



**RECORD OF MOTIONS AND VOTES
PUBLISHED BY THE AUTHORITY OF THE CITY COUNCIL
OF BLOOMINGTON, ILLINOIS
TUESDAY, MAY 26, 2015; 7:00 P.M.**

The Council convened in regular Session in the Council Chambers, City Hall Building, at 7:00 p.m., Tuesday, May 26, 2015.

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

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

Aldermen: Kevin Lower, David Sage, Diana Hauman, Amelia Buragas, Scott Black, Joni Painter (Absent), Mboka Mwilambwe, Karen Schmidt, Jim Fruin and Mayor Tari Renner.

City Manager David Hales, City Clerk Cherry L. Lawson and Corporate Counsel Angela Fyans-Jimenez and George Boyle were also present.

The following was presented:

Item 6A. Appointment of John Concklin to the Scott Estate Health Care Investment Committee.

The following was presented:

Item 6B. Appointment of Arthur Haynes to the Bloomington Housing Authority

The following was presented:

Item 6C. Appointment of Julian Westerhout to the Board of Library Trustees.

The following was presented:

Item 6D. Reappointment of John Bowman to the Public Transit Board.

The following was presented:

Mayor Renner asked whether there were any items that Alderman wished to have pulled from the agenda. Alderman Mwilambwe to pull Item 7J from the Consent Agenda as he had a conflict with the deliberating on the item.

Motion by Alderman Schmidt to pull Item No. 7J from the Consent Agenda. Alderman Black seconded the motion.

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

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

Nays: None.

Recuse: Mwilambwe

Absent: Painter

Motion carried.

Item 7A. Council Proceedings of May 11, 2015 and Work Session of April 27, 2015.

Motion by Alderman Schmidt, seconded by Alderman Black that the reading of the minutes of the previous Council Proceedings of May 11, 2015 and the Work Session of April 27, 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, Lower, Hauman, Sage, Black, Fruin, Buragas and Mwilambwe.

Nays: None.

Absent: Painter

Motion carried.

The following was presented:

Item 7B. Bills and Payroll.

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

Nays: None.

Absent: Painter
Motion carried.

The following was presented:

Item 7C. Appointments and Reappointments to the following Boards and Commissions: Scott Estate Health Care Trust Investment Committee, Bloomington Housing Authority, Board of Library Trustees, and the Public Transit Board.

Motion by Alderman Schmidt, seconded by Alderman Black that the Appointments be approved.

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

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

Nays: None.

Absent: Painter

Motion carried.

The following was presented:

Item 7D. Consideration of review and analysis of Bids and Approval of a Contract with Rowe Construction in the amount of \$765,000 for General Resurfacing of Bloomington City Streets and Roadways Repairs for FY 2016 (Bid #2015-61)

Motion by Alderman Schmidt, seconded by Alderman Black that the unit prices and Contract with Rowe Construction for the General Resurfacing of Bloomington City Streets and Roadway Repairs for FY 2016 through Bid #2015-61 in the amount of \$765,000 be approved, and authorize the Mayor and City Clerk to execute the necessary documents.

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

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

Nays: None.

Absent: Painter

Motion carried.

The following was presented:

Item 7E. Consideration of review and analysis of Bids and Approval of a Contract with Rowe Construction in the amount of \$1,350,000 for Bloomington Street & Alley Repairs for FY 2016 (Bid #2015-62).

Motion by Alderman Schmidt, seconded by Alderman Black that the unit prices and contract from Rowe Construction through Bid #2015-62 for Bloomington Street & Alley Repairs FY 2016 in the amount of \$1,350,000 be approved and authorize the Mayor and City Clerk to execute the necessary documents.

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

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

Nays: None.

Absent: Painter

Motion carried.

The following was presented:

Motion carried.

The following was presented:

Item 7F. Consideration of review and analysis of Bids and Approval of a Contract with J.G. Stewart Contractors, Inc., in the amount of \$400,000 for the Bloomington Sidewalk Replacement and Handicap Ramp Program FY 2016 (Bid #2015-63).

Motion by Alderman Schmidt, seconded by Alderman Black that the unit prices and contract with J. G. Stewart Contractors, Inc., for the Bloomington Sidewalk Replacement and Handicap Ramp Program FY 2016 through Bid #2015-63 in the amount of \$400,000 be approved, and authorize the Mayor and City Clerk to execute the necessary documents.

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

Nays: None.

Absent: Painter

Motion carried.

The following was presented:

Item 7G. A Resolution authorizing a change order in the amount of \$125,000 in the contract between the City of Bloomington and Gildner, Inc., FY 2015 Utility Maintenance Contract, for the purpose of funding various meter change-outs. (Original Bid #2015-04).

Motion by Alderman Schmidt, seconded by Alderman Black that the Resolution authorizing a change order in the amount of \$125,000 in the contract between the City of Bloomington and Gildner, Inc., FY 2015 Utility Maintenance Contract, for the purpose of funding various meter change-outs be approved and authorize the Mayor and City Clerk to sign the necessary documents.

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

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

Nays: None.

Absent: Painter

Motion carried.

The following was presented:

Item 7H. A Resolution authorizing a Change Order to Gildner Excavating Inc. for the water main replacement on Parmon Ave. (Original Bid #2014-046).

Motion by Alderman Schmidt, seconded by Alderman Black the Council approve the Resolution authorizing the Change Order to Gildner Excavating Inc. be approved in the amount of \$148,784.00 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, Lower, Hauman, Sage, Black, Fruin, Buragas and Mwilambwe.

Nays: None.

Absent: Painter

Motion carried.

The following was presented:

Item 7I. An Ordinance Suspending Portion of Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the City Code for a Wedding Reception at Davis Lodge on June 12, 2015

Motion by Alderman Schmidt, seconded by Alderman Black that the Ordinance suspending portion of Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the City Code for a Wedding Reception at Davis Lodge on June 12, 2015 be adopted.

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

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

Nays: None.

Absent: Painter

Motion carried.

The following was presented:

Item 7J. An Ordinance Suspending Portions of Section 26(d) of Chapter 6 of the City Code to Allow Possession of Open Alcohol on Public Property during the WGLT Outdoor Concert in the Downtown on June 13, 2015. **PULLED FROM CONSENT**

Motion by Alderman Sage, seconded by Alderman Schmidt that the Ordinance Suspending Portions of Section 26(d) of Chapter 6 of the City Code to Allow Possession of Open Alcohol on Public Property during the WGLT Outdoor Concert in the Downtown on June 13, 2015 be adopted.

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

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

Nays: None.

Absent: Painter

Recuse: Mwilambwe

Motion carried.

The following was presented:

Item 7K. An Ordinance Suspending Portion of Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the City Code for an Owner's Meeting at Davis Lodge on June 16, 2015.

Motion by Alderman Schmidt, seconded by Alderman Black the Ordinance suspending portion of Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of City Code for an Owner's Meeting at Davis Lodge on June 16, 2015 be adopted.

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

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

Nays: None.

Absent: Painter

Motion carried.

The following was presented:

Item 7L. An Ordinance providing for the Vacation of Part of a Drainage/Utility Easement in Lot 78 of Second Addition to Royal Links Subdivision Petition from Eric Micheletti for Approval of Vacation of Part of a Drainage/Utility Easement located in Lot 78, 3215 Baer Road, of Second Addition to Royal Links Subdivision

Motion by Alderman Schmidt seconded by Alderman Black the Ordinance Providing for the Vacation of Part of a Drainage/Utility Easement in Lot 78 of Second Addition to Royal Links Subdivision Petition from Eric Micheletti for Approval of Vacation of Part of a Drainage/Utility Easement located in Lot 78, 3215 Baer Road, of Second Addition to Royal Links Subdivision.

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

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

Nays: None.

Absent: Painter

Motion carried.

The following was presented:

Item 7J. An Ordinance Suspending Portions of Section 26(d) of Chapter 6 of the City Code to Allow Possession of Open Alcohol on Public Property during the WGLT Outdoor Concert in the Downtown on June 13, 2015. PULLED FROM CONSENT

Motion by Alderman Sage, seconded by Alderman Schmidt that the Ordinance Suspending Portions of Section 26(d) of Chapter 6 of the City Code to Allow Possession of Open Alcohol on Public Property during the WGLT Outdoor Concert in the Downtown on June 13, 2015 be adopted.

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

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

Nays: None.

Absent: Painter

Recuse: Mwilambwe

Item 8A. An ordinance Amending Chapter 40 of the Bloomington City Code to establish regulations for transportation network providers to operate transportation networks within the City.

Motion by Alderman Black, seconded by Alderman Buragas that the Transportation Network Provider Ordinance be adopted and authorize the Mayor and City Clerk to execute the necessary documents.

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

Ayes: Aldermen Schmidt, Hauman, Sage, Black, Fruin, Buragas and Mwilambwe.

Nays: None.

Absent: Painter

Motion carried.

The following was presented:

Item 8B. An Ordinance Amending Bloomington City Code Chapter 40 Allowing Taxicab Companies to be Licensed Under the Same Provisions as Transportation Network Providers.

Alderman Lower stated that he would like to hear from the public (his constituents) whether there is an economic impact to their businesses as a result of adopting this Ordinance.

Motion by Alderman Schmidt, seconded by Alderman Hauman that the Ordinance Amending Bloomington City Code Chapter 40 Allowing Taxicab Companies to be Licensed Under the Same Provisions as Transportation Network Providers be adopted, and authorize the Mayor and City Clerk to execute the necessary documents.

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

Ayes: Aldermen Schmidt, Hauman, Sage, Black, Fruin, Buragas and Mwilambwe.

Nays: None.

Absent: Painter

Motion carried.

The following was presented:

Item 8C. A Resolution Supporting The Connect Transit & McLean County Tiger 2015 Grant Application And Directing Staff Not To Submit An Application For The Hamilton Road – Bunn To Commerce Connection Project.

Mr. Hales provided an overview of the TIGER 2015 Grant that it would be subject based on federal appropriation.

Mayor Renner commented on the Grant application and how it would apply to the Hamilton Avenue repairs, that this project is not shovel ready at this time.

Alderman Black stated that there have not been any complaints on Hamilton Road at all...he ask for the status of the Hamilton Road Project.

Mr. Hales stated this is the seventh round to the TIGER Grant, subject to federal appropriation. There is no guarantee; however, the Congress has been funding some of these additional TIGER grant projects. He explained that a more detail technical review would likely occur, then a political decision by IDOT—funding is slim due to the number of requestors.

Alderman Schmidt inquired about the qualification for the TIGER Grant funding.

Mayor Renner stated that there are many different standards for qualifying, explaining the multi-modal aspect of this grant.

Alderman Sage commented on previous conversations relating to the mental health aspect, that a new facility would not necessarily be a cure-all.

Alderman Lower stated that neither of the projects are viewed as a negative. He is not sure whether it has the economic impact that Hamilton-Bunn extension actually has. In looking at a major employer for the area which dorfts most of the employment in our area. In getting those folks back and forth to one of their or several of their facilities. We do have a number of transportation and safety issues that needs to be resolved. He expressed concern with joining the two projects.

Alderman Fruin stated that he is in support of the Connect Transit Project, and acknowledged some of the work that had already been completed on the Hamilton Road as have been documented over the past several years.

Motion by Alderman Hauman, seconded by Alderman Mwilambwe recommend that the Resolution Supporting the Connect Transit & McLean County TIGER 2015 Grant Application and directing staff to not submit an application for the Hamilton Road – Bunn to Commerce Connection Project.

Mr. Karch stated that the roadwork entails 7.2 mile stretch of roadway near Fox Creek Subdivision and east Campus where it ends at State Farm. The issue is that you have one gap of a 1000 ft. road is busy, so it is projected that 15,000 vehicles per day when it is completed. It handles the major east/west roadway...

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

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

Nays: None.

Absent: Painter

Motion: Carried

The following was presented:

Item 8D. Draft review of the Transportation Improvement Plan (TIP) five-year (FY 16 – FY 20) annual plan to collate the improvement programs envisioned by the various local transportation entities: Town of Normal, McLean County, Bloomington, Connect Transit and Central Illinois Regional Airport.

Mr. Hales provided a brief overview of this item indicating that this is a five-year plan that is subject to change once completed and will be brought back to Council for consideration.

Mr. Karch provided an overview of the Plan stating that this is something that the City has done for some time, and is intended to reflect our attention instead of driving it. The Council driving attention over our Capital projects through budgets that you pass and through the long-term capital plan. This is a conglomeration of a lot of stakeholders. Stated that the dated will be provided later this summer for the Transportation Improvement lan.

Alderman Fruin stated that he agrees with everything that [we] are doing. He stated that staff should exercise caution in moving forward with the TIP.

Mr. Karch commented on acronyms that are used throughout the industry.

Motion by Alderman Black, seconded by Alderman Schmidt that the Council accept the draft Transportation Improvement Plan and acknowledged support of the plan to City staff.

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

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

Nays: None.

Absent: Painter

Motion carried.

The following was presented:

Item 8E. Consideration of approval of an Intergovernmental Agreement between Illinois State Department of Transportation (IDOT) for a 10-year period to maintain streets within City limits that are controlled by IDOT. First year payment to the City will be \$95,174.57 and payment adjustments will occur annually based on a standardized formula outlined in the agreement.

Mr. Hales provided a brief overview of the Intergovernmental Agreement, stating we are committed to doing a better job in collecting data and maintaining agreements with IDOT. It is the opinion of staff that we spend more money to maintain city streets than the amount that IDOT is providing to the City.

Alderman Schmidt inquired about the flexibility of the contract with IDOT in developing [our] vision.

Mr. Kothe stated that the item before Council is simply a maintenance agreement that City staff is seeking approval.

Mr. Hales stated that the City has not done a good job in meeting with IDOT, that perhaps in the further the City would explore having a joint meeting with IDOT.

Motion by Alderman Schmidt seconded by Alderman Mwilambwe that the Intergovernmental Agreement between Illinois State Department of Transportation and the City in the amount of \$95,174.57 in Year One and with the amount adjusted annually as stipulated for a 10-year period to maintain streets within City limits that are controlled by IDOT be approved and authorize Mayor and City Clerk to execute the necessary documents.

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

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

Nays: None.

Absent: Painter

Motion carried.

Motion by Alderman Schmidt, seconded by Alderman Hauman, that the meeting be adjourned. Time: 8:12 p.m.

Motion carried.

Cherry L. Lawson, C.M.C.
City Clerk