

Special City Council Meeting of the Bloomington City Council
City Hall Council Chambers
109 E. Olive Street, Bloomington, IL 61701
Monday, April 18, 2016; 5:30 PM

1. Call to Order

The Council convened in Special Session in the Council Chambers, City Hall Building, at 5:30 p.m., Monday, April 18, 2016. The Meeting was called to order by Mayor Renner.

2. Roll Call

Mayor Renner directed the City Clerk to call the roll and the following members of Council answered present:

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

Staff Present: David Hales, City Manager; Steve Rasmussen, Assistant City Manager; Jeffery Jurgens, Corporation Counsel; George Boyle, Assistant Corporation Counsel; Angela Fyans-Jimenez, Deputy Corporation Counsel; Cherry L. Lawson, City Clerk; Brendan Heffner, Police Chief; Nicole Albertson, Human Resources Director; Tom Dabareiner, Plan/Code Enforcement Director; Jim Karch, Public Service Director; Scott Sprouls, Information Services Director; Brian Mohr, Fire Chief; Austin Grammer, Economic Development Coordinator and other City staff were present.

3. Public Comment

Patricia Marton

The following was presented:

Item No. 4. Action on settlement authority in the case Calhoun v. City of Bloomington, et. al. Case No. 15-CB-1247.

Jim Sotos, Attorney Sotos Law Firm, Itasca, IL, provided a brief update on the Calhoun v. City of Bloomington case. Same was resolved with the plaintiff accepting an offer from the City in the amount of \$120,000 plus attorney's fees and costs. The anticipated defense costs were expected to be significantly higher than the settlement amount. The decision to settle was an economic decision made by the City's insurer.

The settlement was not an admission of liability. The City believed the officers acted appropriately the night of the incident.

The case settlement was being handled procedurally through an Offer of Judgment with no formal settlement agreements to approve, nor any other documents that required execution by the City to finalize the case.

Mayor Renner requested a motion on this item.

Motion by Alderman Schmidt, seconded by Alderman Painter, that formally approves and ratifies the settlement and Offer of Judgment in the amount of \$120,000 in the case Calhoun v. City of Bloomington, et al., Case No. 15-CB-1247, and authorize the City Mayor and City Clerk to execute any and all documents necessary to effectuate the resolution of the case.

Mayor Renner directed the Clerk to call the roll which resulted in the following:

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

Nays: None.

Motion carried.

The following was presented:

Item No. 5. Action on the application from VenuWorks of Bloomington, LLC, d/b/a US Cellular Coliseum (USCC), located at 101 S. Madison St., requesting an EAS 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 Hauman, seconded by Alderman Mwilambwe, that an EAS liquor license for VenuWorks of Bloomington, LLC, d/b/a US Cellular Coliseum (USCC), located at 101 S. Madison St., be approved contingent upon compliance with all health safety codes.

Mayor Renner directed the Clerk to call the roll which resulted in the following:

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

Nays: None.

Motion carried.

The following was presented:

Item No. 6. Bloomington Administrative Court: First Year Presentation and Overview.

Angela Fyans-Jimenez, Deputy Corporation Counsel, provided a brief history. On November 10, 2014, Council approved an Administrative Court system for behavioral and property violations adjudication. Same was implemented in 2015, with the first hearing date held on April 1, 2015.

As a result of the Administrative Court, staff was able to focus on obtaining compliance with property code violations. Property violation cases handled in Administrative Court between April 1, 2015 and March 31, 2016, have resulted in approximately eighty-eight percent (88%) being in compliance. Property code violations issued and handled increased by 144%. The City focused on compliance as opposed to the collection of fines. When compliance was not obtained, the City pursued fines which accrued on a daily basis and could be significant.

The behavioral citations issued were down by thirty-two percent (32%) from the previous year. The Administrative Court oversaw 957 cases between April 1, 2015 and March 31, 2016.

Total citations collected were \$151,855 between April 1, 2015 and March 31, 2016. Staff estimated nearly ninety-five percent (95%) of those fines and fees were related to behavioral citations. Same represented a thirty-three percent (33%) decrease in fines received from the previous year.

Staff believed Administrative Court and focus on compliance was successful. The program improvements were speed and efficiency in which property code violations were heard and handled. Same improved the quality of life in the City and assisted with maintaining property values.

Next steps included: 1.) Evaluating and improving collection efforts; 2.) Improving the system to enforce judgments; and 3.) Requiring payment of costs with housing violations. Ms. Fyans-Jimenez recognized several police officers and PACE Inspectors for their Administrative Court service and support.

Alderman Fruin questioned how the public rated the process. Ms. Fyans-Jimenez stated the only complaint was the session time length.

Alderman Black commended Ms. Fyans-Jimenez for the process. He stated Ward Seven (7) residents were pleased with the progress.

Alderman Schmidt questioned determining when to take the process to court. Ms. Fyans-Jimenez stated that Inspectors provided recommendations on the action to be taken. Alderman Schmidt questioned the process for repeat offenders. Ms. Fyans-Jimenez outlined the steps taken.

Alderman Buragas questioned the common types of violations. Ms. Fyans-Jimenez stated garbage and rubbish was the most common violation for commercial properties. Single-family homes had a variety of code violations.

7. Motion to Enter into Closed Session

Mayor Renner requested a motion to enter into Closed Session

Motion by Alderman Hauman, and seconded by Alderman Mwilambwe, to enter into a Closed Session Meeting *per Section 2(c) 1 of 5 ILCS 120/1, Ch. 102.*

Mayor Renner directed the Clerk to call the roll which resulted in the following:

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

Nays: None.

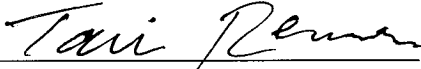
Motion carried.

8. Motion to Return to Special Session and Adjourn

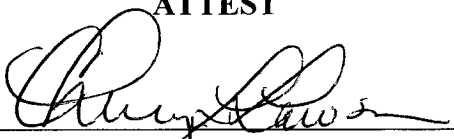
Motion made by Alderman Black, seconded by Alderman Painter, to return to special session and adjourn the meeting at 7:04 p.m.

Motion carried (viva voce).

CITY OF BLOOMINGTON



Tari Renner, Mayor

ATTEST


Cherry L. Lawson, City Clerk

