

**CITY OF BLOOMINGTON
COUNCIL MEETING AGENDA
109 E. OLIVE
MONDAY, APRIL 13, 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/Presentations**
 - A. Oath**
 - i. Andrew Coe, Firefighter/Paramedic.**
 - ii. Christopher McFarland, Firefighter/Paramedic.**
 - B. Student Presentation by Nagisa Sugarwara from Asahikawa, Japan. (*Time 10 minutes.*)**
 - C. Bloomington - Normal Economic Development Council Update Presented by Kyle Ham, Chief Executive Officer, Bloomington - Normal Economic Development Council. (*Time 10 minutes.*)**
 - D. Proclamation Declaring April 7, 2015, as National Service Recognition Day Presented by Tari Renner, Mayor to Brittany Cornell, Assistant Director Retired and Senior Volunteer Programs, Mclean County YWCA. (*Time 5 minutes. Presentation 5 minutes.*)**
 - E. Appointment of Noha Shawki to the Bloomington Normal Sister City Committee (Japan).**
 - F. Appointment of Carol Koos and Michael Raikes to the Board of Library Trustees.**
 - G. Appointment of Ann Bailen to the Historic Preservation Committee.**
 - H. Appointment of Eman Elsayed to the Human Relations Commission.**
 - I. Appointment of Megan Schubert to the Planning Commission.**
 - J. Reappointment of Marlene Gregor and Patricia Morin to the Citizen's Beautification Committee.**

- K. Reappointment of Matthew Giordano and Sherry Galbreath to the Cultural District Commission.**
- L. Reappointment of J. Alan Balmer and James Richard Pearson to the Planning Commission.**
- M. Reappointment of Donald A. Wilkey to the Police Pension Board.**
- N. Reappointment of Michael J. Buragas to the Regional 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 March 23, 2015 and Special Session of March 7, 2015. (Recommend that the reading of the minutes of the previous Council Proceedings of March 23, 2015 and Special Session of March 7, 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 of Cherry Lawson as City Clerk. (Recommend that a motion be approved consenting to the appointment of Cherry Lawson as the City Clerk for the City.)**
- D. Appointments and Reappointments to Various Boards and Commissions. (Recommend that the Appointments and Reappointments be approved.)**
- E. Purchase of Replacement Trucks for the Water Department. (Recommend that the purchase of two (2) Ford F150 Pickup Trucks from Roesch Ford of Bensenville, IL using the Northwest Suburban Purchasing Cooperative Contract Number 148 in the amount of \$50,710 be approved, and the Procurement Manager authorized to issue a Purchase order.)**
- F. Compliance Commitment Agreement (CCA) with the Illinois Environmental Protection Agency (IEPA) Violation Notice M-2014-01040. (Recommend that the Compliance Commitment Agreement (CCA) with the Illinois Environmental Protection Agency (IEPA) regarding the closed fill area at Lake Bloomington Violation Notice M-2014-01040 be approved and the Mayor and City Clerk authorized to execute the necessary documents.)**
- G. Formation of a Downtown Signage Committee. (Recommend to Adopt the Resolution Establishing a Downtown Signage Committee)**

- H. Reject all Bids for the Traffic Line Paint and Beads, Waive the Formal Bid Process and Approve an Agreement with Diamond Vogel Paint.(Recommend that all bids (Bid #2015-53) be rejected for Traffic Line Paint and Beads, that the Formal Bid Process be waived and that an Agreement with Diamond Vogel Paint be approved in the amount of \$90,375 and the Purchasing Agent be authorized to issue a Purchase Order for same.)**
- I. Waive the Formal Bid Process and Approve Agreement with Hanson Professional Services, Inc.. (Recommend to Waive the Formal Bid Process and Approve Agreement with Hanson Professional Services, Inc. Springfield, IL not to exceed \$29,800, the Resolution be adopted and the Mayor and City Clerk authorized to execute the necessary documents.)**
- J. Suspension of Ordinances to Allow Consumption of Alcohol at Davis Lodge on September 12, 2015. (That the Ordinance be passed.)**
- K. Application of Revati Raman Bhanot, Inc., d/b/a Happy Hour, located at 704 S. Eldorado Rd., 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. (That an RAS liquor license for Revati Raman Bhanot, Inc., d/b/a Happy Hour, located at 704 S. Eldorado Rd., be created, contingent upon compliance with all applicable health and safety codes.)**
- L. Application of Setinthebar, Inc., d/b/a Jazz Upfront located at 107 W. Front St., requesting a TAS liquor license which allows the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week. (That a TAS liquor license for Setinthebar, Inc., d/b/a Jazz Upfront, located at 107 W. Front St., be created, contingent upon compliance with all applicable health, safety codes and building possession.)**
- M. Application of Lincoln Springs Center, LLC, d/b/a Lincoln Springs Center, located at 1611 S. Morrissey Dr., Unit 1, requesting an EAS liquor license which allows the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week. (That an EAS liquor license for Lincoln Springs Center, LLC, d/b/a Lincoln Springs Center, located at 1611 S. Morrissey Dr., Unit 1, be created, contingent upon compliance with all applicable health, safety codes and written approval by Planning and Code Enforcement Fire Inspectors.)**
- N. Application of Lupita's Hispanic and American Grocery, Inc., d/b/a Lupita's Hispanic & American Grocery, located at 1512 W. Market St., requesting a PAS liquor license which would allow the sale of all types of packaged alcohol for consumption off the premises seven (7) days a week. (That a PAS liquor license for Lupita's Hispanic and American Grocery, d/b/a Lupita's Hispanic & American Grocery, located at 1512 W. Market St., be created, contingent upon compliance with all applicable health, safety codes and proof of BASSETT certification.)**

8. Public Hearing

- A. **Public Hearing for the Fiscal Year (FY) 2016 Budget which begins May 1, 2015 and ends April 30, 2016.**
- B. **Adoption of the FY 2016 Proposed Budget and Appropriation Ordinance. (The Council approves the FY 2016 Appropriation Ordinance.) Presented by Patti-Lynn Silva, Finance Director. (Time 25 minutes. Presentation 5 minutes, Q/A 20 minutes.)**

9. “Regular Agenda”

- A. **Payment for Property, Liability, Excess Liability, and Excess Worker’s Compensation Insurance Coverage Insurance. (Recommend that the payment to Arthur J. Gallagher Itasca, IL for Insurance Coverage and Insurance Broker Service from May 1, 2015, through April 30, 2016, be approved in the amount of \$794,754.) Presented by Mike Nugent, Risk Manager, Nugent Consulting Group. (Time 25 minutes. Presentation 10 minutes, Q/A 15 minutes.)**
- B. **Resolution Communicating the City of Bloomington 2015 Legislative Principles and Policies to State Legislators. (Recommend that the Resolution be adopted and the Mayor and City Clerk be authorized to execute the necessary documents.) Presented by Alex McElroy, Assistant to City Manager. (Time 15 minutes. Presentation 5 minutes, Q/A 10 minutes.)**
- C. **Text Amendment to Chapter 21, Refuse Code, Section 300.7. (Recommend that the Text Amendment to Chapter 21, Refuse Code, Section 300.7, be approved and the Ordinance be passed.) (Time 25 minutes. Presentation 5 minutes, Q/A 20 minutes.)**

- 10. City Manager’s Discussion**
- 11. Mayor’s Discussion**
- 12. City Aldermen’s Discussion**
- 13. Executive Session - cite section**
- 14. Adjournment**
- 15. Notes**



FOR COUNCIL: April 13, 2015

SUBJECT: Council Proceedings of March 23, 2015 and Special Session of March 7, 2015

RECOMMENDATION/MOTION: Recommend that the reading of the minutes of the previous Council Proceedings of March 23, 2015 and Special Session of March 7, 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 March 23, 2015 and Special Session of March 7, 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, Interim City Clerk

Recommended by:

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

David A. Hales
City Manager

Attachments: Attachment 1. Draft Council Proceedings for March 23, 2015
Attachment 2: Draft Special Session for March 7, 2015

Motion: That the reading of the minutes of the previous Council Proceedings of March 23, 2015 and Special Session for March 7, 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			

**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, March 23, 2015.

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

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

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

Alderman absent: Jim Fruin.

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

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

Kyle Korkus, 504 E. Pennsylvania Ave., #241, Champaign, IL, addressed the Council. He noted that the Community Innovation Fair would be held on April 25, 2015 from 12:00 p.m. (Noon) to 6:00 p.m. in the blocks of south Jefferson and west Mason. Same was sponsored by Mid Central Community Action. It provided an opportunity for residents and non-profit companies to highlight their neighborhood vision and resident led entrepreneurship. Cash prizes would be awarded.

Josh Schmidgall, 2212 Beacon Ct., addressed the Council. He believed providing affordable housing made citizens dependent on the government.

Alton Franklin, 508 Patterson, Dr., addressed the Council. He was grateful for the United States infrastructure. He did not understand emphasis on public transportation. Government was responsible for: infrastructure, public safety and education. He believed revenue meant increased taxes.

The following was presented:

Bloomington Population Projections Presentation by Jennifer Sicks, Transportation/Land Use Planner.

Jennifer Sicks, Transportation/Land Use Planner, McLean County Regional Planning Commission (MCRPC), addressed the Council. MCRPC developed a Population Projection (PP) for the City for use with the comprehensive planning process. The projection considered: global economic downturn and recession and historical growth trends from 1970 to present.

The City was expected to have an increase of older residents in the middle of the century and greater ethnic diversity. Two (2) growth scenarios were developed historical and very slow. Historical growth anticipated the City's population at 108,000 or a forty-one percent (41%) increase from the 2010 Census. The Very Slow growth scenario emphasized recent housing and economic trends. The 2035 population was anticipated at 84,546 or a 10.4% increase.

Alderman Lower questioned factoring economics. Ms. Sicks stated that the PP was based upon population mechanics; birth/death rates and migration.

Alderman Black noted that PP does not decrease the City's population. Ms. Sicks responded that PP was dependent upon events. She cited various historical events. She believed the City was in a fortunate location with great resources and transportation. Alderman Black questioned how the city trended over time versus the state.

Alderman Stearns questioned out migration. Ms. Sicks stated that information was obtained from the U.S. Census for McLean County at various levels.

Alderman Mwilambwe questioned high speed rail (HSR) and its effect on population. Ms. Sicks noted there was a population already commuting to Chicago. She believed people would continue to elect to live here and work in Chicago and vice versa. Bloomington/Normal was positioned to be the state's hub for a Central IL High Speed Rail system.

The following was presented:

Proclamation Declaring April 9, 2015 as Stand Up For Transportation Day.

Melissa Chrisman, Business Development Manager, Connect-Transit received the Proclamation Stand Up For Transportation Day.

The following was presented:

SUBJECT: Council Proceedings of March 9, 2015 and Special Session Proceedings of February 20, 2015

RECOMMENDATION/MOTION: Recommend that the reading of the minutes of the previous Council Proceedings of March 9, 2015 and Special Session Proceedings of February 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 March 9, 2015 and Special Session Proceedings of February 20, 2015 have been reviewed and certified as correct and complete by the Chief Deputy 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, Interim City Clerk

Recommended by:

David A. Hales
City Manager

(ON FILE IN CLERK'S OFFICE)

Motion by Alderman Painter, seconded by Alderman Schmidt that the reading of the minutes of the previous Council Proceedings of March 9, 2015 and Special Session Proceedings of February 20, 2015 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 Schmidt, Painter, Lower, Hauman, Sage, Black, Stearns and Mwilambwe.

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Bills and Payroll

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

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

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

FINANCIAL IMPACT: Total disbursements to be approved \$5,140,848.95, (Payroll total \$2,289,041.18, Accounts Payable total \$2,736,810.84, PCARD total \$114,996.93).

Respectfully submitted for Council consideration.

Prepared by: Patti-Lynn Silva, Director of Finance

Recommended by:

David A. Hales
City Manager

(ON FILE IN CLERK'S OFFICE)

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

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Backhoe purchase from the Capital Lease Fund (40110130-72140) and FY 2015 Budget Amendment

RECOMMENDATION/MOTION: Recommend that the purchase of one (1) Caterpillar 430F IT Backhoe from Altorfer Inc. of East Peoria, IL using the National Joint Powers Alliance

(NJPA) joint purchasing contract number 060311-CAT for the amount of \$178,530 be approved and that the Budget Amendment Ordinance be passed and the Mayor and City Clerk be authorized to execute the necessary documents.

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

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

BACKGROUND: The Public Works Streets and Sewer Division has a 2007 Caterpillar 430E backhoe with 5410 hours that was due for replacement in FY 2014. Due to budget concerns the purchase was delayed. Maintenance cost to date for this unit is \$77,724.85. Same is used in the day to day operations of repair and maintenance of the City's sewage system. These operations include: storm sewer inlet repairs, street cave in repairs, manhole repairs, sewer service repairs, sewer main repairs, storm sewer repairs, sump pump drain line repair, combination storm & sewer repairs, detention basin repair and maintenance, and water ditch repairs. During snow and ice events this unit is used to plow snow. The new unit will be equipped with a 10' snow plow, hydraulic pavement breaker, 12" bucket, 24" bucket, 36" bucket, and 48" bucket. The replaced unit will be retained as a backup unit to be used during peak construction season eliminating the need of a rental unit.

This purchase includes an Extended Protection Plan (EPP) for sixty (60) months or 6000 hours. The EPP provides a Caterpillar trained service technician to repair or replace any part that is found to be defective for the length of coverage. There is no travel charge. Normal wear items, misuse, and abuse is not covered. There is also a Premium Customer Service Agreement (CSA). The CSA provides a Caterpillar trained service technician to service the unit at 250 hour intervals for the first 6000 hours. This includes S.O.S. Fluid Analysis oil sampling to monitor for excessive wear or contamination, visual inspections, and all fluid changes required by the manufacturer. The City uses these plans on heavy equipment to provide the maximum uptime of the equipment for the first five (5) years. This has been standard purchase on heavy equipment.

NJPA is a public agency serving over 50,000 member agencies nationally. NJPA offers a multitude of cooperatively contracted products, equipment and service opportunities to education and government entities throughout the country.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: None.

FINANCIAL IMPACT: Streets and Sewer Division of the Public Works Department had \$178,248 Budgeted last fiscal year in the FY2014 Capital Lease - Capital Outlay Equipment Other than Office (40110130-72140). The replacement unit will cost \$178,530. This lease has not been executed because there is still one (1) more piece of equipment coming in and then we will have the total actual cost of the lease. The budget amendment will allow for the funds to be shown in the current fiscal year.

Respectfully submitted for Council consideration.

Prepared by: Rob Kronos , Superintendent of Fleet Maintenance

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

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

ORDINANCE NO. 2015 - 15

**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

WHEREASE, a budget amendment is needed as detailed below;

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

Section One: Ordinance Number 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 23rd day of March, 2015.

APPROVED the 24th day of March, 2015.

APPROVED:

Tari Renner
Mayor

ATTEST:

Renee Gooderham
Interim City Clerk

Motion by Alderman Painter, seconded by Alderman Schmidt that the purchase of one (1) Caterpillar 430F IT Backhoe from Altorfer Inc. of East Peoria, IL using the National Joint Powers Alliance (NJPA) joint purchasing contract number 060311-CAT for the amount of \$178,530 be approved and that the Budget Amendment Ordinance be passed 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 Schmidt, Painter, Lower, Hauman, Sage, Black, Stearns and Mwilambwe.

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Contract with Benistar Administrative Services, Inc. for a Medicare Eligible Retiree Health Insurance Offering

RECOMMENDATION/MOTION: Recommend that the Contract with Benistar Administrative Services, Inc. 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: Medicare Solutions is a health insurance plan (summary attached, Medicare Solutions) offered by Benistar with A.J. Gallagher, the City's employee benefits insurance broker and consultant being the agent of record. The plan would be a voluntary option for the City's Medicare eligible retirees who are currently enrolled in a City health insurance plan. The proposed plan premiums are significantly less than current plan offerings.

The proposed plan is fully insured and is a modified Medicare Part G supplement covering most Medicare copayments, coinsurance and deductibles. Plan highlights (Medicare Solutions, page 1) include that the plan fills in the Medicare Part D coverage gap donut hole by paying certain pharmacy benefit claims not covered under Medicare. The plan's benefit design is shown on pages 4-6 and 9-10 in the attached Medicare Solutions. It provides access to all Medicare providers and is guaranteed issue meaning that all City Medicare eligible retirees currently enrolled in a City health plan will be accepted into the plan and accepted without any pre-existing condition exclusions. The plan covers eligible spouses and retirees living anywhere in the country.

The plan is nearly identical to the coverage currently offered through the City's Blue Cross PPO plan, but it is far less expensive. In 2015, the premium for single Medicare coverage under the PPO plan is \$615 per month while under the proposed plan it would be \$418.43 per month, a savings of \$196.57 or 32%. Retiree plus spouse coverage is \$1,219 per month under the current plan and would drop to \$836.86 per month, a savings of \$382.14 or 32% under the proposed plan.

See the attached Illinois Insurance Facts explaining the requirements for Illinois Municipal Employees' Health Insurance continuation coverage. Following the requirements set out in state law, the City has allowed Medicare eligible retirees to retain the City's health insurance. Upon becoming Medicare eligible, Medicare becomes the retirees' primary coverage other than for pharmacy benefits. The City's plans pay secondarily to Medicare for medical expenses and have been the primary coverage for pharmacy.

Benistar and Gallagher will work with City staff to draft retiree communications with a goal to implement the plan before the start of the City's new fiscal year. Retirees would be automatically enrolled in the plan but could "opt out" to stay in their current plan. Enrollees will receive a welcome kit from Benistar along with their ID cards (see page 2 of attachment). A toll free call center is available to retirees to answer questions and resolve issues with the carrier or CMS (Medicare).

There is no additional cost to the City for this plan as the enrolled retirees will be responsible for 100% of their premiums. Savings to the City if the majority of Medicare eligible retirees are enrolled in the proposed plan are difficult to estimate but would be real. A current estimate is that the City could save in excess of \$100,000 per year. Even though retirees pay 100% of the premiums the City is able to charge them under State law (which must be a premium blended with that of active employees), the City each year contributes additional funds to cover retiree health care and pharmacy claims under its self-insured plan. Currently, the City has thirty-five (35) Medicare eligible retirees forty-five (45) including dependents) on its plans out of a total of 103 retirees (136 including dependents) enrolled in its healthcare plans. Implementing this plan should reduce the City's OPEB (Other Post Employment Benefit) liability, although the amount of the reduction is difficult to predict without performing an actuarial study. There would be a reduction in Human Resources administrative work.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: None.

FINANCIAL IMPACT: There would be no direct financial impact to the City for the cost of implementing this program and is likely to experience a significant savings. The City could realize a reduction in the OPEB liability and a possible reduction in Human Resource's time for the management of the new program.

Respectfully submitted for Council consideration.

Prepared by: Laurie Wollrab, Compensation & Benefit Manager, HR

Reviewed by: Nicole Alberston, HR Director

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

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:

David A. Hales
City Manager

Motion by Alderman Painter, seconded by Alderman Schmidt that the Contract with Benistar Administrative Services, Inc. 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 Schmidt, Painter, Lower, Hauman, Sage, Black, Stearns and Mwilambwe .

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 Annexation Petition and Rezoning from A, Agricultural District to B-1, Highway Business District for land located north W. Hamilton Rd., west of Greenwood Ave., east of Veteran's Pkwy 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 site is currently vacant and void of structures. The intention is to construct a commercial business, possibly a convenience store and/or a fuel station. These are uses prohibited in the agricultural zone. It has access to the west side of Greenwood Ave. and the north side of Hamilton Rd. as a right in and a right out only access. There is exposure but no direct access to Veteran's Parkway.

The requested B-1 zoning is compatible with the area. The adjacent zones are also B-1, except to the southeast where there is an S-2, Public Lands and Institutions District. This location has a private school. There are no negative impacts on the school the site is not near a walking route for students. The private school is not as likely to be a neighborhood school with numerous students walking. Students attend from a much wider region than the nearby neighborhoods. There is a house located across Hamilton Rd. but it has the B-1 zone. The site is likely to convert to a business given the exposure to Veteran's Parkway. To the east there is a radio station. Veteran's Parkway is to the west. The B-1 zone is appropriate given the existing nearby uses.

PLANNING COMMISSION: This case went before the Planning Commission for a public hearing and review on February 25, 2015. Staff explained how the Rezoning is compatible with the nearby land uses. The petitioner explained the Annexation Agreement for the site was approved last year. This Rezoning case assures the procedural requirements are met.

No one else from the public spoke regarding the petition. The Planning Commission voted to recommend approval of the Rezoning by a vote of 8-0. This recommendation is consistent with staff's position.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Public notice was published in the Pantagraph, February 10, 2015, 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 eleven (11) property owners within 500 feet. A public notice/identification sign was posted on the property.

FINANCIAL IMPACT: If the Rezoning is approved, there should be an increase in property and sales taxes for the city as the site is developed.

Respectfully submitted for Council consideration.

Prepared by: Mark Woolard, City Planner

Reviewed by: Tom Dabareiner AICP, Community Development Director

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

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:

David A. Hales
City Manager

**PETITION FOR ANNEXATION AND REZONING
PURSUANT TO THE TERMS OF AN ANNEXATION AGREEMENT**

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

NOW COME MARTI RAVE, hereinafter referred to as your petitioner, respectfully representing and requesting as follows:

1. That Petitioner, Marti Rave, is the owner of the freehold or lesser estate therein of the premises hereinafter legally described on Exhibit A, which is attached hereto and made a part hereof by reference.
2. That the premises are not within the corporate limits of any municipality but are contiguous with the corporate limits of the City.
3. That the Petitioner is the Owner of record of said premises as set forth on Exhibit A.
4. That no electors reside on said tract.
5. That the Owner desires the property to be annexed to the municipality on the terms and conditions set forth in the Annexation Agreement attached hereto and made a part hereof as Exhibit B.
6. That said premises, inclusive of Tracts 1, 2, 3, 4, 5, and 6, presently have a zoning classification of A (Agricultural) under the provisions of the McLean County Zoning Ordinance.
7. That there is attached hereto and made a part hereof is the Annexation Agreement entered into between the City of Bloomington and the Petitioner, Marti Rave, which provides for the annexation of the premises described in Exhibit A to the City.
8. That said Annexation Agreement provides that, upon annexation of the premises to said City, said premises would be zoned as follows under the provisions of Chapter 44 of the Bloomington City Code-1960, as amended: B – 1, (Highway Business District);
9. That the Petitioner hereby requests that the Honorable Mayor and City Council of the City of Bloomington, McLean County, Illinois, annex said premises to said City, and amend the Official Zoning Map of said City to reclassify said premises into the zoning district classification set forth therein.
10. That said requested zoning classification is more compatible with existing uses and/or zoning of adjacent property than the zoning of said premises is to the A (Agricultural District).

11. 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 any hardship created by changing the zoning classification of the premises.

WHEREFORE, your Petitioner respectfully prays that said premises be annexed to the City of Bloomington, McLean County, Illinois, and that the Official Zoning Map of the City of Bloomington, McLean County, Illinois, be amended by changing the zoning classification of the premises to B-1 (Highway Business District).

DATED this 23rd day of March 2015.

PETITIONER:

MARTI RAVE

ORDINANCE NO. 2015 - 16

**AN ORDINANCE ANNEXING AND REZONING CERTAIN TERRITORIES AS
HEREINAFTER DESCRIBED TO THE CITY OF BLOOMINGTON, MCLEAN
COUNTY, ILLINOIS**

WHEREAS, there has heretofore entered into a certain Agreement for Annexation between the City of Bloomington and Marti Rave, the owner of the premises hereinafter described, which Agreement is attached hereto and made a part hereof by this reference as Exhibit A; and

WHEREAS, the City Council of the City of Bloomington, after proper notices were given, conducted a Public Hearing on said Annexation Agreement; and

WHEREAS, the City Council of the City of Bloomington has considered the question of annexation, and has determined that said Annexation Agreement is proper and in due form according to the statutes of the State of Illinois as in such case made and provided. Said City Council has further determined that the proposed zoning, as established in the aforesaid Agreement, follows the general comprehensive plan and development theme heretofore established by the Corporate authorities of the City of Bloomington and should be placed in effect as to said land upon the annexation of the same, all as by Statute specifically provided.

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

SECTION ONE: That the City Council of the City of Bloomington, Illinois, determines that the territory described in the attached Exhibit A is not within the confines of any municipality of the State of Illinois, but is however, contiguous to the City of Bloomington.

SECTION TWO: That the property hereinabove described is by this Ordinance hereby annexed to and does by said Ordinance become a part of the incorporated City of Bloomington, McLean County, Illinois and that the boundary of said City is hereby changed to include the property hereinabove described.

SECTION THREE: That the zoning of property hereinabove described and is hereby changed to B-1 (Highway Business District) upon annexation to the City of Bloomington.

SECTION FOUR: That the Annexation Agreement, hereinabove referred to and hereto attached be and the same hereby is ratified, affirmed, and incorporated into this Ordinance.

SECTION FIVE: That this Ordinance shall be in full force.

PASSED this 23rd day of March, 2015.

APPROVED this 24th day of March, 2015.

APPROVED:

Tari Renner
Mayor

ATTEST:

Renee Gooderham
Interim City Clerk

Motion by Alderman Painter, seconded by Alderman Schmidt that the Annexation Petition and Rezoning from A, Agricultural District to B-1, Highway Business District for land located north W. Hamilton Rd., west of Greenwood Ave., east of Veteran's Pkwy be approved and the Mayor and City Clerk be authorized to execute the necessary documents. that the Ordinance be passed.

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

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

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Trustee's Deed for Outlot 69

RECOMMENDATION/MOTION: Recommend that the Trustee's Deed for Outlot 69 in the Villas at Eagle View South Subdivision be accepted.

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

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

BACKGROUND: The Preliminary Plan for the Villas at Eagle View South Subdivision indicates that Outlot 69 was previously dedicated to the City. The City's records do not indicate that the deed for the property was ever formally accepted. To ensure clear title to the property, the developer has provided a Trustee's Deed for Outlot 69 to be formally accepted by the City Council and recorded. Outlot 69 provides public sidewalk access from the Villas (Yukon Circle) to the recently completed Eagle View South Park. There is a public sidewalk providing access to Eagle View Park located on this outlot.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: None.

FINANCIAL IMPACT: None.

Respectfully submitted for Council consideration.

Prepared by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:

David A. Hales
City Manager

Motion by Alderman Painter, seconded by Alderman Schmidt that the Trustee's Deed for Outlot 69 in the Villas at Eagle View South Subdivision be accepted.

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

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

Nays: None.

Motion carried.

The following was presented:

SUBJECT: That the Bid for Rail work at the US Cellular Coliseum be rejected

RECOMMENDATION/MOTION: Recommend that the bid for Rail work at the US Cellular Coliseum be rejected. (Bid #2015-21)

STRATEGIC PLAN SIGNIFICANCE: Goal 2 Upgrade City Infrastructure and Facilities.
Goal 6 Prosperous Downtown Bloomington

STRATEGIC PLAN LINK: Objective 2d. Well designed, well maintained City facilities emphasizing productivity and customer service. Objective 6c Downtown becoming a community and regional destination.

BACKGROUND: On July 24 2014 Staff sent out an Invitation to Bid for Rail work at the US Cellular Coliseum to seventeen (17) local companies. On August 5, 2014 there was a bid walk thru that no company attended. Bids were due on August 19, 2014, one (1) vendor submitted a bid. Staff recommends the rejection of the only bid for the Rail work at the US Cellular Coliseum. The bidder did not use proper forms supplied and did not return all necessary required paper work

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Public notice was published in the Pantagraph on July 28, 2014.

FINANCIAL IMPACT: Funding for the project was allotted as part of FY2015 capital budget. The US Cellular Coliseum is trying to act in good faith and maintain the budget, hence the rejection of the current bid.

Respectfully submitted for Council consideration.

Prepared by: Jim Appio, Associate General Manager USCC

Reviewed by: Jon C. Johnston, Procurement Manager
Robert Moews, Park Superintendent

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

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:

David A. Hales
City Manager

Motion by Alderman Painter, seconded by Alderman Schmidt that the bid for Rail work at the US Cellular Coliseum be rejected) (Bid #2015-21)

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

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

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Application of PATH for a Limited Alcoholic Liquor License, Class LA, for the fundraiser Chefs for PATH Gala

RECOMMENDATION/MOTION: That a LA liquor license for PATH, Inc., d/b/a PATH, Inc., located at 201 E. Grove St., Ste. 200, be created, contingent upon compliance with all applicable health and safety codes.

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

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

BACKGROUND: The Bloomington Liquor Commissioner Tari Renner called the Liquor Hearing to order to hear the application of PATH 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 premises. Present at the hearing were Liquor Commissioners Tari Renner, Geoffrey Tompkins and Jim Jordan; George Boyle, Asst. Corporation Counsel and Renee Gooderham, Interim City Clerk and Karen Zangerle, PATH's Executive Director and Applicant's representative.

Commissioner Renner questioned the purpose of this application. Karen Zangerle, PATH's Executive Director and Applicant's representative, began by informing the Commission that this application was for a fundraiser for PATH to be held at the Bloomington Center for the Performing Arts (BCPA), on Thursday, April 9, 2015 from 4:00 p.m. until 12:00 a.m. (midnight). This request was for a Limited License for a nonprofit corporation.

She informed the commission that this would be the seventh (7th) year for Chefs for PATH Gala. Ticket sale would be limited to 250. Ticket price was \$75. There would be five (5) chef stations. Chefs for PATH came about as a Leadership McLean County small group project. Ms. Zangerle noted that there would be two (2) bars. Identification would be requested.

Motion by Commissioner Tompkins, seconded by Commissioner Jordan that an LA liquor license be created for PATH for a fundraiser to be held on April 9, 2015 from 4:00 p.m. until 12:00 a.m. (midnight) at the BCPA, located at 600 N. East St.

Motion carried, (viva voce).

Commissioner Renner stated that this item would appear on the Council's March 23, 2015 Consent Agenda. He encouraged Ms. Zangerle to attend same.

There being no further business before the Commission, the meeting recessed at 4:10 p.m.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The Agenda for the March 10, 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, Interim City Clerk

Reviewed by: George D. Boyle, Corporation Counsel

Recommended by

Tari Renner
Mayor

Motion by Alderman Painter, seconded by Alderman Schmidt that a LA liquor license for PATH, Inc., d/b/a PATH, Inc., located at 201 E. Grove St., Ste. 200, be created, contingent upon compliance with all applicable health and safety codes.

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

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

Nays: None.

Motion carried.

The following was presented:

Public Hearing for Approval and Authorization to submit the Community Development Block Grant Program (CDBG) 2015-2020 Consolidated Plan and 2015-2016 Action Plan. Presented by Jennifer Toney, Community Development Grant Coordinator

Jennifer Toney, Community Development Grant Coordinator, addressed the Council. Housing and Urban Development (HUD) required a five (5) year Consolidated Plan (CP) with yearly updates. Same provides framework for projects. The CP included: needs assessment, market analysis, strategic plan and year one (1) action plan.

Ms. Toney noted the need for affordable housing, especially rental units. Forty – three percent (43%) of city wide households cannot afford housing. The United Way of McLean County conducted a 2014 needs assessment. Same determined the need for public/supportive housing, fully handicap accessible homes for low income citizens, services to assist with those unemployed seeking employment and public improvements such as streets and sidewalks.

CDBG was required to meet one (1) of three (3) National Objectives. These were providing benefits to low and moderate income citizens (LMI), aid in the prevention or elimination of slums or blight and meeting urgent citizen needs. Seventy percent (70%) CDBG funding must benefit the LMI National Objective.

Ms. Toney cited the 2015 – 2016 CDBG Proposed Budget Activities. She noted the partnership with the West Bloomington Revitalization Program (WBRP). There would be upgrades to sewer/water on N. Catherine St. Same would assist with the fully handicap accessible rental property construction by Brinshore Development.

Alderman Sage questioned job creation/retention activities. She responded that the amount of money was tied to the number of fully time jobs. She believed an employer would be required to guarantee that the position was provided to an LMI.

Ryan Snyder, Vice President (VP)/Founder, Construction Charities (CC), addressed the Council. He noted that the program began approximately three (3) months ago. Diagnostics on heating and air conditioning, lead testing and electrical had been completed on seven (7) projects. All homes were extremely low income.

Alderman Stearns questioned low income. Ms. Toney stated there were three (3) categories: 1.) extremely low - thirty percent (30%) below the area median income (AMI); 2.) low - thirty to fifty percent (30% – 50%) AMI and 3.) moderate - fifty to eighty percent (50% – 80%) AMI. Affordable housing was thirty percent (30%) of an individual's gross income.

Alderman Black noted that CDBG would not build public housing. Ms. Toney responded affirmatively. Alderman Black questioned the mobile home project. Ms. Toney stated that CC controlled those projects.

Mayor Renner opened the CDBG Public Hearing at 8:08 p.m.

Rick Heiser, 810 W. Jefferson, addressed the Council. He cited his support for CDBG. He noted the following CDBG projects: fully handicap accessible home on Catherine and Market and sewer/water systems on Catherine (whole street would benefit).

Mr. Heiser noted that he was currently the WBRP VP. He believed CDBG assisted with supporting the WBRP goals and increased the property tax base.

Alton Franklin, 508 Patterson Dr., addressed the Council. He noted that CDBG reallocated funds. He believed CDBG took fiscal responsibility.

Mayor Renner closed the CDBG Public Hearing at 8:14 p.m.

The following was presented:

SUBJECT: Public Hearing for Approval and Authorization to submit the Community Development Block Grant Program (CDBG) 2015-2020 Consolidated Plan and 2015-2016 Action Plan

RECOMMENDATION/MOTION: Recommend that the submission of the 2015 – 2020 CDBG Consolidated Plan and 2015-2016 Action Plan to the US Department of Housing and Urban Development be approved and the resolutions adopted.

STRATEGIC PLAN LINK: Goal 2: Upgrading City Infrastructure and Facilities Goal 4: Strong Neighborhoods.

STRATEGIC PLAN SIGNIFICANCE: Objective 2a. Better quality roads and sidewalks. Objective 4d. Improved neighborhood infrastructure. The Code Enforcement Division and CDBG funding impacts all of the objectives listed under the strong neighborhoods goal. Demolishing vacant deteriorated structures discourages crime and preserves property values. Providing vacant lots for new home construction; funds for housing rehabilitation and transitional housing upgrades quality of older housing stock, preserves properties and encourages partnerships with residents and neighborhood associations.

Additionally, CDBG funds provide new sewer/water services; better quality of roads and sidewalks which all contribute towards the objectives upgrading City infrastructure

BACKGROUND: On May 1, 2015, the Community Development Division will begin its Program Year 41 (PY41) (FY 2015-2016). For the past forty (40) years, the City has applied for funding under the Community Development Block Grant (CDBG) through the US Department of Housing and Urban Development (HUD). Every five (5) years, the City is required to complete a needs assessment and submit a five (5) year Consolidated Plan to HUD. The Consolidated Plan also contains the Annual Action Plan for the first year of the plan. The Action Plan outlines the activities planned for the upcoming FY 2015-2016. The Community Development Division contracted with the United Way of McLean County (UWMC) to assist with development of the Consolidated Plan. UWMC utilized the 2014 Community Assessment, HUD, and the 2010 American Community Survey as the primary data sources. To review the 2014 Community Assessment, visit <http://www.uwaymc.org/2014-community-assessment/>.

HUD requires the jurisdiction to develop viable urban communities by providing decent housing and a suitable living environment and expanding economic opportunities principally for low- and moderate-income persons. HUD requires all activities to meet at least one (1) of the following national objectives:

- Benefit to low and moderate income persons.
- Aid in the prevention or elimination of slums or blight; and
- Meet a need having a particular urgency (referred to as urgent need).

The first objective is often referred to as the primary national objective because HUD requires a minimum of 70% of all CDBG funding benefit LMI (low and moderate income persons). Public Service activities are limited to 15% of total funding. Each entitlement community may choose from a variety of eligible activities to meet the needs identified in the Plan. HUD allows the following types of activities:

- Acquisition/Disposition of Property
- Public Facilities and Improvements
- Demolition
- Rehabilitation
- Code Enforcement
- Economic Development Activities
- Homeownership Assistance
- Relocation

- Planning and Administration

A summary of proposed activities for 2015-2016 is included in the Action Plan. A copy is provided for your review. Included for review is a series of maps identifying the location of CDBG activities for the past five (5) years and a map locating 2014-2015 Construction Charities Manufactured Home Rehabilitation activities. The mailing lists and public notice are also included.

Staff recommends that Council: (1) approve the attached Resolution authorizing the filing of the Community Development Block Grant application for 2015-2016; (2) approve the attached Resolution authorizing the filing of the 2015-2020 Consolidated Plan; and (3) approve the proposed budget and activities listed in the 2015-2016 Action Plan.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Copies of the draft 2015-2020 Consolidated Plan and notification of the March 23, 2015 Public Hearing were made available for public review/comment on the City's website, at the City Clerk's office, at the Planning and Code Enforcement office and at the Bloomington Public Library.

Notification of the availability of the draft Plan and the March 23, 2015 Public Hearing was published in the Pantagraph on February 23, 2015 and March 2, 2015. Providing Access to Help (PATH) published the notification in its electronic newsletter, the PATH-O-GRAM, on February 23, 2015 and March 23, 2015. The newsletter is sent to over 1000 individuals and/or local agencies.

Notification was also sent to more than fifty (50) local churches, social service agencies and neighborhood associations located in the low to moderate income areas of the community. Announcement of availability of the draft Plan was made at several meetings as well.

FINANCIAL IMPACT: The City maintains a special revenue fund to account for financial activity with the City's Community Development Program. The City's chart of accounts begins with 2240 and 2250. A delay or lack of Council approval would result in potential loss of approximately \$550,000 in federal grant funds. These funds are used by community programs which benefits low to moderate income households within the City.

Prepared by: Jennifer Toney, Community Development Grants Coordinator

Reviewed by: Tom Dabareiner, Community Development Director

Reviewed by: Steve Rasmussen, Assistant City Manager

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

Legal review by: George Boyle, City Legal Council

Recommended by:

David A. Hales
City Manager

RESOLUTION NO. 2015 - 10

**RESOLUTION AUTHORIZING THE FILING OF THE
CITY OF BLOOMINGTON CONSOLIDATED PLAN
(May 1, 2015-April 30, 2020)**

WHEREAS, it is necessary and in the public interest that the City of Bloomington, otherwise known as the Local Public Agency, avail itself of the financial assistance provided by Title I of the Housing and Community Development Act of 1987, to continue a Community Development Program; and

WHEREAS, it is necessary for the Local Public Agency to certify that it will carry out the provisions of Title 24 – Housing and Urban Development, Part 91 – Consolidated Submissions for Community Planning and Development Programs.

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

1. The City Manager is hereby authorized and directed to submit the City of Bloomington 2015-2020 Consolidate Plan to the Department of Housing and Urban Development; to act as the assuring officer for the City of Bloomington that the Local Public Agency shall comply with all other general requirements of Title 24, Part 91.
2. The Director of Planning and Code Enforcement, Community Development Division, is hereby authorized and directed to provide such additional information and to furnish such documents as may be required on behalf of the Department of Housing and Urban Development, and to act as the authorized correspondent of the City of Bloomington.
3. The City Clerk is hereby authorized and directed to certify such documents as needed by the Department of Housing and Urban Development on behalf of the City of Bloomington.

Adopted this 23rd day of March, 2015.

Approved this 24th day of March, 2015.

Tari Renner
Mayor

Attest:

Renee Gooderham
Interim City Clerk

RESOLUTION NO. 2015 - 11

**RESOLUTION AUTHORIZING THE FILING OF A COMMUNITY DEVELOPMENT
PROGRAM APPLICATION FOR PROGRAM YEAR THIRTY-SIX (36)
(May 1, 2015-April 30, 2016)**

WHEREAS, it is necessary and in the public interest that the City of Bloomington, otherwise known as the Local Public Agency, avail itself of the financial assistance provided by Title I of the Housing and Community Development Act of 1987, to continue a Community Development Program; and

WHEREAS, it is necessary for the Local Public Agency to certify that it will carry out the provisions of the Housing and Community Development Act of 1974, regulations.

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

That an application on behalf of the City of Bloomington for a grant under said Title I in the amount of \$549,498.00 (estimated) as the full amount available for undertaking and financing the thirty-sixth (36th) increment of such program is hereby approved: and

1. The City Manager is hereby authorized and directed to execute and to file such application with the Department of Housing and Urban Development; to act as the certifying officer and assure the status of a responsible Federal Official under the National Environmental Protection Act of 1969; to act as the assuring officer for the City of Bloomington that the Local Point Agency shall comply with those items listed on HUD application forms.
2. The Counsel for the Code Enforcement Division is hereby authorized and directed to file legal certification.
3. The Director of Planning and Code Enforcement, Code Enforcement Division, is hereby authorized and directed to provide such additional information and to furnish such documents as may be required on behalf of the Department of Housing and Urban Development, and to act as the authorized correspondent of the City of Bloomington.
4. The City Clerk is hereby authorized and directed to certify such documents as needed by the Department of Housing and Urban Development on behalf of the City of Bloomington.

Adopted this 23rd day of March, 2015.

Approved this 24th day of March, 2015.

Tari Renner, Mayor

Attest:

Renee Gooderham
Interim City Clerk

Alderman Schmidt recused herself as a Board Member for WBRP. Alderman Schmidt left the dais at 8:14 p.m.

Motion by Alderman Black, seconded by Alderman Hauman that the submission of the 2015 – 2020 CDBG Consolidated Plan and 2015-2016 Action Plan to the US Department of Housing and Urban Development be approved and the resolutions adopted.

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

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

Recused: Alderman Schmidt.

Nays: None.

Motion carried.

Alderman Schmidt returned at 8:15 p.m.

The following was presented:

SUBJECT: Intergovernmental Agreement to Authorize Cost Share for Coalition Participation in Local Siting Hearing

RECOMMENDATION/MOTION: Recommend that the Intergovernmental Agreement to Authorize Cost Share for Coalition Participation in Local Siting Hearing be approved and the Mayor and City Clerk be authorized to execute the necessary documents.

STRATEGIC PLAN LINK: Goal 5 – Great Place to Live – Livable, Sustainable City.

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

BACKGROUND: On February 27, 2012, the Council voted to approve an Intergovernmental Agreement joining a consortium in opposition to the permitting of Polychlorinated Biphenyls (PCB's) at the Clinton Landfill #3 site in DeWitt County. The landfill is located directly over top of the Mahomet Aquifer; which is one (1) of the largest groundwater resources in the state

underlining fifteen (15) counties and providing 100,000,000 gallons per day of groundwater for public water use, industrial use, and irrigation. Coalition members consist of: Champaign (acting lead agency), Bloomington, Decatur, Champaign County, Normal, Urbana, McLean County, Macon County, Mahomet Valley Water Authority, Piatt County, Savoy, Monticello, Tuscola, and Forsyth.

On February 26, 2015, City of Champaign, acting as lead consortium member, issued a proposal to amend the Intergovernmental Agreement to authorize the Coalition's participation at a local siting hearing conducted by the DeWitt County Board to consider a possible application by Clinton Landfill, Inc. (CLI) for approval of its chemical waste facility as well as any potential appeal from the County Board's decision to the Illinois Pollution Control Board. The amendment would expand the scope of the Agreement to include sharing the costs for hiring the legal expertise of Swanson, Martin & Bell, LLP as well as environmental consultants KPRG and Associates, Inc. to represent the coalition at such a local siting hearing before the DeWitt County Board, as well as any appeals.

CLI has not submitted such an application, and they may chose not to do so until the pending appeals before the Illinois Pollution Control Board and the Appellate Court for the Fourth District are resolved. CLI is not prohibited from making an application while those appeals are still pending. Once DeWitt County receives an application, a public hearing would need to be conducted by the DeWitt County Board not sooner than ninety (90) days, but not more than 120 days from the date the application is submitted, according to Section 39.2 of the Illinois Environmental Protection Act (415 ILCS 5/39.2). The City of Champaign believes it would be prudent for the coalition to commence preparation for such a hearing.

Recently, the U.S. Environmental Protection Agency (US EPA) announced a decision to designate a portion of the Mahomet Aquifer system as a sole source aquifer. The Safe Drinking Water Act gives the US EPA authority to designate all or part of an aquifer as a "sole source" if contamination of the aquifer would create a significant hazard to public health and there are no physically available or economically feasible alternative sources of drinking water to serve the population that relies on the aquifer. The designation authorizes the US EPA review of projects that receive Federal financial assistance to assess potential for contamination of the aquifer system that would create a significant hazard to public health. The implications of this designation to CLI's ability to establish a chemical waste facility in the Clinton Landfill are currently unknown. In the wake of this designation, the City of Champaign continues to urge Coalition members to continue to anticipate legal challenges and an application filed by CLI for a local siting hearing.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Coalition members in opposition of a PCB permit for the Clinton Landfill site #3 in DeWitt County: Champaign, Normal, Urbana, Savoy, Champaign County, Piatt County, Mahomet Valley Water Authority, and Decatur.

FINANCIAL IMPACT: The proposal includes pricing for legal representation and expert witness evaluation and testimony on behalf of the Coalition at a local siting hearing before the DeWitt County Board as well as a potential appeal with the Illinois Pollution Control Board. The

proposal provides low high cost parameters of \$25,680.25 and not to exceed \$39,345.99. The expenses were divided amongst Coalition members based on population size. The proposed expenditure would be deducted from Water Administration-Other Purchased Services (50100110-70690). Stakeholders can locate this in the FY 2016 Proposed Budget Book titled Other Funds & Capital Improvement Program on page 98.

Respectfully submitted for Council consideration.

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

Reviewed by: Brett Lueschen, Interim Water Director

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

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:

David A. Hales
City Manager

David Hales, City Manager introduced this item. He introduced Alex McElroy, Asst. to the City Manager. Mr. McElroy addressed the Council. February 2012, Council approved an Intergovernmental Agreement (IGA) joining a consortium in opposition to the permitting of Polychlorinated Biphenyls (PCB's) at the Clinton Landfill #3 site in DeWitt County.

The landfill was located over the Mahomet Aquifer; which is one (1) of the largest groundwater resources in the state. Underlining fifteen (15) counties and providing 100,000,000 gallons per day of groundwater for public water use, industrial use, and irrigation.

The City of Champaign, acting as lead consortium member, recommended an amendment to the IGA. Same would authorize participation at a local siting hearing conducted by the Dewitt County Board considering a possible application by Clinton Landfill, Inc. (CLI) for approval of its chemical waste facility as well as any potential appeal from the County Board's decision to the Illinois Pollution Control Board.

Alderman Schmidt questioned IGA amount. Mr. McElroy responded the amendment would have a not to exceed range of \$25,000 to \$39,345.99. The original agreement was \$3,000 to \$11,000.

Alderman Black questioned appeals/applications. Mr. McElroy stated that there were two (2) appeals outstanding. The Coalition' filed a citizen's complaint with the Illinois

Pollution Control Board. Same was dismissed. The decision was appealed to the Fourth (4th) District Court. The Illinois Environmental Protection Agency agreed that a local siting hearing should be required. Same amended the original Clinton landfill approval.

Motion by Alderman Schmidt, seconded by Alderman Mwilambwe that the Intergovernmental Agreement to Authorize Cost Share for Coalition Participation in Local Siting Hearing be approved and the Mayor and City Clerk be authorized to execute the necessary documents.

Alderman Mwilambwe questioned application process. Mr. McElroy stated the DeWitt County Board would conduct a public hearing after application receipt. Same would be conducted no sooner than ninety (90) days, but not more than 120 days from the date the application.

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

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

Nays: None.

Motion carried.

CITY MANAGER'S DISCUSSION: David Hales, City Manager, addressed the Council. He provided Council with a report copy of Bunn St. at Lincoln St from September 2013. Staff was updating same. He noted the fatality which on March XX, 2015. Driving Under the Influence charges had been brought against the vehicle driver. He cited the city's standard protocol, Staff Traffic Advisory Committee (STAC).

MAYOR'S DISCUSSION: None.

ALDERMEN'S DISCUSSION: Alderman Sage noted he had attended the Fifth (5th) Annual Taste of West Bloomington on March 13, 2015.

Alderman Stearns questioned making Council's email Solid Waste recommendations public. David Hales, City Manager, that same would be shared.

Alderman Stearns noted March 9, 2010 the Pantagraph had an article stating that Solid Waste was removed from the General Fund to Enterprise Fund as part of the Budget proposal.

Motion by Alderman Schmidt, seconded by Alderman Hauman, that the meeting be adjourned. Time: 8:29 p.m.

Motion carried.

**Renee Gooderham
Interim City Clerk**

SPECIAL SESSION
BUDGET WORK SESSION
March 7, 2015

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

City Manager David Hales, Steve Rasmussen, Asst. City Manager, Interim City Clerk Renee Gooderham, and Corporate Counsel Jeff Jurgens, Nicole Albertson, Human Resources, Patti-Lynn Silva, Finance Director, Jim Karch, Public Works Director, Brian Mohr, Fire Chief, Brendan Heffner, Police Chief, Tom Dabareiner, Planning and Code Enforcement, Brett Lueschen, Interim Water Director, Jay Tetzloff, Interim Parks, Recreation and Cultural Arts Director, Scott Sprouls, Information Services Director, Nora Dukowitz, Communications Manager Ken Bays, Asst. Police Chief, Carla Murillo, Budget Manager were also present.

The Work Session was called to order at 8:00 a.m. Mayor Renner cited the Work Session topic and reviewed the 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.

Bruce Meeks, 1402 Wright St., addressed the Council. He believed items were not available for reviewing. He believed Miller Park Zoo should be eliminated from the Budget. He recommended hiring a financial consultant. He requested that his open data policy be placed on a Committee of the Whole meeting.

Alton Franklin, 508 Patterson Dr., addressed the Council. He echoed Mr. Meeks' comments. He cited concerns with the Sugar Creek Packing Co. purchase on the March 10, 2015 Council meeting.

Mayor Renner noted there were tough choices. There was a fiscal and structural deficit last year. Some progress was made. He questioned services available and how to pay for same. He questioned cuts and possible service elimination.

The budget could be amended. He suggested precise amendments. He questioned consequences of same.

David Hales, City Manager, addressed the Council. The Budget presented was living within our means. It contained a listing of programs, services, costs associated, accomplishments and concerns going forward. The Directors would be providing brief presentations addressing high level issues. Priority Based Budgeting (PBB) would assist with long term financial planning. PBB provided an understanding on programs provided, setting service levels, continued operation of same and the price of government.

Finance Presentation

Patti-Lynn Silva, Finance Director, addressed the Council. She provided a Fiscal Year (FY) 2015 Budget update. She noted that the \$2.7 million budget deficit was resolved with expense reductions and revised revenue projects. The year would end with a break even budget.

She explained the Fund Balance (FB). FB was similar to a savings account. If revenues increase and expenditures were reduced FB increases. FB was current fifteen percent (15%) or \$14 million of expenditures. It was estimated that \$2 million would be used to close deficit gaps in the Solid Waste (SW) program, U.S. Cellular Coliseum (USCC), and golf programs. This could reduce FB to \$12 million.

She explained the importance of FB: 1.) cash management – fluctuations or delays in revenues; 2.) protects against emergency repairs and natural disasters/catastrophic events; 3.) preservation of credit rating and fiscal stability; and 4.) flexibility – avoiding short term borrowing. She noted that the city did not have a GF balance in FY 08.

The Government Finance Officers Association (GFOA) recommends a general operating fund with no less than two (2) months of regular general fund operating revenues or expenditures. Ms. Silva stated GF expenditures were \$15.7 million. She cited the outstanding liabilities related to GF. Retiree medical liability was an unfunded mandate.

Ms. Silva stated that FY 16 expenditures would increase by 3.35%. Same included cost of doing business, policy or contractual increases and expenditures utilizing reserve funds. Forty – one percent (41%) of expenditures were labor related costs. She reviewed expenditures by category. The Workers Compensation expenditure was approximately \$4 million and Police and Fire Pension was \$10 million. The Illinois Municipal Retirement Fund was the largest pension. There were approximately 1000 retired and active employees.

The GF was approximately fifty – one percent (51%) of the budget. General and Water funds were sixty – three (63%) of the budget. The USCC's one percent (1%) funding included funds required outside operations and sales tax and debt service.

She reviewed the FB summary. Reserved/restricted FB was: Water, Sewer, Solid Waste, Special Revenue Funds, Debt Service, Capital Project Funds, Golf Courses, USCC, Lincoln Parking Deck and Internal Service Funds. Enterprise Funds (EF) was reserved for services. The Tax Levy was based on same. Debt service had a required funding of one (1) year in advance. Capital Project Funds was a break even fund. Forty – eight percent (48%) of revenues was from taxes.

Ms. Silva provided an overview on the proposed FY 16 General Fund (GF) Budget. GF would increase by 3.63%. Sixty – four percent (64%) of GF expenditures were employee related. Fifty percent (50%) was Public Safety.

She highlighted major expenditures: 1.) salary and benefits – increased \$1.5 million; 2.) contractual – increased \$824K; 3.) commodities – decrease (\$550K); 3.) capital expenditures –no cash available; 4.) principal and interest – increased \$756K and 5.) Intergovernmental –

increased \$1.2 million. Taxes will account for seventy – nine percent (79%) of GF revenues in FY 16.

No additional full time employees were in the budget. A Youth Intervention part time employee would be funded 100% by a grant for the Police Department. Street resurfacing was funded with the local motor fuel tax approximately \$2.4 million. Capital lease would be issued for critical facility repairs/maintenance. Police and Fire Pension Funding Year two (2) would be a combination of existing property tax and a tax levy increase, adopted in November 2014. SW required \$2.5 million to balance the fund. It was anticipated that FY 17 would require another GF \$2.5 million transfer if changes were not made to SW.

Ms. Silva cited the FY 16 Capital Projects: 1.) \$2.4 million street resurfacing – funded by the local MFT; 2.) USCC - \$1.6 million video system replacement; 3.) State MFT – traffic signals, Linden St. bridge & Hamilton Rd. design; 4.) Water - \$2 million emergency ION Exchange System, \$2 million Groundwater Development and \$1.5 million Filter Construction; 5.) Sewer - \$1 million Howard Johnson Pump Station replacement, \$.75 million sewer and manhole lining program, \$.50 million Grove on Kickapoo Creek Sewer Oversizing and 6.) Park Dedication - \$.2 million Sunnyside Park playground.

Alderman Stearns questioned the FY 15 deficit. Ms. Silva state Reserve Fund was not used. Departments reduced their budgets. She noted that there would be consequences to same. Alderman Stearns requested a breakdown and consequences.

Alderman Lower questioned deferred maintenance. Ms. Silva believed deferred/reduced was the same. She noted the Police Department windows sheet rock was not under same. Seven (7) Police and Fire vacancies were not filled.

Alderman Sage questioned Governor Rauner’s proposed budget reductions. Ms. Silva stated that if same was enacted the budget would have to be revisited. Mr. Hales stated that there was no contingency plan.

Alderman Lower believed that state unfunded mandates would be reduced. He requested a listing of same.

Parks, Recreation and Cultural Arts Presentation

Jay Tetzloff, Interim Parks, Recreation and Cultural Arts Director, addressed the Council. The department was a diverse group. He noted that the department was without a Director since July 2014. Barb Wells, Recreation Superintendent was retiring April 2015.

He stated that well maintained parks increased property values. He believed that property within forty feet (40’) of a park was worth \$11,500 per acre.

He cited the following outreach from FY 13 – 14: 1.) 4,800 participated in Health and Wellness programs; 2.) 129,355 participated in programs and events; 3.) 10,135 participated in the Adults 55+ programs and 4.) 12,011 participated in SOAR.

Attendance for FY 13 -14 was: 1.) 53,929 swimming pools; 2.) 103,502 Miller Park Zoo; 3.) 19,189 Pepsi Ice Center open skate; 3.) 85,855 BCPA events; 4.) 62, 260 rounds of golf and 4.) many participated in the Spray Parks. Constitution Trail had approximately 5000 daily users. Thirty (30) miles of trail in Bloomington were maintained. Same was the most utilized amenity.

The FY 15 deficit was decreased by \$180,000. The consequences of same were park bathroom renovations and BCPA repairs.

FY 16 Budget would increase 2.7%. He noted that same included golf and salary increases. Highlights were: 1.) Sunnyside Park development - \$200,000 grant funded; 2.) Miller Park Pavilion renovations and upgrades – \$125, 000 grant funded and 3.) continued treatments for Emerald Ash borer – 177 trees. The budget did not allow for equipment replacement/repairs, replacement of two (2) staff members and capital projects to maintain infrastructure. Budget delays were: Miller Park Zoo repairs and renovations, Lincoln Leisure Center’s parking lot resurfacing, O’Neil and Holiday Pool replacement, O’Neil pool mechanical room repairs, additional of employee in the BCPA ticket office, continue historic preservation of the BCPA, Prairie Vista cart paths and equipment replacement. Faithful and Gould Facility Assessment identified \$5 million in repairs.

Mr. Tetzloff believed the Miller Park Zoo concession stand would generate revenue. The Pepsi Ice Center operated a FY 15 profit. SOAR served the whole community. He cited the National Recreation and Park Association Report on Cost Recovery (NRPA). The national median was 29.6% and the national upper quartile was 49.9%. Bloomington was 44.9%.

Community Development Presentation

Tom Dabareiner, Planning and Code Enforcement Director (PACE) addressed the Council. There were twenty – five (25) full time Community Development (CD) positions and five (5) vacancies. The budget was \$3.5 million and generated \$2.1 million. He noted that Code Enforcement Division worked with the Fire and Police Department.

The FY 16 Building Safety Division anticipated: flat revenue projects, slightly below FY 14 budget and expenses were increasing 15.6%, \$100,000 below FY 14. The Planning Division anticipated FY 16: revenue projections down \$3,600 and expenses increased to 5.1%. FY 16 Code Enforcement Division anticipated: revenue down five percent (5%) and a ten percent (10%) expenditure increase.

The Community Development Block Grant Program (CDBG) GF contribution was reduced from \$81,000 to \$10,000. \$300,000 in infrastructure repairs was available to low to moderate incomes.

PACE was working on a one stop shop customer orientated process. Same would be gained with establishing performance measures, use of technology and consistently applied Ordinance based procedures. Staffing was able to manage 175 weekly inspections. April – October 2014 had insufficient building plan reviews and inspections. This translated to longer wait times equaling poor customer service. Municipal code specified Fire Inspector visit frequency. The department had two (2) inspectors which was appropriate for smaller communities. Inspections were

conducted every three (3) years. The solution was reducing frequency, gaining efficiencies and adding one (1) inspector.

Alderman Sage questioned staffing projections. Mr. Dabareiner stated same was based from Code Enforcement National norms. Munis assisted with measuring individual performance.

Alderman Schmidt questioned vacancies. Mr. Dabareiner stated that the Code Inspector and Mechanical Inspector were retiring April 2015, two (2) seasonal positions and one (1) Code Enforcement Manager.

Alderman Mwilambwe questioned plan review time. Mr. Dabareiner stated the goal was to become a one stop shop. Project managers would be responsible for projects from start to finish. He believed efficiencies required investment.

Water Department Presentation

Brett Lueschen, Interim Water Director, addressed the Council. He noted that Bloomington's water was consistently higher in quality than required by federal and state drinking water regulations. The Department employed fifty (50) full time employees and seven (7) seasonal staff consisting of six (6) divisions.

Mr. Lueschen highlighted the FY16 Proposed Budget. The Department operated as an Enterprise Fund. The product produced supports the Operating Expenses and Capital Projects. The Master Plan was expected to be completed. Same would outline a twenty (20) year capital improvement plan and suggested rate modifications. FY16 projects included: radio frequency water meter project, groundwater supply development projects and upgrades to the Water Treatment Facility.

Mr. Lueschen cited the following challenges due to staffing levels: customer service, emergency response time, repair/replace aging underground infrastructure, and replacement/repair Water Treatment Plant aging infrastructure.

Alderman Sage questioned drought preparation. David Hales, City Manager, addressed the Council. The Farnsworth Group was working on an analysis/report. He noted the cost increase for the southwest interim well field. The focus on same was the Water Treatment Plant.

Police Department Presentation

Ken Bays, Asst. Police Chief, addressed the Council. The Department had 128 sworn police officer, five (5) vacancies and five (5) support staff. He cited the following services provided: patrol coverage, canine unit, Downtown hire back, Criminal Investigations Division, Communication Center, Records/Evidence management, Community Service officers, problem oriented policing, SWAT, Crisis Negotiation Unit, Public Information Officer, school resource officers and Street Crimes Division.

Asst. Chief Bays noted that the Records/Evidence Management processed Freedom of Information Requests (FOIA) approximately twenty – five (25) hours per month in 2013. Internal processes changed increased processing FOIA to 252 hours. Crime had decline thirteen percent (13%). Filling vacancies were to maintain same.

He cited the following unfunded mandates: concealed carry screening, sex offender monitoring and registration, child murders/violent officer monitoring and registration, clean and present danger documentation and reporting, traffic stop data collection, and filling FOIA requests.

Asst. Chief Bays noted the FY16 Operating Budget was \$1 million less than FY 09. The following were consequences of same: increased response times, reduced customer service, reduction in specialized services, increases in overall crime rate, less intervention and prevention, efforts to increase recruitment would be unrealized, more reactive less proactive, overtime increases and revised priorities.

Brendan Heffner, Police Chief, addressed the Council. He believed that police presence could not be quantified. Calls for service were increasing. He believed the current level of services could not be maintained without existing resources.

Alderman Schmidt thanked Sara Mayer, Police Patrol/Communication Officer (PPO). She questioned Downtown Hire Back costs. Chief Heffner stated approximately \$114,000, equivalent of one (1) PPO.

Alderman Stearns questioned School Resource Budget. Asst. Chief Bays responded approximately \$300,000 for four (4) PPO less District 87 and McLean County Unit District 5. Alderman Stearns questioned increasing contribution. Chief Heffner noted that same had same budget concerns. There was value with maintaining the School Resource Officer. David Hales, City Manager, noted that during the Recession some Municipalities eliminated same.

Fire Department Presentation

Brian Mohr, Fire Chief, addressed the Council. The National Fire Protection Association (NFPA) 1710 was a standard regarding personnel deployment and fires and medical emergencies response time. He cited response time analysis. The goal was six (6) minutes. Current time was eight (8) minutes for Fire and nine (9) minutes for EMS.

Chief Mohr noted the following increases: call volume four percent (4%), structure fires twenty – four percent (24%) and EMS eight percent (8%).

Headquarters Fire Station, located at 310 N. Lee St. Medic 1 was the busiest unit. Same had 3277 ambulance calls. Unit availability accessed the nearest Fire Station to respond. Call volume increased 414 from 2013.

The Illinois Fire Chief Association (IFCA) recommended staffing increases to reduce overtime. Three (3) entry level firefighters were removed due to the FY 16 budget deficit. Chief Mohr stated with retirements the IFCA recommendation would not be met. He noted that establishing

an entry level firefighter eligibility list takes approximately four to five (4 – 5) months. Five (5) retirements were anticipated for FY 16. Chief Mohr cited that the national average number of firefighters per 1000 population was 1.70. The City had 1.34 firefighters per 1000.

There was a 6.5% increase in training. Chief Mohr attributed the training tower utilization for same.

Chief Mohr cited the 2015 accomplishments: International Organization for Standardization (ISO) class two (2) rating, updated radios to utilize STARCOM, apparatus replacement and HQ Station maintenance. The FY 16 focus would include: new agreement with Central IL Regional Airport, collaboration with Town of Normal on shared Automatic Vehicle Location, video conferencing, update Emergency Operation Plan, upgrade Firehouse Reporting Software, update run card for improved response time using New Priority Dispatch System, integration of pre plan information with the CAD, exhaust removal systems, and health and wellness initiative to decrease on the job injuries. He cited future needs: traffic preemption, additional ambulance, reinstate Engine Company at Station 3, acquire future Station location northeast, electronic patient care reporting system and create long term capital plan addressing Station improvements.

Alderman Sage questioned ISO rating on homeowner insurance. Chief Mohr responded that the impact was significant on commercial property. Not all insurance agencies utilize ISO.

Alderman Black requested quarterly updates on initiatives and response time.

Alderman Lower questioned preemptive signals on Veterans Parkway. Chief Mohr stated that same would have a response time impact including distance traveled.

Alderman Hauman questioned reducing response time. Chief Mohr responded that distance traveled and unit availability were concerns.

Public Works Presentation

Jim Karch, Public Works Director, addressed the Council. He believed that Public Works had a large impact on infrastructure. He noted the Department had 106 full time employees. He noted that the Engineering Division had been reduced forty percent (40%) in 2008. Same translated to no in house design. The Solid Waste Division had forty – one (41) employees and streets and sewers had twenty – eight (28).

He believed FY16 would not address the required infrastructure needs. Infrastructure continued to be underfunded. He noted FY 16 major projects. There were no General Fund capital projects. Resurfacing and sidewalks budget was \$2.4 million. Same included \$200,000 for required sidewalk ramp replacement. The Sidewalk Master Plan (SMP) was completed in house. The Illinois Public Works Association nominated the SMP for a national management innovation award.

The Sewer Fund Budget had increased over the years. He cited the following FY16 projects: H. Johnson pump station replacement, sewer lining and manhole repair, The Grove at Kickapoo Creek oversizing and CCTV evaluation. Objective performance measures had been established. FY 16 resurfacing budget had decreased from \$10 million to \$2.2 million. Resurfacing required \$7 million plus five percent (5%) inflator increases to address needs.

Mr. Karch reminded Council that the Solid Waste Program (SWP) was an Enterprise Fund (EF). Fees rather than taxes pay for the service. Per Council EF policy the SWP was required to be self-supporting and accumulate a ten percent (10%) reserve. SWP had a deficit. He noted that a proposal to address same would be on the March 9, 2015 Council meeting.

Alderman Lower questioned changing the asphalt chemistry for resurfacing. Mr. Karch responded that same was a possibility. He noted that asphalt plants were large industrial. Same were hard to obtain competition. Asphalt temperature must be in the 300 degree range.

Alderman Black believed sidewalk safety was critical.

Alderman Stearns questioned street rating and funding. Mr. Karch responded that a good level was \$80 million. Alderman Stearns questioned sewer upgrades. Mr. Karch stated \$80 million and \$30 million for storm water.

Alderman Mwilambwe questioned results for \$2.4 million resurfacing. Mr. Karch stated in house crews had assisted FY 15. He noted with enough staff, equipment and resources all resurfacing could be conducted in house.

Support Staff Services

David Hales, City Manager, addressed the Council. He introduced Jeff Jurgens, Corporation Counsel; Scott Sprouls, Information Services Director, and Nicole Albertson, Human Resources Director. He reminded Council that Support Staff support line Departments.

Mr. Jurgens addressed the Council. The Legal Department was .6% of the overall budget. It was projected that the Department would spend \$60,000 less than FY 14. FY 16 budget was \$100,000 less. He cited the following upcoming programs: Administrative Court, standardized contracts and procedural updates. Employment issues and negotiations took the bulk of time. There was one (1) in house attorney. Sorling Northrup had discounted approximately \$130,000 attorney fees. In FY15 there were 3600 billable hours. Same was equivalent to 2.9 employees per month.

Mr. Sprouls addressed the Council. The Department had ten (10) full time staff members, two (2) contract employees, supporting 3000 devices. He noted that the technically infrastructure was eight (8) years old. He cited the following programs: Munis; utility billing, time keeping, work order and inventory/assent, video surveillance and Fire Department video conferencing.

Ms. Albertson addressed the Council. She cited the following projects: time to hire metric, diversity recruitment, establish benchmarks, training and safety. Unions were notified that

negotiations needed to be completed prior to contract expiration. The goal was to reduce retro pay.

Mr. Hales provided an update on the U.S. Cellular Coliseum (USCC). He noted that FY16 had significant expenditures including the video board replacement. The management contract with Central Illinois Arena Management expires 2017. Similar venues were struggling financially.

He noted that past Council's had established dedicated revenue to address USCC and BCPA. Each debt service and operating had .25% dedicated to same. He believed the Council's understood both required subsidizing.

Mr. Hales noted that a new Facilities Manager was hired. Russ Waller would develop a plan to address the \$30 million deferred maintenance concern. Same did not address future plans.

A five (5) capital financing plan was established. Same would review Master Plans and prioritize projects that were feasible with current revenue sources.

Mr. Hales cited financial achievements gained in the last six (6) years. He believed the challenge was to establish a long term financial plan. He believed the deficit could not be solved by reductions, revenue was required. Priority Based Budgeting would assist with evaluating services and the costs association with same. He noted the FY16 budget was unsustainable.

Mayor Renner believed there were no easy decisions.

Alderman Black questioned direction. Mr. Hales questioned comfort level with budget as presented. Did the majority of Council want changes? If so staff would work through solutions.

Alderman Stearns questioned reductions and prioritizations. Mayor Renner believed departments had stated that their budgets were lean. They would continue to look for efficiencies. Same would not solve a structural deficit.

Alderman Stearns requested service/program reduction consequences. Mayor Renner stated Council would inform staff which service/program reductions were needed. Staff would then provide consequences to same. Mr. Hales requested that Council provide an exact reduction figure and staff would present a sustainable budget.

Alderman Lower noted the Illinois Policy Institute suggested flat lining expenses same would increase the overall tax base. Services needed to be prioritized. He questioned funding public entertainment.

Alderman Black requested modeling and consequences going forward.

Alderman Schmidt stated she had heard citizens question fees versus the raising property tax. She questioned the property tax coverage versus regressive tax and to model same.

Mayor Renner requested Council provide specific examples to the following: 1.) what were possible FY16 and FY17 cost savings/cuts; 2.) what were possible FY16 and FY17 revenues/additional income and 3.) what models should staff provide.

Alderman Sage questioned golf courses total costs and market base. He requested modeling for city wide services that could be delivered by another entity. He questioned mowing and cost recovery based on same.

Alderman Hauman requested possible revenue increases and budget application.

Alderman Lower questioned in house engineering design. Mr. Karch cited resource issues.

Alderman Black believed there was a benefit to tying revenues to services consumed. He cited concern with reducing professional development.

Alderman Stearns questioned sustainable savings for future infrastructure/streets.

Alderman Mwilambwe believed city labor costs were biggest expense. He questioned decrease to same with efficiencies and effectiveness. He cited technology.

Alderman Sage questioned activity fees compared to the Town of Normal. The following were Council recommendations.

Possible Savings FY16

- Don't acquire property
- Don't replace signage at Coliseum
- Let private entity replace Coliseum signage
- *Think about the future building use of the Coliseum
- Not so much paper/printing (inserts)
- Downtown lighting
- Discontinue National Development Corp (NDC) and other consultants
- See projects through
- Freeze pay- non-union
- Eliminate Pcards/lunches/non-essential travel
- Reduce Council pay

Possible Revenues FY16

- License bicycles
- Vehicle stickers tied to weight
- Taxes? Electric cars?
- Surcharge/discount on tickets based on residency
- Sales tax
- Property tax
- Signature event
- *Be competitive with Normal and others
- Grinding branches from bulk waste for mulch and selling same

Savings FY17+

- Privatize golf?
- Outsource mowing?
- Highland -> change dynamic? (park/cemetery)
- Possible leaf disposal (farmer that doesn't charge)
- CIAM City staff manage
- Only pay mortgage on Coliseum
- Get out of parking business
- Cost of Police buyback
- Schools pay more for School Resource Officer (SRO)
- Combine Bloomington and Normal Parks? Police? Fire?

Revenue FY17+

- Get list of City property for possible sale
- CIAM
- Vacant Fire station? Decentralize Public Works?
- Sales tax
- Property tax

Models from Staff

- List of unfunded mandates and cost recovery
- Flatline budget model
- Model that offsets smaller taxes with property tax
- Creative ways to decrease labor costs? Technology?
- Leasing Fire Station 5

Mr. Hales questioned priorities.

Mayor Renner requested take away from the Citizen Summit held on January 20, 2015.

Alderman Mwilambwe stated initial conversation surrounded budget reductions. The group realized impact of same. He believed the CS should have requested priorities from attendees.

Alderman Hauman noted that two (2) landlords were in her group. There was a consensus to charge for bulk waste. There was a willingness to pay for specific things. The citizens required specific budget application for same. They questioned value.

Alderman Painter believed her group considered their best interests rather than big picture.

Alderman Stearns stated her group requested city efficiencies and no fee or tax increases. They suggested businesses and landlords should be involved with recycling.

Alderman Black stated spent time educating citizens on choices and consequences.

Alderman Schmidt stated there was frustration on the number of Unions. Mayor Renner noted there were eleven (11) Bargaining Units.

Alderman Sage noted that his group was not willing to pay more for SW.

Alderman Lower stated the recommendations were to stream line or reductions to SW. There were no recommendations to fee/tax increases.

Mayor Renner noted there was a request to allow Public Comment.

Motion by Alderman Hauman, seconded by Alderman Stearns to suspend the rules to allow for additional Public Comment not to exceed three (3) minutes apiece.

Motion carried, (viva voce).

John Brandt, 2004 Trotter Ln., addressed the Council. He believed the city was in the business to supply streets, water and sewers. Staff was the greatest asset for same. The city should not be in the business of property ownership and things. He recommended leasing police vehicles, selling all buildings and leasing same. Invest in employees.

Bruce Meeks, 1402 Wright St., addressed the Council. He suggested forming a Park District. He questioned P card benefit. He recommended a budget that listed by line item the fee associated with same. He believed more work was required to bring businesses to the City.

Alton Franklin, 508 Patterson Dr., addressed the Council. He believed Golf Courses were not essential services. He echoed Mr. Meeks. City services if not used should be privatized.

Mayor Renner believed citizens enjoyed city services. Golf Courses were not a necessity. He believed same would not be easy to divest. User fees should be reassessed. He questioned the current service levels. He reminded Council that inflation would be associated with same. He believed that there were benefits to services that citizens did not realize. Downtown investment was a necessity for job creation.

Mr. Hales recommend adding suggestions into a long term Fiscal Sustainability Action Plan document. He requested Council majority on priorities/timelines to provide clear staff direction. He questioned what a sustainable budget was. Same would provide the community clear information. He recommended providing Council with consequential information from today's suggestions. Council would then consolidate/prioritize same.

Alderman Lower questioned cancelling/postponing Rt. 66/Towanda trail payment. Mr. Hales stated the Intergovernmental Agreement required review. Alderman Lower recommended the following: selling the Lincoln Leisure facility, located at 1206 S. Lee St. He suggested moving programs from same to the Government Center, located at 115 E. Washington St.

Alderman Sage had concerns with the proposed State reductions. He requested a plan for same. He questioned raising property taxes, meeting operational expenses with the citizens who consumed same.

Alderman Schmidt recommended savings prior to property tax increases.

Alderman Black requested different modeling in anticipation of state reductions. He believed same assisted with citizen education. He believed service reductions were inevitable.

Alderman Stearns requested a listing of vacant/under used/storage property. She requested a BCPA/USCC performance costs/profits listing. She questioned subsidizing same.

Alderman Painter believed balance was required. She suggested evaluating deferral costs with future costs.

Motion by Alderman Stearns, seconded by Alderman Black to adjourn. Time: 2:30 p.m.

Motion carried, (viva voce).

Respectfully submitted,

Renee Gooderham
Interim City Clerk



FOR COUNCIL: April 13, 2015

SUBJECT: Bills and Payroll

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

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

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

FINANCIAL IMPACT: Total disbursements to be approved \$4,974,078.61, (Payroll total \$2,500,884.51, Accounts Payable total \$2,473,194.10)

Respectfully submitted for Council consideration.

Prepared by: Patti-Lynn Silva, Director of Finance

Recommended by:

David A. Hales
City Manager

(ON FILE IN CLERK'S OFFICE)

Attachment: Attachment 1. Bills and Payroll on file in the Clerk's office. Also available at www.cityblm.org.
Attachment 2. Summary Sheet Bills and Payroll Report

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

Motion: _____ Seconded by: _____

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



FOR COUNCIL: April 13, 2015

SUBJECT: Appointment of Cherry Lawson as City Clerk

RECOMMENDATION/MOTION: Recommend that a motion be approved consenting to the appointment of Cherry Lawson as the City Clerk for the City.

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 City Code, Chapter 2, Section 45.1, provides the City Clerk shall be appointed by the City Manager with the advice and consent of the Council for an indefinite period. Cherry Lawson was identified as the most qualified individual to succeed Tracey Covert as City Clerk. Ms. Lawson will begin her position on May 11, 2015.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: A job posting was published through Experience Inc. on December 19, 2014; with Illinois Municipal League on December 16, 2014; and with the Association of Records Management Administrators, the League of Wisconsin Municipalities, the Iowa League of Cities, the Ohio Municipal League, the Indiana Association of Cities and Towns, the Michigan Municipal League, and the Kentucky League of Cities on December 15, 2014. Ads were placed with International CMA and the Bloomington Chamber of Commerce on December 19, 2014, as well as in numerous local and regional newspapers. A total of 14 applications were received.

FINANCIAL IMPACT: There are budgeted funds for this position in the FY15 Budget and the FY16 Budget if approved.

Respectfully submitted for Council consideration.

Prepared by: Beth Oakley, Executive Assistant

Reviewed by: David A. Hales, City Manager

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

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:



David A. Hales
City Manager

Motion: That a motion be approved consenting to the appointment of Cherry Lawson as the City Clerk for the City.

Motion: _____ Seconded by: _____

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



FOR COUNCIL: April 13, 2015

SUBJECT: Appointments and Reappointments to Various Boards and Commissions

RECOMMENDATION/MOTION: Recommend that the Appointments and Reappointments 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:

Noha Shawki of 816 E Monroe, Bloomington, IL 61701 to the Blm-Nml Sister City Committee (Japan). Her three (3) year term will be 5/1/15 – 4/30/18.

Carol Koos of 305 Woodland Avenue, Bloomington, IL 61701 to the Board of Library Trustees. Her three (3) year term will be 5/1/15 – 4/30/18.

Michael Raikes of 1520 N Clinton Blvd., Bloomington, IL 61701 to the Board of Library Trustees. His three (3) year term will be 5/1/15 – 4/30/18.

Ann Bailen of 1406 N. Clinton Blvd, Bloomington, IL 61701 to the Historic Preservation Committee. Her three (3) year term will be 5/1/15 – 4/30/18.

Eman Elsayed of 410 E Washington Street, Apt. #304, Bloomington, IL 61701 to the Human Relations Commission. Her three (3) year term will be 5/1/15 – 4/30/18.

Megan Schubert of 20 Brickyard Drive, Apt. D16, Bloomington, IL 61701 to the Planning Commission. Her three (3) year term will be 5/1/15 – 4/30/18.

I ask your concurrence in the reappointment of:

Marlene Gregor of 107 W Market Street, Bloomington, IL 61701 to the Citizen's Beautification Committee. Her three (3) year term will be 5/1/15 – 4/30/18.

Patricia Morin of 1405 N Clinton Blvd, Bloomington, IL 61701 to the Citizen's Beautification Committee. Her three (3) year term will be 5/1/15 – 4/30/18.

Matthew A. Giordano of 2 Turtleback Court, Bloomington, IL 61705 to the Cultural District Commission. His three (3) year term will be 5/1/15 – 4/30/18.

Sherry Galbreath of 3 Mallard Court, Bloomington, IL 61704 to the Cultural District Commission. Her three (3) year term will be 5/1/15 – 4/30/18.

J. Alan Balmer of 16 Fountain Lake Court, Bloomington, IL 61704 to the Planning Commission. His three (3) year term will be 5/1/15 – 4/30/18.

James Richard Pearson of 14 Hearthstone Court, Bloomington, IL 61704 to the Planning Commission. His three (3) year term will be 5/1/15 – 4/30/18.

Donald A. Wilkey of 107 Ruth Road, Bloomington, IL 61701 to the Police Pension Board. His three (3) year term will be 5/1/15 – 4/30/18.

Michael J. Buragas of 23 White Pl, Bloomington, IL 61701 to the Regional Planning Commission. His two (2) year term will be 5/1/15 – 4/30/17.

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

FINANCIAL IMPACT: None.

Respectfully submitted for Council consideration.

Prepared by: M. Beth Oakley, Executive Asst.

Recommended by:



Tari Renner
Mayor

Attachments: Attachment 1. Board Roster

Motion: That the Appointments and Reappointments be approved.

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			

Central IL Regional Broadband Network Board (CIRBN)

Mayor Appointed	Staff/Chair	Title	First Name	Last Name	Expiration	Appointment Date	Year First Appt	Email	City	Zip	Reappointment
x	Bloomington, City of	Assistant City Manager	Steve	Rasmussen	none		2015	srasmussen@cityblm.org	Bloomington	61701	
x	Bloomington, City of	Corporation Counsel			none		2013		Bloomington	61701	Eligible
x	Bloomington, City of	Alderman (took City Manager's spot)	Rob	Fazzini	none		2013	rfazzini@cityblm.org	Bloomington	61701	
x	Bloomington, City of	Information Services Director	Scott	Sprouls	none		2013	ssprouls@cityblm.org	Bloomington	61701	
	Advocate BroMenn Medical Center	Information Systems Director	David	Harper			2013	david.harper@advocatehealth.com			
	Advocate BroMenn Medical Center	Technical Services Manager	Scott	Hargas			2013	scott.hargas@advocatehealth.com			
	Advocate BroMenn Medical Center	VP Finance	Aron	Klein			2013	aron.klein@advocatehealth.com			
	Bloomington District 87 Schools	Technology Support	Jim	Peterson			2013	peterstonj@district87.org			
	Bloomington District 87 Schools	Superintendent	Barry	Reilly			2013	ReillyB@district87.org			
	Bloomington District 87 Schools	Chief Finance and Legal Officer	David	Wood			2013	woodd@district87.org			
	Heartland Community College	Director of Network and System Administration	John	Chow			2013	John.Chow@heartland.edu			
	Heartland Community College	Legal Counsel	Rick	Grenzebach			2013	egrenzebach@bhsllaw.com			
	Heartland Community College	Chief Information Officer	Doug	Minter			2013	doug.minter@heartland.edu			
	Heartland Community College	Vice President of Business Services	Rob	Widmer			2013	Rob.Widmer@heartland.edu			
	Livingston County	Livingston County Chair	Marty	Fannin			2013	mfannin@livingstoncountyl.gov			
	Livingston County	Information Technology Specialist	Alina	Hartley			2013	ahartley@livingstoncountyl.gov			
	Livingston County	First Assistant State's Attorney	Randy	Yedinak			2013	ryedinak@livingstoncountyl.gov			
	McLean County Government	Assistant County Administrator and Legal Counsel	Hannah	Eisner			2013	Hannah.Eisner@mcleancountyl.gov			
	McLean County Government		Scott	Koepfel			2013	scott.koepfel@mcleancountyl.gov			
	McLean County Government	Technology	Craig	Nelson			2013	craig.nelson@mcleancountyl.gov			
	McLean County Unit District No. 5	Business Manager	Erik	Bush			2013	bushe@unit5.org			
	McLean County Unit District No. 5	Director of Technology	Marty	Hickman			2013	hickmanms@unit5.org			
	McLean County Unit District No. 5	Superintendent	Gary	Niehaus			2013	niehausg@unit5.org			
	McLean County Unit District No. 5	District Attorney	Curt	Richardson			2013	richardmc@unit5.org			
	Town of Normal	Director of Technology Information	Mindy	Dance			2013	mdance@normal.org			
	Town of Normal	Corporation Counsel	Steve	Mahrt			2013	smahrt@Normal.org			
	Town of Normal	City Manager	Mark	Peterson			2013	mpeterson@normal.org			
	Illinois State University	Vice President for Finance and Planning	Dan	Layzell			2013	dlayzel@ilstu.edu			

Details:

Term: None

Term Limit per City Code: None

Members: 28 members

Number of members the Mayor appoints: 2

Type: Multi-Jurisdictional

City Code:

Required by State Statute: No

Intergovernmental Agreements:

Funding budgeted from COB for FY2014:

Meetings: 2nd Thursday of the month at Heartland Community College at 7:30 a.m.

Number of Vacancies: 0

Number of Expired Board Members (Blm Appointments only): 2

Number of Expired Board Members Eligible for Reappointment:

Appointment/Reappointment Notes:



FOR COUNCIL: April 13, 2015

SUBJECT: Purchase of Replacement Trucks for the Water Department

RECOMMENDATION/MOTION: Recommend that the purchase of two (2) Ford F150 Pickup Trucks from Roesch Ford of Bensenville, IL using the Northwest Suburban Purchasing Cooperative Contract Number 148 in the total amount of \$50,710 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 1d. City Services delivered in the most cost-effective, efficient manner.

BACKGROUND: The Water Purification Division has a 2005 Dodge Dakota pickup truck that has 119,990 miles. This unit is ten (10) years old and scheduled to be replaced in the current budget year. Maintenance cost to date for the vehicle is \$17,317.62. The truck has had steering, engine, transmission, front suspension, brake, air bag system, body control module, and lighting electrical problems. The transmission oil pan rusted through. This truck is used for daily maintenance at the Water Treatment plant, pump stations at Lake Evergreen, and Water Sheds at Lake Bloomington and Lake Evergreen. The four (4) wheel drive feature will assist the lake personnel during inclement weather.

The Water Transmission and Distribution Division has a 2006 Dodge Dakota pickup truck that has 72,490 miles. The truck is nine (9) years old and scheduled to be replaced in the current budget year. Maintenance cost to date for the vehicle is \$14,121.06. This unit has had engine cooling system, front suspension, air bag system, power control module, engine, and transmission repairs. Staff will use this truck to replace an older truck that has 121,874 miles and is ten (10) years old. The truck is used for daily maintenance on water main inspections and for JULIE locates. The four (4) wheel drive feature will assist when inspecting new water main projects that are normally located off-road. Staff respectfully requests to have the older truck declared surplus and be sold on public auction using publicsurplus.com.

The Suburban Purchasing Cooperative is a cooperative of 150 municipalities in the six (6) county areas of Northern IL. Every municipality and government agency in the State is authorized to participate in this program. The City has successfully used this Cooperative in the past.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not Applicable

FINANCIAL IMPACT: The Water Purification Division has \$22,821 budgeted this in FY 15 Capital Lease-Capital Outlay Licensed Vehicles account (40110131-72130). The replacement will cost \$25,355. The Water Transmission and Distribution Division has \$22,281 budgeted this

in FY 15 Capital Lease-Capital Outlay Licensed Vehicles account (40110131-72130). The replacement will cost \$25,355. Sufficient funds are available in the Capital Lease to cover the difference from budget to actual. Stakeholders can locate this in the FY 15 Budget Book titled Other Funds & Capital Improvement Program on pages 109 & 114.

Respectfully submitted for Council consideration.

Prepared by: Rob Krones , Superintendent of Fleet Maintenance

Reviewed by: 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

Attachments: Attachment 1. 2015 Ford F150 XL-4X2 Pickup Trucks Contract #148
Attachment 2. Current Pickup truck picture

Motion: That the purchase of two (2) Ford F150 Pickup Trucks from Roesch Ford of Bensenville, IL using the Northwest Suburban Purchasing Cooperative Contract Number 148 in the total amount of \$50,710 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			

w09 & LB20

2015 FORD F-150 XL 4X2

PICK UP

CONTRACT # 148



ROESCH FORD COMMERCIAL TRUCK CENTER

Brian Kilduff

briankilduff@roeschtrucks.com

630-279-6000 x2245

www.roeschford.com

2015 F-150
REGULAR CAB / SUPERCAB / SUPERCREW® – XL SERIES
STANDARD EQUIPMENT

MECHANICAL

- ★ 3.5L V6 Ti-VCT with Flex-Fuel Capability (std. 4x2/4x4: NA with 157" or 163.7" WB)
- ★ 2.7L V6 EcoBoost® with Start/Stop System (std. 4x2 with 157" or 163.7" WB)
- 5.0L V8 with Flex-Fuel Capability (std. 4x4 with 157" or 163.7" WB)
- 4x4 Electronic Shift-On-the-Fly (ESOF) with Neutral Towing Capability
- AdvanceTrac® w/RSC® (Roll Stability Control™)
- Axle, Front – Independent Front Suspension (IFS)
- Brakes – 4-Wheel Disc with ABS
- ★ Curve Control
- Electronic Six-Speed Automatic Transmission with Tow/Haul Mode
- Fail Safe Cooling
- Hill Start Assist
- Jack
- Parking Brake
 - Mechanical (with 5.0L V8 or 3.5L EcoBoost® engine)
 - Electric (with 3.5L Ti-VCT or 2.7L EcoBoost® engine) ★
- ★ SelectShift® Automatic Transmission with Progressive Range Select (NA 3.5L Ti-VCT engine)
- Shock Absorbers, Gas – Heavy-Duty, Outboard Mounted (front/rear)
- Spare Tire Carrier – Rear Under Frame
- Springs, Front – Coil
- Springs, Rear – Leaf, Two-Stage Variable Rate
- Stabilizer Bar, Front
- Steering – Power, Rack-and-Pinion
- Trailer Sway Control
- Trailer Towing – 4-pin wiring, ball mounting provisions in rear bumper

EXTERIOR

- ★ 170 Degree Rear Door (SuperCab)
- Bumper and Fascia, Front – Black
- Bumper, Rear – Black
- Cargo Lamp – integrated with Center High-mounted Stop Lamp (CHMSL)
- Easy Fuel® Capless Fuel-Filler
- Exhaust – Single Rear
- F-150 Fender Badge
- Fully Boxed Steel Frame
- Grille – Black Three Bar Style with Black Nostrils and Black Surround
- Halogen Headlamps
- Handles, Black – Door and Tailgate with Black Bezel
- Hooks – Pickup Box Tie-Down, four (4)
- Hooks – Front Tow 4x4, two (2)
- Mirrors, Sideview – Manual-folding, Manual Glass with Black Skull Caps
- Spare Tire/Wheel Lock
- Stone Cuffs, Front & Rear
- Tailgate – removable with key lock
- Tires
 - 245/70R 17 BSW all-season tires (A/S) BSW 4x2★
 - 265/70R 17 OWL all-terrain tires (A/T) 4x4★
- Wheels – 17" Silver Steel
- Wipers – Intermittent speed

INTERIOR/COMFORT

- 1st Row Manual Windows
- 2nd Row Fixed Windows (SuperCab)
- 2nd Row Manual Windows (SuperCrew®)
- ★ 2.3" Productivity Screen in Instrument Cluster
- ★ 4.2" Center-stack Screen w/Audio Controls
- Airbags
 - Driver and Passenger Front Airbags
 - Driver and Passenger Seat-Mounted Side Airbags
 - Safety Canopy® Side-Curtain Airbags (1st and 2nd row coverage)
- Air Conditioning Registers – Black Vanes with Chrome Knob
- AM/FM Stereo (speakers, four (4) with Regular Cab, six (6) with SuperCab and SuperCrew®)
- Black Vinyl Floor Covering
- Cupholder, deployable – under 20% seat
- Dome Light
- Fade-to-Off Interior Lighting
- Gauges and Meters – Fuel, Oil Pressure, Transmission Temperature and Engine Coolant Temperature Gauges; Speedometer, Odometer and Tachometer
- Grab Handles
 - Front – A-Pillar, Driver★ and Passenger Side
 - Rear – B-Pillar (SuperCrew®)
- Horn – Dual-Note
- Illuminated Entry
- Manual Air Conditioning, Single Zone
- Manual Locks
- Outside Temperature Display
- Powerpoint 12V – Front
- Rear Window with Fixed Glass and Solar Tint
- Rearview Mirror, Day/Night
- Scuff Plate, Driver and Front-Passenger Doors
- Seat, Front
 - Cloth 40/20/40★
 - 2-Way manual driver/passenger
 - Armrest
- Seat, Rear
 - 60/40 flip-up split seat (SuperCab)
 - 60/40 flip-up split seat with elongated cushion (SuperCrew®)
- Seat Belts, Active Restraint System (ARS). Three-point Manual Lap/Shoulder Belts with Height Adjusters, Pretensioners & Energy Mgmt Retractors on Outside Front Positions. Includes Autolock Features for Child Seats
- SecuriLock® Passive Anti-Theft System (PATS)
- SOS Post-Crash Alert System™
- Steering Wheel, Black Urethane – Manual Tilt/Telescoping and Manual Locking
- Tire Pressure Monitoring System (TPMS)
- Visor, Driver Side; Visor with Mirror, Passenger-Side

FUEL TANKS

- Standard Range 23-Gallon

**SUBURBAN PURCHASING COOPERATIVE
CONTRACT # 148
2015 FORD F150 XL REGULAR CAB 4X2 PICK UP
PRICING WORKSHEET**

2015 MY F150 4x2 REGULAR CAB PICKUP 6.5' BOX - BASE VEHICLE \$18,070.00

OPTIONS - CAB STYLE		
<input type="checkbox"/>	UPGRADE TO SUPERCAB	\$2,240.00
<input type="checkbox"/>	UPGRADE TO SUPERCREW	\$4,388.00
<input checked="" type="checkbox"/>	UPGRADE TO LONG BED (SuperCrew requires 5.0L V8)	\$362.00
<input checked="" type="checkbox"/>	UPGRADE TO 4X4	\$2,752.00

OPTIONS - POWERTRAIN		
<input type="checkbox"/>	99P 2.7L V6 ECOBOOST (NA on 4x4 with 157" or 163.7" WB)	\$678.00
<input type="checkbox"/>	99F 5.0L V8	\$1,360.00
<input checked="" type="checkbox"/>	99G 3.5L V6 ECOBOOST (NA 122" WB)	\$1,701.00
<input type="checkbox"/>	XL? LIMITED SLIP REAR AXLE	\$486.00

AVAILABLE FUNCTIONAL OPTIONS		
<input checked="" type="checkbox"/>	66P SNOW PLOW PREP (4x4 Only req's 5.0L)	\$44.00
<input type="checkbox"/>	413 SKID PLATES (4x4 Only)	\$137.00
<input type="checkbox"/>	627 HEAVY DUTY PAYLOAD (Req's 53A with 5.0L or 53C with 3.5L)	\$1,279.00
<input checked="" type="checkbox"/>	53B CLASS IV TRAILER HITCH	\$166.00
<input checked="" type="checkbox"/>	53A TRAILER TOW	\$422.00
<input type="checkbox"/>	53C MAX TRAILER TOW (Req's 3.5L)	\$678.00
<input checked="" type="checkbox"/>	67T TRAILER BRAKE CONTROLLER (Req's 53A & 53B)	\$234.00
<input type="checkbox"/>	655 36 GAL. FUEL TANK (N/A 122" WB)	\$166.00
<input type="checkbox"/>	59R REMOTE START (Req's XLT Package)	\$325.00

AVAILABLE EXTERIOR OPTIONS		
<input type="checkbox"/>	861 XL SPORT PACKAGE	\$661.00
<input type="checkbox"/>	86A XL DÉCOR	\$661.00
<input type="checkbox"/>	301 XLT PACKAGE	\$3,172.00
<input type="checkbox"/>	54M TELESCOPING TRAILER TOW MIRRORS (MANUAL GLASS)	\$77.00
<input type="checkbox"/>	54Y TELESCOPING TRAILER TOW MIRRORS (POWER GLASS, HEATED) (Req's 85A)	\$337.00
<input checked="" type="checkbox"/>	18E RUNNING BOARDS - BLACK TUBULAR OR PLATFORM	\$256.00
<input type="checkbox"/>	63T TAILGATE STEP	\$320.00
<input type="checkbox"/>	59S FOG LAMPS	\$119.00
<input type="checkbox"/>	63E STOWABLE BED EXTENDER	\$214.00
<input type="checkbox"/>	76R REVERSE SENSING (Req's 53B or 53A)	\$234.00
<input type="checkbox"/>	90D BED DIVIDER (Req's 55B Box Link)	\$320.00
<input type="checkbox"/>	68M CARGO MANAGEMENT ACCESSORY PKG	\$101.00

AVAILABLE INTERIOR OPTIONS		
<input type="checkbox"/>	85A POWER EQUIPMENT GROUP	\$998.00
<input type="checkbox"/>	52G SYNC (Req's 50S)	\$585.00
<input checked="" type="checkbox"/>	58B AM/FM STEREO CLOCK W/ SINGLE CD W/ AUX INPUT JACK	\$248.00
<input type="checkbox"/>	50S CRUISE CONTROL	\$292.00
<input type="checkbox"/>	76C BACK UP CAMERA	\$275.00
<input type="checkbox"/>	924 FIXED REAR WINDOW PRIVACY GLASS	\$85.00
<input type="checkbox"/>	57Q REAR WINDOW DEFROSTER	\$188.00
<input type="checkbox"/>	435 POWER SLIDING REAR WINDOW (Includes 57Q & 924)	\$385.00
<input type="checkbox"/>	47C CREW CHIEF TELEMATICS (N/A W/ SYNC)	\$682.00

AVAILABLE DEALER INSTALLED OPTIONS

<input checked="" type="checkbox"/>	96P	BEDLINER - PLASTIC DROP IN	\$299.00
<input checked="" type="checkbox"/>	96W	BEDLINER - SPRAY IN	\$405.00
<input type="checkbox"/>	942	DAYTIME RUNNING LIGHTS	\$38.00
<input type="checkbox"/>	41H	ENGINE BLOCK HEATER	\$77.00
<input type="checkbox"/>		BUG SHEILD	\$195.00
<input type="checkbox"/>	85H	BACKUP ALARM	\$125.00
<input type="checkbox"/>	96L	WHEEL WELL LINERS	\$185.00
<input type="checkbox"/>	96T	TONNEAU COVER - SOFT	\$475.00
<input type="checkbox"/>	96X	TONNEAU COVER - HARD	\$950.00
<input type="checkbox"/>		MUD GUARDS	\$150.00
<input checked="" type="checkbox"/>	RP	RUST PROOFING	\$325.00
<input type="checkbox"/>	SM	DETAILED SHOP MANUAL (CD ROM)	\$275.00
<input checked="" type="checkbox"/>		UNDERCOATING	\$150.00
<input type="checkbox"/>		LICENSE AND TITLE "M" PLATES (NEW)	\$105.00

INTERIOR SEAT OPTIONS

<input checked="" type="checkbox"/>		EARTH GRAY	
<input checked="" type="checkbox"/>		LIGHT CAMEL	
<input type="checkbox"/>		CLOTH or VINYL 40/Console/40	\$107.00
<input type="checkbox"/>	168	CARPET FLOOR COVERING	\$123.00
<input type="checkbox"/>	47R	RUBBER FLOOR MATS	\$81.00

EXTERIOR PAINT COLORS

<input type="checkbox"/>	H7	BROZE FIRE METALLIC	\$0.00
<input type="checkbox"/>	N1	BLUE JEANS METALLIC	\$0.00
<input type="checkbox"/>	UH	TUXEDO BLACK	\$0.00
<input type="checkbox"/>	UX	INGOT SILVER	\$0.00
<input checked="" type="checkbox"/>	YZ	OXFORD WHITE	\$0.00
<input type="checkbox"/>	H5	CARIBOU METALLIC	\$0.00
<input type="checkbox"/>	HN	GUARD METALLIC	\$0.00
<input type="checkbox"/>	J7	MAGNETIC METALLIC	\$0.00
<input type="checkbox"/>	XX	SCHOOL BUS YELLOW	\$700.00
<input type="checkbox"/>	XX	SPECIAL PAINT (Minimum 5 Units Req'd)	\$560.00

*Delivery Fee
\$ 75.00 each*

OPTIONS - WARRANTY

<input type="checkbox"/>		6 YEAR 100,000 - 2WD BASE CARE	\$1,600.00
<input type="checkbox"/>		6 YEAR 100,000 - 4WD BASE CARE	\$2,100.00

VEHICLE TOTAL PRICE

\$ 25,355.00

QUANTITY

2

ORDER TOTAL

\$ 50,710.00

Please enter the following:

Agency Name & Address City of Bloomington
336 South Main St
Bloomington IL 61702

Contact Name Rob Krones

Phone Number 309-434-2296

Purchase Order Number _____

Total Dollar Amount _____

Total Number of Units _____

Delivery Address _____

Please Submit P.O. & Tax Exempt Letter with Vehicle Order:

Roesch Ford Commercial Truck Center
333 W. Grand Ave.
Bensenville, IL 60106
Phone: (630)279-6000
Fax: (630)451-3509
Contact:
Brian Kilduff briankilduff@roeschtrucks.com
Fred Seng fredseng@roeschtrucks.com
Patti Ferrarini pattiferrarini@roeschtrucks.com

If We Have Missed An Option, Please Contact Our Office.

Delivery Fee? \$75.00 each



PARKING
FOR CITY OF
BLOOMINGTON
VEHICLE
MAINTENANCE
FACILITY
ONLY

K9-2

POLICE

e Quality of

W09


**BLOOMINGTON
WATER**



FOR COUNCIL: April 13, 2015

SUBJECT: Compliance Commitment Agreement (CCA) with the Illinois Environmental Protection Agency (IEPA) Violation Notice M-2014-01040

RECOMMENDATION/MOTION: Recommend that the Compliance Commitment Agreement (CCA) with the Illinois Environmental Protection Agency (IEPA) regarding the closed fill area at Lake Bloomington Violation Notice M-2014-01040 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 City has utilized the area downstream of the dam at Lake Bloomington as a clean fill area for many decades. Implemented regulations in 2013 and zoning as residential resulted in the cessation of fill operations at the site. A new chain link fence and gate were installed in 2014. Discussions with McLean County concerning slope stabilization and seeding the area have been ongoing. McLean County staff indicated support of rezoning the area for uses more amenable to water treatment plant and lake park maintenance operations, after established permanent vegetative cover on stabilized slopes. The IEPA received a report of dumping at the site in September 2014. An IEPA inspector visited the site noting piles of nonhazardous excavation material and old fencing. Since a violation notice was issued. The material was removed and disposed of at a licensed landfill.

The attached CCA is a certification by the City that material was removed and the new chain link fence and gate were installed. The signed CCA will close the violation notice and remove legal liability in the matter.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: None.

FINANCIAL IMPACT: Not Applicable.

Respectfully submitted for Council consideration.

Prepared by: Brett Lueschen, Interim Water Director

Reviewed by: Jeffrey R. Jurgens, Corporation Counsel

Reviewed by: Stephen Rasmussen, Assistant City Manager

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

Recommended by:



David A. Hales
City Manager

Attachments: Attachment 1. IEPA Compliance Commitment Agreement

Motion: That the Compliance Commitment Agreement (CCA) with the Illinois Environmental Protection Agency (IEPA) regarding the closed fill area at Lake Bloomington Violation Notice M-2014-01040 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			



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-2829
BRUCE RAUNER, GOVERNOR LISA BONNETT, DIRECTOR

217-278-5800
TDD 217/782-9143

March 20, 2015

CERTIFIED MAIL #
RETURN RECEIPT REQUESTED
7013 2630 0001 4706 2468

Bloomington Water Department
Attn: Rick Twait, Superintendent of Water Purification
25515 South Waterside Way
Hudson, IL 61748

Re: Proposed Compliance Commitment Agreement
Violation Notice: M-2014-01040
LPC# 113 817 5001 – McLean County
Bloomington/Bloomington Water Department
Compliance File

Dear Mr. Twait:

The Illinois Environmental Protection Agency ("Illinois EPA") has reviewed the proposed Compliance Commitment Agreement ("CCA") terms submitted by the City of Bloomington Water Department in a letter dated February 20, 2015, in response to the Violation Notice dated October 15, 2014. Pursuant to the authority vested in the Illinois EPA under Section 31(a)(7)(i) of the Illinois Environmental Protection Act ("Act"), 415 ILCS 5/31(a)(7)(i), attached to this letter is a proposed CCA, which contains terms and conditions that the Illinois EPA has determined are necessary in order for Bloomington Water Department to attain compliance with the Act and Illinois Pollution Control Board Regulations.

Pursuant to Section 31(a)(7.5) of the Act, 415, ILCS 5/31(a)(7.5), within 30 days of your receipt of this proposed CCA, Bloomington Water Department or its duly authorized representative must either (1) agree to and sign the proposed CCA, and submit the signed and dated CCA by certified mail to Illinois EPA; or (2) notify the Illinois EPA by certified mail that Bloomington Water Department rejects the proposed CCA.

The proposed CCA shall only become effective upon your timely submittal of the signed CCA as discussed above, and upon final execution by the Illinois EPA. Failure by Bloomington Water Department to execute and submit the proposed CCA within 30 days of receipt shall be deemed a rejection of the CCA by operation of law. Upon timely receipt of the signed CCA, the Illinois EPA will send you a fully executed copy of the CCA for your records.

4302 N. Main St., Rockford, IL 61103 (815) 987-7760
595 S. State, Elgin, IL 60120 (847) 408-3131
2125 S. First St., Champaign, IL 61820 (217) 278-8800
2009 Mac St., Collinsville, IL 62234 (618) 346-5120

9511 Harrison St., Des Plaines, IL 60014 (847) 294-4000
412 SW Washington St., Suite D, Peoria, IL 61602 (309) 671-3022
2309 W. Main St., Suite 114, Marion, IL 62959 (618) 993-7200
100 W. Randolph, Suite 10-300, Chicago, IL 60601 (312) 814-4024

In addition, the proposed CCA is not subject to amendment or modification prior to execution by Bloomington Water Department and the Illinois EPA. Any amendment or modification to the proposed CCA by Respondent prior to execution by Bloomington Water Department and the Illinois EPA shall be deemed a rejection of the proposed CCA by operation of law. The proposed CCA may only be amended subsequent to its effective date, in writing, and by mutual agreement between the Illinois EPA and Bloomington Water Department.

Written communications, including a signed and dated CCA or a notice that the respondent rejects the proposed CCA, should be directed to:

Illinois EPA – Bureau of Land
Attn: John P. Richardson, Acting Manager
1021 North Grand Avenue East
Springfield, IL 62794-9276

Please include the Violation Notice Number M-2014-01040 and the Site Identification Number LPC# 113 817 5001 on all written communications.

Questions regarding this matter should be directed to Jennifer O'Hearn at 217/278-5800.

Sincerely,



John P. Richardson, Acting Manager
Field Operations Section
Bureau of Land

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

IN THE MATTER OF:)	
)	
Bloomington Water Department)	
Bloomington, McLean, Illinois)	
BOL# 1138175001)	
)	
)	ILLINOIS EPA VN M-2014-01040
)	BUREAU OF LAND
)	

COMPLIANCE COMMITMENT AGREEMENT

I. Jurisdiction

1. This Compliance Commitment Agreement ("CCA") is entered into voluntarily by the Illinois Environmental Protection Agency ("Illinois EPA") and Bloomington Water Department ("Respondent") (collectively, the "Parties") under the authority vested in the Illinois EPA pursuant to Section 31(a)(7)(i) of the Illinois Environmental Protection Act ("Act"), 415 ILCS 5/31(a)(7)(i).

II. Allegation of Violations

2. Respondent owns and operates a rural property located west of the Lake Bloomington spillway at approximately at 25515 South Waterside Way, Hudson, McLean County, Illinois 61748.
3. Pursuant to Violation Notice ("VN") M-2014-01040, issued on October 15, 2014, the Illinois EPA contends that Respondent has violated the following provisions of the Act and Illinois Pollution Control Board ("Board") Regulations:
 - a) Section 21(a) of the Act;
 - b) Section 21(d)(1) of the Act
 - c) Section 21(d)(2) of the Act;
 - d) Section 21(e) of the Act;
 - e) Section 21(p)(1) of the Act;

- f) Section 21(p)(7) of the Act;
- g) Section 812.101(a) of the Regulations.

III. Compliance Activities

- 4. On February 25, 2015 the Illinois EPA received Respondent's response to VN M-2014-01040, which included proposed terms for a CCA. The Illinois EPA has reviewed Respondent's proposed CCA terms, as well as considered whether any additional terms and conditions are necessary to attain compliance with the alleged violations cited in the VN.
- 5. Respondent agrees to undertake, complete and continue to maintain the following actions, which the Illinois EPA has determined are necessary to attain compliance with the allegations contained in VN M-2014-01040:
 - a) The City of Bloomington provided receipts for disposal of open dumped wastes. By your signature on this CCA, you certify that all open dumped wastes have been properly disposed of.
 - b) By your signature on this CCA, you certify that a gate and fencing have been installed to limit access to the property to prevent future illegal waste disposal.

IV. Terms and Conditions

- 6. Respondent shall comply with all provisions of this CCA, including, but not limited to, any appendices to this CCA and all documents incorporated by reference into this CCA. Pursuant to Section 31(a)(10) of the Act, 415 ILCS 5/31(a)(10), if Respondent complies with the terms of this CCA, the Illinois EPA shall not refer the alleged violations that are the subject of this CCA, as described in Section II above, to the Office of the Illinois Attorney General or the State's Attorney of the county in which the alleged violations occurred. Successful completion of this CCA, or an amended CCA shall be a factor to be weighed, in favor of the Respondent, by the Office of the Illinois Attorney General in determining whether to file a complaint on its own motion for the violations cited in VN M-2014-01040.
 - 7. This CCA is solely intended to address the violations alleged in Illinois EPA VN M-2014-01040. The Illinois EPA reserves, and this CCA is without prejudice to, all rights of the Illinois EPA against Respondent with respect to noncompliance with any term of this CCA, as well as to all other matters. Nothing in this CCA is intended as a waiver, discharge, release, or covenant not to sue for any claim or cause of action, administrative
-

- or judicial, civil or criminal, past or future, in law or in equity, which the Illinois EPA may have against Respondent, or any other person as defined by Section 3.315 of the Act, 415 ILCS 5/3.315. This CCA in no way affects the responsibilities of Respondent to comply with any other federal, state or local laws or regulations, including but not limited to the Act, and the Board Regulations.
8. Pursuant to Section 42(k) of the Act, 415 ILCS 5/42(k), in addition to any other remedy or penalty that may apply, whether civil or criminal, Respondent shall be liable for an additional civil penalty of \$2,000 for violation of any of the terms or conditions of this CCA.
 9. This CCA shall apply to and be binding upon the Illinois EPA, and on Respondent and Respondent's officers, directors, employees, agents, successors, assigns, heirs, trustees, receivers, and upon all persons, including but not limited to contractors and consultants, acting on behalf of Respondent, as well as upon subsequent purchasers of Respondent's facility.
 10. In any action by the Illinois EPA to enforce the terms of this CCA, Respondent consents to and agrees not to contest the authority or jurisdiction of the Illinois EPA to enter into or enforce this CCA, and agrees not to contest the validity of this CCA or its terms and conditions.
 11. This CCA shall only become effective:
If, within 30 days of receipt, Respondent executes this CCA and submits it, via certified mail, to
Illinois EPA – Bureau of Land
Attn: John P. Richardson, Acting Manager
1021 North Grand Avenue East
Springfield, IL 62794-9276
 - a) If Respondent fails to execute and submit this CCA within 30 days of receipt, via certified mail, this CCA shall be deemed rejected by operation of law; and
 - b) Upon execution by all Parties.
 12. Pursuant to Section 31(a)(7.5) of the Act, 415 ILCS 5/31(a)(7.5), this CCA shall not be amended or modified prior to execution by the Parties. Any amendment or modification to this CCA by Respondent prior to execution by all Parties shall be considered a rejection of the CCA by operation of law. This CCA may only be amended subsequent to its effective date, in writing, and by mutual agreement between the Illinois EPA and Respondent's signatory to this CCA, Respondent's legal representative, or Respondent's agent.
-

AGREED:

FOR RESPONDENT:

BY: _____
Signature of Respondent or
Authorized Representative

DATE: _____

Print or Type Name of Respondent
or Authorized Representative and Title

FOR THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY:

BY: _____
John P. Richardson, Acting Manager
Field Operations Section
Bureau of Land

DATE: _____



FOR COUNCIL: April 13, 2015

SUBJECT: Formation of a Downtown Signage Committee

RECOMMENDATION/MOTION: Recommend to adopt the Resolution Establishing a Downtown Signage Committee.

STRATEGIC PLAN LINK: Goal 6. Prosperous Downtown Bloomington.

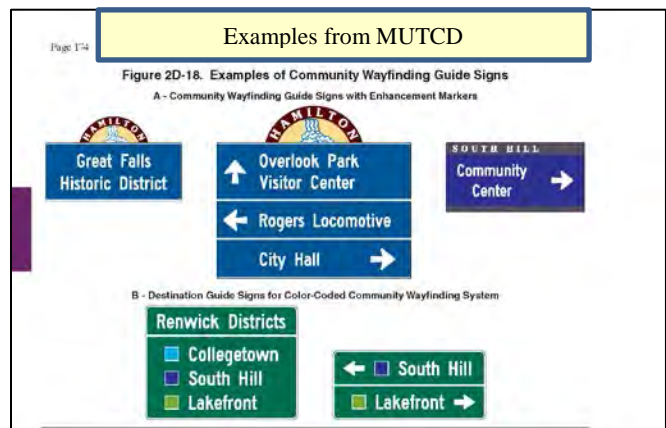
STRATEGIC PLAN SIGNIFICANCE: Objective 6c. Downtown becoming a community and regional destination.



BACKGROUND: The Downtown Traffic Committee recommends formation of the Committee to improve signage throughout Downtown promoting attractions and directing visitors. The Committee would be composed of staff, active citizens and a representative of the Bloomington-Normal Area Convention and Visitors Bureau.

The Committee will culminate after six (6) months of formation. The Committee will be tasked with the following:

- Recommending sites that should be highlighted with signage. This could include signs for civic attractions, government buildings and parking areas.
- Recommending a style of design. The recommendation on style should be limited to those recognized by the Manual On Uniform Traffic Control Devices (MUTCD).
- Recommending on sign size and placement.
- Investigating costs



COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The Downtown Traffic Committee is a key stakeholder involved in this project. The proposal for the committee was taken to the City Council Committee of the Whole on March 16, 2015, for discussion. No one voiced opposition to the committee.

FINANCIAL IMPACT: Cost is unknown at this time.

Respectfully submitted for Council consideration.

Prepared by: Stephen Arney, Public Works Administration

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

Reviewed by: Steve Rasmussen, Assistant City Manager

Financial & Budgetary review by: Chris Tomerlin, Budget Analyst

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:



David A. Hales
City Manager

Attachments: Attachment 1. Resolution

Motion: To Adopt the Resolution Establishing a Downtown Signage Committee.

Motion: Seconded by:

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

RESOLUTION NO. 2015 -

**A RESOLUTION ESTABLISHING THE FORMATION OF A
DOWNTOWN SIGNAGE COMMITTEE**

WHEREAS, the City Council has received recommendations that a Downtown Signage Committee (hereinafter “Committee”) be formed to improve signage throughout the City’s downtown to promote attractions and direct visitors; and

WHEREAS, the Committee will be composed of City staff, citizens active with Downtown revitalization and a representative from the Bloomington-Normal Area Convention and Visitors Bureau; and

WHEREAS, the Committee’s tasks shall include the following: (1) recommending sites that should be highlighted with signage (including signs for civic attractions, government buildings and parking areas); (2) recommending a style of design for signs, limited to those recognized by the Manual On Uniform Traffic Control Devices; (3) recommending sign size and placement; and (4) investigation of costs regarding the proposed signage; and

WHEREAS, the Committee will culminate after six (6) months of formation, and

WHEREAS, the Committee shall further be charged with returning to the City Council and administration written recommendations on the tasks identified above, and

WHEREAS, the Committee shall be subject to the provisions of the Illinois Open Meetings Act and shall elect from one of its own members a secretary to take meeting minutes; and

WHEREAS, the members of the Committee shall be appointed by the Mayor, with the advice and consent of the City Council, and one of said appointees shall be designated by the Mayor as the Committee’s chairperson.

NOW, THEREFORE, BE IT RESOLVED BY THE City Council of the City of Bloomington, McLean County, Illinois, as follows:

Section 1. The above stated recitals are incorporated herein by reference.

Section 2. The City Council of the City of Bloomington hereby formally creates the Downtown Signage Committee, which shall be considered an ad hoc committee of the City of Bloomington. The Committee shall meet at the call of the chairperson.

Section 3. This Resolution shall be in full force and effect immediately after its passage and approval.

APPROVED by the City Council of the City of Bloomington, McLean County, Bloomington, Illinois, April 13, 2015, by a vote of ____ to ____.

Tari Renner, Mayor

Renee Gooderham, Interim City Clerk



FOR COUNCIL: April 13, 2015

SUBJECT: Reject all Bids for the Traffic Line Paint and Beads, Waive the Formal Bid Process and Approve an Agreement with Diamond Vogel Paint

RECOMMENDATION/MOTION: Recommend that all bids (Bid #2015-53) be rejected for Traffic Line Paint and Beads, that the Formal Bid Process be waived and that an Agreement with Diamond Vogel Paint be approved in the amount of \$90,375 and the Purchasing Agent be authorized to issue a Purchase Order for same.

STRATEGIC PLAN LINK: Goal 2. Financially Sound City Providing Quality Basic Services.

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

BACKGROUND: The Public Works Department's Streets and Sewers Division purchased a new self-propelled traffic line painting machine from E-Z Liner Industries in 2012. This machine requires the pavement marking beads to be loaded mechanically and the traffic line paint to be drawn from fifty-five (55) gallon drums. A bid specification was created which allows for the purchase of traffic line paint to be used not only with the new machine but also with the existing walk behind traffic line painting machines.

A total of four (4) Bids were received:

Ozark Materials:	No Bid
Ennis Paint:	\$85,425
Sherwin Williams Paint:	\$90,375
Diamond Vogel Paint:	\$90,375 (Suggested Bid)

Ennis Paint cannot meet the delivery requirement specifications. Both Sherwin Williams and Diamond Vogel did not provide a bid bond. Accordingly, there were no responsive bids. Since time is of the essence and the City has used Diamond Vogel's Traffic Line Paint in the past with successful results, conducting a new round of bids is not recommended. Instead, staff recommends all bids be rejected and an agreement approved with Diamond Vogel Paint in the amount of \$90,375.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Public notice of the bid was published in the Pantagraph on February 26, 2015 (Bid #2015-53). Four (4) bid packages were provided.

FINANCIAL IMPACT: This is included in the FY 2016 Proposed Budget under Street Maintenance – Traffic Line Paint (10016120-71096). Stake holders can located this in the FY 2016 Proposed Budget Book titled "Budget Overview & General Fund" on page 293.

Respectfully submitted for Council consideration.

Prepared by: Colleen Winterland , Superintendent of Streets and Sewers

Reviewed by: Jim Karch, 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

Motion: That all bids (Bid #2015-53) be rejected for Traffic Line Paint and Beads, that the Formal Bid Process be waived and that an Agreement with Diamond Vogel Paint be approved in the amount of \$90,375 and the Purchasing Agent be authorized to issue a Purchase Order for same.

Motion: _____ Seconded by: _____

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



FOR COUNCIL: April 13, 2015

SUBJECT: Waive the Formal Bid Process and Approve Agreement with Hanson Professional Services, Inc.

RECOMMENDATION/MOTION: Recommend to Waive the Formal Bid process and Approve Agreement with Hanson Professional Services, Inc. Springfield, IL not to exceed \$29,800, the Resolution be adopted and the Mayor and City Clerk authorized to execute the necessary documents.

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

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

BACKGROUND: The Evergreen Lake Spillway Bridge Superstructure Replacement Project was awarded to Stark Excavating, Inc. on October 27, 2014. Stark has removed the old deck, replaced both pier caps, and performed concrete repairs on the abutments. Work will begin soon to install the new deck beams, bridge railing, waterproofing membrane, and wearing surface. All work is scheduled for completion by May 15, 2015.

Engineering Technician personnel have been performing daily construction observation duties. Going forward inspection staff will not be available to perform daily inspections.

The following proposals for daily inspection have been received from Hanson Professional Services, Inc. and Farnsworth Group of Bloomington.

Hanson Professional Services, Inc. \$29,800 (up to 260 hours inspection including expenses)

Farnsworth Group, Inc. \$29,900 to \$44,460 (up to 260 hours inspection including expenses, depending on personnel assigned)

Hanson Professional Services, Inc. is currently performing some of the specialized inspection work on the project and was also the bridge design consultant. Staff recommends selecting Hanson Professional Services, Inc. based on the bid amount and current work.

The agreement would authorize Hanson Professional Services, Inc. to provide up to 260 hours of construction inspection for a cost not to exceed of \$29,800.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable.

FINANCIAL IMPACT: This expenditure was budgeted in the Water Transmission and Distribution – Other Professional & Technical Services account (50100120-70220). Stakeholders

can locate this in the FY 2015 Budget Book titled Other Funds & Capital Improvement Program on page 137.

Respectfully submitted for Council consideration.

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

Reviewed by: Brett Lueschen, Interim Water Director

Reviewed by: Steve Rasmussen, Asst. City Manager

Financial & Budgetary review by: Chris Tomerlin, Budget Analyst

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:



David A. Hales
City Manager

Attachments: Attachment 1. Resolution
Attachment 2. Agreement

Motion: To Waive the Formal Bid process and Approve Agreement with Hanson Professional Services, Inc. Springfield, IL not to exceed \$29,800, the Resolution be adopted 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			

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 \$29,800**

Whereas, the need for obtaining necessary, additional observation services was due to unforeseen City staffing conditions; and

Whereas, Hanson Engineering is the designer of record on this project and has intimate knowledge of the project; and

Whereas, Hanson Engineering was previously engaged by the City to undertake limited observation duties on this project; and

Whereas, the value of the work to be undertaken might otherwise require more formalized procurement methods City staff sought input from two (2) respected and qualified Engineering firms whose work has been found acceptable in the past and with whom the City has a positive ongoing relationship; and

Whereas, time is of the essence to complete the project in a timely manner; and

NOW, THEREFORE, BE IT RESOLVED BY THE City Council of the City of Bloomington, Illinois, as follows:

Section 1. That the “bidding process” (formalized procurement process) be waived and the Purchasing Manager be authorized to pursue Engineering Services for Construction Inspection, for the above referenced project, at a cost not to exceed \$29,800.

ADOPTED this 13th day of April, 2015.

APPROVED this ___day of April, 2015.

APPROVED:

Tari Renner
Mayor

ATTEST:

Renee Gooderham
Interim City Clerk

Professional Services Agreement C12L0147B

This Agreement is made this 1st day of April, 2015 between the City of Bloomington, subsequently referred to as "Client," and Hanson Professional Services Inc., subsequently referred to as "Hanson."

By joining in this Agreement, Client retains Hanson to provide professional services in connection with the Evergreen Lake Bridge Superstructure Replacement, subsequently referred to as "Project."

By this Agreement, the scope of Hanson's services on Project is limited to that described in Attachment A.


The attached General Conditions (L-D) are incorporated into and made a part of this Agreement.

Client agrees to compensate Hanson for providing the above services in the manner described in Attachment B.

Client and Hanson hereby agree to and accept the terms and conditions stated above, including terms and conditions stated in the attached General Conditions, the receipt of which is acknowledged.

Hanson Professional Services Inc.

City of Bloomington

By: 
James W. Moll

By: _____

Title: Vice President

Title: _____

Date: 4-2-15

Date: _____



**Professional Services Agreement
C12L0147B
Attachment A – Scope of Services**

Agreement Date: April 1, 2015

Project: Evergreen Lake Bridge – On Site Construction Observation

Project Description:

The Evergreen Lake Spillway Bridge is currently under construction to replace the superstructure. As part of that project, the City of Bloomington has requested that Hanson Professional Services Inc. provide assistance with daily, on-site construction observation of superstructure replacement.

Services:

The Scope of Services to be provided is limited to the following:

1. Full-Time Construction Observation Site Visits
 - a. Assume five (5) weeks at 40 hours per week including travel from Springfield to the site on Monday morning and return Friday afternoon.
 - b. Assume overnight accommodations four (4) nights per week at \$100.
 - c. Assume meals five (5) days per week at \$50 per day.
 - d. A site visit report will be generated for each day. Site visit reports will be compiled at the end of each week and submitted to the City in electronic format.
2. Part-Time Construction Observation Site Visits
 - a. Assume three (3) weeks, at two (2) to three (3) days per week as required, for a total of 20 hours per week including travel from our Peoria or Springfield office. No overnight accommodations.



Professional Services Agreement
C12L0147B
Attachment B – Charges for Services

Agreement Date: April 1, 2015

Project: Evergreen Lake Bridge – On Site Construction Observation

Basis of Charges:

Charges for professional services performed by our firm for all services listed in the Scope of Services will be made on the basis of Hanson's direct labor costs times a factor of 3.0, plus direct job expenses. Billings will be issued at least monthly, and will be based upon total services completed and expenses incurred at the time of the billing.

Estimate of Cost:

It is estimated the total cost to accomplish the Scope of Services for this project will be \$29,800. Hanson agrees not to exceed \$29,800 without prior notification to and approval by the Client.



Hanson Professional Services Inc.
 Evergreen Lake Bridge - Construction Observation

Task #	Task Description	Total \$	Direct Costs		Ave Hourly Rate	Total Hours	Labor Category	
			Full Time	Part Time			PM \$	Tech VI \$
1	On-Site Observation	1,500			\$ 150.00	10		
2	Full Time - 5 wks @ 40 hrs/wk	18,000			\$ 90.00	200		200
3	Part Time - 3 wks @ 20 hrs/wk	5,400			\$ 90.00	60		60
4		-				-		
5	Direct Expenses	-				-		
6	Mileage	1,651	\$ 715	\$ 936		-		
7	Hotel	2,000	\$ 2,000			-		
8	Meals	1,250	\$ 1,250			-		
9		-				-		
10		-				-		
11		-				-		
Total		29,801	3,965	936	\$ 92.22	270	10	260

General Conditions

Hanson Agreement: C12L0147B

Agreement Date: April 1, 2015

Project Name: Evergreen Lake Bridge – On Site Construction Observation

jm
1. Invoices: Charges for services will be billed at least as frequently as monthly, and at the completion of the Project. CLIENT shall compensate HANSON for any sales or value added taxes which apply to the services rendered under this agreement or any addendum thereto. CLIENT shall reimburse HANSON for the amount of such taxes in addition to the compensation due for services. Payment of invoices shall not be subject to any discounts or set-offs by the CLIENT unless agreed to in writing by HANSON. Invoices are delinquent if payment has not been received within ~~30~~ 60 days from date of invoice. There will be an additional charge of 1 1/2 percent per month compounded on amounts outstanding more than ~~30~~ 60 days. All time spent and expenses incurred (including attorney's fees) in connection with collection of any delinquent amount will be paid by CLIENT to HANSON per HANSON's current fee schedules.

2. Termination: This Agreement may be terminated by either party upon written notice. Any termination shall only be for good cause such as legal, unavailability of adequate financing or major changes in the scope of services. In the event of any termination, HANSON will be paid for all services and expenses rendered to the date of termination on a basis of payroll cost times a multiplier of 3.0 (if not previously provided for) plus reimbursable expenses, plus reasonable termination expenses, including the cost of completing analyses, records, and reports necessary to document job status at the time of termination.

3. Reuse of Documents: All documents including reports, drawings, specifications, and electronic media furnished by HANSON pursuant to this Agreement are instruments of its services. They are not intended or represented to be suitable for reuse by CLIENT or others on extensions of this project, or on any other project. Any reuse without specific written verification or adaptation by HANSON will be at CLIENT's sole risk, and without liability to HANSON, and CLIENT shall indemnify and hold harmless HANSON from all claims, damages, losses

and expenses including court costs and attorney's fees arising out of or resulting there from. Any such verification or adaptation will entitle HANSON to further compensation at rates to be agreed upon by CLIENT and HANSON. Nothing herein, however, shall limit the Client's right to use the documents for Municipal purposes, including but not limited to the CLIENT's right to use the documents in an unencumbered manner for purposes of remediation, remodeling and/or construction. *jm*

4. Standard of Care: Services performed by HANSON under this Agreement will be conducted in a manner consistent with that level of care and skill ordinarily exercised by members of the profession currently practicing under similar conditions. No other representation expressed or implied, and no warranty or guarantee is included or intended in this Agreement, or in any report, opinion, document or otherwise. Nothing in this Agreement is intended to create, nor shall it be construed to create, a fiduciary duty owed by either party to the other party. Hanson is not acting as a municipal advisor to CLIENT as defined by the Securities and Exchange Commission.

5. General Liability Insurance and Limitation: HANSON is covered by general liability insurance for bodily injury and property damage arising directly from its negligent acts or omissions, with limits which HANSON considers reasonable but in no case less than \$1,000,000. Hanson is additionally covered by general umbrella insurance which is available to supplement the general liability for an additional \$1,000,000 per occurrence. Certificates of insurance shall be provided to CLIENT upon request in writing. CLIENT shall be named as an additional insured on such policy and HANSON shall provide a certificate evidencing such coverage prior to the commencement of work under this agreement. Within the limits and conditions of such insurance, HANSON agrees to indemnify and save CLIENT harmless from any loss, damage or liability arising directly from any negligent act or omission by HANSON. HANSON shall not be responsible for *jm*

any loss, damage or liability beyond the amounts, limits and conditions of such insurance. HANSON shall not be responsible for any loss, damage or liability arising from any act or omission by CLIENT, its agents, staff, other consultants, independent contractors, third parties or others working on the Project over which HANSON has no supervision or control.

6. Suspension of Services: If CLIENT fails to make payments when due or otherwise is in breach of this Agreement, HANSON may suspend performance of services upon five (5) calendar days' notice to CLIENT. HANSON shall have no liability whatsoever to CLIENT, and CLIENT agrees to make no claim for any delay or damage as a result of such suspension.

7. Consequential Damages: Notwithstanding any other provision of this Agreement, and to the fullest extent permitted by law, neither CLIENT nor HANSON, their respective officers, directors, partners, employees, contractors or subconsultants shall be liable to the other or shall make any claim for incidental, indirect, or consequential damages arising out of or connected in any way to this Project or this Agreement. This mutual waiver of consequential damages shall include, but not be limited to, loss of use, loss of profit, loss of business, loss of income, loss of reputation and any other consequential damages that either party may have incurred from any cause of action including negligence, strict liability, breach of contract and breach of strict and implied warranty. Both CLIENT and HANSON shall require similar waivers of consequential damages protecting all the entities or persons named herein in all contracts and subcontracts with others involved in the Project.

8. Contingency Fund: ~~The Client and Hanson acknowledge that changes may be required during construction because of possible omissions, ambiguities or inconsistencies in the plans and specifications and, therefore, that the costs of the project may exceed the construction contract sum. The Client agrees to set aside a reserve in the amount of Five Percent (5%) of the actual project construction costs as a contingency reserve to be used, as required, to pay for any such increased project costs. The Client further agrees to make no claim by way of direct or third-party action against Hanson or sub-contractors and subconsultants with respect to any payments within the limit of the contingency reserve made to the construction contractors because of such changes or because of~~

~~any claims made by the construction contractors relating to such changes.~~

9. Additional Limitation: In recognition of the relative risks and benefits of the Project to both the CLIENT and HANSON, the risks have been allocated such that the CLIENT agrees that for the compensation herein provided HANSON cannot expose itself to damages disproportionate to the nature and scope of HANSON's services or the compensation payable to it hereunder. Therefore, the CLIENT agrees to limit its remedies against HANSON arising from HANSON's professional acts, errors or omissions, in any action based on strict liability, breach of contract, negligence or any other cause of action, such that the total aggregate amount of the CLIENT's damages shall not exceed \$2,000,000 of HANSON's professional liability insurance \$50,000 or HANSON's total net fee for services rendered on the Project, whichever is greater. This limitation pertains to HANSON and to its subcontractors and subconsultants, and applies as a single aggregate amount to all work performed under the Agreement, including all work performed under an amendment or modification. If CLIENT desires a limit greater than that provided above, CLIENT and HANSON shall include in this Agreement the amount of such limit and the additional compensation to be paid to HANSON for assumption of such additional risk. CLIENT must notify HANSON in writing, before HANSON commences any services, of CLIENT's intention to negotiate a greater limitation of remedies against Hanson and its associated impact on services, schedules, and compensation. Absent CLIENT's written notification to the contrary, HANSON will proceed on the basis that the total remedies against HANSON is limited as set forth above.

10. Personal Liability: It is intended by the parties to this Agreement that HANSON's services in connection with the Project shall not subject HANSON's individual employees, officers or directors to any personal legal exposure for the risks associated with this Project. Therefore, and notwithstanding anything to the contrary contained herein, the Client agrees that as the Client's sole and exclusive remedy, any claim, demand or suit shall be directed and/or asserted only against HANSON, a Delaware corporation, and not against any of HANSON's individual employees, officers or directors.

11. Assignment: Neither party to this Agreement shall transfer, sublet, or assign any rights or duties under or interest in this Agreement, including but not

limited to monies that are due or monies that may become due, without the written consent of the other party. Subcontracting to subconsultants, normally contemplated by HANSON as generally accepted business practice, shall not be considered an assignment for purposes of this Agreement.

12. Statutes of Repose and Limitation: All legal causes of action between the parties to this Agreement shall accrue and any applicable statutes of repose or limitation shall begin to run not later than the date of Substantial Completions. If the act or failure to act complained of occurs after the date of Substantial Completion, then the date of final completion shall be used, but in no event shall any statute of repose or limitation begin to run any later than the date HANSON's services are completed or terminated.

13. Dispute Resolution: In an effort to resolve any conflicts that arise during the design and construction of this Project or following completion of this Project, the CLIENT and HANSON agree that all disputes between them arising out of or relating to this Agreement or this Project shall be submitted to nonbinding mediation.

14. Authority and Responsibility: HANSON shall not guarantee the work of any Contractor or Subcontractor, shall have no authority to stop work, shall have no supervision or control as to the work or persons doing the work, shall not have charge of the work, and shall not be responsible for safety in, on, or about the job site or have any control of the safety or adequacy of any equipment, building component, scaffolding, supports, forms or other work aids.

15. Right of Entry: CLIENT shall provide for HANSON's right to enter property owned by CLIENT and/or others in order for HANSON to fulfill the scope of services for this Project. CLIENT understands that use of exploration equipment may unavoidably cause some damage, the correction of which is not the responsibility of HANSON.

16. Utilities: CLIENT shall be responsible for designating the location of all utility lines and subterranean structures within the property line of the Project. CLIENT agrees to waive any claim against HANSON, and to defend, indemnify and hold harmless from any claim or liability for injury or loss arising from HANSON or other persons encountering utilities or other man-made objects that were not called to HANSON's attention or which were not properly located on plans furnished to

HANSON. CLIENT further agrees to compensate HANSON for any time or expenses incurred by HANSON in defense of any such claim, in accordance with HANSON's prevailing fee schedule and expense reimbursement policy.

17. Job Site: Services performed by HANSON during construction will be limited to providing assistance in quality control and to deal with questions by the CLIENT's representative concerning conformance with drawings and specifications. This activity is not to be interpreted as an inspection service, a construction supervision service, or guaranteeing the Contractor's performance. HANSON will not be responsible for construction means, methods, techniques, sequences or procedures, or for safety precautions and programs. HANSON will not be responsible for the Contractor's obligation to carry out the work in accordance with the Contract Documents. HANSON will not be considered an agent of the owner and will not have authority to direct the Contractor's work or to stop work.

18. Opinions of Cost: Since HANSON has no control over the cost of labor, materials or equipment or over a Contractor's method of determining prices, or over competitive bidding or market conditions, its opinions of probable Project cost or construction cost for this Project will be based solely upon its own experience with construction, but HANSON cannot and does not guarantee that proposals, bids or the construction cost will not vary from its opinions of probable costs. If the CLIENT wishes greater assurance as to the construction cost, he shall employ an independent cost estimator.

19. Shop Drawing Review: CLIENT agrees that HANSON's review of shop drawings, when such review is included in the scope of services, shall be solely for their conformance with HANSON's design intent and conformance with information given in the construction documents. HANSON shall not be responsible for any aspects of a shop drawing submission that affect or are affected by the means, methods, techniques, sequences and operations of construction, safety precautions and programs incidental thereto, all of which are the Contractor's responsibility. The Contractor will be responsible for lengths, dimensions, elevations, quantities and coordination of the work with other trades. CLIENT warrants that the Contractor shall be made aware of his responsibilities to review shop drawings and approve them in these respects before submitting them to HANSON.

20. Certifications: The use of the word “certify” or “certification” by a registered professional engineer in the practice of professional engineering or land surveying constitutes an expression of professional opinion regarding those facts or findings which are the subject of the certification, and does not constitute a warranty or guarantee, either expressed or implied.

21. Client-Provided Services and Information: CLIENT will provide all criteria and information pertaining to the project in CLIENT’s possession, and any requirements or budgetary limitations. The CLIENT agrees to bear full responsibility for the technical accuracy and content of CLIENT-furnished documents, information and services.

In performing services hereunder, it is understood by CLIENT that HANSON is not engaged in rendering any type of legal, insurance or accounting services, opinions or advice. Further, it is the CLIENT’s sole responsibility to obtain the advice of an attorney, insurance counselor or accountant to protect the CLIENT’s legal and financial interests.

22. Indemnification: CLIENT shall indemnify, release and hold HANSON and its employees harmless from any liability above such amount stated in Article 9. CLIENT further expressly waives any right of subrogation it may have against HANSON above such limitation, and agrees to defend, indemnify and hold HANSON harmless for any subrogation claims of third-parties above such limitation.

23. Maintenance of Structures and Systems: CLIENT agrees that structures and systems studied, reviewed, analyzed or designed by HANSON are dependent upon CLIENT’s continued operation and maintenance of the project structures and systems in accordance with all permits, laws, and regulations that permit the construction and operations of the structure(s) and systems including any operations and maintenance plans prepared by HANSON. Should CLIENT fail to maintain the structures to be in full compliance with permits, approvals, and operations and maintenance plans, HANSON shall have no liability to CLIENT, and CLIENT shall indemnify, release and hold HANSON and its employees harmless from any liability resulting from any direct or consequential damage resulting from such non-compliance, including but not limited to claims made by third-parties against HANSON.

24. Litigation Support: In the event HANSON is required to respond to a subpoena, government inquiry or other legal process related to the services in connection with a legal or dispute resolution proceeding to which HANSON is not a party, CLIENT shall reimburse HANSON for reasonable costs in responding and compensate HANSON at its then standard rates for engineering services when gathering information and documents and shall pay HANSON its standard rates for providing expert witness services when attending depositions, hearings, and trial. If HANSON is made a party to any litigation concerning CLIENT’s flood control structures, CLIENT shall reimburse HANSON for all costs of defense pending a final determination of HANSON’s professional liability. If HANSON is found by a court of competent jurisdiction to have been negligent, HANSON shall reimburse CLIENT the costs of defense paid by CLIENT, and shall satisfy any judgment up to HANSON’s limitation of liability. Any amount in excess of HANSON’s limitation of liability shall be paid by CLIENT.

25. Visual Observations: For visual observations, CLIENT hereby releases, holds harmless, indemnifies and agrees to defend HANSON against any claims, damages, losses, liabilities, expenses or costs arising out of any failure to detect hidden, covered, inaccessible, or internal structural or material defects, corrosion, or damages in components, embedment, reinforcing, anchorages and parts of equipment, structures, or mechanisms being observed, that are not readily discernible by external visual observation through reasonable efforts.

26. Confidentiality: Each party shall retain as confidential, all information and data furnished to it by the other party which are designated in writing by such other party as confidential at the time of transmission, and are obtained or acquired by the receiving party in connection with this Agreement, and said party shall not disclose such information to any third party except as may be required by law.

27. Third Party Beneficiaries: Nothing contained in this Agreement shall create a contractual relationship with or a cause of action in favor of a third party against either CLIENT or HANSON. HANSON’s services under this Agreement are being performed solely for the CLIENT’s benefit, and no other party or entity shall have any claim against HANSON because of this Agreement or the performance or nonperformance of services hereunder. CLIENT and HANSON agree to require a similar provision in all contracts with contractors, subcontractors,

subconsultants, vendors, and other entities involved in this Project to carry out the intent of this provision.

28. Severability: If any term or provision of this Agreement is held to be invalid or unenforceable under any applicable statute or rule of law, such holding shall be applied only to the provision so held, and the remainder of this Agreement shall remain in full force and effect.

29. Survival: Notwithstanding completion or termination of the Agreement for any reason, all rights, duties, obligations of the parties to this Agreement shall survive such completion or termination and remain in full force and effect until fulfilled.

30. Entire Agreement: This Agreement is the entire Agreement between the CLIENT and HANSON. It supersedes all prior communications, understandings and agreements, whether written or oral. Both parties have participated fully in the preparation and revision of this Agreement, and each party and its counsel have reviewed the final document. Any rule of contract construction regarding ambiguities being construed against the drafting party shall not apply in the interpreting of this Agreement, including any Section Headings or Captions. Amendments to this Agreement must be in writing and signed by both CLIENT and HANSON.

31. Modification to the Agreement: CLIENT or HANSON may, from time to time, request modifications or changes in the scope of services to be performed hereunder. Such changes, including any increase or decrease in the amount of HANSON's compensation, to which CLIENT and HANSON mutually agree shall be incorporated in this Agreement by a written amendment to the Agreement.

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



FOR COUNCIL: April 13, 2015

SUBJECT: Suspension of Ordinances to Allow Consumption of Alcohol at Davis Lodge on September 12, 2015

RECOMMENDATION/MOTION: That the Ordinance be passed.

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

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

BACKGROUND: The Bloomington Liquor Commissioner Tari Renner called the Liquor Hearing to order to hear the request of Raymond Gerard III and Alyssa Kabureck to allow moderate consumption of alcohol at their September 12, 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 and Renee Gooderham, Interim City Clerk.

Commissioner Renner opened the liquor hearing and requested that the requestor address this request. Joni Gerard, mother of the groom, addressed the Commission. The wedding ceremony and reception would be held at the Davis Lodge on September 12, 2015. Red Bird 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 Raymond Gerard III and Alyssa Kabureck to allow moderate consumption of alcohol at the Davis Lodge for their September 12, 2015 wedding reception be approved.

Motion carried, (viva voce).

Commissioner Renner stated that this item would appear on the Council's April 13, 2015 Consent Agenda. He encouraged them to attend same.

There being no further business before the Commission, the meeting recessed at 4:08 p.m.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The Agenda for the March 10, 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, Interim City Clerk

Reviewed by:

Brett Lueschen, Interim Water Director

George D. Boyle, Assistant 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, Raymond Gerard III and Alyssa Kabureck are planning to hold their wedding reception at the LOCATION Pavilion from 4:30 pm to 11:00 pm on September 12, 2015; and

WHEREAS, Raymond Gerard III and Alyssa Kabureck 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 LOCATION on DATE 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 1970 Illinois Constitution.

PASSED this 13th day of April, 2015.

APPROVED this ___th day of April, 2015.

APPROVED:

Tari Renner
Mayor

ATTEST:

Renee Gooderham
Interim City Clerk



FOR COUNCIL: April 13, 2015

SUBJECT: Application of Revati Raman Bhanot, Inc., d/b/a Happy Hour, located at 704 S. Eldorado Rd., 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 Revati Raman Bhanot, Inc., d/b/a Happy Hour, located at 704 S. Eldorado Rd., be created, contingent upon compliance with all applicable health and safety codes.

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

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

BACKGROUND: The Bloomington Liquor Commissioner, Tari Renner, called the Liquor Hearing to order to hear the application of Revati Raman Bhanot, Inc., d/b/a Happy Hour, located at 704 S. Eldorado Rd., 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; City Staff George Boyle, Asst. Corporation Counsel, Clay Wheeler, Asst. Police Chief and Renee Gooderham, Interim City Clerk; and Sveenivas Poondru, Owner/Operator and Applicant representative.

Sveenivas Poondru, Owner/Operator and Applicant representative addressed the Commission. He stated that the establishment would be a restaurant/sports bar. Commissioner Renner reminded Mr. Poondru that fifty-one percent (51%) of sales must be from food to remain a restaurant. Mr. Poondru acknowledged same.

Mr. Poondru stated that he would employ two to three (2–3) bartenders and three to four (3–4) servers. All require BASSETT (Beverage Alcohol Sellers and Servers Education) certification prior to hiring.

Commissioner Jordan questioned video gaming machines. Mr. Poondru stated they had not thought about those.

Motion by Commission Jordan, seconded by Commission Tomkins, that the Revati Raman Bhanot, Inc., d/b/a Happy Hour, located at 704 S. Eldorado Rd., 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 be approved contingent upon compliance with all applicable health and safety codes.

Motion carried, (viva voce).

Commissioner Renner stated that this item would appear on the Council's April 13, 2015 Consent Agenda. He encouraged Mr. Poondru to attend same.

There being no further business before the Commission, the meeting recessed at 4:55 p.m.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Public notice was published in the Pantagraph on March 2, 2015 in accordance with City Code. In accordance with City Code, approximately eighty-five (85) courtesy copies of the Public Notice were mailed to adjacent properties. In addition, the Agenda for the March 10, 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: The annual fee for an RAS liquor license is \$2,210.

Respectfully submitted for Council consideration.

Prepared by: Renee Gooderham, Interim City Clerk

Reviewed by: George D. Boyle, Assistant Corporation Counsel

Recommended by:



Tari Renner
Mayor

Attachments: Attachment 1. Creation of New License - Findings

Motion: That an RAS liquor license for Revati Raman Bhanot, Inc., d/b/a Happy Hour, located at 704 S. Eldorado Rd., be created, contingent upon compliance with all applicable 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: April 13, 2015

SUBJECT: Application of Setinthebar, Inc., d/b/a Jazz Upfront located at 107 W. Front St., requesting a TAS liquor license which allows the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week

RECOMMENDATION/MOTION: That a TAS liquor license for Setinthebar, Inc., d/b/a Jazz Upfront, located at 107 W. Front St., be created, contingent upon compliance with all applicable health and safety codes.

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

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

BACKGROUND: The Bloomington Liquor Commissioner, Tari Renner, called the Liquor Hearing to order to hear the application of Setinthebar, Inc., d/b/a Jazz Upfront located at 107 W. Front St., requesting a TAS liquor license which allows the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week. Present at the hearing were Liquor Commissioners Tari Renner, Geoffrey Tompkins and Jim Jordan; City Staff George Boyle, Asst. Corporation Counsel, Clay Wheeler, Asst. Police Chief and Renee Gooderham, Interim City Clerk; also present was James Gaston, Owner/Operator and Applicant representative.

Commissioner Renner noted that the applicant had been approved on September 8, 2014 for a liquor license at the premise located at 105 W. Front Street. James Gaston addressed the Commission. He stated that the 105 W. Front St. location required extensive building repairs. The business model remained the same. He planned to host live entertainment on Friday and Saturday nights. This would be a jazz club.

Rich Marvel, 405 W. Front St., attorney for Mugshots Bar and Grill, LLC, d/b/a Mugshots, located at 107 W. Front St., addressed the Commission. He noted that Mugshots was operating and had a current liquor license at the location. George Boyle, Asst. Corporation Counsel, stated that Mr. Gaston had a signed lease. The lease began April 1, 2015. He questioned if the lease was under dispute. Mr. Marvel responded affirmatively. *Mugshots did not renew the second (2nd) quarter liquor license. They no longer have a vested interest in the property.*

Mr. Boyle stated that the Jazz Upfront's license would not take effect until Mr. Gaston had possession of the premises. Mr. Gaston stated that Fred Wollrab, owner of Redbird Properties Management Inc., assured him that there was an order to evacuate given to current tenant.

Motion by Commissioner Jordan, seconded by Commissioner Tompkins that the application of Setinthebar, Inc., d/b/a Jazz Upfront located at 107 W. Front St., requesting a TAS liquor license which allows the sale of all types of alcohol by the glass for consumption on the premises seven

(7) days a week, be contingent upon compliance with all applicable health and safety codes and building possession.

Motion carried, (viva voce).

Commissioner Renner stated that this item would appear on the Council's April 13, 2015 Consent Agenda. He encouraged Mr. Gaston to attend same.

There being no further business before the Commission, the meeting recessed at 4:15 p.m.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Public notice was published in the Pantagraph on March 2, 2015 in accordance with City Code. In accordance with City Code, approximately sixty-two (62) courtesy copies of the Public Notice were mailed to adjacent properties. In addition, the Agenda for the March 10, 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.

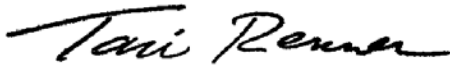
FINANCIAL IMPACT: The annual fee for a TAS liquor license is \$2,210.

Respectfully submitted for Council consideration.

Prepared by: Renee Gooderham, Interim City Clerk

Reviewed by: George D. Boyle, Assistant Corporation Counsel

Recommended by:



Tari Renner
Mayor

Attachments: Attachment 1. Creation of New License - Findings

Motion: That a TAS liquor license for Setinthebar, Inc., d/b/a Jazz Upfront, located at 107 W. Front St., be created, contingent upon compliance with all applicable health, safety codes and building possession.

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: April 13, 2015

SUBJECT: Application of Lincoln Springs Center, LLC, d/b/a Lincoln Springs Center, located at 1611 S. Morrissey Dr., Unit 1, requesting an EAS liquor license which allows the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week

RECOMMENDATION/MOTION: That an EAS liquor license for Lincoln Springs Center, LLC, d/b/a Lincoln Springs Center, located at 1611 S. Morrissey Dr., Unit 1, be created, contingent upon compliance with all applicable health, safety codes and written approval by Planning and Code Enforcement Fire Inspectors.

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

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

BACKGROUND: The Bloomington Liquor Commissioner, Tari Renner, called the Liquor Hearing to order to hear the application of Lincoln Springs Center, LLC, d/b/a Lincoln Springs Center, located at 1611 S. Morrissey Dr., Unit 1, requesting an EAS liquor license which allows the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week. Present at the hearing were Liquor Commissioners Tari Renner, Geoffrey Tompkins and Jim Jordan; George Boyle, Asst. Corporation Counsel, Clay Wheeler, Asst. Police Chief, Kathryn Gruber, Fire Inspector, Renee Gooderham, Interim City Clerk and John Coontz and Stacy Smith, Owner/Operators and Applicant representatives.

Stacy Smith, Owner/Operator and Applicant representative addressed the Commission. He stated that creation of a liquor license was approved by the Commission in June, 2014, for Smith Family Enterprises, LTD. Due to unforeseen issues, the corporate entity changed. He stated that the business model would remain the same. Mr. Smith anticipated that fire alarm and sprinkler system issues would be addressed March 11, 2015.

George Boyle, Asst. Corporation Counsel, provided the Commission with Exhibit A, an email from Leslie Yocum, Morrissey Crossing Property Manager to Kathryn Gruber, Fire Inspector. He noted that the fire report from June, 2014, indicated that there had been unresolved problems with the fire prevention system. Mr. Boyle stated that liquor license issuance and building occupancy should be contingent upon the fire alarm and sprinkler systems passing inspection. John Coontz, Owner/Operator and Applicant representative addressed the Commission. Overland Alarm Systems would install the fire alarm system March 11, 2015.

Mr. Boyle noted that inspections had been conducted on March 2 and 9, 2015. Kathryn Gruber, Fire Inspector, addressed the Commission. She stated that at the March 2nd inspection she had been unable to access the sprinkler room and the fire alarms were not functioning. Staff went

back on March 9th and some issues had not been addressed. The remaining issues involving the sprinkler and fire alarm systems could be remedied with 24 to 48 hours. She believed that the banquet hall was rented for the upcoming weekend. Occupancy would not be allowed until inspection items had been resolved.

Mr. Boyle stated that events should not be allowed at the location until the safety issues had been fully addressed.

Commissioner Jordan questioned an event with a hundred (100) attendees. Mr. Smith cited wedding receptions.

Commissioner Jordan cited a mixed age group event and how the Applicant planned to manage the bar service. Mr. Smith stated that the bartender would check the individual's identification. In addition, there would be a manager and security staff. Any concerns would be addressed.

Commissioner Jordan questioned a large mixed group event and how the Applicant planned to distinguish individuals over the age of twenty – one (21). Mr. Smith cited the manager and bar staff would be responsible for same. Staff would obtain BASSETT (Beverage Alcohol Sellers and Servers Education) certification.

Motion by Commissioner Tompkins, seconded by Commissioner Jordan that the application of Lincoln Springs Center, LLC, d/b/a Lincoln Springs Center, located at 1611 S. Morrissey Dr., Unit 1, requesting an EAS liquor license which allows the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week be approved contingent upon compliance with all applicable health and safety codes and written approval by Planning and Code Enforcement Fire Inspectors.

Motion carried, (viva voce).

Commissioner Renner stated that this item would appear on the Council's April 13, 2015 Consent Agenda. He encouraged Mr. Coontz and Mr. Smith to attend same.

There being no further business before the Commission, the meeting recessed at 4:40 p.m.

Written approval of the fire prevention and alarms systems was received from Kathryn Gruber, Fire Inspector on Monday, March 30, 2015.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Public notice was published in the Pantagraph on March 2, 2015 in accordance with City Code. In accordance with City Code, approximately twelve (12) courtesy copies of the Public Notice were mailed on DATE. In addition, the Agenda for the March 10, 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: The annual fee for an EAS liquor license is \$2,210.

Respectfully submitted for Council consideration.

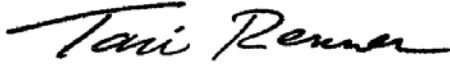
Prepared by:

Renee Gooderham, Interim City Clerk

Reviewed by:

George D. Boyle, Assistant Corporation Counsel

Recommended by:



Tari Renner
Mayor

Attachments: Attachment 1. Creation of New License - Findings

Motion: That an EAS liquor license for Lincoln Springs Center, LLC, d/b/a Lincoln Springs Center, located at 1611 S. Morrissey Dr., Unit 1, be created, contingent upon compliance with all applicable 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: April 13, 2015

SUBJECT: Application of Lupita's Hispanic and American Grocery, Inc., d/b/a Lupita's Hispanic & American Grocery, located at 1512 W. Market St., requesting a PAS liquor license which would allow the sale of all types of packaged alcohol for consumption off the premises seven (7) days a week

RECOMMENDATION/MOTION: That a PAS liquor license for Lupita's Hispanic and American Grocery, d/b/a Lupita's Hispanic & American Grocery, located at 1512 W. Market St., be created, contingent upon compliance with all applicable health and safety codes, together with proof of BASSETT certification.

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

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

BACKGROUND: The Bloomington Liquor Commissioner, Tari Renner, called the Liquor Hearing to order to hear the application of Lupita's Hispanic and American Grocery, Inc., d/b/a Lupita's Hispanic & American Grocery, located at 1512 W. Market St., requesting a PAS liquor license which would allow the sale of all types of packaged alcohol for consumption off the premises seven (7) days a week. Present at the hearing were Liquor Commissioners Tari Renner, Geoffrey Tompkins and Jim Jordan; City Staff George Boyle, Asst. Corporation Counsel, Clay Wheeler, Asst. Police Chief and Renee Gooderham, Interim City Clerk; and Arturo Hernandez, Owner/Operator and Applicant representative.

Arturo Hernandez, Owner/Operator and Applicant representative addressed the Commission through a translator. He stated that the grocery store was currently operating. They wanted the ability to sell packaged alcohol.

Commissioner Renner questioned BASSETT (Beverage Alcohol Sellers and Servers Education) certification. Mr. Hernandez stated negatively. George Boyle, Asst. Corporation Counsel, noted that BASSETT training was required for the business manager and/or at least one employee on the premises at all times. Mr. Hernandez stated that the grocery store had three (3) employees.

Commissioner Renner questioned police concerns. Asst. Chief Wheeler stated there were none.

Commissioner Jordan questioned if he had held liquor license before and violations of same. Mr. Hernandez responded a liquor license was held in Onley, IL. There were no violations.

Motion by Commission Jordan, seconded by Commission Tomkins, that the application of Lupita's Hispanic and American Grocery, Inc., d/b/a Lupita's Hispanic & American Grocery, located at 1512 W. Market St., requesting a PAS liquor license which would allow the sale of all

types of packaged alcohol for consumption off the premises seven (7) days a week be approved contingent upon compliance with all applicable health, safety codes and proof of BASSETT certification.

Motion carried, (viva voce).

Commissioner Renner stated that this item would appear on the Council's April 13, 2015 Consent Agenda. He encouraged Mr. Hernandez to attend same.

There being no further business before the Commission, the meeting recessed at 4:48 p.m.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Public notice was published in the Pantagraph on March 2, 2015 in accordance with City Code. In accordance with City Code, approximately forty-five (45) courtesy copies of the Public Notice were mailed to properties adjacent to or near the premises. In addition, the Agenda for the March 10, 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: The annual fee for a PAS liquor license is \$1,410.

Respectfully submitted for Council consideration.

Prepared by: Renee Gooderham, Interim City Clerk

Reviewed by: George D. Boyle, Assistant Corporation Counsel

Recommended by:



Tari Renner
Mayor

Attachments: Attachment 1. Creation of New License - Findings

Motion: That a PAS liquor license for Lupita's Hispanic and American Grocery, d/b/a Lupita's Hispanic & American Grocery, located at 1512 W. Market St., be created, contingent upon compliance with all applicable health, safety codes and proof of BASSETT certification.

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: April 13, 2015

SUBJECT: Adoption of the FY 2016 Proposed Budget and Appropriation Ordinance

RECOMMENDATION/MOTION: The Council approves the FY 2016 Appropriation Ordinance.

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 City Code requires adoption of an annual appropriation Ordinance. The recommended budget was presented to Council in two (2) budget books at the Monday, February 23, 2015 Council meeting. The first book represents the City's General Fund, while the second book presents each Non-General Fund(s) in addition to the proposed Capital Improvement Program.

The City held a Council Work Session on Saturday, March 7, 2015 to provide the governing board the opportunity to discuss the budget. Public outreach also included a Citizens' Summit on January 20, 2015 and numerous Ward Meetings. The Budget Public Hearing will be held on April 13, 2015 during a Council meeting which is required by state statute and required to be conducted prior to the adoption of the FY 2015 Budget.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The Public Hearing had been advertised in the Pantagraph. Public budget discussion on the City Manager proposed budget was undertaken on February 23rd, March 7th, and April 13th.

FINANCIAL IMPACT: The FY 2016 updated budget expenditures for the twenty-six (26) City funds are \$186,302,469 while budgeted revenue is updated to reflect \$172,474,544. The \$13,827,925 difference will be offset by a planned use of fund balance and net assets in the appropriate funds within the City's fund structure.

Prepared by: Carla A. Murillo, Budget Manager
Reviewed by: Patti-Lynn Silva, Finance Director
Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:



David A. Hales
City Manager

Attachments: Attachment 1. Ordinance
Attachment 2. Exhibit A - FY 2016 Fund Balance
Attachment 3. Exhibit B – Revisions to the General Fund Budget for FY 2016

Motion: The Council approves the FY 2016 Appropriation Ordinance.

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 -

**BUDGET AND APPROPRIATION ORDINANCE
FISCAL YEAR BEGINNING MAY 1, 2015 AND ENDING APRIL 30, 2016
CITY OF BLOOMINGTON**

Make appropriations for all Corporate Purposes for the Fiscal Year beginning May 1, 2015 and ending April 30, 2016, for the City of Bloomington, McLean County, Illinois.

Be It Ordained by the City Council of the City of Bloomington, Illinois: that passage of the Budget Document shall be in lieu of passage of a separate Appropriation Ordinance, as required by 65 ILCS 5/8-2-9 and 5/8-2-9.4.

Section One. That the amounts as listed in Exhibit A, or so much thereof as may be authorized by law, as may be needed and same is hereby appropriated for such purposes as General Fund, Motor Fuel Tax Fund, Board of Election Fund, Drug Enforcement Fund, Community Development Fund, Single Family Owner Occupied Rehab (SFOOR), Library Maintenance and Operation Fund, Library Fixed Asset Replacement Fund, Park Dedication Fund, General Bond and Interest Fund, 2004 Coliseum Bond Redemption, 2004 Multi-Project Bond Redemption, Capital Improvements Fund, Capital Lease Fund, Central Bloomington TIF Fund, Water Fund, Sewer Fund, Storm Water Fund, Solid Waste Fund, Abraham Lincoln Parking Fund, Golf Fund, City Coliseum Fund, Casualty Fund, Employee Insurance & Benefits Fund, Retiree Health Care Fund, and the J.M. Scott Health Care Fund for the fiscal year of said City of Bloomington, McLean County, Illinois, beginning May 1, 2015 and ending April 30, 2016.

Section Two. The amount appropriated for each object or purpose is set forth in the Annual Budget for the year ending April 30, 2016, a copy of which is available at the City Clerk's Office and incorporated by reference.

(NOTE: Amounts appropriated hereby are contained in the Annual Budget for the year ending April 30, 2016, published in book form, copies of which are available for inspection at City Hall, Bloomington Public Library, and other places throughout the City including the City's website at cityblm.org.)

Section Three. That all sums of money not needed for immediate specific purposes may be invested in City of Bloomington Tax Warrants, Tax Sale Certificate, or Notes of Indebtedness, General Water, Parking or Sewer Revenue Bonds, in securities of the Federal Government, in Federal Insured Savings and Loan Associations, Certificates of Deposit in Commercial Banks, or other instruments as allowed by law.

Section Four. Pursuant to 65 ILCS 5/8-2-9.6, and the home rule authority granted to the City of Bloomington pursuant to Article 7, Section 6 of the 1970 Illinois Constitution, the Finance Director, with the concurrence of the City Manager is authorized to revise the annual budget by deleting, adding to, changing or creating sub-classes within object classes budgeted previously to a Department, Board or Commission, and to transfer amounts within a particular fund established by this Ordinance, with the restrictions that no such action may be taken which shall increase the budget in the event funds are not available to effectuate the purpose of the revision, and that the City Council shall hereafter be notified of such action by written report of the City Manager.

Section Five. Partial Invalidity. If any section, subdivision, sentence or clause of this Ordinance is for any reason held invalid or to be unconstitutional, such decision shall not affect the validity of the remaining portion of this Ordinance.

Section Six. That all Ordinances or parts of Ordinances conflicting with any of the provisions of this Ordinance be and the same are hereby repealed.

Section Seven. This Ordinance shall be in full force and effect from and after its passage.

PASSED by the City Council of the City of Bloomington, Illinois this 13th day of April, 2015.

APPROVED by the Mayor of the City of Bloomington, Illinois this 14th day of April, 2015.

APPROVED:

Tari Renner
Mayor

ATTEST:

Renee Gooderham
Interim City Clerk

EXHIBIT A - CITY OF BLOOMINGTON, IL
2016 ADOPTED BUDGET
SUMMARY OF REVENUES, EXPENDITURES AND CHANGE IN FUND BALANCES BY FUND
(ALL FIGURES PROVIDED ARE ESTIMATES)

Fund	Budgetary Fund Balance 4/30/2014 ¹	FY 2015 Projected Revenues	FY 2015 Projected Expenditures	Projected Budgetary Fund Balance 4/30/2015	Proposed Revenues FY 2016	Proposed Expenditures FY 2016	Projected Fund Balance Ending 4/30/2016	Fund Balance Percentage of Expenditures
General Fund	14,095,426	91,326,936	91,326,936	14,095,426	94,553,780	94,553,780	14,095,426	14.91%
General Fund Total:	14,095,426	91,326,936	91,326,936	14,095,426	94,553,780	94,553,780	14,095,426	14.91%
Special Revenue:								
Motor Fuel Tax	4,980,228	2,587,320	878,275	6,689,273	1,800,500	5,090,000	3,399,773	66.79%
Board of Elections	577,235	524,505	509,709	592,032	512,356	519,710	584,678	112.50%
Drug Enforcement	402,954	134,800	119,143	418,611	149,480	234,800	333,291	141.95%
Community Development	46,187	1,223,688	1,223,494	46,381	903,494	913,491	36,384	3.98%
IHDA Single Family Owner Occupied Rehabilitation	(4,076)	87,792	52,479	31,237	0	0	31,237	0.00%
Library	3,712,098	5,583,601	5,627,806	3,667,893	5,449,714	5,365,631	3,751,976	69.93%
Park Dedication	802,299	35,400	100,000	737,699	13,210	325,000	425,909	131.05%
Special Revenue Total:	10,516,926	10,177,106	8,510,906	12,183,126	8,828,754	12,448,632	8,563,248	68.79%
Debt Service:								
General Bond and Interest	6,810,219	5,442,034	6,041,186	6,211,066	4,788,010	6,280,902	4,718,174	-24.04%
Market Square TIF Bond Redemption	951,729	1,000	952,729	0	0	0	0	0.00%
2004 Coliseum Bond Redemption	1,872,767	26,430,729	26,082,191	2,221,305	975,980	1,871,918	1,325,368	-40.33%
2004 Multi-Project Bond Redemption	908,945	1,233,648	777,000	1,365,593	918,407	1,154,000	1,130,000	-17.25%
Debt Service Total:	10,543,660	33,107,411	33,853,106	9,797,965	6,682,397	9,306,820	7,173,542	-26.79%
Capital Projects:								
Capital Improvement	465,440	3,694,221	3,999,497	160,164	3,009,008	2,988,700	180,472	6.04%
Capital Lease	697,172	4,204,567	4,901,430	309	6,120,492	6,119,874	927	0.02%
Central Bloomington TIF Development	(5,820)	20,967	15,147	(0)	0	0	(0)	0.00%
Capital Project Total:	1,156,792	7,919,755	8,916,074	160,473	9,129,500	9,108,574	181,399	1.99%
Enterprise:								
Water	23,219,594	16,646,134	22,363,139	17,502,589	16,643,250	22,964,954	11,180,885	48.69%
Sewer	2,479,900	5,487,709	5,853,026	2,114,583	5,434,614	6,023,805	1,525,392	25.32%
Storm Water	722,034	2,971,875	3,467,198	226,711	3,025,038	2,790,996	460,753	16.51%
Solid Waste	(399,813)	6,742,795	7,965,612	(1,622,630)	7,513,093	8,454,129	(2,563,665)	-30.32%
Abraham Lincoln Parking Deck	99,341	485,709	409,256	175,794	493,023	420,776	248,041	58.95%
Golf Courses	(114,448)	2,488,307	2,876,029	(502,170)	2,732,780	2,722,904	(492,294)	-18.08%
US Cellular Coliseum	(537,665)	1,527,247	1,584,974	(595,393)	1,223,601	1,223,601	(595,393)	-48.66%
Enterprise Total:	25,468,943	36,349,776	44,519,235	17,299,484	37,065,400	44,601,165	9,763,719	21.89%
Internal Service Fund:								
Casualty Insurance	2,951,972	3,337,000	4,053,205	2,235,767	3,762,195	3,856,730	2,141,232	55.52%
Employee Insurance and Benefits	1,237,474	9,858,544	9,801,656	1,294,362	10,298,294	10,372,642	1,220,014	11.76%
Employee Retiree Group Healthcare	(24,678)	1,256,752	1,224,194	7,880	1,653,225	1,653,055	8,050	0.49%
Internal Service Fund Total:	4,164,768	14,452,296	15,079,055	3,538,009	15,713,714	15,882,427	3,369,296	21.21%
Fiduciary:								
JM Scott Total:	4,973,511	471,242	311,849	5,132,904	501,000	401,072	5,232,832	1304.71%
Fiduciary Fund Total:	4,973,511	471,242	311,849	5,132,904	501,000	401,072	5,232,832	1304.71%
Total:	70,920,026	193,804,521	202,517,161	62,207,387	172,474,544	186,302,469	48,379,462	25.97%

¹ Budgetary Fund Balance is almost a cash balance but does account for the timing of short term receivables and payables.

² In FY 2016, General Fund revenues include the use of \$793,381.91 from the General Fund reserve.

³ The FY 2016 revenues include a \$1.5 million transfer from the General Fund.

⁴ During the close of FY 2015, these negative fund balances will be evaluated.

⁵ Based on FY 2015 year to date actuals as of 4/7/15, projections have been adjusted.

^Z The difference between proposed revenues and expenditures is a planned use of fund balance.

Exhibit B

Revisions to the General Fund Budget for FY 2016

	Proposed Use of Fund Balance \$	810,188.59	
1. Correction of overbudgeted Firefighter/Paramedic position	\$	64,494.00	Expense Decrease
2. Revision of transfers for Debt Payments for FY 2016	\$	23,096.26	Expense Decrease
3. Revised revenue projection for Miller Park Zoo.	\$	11,500.00	Revenue Increase
4. Revision of Police budget for seasonal hours.	\$	10,076.04	Expense Increase
5. Increase transfer to Coliseum for correction of lease payments.	\$	72,207.54	Expense Increase
Adjusted Proposed Use of Fund Balance	\$	793,381.91	



FOR COUNCIL: April 13, 2015

SUBJECT: Payment for Property, Liability, Excess Liability, and Excess Worker's Compensation Insurance Coverage

RECOMMENDATION/MOTION: Recommend that the payment to Arthur J. Gallagher Itasca, IL for Insurance Coverage and Insurance Broker Service from May 1, 2015 through April 30, 2016 be approved in the amount of \$794,754.

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: Arthur J. Gallagher (AJG) has served as the City's Insurance Broker since 2010. On April 22, 2013, Council approved AJG to continue to serve as its broker until April 30, 2016, with a three (3) year renewable contract. AJG is responsible for analyzing the insurance market and placing the City's Property, Liability, Excess Liability, Cyber, and Excess Worker's Compensation Insurance. The City also uses Mike Nugent, from Nugent Consulting Group, Northbrook, to negotiate premiums. AJG had secured terms from insurers that results in a 2.8 percent increase for the FY16, and Mr. Nugent was able to negotiate that down to 2 percent.

An attached summary spreadsheet gives a three-year history of premiums by category and proposed premiums for the coming year. Here is a summary of premiums for Insurance Renewal Cost for FY16:

- Property Insurance premium increases \$2,249 to \$102,424.
- Excess Worker's Compensation premium increases by \$14,308 to \$265,315.
- Cyber coverage premium increases by just \$21, to \$21,515, and this follows a 10 percent increase incurred in the current fiscal year.
- The largest line item, liability, shows a slight one-year decrease, to \$295,740, and is 12 percent below what the City paid in FY13.
- All other miscellaneous insurance premiums - \$71,136
- Total Cost for the City's 2014 Insurance Premiums will be \$794,754. This cost includes Gallagher's Broker Fee in the amount of \$38,625.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable.

FINANCIAL IMPACT: The payment for \$794,754 will be encumbered after May 1, 2015 contingent upon Council approval of the Arthur Gallagher Insurance Coverage and Insurance Broker Services that is included in the FY 2016 Proposed Budget. Funds were proposed in line items 60150150-70702 (Workers Compensation Premium), 60150150-70703 (Liability Premiums, 60150150-70704 (Property Premiums) and 60150150-70220 (Other Professional

Services). Stakeholders can locate this in the FY 2016 Proposed Budget Book titled "Other Funds & Capital Improvement Program" on page 158.

Respectfully submitted for Council consideration.

Prepared by: Stephen Arney, Public Works Administration

Reviewed by: Steve Rasmussen, Assistant City Manager

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

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:



David A. Hales
City Manager

Attachments: Attachment 1. Letter from Mike Nugent, Nugent Consulting Group
Attachment 2: Spreadsheet, 3-year cost summary and proposed rates for 2015-2016
Attachment 3: Chart, "Lloyd's Protected Self-Insurance Program Structure Effective May 1, 2015 to May 1, 2016"

Motion: That the payment to Arthur J. Gallagher Itasca, IL for Insurance Coverage and Insurance Broker Service from May 1, 2015, through April 30, 2016, be approved in the amount of \$794,754.

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			



NUGENT CONSULTING GROUP
INSURANCE AND RISK MANAGEMENT CONSULTING

March 26, 2015

Mr. Steve Rasmussen
Deputy City Manager
City of Bloomington
109 E. Olive Street
Bloomington, IL 61701

Re: Insurance Coverage Renewal

Dear Steve:

The attached spreadsheet provides details on the 2015 insurance coverage renewal. The initial renewal terms offered by Gallagher increased costs by 2.8%. I was able to negotiate those costs down to a 2.0% increase.

Overall results for this renewal are very favorable.

I have asked Gallagher representatives to attend the April 13 City Council meeting to answer any questions about this renewal. I will also attend. Please let me know if you would like to discuss the renewal. I will send you a copy of the full Gallagher proposal separately.

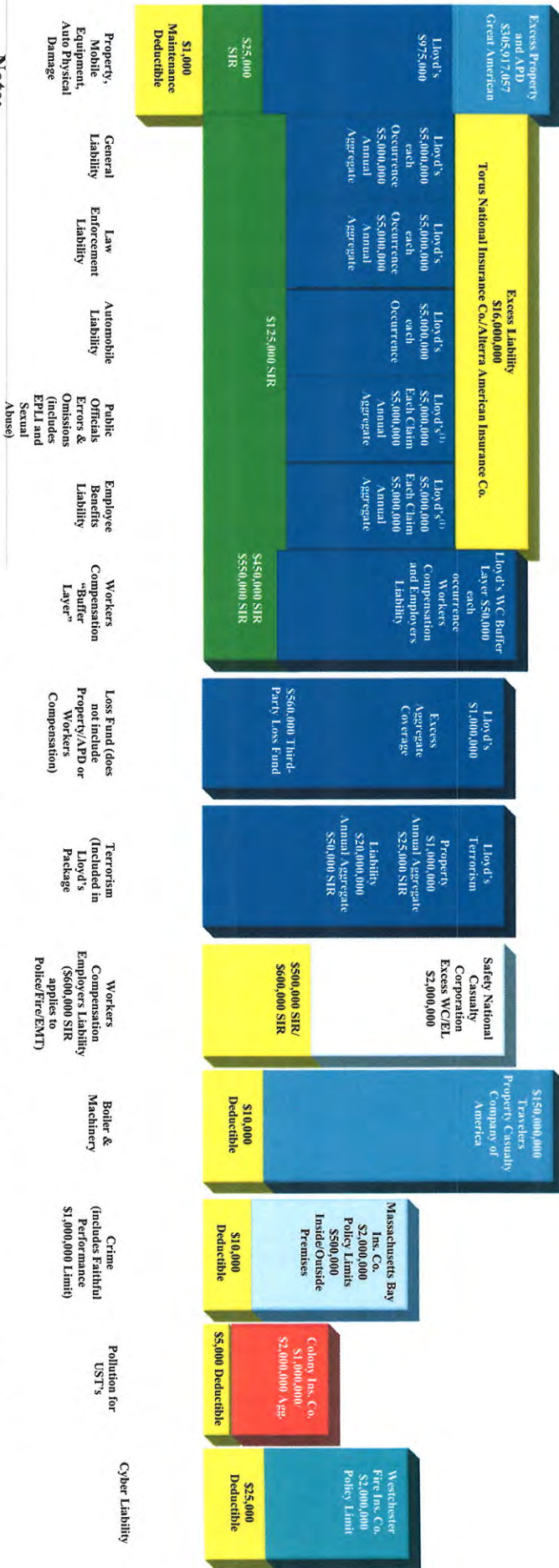
Sincerely

Mike

Mike Nugent

Cost Summary				
	2015 Renewal Costs			
	<i>March 26, 2015</i>			
		Current Cost		
2012 Renewal	2012 / 2013	2013 / 2014	2014 / 2015	2015 / 2016
Property	\$ 95,688	\$ 92,732	\$ 100,175	\$ 102,424
UST	\$ -	\$ 4,100	\$ 4,040	\$ 4,044
Excess Liability Layer 1	\$ 44,979	\$ 44,684	\$ 44,622	\$ 46,215
Excess Liability Layer 2	\$ 10,112	\$ 10,311	\$ 11,008	\$ 13,690
Crime	\$ 7,212	\$ 7,186	\$ 7,186	\$ 7,186
Excess WC	\$ 168,067	\$ 224,014	\$ 251,007	\$ 265,315
Liability	\$ 337,395	\$ 294,407	\$ 297,705	\$ 295,740
Cyber	\$ -	\$ 20,483	\$ 21,494	\$ 21,515
Broker Fee	\$ 37,500	\$ 38,625	\$ 38,625	\$ 38,625
Total	\$ 700,953	\$ 736,542	\$ 775,862	\$ 794,754
Property Limit	\$ 260,553,108	\$ 275,162,255	\$ 299,325,001	\$ 305,917,051
Total Liability Limit	\$ 16,000,000	\$ 16,000,000	\$ 16,000,000	\$ 16,000,000
Crime Limit	\$ 2,000,000	\$ 2,000,000	\$ 2,000,000	\$ 2,000,000
Property Deductible	\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000
Liability Self-insured Retention	\$ 125,000	\$ 125,000	\$ 125,000	\$ 125,000
Crime Deductible	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000
WC SIR - Police / Fire	\$ 550,000	\$ 550,000	\$ 550,000	\$ 550,000
WC Sir - All Other Employees	\$ 450,000	\$ 450,000	\$ 450,000	\$ 450,000

Lloyd's Protected Self-Insurance Program Structure Effective May 1, 2015 to May 1, 2016



Note: The SIR is a per occurrence retention. Only one retention applies in the event of a multiple loss (clash coverage), and the higher retention shall apply. See policy Multiple Lines Loss Protection for limits in the event of a multiple lines loss.

(1) Public Officials Errors & Omissions and Employee Benefits Liability are on a Claims-Made basis, with an annual aggregate.



FOR COUNCIL: April 13, 2015

SUBJECT: Resolution Communicating the City of Bloomington 2015 Legislative Principles and Policies to State Legislators

RECOMMENDATION/MOTION: Recommend that the Resolution be adopted and the Mayor and City Clerk authorized to execute the necessary documents.

STRATEGIC PLAN LINK: Goal 5. Great Place - Livable, Sustainable City.

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

BACKGROUND: Over the past several years the Council has hosted a legislative work session with state representatives to highlight legislation which may positively or negatively impact the City's ability to provide quality basic municipal services to community members. The proposed resolution is to serve as a guide on the core principles and policies supported by the Council as state legislators enter into the 99th General Assembly.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: None

FINANCIAL IMPACT: The enclosed principles and policies seek to protect municipal budgets, preserve and enhance local control, streamline operations, and improve the City's ability to provide quality basic municipal services.

Respectfully submitted for Council consideration.

Prepared by: Alexander McElroy, Assistant to the City Manager

Recommended by:

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

David A. Hales
City Manager

Attachments: Attachment 1. Resolution
Attachment 2. 2015 Principles & Policies

Motion: That the Resolution be adopted 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			

RESOLUTION NO. 2015 -

**A RESOLUTION ADOPTING THE CITY OF BLOOMINGTON'S 2015 CORE
LEGISLATIVE PRINCIPLES FOR THE ILLINOIS GENERAL ASSEMBLY**

WHEREAS, over the past several years, the Bloomington City Council has hosted a legislative work session with state legislators to highlight legislation that positively or negatively impacts the City's operations; and

WHEREAS, local governments, including specifically municipalities, provide direct services to the citizens of the State and have a long history of partnership with the State in funding and providing those services; and

WHEREAS, protecting shared revenues is a core principle of the City and the City Council further supports the restoration of a full 10% share of State Income Tax collection, opposes any diversions of revenue that is collected by the State on behalf of local governments; supports the restoration of previously diverted Corporate Personal Property Replacement Tax and Local Government Fund Tax revenues; and supports full flexibility for municipal officials to spend municipal revenues to benefit communities, including broader discretion for expending Motor Fuel Tax revenues; and

WHEREAS, the enactment of laws and regulations that preempt local authority only hinder the ability of municipal officials to meet the needs of residents and address community problems; and

WHEREAS, to maintain the autonomy necessary to fulfill the City's appropriate responsibilities, the City Council supports the full preservation of home rule powers afforded under the Illinois Constitution; opposes federal and state preemption of traditional local rights and responsibilities, including the right to levy and collect taxes and fees and making local land use zoning decisions; opposes unfunded federal and state mandates on local communities either by legislative, executive or administrative action; opposes legislation to impose statewide building codes that fail to recognize the diversity and different needs of Illinois' communities; and supports legislation that grants municipalities authority to help reduce natural gas costs through natural gas aggregation programs; and

WHEREAS, as with the private sector, compensation and benefit decisions involving local government employees are appropriately made by the employer and the State's laws and regulations must recognize that wages and benefits must balance the interests of the employees, local government employer and the taxpayers; and

WHEREAS, the Governor and General Assembly must avoid approving policies that increase the costs of municipal compensation, benefits, and personnel without providing revenues to offset the financial obligations created by their actions; and

WHEREAS, to preserve the right of municipalities to decide employee wages, benefits, and staffing levels, the City Council supports reforms to the municipal police and fire pension systems that meaningfully reduce the long-term financial obligations to municipal employers and protects the solvency of the systems for participating employees; supports cost-saving reforms to the Public Safety Employee Benefits Act (PSEBA) with an ideal solution being the adoption of the federal definition of “catastrophic injury”; opposes legislation that would increase pension benefits or expand eligibility for retirement and disability benefits; supports requiring arbitrators to base awards on actual municipal revenues and not on municipal authority to increase taxes and fees or spend down financial reserves; opposes legislation that would require municipalities to collectively bargain personnel levels; supports legislation that imposes reasonable exemptions to the Illinois Prevailing Wage Act; opposes expansions to the Prevailing Wage Act; and supports reforms to the Workers’ Compensation system that result in meaningful cost savings to local governments and taxpayers; and

WHEREAS, local governments and Illinois taxpayers benefit from the broad authority that allows local governments to cooperatively pool resources and share services; and

WHEREAS, service cooperation and consolidation reduces the cost of local governments, eliminates redundancies, and appropriates resources wisely and effectively. To accomplish these efficiencies, the City Council opposes legislation that restricts, modifies, or otherwise infringes upon the authority of local government to voluntarily initiate or terminate intergovernmental cooperation arrangements; and supports legislation which enhances the local authority to consolidate services and share in service delivery with other local entities; and

WHEREAS, City officials believe that a vibrant democracy requires the active participation of an engaged citizenry. Citizens elect their local leaders and have an obligation to hold their leaders accountable. The Open Meetings Act, Freedom of Information Act, and public notification laws are essential accountability mechanisms. However, these laws must be balanced to consider staff obligations, personnel information sensitivities, evolving technology, and occasional abuses of the process by those seeking public information; and

WHEREAS, to balance the engagement of the citizenry and the operation of government in an open and honest manner with the high costs outlined above, the City Council opposes legislation claiming to enhance open and public meetings that in practice unnecessarily complicates the ability of a local governing body to properly communicate with the public and that discourages communications among governing body members through unproductive restrictions and inappropriate activities; supports legislation that allows for statutory reporting requirements and FOIA requests to be satisfied when the information is available on the website of the municipality; opposes legislation that results in duplicative posting requirements for local government information; and

WHEREAS, by this resolution, the City Council desires to set forth its legislative core principles and advocate for the sustainability and efficient operation of municipal government.

NOW, THEREFORE, BE IT RESOLVED BY THE City Council of the City of Bloomington, McLean County, Illinois, as follows:

Section 1. The above stated recitals are incorporated herein by reference.

Section 2. The City Council of the City of Bloomington hereby reaffirms its core legislative principles for 2015, including: (1) protecting state shared revenues; (2) preservation of home rule powers; (3) opposition to unfunded mandates; (4) preservation of the right of municipalities to decide employee wages, benefits, and staffing levels; (5) promotion of intergovernmental cooperation; and (6) continued transparency and accountability.

Section 3. This Resolution shall be in full force and effect immediately after its passage and approval.

APPROVED by the City Council of the City of Bloomington, McLean County, Bloomington, Illinois, April 13, 2015, by a vote of ____ to ____.

ADOPTED this 13th day of April, 2015

APPROVED this ____ day of April, 2015

APPROVED:

Tari Renner
Mayor

ATTEST:

Renee Gooderham
Interim City Clerk



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LEGISLATIVE PRINCIPLES AND POLICIES for 2015



LEGISLATIVE PRINCIPLES AND POLICIES for 2015

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MISSION STATEMENT

For those who believe in keeping decision-making local, the Illinois Municipal League is Illinois' statewide community-focused lobbying and educational organization "whose special interest is the people" so municipalities can have a powerful resource and voice in Springfield.

CORE PRINCIPLES

- Maintain Local Control
- Preserve Home Rule Powers
- Oppose Unfunded Mandates
- Preserve the Right of Municipalities to Decide Employee Wages and Benefits
- Protect State-Shared Revenues

ABOUT THE IML

The Illinois Municipal League was founded in 1913 and has worked continuously for the benefit of municipalities. The governing board is comprised of elected officials of member municipalities.

The Illinois Municipal League:

- Provides a formal voice for Illinois municipalities in matters involving common interests, particularly legislative issues.
- Promotes competence and integrity in administration of municipal government.
- Provides municipal officials knowledge and experience to best administer their duties.
- Provides timely and informative publications, such as the *Illinois Municipal Review* monthly magazine; *Statehouse Briefings* published during the legislative session; and a bi-monthly *Legal Bulletin* sent to all municipal attorneys.
- Provides publications such as the Illinois Municipal Handbook, Illinois Municipal Directory, Zoning Handbook, etc.
- Educates members via conferences, road shows, and other educational meetings.
- Provides other member services, including the IML Risk Management Association, and staff resources.

The Illinois Municipal League reaffirms the guarantee set forth in the League constitution that membership shall be open to any city, village, or incorporated town in the State of Illinois.

It is the practice of the League to adopt a point of view regarding an issue only after extensive consideration and analysis of the alternatives. The IML recognizes that our diverse membership possesses knowledge and expertise concerning the impact of legislation and administrative policies, and that the League benefits from this expertise.

It is the general policy of the Illinois Municipal League on behalf of its member municipalities, to promote the highest standards of competence and integrity in the administration of municipal governments, to seek a just balance between federal, state, and municipal powers, and to furnish to the residents of Illinois' communities those governmental services and protections that can and should appropriately be furnished by municipal government.

LEGISLATIVE PRINCIPLES AND POLICIES

Municipal Authority

The operation of municipalities is a complex task that requires partnerships with both the federal and state government. The enactment of laws and regulations that preempt local authority only hinder the ability of municipal officials to meet the needs of residents and address community problems. Municipal officials must maintain the autonomy necessary to fulfill their appropriate responsibilities to those that elected them.

To achieve this goal, IML:

- Supports the full preservation of home rule powers afforded under the Illinois Constitution and the expansion of home rule authority to every city, village, and incorporated town in Illinois;
- Opposes federal and state preemption of traditional local rights and responsibilities, such as the right to levy and collect taxes and fees and to make land use and zoning decisions;
- Opposes unfunded federal and state mandates on local communities either by legislative, executive, or administrative action;
- Opposes legislation to impose statewide building codes that fail to recognize the diversity and different needs of Illinois' communities.
- Supports legislation allowing for protection from creditors in a bankruptcy proceeding for instances where Illinois municipalities find themselves in need of such protection.
- Supports legislation that grants municipalities with authority to help reduce natural gas costs through natural gas aggregation programs.

Municipal Revenue and Taxation

Illinois municipalities continue to require additional revenues. The League commends the State for the provision of revenue sharing to Illinois municipalities. This successful partnership must be continued in good faith and in recognition that most of the services that benefit Illinoisans are provided by local government. Municipal governments must also have the autonomy to address their local revenue needs.

To achieve these goals, IML:

- Supports the restoration of a full 10% share of state Income Tax collections;
- Opposes any diversions of revenue that is collected by the state on behalf of local governments;
- Supports the restoration of previously-diverted Corporate Personal Property Replacement Tax and Local Government Tax Fund revenues;
- Supports full flexibility for municipal officials to spend municipal revenues to benefit communities. This includes broader discretion for expending Motor Fuel Tax revenues.
- Supports the repeal of the Property Tax Extension Limitation Law (PTELL);

- Opposes modifications to PTELL that result in further restrictions on local taxing authority;
- Opposes any reduction in existing municipal taxing authority;
- Opposes restrictions to municipal finance and development tools such as Tax Increment Financing (TIF), Special Service Areas, and Special Assessment Areas, and various debt instruments when the restrictions undermine the benefits that these tools provide to local communities;
- Supports the continued federal tax exemption for municipal bonds;
- Supports Congressional passage of the Marketplace Fairness Act to allow for the collection of taxes on out-of-state sales transactions;
- Encourages a study of alternative sources of revenue in keeping with the changing nature of the economy.

Labor Law, Compensation, and Employment Benefits

As with the private sector, compensation and benefits decisions involving local government employees are appropriately made by the employer. Wages and benefits must balance the interests of the employee, employer, and taxpayer. The General Assembly and Governor must avoid approving policies that increase the costs of municipal compensation, benefits, and personnel without providing revenues to offset the financial obligations created by their actions. Existing state labor and employment policies must also be reexamined with the intent of ensuring that local governments can maintain personnel costs at sustainable levels.

To achieve these goals, IML:

- Supports reforms to the municipal police and firefighter pension systems that meaningfully reduce the long-term financial obligations to municipal employers and protect the solvency of the systems for participating employees;
- Supports the repeal of the funding penalty contained within P.A. 96-1495 that allows employee-controlled pension boards to divert state-collected local government revenues to fund pension obligations;
- Supports cost-saving reforms to the Public Safety Employee Benefits Act with an ideal solution being the adoption of the federal definition of “catastrophic injury;”
- Supports local control regarding the hiring, promotion, and discipline of municipal employees and opposes state interference in what are local employment matters;
- Opposes legislation that would increase pension benefits or expand eligibility for retirement and disability benefits;
- Opposes the expansion of collective bargaining rights for municipal employees;
- Opposes legislative expansion of health insurance benefits including policies that would allow retirees to opt back into municipal group health insurance plans after previously declining participation;
- Supports requiring arbitrators to base awards on actual municipal revenues and not on municipal authority to increase taxes and fees or spend down financial reserves;
- Opposes legislation that would require municipalities to collectively bargain personnel levels;

- Supports legislation that imposes reasonable exemptions to the Illinois Prevailing Wage Act. Opposes expansions to the Prevailing Wage Act;
- Supports reforms to the Workers' Compensation system that result in meaningful cost savings to local governments and taxpayers.

Intergovernmental Cooperation

Local governments and Illinois taxpayers benefit from the broad authority that allows local governments to cooperatively pool resources and share services. Service cooperation and consolidation reduces the cost of local governments, eliminates redundancies, and appropriates resources wisely and effectively.

To achieve these goals, IML:

- Supports the purpose and intent of Article VII, Section 10 of the Illinois Constitution which authorizes intergovernmental cooperation between units of government.
- Opposes legislation that restricts, modifies, or otherwise infringes upon the authority of local government to voluntarily initiate or terminate intergovernmental cooperation arrangements.

Meetings, Public Records, and Notifications

The Illinois Municipal League believes that a vibrant democracy requires the active participation of an engaged citizenry. Citizens elect their local leaders and have an obligation to hold their leaders accountable. The Open Meetings Act, Freedom of Information Act, and public notification laws are essential accountability mechanisms. These laws must be balanced to consider staff obligations, personnel information sensitivities, evolving technology, and occasional abuses of the process by those seeking public information.

To achieve these goals, IML:

- Opposes legislation claiming to enhance open and public meetings that in practice unnecessarily complicates the ability of a local governing body to properly communicate with the public and that discourages communications among governing body members through unproductive restrictions and inappropriate activities.
- Supports legislation that allows for statutory reporting requirements and FOIA requests to be satisfied when the information is available on the website of the municipality;
- Opposes legislation that results in duplicative posting requirements for local government information.



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**Item 9C.
Text Amendment to Chapter 21, Refuse Code,
Section 300.7**

**Will be distributed via Addendum
(5 minutes)**

**Question & Answer
(20 minutes)**