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 7:01 p.m., Monday, January 14, 2013.

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: Judy Stearns, Mboka Mwilambwe, Robert Fazzini, Jennifer McDade, Steven Purcell, Karen Schmidt, Jim Fruin and Mayor Stephen F. Stockton.

Aldermen absent: Bernard Anderson and David Sage.

City Manager David Hales, City Clerk Tracey Covert, and Corporate Counsel Todd Greenburg were also present.

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

Kevin Lower, 1504 S. Low St., addressed the Council. He stated his candidacy for Ward 1 Alderman. He believed that the Council would be putting people out of work. The Council's goal was to save money. He questioned the ancillary costs to both businesses and citizens. He also expressed his concern about the City having control over these services.

Aaron Shipley, 602 E. Washington St., addressed the Council. He requested that the City enforce towing regulations. He noted the cost to have a vehicle released. He had an itemized bill from Joe's Towing. He acknowledged the towing fee. He disputed the following charges: fuel, mileage, impound fee, storage and after hours release fee. Joe's staff informed him that the City made the towing company charge these rates. City staff had informed him that the City did not regulate towing. He understood that Joe's Towing was in business to make money. The vehicle had only been impounded for twelve (12) hours. He did not believed that there should be an after hours release fee. He disputed $110 of the bill's charges. The City had a contract with Joe's Towing. Joe's Towing was holding people's property hostage.

Alton Franklin, 508 Patterson Dr., addressed the Council. He offer his congratulations to Scott Sprouls, IT Director. He liked the video features and was impressed.

He addressed managed competition. He noted economic value. City employees were also citizens of Bloomington. They lived and worked here. He cited the human part of the equation. He described City staff as professional. City staff provided the best services and were flexible. He expressed his concern for the human side. The focus appeared to be on dollars and the bottom line. He questioned what would be required. He cited a performance bond as an example. The Council just needed to trim the fat.

The following was presented:

Mayor Stockton introduced Randy McKinley, Police Chief. Chief McKinley introduced Police Patrol Officers Jared Bierbaum and Curtis Squires. Both had completed their probationary period. Officer Bierbaum was a graduate of Illinois State University. He had served eight (8) years in the Marine Reserves and was deployed to Iraq in 2004. Officer Squires attended the University of Memphis. He served in the Army from 2003 – 2010. He also served in Iraq. He noted both individuals military service and described them as outstanding young men. Both were accompanied by their spouse and families.

Tracey Covert, City Clerk, performed the Oath.

Officer Bierbaum addressed the Council. Becoming a City police officer was not an easy task or process. He was proud to serve the community and be employed in a good police department.

Officer Squires called the City home. The process was tough but he was happy to be here.

The following was presented:

Presentation of Service Award to Police Chief Randall McKinley.

Mayor Stockton introduced the service award for Randy McKinley, Police Chief. He noted that Chief McKinley last day with the City would be Friday, January 18, 2013. There would be a reception on Friday afternoon at the Police Department.

David Hales, City Manager, stated that this was a special occasion. He had known Chief McKinley for four (4) years. Chief McKinley had been employed with the City for twenty-eight (28) years. He had risen through the ranks. He had served four (4) years as Police Chief. Chief McKinley had many accomplishments. Relationships with the police unions and other police agencies had improved. He noted cultural changes. He cited the POP, (Problem Oriented Policing), philosophy. There had been buy in from the police officers and the community. He cited neighborhood appreciation of the Police Department's efforts. He noted the two (2) focus areas and the radical change that had occurred. POP had brought a new outlook to the entire City and its neighborhoods and the Police Department. Everyone was needed to solve problems.

Mr. Hales cited Chief McKinley's leadership. He had increased training in the Police Department. A process had been started which he hoped would be ongoing. It was a process of continuous improvement.

The City would be losing its Police Chief and his tremendous family. Chief McKinley would leave a significant legacy. There had been a lot of change in the Police Department in the last four (4) years. He was sorry to see Chief McKinley go. St. Charles, MO would be the beneficiary. He wished Chief McKinley well.

Mayor Stockton stated that on behalf of the Council it had been a pleasure. Chief McKinley had made a difference. He would also make a difference in St. Charles, MO.

Mr. Hales presented Chief McKinley with a plaque in recognition of his retirement. He thanked Chief McKinley for his dedicated service.

Chief McKinley addressed the Council. It was time to leave. He had a great place to go to. He hoped to be well received. He believed that every minute counted. He expressed his appreciation to the City and his family.

Motion by Alderman Purcell, seconded by Alderman Fazzini to include the Appointments with the Consent Agenda.

Motion carried, (viva voce).

The following was presented:

SUBJECT: Appointments to the Japanese Sister City Committee and Planning Commission

RECOMMENDATION/MOTION: That the Appointments be approved.

STRATEGIC PLAN LINK: Goal 3. Strong Neighborhoods.

STRATEGIC PLAN SIGNIFICANCE: Objective 3.e. Strong partnership with residents.

BACKGROUND: I ask your concurrence in the appointment of Donald Necessary, 19 Lake Ridge Ct., Bloomington 61701 to the Japanese Sister City Committee. His three (3) year term will begin January 14, 2013.

I ask your concurrence in the appointment of Ryan Scritchlow, 105 S. Maple, Bloomington 61701 to the Planning Commission. His four (4) year term will begin January 14, 2013.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: None.

FINANCIAL IMPACT: None.

Respectfully submitted for Council consideration.

Prepared by: Kathryn Buydos, Executive Asst.

Recommended by:

Stephen F. Stockton
Mayor

Mayor Stockton introduced the appointments. Ryan Scritchlow was a life long resident. Mr. Scritchlow was a small business owner for ten (10) years. He was recently married. He wanted to give back to the community and looked forward to serving on the Planning Commission.

Mayor Stockton introduced Don Necessary. He was a recent resident. He graduated from Illinois State University. He had left Illinois for thirty (30) years. He had participated in the Sister Cities Fiftieth (50th) Anniversary Celebration. He had volunteered his talents at the Japanese Garden along Constitution Trail. He hoped to continue his efforts. He hoped to become involved in ambassadorship with the students.

Mayor Stockton thanked Mr. Scritchlow and Mr. Necessary for volunteering. He noted that if anyone present was interested in serving on a City board/commission that there was an application process.

Motion by Alderman Schmidt, seconded by Alderman McDade that the Appointments be approved.

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

Ayes: Aldermen Stearns, Mwilambwe, Schmidt, McDade, Fazzini, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Council Proceedings of December 17, 2012

RECOMMENDATION/MOTION: That the reading of the minutes of the previous Council Proceedings of December 17, 2012 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 1.d. City services delivered in the most cost-effective, efficient manner.

BACKGROUND: The Council Proceedings of 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: Tracey Covert, City Clerk

Recommended by:

David A. Hales
City Manager

Motion by Alderman Schmidt, seconded by Alderman McDade that the reading of the minutes of the previous Council Proceedings of December 17, 2012 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 Stearns, Mwilambwe, Schmidt, McDade, Fazzini, Fruin and Purcell.

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 1.d. City services delivered in the most cost-effective, efficient manner.

BACKGROUND: The list of bills and payrolls will be posted on the City's website on Thursday, January 10, 2013 by posting via the City's web site.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable.

FINANCIAL IMPACT: Total disbursements information will be provided via addendum.

Respectfully submitted for Council consideration.

Prepared by: Tracey Covert, City Clerk

Financial & budgetary review by: Patti-Lynn Silva, Director of Finance

Recommended by:

David A. Hales
City Manager

Motion by Alderman Schmidt, seconded by Alderman McDade that the Bills and Payroll be allowed and the 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 Stearns, Mwilambwe, Schmidt, McDade, Fazzini, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Suspension of Ordinances to Allow Consumption of Alcohol at Miller Park Pavilion on February 2, 2013

RECOMMENDATION/MOTION: That the Ordinance suspending Section 26(d) of Chapter 6 and Section 701 of Chapter 31 to allow the suspension and consumption of alcohol at the Miller Park Pavilion on February 2, 2013 be passed.

STRATEGIC PLAN LINK: Goal 5. Great Place – Livable, Sustainable City.

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

BACKGROUND: The Bloomington Liquor Commissioner Stephen Stockton called the Liquor Hearing to order to hear the request of the Becky Suiter and Daniel Mauger to allow moderate consumption of alcohol at Miller Park Pavilion for their wedding reception on February 2, 2013. Present at the hearing were Liquor Commissioners Steve Stockton, Marabeth Clapp, Steven Petersen and Geoffrey Tompkins; George Boyle, Asst. Corporation Counsel; Clay Wheeler, Asst. Police Chief; and Tracey Covert, City Clerk; and Becky Suiter, bride

Absent: Mark Gibson, Commissioner.

Commissioner Stockton opened the liquor hearing and requested that Becky Suiter, bride, address the Commission regarding this request. Ms. Suiter addressed the Commission. She informed them that the wedding reception was scheduled for Saturday, February 2, 2013. There would be a wedding ceremony and reception. Beer and wine would be offered during the cocktail hour and after dinner. Alcohol service would be provided for the approximate 200 wedding guests. The reception was scheduled from 4:30 until 11:00 p.m. The Pavilion must be cleaned and vacated by midnight.

Commissioner Stockton noted that Miller Park looked lovely with snow.

George Boyle, Asst. Corporation Counsel, questioned the caterer with dram shop insurance. Ms. Suiter informed the Commission that Famous Liquors located at 1404 E. Empire St. had been selected as the alcohol service provider.

Tracey Covert, City Clerk, informed the Commission that Famous Liquors provided the City with a copy of the contract with the appropriate Certificate of Insurance.

Motion by Commissioner Petersen, seconded by Commissioner Tompkins that the request of Becky Suiter and Daniel Mauger to allow moderate consumption of alcohol at Miller Park Pavilion for their wedding reception on February 2, 2013 be approved.

Motion carried, (viva voce).

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The Agenda for the December 11, 2012 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.

Recommended by:

Stephen F. Stockton
Mayor

ORDINANCE NO. 2013 - 01

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 MILLER PARK PAVILION

WHEREAS, Becky Suiter and Daniel Mauger are planning to hold their wedding reception at the Miller Park Pavilion from 4:30 p.m. to 11:00 p.m. on February 2, 2013; and

WHEREAS, Becky Suiter and Daniel Mauger 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 Miller Park Pavilion on February 2, 2013 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 14th day of January, 2013.

APPROVED this 15th day of January, 2013.

APPROVED:

Stephen F. Stockton
Mayor

ATTEST:

Tracey Covert
City Clerk

Motion by Alderman Schmidt, seconded by Alderman McDade that the Ordinance suspending Section 26(d) of Chapter 6 and Section 701 of Chapter 31 to allow the suspension and consumption of alcohol at the Miller Park Pavilion on February 2, 2013 be passed.

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

Ayes: Aldermen Stearns, Mwilambwe, Schmidt, McDade, Fazzini, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Application of Koeppen Corporation, d/b/a Kep's Country Kitchen, located at 506 IAA Dr., for an RBS liquor license, which will allow the sale of beer and wine only by the glass for consumption on the premises seven (7) days a week

RECOMMENDATION/MOTION: That an RBS liquor license for Koeppen Corporation, d/b/a Kep's Country Kitchen, located at 506 IAA Dr., be created, contingent upon compliance with all applicable health and safety codes with the following condition: 1.) either the restaurant and/or bar manager shall be BASSET certified within ninety (90) days of the license being issued.

STRATEGIC PLAN LINK: Goal 4. Grow the Local Economy.

STRATEGIC PLAN SIGNIFICANCE: Objective 4.a. Retention and growth of current local business.

BACKGROUND: The Bloomington Liquor Commissioner Steve Stockton called the Liquor Hearing to order to hear the application of Koeppen Corporation., d/b/a Kep's Country Kitchen, located at 506 IAA Dr., requesting an RBS liquor license which allows 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 Stephen F. Stockton, Marabeth Clapp, Steve Petersen, and Geoffrey Tompkins; George Boyle, Asst. Corporation Counsel, Clay Wheeler, Asst. Police Chief, and Tracey Covert; City Clerk, and Dan Koeppen, owner/operator and Applicant representative.

Commissioner absent: Mark Gibson.

Commissioner Stockton opened the liquor hearing and requested that the Applicant address the Commission. Dan Koeppen, owner/operator and Applicant representative, addressed the Commission. Kep's Country Kitchen had been open for six (6) years. He had stopped dinner service on January 1, 2012. If the liquor license is approved, he planned to be open for dinner again. He hoped to expand his customer base and grow his business. This in turn would allow him to hire additional staff.

Commissioner Stockton noted the business hours, (5:30 a.m. to 10:00 p.m.). He specifically cited the 10:00 p.m. closing time. Mr. Koeppen stated that the restaurant would probably close earlier. He cited 8:00 p.m. He was not interested in operating a tavern.

Commissioner Stockton questioned the menu. Mr. Koeppen stated that Kep's offered breakfast, lunch and dinner. The menu was value priced and offered daily specials. He cited Friday's fried fish special as an example.

Commissioner Tompkins questioned the servers' ages and BASSET, (Beverage Alcohol Sellers & Servers Education & Training), certification. Mr. Koeppen noted that his servers were over twenty-one (21) years of age. He expressed his willingness to become BASSET certified.

Commissioner Petersen questioned Mr. Koeppen's alcohol service experience. Mr. Koeppen stated that he had past experience with alcohol sales. He informed the Commission that he worked at the restaurant seven (7) days a week.

Commissioner Clapp questioned the restaurant's seating capacity. Mr. Koeppen estimated the restaurant's capacity at 150.

Commissioner Stockton addressed the floor plan.

Commissioner Clapp noted the two (2) separate dining rooms. Mr. Koeppen responded affirmatively. In addition, there would be a bar area with seating available.

Commissioner Stockton questioned Kep's atmosphere at 9:30 p.m. Mr. Koeppen responded the same as at 6:00 p.m. Customers would be seated in the dining rooms while eating their dinners. Commissioner Stockton questioned when food service would be available. Mr. Koeppen stated that food would be available whenever the restaurant was open.

Commissioner Tompkins noted Kep's hours of operation and that the application was for an "R", Restaurant, liquor license.

Commissioner Clapp addressed BASSET certification. Commissioner Tompkins expressed his opinion that either the restaurant and/or bar manager should become BASSET certified within ninety (90) days of the license being issued.

Commissioner Petersen addressed consistency by the Commission going forward.

Commissioner Stockton recommended that the Commission look at the proposed text amendment which addressed server training. He requested that the Commission work towards a server training ordinance.

Commissioner Stockton noted that the Commission would rely upon Mr. Koeppen's business plan and his statement that the kitchen would remain open.

Commissioner Petersen noted that the application stated 10:00 p.m. This closing hour had been self-imposed by the Applicant.

George Boyle, Asst. Corporation Counsel, addressed the Commission. He noted the character of the business. He did not believe that additional conditions were needed.

Motion by Commissioner Tompkins, seconded by Commissioner Petersen that the application of Koeppen Corporation, d/b/a Kep's Country Kitchen, located at 506 IAA Dr., 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, be approved with the following condition: 1.) either the restaurant and/or bar manager shall be BASSET certified within ninety (90) days of the license being issued.

Motion carried, (viva voce).

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Public notice was published in the Pantagraph on December 3, 2012 in accordance with City Code. In accordance with City Code, approximately twenty (20) courtesy copies of the Public Notice were mailed on December 3, 2012. In addition, the Agenda for the December 11, 2012 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: This would be a new RBS liquor license. Annual fee for a RBS liquor license is $1,110.

Respectfully submitted for Council consideration.

Recommended by:

Stephen F. Stockton
Mayor

Motion by Alderman Schmidt, seconded by Alderman McDade that an RBS liquor license for Koeppen Corporation, d/b/a Kep's Country Kitchen, located at 506 IAA Dr., be created, contingent upon compliance with all applicable health and safety codes with the following condition: 1.) either the restaurant and/or bar manager shall be BASSET certified within ninety (90) days of the license being issued.

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

Ayes: Aldermen Stearns, Mwilambwe, Schmidt, McDade, Fazzini, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Application of OSF St. Joseph Medical Center Foundation located at Eastland Medical Plaza I, Atrium, 2200 E. Washington St., for an LA liquor license, which will allow the selling and serving of all types of alcohol by the glass for consumption on the premise

RECOMMENDATION/MOTION: Based upon the report from the Liquor Hearing, the Liquor Commission recommends to the City Council that an LA liquor license for OSF St. Joseph Medical Center Foundation, located at Eastland Medical Plaza I, Atrium, 2200 E. Washington St., be created, contingent upon compliance with all applicable health and safety codes.

STRATEGIC PLAN LINK: Goal 5. Great Place – Livable, Sustainable City.

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

BACKGROUND: The Bloomington Liquor Commissioner Stephen Stockton called the Liquor Hearing to consider the application of OSF St. Joseph Medical Center Foundation for a Limited Alcoholic Liquor License, Class LA, which will allow the selling and serving of all types of alcohol by the glass for consumption on the premise. Present at the hearing were Liquor Commissioner Steven Stockton; Tracey Covert, City Clerk; and Kate Sies, Development Associate, and Applicant representative.

Commissioner Stockton questioned the purpose of this application. Kate Sies, Development Associate and Applicant representative, began by informing the Commission that this application was for a fundraiser for the OSF St. Joseph Medical Center Foundation to be held at the Eastland Medical Plaza I Atrium on Friday, February 15, 2013 from 6:00 to 8:30 p.m. This request was for a Limited License for a nonprofit corporation.

She reminded the Commission that this was an annual event. She believed that this would be the event's seventeenth year and the fifth time to host it in February. World Tour, A Sampling of International Beer, Wine and Food, involved tasting cups to serve the beer and wine. Commissioner Stockton noted that he had attended this event. It was a nice and well run event.

Commissioner Stockton questioned who would act as servers. Ms. Sies noted that OSF was working Famous Liquors located at 1404 E. Empire. The Foundation hoped to work with a local vendor. Famous seemed interested. No orders can be accepted at the event. Acceptance of same would be the point of sale.

Ms. Sies noted that this year would mark this event's sixteenth or seventeenth anniversary. The event was originally held at Station 220 f/k/a Central Station. This will be the fourteenth year for it to be held on the OSF campus. There also were corporate sponsors for this event.

Ms. Sies noted that last year all of the food had been donated which made a positive impact upon the Foundation's pledge. This year, the event would offer spirits for tasting. An example would be offering Irish whiskey at the Ireland table.

Ms. Sies estimated the event attendance at 200. The event recognized OSF/St. Joseph's donor base. Dollars raised from this year's event will be used to meet the Foundation's pledge to the hospital. These dollars will be directed towards a new highbred OR project. This type of operating room would be the first of its type in the area. A highbred OR offered shorter surgery and recovery time which resulted in higher patient satisfaction.

Commissioner Stockton informed the Applicant that the license fee would be waived as in the past.

Commissioner Stockton would recommend to the City Council that an LA liquor license be created for OSF St. Joseph Medical Center Foundation for a fundraiser to be held on February 15, 2013 from 6:00 - 8:30 p.m. at Eastland Medical Plaza I, Atrium, 2200 E. Washington St.

Commissioner Stockton informed the Applicant that this item would appear on the January 14, 2013 City Council Consent Agenda. He encouraged Ms. Sies to attend this meeting.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable.

FINANCIAL IMPACT: None.

Respectfully submitted for Council consideration.

Recommended by:

Stephen F. Stockton
Mayor

Motion by Alderman Schmidt, seconded by Alderman McDade that an LA liquor license for OSF St. Joseph Medical Center Foundation, located at Eastland Medical Plaza I, Atrium, 2200 E. Washington St., be created, contingent upon compliance with all applicable health and safety codes.

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

Ayes: Aldermen Stearns, Mwilambwe, Schmidt, McDade, Fazzini, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Petition submitted by Milestones Early Learning Center & Preschool, requesting approval of a Special Use for a Day Care Center for property located at 1207 Six Points Rd.

RECOMMENDATION/MOTION: That the Special Use Permit be approved and the Ordinance passed, as per the recommendation of the Zoning Board of Appeals (ZBA) and City staff.

STRATEGIC PLAN LINK: This activity promotes Goal 4, Grow the Local Economy, by retention and growth of an existing business, by the keeping and enlarging the Milestones Early Learning Center within the City.

STRATEGIC PLAN SIGNIFICANCE: Objective 4.a. By approving the special use a day care center, the City will provide and thereby, retain an existing business that needs an improved facility. This new facility will not only meet the needs of their clients but expand their services to a broader section of the City.

BACKGROUND: The petitioner is seeking to build a day care center on vacant land adjacent to Six Points Road and McKay Drive. The site slopes downward from the east to the west on a 3.46 acre, wooded parcel. There is a creek which runs south to north through the site. The day care center will be located on the eastern half of the property. The proposed development is of the nature that it should be compatible with the nearby apartments. The proposed use may be more somewhat intense than the single-family homes to the west and south however, there is ample separation to buffer the use from the homes.

On December 19, the Zoning Board of Appeals reviewed the special use petition and recommended approval by a vote of 5 to 0. During the public hearing two citizens expressed concerns about the storm water run-off and impacts to the creek which runs through their property. Although complete drainage plans have not been submitted for review the Board felt comfortable in approving the petition based upon engineering staff assurance that the development will comply with the city code pertaining to storm water control for the property.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Public notice was published in the Pantagraph in accordance with City Code. In accordance with City Code

SEC.4410-3B., 37 courtesy copies of the Public Notice were mailed. In addition, a public notice/identification signs were posted on the property.

FINANCIAL IMPACT: The Bloomington Township Assessor will determine the specific amount of property tax which will be generated from this property upon the completion of the project.

Respectfully submitted for Council consideration.

Prepared by: Mark Woolard, City Planner

Reviewed by: Mark R. Huber, Director of PACE

Financial & budgetary review by: Timothy L. Ervin, Budget Officer

Legal review by: J. Todd Greenburg, Corporation Counsel

Recommended by:

David A. Hales
City Manager

PETITION FOR A SPECIAL USE PERMIT FOR PROPERTY LOCATED AT: 1207 SIX POINTS RD.

State of Illinois)
)ss.
County of McLean)

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

Now comes Milestones Early Learning Center & Preschool, an Illinois Not for Profit Corporation 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, lease, or any 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 presently has a zoning classification of R – 3A, Multi Family Residence District under the provisions of Chapter 44 of the Bloomington City Code, 1960;

3. That under the provisions of Chapter 44, Section 44.6-30 of said City Code day care centers are allowed as a special use in an R – 3A zoning district;

4. That the establishment, maintenance, or operation of said special use on said premises will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;

5. That said special use on said premises will not be injurious to the use and enjoyment of other property in the immediate vicinity of said premises for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;

6. That the establishment of said special use on said premises will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the R – 3A zoning district;

7. That the exterior architectural treatment and functional plan of any proposed structure on said premises will not be so at variance with either the exterior architectural treatment and functional plan of the structures already constructed or in the course of construction in the immediate neighborhood or the character of the applicable district, as to cause a substantial depreciation in the property values within the neighborhood adjacent to said premises;

8. That adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided to said premises for said special permitted use;

9. That adequate measures have been or will be taken to provide ingress and egress to and from said premises so designed as to minimize traffic congestion in the public streets; and

10. That said special permitted use on said premises shall, in all other respects, conform to the applicable regulations of the R – 3A zoning district in which it is located except as such regulations may, in each instance, be modified by the City Council of the City of Bloomington pursuant to the recommendations of the Bloomington Board of Zoning Appeals.

WHEREFORE, your petitioner respectfully prays that said special use for said premises be approved.

Respectfully submitted,

By: Dana David, Executive Director
Milestones Early Learning Center

ORDINANCE NO. 2013 - 02

AN ORDINANCE APPROVING A SPECIAL USE PERMIT FOR A DAY CARE CENTER FOR PROPERTY LOCATED AT: 1207 SIX POINTS RD.

WHEREAS, there was heretofore filed with the City Clerk of the City of Bloomington, McLean County, Illinois, a petition requesting a Special Use Permit for a day care center for certain premises hereinafter described in Exhibit A; and

WHEREAS, the Bloomington Board of Zoning Appeals, after proper notice was given, conducted a public hearing on said petition; and

WHEREAS, the Bloomington Board of Zoning Appeals, after said public hearing made findings of fact that such Special Use Permit would comply with the standards and conditions for granting such special permitted use for said premises as required by Chapter 44, Section 44.6-30 of the Bloomington, City Code, 1960; and

WHEREAS the City Council of the City of Bloomington has the power to pass this Ordinance and grant this special use permit.

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

1. That the Special Use Permit for a day care center on the premises hereinafter described in Exhibit A shall be and the same is hereby approved.

2. This Ordinance shall take effect immediately upon passage and approval.

PASSED this 14th day of January, 2013.

APPROVED this 15th day of January, 2013.

Stephen F. Stockton
Mayor

ATTEST:

Tracey Covert
City Clerk

EXHIBIT A

Legal Description

Part of the Southeast Quarter of Section 8, Township 23 North, Range 2 East of the Third Principal Meridian, being more particularly described as follows: commencing at the South Quarter corner of said Section 8; thence North 01 degrees 42 minutes 32 seconds West 48.00 feet to the Southwest corner of "Benson's Oak Grove Subdivision" as recorded in Document No. 26736 in the McLean County Recorder's office. Thence along South line of said "Benson's Oak Grove Subdivision" and the North right of way of Six Points Road South 89 degrees 53 minutes 10 seconds East 675.00 feet to the Southeast corner of said "Benson's Oak Grove Subdivision" and Northeast corner of McKay Drive and Six Points Road. Thence North 01 degrees 42 minutes 32 seconds West along the East right of way of McKay Drive 10.00 feet to the Point of Beginning; thence continuing along the East right of way of McKay Drive North 01 degrees 42 minutes 32 seconds West 305.00 feet; thence North 08 degrees 44 minutes 35 seconds West 131.50 feet to the South line of the Goose Creek Apartment site; thence along the south line of the Goose Creek Apartment site North 89 degrees 09 minutes 32 seconds East 382.99 feet; thence South 01 degrees 6 minutes 14 seconds East 436.91 feet to the North line of a 10 foot dedication for right of way purposes for Six Points Road; thence along the proposed Northerly right of way of Six Points Road South 89 degrees 24 minutes 52 seconds West 367.38 feet to the Point of Beginning, situated in the County of McLean, in the State of Illinois.

PIN 21-08-456-015

Motion by Alderman Schmidt, seconded by Alderman McDade that the Special Use Permit be approved and Ordinance passed.

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

Ayes: Aldermen Stearns, Mwilambwe, Schmidt, McDade, Fazzini, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Adoption of latest edition of the Illinois State Plumbing Code; updates to the Bloomington Municipal Code, Chapter 34, Plumbing Code; and adjusted fees and fee schedules

RECOMMENDATION/MOTION: That the Text Amendment be approved and Ordinance passed, per the recommendation of the Plumbing Board of Appeals and City staff.

STRATEGIC PLAN LINK: Goal 1. The proposed changes to the plumbing code relate to the Strategic Plan Goals of: Financially Sound City Providing Quality Basic Services, Upgrade City Infrastructure and Facilities, and promoting Strong Neighborhoods.

STRATEGIC PLAN SIGNIFICANCE: Objective 1.a. One of the objectives of providing a financially sound City is to provide the resources necessary to support our defined services. The fee adjustments as a part of these code changes provide the resources for staff and related needs to inspect and ensure compliance with the latest codes expected to protect the life, safety and welfare of the City's citizens.

Goal 2. Upgrade City infrastructure and Facilities, is encouraged by implementing the latest requirements for sewage collection systems and water distribution, extending the life of City's infrastructure.

The Strong Neighborhoods Goal (#3) is met as older homes are upgraded with the latest systems and technology as they replace private sewer and water services or the plumbing in their homes.

BACKGROUND: Every few years the state of Illinois updates the Illinois Plumbing code as managed by the Illinois Department of Public Health. As these code updates are completed the City Planning and Code Enforcement Department reviews the code and adopts it for direct City use. In the process PACE evaluates our own operations and programs for consistency with the State requirements, our own programs, and operational needs. This action will adopt the latest version of the Illinois Plumbing code (to be updated in 2013 from 2004), clarify language, and establish fees necessary for PACE operations. In addition, the language will be modified to automatically update to the latest version of the State Code. This will streamline the process for staff since we will no longer have to adopt the new code when it is promulgated by the State. This is helpful in this case since the City cannot regulate plumbing in a manner which is less stringent than the minimum standards set forth in the Illinois Plumbing License Law. The Legislature has preempted home rule authority in this area (225 ILCS 320/42).

A public hearing was held before the Plumbing Board of Appeals on December 18, 2012. Upon completion of the hearing, the Board voted unanimously to recommend that the City Council approve the changes proposed for Chapter 34.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: On December 18, 2012, Staff introduced the proposed changes, in a public hearing, to the Plumbing Board of Appeals. Along with a public notice published in the local newspaper, direct notices were mailed to all of the plumbers and plumbing contractors registered to work in the City. One citizen took advantage of the meeting to educate themselves to the changes being proposed.

FINANCIAL IMPACT: The fees associated with plumbing permits and inspections have not been comprehensively reviewed since 2008. The proposed fees will generally increase from 13 - 23% over this five (5) year (2.6 - 4.6%/year) time frame.

Respectfully submitted for Council consideration.

Prepared by: Mark R. Huber, Director of PACE

Financial & budgetary review by: Timothy L. Ervin, Budget Officer

Legal review by: J. Todd Greenburg, Corporation Counsel

Recommended by:

David A. Hales
City Manager

ORDINANCE 2013 - 03

AN ORDINANCE AMENDING CHAPTER 34, PLUMBING CODE, OF THE BLOOMINGTON CITY CODE

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

SECTION 1. That the Bloomington City Code, 1960, as amended, be further amended by adding the following changes to Chapter 34, Plumbing Code, Section 1, Adoption of the Illinois State Plumbing Code (additions are indicated by underlining; deletions are indicated by strikeouts):

SEC. 1 ADOPTION OF ILLINOIS STATE PLUMBING CODE.

There is hereby adopted by the City for the purpose of establishing rules and regulations for materials, construction, alteration, and inspection of all plumbing placed in or in connection with any building that certain Plumbing Code known as the Illinois State Code, being particularly the ~~2004~~ current edition thereof, and the whole thereof, of which not less than one (1) copy has been and now is filed in the Office of the City Clerk; and the same are hereby adopted and incorporated as fully as if set out at length in this Chapter, the provisions of which shall be controlling within the corporate limits of the City and within the area of Lake Bloomington and other areas under the jurisdiction of the City. ~~(Ordinance No. 2005 - 73)~~

(a) Illinois State Plumbing Code - Administrative Authority. Wherever the words "administrative authority" are used in the Illinois State Plumbing Code, adopted in the preceding section, it shall be held to mean the Director of Planning & Code Enforcement of the City of Bloomington or his representative. (Ordinance No. 1994 - 60)

(b) Public Health Board. Wherever the words "public health board" is used in the Illinois State Plumbing Code, it shall be held to mean the McLean County Health Department. (Ordinance No. 1984 - 102)

(c) The Current Edition of the State of Illinois Department of Public Health Food Service Sanitation Code Section 750.5.

WATER AND SEWAGE PART 895 PUBLIC AREA SANITARY PRACTICE CODE
SECTION 895.50 RESTROOMS

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SEC. 5 CONTRACTOR ADMINSTRATION PERMIT FEE REQUIRED.

Every plumbing contractor engaging in the business of plumbing in the City shall cause his name, residence and place of business to be recorded with the City Clerk of the City. The City Clerk shall keep a record of such business. An annual ~~registration~~ administration permit

fee shall be required of any person, firm or corporation engaging in the business of plumbing contractor in the City. Said annual business shall be issued only upon submission of a copy of the applicant's current Illinois State plumber's contractor registration, and payment of the required fee of Fifty Dollars ($50.00), approval by the Plumbing Inspector. Contractors shall obtain the business license on or before January 1 of each year. Should a contractor not obtain the business license by February 1, an additional Twenty-five Dollars ($25.00) will be required. ~~(Ordinance No. 2005-73)~~

*****

(g) Water services from the curb box (curb shutoff valve) to the building shall be type "K" copper, Class 150 cast iron, or copper tube size (CTS) polyethylene (PE) tubing meeting ASTM D 2737 - standard. Polyethylene (PE) pipe shall be installed only with compression fittings with insert and clamp type fittings. All clamps shall be of corrosion resistant material. The inside diameter (ID) of any insert fitting shall not be less than the minimum allowable size for water service as required by the Illinois State Plumbing Code. ~~PE tubing is only allowed for residential buildings of (3) three stories or less (as determined by the Building Code).~~ PE tubing water service shall be one continuous pipe from the curb stop or pig tail to building water meter. PE water service shall have a solid 12 gauge ~~blue~~ sheathed coated, suitable for direct burial tracer wire connected to the coupling or curb stop ~~secured to the service every six (6) feet~~, unbroken and accessible at the water meter. ~~(Ordinance No. 2008 - 49)~~

(h) Water service for fire, domestic and combination services shall be installed and tested from the main to the interior of the building by same plumbing contractor.

(i) New construction requiring potable water and fire protection water service shall be combination service. Location of shut off valves shall be approved by the Plumbing Inspector or Director of Water.

*****

SEC. 20 SEWER CONNECTIONS.

No person shall construct or cause to be constructed or make any drain or sewer leading into any of the common sewers of the City of Bloomington without the written permission of the City Engineer.

New Sewer - replacement sanitary sewer, sewer liner, sewer pipe bursting replacement or connection to an existing sewer shall only be approved when sewer connects directly from owner's property to City of Bloomington sanitary sewer main. Approval of other installations shall only be allowed by written permission from Public Works Department.

*****

SEC. 24 INTERIOR PIPING - POTABLE WATER.

(a) Distribution piping in all buildings shall be types "K", "L" or "M" copper, galvanized steel, PEX (cross linked polyethylene) or equal. Solder joints to be of lead-free solder.

Exception 1: Distribution piping in ~~residential~~ buildings ~~of 3 stories or less~~ shall be type "K", "L" or "M" copper galvanized steel or cross linked polyethylene meeting the fitting and standard requirements as list in the Illinois State Plumbing Code.

Exception 2: For interior HUD manufactured single-family homes, Appendix A, Table 6, Section 890 of the Illinois State Plumbing Code shall apply. (Ordinance No. 2008 - 49)

(b) Piping from the meter to the water heater is to be size ¾" or larger. Point of use water heaters for individual fixtures shall be sized by the minimum inlet of the water heating unit. (Ordinance No. 2005 - 73)

(c) The water heater in a building that supplies more than one family shall have a shut off valve on both hot and cold water pipes connecting the water heater (Ordinance No. 2005-73)

(d) Domestic Hot Water Supply and Distribution**,** New or re-placement water heater installation. Domestic hot water heating units shall be designed and sized for the number of plumbing fixtures being served. A water heater manufactures sizing table shall be used in calculating hot water demand for each residential, commercial or multi-unit building.

~~(d)~~ (e) Chemical dispensing, softening, purification units shall have a dedicated water supply and shut off valves to each unit. ~~(Ordinance No. 2005 - 73)~~

SEC. 24.1 LAWN SPRINKLERS / IRRIGATION SYSTEMS.

(a) Lawn sprinkler and irrigation systems connected to the City water system shall comply with the City Plumbing Code. Materials used underground shall be type "K" copper lead free solder joints or PVC with a minimum of 160# test pressure with stainless steel hose clamps, cross linked polyethylene or solvent weld type connections or equal. ~~(Ordinance No. 2005 - 73)~~

(b) All landscape irrigation systems installed after the effective date of this Ordinance shall be equipped with either a rain sensing or soil moisture sensing device which overrides the irrigation cycle of the sprinkler system when it rains and/or when the soil has adequate moisture. (Ordinance No. 2005 - 73)

(c) No lawn sprinkler or landscape irrigation system shall be caused or allowed to operate during rain or in such manner so as to produce water run-off, over-spraying, low head drainage or any other condition which results in water flowing onto property not served by the lawn sprinkler or landscape irrigation system. (Ordinance No. 2005 - 73)

(d) Lawn sprinkler contractors shall pay an application fee of Thirty Dollars ($30.00) for each system installed. Registered plumbing contractors (i.e., installation by plumbers and

apprentice only) and homeowners shall be exempt from the application fee. (Ordinance No. 2005 - 73)

(e) No lawn sprinkler system will be installed without approved plans, securing a permit and prior approval of the Plumbing Inspector. (Ordinance No. 2005 - 73)

(f) All back flow devices must be certified by a licensed Cross Connection Control Device Inspector and a copy of the certification with the appropriate fees shall be sent to the Plumbing Inspector. (Ordinance No. 2005 - 73)

(g) Lawn irrigation systems from any water source shall have a permit issued. (Ordinance No. 2005 - 73)

(h) Interior piping for lawn irrigation systems shall be copper or cross linked polyethylene piping to the exterior of building. ~~(Ordinance No. 2005 - 73)~~

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SEC. 35 UNIONS.

No union in ~~water~~ DWV piping may be concealed in partitions or floors except in emergency repairs ~~and then only by metal to metal joints of nonferrous material~~.

*****

SEC. 52 BACK FLOW PREVENTION DEVICES.

(a) All back flow prevention devices or methods required by these rules and regulations shall be approved by the Research Foundation for Cross-Connection Control of the University of Southern California, American Water Works Association, American Society of Sanitary Engineering, Canadian Standards Association or American National Standards Institute or certified by the National Sanitation Foundation to be in compliance with applicable industry specification.

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SEC. 55 FEES.

(a) There shall be a ~~$40.00~~ $50.00 fee for filing the survey required under Section 37 of this Chapter. The fee shall be assessed for each survey filed. This fee shall be assessed each time a survey is filed, regardless of whether the survey submitted had been filed previously and is being resubmitted to correct deficiencies or errors in a previously filed survey. ~~(Ordinance No. 2008 - 49)~~

(b) There shall be a charge of $50.00 per hour assessed for any inspection conducted by the Director of Water or his authorized agent pursuant to Section 43 of this Chapter or under

any other provision of this Chapter to check information set forth in a survey report or to verify compliance with the requirements of this Article.

(c) There shall be a ~~$20.00~~ $30.00 fee for filing the annual certification of cross connection control devices as required in Section 49(d)(3) of this Chapter. The fee shall be assessed for each device certified. ~~(Ordinance No. 2008 - 49)~~

(d) All fees provided for herein shall be paid to the Director of Water or his designated representative. (Ordinance No. 2005-73)

*****

SEC. 98 BUILDING SEWER.

The waste piping from a point five feet (5') outside a building to the City sewer shall be considered the building sewer and shall be constructed of the following materials with a minimum diameter of four inches (4"): cast or ductile iron, PVC schedule 40, PVC schedule 80 with solvent weld joints, or PVC Schedule 21 - Type PSM-SDR slip joint pipe.

All piping material shall be embedded with a minimum of four inches (4") granular cradle below the sewer pipe and six inches (6") of granular cradle above. ~~(Ordinance No. 2008 - 49)~~

Cure in place sewer liners may be accepted for making repairs of existing sanitary and storm water sewer services provided liner systems, installation and materials standards are approved and permits issued prior to installation.

Pipe bursting is only permitted using approved material as list in the Illinois Plumbing and the approval of the plumbing Inspector. (Plans and Permit required).

*****

SEC. 117 FEES.

(a) New plumbing system installations, additions, or major alterations to existing systems shall upon approval of plans and specifications be granted a work permit. The total fee for such a permit shall be an accumulation of the fees corresponding to each and every plumbing fixture or appurtenant device in the system as contained in the following schedule. The minimum fee for a permit in this Section shall be ~~Twenty Dollars $20.00~~ Thirty Dollars ($30.00).

The fee for any fixture or work not listed in this Section shall be determined by the Plumbing Inspector.

Backwater valve	~~$10.00~~ $13.00
Bathtub with or without shower	~~$10.00~~ $13.00
Bidets	~~$10.00~~ $13.00

Dishwashers:	residential	~~$10.00~~ $13.00
	commercial	~~$13.00~~ $15.00
Disposals:	Garbage	~~$10.00~~ $13.00
Drains:	Floor Drain	~~$10.00~~ $13.00
	Roof Drain	~~$13.00~~ $15.00
	Carwash or Repair Garage Drain	~~$13.00~~ $15.00
	Trench drain	~~$13.00~~ $15.00
	Open Site Drain	~~$13.00~~ $15.00
	Parking Lot Drain	~~$13.00~~ $15.00
Fountains:	Drinking Fountain	~~$13.00~~ $15.00
	Water Fountain	~~$13.00~~ $15.00
Grease Interceptor		~~$13.00~~ $25.00
Oil Interceptors		~~$13.00~~ $25.00
Lawn Sprinkler:	Each sprinkler head	$ 1.00
	Irrigation system	~~$10.00~~ $20.00
Lavatory / Hand sink		~~$10.00~~ $13.00
Pools:	Spas	~~$10.00~~ $13.00
	Whirlpools	~~$10.00~~ $13.00
	Private pools	$25.00
	Public Pools	~~$50.00~~
Pumps:	Water pressure built-in boosters	~~$10.00~~ $20.00
	Sewage injection pump	~~$10.00~~ $20.00
	Circulating pump	~~$10.00~~ $15.00
~~Residential New Construction~~	~~Water & Sewer~~	~~$30.00~~
	Water Service	~~$25.00~~ $30.00
	Sanitary Sewer Service	~~$25.00~~ $30.00
	Storm Sewer connection	~~$25.00~~ $30.00
Shower:	Stall or compartment shower head	~~$10.00~~ $15.00
Sinks:	Kitchen sink	~~$10.00~~ $15.00
	3 compartment sink	~~$13.00~~ $20.00
	Laundry (tub) Sink	~~$10.00~~ $13.00
	Service (Mop) Sink	~~$10.00~~ $13.00
	Bar sink	~~$10.00~~ $13.00
	Surgeon, Pantry, Bedpan. etc.	~~$10.00~~ $13.00
Softener:	Water Softener/Filtration Systems	~~$20.00~~ $25.00
Sprinkler System:		
	Service connection	$25.00
	Backflow preventer	~~$20.00~~ $30.00
Medical Equipment:	Instruments, utensils, etc	~~$10.00~~ $15.00
	Sinks	~~$13.00~~ $15.00
	Emergency showers and eye wash	~~$13.00~~ $15.00
Tanks:	Water Supply	~~$10.00~~ $20.00
	Pressure tanks	~~$10.00~~ $20.00
Traps, standpipes, etc.		~~$10.00~~ $13.00
Urinals:	Wall or Floor type	~~$10.00~~ $15.00
Waterclosets:	Floor or wall mounted	~~$10.00~~ $13.00

Water Heaters:	Domestic or residential	~~$15.00~~ $25.00
	Commercial	~~$20.00~~ $30.00
	Water heater replacement with piping change	~~$25.00~~ $30.00
Washer:	Clothes	~~$10.00~~ $13.00
	Garbage can	~~$10.00~~ $15.00

Medical Gas Systems: Fees for medical gas system installation shall be calculated by cost of work using the Building Permit fee schedule set forth in Chapter 10. All medical gas systems installed or repaired shall be by a certified medical gas installer.

Except as specifically noted, permit fees of ~~Ten Dollars $10.00~~ Thirteen Dollars ($13.00) are applicable only for one and two family dwelling installations. Multi-family and other nonresidential fees shall be ~~Thirteen Dollars ($13.00)~~ Fifteen Dollars ($15.00). Fees for plumbing work over ~~$50,000~~ $25,000 will be determined by plumbing permit fee schedule of ~~Thirteen Dollars ($23.00)~~ Fifteen Dollars ($15.00) plus cost of work evaluation using fee schedule for building permit in the Building Code (Chapter 10). ~~(Ordinance No. 2008 - 49)~~

(b) If proposed work is in pipe replacement only, the fee will be calculated based on "reasonable estimated cost" and using the fee schedule for building permits in the Building Code (Chapter 10). (Ordinance No. 2005 - 73)

(c) Minor Repairs. Minor repairs do not require changes in the piping to or from plumbing fixtures or involve the removal, replacement, installation or reinstallation of any pipe or plumbing fixture. The minimum fee for the permit, if needed, shall be Thirty dollars ($30.00) ~~Twenty-five ($25.00)~~. ~~(Ordinance No. 2008 - 49)~~

(d) Pipe work. Any water supply pipe replacement or addition, and sewer pipe installation work shall be granted permits with fees based on the reasonable cost of improvement and using the fee schedule in Section 117(b). The minimum fee for a permit, if needed, shall be ~~Twenty-five ($25.00)~~ Thirty dollars ($30.00). ~~(Ordinance No. 2008 - 49)~~

(e) Permits issued to owner occupied single-family residences shall be charged a permit fee based on the above schedules with an additional fifty percent (50%) surcharge. (Ordinance No. 2005 - 73)

(f) A penalty surcharge of one hundred percent (100%) but not less than Fifty Dollars ($50.00) shall be added to the permit fee when any work is undertaken prior to obtaining a required permit.

(g) A re-inspection fee of $50.00 may be imposed when building is locked at time of scheduled inspection or work being inspected is not complete at time of inspection. ~~(Ordinance No. 2008 - 49)~~

Nothing in this Section shall prevent the Plumbing Inspector from recommending to the Plumbing Board of Appeals the revocation of the contractor's Certificate of Registration

for repeated violation of doing work prior to his obtaining the required permit. (Ordinance No. 2005-73)

*****

SEC. 124 FEE FOR APPEALS.

Any petition for a variance/interpretation for the Plumbing Board of Appeals shall be filed with the City Clerk, accompanied by a fee of ~~One Hundred Twenty-five ($125.00)~~ One Hundred Fifty Dollars ($150.00) payable to the City of Bloomington. Any additional variance associated with the property at the time of the original variance will be an extra Twenty-five Dollars ($25.00) each.

*****

SEC. 131 ~~GREASE~~ INTERCEPTORS REQUIRED.

SECTION 2. Except as provided herein, the Bloomington City Code, 1960, as amended shall remain in full force and effect.

SECTION 3. The City Clerk is hereby authorized to publish this ordinance in pamphlet form as provided by law.

SECTION 4. This ordinance shall be effective ten (10) days after the date of its publication.

SECTION 5. This ordinance is passed and approved pursuant to the home rule authority granted Article VII, Section 6 of the 1970 Illinois Constitution.

PASSED this 14th day of January, 2013.

APPROVED this 15th day of January, 2013.

APPROVED:

Stephen F. Stockton
Mayor

ATTEST:

Tracey Covert
City Clerk

Motion by Alderman Schmidt, seconded by Alderman McDade that the Text Amendment be approved and Ordinance passed.

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

Ayes: Aldermen Stearns, Mwilambwe, Schmidt, McDade, Fazzini, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

SUBJECT: 2012 – 2015 Police Strategic Plan Presentation

RECOMMENDATION/MOTION: None.

STRATEGIC PLAN LINK: Goal 3 – Strong Neighborhoods.

STRATEGIC PLAN SIGNIFICANCE: Objective 3.a. Residents feeling safe in their homes and neighborhoods.

BACKGROUND: This is the second Police Department 3-year Strategic Plan which covers 2012 - 2015. As staff continues to evaluate the strengths and weaknesses of the Problem Oriented Policing philosophies and techniques, it has become apparent that there is a need for continuity and flexibility with each Strategic Plan.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: None.

FINANCIAL IMPACT: None.

Respectfully submitted for Council consideration.

Prepared by: Jack McQueen, CIAU Supervisor

Reviewed by: Randall McKinley, Chief of Police

Recommended by:

David A. Hales
City Manager

David Hales, City Manager, introduced Randy McKinley, Police Chief. This would be the Police Department's second three (3) year strategic plan. He noted the Police Department's progress and accomplishments. This plan was built upon the first strategic

plan. It addressed major priorities for the Police Department. The Council provided input and suggestions.

Randy McKinley, Police Chief, addressed the Council. The strategic plan was created by the Police Department staff. He addressed POP, (Problem Oriented Policing). He noted where the department was and where it is. The community and Police Department had bought into this program. He hoped this program would continue.

Chief McKinley presented various crime statistics. He noted that there had been some decline. POP was started in 2009. He noted the decline in major crimes. Crime had declined from 2009 to 2012. He acknowledged that there had been an increase in assaults/battery. This type of crime was gang related. The numbers were below the five (5) year average. He noted the impact of technology. He cited automated fingerprinting which was available in the department's crime lab.

Chief McKinley highlighted the changes to the Strategic Plan. He cited the following Goals and Strategies:

Goal 1. Strategy 2. a.) research & develop Internet & mobile device notification systems for urgent public safety announcements; b.) expand online mapping to Apple and Android phone platforms; and c.) improve departmental website to include more frequent updates and increase content. Chief McKinley expressed his opinion that the Police Department needed to expand its use of technology. He cited the City's web site, etc.

Goal 1. Strategy 3. a.) work with state and federal prosecution to enhance gang crime accountability and ensure vertical prosecution

Goal 2. Strategy 1. a.) form ad hoc multi-officer teams to focus on crime problems that span multiple shifts and b.) increase use of "knock and talks", saturation patrols, field interviews, focus traffic enforcement and interviews of affected residents. Chief McKinley noted that the Police Department was already doing same.

Goal 2. Strategy 2. a.) increase the number of cameras in the Downtown corridor and b.) expand access to the camera network to our dispatch center. Chief McKinley addressed the Downtown cameras.

Goal 2. Strategy 3. a.) identify top accident sites and increase traffic enforcement as needed; b.) increase Driving Under the Influence (DUI) and Driving While Intoxicated enforcement; and c.) improve the processing of DUI and DWI arrests including specialized training for new officers. Chief McKinley stated that this item addressed traffic enforcement and DUI.

Goal 3. Strategy 2. a.) research and expand the use of various technologies to reduce crime; b.) ensure employee training keeps pace with new computer systems, mobile devices and advancements in electronic forensic examination; and c.) utilize a department project management system to improve cross-shift communication, ensure department

accountability and aid employee performance review. Chief McKinley noted that this was in place today. He addressed item 3.2.c. which would lead to continual improvement.

Goal 4. Strategy 1. a.) conduct tri-annual command staff meetings to review departmental goal progress and conduct problem solving sessions; b.) increase the number of department members involved in public relations programs; and c.) research and evaluate future radio communication interoperability between City departments.

Goal 4. Strategy 2. a.) create a training system for risk management briefings. Identified risk management issues will be presented to personnel on a daily basis to mitigate injuries, accidents and other claims and b.) conduct a comprehensive review of all departmental policies. All policies will be updated using the LexiPol system. Chief McKinley addressed reduced Worker's Compensation claims and risk management. The LexiPol system involved a six (6) minute training for everyday.

Goal 4. Strategy 3. a.) conduct monthly officer performance reviews; b.) department goals will be integrated into yearly employee coaching sessions. Sessions will include components that measure and support employee progress in POP projects; c.) overhaul the Field Training Program to include components that will enhance problem solving skills; and d.) succession planning will be incorporated into the promotion process.

Goal 5. Strategy 1. a.) improve and maintain the physical condition of the police department facility and exterior parking deck; b.) the existing off-site gun range will be evaluated to determine future use of the site; c.) study our existing police records system to assess system sustainability; and d.) increase the communication with the community by utilizing Social Media tools and systems. Chief McKinley noted that this was a new goal. It was critical to take care of the department's facilities.

He presented a card which had been given to one of the School Resource Officers, (SRO). There were four (4) SRO.

Chief McKinley addressed traffic enforcement. He noted the increase in the number of traffic citations: 2012 – 9,942 versus 2011 – 5,842. Traffic enforcement was an important part of the Police Department.

Alderman Purcell had read the Police Department's Strategic Plan. He questioned how the plan would be tracked and how the staff would know what had actually been achieved. The plan might need adjustment and evaluation.

Chief McKinley noted that the plan was reviewed at the command staff's monthly meeting. He also cited the efforts of Jack McQueen and Carl Fever, Criminal Intelligence & Analysis Administrative Unit, (CIAU).

Alderman Stearns thanked the Police Department for the job done. Police officers were unsung heroes. She noted the impact upon neighborhoods. She cited a crime infested residence. After a long series of events and the involvement of a number of police officers,

the property had been turned around. Chief McKinley had made a difference. She hoped he would be welcomed and wished him the best in his new job.

Chief McKinley restated that this was the department's plan. The Police Department had been successful by working with City staff from a variety of departments, (PACE, Corporation Counsel, etc.).

Alderman Mwilambwe addressed Goal 4. Strategy 2, Action Plans - third bullet point, "Staffing levels will be researched and needs assessments will be conducted in preparation for future city growth and changes in crime trends. Proactive planning will help address upcoming budget needs based on population projections, call loads, and staffing levels needed for specialized programs." He believed that this item addressed staff levels, population trends and diversity.

Chief McKinley stated that sworn officers on the street was not the answer. Citizens were the key. He cited CIAU which was critical. This unit mapped crime and tracked significant information. The Police Department must examine non sworn staff. The Police Department was closed on Saturdays and Sundays. The goal was to keep police officers on the street.

Mr. Hales stated that the Police Department was a model for other City departments. A strategic plan provided long term operational plans and addressed quality services. A strategic plan would be in addition to a long term financial and capital improvement plans. He applauded the Police Department's second strategic plan.

The following was presented:

SUBJECT: Adoption of a Managed Competition Policy

RECOMMENDATION/MOTION: That the Managed Competition Policy be approved and the Resolution passed.

STRATEGIC PLAN LINK: Goal 1. Grow Local Economy; Objective d. City services delivered in the most cost-effective, efficient manner.

STRATEGIC PLAN SIGNIFICANCE: Objective 1.e. Staff is proposing the adoption of a Managed Competition Policy to assist the City in its endeavor to identify and provide quality basic municipal services at competitive market prices.

BACKGROUND: Over the past several decades, the role of government as a monopolistic provider of public services has evolved into a role as a partner with the private and non-profit sectors in the delivery of public services. More consistently, local governments have chosen to involve others in service delivery due to limited and/or declining resources, increased demands, and to the recognition that partnerships can leverage the quality and cost effectiveness of services delivered to the public. At the same time, local governments continue to deliver many services

competitively in-house and also retains the responsibility for core services that require a certain level of government control and accountability.

In the spring 2009, with the overarching goal of providing quality services to the public in a cost effective manner, Council indicated their interest in introducing elements of managed competition to programs and services offered by the City. In January 2010, the Council adopted the 2010 > 2015 > 2025 Strategic Plan with a goal of delivering quality basic services in the most cost-effective, efficient manner in efforts to remain a financially sound City. In April 2010, City staff participated in a fact finding visit to Glenview, IL to learn more about the City's managed competition program and historical successes. A report on staff's research and findings were presented to Council in September 2010 which included organizational and demographical comparisons of both municipalities.

At the Council's July 23, 2012 Work Session, staff presented a draft managed competition policy, process flow chart, and potential service list subject to managed competition for Council review. On August 20, 2012, City Manager David Hales; Deputy City Manager Barbara Adkins; Human Resources Director Emily Bell; and Asst. to the City Manager Alex McElroy held an informational meeting with interested union leaders and representatives to share the draft managed competition policy, solicit feedback, and answer any questions related to the proposed program and process. Six (6) of the City's ten (10) unions had a member present at the meeting.

The proposed policy seeks to provide direction to Council and staff in the facilitation of a managed competition process while outlining the desired benefits and outcomes.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: City Unions Invited to Informational Meeting: 362 Support Staff; 362 Inspectors; 362 Parking Attendants; Local 699 Public Works & Parks; Lodge 1000; Local 49; Unit 21; Sgts. and Lts.; and Telecommunicators.

FINANCIAL IMPACT: Preliminary, the FY 2014 Budget will propose funds dedicated for technical consultant services, expert visitors, and performance auditor services as needed. Costs associated with competitive service analyses and consulting services are expected to be outweighed by potential savings due to managed competition practices.

Respectfully submitted for Council consideration.

Prepared by: Alex McElroy, Asst. to the City Manager

Financial & budgetary review by: Timothy L Ervin, Budget Officer

Legal review by: J. Todd Greenburg, Corporation Counsel

Recommended by:

David A. Hales
City Manager

Mayor Stockton introduced this item. He noted the number of City employees present at the meeting. The goal of managed competition was to complete work tasks efficiently while providing quality services.

David Hales, City Manager, addressed the Council. He was humbled to be a City employee. The City had received feedback from its citizens. He had heard compliments from same as he interacted with them. He had shared those compliments with the Council. He acknowledged that the term managed competition created fear and anxiety. Managed competition should not be taken lightly. The City must be competitive in order to survive and compete with the private sector. The City was a monopoly. He cited the 2009 global recession. It had impacted everyone – businesses, families and individuals. The City's fiscal health was stronger. He believed that the City was better able to deal with uncertainty. He noted taxpayers' anger with government as they found the cost unacceptable. He cited the negative perception of federal and state government.

Mr. Hales noted the Council's strategic plan process. The Council had looked at the situation in an attempt to determine the City's core services. The City must live within its means. He addressed the following terms: privatization, outsourcing and managed competition. Citizens received great value for the services received. The City wanted to be open and transparent. Citizens had questioned the cost of services compared to the private sector. The City hoped to prove the value of its services.

He noted that other cities had embraced managed competition. It involved a competitive process. He cited Carrollton, TX as an example. This city had been engaged in managed competition for the past ten (10) years. City services were evaluated. The evaluation involved a detailed cost analysis; a comparison to like vendors in the private sector; and an inclusive process which involved the employees. A key question was service efficiency. The cost structure was realigned to be competitive with the private sector. There had been limited use of a formal bid process. The determination included subjective and objective criteria. If the cost was within the given range, then the services were retained in-house. The benefit of managed competition was citizen trust and confidence. Managed competition was not suitable for all services. It was not a quick process. There needed to be understanding and evaluation of the various managed competition studies. The goal would be an acceptable level of competitiveness.

Managed competition was a philosophy. There were principals, values and processes. He noted the resources available. Managed competition would require staff time, both union and nonunion. The process could take years to complete. He added the value of the work completed to date. Outsourcing was not a panacea. The process needed to be open and transparent, and prove to the citizens the value of City services. Managed competition as a policy was not new.

Alex McElroy, Asst. to the City Manager, addressed the Council. He cited the Council's July 23, 2012 Work Session. Meetings were held with the City's unions in August 2012. The process had been documented in a flow chart. He had reached out to Carrollton, TX. Carrollton's staff, (City Manager and Performance Auditor), was willing

to visit the City. He reviewed the process with the Council. The process included a list of services, cost analysis, and employee involvement. He readdressed the Council's July 23, 2012 Work Session. Contracts must be monitored. Work had continued regarding managed competition for a number of years. He addressed the time line for activities.

Mr. Hales readdressed the Council. The Council would be asked to vote this evening and state its committed position to managed competition. Managed competition was part of the Council's Action Plan. He noted the impact of the MUNIS implementation upon City staff. Adoption of a managed competition policy would be the starting point. The policy would provide a framework. The City would proceed slowly and the process would be inclusive. There would be additional fact finding and the process would continue to be studied. He restated that implementation of managed competition was a priority under the City's strategic plan.

Alderman Fazzini acknowledged that managed competition was an important item. He addressed the policy's principals. He requested that another point be added which addressed the quality of the work. Quality should be ahead of cost. He also questioned the restart cost if a City service was privatized and the City had sold its equipment. He believed that there could be errors.

Mayor Stockton noted that safeguards were important.

Mr. Hales stated that typically there would be a full investigation which would analyze all costs. There would be a detailed bid process. The Council had the authority to amend the policy. City staff would consider the cost to reestablish City services if unhappy with the private sector. All factors must be considered.

Alderman Schmidt expressed her support for Alderman Fazzini's comments.

Alderman McDade also supported Alderman Fazzini's comments. She questioned adoption of the managed competition policy. She specifically cited the flow chart and questioned if it was part of the policy. Mr. Hales noted that the flow chart could be added by amendment. Alderman McDade viewed the flow chart as a tool. She also cited the services list. This document should not be a part of the policy. Mr. Hales affirmed that it was not a part of the policy. It presented an idea of the various programs/services that might be eligible for managed competition. He questioned what the Council's priorities were.

Alderman McDade believed that the Council needed to focus on the policy. She addressed the first paragraph, third sentence, "The City shall encourage contracting for public services through private service providers wherever private contracts offer the lowest cost and most effective method of service delivery consistent with service level standards and other adopted City policies." The emphasis should be on quality. She cited the phrase "cost and effectiveness". She requested that this sentence be removed or that language addressing quality be added. She believed that this paragraph stressed the criteria but there was no mention of quality. There was strong policy implication in this

paragraph. Her preference was that this sentence be removed as the sentence was too broad.

Mr. Hales agreed to remove the sentence. He wanted to avoid the perception of the policy language being too strong.

Todd Greenburg, Corporation Counsel, addressed the Council. Policy decisions were made by the Council.

Alderman Fruin expressed his support for the comments made by Aldermen Fazzini and McDade. He addressed efficiency and effectiveness. He noted the references to "lowest cost". He recommended that this language be removed. He added his belief that this would accomplish Alderman McDade's request.

Alderman McDade readdressed the sentence and cited "City shall encourage". This part of the policy addressed the goal, benefits, principals and processes. She restated her request that the language be removed.

Mayor Stockton proposed new language.

Alderman Stearns had no opinion on the policy. The language was too general. She had encouraged contracting. She had been contacted via telephone. She had been forming and reforming her opinion. The time for managed competition had come and gone. Three (3) years have passed. It had impacted staff morale. She cited the number of outside experts who would be retained in 2014. Citizens loved the City's solid waste management services. She noted that there were cities that had contracted out its finance and accounting functions. The City needed to work with the staff it had. A policy represented theory. The City needed to automate it processes and work with its employees.

Mayor Stockton cited that there were three (3) issues: 1.) Council could pass the policy; 2.) Council could modify the policy (strike language); and 3.) Council could add additional language.

Alderman Mwilambwe noted that he was learning and had been hearing more about managed competition. He expressed his discomfort with same. The City had perpetuated uncertainty. He questioned how the City could hire and retain the best under these circumstances. He cited other Aldermen's' questions and/or comments. He believed that this item should be laid over until a future date as the policy did not appear to be in a final form that the Council would support.

He questioned the costs involved and the results to be achieved. He also questioned the dollar value for consulting fees. He questioned if the Council had come to a conclusion that this might not be the right thing to do. He noted City staff's efforts to date. City staff needed some sense of certainty. All must work together to achieve positive results.

Alderman Schmidt spoke in response to Aldermen McDade and Mwilambwe's comments. She believed that there needed to be total agreement by the Council to move forward on this issue. She noted that Aldermen Anderson and Sage were absent. The City needed to step back and craft clearer language. Managed competition would impact people's lives. Everyone on the Council should be afforded the opportunity to vote.

Mayor Stockton summarized that it appeared that the Council was raising the question of personal impact and the meaning of managed competition. The Council represented responsible government and needed to find the best value for taxpayer dollars. The goal of managed competition was to make City services competitive. The Council needed to find the balance between good value and low taxes. The Council also had a responsibility to the employees.

Alderman Fruin believed that the Council was sensitive to the employees. It appeared that the Council wanted to take a step a back from managed competition. He believed that there were a number of City services currently being provided by the private sector. The policy language could be softened to include quality. He believed that the Council would make the right decision. He did not want to see this item laid over until a future date. He believed that the policy could be edited and appear on the Council's January 28, 2013 meeting agenda. The Council needed to adopt this policy and set a direction for City staff.

Mayor Stockton believed that the Council had considered/discussed this topic a number of times. It appeared that the Council was prepared to delay the vote on same in order to allow time for modification to the policy.

Alderman McDade acknowledged Alderman Schmidt's comments regarding the two (2) absent Aldermen, (Anderson and Sage). She was unsure if there was Council consensus on this item. She was not comfortable with the time box. She was not willing to vote in favor of this item at this time.

Mayor Stockton believed that the Council needed to set a date or tell Mr. Hales, City Manager, that the Council was not interested in moving forward on managed competition.

Alderman Schmidt questioned the impact of denying this item. She questioned if managed competition would be off the table.

Alderman Stearns restated that her position had evolved. She believed in the free market. She had seen the impact this issue has had on employee morale. The time had past. Citizens valued the City's solid waste services. She restated that her opinion had evolved and changed. She was no longer interested in managed competition. The City has the ability to contract out services. She cited auditing as an example. The Council needed to provide stability and find ways to improve. She noted the dollars budgeted for consultants and studies.

Alderman Purcell expressed his surprise. The Council had been discussing managed competition for three (3) years. He noted this evening's public discussion and it appeared that the Council was unsure what to do. Golf courses have been privatized and operations have become more efficient. He had heard the question what was next. He did not understand. The Council had looked and analyzed managed competition. He restated that this issue had been discussed for three (3) years.

Alderman McDade stated her intention to vote no this evening. The document needed to be amended. Two (2) Aldermen (Anderson and Sage) were absent. The future was uncertain. The Council needed to act responsibly. She had listened to her constituents. This evening was not the night.

Alderman Fruin stated that this item could be taken off the table at this time. The policy language could be changed. The item could appear on a Council meeting agenda when all of the Aldermen would be present. He cited the three (3) years of work on this issue. He noted the staff hours involved. The Council had requested that City staff draft a policy. Managed competition could be evaluated and studied. The Council needed to act in a fiscally responsible manner. This issue went beyond employee morale.

Mayor Stockton questioned the Council's intention if this item was voted down.

Mr. Hales addressed the Council. He informed the Council that if this item was voted down that City staff would no longer pursue managed competition without formal Council direction. Managed competition would impact all City employees, union and nonunion. Managed competition was more difficult to implement in a strong union state like Illinois. He noted that the City had ten (10) collective bargaining units. The City must respect collective bargaining agreements. He informed the Council that there was the possibility that one of the absent Alderman might not return to the Council for a period of four (4) weeks.

Mayor Stockton stated that Mr. Hales, City Manager, had urged the Council to adopt this policy. He hoped that the Council would not vote to deny this policy.

Motion by Alderman McDade, seconded by Alderman Stearns that the Managed Competition Policy be denied.

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

Ayes: Aldermen Stearns, Mwilambwe and McDade.

Nays: Aldermen Schmidt, Fazzini, Fruin and Purcell.

Motion failed.

Alderman Fruin recommended that this item be laid over until such time that the Council had additional time to amend the policy.

Todd Greenburg, Corporation Counsel, addressed the Council. He suggested that the Council could pass a motion to defer consideration. Generally, the Council would set a date certain. However, under City Code, this substantive motion would expire at 100 days. He reminded the Council that it could not bind future councils.

Alderman Fruin noted that this motion could expire prior to May 1, 2013. He acknowledged the 100 days allowed by Code. No action would be taken on this item this evening. The policy could be edited before appearing on a future Council meeting agenda. This would allow over two (2) months to address this item. He believed that at this time Council should hold further discussion on this item.

Motion by Alderman Fruin, seconded by Alderman Purcell that consideration of this item be deferred.

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

Ayes: Aldermen Schmidt, Fazzini, Fruin, Purcell and McDade.

Nays: Aldermen Stearns and Mwilambwe.

Motion carried.

Tracey Covert, City Clerk, reminded the Council that they must inform City staff when this item should appear on a Council meeting agenda in compliance with the Open Meetings Act.

The following was presented:

MUNIS Update Presentation.

David Hales, City Manager, addressed the Council. He noted that the presentation would address the MUNIS software and maintenance agreement. He noted that progress had been made. This was a challenging project.

Scott Sprouls, IT Director, addressed the Council. He presented a brief history of this project. The schedule had been modified due to the impact upon City staff time. MUNIS was an enterprise solution for public administration. All City departments would be impacted by the technology changes. The project scope had been divided into four (4) phases. Phase 1 included core financials and MUNIS foundational applications. Phase 2 included core human resources and payroll. Phase 3 included Community Development/PACE and business licensing. Phase 4 included utility billing, work orders and additional financial modules. Mr. Sprouls presented a brief breakdown of each phase. He addressed the term Go Live which represented the dates when an application was available. He noted that the dates for Phase 4 were unknown. Some of the modules would be completed during Fiscal Year (FY) 2014 and others would be in FY 2015.

Mr. Sprouls noted that there were positives gained from the MUNIS software in the Finance, Human Resources, PACE and City Clerk Departments. MUNIS was changing the way the City did business. City staff was finding better ways to accomplish work tasks by evaluating current work processes. He cited MUNIS' report capabilities. City staff was creating the training materials. The budget could be look at in real time.

Mr. Hales addressed the MUNIS conversion. He noted that internal financial controls would be strengthened. Mr. Sprouls added the efficiency gains in Human Resources and the reduction in human error. He noted that applicant tracking would commence in February 2013. Mr. Sprouls cited the Central Property Master File for PACE Department. This would be the first citizen focused web based service. City staff would be provided with mobile field devices.

In addition, there were challenges. The work load was cited. The City had engaged the assistance of temporary employees to perform day to day work tasks. The volume of work had impacted the MUNIS implementation schedule. Mr. Hales added that the reality was that dates had to be changed. He cited the utility billing conversion as an example. He noted dead lines and work loads. Everyone involved in this project needed to be realistic. The modules would "Go Live" when City staff was trained and ready. City staff was learning as the process proceeded. Tyler had been a good partner. Each module built upon each other. City staff efforts were described as monumental. The City was beginning to reap the benefits.

Alderman Purcell noted the City's previous system, (Banner). He described it as silos. There were multiple data sources and data was found in various parts. He noted that software conversion did not always work.

Mr. Sprouls restated that the MUNIS project was a lot of work. Team work was required. Tyler Technologies had been a team player. The City's IT staff had their roles as did the various City departments. Data verification was key.

Mayor Stockton expressed his appreciation to City staff for their efforts.

The following was presented:

SUBJECT: Payment for software maintenance to Tyler Technologies for various Munis Modules

RECOMMENDATION/MOTION: That the payment for software license maintenance and support agreement with Tyler Technologies, covering various modules of the City's Munis Enterprise Resource Planning, (ERP), system, in the amount of $25,342.42, be approved and the Purchasing Agent be authorized to issue a Purchase Order for same.

STRATEGIC PLAN LINK: This activity promotes Goal 1. Financially Sound City, Providing Quality Basic Services, Objective d. City services delivered in the most cost-effective, efficient manner.

STRATEGIC PLAN SIGNIFICANCE: Objective 1.d. The Munis ERP system is critical to the daily operations of every City department. As the ERP system is implemented, it is helping to streamline and automate many service-related processes throughout the City. The maintenance agreement is a key ongoing requirment as it provides technical support and software updates for the system.

BACKGROUND: Staff has requested Council approve the payment to Tyler Technologies for the maintenance agreement for multiple Munis modules. This payment is for only seven (7) months, (October 2012 through April 2013), as staff is working towards a common annual renewal date for the maintenance agreements of all the Munis modules. Modules included in this maintenance agreement request are:

InventoryFixed Assets
Utility BillingTyler 311 CRM, (Citizen Request Management)
Performance Based BudgetingBusiness & Vendor Self Service
Citizen Self ServiceEmployee Expense Reimbursement
Maplink, (GIS interface)GASB 34 Report Writer

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable.

FINANCIAL IMPACT: The FY 2013 Budget appropriated $135,000 in funds to renew the support and maintenance agreement for Munis ERP system. The amount is less than budget due to the fact that this agreement is only for seven (7) months. The funds are budgeted in the Information Services Repair and Maintenance Office and Computer Equipment account (10011610-70530) which is found on page #169 of the FY 2013 General Fund Budget.

Respectfully submitted for Council consideration.

Prepared by: Scott Sprouls, Information Services Director

Financial & budgetary review by: Timothy L Ervin, Budget Officer

Legal review by: J. Todd Greenburg, Corporation Counsel

Recommended by:

David A. Hales
City Manager

Mayor Stockton introduced this item.

David Hales, City Manager, recommended approval.

Motion by Alderman Schmidt, seconded by Alderman Fazzini that the payment for software license maintenance and support agreement with Tyler Technologies, covering various modules of the City's Munis Enterprise Resource Planning (ERP) system be approved, in the amount of $25,342.42, and the Purchasing Agent be authorized to issue a Purchase Order.

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

Ayes: Aldermen Stearns, Mwilambwe, Schmidt, McDade, Fazzini, Fruin and Purcell.

Nays: None.

Motion carried.

CITY MANAGER'S DISCUSSION: David Hales, City Manager, reminded the Council of the Fire Station Tour scheduled for January 15, 2013 from 3:00 to 5:00 p.m. The tour would commence at Fire Station #4.

MAYOR'S DISCUSSION: Mayor Stockton informed the Council that he had met with Dr. Allen Goben, Heartland Community College's (HCC) President. HCC had just completed a Strategic Plan. He presented the Council with the plan summary. He expressed his opinion that the City's strategic plan could be more robust.

ALDERMEN'S DISCUSSION: Alderman Schmidt addressed managed competition. She had heard something new regarding this issue. City employees felt targeted. She questioned the Council's ability to mitigate same. She noted that this had been the Council's first public discussion of this issue. She thanked City staff for their work on managed competition.

David Hales, City Manager, acknowledged that the City's solid waste employees felt targeted. The Council had highlighted this program for consideration under managed competition. The Council had unanimously passed the City's Strategic Plan/Action Agenda.

Alderman Fazzini noted that coyotes were an issue in Ward 8. A meeting would be held in the Brookridge Subdivision. The City Police Department and the County's Animal Control Program would be involved.

Alderman McDade also addressed the managed competition discussion. She felt challenged by this issue. Tonight was not the right time for a vote on same. The Council would continue on this path together. The Council needed to create the space for a dialogue.

Motion by Alderman Schmidt, seconded by Alderman Purcell, that the meeting be adjourned. Time: 9:43 p.m.

Motion carried.

Tracey Covert
City Clerk