

SUMMARY MINUTES
PUBLISHED BY THE AUTHORITY OF THE CITY COUNCIL
OF BLOOMINGTON, ILLINOIS
MONDAY, APRIL 10, 2017; 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, March 27, 2017. The Meeting was called to order by Mayor Renner.

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

4. Roll Call

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

Aldermen: Kevin Lower (7:10 pm), David Sage, Mboka Mwilambwe, Amelia Buragas, Scott Black, Karen Schmidt, Joni Painter, Diana Hauman, Jim Fruin, and Mayor Tari Renner.

Staff Present: David Hales, City Manager; Steve Rasmussen, Assistant City Manager; Jeffrey Jurgens; Corporation Counsel, Cherry L. Lawson; City Clerk, Brendan Heffner, Chief of Police; Bob Yehl, Water Director; Scott Sprouls, IS Director; Patti-Lynn Silva, Finance Director, Jim Karch, Public Works Director; and other City Staff were also present.

5. Recognition/Appointments

- A. Proclamation declaring April 2017 as, “Autism Awareness Month.”
- B. Proclamation in Recognition of the “Illinois State University Big Red Marching Machine.”
- C. Proclamation in Recognition of the “50th Anniversary of Katherine Switzer’s Historic Run.”
- D. Appointment of Amelia Buragas to the Bloomington-Normal Economic Development Council Board.

6. Public Comment

Alton Franklin
John Drew

Aaron Len
Dan Snook

Matt Wing
Marc Miller

Regular City Council Meeting Minutes
Bloomington City Council Regular Meeting
Monday, April 10, 2017; 7:00 PM

Eric Snow

Jim Rumps

Patricia Marton

7. Consent Agenda

Items listed on the Consent Agenda are approved with one motion, and is provided in BOLD, and items that Council pull from the Consent Agenda for discussion are listed with a notation Pulled from the Consent Agenda.

Motion by Alderman Schmidt, seconded by Alderman Painter, that the Consent Agenda be approved, with the exception of Items 7D and 7G.

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

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

Nays: None.

Motion carried.

The following was presented:

Item 7A: Consideration of approving the Minutes of the March 27, 2017 Regular City Council Meeting, March 27, 2017 Work Session Meeting, the March 11, 2017 Budget Work Session Meeting and the November 14, 2016 Work Session Minutes.

The following was presented:

Item 7B: Consideration of Approving Bills, Payroll, Procurement Card Purchases, and Electronic Transfers in the amount of \$ 5,735,911.35.

The following was presented:

Item 7C: Consideration of approving a Resolution Waiving the Formal Bidding Process and Authorize an Extension of the Agreement with Henson Disposal of Bloomington, IL for the Processing of Recyclable residential Construction and Demolition (C&D) Waste in the amount of \$190,000.

RESOLUTION NO. 2017 – 11

A RESOLUTION AUTHORIZING WAIVING THE TECHNICAL BIDDING REQUIREMENTS AND APPROVING AN AGREEMENT WITH HENSON DISPOSAL OF BLOOMINGTON, IL FOR THE PROCESSING OF RECYCLING CONSTRUCTION AND DEMOLITION WASTE

The following was presented:

Item 7D: Consideration of adopting a Resolution supporting the 2017 Illinois Municipal League's (IML) Agenda and the Financial and Capital Needs of the City of Bloomington. ***(Pulled from the agenda)***

RESOLUTION NO. 2017 – _

A RESOLUTION SUPPORTING THE 2017 ILLINOIS MUNICIPAL LEAGUE'S
LEGISLATIVE AGENDA AND CALLING FOR THE SUPPORT OF CERTAIN FINANCIAL
AND MAJOR CAPITAL NEEDS OF THE CITY OF BLOOMINGTON

The following was presented:

Item 7E: Consideration of the application of the Bloomington-Normal Jaycees for a limited alcoholic liquor license Class LB, which would allow the selling and serving of beer and wine only by glass for consumption on the premises for a fundraiser to be held on May 19, 2017 from 5:30 to 8:30 p.m. at the Miller Park Zoo.

The following was presented:

Item 7F: Consideration of the application of Lakes Venture Fresh Thyme Farmer's Market located at 403 North Veterans Parkway, Unit 2, requesting a PAS Liquor License which would allow the sale of all types of packaged alcohol for consumption off the premises seven days a week.

The following was presented:

Item 7G: Consideration of Approving an Appointment to the Bloomington-Normal Economic Development Council Board. ***(Pulled from the Consent Agenda)***

Motion by Alderman Painter, seconded by Alderman Schmidt, that Amelia Buragas be appointed to the Bloomington-Normal Economic Development Council Board.

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

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

Nays: None.

Recuse: Alderman Amelia Buragas

Motion carried.

8. Regular Agenda

The following was presented:

Item 8A: Consideration of an Ordinance Reducing the speed limit on Fox Creek Road from West Oakland Avenue to Stonehedges Court. *(Presentation by David Hales, City Manager 5 minutes, Council discussion 10 minutes.)*

Mr. Hales introduced the Ordinance to reduce the speed on Fox Creek Road from West Oakland Avenue to Stonehedges Court from 40 miles per hour down to 30 miles per hour. We are appreciative of Matthew Wing and his research. This stretch of road has a lot of residential homes abutting Fox Creek Road and stops for school buses. Fox Creek Road dead-ends and is not a through street in any sense of the word. Great support has been shown for this reduced speed limit.

Alderman Fruin stated that he would support this, but the important thing going forward is how do we learn from this? He stated he believes going forward we need some consistency. The key is that we are dealing with distracted drivers. He stated he was very supportive, but let us look forward.

Alderman Schmidt stated that she thinks we do have a policy and a philosophy when we adopted complete streets. We are talking about not just how cars travel, but everybody who uses the streets.

Alderman Sage thanked Alderman Fruin for his comments and Matt Wing for his involvement with this process.

ORDINANCE NO. 2017 - 24

AN ORDINANCE AMENDING CITY CODE CHAPTER 29, SECTION 156.5 ALTERED SPEED LIMITS, BY REMOVING CERTAIN PORTIONS OF FOX CREEK ROAD.

Motion by Alderman Sage, seconded by Alderman Mwilambwe, that the Ordinance amending City Code Chapter 29, Section 156.5, which provides for Altered Speed Limits on certain City Streets, be approved to reduce the speed limit to 30 mph on Fox Creek Road from West Oakland Avenue to Stonehedges Court, and the Mayor and City Clerk be authorized to execute the necessary documents.

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

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

Nays: None.

Motion carried.

The following was presented:

Item 8B: Consideration of approving a Text Amendment to Chapter 29 prohibiting truck through-traffic on Clinton Boulevard from Empire Street to Division Street. *(Presentation by Jim Karch, Public Works Director 5 minutes, Council discussion 20 minutes.)*

Mr. Karch stated, in November the overall truck route policy across the City was discussed, and staff recommended not moving forward with it at that time. The recommendation was to continue to look at a case-by-case issue as things came up. As we continued down this overall policy evaluation, staff reviewed other communities, and looked at the overall feel of the community. It was the opinion that enforcement needed to occur.

Alderman Buragas clarified, she did not wish to take credit for materials that she did not author. It was written by the neighborhood, based on a neighborhood petition, and a presentation that the neighborhood put together. She stated that she was concerned that there might be the impression that this is the neighborhood versus a single business and that would be unfortunate if we walked away with a bad impression. About two years ago, the neighborhood had said that the amount of traffic they were experiencing where it comes to the heavy truck traffic for some reason is different, and it was not any single business. All kinds of trucks had begun using Clinton Boulevard. At the end of the day, we are looking at a balancing act. How do we address the concerns of businesses who want free-flow to our City as well as the concerns of the residents? This particular area is different and distinct. It is not an arterial or state road; it is one of the few cohesive neighborhoods in the country that is on the National Registry of Historic Places. It is an asset that is worth preserving within our community. With all this heavy truck traffic, you have increased noise and decreased feelings of safety. Based on reality or not, those are the perceptions and that may likely result in decreased property values, and the potential to have degradation of that particular area and all the hard work of residents to preserve that area.

Alderman Lower stated that he agreed with Alderman Buragas, but the business community has to be able to continue to exist. They provide jobs and growth. We need to look at what we can do to facilitate them, and be very careful about what we are doing when we are affecting our local business.

ORDINANCE NO. 2017 - 25

AN ORDINANCE AMENDING CITY CODE CHAPTER 29, SECTION 201 TO ADD CLINTON BOULEVARD BETWEEN EMPIRE STREET AND DIVISION STREET TO THE LIST OF THROUGH TRAFFIC PROHIBITED STREETS

Motion by Alderman Buragas, seconded by Alderman Painter that the Ordinance providing for a Text Amendment to Chapter 29, Motor Vehicles and Traffic, Section 201, be approved, and authorize the Mayor and City Clerk to execute the necessary documents.

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

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

Nays: None.

Motion carried.

The following was presented:

Item 8C: Consideration of authorizing payment for Property, Liability, Excess Liability, and Excess Worker's Compensation Insurance Coverage for the City of Bloomington in the amount of \$783,084 for the period of May 1, 2017 through April 30, 2018. *(Presentation by Steve Rasmussen, Assistant City Manager, Mike Nugent of Nugent Consulting, LLC; and Walt Larkin of Arthur J. Gallagher Itasca 10 minutes, Council discussion 10 minutes.)*

Mr. Rasmussen thanked all the staff for their work each year in putting everything together. Every piece of property that the City owns and every piece of equipment is analyzed to make sure that we are properly insured. He also stated that we were able to get a price reduction this year in the amount of 7.6%. He introduced Mr. Nugent to present his proposal for the insurance premiums.

Mr. Nugent stated that last year in preparation for the renewal there was discussion about trying to get some competition created to see if we could control or drive down some costs. We had trouble finding other parties interested. The feedback they received was the current structure and the current pricing was too thin. They did not think they could compete, which was disappointing. Generally, the RFP process is done every three years, but we decided to give it a shot again this year. Fortunately, we had an alternative broker who was interested. They had a special property program that they thought would be very competitive, and it worked. The overall cost to the City is reduced to 7.6%.

Alderman Sage thanked Mr. Nugent and Mr. Hales.

Alderman Schmidt thanked Alderman Sage for his reminder because the self-insurance program was a disaster. The work that has gone into this is much appreciated.

Motion by Alderman Schmidt, seconded by Alderman Hauman, that the payment to Arthur J. Gallagher Itasca, IL for Insurance Coverage and Insurance Broker Service from May 1, 2017, through April 30, 2018, be approved in the amount of \$783,084.

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

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

Nays: None.

Motion carried.

The following was presented:

Item 8D: Consideration of Adoption of the FY 2018 Proposed Budget and Appropriation Ordinance. (*Presentation by David Hales, City Manager and Patti-Lynn Silva, Finance Director 5 minutes, Council discussion 20 minutes.*)

Mr. Hales stated, you cannot understate how much time and effort goes into preparing a \$214,000,000 budget. This is a document that is much more transparent, it has a lot more detail and information on what programs and services we fund. He thanked Ms. Silva and Ms. Morello, all the directors, and the staff.

Ms. Silva pointed out there were a couple of housekeeping changes where we added the IDHA Grant as well as the dollars for the feasibility study on the west side, and the general fund actually decreased \$100,000.

Mayor Renner thanked Ms. Silva for all the work that she does on behalf of all the elected officials.

Alderman Black thanked Mr. Hales and Ms. Silva. He stated that over the last six months, he had talked about his discomfort with the Grove Sewer Oversizing Project. It is budgeted to be \$300,000 for this fiscal year. He stated that he was not saying that we should not fulfill our commitment to the Grove, but does it have to be this year. If it was to be split up over a few fiscal years, what are the ramifications of such a proposal?

Mr. Jurgens stated that with the developers of this subdivision, we have an agreement where they let us know in advance if they think they are going to have a project that is coming up, and in this situation what we have budgeted for is an oversizing project as referenced. They are planning on doing some additional development in one of the additions. Our requirement is that they put in an eight (8) inch sewer pipe. However, we want to oversize so that if there is development not associated with the Grove in the future, but other upstream development that the sewer will accommodate that. We do not pay for the 8 inch, but if there is anything oversizing and we would oversize it to a 36 inch, then the City would be responsible for paying for that, so the \$300,000 that is in the budget is for that oversizing project. The agreement is set up such that they would do the work, they would then bill the City and then, he believes, it is within 30 days we would have to pay them for that.

Mayor Renner asked if the oversizing was required.

Mr. Jurgens stated that the oversizing is not required, but if we do not do it now and there is development out there, we would be going through back yards and other areas to dig up, and it

will cost a whole lot more than this amount of money in the future. So, if we are going to oversize it, this is the time to do it.

Alderman Black asked if we do not fund this project this year, would we end up in court and lose?

Mr. Jurgens stated, if we do not budget the money for it, basically we are going to be sending the message, and we are going to have to have a conversation with the developer to say we do not want you to oversize, thus you will not be sending us a bill.

Alderman Black stated that the suggestion he would make would be that we spread this out over three fiscal years.

Mayor Renner stated that he believed Mr. Jurgens was saying that we do not have that option. Either do it all at once or just live with 8 inches. He then asked what is the downside of not oversizing?

Mr. Karch stated that the Grove came in the 2004-2005 timeframe, and it has been difficult because it was way out on the edge of town, and it is pushing \$17,000,000 of total infrastructure to extend sanitary sewer. This is an area long term that will be viable for future growth if you look at other developments and it is continuing to grow.

Alderman Black stated that it was very hard for him to go back to residents in Ward 7 who have been waiting for years for a new sewer when we are expanding a sewer that is projected for future growth. He stated he was not denying the arguments of what he was hearing, but he stated he cannot support that.

Mr. Jurgens stated there was one other alternative. If you put this in the budget, it does not mean that you authorize the expenditure of it. This could continue to be a discussion and something that we work on.

Mayor Renner stated that he could, depending on what the Council says, do a line-item veto, and that would just be removed.

Alderman Buragas stated this is difficult. We do not want to go back on what we have promised to do, but she also does not want to do things that are not necessary in areas where we do not want to see growth in the future. She is very uncomfortable with the perception that brand new properties that are just being built jump to the front of the line, and we have neighborhoods that are struggling and would rather see the budget pass for the moment and then addressing this particular issue in a work session.

Alderman Sage stated that he is supportive of this and Alderman Buragas made another good point. A third point is related to all of the conversation about the bypass. We are not going to have the projected growth that so many of these assumptions were made on.

Alderman Lower stated that the new growth that we have had has been in this area, and it probably will continue if we have new growth. Those folks are paying taxes, and it is a mathematical computation on both sides and it is something that we are going to have to weigh. It is a difficult situation. We are subsidizing one entertainment venue two to three times that amount annually.

Alderman Hauman stated that a previous Council did approve this subdivision, but our City has changed since that time. Growth has slowed down. She stated that the residents in Ward 8 are still waiting for a park which we did say we were going to provide. We are looking at balancing what we have contracted for and what people are expecting from us.

Mayor Renner stated that it may be possible if the Council then agrees not to have the \$300,000, some of that could be parks as well as infrastructure.

Alderman Fruin stated that he did not know why it is that we beat up the Grove. We beat up the Coliseum, we beat up the BCPA, and we beat up the prior City Manager. There is no value to looking back. We made a contractual agreement with the people that have developed this. The Council in 2004 or 2005 made the decision that this was the right thing for the City to do. Times have changed and as a Council we agree that infill is more important today. This Council is known for listening and for engaging the other side. Have we talked to the developers? That is a fast growing development out there, and there are people that like new construction. We are a balanced community. People ask why do you continue to support downtown? Why are you putting money downtown? He stated he has always supported downtown because it is so critical to the core of our City and to the surrounding neighborhoods. We have really got to keep in mind our balance and we are very committed as a Council that our focus is the core. Our focus is infill. We are talking about \$300,000 out of a \$208,000,000 budget, and look at the money we are spending to subsidize entertainment, etc., but we have an obligation. If we are going to start backing out of obligations, we lose our reputation. We made a decision, let us support it.

Mayor Renner clarified that this is not something that was required by law.

Alderman Painter stated that since we have done a lot of oversizing in the past and just to help us out in the future, would it be possible to change our code to say that the developers have to pay for the oversizing?

Mr. Karch stated that the challenge is knowing how much oversizing is required. Each different oversizing can vary.

Alderman Mwilambwe asked how much growth we can expect, especially in the Grove area. Mr. Karch stated that development is driven by the market and they have continued to grow out there.

Alderman Buragas stated the sewer oversizing is a choice that the City could make. She asked if she was correct that it will not negatively impact any of the residents currently in the Grove. Mr. Karch stated that was accurate.

Alderman Hauman stated that she was disappointed that this amount of time was being spent on one line item at the last minute. If we do not do this now, in ten or twenty years there will be many people sitting around going what were they thinking in 2017 when they did not put the bigger pipes in.

Alderman Schmidt stated that while the conversation is about a specific development area, she thinks it is a much bigger conversation that is a very important for us to have.

Alderman Sage asked if we can separate this conversation from the agenda item that is on the table with a budget with a firm commitment to say that this will be on a Committee of the Whole meeting in a just few months with a solid commitment to come back around and follow up on that.

Alderman Black stated he would like to make a motion to approve the budget as presented with the exception of the Grove Capital Improvement Project to be earmarked to the sewer fund, and we can decide at a later point in time in a budget amendment where the \$300,000 will go.

Alderman Sage stated his concern was that he would like to have staff have the opportunity to come back and fully vet out all of the why-to's and wherefore's of the stuff related to the Grove to make sure that we are not making the decision too quickly on that, so that would be his concern about the motion.

Ms. Silva stated that certainly you can amend the proposed budget. The other option is you allow the budget to flow through and then you make a reversing budget amendment afterwards where you reduce the budget.

ORDINANCE NO. 2017 -26

BUDGET AND APPROPRIATION ORDINANCE FISCAL YEAR BEGINNING MAY 1, 2017 AND ENDING APRIL 30, 2018 CITY OF BLOOMINGTON

Motion by Alderman Fruin, seconded by Alderman Buragas, that Council approves the Fiscal Year 2018 Appropriation Ordinance, and authorize the Mayor and City Clerk to execute the necessary documents.

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

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

Nays: None.

Motion carried.

9. City Manager's Discussion

Mr. Hales stated that the Council could direct us to come back and to do some analysis and have some further information on this topic.

10. Mayor's Discussion

Mayor Renner thanked Alderman Hauman for putting together a social on Friday evening and also her willingness to work with us on orientation for new City Council members, and we do have two new Council members coming in.

11. City Aldermen's Discussion

Alderman Fruin congratulated the two new Council members.

Alderman Hauman reminded everyone that it is National Library Week.

Alderman Schmidt asked where we are now with the John N. Scott audit.

12. Executive Session – *Cite Section*

13. Adjournment

Motion made by Alderman Hauman, seconded by Alderman Black, to adjourn the meeting at 8:53 p.m.

Motion carried (viva voce).

CITY OF BLOOMINGTON


Tari Renner, Mayor

ATTEST


Cherry L. Lawson, City Clerk