

**SUMMARY MINUTES
PUBLISHED BY THE AUTHORITY OF THE CITY COUNCIL
OF BLOOMINGTON, ILLINOIS
MONDAY, FEBRUARY 8, 2016; 7:00 P.M.**

1. Call to Order

The Council convened in Regular Session in the Council Chambers, City Hall Building, at 7:00 p.m., Monday, February 8, 2016. The Meeting was called to order by Mayor Renner.

2. Pledge of Allegiance to the Flag

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

3. Remain Standing for a Moment of Silent Prayer

4. Roll Call

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

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

Staff Present: David Hales, City Manager, Steve Rasmussen, Assistant City Manager, Jeffery Jurgens, Corporation Counsel, Cherry L. Lawson, City Clerk and other City staff were also present.

5. Public Comment

Mayor Renner opened the meeting to receive Public Comment. The following individuals provided comments during the meeting.

Alton Franklin
Judy Stearns
Patricia Marton
Donna Boelen

6. Recognition / Appointments

The following was presented:

Item 6A. Letter of Commendation to Pamela Garrett.

The following was presented:

Item 6B. Appointment of Angelique Racki to serve on the Cultural District Commission.

The following was presented:

Item 6C. Appointment of Gaynett Hoskins to the Bloomington Housing Authority.

The following was presented:

7. Consent Agenda

Mayor Renner asked Council whether there were any items they wished to have removed from the Consent Agenda for further discussion.

Alderman Buragas requested Item No. 7F be pulled from the Consent Agenda.

Alderman Black and Lower requested Item No. 7K be pulled from the Consent Agenda.

Motion by Alderman Schmidt, seconded by Alderman Hauman, that the Consent Agenda items be approved with the exception of Items 7F and 7K.

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

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

Nays: None.

Motion carried.

The following was presented:

Item 7A: Consideration of approving the January 25, 2016 Regular City Council Meeting Minutes.

The following was presented:

Item 7B. Consideration of approving Bills, Payroll and Electronic Transfers in the amount of \$4,953,913.88.

The following was presented:

Item 7C. Consideration of approving an Appointment to the Cultural District Commission and an Appointment to the Bloomington Housing Authority.

The following was presented:

Item 7D. Consideration of approving a Renewal of the Lease Agreement between the City of Bloomington and the United States Postal Service for the Postal Substation located at 400 N. Center Street in the Market Street Parking Garage.

The following was presented:

Item 7E. Consideration of approving short-term farm leases for the 2016 crop season.

The following was presented:

Item 7F. Consideration of approving an Intergovernmental Agreement for Storm Water Education Program Services with the Town of Normal, McLean County, and the Bloomington-Normal Water Reclamation District for services to be provided by the Ecology Action Center. *Pulled from the Consent Agenda.*

The following was presented:

Item 7G. Consideration of adopting a Resolution approving the Executive Session Minutes of the City Council as provided on 2016 Schedule A, and approve confidentiality of minutes to be retained for an unspecified date.

**RESOLUTION NO. 2016-01
A RESOLUTION REPORTING THE RELEASE AND RETENTION
OF EXECUTIVE SESSION MINUTES**

The following was presented:

Item 7H. Consideration of an application from OSF St. Joseph Medical Center Foundation, located at 2200 E. Washington St., for a Limited Alcoholic Liquor License, Class LA, which would allow the selling and serving of all types of alcohol by the glass for consumption on the premises for a fundraiser to be held on February 26, 2016 from 6:00 p.m. to 8:30 p.m.

The following was presented:

Item 7I. Consideration of the application of Wallace LLC, d/b/a Satio, located at 306 N. Center St. Ste. 102, requesting an RAPS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises and the sale of all types of packaged alcohol for consumption off premise seven (7) days a week.

The following was presented:

Item 7J. Consideration of the application of B & M 16, Inc., d/b/a Cousin's Restaurant, located at 921 Maple Hill Rd., 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.

The following was presented:

Item 7K. Consideration of approving an Ordinance Amending Chapter 39 of the Bloomington City Code to specify the Electricity Accounts Exempt from Municipal Utility Tax. *Pulled from the Consent Agenda.*

The following was presented:

Item 7L. Consideration of approving a Lake Bloomington Lease Transfer Petition for Lot 7, Block 3 of Camp Iroquois, from Robert J. Hitchen declaration of trust dated October 1, 1997 to Treehouse LLC.

The following was presented:

Item 7F. Consideration of approving an Intergovernmental Agreement for Storm Water Education Program Services with the Town of Normal, McLean County, and the Bloomington-Normal Water Reclamation District for services to be provided by the Ecology Action Center.

Motion by Alderman Painter, seconded by Alderman Black, to approve the Intergovernmental Agreement for Storm Water Education Program Services with the Town of Normal, McLean County, and the Bloomington-Normal Water Reclamation District for services to be provided by the Ecology Action Center.

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

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

Nays: None.

Recused: Alderman Amelia Buragas

[7:30 PM Minutes:] Alderman Buragas left the dais.

[7:31 PM Minutes:] Alderman Buragas returned to the Meeting.

Motion carried.

The following was presented:

Item 7K. Consideration of approving an Ordinance Amending Chapter 39 of the Bloomington City Code to specify the Electricity Accounts Exempt from Municipal Utility Tax.

ORDINANCE 2016-06

**AN ORDINANCE AMENDING CHAPTER 39, ARTICLE X, SECTION 46
OF THE BLOOMINGTON CITY CODE TO SPECIFY EXEMPTIONS
TO THE CITY'S TAX ON THE USE OF ELECTRICITY**

Alderman Black questioned the State Farm tax exemption. David Hales, City Manager, stated that state statute specifically exempts insurance businesses. The State General Assembly provided this exemption.

Motion by Alderman Black, seconded by Alderman Schmidt, that the Amendments to Chapter 39 of the Bloomington City Code be approved.

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

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

Nays: None.

Motion carried.

The following was presented:

8. Regular Agenda:

Item 8A. Public hearing for the Empire Street Corridor Redevelopment Project Area.

Austin Grammar, Economic Development Coordinator, provided a brief overview. On August 24, 2015, Ordinance #2015-57, was adopted by the City Council directing Tax Increment Finance (TIF) consultant Peckham Guyton Albers & Viets (PGAV) to complete a Feasibility Study and Redevelopment Plan for the proposed Empire Street Corridor (ESC) TIF District. The plan was presented by Mike Weber, Director, PGAV, on December 14, 2015.

The TIF Act required the City to hold a public hearing to allow all interested persons or taxing districts the opportunity for verbal or written feedback stating support/objection with the proposal and adoption of the TIF. The TIF Act requires the public hearing to be scheduled at least 45 days after the adoption of an ordinance setting a date and time for the public hearing. At

the December 14, 2015 meeting, Council adopted Ordinance #2015-85 establishing that the required public hearing would be held February 8, 2016 at 7pm.

Mayor Renner opened and closed the Public Hearing. The following members of the public provided comment:

Barry Riley
Donna Bolen
Alton Franklin
Bruce Meeks

Mayor Renner noted that the downtown TIF was established in 1986 and retired in 2009. The Equalized Assessed Value (EAV) in 1986 was \$12,975,000. Twenty (20) years later same was \$30,151,000. He questioned EAV without TIF. The ESC TIF was due to an abandoned strip mall. He believed abandoned strip malls were a source of unemployment, lost sales tax revenue and increase in gang activity.

The following was presented:

Item 8B. Presentation on Bloomington Police Department (BPD) 2015 Annual Report.

Chief Heffner, Chief of Police, provided a brief overview of the 2015 BPD Annual Report. This was an overview of the Uniform Crime Report (UCR) and crime occurrences during calendar year. The Department goals and priorities for 2016 would be outlined.

He referred to Part 1 of the UCR statistics for 2015 was 11.6% lower than 2014 representing 232 fewer reported incidents. Over a two (2) year period this was a drop of 24.9%. Same included serious crimes.

In comparison to other Central Illinois cities, the City remained lower in many of the major Part 1 UCR offenses. There were no reported homicides in 2015. Robberies increased forty percent (40%) from the prior year, but were under the five (5) year average. Motor vehicle thefts were increasing. He believed with public awareness to lock vehicles and take out the keys, this would reduce future incidents. Driving Under the Influence (DUI) arrests remained considerable.

BPD priorities for 2016 include Vehicle Burglaries, Street level violent crimes, Illegal gun possession, Gang crimes, Robbery, Narcotics, Juvenile crime and Residential Burglary.

Goals for 2016 include: Increase number of minority applicants, focus on DUI suppression, reduce juvenile crime, begin body camera trial project, and expand crime fighting technologies to include portable wireless cameras. He noted that the Street Crimes Unit and BPD Social Media had been effective in solving crimes.

Aldermen Black, Fruin, Lower and Sage gave commendations to the Police force.

Chief Heffner stated that an Educational Summit would be held in April 2016 and invited the community to join.

The following was presented:

Item 8C. Consideration of approving the purchase of one E-One 1500gpm Rescue Pumper in the amount of \$683,800 for the Bloomington Fire Department.

Eric Vaughn, Deputy Fire Chief, stated that the new apparatus would be located at Fire Headquarters, 310 N. Lee St. Same was designed to carry additional Emergency Medical Service (EMS) equipment. The goal would be to upgrade to an Advanced Life Support Engine. The addition would improve current deployment response times in the area. Same had the highest call volume. Engines were moved to different stations to extend expected years of service. The addition would place Engine 2 to reserve status. Same had been activated with Engine 4's service removed. The apparatus was anticipated to arrive 270 days after purchase.

A committee consisting of fire department members developed replacement fire engine specifications and provided same to the manufacturers. He noted the specification was developed from a current engine and suggestions from Public Works Fleet Section. Each manufacturer provided specifications meeting the requirements. He explained the Committee review process. The Committee recommended the E-One Vehicle. E-One vehicle's quote was \$700,000, and provided a pre-payment discount of \$16,200.

The apparatus being replaced was a 1995 Pierce Saber 1500gpm pumper (Engine 4). This apparatus was unsafe to operate on the roadway and had extensive rust/corrosion on the frame. Global Emergency Products, Washington, IL (regional Pierce service center) provided a cost estimate to replace the frame rails and cross member for \$90,474.00. This was cost prohibitive. The Department had established a best practice for fire apparatus replacement. Use patterns, miles driven and hours operated were reviewed. It was determined that an apparatus should be replaced every fifteen (15) years. Operating costs begin to outweigh the value of the vehicle after fifteen years.

The HGAC (Houston Galveston Area Council) was a nationally recognized joint purchasing cooperative. The City was a member and had made past purchases. The HGAC utilized a nation-wide bid process for select goods and services.

Engine 4 was declared surplus, disposal would be in compliance with City Code. Staff recommends that the apparatus be listed on PublicSurplus.com and offered/sold on public auction, as is.

Capital leases were short term debt instruments used to purchase equipment, rolling stock needs and limited capital projects. A capital lease was a "full payment lease" because the

payments pay back (amortize) the full cost (including finance costs, overhead and profit margin) of the leased asset to the lessor with little or no dependence on the residual (or salvage) asset value. Leases were intended to be used over one (1) fiscal year. Finance indicated surplus funds from FY14 Capital Lease and FY15 Capital Lease accounts would be used to pay for the Rescue Pumper unit with the balance paid by Fire.

Alderman Hauman questioned the delivery timeline and safety. Mr. Vaughn responded that the squad truck would be utilized until the new equipment arrived. Alderman Hauman questioned the vehicle lifespan. Mr. Vaughn stated twenty (20) years; fifteen (15) years on the front line and five (5) years as backup. This was the national standard.

Alderman Schmidt questioned backup arrangements with the Town of Normal. Mr. Vaughn responded that there was backup arrangement with the Town.

Alderman Sage questioned preventative maintenance procedures. Mr. Vaughn stated training was required to identify maintenance needs. Staff was looking into an undercarriage washer to remove wintertime salt.

Alderman Lower requested purchasing information. Mr. Vaughn stated the vehicle would be purchased through HGAC.

Motion by Alderman Black, seconded by Alderman Lower, that the purchase of one (1) - 2016 E-ONE All Aluminum 1500gpm Rescue Pumper unit mounted on an E-One Quest custom chassis with Cummins ISL 450hp engine, 700 gallon tank, 1500gpm e-Max pump, low hose bed body and loose equipment for the cost of \$683,800, from Banner Fire Equipment, through the Houston-Galveston Area Council (H-GAC) joint purchasing group and the Mayor and City Clerk be authorized to execute the necessary documents.

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

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

Nays: None.

Motion carried.

The following was presented:

Item 8D. Consideration of approving a Resolution waving the formal bid process and entering into a contract with Farnsworth Group for the Lake Bloomington Wastewater Facility Plan Update.

**RESOLUTION NO. 2016-02
A RESOLUTION WAIVING THE FORMAL BIDDING PROCESS AND**

**AUTHORIZING A CONTRACT WITH FARNSWORTH GROUP FOR THE LAKE
BLOOMINGTON WASTEWATER FACILITY PLAN UPDATE AT A COST NOT TO
EXCEED \$49,686.96**

Bob Yehl, Water Director, noted that at the December 21, 2015 City Council Work Session, Lake Bloomington issues were presented and discussed. One of the items presented was related to wastewater (septic/sewer) and a wastewater study.

Farnsworth Group prepared a Facility Plan for evaluation of Wastewater Collection and Treatment Systems at Lake Bloomington in December 2003. The study evaluated various options for a wastewater collection, a treatment/transfer system and suitable life cycle cost analysis options. The 2003 were not undertaken.

All developed leased lots function on septic systems. Industry standards indicate that the average life expectancy of a septic system was between twenty (20) and twenty-five (25) years. The majority of the existing septic systems exceed the life expectancy. Information from the McLean County Health Department indicated that there were approximately 250 septic systems. Approximately 140 were surface discharging septic systems. Wastewater was treated in a surface discharging systems, prior to the discharge and eventually flows into the Lake. Failure of these systems may create additional treatment requirement needs and widespread failure may cause reservoir contamination.

The Farnsworth Group provided an update to the December 2003 study. The study would be utilized to determine next steps, funding identification, system design, and wastewater system. A wastewater system would ensure livability at the lake, as well as remove septic systems reliability that could lead to water source contamination.

Alderman Lower questioned waiving the bid process. Mr. Yehl cited the Farnsworth Group study involvement in 2003, 2008 and 2012. Staff believed remaining with same would be cost effective.

Motion by Alderman Hauman, seconded by Alderman Painter, that the Resolution be approved waiving the formal bid process with Farnsworth Group; that the Water Department's Lake Bloomington Wastewater Facility Plan Update be adopted authorizing the Mayor and City Clerk to sign the Resolution; that the contract with Farnsworth Group be approved up to a maximum amount of \$49,686.96 and authorize the City Manager and City Clerk to execute the agreement, and that the Procurement Manager be authorized to issue a Purchase Order.

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

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

Nays: None.

Recused: Alderman Amelia Buragas

[8:21 PM Minutes:] Alderman Buragas left the dais.

[8:28 PM Minutes:] Alderman Buragas returned to the Meeting.

Motion carried.

The following was presented:

Item 8E. Consideration of approving an Ordinance adopting Text Amendment, Chapter 21, Section 300.7, Refuse Code, regarding free drop-off of bulky waste at the Public Works facility and a fee for all curbside bulk collection.

ORDINANCE 2016-
AN ORDINANCE AMENDING THE CITY CODE PROVISIONS
ON BULK WASTE & BRUSH COLLECTION

Steve Rasmussen, Assistant City Manager, noted that curbside bulky waste collection was among the topics addressed by the Budget Task Force (BTF) in 2015. The BTF proposed that, where feasible, fees, rather than taxes, be used to pay for City services.

The BTF recommended:

- An unspecified amount be charged for the first (1st) end loader bucket of bulky waste collected at the curb. Currently, there was no fee.
- A higher fee be assessed for additional buckets at the same address.
- Free bulky waste drop off at the City facility, 402 S. East St. Currently, the charges were the same for drop-off as for curbside collection.

The belief was that the changes would increase efficiency of Solid Waste services citywide.

The proposed amendment to Chapter 21, Section 300.7, Bulk Waste Collection, would allow two (2) free bucket pick-ups of bulky waste per calendar year. After a customer receives his or her two (2) free buckets, the customer would be charged as follows: 1.) \$20 for the first (1st) end-loader bucket and 2.) \$40 for each additional end-loader bucket. There would be no charge for customers to drop bulky waste off at the City's facility at 402 S. East St.

Key points:

- "Bulky waste" referred to items such as furniture that do not fit in the trash carts. Customers tend to place items on the curb that actually should be placed in trash carts. This increases the amount of refuse left on the curb. The abundance of "bulk" items throughout town was considered unsightly. The first (1st) bucket fee would encourage residents to break down their items when possible and place them in trash carts or recycling carts.

- Bulk and brush curbside services were expensive. At minimum, two (2) crews with twelve (12) total employees collect bulk and brush daily. The cost for the third (3rd) and additional buckets assigns cost to this additional service.
- It was considerably less expensive for residents to use the self-service feature at the drop-off facility. Free drop-off service provides a bulk option for people who were struggling financially.

Administrative aspect:

- The cost of administering the program would rise. Employees document bulk piles when they exceed one (1) end loader bucket. Same would increase as all bulk stops would have to be manually documented then documented again in office. Information would be forwarded to the Water Department for billing. Staffing at the drop off facility would increase to accommodate increased demand.

Mayor Renner questioned possible staff reductions. Mr. Rasmussen responded negatively. Workload would be reassessed.

Alderman Black questioned the communication to residents. Mr. Rasmussen stated the requested effective date of this proposal was May 1, 2016. Staff would work on billing. Communication would be from mass mailings, media and attending neighborhood meetings.

Alderman Buragas questioned less than a full bucket load. Mr. Rasmussen stated same would count as one (1) bucket. Alderman Buragas questioned when the customer moved. Mr. Rasmussen stated that documentation would be per billing address. Alderman Buragas questioned waivers or reduced billing to low income residents. Mr. Rasmussen responded negatively. He noted the reduced fee for carts after application. Alderman Buragas questioned leaves and brush. Mr. Rasmussen stated proposal does not include same.

Alderman Sage questioned the ability to track pickups. Mr. Rasmussen stated pictures would be taken. Jim Karch, Public Services Director, stated the end loader drivers would have a telephone application which would track each pickup location. They were working with Information Services to develop this automation.

Alderman Painter questioned the Ordinance. She stated same would not close budget gaps. She expressed concern. She believed the two (2) free buckets would be difficult to track. She does not support this.

Alderman Lower stated he was not in support of the proposal. He expressed concern with the ability to continue waste pickup; with property values, the ability to sell homes, and the continuation to beautify the City. Alderman Lower questioned if payment for this service was

built into property taxes. He expressed concern for customers who own more than one residence having to pay for each residence. He questioned the use of Smart Phones.

Alderman Fruin questioned whether this can be easy to understand, easy to administer, establishing a consistent fee structure. He believed tracking should be minimal. Alderman Fruin questioned administrative costs due to dual documentation. He believed the Water department would spend more time on billing. He questioned other community's bulk waste tracking and documentation. He favored first (1st) bucket free and \$50 for subsequent buckets with a flat cart fee.

Alderman Mwilambwe expressed concern for the administrative burden. He believed the process should be creditable, cost conscious, with a focus on a clean and efficient service for the community.

Alderman Schmidt had heard residents say they do not use the service often, but they were grateful when needed. Residents had voiced concern about possible abuse. Residents believed the service should be "pay as you go". Alderman Schmidt supported two (2) free pickups at set dates versus anytime throughout the year. She supported neighborhood cleanups similar to those held in the past. Alderman Schmidt questioned drop off site changes. Mr. Rasmussen responded negatively.

Mayor Renner questioned the two (2) free pickups with set dates. He believed some would cause issues as there was no way to predict how long same would last or how much waste would be received.

Alderman Hauman favored providing staff time to develop the process. She would support the Ordinance.

Alderman Sage recommended an Alderman Committee consisting of himself, Aldermen Black and Painter to assist staff with developing options for administrative procedures.

David Hales, City Manager, noted that the process was already in place to begin charging for the second (2nd) bucket. He stated that staff would develop options towards an efficient process using technologies and suggestions provided.

Motion by Alderman Black, seconded by Alderman Schmidt, that this item be tabled to an undetermined date to give City staff time to clarify the administrative procedures of implementing Bulk Waste and Brush Collection.

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

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

Nays: Aldermen Hauman and Lower.

Motion carried.

City Manager's Discussion

David Hales, City Manager, reminded those present, Committee of the Whole would be next Tuesday, February 16, 2016, at 5:30 p.m. The Downtown Redevelopment project would be discussed. Jeff Giebelhausen, President, Strategic Networks, SB Friedman Development Advisors, Ranadip Bose, AICP, Senior Project Manager, and Kathy Field Orr, Management Partner, Kathy Field Orr & Associates would provide a presentation. He requested questions from Council by Friday, February 12, 2016.

Mayor Discussion

Mayor Renner thanked Aldermen Hauman and Fruin for attending Champaign's Downtown Revitalization process discussions.

City Alderman's Discussion

Alderman Fruin noted his appointment to the Cultural District Committee. He questioned two (2) wards representing half of the Cultural District and why the need for same.

Alderman Hauman stated she had asked for that information to be added in case someone was not familiar with an address.

Alderman Fruin requested recusal consistency.

Alderman Schmidt questioned opportunities for TIF questions, at the February 22, 2016 Public Hearing, for Kathy Orr. She requested Ms. Orr's address, the TIF length and effect on District 87.

David Hales, City Manager, stated that at the February 22, 2016 Council meeting three TIF ordinances would be on the agenda. If approved same would activate the TIF. He noted that meetings with Unit 5 and District 87 Superintendents were ongoing. Bloomington High School and Junior High were included in the TIF boundaries. The belief was surplus available would be given to the schools for building improvements. Colonial Plaza would be given a cap of how much TIF increments would be available. Should another development not be ongoing Council had the option to distribute the surplus to the taxing entities.

Alderman Schmidt thanked Steve Rasmussen, Assistant City Manager, for work completed on the Bulk Waste project. She provided a draft Agenda Item Request Form. She requested feedback be given to Aldermen Schmidt, Black and Mwilambwe.

Alderman Lower noted that National Boy Scout's day was February 8, 2016.

Adjournment

Motion made by Alderman Schmidt, seconded by Alderman Hauman, to adjourn the meeting at 9:32 p.m.

Motion carried (viva voce).

CITY OF BLOOMINGTON


Tari Renner, Mayor

ATTEST


Cherry L. Lawson, City Clerk