

**REGULAR CITY COUNCIL MEETING SESSION
PUBLISHED BY THE AUTHORITY OF THE CITY COUNCIL
OF BLOOMINGTON, ILLINOIS
MONDAY, JULY 13, 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., Monday, July 13, 2015. The meeting was called to order by Mayor Pro-Tem Schmidt.

2. Pledge of Allegiance to the Flag

The meeting was opened by Pledging Allegiance to the flag, followed by a moment of silent prayer.

3. Remain Standing for a Moment of Silent Prayer

Mayor Pro Tem Schmidt requested those present to remain standing for a moment of silent prayer.

4. Roll Call

Mayor Pro-Tem Schmidt directed the City Clerk to call the roll and the following members of Council answered present:

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

Absent: Mayor Tari Renner.

David Hales, City Manager; Renee Gooderham, Chief Deputy Clerk; and Jeffery Jurgens, Corporate Counsel; Steve Rasmussen, Asst. City Manager; and other city staff were also present.

5. Public Comment

Mayor Pro-Tem Schmidt opened the Public Comment section of the meeting. She added that there would not be a response from the City under the Public Comment portion of the meeting.

Mayor Pro Tem Schmindt noted that fourteen (14) Comment Cards were received. She requested a motion to suspend the rules to allow more than five (5) individuals to speak.

Motion by Alderman Hauman seconded by Alderman Lower to suspend the rules to allow fourteen (14) citizens to speak during Public Comment for three (3) minutes apiece or a total of forty-two (42) minutes.

Motion carried, (viva voce).

The following individuals provided comments during Public Comment:

Fred Moore
Kirk Allen
Donna Boelen
Patricia Martin
Bruce Meeks
Judith Sterns
Josh Schmidgall
Alton Franklin
Gary Lambert
John Kraft
Jack Porter
Paula Stubblefield
Ron Schultz
Sue Feldkamp

6. Recognition/Appointments

The following was presented:

Item 6A. Proclamation declaring July 26, 2015 as, “American Disabilities Act Celebration Day.”

The following was presented:

Item 6B. Reappointment of Cindy Hansen to the Bloomington-Normal Sister City Committee (Japan).

The following was presented:

Item 6C. Oath of Office – Jonathon Powell, Firefighter.

The following was presented:

Item 6D. Oath of Office – James Ellis, Firefighter.

The following was presented:

Item 6E. Oath of Office – Nicholas Shaver, Firefighter.

The following was presented:

Item 6F. Oath of Office – Christopher Overland, Firefighter.

The following was presented:

Item 6G. Oath of Office – John Capodice, Firefighter.

7. “Consent Agenda”

Alderman Lower requested Item 7G Consideration of a Resolution approving modification to the Homefield Energy and Good Energy agreements so to obtain a 100% renewable energy level in association with municipal energy aggregation be pulled from the Consent Agenda for discussion.

Alderman Fruin requested Item 7I Consideration of approving A. Ordinance Amending the Budget for the Fiscal Year Ending April 30, 2016 in the amount \$20,000. B. Donate \$20,000 to YouthBuild of McLean County, specifically for YouthBuild’s Summer Jobs Program and Item 7J Consideration of approving a Text Amendment to Chapter 35, Section 30 of the City Code pertaining to Fingerprint Requests be pulled from the Consent Agenda for discussion.

Mayor Pro Tem Schmidt requested a motion on the Consent Agenda with the exception of items 7G, 7I, and 7J.

Motion by Alderman Black, seconded by Alderman Painter to approve the Consent Agenda as presented with the exception of Items 7G, 7I, and 7J.

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

Nays: None.

Motion carried.

Item 7A: Consideration of approving the Council Proceedings of June 22, 2015.

Motion by Alderman Black, seconded by Alderman Painter that the reading of the minutes of the previous Council Proceedings of June 22, 2015 be dispensed with and the minutes approved as printed.

Mayor Pro Tem Schmidt directed the Clerk to call the roll which resulted in the following:

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

Nays: None

Motion carried.

RECOMMENDATION/MOTION: That the reading of the minutes of the previous Council Proceedings of June 8, 2015 and Work Session of June 8, 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 June 8, 2015 and Work Session of June 8, 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 for approval.

Prepared by: Cherry Lawson, City Clerk

Recommended by:

David Hales,
City Manager

The following was presented:

Item 7B: Consideration of approving Bills and Payroll.

Motion by Alderman Black, seconded by Alderman Painter that the Bills and Payroll be allowed and orders drawn on the Treasurer for the various amounts as funds are available.

Mayor Pro Tem Schmidt directed the Clerk to call the roll which resulted in the following:

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

Nays: None.

Motion carried.

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 \$8,642,734.50 (Payroll total \$4,361,411.69 and Accounts Payable total \$4,281,322.81).

Respectfully submitted for Council consideration.

Prepared by: Patti-Lynn Silva, Director of Finance

Recommended by:

David Hales
City Manager

The following was presented:

Item 7C: Consideration of approval of a Reappointment to Bloomington-Normal Sister City Committee (Japan).

Motion by Alderman Black, seconded by Alderman Painter that Cindy Hansen be reappointed to the Bloomington-Normal Sister City Committee (Japan).

Mayor Pro Tem Schmidt directed the Clerk to call the roll which resulted in the following:
Ayes: Aldermen Sage, Lower, Hauman, Black, Fruin, Buragas Painter, and Mwilambwe.

Nays: None.

Motion carried.

RECOMMENDATION/MOTION: That Cindy Hansen be reappointed to the Bloomington-Normal Sister City Committee (Japan).

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 reappointment to the Bloomington-Normal Sister City Committee (Japan):

Bloomington-Normal Sister City Committee (Japan): Cindy Hansen of 422 Standish Drive, Bloomington, IL 61704 to the Bloomington-Normal Sister City Committee (Japan). Her three (3) year term will be 5/1/15 – 4/30/18.

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

FINANCIAL IMPACT: None.

Respectfully submitted for Council consideration.

Prepared by: M. Beth Oakley, Executive Asst.

Recommended by:

Karen Schmidt
Mayor Pro-Tem

The following was presented:

Item 7D: Consideration of approving the purchase of one (1) Backhoe for the Water Transmission and Distribution Division of the Water Department in the amount of \$160,692 and that a 2004 Caterpillar 430D be declared surplus and be sold on public auction at Publicsurplus.com.

Motion by Alderman Black, seconded by Alderman Painter that the purchase of one (1) Caterpillar 430FIT Backhoe from Altorfer Inc. of East Peoria, IL using the National Joint Powers Alliance Joint Purchasing Contract No. 060311-CAT in the amount of \$160,692.00 be approved and the 2004 Caterpillar 430D be declared surplus and be sold on public auction at Publicsurplus.com, and authorize the Mayor and City Clerk to execute the necessary documents.

Mayor Pro Tem Schmidt directed the Clerk to call the roll which resulted in the following:

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

Nays: None.

Motion carried.

RECOMMENDATION/MOTION: Recommend that the purchase of one (1) Caterpillar 430FIT Backhoe from Altorfer Inc. of East Peoria, IL using the National Joint Powers Alliance Joint Purchasing Contract No. 060311-CAT in the amount of \$160,692.00 be approved and the 2004 Caterpillar 430D be declared surplus and be sold on public auction at Publicsurplus.com, and authorize the Mayor and City Clerk to execute the necessary documents.

STRATEGIC PLAN LINK: Objective 4 – City Services delivered in the most cost-effective, efficient manner

BACKGROUND: Water Transmission and Distribution Division of the Water Department has a 2007 John Deere 410J backhoe with 4,680 hours that is scheduled for replacement in Fiscal Year 2016. The maintenance cost to date for this unit is \$60,305.90. This unit is used in the day to day operations for repair and maintenance of the city’s water system. These operations include: water main break repairs, water service repairs and replacements, and fire hydrant repairs and replacements. During snow and ice events this unit can be used to plow snow. The new unit will be equipped with a hydraulic pavement breaker, 12” bucket, 24” bucket, 36” bucket, and 48” bucket. We will retain the current 10 foot snow plow to be used on the new unit.

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

The replaced unit will be moved to Lake Bloomington to replace a 2004 Caterpillar 430D that has 7,085 hours and excessive wear in the backhoe and the cab is rusting out. Staff asks the 2004 Caterpillar 430D be declared surplus and be sold on public auction per City Code Chapter 16 Section 57-I.-1 at Publicsurplus.com. It is expected to bring \$28,000.00 at auction.

National Joint Powers Alliance (NJPA) is a public agency that serves as a member-focused cooperative for over 50,000 member agencies nationally. NJPA offers a multitude of cooperatively contracted products, equipment and service opportunities to education and government entities throughout the country.

FINANCIAL IMPACT: This is included in the FY 2016 Budget under the FY 2016 Capital Lease-Capital Outlay Equipment Other Than Office (40110133-72140). Stakeholders can locate this in the FY 2016 Proposed Budget Book titled “Other Funds & Capital Improvement Program” on pages 79 and 83.

Respectfully submitted for Council consideration.

Prepared by:

Rob Kronen, Superintendent of Fleet Maintenance

Reviewed by: Jim Karch, PE CFM, Public Works Director
Jon C. Johnston, Procurement Manager

Reviewed by: Brett Lueschen, Interim Water Director

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

Legal review by: Jeffery R. Jurgens, Corporation Counsel

Recommended by:

David Hales
City Manager

The following was presented:

Item 7E: Consideration of approval of an Intergovernmental Agreement with the Town of Normal, the County of McLean, the McLean County Soil and Water Conservation District and the City of Bloomington regarding the Funding of a Soil Conservationist through the McLean County Soil and Water Conservation District.

Motion by Alderman Black, seconded by Alderman Painter that the payment amount of \$70,000 per year for the three (3) years of the Intergovernmental Agreement between the Town of Normal, the County of McLean, the McLean County Soil and Water Conservation District and the City of Bloomington be approved and the Mayor and City Clerk be authorized to execute the necessary documents.

Mayor Pro Tem Schmidt directed the Clerk to call the roll which resulted in the following:

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

Nays: None.

Motion carried.

RECOMMENDATION/MOTION: That the payment amount of \$70,000 per year for the three (3) years of the Intergovernmental Agreement between the Town of Normal, the County of McLean, the McLean County Soil and Water Conservation District and the City of Bloomington 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 2b. Quality water for long term.

BACKGROUND: The Soil Conservationist position has been funded by the City Water Department for approximately twenty-three (23) years. Prior to 2009, the agreement was renewed annually. Beginning in 2009, three (3) year agreements were approved by Council. The current proposed agreement is for an annual expenditure of \$70,000 for FY 2016, FY 2017 and FY 2018. The amount of \$70,000 has remained the same since FY 2012. In addition, McLean County and the Town of Normal joined the agreement in 2012, with annual funding amounts of \$10,000 each. The current agreement expires at the end of September 2015. Therefore, staff is requesting approval at this time to provide the governing bodies of the Town of Normal and of McLean County sufficient time to consider the agreement during their regularly scheduled meetings.

The Watershed Conservationist position has been indispensable to the Water Department. It acts as the City's liaison with producers in its drinking water reservoirs watersheds; provides grant writing to garner State, Federal and private foundation grant dollars; provides presentations to producers; provides presentations to various scientific groups; handles payments to producers in the watersheds; assists in writing of the City's watershed plans for both reservoirs; and assists in writing the Source Water Assessment for the reservoirs, in addition to numerous other tasks.

The strong foundation resulting from an established watershed conservation program fostered partnerships with other public and private organizations obtain funding for activities in our drinking water reservoirs and their watersheds in excess of 1.5 million dollars. In addition, the State has praised the City's watershed programs and lake management efforts, of which this position is a critical piece. A critical component to garnering grant dollars is the commitment to the implementation plan by the governmental entities and citizens in the watersheds of the reservoirs.

Staff therefore respectfully requests that the Council authorize the entering into an Intergovernmental Agreement between the Town of Normal, the County of McLean, the McLean County Soil and Water Conservation District and the City of Bloomington for the funding of a soil conservationist through the McLean County Soil and Water Conservation District.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable.

FINANCIAL IMPACT: This cooperative effort would entail a commitment from the City Water Fund in the amount of \$70,000 per year for the three (3) years. The City's commitment to this Intergovernmental Agreement in year one for \$70,000 is budgeted in FY 2016. The funding is included in the Water Purification-Other Professional and Technical Services Account (50100130- 70220). Stakeholders can locate this in the FY 2016 Proposed Budget Book titled "Other Funds & Capital Improvement Program" on page 102.

Respectfully submitted for Council consideration.

Prepared by: Rick Twait, Superintendent of Purification

Reviewed by: Brett Lueschen, Interim Water Director

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

Legal review by: Jeffery R. Jurgens, Corporation Counsel

Recommended by:

David Hales
City Manager

The following was presented:

Item 7F: Consideration of approving a Resolution Establishing Prevailing Wages to be Paid to Laborers, Workers, and Mechanics Engaged in Public Works with the City of Bloomington.

Motion by Alderman Black, seconded by Alderman Painter that the Resolution Establishing Prevailing Wages to be paid to Laborers, Workers and Mechanics Engaged in Public Works with the City of Bloomington be adopted.

Mayor Pro Tem Schmidt directed the Clerk to call the roll which resulted in the following:

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

Nays: None.

Motion carried.

RECOMMENDATION: That the Resolution Establishing Prevailing Wages to be paid to Laborers, Workers and Mechanics Engaged in Public Works with the City of Bloomington be adopted.

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

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

BACKGROUND: The Prevailing Wage Act (820 ILCS 130/1 *et seq.*) requires that public bodies such as the City, which awards any construction contract for public work or doing such work by day labor, shall ascertain the general prevailing hourly rates of wages for employees engaged in such work, and shall require that all contractors of the City pay those wages to their workers.

The City does not ascertain its own prevailing wages and instead relies upon the calculations performed by the Illinois Department of Labor. The City Manager, on June 29, 2015, directed the posting at City Hall of the current prevailing wages for McLean County as of June 2015. These wages are further incorporated into this resolution, which also requires contractors to ascertain prevailing wages by checking with the Illinois Department of Labor and paying the most current prevailing wage. The resolution must be filed with the Department by July 15, 2015.

The resolution also requires contractors to submit to the City on a monthly basis all certified payroll records for prevailing wage work performed by contractor employees and subcontractors. The certified payroll records must include the following for each employee employed on the project: Name, Address, Telephone Number, Social Security Number, Job Classification, hourly wages paid in each pay period, number of hours worked each day and starting and ending time of work each day. The contractor shall submit these records with a signed statement that the records are true and accurate, that the wages paid to each worker are not less than the prevailing rate and that the contractor is aware that filing records known to be false is a Class B misdemeanor offense. The Resolution contains language requiring contractors provide proof of participation in an apprenticeship program if the contract is in excess of \$100,000. The apprenticeship language was added by a past City Council and has been standard language.

The staff believes adoption of this resolution is in the best interests of the citizens of the City and recommends its passage and approval.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable. The resolution is required by state law.

FINANCIAL IMPACT: Unknown at this time.

Respectfully submitted for Council consideration.

Prepared by: Cherry L. Lawson, City Clerk

Reviewed by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:

David Hales
City Manager

The following was presented:

Item 7H: Consideration of approving an Ordinance Amending the Budget Ordinance for the Fiscal Year Ending April 30, 2016 for the Community Development Block Grant (CDBG) in the amount of \$211,787.

Motion by Alderman Black, seconded by Alderman Painter that the Ordinance be adopted and the Budget Amendment be approved for the Community Block Development Grant in the amount of \$211,787 for Fiscal Year April 30, 2016.

Mayor Pro Tem Schmidt directed the Clerk to call the roll which resulted in the following:

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

Nays: None.

Motion carried.

RECOMMENDATION/MOTION: Recommend that the Ordinance be adopted and the Budget Amendment be approved for the Community Block Development Grant in the amount of \$211,787 for Fiscal Year April 30, 2016.

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: State statutes require expenditures incurred within each individual fund not to exceed the appropriation amount set forth in the annual budget of an established fiscal period. In an effort to strengthen the fiscal controls of the budgetary process, City staff has prepared a budgetary amendment for the current fiscal year (FY). This action corresponds with the August 24, 2009 discussion where City staff committed to the Council that the majority of the budget amendments would be presented in the FY the expenditure occurred rather than in the proceeding FY.

In the original CDBG proposed budget presented to Council on March 23, 2015, staff estimated \$150,000 in carryover funds from the previous year. Once all FY15 projects and activities were closed, the actual carryover funds available for reprogramming was \$211,787, resulting in \$61,787 in unbudgeted funds. Carryover dollars have been allocated to already established FY2016 budget line items within the Community Development budget as follows:

Rehabilitation Loans (22402430-79020) = \$145,000; Rehabilitation Grants (22402430-79130) = \$16,787; Demolition (22402440-70651) = \$50,000; Total = \$211,787.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable

FINANCIAL IMPACT: The revenue line item for Community Development Administration-Federal Grants (22402410-53110) will be raised by a “net” amount of \$211,787. The expenditure line items: a “net” amount of \$145,000 for Community Development Rehabilitation Loans (22402430-79020); \$16,787 for Community Development Rehabilitation Grants (22402430-79130); \$50,000 for Community Development Demolition (22402440-70651).

Respectfully submitted for Council consideration.

Prepared by: Jennifer Toney, Grants Coordinator

Reviewed by: Tom Dabareiner, Director of Community Development

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

Legal review by: Jeffery R. Jurgens, Corporation Counsel

Recommended by:

David Hales
City Manager

The following was presented:

Item 7K: Consideration of adoption of an ordinance for Case No. PS-02-15 Petition requesting approval of a Reinstated and Amended Preliminary Plan for Wittenberg Woods at Prairie Vista Phase 4, for the property located northwest of Morris Avenue and Lutz Road, consisting of approximately 14.94 acres.

Motion by Alderman Black, seconded by Alderman Painter to adopt an ordinance for Case PS-02-15 for the Amendment of a Reinstated and Amended Preliminary Plan for Wittenberg Woods at Prairie Vista Phase 4, for the property described in the “Description of the Property”.

Mayor Pro Tem Schmidt directed the Clerk to call the roll which resulted in the following:

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

Nays: None.

Motion carried.

RECOMMENDATION/MOTION: Adopt an ordinance for Case PS-02-15 for the Amendment of a Reinstated and Amended Preliminary Plan for Wittenberg Woods at Prairie Vista Phase 4, for the property described in the “Description of the Property”.

STRATEGIC PLAN LINK: The amended preliminary plan is linked to Goal 3, Grow the Local Economy and Objective A, Retention and growth of current local businesses.

STRATEGIC PLAN SIGNIFICANCE: The reinstated and amended preliminary plan will facilitate the objective of retention of local businesses. This includes the developer as well as the building trades that will be associated with building new homes.

BACKGROUND: The preliminary plan approved for Wittenberg Woods has expired and must be reinstated before this new phase can be developed. Phases 1-3 have been developed as a single and two-family subdivision. In this phase 4 the developer intends to build only single-family homes even though two-family and single-family homes were initially planned. The proposed new lots have been modified for the single-family homes. Therefore in addition to the reinstatement the plan is also being amended. There will be no change to the location of city streets. Bach Drive will connect to Wirsing Way and Handel Drive to Lutz Road. If approved the plan would be valid for three years before expiring.

The plan provides for access to a future park through an outlot along Handle Drive. Access to the park from the north is at the south end of Wirsing Way and through a trail on the west end of the existing Wittenberg subdivision.

PLANNING COMMISSION: This case was before the Planning Commission for a public hearing and review on June 24, 2015. Planning staff explained the proposed changes. The developer's engineer explained how the density will decrease. He stated Lutz Road is more than capable to handle the increase in traffic. He also explained how construction traffic may be able to exit directly to Morris Avenue. He explained the punch list items will be completed. The city engineer described how much of the new traffic will not be accessing Lutz Road. He also a study for improving Lutz Road is nearing completion and will recommend improvements.

No one spoke in opposition to the petition. Two citizens commented about drainage, the park, improving Lutz Road and the need to look forward at the whole picture. Written comments had also been provided to the Planning Commission concerning construction and other traffic, the dumping of construction debris and waste, improvements to Lutz Road.

Staff recommended to the Planning Commission approval condition upon complying with minor modifications to notes on the plan. The developer's engineer indicated the notes have been corrected. The Planning Commission recommended approval by a vote of 8-0. This recommendation is consistent with staff's position.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Public notice was published in the Pantagraph in accordance with City Code. In accordance with the Zoning Code (Ordinance No. 2006-137), courtesy copies of the Public Notice were mailed to approximately 94 property owners within 500 feet. In addition, public notice/identification signs were posted on the property.

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

Respectfully submitted for Council consideration.

Prepared by:

Mark Woolard, City Planner

Reviewed by: Tom Dabareiner, Director of Community Development

Financial & Budgetary review by: Chris Tomerlin, Budget Analyst

Legal review by: Jeffery R. Jurgens, Corporation Counsel

Recommended by:

David Hales
City Manager

The following was presented:

Item 7L: Consideration of adoption of an ordinance for Case No. PS-03-15 Petition requesting approval of a Reinstated Preliminary Plan for Fox Lake, for the property located east of Steppe Lane and south of both Pampas Lane and Savana Road, consisting of approximately 32.81 acres.

Motion by Alderman Black, seconded by Alderman Painter to adopt an ordinance for Case PS-03-15 for the Amendment of a Reinstated Preliminary Plan for Fox Lake, for the property described in the “Legal Description”.

Mayor Pro Tem Schmidt directed the Clerk to call the roll which resulted in the following:

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

Nays: None.

Motion carried.

RECOMMENDATION/MOTION: Adopt an ordinance for Case PS-03-15 for the Amendment of a Reinstated Preliminary Plan for Fox Lake, for the property described in the “Legal Description”.

STRATEGIC PLAN LINK: The amended preliminary plan is linked to Goal 3, Grow the Local Economy and Objective A, Retention and growth of current local businesses.

STRATEGIC PLAN SIGNIFICANCE: The reinstated and amended preliminary plan will facilitate the objective of retention of local businesses. This includes the developer as well as the building trades that will be associated with building new homes.

BACKGROUND: The preliminary plan approved for Fox Lake has expired and must be reinstated before this new phase can be developed. The developer intends to continue with the

building of single-family homes. The proposed lot and street layout is not changing from what was previously approved. If approved the plan would be valid for three years before expiring.

Currently there is no pedestrian access to Danbury Drive. The plan provides for a pedestrian access to Danbury Drive, the Pepper Ridge Elementary School and the adjacent subdivisions to the south. This pedestrian access will be a sidewalk located in the southeast portion of the preliminary plan between lots 96 and 97. It will provide a direct connection between the sidewalk along the extended Savanna Road and the existing sidewalk on Danbury Drive.

PLANNING COMMISSION: This case was before the Planning Commission for a public hearing and review on June 24, 2015. Planning staff explained how there is no change from what was previously approved. The developer's engineer explained how the traffic configuration is the same. He said their intent is to save those trees located along the subdivision's southern border. He explained vehicle access will be to the north and not to Danbury Drive.

No one spoke in opposition to the petition. One citizen questioned if the development will be in phases. The developer's engineer explained there will be two phases with the western half being completed first. One written comment was provided to the Planning Commission concerning preserving the southern tree line.

Staff recommended approval to the Planning Commission. The Planning Commission recommended approval by a vote of 8-0. This recommendation is consistent with staff's position.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Public notice was published in the Pantagraph in accordance with City Code. In accordance with the Zoning Code (Ordinance No. 2006-137), courtesy copies of the Public Notice were mailed to approximately 122 property owners within 500 feet. In addition, public notice/identification signs were posted on the property.

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

Respectfully submitted for Council consideration.

Prepared by: Mark Woolard, City Planner

Reviewed by: Tom Dabareiner, Director of Community Development

Financial & Budgetary review by: Chris Tomerlin, Budget Analyst

Legal review by: Jeffery R. Jurgens, Corporation Counsel

Recommended by:

David Hales
City Manager

The following was presented:

Item 7M: Consideration of denial of an Ordinance for Case No. Z-04-15 requesting the approval of a Rezoning from R-1C, Single-Family Residence District to R-2, Mixed Residence District for the property at 1314 Fell Avenue.

Motion by Alderman Black, seconded by Alderman Painter that the City Council delay this item until the July 27, 2015 Regular City Council Meeting.

Mayor Pro Tem Schmidt directed the Clerk to call the roll which resulted in the following:

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

Nays: None.

Motion carried.

RECOMMENDATION/MOTION: That the City Council delay this item until the July 27, 2015 Regular City Council Meeting.

STRATEGIC PLAN LINK: The denial of the rezoning is linked to Goal 4, Strong Neighborhoods and Objective A, Residents feel safe in their homes and neighborhoods, and Objective C. Preservation of property/home valuations.

STRATEGIC PLAN SIGNIFICANCE: The denial of the rezoning will facilitate the above objective A. by not increasing nuisance complaints, vandalism, congestion and traffic associated with multi-family housing. The property values of a predominately single-family neighborhood will be maintained by denying rezoning.

BACKGROUND: At its June 22, 2015 meeting, the council voted 8-0 to delay consideration of this while staff met with the petitioner to consider the range of options for the property.

RJV Properties, LLC desires the rezoning to enable the conversion of a long-vacant house to multi-family housing. The existing building is currently vacant, but more than 15 years ago it was a legal non-conforming rooming house. Legal nonconforming uses are discouraged in the Zoning Code from continuing to operate and once gone, are not permitted to return under the current code.

The property is designated low/medium density residential in the Comprehensive Plan and is inconsistent with the proposed rezoning. The existing zoning for the subject property is R-1C as well as what is to the north, south and west. Across Fell Avenue the zoning is R-1B and this is very compatible with R-1C since both districts allow single-family and do not allow multi-

family. The neighborhood use is predominately single-family. The neighborhood has eight two-family and 58 single-family residences. The neighborhood contains a single 4-unit building. Thus the requested R-2 zoning district is inconsistent with the adjacent and nearby zoning and land uses.

If approved the R-2, Mixed Residence District will be a one parcel zoning district and considered a “spot zone.” Generally a zoning district should contain multiple parcels. This is to create more compatible land uses and cohesive neighborhoods.

There would be a negative impact to nearby uses from a potential multi-family use on the subject property. It would alter the character of the neighborhood as a predominately single-family and secondarily two-family neighborhood. The change would result in an increase in neighborhood density and could create an increase in noise, traffic and other nuisances in the neighborhood.

PLANNING COMMISSION: This case was before the Planning Commission for a public hearing and review on May 27, 2015. Staff explained how the rezoning is incompatible with the nearby land uses and zoning as well as create a spot zone. The petitioner explained the property’s recent history and his intention of having apartments for young professionals. Two citizens spoke in favor of the rezoning stating the previous use did not create neighborhood trouble. Six citizens spoke in opposition to and eight letters opposing the rezoning were submitted. Their comments pertained to the following: other apartment buildings have been converted to single-family and we should not go backward, the subject site was built as a single-family, and apartments are not in the interest of the neighborhood and there are other profitable options. Other opposing comments were the neighborhood is predominately single-family and if rezoned then one can do anything that is allowed in the R-2 District. They said it would be a spot zone, and it is not the fault of the neighborhood that the owner did not do his due diligence. Neighbors in opposition also stated the rezoning would diminish property values; harm the neighborhood history, beauty and cohesion; add traffic; and, create conflicts where renters are not attached to the neighborhood. The Planning Commission voted to recommend denial of the rezoning by a vote of 6-2. This recommendation is consistent with staff’s position.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Public notice was published in the Pantagraph in accordance with City Code. In accordance with the Zoning Code (Ordinance No. 2006-137), courtesy copies of the Public Notice were mailed to approximately 83 property owners within 500 feet. In addition, public notice/identification signs were posted on the property.

FINANCIAL IMPACT: If the rezoning is denied there should be no change to city revenues.

Respectfully submitted for Council consideration.

Prepared by: Mark Woolard, City Planner

Reviewed by: Tom Dabareiner, Director of Community Development

Financial & Budgetary review by: Chris Tomerlin, Budget Analyst

Carla A. Murillo, Budget Manager

Legal review by:
Recommended by:

Jeffery R. Jurgens, Corporation Counsel

David Hales
City Manager

The following was presented:

Item 7N: Consideration of Approving the Application of Fifth Day Restaurants, LLC, d/b/a TGI Friday's, located at 9 Brickyard Dr., requesting a RAS (Restaurant, All Types of Alcohol, Sunday Sales) liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week.

Motion by Alderman Black, seconded by Alderman Painter that an RAS liquor license for Fifth Day Restaurants, LLC, d/b/a TGI Friday's, located at 9 Brickyard Dr., be approved contingent upon compliance with all applicable health and safety codes.

Mayor Pro Tem Schmidt directed the Clerk to call the roll which resulted in the following:

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

Nays: None.

Motion carried.

RECOMMENDATION/MOTION: That an RAS liquor license for Fifth Day Restaurants, LLC, d/b/a TGI Friday's, located at 9 Brickyard Dr., be approved contingent upon compliance with all applicable health and safety codes.

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

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

BACKGROUND: The Bloomington Liquor Commissioner, Tari Renner, called a hearing to order on June 9, 2015, to hear the request of Fifth Day Restaurants, LLC, d/b/a TGI Friday's, located at 9 Brickyard Dr., requesting an RAS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week.

Present at the hearing were Liquor Commissioners Tari Renner, Geoffrey Tompkins and Jim Jordan; George Boyle, Asst. Corporation Counsel, Asst. Chief Wheeler, Renee Gooderham,

Chief Deputy Clerk and William Torchia, a partner in the license applicant limited liability company.

William Torchia addressed the Commission. He stated that Fifth Day Restaurants, LLC operated four (4) TGI Friday's located in Peoria, Moline, Rockford and Champaign.

Commission Renner noted that the application was a change in ownership.

Commissioner Tomkins questioned whether the applicant intended to do remodeling. Mr. Torchia responded that at a later date there would be a re-imaging plan which could involve some remodeling. He stated that no major changes in the business are planned in the short term.

Motion by Commissioner Jordan, seconded by Commissioner Tompkins, that the application of Fifth Day Restaurants, LLC, d/b/a TGI Friday's, located at 9 Brickyard Dr., requesting a RAS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week, be approved contingent upon compliance with all applicable health and safety codes.

Motion carried, (viva voce).

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

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Public notice was published in the Pantagraph on May 4, 2015 in accordance with City Code. In accordance with City Code, approximately 211 courtesy copies of the Public Notice were mailed on May 4, 2015. The matter was continued from the May 12, 2015, Liquor Commission meeting to the June 9, 2015, Liquor Commission meeting. In addition, the Agenda for the June 9, 2015, Meeting of the Liquor Commission was placed on the City's web site. There also is a list serve feature for the Liquor Commission.

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

Respectfully submitted for Council consideration.

Prepared by: Renee Gooderham, Chief Deputy Clerk

Reviewed by: George D. Boyle, Assistant Corporation Counsel

Recommended by:

Karen Schmid
Mayor Pro Tem

The following was presented:

Item 70: Consideration of an Ordinance Suspending Portions of Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the City Code for a wedding reception at Davis Lodge.

Motion by Alderman Black, seconded by Alderman Painter that the Ordinance Suspending Portions 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 November 7, 2015 be approved and the Mayor and City Clerk authorized to execute the necessary documents.

Mayor Pro Tem Schmidt directed the Clerk to call the roll which resulted in the following:

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

Nays: None.

Motion carried.

RECOMMENDATION/MOTION: That the Ordinance Suspending Portions 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 November 7, 2015 be approved and the Mayor and City Clerk authorized to execute the necessary documents.

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

STRATEGIC PLAN SIGNIFICANCE: Objective 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 on June 9, 2015, to hear the request of Phil Lewis and Courtney Balk Schaumburg to allow moderate consumption of alcohol at their November 7, 2015, wedding reception to be held at Davis Lodge.

Present were Commissioners Tari Renner, Geoffrey Tompkins and Jim Jordan. City staff present were Asst. Corporation Counsel, George Boyle, Asst. Chief Wheeler, Chief Deputy Clerk, Renee Gooderham and Julie Lewis, sister of Phil Lewis.

Ms. Lewis addressed the Commission. She stated that Red Bird Catering would be catering the event. Beer and wine only would be served.

Motion by Commissioner Tompkins, seconded by Commissioner Jordan that the request of Phil Lewis and Courtney Balk Schaumburg to allow moderate consumption of alcohol at their November 7, 2015 owner's meeting to be held at Davis Lodge be approved.

Motion carried, (viva voce).

Commissioner Renner stated that this item would appear on the Council's July 13, 2015 Consent Agenda. He encouraged Ms. Lewis to attend the meeting.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The Agenda for the June 9, 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: Cherry L. Lawson, City Clerk

Reviewed by: Brett Lueschen, Interim Water Director

Reviewed by: George D. Boyle, Assistant Corporation Counsel

Recommended by:

Karen Schmidt
Mayor Pro Tem

The following was presented:

Item 7P: Consideration of an Ordinance Suspending Portions of Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the City Code for a wedding reception at Davis Lodge.

Motion by Alderman Black, seconded by Alderman Painter that the Ordinance Suspending Portions 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 August 7, 2015 be approved and the Mayor and City Clerk authorized to execute the necessary documents.

Mayor Pro Tem Schmidt directed the Clerk to call the roll which resulted in the following:

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

Nays: None.

Motion carried.

RECOMMENDATION/MOTION: That the Ordinance Suspending Portions 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 August 7, 2015 be approved and the Mayor and City Clerk authorized to execute the necessary documents.

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

STRATEGIC PLAN SIGNIFICANCE: Objective 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 on June 9, 2015, to hear the request of Reid Plevka and Brittany Turl to allow moderate consumption of alcohol at their August 7, 2015, wedding reception to be held at Davis Lodge.

Present were Commissioners Tari Renner, Geoffrey Tompkins and Jim Jordan. City staff present were Asst. Corporation Counsel, George Boyle, Asst. Chief Wheeler, Chief Deputy Clerk, Renee Gooderham and Jeanenne Plevka sister of Reid Plevka.

Jeanenne Plevka, addressed the Commission. She stated that Double Tree would be catering the event. Beer and wine only would be served.

Motion by Commissioner Tompkins, seconded by Commissioner Jordan that the request of Reid Plevka and Brittany Turl to allow moderate consumption of alcohol at their August 7, 2015, wedding reception to be held at Davis Lodge.

Motion carried, (viva voce).

Commissioner Renner stated that this item would appear on the Council's July 13, 2015 Consent Agenda. He encouraged Ms. Plevka to attend the meeting.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The Agenda for the June 9, 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: Cherry L. Lawson, City Clerk

Reviewed by: George D. Boyle, Assistant Corporation Counsel

Recommended by:

Karen Schmidt
Mayor Pro Tem

Item 7G: Consideration of a Resolution approving modification to the Homefield Energy and Good Energy agreements so to obtain a 100% renewable energy level in association with municipal energy aggregation.

Alderman Lower believed there was community misinformation. He noted that the agreements did not promote renewable energy. Same was a small percentage of renewable energy. He questioned affordability. Local government should advocate for the consumer and not be involved with utility aggregation costs.

Alderman Black questioned auditing renewable energy credits (REC). Steven Rasmussen, Asst. City Manager, responded Homefield Energy could be audited. Black requested that the audits be presented to Council.

Alderman Black questioned the Resolution Section three (3) “This provision shall only apply if the overall aggregation rate is lower than the Ameren rate”. Mr. Rasmussen noted that the electrical rates had minor fluctuations day to day. The base rates would be locked for three (3) years.

Alderman Hauman noted the difference between 100% renewable energy and 100% renewable energy certificates. The goal was to obtain 100% renewable energy certificates by 2025. Mr. Rasmussen noted that the state had eight percent (8%) on the grid. The original 2013 program was designed to reduce the amount that residents and small business’ paid for electricity.

Alderman Lower noted that Ameren’s holding company was Homefield. He believed Ameren’s rate would be higher. Customers could opt out for the best rate.

Motion by Alderman Black, seconded by Alderman Painter that the resolution approving modifications to the agreements with Homefield Energy and Good Energy to reduce the City’s civic contribution in exchange for achieving a 100% renewable energy level and providing staff direction on renewable energy, removing Resolution Section three (3) last sentence “This provision shall only apply if the overall aggregation rate is lower than the Ameren rate” be adopted and the City Manager be authorized to execute any related documents related to same, with amendment that agreement would be upheld regardless of Ameren rates.

Mayor Pro Tem Schmidt directed the Clerk to call the roll which resulted in the following:

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

Nays: Alderman Lower.

Motion carried.

RECOMMENDATION/MOTION: That the resolution approving modifications to the agreements with Homefield Energy and Good Energy to reduce the City’s civic contribution in

exchange for achieving a 100% renewable energy level and providing staff direction on renewable energy be adopted and the City Manager be authorized to execute any related documents related to same.

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

STRATEGIC PLAN SIGNIFICANCE: 5c. Incorporation of “Green Sustainable” concepts into City development and plans.

BACKGROUND: At the April 9, 2013, consolidated election, the following public question was on the ballot:

Shall the City of Bloomington have the authority to arrange for the supply of electricity for its residential and small commercial retail customers who have not opted out of such a program?

By a vote of 53.73% to 46.27% the measure passed and the City Council became the governing authority of the City’s energy aggregation group (i.e., all City residences in the Ameren service territory and all businesses in the city using less than 15,000 kilowatt hours (kWh) of electricity per year). Eligible customers who choose not to be part of the aggregation group may opt out. The customer count is approximately 17,400 Bloomington residential customers and 1,600 commercial customers. Members of the Corn Belt Energy cooperative are excluded.

By Illinois law, the City through its energy supplier, must support renewable at a ratio of 1 Renewable Energy Credit for every 10 megawatts hours used. This is achieved through purchase of Renewable Energy Credits (RECs). RECs are sold by companies that generate energy through use of renewable sources such as wind, hydro and solar. The REC system serves as a financial incentive to increase development and use of renewable sources. The purchase of RECs doesn’t mean the City actually receives its electricity from a renewable source; electricity from all sources is transmitted through a common power grid. (Also, in actuality, half of this mandatory cost for renewable energy is made through an Alternative Compliance Payment to the Illinois Power Agency rather than through market purchases of RECs.)

Under the City’s current contract with its energy supplier, Homefield Energy, entered into in March 2015, the State of Illinois mandated level for renewable energy is required (i.e., a ratio of 1 Renewable Energy Credit for every 10 megawatts hours used). In industry terminology, this is “10 percent renewable” designation.

When the City Council prepared for its first aggregation contract, in 2013, it voted on a floor motion that the supplier contract should include the equivalent of 1 Renewable Energy Credit for every 1 megawatt of electricity used. This ratio of 1 REC for 1 megawatt used is termed by the industry as “100 percent renewable.” The motive for voluntarily achieving this designation is improving the environment and reducing carbon emissions.

In March 2015, the City entered into a three-year contract in which the renewable energy ratio is 10 percent. The 10 percent ratio was recommended at the time by Good Energy, the City’s

consultant, because energy prices were rising and Good Energy feared that a 100 percent contract would produce rates higher than the rates that would be posted by Ameren in May. All of the other 34 communities that entered into an agreement with Homefield Energy, also opted to utilize the 10 percent designation.

Since the latest contract was approved, Ameren's rates increased and the aggregation rates are now lower. The current Ameren rate from June to September is 5.966 cents per kWh. The projected rate for Ameren from October to May is 6.211 cents per kWh. Alternatively, the City's aggregate rate is fixed for three years (until May 2018) at 5.669 cents per kWh.

With the projected savings, the City can now consider attempting to achieve the "100 percent renewable" level. To accomplish this, the City would need to purchase approximately 125,000 RECs to raise its REC-megawatt ratio from 10 percent to 100 percent. If the City Council now wants to achieve this ratio, there are a number of ways to do so. However, the recommended way would be to have the City's energy supplier, Homefield Energy, lower its "civic contribution" from \$1.00 per mWh to 30 cents per mWh and then purchase the renewable energy credits on the City's behalf. Currently, the City receives a "civic contribution" in the amount of approximately \$140,000 per year. This would lower the contribution to approximately \$40,000.

To have Homefield Energy purchase the energy credits, the City will need to amend the pricing attachment on its aggregation contract and the agreement between Good Energy and Homefield Energy. These amendments would both lower the City's "civic contribution" and direct Homefield Energy to purchase the credits on the City's behalf. According to Homefield Energy, these credits would likely be wind energy credits purchased from either Texas or California. The current credits required under the contract are Illinois RPS compliant, meaning essentially that they come from Illinois or adjacent states and are produced from certain energies like wind. However, Illinois compliant credits are significantly more expensive and cost prohibitive. That said, the purchase of the out-of-state credits accomplishes the same goal of promoting energy efficiency and sustainability.

If the City Council desires to achieve the "100 percent renewable" level but does not desire to lower its civic contribution, additional options would include: (1) engage in a process to amend the contracts and pass a surcharge of approximately 30 cents per month to the average residential customer to pay for the credits; (2) utilize an RFQ process to hire a broker to purchase RECs and pay for same out of the City's general fund. Another option would be to establish a system under which individual customers could make arrangements with Homefield Energy to raise their individual rates to make their personal energy consumption "100 percent renewable." City staff can provide additional details and/or discuss any of these options further if desired.

Adoption of the resolution authorizes the City Manager to execute the necessary documents with Homefield Energy and Good Energy to lower the "civic contribution" in an amount necessary to purchase the lowest cost energy credits and achieve the "100 percent renewable" designation. It also directs staff to take such further action in the future.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Illinois People's Action.

FINANCIAL IMPACT: Lowering the “civic contribution” required in the Homefield Energy contract is expected to lower the amount donated to the City by approximately \$100,000. Approximately \$38,000 of the “civic contribution” has been used in the past for Ecology Action Center for the joint energy conservation education program and it is anticipated that will be able to continue for fiscal year 2016.

Respectfully submitted for Council consideration.

Prepared by: Stephen Arney, Public Works Administration

Reviewed by: Steve Rasmussen, Asst. City Manager

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

Legal review by: Jeffery R. Jurgens, Corporation Counsel

Recommended by:

Karen Schmidt
Mayor Pro Tem

The following was presented:

Item 7I: A. Consideration of approving Ordinance Amending the Budget for the Fiscal Year Ending April 30, 2016 in the amount \$20,000. B. Donate \$20,000 to YouthBuild of McLean County, specifically for YouthBuild’s Summer Jobs Program.

Alderman Fruin questioned YouthBuild teaching residential repairs. David Hales, City Manager, responded negatively. He believed same was involved with new construction only.

Motion by Alderman Fruin seconded by Alderman Hauman that donation to YouthBuild to be specifically used to administer/fund the YouthBuild’s Summer Jobs Program and approve an Ordinance Amending the Budget Ordinance (2015-18) for the Police Department in the amount of \$20,000 for Fiscal Year April 30, 2016

Mayor Pro Tem Schmidt directed the Clerk to call the roll which resulted in the following:

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

Nays: None.

Motion carried.

RECOMMENDATION/MOTION: Donation to YouthBuild to be specifically used to administer/fund the YouthBuild's Summer Jobs Program and approve an Ordinance Amending the Budget Ordinance (2015-18) for the Police Department in the amount of \$20,000 for Fiscal Year April 30, 2016

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

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

BACKGROUND: The City Council approved receiving \$20,000 Donation from Curative Health Inc., a subsidiary of Columbia Care LLC to create summer jobs for At Risk Youth. The funds have been received from Curative Health Inc., and now staff is asking that the funds be donated to YouthBuild of McLean County, specifically for YouthBuild's Summer Jobs Program. Youthbuild's Summer Jobs Program is an established program with long standing support from the Juvenile Justice Council. With this donation, 13 additional young people between the ages of 16-18 will be able to participate and receive hands-on experience with YouthBuild's Summer Jobs Program. A total of 39 youths will be participating in the program this year of which 29 are City of Bloomington Residents (nearly 75%). The below are attached for Council's information:

- 2013 Summer Jobs Update
- 2014 Summer Jobs Update
- Program Overview
- Services Listings
- Program Schedule

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable.

FINANCIAL IMPACT: The City received a \$20,000 unbudgeted donation into the FY 2016 Budget under Police-Miscellaneous Revenue Account (10015110-57990). These funds are proposed to be donated from the FY 2016 Budget from the Police-To Other Governments and Agencies Account (10015110-75910). The proposed budget amendment will raise the revenue account and expenditure account in FY 2016 and will have a neutral effect on the FY 2016 General Fund Budget.

Respectfully submitted for Council consideration.

Prepared by: Chris Tomerlin, Budget Analyst

Reviewed by: Kenneth A. Bays, Assistant Chief of Police

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

Legal review by: Jeffery R. Jurgens, Corporation Counsel

Recommended by:

David Hales
City Manager

The following was presented:

Item 7J: Consideration of approving a Text Amendment to Chapter 35, Section 30 of the City Code pertaining to Fingerprint Requests.

Alderman Fruin noted that the costs associated with fingerprinting was \$12,000, revenue generated was \$6,000. He believed that fee structures should recoup the cost of tasks performed.

Motion by Alderman Fruin seconded by Alderman Hauman that the Text Amendment to Chapter 35, Section 30 of the City Code pertaining to fingerprint requests be approved, with amendment to the price per card to \$20.00.

Mayor Pro Tem Schmidt directed the Clerk to call the roll which resulted in the following:

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

Nays: None.

Motion carried.

RECOMMENDATION/MOTION: The Text Amendment to Chapter 35, Section 30 of the City Code pertaining to fingerprint requests be approved.

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: For several years, the police department has provided fingerprinting services for various purposes to community. The current ordinance states services are available Monday through Friday, from 7:00 a.m. to 3:00 p.m. at a cost of \$10.00 per card. The proposed ordinance makes the following primary changes to the Code as it now stands:

1. Increase from \$10.00 to \$15.00 per card. This increase is more representative of the cost incurred for staff time to process fingerprints (takes approximately 15 to 20 minutes). Fingerprints are done by police officers only, and predominantly it is the desk supervisor. The approximate average of the last three years revenue from fingerprinting fees was \$6,100.00 (about 610 cards) per year, actual average staff cost is approximately \$11,990.00 per year, a difference of \$5890.00. Currently, average revenue is about 51% less than estimated annual cost. With the fee increase, projected annual revenue will be about \$9150, still about 24% less than the actual cost to provide the service. In comparison, a few private businesses in town offer

fingerprinting services at a higher cost ranging from \$29.00-\$75.00, almost 100 to 500 percent more.

2. Allows the police department to set the hours this service is provided based on need and staffing. Currently, the department has a broad range of hours in which fingerprint services are conducted. The present ordinance limits this time to the day shift Monday through Friday, 7a-3p, though we still provide the service on evenings. The current hours do not account for shift change and other logistics associated with providing the service. The police department is seeking the ability to set the hours and days on an as needed basis to assure staffing and availability to the citizens. The department intends to provide services on a set number of days and hours occurring both during the day and the evening. Initial proposal will be to offer services Tuesdays and Thursdays from noon to 6pm. This allows for both day and evening hours, a convenience for citizens and permits planning by the department to provide the service without routinely having citizens wait for an available officer. This initial offering will be evaluated and adjusted as needed based on demand trends.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not Applicable.

FINANCIAL IMPACT: Based on the average of 610 cards per year, an additional \$5.00 would bring in approximately \$3,050.00 additional revenue annually.

Respectfully submitted for Council consideration.

Prepared by: Kenneth Bays, Assistant Chief of Police

Financial & Budgetary review by: Chris Tomerlin, Budget Analyst

Legal review by: Jeffery R. Jurgens, Corporation Counsel

Recommended by:

David Hales
City Manager

8. “Regular Agenda”

Item 8A: Consideration of approving an Ordinance Amending the Public Comment Rules at City Council Meetings for The City of Bloomington.

Jeff Jurgens, Corporation Counsel, presented two (2) options: to proceed with current Public Comment rules, or adopt an ordinance to amending same. He noted that neither option included germaneness. He requested Council guidelines.

Alderman Lower recommended Public Comment time be extended to limit the routine suspension of the rules.

Alderman Fruin recommended thirty (30) minutes. Alderman Mwilambwe questioned same, noting the fourteen (14) speakers from this evenings meeting.

Mr. Jurgens believe that other communities had a maximum thirty (30) minutes. He reminded Council that the rules could still be suspended. He suggested items where it was anticipated that the time limit would be exceed those could be held as a Public Hearing.

Alderman Black questioned the three (3) minute per speaker time limit. Mr. Jurgens stated that time limit would remain.

Mr. Hales questioned Special Sessions. Mr. Jurgens explained that there had been minimal PC. He recommended a clause specific to Special Sessions (Closed Sessions).

Alderman Black recommended PC listed after Recognition and Appointments on the agenda.

Alderman Sage questioned Boards and Commission meetings. Mr. Jurgens stated same would apply. Alderman Sage believed the fifteen (15) minute time frame for same was sufficient. Alderman Hauman echoed Alderman Sage's comments.

Alderman Buragas questioned rule suspension guidelines. She believed that the all meetings should have the same time limit. Boards and Commission time limits could be readdressed.

Motion by Alderman Lower, seconded by Alderman Black Recommend that the Ordinance Amending the Procedures for Public Comments be approved with amendment to the total discussion time to be extended to thirty (30) minutes.

Mayor Pro Tem Schmidt directed the Clerk to call the roll which resulted in the following:

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

Nays: Alderman Sage.

Motion carried.

The following was presented.

Item 8B: Consideration of purchasing a replacement Video and Scoreboard System for use at the U.S. Cellular Coliseum in the amount of \$1,389,605.35.

Jim, Appio, U.S. Cellular Coliseum (USCC) Associate General Manager addressed the Council. He provided an electronics purchase history.

Phil Charleston, USCC Production Development Manager, addressed the Council. He explained the scoreboard's current condition. He noted that parts had to be replaced weekly. Repair parts were no longer available. The warranty had expired. He presented on the research he has conducted (presentation on file).

Joey Hulsebus, DAKTRONICS (DAK) Sales Representative, addressed the Council. He noted that DAK was the industry leader for LED (light-emitting diode) scoreboards. The Tampa Bay Buccaneers purchased a DAK scoreboard in 1998. DAK continued to provide support for same.

David Hales, City Manager noted the scoreboard was in the Fiscal Year 2016 budget. Staff had researched the scoreboard with a reputable life cycle. He noted that DAK was selected by The Cooperative Purchasing Network (TCPN).

Alderman Painter believed that profits from USCC should finance for score board.

Alderman Hauman questioned the financing timetable. Mr. Hales responded five (5) year for financing and maintenance.

Alderman Lower questioned compatibility with the current box seats television screens. Mr. Hulsebus responded content would be streamed through the current televisions on a different channel.

Alderman Lower believed that the purchase could be delayed. Mr. Hales stated that it was not in the city's best interest to delay. As the building owner we had a responsibility to assure the facility was in good repair and necessary technology was provided.

Alderman Lower questioned rehabilitation on the current scoreboard. Mr. Charleston responded that same was in poor condition and outdated.

Alderman Lower questioned use of a Windows 98 emulator. Mr. Charleston stated that Information Services staff had been contacted. They were unfamiliar with the software.

Alderman Mwilambwe believed the ten to twelve (10- -12) life span was too short. Mr. Hales explained DAK had been tasked to obtain the best value and maximizing longevity.

Alderman Sage questioned life expectancy. Mr. Hulsebus noted that LED lights have 100,000 hour/30 (thirty) year life span. He explained his design team worked on lasting LED technology. He noted that technology continues to evolve.

Alderman Sage questioned replacement parts. Mr. Hulsebus stated that maintenance and replacement parts were available in Illinois. He believed same would increase longevity.

Alderman Hauman questioned current technology salvage value. Mr. Charleston explained that parts transportation was more expensive than the current scoreboard value.

Alderman Hauman noted that Public Comment was received via email questioning the bid process. Mr. Hales noted that same went through a state competitive bid process.

Alderman Buragas questioned financing \$300,000 per year. Mr. Hales responded that same would be budgeted.

Alderman Buragas questioned the USCC management renewal contract. Mr. Hales explained that contract negotiations would not change the replacement necessity.

Alderman Black acknowledged the need to replace the scoreboard. He believed other city needs could be addressed. He questioned consequences. Mr. Hales responded that same could damage the USCC's reputation.

Motion by Alderman Lower to delay the purchase of a new DAKTRONICS (DAK) Video and Scoreboard System, herein described, be purchased through the TCPN (The Cooperative Purchasing Network) in the amount of \$1,389,605.35 from Contract #R5195 indefinitely.

Motion failed.

Motion by Alderman Fruin seconded by Alderman Sage that the purchase of a new DAKTRONICS (DAK) Video and Scoreboard System, herein described, be purchased through the TCPN (The Cooperative Purchasing Network) in the amount of \$1,389,605.35 from Contract #R5195 be approved and the Procurement Manager be authorized to issue a Purchase Order for same.

Mayor Pro Tem Schmidt directed the Clerk to call the roll which resulted in the following:

Ayes: Aldermen Sage, Hauman, Fruin, Buragas, Mwilambwe and Painter.

Nays: Aldermen Lower and Black.

Motion carried.

9. City Manager's Discussion

David Hales, City Manager requested that Jim Karch, Public Works Director of Public address the recent rainfall/flooding. Mr. Karch presented a stream gauge diagram for Sugar Creek. He noted there was a foot more water than average present in multiple gauges throughout the city. He stated that at the Committee of the Whole on Monday, July 20, 2015 he would present the storm water and sewage master plan. Mr. Hales explained updated on all the infrastructure master plans would be provided next Monday, with a report on current project fees.

10. Mayor's Discussion

Mayor Pro Tem Schmidt expressed appreciation Parks and Recreation and Cultural Arts Department for the July 4th celebration and to the sound crew for Sound America. She noted the Police Departments awards ceremony held on Friday, July 10, 2015.

11. City Aldermen's Discussion

Alderman Fruin requested more downtown redevelopment discussion reference the Front and Center block presented by Mr. Jeff Giebelhausen, Giebelhausen Group, LLC owner, at the Special Session held on May 4, 2015. He had some suggestions for the Commerce Bank.

Alderman Hauman noted that twenty – two (22) citizens attended her “Coffe with the Council” on Saturday, July 11, 2015 held at Rollingbrook Park.

12. Executive Session – Pursuant to Section 2(c) (12) of 5 ILCS 120

Mayor Pro Tem Schmidt requested a motion for Executive Session. She noted that no action would be taken during same.

Motion by Alderman Painter seconded by Alderman Hauman that the Council adjourn to Executive Session. Time: 9:05 p.m.

Mayor Pro Tem Schmidt directed the Clerk to call the roll which resulted in the following:

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

Nays: None.

Motion carried.

13. Adjournment

Motion by Alderman Hauman seconded by Alderman Painter to reconvene Regular Meeting Session and adjourn the meeting. Time: 9:15 p.m.

Motion carried, (viva voce).

CITY OF BLOOMINGTON

ATTEST

Karen Schmidt, Mayor Pro Tem

Renee Gooderham, Chief Deputy Clerk