

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

The Council convened in regular Session in the Council Chambers, City Hall Building, at 7:02 p.m., Monday, January 12, 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, Joni Painter, Karen Schmidt, Jim Fruin and Mayor Tari Renner.

**Aldermen Absent:** Judy Stearns and Scott Black.

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.

Robert Bosquez, 819 W. Jefferson, addressed the Council. He thanked the Council for their support with the West Bloomington Revitalization Program (WBRP). He acknowledged housing partners: Mid Central Community Action, Habitat for Humanity and Community Development. He read WBRP's mission statement. He explained the process for *checking out* tools from the tool library. He noted that WBRP, located at 801 W Washington, celebrated their first (1<sup>st</sup>) year anniversary at same.

Josh Schmidgall, 2212 Beacon Ct., addressed the Council. He believed citizens paid too many taxes. He cited property tax, gas tax, and amusement tax. He believed Sewer & Storm Water Rate and Impact Fee Study/Analysis was a waste of tax payer money. He recommended cutting the size and scope of the government.

Patricia Marton, 1114 E. Grove St., addressed the Council. She had attended the Governor's Conference on Aging in Chicago over the holidays. She presented two (2) lectures during same. She met with Dontae Latson, CEO YWCA McLean County. Mr. Latson was possibly interested in developing a elderly stories video.

Alton Franklin, 508 Patterson Dr., addressed the Council. He was saddened by the events in France. He questioned awarding Raftelis Financial Consultants another contract. He

**believed the tap on fees for Hawthorne Commercial 12<sup>th</sup> Addition and Sapphire Lake 3<sup>rd</sup> Addition were not appropriate for the proposed subdivisions.**

**Gary Lambert, 3018 E. Oakland, addressed the Council. He had heard Governor Rauner's inaugural address. Governor Rauner was placing a freeze on non essential spending. He believed that rates should be raised if staff determined same. A Sewer & Storm Water Rate and Impact Fee Study/Analysis was not required.**

**The following was presented:**

Introduction of Laurel Schumacher, Citizens Beautification Committee.

**Mayor Renner recognized Ms. Schumacher.**

**The following was presented:**

Introduction of John Hanson, Airport Authority Board.

**Mayor Renner recognized Mr. Hanson.**

SUBJECT: Council Proceedings of December 8, 2014 and December 15, 2014

**RECOMMENDATION/MOTION:** Recommend that the reading of the minutes of the previous Council Proceedings of December 8, 2014 and December 15, 2014 and Work Session minutes of December 8, 2014 be dispensed with and the minutes approved as printed.

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

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

**BACKGROUND:** The Council Proceedings of December 8, 2014 and December 15, 2014 have been reviewed and certified as correct and complete by the City Clerk.

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

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

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

**FINANCIAL IMPACT:** Not applicable.

Respectfully submitted for Council consideration.

Prepared by: Tracey Covert, City Clerk

Recommended by:

David A. Hales  
City Manager

**Motion by Alderman Hauman, seconded by Alderman Lower that the that the reading of the minutes of the previous Council Proceedings of December 8, 2014 and December 15, 2014 and Work Session minutes of December 8, 2014 be dispensed with and the minutes approved as printed.**

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

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

**Nays: None.**

**Motion carried.**

**The following was presented:**

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: Tracey Covert, City Clerk

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

Recommended by:

David A. Hales  
City Manager

**Motion by Alderman Hauman, seconded by Alderman Lower 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, and Fruin.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

SUBJECT: Appointment to the Citizens Beautification Committee and Airport Authority Board

**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 Laurel Schumacher of 2004 Ebo Lane, Bloomington 61704 to the Citizens Beautification Committee. Her three (3) year term will expire April 30, 2018.

I ask your concurrence in the appointment of John Hanson of 21 Buckhurst Circle, Bloomington 61704 to the Airport Authority Board. His five (5) year term will expire April 30, 2018. Mr. Hanson is replacing Aaron Quick who has been serving as the board's chairman since May.

Parties interested in receiving City appointments can fill out a Statement of Interest in Mayoral Appointment to a Board, Commission, or Committee. Council maintains the right to review all forms submitted.

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

**FINANCIAL IMPACT:** None.

Respectfully submitted for Council consideration.

Prepared by: Beth Oakley, Executive Asst.

Recommended by:

Tari Renner  
Mayor

**Motion by Alderman Hauman, seconded by Alderman Lower that the Appointments be approved.**

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

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

**Nays: None.**

**Motion carried.**

**The following was presented:**

SUBJECT: Waive the Formal Bid Process and Contract with Hanson Professional Services, Inc. to Provide Construction Inspection for the Evergreen Lake Bridge Superstructure Replacement Project

**RECOMMENDATION/MOTION:** Recommend that the Formal Bid Process be waived, the agreement with Hanson Professional Services, Inc., Springfield, be approved, the Mayor and City Clerk be authorized to execute the necessary documents at a cost not to exceed of \$14,200 and the Resolution adopted.

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

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

**BACKGROUND:** The Evergreen Lake Spillway Bridge Superstructure Replacement Project was awarded by Council to Stark Excavating, Inc. on October 27, 2014. To date Stark has removed the old deck and both pier caps, and will now begin performing concrete repairs on the abutments and replacement of the pier caps. All work is scheduled for completion by May 15, 2015. Engineering Technician personnel are performing daily construction observation duties, however, the upcoming concrete repair work requires structural engineering expertise to identify

what areas need to be repaired. Hanson Professional Services prepared the construction plans for this project and have Licensed Structural Engineering personnel experienced in performing the needed work.

The agreement with Hanson Professional Services, Inc. would authorize up to ten (10) site visits to perform construction inspection requiring a structural engineer at a cost not to exceed of \$14,200.00.

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

**FINANCIAL IMPACT:** This expenditure was budgeted in the Water Transmission and Distribution – Engineering Services account (50100120-70050). Stakeholders may locate this in the budget book titled “Other Funds & Capital Improvement Program” on pages 280 and 325.

Respectfully submitted for Council consideration.

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

Reviewed by: Brett Lueschen, Interim Director of Water  
Steve Rasmussen, Asst. City Manager

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

Legal review by: Angela Fyans-Jimenez, Deputy Corporation Counsel

Recommended by:

David A. Hales  
City Manager

#### **RESOLUTION NO. 2015 -**

#### **A RESOLUTION WAIVING THE FORMAL BIDDING PROCESS AND AUTHORIZING THE PURCHASE OF PROFESSIONAL ENGINEERING SERVICES TO PERFORM CONSTRUCTION INSPECTION AT THE EVERGREEN LAKE BRIDGE FROM HANSON PROFESSIONAL SERVICES, INC. AT A COST NOT TO EXCEED OF \$14,200**

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

1. That the bidding process be waived and the Procurement Manager be authorized to Purchase Engineering Services for Construction Inspection from Hanson Professional Services, Inc. at a cost not to exceed of \$14,200.

ADOPTED this 12<sup>th</sup> day of January, 2015.

APPROVED this 13<sup>th</sup> day of January, 2015.

APPROVED:

Tari Renner  
Mayor

ATTEST:

Tracey Covert  
City Clerk

**Motion by Alderman Hauman, seconded by Alderman Lower that the Formal Bid Process be waived, the agreement with Hanson Professional Services, Inc., Springfield, be approved, the Mayor and City Clerk be authorized to execute the necessary documents at a cost not to exceed of \$14,200 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, and Fruin.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

SUBJECT: Intergovernmental Agreement with McLean County for 2015 Booking Services

**RECOMMENDATION/MOTION:** Recommend that the Intergovernmental Agreement with McLean County Sheriff's Department for 2015 Booking Services be renewed, in the amount of \$25,572, 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 1e. Partnering with others for the most cost-effective service delivery.

**BACKGROUND:** For several years an intergovernmental agreement has been in effect between the City and McLean County Sheriff's Department for retention, mug shots, booking, and

fingerprinting. This has proven to be an efficient and cost effective booking procedure which has reduced our liability because incarcerated subjects are rarely kept in our facility.

The term of agreement is January 1, 2015 to December 31, 2015, renewable on a year to year basis. The fee for booking services has increased by 3% from \$24,838 to \$25,572.

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

**FINANCIAL IMPACT:** The cost of the agreement for one (1) year is \$25,572 (\$2131 per month). This cost is budgeted in Police Department – Other Purchased Services account (10015110-70690). Stakeholders can locate this in the budget book titled “Budget Overview & General Fund” on page 251.

Respectfully submitted for Council consideration.

Prepared by: Marsha Ulrich, Office Manager

Reviewed by: Kenneth A. Bays, Asst. Police Chief

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

Legal review by: Angela Fyans-Jimenez, Deputy Corporation Counsel

Recommended by:

David A. Hales  
City Manager

**Motion by Alderman Hauman, seconded by Alderman Lower that the Intergovernmental Agreement with McLean County Sheriff’s Department for 2015 Booking Services be renewed, in the amount of \$25,572, 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, and Fruin.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Motion carried.**



SUBJECT: Third (3<sup>rd</sup>) Tolling Agreement with McLean County Land Trust CC-1

**RECOMMENDATION/MOTION:** Recommend that the Third (3<sup>rd</sup>) Tolling Agreement with McLean County Land Trust CC-1 be approved, and the Mayor and City Clerk be authorized to execute the necessary documents.

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

**STRATEGIC PLAN SIGNIFICANCE:** Objective 2a. Better quality roads and sidewalks, and Objective 5b. City decisions consistent with plans and policies.

**BACKGROUND:** The City and McLean County Land Trust CC-1 are parties to several annexation agreements from the 1990s related to the development of the Fox Creek Subdivision area. The Third (3<sup>rd</sup>) Amendment is the final amendment to the Fox Creek Annexation Agreement. It effectively replaces the original annexation agreement and the first (1<sup>st</sup>) two (2) amendments, and became the parties' agreement. The City contends that pursuant to the parties' agreements, the owner owes development fees, additional work on a detention basin, and on sidewalks in the twelfth (12<sup>th</sup>) addition of the Fox Creek Subdivision. Paragraph eighteen (18) of the Third (3<sup>rd</sup>) amendment provided that: This Agreement shall be enforceable for a period of twenty (20) years from the date of passage of the annexation ordinance contemplated by this agreement." Ordinance No. 1994-41, which ratified the amendment, was approved on April 26, 1994. The term of the annexation agreement ends on April 24, 2014. Section 11-15.1-4 of the Illinois Municipal Code provides that a "lawsuit to enforce and compel performance of the [annexation] agreement must be filed within the effective term of the agreement or within five (5) years from the date the cause of action accrued, whichever is later".

On April 14, 2014, the City approved a tolling agreement to waive a right to claim that litigation should be dismissed due to the expiration of a statute of limitations. This agreement gave the parties an additional six (6) month period during which the parties were able to work together in good faith to resolve their differences and reach resolution. During the tolling period, the parties also waive any defense by way of any statute of limitations which would otherwise arise during such period.

The term of that tolling agreement expired on April 14, 2014. A Second (2<sup>nd</sup>) Tolling Agreement was entered into extending the period to January 13, 2015.

Although the parties have resolved nearly all of the outstanding issues, additional time is needed to draft the necessary amendments to the annexation agreements and to finalize the details of the settlement. Accordingly, the parties desire to enter into a third (3<sup>rd</sup>) tolling agreement to extend the period until June 13, 2015, to waive any defense by way of any statute of limitations which would otherwise arise during such period.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** Snyder Development, A. Clay Cox, Edward R. Gower

**FINANCIAL IMPACT:** It is estimated McLean County Land Trust CC-1 currently owes the City \$562,194.78 in development fees. There are other “punch list” items that are covered by this agreement that have not yet been estimated.

Respectfully submitted for Council consideration.

Prepared by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:

David A. Hales  
City Manager

### **THIRD TOLLING AGREEMENT**

This Third (3<sup>rd</sup>) Tolling Agreement is made and entered into on this 12<sup>th</sup> day of January, 2015, by and between the City of Bloomington, McLean County, Illinois, herein referred to as “City” and David Fedor, as Trustee of McLean County Land Trust CC-1 dated September 1, 1993, herein referred to as “Owner”.

WHEREAS, David Fedor is the successor in interest to Mercer Turner, as Trustee of McLean County Land Trust CC-1 dated September 1, 1993 and to both First of America Trust Company, as trustee of the land trust The Peoples Bank, as trustee of land trust 21-040000 and PBB-232, dated January 25, 1991;

WHEREAS, the parties entered into an original annexation agreement dated December 10 and 11, 1990, which was amended on February 25, 1991, August 24, 1992 and February 25, 1994;

WHEREAS, the third (3<sup>rd</sup>) amendment to the original annexation agreement effectively replaced the original annexation agreement and the first (1<sup>st</sup>) two (2) amendments, and became the parties’ agreement;

WHEREAS, sole beneficiary of the Owner is Fox Creek, Inc.;

WHEREAS, the annexation ordinance contemplated by the annexation agreement was passed by the Bloomington City Council on April 25, 1994;

WHEREAS, the City contends that pursuant to the parties’ agreements the Owner owes the City development fees and additional work on a detention basin and on sidewalks in the twelfth (12<sup>th</sup>) addition of the Fox Creek Subdivision;

WHEREAS, the effective term of the parties’ annexation agreement arguably ends on April 24, 2014;

WHEREAS, section 11-15.1-4 of the Illinois Municipal Code provides that a “lawsuit to enforce and compel performance of the [annexation] agreement must be filed within the effective term of the agreement or within five (5) years from the date the cause of action accrued, whichever is later”; and

WHEREAS, the parties previously entered into a Tolling Agreement dated April 14, 2014, to provide six (6) months to negotiation resolution to the outstanding issues and subsequently entered into a Second (2<sup>nd</sup>) Tolling Agreement on October 13, 2014, to allow three (3) more months of negotiation; and

WHEREAS, the parties are working together in good faith to resolve their differences, and believe that they should be able to resolve some or all of their differences shortly and believe that it would not be in either parties’ interest to engage immediately in litigation; and

WHEREAS, to allow the parties time to finalize a resolution to the pending issues, including the adoption of any necessary amendments to the annexation agreement, the parties desire and find it in their best interests to enter into this Third (3<sup>rd</sup>) Tolling Agreement to allow an additional five (5) months of negotiation and finalize and approve any necessary documents.

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

1. The “Effective Date” shall mean the date of April 14, 2014.
2. The “Termination Date” shall mean the date of June 12, 2015.
3. With respect to any claims arising out of the annexation agreement, as amended, that the Parties may have against each other, the Parties agree that any applicable statute(s) of limitations, statute(s) of repose, laches, or any other defense(s) applicable are tolled during the period of time from the Effective Date to the Termination Date. The period of time from the Effective Date until the Termination Date shall not be taken into account in calculating the period of any applicable statute(s) of limitations, statute(s) of repose, or laches.
4. Any claims instituted before or on the Termination Date will be deemed to have been filed on the Effective Date for purposes of any statute(s) of limitations, statute(s) of repose, laches, or any other defense(s) applicable to the time within which the claims arising out of the annexation agreement, as amended, are filed between the Parties.
5. The parties acknowledge that it is the desire and intention of both parties to execute a full amendment of the Annexation Agreement for the sole purpose extending the enforcement date of the Annexation Agreement but that there is insufficient time meet all statutory requirements for approval of such amendment before April 25, 2014 and/or the extension date within the original Tolling Agreement of October 14, 2014 or Second (2<sup>nd</sup>) Tolling Agreement of January 13, 2015.
6. All parties will cooperate to meet the statutory requirements for approval of an amendment of the annexation agreement and as soon as all statutory requirements for approval of

an amendment to the annexation agreement have been met, the parties will execute a fourth (4<sup>th</sup>) amendment to the annexation agreement on terms identical to those set forth on the attached Exhibit A. Adoption of the Exhibit A attached hereto, and the requirements for same, shall replace the requirements in paragraph 6 of the Tolling Agreement dated April 14, 2014 and Second Tolling Agreement dated October 13, 2014.

City of Bloomington, Illinois,  
A Municipal Corporation

By: Tari Renner, Mayor

ATTEST:

Tracey Covert, City Clerk

McLean County Land Trust CC-1 Dated  
September 1, 1993

David Fedor, as Trustee

#### **EXHIBIT A**

#### **FOURTH AMENDMENT TO ANNEXATION AGREEMENT**

This Agreement is made and entered into on this \_\_\_\_ day of \_\_\_\_\_, 201\_\_, by and between the City of Bloomington, McLean County, Illinois, herein referred to as "City" and David Fedor, as Trustee of McLean County Land Trust CC-1 dated September I, 1993, herein referred to as "**Owner**".

WHEREAS, David Fedor is the successor in interest to Mercer Turner, as Trustee of McLean County Land Trust CC-I dated September I, 1993 and to both First of America Trust Company, as trustee of the land trust The Peoples Bank, as trustee of land trust 21-040000 and PBB-232, dated January 25,1991;

WHEREAS, this is the fourth (4<sup>th</sup>) amendment to the original annexation agreement dated December 10 and 11, 1990, which was previously amended on February 25, 1991, August 24, 1992 and February 25, 1994;

WHEREAS, the third (3<sup>rd</sup>) amendment to the original annexation agreement effectively replaced the original annexation agreement and the first (1<sup>st</sup>) two (two) amendments, and became the parties' agreement;

WHEREAS, sole beneficiary of the Owner is Fox Creek, Inc.; and

WHEREAS, the parties desire to amend their agreement to extend the period of time during which their agreement may be enforced to provide an additional period of time as set forth herein to try and reach agreement with respect to outstanding issues concerning fees owed, a detention basin and completion of the punch list for the twelfth (12<sup>th</sup>) addition of the Fox Creek Subdivision.

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

7. Paragraph 18 of the April 25, 1994 third amendment to the original annexation agreement dated December 10 and 11 is amended by eliminating the current language and replacing it in its entirety with the following language:

18. This Agreement shall be enforceable up through and including June 13, 2015. This Agreement is binding upon the parties hereto, and their heirs, successors and assigns.

8. Except as amended as set forth above, all of the provisions of the April 25, 1994 third amendment to the original annexation agreement dated December 10 and 11, 1991 are unchanged and remain enforceable.

City of Bloomington, Illinois,  
A Municipal Corporation

By: Tari Renner  
Mayor

ATTEST:

Tracey Covert, City Clerk

David Fedor, as Trustee of McLean County  
Land Trust CC-1 dated September 1, 1993

**Motion by Alderman Hauman, seconded by Alderman Lower that the Third (3rd) Tolling Agreement with McLean County Land Trust CC-1 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, and Fruin.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

SUBJECT: Agreement with New World Systems for Standard Software Maintenance

**RECOMMENDATION/MOTION:** Recommend that the three (3) year Agreement with New World Systems for a Standard Software Maintenance Agreement in the amount of \$318,615 be approved, and the Mayor and City Clerk be authorized to execute the necessary documents.

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

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

**BACKGROUND:** New World Systems is the provider of the Computer Aided Dispatch system utilized by the Bloomington Communications Center. The Computer Aided Dispatch system is utilized daily in the processing and dispatching of emergency and non-emergency calls for service for the Bloomington Police and Fire Departments. This standard software maintenance agreement provides upgrades, including new releases, to the Licensed Standard Software, temporary fixes to the software, revisions to licensed documentation, routine and emergency telephone support, and user group access. This agreement protects one of the most vital computer systems in place in the City. The agreement allows the City to maintain a defined level of service to the public, including such services as Automated Vehicle Location technology and Fire Priority Dispatch System protocols. The City and New World have been partners since 2005.

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

**FINANCIAL IMPACT:** The total cost of the agreement is \$318,615. The impact by fiscal year is as follows:

|         |           |
|---------|-----------|
| FY 2015 | \$49,874  |
| FY 2016 | \$102,741 |
| FY 2017 | \$109,433 |
| FY 2018 | \$56,567  |

The term of the agreement is 02/01/2015 to 01/31/2018. Funds in the amount of \$49,405 are budgeted in the FY 2015 Communication Center-Repair/Maintenance Office & Computer Equipment (10015118-70530). Stakeholders can locate this in the FY 2015 Budget Book titled "Budget Overview & General Fund" on page 262.

Respectfully submitted for Council consideration.

Prepared by: Darren R. Wolf, Communications Center Manager

Reviewed by: Kenneth Bays, Asst. Chief of Police

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

Legal review by: Angela Fyans-Jimenez, Deputy Corporation Counsel

Recommended by:

David A. Hales  
City Manager

**Motion by Alderman Hauman, seconded by Alderman Lower that the three (3) year Agreement with New World Systems for a Standard Software Maintenance Agreement in the amount of \$318,615 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, and Fruin.  
Nays: None.**

**Motion carried.**

**The following was presented:**

SUBJECT: Agreement with T2 Systems Inc., to provide online hosting services for the T2 Flex Parking Management System

**RECOMMENDATION/MOTION:** Recommend that the Agreement be approved with T2 Systems Inc. in the amount of \$18,475 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 T2 Flex software system is used by Parking staff to manage and streamline daily operations of parking space rental and violations. It is a critical component of achieving the high level of customer service. The hosting agreement for the T2 Flex parking management solution is sold solely through T2 Systems, Inc., of Indianapolis, IN. The recommended hosting agreement with T2 Systems will lower overall costs associated with supporting the parking management system while still maintaining a strong, resilient solution.

By moving the solution from a City-hosted model to a T2 hosted and managed solution, it will also free staff time currently required to manage the server and database infrastructure used by the current system.

In 2004, the City implemented the T2 Software System to administer the parking violations issued by the parking attendants and the Police Department. The implementation was highly successful. The City implemented multiple features such as handheld ticket writers, scheduled invoice printing, and automatic license plate retrieval with the State of Illinois.

As staff continues to explore new and updated methods of utilizing the full capacity of the T2 parking management system, the need to provide an online payment and account management solution has been identified. Today, customers expect the convenience of paying fines and dues, and managing their account, from the convenience of their home computer or mobile device. Staff has identified a two (2) step plan: (1) migrate the City-hosted solution to a T2-hosted (cloud) model; (2) work T2 to implement the online services within the T2 cloud. This request is for step one of this plan.

The City hosts the T2 Software System on infrastructure within the Information Services (IS) Department. While a City-hosted model is appropriate for many City systems, IS is looking for vendor-hosted (cloud-based) opportunities. A vendor-hosted system can save IS staff time related to ongoing management of software updates, server hardware and server operating system.

In researching the option of moving to a vendor-hosted (cloud) model for the T2 parking management solution, IS staff considered the benefits of City-hosted versus T2-hosted solutions:

#### Current City Hosted Solution:

- Currently, there are two (2) internal servers supporting the T2 system, one (1) physical server and one (1) virtual (internal cloud) server. The physical server operates using an Oracle database, which is the foundation of the T2 system. The virtual server runs the web-based application providing end user interface.
- The physical server is aging and is in need of either replacement or a transition into the internal cloud.
- The T2 system is the only City application left operating on the Oracle database. It is not compatible with the current City database platform standard (Microsoft SQL Server). For upcoming T2 upgrades, the Oracle version will also need to be upgraded.
- Yearly maintenance costs for the Oracle database software is \$8,023. An annual cost for maintenance for the server hardware is \$125, and combined costs for both server (physical and virtual) operating systems is approximately \$1,000.
- As a result of implementing the T2 online payment solution, two (2) more City hosted servers (most likely internal cloud-based, not physical) will be required.

#### Proposed T2 Hosted Solution:



- Manage all server hardware, operating system, Oracle database and software, including all necessary updates required for each.
- Dropping annual maintenance for Oracle database backend, along with hardware and operating system software maintenance.
- Focus on supporting the current standard database platform (MS SQL Server) rather than trying to support two (2) separate platforms. Each platform is highly technical and requires significant ongoing training in order for staff to provide support.
- T2 is responsible for maintaining any future security requirements related to the software. Payment card security requirements (PCI-DSS), for example, are no longer an issue for staff.
- T2 is responsible for any servers needed to implement the online payment solution, and infrastructure needed for any future module implementations.
- The City will retain control of the data and T2 will not sell any customer data.

As part of the City’s Enterprise Resource Planning (ERP, MUNIS) project, staff analyzed whether parking management could be moved from T2 to an integrated MUNIS module. It was determined that MUNIS could not meet the very specific functional requirements provided by the software platform. The system is specifically designed for the management of parking services and MUNIS has no competing module. As T2 modifications, and the MUNIS implementation, move forward, staff will complete the process of fully interfacing T2 with the MUNIS system. This integration will strengthen the internal control framework for the parking and non-moving violations in addition to the monthly parking cards receivable issued to residents.

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

**FINANCIAL IMPACT:** After one-time costs related to the migration from City-hosted to a T2-hosted solution, ongoing annual costs for identical T2 functionality will be almost identical. Annual T2 software maintenance costs are required for either a City-hosted or T2-hosted solution, so these would be identical.

New costs related to T2 hosting will be offset by no longer having to pay for yearly Oracle database, server hardware, and server operating system maintenance costs. The table below compares costs between the City-hosted and T2-hosted solutions. Line items in bold text are those that make up the total for this memo’s request.

| <b><u>City Hosted (current)</u></b> |          | <b><u>T2 Hosted (proposed)</u></b>                         |                |
|-------------------------------------|----------|--|----------------|
| Annual Oracle DB Maintenance        | \$8,023  | <b>Year1 T2 Base Hosting Fee</b>                           | <b>\$4,000</b> |
| Annual Server Hardware Maintenance  | \$125    | <b>Year1 Online Payment Hosting Fee</b>                    | <b>\$3,000</b> |
| Annual Server OS Maintenance        | \$1,000  |  |                |
| Annual T2 Software Maintenance      | \$17,743 | Annual T2 Software Maintenance                             | \$17,743       |
| Annual Recurring Cost Total         | \$26,891 | Year1 Recurring Cost Total (includes yearly hosting costs) | \$24,743       |

|   |         |   |                 |
|---|---------|---|-----------------|
|   |         | Year2 Recurring Cost Total<br>(estimate includes yearly<br>hosting costs) | \$27,193        |
|   |         | Year3 Recurring Cost Total<br>(estimate includes yearly<br>hosting costs) | \$27,665        |
|   |         |   |                 |
|   |         | <b>One-time hosting transition<br/>costs</b>                              | <b>\$8,550</b>  |
| One-time 3 <sup>rd</sup> Party Billing<br>Interface Costs | \$2,925 | <b>One-time 3<sup>rd</sup> Party Billing<br/>Interface Costs</b>          | <b>\$2,925</b>  |
|   |         | <b>Total for T2 Hosting<br/>Migration</b>                                 | <b>\$18,475</b> |

First (1<sup>st</sup>) year cost for the T2 hosting component (includes base hosting fee and online payment hosting fee) is \$7,000. Second (2<sup>nd</sup>) and third (3<sup>rd</sup>) year maintenance costs are projected to be \$9,450 and \$9,922.50 respectively. These costs would again be offset by eliminating the annual purchase of Oracle database software maintenance, server hardware, and server operating system maintenance (\$10,289 first year).

Staff is requesting approval to contract with T2 Systems, Inc. to transition from a City-hosted to a T2-hosted solution for a total first year cost of \$18,475.

Funds were appropriated in the Parking Operations – Repair/Maintenance Office & Computer Equipment account (10015490-70530). Stakeholders may locate this in the budget book titled “Budget Overview & General Fund” on page 325.

Respectfully submitted for Council consideration.

Prepared by: Scott A. Sprouls, Director of Information Services

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

Legal review by: Angela Fyans-Jimenez, Deputy Corporation Counsel

Recommended by:

David A. Hales  
City Manager

**Motion by Alderman Hauman, seconded by Alderman Lower that the Agreement be approved with T2 Systems Inc. and that the Procurement Manager be authorized to issue a purchase order in the amount of \$18,475.**

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

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

**Nays: None.**

**Motion carried.**

**The following was presented:**

**SUBJECT:** Suspension of Ordinances to Allow Consumption of Alcohol at Miller Park Pavilion on March 28, 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 Jim Marshall and Cori Bloodworth to allow moderate consumption of alcohol at their March 28, 2015, wedding reception to be held at the Miller Park Pavilion. Present at the hearing were Liquor Commissioners Tari Renner, Geoffrey Tompkins and Jim Jordan; George Boyle, Asst. Corporation Counsel, Clay Wheeler, Asst. Police Chief, and Tracey Covert, City Clerk, and Jim Marshall, groom and Cori Bloodworth, bride and requestors' representatives.

Commissioner Renner opened the liquor hearing and requested that the requestor's representatives address this request. Jim Marshall and Cori Bloodworth, groom and bride, addressed the Commission. The wedding ceremony and reception would be held at the Miller Park Pavilion on March 28, 2015. It would start around 4:00 p.m. and end at 11:00 p.m. They anticipated 150 - 200 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 Jim Marshall and Cori Bloodworth to allow moderate consumption of alcohol at the Miller Park Pavilion for their March 28, 2015 wedding reception be approved.

Motion carried, (viva voce).

City business practices permit Miller Park Pavilion to host events serving alcohol from November 1<sup>st</sup> to March 31<sup>st</sup> of each year. Events serving alcohol must receive prior approval from both the Liquor Commission and Council in order to host such an event.



**ORDINANCE NO. 2015 - 1**

**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 MILLER PARK PAVILION**

WHEREAS, Jim Marshall and Cori Bloodworth are planning to hold their wedding reception at the Miller Park Pavilion from 4:00p.m. to 11:00p.m. on March 28, 2015; and

WHEREAS, Jim Marshall and Cori Bloodworth 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 Miller Park Pavilion on March 28, 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 12<sup>th</sup> day of January.

APPROVED this 13<sup>th</sup> day of January.

APPROVED:

Tari Renner, Mayor

ATTEST:

Tracey Covert, City Clerk

**Motion by Alderman Hauman, seconded by Alderman Lower 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, and Fruin.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

SUBJECT: Suspension of Ordinances to Allow Consumption of Alcohol at Miller Park Pavilion on February 14, 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 Richard Jones II and Aimee Wheeler to allow moderate consumption of alcohol at their February 14, 2015, wedding reception to be held at the Miller Park Pavilion. Present at the hearing were Liquor Commissioners Tari Renner, Geoffrey Tompkins and Jim Jordan; George Boyle, Asst. Corporation Counsel, Clay Wheeler, Asst. Police Chief, and Tracey Covert, City Clerk, and Aimee Wheeler, bride and requestor's representatives.

Commissioner Renner opened the liquor hearing and requested that the requestor's representatives address this request. Aimee Wheeler, bride, addressed the Commission. The wedding ceremony and reception would be held at the Miller Park Pavilion on February 14, 2015. It would start around 5:00 p.m. and end at 11:00 p.m. They anticipated 100 guests. Western Tap, located at 1301 N. Western Ave., 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 Richard Jones II and Aimee Wheeler to allow moderate consumption of alcohol at the Miller Park Pavilion for their February 14, 2015 wedding reception be approved.

Motion carried, (viva voce).

City business practices permit Miller Park Pavilion to host events serving alcohol from November 1<sup>st</sup> to March 31<sup>st</sup> of each year. Events serving alcohol must receive prior approval from both the Liquor Commission and Council in order to host such an event.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** The Agenda for the December 9, 2014 Meeting of the Liquor Commission was placed on the City's web site. There also is a list serve feature for the Liquor Commission.

**FINANCIAL IMPACT:** None.

Respectfully submitted for Council consideration.

Reviewed by:

Debbie Bohannon, Parks, Recreation, & Cultural  
Arts Office Manager

Recommended by:

Tari Renner  
Mayor

**ORDINANCE NO. 2015 - 2****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 MILLER PARK PAVILION**

WHEREAS, Richard Jones II and Aimee Wheeler are planning to hold their wedding reception at the Miller Park Pavilion from 5:00p.m. to 11:00p.m. on February 14, 2015; and

WHEREAS, Richard Jones II and Aimee Wheeler 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 Miller Park Pavilion on February 14, 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 12<sup>th</sup> day of January.

APPROVED this 13<sup>th</sup> day of January.

APPROVED:

Tari Renner, Mayor

ATTEST:

Tracey Covert, City Clerk



**Motion by Alderman Hauman, seconded by Alderman Lower 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, and Fruin.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**SUBJECT:** Lake Bloomington Lease Transfer Petition for Lot 1, Camp Eagle Pointe, from James W. McCriskin and Nancy J. McCriskin to Nancy Jean McCriskin, Trustee of the Nancy Jean McCriskin Trust dated November 15, 1999

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

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

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

**BACKGROUND:** The sewage disposal system inspection was completed November 2014. The septic system appeared to be functioning normally at that time. The septic tank was pumped on November 12, 2014 but should be checked regularly. The age of the sewage disposal system is twenty-one (21) years. The McLean County Health Department estimates sewage disposal systems have an average life span of approximately twenty to twenty-five (20 - 25) years. However, this can be affected greatly by usage patterns of the premises, (seasonal versus full time occupancy), and system maintenance.

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

**FINANCIAL IMPACT:** This petition will have a neutral financial impact in that the current lease uses the current formula, (\$0.15 per \$100 of Equalized Assessed Value), for determining the Lake Lease Fee. With this transfer, the lake lease formula will generate about \$271.43 per year in lease income. This lake lease income will be posted to Lake Maintenance - Lease Income (50100140 – 57590). Stakeholders can find this in the FY 2015 Budget Book titled “Other Funds & Capital Improvement Program” on page 146.

Respectfully submitted for Council consideration.

Prepared by:

Connie Fralick, Office Manager

Reviewed by: Brett Lueschen, Interim Director of Water  
Steve Rasmussen, Asst. City Manager

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

Legal review by: Angela Fyans-Jimenez, Deputy Corporation Counsel

Recommended by:

David A. Hales  
City Manager

**Motion by Alderman Hauman, seconded by Alderman Lower that the Lake Lease Transfer 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, and Fruin.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**SUBJECT:** Petition from Hawthorne Commercial Park, LLC, Requesting Approval of a Final Plat for the Twelfth (12<sup>th</sup>) Addition to Hawthorne Commercial Subdivision

**RECOMMENDATION/MOTION:** Recommend that the Final Plat be approved and the Ordinance passed subject to the Petitioner paying the required tap-on fees and bonding for the public improvements prior to recording of the final plat.

**STRATEGIC PLAN LINK:** Goal 3. Grow the Local Economy.

**STRATEGIC PLAN SIGNIFICANCE:** Objective 3e. Strong working relationship among the City, businesses, economic development organizations.

**BACKGROUND:** This subdivision is located between Leslie Dr. and Woodbine Dr., generally west of Towanda Barnes Rd., and south of GE Rd. The property is currently zoned B-1, Highway Business District. A retirement facility is planned for the site.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** Hawthorne Commercial Park, LLC.

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

Respectfully submitted for Council consideration.

Prepared by: Ryan L. Otto, P.E., Project Engineer

Reviewed by: Jim Karch, PE, CFM, Director of Public Works  
Steve Rasmussen, Asst. City Manager

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

Legal review by: Angela Fyans-Jimenez, Deputy Corporation Counsel

Recommended by:

David A. Hales  
City Manager

**PETITION FOR APPROVAL OF FINAL PLAT**

State of Illinois )  
 )ss.  
County of McLean )

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

Now come Hawthorne Commercial Park, LLC, 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, of is a mortgagee or vendee in possession, assignee of rents, receiver, executor (executrix), trustee, lessee or other person, firm or corporation or the duly authorized agents of any of the above persons having proprietary interest in said premises;
  
2. That your petitioner seeks approval of the Final Plat for the subdivision of said premises to be known and described as Twelfth Addition to Hawthorne Commercial Subdivision;
  
3. That your petitioner also seeks approval of the following exemptions or variations from the provisions of Chapter 24 of the Bloomington City Code, 1960: none.

WHEREFORE, your petitioner respectfully prays that said Final Plat for the Twelfth Addition to Hawthorne Commercial Subdivision submitted herewith be approved with the exemptions or variations as requested herein.

Respectfully submitted,

By: Larry Bielfeldt  
Owner

**ORDINANCE NO. 2015 - 3**

**AN ORDINANCE APPROVING THE FINAL PLAT OF THE  
TWELFTH ADDITION TO HAWTHORNE COMMERCIAL SUBDIVISION**

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

WHEREAS, said Petition requests the following exemptions or variations from the provisions of the Bloomington City Code-1960, as amended: none; and

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

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

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

1. That the Final Plat of the Twelfth Addition to Hawthorne Commercial Subdivision and any and all requested exemptions and/or variations be, and the same is hereby approved.
2. That this Ordinance shall be in full force and effective as of the time of its passage this 12<sup>th</sup> day of January, 2015.

APPROVED:

Tari Renner  
Mayor

ATTEST:

Tracey Covert  
City Clerk

**EXHIBIT A**  
Legal Description

A part of the Northeast Quarter of Section 31, Township 24 North, Range 3 East of the Third Principal Meridian, McLean County, Illinois, more particularly described as follows: Beginning at the Southeast Corner of Lot 13 in the Fourth Addition to Hawthorne Commercial Subdivision according to the plat thereof recorded as Document No. 2005-31041 in the McLean County Recorder's Office. From said Point of Beginning, thence west 224.00 feet along the South Line of said Lot 13 which forms an angle of 90°-00'-00" as measured from south to west with the West Line of Leslie Drive as dedicated in said Fourth Addition to the Southwest Corner of said Lot 13; thence north 1.00 foot along the West Line of said Lot 13 which forms an angle to the right of 270°-00'-00" with the last described course to the Southeast Corner of Lot 14A in the Resubdivision of Lot 14 in the Fifth Addition to Hawthorne Commercial Subdivision according to the plat thereof recorded as Document No. 2014-8916 in said Recorder's Office; thence west 165.86 feet along the South Line of said Lot 14A which forms an angle to the right of 90°-00'-00" with the last described course; thence south 40.00 feet along a line which forms an angle to the right of 90°-00'-00" with the last described course; thence west 154.86 feet along a line which forms an angle to the right of 270°-00'-00" with the last described course to the East Line of Woodbine Road as dedicated in the Second Addition to Hawthorne Commercial Subdivision according to the plat thereof recorded as Document No. 2005-6797 in said Recorder's Office; thence southerly 12.13 feet along said East Line, being the arc of a non-tangent curve concave to the east having a radius of 267.00 feet and the 12.13 foot chord of said arc forms an angle to the right of 91°-18'-06" with the last described course; thence south 573.14 feet along said East Line and the East Line of Woodbine Road as conveyed to the City of Bloomington in Warranty Deed of Right-of-Way Document No. 2007-29741 in said Recorder's Office which forms an angle to the right of 178°-41'-54" with the last described chord; thence east 545.00 feet along a line which forms an angle to the right of 90°-00'-00" with the last described course to a point on the West Line of said Leslie Drive lying 624.26 feet south of the Point of Beginning; thence north 624.26 feet along said West Line which forms an angle to the right of 90°-00'-00" with the last described course to the Point of Beginning, containing 7.67 acres, more or less.

**Motion by Alderman Hauman, seconded by Alderman Lower that the Final Plat be approved and the Ordinance approved subject to the Petitioner paying the required tap-on fees and bonding for the public improvements prior to recording of the final plat.**

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

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

**Nays: None.**

**Motion carried.**

**The following was presented:**

**SUBJECT:** Petition from Hawthorne Commercial Park, LLC, Requesting Approval of a Final Plat for the Third (3<sup>rd</sup>) Addition to Sapphire Lake Subdivision

**RECOMMENDATION/MOTION:** Recommend that the Final Plat be approved and the Ordinance passed subject to the Petitioner paying the required tap-on fees and bonding for the public improvements prior to recording of the final plat.

**STRATEGIC PLAN LINK:** Goal 3. Grow the Local Economy.

**STRATEGIC PLAN SIGNIFICANCE:** Objective 3e. Strong working relationship among the City, businesses, economic development organizations.

**BACKGROUND:** This subdivision is located along Pamela Drive generally west of Woodbine Dr., and east of Ekstam Dr. The property is currently zoned R-2, Mixed Residence District. A single-family home is planned for the site.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** Hawthorne Commercial Park, LLC.

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

Respectfully submitted for Council consideration.

Prepared by: Ryan L. Otto, P.E., Project Engineer

Reviewed by: Jim Karch, PE, CFM, Director of Public Works  
Steve Rasmussen, Asst. City Manager

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

Legal review by: Angela Fyans-Jimenez, Deputy Corporation Counsel

Recommended by:

David A. Hales  
City Manager

**PETITION FOR APPROVAL OF FINAL PLAT**

State of Illinois )  
 )ss.  
County of McLean )

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

Now comes Hawthorne Commercial Park, LLC, 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, of is a mortgagee or vendee in possession, assignee of rents, receiver, executor (executrix), trustee, lessee or other person, firm or corporation or the duly authorized agents of any of the above persons having proprietary interest in said premises;
  
2. That your petitioner seeks approval of the Final Plat for the subdivision of said premises to be known and described as Third Addition to Sapphire Lake Subdivision
  
3. That your petitioner also seeks approval of the following exemptions variations from the provisions of Chapter 24 of the Bloomington City Code, 1960: none.

WHEREFORE, your petitioner respectfully prays that said Final Plat for the Third Addition to Sapphire Lake Subdivision submitted herewith be approved with the exemptions or variations as requested herein.

Respectfully submitted,

By: Larry Bielfeldt  
Owner



**ORDINANCE NO. 2015 - 4**

**AN ORDINANCE APPROVING THE FINAL PLAT OF THE  
THIRD ADDITION TO SAPPHIRE LAKE SUBDIVISION**

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

WHEREAS, said Petition requests the following exemptions or variations from the provisions of the Bloomington City Code-1960, as amended: none; and

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

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

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

1. That the Final Plat of the Third Addition to Sapphire Lake Subdivision and any and all requested exemptions and/or variations be, and the same is hereby approved.
2. That this Ordinance shall be in full force and effective as of the time of its passage this 12<sup>th</sup> day of January, 2015.

APPROVED:

Tari Renner  
Mayor

ATTEST:

Tracey Covert  
City Clerk

**EXHIBIT A**  
**DESCRIPTION OF PROPERTY**

A part of the Northeast Quarter of Section 31, Township 24 North, Range 3 East of the Third Principal Meridian, McLean County, Illinois, more particularly described as follows: Beginning at the Southeast Corner of Lot 92 in the Second Addition to Sapphire Lake according to the plat thereof recorded as Document No. 2005-17335 in the McLean County Recorder's Office, said Southeast Corner being on the South Line of said Northeast Quarter. From said Point of Beginning, thence northwest 216.30 feet along the Northeast Line of said Lot 92 which forms an angle to the left of 105°-56'-22" as measured from east to northwest with said South Line to the Northeast Corner of said Lot 92, said Northeast Corner also being on the South Line of Pamela Drive as dedicated in said Second Addition; thence northeast 102.48 feet along said South Line which forms an angle to the left of 90°-00'-00" with the last described course to a Point of Curvature; thence easterly 14.71 feet along the South Line of said Pamela Drive as dedicated in said Second Addition and the South Line of Pamela Drive as conveyed to the City of Bloomington in Warranty Deed of Right-of-Way Document No. 2007-29741 in said Recorder's Office being the arc of a curve concave to the south having a radius of 465.00 feet and the 14.71 foot chord of said arc forms an angle to the left of 179°-05'-36" with the last described course; thence south 239.97 feet along a line which forms an angle to the left of 75°-53'-53" with the last described chord to a point on the South Line of said Northeast Quarter lying 57.25 feet east of the Point of Beginning; thence west 57.25 feet along said South Line which forms an angle to the left of 89°-04'-09" with the last described course to the Point of Beginning, containing 0.45 acre, more or less.

PIN 15 – 31 – 256 - 004

**Motion by Alderman Hauman, seconded by Alderman Lower that the Final Plat be approved and the Ordinance passed subject to the Petitioner paying the required tap-on fees and bonding for the public improvements prior to recording of the final plat.**

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

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

**Nays: None.**

**Motion carried.**

**The following was presented:**

**SUBJECT:** Dedication for the Kickapoo Creek Restoration Area, future Grove Park and Drainage Outlots 359 & 360 commonly located north of Ireland Grove Rd. and west of Township Rd. 2100 East (Ward 8)

**RECOMMENDATION/MOTION:** Recommend that the dedications be accepted, in furtherance of and contingent on Eastlake LLC's continued compliance with all City agreements, and the City Clerk authorized to complete and record the Deeds.

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

**STRATEGIC PLAN SIGNIFICANCE:** Objective 5e. More attractive City: commercial areas and neighborhoods.

**BACKGROUND:** At the September 26, 2005 meeting, Council approved an Annexation Agreement with Eastlake, LLC and on March, 13, 2006, Council approved the Preliminary Plan for The Grove on Kickapoo Creek Subdivision related to the subject site. Both of these documents indicated that the future park, creek restoration area and related drainage outlots would be dedicated. At the June 11, 2007 and May 26, 2009 meetings, Council accepted \$950,000 and \$927,548 grants from the Illinois Environmental Protection Agency (IEPA) to assist with stream restoration projects. These grants required matching funds by the City and the land owner (Eastlake, LLC). Eastlake's funding match was donating the creek restoration area. The grants required maintenance of the completed creek restoration area for a minimum of ten (10) years after construction completion. Failure to perform maintenance constitutes a breach of the grant agreement and the IEPA will seek grant reimbursement immediately. At the December 16, 2013 meeting, Council authorized staff to proceed with a grant application for the construction of a trail connecting the Grove on Kickapoo Creek subdivision and Benjamin Elementary School. The grant was awarded. The location of the proposed trail is across the creek restoration area and the future park properties. Construction of the trail will not be possible until both properties are owned by the City.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** Eastlake, LLC, Pratt and Pratt, P.C., Livingston, Barger, Brandt & Schroeder and the Farnsworth Group.

**FINANCIAL IMPACT:** Most of the financial impact related to the creek restoration area has already occurred during the restoration construction projects. Future financial impacts may include the City's share of the trail construction and development of the future park. None of the agreements related to the Grove Subdivision, Creek Restoration Area or future Trail require development of the park. However, the developer has erected signs that reference a future twenty-three (23) acre park site. The most significant financial impact will be reimbursement of the IEPA grant funding if the grant agreement is not honored. The agreement requires proper maintenance of the restoration area and dedication of the property to the City.

Respectfully submitted for Council consideration.

Prepared by:

Kevin Kothe, PE, City Engineer

Reviewed by: Sue McLaughlin, ICMA-CM, Interim Asst. City Manager  
Robert Moews, Superintendent of Parks

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

Legal review by: Angela Fyans-Jimenez, Deputy Corporation Counsel

Recommended by:

David A. Hales  
City Manager

**Motion by Alderman Hauman, seconded by Alderman Lower that the Dedications be accepted, in furtherance of and contingent on Eastlake LLC's continued compliance with all City agreements, and the City Clerk authorized to complete and record the Deeds.**

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

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

**Nays: Alderman Lower.**

**Motion carried.**

**The following was presented:**

**SUBJECT:** Award the Sewer & Storm Water Rate and Impact Fee Study/Analysis Request for Qualifications #2013 - 17

**RECOMMENDATION/MOTION:** Recommend that the Sewer and Storm Water Rate and Impact Fee Study be awarded to Raftelis Financial Consultants in the amount of \$76,970 and the Mayor and City Clerk be authorized to execute the necessary documents.

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

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

**BACKGROUND:** The Finance, Public Works, and Water Departments have participated in a Request for Qualifications for a Sewer and Storm Water rate and impact fee analysis/study.

After a comprehensive proposal and interview process the procurement team selected Raftelis Financial Consultants.

Raftelis was founded in 1993 to provide services that help utilities function as sustainable organizations while providing the public with affordable prices. Raftelis has become one (1) of the leading experts in utility financial, rate and management analysis and works with hundreds of utilities across the United States to develop pricing and cost of service models. Raftelis has authored and co-authored many industry standards for the American Water Works Association (AWWA) and the Water Environment Federation (WEF).

Raftelis will utilize recently completed Sewer and Stormwater Master Plans to develop long term strategies to pay for infrastructure needs and anticipated changes to operations.

**FEE INFORMATION**

**Storm Water Utility** Bloomington created a “Storm Water Utility” in 2004 used as a vehicle for storm water management. Storm water management includes streams, detention basins, storm sewers and half the expense of combined sewers. It provides regulation to private properties to reduce water runoff impact on adjacent properties.

Sanitary sewer billing is based on metered water billing. Water usage does not equate to impact on the storm water system. A measure for storm water is the amount of impervious material on a property – house, driveway, garage, shed, parking areas, etc. Impervious material is material that does not readily absorb water; it causes water runoff. The City bills by Impervious Area Units. One (1) IAU equals one thousand (1,000) square feet of impervious area.

Revenue from the Storm Water Utility Fee is designated for expenses related to storm water. The money cannot be used elsewhere. Storm Water was designated as an Enterprise Fund, meaning that the Utility should pay all storm water expenses (and contains a reserve). Rates for the Utility have not changed since its establishment in 2004, making the ability to fund projects limited. The 2014 City of Bloomington Stormwater and Sanitary Sewer Master Plans identified \$36,136,000 in potential spending related to storm water over the next twenty (20) years. None of these projects are funded under the existing rate structure.

| <b>Storm Water Utility Rates for Bloomington, IL</b>  |              |
|---|--------------|
| Small Parcels (gross area less than or equal to 7,000 ft <sup>2</sup> )   | \$2.90/month |
| Medium Parcels (gross area greater than 7,000, less than or = 12,000 ft <sup>2</sup> )                                | \$4.35/month |
| Large Parcels (gross area greater than 12,000 ft <sup>2</sup> )   | \$7.25/month |
| Base charge per Impervious Area Unit (IAU)  | \$1.45/month |
| Parcels less than or equal to 4,000 ft <sup>2</sup> are charged flat rate equivalent of 4 IAUs                        | \$5.80/month |
| Parcels greater than 4,000 ft <sup>2</sup> are charged for actual number of IAUs or for 4 IAUs, whichever is greater. |              |

*Property owners who make certain storm water accommodations on their property to lessen storm water impact can qualify for credits up to 50%.*

**Sanitary Sewer:** Two (2) governing bodies charge for sanitary sewer services in Bloomington: The City and the Bloomington and Normal Water Reclamation District. Fees are separate. The City last raised its rate on January 1, 2012, when it began charging \$1.60 per 100 cubic feet of water. Sanitary sewer also operates as an Enterprise Fund. Revenue from the sanitary sewer fee is designated for expenses related to wastewater. The money cannot be used elsewhere.

The 2014 Stormwater and Sanitary Sewer Master Plans identified \$83,291,000 in potential spending over twenty (20) years. Few of these proposed items can be funded currently.

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

**FINANCIAL IMPACT:** Costs for the complete analysis are \$76,970 The FY 2015 budget appropriated \$50,000 in both the Storm Water and Sewer Operations for a total of \$100,000.

The following two (2) account codes will evenly share the cost of the rate study: (1) Sewer Operations, 51101100-70220 Other Professional and Technical Services; and (2) Storm Water Operations, 53103100-70220 Other Professional and Technical Services.

Stakeholders can locate this in the FY 2015 Budget Book titled “Other Funds & Capital Improvement Program” on pages 158 and 168.

Respectfully submitted for Council consideration.

Prepared by: Stephen Arney, Public Works Administration

Reviewed by: Jim Karch, PE CFM, Director of Public Works  
Steve Rasmussen, Asst. City Manager

Financial & Budgetary review by: Carla A. Murillo, Budget Manager  
Patti-Lynn Silva, Finance Director

Legal review by: Angela Fyans-Jimenez, Deputy Corporation Counsel

Recommended by:

David A. Hales  
City Manager

**Alderman Mwilambwe cited concerns with hiring Raftelis Financial Consultants.**

**David Hales, City Manager, addressed the Council. Mr. Hales acknowledged that Raftelis conducted the refuse cart analysis. They provided long term revenue and**

**expenditure estimates for the Solid Waste Fund. Many communities only allow one (1) large cart. The City had three (3) cart sizes. There was little national data to project cart selection. He reminded Council that the projections were provided prior to establishing final refuse rates.**

**Raftelis had a good national reputation. He believed that after the sewer & storm water analysis processes could be internalized. The City lacked staff for same. Completion would be within five to six (5 -6) months. He believed that citizens would question raising rates. The study would assist with same.**

**Alderman Sage noted that Council had requested the additional refuse cart. He believed Raftelis should not be accountable for same.**

**Alderman Mwilambwe noted the Stormwater and Sanitary Sewer Master Plans. Rates should be raised. Mr. Hales explained Council would have to determine same. He noted that deferred maintenance was estimated at \$130 million. The analysis would identify priorities. He questioned operating and expense costs inclusion in the Solid Waste and Stormwater Funds.**

**Alderman Fruin questioned the bid process. Mr. Hales explained Quality Based Selection was used. Staff had interviewed three or four (3 or4) firms. The fee was negotiated.**

**Alderman Fruin believed Council had a history of not accepting twenty (20) year recommendations. He recommended ten (10) year projections. He had reservations.**

**Alderman Lower questioned Staff providing a basic recommendation.**

**Mayor Renner noted the twenty (20) year projections were aligned with Bonding.**

**Alderman Sage believed the analysis was follow up from the Stormwater and Sanitary Sewer Master Plans. This was the next step. It would determine: 1.)costs; 2.)payment of same; and 3.)fee increases. He questioned the alternative. Council could not continue to recommend no new employees and still expect staff to conduct same.**

**Alderman Schmidt questioned formula used for stormwater utility rates. Mr. Hales noted that in 2004 there no master plans to assist with determining operating and fee usage. It was a new fee. The fee was used for compliance with the Federal Clean Water Act and for the operation, maintenance and building of stormwater sewers. Rates were based on system impact.**

**Motion by Alderman Sage, seconded by Alderman Hauman that the Sewer and Storm Water Rate and Impact Fee Study be awarded to Raftelis Financial Consultants in the amount of \$76,970 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, Hauman, Sage, and Fruin.**

**Nays: Alderman Lower.**

**Motion carried.**

**The following was presented:**

**SUBJECT:** Application of OSF St. Joseph Medical Center Foundation, located at 2200 E. Washington St., for a Limited Alcoholic Liquor License, Class LA, which would allow the selling and serving of all types of alcohol by the glass for consumption on the premises for a fund raiser to be held on February 20, 2015

**RECOMMENDATION/MOTION:** Based upon the report from the Liquor Hearing, the Liquor Commissioner recommends that an LA liquor license be created for OSF St. Joseph Medical Center Foundation for a fundraiser to be held on February 20, 2015 from 6:00 to 8:30 p.m. at Eastland Medical Plaza I, Atrium, 2200 E. Washington St., contingent upon compliance with all applicable health and safety codes.

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

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

**BACKGROUND:** The Bloomington Liquor Commissioner Tari Renner called the Liquor Hearing to consider the application of OSF St. Joseph Medical Center Foundation for a Limited Alcoholic Liquor License, Class LA, which will allow the selling and serving of all types of alcohol by the glass for consumption on the premise. Present at the hearing were Liquor Commissioners Tari Renner; and Tracey Covert, City Clerk; and Jennifer Sedbrook, Executive Director and Applicant representatives.

Commissioner Renner questioned the purpose of this application. Jennifer Sedbrook, Executive Director and Applicant representative, began by informing the Commission that this application was for a fund raiser for the OSF St. Joseph Medical Center Foundation to be held at the Eastland Medical Plaza I Atrium on Friday, February 20, 2015 from 6:00 to 8:30 p.m. This request was for a Limited License for a nonprofit corporation.

She reminded the Commission that this was an annual event. She believed that this would be the event's nineteenth year and the seventh time to host it in February. World Tour, A Sampling of International Beer, Wine, Spirits and Food, involved tasting cups to serve the beer, wine and spirits.



Commissioner Renner questioned who would act as servers. Ms. Sedbrook noted that OSF was working Friar Tuck located at 2401 Maloney Dr. No orders can be accepted at the event. Acceptance of same would be the point of sale.

Ms. Sedbrook noted that this year would mark this event's eighteenth or nineteenth anniversary. The event was originally held at Central Station. This will be the sixteenth year for it to be held on the OSF campus. There also were corporate sponsors for this event.

Ms. Sedbrook noted that last year all of the food had been donated which made a positive impact upon the Foundation's pledge. This year, the event would offer spirits for tasting. An example would be offering Irish whiskey at the Ireland table.

Ms. Sedbrook estimated the event attendance at 250. The event recognized OSF/St. Joseph's donor base. Dollars raised from this year's event will be used to meet the Foundation's pledge to the hospital. These dollars will be directed towards a new high bred OR project. This type of operating room would be the first of its type in the area. A high bred OR offered shorter surgery and recovery time which resulted in higher patient satisfaction

Commissioner Renner informed the Applicant that the license fee would be waived as in the past.

Commissioner Renner stated his recommendation that an LA liquor license be created for OSF St. Joseph Medical Center Foundation for a fund raiser to be held on February 21, 2014 from 6:00 - 8:30 p.m. at Eastland Medical Plaza I, Atrium, 2200 E. Washington St.

Motion carried, (viva voce).

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** The agenda for the 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. License fee waived.

Respectfully submitted for Council consideration.

Recommended by:

Tari Renner  
Mayor

**Alderman Fruin noted that he served as an OSF volunteer. He read from a prepared statement. He believed conflict of interest existed when: 1.) an individual had ownership or financial interest in the entity being reviewed or 2.) an individual had management or decision making authority in the entity being reviewed.**

**Motion by Alderman Fruin, seconded by Alderman Schmidt that an LA liquor license be created for OSF St. Joseph Medical Center Foundation for a fundraiser to be held on February 20, 2015 from 6:00 to 8:30 p.m. at Eastland Medical Plaza I, Atrium, 2200 E. Washington St., contingent upon compliance with all applicable health and safety codes.**

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

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

**Nays: None.**

**Motion carried.**

**The following was presented:**

**SUBJECT:** Petition submitted by Marti Rave, requesting Annexation and Rezoning for the Property Generally Located east of Veteran's Pkwy, north of Hamilton Rd. and west of Greenwood Ave.

**RECOMMENDATION/MOTION:** Recommend that the Petition be approved and the Mayor and City Clerk be authorized to execute the necessary documents.

**STRATEGIC PLAN LINK:** Goal 3. Grow the local economy.

**STRATEGIC PLAN SIGNIFICANCE:** Objective 3d. Expanded retail businesses.

**BACKGROUND:** The land subject to Annexation and Rezoning is located at the intersections of Veteran's Pkwy, Hamilton Road and Greenwood Ave. It is located in unincorporated McLean County, but it is surrounded by the City. Council approved an Annexation Agreement on April 28, 2014. This annexation and rezoning is in accordance with the terms of the agreement. The proposed B - 1, Highway Business District Zoning is compatible with the adjacent B - 1 zoning, as well as, the adjacent land consisting of Veteran's Parkway, a radio station, and antenna tower. The new retail may encourage other retail in this southwest part of the City where there are many homes that could support such retail.

This annexation includes all adjacent right-of-way not previously annexed and fills in the corporate boundary.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** The Planning Commission held a public hearing and review on April 9, 2014. Public notice was published in the Pantagraph in accordance with City Code. In accordance with the Zoning Code (Ordinance No. 2006 - 137), courtesy copies of the Public Notice were mailed to thirteen (13) property owners within 500 feet. In addition, a public notice/identification sign was posted on the property.

**FINANCIAL IMPACT:** There is no financial impact per the Hamilton Rd./Greenwood Ave. right-of-way purchase agreement with Marti Rave approved on September 22, 2003. Waive the tap on fees. The annexation and rezoning should lead to new retail development and new sales taxes. Since the site has existing adjacent improved City streets, no new roads will be required.

Respectfully submitted for Council consideration.

Prepared by: Kevin Kothe, City Engineer

Reviewed by: Jim Karch, PE CFM, Director of Public Works  
Tom Dabareiner, Director of Community Development  
Steve Rasmussen, Asst. City Manager

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

Legal review by: Angela Fyans-Jimenez, Deputy Corporation Counsel

Recommended by:

David A. Hales  
City Manager

**Alderman Painter requested that the annexation be laid over at the request of the petitioner.**

**David Hales, City Manager, addressed the Council. He believed the Rezoning had not had a prior Public Hearing before the Planning Commission.**

**Motion by Alderman Painter, seconded by Alderman Schmidt that the Petition laid over until the Rezoning has been approved by the Planning Commission.**

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

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

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 8A. Discussion of Citizen's Summit to be held on January 20, 2015 from 6:00p.m. to 8:30p.m. at the Bloomington Center of Performing Arts.**

**Mayor Renner explained that there would be ten (10) tables, containing one (1) citizen from each Ward and one (1) mayoral participant.**

**Alderman Sage noted that each table would be provided specific scenario topics. Topics would include public safety, solid waste and Parks, Recreation and Cultural Arts. The tables would provide a two (2) minutes synopsis on each topic.**

**Nora Dukowitz, Communications Manager, addressed the Council. She stated that the online survey results would be presented.**

**CITY MANAGER'S DISCUSSION: David Hales, City Manager, addressed the Council. He noted that staff was preparing for the annual Illinois State Legislative Work Session. He requested ideas and topics.**

**He noted that the spring Citizens Academy information would be coming out soon.**

**He thanked Alex McElory, Asst. to the City Manager and Department Managers for the work completed on priority based budgeting. He requested feedback.**

**MAYOR'S DISCUSSION: Mayor Renner noted that the Mayoral Open House on Friday, January 9, 2015 was well attended. He believed this was due to his acknowledging the fifty (50<sup>th</sup>) Anniversary of the Voting Rights Act.**

**The State of the City would be held on Monday, January 26, 2015.**

**Mayor Renner noted that he had visited Palace Theater. The remodel was almost complete. A soft opening was anticipated February 2015.**

**ALDERMEN'S DISCUSSION: Alderman Fruin thanked the Parks, Recreation and Cultural Arts Department for the snow removal on Constitution Trail.**

**He believed there had been community conversation about Council establishing a Conflict of Interest and Ethical Conduct policy. He read from a prepared statement. He noted that the McLean County Board adopted an Ethics Ordinance. He stated that State Farm and the Economic Development Council required employees and/or volunteers to sign a Conflict of Interest form.**

**He suggested adoption of Conflict of Interest statement, Code of Ethics and Council Term Limits (similar to those imposed on Boards and Commissions).**

**Motion by Alderman Schmidt, seconded by Alderman Hauman, that the meeting be adjourned. Time: 8:10 p.m.**

**Motion carried.**

January 12, 2015

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**Renee Gooderham**  
**Chief Deputy Clerk**

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