

**COUNCIL PROCEEDINGS
PUBLISHED BY THE AUTHORITY OF THE CITY COUNCIL
OF BLOOMINGTON, ILLINOIS**

The Council convened in regular Session in the Council Chambers, City Hall Building, at 7:00 p.m., Monday, February 23, 2015.

The Meeting was opened by Pledging Allegiance to the Flag followed by moment of silent prayer.

The Meeting was called to order by Mayor Pro Tem who directed the City Clerk to call the roll and the following members answered present:

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

Council Absent: Mayor Tari Renner.

City Manager David Hales, Chief Deputy Clerk Renee Gooderham, and Corporate Counsel Jeff Jurgens were also present.

Staff Absent: Tracey Covert, City Clerk.

PUBLIC COMMENT: Mayor Renner opened the Public Comment section of the meeting. He added that there would not be a response from the City under the Public Comment portion of the meeting.

Alton Franklin, 506 Patterson Dr., addressed the Council. He noted that the Marine Corp was celebrating the seventh (70th) anniversary of Iwo Jima. He believed that everyone deserved to be heard. Courtesy was required. He believed Aldermen Stearns and Lower recognized required budget cuts. There were more cuts available.

Josh Schmidgall, 2212 Beacon Ct., addressed the Council. He questioned the following taxes: utility, local motor fuel, property, amusement video gaming, and liquor and the need to raise the Solid Waste fees.

Patricia Marton, 1114 E Grove St., addressed the Council. She continued to advocate for Elder Abuse awareness. She stated that the Illinois Attorney General's website had a list of resources for same.

Gary Lambert, 3018 E Oakland Ave., addressed the Council. He noted that the Citizens Survey ranked infrastructure second (2nd), public safety was first (1st). He reminded Council that today was tomorrow's yesterday. He cited USCC capital expenses of \$2.5 million.

Rick Heiser, 810 W. Jefferson, addressed the Council. He believed that employees were treated as replaceable. He was satisfied with their quality of work. He believed that Gov. Rauner's budget proposal would make matters worse. He anticipated service cuts made, affecting the most vulnerable citizens.

The following was presented:

Appointment of Van Miller to the Bloomington Library Board of Trustees.

Mayor Pro Tem Schmidt introduced Van Miller. Van Miller, 5 Ridgewood Terrace, addressed the Council. He worked in the office of Advancement at IWU. He had resided in the Community for fifteen (15) years. He was excited to serve the Community.

The following was presented:

Reappointment of Vicki Lynn Tilton to the Cultural District Commission.

The following was presented:

SUBJECT: Council Proceedings of February 9, 2015

RECOMMENDATION/MOTION: Recommend that the reading of the minutes of the previous Council Proceedings of February 9, 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 Council Proceedings of February 9, 2015 have been reviewed and certified as correct and complete by the Chief Deputy Clerk.

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

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

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable.

FINANCIAL IMPACT: Not applicable.

Respectfully submitted for Council consideration.

Prepared by:
Recommended by:

Renee Gooderham, Chief Deputy Clerk

David A. Hales
City Manager

Motion by Alderman Painter, seconded by Alderman Hauman that the reading of the minutes of the previous Council Proceedings of February 9, 2015, be dispensed with and the minutes approved as printed.

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

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

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Bills and Payroll

RECOMMENDATION/MOTION: That the bills and payroll be allowed and orders drawn on the Treasurer for the various amounts as funds are available.

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

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

FINANCIAL IMPACT: Total disbursements to be approved \$4,179,241.89, (Payroll total \$2,211,692.16, PCard total \$142,956.70, Accounts Payable total \$1,824,593.03).

Respectfully submitted for Council consideration.

Prepared by:

Patti-Lynn Silva, Director of Finance

Recommended by:

David A. Hales
City Manager

Motion by Alderman Painter, seconded by Alderman Hauman that the bills and payroll be allowed and orders drawn on the Treasurer for the various amounts as funds are available.

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

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

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Appointment to the Bloomington Library Board of Trustees and Reappointment to the Cultural District Commission

RECOMMENDATION/MOTION: That the Appointments be approved.

STRATEGIC PLAN LINK: Goal 4. Strong neighborhoods.

STRATEGIC PLAN SIGNIFICANCE: Objective 4e. Strong partnership with residents and neighborhood associations.

BACKGROUND: I ask your concurrence in the appointment of Van Miller of 5 Ridgewood Terrace, Bloomington 61701 to the Bloomington Library Board of Trustees. He will be replacing Monica Brigham who resigned effective January 22, 2015. Van will complete Monica's three (3) year term which will expire April 30, 2017.

I ask your concurrence in the reappointment of Vicki Lynn Tilton of 200 W. Monroe, #501, Bloomington 61701 to the Cultural District Commission. Her three (3) year term will be May 1, 2015 to April 30, 2018.

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

FINANCIAL IMPACT: None.

Respectfully submitted for Council consideration.

Prepared by:

Beth Oakley, Executive Assistant

Recommended by:

Tari Renner
Mayor

Motion by Alderman Painter, seconded by Alderman Hauman that the Appointments be approved.

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

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

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Purchase of Sewer Cleaning Truck using the National Joint Powers Alliance joint purchasing Contract Number 022014-FSC and request to approve a Budget Amendment in the FY 2014 Capital Lease in the FY 2015 Budget for the purchase

RECOMMENDATION/MOTION: Recommend that the purchase of one (1) Vactor 2100 Plus using the National Joint Powers Alliance joint purchasing Contract Number 022014-FSC with Coe Equipment Inc., from Rochester, Illinois for the amount of \$312,403 be approved and recommend that the Budget Amendment Ordinance be passed 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 1d. City services delivered in the most cost-effective, efficient manner.

BACKGROUND: The Street and Sewer Division currently has a 2004 International 7400 with a Vactor sewer cleaning body that was due to be replaced last FY14. Due to budget concerns this purchase was delayed. This unit is used in the daily operation of the Streets and Sewer Division. It is used to clean storm water inlets during heavy rains or snow melt off. It is used in emergencies to clean blockages in City owned sewer pipes that are causing backups in resident's homes. It is utilized in the 30, 60, 90 day maintenance program of the sewer and storm water drainage systems. The program consists of Sewer Cleaning: Catch Basin Cleaning: Jet Rodding/Jet Flushing of sewer lines: Wet Well/Lift Station maintenance: and Storm Line Cleaning. The City's Vactor Sewer Truck has serviced a total of 60,180 feet of sanitary sewer lines in the month of January 2015.

The maintenance cost to date for this unit is \$194,521.20. The unit has had engine issues with the engine. Staff has replaced the head gasket, turbo, water pump, injectors, and thermostat. The fuel tank and body debris screen have rusted through and been repaired. The unit has had steering, A/C, and electrical problems. The body has had issues with the jet rodder pump, front hose reel, and the extendable boom.

Staff has also priced this unit using the State of Minnesota Venture Contract number 390-1112 with a cost of \$383,116.00 and the (SPC) Suburban Purchasing Cooperative Contract number 127 with a cost of \$379,089.00.

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.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: None.

FINANCIAL IMPACT: Streets and Sewer Division of the Public Works Department had \$306,159.00 budgeted last fiscal year in FY 2014 Capital Lease-Capital Outlay Licensed Vehicles (40110130-72130) the replacement unit will cost \$312,403 the value for the trade in unit is \$65,000.

Respectfully submitted for Council consideration.

Prepared by: Rob Krones - Superintendent of Fleet Maintenance

Reviewed by: Steve Rasmussen, Assistant City Manager

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

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:

David A. Hales
City Manager

ORDINANCE NO. 2015 – 12

**AN ORDINANCE AMENDING THE BUDGET ORDINANCE
FOR THE FISCAL YEAR ENDING APRIL 30, 2015**

WHEREAS, on April 21, 2014 by Ordinance Number 2014 - 35, the City of Bloomington passed a Budget and Appropriation Ordinance for the Fiscal Year Ending April 30, 2015, which Ordinance was approved by Mayor Tari Renner on April 28, 2014; and

WHEREAS, a budget amendment is needed as detailed below;

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

Section One: Ordinance Number 2014 - 35 (the Budget and Appropriation Ordinance for the Fiscal Year Ending April 30, 2015) is further hereby amended by inserting the following line item and amount presented in ***Exhibit #1*** in the appropriate place in said Ordinances.

Section Two: Except as provided for herein, Ordinance Number 2014 - 35 shall remain in full force and effect, provided, that any budgeted or appropriated amounts which are changed by reason of the amendments made in Section One of this Ordinance shall be amended in Ordinance Number 2014 - 35.

Section Three: This Ordinance shall be in full force and effect upon its passage and approval.

PASSED the 23rd day of February, 2015.

APPROVED the 24th day of February, 2015.

APPROVED:

Tari Renner
Mayor

ATTEST:

Tracey Covert
City Clerk

Exhibit 1

Account #	Fund	Account Description	Amount
40110130-72130	Capital Lease	Police-Capital Outlay Licensed Vehicle	\$312,403
		Net Budget Increase/Decrease	\$312,403

Motion by Alderman Painter, seconded by Alderman Hauman - that the purchase of one (1) Vactor 2100 Plus using the National Joint Powers Alliance joint purchasing Contract Number 022014-FSC with Coe Equipment Inc., from Rochester, Illinois for the amount of \$312,403 be approved and recommend that the Budget Amendment Ordinance be passed and the Mayor and City Clerk be authorized to execute the necessary documents.

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

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

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Extension of the Intergovernmental Agreement for Fire Station Maintenance & Operating Agreement for Fire Station No. 3 and Fire Station No. 6

RECOMMENDATION/MOTION: Recommend that the Extension of the Intergovernmental Agreement for Fire Station Maintenance & Operating Agreement for Fire Station No. 3 and Fire Station No. 6 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 1d. City services delivered in the most cost-effective, efficient manner. Objective 1e. Partnering with others for the most cost-effective service delivery.

BACKGROUND: An Intergovernmental Fire Station Maintenance and Operating Agreement (IGA) exists with Central Illinois Regional Airport (CIRA) that governs the City's occupation and maintenance responsibilities for Fire Station No. 3. This Agreement was entered into in 1995 and is set to expire February 28, 2015. Accordingly, the purpose of the Extension Agreement is to extend the terms of the existing Agreement to March 1, 2016, or to the date on which a new agreement is entered into between the City and CIRA, whichever is the earliest to occur.

The extension is necessary to provide both parties enough time to negotiate and develop an IGA for fire protection services to CIRA from Fire Station #6 and to negotiate the terms upon which the City will remain in possession of the property on which Fire Station #3 currently operates. The original agreement only covers Fire Station No. 3. The IGA Agreement does incorporate Fire Station No. 6, which currently provides Federal Aviation Administration (FAA) required services to CIRA. At the time of the original agreement, Fire Station No. 3 provided the FAA required services to CIRA. As part of the renegotiation of the agreement, City staff anticipates the inclusion of more detailed and updated terms reflecting the current status and costs of the services provided to CIRA.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable.

FINANCIAL IMPACT: Not applicable.

Respectfully submitted for Council consideration.

Prepared by: Lisa A. Petrilli, Sorling Northrup Attorney

Review by: Jeffrey R. Jurgens, Corporation Counsel

Review by: Brian Mohr, Fire Chief

Recommended by:

David A. Hales
City Manager

AGREEMENT EXTENSION

The City of Bloomington ("City") and the Bloomington-Normal Airport Authority of McLean County, Illinois ("Authority") agree to extend the Intergovernmental Fire Station Maintenance and Operating Agreement ("Agreement") originally entered into by the Parties on April 13, 1995.

RECITALS:

WHEREAS, the City and the Authority entered into the Agreement attached hereto as **Exhibit A** with a 20 year term expiring February 28, 2015; and

WHEREAS, the City and the Authority are in the process of negotiating new agreements related to the fire stations currently occupying Authority property; and

WHEREAS, the Parties intend for this Agreement Extension ("Extension") to provide for Fire Station #3 and Fire Station #6;

WHEREAS, it is necessary to provide for the extension of the existing Agreement while the Parties negotiate the terms of a new agreement;

NOW, THEREFORE, the Parties do agree as follows:

- A. The above recitals shall be incorporated into this Extension.
- B. This Extension shall begin on March 1, 2015 and shall terminate upon the first of the following to occur: (1) March 1, 2016; or (2) the date on which a new intergovernmental agreement related to the maintenance and operation of fire station(s) on the Authority's property has been executed and approved by both Parties.
- C. The following terms and paragraphs shall replace the corresponding terms and paragraphs of the Agreement:

2. City shall continue to occupy, use, and be responsible for maintenance of Fire Station #3 and Fire Station #6. City shall be responsible for all grounds maintenance as well as utilities costs associated with the operation of Fire Station #3 and Fire Station #6.

3. City will furnish Fire Station #6 at least one pumping equipment vehicle equipped for structural fire fighting with a capacity of 1,250 gallons per minute and suitable for structural fire extinguishing both on and off airport premises and such first aid, hose drying facilities, and other appurtenances and equipment as the City may deem necessary for the support of such vehicle, and shall maintain the equipment so supplied by City it in good working condition. City may furnish other equipment as it deems desirable or appropriate to Fire Station #3 and Fire Station #6. Authority shall provide for all necessary Aircraft Rescue and Firefighting vehicles as required by the FAA regulation or deemed necessary to support aircraft rescue and firefighting services. City agrees to, at all times, provide for housing of said Authority vehicles within the confines of Fire Station #6.

4. City shall maintain its own equipment as well as all equipment furnished by Authority under the preceding paragraph hereof. This maintenance shall include all radios equipped in vehicles. As regards maintenance, Authority, at its expense, may arrange for a manufacturer's representative to visit Fire Station #6 to inspect the vehicles and to provide training to the fire fighters and those individuals responsible for maintenance of the Authority vehicle(s).

5. City may use one of Authority's vehicles off of Authority's property for a limited time in the event of an emergency as agreed upon by City and Authority. In the event that a vehicle leaves Authority property to assist in an off-site emergency, City agrees that all remaining Authority vehicles shall remain on Authority property and shall be fully staffed and functional. At no time shall there exist a situation where all Authority provided vehicles are either out of service or located off of Authority property. In the

event that Authority determines that it is necessary or appropriate for it to take possession of any of its vehicles located in Fire Station #6, Authority's Operations Manager or Authority's Director of Aviation shall advise the City's Fire Chief in advance of the need to remove the vehicle.

8. City shall staff Fire Station #6 with fire fighters trained to a sufficient level to meet all of the Federal Aviation Administration requirements as dictated under FAR Part 139. A current copy of FAR Part 139 is attached as an Appendix to this Extension. The parties acknowledge that FAR Part 139 will be revised from time to time by the Federal Aviation Administration and as it is revised, the City agrees to meet the required training standards.

D. In all other respects and to the extent that the terms of this Extension do not conflict, the terms of the Agreement entered into by Parties remains in full force and effect without modification throughout the duration of this Extension. Said Extension shall apply both Fire Station #3 and Fire Station #6 except where indicated.

CITY

AUTHORITY

City of Bloomington

Bloomington-Normal Airport Authority
of McLean County, Illinois

By: Tari Renner

By: Carl Olson

Its: Mayor

Its: Executive Director

ATTEST:

ATTEST:

Tracey Cover

Lynnette Hindman

Its: City Clerk

Its: Executive Secretary

Motion by Alderman Painter, seconded by Alderman Hauman that the Extension of the Intergovernmental Agreement for Fire Station Maintenance & Operating Agreement for Fire Station No. 3 and Fire Station No. 6 be approved and the Mayor and City Clerk be authorized to execute the necessary documents.

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

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

Nays: None.

Motion carried.**The following was presented:**

SUBJECT: Ratification of Contract with AFSCME Local 699 for the Bloomington Public Library for the period of May 1, 2014 through April 30, 2017

RECOMMENDATION/MOTION: Recommend that the Contract be ratified and the Mayor and City Clerk be authorized to execute the necessary document.

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

STRATEGIC PLAN SIGNIFICANCE: Objectives: 1d. City services delivered in the most cost-effective, efficient manner, and 1e. Partnering with others for the most cost-effective service delivery.

BACKGROUND: In May 2014 the parties began negotiating the terms for a collective bargaining agreement to replace the Agreement that would expire on April 30, 2014. The expired contract can be located at www.cityblm.org under Human Resources in a folder titled Labor Contracts. A draft of the new Collective Bargaining Agreement has been provided to the Council. On January 21, 2015, the parties reached Tentative Agreement on the issues listed below. The Union has already ratified the Tentative Agreement.

Wages and Benefits

- May 1, 2014 wage increase of 2.25% with retroactivity.
- May 1, 2015 wage increase of 2.25%.
- May 1, 2016 wage increase of 2.25%
- One-time salary adjustment for Library Associate and Library Technical Assistant positions, said adjustment to be effective May 1, 2014.

Health Insurance

- Addition of Affordable Care Act Language

Term of Agreement

- 3 year Agreement

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: City Council and ASSCME Local 699 employees.

FINANCIAL IMPACT: The financial impact of the Tentative Agreements includes:

- Increase in wage tables by 2.25% effective May 1, 2014, increase in wage tables by 2.25% effective May 1, 2015, increase in wage tables by 2.25% effective May 1, 2016. Estimated cost of these wage increases for employees during the term of the contract, excluding longevity increases, is approximately \$164,608.

Respectfully submitted for Council consideration.

Prepared by: Gayle Tucker, Library HR Manager
Reviewed by: Georgia Bouda, Library Director
Legal review by: Jeffrey R. Jurgens, Corporation Counsel
Recommended by:

David A. Hales
City Manager

Motion by Alderman Painter, seconded by Alderman Hauman that the Contract be ratified and the Mayor and City Clerk be authorized to execute the necessary documents.

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

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

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Resolution Regarding Temporary Closing of State Right of Way for Annual Community Events

RECOMMENDATION: Recommend that the Resolution be adopted.

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

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

BACKGROUND: The Illinois Department of Transportation (IDOT) requires that Council adopt a Resolution requesting permission to close or hinder traffic on a State Route.

Typically the City only has two (2) requests each year for parades on a State Route, (US Route 51) which involves the Memorial Day, Labor Day Bike Jaycee Criterium Bike Race and Christmas Parades. IDOT has requested that each municipality that experiences multiple parades on a State Route pass one (1) blanket Resolution at the beginning of each calendar year in order

to minimize paperwork and manpower expenses.

Therefore, staff respectfully requests that Council adopt the Parade Resolution and further, that the Mayor and City Clerk be authorized to execute the necessary document. Upon adoption and execution, the Resolution will be forwarded to IDOT.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable.

FINANCIAL IMPACT: Not applicable.

Respectfully submitted for Council consideration.

Prepared by: Renee Gooderham, Chief Deputy Clerk

Reviewed by: Brian Mohr, Fire Chief
Jim Karch, Director of Public Works
Brendan Heffner, Police Chief

Reviewed as to legal sufficiency: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:

David A. Hales
City Manager

RESOLUTION NO. 2015 - 7

RESOLUTION REGARDING TEMPORARY CLOSING OF STATE RIGHT OF WAY ANNUAL COMMUNITY EVENTS

WHEREAS, the City of Bloomington sponsors parades, road races, festivals and other such events which constitute a public purpose; and

WHEREAS, many of these events are held on State rights of way which will require the temporary closure of said highways; and

WHEREAS, Section 4-408 of the Illinois Highway Code, 605 ILCS 5/1-101 et seq., authorizes the State of Illinois Department of Transportation (IDOT) to issue permits to local authorities to temporarily close portions of State Highways for such public purposes.

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

SECTION 1

The City of Bloomington requests an annual permit allowing the temporary closure of State highways for the purpose of conducting various parades, road races, festivals, and other such

events. By receiving an annual permit, the City will be required to notify the Department in writing approximately ten (10) days in advance of all road closures so that all emergency agencies will be notified of the proposed event.

SECTION 2

(A) That traffic from the closed portion of highway shall be detoured over routes with an all-weather surface that can accept the anticipated traffic, which will be maintained to the satisfaction of the Department and which is conspicuously marked for the benefit of traffic diverted from the State highway, except as provided in Subsections (B) and (C) hereof.

(B) That when a marked detour is not provided, police officers or authorized flaggers shall, at the expense of the City of Bloomington, be positioned at each end of the closed section of roadway and at other points as may be necessary to assist in directing traffic through the temporary detour.

(C) That when the roadway is closed for less than 15 minutes, police officers or authorized flaggers, at the expense of the City of Bloomington shall stop traffic for a period not to exceed fifteen (15) minutes and an occasional break shall be made in the procession so that traffic may pass through.

SECTION 3

That the City of Bloomington assumes full responsibility for the direction, protection and regulation of the traffic during the time the detour is in effect.

SECTION 4

That all debris shall be removed by the City of Bloomington prior to reopening the State highway.

SECTION 5

That the closure and detour shall be marked according to the Illinois Manual on Uniform Traffic Control Devices (MUTCD).

SECTION 6

That the City of Bloomington hereby agrees to assume all liabilities and pay all claims for any damage which shall be occasioned by the closing described above and to hold harmless the State of Illinois from all claims arising from the requested road closings.

SECTION 7

That a copy of this resolution be forwarded to the Illinois Department of Transportation; District 5 Bureau of Operations, 13473 IL Hwy. 133, P. O. Box 610, Paris, Illinois 61944-0610 to serve

as authorization for the City of Bloomington to request highway closures through December 31, 2015.

ADOPTED this 23rd day of February, 2015.

APPROVED this 24th day of February, 2015.

Tari Renner
Mayor

ATTEST:

Tracey Covert
City Clerk

Motion by Alderman Painter, seconded by Alderman Hauman that the Resolution be adopted.

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

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

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Application of Hy-Vee, Inc., d/b/a Hy-Vee C-store, located at 1405 N. Veterans Pkwy., requesting a GPBS liquor license which would allow the sale of packaged beer and wine only for consumption off the premises seven (7) days a week

RECOMMENDATION/MOTION: That a GPBS liquor license for Hy-Vee, Inc., d/b/a Hy-Vee C-store, located at 1405 N. Veterans, be created, 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 the Liquor Hearing to order to hear the request of Hy-Vee, Inc., d/b/a Hy-Vee C-store, located at 1405 N. Veterans Pkwy., requesting a GPBS liquor license which would allow the sale of packaged beer and wine only for consumption off 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 and Renee Gooderham, Chief Deputy Clerk and Andrew Cochran, Hy-Vee Store Director, applicant representative.

Staff Absent: Tracey Covert, City Clerk.

Commissioner Renner opened the liquor hearing and noted this request was for the second (2nd) liquor license.

Commissioner Jordan questioned Hy-Vee C-store management. Andrew Cochran, Hy-Vee Store Director, addressed the Commission. The C-store would have different managers from those at the grocery store/restaurant. Same would require BASSETT (Beverage Alcohol Sellers and Servers Education) certification.

Commissioner Jordan questioned minimum employment age. Mr. Cochran stated eighteen (18).

Commissioner Tompkins questioned whether single serve alcoholic beverages. Mr. Cochran responded affirmative.

Motion by Commissioner Tompkins, seconded by Commissioner Jordan to recommend to Council that GPBS liquor license for Hy-Vee, Inc., d/b/a Hy-Vee located at 1403 N. Veterans Pkwy., be approved contingent upon compliance with all health safety codes.

Motion carried (viva voce).

Commissioner Renner stated that this item would appear on the Council's February 23, 2015 Consent Agenda. He encouraged them to attend same.

There being no further business before the Commission, the meeting recessed at 4:14 p.m.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Public notice was published in the Pantagraph on February 2, 2015 in accordance with City Code. In accordance with City Code, approximately 64 courtesy copies of the Public Notice were mailed on February 2, 2015. In addition, the Agenda for the February 10, 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: Annual fee for a GPBS liquor license is \$1180.

Respectfully submitted for Council consideration.

Prepared by:

Renee Gooderham, Chief Deputy Clerk

Reviewed by:

George D. Boyle, Corporation Counsel

Recommended by

Tari Renner
Mayor

Motion by Alderman Painter, seconded by Alderman Hauman that a GPBS liquor license for Hy-Vee, Inc., d/b/a Hy-Vee C-store, located at 1405 N. Veterans, be created, contingent upon compliance with all applicable health and safety codes.

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

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

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Application of Hy-Vee, Inc., d/b/a Hy-Vee located at 1403 N. Veterans Pkwy., requesting an RAPS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises and the sale of all types packaged alcohol for consumption off the premises seven (7) days a week

RECOMMENDATION/MOTION: That an RAPS liquor license for Hy-Vee, Inc., d/b/a Hy-Vee, located at 1403 N. Veterans Pkwy, be created, 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 the Liquor Hearing to order to hear the request of Hy-Vee, Inc., d/b/a Hy-Vee located at 1403 N. Veterans Pkwy., requesting an RAPS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises and the sale of all types packaged alcohol for consumption off 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 and Renee Gooderham, Chief Deputy Clerk and Andrew Cochran, Hy-Vee Store Director, applicant representative.

Staff Absent: Tracey Covert, City Clerk.

Commissioner Renner opened the liquor hearing and noted that Hy-Vee had two (2) requests for liquor license. Andrew Cochran, Hy-Vee Store Director, addressed the Commission. Mr. Cochran stated the RAPS liquor license would be used for the grocery store and restaurant. The restaurant will be known as Hy-Vee Market Grill and would operate similar to Applebee's. There will be a hostess located at the front handling seating and a full bar available for consumption.

Commissioner Tompkins questioned two (2) applications. Mayor Renner clarified that the requests were for two (2) different locations, requiring two (2) licenses.

Commissioner Tompkins noted the location of a larger alcohol retailer. Mr. Cochran acknowledge same.

Commissioner Jordan questioned precautions taken to separate the restaurant and grocery store. Mr. Cochran responded that essentially the grocery store and restaurant were two (2) separate spaces. The interior spaces were separated by walls with double doors. The restaurant had an exterior entrance separate from the store.

Commissioner Jordan questioned management of both. Mr. Cochran confirmed he would manage both.

Commissioner Jordan noted Hy-Vee's concept was new to the community.

George Boyle, Asst. Corporation Counsel, addressed the Commission. He provided Commissioners with Chapter 6. Alcoholic Beverages. Section 4B. Creation of New License – Findings. He recommended that the Commission refer to same when making recommendations.

Commissioner Tompkins questioned staffing. Mr. Cochran replied that employees would be hired specially for the store or restaurant.

Commissioner Tompkins questioned BASSETT (Beverage Alcohol Sellers and Servers Education) certification. Mr. Cochran stated that he was certified. Same would be a requirement for all management.

Commissioner Jordan questioned alcohol service hours. Mr. Cochran stated that alcohol could be ordered without food. The hours were 6:00 a.m. - 10:00 p.m. Sunday through Thursday and 6:00 a.m. - 11:00 p.m. Friday and Saturday. He noted that BASSETT certification would assist with alcohol only orders.

Commissioner Tompkins questioned video gaming. Commissioner Jordan noted that the lease prohibited gaming.

Commissioner Jordan believed the Council should decide granting the application.

Motion by Commissioner Tompkins, seconded by Commissioner Renner to recommend to Council that an RAPS liquor license for Hy-Vee, Inc., d/b/a Hy-Vee located at 1403 N. Veterans Pkwy., be approved contingent upon compliance with all health safety codes.

Ayes: Commissioners Tompkins and Renner.

Present: Commissioner Jordan.

Motion carried.

Commissioner Renner stated that this item would appear on the Council's February 23, 2015 Consent Agenda. He encouraged them to attend same.

There being no further business before the Commission, the meeting recessed at 4:12 p.m.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Public notice was published in the Pantagraph on February 2, 2015 in accordance with City Code. In accordance with City Code, approximately 267 courtesy copies of the Public Notice were mailed on February 2, 2015. In addition, the Agenda for the February 10, 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: Annual fee for an RAPS liquor license is \$2,210.

Respectfully submitted for Council consideration.

Prepared by: Renee Gooderham, Chief Deputy Clerk

Reviewed by: George D. Boyle, Corporation Counsel

Recommended by

Tari Renner
Mayor

Motion by Alderman Painter, seconded by Alderman Hauamn that an RAPS liquor license for Hy-Vee, Inc., d/b/a Hy-Vee, located at 1403 N. Veterans Pkwy, be created, contingent upon compliance with all applicable health and safety codes.

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

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

Nays: None.

Motion carried.**The following was presented:**

SUBJECT: One (1) year Extension of Auditors Contract

RECOMMENDATION/MOTION: Recommend that the audit contract with Sikich, LLP for annual audit of the City and US Cellular Coliseum (USCC) and other advisory consulting services as required be extended for one (1) year 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 1.a. Budget with adequate resources to support defined services and level services.

BACKGROUND: The City has used Sikich for its annual city-wide audit for the last seven (7) years ending with the fiscal year 2014. Sikich audits the City, USC, and Bloomington Library as part of their annual contract. In April 2013, Council approved a two (2) year extension of the audit contract with Sikich as there were key vacancies within the department, was operating in the Munis post live environment, and was investigating numerous issues.

Sikich has partnered with the City on a variety of scopes of work outside the annual audit including a forensic audit, city-wide cash handling study and multiple organizational assessments. The Finance department respectfully requests an extension of one (1) year to provide continuity for the proposed internal audit program; allowing the internal auditors to leverage the work and documentation of Sikich.

Sikich has agreed to hold their constant fee for one (1) year. Finance plans to hold a competitive bid for audit services in January of 2016.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable.

FINANCIAL IMPACT: Sikich has quoted the following fees to extend the contract one (1) year:

	Actual FY2014 Fees	Quoted FY2015 Fees	% increase
City Audit	\$83,200	\$83,200	-0-
U.S.Cellular Coliseum	\$35,900	\$35,900	-0-

Funding for the FY 2015 annual financial statement audits are included in the FY 2016 proposed budget. The City Audit is budgeted under Finance-Auditing Services account (10011510-70090). Stakeholders can locate this in the Proposed FY 2016 Budget Book titled "Budget Overview & General Fund" on page 140. The U.S. Cellular Coliseum Audit is budgeted under City Coliseum-Auditing Services account (57107110-70090). Stakeholders can locate this in the

Proposed FY 2016 Budget Book titled "Other Funds and Capital Improvement Program" on page 151.

Respectfully submitted for Council consideration.

Prepared by: Paulette Hurd, Chief Accountant

Financial & Budgetary review by: Patti-Lynn Silva, Finance Director
Carla A. Murillo, Budget Manager

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:

David A. Hales
City Manager

(ON FILE IN THE CLERK'S OFFICE)

Motion by Alderman Painter, seconded by Alderman Hauman that the audit contract with Sikich, LLP for annual audit of the City and US Cellular Coliseum (USC) and other advisory consulting services as required be extended for one (1) year and the Mayor and City Clerk be authorized to execute the necessary documents.

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

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

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Renewal of Good Energy Service Agreement

RECOMMENDATION/MOTION: Recommend that the Amendment to the Service Agreement with Good Energy, L.P. be approved and the Resolution be adopted, 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 1e. Partnering with others for the most cost-effective service delivery.

BACKGROUND: Good Energy was engaged by the City in May of 2012 to provide marketing services for the opt out electricity aggregation program. This contract expired in December of 2014. This Amendment extends that contract for an additional two (2) years so that Good Energy can begin service provider negotiations on our behalf, along with the other forty (40) municipalities in the aggregation consortium, on March 12, 2015. To summarize the fees involved, there are fees that Good Energy receives for their services and a civic contribution that is paid by the electric provider directly back to the City. The fees that Good Energy receives for their services are based on an electricity usage formula and are paid to Good Energy by the electric customers at the rate of $\frac{3}{4}$ of $\frac{1}{10}$ of one cent per kilowatt hour (\$0.00075/kWh). As an example, based on last year's usage, the amount Good Energy would receive for their services to the City would be about \$114,000. The civic contribution that would accrue back to the City would be about \$225,000. The savings realized by residents would be about \$305,000 or about \$17 per year per residential customer.

FINANCIAL IMPACT: Good Energy, L.P., fees will be paid by the selected electricity supplier per kWh (volumetrically) for electricity purchased for the duration of the municipal contract. Such fees will be consistent with those fees paid for other nearby municipalities.

Respectfully submitted for Council consideration.

Prepared by: Stephen Rasmussen, Assistant City Manager

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

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:

David A. Hales
City Manager

AMENDMENT TO THE SERVICES AGREEMENT

This Amendment to the Services Agreement, by and between the City of Bloomington (City), Illinois, located at 109 East Olive Street, Bloomington, Illinois and Good Energy, L.P., with offices located at 232 Madison Avenue, 3rd Floor, New York, NY 10016 (collectively, the "Parties") is hereby entered into as of _____, 2015.

WHEREAS, the Parties entered into a Services Agreement (the "Agreement") on December 1, 2011, a copy of which is attached hereto and incorporated herein as Exhibit A; and

WHEREAS, the original term of the Agreement expires December 2014; and

WHEREAS, the Parties desire to renew and extend the Agreement under the same terms and conditions contained therein; and

NOW, THEREFORE, in consideration of the mutual promises contained herein and in the Agreement, and other good and valuable consideration given and received, the sufficiency of which is hereby acknowledged, the Parties agree as follows:

1. The Agreement shall extended on its original terms and conditions for an additional two (2) years, from January 1, 2015 to December 31, 2016.
2. This Amendment binds the Parties and their successors or assigns.
3. This document, including the attached original Agreement, constitutes the entire agreement between the Parties, superseding any prior understandings, arrangements or agreements whether in writing or oral.
4. All other terms, conditions, and provisions of the Agreement not in conflict with this Amendment shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment on the dates set forth below, to be effective as of the date first set forth above

GOOD ENERGY, L.P.

CITY OF BLOOMINGTON, ILLINOIS

By: Good Offices Technology Partners, LLC,

General Partner

Sign: _____

Sign: _____

Print: _____

Print: Tari Renner

Title: _____

Title: Mayor

Date: _____

Date: February 24, 2015

(EXHIBIT A ON FILE IN THE CLERK'S OFFICE)

Motion by Alderman Painter, seconded by Alderman Hauman that the Amendment to the Service Agreement with Good Energy, L.P. be approved and the Resolution be adopted, and the Mayor and City Clerk be authorized to execute the necessary documents.

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

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

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Analysis of Bids for the Miller Park Zoo Flamingo Exhibit construction

RECOMMENDATION/MOTION: Recommend that the bids be rejected and the project be rebid.

STRATEGIC PLAN LINK: Goal 2. Upgrade City Infrastructure and Facilities and Goal 5. Great place – Livable, Sustainable City.

STRATEGIC PLAN SIGNIFICANCE: Objective 2d. Well-designed, well-maintained City facilities emphasizing productivity and customer service. Objective 5b. City decisions consistent with plans and policies. Objective 5d. Appropriate leisure and recreational opportunities responding to the needs of the residents.

BACKGROUND: On February 3, 2015 at 11:00 A.M., bids were publicly opened and read for the construction of the Flamingo Exhibit at the Miller Park Zoo.

Four proposals were received from the following companies:

FIRM	Base Bid	Alternate #1	Alternate #2	Alternate #3	Unsuitable Soil
J Spencer Construction	\$331,900	\$13,440	\$12,650	\$3,960	\$133.00
Tarter Construction	\$331,726	\$14,216	\$9,913	\$4,448	\$125.00
English Brothers Company	\$371,690	\$12,172	\$11,440	\$3,355	\$51.75
P.J. Hoerr	\$343,800	\$14,000	\$9,275	\$5,000	\$140.00

Base bids involved the primary construction of the exhibit. Alternate #1 included the fencing for the exhibit. Alternate #2 included the landscaping for the project. Alternate #3 included the wooden screen fence around the Entrance Building air conditioners. Unsuitable soil calculation is for poor soil/engineering fill for this project by the cubic yard.

The budget for the construction is \$196,870 (\$250,000 minus architecture/engineering fees (\$53,130). Since the lowest base bid is \$331,726, the project will need to be changed to have the total cost of the exhibit closer to the budget.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: A request for bids was sent out via normal City Purchasing procedures. Zoo staff also provided a list of construction firms from around the nation. The request was received by thirty-one (31) different groups or individuals. This work was advertised in The Pantagraph on January 8, 2015 and a pre-bid meeting was held at 1:00 PM on January 15, 2015 in the Main Classroom at the Miller Park Zoo.

FINANCIAL IMPACT: Construction for the flamingo exhibit was approved in FY2015. Total cost (design and construction) is \$250,000. The Miller Park Zoological Society is contributing \$100,000 and the City portion will be \$150,000. It is a public-private partnership of which the

Zoo is proud to be a part. By rejecting bids, the Zoo staff intends to keep this project within budget. This council memo will have no financial impact.

Respectfully submitted for Council consideration.

Prepared by: Jay Tetzloff, Superintendent of Zoo and Interim Director of Parks, Recreation, and Cultural Arts

Reviewed by: Steve Rasmussen, Assistant City Manager

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

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:

David A. Hales
City Manager

Alderman Lower questioned tabling the project. David Hales, City Manager, addressed the Council. He questioned the status of submitted proposals. Jeff Jurgens, Corporation Counsel, addressed the Council. He stated that proposals would require pricing expiration review. He recommended formally rejecting proposals submitted and tabling the project indefinitely.

Alderman Black questioned the Miller Park Zoological Society funding. Jay Tetzloff, Zoo Supt., addressed the Council. He believed staff could change the design, lowering costs.

Motion by Alderman Lower, seconded by Alderman Stearns to table the project indefinitely.

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

Ayes: Aldermen Stearns and Lower.

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

Motion failed.

Motion by Alderman Hauman, seconded by Alderman Painter that the bids be rejected and the project be rebid.

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

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

Nays: Aldermen Stearns and Lower.

Motion carried.

The following was presented:

SUBJECT: Award of Internal Audit Services Contract

RECOMMENDATION/MOTION: Recommend that the Contract for Internal Audit Services to Bronner Group, LLC be approved and the Mayor and City Clerk be authorized to execute the necessary documents.

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

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

BACKGROUND: During the FY2015 budget cycle Council restored the proposed internal audit program. The Finance Department explored opportunities to outsource this program conducting a Request For Proposals (RFP) from qualified firms. Finance, Information Services and the Administration Departments interviewed three (3) firms and jointly recommend Bronner Group. The panel chose a full service firm that could partner through this multi-year project.

Bronner Group is a nationally known firm focusing exclusively on public sector clients. For over twenty seven (27) years Bronner Group has been working at the federal, state and local levels. Understanding the need to help clients demonstrate responsible management of public funds and services. Bronner Group is well matched for the City's goals of furthering accountability, transparency, and the desire to enhance operational effectiveness.

Bronner Group began in 1987 and was founded by Gila Bronner, President and CEO (resume attached). Gila is a widely recognized expert on auditor independence, and is a nationally recognized authority on government compliance and oversight, and is a national educator for government executives i.e. governors, mayors, board members, city managers and finance staff. Gila will be serving as the engagement director and will personally implement the City's internal audit program with her team of subject matter experts (SME's). Bronner has praised the City for being on the forefront of internal audit noting that many public sector clients implement audit programs only as mandated by funding or after a major problem is identified. Bronner is excited about establishing an internal audit program, proactively; that can serve as a model for other local agencies and has bid discounted hourly rates.

The addition of internal audit resources will position the City with the appropriate checks and balances but will set a course for enterprise effectiveness. Internal audit casts a wide net of available resources that can be utilized for many purposes and is not limited to only financial

checks and balances but delivers quantitative and qualitative results. Top services provided by internal auditors in 2014 included:

1. Enterprise Risk Management (ERM): generally considered a silver bullet for improving governance and organizational results by identifying key objectives and managing the risks associated with those objectives for effective governance.
2. Business Continuity and Disaster Recovery Programs: establishing a preparedness program is one of the best investments and entity can make providing operational resiliency which is becoming an overarching organizational priority.
3. Information Security and Privacy Efforts: Auditing information security and protection of assets is an organizational risk moving to the forefront. This is a long term assurance effort that is critical.
4. Performance Accountability: provides assurance on the organizations, governance, risk management, and control processes.
5. Quality of Enterprise Information: directly affecting organizational results and should be assessed regularly – information management.
6. IT functions efforts to meet business needs for effectiveness, efficiency, and customer service.
7. Process Management/Continuous Improvement or Six Sigma or LEAN programs.

All of these resources are available and could be considered through the Bronner Group project approach and city-wide risk assessment. Below is a general overview of the project approach:

1. Startup/Project Plan: Roles, responsibilities, and communication protocols will be developed. Governance of the internal audit program will need to be established at the Board level.
2. City-Wide Risk Assessment: Communication with key stakeholders: board members and city staff. Identify universal strategic and operational risks to obtain and understanding of the City's strategic plan objectives and goals. Assess internal and external audit risks related to the City, its operations, and management. Evaluate risks, likelihood, and impact.
3. Developing an Audit Plan: List each internal audit that will be conducted, establish scope and timeframe as directed.
4. Designing the Audit Program: Key stakeholder input to establish shared expectations, review design addresses City's needs.
5. Conducting the Audits: Audit planning, fieldwork, evaluation, preparation of reports, final reports.
6. Communication with Stakeholders: regular and frequent status reports.
7. Post audit follow up and reassessment: Bronner will review and monitor recommendations and corrective action plans on all audits, special projects and other plans developed.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: An RFS was sent out via normal City Purchasing procedures. A total of ten (10) responses were received. This work was advertised in the Pantagraph on September 30, 2014.

FINANCIAL IMPACT: Costs associated with the Internal Audit Program were budgeted in FY 2015 for \$95,000 and subsequently reduced during the budget freeze to \$20,000 in the Other Professional & Technical Services (10011510-70220). Staff anticipates the project to begin in March 2015 and should have ample funds to begin. The FY 2016 budget, as currently proposed, does include \$95,000 for further implementation of the program. See estimated project costs below:

Bronner has bid a discounted blended rate for all staff at \$145/hour plus expenses. Actual hours for this multi-year engagement will be determined by the City Council or its designees.

Phase	Estimated Hours	Cost
Start Up/Project Plan	20	\$2,900
City-Wide Risk Assessment	160	\$23,200
Developing Audit Plan	40	\$5,800
Designing Audit Programs	100	\$14,500
Conducting Audits	400	\$58,000
Communicating with Stakeholders	80	\$11,600
Total	800	\$116,000

Respectfully submitted for Council consideration.

Prepared by: Patti-Lynn Silva, Finance Director

Budgetary review by: Carla Murillo, Budget Manager

Legal review by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:

David A. Hales
City Manager

(ON FILE IN THE CLERK'S OFFICE.)

Alderman Stearns questioned final budget costs. Patti-Lynn Silva, Finance Director, addressed the Council. She explained that costs were on a per hour basis. First step would be establishing an Audit Committee. A citywide risk management assessment would be conducted. Same would provide a list of possible audits. The Committee would then establish frequency and focus. Completing the phases was \$116,000 including travel.

Alderman Stearns questioned if same had previously been performed by Department Managers. Ms. Silva responded that a formal internal audit had not been conducted. It would review enterprise effectiveness. Alderman Stearns questioned value.

Alderman Black questioned length. Ms. Silva stated same would be a partnership. Bronner worked with only Municipalities. She explained that the review would assess financial and reputational risks. The goal was to obtain noncompliance and other risks understanding.

Alderman Black questioned value. Ms. Silva believed that return on investment would provide insight, oversight and reassurance to citizens. This was an outside look at practices. They would provide local, state, and federal compliance checks.

Alderman Sage noted the Information Security and Privacy efforts provided by Bronner.

Motion by Alderman Hauman, seconded by Alderman Sage that the Contract for Internal Audit Services to Bronner Group, LLC be approved and the Mayor and City Clerk be authorized to execute the necessary documents.

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

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

Nays: Aldermen Stearns and Lower.

Motion carried.

The following was presented:

SUBJECT: Intergovernmental Agreement for E-Waste Disposal

RECOMMENDATION/MOTION: Recommend that the Intergovernmental Agreement 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 1d. City services delivered in the most cost-effective, efficient manner.

BACKGROUND: The proliferation of electronics in American society also has created a proliferation of old electronics in need of safe disposal. E-Waste contains some materials that can be recycled. It also contains materials that can pollute. Illinois has banned disposal of electronics into landfills. The matter comes to the City Council because of recent developments in which entities collecting E-Waste are facing economic adversity.

As detailed below, the Town of Normal provides E-Waste disposal at its drop-off facility, and not-for-profits and retailers have been involved in the process in Bloomington. The City chose not to become directly involved in E-Waste handling. On principle, it believed it better that the

private sector be empowered to oversee E-Waste and reap benefits for doing so rather than having the City further extend its public services. Given developments in Illinois E-Waste, staff now supports a collaborative effort with Normal and McLean County to offset costs incurred by the Town of Normal.

Regulations and goals: Disposal of old televisions, especially the bulky tube TVs, became a central e-waste issue this autumn. The old bulky sets are known as cathode ray tube televisions (CRTs). It is not economical to recycle e-waste as a whole and CRTs in particular; it represents a cost. Televisions, especially CRTs, are notable in the category of e-waste because of their size but other electronics, such as computer monitors, also have become problematic. To facilitate recycling and safe disposal, states regulate E-Waste and charge electronic manufacturers to reduce the associated cost. Under this concept, the cost of e-waste is passed on to producers. Through their sales of new electronics, companies ultimately pass the cost of E-Waste to electronics consumers. The alternative is to pass the cost of e-waste on to taxpayers. In Illinois, manufacturers must meet goals based on their sales. Once they meet their goals, they no longer have an obligation to fund electronic recycling, reuse and disposal in Illinois. Last year, E-Waste funding from manufacturers dried up in September because manufacturers had met their goals. Consequently, recycling vendors such as Vintage Tech Recycling, serving the Town of Normal, began charging for pickup. In the opinion of City staff, the goals for manufacturers are set too low in Illinois, creating the current situation in which taxpayers must subsidize safe disposal of E-Waste. The Illinois General Assembly and the Governor are reviewing these goals.

There are proposed bills in both the House and the Senate that help to address this funding gap in electronic recycling. The bills are referenced as House Bill 1455 and Senate Bill 797. Summaries of these bills are attached in addition to a single page outline of the issue. The City will be sending a letter of support for these bills since they are in the best interest of the City.

Some not-for-profits also are involved in E-Waste collection because they can receive reimbursement through manufacturers and manufacturer's vendors and make a small profit to help support their work. In Bloomington, Home Sweet Homes Ministries is one such agency. These materials now have become a financial liability, meaning charities no longer can provide these E-Waste collection services. In October 2014, Home Sweet Home Ministries temporarily disconnected its CRT television collection service. The agency told the Pantagraph that it had materials on hand that now will cost it approximately \$3,000 to dispose of at current market conditions. (Ford, Mary Ann, "Electronic recycling program now costing town, non-profit." Pantagraph online October 19, 2014.) This issue is currently being reviewed again by Home Sweet Home Ministries with the freeing up of annual manufacturer quotas on e-waste collection.

The Ecology Action Center (EAC) recently verified that Best Buy is now accepting CRTs up to 32" in size but no console TVs. The EAC has started referring all call-in inquiries on CRT recycling to Best Buy as well as moving it to the top of the E-Waste listings on their website and the top of the list on the poster that is provided to all electronics retailers. This poster education helps them comply with the regulation mandating that they provide information to consumers on recycling options for E-Waste.

The Town of Normal Public Works Department is listed by EAC as an E-Waste drop-off facility that will accept larger tube television sets (CRTs). Bloomington and McLean County residents are able to use this service.

Cost sharing: The proposed legislation would correct problems in the E-Waste system and allow the private sector to continue to handle this effort in Bloomington. For now, Bloomington residents are, to some degree, using the Normal facility at a cost to the Town of Normal. This also is true of non-Twin City residents in McLean County. The staffs of Bloomington, Normal and McLean County governments propose an Intergovernmental Agreement to share E-Waste costs incurred at the Normal drop-off facility. As is the case with other such agreements, the governments are asked to pay based on the share of population in their jurisdictions:

- The City of Bloomington, 45 percent.
- The Town of Normal, 31 percent.
- McLean County, 24 percent.

Normal does not track its E-Waste users by residency, so a breakdown of Normal E-Waste users by community is unavailable. The City encourages Normal to begin tracking its users' residency as a way to enact a data-based Intergovernmental Agreement rather than a Population Based Agreement. Based on existing cost projections the City's share of the costs would be approximately \$50,000 for the 2015 calendar year. This amount may be substantially lower depending on the availability of Vintage Tech (or other similar companies) to dispose of CRT's without cost for a period of time in 2015.

The City and Town of Normal have also received information outside of the competitive Request for Proposals process completed by the Town of Normal from Advanced Technology Recycling (ATR). ATR made a very favorable offer to the Town of Normal. The Town determined that it could not accept an offer from ATR because its deadline for proposals already had passed and ATR approached the Town outside the RFP process. The information letter sent to the City from ATR is attached for reference.

The City and Town of Normal have also received information outside of the competitive bidding process completed by the Town from Advanced Technology Recycling. This information is being reviewed for consideration by both entities. The information letter sent to the City is attached for reference.

Duration: The Intergovernmental Agreement would run January 1, 2015, to December 31, 2015. The City would also have the ability to terminate the agreement at any time by giving sixty (60) days advance written notice.

Administering and documenting: The Town of Normal would administer the E-Waste program and keep documentation to account for all costs. It would send monthly invoices to the City and County.

The agreement comes after discussions through the McLean County Solid Waste Management Technical Committee (represented by all three (3) governments and our not-for-profit partner,

the Ecology Action Center). Staff and officials from other agencies believe this is the most responsible, efficient and beneficial way to confront the E-Waste dilemma. As an aside, also note that the Normal center is notably convenient to Bloomington residents. Warriner Street is located just north of Division Street off Adelaide Street.

Bloomington drop-off: The staff believes the City should provide TV disposal for its residents. The drop-off facility's permit does not allow collection of electronic waste. Obtaining a permit from the Illinois Environmental Protection Agency involves a long and arduous process. An E-Waste permit would require administration and payment for services duplicating those available one quarter of a mile north of the City. This would not be in line with the City's strategic Goal and Objective of City services delivered in the most cost-effective, efficient manner and Partnering with others for the most cost-effective service delivery. Partnership in this instance makes economic and logistical sense.

Ramifications/alternative: If the Agreement is not accepted Normal would have to reassess its E-Waste option. Among those options would be to end E-Waste disposal or exclude City residents from the service. City residents would then have no legal disposal option. Illegal dumping of electronic waste would be one probable outcome.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: McLean County Solid Waste Management Technical Committee, Ecology Action Center, Town of Normal, McLean County, Home Sweet Home Ministries.

FINANCIAL IMPACT: The estimated cost to Bloomington for one (1) calendar year is \$50,000 or \$4,166.67 per month. The proposed contract runs from January 1, 2015 through December 31, 2015 which encompasses the last four (4) months of the City's FY 2015 and the first eight (8) months of the FY 2016. A Budget Amendment is proposed for the final four (4) months of FY 2015 at \$16,667. An increase in the General Fund Transfer to Solid Waste (10019180-89544) transferring to the Solid Waste from General Fund (54404400-85100), and the expense will be incurred under Solid Waste Recycle Transfer fee (54404400-70667) in the amount of \$16,667. The funds for the eight (8) months of FY 2016 will be added to the FY 2016 Final Budget if Council approves the Intergovernmental Agreement.

Respectfully submitted for Council consideration.

Prepared by: Stephen Arney, Public Works Administration

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

Reviewed by: Steve Rasmussen, Assistant City Manager

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

Legal review by: Jeffrey R. Jurgens, Corporate Counsel

Recommended by:

David A. Hales
City Manager

David Hales, City Manager, introduced this item. He noted that new information had been received. He recommended pulling the agreement. He explained that there was the possibility of a new computer company locating in the City. Same would employ approximately fifty (50) individuals. The company would provide E-waste disposal.

Jim Karch, Public Works Director, addressed the Council. He acknowledged Wayne Aldrich, Town of Normal (TON) Public Works Director and Michael Brown, Ecology Action Center (EAC) Chairman. Mr. Karch provided a brief E-waste history. He noted electronics required special recycling and disposal. Manufactures were required set aside a portion of sales for disposal. There were eighty – five (85) manufactures in Illinois. Manufactures were no longer required to dispose after reaching sale obligations. Habitat for Humanity, Home Sweet Home Ministries and Best Buy offered same. The TON offered same at no cost. The EAC conducted a survey September 2014. The results were that fifty – five (55) counties had lost funding. Mr. Karch noted that companies accepting disposal had decreased from 191 in 2012 to 116 in 2015.

The TON had taken Request for Qualifications October 2014. Vintage Tech, LLC (Vintage) was awarded a one (1) year contract. He noted that there were companies that pay pennies on the pound and possible free services. It was estimated that 2015 would generate 565 E-waste pounds. He recommended and Intergovernmental Agreement with the TON. Budget impact would be \$4,000 for the 2015 calendar year.

Alderman Lower questioned city licensing cost. Mr. Karch responded that the city's transfer point was permitted for E-waste disposal. There would be the cost of retooling and building a larger shed.

Mr. Hales noted that Vintage offered an amendment to the original agreement. They recommended that the City pay \$4,000 for January 2015. February through November 2015 there would be no cost for service. This would allow for passage of House Bill 1455 and Senate Bill 797 to address funding gaps. Mr. Hales recommended amending the original agreement to reflect Vintage's new proposal. He believed same would appear on the TON Council meeting.

Alderman Black noted that landfills were at capacity. The solution was recycling.

Alderman Lower questioned rebid. Mr. Hales responded negatively.

Motion by Alderman Mwilambwe, seconded by Alderman Black that the Intergovernmental Agreement laid over until the March 9, 2015 Council Meeting.

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

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

Nays: None.

Motion carried.

The following was presented:

Crime Statistics Report for 2014.

Brendan Heffner, Police Chief, addressed the Council. He explained that agencies were required to report crime statistics to the Uniform Crime Report (UCR). In 2014 there were 307 fewer reported crimes incidents. This was the lowest year since 1989. The statistics include: homicide, forcible rape, robbery, aggravated assault/battery, burglary, theft, motor vehicle theft and arson. There were a lower overall total of UCR offenses compared to other Central Illinois cities.

He noted that there were a total of three (3) homicides. This was an increase from previous years. Two (2) were solved. In 2013 there were fifty – nine (59) robberies compared to thirty (30) in 2014. He noted that two (2) were solved using YouTube. He thanked Jack McQueen, Crime and Int. Analyst and Sara Mayer, Police Patrol Officer (PPO) for their Social Media assistance.

There was a trend of juveniles stealing unlocked vehicles. Chief Heffner noted that in some cases keys were left in the vehicles. Driving under the Influence (DUI) enforcement was goal 2, strategy 3 in the 2012 – 2015 BPD Strategic Plan. 2014 had a twelve (12) year high.

Chief Heffner cited the following 2015 crime priorities: develop 2015 - 2018 Strategic Plan, seek internal policy professional accreditation, emphasis on DUI suppression, increase efforts to reduce juvenile crime and offender recidivism, increase minority applications, expand social media use to include the Communication Center, and pro social contacts by PPO's and overall customer service.

He introduced Asst. Chief Clay Wheeler, Operations, Asst. Chief Gary Sutherland, Office of Professional Development, and Asst. Chief Ken Bays, Administration. He believed they were instrumental in the crime incident reductions.

Alderman Lower questioned Veteran recruitment. Chief Heffner responded that same could use veteran points during the hiring process.

Aldermen Sage, Painter, Mwilambwe, Black and Fruin thanked the Police Department for the exceptional job.

Alderman Painter questioned at risk youth. Chief Heffner stated that officers formed a basketball team, playing against the Youth Build team. The department was requesting the hiring of a part time intervention specialist. This individual would reach out to youth and their parents.

Alderman Mwilambwe questioned minority outreach. Chief Heffner noted that recruitment would be from: Social Media, reaching out to Chicago area agencies, speaking with students at ISU and IWU and local churches.

Alderman Black cited concern with youth crime. Chief Heffner stated the department would continue building trust with same.

Alderman Stearns left the dais at 8:33 p.m.

The following was presented:

City Manager's Recommended FY 2016 Budget (May 1, 2015 – April 30, 2016).

David Hales, City Manager, addressed the Council. He noted that there were two (2) volumes of the proposed 2016 Budget available online. He believed that same assisted the community with understanding program services, performance measures and indicators, established accomplishments, issues and concerns. The budget process began August 2014. The budget was a policy document, communication device, operations guide, and financial plan.

Mr. Hales noted that as City Manager he was required under city code and State Statue to present same. Council could make modifications. He noted FY15 budget challenges. There was a \$1.6 million deficit. Staff recommended spending eliminations and postponing projects. FY15 General Fund (GF) would end positively.

Alderman Stearns returned at 8:39 p.m.

FY16 proposed budget was \$186 million or a 1.6% or 1.7% increase. Increases were from the amusement tax, local motor fuel tax, property tax (dedicated to pensions/streets). Mr. Hales noted that \$1.5 million new revenue was required. Sales tax was projected flat. According to tracking, same had declined two to two and half (2 – 2 ½). The labor force was declining which affect hotel motel tax.

The budget was balanced but not sustainable. There were no employee layoffs or resources to maintain service levels. The proposed budget did not address long term emergency capital needs, long term financial planning or a contingency plan (if Governor Rauner's proposal was approved). The Illinois Municipal League (IML) estimated \$3.7 million state funding reduction.

Mr. Hales noted that bonds were paid saving \$1 million. \$1.5 million was transferred to Solid Waste Program to address the projected FY15 deficit. \$810,000 was transferred from the fund balance to assist with one-time costs.

The FY16 budget recommended no additional full time employees. The proposed part time youth intervention coordinator was funded 100% from a State Farm Grant. The State Motor Fuel Tax would be used for street light repairs. This was estimated at \$500,000. Workman's Compensation causality fund was reduced. Rolling stock expenditures were reduced from \$4.6 million to \$900,000. Capital requests were \$10 million reduced to \$2.4 million. He reminded Council that Faithful & Gould Inc., recommended \$30 million for facility repairs. Facility repair priority would be life/safety.

The General Fund would be reduced to eleven percent (11%) by FY15 end. He requested Council address the Solid Waste deficit. Expenses exceeded revenue.

Mr. Hales noted that the U.S. Cellular Coliseum required \$1.6 million to replace the electronic ribbon and video board. Parts were obsolete. The video board accommodated sports and concerts. Performers wanted up to date equipment.

The utility and property tax increase assisted with police and fire pension financial goals. FY16 would be the second (2nd) year of the five (5) year phase. FY17 there would be \$1.6 million increase.

Citizens wanted a combination of revenue increases/reductions. Mr. Hales believed that a fiscal sustainability strategic plan needed to be established. The plan would be a continuation of priority based budgeting. Staff was working on program and services true costs. There were no recommended programs or service eliminations. He believed same was not sustainable.

He believed there was not enough revenue to address funding deferred maintenance and polices. Economic development had to continue. So Bloomington's amenities remain strong.

Patti Lynn Silva, Finance Director, addressed the Council. She noted the deficit increases in the General Fund (GF) FY16 - FY20. She cited items not included: new full/part time employees, new/expansion of programs and services and no infrastructure or related debt service.

Anticipated major revenue increases were one percent (1%). The local use tax and income tax were expected to decrease. Ms. Silva cited the following GF increases: 1.) charges for Services and Department fees - two percent (2%); 2.) employee salaries - three percent (3%); 3.) medical, life, unemployment insurance, IMRF pension contributions, social and Medicare – 5.5%; 4.) workers compensation, essential training, uniforms – two percent (2%); 5.) material cost for operations – 2.5%; 6.) debt service for rolling stock of equipment - \$20 million; 6.) various GF transfers - \$4.4 million.

Mr. Hales reminded Council that a Budget Work Session would be held on Saturday, March 7, 2015 in the Police Department Osborn Room.

CITY MANAGER'S DISCUSSION: David Hales, City Manager stated his appreciation with the employees and Directors for their professionalism.

MAYOR'S DISCUSSION: Mayor Pro Tem Schmidt reminded Council of the Special Mayoral Open House to be held on Friday, February 28, 2015.

ALDERMEN'S DISCUSSION: Alderman Hauman thanked Aldermen for the interaction on Friday, February 20, 2015.

Motion by Alderman Stearns, seconded by Alderman Painter, that the meeting be adjourned. Time: 9:11 p.m.

Motion carried.

**Renee Gooderham
Chief Deputy Clerk**