

REVISED AGENDA



CITY COUNCIL MEETING AGENDA

CITY COUNCIL CHAMBERS

109 E. OLIVE STREET, BLOOMINGTON, IL 61701

MONDAY, DECEMBER 14, 2015 7:00 P.M.

- 1. Call to order**
- 2. Pledge of Allegiance to the Flag**
- 3. Remain Standing for a Moment of Silent Prayer**
- 4. Roll Call**
- 5. Public Comment**
- 6. Recognition/Appointments**
 - A. Recognition of the following individuals who participated in the Fall 2015 Bloomington 101 Program
 - Olemuel Ashford
 - Deborah Brown
 - David Burch
 - Tara Henry
 - George Huonker
 - Tejas Jani
 - Tahnee Lee Lathrop

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- Cherry Lawson
- Y. Margot Mendoza
- Kimberly Mensah
- Tim Mitchell
- Michael O'Donnell
- Marcia Maxon Schwartz
- Sara Taylor
- Robin VanDermay
- Sarah Villafuerte
- Cat Woods

B. Appointment of Michael Gorman to the Regional Planning Commission (McLean County)

7. “Consent Agenda”

(All items under the Consent Agenda are considered to be routine in nature and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member, City Manager or Corporation Counsel so requests, in which event, the item will be removed from the Consent Agenda and considered in the Regular Agenda, which is Item #8.)

(The City's Boards and Commissions hold Public Hearings prior to some Council items appearing on the Council's Meeting Agenda. Persons who wish to address the Council should provide new information which is pertinent to the issue before them.)

- A. Consideration of approving the Council Meeting Minutes of November 23, 2015. *(Recommend that the reading of the minutes of the previous Council Minutes of November 23, 2015, be dispensed with and the minutes approved as printed).*
- B. Consideration of approving Bills, Payroll and Electronic Transfers. *(Recommend that the bills payroll, and electronic transfers be allowed and orders drawn on the Treasurer for the various amounts as funds are available.)*
- C. Consideration of approving an Appointment to the Regional Planning Commission (McLean County). *(Recommend that Michael Gorman be appointed to serve on as the City of Bloomington representative on the Regional Planning Commission (McLean County)).*
- D. Consideration of Ratification of Contract with Police Benevolent and Protective Association Unit 21 (patrol) for the period of May 1, 2014 through April 30, 2016. *(Recommend that the*

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Contract with Police Benevolent and Protective Association Unit 21 (patrol) for the period of May 1, 2014 through April 30, 2016 is ratified and staff is authorized to sign the agreement.)

- E. Consideration of approving a Memorandum of Understanding for Scott Oglesby. *(Recommend that Council approve the Memorandum of Understanding, and authorize the City Manager and City Clerk to sign the agreement.)* ***Correction to the date on the Council memo from December 14, 2014 to December 14, 2015.***
- F. Consideration of waiving formal bidding process and approving an EMS Continuing Education and Quality Assurance Service Agreement as a limited source purchase in the amount of \$17,250. *(Recommend that the Council Waive any formal bidding process and approve as a limited source purchase the EMS Continuing Education and Quality Assurance Service Agreement in the amount of \$17,250.00, and authorize the City Manager and City Clerk to sign the necessary documents.)*
- G. Consideration of approving a Resolution waiving the formal bid process and purchase of Personal Protective Equipment – Firefighting Turnout Gear in the amount of \$50,700. *(Recommend that Resolution be approved waiving the formal bid process, the purchase of 20 complete sets (jacket and pants) of Globe Gold Millenia XT G-Xtreme Firefighter Turnout Gear from Municipal Emergency Services, Inc. (MES), Deerfield, IL, be approved, in the amount of \$50,700 and the Procurement Manager be authorized to issue a Purchase Order.)*
- H. Consideration of approving the purchase of one (1) International Dump Truck (unit number R25) for the Solid Waste Division of the Public Works Department using the State of Illinois Joint Purchasing Contract. *(Recommend that the purchase of one (1) International Dump Truck from Rush Truck Centers Normal, IL using the State of Illinois Joint Purchasing contract number PSD4018132 in the amount of \$159,640.00 be approved and the Mayor and City Clerk be authorized to execute the necessary documents.)*
- I. Consideration of approving the purchase for a scheduled replacement of one (1) Dump Truck (unit number W19) for the Water Transmission and Distribution Division of the Water Department. *(Recommend that the purchase of one (1) International Dump Truck from Rush Truck Centers Normal, IL using the State of Illinois Joint Purchasing contract number PSD4018132 in the amount of \$161,589.00 be approved and the Mayor and City Clerk be authorized to execute the necessary documents.)*
- J. Consideration of approval of an ordinance for Case SP-03-15 Petition requesting approval of a Special Use Permit for a Two-Family Dwelling for the property located at 812 E. Chestnut Street. *(Recommend that an Ordinance be approved for Case SP-03-15 for the Special Use Permit for a Two-Family Dwelling for the property located at 812 E. Chestnut Street, and authorize the Mayor and City Clerk to sign the necessary documents.)*

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- K. Consideration of approving an Ordinance for a Petition from Wittenberg Woods II, LLC, requesting approval of a Final Plat for the Wittenberg Woods at Prairie Vista Second Addition, located west of Morris Avenue and north of Lutz Road. (*Recommend that the Final Plat be approved, the Ordinance passed, the necessary surety and tap-on fees collected prior to releasing the plat for recording, and authorize the Mayor and City Clerk to sign the necessary documents.*)

8. “Regular Agenda”

- A. Public Hearing and Action on Fourth Amendment to Annexation Agreement with David Fedor, as Trustee of McLean County Land Trust CC-1 (Fox Creek)
- (a) Public Hearing on Fourth Amendment to Annexation Agreement
 - (i) Open Public Hearing
 - (ii) Staff Overview (*Presentation by Jeff Jurgens, Corporation Counsel, 5 minutes*)
 - (iii) *Public Comment*
 - (iv) Close Public Hearing
 - (b) Consideration of an Ordinance Approving the Fourth Amendment to an Annexation Agreement with David Fedor, as Trustee of McLean County Land Trust CC-1 Dated September 1, 1993. (*Recommend that Council approve the Ordinance approving the Fourth Amendment to the Annexation Agreement with David Fedor, as Trustee of McLean County Land Trust CC-1 dated September 1, 1993, and authorize the Mayor and City Clerk to execute the necessary documents.*) (*Council discussion 10 minutes*)
- B. Public Hearing and Action on First Amendment to an Annexation Agreement with Hershey Grove, LLC (Hershey Grove)
- (a) Public Hearing on First Amendment to Annexation Agreement
 - (i) Open Public Hearing
 - (ii) Staff Overview (*Presentation by Jeff Jurgens, Corporation Counsel, 5 minutes*)
 - (iii) *Public Comment*
 - (iv) Close Public Hearing
 - (b) Consideration of an Ordinance Approving the First Amendment to an Annexation Agreement with Hershey Grove, LLC. (*Recommend That Council approve the ordinance approving the First Amendment to the Annexation Agreement with Hershey*)

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Grove, LLC, and authorize the Mayor and City Clerk to execute the necessary documents.) (Council discussion 10 minutes)

C. Public Hearing and Action on Third Amendment to an Annexation Agreement with Charles W. Palmer

(a) Public Hearing on Third Amendment to Annexation Agreement

(i) Open Public Hearing

(ii) Staff Overview (*Presentation by Jeff Jurgens, Corporation Counsel, 5 minutes*)

(iii) Public Comment

(iii) Close Public Hearing

(b) Consideration of an Ordinance Approving the Third Amendment to An Annexation Agreement with Charles W. Palmer, dated February 13, 1996. (*Recommend that Council approve the ordinance approving the Third Amendment to the Annexation Agreement with Charles W. Palmer, and authorize the Mayor and City Clerk to execute the necessary documents.) (Council discussion 10 minutes)*)

D. Presentation of the Empire Street Corridor Redevelopment Project Area Tax Increment Financing Redevelopment Plan and consideration of approving an ordinance to set a date for, and to approve a public notice of a public hearing for the Empire Street Corridor Redevelopment Project Area. (*Recommend that the ordinance to set a date for, and to approve a public notice of a public hearing for the Empire Street Corridor Redevelopment Project Area be approved and authorize the Mayor and City Clerk to execute the necessary documents.) (Austin Grammer, Economic Development Coordinator & Mike Weber, Director, PGAV, Presentation 15 minutes, Council discussion 15 minutes)*)

E. Consideration of approving An Ordinance Levying Taxes for the City of Bloomington, McLean County, Illinois for the Fiscal Year Beginning May 1, 2015 and Ending April 30, 2016 for the City of Bloomington. (*Recommend the Council approve the 2015 Final Property Tax Levy Ordinance in the amount of \$24,063,066, and authorize the Mayor and City Clerk to execute the necessary documents.) (Council discussion 10 minutes.)*)

F. City Infrastructure 2015 Projects Status Report (*Recommend that the Council receives the Presentation as information only*)

a. Presentation by Steve Rasmussen, Assistant City Manager, 5 minutes

b. Presentation by Kevin Kothe, City Engineer, Public Works Division, 5 minutes

c. Presentation by Bob Yehl, Director, Water Department 5 minutes

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d. *Presentation by Jay Tetzloff, Director of Parks & Recreation, 5 minutes*

- 9. City Manager's Discussion**
- 10. Mayor's Discussion**
- 11. City Aldermen's Discussion**
- 12. Executive Session – *Cite Section***
- 13. Adjournment**
- 14. Notes**

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CONSENT AGENDA ITEM NO. 7E

Revised

FOR COUNCIL: December 14, ~~2014~~ 2015

SUBJECT: Consideration of approving a Memorandum of Understanding for Scott Oglesby

RECOMMENDATION/MOTION: That Council approve the Memorandum of Understanding and authorize the City Manager and City Clerk to sign the agreement.

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

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

BACKGROUND: On May 13, 2011 Officer Oglesby was dismissed from the City of Bloomington due to an incident that involved Mr. Oglesby on December 21, 2010. Mr. Oglesby filed a grievance which resulted in Arbitrator Jeanne Vonhof issuing an award on December 24, 2012, in which she ordered Mr. Oglesby's reinstatement to the City's Police Department, and for the City to make Mr. Oglesby whole for back pay and all other losses resulting from his termination, except for those resulting from the one-day suspension.

Following the issuance of the award, the City and the Union have engaged in state court litigation over the enforceability of the award on public policy grounds. The McLean County Circuit Court vacated the award. Ultimately, the Fourth District Appellate Court reversed the trial court decision. On May 26, 2015 Mr. Oglesby was returned to work. During this time he has been in training and later assisting in an administrative capacity in the Records Division due to a non-sworn staff vacancy.

The parties have reached a memorandum of understanding regarding Mr. Oglesby's back pay award as ordered by Arbitrator Vonhof and Mr. Oglesby's continued employment with the City.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: Mr. Oglesby back pay award for wages and benefits as outlined in the Memorandum of Understanding.

Respectfully submitted for Council consideration.

Prepared by: Angie Brown, Asst. Human Resources Manager

Reviewed by: Brendan Heffner, Police Chief
Nicole Albertson, Human Resources Director

Legal review by:

Angela Fyans-Jimenez, Asst. Corporation Counsel

Recommended by:



David A. Hales
City Manager

Attachments:

- Memorandum of Understanding

Motion: That the Council approve the Memorandum of Understanding and authorize the City Manager and City Clerk to sign the agreement.

Motion: _____ Seconded by: _____

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