

**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 9, 2015.

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

The Meeting was called to order by the Mayor 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, Karen Schmidt, Jim Fruin and Mayor Tari Renner.

Alderman absent: Mboka Mwilambwe.

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

Alton Franklin, 506 Patterson Dr., addressed the Council. He believed the U.S. Cellular Coliseum (USCC) lacked transparency. The USCC needed to make a profit before Downtown Hotel discussions.

Brexton Isaacs, 506 E. Empire St., addressed the Council. He attended the West Side Budget Discussion held on January 27, 2015. He heard comments asking for investing in the Downtown and Parks, Recreation and Cultural Arts. He believed same assisted with health lifestyle choices.

Anne Kehler, 502 E. Empire St., addressed the Council. She stated her displeasure with comments made by Alderman Stearns.

The following was presented:

Oath – Brian Mohr, Fire Chief.

David Hales, City Manager, addressed the Council. He noted that Chief Mohr had twenty – four (24) years firefighter experience. He served as an EMT (Emergency Medical Technician) and worked in fire suppression.

His family raised livestock. Awards for same had been won. His wife, two (2) sons, daughter and parents were present tonight.

John Meekly, President IAFF (International Association of Firefighters) Local 49, addressed the Council. He thanked Mr. Hales for the ability to have an opinion in the hiring process.

The following was presented:

Appointment of Josh Barnett to the Planning Commission.

Mayor Renner introduced Josh Barnett.

The following was presented:

SUBJECT: Council Proceedings of January 26, 2015, Work Session of January 26, 2015 and Citizens Summit of January 20, 2015

RECOMMENDATION/MOTION: Recommend that the reading of the minutes of the previous Council Proceedings of January 26, 2015, Work Session of January 26, 2015, and Citizens Summit of January 20, 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 January 26, 2015, Citizens Summit of January 20, 2015 and Work Session of January 26, 2015 have been reviewed and certified as correct and complete by the City Clerk.

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

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

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable.

FINANCIAL IMPACT: Not applicable.

Respectfully submitted for Council consideration.

Prepared by:

Renee Gooderham, Chief Deputy Clerk

Recommended by:

David A. Hales
City Manager

Motion by Alderman Hauman, seconded by Alderman Lower that the reading of the minutes of the previous Council Proceedings of January 26, 2015, Work Session of January 26, 2015, and Citizens Summit of January 20, 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 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 \$4,492,247.82, (Payroll total \$2,294,382.84, Accounts Payable total \$2,197,864.98).

Respectfully submitted for Council consideration.

Prepared by: Patti-Lynn Silva, Director of Finance

Recommended by:

David A. Hales
City Manager

(ON FILE IN CLERK'S OFFICE)

Motion by Alderman Hauman, seconded by Alderman Lower 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 and Fruin.

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Appointment to the Bloomington Planning Commission

RECOMMENDATION/MOTION: Recommend that the Appointment 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 Josh Barnett of 55 Brookshire Green, Bloomington, IL 61704, to the Planning Commission. Josh replaces Stan Cain who is ineligible for reappointment due to term limits. His three (3) year term will expire April 30, 2017.

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

FINANCIAL IMPACT: None.

Respectfully submitted for Council consideration.

Prepared by: M. Beth Oakley, Executive Asst.

Recommended by:

Tari Renner
Mayor

Motion by Alderman Hauman, seconded by Alderman Lower that the Appointment 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 and Fruin.

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Analysis of Bid and Contract Award to Allstate Power Vac, Inc., for FY 2015 CCTV Sewer Inspection Contract, Bid #2015-52

RECOMMENDATION/MOTION: Recommend that the bid for FY 2015 CCTV Sewer Inspection Contract be awarded to Allstate Power Vac, Inc., in the amount of \$97,000, and the Mayor and City Clerk authorized to execute the necessary documents.

STRATEGIC PLAN LINK: Goal 2. Upgrade City infrastructure and facilities; Goal 5. Great place – livable and sustainable City.

STRATEGIC PLAN SIGNIFICANCE: Objectives 2c. Functional, well maintained sewer collection system; 5a. Well-planned City with necessary services and infrastructure.

BACKGROUND: Work proposed includes CCTV sanitary sewer inspection and heavy and light sewer cleaning in various locations throughout the City. Sewers were selected for televising and cleaning based on information obtained from prior sewer televising work or emergency repairs. Pipes that may impact next year's street resurfacing program were also included. The proposed package included pay items for sewer televising, cleaning, and miscellaneous pay items and an alternative technology section. Contractors were not required to provide pricing for the additive alternate technology pay items.

The contract allows ninety (90) calendar days for the work to be completed from the issuance of the Notice to Proceed. The selected contractor will be required to provide a Performance Bond and Certificates of Insurance within ten (10) days after receipt of the Notice of Award.

The Public Works Department's Engineering Division prepared plans and specifications for the FY 2015 CCTV Sewer Inspection. Five (5) proposals were received. The proposal tabulation is listed below:

Allstate Power Vac, Inc. (Low Proposal)	\$	98,340.00
Visu-Sewer of Illinois, LLC	\$	99,637.50
Tele Scan, Inc.	\$	102,281.25
National Power Rodding Corp.	\$	139,275.50
Hoerr Construction, Inc.	\$	180,265.00 (As Read - \$224,879.60)
<i>Engineer's Estimate</i>	\$	103,550.00

BUDGET:

Sanitary Sewer	Arcadia Sewer Rehabilitation	\$ 624,000
Sanitary Sewer	Sewer & Manhole Lining Program	\$ 500,000
Sanitary Sewer	Manhole Rehabilitation	\$ 165,000
Sanitary Sewer	Sanitary CCTV Evaluations	+ \$ 408,000
Total Budget		\$ 1,697,000
FY 2015 Sewer Rehabilitation - Awarded on 12/15/14		<u>– \$ 1,600,000</u>

Amount to be Awarded for FY 2015 CCTV Sewer Inspection - \$ 97,000

The Public Works Department staff will work with the contractor to limit the contract costs to the awarded and budgeted amount.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Advertised in The Pantagraph on January 12 and 19, 2015, and a pre-bid meeting was held at 9:30 AM on January 16, 2015, in the Public Works Department Training Room.

FINANCIAL IMPACT: Funds for this expenditure will come from the Sewer-Engineering Services (51101100-70050) FY 2015 Budget. Stakeholders can locate this in the FY 2015 Budget Document titled “Other Funds & Capital Improvement Program” on page 158.

Respectfully submitted for Council consideration.

Prepared by: Ryan L. Otto, PE, Project Engineer

Reviewed by: Jim Karch, P.E., CFM, Director of Public Works
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

AGREEMENT

THIS AGREEMENT, Made and entered into this **9th day of February 2015**, by and between, **Allstate Power Vac, Inc.**, first party, also hereinafter referred to as “Contractor”, and the City of Bloomington, a municipal corporation, second party.

WITNESSETH:

THAT WHEREAS, the City of Bloomington, did in January 2015, by advertisement, call for bids for furnishing all labor and material for the construction of **FY 2015 CCTV SEWER INSPECTION** project for said City.

AND WHEREAS, in pursuance of said call for bids said first party, did on January 26, 2015, submit this bid to said City of Bloomington for furnishing all of the labor and materials for the construction of said **FY 2015 CCTV SEWER INSPECTION** on file in the office of the City Engineer of said City. A copy of which specifications, plans and profiles of said improvement on file in the City Engineer's Office are hereby referred to and made a part hereof by reference, and said first party being the lowest responsible bidder was awarded the contract for the construction of the said improvement, which bid of said Contractor is hereto attached and made a part hereof.

THEREFORE, it is covenanted and agreed upon the part of said first party that in consideration of the amounts to be paid by said City, he will furnish all labor, tools, machinery and materials for the construction of said improvement complete, in accordance with the said plans, profiles and specifications, call for bids, and said contractor's bid, each herein set out and made a part hereof.

And it is also understood and agreed that the Proposal Package, Specifications, Special Provisions, Contractor's Proposal, Contract Bond and Project Addenda hereto attached, and the Plans for **FY 2015 CCTV SEWER INSPECTION** are all essential documents of this contract and are a part hereof.

IT IS FURTHER AGREED that said Contractor will furnish a bond to the City of Bloomington in the penal sum of **\$97,000.00** executed by said contractor and at least two responsible persons as sureties or by some surety company satisfactory to the said City of Bloomington and the City Council, as a guarantee that said Contractor faithfully will perform the work in accordance with this agreement.

Said bond shall be conditioned to save and keep harmless said City from any and all claims, demands, loss, suits, costs, expenses and damages which may be brought, sustained or recovered against said City by reason of any negligence, default or failure of the said contractor in building, constructing or completing said improvement and its appurtenances, or any part thereof, and that said improvement when constructed shall be free from all defects and remain in good order and condition for one year from its completion and acceptance by the City of Bloomington, ordinary wear and tear, and damage resulting from accident or willful destruction excepted; which bond is attached hereto and made a part hereof.

IT IS FURTHER AGREED that said Contractor shall complete all work within 90 calendar days of written NOTICE TO PROCEED.

IT IS EXPRESSLY UNDERSTOOD AND AGREED that whenever the said City may deem necessary, additional or new bond shall be furnished by said Contractor with such sureties as will be satisfactory to the said City Council, as a guarantee that said Contractor will faithfully perform the work in accordance with the terms of this agreement.

IT IS FURTHER AGREED that should said Contractor fail to complete the work within the time herein specified for doing the same, then he shall pay the expense of the City Inspector or Inspectors from the date specified for completion until said work is completed and shall pay to

the City all other expenses created by reason of such failure to complete said work in the specified time or by reason of such time being extended.

This agreement shall not be assigned, nor any part of the work subcontracted without the written consent of the City of Bloomington endorsed hereon, and in no case shall such consent relieve the party of the first part from the obligations herein entered into by said party, or change the terms of this agreement.

IT IS FURTHER STIPULATED AND AGREED by and between the parties hereto that all ordinances now in force in the City of Bloomington respecting and regulating public improvement, not in conflict with the terms of this contract, shall be a part and parcel of this contract.

The number of inspectors to be placed on said work shall be determined by the City of Bloomington, but if at any time on account of a disregard of any of the provisions of this contract by the said first party, or on account of the failure of said first party to faithfully perform the work in accordance with this contract, additional inspectors shall be deemed necessary by said City, the pay of such additional inspectors shall be charged to said Contractor and be deducted from the amount due said Contractor on final settlement under this contract.

The Contractor and all persons employed on the work shall obey the instruction of the City Engineer or the inspector on said work. Any person who shall refuse or neglect to so obey, or who shall be deemed incompetent by said City Engineer or said Inspector shall at once be removed from the work by the Contractor when so required by said Engineer or Inspector.

The City of Bloomington hereby covenants and agrees, in consideration of the faithful performance of the covenants and agreements in this contract specified to be kept and performed by first party, to pay party of the first part, when this contract shall be wholly carried out and completed upon the part of the said Contractor, and when said work shall have been finally accepted by said City of Bloomington, the amounts set forth in first party's bid in manner as herein and in said call for bids provided.

IT IS FURTHER AGREED AND UNDERSTOOD that the work to be done pursuant to this contract shall be done under the direction and to the satisfaction of the City of Bloomington, and that, except as otherwise provided in the said ordinance or the judgment of the court, said City, except as by law provided, or any officer thereof, shall not be liable for any portion of the expense of said work, nor for any delinquency or persons or property assessed.

This contract and the bond herein provided for, shall be signed in triplicate and be subject to the approval of the City of Bloomington.

IN TESTIMONY WHEREOF the said first party has hereunto set his hand and seal, and the City of Bloomington has caused this agreement to be signed by its Mayor, its corporate seal to be attached, and said signing and sealing to be attested by its City Clerk on the day and year first above written.

ATTEST:

CITY OF BLOOMINGTON

Tracey Covert, City Clerk

Tari Renner, Mayor

WITNESS: _____

CONTRACTOR (Seal)

Motion by Alderman Hauman, seconded by Alderman Lower - that the bid for FY 2015 CCTV Sewer Inspection Contract be awarded to Allstate Power Vac, Inc., in the amount of \$97,000, and the Mayor and City Clerk 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 and Fruin.
Nays: None.**

Motion carried.

The following was presented:

SUBJECT: Supplemental Motor Fuel Tax (MFT) Resolution for Dr. Martin Luther King Jr. Dr. (Oakland to Washington) MFT Section 82-00240-00-PV

RECOMMENDATION/MOTION: Recommend that the Supplemental MFT Section 82-00240-00-PV in the amount of \$30,000 be approved, the Mayor and City Clerk authorized to execute the necessary documents, and the Resolution adopted.

STRATEGIC PLAN LINK: Goal 1. Financially sound City providing quality basic services, and Goal 2. Upgrade city infrastructure and facilities.

STRATEGIC PLAN SIGNIFICANCE: Objective 1d. City services delivered in the most cost-effective, efficient manner, and Objective 2a. Better quality roads and sidewalks.

BACKGROUND: The design of this project was first proposed in the early 80's, over thirty (30) years ago, as an extension of Alexander Rd. The scope included extending Dr. Martin Luther King Jr. Dr. (Alexander Rd.) as a four, (4) lane urban cross section from Oakland Ave. to Washington St.

The Public Works Department is making an effort to reconcile older MFT projects with the Illinois Department of Transportation (IDOT). A recent IDOT audit shows a number of outstanding requirements including the one for this project. While none of the outstanding items are anticipated to be of major concern, multiple resolutions will be needed to finalize the outstanding items.

On February 23, 2004 Council approved a contract for professional services with Lewis, Yockey & Brown, Inc. (LYB) in the amount of \$120,000 for the design of Dr. Martin Luther King Jr. Dr. from Oakland Ave. to Washington St.. On August 8, 2005, Council approved a MFT Resolution appropriating \$120,000 for the project design. On August 25, 2008 Council approved a Change Order to the contract with LYB in the amount of \$30,000.

A MFT Resolution is required to allocate funds for the design contract. The Supplemental MFT Resolution in the amount of \$30,000 was included with the August 25, 2008 Change Order due to administrative oversight.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: IDOT, District 5.

FINANCIAL IMPACT: There is no additional financial impact beyond what was previously authorized by Council in approving the contract in 2004 and the change order in 2008.

Respectfully submitted for Council consideration.

Prepared by: Jim Karch, PE, CFM, Director of Public Works

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

(MFT RESOLUTION 2015 – 4 ON FILE IN CLERK’S OFFICE.)

Motion by Alderman Hauman, seconded by Alderman Lower that the Supplemental MFT Section 82-00240-00-PV in the amount of \$30,000 be approved, the Mayor and City Clerk authorized to execute the necessary documents, and the Resolution adopted.

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

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

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Petition submitted by John G. Nottoli Land Trust requesting the approval of a Rezoning from M-1, Restricted Manufacturing District to B-2, General Business Service District for property located north of Oakland Ave., west of McClun St., and east of the Constitution Trail

RECOMMENDATION/MOTION: Recommend that the Rezoning be approved and the Ordinance Passed.

STRATEGIC PLAN LINK: Goal 3. Grow the Local Economy and Objective D, Expanded Retail Businesses.

STRATEGIC PLAN SIGNIFICANCE: Goal 3d. Expand retail businesses.

BACKGROUND: The site subject to the rezoning has frontage and access on the north side of E. Oakland Ave. and the west side of S. McClun St. Over recent decades the site has been used for semi-trailer storage and manufacturing or industrial uses but currently it is vacant. It is void of any structures except fencing and consists of approximately 2.2 acres. The owner intends to construct a new Dollar General retail store, after approval.

There is a mix of land uses adjacent to the subject property including residences, small contractor shops, a cement plant, a cosmetology Institute, a mini-warehouse and Constitution Trail. The site, as well as adjacent sites, there is intense industrial uses within the area then in previous decades. This was especially true when there was an active rail line adjacent to the site serving manufacturing uses. Constitution Trail is in place of the railroad and there are less heavy industrial uses in the area.

The site appears to be more conducive to retail than heavy industrial. The subject property is adjacent to the Constitution Trail to the west and a retail store is more compatible for trail users than many industrial uses allowed by current zoning. The industrial land uses on the west side of the trail are light industrial. The trail's elevation increases as it approach's Oakland creating a sizeable buffer for any new retail business from the industrial uses to the west.

There are three (3) adjacent residential uses to the east which at times might be viewed as incompatible with a B-2 zone as proposed. Those parcels also have a B-2 zoning. A proposed zoning is compared with what an adjacent site is zoned verses the land use are to the potential both sites development. Most B-2 land uses will be less objectionable than the M-1 industrial uses that are allowed now on the site without rezoning. The B-2 zone also already exists for the adjacent parcels to the east, but parcels to the northeast, and the entire east side of McClun St. to Grove St. Thus the B-2 zone is appropriate given what already exists to the east and north.

PLANNING COMMISSION: This case was before the Planning Commission for a public hearing and review on January 14, 2015. Staff explained the rezoning is an extension of the zoning from the east and northeast and the B-2 uses are more suitable for than the industrial uses

allowed in the M-1 zone. Also the adjacent Constitution Trail which slopes upward as it approaches Oakland Ave., will buffer the new retail use from the industrial uses to the west.

The petitioner stated the request is for a good use of the land in relation to the other B-2 zoning. The site would be for a Dollar General store.

Three (3) people from the public spoke stating they had no objection to the rezoning and stated that it makes good sense for the area. They also stated their need for access to the subject site. The petitioner explained that Dollar General has not intended to prohibit access to the site and may even sell part of the land to the adjacent owner. Planning commissioners agreed this would not impact the rezoning and encouraged the petitioner to coordinate their plans with the neighbors. The Planning Commission voted 7-2 to recommend, 1) the council approve the rezoning and 2) for staff to consider the adjacent business access in the plan review. These recommendations are consistent with staff's position.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Public notice was published in the Pantagraph Monday, December 29, 2014 in accordance with City Code. In accordance with the Zoning Code (Ordinance No. 2006-137), courtesy copies of the Public Notice were mailed to approximately ninety-seven (97) property owners within 500 feet. In addition, two public notice/identification signs were posted on the property.

FINANCIAL IMPACT: If the rezoning is approved, there should be an increase in property and sales taxes for the city with the new construction and property improvements.

Respectfully submitted for Council consideration.

Prepared by: Mark Woolard, City Planner

Reviewed by: Tom Dabareiner, Director of Community Development
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

PETITION FOR ZONING MAP AMENDMENT

State of Illinois)
) ss.
County of McLean)

TO: THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF
BLOOMINGTON, MC LEAN COUNTY, ILLINOIS

Now comes John G. Nottoli Land Trust, hereinafter referred to as your petitioner, respectfully representing and requesting as follows:

1. That your petitioner is the owner of the freehold or lesser estate therein of the premises hereinafter legally described in Exhibit A, which is attached hereto and made a part hereof by this reference, or is a mortgagee or vendee in possession, assignee of rents, receiver, executor (executrix), trustee, lessee or other person, firm or corporation or the duly authorized agents of any of the above persons having proprietary interest in said premises;
2. That said premises legally described in Exhibit "A" presently has a zoning classification of M – 1, Restricted Manufacturing District under the provisions of Chapter 44 of the Bloomington City Code, 1960;
3. That the present zoning on said premises is inappropriate due to error in original zoning, technological changes altering the impact or effect of the existing land uses, or the area in question having changed such that said present zoning is no longer contributing to the public welfare;
4. That your petitioners hereby request that the Official Zoning Map of the City of Bloomington, McLean County, Illinois be amended to reclassify said premises into the B – 2, General Business Service District, zoning district classification;
5. That said requested zoning classification is more compatible with existing uses and/or zoning of adjacent property than the present zoning of said premises; and
6. That said requested zoning classification is more suitable for said premises and the benefits realized by the general public in approving this petition will exceed the hardships imposed on your petitioner by the present zoning of said premises.

WHEREFORE, your petitioner respectfully prays that the Official Zoning Map of the City of Bloomington, McLean County, Illinois be amended by changing the zoning classification of the above-described premises from M - 1 to B - 2.

Respectfully submitted,

By: A. Clay Cox

ORDINANCE NO. 2015 - 7**AN ORDINANCE REZONING
OF THE PROPERTY LOCATED AT S. MCCLUN BLOOMINGTON, IL 61701
FROM M – 1, RESTRICTED MANUFACTURING DISTRICT TO B – 2, GENERAL
BUSINESS SERVICE DISTRICT**

WHEREAS, there was heretofore filed with the City Clerk of the City of Bloomington, McLean County, Illinois, a Petition for rezoning of certain premises hereinafter described in Exhibit “A”; and

WHEREAS, the Bloomington Planning Commission, after proper notice was given, conducted a public hearing on said Petition; and

WHEREAS, the City Council of said City has the power to pass this Ordinance and rezone said premises.

NOW THEREFORE BE IT ORDAINED by the City of Bloomington, McLean County, Illinois,

1. That the premises hereinafter described in Exhibit “A” shall be and the same are hereby rezoned from M - 1 District to B - 2 District.
2. The Official Zoning Map of said City shall be amended to reflect this change in zoning classification.
3. This Ordinance shall take effect immediately upon passage and approval.

PASSED this 9th day of February, 2015.

APPROVED this 10th day of February, 2015.

APPROVED:

Tari Renner
Mayor

ATTEST:

Tracey Covert
City Clerk

EXHIBIT A

Tract No. 1: Lot 6 and the South 20 feet of Lot 5 in L. E. and J. B. Holmes Addition to the City of Bloomington, in McLean County, Illinois.

Tract No. 2: Lot 4 and 5 (except the South 20 feet of Lot 5 thereof) and except the North 78 feet of the East 90 feet of said tract, all in L. E. and J. B. Holmes Addition to the City of Bloomington, in McLean County, Illinois.

Tract No. 3: A part of Lot 20 in the Subdivision of South 1/2 of Section 3, Township 23 North, Range 2 East of the Third Principal Meridian, described as follows: Commencing at Southwest corner of Lot 20; thence East along North line of Oakland Avenue formerly Clay Street 138.06 feet; thence North 323.25 feet more or less to L. E. and J. B. Holmes Addition to the City of Bloomington; thence West 135.5 feet; thence South 321.7 feet more or less to a point of beginning, in McLean County, Illinois.

Tract No. 4: A part of the Southwest 1/4 of Section 3, Township 23 North, Range 2 East of the Third Principal Meridian, in the City of Bloomington, McLean County, Illinois more particularly described as follows: Beginning at the Southwest corner of Lot 4 in L. E. and J. B. Holmes Addition to the City of Bloomington, and which point is also on the West line of Lot 20 in the Subdivision of the South 1/2 of Section 3, Township 23 North, Range 2 East of the Third Principal Meridian. From said point of beginning, thence South 241.07 feet along the West line of said Lot 20, thence West 72.25 feet along a line which forms a right angle, with the last described course, thence Northeast 46.64 feet along a line which forms an angle to the left of 81 degrees 12 minutes from the last described course, thence Northeast 50 feet along South line which forms an angle to the left of 178 degrees 57 minutes with the last described course, thence Northeast 66 feet along a line which forms an angle to the left of 175 degrees 23 minutes with the last described course, thence Northeast 66 feet along a line which forms an angle to the left of 177 degrees 59 minutes with the last described course, thence Northeast 20 feet along a line which forms an angle to the left of 180 degrees 56 minutes with the last described course, thence East 15.9 feet along South line which forms an angle to the left of 102 degrees 53 minutes with the last described course to the point of beginning, EXCEPTING THEREFROM that part conveyed to the City of Bloomington in Warranty Deed recorded July 14, 2009-22476 in McLean County, Illinois.

Tract No. 5: Certain property forming a portion of the right of way of the Illinois Central Gulf Railroad Company's abandoned Amboy District said property situated in the Southwest 1/4 of the Southwest 1/4 of Section 3, Township 23 North, Range 2 East of the Third Principal Meridian, at Bloomington, in McLean County, Illinois, described as follows: From the Southeast corner of Lot 16 in Parker's Addition to the City of Bloomington, said point situated in the West line of McClun Street, run Southerly along said West line, 50 feet to a point; thence Westerly along a line forming an angle to the right of 110 degrees 58 minutes with the Southerly extension of the last described course, a distance of 219.81 feet to a point in the Southerly extension of the West line of said Lot 16, thence Southerly along said West line of Lot 16 extended, 49.06 feet to a corner of that along said West line of Lot 16 extended, 49.06 feet to a corner of that 2.55 acre tract of land conveyed by Grantor to Modahl & Scott, Inc. by Deed dated April 15, 1974, being

the point of beginning, thence Westerly at a right angle to the last described course 65.0 feet to a property corner; thence Southerly at a right angle to the last described course, 50.0 feet to a property corner; thence Westerly at a right angle to last described course, 83.59 feet to property corner, said point being in the East line of that 1.79 acre tract of land conveyed by Grantor in J. Finfrock by Deed dated March 31, 1986, thence Southerly along the East line of said "Finfrock" tract, and along the East line of that 2.26 acre tract of land conveyed by Grantor to the Schwulst Building Center, Inc. by Deed dated February 28, 1986, passing the Southeast corner of said "Finfrock" tract at 49.06 feet, a total distance of 419 feet more or less to a point in the West line of that 0.24 acre tract of land conveyed to the State Farm Mutual Automobile Insurance Company April 7, 1997, thence Northeasterly along the aforesaid West line of the 0.24 acre "State Farm" tract, 150 feet more or less to a Northwest corner thereof in the Westerly extension of the North line of Lot 5 in Holmes Addition, thence Easterly along said North line of Lot 5, extended, 25 feet more or less to the Northeast corner of said 0.24 acre tract, being Grantor's property corner, thence Northeasterly in a straight line 260 feet more or less to Grantor's property corner in the aforesaid Southerly extension of the West line of Lot 16 in Parker's Addition, thence Northerly along said West line of Lot 16 extended 50 feet more or less to return to the point of beginning, except all coal, oil, gas and other minerals together with the right to mine and remove the same, also except the following: That part of the Illinois Central Gulf Railroad Company's right of way situated in the Southwest 1/4 of the Southwest 1/4 of Section 3, Township 23 North, Range 2 East of the Third Principal Meridian, described as follows:

Commencing at the Southwest corner of Lot 16 in Parker's Addition to the City of Bloomington, thence South 01 degrees 16 minutes 53 seconds East 99.06 feet on the Southerly extension of the West line of the said Lot 16 to the True Point of Beginning, said point being a corner of land conveyed to Modahl and Scott, Inc. by Deed and plat recorded as Document Number 74-8918; thence South 88 degrees 43 minutes 07 seconds West 65.0 feet, thence South 01 degrees 16 minutes 53 seconds East 50.00 feet, thence South 88 degrees 43 minutes 07 seconds West 83.59 feet to the East line of a tract conveyed to J. Finfrock by Deed recorded as Document Number 86-4669, thence South 01 degrees 08 minutes 53 seconds West 113.94 feet on the East line of said Finfrock tract and the East line of a tract of land conveyed to Schwulst Building Center, Inc. by Deed recorded as Document Number 86-5112 to the Westerly extension of the South line of Lot 1 in L. E. & J. B. Holmes Addition to the City of Bloomington; thence South 86 degrees 57 minutes 35 seconds East 106.39 feet on the Westerly extension of the South line of the said Lot 1 to the Southwest corner of the said Lot 1, thence North 15 degrees 12 minutes 17 seconds East 150.69 feet on the West line of the said Lot 1 and on the Northerly extension of the West line of the said Lot 1 to the point of intersection with the Southerly extension of the West line of the said Lot 16 in Parker's Addition, thence North 01 degrees 16 minutes 53 seconds West 27.46 feet on the Southerly extension of the West line of the said Lot 16 to the point of beginning, and all being situated in the City of Bloomington, in McLean County, Illinois.

PIN 21 – 03 – 352 - 039

Motion by Alderman Hauman, seconded by Alderman Lower that the Rezoning be approved and the Ordinance Passed.

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

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

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Request to Approve a Budget Amendment in the FY 2015 Police Department Budget for purchase of Police Marked Patrol Vehicle

RECOMMENDATION: Recommend that the Budget Amendment Ordinance be passed and purchase of one (1) 2015 Police Pursuit Vehicle using the State of Illinois Joint Purchasing Contract number 4017160 2015 from Morrow Brothers Ford, Greenfield, IL in the amount of \$29,940 be approved and the Procurement Manager authorized to issue a Purchase order.

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

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

BACKGROUND: The Police Department had a 2011 Chevrolet Impala that was involved in an accident on January 7, 2015. It was declared a total loss by an independent appraiser used by the City's insurance provider. Staff is requesting that it be replaced with a 2015 Ford Police Pursuit Vehicle. The Police Equipment (Light bars, Radios, Console and Controller, Speaker, and any other equipment) will be transferred from the old unit to the new one. The totaled unit will be retained by the City and salvaged for parts for the remaining Impalas in the Fleet.

The Police Department utilizes patrol vehicles twenty-four (24) hours a day. We currently have twenty - five (25) black and white patrol cars in operation that need to be made available at a moment's notice in the event of an emergency.

There are on average nine (9) to eleven (11) officers working per shift, three (3) shifts per day, seven (7) days a week. Each officer drives a patrol car by himself/herself. In order to preserve the mechanical integrity of the patrol car, the goal is to have it on active duty no more than sixteen (16) hours a day. During a twenty-four (24) hour timeframe there is potential to have up to twenty-two (22) different patrol cars in operation. In addition to these shifts, we have officers working additional jobs where outside entities hire back officers to provide security. These events more often than not require the use of a black and white patrol car. On weekends, we also have additional officers who require the use of black and white patrol cars to patrol the downtown area which, depending on the day, requires two (2) to three (3) patrol cars. On numerous occasions this practice unfortunately has not been followed as there may be an equipment malfunction with the patrol car which requires cars to be taken out of service. Right now, there are (2) patrol cars that are not in service due to required warranty work. When this happens the patrol car is taken out of service for an unknown amount of time depending on the

needed repair and the dealership work load. This in turn taxes the other patrol cars by increasing the amount of time they are used.

The patrol cars that are scheduled for regular maintenance now have to have maintenance deferred. There are times when a patrol car is taken out of service for a small repair order. While the garage is very good about returning the car to service as soon as possible, it is one (1) or more fewer cars that are available to the patrol officers to use and at the same time following the guideline.

According to the City Code, Chapter 16: Section 52: Emergency Purchases; In the case of the occurrence of any breakage or loss of equipment, or in other circumstances which could not reasonably be anticipated, whereby any necessary regular service of the City is, or is about to be, interrupted or whereby the City will suffer any great or continuing loss, the City Manager, upon the request of the department head, may negotiate an emergency purchase to restore or maintain such service or to terminate such loss, without advertising for bids and in such amount as may be necessary in the circumstances.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED : Not applicable.

FINANCIAL IMPACT: The City received \$8,825.00 from Alternative Services Concept (A.S.C.) for the totaled unit which will offset a portion of the vehicle cost. This was recorded in Police-Property Damage Claims (10015110-57420). The replacement unit will cost \$29,940.00 and will be purchased from Police-Capital Outlay Licensed Vehicles (10015110-72130).

Respectfully submitted for Council consideration.

Prepared by: Stephen Sicinski, Police Department

Reviewed by: Kenneth Bays, Assistant Chief of Police

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

ORDINANCE NO. 2015 – 8

**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 9th day of February, 2015.

APPROVED the 10th day of February, 2015.

APPROVED:

Tari Renner
Mayor

ATTEST:

Tracey Covert
City Clerk

Motion by Alderman Hauman, seconded by Alderman Lower that the Budget Amendment Ordinance be passed and purchase of one (1) 2015 Police Pursuit Vehicle using the State of Illinois Joint Purchasing Contract number 4017160 2015 from Morrow Brothers Ford, Greenfield, IL in the amount of \$29,940 be approved and the Procurement Manager authorized to issue a Purchase order.

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

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

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Suspension of Ordinance to Allow Consumption of Alcohol at Davis Lodge on April 25, 2015

RECOMMENDATION/MOTION: That the Ordinance be passed.

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 Bloomington Liquor Commissioner Tari Renner called the Liquor Hearing to order to hear the request of Patricia O'Neill and Kristi Soule to allow moderate consumption of alcohol at their April 25, 2015, wedding reception to be held at the Davis Lodge. Present at the hearing were Liquor Commissioners Tari Renner, Geoffrey Tompkins and Jim Jordan; George Boyle, Asst. Corporation Counsel, Clay Wheeler, Asst. Police Chief, and Renee Gooderham, Chief Deputy Clerk.

Staff Absent: Tracey Covert, City Clerk.

Commissioner Renner opened the liquor hearing and requested the requestor address this request. Patricia O'Neill addressed the Commission. The wedding ceremony and reception would be held at the Davis Lodge on April 25, 2015. It would start around 4:00 p.m. and end at 12:00 a.m. (Midnight). She anticipated approximately 125 guests. The Bistro, located at 316 N. Main St., would provide the food and beverage service. Liquor service would be limited to beer and wine only.

Motion by Commissioner Tompkins, seconded by Commissioner Jordan that the request of Patricia O'Neill and Kristi Soule to allow moderate consumption of alcohol at the Davis Lodge for their April 25, 2015 wedding reception be approved.

Motion carried, (viva voce).

Commissioner Renner stated that this item would appear on the Council's February 9, 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: The Agenda for the January 13, 2015 Meeting of the Liquor Commission was placed on the City's web site. There also is a list serve feature for the Liquor Commission.

FINANCIAL IMPACT: None.

Respectfully submitted for Council consideration.

Prepared by:

Renee Gooderham, Chief Deputy Clerk

Reviewed by:

Brett Lueschen, Interim Water Director
George D. Boyle, Asst. Corporation Counsel

Recommended by:

Tari Renner
Mayor

ORDINANCE NO. 2015 - 9**AN ORDINANCE SUSPENDING PORTIONS OF SECTION 701 OF CHAPTER 31 AND SECTION 26(d) OF CHAPTER 6 OF THE BLOOMINGTON CITY CODE FOR A WEDDING RECEPTION AT THE (LOCATION)**

WHEREAS, Patricia O'Neill and Kristi Soule are planning to hold their wedding reception at the Davis Lodge from 4:00 p.m. to 12:00 a.m. (Midnight) on April 25, 2015; and

WHEREAS, Patricia O'Neill and Kristi Soule have requested permission from the City to serve beer and wine during this event; and

WHEREAS, in order to legally possess alcohol in a City Park, Section 701(a), (b) and (c) of Chapter 31 of the Bloomington City Code, which prohibits the drinking, selling and possessing alcohol beverages with the City parks and Section 26(d) of Chapter 6 of the Bloomington City Code, which prohibits possession of open alcohol on public property must be suspended;

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

Section 1: That Sections 701(a), (b) and (c) of Chapter 31 and Section 26(d) of Chapter 6 of the Bloomington City Code, 1960, as amended, are suspended for the duration of the wedding reception at the Davis Lodge on April 25, 2015 under the conditions set forth in the rental agreement.

Section 2: Except for the date of date set forth in Section 1 of this Ordinance, Sections 701(a), (b) and (c) of Chapter 31 and Section 26(d) of Chapter 6 of the Bloomington City Code, 1960, shall remain in full force and effect. Nothing in this Ordinance shall be interpreted as repealing said Sections 701(a), (b) and (c) of Chapter 31 and Section 26(d) of Chapter 6.

Section 3: This Ordinance shall be effective on the date of its passage and approval.

Section 4: This Ordinance is adopted pursuant to the home rule authority granted the City of Bloomington by Article VII, Section 6 of the 1960 Illinois Constitution.

PASSED this 9th day of February, 2015

APPROVED this 10th day of February, 2015.

APPROVED:

Tari Renner
Mayor

ATTEST:

Tracey Covert
City Clerk

Motion by Alderman Hauman, seconded by Alderman Lower that the Ordinance be passed.

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

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

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Application of Marplayaa, Inc., d/b/a Windy City Wieners, located at 116 W. Washington St., requesting an RBS liquor license which would allow the sale of beer and wine only by the glass for consumption on the premises seven (7) days a week

RECOMMENDATION/MOTION: Recommend that an RBS liquor license for Marplayaa, Inc., d/b/a Windy City Wieners, located at 116 W. Washington St., be created, contingent upon compliance with all building, zoning, health, and safety codes.

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

STRATEGIC PLAN SIGNIFICANCE: Objective 4a. 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 Marplayaa, Inc., d/b/a Windy City Wieners, located at 116 W. Washington St., requesting an RBS liquor license which would allow the sale of beer and wine only by the glass for consumption on the premises seven (7) days a week. Present at the hearing were Liquor Commissioners Tari Renner, Geoffrey Tompkins and Jim Jordan; George Boyle, Asst. Corporation Counsel, Clay Wheeler, Asst. Police Chief, and Renee Gooderham, Chief Deputy Clerk and Adam Elpayaa and Steven Manifjeren owners and applicant representatives.

Staff Absent: Tracey Covert, City Clerk.

Commissioner Renner opened the liquor hearing and requested that the applicant representatives address this request. Adam Elpayaa and Steven Manifjeren owners and Applicant representatives addressed the Commission.

Mr. Elpayaa stated that Windy City Wieners operated a restaurant at 106 E Beaufort St. Normal, IL. They had been operating the Bloomington location for one (1) year. He noted that the customer base was different from the Town of Normal. They wanted the ability to serve beer with a meal. Alcohol service would end at 10:00 p.m. including Friday and Saturday. They did not want to be a tavern.

Commissioner Tompkins questioned BASSET (Beverage Alcohol Sellers and Servers Education). Mr. Elpayaa and Mr. Manifjern responded negatively. They stated the training would be completed.

Commissioner Jordan questioned the plan for the patio area. Commissioner Renner noted that he had spoken with Janet Lancaster, owner, The Bistro, located at 316 N. Main St., and president of the Downtown Bar Association. There was concern with serving alcohol until midnight on the patio. Mr. Manifjern stated that drinking alcohol outside would not be permitted. He reminded the Commission that alcohol service would end at 10:00 p.m.

Commissioner Tompkins questioned encroaching on public space. He reminded the Commission that outdoor alcohol service space must be defined and approved.

Motion by Commissioner Tompkins, seconded by Commissioner Jordan to recommend to the Council that a Marplayaa, Inc., d/b/a Windy City Wieners, located at 116 W. Washington St., 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 9, 2015 Consent Agenda. He encouraged them to attend same.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Public notice was published in the Pantagraph on January 5, 2015 in accordance with City Code. In accordance with City Code, approximately one hundred eighteen (118) courtesy copies of the Public Notice were mailed on December 29, 2014. In addition, the Agenda for the January 13, 2015 Meeting of the Liquor Commission was placed on the City's web site. There also is a listserve feature for the Liquor Commission.

FINANCIAL IMPACT: The City will collect the annual license fee of \$1110, plus appropriate taxes.

Respectfully submitted for Council consideration.

Prepared by:

Renee Gooderham, Chief Deputy Clerk

Reviewed by: George D. Boyle, Asst. Corporation Counsel

Recommended by

Tari Renner
Mayor

Motion by Alderman Hauman, seconded by Alderman Lower that an RBS liquor license for Marplayaa, Inc., d/b/a Windy City Wieners, located at 116 W. Washington St., be created, contingent upon compliance with all building, zoning, health, and safety codes.

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

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

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Text Amendment to Chapter 20, Section 180 of the City Code Pertaining to Parking

RECOMMENDATION/MOTION: Recommend that The Amendments to Chapter 29 of the City Code be adopted.

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

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

BACKGROUND: The existing City Code provisions provide for limited free parking within the Major Butler Parking Lot and the Pepsi Ice Center Garage. A fee for parking, however, is routinely charged for events held at the U.S. Cellular Coliseum in accordance with various contracts and practices which constitutes City parking revenue. To prevent the requirement for obtaining special event permits for each event at the Coliseum, City staff is proposing a text amendment to the Parking Code that clarifies parking fees may be charged for events related to the Coliseum.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable.

FINANCIAL IMPACT: Not applicable.

Respectfully submitted for Council consideration.

Prepared by:

Jeffrey R. Jurgens, Corporation Counsel

Recommended by:

David A. Hales
City Manager

ORDINANCE 2015 - 10**AN ORDINANCE AMENDING THE CITY'S PROVISIONS ON MOTOR VEHICLES
& TRAFFIC FOR THE CITY OF BLOOMINGTON****BE IT ORDAINED BY THE CITY COUNCIL
OF THE CITY OF BLOOMINGTON, ILLINOIS:**

SECTION 1. That Chapter 29, Article XXI, Section 180 of Bloomington City Code, 1960, as amended, shall be further amended as follows (unless otherwise noted, additions are indicated by underlines; deletions indicated by strikeouts):

- (a) Parking rates for parking in off-street parking lots and garages operated by parking devices shall be as follows:
 - (3) Major Butler Parking Lot. Except when events are held at the U.S. Cellular Coliseum for time periods in accordance with contracts or policies related to the Coliseum, ~~P~~parking is free; however, no vehicles shall be allowed to park for more than two (2) hours in any designated public parking space. Each designated public parking space is independent of the other.
 - (4) Pepsi Ice Center Parking Garage: \$50.00 per space per month. Except when events are held at the U.S. Cellular Coliseum for time periods in accordance with contracts or policies related to the Coliseum, ~~T~~he first and second levels shall be free; however, no vehicle shall be allowed to park more than four (4) hours per day in such facility. Vehicles exceeding the four (4) hour daily limit shall be fined in the amount provided under Section 187 of this Article for each additional four (4) hour period, or part thereof, the vehicle is parking in excess of the initial time of any subsequent four (4) hour period. No vehicle may be parked in the free portion of the Pepsi Ice Center Parking Garage more than one time during the same day, regardless of whether the vehicle occupied the same or another space in that portion of the parking garage and regardless of whether the vehicle was parked for the full amount of time allowed by this ordinance.

SECTION 3. Except as provided herein, the Bloomington City Code, 1960, as amended shall remain in full force and effect.

SECTION 4. In the event that any section, clause, provision, or part of this Ordinance shall be found and determined to be invalid by a court of competent jurisdiction, all valid parts that are severable from the invalid parts shall remain in full force and effect.

SECTION 5. The City Clerk is hereby authorized to publish this ordinance in pamphlet form as provided by law.

SECTION 6. This ordinance shall be effective immediately after the date of its publication as required by law.

SECTION 7. This ordinance is passed and approved pursuant to the home rule authority granted Article VII, Section 6 of the 1970 Illinois Constitution.

PASSED this 9th day of February, 2015.

APPROVED this 10th day of February, 2015.

APPROVED:

Tari Renner
Mayor

ATTEST:

Tracey Covert
City Clerk

Motion by Alderman Hauman, seconded by Alderman Lower that The Amendments to Chapter 29 of the City Code be adopted.

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

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

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Petition from Illinois Wesleyan University for Approval of Sanitary and Storm Sewer Easement Dedications in a Part of Blocks 6 in Phoenix Addition and a part of Block 5 in the Resurvey of Blocks 4, 5, 7, and 11 Phoenix Addition

RECOMMENDATION/MOTION: Recommend that the Dedications be approved and the Ordinance passed.

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

STRATEGIC PLAN SIGNIFICANCE: Objective 5a. Well-planned City with necessary services and infrastructure.

BACKGROUND: Illinois Wesleyan University is constructing an addition to the east of the existing Shirk Center at 302 E. Emerson St. The addition extends into their existing parking lot across the top of an existing sanitary sewer owned by the City. As part of the building expansion, Illinois Wesleyan University is relocating the sanitary sewer away from the proposed expansion.

During the planning process for this expansion, it was discovered that formal recorded easements do not currently exist for both the City storm and sanitary sewers through this property. The subject plats formally dedicate easements for the post-expansion location of the storm and sanitary sewers. The proposed easements allow the City to maintain the sewers through the University's property.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Illinois Wesleyan University

FINANCIAL IMPACT: None. All survey, plat and recording costs are paid by the petitioner.

Respectfully submitted for Council consideration.

Prepared by: Anthony J Meizelis, P.E., Civil Engineer I

Reviewed by: Jim Karch, P.E., CFM, Director of Public Works

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

**PETITION FOR DEDICATION OF
SANITARY AND STORM SEWER EASEMENTS**

STATE OF ILLINOIS)
) ss.
COUNTY OF MCLEAN)

TO: THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF
BLOOMINGTON, MCLEAN COUNTY, ILLINOIS

Now comes Illinois Wesleyan University, hereinafter referred to as your Petitioner, respectfully representing and requesting as follows:

1. That your Petitioner is interested as Owner in the premises hereinafter described in Exhibits A and B attached hereto and made a part hereof by this reference;
2. That your Petitioner(s) seek(s) approval of the dedication of storm and sanitary sewer easements over said premises;

WHEREFORE, your Petitioner(s) pray(s) that the storm and sanitary sewer easements be dedicated with such reservation of utility easements as may seem proper.

Respectfully submitted,

Illinois Wesleyan University,

By: Todd E. Bugg, its attorney

ORDINANCE NO. 2015 - 11

**AN ORDINANCE PROVIDING FOR THE DEDICATION OF
STORM AND SANITARY SEWER EASEMENTS**

WHEREAS, there was heretofore filed with the City Clerk of the City of Bloomington, McLean County, Illinois, a petition requesting the dedication of Storm and Sanitary Sewer Easements; and

WHEREAS, said petition complies in all respects with the ordinances of said City and the statutes of the State of Illinois in such case made and provided; and

WHEREAS, the City Council of said City has the power to pass this Ordinance and grant said dedication; and

WHEREAS, it is reasonable and proper to dedicate said Storm and Sanitary Sewer Easements as requested in this case.

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

1. That the Storm and Sanitary Sewer Easements as shown more fully on Exhibits A and B are is hereby dedicated.
2. That this ordinance shall be in full force and effective as of the time of its passage and approval.

PASSED this 9th day of February, 2015.

APPROVED this 10th day of February, 2015.

APPROVED:

Tari Renner
Mayor

ATTEST:

Tracey Covert
City Clerk

EXHIBIT A**Tract 1:**

A part of Block 6 in Phoenix Addition to the City of Bloomington, McLean County, Illinois being a strip of land 20 feet in width lying 10 feet on each side of the following described centerline: Commencing at the Northeast Corner of Lot 1 in said Block 6, thence west 325.30 feet along the South Line of vacated Kelsey Street to the Point of Beginning. From said Point of Beginning, thence southwest 112.20 feet along a line which forms an angle to the right of 146°-17'-25" with said South Line; thence south 123.95 feet along a line which forms an angle to the right of 124°-12'-51" with the last described course; thence southwest 166.83 feet along a line which forms an angle to the right of 215°-42'-54" with the last described course to a Point of Terminus on the North Line of Emerson Street lying approximately 515 feet west of the Southeast Corner of Lot 20 in said Block 6. Sides of said easement to terminate at the South Line of vacated Kelsey Street and the North Line of Emerson Street.

Part of 14-33-404-021

Tract 2:

A part of Block 5 in the Resurvey of Blocks 4, 5, 7, and 11 Phoenix Addition to the City of Bloomington, McLean County, Illinois being a strip of land 20 feet in width lying 10 feet on each side of the following described centerline: Commencing at the Southeast Corner of Lot 20 in said Block 5, thence west 258.94 feet along the South Line of said Block 5, also being the North Line of vacated Kelsey Street to the Point of Beginning. From said Point of Beginning, thence northeast 182.84 feet along a line which forms an angle to the right of 47°-41'-43" with the last described course to a Point of Terminus on the Southwest Right-of-Way Line of the Bloomington and Normal Water Reclamation District property, being the Main Branch of Sugar Creek.

Part of 14-33-402-017

Exhibit B**GRANT OF PERMANENT EASEMENT**

ILLINOIS WESLEYAN UNIVERSITY, hereinafter called "Grantor," for an in consideration of the sum of One and 00/100 Dollar (\$1.00) and for other good and valuable consideration, receipt whereof is hereby acknowledged, does hereby convey and grant to THE CITY OF BLOOMINGTON, Illinois, a municipal corporation of the County of McLean, State of Illinois, hereinafter called "Grantee," all of the described property in Exhibit "A" attached hereto and incorporated herein by reference, for right-of-way purposes, together with the right to install, maintain, and renew any and all storm sewers thereon.

The Grantee agrees that it will cause all work performed by the Grantee on said tract of land to be done carefully so as to cause as little damage as possible to the premises of the

Grantor and that it will cause said premises to be restored as nearly as possible to their original condition after the completion of necessary construction performed by the Grantee.

The Grantee agrees that it will save, protect, and keep harmless the Grantor, the said easement and the remainder of the Grantor's adjacent lands from any liens of any kind for either work or materials used or employed in all work performed and by the grantee on said tract of land.

The Grantee agrees that when construction work performed by the grantee is finished, it will cause all unused materials, machinery, equipment, or debris to be removed from said premises.

The Grantee agrees to indemnify and hold harmless Grantor from any and all claims for personal injury or property damage including any costs and attorney's fees arising from construction, maintenance or use of the easement.

The Grantor may keep and maintain light pole on the real property subject to this Easement. If sewer work allowed under this Easement requires the removal or relocation of the light poles, Grantor will bear the costs of removal and reinstallation.

The Grantor specifically reserves unto itself the fee simple title to the real property described above subject only to the easement described herein. This easement may not be assigned or transferred by Grantee.

The grant of easement herein shall terminate upon:

1. a failure of Grantee to comply with any term or condition of this grant, or
2. non-use of the easement herein granted for the purpose state for a consecutive two-year period, or
3. an abandonment of the easement, such termination to become effective upon date of notice thereof from Grantor to Grantee,

This Grant of Easement is made and executed pursuant to a resolution of the Board of Trustees of Illinois Wesleyan University duly adopted at its regular meeting on the ____ day of _____, 201__.

In witness whereof, Illinois Wesleyan University has caused its corporate seal to be hereto affixed and has caused this Grant of Easement to be signed by its authorized representative this ____ day of _____, 201__.

Illinois Wesleyan University, Grantor

Motion by Alderman Hauman, seconded by Alderman Lower that the Dedications be approved and the Ordinances passed.

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

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

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Acceptance of Application to the Illinois Department of Commerce for the U.S. Cellular Coliseum Energy Evaluation and Retro-Commissioning Project

RECOMMENDATION/MOTION: Recommend that the Application to U.S. Cellular Coliseum for Energy Evaluation and Retro-Commissioning Project approved, and the Mayor and City Clerk authorized to execute the necessary documents.

STRATEGIC PLAN LINK: Goal 1. Financially Sound City Providing Quality Basic Services and 2. Upgrade City Infrastructure & Facilities.

STRATEGIC PLAN SIGNIFICANCE: Objective 1d. City services delivered in the most cost-effective, efficient manner, 1e. Partnering with others for the most cost effective service delivery and 2 d. Well-designed, well-maintained City facilities emphasizing productivity and customer service.

BACKGROUND: In December 2014, Central Illinois Arena Management staff contacted the Smart Energy Design Assistance Center (SEDAC) regarding the Public Sector Retro-Commission Program. SEDAC manages this program to assist public sector facilities in identifying low-cost to no-cost energy saving improvements that will have an estimated payback period of 1.5 years or less. Funding for the evaluation and administrative portions of the program is provided through the Department of Commerce and Economic Opportunity (DCEO). Funding for the improvements recommended by the evaluation is entirely the facility owner's responsibility. These improvements must be completed within ten (10) months of the evaluation or by March 31, 2016, whichever date arrives first. A copy of the completed program application is attached. Additional program information from Jim McNally, the professional who will perform the evaluation, is also attached. In 2012, this same program was used to perform a Retro-Commissioning project at the Police Department. Installation of occupancy sensors and building automation system improvements were the major recommended improvements implemented.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Smart Energy Design Assistance Center (SEDAC), 360 Energy Group, McNally Engineer, Ltd.

FINANCIAL IMPACT: Initial costs involve staff time to assist with the evaluation. Most of the financial impact related to this project will be determined by the results of the evaluation. The Retro-Commissioning Application requires that at least \$10,000 worth of recommended improvements be implemented within ten (10) months of the evaluation or by March 31, 2016. There is also a financial consequence if the recommended improvements are not completed. As shown on the attached correspondence from Robert Irmiger of the 360 Group, the City will be

required to pay for the evaluation costs if the recommended improvements are not performed. The approximate cost for the evaluation is \$30,000 to \$65,000. Implementation of at least \$10,000 of recommended improvements is preferred. Some of the proposed improvements may take place even if this Retro-Commissioning program is not pursued. The FY 2016 Proposed Budget includes \$200,000 for Maintenance and \$50,000 for Building Automation System Improvements at the Coliseum.

Respectfully submitted for Council consideration.

Prepared by: Russel Waller, P.E., Facilities Manager
Jim Appio, U.S. Coliseum Asst. General
Manager-Operations

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 local services and savings. He questioned the amount of savings. He recommended laying the item over until after approval of the FY16 Budget. He requested a new business model for the USCC (U.S. Cellular Coliseum).

Alderman Black questioned timeline. David Hales, City Manager, addressed the Council. He clarified that funding was from electrical companies. The Police Department building had completed same. The requirement was to identify \$10,000 - \$15,000. The study would be contracted and identify energy efficiencies.

Alderman Fruin noted that he was involved in a similar study with another organization. He believed same was beneficial.

Alderman Schmidt questioned outreach. Mr. Hales noted that CIAM (Central Illinois Area Management) continued to seek lower cost options. The City was required to approve same as building owners.

Alderman Lower cited concerns with SEDAC (Smart Energy Design Assistance Center) requirements and timeline. Mr. Hales explained the \$10,000 minimum expenditure requirement.

Motion by Alderman Lower, seconded by Alderman Stearns that the USCC Energy Evaluation be laid over until after approval of the FY16 Budget.

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

Ayes: Aldermen Schmidt, Stearns and Lower.

Nays: Aldermen Sage, Black, Hauman, Fruin and Mayor Renner.

Motion failed.

Alderman Stearns questioned Police Department savings percentage. Mr. Hales stated the utility bills would be reviewed for same. Alderman Stearns questioned USCC utility costs. Mr. Hales noted that same were included in the Bill and Payroll report.

Alderman Black noted that the West Side Budget Discussion held on January 27, 2015 citizens wanted efficient ways to conduct business even when those were small cost savings.

Motion by Alderman Sage, seconded by Alderman Hauman that the U.S. Cellular Coliseum Energy Evaluation 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 and Fruin.

Nays: Aldermen Stearns and Lower.

Motion carried.

The following was presented:

SUBJECT: Revision of October 25, 2004 IMRF Resolution 2004-88; Resolution to Include Compensation Directed Into a Retirement Health Savings Plan (RHS) as IMRF (Illinois Municipal Retirement Fund) Earnings

RECOMMENDATION/MOTION: Recommend Approval of the Revised Resolution to Exclude Certain Compensation Directed into a Retirement Health Savings Plan (RHS) as IMRF (Illinois Municipal Retirement Fund) Earnings be approved, and the Mayor and City Clerk authorized to execute the necessary documents and the Resolution adopted.

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: An IMRF audit of administrative practices was conducted in spring of 2014. During that audit, IMRF noted (see attached audit section) that a previous Resolution 2004-88 adopted on October 25, 2004 by the Council requires updating to match the City's ongoing practice of excluding monthly sick leave payments from IMRF earnings. The monthly contributions were never intended by the City to be considered as IMRF earnings and have never been reported to IMRF as earnings. This is permissible under IMRF regulations. Sick leave paid into the RHS plan upon a qualifying employee's retirement will continue to be considered IMRF earnings and is not affected by this revision to the 2004 resolution.

The monthly contributions of sick leave have never been reported as earnings to IMRF. There will be no change to the City's pension liability with the adoption of the recommended revised resolution. Adopting this resolution will result in IMRF resolution records matching the City's practice.

Payments earned by some employees, are deposited to employees' RHS accounts. IMRF requested that a revision to the resolution be passed and submitted to them which clearly states that the monthly contributions of sick leave to RHS accounts are not to be considered as IMRF earnings.

The original resolution did not address the monthly contributions. Monthly contributions began July 2005. The section of the IMRF audit report requesting this revision is attached.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable.

FINANCIAL IMPACT: None.

Respectfully submitted for Council consideration.

Prepared by: Laurie Wollrab, Compensation and Benefit Manager

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

Legal review by: Emily Reid-Peterson, Sorling Northrup
Jeffrey R. Jurgens, Corporation Counsel

Recommended by:

David A. Hales
City Manager

RESOLUTION NO. 2015 - 5**Resolution to Exclude Certain Compensation Directed Into a Retirement Health Savings Plan as IMRF Earnings**
IMRF I.D. Number: 3327

WHEREAS, standard member earnings reportable to the Illinois Municipal Retirement Fund may or may not include certain forms of compensation directed into a Retirement Health Savings Plan; and

WHEREAS, the governing body of an IMRF participating unit of government may elect to include or exclude in IMRF earnings compensation directed into a Retirement Health Savings Plan; and

WHEREAS, the City Council of the City of Bloomington is authorized to include or exclude compensation directed into a Retirement Health Savings Plan as earning reportable to IMRF;

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Bloomington does hereby elect to EXCLUDE from earnings reportable to IMRF the compensation directed into a Retirement Health Savings Plan which is contributed to certain employees ON A MONTHLY BASIS. These payments are not now and never have been reported to IMRF as earnings.

CERTIFICATION

I, Tracey Covert, the City Clerk of the City of Bloomington of the County of Mclean, State of Illinois, do hereby certify that I am keeper of its books and records and that the foregoing is a true and correct copy of a resolution duly adopted by its City Council at a meeting duly convened and held on the 9th day of February, 2015.

SEAL

Tracey Covert, City Clerk

Alderman Painter questioned purpose. Jeff Jurgens, Corporation Counsel, addressed the Council. He explained that same was to codify a City business practice. He explained how sick leave monthly payouts were treated from IMRF (Illinois Municipal Retirement Fund) purposes. An employee reaches the maximum 960 sick hours, usually after eleven (11) years. Half (½) the monthly sick leave accrued, after same, was deposited into a retirement health savings. The City was not required to pay thirteen percent (13%) on same.

Alderman Painter requested striking the second (2nd) Now Therefore Be It Resolved.

Motion by Alderman Painter, seconded by Alderman Black approval of the Revised Resolution to Exclude Certain Compensation Directed into a Retirement Health Savings Plan (RHS) as IMRF (Illinois Municipal Retirement Fund) Earnings as amended be approved, and the Mayor and City Clerk authorized to execute the necessary documents and the Resolution adopted.

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

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

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Application of Big Cheese, Inc., d/b/a Flingers Pizza Pub, located at 1503 E. Vernon Ave., requesting an RAS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week

RECOMMENDATION/MOTION: That an RAS liquor license for Big Cheese, Inc., d/b/a Flingers Pizza Pub, located at 1503 E. Vernon Ave., be created, contingent upon compliance with all applicable building, zoning, health, and safety codes.

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

STRATEGIC PLAN SIGNIFICANCE: Objective 4a. 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 Big Cheese, Inc, d/b/a Flingers Pizza Pub, located at 1503 E. Vernon Ave., requesting an RAS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week. Present at the hearing were Liquor Commissioners Tari Renner, Geoffrey Tompkins and Jim Jordan; George Boyle, Asst. Corporation Counsel, Clay Wheeler, Asst. Police Chief, and Renee Gooderham, Chief Deputy Clerk and Patrick Fruin owner/operator and Applicant representative.

Staff Absent: Tracey Covert, City Clerk.

Commissioner Renner opened the liquor hearing and requested the Applicant representatives address this request. Patrick Fruin, owner/operator and Applicant representative addressed the Commission. Mr. Fruin noted he previously owned/operated Flingers Pizza Co. at 608 N. Main St. from 2007 to 2013. The lease for the location was not renewed. The new building was 2800 sq. ft. and had a patio. His menu would remain the same.

Commissioner Jordan questioned BASSET (Beverage Alcohol Sellers and Servers Education) certification. Mr. Fruin stated he was currently certified and all employees would be soon.

Commissioner Jordan questioned seating capacity. Mr. Fruin stated approximately 100 – 120. He wanted to offer family dining. He noted that the floor plan was being redrawn. The original architect would not release the drawings. George Boyle, Asst. Corporation Counsel, addressed the Commission. He noted that the floor plan defined the premise, i.e. serving area for alcohol.

Commissioner Jordan questioned video gaming devices. Mr. Fruin explained that he was reviewing similar concepts. He would lose eight (8) seats. A cost benefit analysis would be reviewed.

Mr. Boyle noted that Lard Lad Donuts, LLC was listed on the insurance letter. Mr. Fruin explained that he was owner Lard Lad Donuts, LLC which owned the building. Lard Lad would rent the building to Big Cheese, Inc.

Motion by Commissioner Tompkins, seconded by Commissioner Jordan to recommend to the Council that a RAS liquor license for Big Cheese, Inc, d/b/a Flingers Pizza Pub, located at 1503 E. Vernon Ave., be approved contingent upon: 1.)correct liquor liability insurance; 2.)floor plan submittal; and 3.)compliance with all health safety codes.

Motion carried, (viva voce).

Commissioner Renner informed Mr. Fruin that Staff would review the floor plan. If there were issues with same the application would be returned to the Liquor Commission. Commissioner Renner noted that this item would appear on the Council's February 9, 2015 meeting agenda. He encouraged Mr. Fruin to attend same.

There being no further business before the Commission, the meeting recessed at 4:21 p.m.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Public notice was published in the Pantagraph on January 5, 2015 in accordance with City Code. In accordance with City Code, approximately sixty –two (62) courtesy copies of the Public Notice were mailed on December 29, 2014. In addition, the Agenda for the January 13, 2015 Meeting of the Liquor Commission was placed on the City's web site. There also is a listserve feature for the Liquor Commission.

FINANCIAL IMPACT: The City will collect the annual license fee of \$1760, plus appropriate taxes.

Respectfully submitted for Council consideration.

Prepared by:

Renee Gooderham, Chief Deputy Clerk

Reviewed by:

George Boyle, Assistant Corporation Counsel

Recommended by:

Tari Renner
Mayor

Alderman Fruin left the dias at 7:30 p.m.

Motion by Alderman Schmidt, seconded by Alderman Black that an RAS liquor license for Big Cheese, Inc., d/b/a Flingers Pizza Pub, located at 1503 E. Vernon Ave., be created, contingent upon compliance with all building, zoning, health, and safety codes.

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

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

Nays: None.

Motion carried.

Alderman Fruin returned at 7:40 p.m.

The following was presented:

SUBJECT: Waive the Formal Bid Process and Approve Professional Services Agreement with F.B. Leopold, Inc. of Zelienople, Pennsylvania, a proprietary filter underdrain manufacturer, for the retrofit of two filters (#14 and #15) at the Water Treatment Plant

RECOMMENDATION/MOTION: Recommend that the Formal Bid Process be waived and the Professional Services Agreement with F.B. Leopold, Inc. of Zelienople, Pennsylvania in the amount of \$370,760 be approved, and the Mayor and City Clerk 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 Water Department has encountered a failure in the underdrains of two (2) of its conventional, rapid rate gravity filters. Repairs require moving forward on filters #14 and #15 to restore the water plant. These filters will be retrofit with proprietary gravel-less underdrains, provisions for a new air scour backwash system, demolition of the existing underdrain system, installation of the new gravel-less underdrain system, replacement of filter media and incidental construction related to the filter retrofit.

The clay underdrain in filter #15, in the new section of the Water Treatment Plant, failed. The underdrain is the portion of the filter upon which the supporting gravel of various sizes and the filter sand is placed. The underdrain system supports this filter media and acts as the collection point of the filtered water. Once it passes through the filtering layers of sand and the support gravel (see attached diagrams). This provides for a short circuit in the filtering process and the water to be filtered will take the path of least resistance and moving through the filter media in a quicker fashion than other parts of the filter resulting in less efficiently filtered or in essence not filtered at all. This can lead to higher cloudiness in the treated water (turbidity) and other possible water quality problems.

An underdrain failure can generally only be determined by removing all the media from the filter and physically inspecting the underdrain. This activity removes the filter from service for several weeks, is costly and time consuming. This has been done for filter #15 and it has been confirmed that there is a failed portion in same. Much like an underground coal mine collapsing and causing a sink hole on the ground surface, a failed underdrain collapses downward and the filter media on top of the underdrain collapses into the filter underdrain causing the uniform layers of the filter media to become mixed and essentially a small sink hole forms on top of the filter. Filter #15, with two halves or “cells”, is capable of filtering a total two (2) million gallons per day. This filter is currently out of service until it is retrofitted with the new underdrain system. If the City encounters peak pumpage while this filter is out of service, the Water Treatment Plant would be hampered in its ability to meet peak demands.

The improvement of the rapid rate filters at the Water Treatment Plant has been cite in the September, 2007 Water Plant Master Plan. The plan was to coincide with the construction of the filter expansion at the WTP. That work is budgeted to occur this year, in FY 15.

AECOM, Inc. was retained to design the new underdrain system for the new portion of the WTP. This has been completed. During that time, the Water Department completed its routine annual removal, regeneration and replacement of the Granular Activated Carbon (GAC) layer in about one third (1/3) of the filters.

Filter #14 during the annual December, 2013 maintenance procedure exhibited the same characteristics as filter #15. After the media was removed from same, it was determined that the same retrofit as filter #15 to be fully functional.

The same design will be used in the other filters in the new portion of the WTP as they are upgrade in the future.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable.

FINANCIAL IMPACT: The filter expansion project was included in the Water Department’s capital FY 2015 budget in the amount of \$1,500,000. The expansion project will be deferred to the next fiscal year. Staff proposes that the underdrain replacement project be paid from the funds that were originally budgeted for the filter expansion project. This will be paid out of Water Purification-Water Plant Construction (50100130-72590). Stakeholders can find this in the FY 2015 Budget book titled “Other Funds & Capital Improvement Program” on page 143.

Respectfully submitted for Council consideration.

Prepared by: Brett Lueschen, Interim Water Director

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

David Hales, City Manager, addressed the Council. He noted that the filter replacement was one of many.

Rick Twait, Supt. Water Purification, addressed the Council. The Water Treatment Plant (WTP) was located at Lake Bloomington, Hudson, IL. Water was taken from same and Lake Evergreen routed through transmission mains to distribution systems. The furthest distribution system was fifteen (15) miles from the WTP. The Villages of Hudson, Towanda, Bloomington Township, Crestwick, major factories and hospital were served by same. He noted that the original 1929 WTP was used still in use.

He explained the water treatment process: 1.) particle removal; 2.) lime softening; 3.) filtration; and 4.) disinfection. Filtration levels were: 1.) GAC (granular activated carbon); 2.) fine layer of filter sand, resting on top of support gravel. A systems status board was being developed. He explained the clarifier filter process. He noted after the clarifier process water was sent to clay underdrain filters in the new WTP section. He stated there were failures with some clay underdrain filters. Brett Lueschen, Interim Water Director provided Council with actual clay underdrain filters and the replacement.

Mr. Twait noted that the Master Plan recommends replacement of all clay filters. There was urgency with these to restore the filtering system to full capacity. The retrofit would be gravel-less underdrains. The system would allow for the addition of GAC, assisting with water taste and odor. He explained clay filter replacement would be in the 1987 WTP section. There were six (6) filters each has two (2) bases.

Alderman Sage questioned proprietary item. Mr. Twait stated that other companies make stainless steel filters. These were plastic construction. F.B. Leopold, Inc., had provided previous filters. Using same retrofit would be easy.

Alderman Lower questioned future replacement. Mr. Twait noted that the new filters had a life expectancy of thirty to forty (30 – 40) years.

Motion by Alderman Painter, seconded by Alderman Stearns that the Formal Bid Process be waived and the Professional Services Agreement with F.B. Leopold, Inc. of Zelienople, Pennsylvania in the amount of \$370,760 be approved, and the Mayor and City Clerk authorized to execute the necessary documents.

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

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

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Analysis of Bids and Approval of Contract for Relocation of the two (2) 24” Transmission Mains in the Town of Normal at the Main St. Bridge, Bid #2015-49

RECOMMENDATION/MOTION: Recommend that the Bid for \$326,640 for Relocation of the two (2) Transmission Mains be accepted contingent on acquisition of necessary easement from Stark Excavating, Inc. and contract approval in the amount of \$326,640, and the Mayor and City Clerk be authorized to execute the necessary documents.

STRATEGIC PLAN LINK: Goal 2. Upgrade City Infrastructure and Facilities.

STRATEGIC PLAN SIGNIFICANCE: Objective 2b. Quality Water for the Long Term and Objective 2e. Investing in the City’s future through a realistic, funded capital improvement program.

BACKGROUND: The IDOT is replacing the Main St. Bridge that crosses Sugar Creek in the Town of Normal. The City has two (2) 24” transmission mains located under the bridge. With the bridge replacement the City has to relocate these two (2) mains. The mains will need to be relocated before IDOT can start the bridge work in the spring of 2015. The transmission mains provide water from the Fort Jesse pump station to the underground storage reservoirs at the Division St. pump station.

Requests for bids for the above-mentioned project were advertised and fourteen (14) plan sets were picked up by interested contractors. The following is the summary of the three (3) bids received:

Contractor	Total Base Bid Price
*Stark Excavating, Inc.	\$326,640.00
George Gildner, Inc.	\$364,165.00
G.A. Rich & Sons, Inc.	\$535,983.00

*Recommended, responsible low bidder.

Staff and our design engineering firm, Farnsworth, Inc. have analyzed these bids and would recommends the acceptance of the lowest bid from Stark Excavating, Inc. in the amount of \$326,640.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: None

FINANCIAL IMPACT: Payment for the Relocation of the Transmission Mains will be made from the Water Transmission & Distribution-Water Main Construction & Improvements (50100120-72540) account. Stakeholders can locate this in FY 2015 Budget Book titled “Other Funds & Capital Improvement Program” on pages 138 and 280.

Respectfully submitted for Council consideration.

Prepared by: Brett Lueschen, Interim Water Director

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

David Hales, City Manager, addressed the Council. He explained that the Illinois Department of Transportation (IDOT) was replacing the Main St. bridge crossing Sugar Creek. He noted that same was located in the Town of Normal.

Brett, Lueschen, Interim Water Director, addressed the Council. He explained that there were two (2) water transmission mains under the bridge. He noted that water flowed into the Town of Normal from the Ft. Jesse pump station. The other two (2) pump stations were Hamilton Rd. and Division St. The transmission mains were along the Sugar Creek bank. There was one (1) cast iron and the other concrete main requiring replacement. There was no reimbursement of same. Easements would be acquired from Advocate BroMenn Medical Center.

Motion by Alderman Black, seconded by Alderman Schmidt that the Bid for \$326,640 for Relocation of the two (2) Transmission Mains be accepted contingent on acquisition of necessary easement from Stark Excavating, Inc. and contract approval in the amount of \$326,640, 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: Schmidt, Painter, Lower, Hauman, Sage, Black, Stearns and Fruin.

Nays: None.

Motion carried.

CITY MANAGER'S DISCUSSION: None.

MAYOR'S DISCUSSION: Mayor Renner thanked Nora Dukowitz, Communication Manager, for her assistance with the Illinois Policy Institute transparency rating. The City's rating had increased to 97.1%.

ALDERMEN'S DISCUSSION: Alderman Fruin cited the value of Public Comment. He believed same should not be used for personal attacks.

He believed that Conflict of Interest could be taken too far. That for most items appearing on Council agendas these did not exist.

Alderman Stearns noted her thirty (30) year career in the medical field. She acknowledged challenges faced by those who suffered from mental illness including their family members.

Alderman Lower noted that Sheriff Joh Sandage and Susan Schafer, District 9 McLean County Board member would be available at either Ward 1 meetings February 15, 2015 or March 8, 2015.

Motion by Alderman Hauman, seconded by Alderman Schmidt, that the meeting be adjourned. Time: 8:09 p.m.

Motion carried.

**Renee Gooderham
Chief Deputy Clerk**