

**REGULAR CITY COUNCIL MEETING SESSION  
PUBLISHED BY THE AUTHORITY OF THE CITY COUNCIL  
OF BLOOMINGTON, ILLINOIS  
TUESDAY, MAY 26, 2015; 7:00 P.M.**

**1. CALL TO ORDER**

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

**2. PLEDGE OF ALLEGIANCE TO THE FLAG**

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:

**4. ROLL CALL**

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.

**5. PUBLIC COMMENT**

**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.**

**6. RECOGNITION/APPOINTMENTS**

**The following was presented:**

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

**The following was presented:**

Appointment of Arthur Haynes to the Bloomington Housing Authority

**The following was presented:**

Appointment of Julian Westerhout to the Board of Library Trustees.

**The following was presented:**

Reappointment of John Bowman to the Public Transit Board.

## **7. CONSENT AGENDA**

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, and Buragas and Mwilambwe.**

**Nays: None.**

**Recuse: Alderman Mwilambwe.**

**Absent: Alderman Painter.**

**Motion carried.**

**The following was presented:**

**SUBJECT:** Council Proceedings of May 11, 2015 and Work Session of April 27, 2015

**RECOMMENDATION/MOTION:** That the reading of the minutes of the previous Council Proceedings of May 11, 2015 and Work Session of April 27, 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 May 11, 2015 and Work Session of April 27, 2015 have been reviewed and certified as correct and complete by the City Clerk.

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

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

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

**FINANCIAL IMPACT:** Not applicable.

Respectfully submitted for Council consideration.

Prepared by: Renee Gooderham, Chief Deputy Clerk

Reviewed by: Cherry Lawson, City Clerk

Recommended by:

David A. Hales  
City Manager

**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: Alderman Painter.**

**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 \$7,690,113.03, (Payroll total ~~\$2,289,166.09~~ \$2,289,166.09, and Accounts Payable total \$5,259,336.25).

Respectfully submitted for Council consideration.

Prepared by: Patti-Lynn Silva, Director of Finance

Recommended by:

David A. Hales  
City Manager

**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: Alderman Painter.**

**Motion carried.**

**The following was presented:**

**SUBJECT:** 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

**RECOMMENDATION/MOTION:** That the appointments to the Scott Estate Health Care Trust Investment Committee, Bloomington Housing Authority, Board of Library Trustees, and the Public Transit Board 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 affirmation of the following appointments:

**Scott Estate Health Care Trust Investment Committee:** Mr. John Concklin of 219 Parkview Drive, Bloomington, IL 61701 to the Scott Estate Health Care Trust Investment Committee. On October 23, 1992, the Judge of the Circuit Court approved the Trustee recommendation for the diversification of Trust investments and requested Trustees to appoint an Investment Committee, a custodial bank, and an investment manager.

On October 28, 1999, the City Council, as Trustee of the John M. Scott Health Care Trust, adopted and approved a revised Investment Policy, entitled “John M. Scott health Care Trust Investment Procedures and Policies. This Policy states that “Individuals serving on the Investment Committee must be recommended by the Scott Commission and approved by the Trustee. As a Subcommittee of the Scott Health Care Commission, the Investment Committee must be authorized to oversee and make investment decisions, select investment managers, allocate or reallocate funds among the various types of investment or managed funds for the Trust, subject to the review and approval of the Scott Health Care Commission and the Trustee.”

Bloomington Housing Authority: Arthur Haynes of 702 W Mill Street, Bloomington, IL 61701 to the Bloomington Housing Authority. His four (4) year term will be 5/1/15 – 4/30/19.

Board of Library Trustees: Julian Westerhout of 816 E Monroe, Bloomington, IL 61701 to the Board of Library Trustees. His four (4) year term will be 5/1/15 – 4/30/19.

I ask your concurrence in the reappointment of:

Public Transit Board: John Bowman of 3611 Pamela Drive, Bloomington, IL 61704 to the Public Transit Board. His four (4) year term will be 7/1/15 – 6/30/19.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** Mayor contacts all recommended appointments Council approve the appointments to the Scott Estate Health Care Trust Investment Committee, Bloomington Housing Authority, Board of Library Trustees, and the Public Transit Board.

**FINANCIAL IMPACT:** None.

Respectfully submitted for Council consideration.

Prepared by: M. Beth Oakley, Executive Asst.

Reviewed by: Steve Rasmussen, Assistant City Manager

Recommended by:

Tari Renner  
Mayor

**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: Alderman Painter.**

**Motion carried.**

**The following was presented:**

**SUBJECT:** 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)

**RECOMMENDATION/MOTION:** 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.

**STRATEGIC PLAN LINK:** Goal 2 - Upgrade City Infrastructure and Facilities; Goal 4 - Strong Neighborhoods; Goal 5 - Great Place – Livable, Sustainable City.

**STRATEGIC PLAN SIGNIFICANCE:** Objective 2a - Better quality roads and sidewalks; Objective 4d - Improved neighborhood infrastructure; Objective 5a - Well-planned City with necessary services and infrastructure.

**BACKGROUND:** The Public Works Department prepared the General Resurfacing FY 2016 proposal package and advertised the project for competitive bids. Bids for this contract were received until 1:00 p.m. Monday, May 11, 2015 in the office of the City Clerk. A lone bid was received and opened in the City Council Chambers. The single bid was submitted by Rowe Construction.

Rowe Construction – Bid Amount	\$755,215.78
Engineer’s Estimate	\$969,593.30
Total City LMFT Funds	\$765,000.00

The General Resurfacing FY 2016 proposal package was prepared by Public Works Staff to include a scope of work greater than the Local Motor Fuel Tax (LMFT) allocation amount for this contract. Staff was optimistic that by creating two (2) street resurfacing projects (General Resurfacing and Street & Alley Repair) this year competition would increase from the contracting community for these projects and in turn reduce the unit prices from those seen in years past. Multiple contractors requested proposal packages for both of the street resurfacing projects and as shown above, the low bidder (Rowe Construction) submitted a bid that was lower than the engineer’s estimate.

Based on the Local Motor Fuel Tax funding allocation shown below, Staff recommends awarding the contract for \$765,000.

The FY 2016 Local Motor Fuel Tax (LMFT) funding has been allocated as follows –

<u>Local Motor Fuel Tax (LMFT) Funding Distribution</u>	
General Resurfacing FY 2016	\$1,160,000
Street & Alley Repair FY 2016	\$765,000
Pavement Preservation FY 2016	\$75,000
Sidewalk Replacement & Handicap Ramp Program FY 2016	\$400,000
Total City LMFT Funds	\$2,400,000

A unit price comparison of the major work items is shown in the table below:

<b>ITEM DESCRIPTION</b>	<b>UNITS</b>	<b>FY 2015 (Bond) Unit Price</b>	<b>FY 2016 Unit Price</b>	<b>Change (\$) FY 2015 - FY 2016</b>	<b>Change (%) FY 2015 - FY 2016</b>
Inlets to be Adjusted	EA	\$950.00	\$1,015.69	\$65.69	6.91%
Inlets to be Reconstructed - Type 3 Frame & Grate	EA	\$1,918.86	\$2,484.29	\$565.43	29.47%
Pavement Patching	SY	\$95.86	\$92.49	(\$3.37)	-3.52%
Comb Concrete Curb & Gutter - Spot Repair	LF	\$86.27	\$87.27	\$1.00	1.16%
Polymerized HMA Surface Course	TON	\$111.61	\$106.47	(\$5.14)	-4.61%
Polymerized Leveling Binder, Machine Method	TON	\$126.66	\$112.05	(\$14.61)	-11.53%
Surface Removal, 1 3/4"	SY	\$4.80	\$3.54	(\$1.26)	-26.25%
Thermoplastic Pavement Marking Line 6"	LF	\$1.17	\$1.95	\$0.78	66.67%

Since the bid documents allow for the addition and removal of work items, contracts for the entire amount of the LMFT allocated budget amount will be awarded. The contract completion date for this project is November 13, 2015.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** This work was advertised in The Pantagraph on April 27 and May 4, 2015 and a pre-bid meeting was held at 10:30 a.m. on May 4, 2015 in the Public Works Department Conference Room.

**FINANCIAL IMPACT:** The FY 2016 Adopted Budget includes \$2,400,000 in Local Motor Fuel Tax for pavement preservation, sidewalks, general resurfacing and street & alley repair. The \$765,000 for FY 2016 General Resurfacing is budgeted in the Capital Improvement Fund-Street Construction & Improvements Account (40100100-72530). Stakeholders can locate this

in the FY 2016 Proposed Budget Book titled "Other Funds & Capital Improvement Program" on pages 74, 199 and 231.

Respectfully submitted for Council consideration.

Prepared by: Robert Yehl, PE, Assistant City Engineer  
Reviewed by: Jim Karch, PE CFM, Public Works Director  
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

**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: Alderman Painter.**

**Motion carried.**

**The following was presented:**

**SUBJECT:** 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)

**RECOMMENDATION/MOTION:** 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.

**STRATEGIC PLAN LINK:** Goal 2 - Upgrade City Infrastructure and Facilities; Goal 4 - Strong Neighborhoods; Goal 5 - Great Place – Livable, Sustainable City.

**STRATEGIC PLAN SIGNIFICANCE:** Objective 2a - Better quality roads and sidewalks; Objective 4d - Improved neighborhood infrastructure; Objective 5a - Well-planned City with necessary services and infrastructure.

**BACKGROUND:** The Public Works Department prepared the Street & Alley Repair FY 2016 proposal package and advertised the project for competitive bids. Bids for this contract were received until 1:00 p.m. Monday, May 11, 2015 in the office of the City Clerk. Two (2) bids were received and opened in the City Council Chambers.

	Engineer's Estimate	Rowe Construction	HJ Eppel & Company
Base Scope	\$1,584,693.00	\$1,281,983.38	\$1,534,937.25
Alternate CDBG Catherine Street Scope	\$39,235.00	\$37,820.29	\$36,588.50
Base Scope + Alternate CDBG Catherine Street Scope	\$1,623,928.00	\$1,319,803.67	\$1,571,525.75

As shown above, the contract package included a base bid, as well as an alternate bid that utilizes Community Development Block Grant (CDBG) Funds for curb & gutter, and roadway resurfacing on Catherine Street.

The Street & Alley Repair FY 2016 proposal package was prepared by Public Works Staff to include a scope of work greater than the Local Motor Fuel Tax (LMFT) allocation amount for this contract. Staff was optimistic that by creating two (2) street resurfacing projects (General Resurfacing and Street & Alley Repair) this year competition would increase from the contracting community for these projects and in turn reduce the unit prices from those seen in years past. Multiple contractors requested proposal packages for both of the street resurfacing projects and as shown above, the low bidder (Rowe Construction) submitted a bid that was lower than the engineer’s estimate.

Based on the Local Motor Fuel Tax funding allocation shown below, as well as the budgeted CDBG and Water Department funds, Staff recommends awarding the contract for \$1,350,000. The FY 2016 Local Motor Fuel Tax (LMFT) funding has been allocated as follows –

<u>Local Motor Fuel Tax (LMFT) Funding Distribution</u>	
General Resurfacing FY 2016	\$1,160,000
Street & Alley Repair FY 2016	\$765,000
Pavement Preservation FY 2016	\$75,000

Sidewalk Replacement & Handicap Ramp Program FY 2016	\$400,000
Total City LMFT Funds	\$2,400,000

A unit price comparison of the major work items (alternate not included) is shown in the table below:

ITEM DESCRIPTION	UNITS	FY 2015 (Bond) Unit Price	FY 2016 Unit Price	Change (\$) FY 2015 - FY 2016	Change (%) FY 2015 - FY 2016
Manholes to be Adjusted	EA	\$900.00	\$1,178.41	\$278.41	30.93%
Manholes to be Adjusted, Special, Type 1		\$1,200.00	\$1,146.49	(\$53.51)	-4.46%
Inlets to be Reconstructed - Type 3 Frame & Grate	EA	\$1,918.86	\$1,852.26	(\$66.60)	-3.47%
Pavement Patching	SY	\$95.86	\$74.42	(\$21.44)	-22.37%
Class D Patches, Special	SY	\$88.31	\$73.51	(\$14.80)	-16.76%
Comb Concrete Curb & Gutter - Spot Repair	LF	\$86.27	\$73.95	(\$12.32)	-14.28%
Porous Granular Embankment, Special 1	CY	\$60.75	\$62.28	\$1.53	2.52%
Hot-Mix Asphalt Surface Course	TON	\$99.59	\$88.95	(\$10.64)	-10.68%
Leveling Binder, Machine Method, Mix C N50	TON	\$110.25	\$101.76	(\$8.49)	-7.70%
Surface Removal, 1 1/2"	SY	\$4.75	\$3.40	(\$1.35)	-28.42%
Surface Removal, 2 1/4" / 2 1/2"	SY	\$5.90	\$5.55	(\$0.35)	-5.93%

Since the bid documents allow for the addition and removal of work items, contracts for the entire amount of the LMFT allocated budget amount will be awarded. The contract completion date for this project is November 13, 2015. The Catherine Street scope of work will not begin until after the sewer improvements (under separate contract) have been completed. Provisions are included in the contract to extend the completion date of this contract to 2016 in order to allow completion of sewer improvements (under a separate contract) prior to this contract's Catherine Street scope of work.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** This work was advertised in The Pantagraph on April 27 and May 4, 2015 and a pre-bid meeting was held at 11:30 a.m. on May 4, 2015 in the Public Works Department Conference Room.

**FINANCIAL IMPACT:** The FY 2016 Adopted Budget includes \$2,000,000 in Local Motor Fuel Tax for pavement preservation, general resurfacing and street & alley repair. The \$1,350,000 for FY 2016 General Resurfacing is budgeted as follows: \$1,160,000 in the Capital

Improvement Fund-Street Construction & Improvements Account (40100100-72530), \$150,000 in the Lake Maintenance-Street Construction & Improvement Account (50100140-72530). \$150,000 will be transferred from Water Purification-Water Plant Maintenance & Construction (50100130-72590) in the FY 2016 Budget to the Lake Maintenance-Street Construction & Improvement Account (50100140-72530) to cover the Water Fund portion. The Community Development Block Grant portion will be paid out of Community Development Capital Improvement-Street Construction & Improvement Account (22402440-72530-52000). \$40,000 will be transferred from Community Development Rehabilitation Grants (22402430-79130-51000) in the FY 2016 Budget to Community Development Capital Improvement-Street Construction & Improvement Account (22402440-72530-52000) to cover Community Development share. Stakeholders can locate this in the FY 2016 Proposed Budget Book titled "Other Funds & Capital Improvement Program" on pages 74, 199 and 231.

Respectfully submitted for Council consideration.

Prepared by: Robert Yehl, PE, Assistant City Engineer  
Reviewed by: Jim Karch, PE CFM, Public Works Director  
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

**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: Alderman Painter.**

**Motion carried.**

**The following was presented:**

**SUBJECT:** 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)

**RECOMMENDATION/MOTION:** 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.

**STRATEGIC PLAN LINK:** Goal 2. Upgrade City infrastructure and facilities; Goal 4. Strong neighborhoods; and Goal 5. Great place – livable, sustainable City.

**STRATEGIC PLAN SIGNIFICANCE:** Objective 2a. This project upgrades sidewalks throughout the City, providing better pedestrian access. It also improves the infrastructure in neighborhoods, providing residents with a way to contribute to the quality of the sidewalks in their neighborhood. Objective 4d. Improved neighborhood infrastructure; Objective 5a. Well-planned City with necessary services and infrastructure.

**BACKGROUND:** Bids for this contract were received until 1:00 p.m. Monday, May 11, 2015 in the office of the City Clerk. Three (3) bids were received and opened in the Council Chambers.

<b>Contractor:</b>		<b>Bid Amount</b>
J.G. Stewart, Inc., Bloomington, IL	<i>Low Bid</i>	\$ 433,941.50
Stark Excavating, Inc.		\$ 502,310.50
George Gildner, Inc., Bloomington, IL		\$ 448,066.50
Engineer's Estimate:		\$ 440,172.25

This project includes the upgrade of any non-ADA compliant sidewalk access ramps and replacement of sidewalk that is not considered serviceable along the streets to be resurfaced under the General Resurfacing FY 2016 and Street and Alley Repair FY 2016 contracts.

Sidewalk ramps adjacent to pavement alterations are required to be brought into compliance with current ADA standards. Street resurfacing is considered to be a pavement alteration requiring ADA compliance. This project brings the ramps along the resurfaces streets into compliance as required.

The substantial completion date for this project is in the bid documents as November 13, 2015.

The FY 2016 Local Motor Fuel Tax (LMFT) funding has been allocated as follows –

<u>Local Motor Fuel Tax (LMFT) Funding Distribution</u>	
General Resurfacing FY 2016	\$1,160,000
Street & Alley Repair FY 2016	\$765,000
Pavement Preservation FY 2016	\$75,000
Sidewalk Replacement & Handicap Ramp Program FY 2016	\$400,000
Total City LMFT Funds	\$2,400,000

A unit price comparison of five (5) major work items is shown in the table below.

<b>DESCRIPTION</b>	<b>UNITS</b>	<b>FY 2015 (bond) Unit Price</b>	<b>FY 2016 Unit Price</b>	<b>Change (\$) FY15 – FY16</b>	<b>Change (%) FY15 – FY16</b>
4" sidewalk remove/replace	SF	\$6.40	\$7.47	\$1.07	14.32%
6" sidewalk remove/replace	SF	\$6.75	\$8.07	\$1.32	16.35%
saw cutting	SF	\$1.65	\$1.65	\$0.00	0.00%
curb replacement	LF	\$23.00	\$24.00	\$1.00	4.17%
retaining wall	SF	\$40.00	\$75.00	\$35.00	46.67%

Since the bid documents allow for the addition and removal of repair locations, a contract for the entire budget amount will be awarded. The contract completion date for this project is November 13, 2015.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** This work was advertised in The Pantagraph on April 27 and May 4, 2015 and a pre-bid meeting was held at 9:30 a.m. on May 4, 2015 in the Public Works Department's Conference Room.

**FINANCIAL IMPACT:** The \$400,000 is included in the FY 2016 Adopted Budget in the Capital Improvement Fund-Sidewalk Construction Account (40100100-72560). This can be located in the FY 2016 Proposed Budget Book titled "Other Funds & Capital Improvement Program" on pages 74, 199, 232 and 233.

Respectfully submitted for Council consideration.

Prepared by: Anthony J. Meizelis, P.E., Civil Engineer I

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

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

**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: Alderman Painter.**

**Motion carried.**

**The following was presented:**

**SUBJECT:** 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)

**RECOMMENDATION/MOTION:** 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.

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

**STRATEGIC PLAN SIGNIFICANCE:** Objective 1b. Budget with adequate resources to support defined services and level of services. Objective 2d. Well designed, well maintained City facilities emphasizing productivity and customer service.

**BACKGROUND:** On June 23, 2014, Council executed the FY 2015 Utility Maintenance Contract with George Gildner, Inc. in the amount of \$500,000. This Contract provided for any maintenance needs within the Water Department. The change order is necessary to extend the Contract to pay for the installation of two fire protectus meters at Hudson and Towanda. A portion of the change order will also cover the Water Department changing the turbine meters that are located at our wholesale customers to fire protectus meters. The new fire protectus meters will measure low and high flows with minimal flow loss to provide the best fire

protection. The old turbine meters will only read down to 1 gallon on the low flow side, the new fire protectus meter will read down to 1/8 of a gallon which will produce better water accountability and more revenue for the water fund. A portion of this work has already been completed, as necessary repiping while the original work was being completed.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** This work was advertised in The Pantagraph on May 27<sup>th</sup> and June 2<sup>nd</sup>, 2014, and a pre-bid meeting was held at 10:00 a.m. on June 2, 2014, in the Public Works Department Conference Room.

**FINANCIAL IMPACT:** The change order will be paid out of the FY 2016 Budget under the Water Transmission & Distribution-Repair/Maintenance Infrastructure Account (50100120-70550). Stakeholders can locate this in the FY 2016 Proposed Budget Book titled “Other Funds & Capital Improvement Program” on page 100.

	<u>ORIGINAL</u>	<u>REVISED</u>
Storm Water (53103100-70550)	\$200,000	\$200,000
Storm Water (53103100-70556)	\$0	\$0
Sanitary Sewer (51101100-70550)	\$200,000	\$200,000
Water Transmission & Dist. (50100120-72540)	<b>\$100,000</b>	<b>\$225,000</b>
<b>Total Contract:</b>	<b>\$500,000</b>	<b>\$625,000</b>

Respectfully submitted for Council consideration.

Prepared by: Brett Lueschen, Interim Water Director

Reviewed by: Brett Lueschen, Interim Water Director

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

Reviewed by: Steve Rasmussen, Assistant City Manager

Legal review by: Jeffery R. Jurgens, Corporation Counsel

Recommended by:

David A. Hales  
City Manager

**RESOLUTION NO. 2015 - 19****A RESOLUTION AUTHORIZING A CHANGE ORDER  
IN THE AMOUNT OF \$125,000 IN THE CONTRACT BETWEEN THE  
CITY OF BLOOMINGTON AND the FY 2015 UTILITY MAINTENANCE CONTRACT**

WHEREAS, the City of Bloomington has previously entered into a contract with Gildner Inc.

WHEREAS, a change order is necessary to pay for changing the turbine meters that are located at our wholesale customers to fire protectus meters. The new fire protectus meters will measure low and high flows with minimal flow loss to provide the best fire protection. The old turbine meters will only read down to 1 gallon on the low flow side, the new fire protectus meter will read down to 1/8 of a gallon which will produce better water accountability and more revenue for the water fund.

WHEREAS, it is the finding of the City Council that the decision to perform the work described in the memo was in the best interest of the citizens of the City of Bloomington.

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

That a change order in the amount of \$125,000 in the contract between the City of Bloomington and be approved.

APPROVED this 26<sup>th</sup> day of May, 2015.

**CITY OF BLOOMINGTON**

**ATTEST**

Tari Renner, Mayor

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

**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: Alderman Painter.**



**Motion carried.**

**The following was presented:**

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

**RECOMMENDATION/MOTION:** That 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.

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

**STRATEGIC PLAN SIGNIFICANCE:** Objective 2b. Quality water for the long term and 2d. Well-designed, well-maintained City facilities emphasizing productivity and customer service.

**BACKGROUND:** The City Council awarded Gildner Excavating Inc. on April 28, 2014 to construct a new water main along Parmon Ave. The engineering work for the construction project was completed by Clark Dietz Inc. Due to the unexpected elevation of the water and sewer services the sewer services are in conflict with the water services. The Illinois Environmental Protection Agency requires the sewer services to be at least 18 inches vertical and at least 10 feet horizontal separation or the sewer service be constructed out of water main quality material. Staff is recommending that the contractor replace the sewer services with the water main quality material because of cost and time. The water and sewer services along Parmon Ave. are typical of what we find in the older neighborhoods, which the services were ran in the same trench.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** The residents along Parmon Ave.

**FINANCIAL IMPACT:** The Change Order in the amount of \$148,784.00 will be paid out of FY 2016 Budget under the Water Transmission & Distribution-Water Main Construction & Improvement Account (50100120-72540). Stakeholders can locate this in the FY 2016 Proposed Budget Book titled "Other Funds & Capital Improvement Program" on page 101.

Respectfully submitted for Council consideration.

Prepared by: Brett Lueschen, Interim Water Director

Reviewed by: Steve Rasmussen, Assistant City Manager

Financial & budgetary review by: Chris Tomerlin, Budget Analyst  
Patti-Lynn Silva, Finance Director

Legal review by: Jeffery R. Jurgens, Corporation Counsel

Recommended by:

David A. Hales  
City Manager

**RESOLUTION NO. 2015 - 20**

**A RESOLUTION AUTHORIZING A CHANGE ORDER  
IN THE AMOUNT OF \$148,784.00 IN THE CONTRACT BETWEEN THE  
CITY OF BLOOMINGTON AND GILDNER EXCAVATING INC. FOR THE WATER  
REPLACEMENT ON PARMON AVE.**

WHEREAS, the City of Bloomington has previously entered into a contract with Gildner Inc. WHEREAS, for the reason due to the unexpected elevation of the water and sewer services the sewer services are in conflict with the water services. The Illinois Environmental Protection Agency requires the sewer services to be at least 18 inches vertical and at least 10 feet horizontal separation or the sewer service be constructed out of water main quality material. Staff is recommending that the contractor replace the sewer services with the water main quality material because of cost and time. The water and sewer services along Parmon Ave. are typical of what we find in the older neighborhoods, which the services were ran in the same trench.

WHEREAS, it is the finding of the City Council that the decision to perform the work described in the memo was in the best interest of the citizens of the City of Bloomington.

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

That a change order in the amount of \$148,784.00 in the contract between the City of Bloomington and be approved.

APPROVED this 26<sup>th</sup> day of May 2015.

**CITY OF BLOOMINGTON**

**ATTEST**

Tari Renner, Mayor

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

**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:** Alderman Painter.

**Motion carried.**

**The following was presented:**

**SUBJECT:** 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

**RECOMMENDATION/MOTION:** 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.

**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 Benjamin Watkins and Jennifer Weber to allow moderate consumption of alcohol at their June 12, 2015 wedding reception to be held at Davis Lodge.

Present were Commissioners Tari Renner, Geoffrey Tompkins and Jim Jordan. City staff present were Assistant Corporation Counsel, George Boyle and Chief Deputy Clerk, Renee Gooderham. Benjamin Watkins, the groom.

Benjamin Watkins, the groom, addressed the Commission. He stated that Biaggi's would be catering the event. Beer and wine only would be served.

Motion by Commissioner Tompkins, seconded by Commissioner Jordan that the request of Benjamin Watkins and Jennifer Weber to allow moderate consumption of alcohol at the Davis Lodge for their June 12, 2015 wedding reception be approved.

Motion carried, (viva voce).

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** The Agenda for the May 12, 2015 Meeting of the Liquor Commission was placed on the City's web site. There also is a list serve feature for the Liquor Commission.

**FINANCIAL IMPACT:** None.

Respectfully submitted for Council consideration.

Prepared by: Renee Gooderham, Chief Deputy Clerk

Reviewed by: Brett Lueschen, Interim Water Director

Reviewed by: Steve Rasmussen, Assistant City Manager

Recommended by:

Tari Renner  
Mayor

**ORDINANCE NO. 2015 - 27**

**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 DAVIS LODGE**

WHEREAS, Benjamin Watkins and Jennifer Weber are planning to hold their wedding reception at the Davis Lodge from 4:00 p.m. to 11:00 p.m. on June 12, 2015; and

WHEREAS, Benjamin Watkins and Jennifer Weber have requested permission from the City to serve beer and wine during this event; and

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

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

Section 1: That Sections 701(a), (b) and (c) of Chapter 31 and Section 26(d) of Chapter 6 of the Bloomington City Code, 1960, as amended, are suspended for the duration of the wedding reception at the Davis Lodge on June 12, 2015 under the conditions set forth in the rental agreement.

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

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

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

PASSED and ADOPTED this 26<sup>th</sup> day of May.

**CITY OF BLOOMINGTON**

**ATTEST**

Tari Renner, Mayor

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

**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: Alderman Painter.**

**Motion carried.**

**The following was presented:**

**SUBJECT:** 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

**RECOMMENDATION/MOTION:** That 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.

**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 Central Illinois Development (CID) to allow moderate consumption of alcohol at their June 16, 2015 owner's meeting to be held at Davis Lodge.

Present were Commissioners Tari Renner, Geoffrey Tompkins and Jim Jordan. City staff present were Assistant Corporation Counsel, George Boyle and Chief Deputy Clerk, Renee Gooderham. Jeannine Sabanas, CID's business consultant.

Jeannine Sabanas, CID's business consultant, addressed the Commission. She stated that Times Past Inn would be catering the event. Beer and wine only would be served.

Motion by Commissioner Tompkins, seconded by Commissioner Jordan that the request of Central Illinois Development to allow moderate consumption of alcohol at the Davis Lodge for their June 16, 2015 owner's meeting be approved.

Motion carried, (viva voce).

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** The Agenda for the May 12, 2015 Meeting of the Liquor Commission was placed on the City's web site. There also is a list serve feature for the Liquor Commission.

**FINANCIAL IMPACT:** None.

Respectfully submitted for Council consideration.

Prepared by: Renee Gooderham, Chief Deputy Clerk

Reviewed by: Brett Lueschen, Interim Water Director

Reviewed by: Steve Rasmussen, Assistant City Manager

Recommended by:

Tari Renner  
Mayor

**ORDINANCE NO. 2015 - 29**

**AN ORDINANCE SUSPENDING PORTIONS OF SECTION 701 OF CHAPTER 31 AND SECTION 26(d) OF CHAPTER 6 OF THE BLOOMINGTON CITY CODE FOR A OWNER'S MEETING AT THE DAVIS LODGE**

WHEREAS, Central Illinois Development are planning to hold their owner's meeting at the Davis Lodge from 1:00 p.m. to 7:00 p.m. on June 16, 2015; and

WHEREAS, Central Illinois Development 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 owner's meeting at the Davis Lodge on June 16, 2015 under the conditions set forth in the rental agreement.

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

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

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

PASSED AND ADOPTED this 26<sup>th</sup> day of May.

**CITYOF BLOOMINGTON**

**ATTEST**

Tari Renner, Mayor

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

**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: Alderman Painter.**

**Motion carried.**

**The following was presented:**

**SUBJECT:** 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

**RECOMMENDATION/MOTION:** That 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.

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

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

**BACKGROUND:** On August 14, 2006, Council approved the Final Plat for Second Addition to Royal Links Subdivision. Lot 78, 3215 Baer Road, of the subdivision included a 20 foot drainage and utility easement along the back property line. However, construction of the subdivision did not require placement of an oversized drainage way along the back property line and a 6 foot utility easement is now adequate for all current and future needs.

As the current homeowner now desires to make improvements to the property which will encroach on the existing easement, it is now reasonable and proper to vacate the north 14 feet of the existing 20 foot easement along the south property line.

No public improvements are being constructed as part of this easement vacation.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** Petitioner/Owner 3215 Baer Road.

**FINANCIAL IMPACT:** The cost of survey, plat and recording will be borne by the petitioner.

Respectfully submitted for Council consideration.

Prepared by: Greg Kallevig, PE, CFM, Civil Engineer II

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

Reviewed by: Steve Rasmussen, Assistant City Manager

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

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:

David A. Hales  
City Manager

**PETITION FOR VACATION OF PART OF A DRAINAGE/UTILITY EASEMENT IN  
LOT 78 OF SECOND ADDITION TO ROYAL LINKS SUBDIVISION**

STATE OF ILLINOIS        )  
  ) ss.  
COUNTY OF MCLEAN     )

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

Now comes Eric Micheletti, owner 3215 Baer Road, hereinafter referred to as the Petitioner,  
respectfully representing and requesting as follows:

1. That the Petitioner is interested as authorized representative in the premises hereinafter described in Exhibit A attached hereto and made a part hereof by this reference;
2. That the Petitioner seeks approval of the vacation of the north fourteen feet (14') of a twenty foot (20') wide drainage and utility easement along the south property line of said premises as described in Exhibit A and shown on the Easement Vacation Plat attached hereto and made part hereof by this reference ;
3. That said vacation of easements is reasonable and proper because such easements are not needed for the utilities by said City and by the utility companies either for existing or future utilities.

WHEREFORE, the Petitioner prays that said easements be vacated.

July 28, 2015

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Respectfully submitted,

By: Eric Micheletti

**ORDINANCE NO. 2015 - 30****AN ORDINANCE PROVIDING FOR THE VACATION OF PART OF A DRAINAGE/UTILITY EASEMENT IN LOT 78 OF SECOND ADDITION TO ROYAL LINKS SUBDIVISION**

WHEREAS, there was heretofore filed with the City Clerk of the City of Bloomington, McLean County, Illinois, a petition requesting vacation of the north fourteen feet (14') of a twenty foot (20') wide drainage and utility easement along the south property line of 3215 Baer Drive; and

WHEREAS, said petition complies in all respects with the ordinances of said City and the statutes of the State of Illinois in such case made and provided; and

WHEREAS, the City Council of said City has the power to pass this Ordinance and grant said vacation; and

WHEREAS, it is reasonable and proper to vacate said easements as requested in this case.

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

1. That the north fourteen feet (14') of a twenty foot (20') wide drainage and utility easement along the south property line of 3215 Baer Drive, as described in Exhibit A is hereby vacated.
2. That this ordinance shall be in full force and effective as of the time of its passage and approval.

PASSED and ADOPTED this 26<sup>th</sup> day of May, 2015.

**CITY OF BLOOMINGTON**

**ATTEST**

Tari Renner, Mayor

Cherry L. Lawson, City Clerk

**EXHIBIT A**

## Description of Easement to be vacated

The North 14.00 feet of the South 20.00 feet of Lot 78, in the Second Addition to Royal Links Subdivision according to the plat recorded September 12, 2006 as Document No. 25260 in the McLean County Recorder's Office, except the East 5.00 feet thereof, and also except the West 5.00 feet thereof.

PIN 15-30-106-032

**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: Alderman Painter.**

**Motion carried.**

**The following was presented:**

**SUBJECT:** Lake Bloomington Lease Transfer Petition for Lot 2, Block 4 of Camp Kickapoo, from Joseph & Sally Diemer to David & Carol Waibel

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

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

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

**BACKGROUND:** The sewage disposal system inspection was completed in April 2015. The septic system appears to be functioning normally. The septic tank does not need to be pumped but should be checked regularly. The water level in the 1000 gal tank is at the middle seam, which is an indication that the tank may be leaking. A chlorine tablet should be placed in the chlorinator tube regularly. The age of the sewage disposal system is over twenty-five (25) years. The McLean County Health Department estimates sewage disposal systems have an average life span of approximately twenty to twenty-five (20-25) years. However, this can be affected greatly by usage patterns of the premises (seasonal versus full time occupancy) and system maintenance.

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

**FINANCIAL IMPACT:** This petition will have a neutral financial impact given the current lease uses the current formula, (\$0.40 per \$100 of Equalized Assessed Value), for determining the Lake Lease Fee. With this transfer, the lake lease formula will generate about \$344.31 per year in lease income. This lake lease income will be posted to Lake Maintenance-Lease Income

account (50100140 – 57590). Stakeholders can locate this in the FY 2016 Proposed Budget titled “Other Funds & Capital Improvement Program” on page 104.

Respectfully submitted for Council consideration.

Prepared by: Connie Fralick, Office Manager  
 Reviewed by: Brett Lueschen, Interim Water Director  
 Reviewed by: Steve Rasmussen, Assistant City Manager  
 Financial & budgetary review by: Chris Tomerlin, Budget Analyst  
 Carla A. Murillo, Budget Manager  
 Legal review by: Jeffrey R. Jurgens, Corporation Counsel  
 Recommended by:

David A. Hales  
 City Manager

**Motion by Alderman Schmidt seconded by Alderman Black that the Lake Lease Transfer be approved and the Mayor and City Clerk be authorized to execute the necessary documents.**

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

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

**Nays: None.**

**Absent: Alderman Painter.**

**Motion carried.**

## **8. REGULAR AGENDA**

**The following was presented:**

**SUBJECT:** 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

**RECOMMENDATION/MOTION:** 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

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

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

**BACKGROUND:** WGLT is sponsoring an outdoor summer concert in downtown Bloomington on Saturday, June 13, 2015. This will be the twelfth (12<sup>th</sup>) of what has become an annual event. The organizers have had beer and wine at the previous events and would like to have both available again this year. They would like the people who attend the event to be able to purchase a drink and move about freely within the designated event area rather than have a designated “beer garden”. Beer and wine would be sold only by Bill Hill, Inc., d/b/a Maguire’s, an existing liquor license holder, by an extension of premise for the event. Only beer and wine purchased from the event vendor can be consumed within the designated event area. Outdoor consumption would be allowed between 3:00 p.m. and 10:00 p.m.

The event organizers met with staff, including representatives from the police, legal and administrative departments to review this plan. Given the nature of the event, the type of crowd it attracts and the high degree of involvement by event staff, all concerned believe this plan could work without problems.

Staff prepared an Ordinance suspending the code as needed for this event. Council will note that the Ordinance makes the suspension effective one (1) hour before the sales begin to allow the organizers time to set up for the event and one (1) hour after the event to clean up after. Staff respectfully recommends that the Ordinance be passed.

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

**FINANCIAL IMPACT:** None.

Respectfully submitted for Council consideration.

Prepared by: Renee Gooderham, Chief Deputy Clerk

Reviewed by: Cherry Lawson, City Clerk  
George Boyle, Asst. Corporation Counsel

Reviewed by: Kenneth Bays, Asst. Police Chief

Recommended by:

Tari Renner, Mayor

**ORDINANCE NO. 2015 – 28****AN ORDINANCE SUSPENDING PORTIONS OF SECTION 26(d) OF CHAPTER 6 OF THE BLOOMINGTON CITY CODE TO ALLOW POSSESSION OF OPEN ALCOHOL ON PUBLIC PROPERTY DURING THE WGLT OUTDOOR CONCERT IN DOWNTOWN BLOOMINGTON.**

WHEREAS, WGLT will hold an outdoor concert in downtown Bloomington on June 13, 2015; and

WHEREAS, WGLT requested permission to allow sales and consumption of beer and wine during the concert on Jefferson Street between Main Street and the north/south alley between Center Street and Madison Street and on Center Street between Washington Street and the east/west alley between Jefferson Street and Monroe Street; and

WHEREAS, to allow possession of an open container of alcohol on a public street, Section 26(d) of Chapter 6 of the Bloomington City Code, which prohibits the possession of open containers of alcohol on public streets, must be suspended.

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

Section 1: That Section 26(d) of Chapter 6 of the Bloomington City Code, 1960, as amended, is suspended on the following dates during the following hours: June 13, 2015 between 2:00 p.m. and 11:00 p.m. for Jefferson Street between Main Street and the north/south alley between Center Street and Madison Street and on Center Street between Washington Street and the east/west alley between Jefferson Street and Monroe Street. This suspension shall be effective only as to persons inside the designated area only and for alcohol purchased from an event vendor within the designated area. No alcohol may be taken out of licensed premises into the designated area, notwithstanding the fact that the premises are operated by the event vendor.

Section 2: Except for the dates, times and location set forth in Section 1 of this Ordinance, Section 26(d) of Chapter 6 of the Bloomington City Code, 1969, as amended, shall remain in full force and effect. Nothing in this ordinance shall be interpreted as repealing said Section 26(d).

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

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

PASSED AND ADOPTED this 26<sup>th</sup> day of May, 2015.

**CITY OF BLOOMINGTON**

**ATTEST**



Tari Renner, Mayor

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

**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: Alderman Painter.**

**Recuse: Alderman Mwilambwe.**

**The following was presented:**

**SUBJECT:** An ordinance Amending Chapter 40 of the Bloomington City Code to establish regulations for transportation network providers to operate transportation networks within the City

**RECOMMENDATION/MOTION:** That the Transportation Network Provider Ordinance be adopted and authorize the Mayor and City Clerk 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:** Effective June 1, 2015, the Transportation Network Providers Act (“Act”) becomes effective in the State of Illinois. This Act essentially provides a framework for online transportation network companies (e.g., Uber, Lyft, Sidecar, etc.) to operate within the State, including various insurance and driver eligibility requirements. The Act does not preempt home-rule authority or otherwise prohibit a municipality from further regulating Transportation Network Companies (“TNCs”). Accordingly, the proposed ordinance creates a framework for TNCs to operate within the City. The proposed ordinance mandates the same insurance and driver eligibility requirements as those within the Act. To help ensure public safety, the ordinance further requires any TNC to also certify that background checks have been performed on all drivers and that vehicles have been inspected and can safely be operated. The ordinance also enacts auditing requirements to ensure that any TNC is actually performing the necessary background and vehicle checks. To help cover the cost of enforcement and auditing, there is a \$3,000 annual fee for a TNC license.

Historically, the City has required direct registration and approval of taxicab drivers, as well as vehicle checks performed by the Police Department. Although there are certainly differences between a taxicab and a TNC, there are also similarities. TNCs, like Uber, have typically been resistant to direct registration of their drivers and instead have promoted self-regulation with verification. As this is a new concept, the self-regulation provisions in the proposed ordinance would be done on a one-year trial basis. With such a concept, staff has attempted to draft as many regulations as possible to promote public safety. However, the public should be aware the City will now play less of a regulatory role over drivers and vehicles engaging in the transportation of passengers.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** Staff met with members of the management team of Uber, Illinois on April 6 and May 12, 2015. Email input was also received from Uber regarding the draft ordinance. A meeting was held on April 8, 2015, with taxicab and vehicle for hire company owners on related issues. Additional input was received from owners by email.

**FINANCIAL IMPACT:** If approved user licensing fee of \$3,000 will be received in the General Fund. Accounts will be created and revenues will be tracked and reported throughout the year.

Respectfully submitted for Council consideration.

Prepared by: Jeffrey R. Jurgens, Corporation Counsel

Financial & budgetary review by: Chris Tomerlin, Budget Analyst  
Patti-Lynn Silva, Finance Director

Recommended by:

David A. Hales  
City Manager

**ORDINANCE NO. 2015 - 31**

**AN ORDINANCE AMENDING BLOOMINGTON CITY CODE CHAPTER 40 TO ESTABLISH PERMIT ALTERNATE LICENSING FOR TAXICAB COMPANIES**

**WHEREAS**, the City of Bloomington is a home-rule municipality operating in the State of Illinois; and

**WHEREAS**, the State of Illinois recently adopted the Transportation Network Providers Act (“Act”) that permits the operation of internet transportation providers; and

**WHEREAS**, the City enacted additional regulations beyond the Act to ensure network providers operate in a safe and efficient manner; and

**WHEREAS**, the current model of network providers is to perform background checks and vehicle inspections in-house while allowing municipalities to audit said information; and

**WHEREAS**, the City is willing to utilize the network provider model of background checks and vehicle inspections, on a trial basis for one-year, with routine auditing by the City; and

**WHEREAS**, the City desires to encourage innovation in transportation but also desires to ensure those engaged in public transportation provide same in a clean and safe manner; and

**WHEREAS**, to maintain a level playing field with taxicab companies that operate within the area, the City will allow those providing taxicab service to elect to operate under the transportation network provider model on a trial basis.

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

**SECTION 1.** That the recitals set forth above are hereby adopted and made a part of this Ordinance as if specifically stated herein.

**SECTION 2.** That Bloomington City Code Chapter 40, Article II, is hereby amended by amending Section 201 as follows:

Section 201: Certificate Required.

Except as provided in Section 213 of this Article, no person shall operate or permit a taxicab owned or controlled by him to be operated as a vehicle for hire upon the streets of the City of Bloomington or such other areas to which this Chapter applies pursuant to an intergovernmental cooperation agreement without having first obtained a certificate of public convenience from the City Manager.

**SECTION 3.** That Bloomington City Code Chapter 40, Article II, is hereby amended by adding Section 213 as follows:

Section 213: Election to be Licensed via Article XII

(a) In lieu of the certification and licensure requirements set forth in Articles II and IV of this Chapter, a taxicab company may elect to become licensed under the provisions of Article XII. Upon such election, including payment of the fees set forth in Section 1204, the taxicab company shall be required to complete and meet all the provisions of Article XII pertaining to TNCs. Any such licensure under Article XII shall be subject to the fine and penalty provisions, including revocation, set forth in that Article.

(b) Taxicab companies licensed pursuant to the provisions of Article XII shall conduct background checks as provided in that Article of all drivers operating taxis for the company and shall provide a list of drivers that have passed said background checks to the City. The City shall thereafter issue a permit for each driver meeting the standards for drivers provided in said Article. No company licensed to operate under Article XII shall permit or allow a person to drive a taxicab who has failed to meet the requirements for drivers specified in said Article. The drivers of any and all taxicabs post a driver's identification card in such a place within the taxicab as to be in full view of all passengers while such driver is operating the taxicab.

(c) Taxicab companies and drivers licensed pursuant to the provisions of Article XII shall comply with the vehicle requirements specified in Section 1214 and shall not be governed by the vehicle requirements of Section 501. Taxicab companies and drivers licensed to operate under Article XII shall be subject to all other provisions of Articles V, VI, VII and VIII of this Chapter.

(d) This Section shall sunset, be repealed and no longer effective as of June 1, 2016.

**SECTION 4.** That Bloomington City Code Chapter 40, Article IV, is hereby amended by adding Section 410 as follows:

Section 410: Application of Articles to Taxicab Companies Operating Pursuant to Article XII; Sunset Provision.

Except for Section 408, the provisions of Articles II and IV shall not apply to a taxicab company that has elected to be licensed pursuant to the provisions of Article XII. This Section shall sunset, be repealed and no longer effective as of June 1, 2016.

**SECTION 5.** Except as provided herein, the Bloomington City Code, as amended, shall remain in full force and effect.

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

**SECTION 7.** The City Clerk shall be, and she is hereby directed and authorized, to publish this Ordinance in pamphlet form as provided by law.

**SECTION 8.** This Ordinance shall take effect 10 days from the date of publication by the Clerk.

PASSED AND ADOPTED this 26<sup>th</sup> day of May, 2015.

**CITY OF BLOOMINGTON**

Tari Renner, Mayor

**ATTEST:**

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

**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: Alderman Painter.**

**Motion carried.**

**The following was presented:**

**SUBJECT:** An Ordinance Amending Bloomington City Code Chapter 40 Allowing Taxicab Companies to be Licensed Under the Same Provisions as Transportation Network Providers

**RECOMMENDATION/MOTION:** 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.

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

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

**BACKGROUND:** To allow for a level playing field between Transportation Network Companies (“TNCs”) and taxicab companies, staff has drafted amendments to Chapter 40 of the City Code regulating taxicabs. These amendments would allow taxicab companies to take advantage of the same ability to conduct their own background checks on drivers and vehicle checks as those allowed in the TNP ordinance. As this is a new concept, the self-regulation provisions in the proposed ordinance would be done on a one-year trial basis. With such a concept, staff has attempted to draft as many regulations as possible to promote public safety. However, the public should be aware that the City will now play less of a regulatory role over drivers and vehicles engaging in the transportation of passengers.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** A meeting was held on April 8, 2015, with taxicab and vehicle for hire company owners on issues related to Transportation Network Companies and similar issues. Additional input was received from owners by email.

**FINANCIAL IMPACT:** No direct financial impact is expected.

Respectfully submitted for Council consideration.

Prepared by: Jeffery R. Jurgens, Corporation Counsel

Financial & budgetary review by: Chris Tomerlin, Budget Analyst  
Patti-Lynn Silva, Finance Director

Legal review by: Jeffery R. Jurgens, Corporation Counsel

Recommended by:

David A. Hales  
City Manager

**ORDINANCE NO. 2015 - 32**

**AN ORDINANCE AMENDING BLOOMINGTON CITY CODE CHAPTER 40 TO ESTABLISH PERMIT ALTERNATE LICENSING FOR TAXICAB COMPANIES**

**WHEREAS**, the City of Bloomington is a home-rule municipality operating in the State of Illinois; and

**WHEREAS**, the State of Illinois recently adopted the Transportation Network Providers Act (“Act”) that permits the operation of internet transportation providers; and

**WHEREAS**, the City enacted additional regulations beyond the Act to ensure network providers operate in a safe and efficient manner; and

**WHEREAS**, the current model of network providers is to perform background checks and vehicle inspections in-house while allowing municipalities to audit said information; and

**WHEREAS**, the City is willing to utilize the network provider model of background checks and vehicle inspections, on a trial basis for one-year, with routine auditing by the City; and

**WHEREAS**, the City desires to encourage innovation in transportation but also desires to ensure those engaged in public transportation provide same in a clean and safe manner; and

**WHEREAS**, to maintain a level playing field with taxicab companies that operate within the area, the City will allow those providing taxicab service to elect to operate under the transportation network provider model on a trial basis.

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

**SECTION 1.** That the recitals set forth above are hereby adopted and made a part of this Ordinance as if specifically stated herein.

**SECTION 2.** That Bloomington City Code Chapter 40, Article II, is hereby amended by amending Section 201 as follows:

Section 201: Certificate Required.

Except as provided in Section 213 of this Article, no person shall operate or permit a taxicab owned or controlled by him to be operated as a vehicle for hire upon the streets of the City of Bloomington or such other areas to which this Chapter applies pursuant to an intergovernmental cooperation agreement without having first obtained a certificate of public convenience from the City Manager.

**SECTION 3.** That Bloomington City Code Chapter 40, Article II, is hereby amended by adding Section 213 as follows:

Section 213: Election to be Licensed via Article XII

(a) In lieu of the certification and licensure requirements set forth in Articles II and IV of this Chapter, a taxicab company may elect to become licensed under the provisions of Article XII. Upon such election, including payment of the fees set forth in Section 1204, the taxicab company shall be required to complete and meet all the provisions of Article XII pertaining to TNCs. Any such licensure under Article XII shall be subject to the fine and penalty provisions, including revocation, set forth in that Article.

(b) Taxicab companies licensed pursuant to the provisions of Article XII shall conduct background checks as provided in that Article of all drivers operating taxis for the company and shall provide a list of drivers that have passed said background checks to the City. The City shall thereafter issue a permit for each driver meeting the standards for drivers provided in said Article. No company licensed to operate under Article XII shall permit or allow a person to drive a taxicab who has failed to meet the requirements for drivers specified in said Article. The drivers of any and all taxicabs post a driver's identification card in such a place within the taxicab as to be in full view of all passengers while such driver is operating the taxicab.

(c) Taxicab companies and drivers licensed pursuant to the provisions of Article XII shall comply with the vehicle requirements specified in Section 1214 and shall not be governed by the vehicle requirements of Section 501. Taxicab companies and drivers licensed to operate under Article XII shall be subject to all other provisions of Articles V, VI, VII and VIII of this Chapter.

(d) This Section shall sunset, be repealed and no longer effective as of June 1, 2016.

**SECTION 4.** That Bloomington City Code Chapter 40, Article IV, is hereby amended by adding Section 410 as follows:

Section 410: Application of Articles to Taxicab Companies Operating Pursuant to Article XII; Sunset Provision.

Except for Section 408, the provisions of Articles II and IV shall not apply to a taxicab company that has elected to be licensed pursuant to the provisions of Article XII. This Section shall sunset, be repealed and no longer effective as of June 1, 2016.

**SECTION 5.** Except as provided herein, the Bloomington City Code, as amended, shall remain in full force and effect.

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

**SECTION 7.** The City Clerk shall be, and she is hereby directed and authorized, to publish this Ordinance in pamphlet form as provided by law.

**SECTION 8.** This Ordinance shall take effect 10 days from the date of publication by the Clerk.

PASSED AND ADOPTED this 26<sup>th</sup> day of May, 2015.



**CITY OF BLOOMINGTON**

Tari Renner, Mayor

**ATTEST:**

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

**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: Alderman Painter.**

**Motion carried.**

**The following was presented:**

**SUBJECT:** A Resolution in Support of "TIGER 2015" Discretionary Grant from the U.S. Department of Transportation (US DOT) for the joint application of Connect Transit and McLean County project which incorporates the expansion of the McLean County Law & Justice Center and Connect Transit's downtown Bloomington Multi-Modal Transportation Center

**RECOMMENDATION/MOTION:** That the Resolution be passed in Support of the "Tiger 2015" Discretionary Grant from the U.S. Department of Transportation (US DOT) for the joint application of Connect Transit and McLean County project which incorporates the expansion of the McLean County Law & Justice Center and Connect Transit's downtown Bloomington Multi-Modal Transportation Center.

**STRATEGIC PLAN LINK:** Goal 1. Financially sound City providing quality basic services; Goal 2. Upgrade City infrastructure and facilities; and Goal 4. Strong neighborhoods.

**STRATEGIC PLAN SIGNIFICANCE:** Objective 1d. City services delivered in a cost-effective manner; 1e. Partnering with others for the most cost-effective service delivery; 2a. Better quality roads and sidewalks; and 4d. Improved neighborhood infrastructure.

**BACKGROUND:** On April 3, 2015, the U.S. Department of Transportation (U.S.DOT) released a “Notice of Funding Availability” for its latest round of surface transportation discretionary grant funding, called “TIGER 2015 or TIGER 7”. The TIGER program has a minimum request threshold of \$10 million and is only available for projects that can begin construction quickly upon receipt of a grant.

Connect Transit is planning on submitting, in conjunction with McLean County, a TIGER 2015 grant application that will incorporate two of the community’s 2015 “One Voice Projects” into a single integrated project. The proposed project incorporates Connect Transit’s downtown Bloomington Multi-Modal Transportation Center with the expansion of the McLean County Law & Justice Center to appropriately serve individuals with mental health requirements within the justice system.

Connect Transit’s Downtown Transportation Center currently serves 436,662 rides a year from the downtown connection point and the grant proposal will provide better convenience to passengers through construction of passenger amenities, including restrooms, bus tracking displays, ticket vending and heated waiting areas.

While moving forward with the Hamilton Road project is considered a priority for the Bloomington City Council, funding is limited in the TIGER 2015. No significant project progress has occurred since last year’s grant submission. The City’s 2014 grant application was “recommended” by the U.S.D.O.T., but only a portion of “highly recommended” projects were ultimately awarded grants.

Staff recommends not proceeding with the TIGER 2015 Discretionary Grant application for the Hamilton Road Connection Project at this time based on the need to resolve the at grade issue with the Norfolk Southern Railroad.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** The support of the McLean County and Connect Transit joint project is considered to be a positive intergovernmental effort supported by the most recent One Voice trip to Washington D.C.

**FINANCIAL IMPACT:** The City will not be obligating funds for this grant application process. Any future requests for funding would come forward for Council consideration later.

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  
Carla A. Murillo, Budget Manager

Legal review by: Jeff Jurgens, Corporate Counsel

Recommended by:

David A. Hales  
City Manager

**RESOLUTION NO. 2015 - 20**

**A RESOLUTION SUPPORTING THE CONNECT TRANSIT & McLEAN COUNTY  
TIGER 2015 GRANT APPLICATION AND DIRECTING STAFF NOT TO SUBMITT  
AN APPLICATION FOR THE HAMILTON ROAD – BUNN TO COMMERCE  
CONNECTION PROJECT**

WHEREAS, the City of Bloomington is a home rule unit of local government with authority to legislate in matters concerning its local government and affairs; and

WHEREAS, on April 3, 2015, the U.S. Department of Transportation (U.S.DOT) released a “Notice of Funding Availability” for its latest round of surface transportation discretionary grant funding, called “TIGER 2015 or TIGER 7”; and

WHEREAS, the TIGER program has a minimum request threshold of \$10 million and is only available for projects that can begin construction quickly upon receipt of a grant; and

WHEREAS, a TIGER grant application was applied for in 2014 for a project involving the connection of Hamilton Road (Bunn Street to Commerce Parkway); and

WHEREAS, the Hamilton Road project is critical to improve public safety and necessary due to the traffic count of those commuting to State Farm and other businesses in the area; and

WHEREAS, the City’s 2014 grant application was “recommended” by the U.S.D.O.T., but only a portion of “highly recommended” projects were ultimately awarded grants; and

WHEREAS, Connect Transit is planning on submitting, in conjunction with McLean County, a TIGER 2015 grant application that will incorporate two of the community’s 2015 “One Voice Projects” into a single integrated project; and

WHEREAS, the County’s proposed project incorporates Connect Transit’s downtown Bloomington Multi-Modal Transportation Center with the expansion of the McLean County Law & Justice Center to appropriately serve individuals with mental health requirements within the justice system; and

WHEREAS, the Connect Transit’s Downtown Transportation Center currently serves 436,662 rides a year from the downtown connection point and the grant proposal will provide

better convenience to passengers through construction of passenger amenities, including restrooms, bus tracking displays, ticket vending and heated waiting areas; and

WHEREAS, notwithstanding the critical nature of the Hamilton Road project, funding is limited in the TIGER 2015 and the City Council finds it in the best interest of the community to support the TIGER 2015 grant application that will be submitted by McLean County and Connect Transit; and

WHEREAS, due to the critical nature of the Hamilton Road project, it remains a viable and necessary submission in the future years if additional TIGER grants available; and

WHEREAS, the corporate authority of the City of Bloomington desires to pass this Resolution to demonstrate its support for the application of the TIGER 2015 grant by Connect Transit and McLean County and to direct staff not to submit a TIGER 2015 grant application for the Hamilton Road project.

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

SECTION ONE: That staff shall not proceed with the TIGER 2015 Discretionary Grant application for the Hamilton Road Connection Project. The City Council further states its support of the grant application being submitted by McLean County and Connect Transit.

SECTION TWO: That the City Clerk be and is hereby authorized and directed to attest the signature of the Mayor on said Agreement and retain an original in the Office of the City Clerk for public inspection.

**CITY OF BLOOMINGTON**

**ATTEST**

Tari Renner, Mayor

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

**APPROVED AS TO FORM:**

Jeff Jurgens  
City of Bloomington, Corporation Counsel

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: Alderman Painter.**

**Motion carried.**

**The following was presented:**

**SUBJECT:** 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

**RECOMMENDATION/MOTION:** That the Council receive the draft Transportation Improvement Plan report and direct City staff accordingly.

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

**BACKGROUND:** The Transportation Improvement Plan (TIP) is a five-year plan, updated annually, to collate the improvement programs envisioned by the various local transportation actors – the state, Town of Normal, McLean County, Bloomington, Connect Transit and the Central Illinois Regional Airport. Two oversight committees will approve the FY16-20 version by July 1, the beginning of the state government fiscal year. They are the Transportation Technical Committee which creates the document and relies on technical expertise and, then, the Transportation Policy Committee, whose members stand as proxy representatives for the various governing bodies, including the Bloomington City Council.

**Combined documentation:** A major function is combining of the various transportation plans into a comprehensive document. The planning group does not initiate projects so much as reflect them. Bloomington projects for the ongoing City fiscal year are ones already outlined by City staff for the Council and approved by the Council.

The FY 15-19 version of the plan is available for viewing and download at [www.mcplan.org](http://www.mcplan.org), the site of the McLean County Regional Planning Commission. The new version, FY 16-20, will be published presently, and a public hearing will precede the plan's adoption. Regional Planning is the official agency overseeing the area planning group, and it is employed by the Transportation Technical Committee and the Transportation Policy Committee to oversee document creation and revision.

**Federal dollars:** This planning model is necessary for receipt and distribution of most federal transportation dollars. For Bloomington, the federal dollars almost exclusively target major projects. This is for strategic reasons. Federal spending has strict guidelines and documentation requirements. Fewer but bigger projects means less time and expense required for documentation, thereby maximizing the dollars. (A similar strategy is used for state Motor Fuel Tax money for the same reason.) Other governments follow this strategy. For this reason, federal dollars for streets are bundled and the recipients are rotated. Bloomington is planning to receive no special state or federal money through the TIP this year. It expects to receive \$1.1 million in Illinois Commerce Commission Grade Crossing Protection Funds in FY 2017. The City plans to combine the money with \$5.0 million local share for the Fox Creek Road street reconstruction and railroad bridge project.

Reflects City budget:

The attached spreadsheets show Bloomington’s projects included in the draft of the FY16-20 TIP. The FY2016 projects are those already in the City of Bloomington’s newly approved budget.

Acronym guide for “Funding Detail” in spreadsheets

BCIF	Bloomington Capital Improvement Fund from General Fund revenue.
BMFT	State Motor Fuel Tax received by Bloomington.
ICC GCPF	Illinois Commerce Commission Grade Crossing Protection Fund (federal money for high speed rail crossing).
LMFT	Bloomington’s Local Motor Fuel Tax.
SF	Sewer Fund.
SWF	Storm Water Fund.
WF	Water Fund.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** Multi-agency planning groups described above.

**FINANCIAL IMPACT:** The FY 2016 Transportation Improvement Plan projects are all included in the FY 2016 Adopted Budget. The projects will be funded by State Motor Fuel Tax and Local Motor Fuel Tax revenues.

Respectfully submitted for Council consideration.

Prepared by: Stephen Arney, Public Works Administration

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

Reviewed by: Steve Rasmussen, Assistant City Manager

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

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:

David A. Hales  
City Manager

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 Plan.

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: Alderman Painter.**

**Motion carried.**

**The following was presented:**

**SUBJECT:** 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

**RECOMMENDATION/MOTION:** 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.

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

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



**BACKGROUND:** The City maintains most streets that are controlled by the IDOT but are located within city limits. This maintenance consists primarily of street patching and response to snow/ice events. IDOT reimburses the City for these services.

While IDOT undertakes major construction involving these streets, all of which are designated as state and/or federal roadways, the City incurs expense in patching them.

The current agreement with IDOT is a 10-year agreement in which the payment was updated for July 1, 2014, to June 3, 2015. For the state's FY 2015, the City receives \$92,597.93. IDOT has proposed another 10-year agreement. (It allows the City or the State to opt at after giving 90-days written notice.) The first year's payment would be \$95,174.57, representing a 2.71 percent increase. This is based on a formula. It is not negotiable. The City's options are to (1) accept it or to (2) cede maintenance duties back to IDOT.

Should the City reject the agreement, it is very likely that Bloomington will not later be able to opt back into it. This is explained in the attached correspondence from Amy J. Eller, P.E., Acting Engineer of Operations Bureau of Operations Illinois Department of Transportation.

Two (2) issues arise.

- A. Cost. It would be exceedingly difficult to calculate the actual cost of City maintenance of these streets. Job costing would have to include every patch and pothole fill and a calculation of cost of snow/ice response – every plow run through these streets. The City believes it spends substantially more than \$92,597.93 in a year.
- B. Level of service. During snow/ice events, IDOT concentrates its first efforts on highways, interstates and ramps. City-plowed arterials get noticeably more prompt and more frequent attention than Veterans Parkway, especially during prolonged snowfall. If the City relinquishes maintenance to IDOT for in-city roads, staff assumes response time and quality of snow/ice removal would drop. The streets involved include all or parts of Main, Center, and the Madison-East couplet around Downtown, Locust, Empire, Clinton Street, Hinshaw, Oakland and Hannah. During prolonged winter storms, safety would be reduced, commerce will be slowed and public disappointment will be vocal.

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

**FINANCIAL IMPACT:** The City will receive \$95,174.57 for the time period of 7/1/15 – 6/30/16 that is budgeted in the Street & Sewer Maintenance Revenue account (10016120-54010). The Finance Department is in the process of reviewing actuals costs of providing this service. Stakeholders can locate this revenue in the budget book titled 'Budget Overview and General Fund' on page 292.

Respectfully submitted for Council consideration.

Prepared by:

Stephen Arney, Public Works Administration

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

Reviewed by: Steve Rasmussen, Assistant City Manager

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

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:

David A. Hales  
City Manager

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: Alderman Painter.**

**Motion carried.**

**CITY MANAGER'S DISCUSSION:**

Mr. Hales stated that he did not have a report this evening; however, reminded Council of the Executive Session Meeting that follows this meeting for the purposes that are provided within the modified agenda.

**MAYOR'S DISCUSSION:**

Mayor Renner welcomed back Mr. Hales from vacation, and stated as of Friday, the City did receive from Jeff Giebalhausen the Downtown Bloomington Development Plan with several options and the revenue projections for placement are relatively negative. However, on the surface of it, there appears to be enough to pay for a bond to make sure that he is able to secure a bond. He thanked Alderman Sage for his leadership in organizing the Budget Task Force Meeting, as well as Alderman(s) Buragas and Black for serving on the Task Force.

**ALDERMEN'S DISCUSSION:**

Alderman Fruin stated on behalf of the Council, they wished to extend their sympathy and condolences on the passing of Mayor Renner's father.

Alderman Lower reminded the Council and public of the Memorial Day services at were held at the cemetery with a 21 gun salute.

Alderman Black commented on an email that is circulating energy, electricity. That it is probably time for the Council to review its Public Comment Rules of Procedures.

**ADJOURNMENT:**

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

**Motion carried.**

Tari Renner, Mayor

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

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