Are the VAV boxes Fan Powered?	n/a
For VAV systems, what is the supply static pressure set point?	n/a
For VAV systems, is a supply static pressure reset strategy used? If yes, please indicate the strategy(ies) used.	n/a
Are VAV terminal units DDC controlled through a global controller?	n/a
Do the VAV terminal units' DDC controllers have capability to be scheduled?	n/a

Does the facility use a zone temperature setback/setup strategy?	no.
What is the supply air temperature set point during the summer?	55 F
Is a supply air temperature reset strategy used? If yes, please indicate the strategy(ies) used. If there is not enough room on the application, please attach information to the application.	No.
What type of reheat does the air distribution system have, if any?	Hot water coils. Also, there are perimeter htg and unit heaters
What is the heating energy source (e.g. gas, electric)?	gas
How is outdoor air intake controlled?	fixed min oa. w/economizer control.
What is the minimum outside air fraction setting?	15%
Is the system equipped with zone isolation devices for minimizing energy use in off-peak hours?	No. However there are 18 separate RTUs in the building which can be controlled separately.
Is there exhaust air heat recovery?	Yes. there are air-side heat recovery units in the locker
Domestic water heating equipment	
What is the hot water set point temperature?	115-120 F,
Is there a circulating pump on the domestic hot water system? If so, is its operation scheduled?	Yes. It operates continuously.
Lighting systems	
Describe the lighting system controls and current scheduling.	Manual. Pepsi Ice & Main Ice lights OFF when unoccupied. Corridors and other large public areas' lights are controlled via the BAS.

Additional Questions

Describe the age and availability of any as-built drawings and sequences of operation for the facility's HVAC system?

All drawings are available in paper and digital forms. Sequences of operation may not be available.

What is currently the most prominent issue related to operation of the HVAC and lighting systems, and how is it being managed?

The biggest problem is keeping building pressure from going negative. There is 120,000cfm of exhaust fans installed. Some operate continuously. There is about 167,500 cfm of air handlers--+-72% OA. It is managed by running RTUs continuously.

Summarize problems or opportunities for improvement that currently exist related to the HVAC and lighting systems.

The problem:How to dial down HVAC systems between events (i.e to reduce space temperature and AHU air flow while not allowing condensation to form on building surfaces, and not allow building pressure to become negative relative to the outside.)

What is the primary source of occupant complaints within the facility?

Certain areas have +/- 13 Degree F temperature swings.

Describe any opportunities for improved operation and maintenance procedures at the facility.

Procedures are to be developed around properly functioning HVAC and Control systems. In support of this, a Master Event Schedule concept is being explored.

What are your top 5 priorities for facility operation?

1. Control building pressure
 2. Get all exhaust fans fully functioning on BAS. (Control and Status signals)
 3. Temperature control at concert events (have difficulty keeping the space cool). It appears to be a control issue.
 4. Get airside economizers to function.
 5. Better control of humidity.
-
-

What are your facility's energy efficiency or sustainability goals?

It is desired to achieve setback conditions during non-event periods. It is estimated that savings in excess of 25% may be attainable.

Are you willing to incorporate new procedures (such as equipment scheduling) into facilities operation?

Yes.

From: Robert Irmiger <robert@360eg.com>
To: "rwaller@cityblm.org" <rwaller@cityblm.org>

Date: Wednesday, January 21, 2015 02:55PM
Subject: IL Energy Now RCx program follow-up

Hi Russ,

Per our conversation today, below you will find references for past retro-commissioning projects completed in the IL Energy Now RCx program (frmly the SEDAC RCx program). Additionally, re: penalty for not implementing measures, while the full cost of the study is dependent on a number of factors, we are comfortable with a maximum liability (not to exceed) of \$65,000 for the City of Bloomington on the US Cellular project. Please note that this value could be lower and would likely fall in the range of \$30,000 - \$65,000 for the US Cellular Coliseum project. Per our conversation, the implementation cost minimum is well below this value at \$10,000.

As a friendly reminder, the RCx program is designed help public entities overcome one of the biggest project hurdles, which is the initial planning and identification of energy opportunities – as such, the program helps public entities overcome this hurdle by taking on the financial risk of the initial engineering analysis at no-cost to the client. If for any reason we do not identify enough energy savings opportunities within the total package simple payback of 1.5 yrs or less, your facility would not be required to meet the \$10,000 commitment, but would be asked to make a good faith effort in implementing energy savings measures.

References:

Logan County Courthouse (Lincoln, IL)

Jan Schumacher

217.737.8401

jschumacher@co.logan.il.us

Illinois School for the Deaf (Jacksonville, IL)

Chuck Black

217.370.6145

Charles.black@illinois.gov

Normal Children's Discovery Museum (Normal, IL)*

John Schoenbrun

309.824.5477

jschoenbrun@normal.org

Note: While I spoke to John Schoenbrun recently, this project was completed in 2009 and is one of our older and smaller projects.

Please let me know if you need any further information.

Thanks,



Robert Irmiger, Program Manager

360 Energy Group, LLC

8770 West Bryn Mawr Avenue, Suite 1300, Chicago, Illinois 60631, USA

Ph. 1.312.546.9961 • Fx. 1.312.264.0657 • robert@360eg.com • www.360eg.com

Co-Administering the Smart Energy Design Assistance Program • www.SEDAC.org



Websense: Click [here](#) to report this email as spam.



From: "Jim McNally" <jmcnally@mcnallyengineers.com>
To: "Russel Waller" <rwaller@cityblm.org>
Cc: "Robert Irmiger" <robert@360eg.com>, "Muhammad Salahuddin" <muhammad@360eg.com>

Date: Friday, January 23, 2015 04:15PM
Subject: US Cellular Coliseum: Retro-commissioning project

Hi Russ,

Below are a few thoughts about the proposed retro-commissioning project at the US Cellular Coliseum.

Benefits and Tasks:

Probable Savings. The initial estimate of excess energy costs which may be removed is about \$100,000. The overall payback is 1.5 years or less.

Conduct a considered evaluation of the root causes of excess energy use and the identification of changes to reduce energy use by an experienced energy engineer.

Develop projects to achieve the savings identified. Provide scope specifications.

Provide a cost/benefit analysis of the proposed projects to allow business decisions to be made.

Provide assistance during project implementation to ensure that energy savings are not compromised.

Conduct verification of savings to determine the actual effectiveness of measures implemented. Install devices for verification.

Energy Engineering Costs:

The cost of the energy engineering services is borne by SEDAC/DCEO.

Client Responsibility:

A least \$10,000 of measures selected are to be implemented by March 31, 2016.

Probable Projects:

Integrated controls strategies to reduce energy use.

Make use of energy efficiency equipment already installed but not implemented.

Operate spaces to meet needs when actually occupied.

Better manage systems during unoccupied periods.

Better control of exhaust air systems.

Other projects as may be identified.

Project staging:

Projects will be identified to allow phased implementation. Projects will also be sized to allow the minimum expenditure (\$10,000) to meet program requirements.

Risk:

Downside risk to the City is seen as minimal. It was mentioned that the budget for building automation system improvements was to be much larger than the retro-commissioning project minimum. Some projects identified are expected to be in harmony with work that may need to be done anyway.

Upside:

The upside potential is an integrated solution that incorporates intimate facility knowledge of the operators into automated settings and sequences.

The resulting system should:

- require less operator intervention,
- provide smoother operation,
- be more responsive to changes in occupancy, and
- save considerable energy and money.

We at McNally Engineers look forward to working with the City of Bloomington on this important project.

Regards,

Jim

Jim McNally, P.E.

Principal



McNally Engineers Ltd

On-Target Energy Services

Lindenhurst, IL 60046

847-456-6975

jmcnally@mcnallyengineers.com

www.mcnallyengineers.com

Websense: Click [here](#) to report this email as spam.

5 Identify and Evaluate Measures

The table below contains the economic summary of measures which have been evaluated. The purpose of these measures is to identify changes necessary to reduce energy use in the building and to empower building operators to do their job.

Measures having paybacks (i.e. those whose energy savings was estimated) are grouped in Package-1. The payback of this package meets the requirements of the RCx program.

“Suggested Program Measures” (Package-3) are attractive projects needed for energy-efficiency and empowerment of staff. Also included in this group are those which provide knowledge or add a convenience to the Owner.

“Customer-Selected Measures” are those the client agrees to implement.

		Probable Cost (\$)	Projected Annual Energy Cost Savings (\$)	Internal Rate of Return (IRR)(%)	Net Present Value (NPV)(\$)	Simple Payback (Years)
I. IDENTIFIED RETRO-COMMISSIONING MEASURES						
M-1: Control Lights in Building w/ Occupancy Sensors	Savings	\$20,711	\$4,689	19%	\$12,943	4.4
M-2: Use Occ. Ssr. Signals to Reset Space Temps & Min % Air	Savings	\$7,000	\$15,101	216%	\$101,383	0.5
M-3: Add VFDs to RF-1 and RF-2 Exhaust Fans	Savings & 2nd Flr Drip Prevention.	\$3,080	\$693	19%	\$1,893	4.4
II. O&M MEASURES						
OM-1. Close OA Damper in 2nd Flr. Mechanical Room	Comfort, Savings	\$1,000				
OM-2. Seal Penetration Openings in Mech'l. Rm. Interior Walls	Comfort, Savings	\$500				
OM-3. Investigate 2nd Flr West VAV Zone (Hot)	Comfort	\$500				
OM-4: Schedule Training Session on BAS Operation	Access, Knowledge	\$1,500				
OM-5: Add graphic/web/programmable Front End to JCI BAS	Access, Knowledge	\$20,000				
III. RCX + OM PACKAGES						
PKG-1 RCX Measures (M-1, -2, -3)	Savings	\$30,791	\$20,483	66%	\$116,220	1.5
PKG-2 RCX & OM Measures (M-1,2,3, OM-1,2,3,4,5,6)	Comfort, Savings, Access, knowledge	\$54,291	\$20,483	37%	\$92,720	2.7
IV. NON-RCX MEASURES						
ECRM-1: Lighting Retrofit - LL1 & LL2 Garages	Savings	\$19,055	\$3,069	10%	\$2,971	6.2
ECRM-2: Add Motion Sensors on 50% of LL1 & LL2 Garage Lites	Savings	\$3,150	\$1,160	36%	\$5,176	2.7
V. OTHER PACKAGES						
Pkg-A: All NON-RCX Projects (ECRMs-1, -2)	Savings	\$22,205	\$4,229	15%	\$8,147	5.3
Pkg-B All Projects (M-1, -2, -3, OM-1, -2, -3, -4, -5, ECRM-1, -2)	Savings	\$76,496	\$24,713	31%	\$100,874	3.1

Table 5.1 BPD: Summary of Measures: Economics

	Elect. Demand Savings (KW)	Elect. Cons. Savings (KWH)	Gas savings (Therms)	Annual Cost Savings (\$)	Comments
I. IDENTIFIED RETRO-COMMISSIONING MEASURES					
M-1: Control Lights in Building w/ Occupancy Sensors	11.9	135,166	-5,310	\$4,689	
M-2: Use Occ. Ssr. Signals to Reset Space Temps & Min % Air	1.8	58,505	20,898	\$15,101	
M-3: Add VFDs to RF-1 and RF-2 Exhaust Fans	2.3	9,747	0	\$693	
II. O&M MEASURES					
OM-1. Close OA Damper in 2nd Flr. Mechanical Room					
OM-2. Seal Penetration Openings in Mech'l. Rm. Interior Walls					
OM-3. Investigate 2nd Flr West VAV Zone (Hot)					
OM-4: Schedule Training Session on BAS Operation					
OM-5: Add graphic/web/programmable Front End to JCI BAS					
III. RCX + OM PACKAGES					
PKG-1 RCX Measures (M-1, -2, -3)	16.0	203,418	15,588	\$20,483	
PKG-2 RCX & OM Measures (M-1,2,3, OM-1,2,3,4,5,6)	16.0	203,418	15,588	\$20,483	
IV. NON-RCX MEASURES					
ECRM-1: Lighting Retrofit - LL1 & LL2 Garages	8.1	47,219	0	\$3,069	
ECRM-2: Add Motion Sensors on 50% of LL1 & LL2 Garage Lites	0.0	23,547	0	\$1,160	
V. OTHER PACKAGES					
Pkg-A: All NON-RCX Projects (ECRMs-1, -2)	8.1	70,766	0	\$4,229	
Pkg-B All Projects (M-1, -2, -3, OM-1, -2, -3, -4, -5, ECRM-1, -2)	24.1	274,185	15,588	\$24,713	

Table 5.2 BPD: Summary of Measures: Energy

Energy Cost Reduction Measure (ECRM) or Package of ECRMs	Probable Project Cost (\$)	Probable Rebate (\$)	Probable Net Project Cost (\$)	Probable Payback with Rebate (Yrs)	Probable Percent Paid by Rebate (%)
M-1: Control Lights in Building w/ Occupancy Sensors	\$20,711	\$0	\$20,711	4.4	0%
M-2: Use Occ. Ssr. Signals to Reset Space Temps & Min % Air	\$7,000	\$0	\$7,000	0.5	0%
M-3: Add VFDs to RF-1 and RF-2 Exhaust Fans	\$3,080	\$0	\$3,080	4.4	0%
II. O&M MEASURES					
OM-1. Close OA Damper in 2nd Flr. Mechanical Room	\$1,000	\$0	\$1,000		
OM-2. Seal Penetration Openings in Mech'l. Rm. Interior Walls	\$500	\$0	\$500		
OM-3. Investigate 2nd Flr West VAV Zone (Hot)	\$500	\$0	\$500		
OM-4: Schedule Training Session on BAS Operation	\$1,500	\$0	\$1,500		
OM-5: Add graphic/web/programmable Front End to JCI BAS	\$20,000	\$0	\$20,000		
III. RCX + OM PACKAGES					
PKG-1 RCX Measures (M-1, -2, -3)	\$30,791	\$0	\$30,791	1.5	0%
PKG-2 RCX & OM Measures (M-1,2,3, OM-1,2,3,4,5,6)	\$54,291	\$0	\$54,291	2.7	0%
IV. NON-RCX MEASURES					
ECRM-1: Lighting Retrofit - LL1 & LL2 Garages	\$19,055	\$4,851	\$14,204	4.6	25%
ECRM-2: Add Motion Sensors on 50% of LL1 & LL2 Garage Lites	\$3,150	\$922	\$2,228	1.9	29%
V. OTHER PACKAGES					
Pkg-A: All NON-RCX Projects (ECRMs-1, -2)	\$22,205	\$5,773	\$16,432	3.9	26%
Pkg-B All Projects (M-1, -2, -3, OM-1, -2, -3, -4, -5, ECRM-1, -2)	\$76,496	\$5,773	\$70,723	2.9	8%

Table 5.3 BPD: Summary of Measures: Incentives

Note that if a utility rebate is selected, the expense of that measure does not count against the required \$10,000 contribution of the client for retro-commissioning measures.



FOR COUNCIL: February 9, 2015

SUBJECT: Supplemental Motor Fuel Tax (MFT) Resolution for Dr. Martin Luther King Jr. Dr. (Oakland to Washington) MFT Section 82-00240-00-PV

RECOMMENDATION/MOTION: Recommend that the Supplemental MFT Section 82-00240-00-PV in the amount of \$30,000 be approved, the Mayor and City Clerk authorized to execute the necessary documents, and the Resolution adopted.

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

STRATEGIC PLAN SIGNIFICANCE: Objective 1d. City services delivered in the most cost-effective, efficient manner, and Objective 2a. Better quality roads and sidewalks.

BACKGROUND: The design of this project was first proposed in the early 80's, over thirty (30) years ago, as an extension of Alexander Rd. The scope included extending Dr. Martin Luther King Jr. Dr. (Alexander Rd.) as a four, (4) lane urban cross section from Oakland Ave. to Washington St.

The Public Works Department is making an effort to reconcile older MFT projects with the Illinois Department of Transportation (IDOT). A recent IDOT audit shows a number of outstanding requirements including the one for this project. While none of the outstanding items are anticipated to be of major concern, multiple resolutions will be needed to finalize the outstanding items.

On February 23, 2004 Council approved a contract for professional services with Lewis, Yockey & Brown, Inc. (LYB) in the amount of \$120,000 for the design of Dr. Martin Luther King Jr. Dr. from Oakland Ave. to Washington St.. On August 8, 2005, Council approved a MFT Resolution appropriating \$120,000 for the project design. On August 25, 2008 Council approved a Change Order to the contract with LYB in the amount of \$30,000.

A MFT Resolution is required to allocate funds for the design contract. The Supplemental MFT Resolution in the amount of \$30,000 was included with the August 25, 2008 Change Order due to administrative oversight.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: IDOT, District 5.

FINANCIAL IMPACT: There is no additional financial impact beyond what was previously authorized by Council in approving the contract in 2004 and the change order in 2008.

Respectfully submitted for Council consideration.

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

Reviewed by: Steve Rasmussen, 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. MFT Resolution

Motion: That the Supplemental MFT Section 82-00240-00-PV in the amount of \$30,000 be approved, the Mayor and City Clerk 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			



**Illinois Department
of Transportation**

**Supplemental
Resolution for Improvement by
Municipality Under the Illinois
Highway Code**

BE IT RESOLVED, by the Mayor and Council of the _____ Council or President and Board of Trustees

City of Bloomington Illinois
City, Town or Village

that the following described street(s) be improved under the Illinois Highway Code:

Name of Thoroughfare	Route	From	To
Dr. Martin Luther King Jr. Drive		Oakland Avenue	Washington Street

BE IT FURTHER RESOLVED,

1. That the proposed improvement shall consist of Right of Way acquisition and Engineering Design to extend
a 4-lane urban section roadway on new alignment from Oakland Avenue to Washington Street.

_____ and shall be constructed _____ wide
and be designated as Section 82-00240-00-PV

2. That there is hereby appropriated the (additional Yes No) sum of Thirty thousand and -----
----- zero /100 Dollars (\$30,000.00) for the
improvement of said section from the municipality's allotment of Motor Fuel Tax funds.

3. That work shall be done by contract _____ ; and,
Specify Contract or Day Labor

BE IT FURTHER RESOLVED, that the Clerk is hereby directed to transmit two certified copies of this resolution to the
district office of the Department of Transportation.

Approved _____
Date _____
Department of Transportation
Regional Engineer _____

I, _____ City Clerk in and for the
City of Bloomington
City, Town or Village
County of McLean , hereby certify the
foregoing to be a true, perfect and complete copy of a resolution adopted
by the City Council
Council or President and Board of Trustees
at a meeting on February 9, 2015
Date
IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this
_____ day of _____
(SEAL)

City, Town, or Village Clerk



FOR COUNCIL: February 9, 2015

SUBJECT: Revision of October 25, 2004 IMRF Resolution 2004-88; Resolution to Include Compensation Directed Into a Retirement Health Savings Plan (RHS) as IMRF (Illinois Municipal Retirement Fund) Earnings

RECOMMENDATION/MOTION: Recommend Approval of the Revised Resolution to Exclude Certain Compensation Directed into a Retirement Health Savings Plan (RHS) as IMRF (Illinois Municipal Retirement Fund) Earnings be approved, and the Mayor and City Clerk authorized to execute the necessary documents and the Resolution adopted.

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: An IMRF audit of administrative practices was conducted in spring of 2014. During that audit, IMRF noted (see attached audit section) that a previous Resolution 2004-88 adopted on October 25, 2004 by the Council requires updating to match the City's ongoing practice of excluding monthly sick leave payments from IMRF earnings. The monthly contributions were never intended by the City to be considered as IMRF earnings and have never been reported to IMRF as earnings. This is permissible under IMRF regulations. Sick leave paid into the RHS plan upon a qualifying employee's retirement will continue to be considered IMRF earnings and is not affected by this revision to the 2004 resolution.

The monthly contributions of sick leave have never been reported as earnings to IMRF. There will be no change to the City's pension liability with the adoption of the recommended revised resolution. Adopting this resolution will result in IMRF resolution records matching the City's practice.

Payments earned by some employees, are deposited to employees' RHS accounts. IMRF requested that a revision to the resolution be passed and submitted to them which clearly states that the monthly contributions of sick leave to RHS accounts are not to be considered as IMRF earnings.

The original resolution did not address the monthly contributions. Monthly contributions began July 2005. The section of the IMRF audit report requesting this revision is attached.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable.

FINANCIAL IMPACT: None.

Respectfully submitted for Council consideration.

Prepared by: Laurie Wollrab, Compensation and Benefit Manager

Reviewed by:

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

Legal review by: Emily Reid-Peterson, Sorling Northrup
Jeffrey R. Jurgens, Corporation Counsel

Recommended by:



David A. Hales
City Manager

Attachments: Attachment 1. IMRF Audit
Attachment 2. Resolution 2004-88
Attachment 3. Resolution

Motion: The Approval of the Revised Resolution to Exclude Certain Compensation Directed into a Retirement Health Savings Plan as IMRF (Illinois Municipal Retirement Fund) Earnings be approved, and the Mayor and City Clerk 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			

#	Finding	Recommendation	Due Date
13	<p>We performed a reconciliation of gross 2013 wages (from your payroll reports) to the wages reported to IMRF for several randomly selected employees. As a result of this reconciliation, we noted that you are excluding contributions to Retirement Health Savings plan for monthly sick leave buyback from IMRF wages even though IMRF Form 6.73 "Resolution to Include Compensation directed into a Retirement Health Savings Plan" was filed with the IMRF on December 8, 2004.</p> <p>Upon further discussion, we noted that effective July 2005 the City began allowing monthly sick leave payouts to go into the Retirement Health Savings Plans; however those additional amounts were not reported to IMRF. The monthly sick leave component was added at a later date and it was not the City's intention for these amounts to be reportable to IMRF; therefore these wages may be excluded from IMRF earnings as long as there is a resolution supporting such reporting.</p>	<p>Please submit a new Form 6.73 ("Suggested Resolution to Include Compensation directed into a Retirement Health Savings plan") noting the City wishes to exclude monthly sick leave payouts. The City also has the option to prepare its own resolution detailing the components of the Retirement Health Savings Plan it wants to be reportable to IMRF and which items are not reportable.</p>	7/31/2014



Suggested resolution to include compensation directed into a Retirement Health Savings Plan as IMRF earnings

IMRF Form 6.73 (Rev. 04/03)

PLEASE ENTER Employer IMRF I.D. Number
3327

RESOLUTION

Number 2004-88

WHEREAS, standard member earnings reportable to the Illinois Municipal Retirement Fund may not include certain forms of compensation directed into a Retirement Health Savings Plan; and

WHEREAS, the governing body of an IMRF participating unit of government may elect to include in IMRF earnings all compensation directed into a Retirement Health Savings Plan; and

WHEREAS, the City Council of the City of Bloomington BOARD, COUNCIL, etc.

City of Bloomington EMPLOYER NAME is authorized to include compensation directed into a Retirement Health Savings Plan as earnings reportable to IMRF and it is desirable that it do so.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Bloomington BOARD, COUNCIL, etc.

City of Bloomington EMPLOYER NAME does hereby elect to include as earnings reportable to IMRF compensation directed into a Retirement Health Savings Plan effective October 25, 2004 EFFECTIVE DATE.

BE IT FURTHER RESOLVED that the City Clerk CLERK OR SECRETARY OF THE BOARD is authorized and directed to file a duly certified copy of this resolution with the Illinois Municipal Retirement Fund.

CERTIFICATION

I, Tracey Covert NAME, the City Clerk CLERK OR SECRETARY of the City of Bloomington EMPLOYER NAME of the County of McLean COUNTY, State of Illinois, do hereby certify that I am keeper of its books and records and that the foregoing is a true and correct copy of a resolution duly adopted by its City Council GOVERNING BODY at a meeting duly convened and held on the 25th day of October, 20 04.

SEAL

CLERK OR SECRETARY OF THE BOARD

Illinois Municipal Retirement Fund

Suite 500, 2211 York Road, Oak Brook Illinois 60523-2337
Service Representatives 1-800-ASK-IMRF (1-800-275-4673)

www.imrf.org

Resolution to Exclude Certain Compensation Directed Into a Retirement Health Savings Plan as IMRF Earnings

IMRF I.D. Number: 3327

Resolution

Number _____

WHEREAS, standard member earnings reportable to the Illinois Municipal Retirement Fund may or may not include certain forms of compensation directed into a Retirement Health Savings Plan; and

WHEREAS, the governing body of an IMRF participating unit of government may elect to include or exclude in IMRF earnings compensation directed into a Retirement Health Savings Plan; and

WHEREAS, the City Council of the City of Bloomington is authorized to include or exclude compensation directed into a Retirement Health Savings Plan as earning reportable to IMRF;

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Bloomington does hereby elect to EXCLUDE from earnings reportable to IMRF the compensation directed into a Retirement Health Savings Plan which is contributed to certain employees ON A MONTHLY BASIS. These payments are not now and never have been reported to IMRF as earnings.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Bloomington does hereby elect to continue to include as earnings reportable to IMRF the compensation directed into a Retirement Health Savings Plan which is contributed to certain employees upon their retirement. These payments were established as included in IMRF earnings in the resolution adopted by the City Council of the City of Bloomington on October 25, 2004; Resolution 2004-88.

CERTIFICATION

I, _____, the City Clerk of the City of Bloomington of
Clerk or Secretary

the County of Mclean, State of Illinois, do hereby certify that I am keeper of its books and

records and that the foregoing is a true and correct copy of a resolution duly adopted by its City Council at a meeting duly convened and held on the 9th day of February, 2015.

SEAL

City Clerk or Secretary of the Board

DRAFT



FOR COUNCIL: February 9, 2014

SUBJECT: Petition submitted by John G. Nottoli Land Trust requesting the approval of a Rezoning from M-1, Restricted Manufacturing District to B-2, General Business Service District for property located north of Oakland Ave., west of McClun St., and east of the Constitution Trail

RECOMMENDATION/MOTION: Recommend that the Rezoning be approved and the Ordinance Passed.

STRATEGIC PLAN LINK: Goal 3. Grow the Local Economy and Objective D, Expanded Retail Businesses.

STRATEGIC PLAN SIGNIFICANCE: Goal 3d. Expand retail businesses.

BACKGROUND: The site subject to the rezoning has frontage and access on the north side of E. Oakland Ave. and the west side of S. McClun St. Over recent decades the site has been used for semi-trailer storage and manufacturing or industrial uses but currently it is vacant. It is void of any structures except fencing and consists of approximately 2.2 acres. The owner intends to construct a new Dollar General retail store, after approval.

There is a mix of land uses adjacent to the subject property including residences, small contractor shops, a cement plant, a cosmetology Institute, a mini-warehouse and Constitution Trail. The site, as well as adjacent sites, there is intense industrial uses within the area then in previous decades. This was especially true when there was an active rail line adjacent to the site serving manufacturing uses. Constitution Trail is in place of the railroad and there are less heavy industrial uses in the area.

The site appears to be more conducive to retail than heavy industrial. The subject property is adjacent to the Constitution Trail to the west and a retail store is more compatible for trail users than many industrial uses allowed by current zoning. The industrial land uses on the west side of the trail are light industrial. The trail's elevation increases as it approach's Oakland creating a sizeable buffer for any new retail business from the industrial uses to the west.

There are three (3) adjacent residential uses to the east which at times might be viewed as incompatible with a B-2 zone as proposed. Those parcels also have a B-2 zoning. A proposed zoning is compared with what an adjacent site is zoned verses the land use are to the potential both sites development. Most B-2 land uses will be less objectionable than the M-1 industrial uses that are allowed now on the site without rezoning. The B-2 zone also already exists for the adjacent parcels to the east, but parcels to the northeast, and the entire east side of McClun St. to Grove St. Thus the B-2 zone is appropriate given what already exists to the east and north.

PLANNING COMMISSION: This case was before the Planning Commission for a public hearing and review on January 14, 2015. Staff explained the rezoning is an extension of the zoning from the east and northeast and the B-2 uses are more suitable for than the industrial uses allowed in the M-1 zone. Also the adjacent Constitution Trail which slopes upward as it approaches Oakland Ave., will buffer the new retail use from the industrial uses to the west.

The petitioner stated the request is for a good use of the land in relation to the other B-2 zoning. The site would be for a Dollar General store.

Three (3) people from the public spoke stating they had no objection to the rezoning and stated that it makes good sense for the area. They also stated their need for access to the subject site. The petitioner explained that Dollar General has not intended to prohibit access to the site and may even sell part of the land to the adjacent owner. Planning commissioners agreed this would not impact the rezoning and encouraged the petitioner to coordinate their plans with the neighbors. The Planning Commission voted 7-2 to recommend, 1) the council approve the rezoning and 2) for staff to consider the adjacent business access in the plan review. These recommendations are consistent with staff's position.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Public notice was published in the Pantagraph Monday, December 29, 2014 in accordance with City Code. In accordance with the Zoning Code (Ordinance No. 2006-137), courtesy copies of the Public Notice were mailed to approximately ninety-seven (97) property owners within 500 feet. In addition, two public notice/identification signs were posted on the property.

FINANCIAL IMPACT: If the rezoning is approved, there should be an increase in property and sales taxes for the city with the new construction and property improvements.

Respectfully submitted for Council consideration.

Prepared by: Mark Woolard, City Planner

Reviewed by: Tom Dabareiner, Director of Community Development
Steve Rasmussen, 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. Petition
 - Attachment 2. Ordinance
 - Attachment 3. Legal
 - Attachment 4. Aerial Photo
 - Attachment 5. Labels
 - Attachment 6. Rezoning Parcel Map
 - Attachment 7. Draft PC Report
 - Attachment 8. Site Photos
 - Attachment 9. Site Photos 2
 - Attachment 10. Draft PC Minutes

Motion: **That the Rezoning be approved 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			

PETITION FOR ZONING MAP AMENDMENT

State of Illinois)
) ss.
County of McLean)

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

Now comes John G. Nottoli Land Trust, 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 therein of the premises hereinafter legally described in Exhibit A, which is attached hereto and made a part hereof by this reference, or 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 said premises legally described in Exhibit "A" presently has a zoning classification of M – 1, Restricted Manufacturing District under the provisions of Chapter 44 of the Bloomington City Code, 1960;
3. That the present zoning on said premises is inappropriate due to error in original zoning, technological changes altering the impact or effect of the existing land uses, or the area in question having changed such that said present zoning is no longer contributing to the public welfare;
4. That your petitioners hereby request that the Official Zoning Map of the City of Bloomington, McLean County, Illinois be amended to reclassify said premises into the B – 2, General Business Service District, zoning district classification;
5. That said requested zoning classification is more compatible with existing uses and/or zoning of adjacent property than the present zoning of said premises; and
6. That said requested zoning classification is more suitable for said premises and the benefits realized by the general public in approving this petition will exceed the hardships imposed on your petitioner by the present zoning of said premises.

WHEREFORE, your petitioner respectfully prays that the Official Zoning Map of the City of Bloomington, McLean County, Illinois be amended by changing the zoning classification of the above-described premises from M - 1 to B - 2.

Respectfully submitted,

By: _____
A. Clay Cox

ORDINANCE NO. 2015 - ____

**AN ORDINANCE REZONING
OF THE PROPERTY LOCATED AT S. MCCLUN BLOOMINGTON, IL 61701
FROM M – 1, RESTRICTED MANUFACTURING DISTRICT TO B – 2, GENERAL
BUSINESS SERVICE DISTRICT**

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

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

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

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

1. That the premises hereinafter described in Exhibit “A” shall be and the same are hereby rezoned from M - 1 District to B - 2 District.
2. The Official Zoning Map of said City shall be amended to reflect this change in zoning classification.
3. This Ordinance shall take effect immediately upon passage and approval.

PASSED this 9th day of February, 2015.

APPROVED this ____ day of February, 2015.

APPROVED:

Tari Renner
Mayor

ATTEST:

Tracey Covert
City Clerk

EXHIBIT A

Tract No. 1: Lot 6 and the South 20 feet of Lot 5 in L. E. and J. B. Holmes Addition to the City of Bloomington, in McLean County, Illinois.

Tract No. 2: Lot 4 and 5 (except the South 20 feet of Lot 5 thereof) and except the North 78 feet of the East 90 feet of said tract, all in L. E. and J. B. Holmes Addition to the City of Bloomington, in McLean County, Illinois.

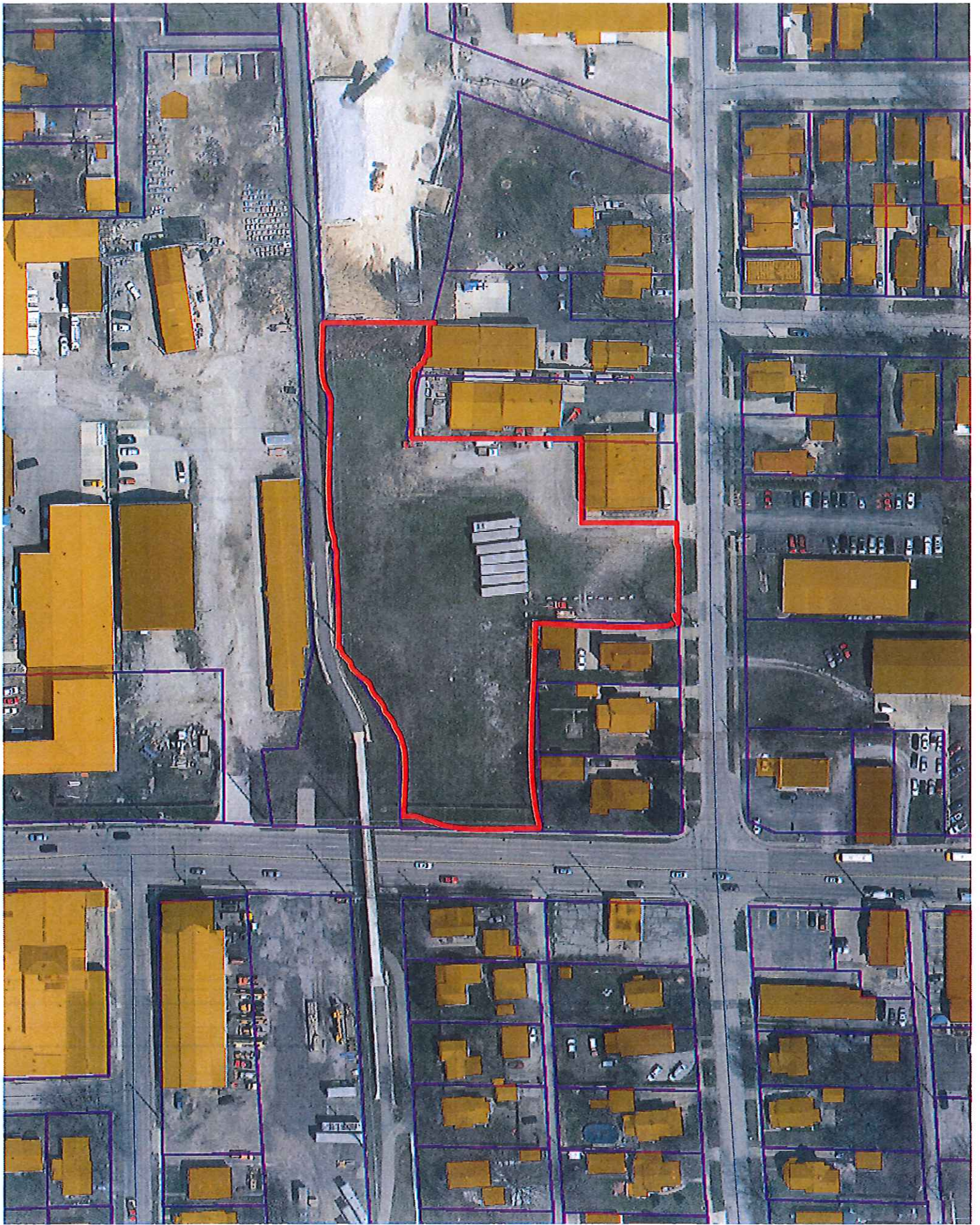
Tract No. 3: A part of Lot 20 in the Subdivision of South 1/2 of Section 3, Township 23 North, Range 2 East of the Third Principal Meridian, described as follows: Commencing at Southwest corner of Lot 20; thence East along North line of Oakland Avenue formerly Clay Street 138.06 feet; thence North 323.25 feet more or less to L. E. and J. B. Holmes Addition to the City of Bloomington; thence West 135.5 feet; thence South 321.7 feet more or less to a point of beginning, in McLean County, Illinois.

Tract No. 4: A part of the Southwest 1/4 of Section 3, Township 23 North, Range 2 East of the Third Principal Meridian, in the City of Bloomington, McLean County, Illinois more particularly described as follows: Beginning at the Southwest corner of Lot 4 in L. E. and J. B. Holmes Addition to the City of Bloomington, and which point is also on the West line of Lot 20 in the Subdivision of the South 1/2 of Section 3, Township 23 North, Range 2 East of the Third Principal Meridian. From said point of beginning, thence South 241.07 feet along the West line of said Lot 20, thence West 72.25 feet along a line which forms a right angle, with the last described course, thence Northeast 46.64 feet along a line which forms an angle to the left of 81 degrees 12 minutes from the last described course, thence Northeast 50 feet along South line which forms an angle to the left of 178 degrees 57 minutes with the last described course, thence Northeast 66 feet along a line which forms an angle to the left of 175 degrees 23 minutes with the last described course, thence Northeast 66 feet along a line which forms an angle to the left of 177 degrees 59 minutes with the last described course, thence Northeast 20 feet along a line which forms an angle to the left of 180 degrees 56 minutes with the last described course, thence East 15.9 feet along South line which forms an angle to the left of 102 degrees 53 minutes with the last described course to the point of beginning, EXCEPTING THEREFROM that part conveyed to the City of Bloomington in Warranty Deed recorded July 14, 2009-22476 in McLean County, Illinois.

Tract No. 5: Certain property forming a portion of the right of way of the Illinois Central Gulf Railroad Company's abandoned Amboy District said property situated in the Southwest 1/4 of the Southwest 1/4 of Section 3, Township 23 North, Range 2 East of the Third Principal Meridian, at Bloomington, in McLean County, Illinois, described as follows: From the Southeast corner of Lot 16 in Parker's Addition to the City of Bloomington, said point situated in the West line of McClun Street, run Southerly along said West line, 50 feet to a point; thence Westerly along a line forming an angle to the right of 110 degrees 58 minutes with the Southerly extension of the last described course, a distance of 219.81 feet to a point in the Southerly extension of the West line of said Lot 16, thence Southerly along said West line of Lot 16 extended, 49.06 feet to a corner of that along said West line of Lot 16 extended, 49.06 feet to a corner of that 2.55 acre tract of land conveyed by Grantor to Modahl & Scott, Inc. by Deed dated April 15, 1974, being

the point of beginning, thence Westerly at a right angle to the last described course 65.0 feet to a property corner; thence Southerly at a right angle to the last described course, 50.0 feet to a property corner; thence Westerly at a right angle to last described course, 83.59 feet to property corner, said point being in the East line of that 1.79 acre tract of land conveyed by Grantor in J. Finfrock by Deed dated March 31, 1986, thence Southerly along the East line of said "Finfrock" track, and along the East line of that 2.26 acre tract of land conveyed by Grantor to the Schwulst Building Center, Inc. by Deed dated February 28, 1986, passing the Southeast corner of said "Finfrock" tract at 49.06 feet, a total distance of 419 feet more or less to a point in the West line of that 0.24 acre tract of land conveyed to the State Farm Mutual Automobile Insurance Company April 7, 1997, thence Northeasterly along the aforesaid West line of the 0.24 acre "State Farm" tract, 150 feet more or less to a Northwest corner thereof in the Westerly extension of the North line of Lot 5 in Holmes Addition, thence Easterly along said North line of Lot 5, extended, 25 feet more or less to the Northeast corner of said 0.24 acre tract, being Grantor's property corner, thence Northeasterly in a straight line 260 feet more or less to Grantor's property corner in the aforesaid Southerly extension of the West line of Lot 16 in Parker's Addition, thence Northerly along said West line of Lot 16 extended 50 feet more or less to return to the point of beginning, except all coal, oil, gas and other minerals together with the right to mine and remove the same, also except the following: That part of the Illinois Central Gulf Railroad Company's right of way situated in the Southwest 1/4 of the Southwest 1/4 of Section 3, Township 23 North, Range 2 East of the Third Principal Meridian, described as follows:

Commencing at the Southwest corner of Lot 16 in Parker's Addition to the City of Bloomington, thence South 01 degrees 16 minutes 53 seconds East 99.06 feet on the Southerly extension of the West line of the said Lot 16 to the True Point of Beginning, said point being a corner of land conveyed to Modahl and Scott, Inc. by Deed and plat recorded as Document Number 74-8918; thence South 88 degrees 43 minutes 07 seconds West 65.0 feet, thence South 01 degrees 16 minutes 53 seconds East 50.00 feet, thence South 88 degrees 43 minutes 07 seconds West 83.59 feet to the East line of a tract conveyed to J. Finfrock by Deed recorded as Document Number 86-4669, thence South 01 degrees 08 minutes 53 seconds West 113.94 feet on the East line of said Finfrock tract and the East line of a tract of land conveyed to Schwulst Building Center, Inc. by Deed recorded as Document Number 86-5112 to the Westerly extension of the South line of Lot 1 in L. E. & J. B. Holmes Addition to the City of Bloomington; thence South 86 degrees 57 minutes 35 seconds East 106.39 feet on the Westerly extension of the South line of the said Lot 1 to the Southwest corner of the said Lot 1, thence North 15 degrees 12 minutes 17 seconds East 150.69 feet on the West line of the said Lot 1 and on the Northerly extension of the West line of the said Lot 1 to the point of intersection with the Southerly extension of the West line of the said Lot 16 in Parker's Addition, thence North 01 degrees 16 minutes 53 seconds West 27.46 feet on the Southerly extension of the West line of the said Lot 16 to the point of beginning, and all being situated in the City of Bloomington, in McLean County, Illinois.





MK2 PROPERTIES
3105 CUMBRIA DR
BLOOMINGTON IL 61704-1266

[REDACTED]
806 N TOWANDA AVE
BLOOMINGTON IL 61701-3337

[REDACTED]
603 S MCCLUN ST
BLOOMINGTON IL 61701-5517

[REDACTED]
710 Bunn St
Bloomington IL 61701-5445

[REDACTED]
708 BUNN ST
BLOOMINGTON IL 61701-5445

[REDACTED]
915 OAKLAND AVE
BLOOMINGTON IL 61701

[REDACTED]
608 S Clinton
Bloomington IL 61701
(South Oakland Contact already sent.)

• Dimmitt's Grove
[REDACTED]
613 E Grove APT #1
Bloomington IL 61701

TOTAL SENT : 97

CITY OF BLOOMINGTON
109 E OLIVE
BLOOMINGTON IL 61701

[REDACTED]
205 CHANNEL DRIVE
NOVATO CA 94945

[REDACTED]
1501 JULIE DR
BLOOMINGTON IL 61701-6834

[REDACTED]
1101 E OAKLAND AVE
BLOOMINGTON IL 61701-5523

[REDACTED]
JAMES STEPHENSON
8 Pickwick Ln
Mackinaw IL 61755-9674

[REDACTED]
1501 JULIE DR
BLOOMINGTON IL 61701-6834

MWAA
600 N MAIN ST
ELLSWORTH IL 61737

[REDACTED]
605 S MCCLUN ST
BLOOMINGTON IL 61701-5517

[REDACTED]
806 TOWANDA AVE
BLOOMINGTON IL 61701-3337

MK2 PROPERTIES LLC
3105 CUMBRIA DR
BLOOMINGTON IL 61704-1266

[REDACTED]
816 E ELM ST
BLOOMINGTON IL 61701-5453

[REDACTED]
813 E MACARTHUR AVE
BLOOMINGTON IL 61701-5454

[REDACTED]
811 E MACARTHUR AVE
BLOOMINGTON IL 61701-5454

[REDACTED]
1731 E LINCOLN ST
BLOOMINGTON IL 61701-6966

[REDACTED]
1801 JOHNSON DR
NORMAL IL 61761-2206

[REDACTED]
703 BUNN ST
BLOOMINGTON IL 61701-5444

[REDACTED]
614 S MCCLUN
BLOOMINGTON IL 61701

[REDACTED]
1105 E OAKLAND AVE
BLOOMINGTON IL 61701-4535

[REDACTED]
6962 Alexander Rd
Heyworth IL 61745-8823

[REDACTED]
604 S INDIANAPOLIS
BLOOMINGTON IL 61701

[REDACTED]
1501 JULIE DR
BLOOMINGTON IL 61701-6834

[REDACTED]
% KELLERS IRON SKILLET 609 HANNAH ST
BLOOMINGTON IL 61701-5501

[REDACTED]
616 Indianapolis St
Bloomington IL 61701-5566

[REDACTED]
608 Indianapolis St
Bloomington IL 61701-5566

[REDACTED]
613 S MCCLUN ST
BLOOMINGTON IL 61701-5517

[REDACTED]
606 INDIANAPOLIS ST
BLOOMINGTON IL 61701-5566

[REDACTED] SOLE MEMBE
HOME BUYERS OF BLM LLC
PO BOX 6031
CHAMPAIGN IL 61826-6031

[REDACTED]
615 S MCCLUN ST
BLOOMINGTON IL 61701-5517

[REDACTED]
806 TOWANDA AVE
BLOOMINGTON IL 61701-3337

[REDACTED]
1101 E OAKLAND AVE
BLOOMINGTON IL 61701-5523

[REDACTED]
505 S MCCLUN ST
BLOOMINGTON IL 61701-5546

[REDACTED]
2827 CAPODICE RD
BLOOMINGTON IL 61704-5622

[REDACTED]
2900 E OAKLAND
BLOOMINGTON IL 61704

[REDACTED]
13 FELTON PL
BLOOMINGTON IL 61701

[REDACTED]
1731 E LINCOLN ST
BLOOMINGTON IL 61701-6966

[REDACTED]
CITY OF BLOOMINGTON
109 E OLIVE ST
BLOOMINGTON IL 61701

[REDACTED]
ATTN CFO VCA PRAIRIE ILLINOIS INC
7601 W 79TH STREET
BRIDGEVIEW IL 60455

[REDACTED]
PO BOX 1388
BLOOMINGTON IL 61702-1388

[REDACTED]
DIAMOND VOGEL PAINT
PO BOX 380
ORANGE CITY IA 51041-0380

[REDACTED]
907 E GROVE ST
BLOOMINGTON IL 61701-4201

[REDACTED]
ILLINOIS POWER CO
PO BOX 66149 MC-210
SAINT LOUIS MO 63166-9989

[REDACTED]
408 S ROBINSON
BLOOMINGTON IL 61701

[REDACTED]
408 ROBINSON
BLOOMINGTON IL 61701

[REDACTED]
402 S ROBINSON ST
BLOOMINGTON IL 61701-5435

[REDACTED]
CITY OF BLOOMINGTON
109 E OLIVE ST
BLOOMINGTON IL 61701

[REDACTED]
MWA INC
600 N MAIN ST
ELLSWORTH IL 61737-7547

[REDACTED]
% [REDACTED]
503 S DENVER
BLOOMINGTON IL 61701

[REDACTED]
PO BOX 511
DANVERS IL 61732-0511

[REDACTED]
KINGPOST PROPERTIES LLC
33 Crista Ann Ct
Bloomington IL 61704-8699

[REDACTED]
507 S DENVER
BLOOMINGTON IL 61701

[REDACTED]
33 Crista Ann Ct
Bloomington IL 61704-8699

[REDACTED]
2025 E LINCOLN ST #1318
BLOOMINGTON IL 61701-6142

[REDACTED]
608 S MCCLUN
BLOOMINGTON IL 61701

[REDACTED]
611 S MCCLUN ST
BLOOMINGTON IL 61701

[REDACTED]
2302 E Oakland Ave
Bloomington IL 61701-5866

[REDACTED]
607 S MC CLUN
BLOOMINGTON IL 61701

[REDACTED]
% [REDACTED] 609 S MCCLUN ST
BLOOMINGTON IL 61701-5517

[REDACTED]
6962 Alexander Rd
Heyworth IL 61745-8823

[REDACTED]
610 S MCCLUN ST
BLOOMINGTON IL 61701-5518

KELLYS AUTOMOTIVE
1106 E OAKLAND AVE
BLOOMINGTON IL 61701-5524

RASH #171-13-5450 RASH & ASSOCIATES LP
PO BOX 260888
PLANO TX 75026-0888

~~██████████~~
8 PICKWICK DR
MACKINAW IL 61755

~~██████████~~
2900 E OAKLAND
BLOOMINGTON IL 61704

~~██████████~~
2503 YORKTOWN DR
BLOOMINGTON IL 61704-4531

ATTN CFO VCNA PRAIRIE ILLINOIS INC
7601 W 79TH STREET
BRIDGEVIEW IL 60455

~~██████████~~
16 FELTON PLACE
BLOOMINGTON IL 61701

~~██████████~~
4326 E Raab Rd
Normal IL 61761-9428

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% ~~██████████~~ 307 DENVER ST
BLOOMINGTON IL 61701-5533

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1314 N CLINTON BLVD
BLOOMINGTON IL 61701-1810

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815 E TAYLOR ST
BLOOMINGTON IL 61701-5437

~~██████████~~
3102 DORSET COURT
BLOOMINGTON IL 61704

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1016 E JACKSON ST
BLOOMINGTON IL 61701

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UNIVERSITY 11 JODI LN
BLOOMINGTON IL 61701-2012

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501 S ROBINSON ST
BLOOMINGTON IL 61701-5436

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410 S MCCLUN ST
BLOOMINGTON IL 61701-5545

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411 S ROBINSON ST
BLOOMINGTON IL 61701-5434

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8746 E 1400 NORTH RD
BLOOMINGTON IL 61704

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12 Felton Pl
Bloomington IL 61701-5428

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1013 E TAYLOR ST
BLOOMINGTON IL 61701-5560

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1009 E TAYLOR ST
BLOOMINGTON IL 61701-5560

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405 S MCCLUN ST
BLOOMINGTON IL 61701-5544

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BLOOMINGTON IL 61701-6966

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1007 E JACKSON ST
BLOOMINGTON IL 61701-5537

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2203 EASTLAND DR STE 8
BLOOMINGTON IL 61704-7924

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502 Woodrig Rd
Bloomington IL 61704-5635

~~██████████~~ THE OLD PIT STOP
1111 E GROVE ST
BLOOMINGTON IL 61701-4210

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405 S MCCLUN ST
BLOOMINGTON IL 61701-5544

~~██████████~~
2900 E OAKLAND
BLOOMINGTON IL 61704

~~██████████~~
407 S MCCLUN ST
BLOOMINGTON IL 61701-5544

[REDACTED]
5 WINDSONG WAY
BLOOMINGTON IL 61704-8351

[REDACTED]
14220 ROYAL OAKS DR
BLOOMINGTON IL 61705

[REDACTED]
413 S ROBINSON
BLOOMINGTON IL 61701

ACTION ROOFING INC
74 N 2100 EAST RD
HEYWORTH IL 61745

[REDACTED]
1210 Elmwood Rd
Bloomington IL 61701-3319

[REDACTED]
1212 N HERSHEY RD
BLOOMINGTON IL 61704-3668

[REDACTED]
1005 E TAYLOR ST
BLOOMINGTON IL 61701

[REDACTED]
4717 N Clarewood Ave
Peoria IL 61614-5527

[REDACTED]
1204 LIBERTY RD
NORMAL IL 61761-1300

[REDACTED]
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NORMAL IL 61761-1300

[REDACTED]
6 CHRISMAN LN
BLOOMINGTON IL 61704

[REDACTED]
14 FELTON PL
BLOOMINGTON IL 61701

[REDACTED]
2900 E OAKLAND
BLOOMINGTON IL 61704

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% [REDACTED] R 1014 E JACKSON S
BLOOMINGTON IL 61701-5538

[REDACTED]
1012 E Jackson St
Bloomington IL 61701-5538

[REDACTED]
8 PICKWICK LANE
MACKINAW IL 61755

[REDACTED]
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BLOOMINGTON IL 61701-5535

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Bloomington IL 61701-5547

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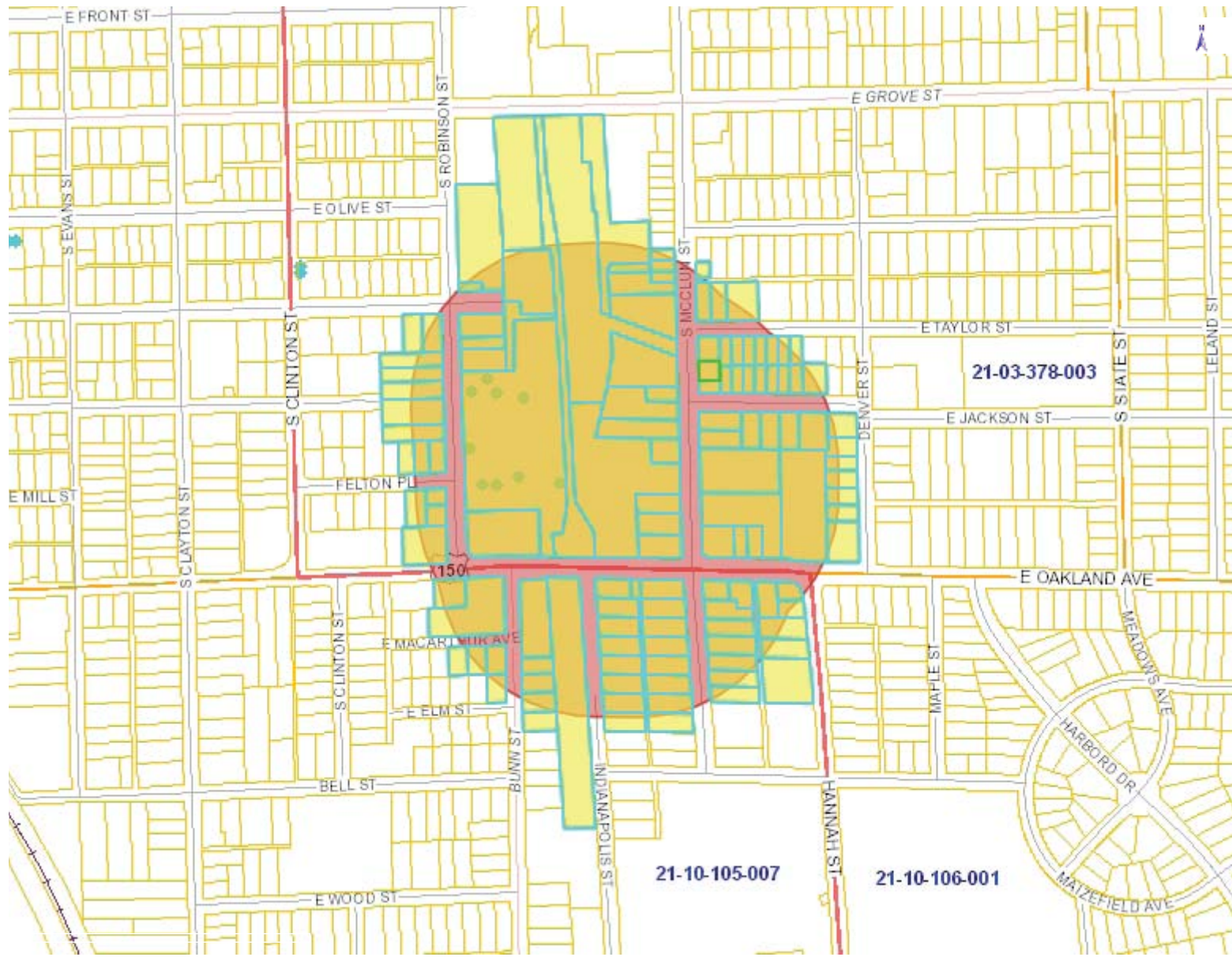
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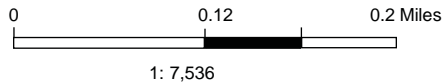


Property Owners Notified Who Are within 500' from Rezoning Parcel



Legend

- Parcels
- Condo_Improve
- Interstates
- US_Highways
- State_Highways
- County_Highways
- Minor_Arterial
- Major_Collector
- Minor_Collector
- Local_Road_Street
- Alleys
- Private_Streets
- Railroad
- County



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Notes

Including Neighbor Associations of Dimmits Grove and South Oakland. PIN: 21-03-352-039. J.N.Trust

Printed: 12/30/2014 1:45:04 PM

**CITY OF BLOOMINGTON
 REPORT FOR THE PLANNING COMMISSION
 JANUARY 14, 2014**

SUBJECT:	TYPE:	SUBMITTED BY:
Z-01-15 North of Oakland Avenue, West of McClun Street and East of the Constitution Trail	Rezoning from M-1, Restricted Manufacturing to B-2, General Business Service	Mark Woolard City Planner

REQUEST

The petitioner is seeking a rezoning from M-1, Restricted Manufacturing District to B-2, General Business Service District.

NOTICE

The application has been filed in conformance with applicable procedural and public notice requirements.

GENERAL INFORMATION

Owner and Applicant: John G. Nottoli Land Trust

PROPERTY INFORMATION

Existing Zoning: M-1, Restricted Manufacturing District
 Existing Land Use: Vacant
 Property Size: 2.2 acres
 PIN: 21-03-352-039

Surrounding Zoning and Land Uses

Zoning

North: M-2 General Manufacturing District
 North: B-2, General Business Service District
 South: R-3B, Multi-Family Residence District
 East: B-2, General Business Service District
 West: M-2, General Manufacturing District

Land Uses

Cement Plant
 Woodworking, Roofing Businesses
 Multi-Family Residence
 Single and Two-Family, Cosmetology Inst.
 Constitution Trail, Mini-warehouse

Analysis

Submittals

This report is based on the following documents, which are on file with the Community Development Department:

1. Petition for Zoning Map Amendment
2. Proposed site plan
3. Aerial photographs
4. Photographs of adjacent sites

PROJECT DESCRIPTION

The petitioner desires the B-2 zoning to enable the construction of a discount retail store which is not allowed in the M-1 zone. Over recent decades the site has been used for semi-trailer storage and manufacturing. The site currently is vacant. It has access to the north side of Oakland Avenue and the west side of McClun Street. Even though the site has access to two streets it is not a corner lot since there are three other residential parcels between the subject site and McClun Street near the corner of Oakland Avenue.

Compliance with the Comprehensive Plan

The property is designated Heavy Industrial in the Comprehensive Plan. This designation would be consistent with previous uses when there was an active rail line adjacent to the site and manufacturing on the site. The adjacent site also did not have the current mini-warehouse which is not a heavy industrial use. Therefore there is evidence that there have been changes away from heavy industrial uses. Today with the Constitution Trail in place of the railroad and less of the heavy industrial uses the area appears to be more conducive to retail than heavy industrial. The nearby area has a mix of land uses and zoning including industrial, retail and residential. In fact there are eight different zoning districts within 500 feet of the subject property. There does not appear to be a clear single general type of dominating land use such as residential or industrial in the immediate vicinity of the subject property. Given the changes that have occurred over the last few decades and the mix of nearby uses, a departure from the heavy industrial designation would be appropriate.

Adjacent or Nearby Land Uses

The subject property is adjacent to the Constitution Trail to the west and a retail store should be more compatible with trail uses than many industrial uses allowed by the current zoning. The land uses on the west side of the trail are light industrial and should not be objectionable to the users of the B-2 zone. They are setback from Oakland up to 100 feet. The trail's elevation increases as it approach's Oakland creating a sizeable buffer for any new retail business from the industrial uses to the west.

There are three adjacent residential uses to the east of the subject property which often are viewed as incompatible with a B-2 zone as proposed however those parcels also have a B-2 zoning and we often compare a proposal with what an adjacent site is zoned verses the land use because of the potential of what the land uses can become. Also most B-2 land uses will be less objectionable than the M-1 land uses that are already allowed on the subject property without any change in zoning to the B-2.

The B-2 zone also already exists for the adjacent parcels to the northeast as well as the entire east side of McClun Street all the way to Grove. Thus the B-2 zone would seem appropriate given what already exists to the east and north.

FINDINGS OF FACT

The Zoning Ordinance has "*Zoning Map Amendment Guidelines*" and by states, "*In making its legislative determination to zone or rezone property to a B-2 General Business Service District,*

the Planning Commission and City Council may apply the following guidelines to the proposal under consideration:”

1. *The relationship of the subject property to the City's transportation systems and the impact the permitted uses would have upon these systems. Traffic congestion and safety are of primary concern although B-2 zoning near areas of high pedestrian activity further complicates these problems;*

Traffic congestion and safety should not increase with the change, in that engineering standards should be met with for access points and with two points of access all of the new traffic will not be directed to Oakland Avenue.

2. *The potential impact the uses authorized in the district would have upon any existing or permitted uses in the surrounding area including the introduction of through truck and automobile traffic into a residential neighborhood;*

The adjacent neighborhoods have a mix of uses and impacts would be minimal if any since much of the nearby zoning is not residential and is compatible with the change in zoning.

3. *The extent to which the permitted uses contributes to an undesirable pattern of strip commercial development including the resultant numerous curb cuts and piecemeal development on small, residential sized lots;*

With the change in zoning there will not be multiple new curb cuts added. Only one business is to be added and there can already be a curb cut with the existing industrial zoning. The lot is 2.2 acres and is substantially larger than a small residential lot.

4. *The extent to which surrounding zoning and land usage provides a transition from this more intense business use to lower intensity uses and districts;*

The B-2 zone will provide a transition from the nearby industrial zone to the business and residential zones.

5. *The capacity of existing and proposed community facilities and utilities, including water and sewer systems, to serve the permitted uses which might lawfully occur on the property so zoned;*

The capacity of the existing utilities is adequate to serve the new land use associated with the proposed change.

6. *The adequacy of public services, including police and fire protection, serving the property and the impact the permitted uses would have upon these services;*

The site will be adequately served by public services for the permitted uses in the B-2 district.

7. *The impact the permitted uses would have upon the environment including noise, air, and water pollution;*

There will be minimal impact upon the environment and likely less than if the site would continue with the M-1 zoning. If the zoning were to remain the same an industrial use may be established that could use a variety of chemicals that are more damaging to the environment than that of a typical retail store.

8. *The impact any natural disasters, including flooding, would have upon the permitted uses;*
The impact of natural disasters and flooding would be less with the change as new on site detention will be provided.

9. *The conformance of the proposal to the Official Comprehensive Plan and Official Map.*
The rezoning will not be in conformance to the Comprehensive Plan but given the removal of the railroad and other land use changes the zoning change is likely to be more compatible with nearby land uses than maintaining the M-1 zoning.

STAFF RECOMMENDATION:

Since the requested zoning change is compatible with surrounding land uses and zoning and based on the above findings staff recommends the planning commission pass a motion recommending that the City Council rezone the property in Case Z-01-15 from M-1, Restricted Manufacturing District to B-2, General Business Service District, for the property located north of Oakland Avenue & west of McClun Street and as described in Exhibit A.

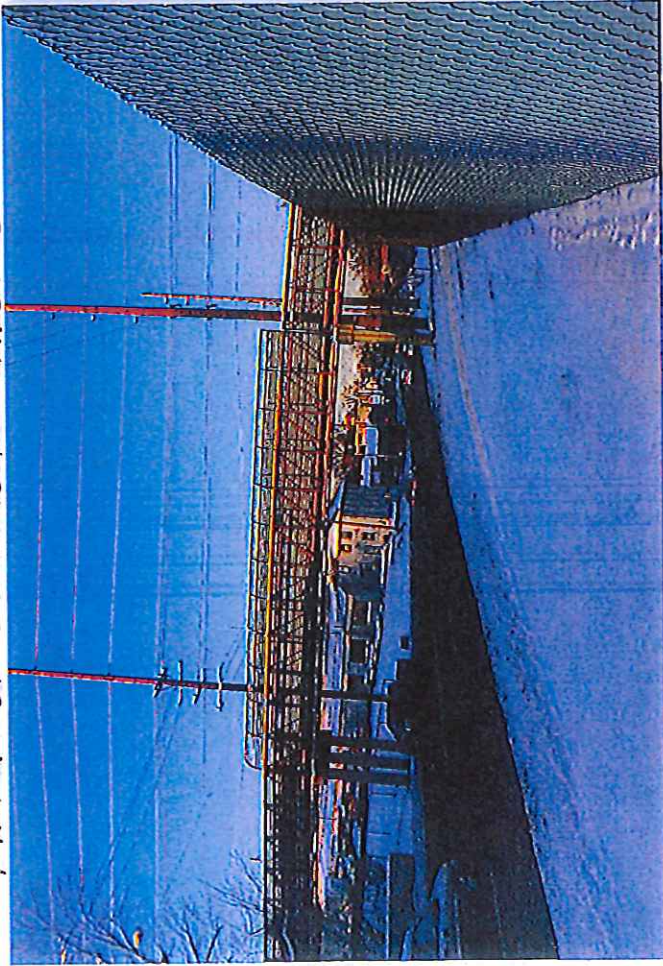
Respectfully submitted,

Mark Woolard
City Planner

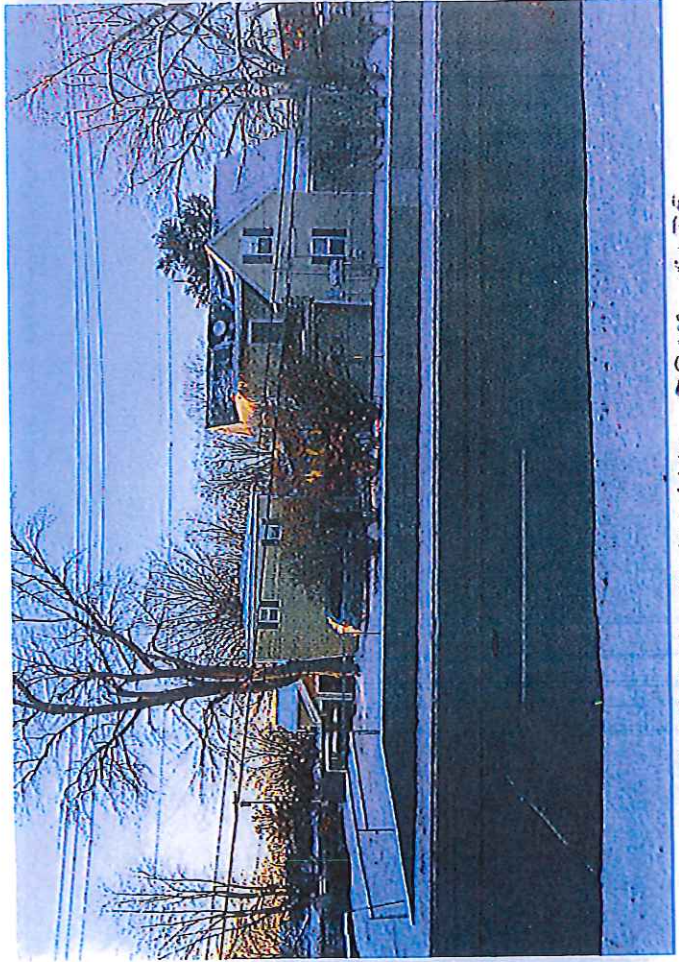
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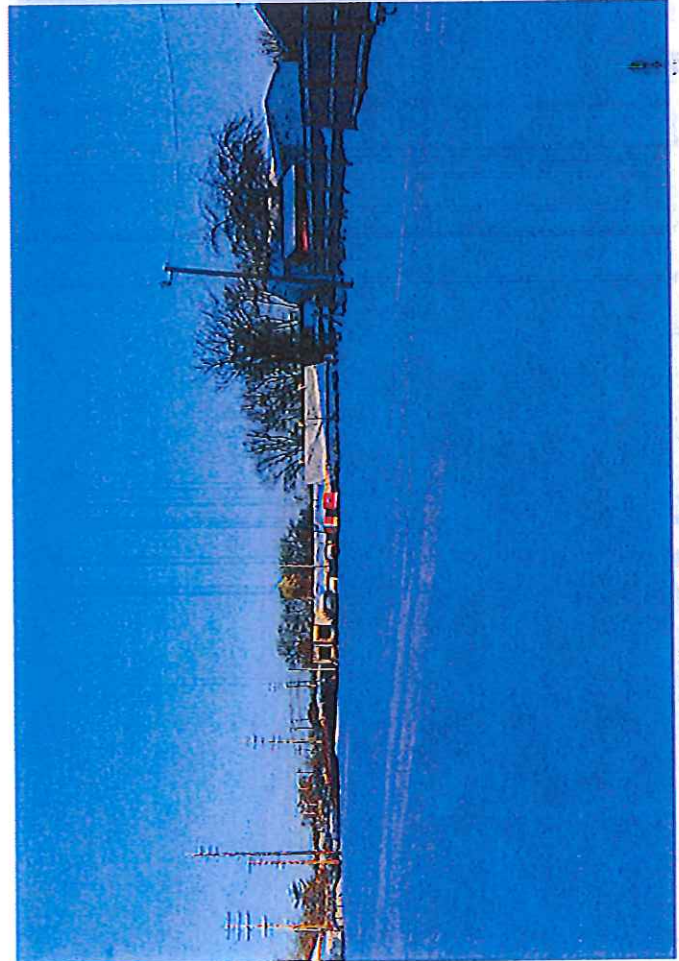
FRONT OF SITE ALONG OAKLAND



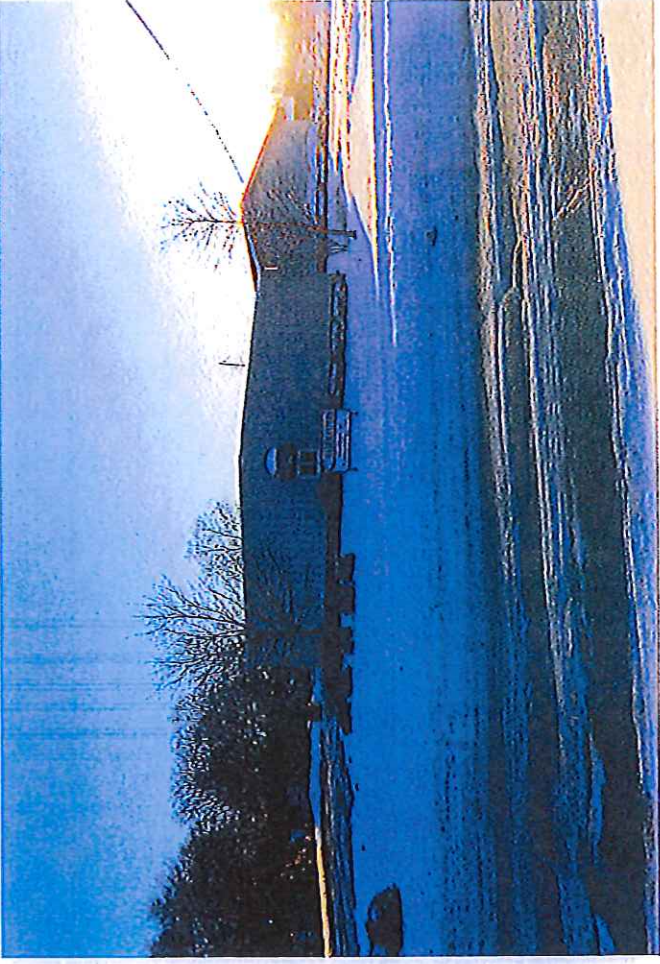
ACROSS OAKLAND FROM SITE



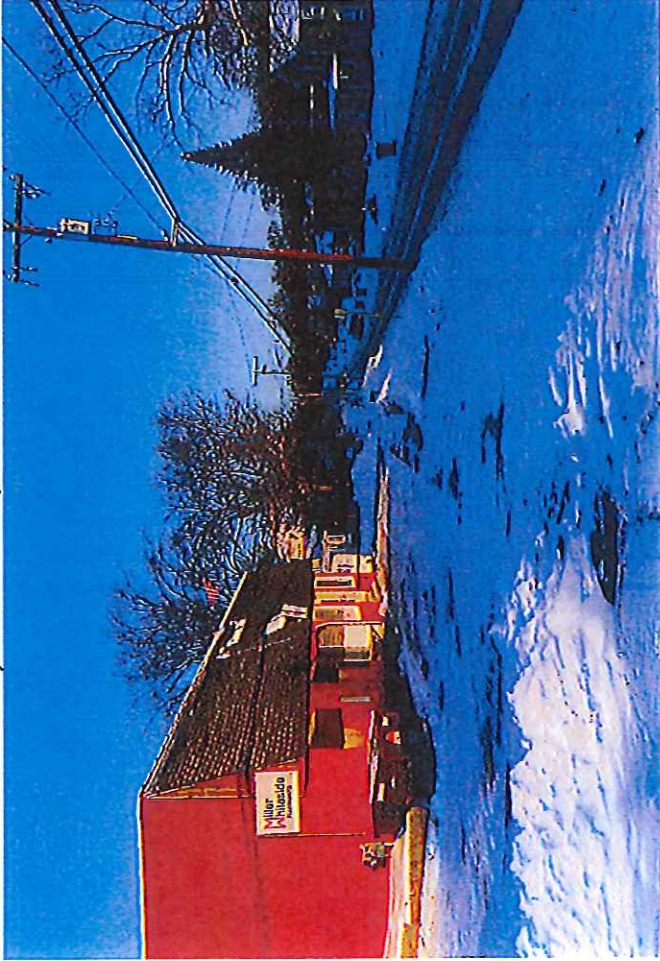
CENTER OF SITE



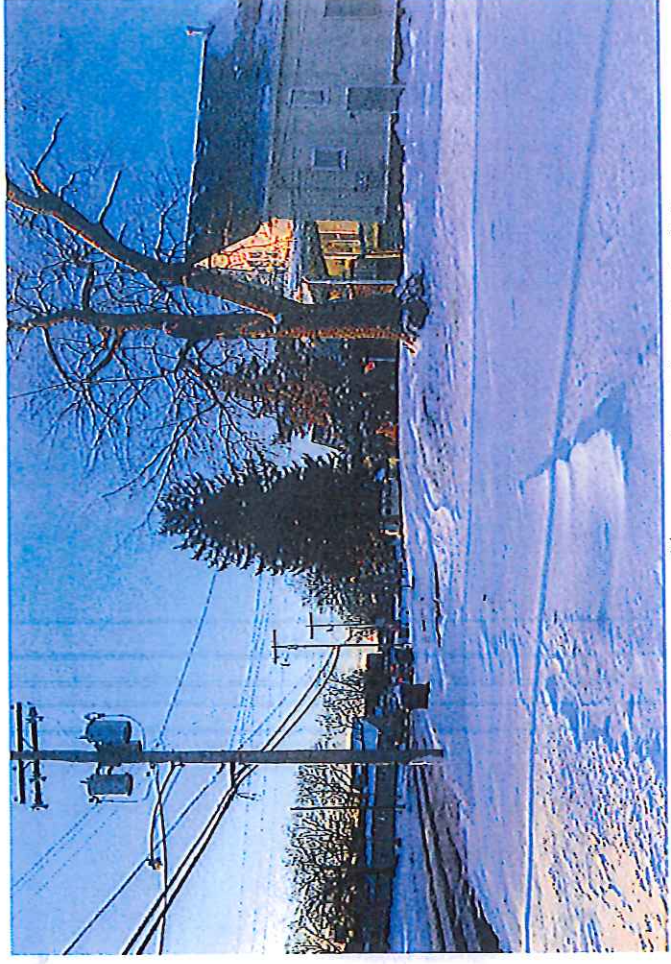
McClun EAST SIDE



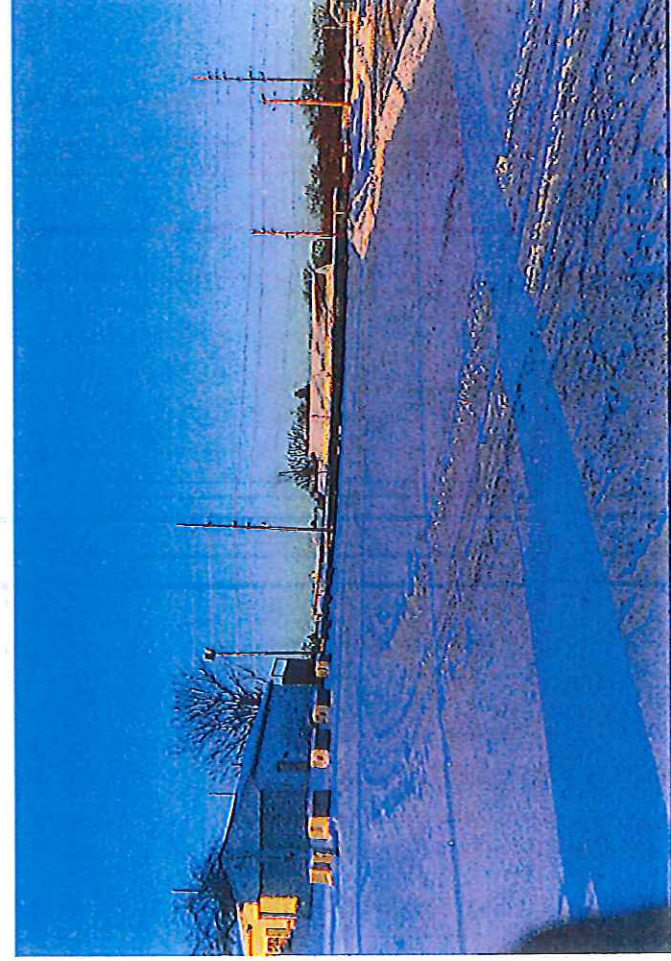
McClun NORTH



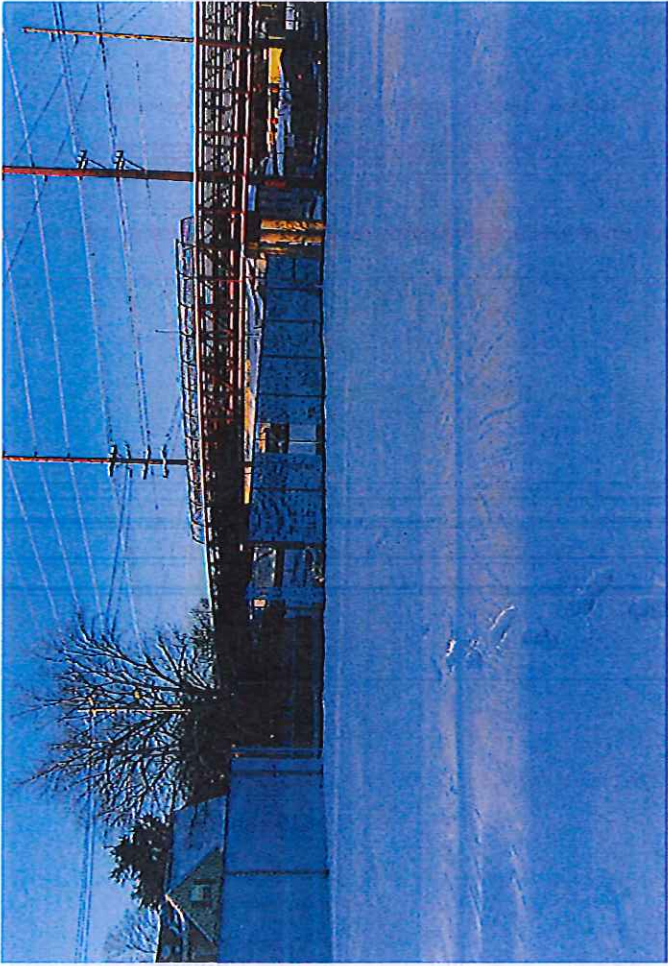
McClun South of SITE



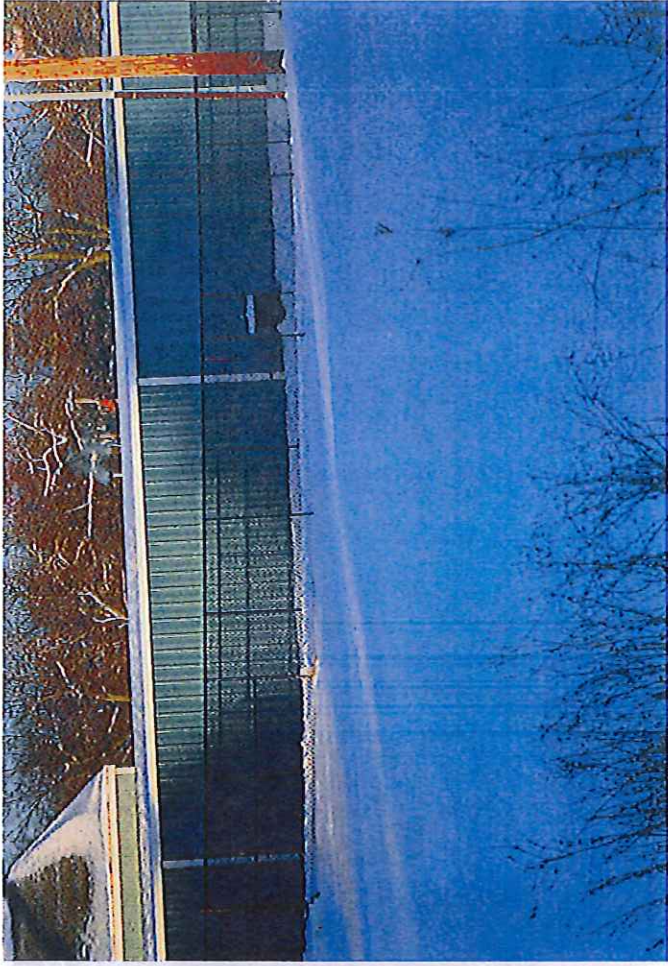
SITE WEST OF McClun



FRONT YARD



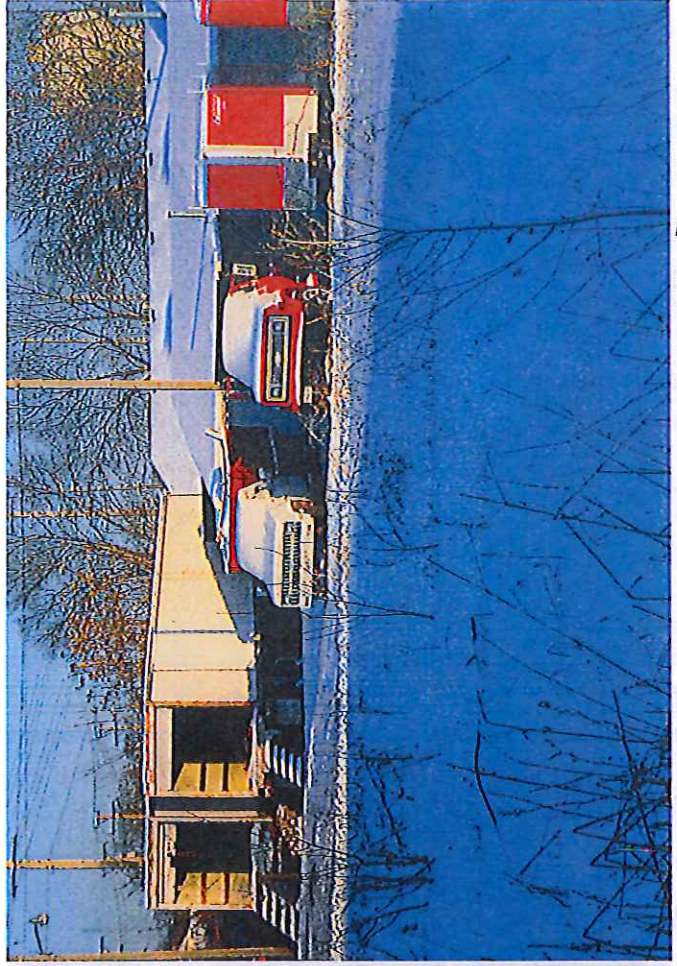
CENTER OF SITE LOOKING WEST



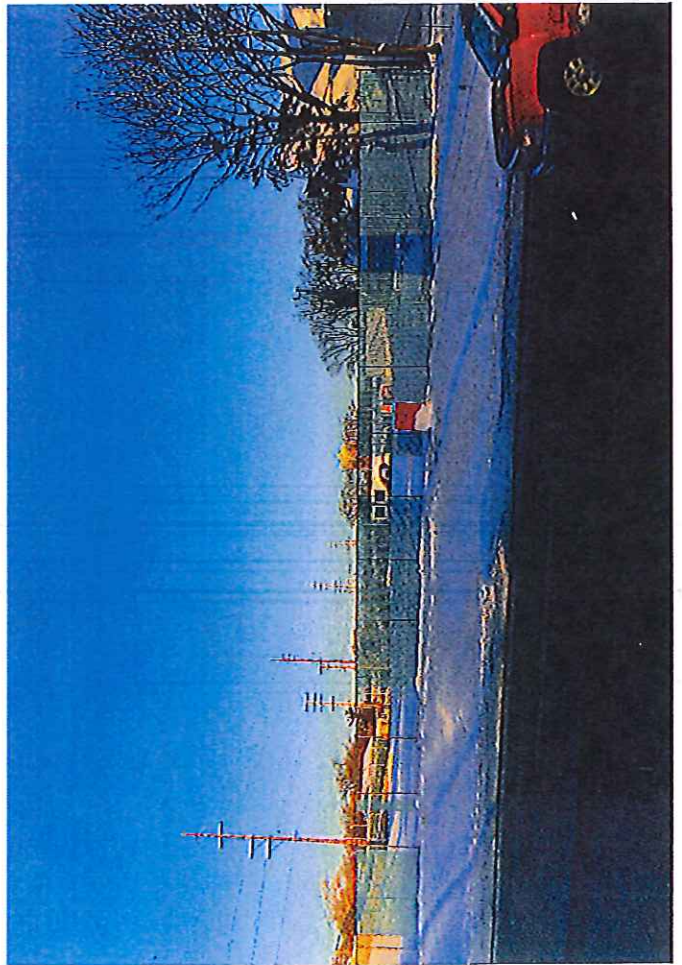
FRONT YARD LOOKING TO THE WEST



REAR YARD AND NEIGHBOR TO NORTH



FRONT VIEW OF SITE FROM SOUTH SIDE OF OAKLAND



**UNAPPROVED MINUTES
BLOOMINGTON PLANNING COMMISSION
REGULAR MEETING
WEDNESDAY, JANUARY 14, 2015, 4:00 P.M.
COUNCIL CHAMBERS, CITY HALL
109 EAST OLIVE STREET, BLOOMINGTON, ILLINOIS**

MEMBERS PRESENT: Mr. Balmer, Mr. Cain, Mr. Wills, Mr. Pearson, Mr. Scritchlow,
Mr. Protzman, Mr. Stanczak

MEMBERS ABSENT: Mr. Diamond, Mr. Cornell, Mr. Suess

OTHERS PRESENT: Mr. Kevin Kothe, City Engineer
Mr. Tom Dabareiner, Community Development Director
Mr. Mark Woolard, City Planner

CALL TO ORDER: Chairman Cain called the meeting to order at 4:02 P.M.

ROLL CALL: Mr. Woolard called the roll. A quorum was present.

PUBLIC COMMENT: None

MINUTES: The Commission reviewed the December 10, 2014 minutes. Mr. Pearson moved to approve the December 10, 2014, minutes as written. Mr. Balmer seconded the motion which passed by a vote of 7-0 with the following votes being cast on roll call: Mr. Scritchlow-yes; Mr. Pearson-yes; Mr. Cain-yes; Mr. Balmer-yes; Mr. Protzman-yes; Mr. Wills-yes; Mr. Stanczak-present; Mr. Diamond-absent; Mr. Cornell-absent; Mr. Suess-absent.

REGULAR AGENDA:

Z-01-15. Public hearing and review on the petition submitted by John G. Nottoli Land Trust requesting the approval of a Rezoning from M-1, Restricted Manufacturing District to B-2, General Business Service District for the property located north of Oakland Avenue, west of McClun Street and east of the Constitution Trail, consisting of approximately 2.2 acres.

Chairman Cain introduced the case. Mr. Woolard presented the staff report and described the adjacent land uses and zoning. He identified the location and stated there will be access to Oakland and McClun. He explained how the elevated Constitution Trail has a berm that buffers the industrial areas to the west. The area appears to be transitioning to less heavy industrial uses without the railroad. Mr. Woolard stated staff supports the request.

Mr. Scritchlow inquired about the notification process and stated he did not receive the notice. Mr. Woolard explained the process. There was discussion on the GIS system. Mr. Woolard stated he would review the process for accuracy.

Chairman Cain opened the public hearing. Ms. Carla Kimmell, Farnsworth Group, 301 West Washington, Pontiac, IL, was sworn in and stated this will be a good use of the land since it will be with other B-2 zoning districts to the north and east. She stated the site will have a Dollar

General store with entrances off Oakland and McClun. She said the property would have one building with parking and detention. She stated there was a small piece of their land to the north that they are considering transferring for an adjacent business.

Chairman Cain asked if there was anyone who would like to speak in favor. There was none.

Chairman Cain asked if there was anyone who would like to speak in opposition of the case. Steve Parker, 1314 Clinton Boulevard, Bloomington was sworn in and stated his business is located at 511 S. McClun which shares the lot line with the petitioner. Mr. Parker shared that he has owned this land for 35 years and is the sixth generation of Bloomington business owners. He said his great grandfather platted this land as part of the Parker Subdivision. He stated the Nottoli's have leased land to him in order to back their vans out of their space. He said the Dollar General makes good sense for the area's growth and supports the request. He stated he just needs vehicle access to his business property. Mr. Parker also mentioned that there may be other businesses in the same situation near the property lines.

Mr. Wills asked if Mr. Parker is against the rezoning. Mr. Parker stated he is absolutely not opposed to the change and is asking for a tweaking of the plan in order to accommodate area businesses. He said he supports the Dollar General business as it will bring tax dollars to Bloomington. There was discussion regarding Mr. Parker's property layout and his easement lease with the Nottoli's.

Ms. Kimmell offered to take the idea of a gravel driveway back to the Nottoli's for consideration.

Chairman Cain asked if anyone would like to speak in opposition of the case and no one spoke.

Chairman Cain asked if there was anyone who would like to ask questions of the case. Mr. Rodney Phillips, 74 N 2100 E, Heyworth, was sworn in and stated he owns property at 503 S. McClun and expressed interest in access for his business. He stated that he is not opposed to the rezoning but he stated concern over adding traffic and wait time at the corner. He stated that he does not have a problem with the rezoning.

Chairman Cain stated the case is regarding the zoning change. He asked if the aforementioned site or development plan changes need to be resolved before action can be taken on the zoning change. Mr. Woolard stated the zoning change is based on the compatibility for the adjacent area. Mr. Dabareiner stated the focus needs to be only on the compatibility of zoning uses. The site plan is not yet officially approved for the Dollar General store. He said this site plan is irrelevant with regard to the commission's decision. The commission's focus is to consider the rezoning for the range of uses within the zoning district. Mr. Dabareiner stated the adjacent property access should not be the concern at this point. The site plan was only provided as evidence that building, parking and storm water could fit on the site, the decision was made to share the site plan even though it is not approved.

Mr. Pearson stated the family trust of five tracts affect the three people who are present which are Mr. Whiteside, Mr. Parker and Mr. Phillips. He stated it seems their buildings will be

tremendously impacted by the owner's use of the property. There seems to be extra room for a drive from McClun and maybe a postponed decision would allow for the three business owners to meet with the developer to work through these issues.

Mr. Dabareiner explained it is illegal in the state of Illinois to condition a rezoning. The consideration is for the zoning of the property only, which may or may not be used for Dollar General. Mr. Dabareiner stated the commission needs to look at the zoning question only.

Chairman Cain invited Mr. Dabareiner to explain the process for this project going forward for the benefit of the present property owners. Mr. Dabareiner stated there is always encouragement for the neighboring property owners to work together to create that kind of interface. Chairman Cain stated the commission has always supported that process in the past. Mr. Dabareiner stated this was a good open forum so that everyone can hear concerns. He said Mr. Kothe and Mr. Woolard need to hear the information in order to understand their plan review, however the zoning decision is completely separate from the city's plan review.

Mr. Balmer stated the past zoning recommendations to the city council have included additional verbiage. He said in a previous case like this one, objections are already a matter of record because they have spoken in this public meeting. Mr. Dabareiner stated it can be included as a separate point, however it can not to be linked together.

Mr. Dabareiner said the previously stated neighbor issues and concerns are very relevant, but they are relevant to the site plan, not to the rezoning.

Chairman Cain asked if there was anyone who would like to speak in opposition of the case or ask questions. Mr. Kent Whiteside, 3625 N 400 E Road, McLean, was sworn in and stated he is learning much and thanked the commission for concern and future help. He stated he understood the zoning is separate from personal concerns. Mr. Whiteside stated that how he accesses his facility and does business is greatly affected by the surrounding Nottoli owned land. He said if they are a good neighbor, that is great, however what they do does affect the neighbors. Mr. Whiteside stated he appreciated all of the discussion.

Chairman Cain asked if there was anyone who would like to speak in favor or opposition of the petition or who had questions or comments and no one spoke. He closed the public hearing.

Mr. Protzman stated in the past there have been other issues brought into consideration, but if the only issue is to vote on is the zoning change, then it seems pretty straight forward.

Mr. Pearson stated he thought the case should be tabled for two weeks to give time for the owners to discuss the developers plan.

Chairman Cain stated past cases have been given the time to discuss and return to the commission.

Mr. Balmer acknowledged project issues still need to be worked out, however in terms of this petition, there doesn't seem to be anything needed other than a recommendation to forward this to the city council. He recommended that access issues be addressed as the plan moves forward.

Mr. Wills stated he saw no controversy regarding the rezoning. There was great public participation with concerns over the site plan. He said there is a contiguous businesses in the area and it is great to see the re-energizing of lots that are closer to the city interior. Mr. Wills stated he sees this as a great rezoning decision.

David Stanczak stated no one has questioned the propriety of the rezoning. He said he would like to see the site plan things worked out but it is pretty well set as far as the zoning is concerned.

Mr. Scritchlow stated the rezoning is pretty straight forward and no one has an issue with it. The property owners will need to discuss how to treat their property lines.

Mr. Balmer moved to recommend to City Council, for case Z-01-15, approving the parcel for rezoning from M-1 to B-2 and recommend to the city staff to consider adjacent business access as the plan moves forward. Mr. Wills seconded the motion which passed by a vote of 5 to 2 with the following votes being cast on roll call: Mr. Scritchlow-yes; Mr. Pearson-no; Mr. Cain-yes; Mr. Balmer-yes; Mr. Protzman-no; Mr. Wills-yes; Mr. Stanczak-yes; Mr. Diamond-absent; Mr. Cornell-absent; Mr. Suess-absent.



FOR COUNCIL: February 9, 2015

SUBJECT: Request to Approve a Budget Amendment in the FY 2015 Police Department Budget for purchase of Police Marked Patrol Vehicle

RECOMMENDATION: Recommend that the Budget Amendment Ordinance be passed and purchase of one (1) 2015 Police Pursuit Vehicle using the State of Illinois Joint Purchasing Contract number 4017160 2015 from Morrow Brothers Ford, Greenfield, IL in the amount of \$29,940 be approved and the Procurement Manager authorized to issue a Purchase order.

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 Police Department had a 2011 Chevrolet Impala that was involved in an accident on January 7, 2015. It was declared a total loss by an independent appraiser used by the City's insurance provider. Staff is requesting that it be replaced with a 2015 Ford Police Pursuit Vehicle. The Police Equipment (Light bars, Radios, Console and Controller, Speaker, and any other equipment) will be transferred from the old unit to the new one. The totaled unit will be retained by the City and salvaged for parts for the remaining Impalas in the Fleet.

The Police Department utilizes patrol vehicles twenty-four (24) hours a day. We currently have twenty - five (25) black and white patrol cars in operation that need to be made available at a moment's notice in the event of an emergency.

There are on average nine (9) to eleven (11) officers working per shift, three (3) shifts per day, seven (7) days a week. Each officer drives a patrol car by himself/herself. In order to preserve the mechanical integrity of the patrol car, the goal is to have it on active duty no more than sixteen (16) hours a day. During a twenty-four (24) hour timeframe there is potential to have up to twenty-two (22) different patrol cars in operation. In addition to these shifts, we have officers working additional jobs where outside entities hire back officers to provide security. These events more often than not require the use of a black and white patrol car. On weekends, we also have additional officers who require the use of black and white patrol cars to patrol the downtown area which, depending on the day, requires two (2) to three (3) patrol cars. On numerous occasions this practice unfortunately has not been followed as there may be an equipment malfunction with the patrol car which requires cars to be taken out of service. Right now, there are (2) patrol cars that are not in service due to required warranty work. When this happens the patrol car is taken out of service for an unknown amount of time depending on the needed repair and the dealership work load. This in turn taxes the other patrol cars by increasing the amount of time they are used.

The patrol cars that are scheduled for regular maintenance now have to have maintenance deferred. There are times when a patrol car is taken out of service for a small repair order. While

the garage is very good about returning the car to service as soon as possible, it is one (1) or more fewer cars that are available to the patrol officers to use and at the same time following the guideline.

According to the City Code, Chapter 16: Section 52: Emergency Purchases; In the case of the occurrence of any breakage or loss of equipment, or in other circumstances which could not reasonably be anticipated, whereby any necessary regular service of the City is, or is about to be, interrupted or whereby the City will suffer any great or continuing loss, the City Manager, upon the request of the department head, may negotiate an emergency purchase to restore or maintain such service or to terminate such loss, without advertising for bids and in such amount as may be necessary in the circumstances.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable

FINANCIAL IMPACT: The City received \$8,825.00 from Alternative Services Concept (A.S.C.) for the totaled unit which will offset a portion of the vehicle cost. This was recorded in Police-Property Damage Claims (10015110-57420). The replacement unit will cost \$29,940.00 and will be purchased from Police-Capital Outlay Licensed Vehicles (10015110-72130).

Respectfully submitted for Council consideration.

Prepared by: Stephen Sicinski, Police Department

Reviewed by: Kenneth Bays, Assistant Chief of Police

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:**
1. Ordinance
 2. Exhibit 1
 3. Exhibit 2

Motion: That the Budget Amendment Ordinance be passed and purchase of one (1) 2015 Police Pursuit Vehicle using the State of Illinois Joint Purchasing Contract number 4017160 2015 from Morrow Brothers Ford, Greenfield, IL in the amount of \$29,940 be approved and the Procurement Manager 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			

ORDINANCE NO. 2015 –

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

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

WHEREAS, a budget amendment is needed as detailed below;

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

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

Section Two: Except as provided for herein, Ordinance Number 2014 - 35 shall remain in full force and effect, provided, that any budgeted or appropriated amounts which are changed by reason of the amendments made in Section One of this Ordinance shall be amended in Ordinance Number 2014 - 35.

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

PASSED the 9th day of February, 2015.

APPROVED the ____ day of February, 2015.

APPROVED:

Tari Renner
Mayor

ATTEST:

Tracey Covert
City Clerk

Exhibit 1			
Account #	Fund	Account Description	Amount
10015110-72130	General	Police-Capital Outlay Licensed Vehicle	\$ 29,940.00
Net Budget Increase/(Decrease):			29,940.00

Exhibit 2		
FY 2015 BUDGET AMENDMENTS PROJECTED EFFECT ON FUND BALANCE		
GENERAL FUND		
Council Approved	Description of Item	Totals
4/30/2014	Opening Audited General Fund Balance	\$ 14,095,426
6/23/2014	Request to accept the 2014 Edward Byrne Memorial Grant (JAG) and Approve a Budget Amendment to Account 10015110 - 79134 in the General Fund under Police - JAG Grant Expenditures	\$ 32,012
6/23/2014	Request to Approve a Budget Amendment to Accounts 10014125-71030-20000 and 10014125-57350-20000 in the BCPA Fund and that Council retroactively authorize the Purchase of Vests and Accessories as the new uniform for the Bloomington Center for the Performing Arts (BCPA) Volunteers	\$ 11,599
7/14/2014	Request to Approve a Budget Amendment to Account 10015110 - 70220 in the General Fund and Approve Request for Proposals (RFP) and Approval of Agreement for the Dry sprinkler System Architectural and	\$ 11,700
7/28/2014	Request to Approve a Budget Amendment to Accounts (10015110 – 72520) and (10015110 – 70420) in the General Fund Budget for Emergency Replacement of Police Department Chiller	\$ 108,281
7/28/2014	Request to Approve a Budget Amendment to Account 10016110 - 70425 in the General Fund and Approve Lease Agreement for 104 - 106 E. Oakland Ave., the former Connect Transit Bus Storage Depot, a/k/a the	\$ 62,719
7/28/2014	Request to Approve a Budget Amendment to Accounts (10015110 – 72130) and (20900900 - 72130) in the General Fund Budget and Drug Enforcement Fund for Reallocation of a Vehicle Purchase for the Police Department	\$ (55,332)
8/11/2014	Acquisition of Sugar Creek Packing Plant located at 412 East Street and Request to Approve a Budget Amendment to Accounts (10019180 - 89410), (40100100 - 85100) and (40100100 - 85100) and (40100100 -	\$ 250,000
8/11/2014	Text Amendment to Chapter 21. Refuse, Section 300.6 Holiday Collection regarding Refuse and Recycling Collection on Holidays and to Request to Approve a Budget Amendment to Accounts (10019180 - 89544), (54404400 - 85100) and (54404400-61150) in the General and	\$ 38,400
8/25/2014	Request to Approve a Budget Amendment in the General Fund, Capital Improvement Fund, Water Fund, and Storm Water Fund for the settlement of disputed claims relating to Annexation Agreement for West Washington St.	\$ 32,830
8/25/2014	Change Order for Sidewalk Funding and Request to Approve a Budget Amendment to Accounts (10019180 - 89410), (40100100 - 85100) and (40100100 - 72560) in the General and Capital Improvement Fund Budgets	\$ 100,000
2/9/2015	Emergency replacement of Police Marked Patrol car and Request to Approve a Budget Amendment to Police-Capital Outlay Licensed Vehicles (10015110 – 72130) in the FY 2015 Police Department Budget.	\$ 29,940
		\$ 13,429,544
	Percentage of Fund Balance in relationship to Approved Budget of FY 2015 General Fund Expenditures in the amount of \$91,244,899	14.72%



FOR COUNCIL: February 9, 2015

SUBJECT: Suspension of Ordinance to Allow Consumption of Alcohol at Davis Lodge on April 25, 2015

RECOMMENDATION/MOTION: That the Ordinance be passed.

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

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

BACKGROUND: The Bloomington Liquor Commissioner Tari Renner called the Liquor Hearing to order to hear the request of Patricia O’Neill and Kristi Soule to allow moderate consumption of alcohol at their April 25, 2015, wedding reception to be held at the Davis Lodge. Present at the hearing were Liquor Commissioners Tari Renner, Geoffrey Tompkins and Jim Jordan; George Boyle, Asst. Corporation Counsel, Clay Wheeler, Asst. Police Chief, and Renee Gooderham, Chief Deputy Clerk.

Staff Absent: Tracey Covert, City Clerk.

Commissioner Renner opened the liquor hearing and requested the requestor address this request. Patricia O’Neill addressed the Commission. The wedding ceremony and reception would be held at the Davis Lodge on April 25, 2015. It would start around 4:00 p.m. and end at 12:00 a.m. (Midnight). She anticipated approximately 125 guests. The Bistro, located at 316 N. Main St., would provide the food and beverage service. Liquor service would be limited to beer and wine only.

Motion by Commissioner Tompkins, seconded by Commissioner Jordan that the request of Patricia O’Neill and Kristi Soule to allow moderate consumption of alcohol at the Davis Lodge for their April 25, 2015 wedding reception be approved.

Motion carried, (viva voce).

Commissioner Renner stated that this item would appear on the Council’s February 9, 2015 Consent Agenda. He encouraged them to attend same.

There being no further business before the Commission, the meeting recessed at 4:12 p.m.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The Agenda for the January 13, 2015 Meeting of the Liquor Commission was placed on the City’s web site. There also is a list serve feature for the Liquor Commission.

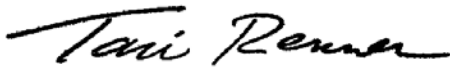
FINANCIAL IMPACT: None.

Respectfully submitted for Council consideration.

Prepared by: Renee Gooderham
Chief Deputy Clerk

Reviewed by: Brett Lueschen, Interim Water Director
George D. Boyle, Asst. Corporation Counsel

Recommended by:



Tari Renner
Mayor

Attachments: Attachment 1. Ordinance

Motion: That the Ordinance be passed.

Motion: _____ Seconded by: _____

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

ORDINANCE NO. 2015 -

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

WHEREAS, Patricia O'Neill and Kristi Soule are planning to hold their wedding reception at the Davis Lodge from 4:00 p.m. to 12:00 a.m. (Midnight) on April 25, 2015; and

WHEREAS, Patricia O'Neill and Kristi Soule have requested permission from the City to serve beer and wine during this event; and

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

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

Section 1: That Sections 701(a), (b) and (c) of Chapter 31 and Section 26(d) of Chapter 6 of the Bloomington City Code, 1960, as amended, are suspended for the duration of the wedding reception at the Davis Lodge on April 25, 2015 under the conditions set forth in the rental agreement.

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

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

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

PASSED this 9th day of DATE.

APPROVED this Xth day of DATE.

APPROVED:

Tari Renner
Mayor

ATTEST:

Tracey Covert
City Clerk



FOR COUNCIL: February 9, 2015

SUBJECT: Application of Marplayaa, Inc., d/b/a Windy City Wieners, located at 116 W. Washington St., requesting an RBS liquor license which would allow the sale of beer and wine only by the glass for consumption on the premises seven (7) days a week

RECOMMENDATION/MOTION: Recommend that an RBS liquor license for Big Cheese, Inc., d/b/a Windy City Wieners, located at 116 W. Washington St., be created, contingent upon compliance with all building, zoning, health, and safety codes.

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

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

BACKGROUND: The Bloomington Liquor Commissioner Tari Renner called the Liquor Hearing to order to hear the request of Marplayaa, Inc., d/b/a Windy City Wieners, located at 116 W. Washington St., requesting an RBS liquor license which would allow the sale of beer and wine only by the glass for consumption on the premises seven (7) days a week. 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 Renee Gooderham, Chief Deputy Clerk and Adam Elpayaa and Steven Manifjeren owners and applicant representatives.

Staff Absent: Tracey Covert, City Clerk.

Commissioner Renner opened the liquor hearing and requested that the applicant representatives address this request. Adam Elpayaa and Steven Manifjeren owners and Applicant representatives addressed the Commission.

Mr. Elpayaa stated that Windy City Wieners operated a restaurant at 106 E Beaufort St. Normal, IL. They had been operating the Bloomington location for one (1) year. He noted that the customer base was different from the Town of Normal. They wanted the ability to serve beer with a meal. Alcohol service would end at 10:00 p.m. including Friday and Saturday. They did not want to be a tavern.

Commissioner Tompkins questioned BASSET (Beverage Alcohol Sellers and Servers Education). Mr. Elpayaa and Mr. Manifjern responded negatively. They stated the training would be completed.

Commissioner Jordan questioned the plan for the patio area. Commissioner Renner noted that he had spoken with Janet Lancaster, owner, The Bistro, located at 316 N. Main St., and president of

the Downtown Bar Association. There was concern with serving alcohol until midnight on the patio. Mr. Manifjern stated that drinking alcohol outside would not be permitted. He reminded the Commission that alcohol service would end at 10:00 p.m.

Commissioner Tompkins questioned encroaching on public space. He reminded the Commission that outdoor alcohol service space must be defined and approved.

Motion by Commissioner Tompkins, seconded by Commissioner Jordan to recommend to the Council that a Marplayaa, Inc., d/b/a Windy City Wieners, located at 116 W. Washington St., be approved contingent upon compliance with all health safety codes.

Motion carried, (viva voce).

Commissioner Renner stated that this item would appear on the Council's February 9, 2015 Consent Agenda. He encouraged them to attend same.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Public notice was published in the Pantagraph on January 5, 2015 in accordance with City Code. In accordance with City Code, approximately one hundred eighteen (118) courtesy copies of the Public Notice were mailed on December 29, 2014. In addition, the Agenda for the January 13, 2015 Meeting of the Liquor Commission was placed on the City's web site. There also is a listserve feature for the Liquor Commission.

FINANCIAL IMPACT: The City will collect the annual license fee of \$1110, plus appropriate taxes.

Respectfully submitted for Council consideration.

Prepared by: Renee Gooderham, Chief Deputy Clerk

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

Recommended by



Tari Renner
Mayor

Attachments: Attachment 1. Creation of New License - Findings

Motion: That an RBS liquor license for Big Cheese, Inc., d/b/a Windy City Wieners, located at 116 W. Washington St., be created, contingent upon compliance with all building, zoning, health, and safety codes.

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)



FOR COUNCIL: February 9, 2015

SUBJECT: Application of Big Cheese, Inc., d/b/a Flingers Pizza Pub, located at 1503 E. Vernon Ave., requesting an RAS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week

RECOMMENDATION/MOTION: That an RAS liquor license for Big Cheese, Inc., d/b/a Flingers Pizza Pub, located at 1503 E. Vernon Ave., be created, contingent upon compliance with all applicable building, zoning, health, and safety codes.

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

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

BACKGROUND: The Bloomington Liquor Commissioner Tari Renner called the Liquor Hearing to order to hear the request of Big Cheese, Inc, d/b/a Flingers Pizza Pub, located at 1503 E. Vernon Ave., requesting an RAS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week. Present at the hearing were Liquor Commissioners Tari Renner, Geoffrey Tompkins and Jim Jordan; George Boyle, Asst. Corporation Counsel, Clay Wheeler, Asst. Police Chief, and Renee Gooderham, Chief Deputy Clerk and Patrick Fruin owner/operator and Applicant representative.

Staff Absent: Tracey Covert, City Clerk.

Commissioner Renner opened the liquor hearing and requested the Applicant representatives address this request. Patrick Fruin, owner/operator and Applicant representative addressed the Commission. Mr. Fruin noted he previously owned/operated Flingers Pizza Co. at 608 N. Main St. from 2007 to 2013. The lease for the location was not renewed. The new building was 2800 sq. ft. and had a patio. His menu would remain the same.

Commissioner Jordan questioned BASSET (Beverage Alcohol Sellers and Servers Education) certification. Mr. Fruin stated he was currently certified and all employees would be soon.

Commissioner Jordan questioned seating capacity. Mr. Fruin stated approximately 100 – 120. He wanted to offer family dining. He noted that the floor plan was being redrawn. The original architect would not release the drawings. George Boyle, Asst. Corporation Counsel, addressed the Commission. He noted that the floor plan defined the premise, i.e. serving area for alcohol.

Commissioner Jordan questioned video gaming devices. Mr. Fruin explained that he was reviewing similar concepts. He would lose eight (8) seats. A cost benefit analysis would be reviewed.

Mr. Boyle noted that Lard Lad Donuts, LLC was listed on the insurance letter. Mr. Fruin explained that he was owner Lard Lad Donuts, LLC which owned the building. Lard Lad would rent the building to Big Cheese, Inc.

Motion by Commissioner Tompkins, seconded by Commissioner Jordan to recommend to the Council that a RAS liquor license for Big Cheese, Inc, d/b/a Flingers Pizza Pub, located at 1503 E. Vernon Ave., be approved contingent upon: 1.)correct liquor liability insurance; 2.)floor plan submittal; and 3.)compliance with all health safety codes.

Motion carried, (viva voce).

Commissioner Renner informed Mr. Fruin that Staff would review the floor plan. If there were issues with same the application would be returned to the Liquor Commission. Commissioner Renner noted that this item would appear on the Council's February 9, 2015 meeting agenda. He encouraged Mr. Fruin to attend same.

There being no further business before the Commission, the meeting recessed at 4:21 p.m.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Public notice was published in the Pantagraph on January 5, 2015 in accordance with City Code. In accordance with City Code, approximately sixty –two (62) courtesy copies of the Public Notice were mailed on December 29, 2014. In addition, the Agenda for the January 13, 2015 Meeting of the Liquor Commission was placed on the City's web site. There also is a listserv feature for the Liquor Commission.

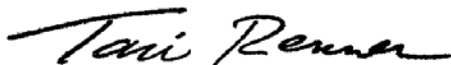
FINANCIAL IMPACT: The City will collect the annual license fee of \$1760, plus appropriate taxes.

Respectfully submitted for Council consideration.

Prepared by: Renee Gooderham
Chief Deputy Clerk

Reviewed by: George Boyle, Assistant Corporation Counsel

Recommended by:



Tari Renner
Mayor

Attachments: Attachment 1. Creation of New License - Findings

Motion: That an RAS liquor license for Big Cheese, Inc., d/b/a Flingers Pizza Pub, located at 1503 E. Vernon Ave., be created, contingent upon compliance with all applicable building, zoning, health, and safety codes.

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)



FOR COUNCIL: February 9, 2015

SUBJECT: Text Amendment to Chapter 20, Section 180 of the City Code Pertaining to Parking

RECOMMENDATION/MOTION: Recommend that The Amendments to Chapter 29 of the City Code 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 existing City Code provisions provide for limited free parking within the Major Butler Parking Lot and the Pepsi Ice Center Garage. A fee for parking, however, is routinely charged for events held at the U.S. Cellular Coliseum in accordance with various contracts and practices which constitutes City parking revenue. To prevent the requirement for obtaining special event permits for each event at the Coliseum, City staff is proposing a text amendment to the Parking Code that clarifies parking fees may be charged for events related to the Coliseum.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable.

FINANCIAL IMPACT: Not applicable.

Respectfully submitted for Council consideration.

Prepared by:

Jeffrey R. Jurgens, Corporation Counsel

Recommended by:

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

David A. Hales
City Manager

Attachments: Attachment 1. Ordinance Amending Chapter 29, Article XXI, Section 180

Motion: **That The Amendments to Chapter 29 of the City Code 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			

ORDINANCE 2015 - _____

AN ORDINANCE AMENDING THE CITY'S PROVISIONS ON MOTOR VEHICLES
& TRAFFIC FOR THE CITY OF BLOOMINGTON

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

SECTION 1. That Chapter 29, Article XXI, Section 180 of Bloomington City Code, 1960, as amended, shall be further amended as follows (unless otherwise noted, additions are indicated by underlines; deletions indicated by strikeouts):

- (a) Parking rates for parking in off-street parking lots and garages operated by parking devices shall be as follows:
 - (3) Major Butler Parking Lot. Except when events are held at the U.S. Cellular Coliseum for time periods in accordance with contracts or policies related to the Coliseum, ~~P~~parking is free; however, no vehicles shall be allowed to park for more than two (2) hours in any designated public parking space. Each designated public parking space is independent of the other.
 - (4) Pepsi Ice Center Parking Garage: \$50.00 per space per month. Except when events are held at the U.S. Cellular Coliseum for time periods in accordance with contracts or policies related to the Coliseum, ~~T~~he first and second levels shall be free; however, no vehicle shall be allowed to park more than four (4) hours per day in such facility. Vehicles exceeding the four (4) hour daily limit shall be fined in the amount provided under Section 187 of this Article for each additional four (4) hour period, or part thereof, the vehicle is parking in excess of the initial time of any subsequent four (4) hour period. No vehicle may be parked in the free portion of the Pepsi Ice Center Parking Garage more than one time during the same day, regardless of whether the vehicle occupied the same or another space in that portion of the parking garage and regardless of whether the vehicle was parked for the full amount of time allowed by this ordinance.

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

SECTION 4. In the event that any section, clause, provision, or part of this Ordinance shall be found and determined to be invalid by a court of competent jurisdiction, all valid parts that are severable from the invalid parts shall remain in full force and effect.

SECTION 5. The City Clerk is hereby authorized to publish this ordinance in pamphlet form as provided by law.

SECTION 6. This ordinance shall be effective immediately after the date of its publication as required by law.

SECTION 7. This ordinance is passed and approved pursuant to the home rule authority granted Article VII, Section 6 of the 1970 Illinois Constitution.

PASSED this 9th day of February, 2015.

APPROVED this _____ day of February, 2015.

APPROVED:

Tari Renner, Mayor

ATTEST:

Tracey Covert, City Clerk



FOR COUNCIL: February 9, 2015

SUBJECT: Petition from Illinois Wesleyan University for Approval of Sanitary and Storm Sewer Easement Dedications in a Part of Blocks 6 in Phoenix Addition and a part of Block 5 in the Resurvey of Blocks 4, 5, 7, and 11 Phoenix Addition

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

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

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

BACKGROUND: Illinois Wesleyan University is constructing an addition to the east of the existing Shirk Center at 302 East Emerson Street. The addition extends into their existing parking lot across the top of an existing sanitary sewer owned by the City. As part of the building expansion, Illinois Wesleyan University is relocating the sanitary sewer away from the proposed expansion.

During the planning process for this expansion, it was discovered that formal recorded easements do not currently exist for both the City storm and sanitary sewers through this property. The subject plats formally dedicate easements for the post-expansion location of the storm and sanitary sewers. The proposed easements allow the City to maintain the sewers through the University's property.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Illinois Wesleyan University

FINANCIAL IMPACT: None. All survey, plat and recording costs are paid by the petitioner.

Respectfully submitted for Council consideration.

Prepared by: Anthony J Meizelis, P.E., Civil Engineer I

Reviewed by: Jim Karch, P.E., CFM, Director of Public Works

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

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:



David A. Hales
City Manager

- Attachments:**
- Attachment 1. Petition
 - Attachment 2. Ordinance
 - Attachment 3. Legal
 - Attachment 4. Grant of Permanent Easement
 - Attachment 5. Map
 - Attachment 6. Easement Map

Motion: That the Dedications be approved and the Ordinances 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			

**PETITION FOR DEDICATION OF
SANITARY AND STORM SEWER EASEMENTS**

STATE OF ILLINOIS)
) ss.
COUNTY OF MCLEAN)

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

Now comes Illinois Wesleyan University, hereinafter referred to as your Petitioner, respectfully representing and requesting as follows:

1. That your Petitioner is interested as Owner in the premises hereinafter described in Exhibits A and B attached hereto and made a part hereof by this reference;
2. That your Petitioner(s) seek(s) approval of the dedication of storm and sanitary sewer easements over said premises;

WHEREFORE, your Petitioner(s) pray(s) that the storm and sanitary sewer easements be dedicated with such reservation of utility easements as may seem proper.

Respectfully submitted,

Illinois Wesleyan University,

By: _____
Todd E. Bugg, its attorney

ORDINANCE NO. _____

**AN ORDINANCE PROVIDING FOR THE DEDICATION OF
STORM AND SANITARY SEWER EASEMENTS**

WHEREAS, there was heretofore filed with the City Clerk of the City of Bloomington, McLean County, Illinois, a petition requesting the dedication of Storm and Sanitary Sewer Easements; and

WHEREAS, said petition complies in all respects with the ordinances of said City and the statutes of the State of Illinois in such case made and provided; and

WHEREAS, the City Council of said City has the power to pass this Ordinance and grant said dedication; and

WHEREAS, it is reasonable and proper to dedicate said Storm and Sanitary Sewer Easements as requested in this case.

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

1. That the Storm and Sanitary Sewer Easements as shown more fully on Exhibits A and B are hereby dedicated.
2. That this ordinance shall be in full force and effective as of the time of its passage and approval.

PASSED this _____ day of _____, 2015.

APPROVED this _____ day of _____, 2015.

Mayor

ATTEST:

City Clerk

EXHIBIT A

Tract 1:

A part of Block 6 in Phoenix Addition to the City of Bloomington, McLean County, Illinois being a strip of land 20 feet in width lying 10 feet on each side of the following described centerline: Commencing at the Northeast Corner of Lot 1 in said Block 6, thence west 325.30 feet along the South Line of vacated Kelsey Street to the Point of Beginning. From said Point of Beginning, thence southwest 112.20 feet along a line which forms an angle to the right of $146^{\circ}-17'-25''$ with said South Line; thence south 123.95 feet along a line which forms an angle to the right of $124^{\circ}-12'-51''$ with the last described course; thence southwest 166.83 feet along a line which forms an angle to the right of $215^{\circ}-42'-54''$ with the last described course to a Point of Terminus on the North Line of Emerson Street lying approximately 515 feet west of the Southeast Corner of Lot 20 in said Block 6. Sides of said easement to terminate at the South Line of vacated Kelsey Street and the North Line of Emerson Street.

Part of 14-33-404-021

Tract 2:

A part of Block 5 in the Resurvey of Blocks 4, 5, 7, and 11 Phoenix Addition to the City of Bloomington, McLean County, Illinois being a strip of land 20 feet in width lying 10 feet on each side of the following described centerline: Commencing at the Southeast Corner of Lot 20 in said Block 5, thence west 258.94 feet along the South Line of said Block 5, also being the North Line of vacated Kelsey Street to the Point of Beginning. From said Point of Beginning, thence northeast 182.84 feet along a line which forms an angle to the right of $47^{\circ}-41'-43''$ with the last described course to a Point of Terminus on the Southwest Right-of-Way Line of the Bloomington and Normal Water Reclamation District property, being the Main Branch of Sugar Creek.

Part of 14-33-402-017

Exhibit B

GRANT OF PERMANENT EASEMENT

ILLINOIS WESLEYAN UNIVERSITY, hereinafter called "Grantor," for an in consideration of the sum of One and 00/100 Dollar (\$1.00) and for other good and valuable consideration, receipt whereof is hereby acknowledged, does hereby convey and grant to THE CITY OF BLOOMINGTON, Illinois, a municipal corporation of the County of McLean, State of Illinois, hereinafter called "Grantee," all of the described property in Exhibit "A" attached hereto and incorporated herein by reference, for right-of-way purposes, together with the right to install, maintain, and renew any and all storm sewers thereon.

The Grantee agrees that it will cause all work performed by the Grantee on said tract of land to be done carefully so as to cause as little damage as possible to the premises of the Grantor and that it will cause said premises to be restored as nearly as possible to their original condition after the completion of necessary construction performed by the Grantee.

The Grantee agrees that it will save, protect, and keep harmless the Grantor, the said easement and the remainder of the Grantor's adjacent lands from any liens of any kind for either work or materials used or employed in all work performed and by the grantee on said tract of land.

The Grantee agrees that when construction work performed by the grantee is finished, it will cause all unused materials, machinery, equipment, or debris to be removed from said premises.

The Grantee agrees to indemnify and hold harmless Grantor from any and all claims for personal injury or property damage including any costs and attorney's fees arising from construction, maintenance or use of the easement.

The Grantor may keep and maintain light pole on the real property subject to this Easement. If sewer work allowed under this Easement requires the removal or relocation of the light poles, Grantor will bear the costs of removal and reinstallation.

The Grantor specifically reserves unto itself the fee simple title to the real property described above subject only to the easement described herein. This easement may not be assigned or transferred by Grantee.

The grant of easement herein shall terminate upon:

1. a failure of Grantee to comply with any term or condition of this grant, or
2. non-use of the easement herein granted for the purpose state for a consecutive two-year period, or
3. an abandonment of the easement, such termination to become effective upon date of notice thereof from Grantor to Grantee,

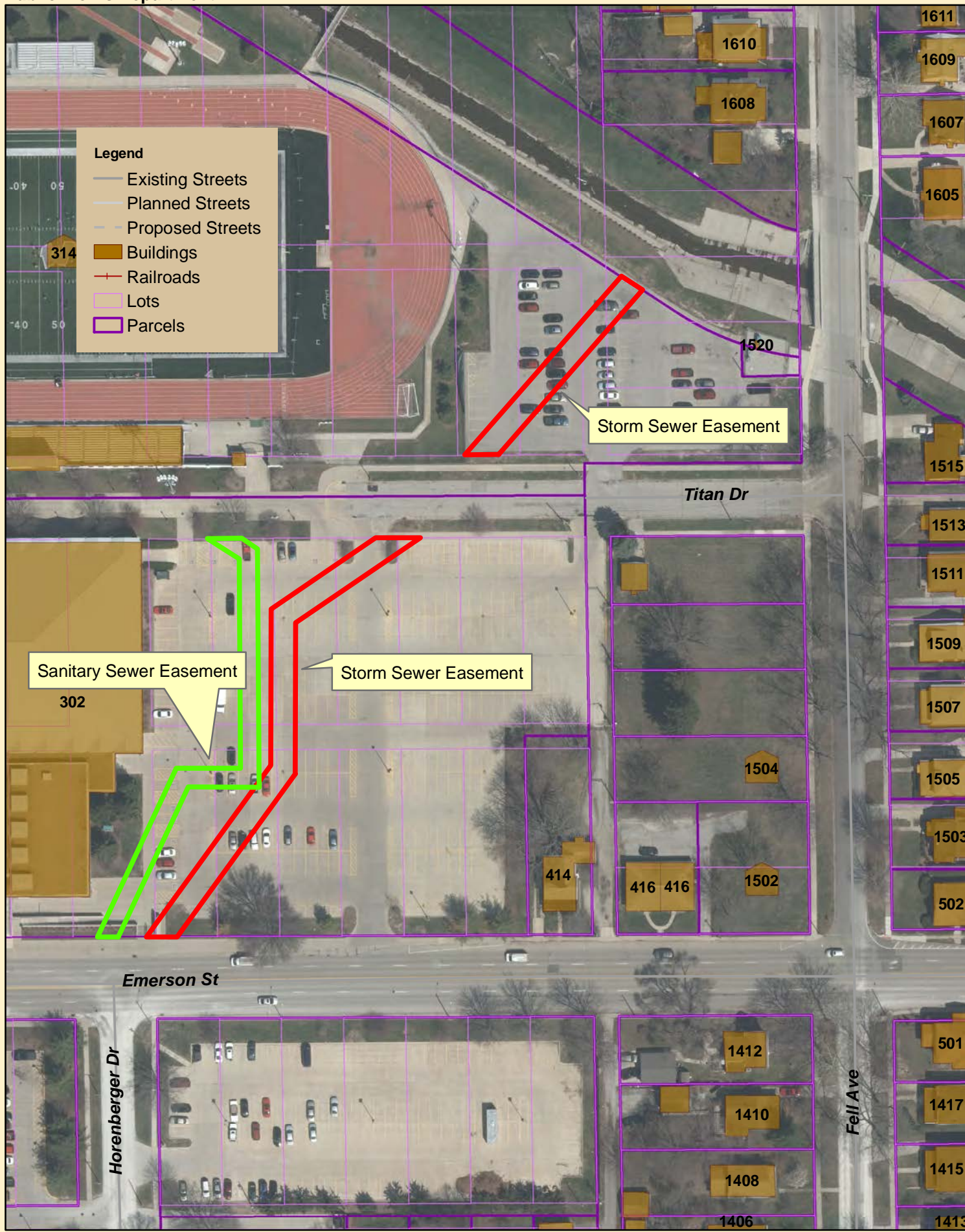
This Grant of Easement is made and executed pursuant to a resolution of the Board of Trustees of Illinois Wesleyan University duly adopted at its regular meeting on the ___ day of _____, 201__.

In witness whereof, Illinois Wesleyan University has caused its corporate seal to be hereto affixed and has caused this Grant of Easement to be signed by its authorized representative this ___ day of _____, 201__.

Illinois Wesleyan University, Grantor,

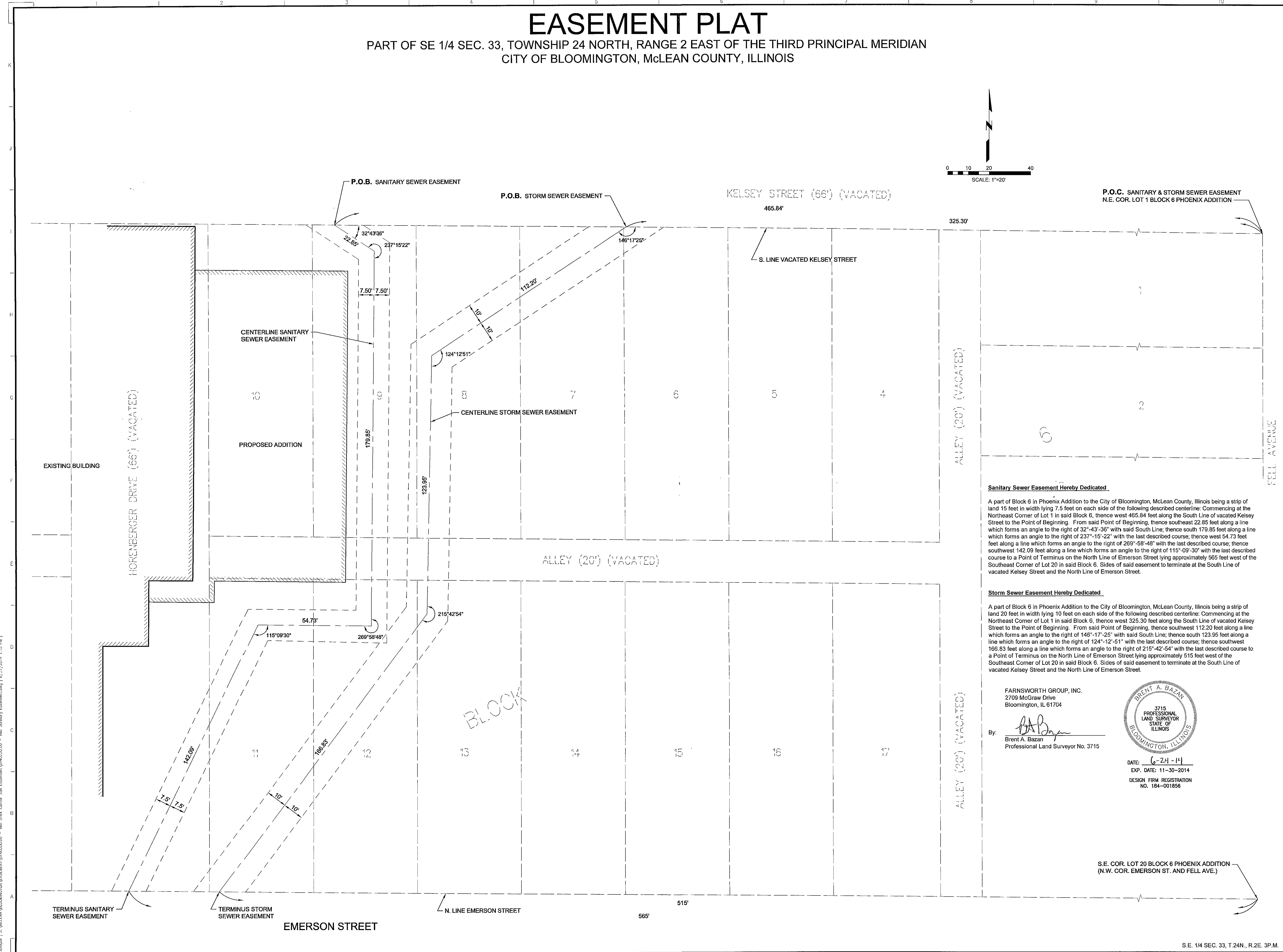
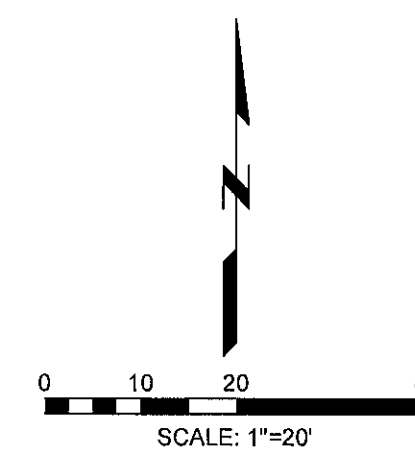
BY: _____

This instrument was prepared by and should be returned to:
Todd E. Bugg
Dunn Law Firm, LLP
1001 N. Main St.
Bloomington, IL 61701



EASEMENT PLAT

PART OF SE 1/4 SEC. 33, TOWNSHIP 24 NORTH, RANGE 2 EAST OF THE THIRD PRINCIPAL MERIDIAN
CITY OF BLOOMINGTON, McLEAN COUNTY, ILLINOIS



Sanitary Sewer Easement Hereby Dedicated

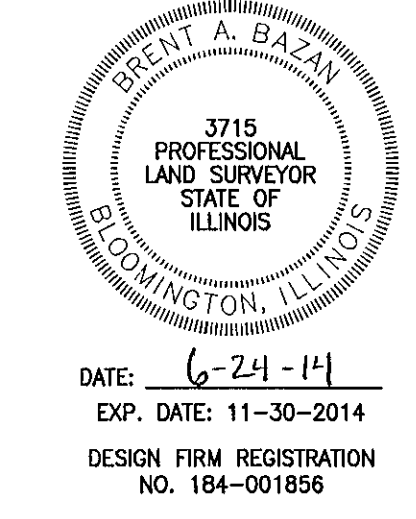
A part of Block 6 in Phoenix Addition to the City of Bloomington, McLean County, Illinois being a strip of land 15 feet in width lying 7.5 feet on each side of the following described centerline: Commencing at the Northeast Corner of Lot 1 in said Block 6, thence west 465.84 feet along the South Line of vacated Kelsey Street to the Point of Beginning. From said Point of Beginning, thence southeast 22.85 feet along a line which forms an angle to the right of 32°-43'-36" with said South Line; thence south 179.85 feet along a line which forms an angle to the right of 237°-15'-22" with the last described course, thence west 54.73 feet along a line which forms an angle to the right of 115°-09'-30" with the last described course, thence southwest 142.09 feet along a line which forms an angle to the right of 124°-12'-51" with the last described course to a Point of Terminus on the North Line of Emerson Street lying approximately 565 feet west of the Southeast Corner of Lot 20 in said Block 6. Sides of said easement to terminate at the South Line of vacated Kelsey Street and the North Line of Emerson Street.

Storm Sewer Easement Hereby Dedicated

A part of Block 6 in Phoenix Addition to the City of Bloomington, McLean County, Illinois being a strip of land 20 feet in width lying 10 feet on each side of the following described centerline: Commencing at the Northeast Corner of Lot 1 in said Block 6, thence west 325.30 feet along the South Line of vacated Kelsey Street to the Point of Beginning. From said Point of Beginning, thence southwest 112.20 feet along a line which forms an angle to the right of 146°-17'-25" with said South Line; thence south 123.95 feet along a line which forms an angle to the right of 124°-12'-51" with the last described course; thence southwest 165.83 feet along a line which forms an angle to the right of 215°-42'-54" with the last described course to a Point of Terminus on the North Line of Emerson Street lying approximately 515 feet west of the Southeast Corner of Lot 20 in said Block 6. Sides of said easement to terminate at the South Line of vacated Kelsey Street and the North Line of Emerson Street.

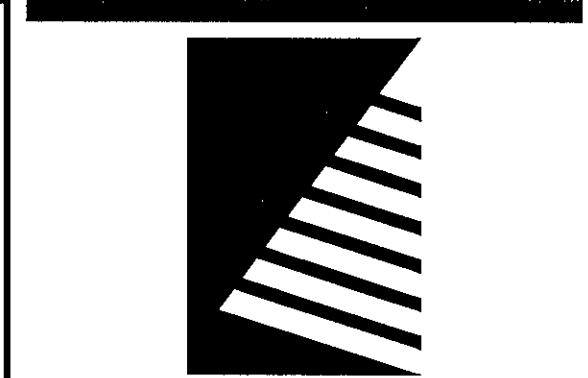
FARNSWORTH GROUP, INC.
2709 McGraw Drive
Bloomington, IL 61704

By: *Brent A. Bazan*
Brent A. Bazan
Professional Land Surveyor No. 3715



DATE: 6-24-14
EXP. DATE: 11-30-2014
DESIGN FIRM REGISTRATION NO. 184-001856

S.E. COR. LOT 20 BLOCK 6 PHOENIX ADDITION
(N.W. COR. EMERSON ST. AND FELL AVE.)



Farnsworth GROUP

2709 McGRAW DRIVE
BLOOMINGTON, ILLINOIS 61704
(309) 663-8435 / info@f-w.com

www.f-w.com
Engineers | Architects | Surveyors | Scientists

ISSUE:
Date: Description:

PROJECT:
ILLINOIS WESLEYAN UNIVERSITY

BLOOMINGTON, ILLIOIS

Date: 06-24-14
Design/Drawn: SJB
Reviewed:
Book No.: Field:
Project No.: 0140230.00

SHEET TITLE:
SANITARY AND STORM SEWER EASEMENT PLAT

SHEET NUMBER:
1

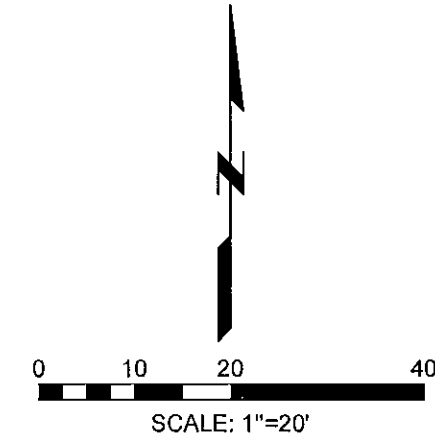
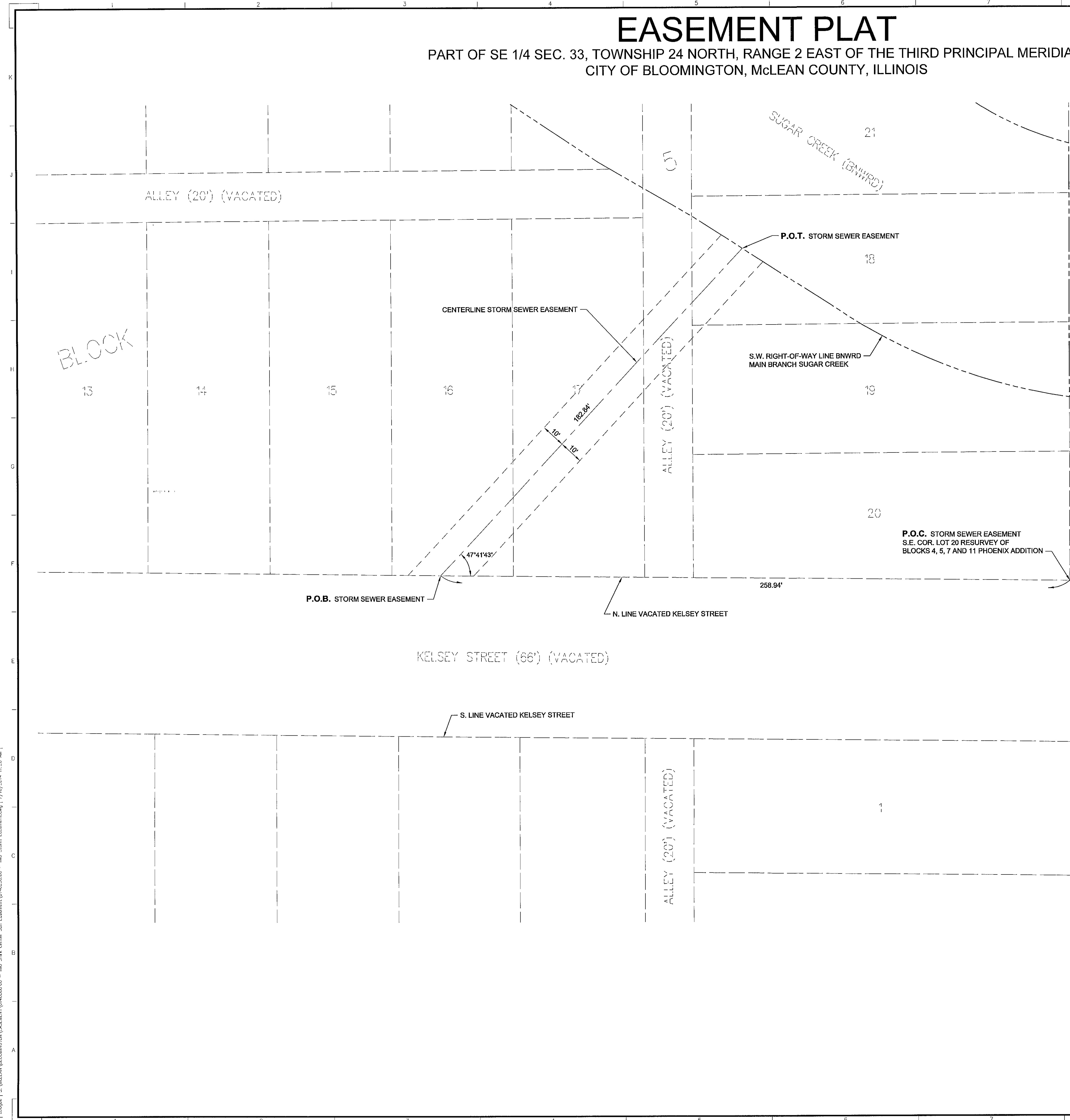
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S.E. 1/4 SEC. 33, T.24N., R.2E. 3P.M.

EASEMENT PLAT

PART OF SE 1/4 SEC. 33, TOWNSHIP 24 NORTH, RANGE 2 EAST OF THE THIRD PRINCIPAL MERIDIAN
CITY OF BLOOMINGTON, McLEAN COUNTY, ILLINOIS



Storm Sewer Easement Hereby Dedicated

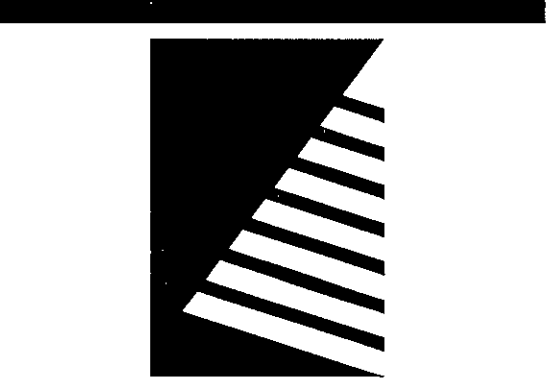
A part of Block 5 in the Resurvey of Blocks 4, 5, 7, and 11 Phoenix Addition to the City of Bloomington, McLean County, Illinois being a strip of land 20 feet in width lying 10 feet on each side of the following described centerline: Commencing at the Southeast Corner of Lot 20 in said Block 5, thence west 258.94 feet along the South Line of said Block 5, also being the North Line of vacated Kelsey Street to the Point of Beginning. From said Point of Beginning, thence northeast 182.84 feet along a line which forms an angle to the left of 47°-41'-43" with the last described course to a Point of Terminus on the Southwest Right-of-Way Line of the Bloomington and Normal Water Reclamation District property, being the Main Branch of Sugar Creek.

FARNSWORTH GROUP, INC.
2709 McGraw Drive
Bloomington, IL 61704
By: *B.A. Bazan*
Brent A. Bazan
Professional Land Surveyor No. 3715



DATE: 7-16-14
EXP. DATE: 11-30-2014
DESIGN FIRM REGISTRATION NO. 184-001856

PART OF P.I.N. 14-33-402-017



Farnsworth GROUP

2709 McGRAW DRIVE
BLOOMINGTON, ILLINOIS 61704
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Engineers | Architects | Surveyors | Scientists

ISSUE:
Date: Description:

PROJECT:
ILLINOIS WESLEYAN UNIVERSITY

BLOOMINGTON, ILLIOIS

Date:	07-16-14
Design/Drawn:	SJB
Reviewed:	
Book No.:	Field:
Project No.:	0140230.00

SHEET TITLE:
STORM SEWER EASEMENT PLAT

SHEET NUMBER:
1

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FOR COUNCIL: February 9, 2015

SUBJECT: Waive the Formal Bid Process and Approve Professional Services Agreement with F.B. Leopold, Inc. of Zelienople, Pennsylvania, a proprietary filter underdrain manufacturer, for the retrofit of two filters (#14 and #15) at the Water Treatment Plant

RECOMMENDATION/MOTION: Recommend that the Formal Bid Process be waived and the Professional Services Agreement with F.B. Leopold, Inc. of Zelienople, Pennsylvania in the amount of \$370,760 be approved, and the Mayor and City Clerk authorized to execute the necessary documents.)

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

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

BACKGROUND: The Water Department has encountered a failure in the underdrains of two (2) of its conventional, rapid rate gravity filters. Repairs require moving forward on filters #14 and #15 to restore the water plant. These filters will be retrofit with proprietary gravel-less underdrains, provisions for a new air scour backwash system, demolition of the existing underdrain system, installation of the new gravel-less underdrain system, replacement of filter media and incidental construction related to the filter retrofit.

The clay underdrain in filter #15, in the new section of the Water Treatment Plant, failed. The underdrain is the portion of the filter upon which the supporting gravel of various sizes and the filter sand is placed. The underdrain system supports this filter media and acts as the collection point of the filtered water. Once it passes through the filtering layers of sand and the support gravel (see attached diagrams). This provides for a short circuit in the filtering process and the water to be filtered will take the path of least resistance and moving through the filter media in a quicker fashion than other parts of the filter resulting in less efficiently filtered or in essence not filtered at all. This can lead to higher cloudiness in the treated water (turbidity) and other possible water quality problems.

An underdrain failure can generally only be determined by removing all the media from the filter and physically inspecting the underdrain. This activity removes the filter from service for several weeks, is costly and time consuming. This has been done for filter #15 and it has been confirmed that there is a failed portion in same. Much like an underground coal mine collapsing and causing a sink hole on the ground surface, a failed underdrain collapses downward and the filter media on top of the underdrain collapses into the filter underdrain causing the uniform layers of the filter media to become mixed and essentially a small sink hole forms on top of the filter. Filter #15, with two halves or "cells", is capable of filtering a total two (2) million gallons per day. This filter is currently out of service until it is retrofitted with the new underdrain system. If

the City encounters peak pumpage while this filter is out of service, the Water Treatment Plant would be hampered in its ability to meet peak demands.

The improvement of the rapid rate filters at the Water Treatment Plant has been cite in the September, 2007 Water Plant Master Plan. The plan was to coincide with the construction of the filter expansion at the WTP. That work is budgeted to occur this year, in FY 15.

AECOM, Inc. was retained to design the new underdrain system for the new portion of the WTP. This has been completed. During that time, the Water Department completed its routine annual removal, regeneration and replacement of the Granular Activated Carbon (GAC) layer in about one third (1/3) of the filters.

Filter #14 during the annual December, 2013 maintenance procedure exhibited the same characteristics as filter #15. After the media was removed from same, it was determined that the same retrofit as filter #15 to be fully functional.

The same design will be used in the other filters in the new portion of the WTP as they are upgrade in the future.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable.

FINANCIAL IMPACT: The filter expansion project was included in the Water Department's capital FY 2015 budget in the amount of \$1,500,000. The expansion project will be deferred to the next fiscal year. Staff proposes that the underdrain replacement project be paid from the funds that were originally budgeted for the filter expansion project. This will be paid out of Water Purification-Water Plant Construction (50100130-72590). Stakeholders can find this in the FY 2015 Budget book titled "Other Funds & Capital Improvement Program" on page 143.

Respectfully submitted for Council consideration.

Prepared by: Brett Lueschen, Interim Water Director

Reviewed by: Steve Rasmussen, 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.Photos

Motion: That the Formal Bid Process be waived and the Professional Services Agreement with F.B. Leopold, Inc. of Zelienople, Pennsylvania in the amount of \$370,760 be approved, and the Mayor and City Clerk 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			



Old Clay Filter Underdrain



New Composite Underdrain

Old Clay Filter Underdrain



FOR COUNCIL: February 9, 2015

SUBJECT: Analysis of Bids and Approval of Contract for Relocation of the two (2) 24” Transmission Mains in the Town of Normal at the Main St. Bridge, Bid #2015-49

RECOMMENDATION/MOTION: Recommend that the Bid for \$326,640 for Relocation of the two (2) Transmission Mains be accepted contingent on acquisition of necessary easement from Stark Excavating, Inc. and contract approval in the amount of \$326,640, 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 2b. Quality Water for the Long Term and Objective 2e. Investing in the City’s future through a realistic, funded capital improvement program.

BACKGROUND: The IDOT is replacing the Main St. Bridge that crosses Sugar Creek in the Town of Normal. The City has two (2) 24” transmission mains located under the bridge. With the bridge replacement the City has to relocate these two (2) mains. The mains will need to be relocated before IDOT can start the bridge work in the spring of 2015. The transmission mains provide water from the Fort Jesse pump station to the underground storage reservoirs at the Division St. pump station.

Requests for bids for the above-mentioned project were advertised and fourteen (14) plan sets were picked up by interested contractors. The following is the summary of the three (3) bids received:

Contractor	Total Base Bid Price
*Stark Excavating, Inc.	\$326,640.00
George Gildner, Inc.	\$364,165.00
G.A. Rich & Sons, Inc.	\$535,983.00

*Recommended, responsible low bidder.

Staff and our design engineering firm, Farnsworth, Inc. have analyzed these bids and would recommends the acceptance of the lowest bid from Stark Excavating, Inc. in the amount of \$326,640.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: None

FINANCIAL IMPACT: Payment for the Relocation of the Transmission Mains will be made from the Water Transmission & Distribution-Water Main Construction & Improvements

(50100120-72540) account. Stakeholders can locate this in FY 2015 Budget Book titled “Other Funds & Capital Improvement Program” on pages 138 and 280.

Respectfully submitted for Council consideration.

Prepared by: Brett Lueschen, Interim Water Director

Reviewed by: Steve Rasmussen, 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. Photo

Motion: That the Bid for \$326,640 for Relocation of the two (2) Transmission Mains be accepted contingent on acquisition of necessary easement from Stark Excavating, Inc. and contract approval in the amount of \$326,640, 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			

The photo below is the Main Street Bridge in the Town of Normal. The Bridge will be replaced by IDOT in the spring of 2015. The two Transmission Mains are located on the North side of the bridge.

