

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

The Council convened in regular Session in the Council Chambers, City Hall Building, at 7:00 p.m., Monday, March 12, 2012.

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, Bernard Anderson, David Sage, Robert Fazzini, Jennifer McDade, Steven Purcell, Karen Schmidt, Jim Fruin and Mayor Stephen F. Stockton.**

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.

Alton Franklin, 508 Patterson Dr., addressed the Council. He had been attending Council meetings. He believed that his input had been useful. He wanted to make a broad point. There had been a playground mentality on the Council. There needed to be a right of passage. The Council needed to focus on needs and not wants. He cited pension debt as an example. Words without action was called a dream. The Council needed to focus on what needed to be done. He cited the Labyrinth Project as an example. He described this Project as inappropriate. The Council had taken the right approach by bringing in the community.

Jerry Martin, 616 N. Main St., addressed the Council. He was the owner of Hobbyland and was addressing the Council on behalf of the businesses located on the 600 north block of Main St. He requested that the Downtown lighting project be completed on this block.

Alderman Fruin read the same statement that appeared on the August 23, 2010 Council meeting prior to voting.

The following was presented:

SUBJECT: Council Proceedings of February 27, 2012

**RECOMMENDATION:** That the reading of the minutes of the previous Council Proceedings of February 27, 2012 be dispensed with and the minutes approved as printed.

**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:

Recommended by:

Tracey Covert  
City Clerk

David A. Hales  
City Manager

**Motion by Alderman Anderson, seconded by Alderman Mwilambwe that the reading of the minutes of the previous Council Meeting of February 27, 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, Anderson, Fazzini, Sage, Fruin and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

SUBJECT: Bills and Payroll

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

**BACKGROUND:** The list of bills and payrolls will be posted on the City's website on Thursday, March 8, 2012 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:

Recommended by:

Rich Hentschel  
Interim Director of Finance

David A. Hales  
City Manager

**Motion by Alderman Anderson, seconded by Alderman Mwilambwe 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, Anderson, Fazzini, Sage, Fruin and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

SUBJECT: Amendment to the Banner Software Maintenance Contract

**RECOMMENDATION:** That the Amendment to the Banner Software Maintenance Contract from January 1, 2012 through April 30, 2012, in the amount of \$21,651.95, be approved and the Resolution adopted.

**BACKGROUND:** The Banner financial/payroll system has been in place within the City for approximately fifteen (15) years. During that time, the City has continued a software maintenance agreement which provides technical support and periodic software updates. This support is provided through ACS.

The Banner financial system will be replaced by Munis ERP (Enterprise Resource Planning) project. With Munis Phase 1, the financial portion of Banner is no longer in use. Once Munis Phase 2 is fully live, in April 2012, the payroll portion of Banner will also be unused. At that

time, Banner will become a static environment. It will need to be maintained in place to provide historical information.

Once Munis Human Resources/payroll is operational, the Banner system will be a static environment. It will no longer be edited or modified. It will however, need to be maintained in place, for the near future, to provide historical information. After Munis start up is completed, staff will not recommend maintaining Banner support. With no changes being made, and since Banner will no longer be used as a production environment for HR/payroll, staff believes the support agreement will no longer be necessary.

Staff will also be working towards exporting Banner information into a usable generic format to eventually retire the Banner software and hardware entirely.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** Not applicable.

**FINANCIAL IMPACT:** Funds for this support agreement are available in the Information Services Repair/Maintenance Office and Computer Equipment account (10011610-70530) within the Fiscal Year 2012 budget.

Respectfully submitted for Council consideration.

Prepared by:

Reviewed by:

Scott Sprouls  
Information Services Director

Barbara J. Adkins  
Deputy City Manager

Recommended by:

David A. Hales  
City Manager

### **RESOLUTION NO. 2012 - 09**

#### **A RESOLUTION AUTHORIZING A CHANGE ORDER IN THE AMOUNT OF \$21,651.95 IN THE CONTRACT BETWEEN THE CITY OF BLOOMINGTON AND BANNER SOFTWARE**

WHEREAS, the City of Bloomington has previously entered into a contract with Banner Software; and

WHEREAS, for the reasons set forth in a staff report dated March 12, 2012 it was necessary to extend the Agreement with Banner Software due to the integration of Munis Enterprise Resource Planning; and

WHEREAS, it is the finding of the City Council that the decision to perform the work described in the March 12, 2012 memo was in the best interest of the citizens of the City of Bloomington.

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

That a change order in the amount of \$21,651.95 in the contract between the City of Bloomington and Banner Software be approved.

ADOPTED this 12<sup>th</sup> day of March, 2012.

APPROVED this 13<sup>th</sup> day of March, 2012.

APPROVED:

Stephen F. Stockton  
Mayor

ATTEST:

Tracey Covert  
City Clerk

**Motion by Alderman Anderson, seconded by Alderman Mwilambwe that the Amendment to the Banner Software Maintenance Contract from January 1, 2012 through April 30, 2012, in the amount of \$21,651.95, be approved, and the Resolution adopted.**

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

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

**Nays: None.**

**Motion carried.**

**The following was presented:**

SUBJECT: Amendment to Brush Disposal Contract

**RECOMMENDATION:** That the Amendment to the Brush Disposal Contract with T. Kirk Brush, Inc., (TKB) be approved and the Resolution adopted.

**BACKGROUND:** On June 28, 2010, Council approved entering into an agreement with TKB for the disposal of brush generated by City households participating in the refuse collection program. The current monthly fee for this service is fourteen dollars (\$14). Without Council action as of May 1, 2012, the refuse collection fee will revert back to seven dollars (\$7) per month per Council action in April 2011.

The City continues to collect brush from curbs on a daily basis. Approximately 30,000 cubic yards of brush are collected and processed at TKB's disposal site annually. The three year average for brush disposal for the City is 27,800 cubic yards. With 25,500 residential units participating in the solid waste program, there is just over one (1) cubic yard of brush disposed per residential unit per year.

Brush collected at the curb by City bulk crews is delivered to the TKB site off of Hamilton Road. The brush is stored until a grinder is able to reduce the material to mulch. This normally occurs on a weekly basis. The mulch product can be sold or given away, depending on the quality and market. The City has a 50% cost sharing agreement with TKB but has seen only minimal dollars for product sold. The City has received \$400 from TKB to this point for the material sold. There is not a mechanism in place to verify what if any mulch product is sold for a profit. TKB has stated that there has not been a market for this material where any money is made.

The original contract is in effect until May 1, 2012. The contract also allows the City to extend the contract for one (1) year upon mutual agreement with TKB. On January 17, 2012, Tom Kirk sent a letter requesting this mutually agreed upon extension. Staff has been pleased with the service level and facility over the last two (2) years.

The City has provided brush collection at the curb since the Illinois Environmental Protection Agency banned landscape waste from landfills in 1990. At this time, TKB is the only local vendor that is approved by the Illinois Environmental Protection Agency (IEPA), as confirmed by Mike Mullins, Environmental Protection Specialist, Illinois EPA "Champaign Region".

The City does not currently have another local option. There is one (1) other local facility in the area that has started the process of obtaining a permit: Twin City Wood located in Bloomington. The IEPA states that it takes at least twelve (12) months from submission of a permit application to permit receipt.

During the next twelve (12) months, staff will prepare a Request for Proposal (RFP), advertise same, and seek out vendors for the City's brush disposal.

A survey completed by Public Works staff a few years ago shows that while all the communities provide brush collection service, the types of brush service vary significantly. In Moline, brush is collected, but must be bundled. Champaign provides four (4) pickups in the fall and two (2) in the spring. Decatur and Normal have weekly collection year round while Danville restricts collection between the months of April to December. Rock Island has a subscription service while Arlington Heights has a sticker based collection program. There does not appear to be an industry standard for brush collection throughout Central Illinois.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: IEPA.**

**FINANCIAL IMPACT:** The current contract with TKB specifies \$7.91 per cubic yard for brush disposal. Staff estimates 30,000 cubic yards for same. The annual cost for Fiscal Year 2013 is estimated at \$237,300. Dollars will be budgeted in other purchased services; Line Item: 54404400-70690. Terms of the financial agreement will stay the same.

Respectfully submitted for Council consideration.

Prepared by:

Reviewed by:

Reviewed by:

Jim Karch, PE CFM  
Director of Public Works

Robert Henson  
Supt. of Solid Waste

Rich Hentschel  
Interim Director of Finance

Reviewed by:

Reviewed as to legal sufficiency:

Recommended by:

Barbara J. Adkins  
Deputy City Manager

J. Todd Greenburg  
Corporation Counsel

David A. Hales  
City Manager

**RESOLUTION NO. 2012 - 10**

**A RESOLUTION AUTHORIZING A CHANGE ORDER IN THE ESTIMATED ANNUAL AMOUNT OF \$237,300 IN THE CONTRACT BETWEEN THE CITY OF BLOOMINGTON AND T. KIRK BRUSH, INC.**

WHEREAS, the City of Bloomington has previously entered into a contract with T. Kirk Brush, Inc.; and

WHEREAS, for the reasons set forth in a staff report dated March 12, 2012 it was necessary to extend the Agreement with T. Kirk Brush due to the Illinois Environmental Protection Agency regulations; and

WHEREAS, it is the finding of the City Council that the decision to perform the work described in the March 12, 2012 memo was in the best interest of the citizens of the City of Bloomington.

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

That a change order in the amount of \$237,300 in the contract between the City of Bloomington and T. Kirk Brush, Inc. be approved.

ADOPTED this 12<sup>th</sup> day of March, 2012.

APPROVED this 13<sup>th</sup> day of March, 2012.

APPROVED:

Stephen F. Stockton  
Mayor

ATTEST:

Tracey Covert  
City Clerk

**Motion by Alderman Anderson, seconded by Alderman Mwilambwe that the Amendment to the Brush Disposal Contract with T. Kirk Brush, Inc., be approved, and the Resolution adopted.**

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

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

**Nays: None.**

**Motion carried.**

**The following was presented:**

**SUBJECT: Purchase Spray Park Play Apparatuses Through the National Joint Powers Alliance (NJPA) Member #25014**

**RECOMMENDATION:** That the purchase of five (5) water spray features for McGraw Park from Water Odyssey through the NJPA in the amount of \$31,240 be approved and the Purchasing Agent be authorized to issue a Purchase Order for same.

**BACKGROUND:** The McGraw Park spray park was opened for use in 2003 and is used on a daily basis from May through September. The current animal spray features are made of a soft, sponge like rubber that shoot water and are soft enough for children to sit on. This material is susceptible to damage and vandalism. The damage to the animal spray features has grown to the point that they can no longer be repaired. There are also two (2) life like palm trees which drop water from their branches. These are more suited to indoor water parks. Due to the exposure to the weather, they have deteriorated to the point of being unsightly and they do not work properly.



The new water features, if purchased from Water Odyssey, would be installed and maintained by the Park Maintenance staff. Staff is recommending the purchase of two (2) palm trees, which will drop water from their leaves, made of a more durable material suitable for outdoor spray parks. Also recommended a three (3) arm assembly fill and spill. This feature drops water out of buckets at varying times. Another recommended feature is Little Sqwerts Frog, which is a water gun. It shoots water out of the mouth and can be rotated in various directions. All the above features are made of stainless steel and will not deteriorate over time. The last feature is Fun Forms Alligator and water comes from its back. This animal is made of hardened fiberglass and is designed for toddlers to sit on and will not deteriorate over time. Currently, Tipton Park has some Water Odyssey spray features that have required little to no maintenance.

The structural pipe and anchor bases are all made of stainless steel pipe and are warranted for twenty-five (25) years. Spray nozzles are brass or stainless steel and are warranted for five (5) years. The finish coatings on all of the piping are warranted for two (2) years and the fiberglass is warranted against defects for three (3) years. A life expectancy of twenty-five (25) years is reasonable for all stainless steel features not including nozzles or painted surfaces. The Fun Forms alligator life expectancy is ten to fifteen (10 – 15) years. It is fiberglass and will not be as durable as stainless steel.

<b>Feature</b>	<b>List Price</b>	<b>NJPA Price</b>
Water Palm	\$14,210	\$13,073
Fill n Spill-3 Arm	\$10,290	\$9,467
Little Sqwerts Frog	\$5,370	\$4,940
Fun Forms-Gracie Gator	\$1,940	\$1,785
Freight	\$2,202	\$1,975
<b>Total</b>	<b>\$34,012</b>	<b>\$31,240</b>

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** NJPA.

**FINANCIAL IMPACT:** Funds are available in account 10014110-72190. The NJPA establishes and provides nationally leveraged and competitively solicited purchasing contracts under the guidance of the Uniform Municipal Contracting Law (M.S. 471.345 Subd. 15). The Joint Exercise of Powers Laws (M.S. 471.59) allows their members to legally purchase through their contracts without duplicating their own competitive bidding process and requirements. The result of this cooperative effort is a high quality selection of nationally leveraged, competitively bid contract solutions to help meet the ever challenging needs of their current and future member agencies.

Respectfully submitted for Council consideration.

Prepared by:

Reviewed by:

Robert Moews, Supt. of Park Maintenance  
Parks, Recreation & Cultural Arts

John R. Kennedy, Director  
Parks, Recreation & Cultural Arts

Reviewed by:

Barbara J. Adkins  
Deputy City Manager

Recommended by:

David A. Hales  
City Manager

Reviewed by:

Kim Nicholson  
Purchasing Agent

**Motion by Alderman Anderson, seconded by Alderman Mwilambwe that the purchase of five (5) water spray features for McGraw Park from Water Odyssey through the NJPA in the amount of \$31,240 be approved and the Purchasing Agent be authorized to issue a Purchase Order for same.**

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

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

**Nays: None.**

**Motion carried.**

**The following was presented:**

**SUBJECT: Purchase Spray Park Surfacing for McGraw Park Through U.S. Communities Government Purchasing Alliance (USCGPA)**

**RECOMMENDATION:** That the purchase of a two inch (2") thick poured in place rubber surface from Kompan Inc. through USCGPA be approved in the amount of \$37,411.20, and the Purchasing Agent be authorized to issue a Purchase Order for same.

**BACKGROUND:** The McGraw Park spray park was opened for use in 2003 and is used on a daily basis from May through September. The original surfacing was made of an EPDM, (Ethylene Propylene Diene Monomer, M-class), rubber and a binder, (glue), that was not chlorine resistant. This led to premature surface failure after the two (2) year warranty period had expired. The rubber surfacing no longer adheres to the concrete base and is free floating. The wear course, or top one half inch (1/2") of surfacing, has areas missing that have worn off over time. The seams, where two (2) different colors come together, have begun to separate and are no longer repairable. The condition of the surface has deteriorated and if not replaced would be unsafe to open this year.

Since the time of the original installation at McGraw Park, the spray park surfacing industry has better installation procedures and improved raw materials which resulted in a longer lasting product. One (1) such product would be Vitri-turf, the product being requested for installation at McGraw Park. Park Maintenance staff visited two (2) park sites in the Chicago Park District that are currently using Vitri-turf spray park surfacing. The first site visited was Mayfair Park and Chicago park staff stated that they have not had any problems with the spray ground surfacing since it was installed in 2011. The second site visited was Haas Park which has a clubhouse with a playground and a spray ground located behind it. This is a relatively new park, built in 2010, with a small spray park. They have not had any problems with the spray ground surfacing. Finally, staff visited the rest area on Interstate 74W between Goodfield and Peoria which has a play area for children where Vitri-turf has been installed. The surfacing has been in place since 2003 and, in our parks staff's opinion, is in very good condition.

The new rubber surfacing will be made of a TPV, (Thermoplastic Vulcanazites), one half inch (½") wear course which is one hundred percent (100%) preconsumer rubber. The one and one half inch (1½") base mat is made of recycled truck tires which is called SBR rubber. The binder (glue) is chlorine resistant and Aliphatic which holds its color longer and will not yellow over time. TPV has resistance to the effects of ozone, UV rays and diverse chemical products, with an operating temperature from -60 to 135°C. The surfacing will be three (3) different colors: blue, green and tan. The one half inch (½") wear course will be one hundred percent (100%) color. There is a five (5) year warranty on any surface defects including discoloration or bonding. The surface will be installed by certified Vitri-turf installers and will have a life expectancy of ten to fifteen (10 - 15) years with normal maintenance.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** USCGPA and the Chicago Park District.

**FINANCIAL IMPACT:** Funds are available in account 10014110-72190. The USCGPA is a government purchasing cooperative that reduces the cost of goods and services by aggregating the purchasing power of public agencies nationwide. USCGPA provides procurement resources and solutions to local and state government agencies, school districts, (K-12), higher education, and nonprofits. Participants have access to a broad line of competitively solicited contracts with best in class national suppliers.

Respectfully submitted for Council consideration.

Prepared by:

Robert Moews, Supt. of Park Maintenance  
Parks, Recreation & Cultural Arts

Reviewed by:

John R. Kennedy, Director  
Parks, Recreation & Cultural Arts

Reviewed by:

Recommended by:

Barbara J. Adkins  
Deputy City Manager

David A. Hales  
City Manager

**Motion by Alderman Anderson, seconded by Alderman Mwilambwe that the purchase of a two inch (2") thick poured in place rubber surface from Kompan Inc. through USCGPA, be approved in the amount of \$37,411.20, and the Purchasing Agent be authorized to issue a Purchase Order for same.**

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

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

**Nays: None.**

**Motion carried.**

**The following was presented:**

**SUBJECT:** Analysis of Bids for Fort Jesse Pump Impeller and Seal Replacement, (Installation of Two (2) Rotating Elements for Two (2) Booster Pumps)

**RECOMMENDATION:** That the bid for installation of two (2) rotating elements for two (2) booster pumps at the Fort Jesse Road Pump Station be awarded to George Gildner, Inc. in the amount of \$54,200, and the Purchasing Agent be authorized to issue a Purchase Order for same.

**BACKGROUND:** The Fort Jesse Road Pump Station is the booster pump station which takes water that has been pumped from Lake Bloomington Water Treatment Facility and boosts the pressure for distribution into the City. Two (2) of the pumps in this facility are in need of replacement. Following a routine inspection, the rotating elements, (the impeller and associated equipment), were determined to be worn and have caused the pump to decrease in output. Replacing the rotating elements will improve the capacity and efficiency of the pumps.

On February 9, 2012, bids were publicly opened and read for the installation of two (2) rotating elements for two (2) booster pumps at the Fort Jesse Road Pump Station. The bid was advertised in the Pantagraph and individual pump supply and repair firms were contacted. Sealed bids for the project were. The bids received were as follows:

<b>COMPANY</b>	<b>BID</b>
George Gildner, Inc., Bloomington, IL	\$54,200
Water Well Solutions, IL Division, LLC, Elburn, IL	\$73,108

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** Not applicable.

**FINANCIAL IMPACT:** This project will require the payment of \$54,200 from the Water Department Operations and Maintenance fund, Repair and Maintenance of Equipment account, #50100120-70540. That fund was budgeted at \$535,000 and has a positive balance.

Respectfully submitted for Council consideration.

Prepared by:

Reviewed by:

Craig M. Cummings  
Director of Water

Barbara J. Adkins  
Deputy City Manager

Financial Review by:

Recommended by:

Rich Hentschel  
Interim Director of Finance

David A. Hales  
City Manager

**Motion by Alderman Anderson, seconded by Alderman Mwilambwe that the bid for Fort Jesse Pump Impeller and Seal Replacement, (installation of two (2) rotating elements for two (2) booster pumps), be awarded to George Gildner, Inc. in the amount of \$54,200, and the Mayor and City Clerk be authorized to execute the necessary documents.**

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

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

**Nays: None.**

**Motion carried.**

**The following was presented:**

**SUBJECT:** Application of Ragucci's Italian Cafe, Inc., d/b/a Ragucci's Italian Cafe, located at 1804 S. Hershey Rd., #10, (previous location of Café Italia) for an RBS liquor license, which will allow the sale of beer and wine only by glass for consumption on the premises seven (7) days week

**RECOMMENDATION:** That an RBS liquor license for Ragucci's Italian Cafe, Inc., d/b/a Ragucci's Italian Cafe, located at 1804 S. Hershey Rd., #10, be created, contingent upon compliance with all applicable health and safety codes.

**BACKGROUND:** The Bloomington Liquor Commissioner Stephen Stockton called the Liquor Hearing to order to hear the request of Ragucci's Italian Cafe, Inc., d/b/a Ragucci's Italian Cafe located at 1804 S. Hershey Rd., #10, requesting an RBS liquor license which would allow the sale of beer and wine only by glass for consumption on the premises seven (7) days week. Present at the hearing were Liquor Commissioners Steve Stockton, Richard Buchanan, Marabeth Clapp, Steven Petersen, Mark Gibson and Geoffrey Tompkins; George Boyle, Asst. Corporation Counsel, Clay Wheeler, Asst. Police Chief, and Tracey Covert, City Clerk, and Doug Stolfa, owner/operator and Applicant representative.

Commissioner Stockton opened the liquor hearing and requested that the Applicant address this request. Doug Stolfa, owner/operator and Applicant representative, addressed the Commission. Ragucci's would be a small Italian cafe. It would be located at Cafe Italia's former location. He had a signed lease. He planned to serve breakfast, lunch and dinner. Business hours would be from 6:00 a.m. until 9:00 p.m. The restaurant would be open six to seven (6 - 7) days a week. The request was to serve beer and wine only. He believed that alcohol sales would equal less than twenty percent (20%) of total sales.

Mr. Stolfa added that Ragucci's would also offer catering. He had attended BASSETT, (Beverage Alcohol Sellers & Server Education & Training), training. He cited his past twenty-eight (28) years of experience as manager of CJ's, his father's restaurant, located at 2901 E. Empire St. He planned to send his staff to BASSETT training. Food would also be available for delivery.

Commissioner Stockton noted the proximity of this restaurant to his residence. He welcomed the return of a restaurant to this location. He described it as a nice neighborhood spot. He questioned if Mr. Stolfa planned to deliver alcoholic beverages. Mr. Stolfa responded negatively. Only food would be available for delivery. Alcoholic beverage service would be offered for catered events.

Commissioner Stockton questioned the menu. Mr. Stolfa cited light breakfast, (eggs, pancakes, sausage, bacon). Lunch offerings would include four (4) sandwiches, two (2) soups, pasta of the day and thin crust pizza. He noted the dinner menu would offer the lunch menu plus appetizers, six (6) pasta dishes and desserts. The restaurant would seat forty (40).

Commissioner Stockton questioned if Mr. Stolfa had the option to lease additional space. Mr. Stolfa informed the Commission that he had first right of refusal. It would allow an expansion of sixty (60) seats.

Commissioner Stockton questioned outdoor seating. Mr. Stolfa responded affirmatively. He was working with the landlord. He hoped to offer an outdoor patio with four (4) tables and seating for twenty (20). The patio would be landscaped and fenced as needed. Commissioner Stockton informed Mr. Stolfa that the City would need a layout of the area to be added to the premise.

Commissioner Gibson questioned if the Commission needed to determine the premise extension. Commissioner Stockton stated that the drawing needed to be provided to the City Clerk's Office prior to March 12, 2012. Mr. Stolfa stated that a drawing would be provided by next week.

Commissioner Tompkins noted Mr. Stolfa's experience in the restaurant business. He also cited Mr. Stolfa's BASSETT training.

Motion by Commissioner Tompkins, seconded by Commissioner Petersen that the application of Ragucci's Italian Cafe, Inc., d/b/a Ragucci's Italian Cafe located at 1804 S. Hershey Rd., #10, 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 be approved.

Motion carried, (unanimously).

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** Public notice was published in the Pantagraph in accordance with City Code. In accordance with City Code, approximately two (2) courtesy copies of the Public Notice were mailed. In addition, the Agenda for the February 14, 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 liquor license. Annual fee for a RBS liquor license is \$1,110.

Respectfully,

Reviewed and concur:

Stephen F. Stockton  
Chairman of Liquor Commission

Randall D. McKinley  
Police Chief

**Motion by Alderman Anderson, seconded by Alderman Mwilambwe that an RBS liquor license for Ragucci's Italian Cafe, Inc., d/b/a Ragucci's Italian Cafe, located at 1804 S. Hershey Rd., #10, 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, Anderson, Fazzini, Sage, Fruin and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**SUBJECT:** Application of PATH for a fundraiser to be held on April 5, 2012 from 4:00 p.m. until 12 a.m., (midnight), at the Bloomington Center for the Performing Arts, located at 600 N. East St., 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

**RECOMMENDATION:** That a LA liquor license for PATH for a fundraiser to be held on April 5, 2012, from 4:00 p.m. until 12 a.m., (midnight), at the Bloomington Center for the Performing Arts, (BCPA), located at 600 N. East St., be created, contingent upon compliance with all applicable health and safety codes.

**BACKGROUND:** The Bloomington Liquor Commissioner Stephen Stockton called the Liquor Hearing to hear the application of PATH 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 and Rich Buchanan; Tracey Covert, City Clerk; and Karen Zangerle, PATH's Executive Director and Applicant representative.

Commissioner Stockton questioned the purpose of this application. Karen Zangerle, PATH's Director and Applicant representative, began by informing the Commission that this application was for a fundraiser for PATH to be held at the BCPA on Thursday, April 5, 2012 from 4:00 p.m. to 12 a.m. (midnight). This request was for a Limited License for a nonprofit corporation.

Commissioner Stockton questioned if there were any changes from last year. She informed the Commission that last year an attendee brought their child. The parents participated in the live auction. A celebrity judge seat was auctioned. Their child was interested in becoming a chef and they were awarded the seat.

This would be the fourth year for Chef's for PATH. Last year, PATH applied for and was granted an LA liquor license for this event. Ticket sales would be limited to 250. She believed that the event would sell out this year. Ticket sales commenced on February 13, 2012. Ticket price was \$65. There will be five (5) chef stations. The following five (5) restaurants and their chefs were confirmed: Destihl, Station 220, Luther Oaks, Swingers Grille and Biaggi's. Each will prepare 250 servings. The dessert provider would be Baxter's. Baxter's has been guaranteed a spot for next year's event. The top two (2) chefs, (determined by vote), will have a live cook off.

Last year's event raised \$43,000. The event included a live and silent auction. Chefs for PATH came about as a Leadership McLean County small group project.

Commissioner Stockton questioned liquor sales. Ms. Zangerle noted that there would be two (2) bars. The bartenders offered their services at no charge. Identification would be requested. The cash bar would offer specialty beer, wine and high end liquor. This year, the specialty martini would be the Crisistini.



The ticket price attracted an older crowd. This year, attendees had the ability to order a bottle of wine in advance of the event.

Attendees would be greeted by a maitre d. A hostess would escort the guests to their table and present the beverage list. PATH would be a restaurant for one night. There would be sixty (60) volunteers plus PATH staff on hand to man the event.

Commissioner Stockton did not see any problems with this event.

Commissioner Stockton recommended that an LA liquor license be created for PATH for a fundraiser to be held on April 5, 2012 from 4:00 p.m. - 12:00 a.m. (midnight) at the BCPA, located at 600 N. East St.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** Notice of the Liquor Hearing was placed in the press boxes at City Hall.

**FINANCIAL IMPACT:** None.

Reviewed by:

Reviewed by:

John Kennedy, Director of  
Parks, Recreation & Cultural Arts

Barbara J. Adkins  
Deputy City Manager

Respectfully:

Reviewed and concur:

Stephen F. Stockton  
Chairman of Liquor Commission

Randall D. McKinley  
Police Chief

**Motion by Alderman Anderson, seconded by Alderman Mwilambwe that a LA liquor license for PATH for a fundraiser to be held on April 5, 2012, from 4:00 p.m. until 12 a.m., (midnight), at the Bloomington Center for the Performing Arts, (BCPA), located at 600 N. East 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, Anderson, Fazzini, Sage, 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 November 10, 2012

**RECOMMENDATION:** 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 November 10, 2012 be approved.

**BACKGROUND:** The Bloomington Liquor Commissioner Stephen Stockton called the Liquor Hearing to order to hear the request of the Caroline Oles and Travis Stone to allow moderate consumption of alcohol at Miller Park Pavilion for their wedding reception on November 10, 2012. Present at the hearing were Liquor Commissioners Steve Stockton, Richard Buchanan, Marabeth Clapp, Steven Petersen, Mark Gibson and Geoffrey Tompkins; George Boyle, Asst. Corporation Counsel; Clay Wheeler, Asst. Police Chief; and Tracey Covert, City Clerk, and Caroline Oles and Travis Stone.

Commissioner Stockton opened the liquor hearing and requested that Ms. Oles and Mr. Stone address the Commission regarding this request. Caroline Oles addressed the Commission. She informed them that the wedding reception was scheduled for Saturday, November 10, 2012. Alcohol service, (beer and wine only), would be provided for the 110 wedding guests. They had spoken with Bruce Williams at Famous Liquors located at 1404 E. Empire St. This would be an evening reception with dinner. The time line for the reception was from 7:00 p.m. until 11:00 p.m.

Commissioner Stockton noted that he had heard good reviews regarding the use of this building.

Motion by Commissioner Tompkins, seconded by Commissioner Clapp that the request of Caroline Oles and Travis Stone to allow moderate consumption of alcohol at Miller Park Pavilion for their wedding reception on November 10, 2012 be approved.

Motion carried, (unanimously).

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** The Agenda for the February 14, 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.

Reviewed by:

Reviewed by:

Reviewed and concur:

John Kennedy, Director of  
Parks, Recreation & Cultural Arts

Barbara J. Adkins  
Deputy City Manager

Randall D. McKinley  
Police Chief

March 12, 2012

1177

Recommended by:

Respectfully,

David Hales  
City Manager

Stephen F. Stockton  
Chair Liquor Commission

**ORDINANCE NO. 2012 - 11****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, Caroline Oles and Travis Stone are planning to hold their wedding reception at the Miller Park Pavilion from 7:00 p.m. to 11:00 p.m. on November 10, 2012; and

WHEREAS, Caroline Oles and Travis Stone 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 November 10, 2012 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 12<sup>th</sup> day of March, 2012.

APPROVED this 13<sup>th</sup> day of March, 2012.

APPROVED:

Stephen F. Stockton  
Mayor

ATTEST:

Tracey Covert  
City Clerk

**Motion by Alderman Anderson, seconded by Alderman Mwilambwe 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 November 10, 2012 be approved.**

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

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

**Nays: None.**

**Motion carried.**

**The following was presented:**

SUBJECT: Permanent Easement to McLean County for Parcel of Land located at Lake Bloomington

**RECOMMENDATION:** That the Easement Agreement be approved and the Mayor and City Clerk be authorized to execute the necessary documents.

**BACKGROUND:** McLean County is planning to replace the Hickory Creek Bridge at Lake Bloomington, at a cost of \$1 million, will take place between June 3, 2012 and August 31, 2012. During that time, the road will be closed to through traffic and traffic will be detoured along County Highway 63 (Ron Smith Memorial Highway). This project includes the removal and replacement of the existing bridge, along with widening of the road to twenty-four feet (24') with eight foot (8') shoulders on each side. This widened cross section will allow for safer interaction between passenger vehicles and farm equipment.

Per the attached Agreement, the City grants to McLean County the right, easement and privilege to enter upon certain land at Lake Bloomington for the purpose of constructing, maintaining and repairing embankments for County Highway 31 and the bridge crossing the south end of Lake Bloomington road.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** McLean County.

**FINANCIAL IMPACT:** Not applicable.

Respectfully submitted for Council consideration.

Prepared by:

Reviewed by:

Recommended by:

Rosalee Dodson  
Asst. Corporation Counsel

Craig Cummings  
Director of Water

David A. Hales  
City Manager

### **PERMANENT EASEMENT**

The City of Bloomington, Illinois, a municipal corporation, hereinafter referred to as Grantor, for and in consideration of ten dollars (\$10.00) and other good and valuable consideration, including the terms and conditions set forth herein, grants the right, easement and privilege to enter upon the following described land unto Mclean County, Illinois, a body corporate and politic, its agents, contractors and engineers, hereinafter referred to as Grantee, for the purpose of constructing, maintaining and repairing embankments for County Highway 31 and the bridge crossing the south end of Lake Bloomington road.

Legal Description of Easement attached hereto as EXHIBIT A and incorporated herein by reference.

The grant of this Easement is subject to the following terms and conditions:

1. Grantee, through its employees, agents and/or contractors shall have the free right of ingress and egress over and across the easement property, provided that such ingress and egress shall (a) be subject to the provisions hereof, and (b) be necessary for the proper use of any right granted hereunder.
2. Grantee's use of the easement area is conditioned upon Grantee obtaining any and all permits required by any state, federal or local government authority for placing fill materials in or removing materials from Lake Bloomington.
3. Grantor shall not disturb the easement area without notice to Grantee and Grantee's consent.
4. Grantee agrees to indemnify and hold Grantor harmless from any and all liability, damage, expense, cause of action, suits or claims of judgment arising from injury to persons and/or property on the above-described premises which arise out of the act, or failure to act, or negligence of Grantee, its agents, employees or assigns in the exercise of the rights under this Agreement.
5. The terms, conditions and provisions of the Easement as herein set forth shall be binding upon and inure to the benefit of the heirs, successors and assigns of the respective parties hereto and shall run with title to the land.

Dated this 13<sup>th</sup> day of March, 2012.

Grantor

Stephen F. Stockton, Mayor

STATE OF ILLINOIS         )  
   ) ss.  
 COUNTY OF McLEAN         )

I, the undersigned, a notary public in an for said County, in the State aforesaid, do hereby certify that Stephen F. Stockton personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that he signed, sealed and delivered said instrument as his free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and notarial seal this 13<sup>th</sup> day of March, A.D., 2012.

Tracey M. Sullivan-Covert  
 Notary Public

(SEAL)

**EXHIBIT A**

DESCRIPTION

PARCEL 1PE

A part of the Northwest Quarter of Section 12, Township 25 North, Range 2 East of the Third Principal Meridian, described as follows:

Commencing at the Southeast corner of the Northeast Quarter of said Section 12; thence North 86 degrees 36 minutes 16 seconds West along the south line of the North Half of said section 12, a distance of 3681.24 feet; thence North 00 degrees 00 minutes 00 seconds West, 34.84 feet to the existing north right of way line of County Highway 31 and the point of beginning; thence South 90 degrees 00 minutes 00 seconds West along said line, 457.11 feet; thence North 08 degrees 27 minutes 26 seconds East along said line, 118.29 feet; thence North 90 degrees 00 minutes 00 seconds East, 19.71 feet; thence South 00 degrees 00 minutes 00 seconds East, 90.00 feet; thence North 90 degrees 00 minutes 00 seconds East, 420.00 feet; thence South 00 degrees 00 minutes 00 seconds East; 27.00 feet to the point of beginning, containing 0.337 acres, more or less.

PARCEL 2PE

A part of the Southwest Quarter of Section 12, Township 25 North, Range 2 East of the Third Principal Meridian, described as follows:

Commencing at the Northeast corner of the Southeast Quarter of said Section 12; thence North 86 degrees 36 minutes 16 seconds West along the north line of the South Half of said Section 12, a distance of 3681.24 feet; thence South 00 degrees 00 minutes 00 seconds East, 31.16 feet to the existing south right of way line of County Highway 31 and the point of beginning; thence South 00 degrees 00 minutes 00 seconds East, 27.00 feet; thence South 90 degrees 00 minutes 00 seconds West, 500.00 feet; thence North 61 degrees 49 minutes 05 seconds West, 58.28 feet to the existing southerly right of way line of County Highway 31; thence South 86 degrees 06 minutes 03 seconds East along said line, 7.71 feet; thence North 90 degrees 00 minutes 00 seconds East along said line, 543.68 feet to the point of beginning, containing 0.326 acres, more or less.

**Motion by Alderman Anderson, seconded by Alderman Mwilambwe that the Easement Agreement be approved and the Mayor and City Clerk be authorized to execute the necessary documents.**

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

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

**Nays: None.**

**Motion carried.**

**The following was presented:**

**SUBJECT: Purchase of Two (2) 2013 International Navistar 4300 Medtec Additional Duty Type I Ambulances**

**RECOMMENDATION:** That the purchase of two (2) 2013 International Navistar 4300 Medtec Additional Duty Type I Ambulances from Foster Coach, Sterling, IL, through the Northwest Municipal Conference (NWMC) in the amount of \$439,906, be approved, and the Purchasing Agent be authorized to issue a Purchase Order for same.

**BACKGROUND:** In October 2011, the City purchased two (2) 2012 International Navistar 4300 Medtec Additional Duty Type I Ambulances. The projected delivery date is mid-July 2012. The Fire Department continues to struggle with maintenance issues for all current frontline ambulances. Both units are 2005 Ford E450 with 6.0 liter engines. One (1) unit had a Long Block engine installed and the other had a Short Block engine installed, both under warranty. Both units have had EGR Cooler, fuel injectors, turbochargers, water pumps, engine oil coolers, oil filter housing, fuel filter housing, IPR control valve, alternators, A/C compressors, and cam sensors replaced. This year one (1) unit had the engine replaced and the other one (1) had to have head gaskets and rear engine plate gasket replaced. Since the beginning of this fiscal year, the department has incurred \$34,299.34 in maintenance costs including rebuilding and replacing engines.



At the direction of the City Manager's Office, the Fire Department request immediate purchase of two (2) additional ambulances. These ambulances were originally scheduled to be replaced in the Fiscal Year (FY) 2013 budget. The rapid deterioration of the City's ambulances and the nine (9) month build time for new ambulances has accelerated this purchase to protect public safety. The new units will replace two (2) frontline units which will be placed on reserve status and the current reserve units will be declared surplus and disposed of via auction. The approximate delivery date on units ordered at this time would be November 2012. To ensure fleet consistency, these ambulances will mirror the units purchased last fall with self-contained breathing apparatus, new mobile radios, remote spotlight, and vehicle striping and lettering. The replacement of a current reserve ambulance was delayed nearly two (2) years due the budgetary concerns.

According to 30ILCS 525/2 from CH. 85, pr. 1602 Sec. 2 (a) Any governmental unit may purchase personal property, supplies and services jointly with one or more other governmental units. All such joint purchases shall be by competitive bids as provided in Section 4 of this Act. The vendor available for ambulance purchase was Foster Coach, Inc., a Medtec Ambulance sales representative. This vendor was selected after participation in a bid process with the Suburban Purchasing Cooperative (SPC).

Similar to the last purchase, the ambulances will not be put out for bid directly by the City. This equipment will be purchased through the SPC which combines the resources and purchase power of multiple governments to jointly bid and negotiate advantageous contract terms in regards to high quality products at the lowest possible price. The SPC is a joint purchase program sponsored by the NWMC, DuPage Mayors & Managers Conference, (DMMC), South Suburban Mayors and Managers Association, (SSMMA), and Will County Governmental League, (WCGL). Together the SPC represents 150 municipalities and townships in the Chicago land area. The following entities are eligible to participate in the SPC joint purchasing programs: municipalities, townships, counties, park districts, libraries, school districts and non-profit organizations. The SPC exemplifies the benefits of intergovernmental cooperation on a regional basis.

Economies of scale in terms of price and staff resources are the prime objectives of the SPC Joint Purchasing Program. By purchasing through the SPC, the Fire Department will not only save money, but ensure these vehicles are purchased on an accelerated basis to preserve life and property. Acting as an extension of the purchaser's staff, SPC staff works diligently to avoid the needless duplication of effort through in-house coordination of several functions involved in the procurement process.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** There were no other vendors contacted, the department is a member of NMC and is taking advantage of SPC.

**FINANCIAL IMPACT:** Staff recommends the purchase of two (2) ambulances from the SPC with FY 2012 General Fund dollars. Council's wisdom to establish a healthy unreserved reserve fund has enabled the City to absorb this significant unbudgeted equipment purchase in FY 2012 from line item 10015210-72130. Staff recommends Council approve a budget amendment in the amount equal to the cost of these ambulances for the account specified in the prior section.

Respectfully submitted for Council consideration.

Prepared by:

Reviewed by:

Budget review by:

Eric Vaughn  
Training Officer

Mike Kimmerling  
Fire Chief

Timothy Ervin  
Performance Auditor/Budget Mngr.

Recommended by:

David A. Hales  
City Manager

**Mayor Stockton introduced this item.**

**David Hales, City Manager, addressed the Council. These two (2) ambulances were not included in the Fiscal Year (FY) 2012 budget. This purchase was planned to become a part of the FY 2013 budget. The existing ambulances were unreliable. He cited the call volume for these emergency vehicles. Ambulances were a vital part of the City's Emergency Management Services, (EMS). There were funds available to cover this cost. He noted that a budget amendment was needed.**

**Mike Kimmerling, Fire Chief, addressed the Council. He restated that these ambulances were included in the City's FY 2013 budget. He noted that for years the City did not replace capital equipment. There were issues with these 2005 ambulances. He cited reliability and dependability. He believed that the existing ambulances were part of a class action lawsuit. He noted the call volume; the four (4) front line ambulances transported 8,000 patients. He added that two (2) ambulances were held in reserve and one (1) ambulance was stock. The reserve ambulances were also called standby units. They see regular use. The Fire Department was operating with a 1999 and a 2002 ambulance. The 2005 ambulances would be replaced.**

**Mr. Hales described the 2005 ambulances as unacceptable vehicles. He expressed his great concern. He recommended that two (2) ambulances be purchased at this time. The delivery time was six to seven (6 – 7) months. Budget dollars would be shifted.**

**Alderman Stearns restated that the City would be purchasing two (2) ambulances. She questioned if there were problems with the Ford ambulances. Chief Kimmerling restated that the City would not retain the 2005 ambulances. He noted the maintenance burden. The City will retain a 2006 and a 2008 ambulance. Alderman Stearns questioned the miles driven per year by these ambulances. Chief Kimmerling informed the Council that the Fire Department tracked calls for service. The City's Fleet Division also looked at hours of service and repair costs.**

Alderman Mwilambwe questioned how to avoid this situation in the future. He believed that this was a safety issue. He believed that the City's goal was to offer a first class operation. Chief Kimmerling recommended that the City adopt a vehicle replacement schedule. He noted the mechanical issues with the Ford ambulances. The life expectancy of an ambulance was eight to ten (8 – 10) years. Alderman Mwilambwe questioned why the Ford ambulances had been purchased. Chief Kimmerling cited the past successes with this brand of ambulance. There was an issue with them today. The Fire Department worked with City's Fleet Division staff.

Alderman Purcell acknowledged that City staff had done the research. International manufactured a good, reliable product. Chief Kimmerling restated that the Fire Department worked with City's Fleet Division staff. The goal was reliable, dependable maintenance. These ambulances would be on the same platform. His goal was to have ambulances which would last longer.

Alderman Schmidt questioned if the City would become part of the Texas lawsuit. Chief Kimmerling informed the Council that the issue was being researched by Fire Department staff at this time. There were other local entities with the same issues.

Mayor Stockton expressed his opinion that someone should be held responsible. Mr. Hales stated that the City might be interested in payout/settlement.

Alderman Fazzini questioned if the City needed to retain these two (2) ambulances in order to participate in the class action lawsuit. Todd Greenburg, Corporation Counsel, addressed the Council. Normally, the City did not need to retain the vehicles. The issue was proof of damages. At this time, there had not been an invitation to join the suit.

Alderman Fazzini questioned the value of these ambulances and requested cost information. Chief Kimmerling informed the Council that the Fleet Division would take possession of the ambulances. The cost of maintenance ranged from \$3,000 to \$10,000.

Alderman Mwilambwe questioned if the City sold these ambulances would the City have to reveal the issues with them. Chief Kimmerling noted that the City would show all of the maintenance records. These vehicles may not be intended for EMS.

Motion by Alderman Stearns, seconded by Alderman Mwilambwe that the purchase of two (2) 2012 International Navistar 4300 Medtec Additional Duty Type I Ambulances from Foster Coach, Sterling, IL, through the Northwest Municipal Conference (NWMC) in the amount of \$439,906, be approved, and the Purchasing Agent be authorized to issue a Purchase Order for same.

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

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

**Nays: None.**

**Motion carried.**

**The following was presented:**

**SUBJECT:** An Ordinance Amending the Operating Structure of the Bloomington - Normal Public Transportation System

**RECOMMENDATION:** That the Ordinance be passed.

**BACKGROUND:** In 1972, the City and the Town of Normal acquired the assets of Bloomington-Normal City Lines, Inc. The municipalities also entered into an intergovernmental agreement under which the City and Town would operate a transit system for the use of the residents. The agreement was passed in ordinance form by both municipalities and has been amended from time to time to reflect changes in the subsidy formula to be made by the respective municipalities to the System as well as the number of trustees on the System's Board of Directors from each municipality.

Over the past several months, the City Managers and Corporation Counsels from each municipality have discussed amendments to the agreement. The results of those discussions are as follows:

The number of trustees shall remain at seven (7); four (4) from the City and three (3) from the Town. The terms of office are staggered and are four (4) years duration. The two (2) City Managers are nonvoting exofficio members of the Board. The terms of appointed board members expire in June of each year after the four (4) years are completed, but holding over of terms is authorized if a successor has not yet been appointed. Trustees may be removed prior to the expiration of their term by a Mayor with the consent of the respective municipal council or by vote of a majority of the municipal council. The Board is authorized to appoint a General Manager who has authority to hire permanent and temporary employees, agents, professionals, and other persons as necessary to operate the System. The Board is also authorized to acquire such property as may be necessary to operate the system.

The Board continues to have broad powers to enter into contracts, apply for grants and other funding, to establish and amend transportation routes and services, to sue and be sued, and to perform other necessary powers. Any actions which would involve mortgaging or otherwise encumbering assets of the authority or which involve borrowing money require the consent of the two (2) municipalities.

The funding of the system is set forth in Section Five of the Ordinance. The Board is required to submit a funding request by December 1<sup>st</sup> of each year for funding of the following year's budget. If either municipality disagrees with the amount of the request, it shall notify the Board no later than February 1<sup>st</sup> of the subsequent year. Once the funding request is agreed between the parties, the contribution is based on the proportion of population the individual municipality has

to the combined population of Bloomington - Normal (“total population times cities population divided by combined population of the Town and the City”).

The Ordinance clarifies that the budget year for the System currently begins on July 1<sup>st</sup>.

Staff believes this amended Ordinance is in the best interests of the City’s residents and recommends its passage and approval.

**COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED:** City Council, Town Council and Board of Trustees of the Bloomington - Normal Public Transit System.

**FINANCIAL IMPACT:** Not applicable.

Respectfully submitted for Council consideration.

Prepared by:

Recommended by:

J. Todd Greenburg  
Corporation Counsel

David A. Hales  
City Manager

**ORDINANCE NO. 2012 - 12****AN ORDINANCE AMENDING THE OPERATING STRUCTURE OF BLOOMINGTON  
NORMAL PUBLIC TRANSIT SYSTEM**

WHEREAS, the Town of Normal and City of Bloomington, by intergovernmental agreement, established an intergovernmental agency known as the Bloomington Normal Public Transit System; and

WHEREAS, the Bloomington Normal Public Transit System was established pursuant to home rule and intergovernmental cooperation authority set forth in Sections 6 and 10 of Article 7 of the 1970 Constitution of the State of Illinois; and

WHEREAS, pursuant to the same authority, the Town of Normal and City of Bloomington desire to revise the governing ordinances for the operation and control of the Bloomington Normal Public Transit System.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE TOWN OF NORMAL AND THE CITY COUNCIL OF THE CITY OF BLOOMINGTON, AS FOLLOWS:

SECTION ONE: DEFINITIONS. As used herein the following terms shall have the following meaning:

- A. Board means the Board of Trustees of the Bloomington Normal Public Transit System.
- B. Corporate Authorities means (1) the Board of Trustees of the Town of Normal, and (2) the City Council of the City of Bloomington.
- C. Mass Transit Facility means any local public transportation facility utilized by a substantial number of persons for their daily transportation, and includes not only the local public transportation facility itself but ancillary and supporting facilities such as, for example, motor vehicle parking facilities, as well.
- D. System means the Bloomington Normal Public Transit System created by the Town of Normal and the City of Bloomington.

SECTION TWO: CONTINUATION OF SYSTEM. The Bloomington Normal Public Transit System previously established as an intergovernmental agency of the Town of Normal and City of Bloomington be and the same is hereby confirmed and continued for the purpose of acquiring, constructing, owning, operating and maintaining mass transit facilities for public service or subsidizing the operation thereof.

SECTION THREE: AREA OF SERVICE. The operating area of the Bloomington Normal Public Transit shall be the combined corporate limits of the Town of Normal and the City of Bloomington as the same now or hereafter exists.

SECTION FOUR: BOARD OF TRUSTEES.

- A. General. The powers of the Bloomington-Normal Public Transit System shall repose in and be exercised by a Board of Trustees consisting of seven members. The Board shall set policy, but not have any direct control over the day-to-day administration of the System; day-to-day administration being a function of a General Manager appointed by the Board pursuant to Section 4H. Four of the trustees shall be citizens of the City of Bloomington and three shall be citizens of the Town of Normal. The City Managers of Bloomington and Normal shall be non-voting ex-officio members of the Board of Trustees.
- B. Method of Selection. Four trustees shall be appointed by the Mayor with the advice and consent of the corporate authorities of the City of Bloomington and three trustees shall be appointed by the President of the Board of Trustees with the advice and consent of the corporate authorities of the Town of Normal. Vacancies shall be filled for an unexpired term in the same manner as an original appointment. Re-appointment shall be at the discretion of the appointing body. A Certificate of Appointment of any trustee shall be filed with the Clerk of each municipality and shall be conclusive proof of the due and proper appointment of such Trustee.
- C. Term of Office. The terms of trustees shall be of four years duration. In order to promote orderly succession in the replacement of trustees, the terms of trustees appointed as of the effective date of this ordinance shall be staggered by lot, with two current trustees to serve a term of four years, two current trustees to serve a term of three years, and three current trustees to serve a term of two years. Terms of trustees appointed thereafter shall be four years in duration. Terms of trustees shall be deemed to expire at the end of the last day of June in the year they are to expire; however, trustees shall be permitted to hold over in their terms until their successors have been appointed.
- D. Compensation. Trustees shall receive no compensation for their service, but shall be entitled to the necessary expenses, including travel expenses incurred in the discharge of their duties.
- E. Operating Procedure. The majority of the trustees holding office shall constitute a quorum of the Board for the purpose of conducting its business and exercising its powers and for all other purposes. Action may be taken by the Board upon a vote of the majority of the trustees present, unless in any case the Bylaws of the Board shall require a larger number. The Board shall elect a Chair Person, a Vice Chair Person and a Secretary from among the trustees. The Board shall be considered a public body for purposes of the Illinois Open Meeting Act and the Illinois Freedom of Information Act.

- F. Conflict of Interest. For purposes of complying with 5 ILCS 420/4A-101 et.seq., Disclosure of Economic Interest, the System shall be considered a unit of local government, and for purposes of complying with Article 70 of the State Official and Employees Ethics Act, the System shall considered a governmental entity.
- G. Removal. A trustee whose term has not expired may be removed at will by the body which appointed said trustee. Removal may be by the Mayor with the majority consent of the Council or by a two-thirds majority of the Council without the consent of the Mayor. An order of removal shall be filed with the Clerk of the body which appointed the trustee and a copy provided to the trustee.
- H. Officers and Employees. The Board shall appoint a General Manager of the System who shall have authority to hire or contract with a private contractor which shall recommend management services, any and all employees, agents, professionals and other persons, permanent and temporary, as determined necessary to operate and maintain the System. The General Manager shall, within the constraints of the approved budget, fix and determine compensation of all persons employed, including pay scales for employee classifications within the parameters of the pay scale established by the Board and shall also fix and determine qualifications, duties and the amount of bond, if any, to be furnished by employed persons. Upon consent of the Board, the General Manager may engage one or more attorneys to secure necessary legal services for the System. For such legal services as may be required, the Board may call upon the chief law offices of the City of Bloomington or Town of Normal or may employ and fix the compensation of its own counsel and legal staff or other attorneys.
- I. Powers of the Board.
- (a) The Board of Trustees of every System may establish or acquire any or all manner of mass transit facility. The Board may engage in the business of transportation of passengers on scheduled routes and by contract on nonscheduled routes within the territorial limits of the counties or municipalities creating the System, by whatever means it may decide. Its routes may be extended beyond such territorial limits with the consent of the governing bodies of the municipalities or counties into which such operation is extended.
  - (b) The Board of Trustees may for the purposes of the System, acquire by gift, purchase, lease, legacy, condemnation, or otherwise and hold, use, improve, maintain, operate, own, manage or lease, as lessor or lessee, such cars, buses, equipment, buildings, structures, real and personal property, and interests therein, and services, lands for terminal and other related facilities, improvements and services, or any interest therein, including all or any part of the plant, land, buildings, equipment, vehicles, licenses, franchises, patents, property, service contracts and agreements of every kind and nature. Real property may be so acquired if it is situated within or partially within the area



served by the System or if it is outside the area if it is desirable or necessary for the purposes of the System.

- (c) The Board of Trustees may contract with any person or corporation or public or private entity for the operation or provision of transit facilities and services upon such terms and conditions as the Board shall determine.
- (d) The Board of Trustees shall have the authority to contract for any and all purposes of the System, including with an interstate transportation authority, or with local Mass Transit System or any other municipal, public, or private corporation entity in the transportation business including the authority to contract to lease its or otherwise provide land, buildings, and equipment, and other related facilities, improvements, and services, for the carriage of passengers beyond the territorial limits of the System or to subsidize transit operations by a public or private or municipal corporation operating entity providing mass transit facilities.
- (e) The Board of Trustees shall have the authority to establish, alter and discontinue transportation routes and services and any or all ancillary or supporting facilities and services, and to establish and amend rate schedules for the transportation of persons thereon or for the public or private use thereof which rate schedules shall, together with any grants, receipts or income from other sources, be sufficient to pay the expenses of the System, the repair, maintenance and the safe and adequate operation of its mass transit facilities and public mass transportation system and to fulfill the terms of its debts, undertakings, and obligations.
- (f) The Board of Trustees of every System shall have perpetual succession and shall have the following powers in addition to any others in this Ordinance granted:
  - (1) to sue and be sued;
  - (2) to adopt and use a seal;
  - (3) to make and execute contracts loans, leases, subleases, installment purchase agreements, contracts, notes and other instruments evidencing financial obligations, and other instruments necessary or convenient in the exercise of its powers;
  - (4) to make, amend and repeal bylaws, rules and regulations not inconsistent with this Ordinance;
  - (5) to sell, lease, sublease, license, transfer, convey or otherwise dispose of any of its real or personal property, or interests therein, in whole or in part, at any time upon such terms and conditions as it may

determine (with public bidding if the value exceeds \$10,000), at negotiated, competitive, public, or private sale;

- (6) to invest funds, not required for immediate disbursement, in property, agreements, or securities legal for investment of public funds controlled by savings banks under applicable law;
- (7) upon consent of the Town of Normal and City of Bloomington, to mortgage, pledge, hypothecate or otherwise encumber all or any part of its real or personal property or other assets, or interests therein;
- (8) to apply for, accept and use grants, loans or other financial assistance from any private entity or municipal, county, State or Federal governmental agency or other public entity;
- (9) upon consent of the Town of Normal and City of Bloomington, to borrow money from the United States Government or any agency thereof, or from any other public or private source, for the purposes of the System and, as evidence thereof, to issue its revenue bonds, payable solely from the revenue derived from the operation of the System. These bonds may be issued with maturities not exceeding ~~40~~ 20 years from the date of the bonds, and in such amounts as may be necessary to provide sufficient funds, together with interest, for the purposes of the System. These bonds shall bear interest at a rate of not more than the maximum rate authorized by the Bond Authorization Act [*30 ILCS 305/0.01 et seq.*], as amended at the time of the making of the contract of sale, payable semi-annually, may be made registerable as to principal, and may be made payable and callable as provided on any interest payment date at a price of par and accrued interest under such terms and conditions as may be fixed by the ordinance authorizing the issuance of the bonds. Bonds issued under this Section are negotiable instruments. They shall be executed by the chairman and members of the Board of Trustees, attested by the secretary, and shall be sealed with the corporate seal of the System. In case any Trustee or officer whose signature appears on the bonds or coupons ceases to hold that office before the bonds are delivered, such officer's signature, shall nevertheless be valid and sufficient for all purposes, the same as though such officer had remained in office until the bonds were delivered. The bonds shall be sold in such manner and upon such terms as the Board of Trustees shall determine, except that the selling price shall be such that the interest cost to the System of the proceeds of the bonds shall not exceed the maximum rate authorized by the Bond Authorization Act, as amended at the time of the making of the contract of sale, payable semi-annually, computed to maturity according to the standard table of bond values.

The ordinance shall fix the amount of revenue bonds proposed to be issued, the maturity or maturities, the interest rate, which shall not exceed the maximum rate authorized by the Bond Authorization Act, as amended at the time of the making of the contract of sale, and all the details in connection with the bonds. The ordinance may contain such covenants and restrictions upon the issuance of additional revenue bonds thereafter, which will share equally in the revenue of the System, as may be deemed necessary or advisable for the assurance of the payment of the bonds first issued. The Board may also provide in the ordinance authorizing the issuance of bonds under this Section that the bonds, or such ones thereof as may be specified, shall, to the extent and in the manner prescribed, be subordinated and be junior in standing, with respect to the payment of principal and interest and the security thereof, to such other bonds as are designated in the ordinance.

The ordinance shall pledge the revenue derived from the operations of the System for the purpose of paying the cost of operation and maintenance of the System, and, as applicable, providing adequate depreciation funds, and paying the principal of and interest on the bonds of the System issued under this Section.

- (10) to contract with any school System in this State to provide for the transportation of pupils to and from school within such System pursuant to the provisions of Section 29-15 of the School Code [*105 ILCS 5/29-15*];
- (11) to provide for the insurance of any property, directors, officers, employees or operations of the System against any risk or hazard, and to self-insure or participate in joint self-insurance pools or entities to insure against such risk or hazard;
- (12) to use its established funds, personnel, and other resources to acquire, construct, operate, and maintain bikeways and trails. Systems may cooperate with other governmental and private agencies in bikeway and trail programs; and
- (13) to acquire, own, maintain, construct, reconstruct, improve, repair, operate or lease any light-rail public transportation system, terminal, terminal facility, public airport, or bridge or toll bridge across waters with any city, state, or both.
- (14) with respect to instruments for the payment of money issued under this Section to qualify for supplementary grants of power under the Illinois Omnibus Bond Act.

- (15) the Board may provide one or more defined contribution or deferred compensation programs for its employees.
- (16) the Board may provide life, disability, health, dental, vision and other insurance or similar programs and benefits by self insurance or a third party insurance for the benefit of its employees.
- (17) the Board may enter into collective bargaining agreements with employees lawfully represented by an employee association or union.

This Section (f) shall be liberally construed to give effect to its purposes.

**SECTION FIVE: FUNDING OF THE SYSTEM.** The Town of Normal and the City of Bloomington shall annually contribute an amount to the System as determined by each municipality, provided such contribution shall be proportionate based on the following formula:

Total contribution amount times cities population divided by combined population of the Town of Normal and City of Bloomington.

Population is to be determined based on the most recent federal census data. The Board shall, by December 1 of each year, provide, in writing, to the Town of Normal and City of Bloomington an estimate of the funding requested from the two cities for the next fiscal year. If either City Council disagrees with such estimated funding request, it shall notify the Board of such disagreement no later than February 1<sup>st</sup> of the subsequent year.

**SECTION SIX: EXEMPTION FOR TAXATION.** The System shall be exempt from all country and municipal taxes and registration and license fees; the System shall be exempt from all State taxes and registration and license fees to the extent allowable by law. All property of the System is declared to be public property devoted to an essential public and governmental function and purpose and shall be exempt from all taxes and special assessments of the State or by any subdivision thereof to the extent allowable by law.

**SECTION SEVEN: ANNUAL AUDIT.** It shall be the duty of the Board of Trustees of the System to cause an annual audit of its account to be made by a certified public accountant of Illinois. The audit shall be completed, filed with the System within four months after the close of each fiscal year of the System. Certified copies of annual audits shall likewise be filed with the Secretary of State and the corporate authorities of Bloomington and Normal.

**SECTION EIGHT: ANNUAL BUDGET.** The Board shall pass and approve an Annual Budget and provide each City a copy of the Budget prior to the start of the System's fiscal year. The budget shall be effective, unless the corporate authorities of the Town of Normal or City of Bloomington affirmatively vote to reject such budget, prior to the start of the System's fiscal year. The System's fiscal year currently begins on July 1<sup>st</sup>. If rejected by one or both of the two cities, the cities will work with the Board to develop a new budget for the System.

**SECTION NINE: REPORT TO MUNICIPALITIES.** The System shall give a monthly report of its activities to the City Managers of Bloomington and Normal. The System shall submit an annual report to the corporate authorities of Bloomington and Normal. The System shall also submit a report prior to any anticipated major change in the level of its service or deviation from its budget; such change or deviation shall not take effect until approved by the corporate authorities of Bloomington and Normal.

**SECTION TEN: DISCONTINUANCE.** Whenever the Board of Trustees of the System shall determine that there is no longer a public need for its transportation services or that other adequate services are or can be made available or that continued operation of the System is impractical, and that it should terminate its existence and services, it may by resolution so certify to the corporate authorities of Bloomington and Normal. If the corporate authorities of Bloomington and Normal approve of such discontinuance, they may by ordinance or resolution, as the case may be, authorize the System to discontinue its services and wind up its affairs. The corporate authorities of Bloomington and Normal shall have the power to so terminate the System for any of the aforesaid reasons in the absence of a resolution from the Board. A copy of such ordinance or resolution, or both, shall be filed with the municipal clerks and the Secretary of State. After payment of all its debts and settlement of all obligations and claims, any funds remaining after the sale and disposition of its property shall be disposed of by payment of the treasurers of Bloomington and Normal, first, to repay in whole or pro rata, funds advanced to the System, and the balance, if any, pro rata according to the previous subsidies provided by Bloomington and Normal.

**SECTION ELEVEN: VOTING.** Whenever this Ordinance requires a matter to be approved by the corporate authorities of Bloomington and Normal, such matter shall require a majority vote of each governing body to receive approval.

**SECTION TWELVE: REPEALER.** All ordinances in conflict herewith shall be and the same are hereby repealed.

**SECTION THIRTEEN: AUTHORITY.** This ordinance is enacted pursuant to the home rule powers of Bloomington and Normal bestowed upon them by the 1970 Constitution of the State of Illinois.

**SECTION FOURTEEN: EFFECTIVE DATE.** This ordinance shall be in full force and effect from and after its passage, approval and publication by both municipalities as provided by law.

APPROVED:

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Mayor of the Town of Normal

ATTEST:

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Town Clerk

APPROVED:

Stephen F. Stockton  
Mayor of the City of Bloomington

ATTEST:

Tracey Covert  
City Clerk

This Ordinance was passed by the Normal Town Council on \_\_\_\_\_, 2012,  
and by the Bloomington City Council on March 12, 2012.

**Mayor Stockton introduced this item.**

**David Hales, City Manager, addressed the Council. An amended ordinance had been prepared. The original ordinance had been adopted by the City approximately forty (40) years ago. He described the current situation as frustrating. The ordinance had been updated, detailed and established procedures to govern. There were not any major changes. The City would have four (4) trustees on the Board while the Town of Normal would have three (3). Both City Managers would serve as exofficio members. The Transit Board had reviewed the proposed ordinance. It was before the Council this evening and would appear before the Town Council during March 2012. He recommended that the Council approve this item.**

**Alderman Sage addressed Section 4C. Term of Office as part of the proposed ordinance. He believed that individuals should only be allowed to serve a single term. Todd Greenburg, Corporation Counsel, addressed the Council. At this time, there were not any term limits. Mr. Hales added that there had not been any discussion of term limits. Alderman Sage expressed his concern regarding strategic planning and engaged citizens. There needed to be strategic turnover. He believed that it was easier to reappoint. This issue needed to be addressed. Mr. Hales noted that Alderman Sage expressed an interest in term limits for City boards and commissions.**

**Alderman Purcell addressed Section 4B. Method of Selection of the proposed ordinance. He questioned the term corporate authorities. Mr. Greenburg noted that the Town of Normal was not a city. Mayor Stockton added that the term corporate authority was defined in state statute.**

**Motion by Alderman Fazzini, seconded by Alderman Fruin that the Ordinance be passed.**

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

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

**Nays:** None.

**Motion carried.**

**CITY MANAGER'S DISCUSSION:** David Hales, City Manager, introduced Alex McElroy, Asst. to the City Manager. He provided information about Mr. McElroy's background, (Bachelor's Degree in Political Science and a Master's Degree in Public Administration). Mr. McElroy also had five (5) years of local government experience. He had spent three (3) years in Centralia as an Asst. City Manager. Mr. McElroy would be focused on performance management program implementation.

Mayor Stockton noted that the Council had already seen Mr. McElroy's work.

Mr. Hales informed the Council that there would be a press conference tomorrow morning. There was a water supply issue at the Southgate Estates Mobile Home Park. This mobile home park had a private water system. The management company needed to increase water pressure. Improvement was possible. The issue was complicated. The management company was cooperating.

He expressed his appreciation to Barb Adkins, Deputy City Manager, regarding the municipal aggregation issue. There was information on the City's web site. The vote on this issue would occur on Tuesday, March 20, 2012.

He reminded the Council that the Budget Work Session was scheduled for Saturday, March 31, 2012.

**MAYOR'S DISCUSSION:** Mayor Stockton addressed the EDC's (Economic Development Council), One Voice trip to Washington DC. He was joined on this trip by Alderman McDade and Barb Adkins, Deputy City Manager. The group visited with senators, senator's staff and congressmen. The issue this year was transportation. There was a limited number of projects at this time. He believed that it was helpful for federal legislators to see this group.

Alderman McDade expressed her appreciation for the opportunity. The group was received positively by all. The Central Illinois community was on the map. Things have changed in the nation's capital. The group also visited the US Department of Agriculture. She noted the EDC's focus on agribusiness. She believed that this could be a key partnership. She noted the rural funds program. She described the trip as a worthwhile exercise. She added that the City should provide this opportunity to others. This was a large undertaking for the EDC.

Mayor Stockton informed the Council that he had placed a packet of information regarding this project in the Aldermen's conference room.

Mayor Stockton addressed liquor issues. He addressed the Laugh Comedy Club located at 108 E. Market St. He noted that Laugh is required to charge for admission. This establishment was not open until 2:00 a.m. The license holder had requested a modification of their liquor license which would allow eighteen (18) year olds and over to attend a comedy show once a week. The Liquor Commission granted this request only on Friday nights after 9:30 p.m. No liquor service would be allowed. He described this action as an experiment. He believed that there needed to be a separate license classification. Laugh could qualify as an "R", Restaurant, liquor license due to the percentage of non liquor sales. He acknowledged that the Commission had concerns. He noted that Jan Lancaster, DETF (Downtown Entertainment Task Force), member and Downtown liquor license holder, had attended this Liquor Hearing. She offered to reach out to the Downtown Bar Association.

He reviewed the Liquor Commission's March 13, 2012 meeting agenda. He cited Reality Bites located at 404 N. Main St. was requesting the addition of an "O", Outdoor classification which would allow a sidewalk café on the public sidewalk. Pheasant Lanes, located at 804 N. Hershey Rd., request involved a change of ownership.

**ALDERMEN'S DISCUSSION:** Alderman Anderson complimented the US Cellular Coliseum and Central Illinois Arena Management staff for their handling of the Home Show. This show was totally booked.

Alderman Fazzini echoed the comments made by Alderman McDade. He planned to continue his visits to other communities' council meetings. On April 16, 2012, he planned on visiting the Urbana City Council meeting. He believed that four (4) Aldermen would be attending this meeting. Mayor Stockton believed that it was beneficial to see how others conduct business. Alderman Fazzini added that the Urbana Mayor would be notified in advance of the group's attendance.

Alderman Schmidt invited all in attendance to the Taste of the West on Friday, March 16, 2012 at Mt. Pisgah Baptist Church located at 801 W. Market St. This event also served as the WBRP's (West Bloomington Revitalization Project) Annual Meeting.

Alderman Fruin informed the Council that he had attended the Liquor Hearing for Laugh. The Liquor Commission had done a good job. He described the discussion as complicated. He noted the difficult job of serving on one of the City's boards and commissions.

He noted the issue of needs versus wants. Examples of needs were cited – roads, sewers and pensions. He questioned the difference between needs and wants. He encouraged the Council to look at the City's Strategic Plan. The Council must work together. He believed that needs and wants had turned into buzz words. He added that the difference between the two could be dependent upon neighborhood.

Motion by Alderman Anderson, seconded by Alderman Schmidt, that the meeting be adjourned. Time: 7:55 p.m.



**Motion carried.**

**Tracey Covert  
City Clerk**

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