



**COMMITTEE OF THE WHOLE SESSION
PUBLISHED BY THE AUTHORITY OF THE CITY COUNCIL OF
BLOOMINGTON, ILLINOIS
MONDAY, MAY 15, 2017; 5:30 P.M.**

1. Call to Order

The Council convened in Committee of the Whole Session in the Council Chambers, City Hall Building, at 5:30 p.m., Monday, April 17, 2017. Mayor Renner called the meeting to order and directed the City Clerk to call the roll.

2. Roll Call

Aldermen Present: Mboka Mwilambwe, Amelia Buragas (Absent), Joni Painter, Karen Schmidt, Scott Black, Diane Hauman, Jamie Mathy, Kim Bray and Mayor Tari Renner.

Staff Present: David Hales, City Manager; Steve Rasmussen, Assistant City Manager; George Boyle, Assist. Corporation Counsel; Renee Gooderham, Chief Deputy Clerk; Brendan Heffner, Police Chief; Jim Karch, Director of Public Works; Bob Yehl, Water Director, Scott Sprouls, Information Services Director; Tom Dabareiner, Community Development Director; and other City staff were present.

Guest attending: Gabriel Neibergall, Attorney, Sorling, Northrup, Hanna, Cullen & Cochran, Ltd., Elizabeth Megli, Attorney for Eastlake, LLC, David Keyser, Metronet;

3. Public Comment

Mayor Renner opened the meeting to receive Public Comment. There were no comments offered.

4. Consideration of approving the Committee of the Whole Meeting Minutes of April 17, 2017.

Motion by Alderman Schmidt, second by Alderman Hauman, that the minutes of the Committee of the Whole Meeting of April 17, 2017 be dispensed with and approved as printed.

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

Ayes: Aldermen, Mwilambwe, Painter, Schmidt, Black, Hauman, Mathy, and Bray.

Absent: Alderman Amelia Buragas

Nays: None.

Motion carried.

5. Discussion of Public Safety and Community Relations.

Mayor Renner discussed the Citizens Review Board and some of the options. Former President Obama established the 21st Century Task Force and this Task Force included Shawn Smoot from Illinois who is an attorney out of Springfield. Mayor Renner asked Police Chief Heffner what our current process looks like when it comes to citizens filing complaints.

Chief Heffner stated that the complaint process now is if a person has a complaint, they can come to the Department and get a form and fill it out and they can receive assistance there from the Sergeant. A person can also download it on line and complete the form and sent it in. The forms must be completed and notarized as part of the Police Officers' Bill of Rights. He stated that the Police Department welcomes complaints because that is the only way that they can learn. If a person is not satisfied with the outcome, they can come in and have a meeting with Assistant Chief Wheeler to discuss it, and they can bring advocates with them.

Alderman Painter asked whether the police force was getting body cameras.

Chief Heffner replied that they were, and were testing some now.

Alderman Painter asked how the Human Relations Committee review the complaints that the Police Department gets. Do the complaints ever get turned over to the Human Relations Committee if people are not satisfied?

Chief Heffner responded that they were the only people who investigate the complaints and do not turn the complaints over. He explained that a person could take their complaint to the Human Relations Committee.

Mr. Hales stated, Attorney Gabe Neibergall, from our legal staff, could address or clarify questions or comments.

Mayor Renner asked Mr. Neibergall for clarification on the terms of the Police Union contracts.

Alderman Sage asked Mayor Renner what the remainder of this process looks like either from a Council perspective and staff perspective. Mayor Renner stated that it was up to us what our next steps might be.

Alderman Mwilambwe stated, we received this proposal from several different groups in the proposal there was a reference to the fact that we should not feel comfortable with the fact that there are a very low number of complaints. He asked Chief Heffner to address the history

of complaints. What has it been in the past prior to instituting some of the changes he has talked about.

Chief Heffner stated that last year he believed it was mid 30's and when he first got here, there were some complaints hanging out there that were cleaned up. They went down from Mid 30's to 17.

Alderman Schmidt asked Chief Heffner what he did to create a force that is fully engaged in community policing.

Chief Heffner replied that they expected them to be out of their cars more and engage in people.

Alderman Black thanked Chief Heffner for his help with this process of helping citizens file complaints. He stated that he what he is hearing is that people feel uncomfortable coming to us, and he wants to make an institution that helps address those issues.

Alderman Bray asked currently what do we have in place as far as community input forums and community feedback mechanisms so that before we even get to a time when an incident has occurred such that a complaint has to be filed, how we cause that conversation to occur. What do we have formally in place now to facilitate conversation?

Chief Heffner responded that depending on when something occurs when he has the bimonthly focus meetings, a person can call and have that put on the agenda. He stated that he also goes to a lot of meetings. Nothing bars someone from calling saying they would like to discuss something.

Alderman Mathy stated that a lot of people have the position that it is impossible to have a Citizen Review Board and still support the Police – it has to be either/or. We cannot have a conversation about how our community is run without not supporting the Police. He feels that everyone there is highly supportive of the Police Department. We are going to continue to ensure that you have as much staffing as we can and all the equipment necessary to keep everyone safe on the force.

Chief Heffner stated that there are contractual issues, so there cannot be an independent review. Though he believes in the process, he will not say the process does not work if it has not been used. No matter what business you are in, complaint processes are in place. It just has to be a fair process. He would continue to be open about ways to improve the process for people to file complaints and looks forward to it.

Mayor Renner stated that there are some legal ramifications that have to be dealt with in this, and there are details to be worked out. We are talking about people who follow the process, but they are unhappy with the outcome of the process and giving them another avenue outside of that. He asked whether it is currently possible for someone to file a concern or complaint with the Human Relations Commission before they go to the Police.

Alderman Sage asked what problem we trying to solve. He has not heard a compelling reason for a Citizen Review Board.

Mayor Renner replied that the general answer to that question is when Citizens Review Boards are established, it is usually because the want an independent set of eyes rather than the internal process.

Alderman Mwilambwe stated, he believes the answer to Alderman Sage's question will lie in whether or not we are able to define the problem. The problem is perception of how community relations between Police and the community and whether it is real in some areas – and is real for some people – and in other areas, it may not seem as real based on facts.

Alderman Hauman stated, there is a perception, and it seems that it is easier to change reality than it is to change perception. She thanked the five organizations that have come together.

Mayor Renner summarized by saying that there is some degree of interest in at least exploring some options in other communities.

6. Presentation, discussion and possible direction regarding infrastructure oversizing infrastructure at The Grove.

Mr. Dabareiner provided a brief background on the infrastructure issues. The Annexation agreement for The Grove was adopted in 2005, and it states that if over-sizing of the sanitary trunk sewer is required, the City is responsible for those costs based on the geographic area of service. Assuming the work was triggered by the City, the over-sizing work would be done by the developer and would save costs by doing it now as opposed to waiting and doing it in the future for the cost of the over-sizing. That cost burden is estimated to be 97% of the total cost of the project. The City's share of that estimated amount would be \$300,000. It is expected that \$300,000 could be recouped by tap-on fees. There is also water service over-sizing and possibly some pavement expansion. The water service could be recouped in water bills. The added pavement would likely come from property tax revenues. This all assumes that there is sufficient growth in the future on the east side to generate the tap-on fees and the taxes. Alternatively, the tax burden could be shifted to residents and property owners elsewhere in the community.

Alderman Hauman stated she had talked with the Homeowners Association President and the feeling is that they are not concerned about the over-sizing of the sewers if it is something that would future development outside of what is on the map. If it is adequate for what is mapped out today, they were okay with it.

Mr. Hales clarified that this item was put on the agenda at the request of Alderman Black together with three Aldermen who supported that. He ask Mr. Dabareiner to draft a consolidated staff overview. The request at hand is to determine is the Council's majority willing to support the recommendation and that is to consider a budget amendment to remove The Grove sewer over-sizing project and using those funds for projects in areas of highest need consistent with the 2015 Comprehensive Plan.

Alderman Bray stated, if we take a look at this and decide that we are going to allow the developer to go forward with 8-inch pipe rather than the upsize pipe, what are the opportunities potentially missed?

Mr. Dabareiner stated, the Annexation Agreement was based on negotiations from 2005, which is very different from what the current plan says. At one point there was a thought that the East Highway would come through that area. In speaking with the Regional Planning Commission, they are not so confident anymore. That would have provided an amount of infrastructure that would have allowed some additional opportunities for growth.

Mr. Hales asked Mr. Karch to comment on the cost differential, current versus future, in having the developer put in an 8-inch pipe but then later on in the future if we had to come back, dig it up and upsize it. Mr. Karch stated from an opportunity perspective, it depends on whether it develops or not. The Grove subdivision is at the low point.

Alderman Black stated that the real missed opportunity is not investing in our historic core. He feels this is a value judgment on where we put our resources, how we fund our projects and the direction that we go.

Alderman Mathy asked how many proposed houses are we talking about that could be built. We have a hard time delivering emergency services to the Far East side of town. He asked whether Mr. Karch has determined whether the 8-inch line might be big enough to service the area.

Mr. Karch stated, an 8-inch extension of the sanitary sewer can serve the remainder of The Grove subdivision if it continued. These are very preliminary calculations, but if you look at the overall flow anticipated, we do believe it could accommodate it.

Alderman Mwilambwe stated, just because the population is not growing does not mean that there will not be any demand for newer homes. He asked what \$300,000 buy in terms of sewers.

Mr. Karch stated instead of building new sewers, we need to maintain what we have. The City would recommend expanding our existing lining program. It varies sometimes 2-1/2 times cheaper than to dig up new sewers and sometimes much greater than that. From an overall perspective, it costs us about \$50,000 a block to resurface.

Alderman Sage asked what the approximate cost per linear foot of relining sewers. How many feet of sewer does \$300,000 reline?

Mayor Renner asked if there is general agreement on the Council that we make a budgetary amendment change and whether it is relining sewers, and we could get some of that information, that we can make at a later point.

Alderman Mwilambwe stated that he would like some more information.

Alderman Hauman stated that she was not opposed, but would like time to talk to the people at The Grove again.

Alderman Bray stated she would like some information on this realignment of costs that the City Manager discussed.

Alderman Schmidt stated she is very interested in the budget amendment.

7. Presentation and update of the current status of Metronet high speed internet to the City.

Mr. Rasmussen provided an update of the status of Metronet's desire to provide high speed internet to the City, mostly to the western part of the City. Staff has been working on this for about six months. Metronet would like to provide high speed internet to the City and much of the City, mostly the eastern part of the City, they can underground now because we provided for that. In the western part of the City, however, undergrounding would be prohibitive and it requires putting in new poles.

Alderman Painter asked why they could not bury the lines like they did on the east side since they cannot use the poles.

Mr. Rasmussen replied that it would be cost prohibitive when in the east side we were beginning to put the neighborhoods in and we required undergrounding, so the land was provided for it. In the west side of town, those provisions were not there so we have buried water lines and sewer lines and other internet surface, so it would be very difficult to dig and get around all of those and would be cost prohibitive for them to provide the service in those areas.

Alderman Schmidt stated, for the greater good and for what we want to see this community become technologically, economically, this needs to be done.

Mr. Barrons' stated that in the absence of Metronet or any other pole-attachment company, our plan is good and useful. Our life of poles is 37 years and can be out to 50 or 60. What we do as part of the agreement with all of the attachment companies is we say we are willing to do the work; however, once you start looking at the amount of expense to rearrange our facilities plus the cost of setting a taller pole, it becomes pretty cost prohibitive for Metronet or some of the other attachment companies.

Mr. Keysar discussed that when we do cost analysis, we average \$6500 per pole for basic cost analysis on a pole, but based on the size and what is on the pole, they can be 10, 12, even 15 or 20 thousand dollars depending on the type of pole.

Alderman Bray asked if there is some other solution other than underground and adding poles every time on both sides of the alleyway, is there an even better pole that could accommodate everyone's lines. In other words, get rid of what is currently there, go back with this better pole that would accommodate both Ameren and Metronet and is there such a thing.

Ms. Sheller stated that they have been working on a solution with Ameren and the City for quite some time. The only plausible solution for this part of the City for us to get everybody and expedite the deployment is to come up with this mechanism at this time.

Mr. Rasmussen stated, they could put up a bigger new pole that would accommodate all of them and at some point in time, Ameren will probably do that in terms of upgrading their poles and when they do that, then we will require Metronet to take their pole down and go to the new poles.

Mr. Hales stated that there is a draft letter. The engineers prepared on a case by case basis to authorize the erection of new poles if that is ultimately the only way to provide service on a block-by-block basis.

8. Presentation and Discussion of FY2017-2021 Draft Capital Improvement Plan.

Mr. Hales talked about the process going forward. The goal line is going to be the Adoption of this 5-year Capital Improvement Plan. There is a lot of high-priority, capital projects that are all competing for a very small finite source of revenue. There is a lot of significant accomplishment. We do feel that a couple of critical things that we need Council input on prior to any final vote on the CIP is to consider an increase in our sanitary sewer fees and our storm water fees. This is important because we are seriously undercapitalized as far as revenue to help move ahead with any significant future sanitary sewer or storm water projects. After the fees, a proposed bond to be issued to address some significant high-priority needs such as street resurfacing, which could include not only street resurfacing but some underground utilities that would go along with those street resurfacing needs. This could be in the 10, 20 million dollars, plus or minus.

Ms. Silva stated that we are making a lot of strides in the right direction on the Capital Improvement Plan. We are measuring our assets. We are coming up with master plans for them. We have some funding plans already. We are beginning to address our long-term liabilities on many fronts, but we have got much work to do.

Mayor Renner stated that if we were to increase water/sewer rates by two or three dollars a month, that money could be dedicated to a bond and with today's rates we could conceivably get quite a bit of bang for our buck.

Alderman Mwilambwe stated we have discussed concerns in terms of revenue in the future and possible structural deficit. He asked how to balance those two competing demands.

Ms. Silva replied that her rule of thumb of great financial discipline is if you issue debt, you have revenue to pay for it.

9. Adjournment.

Motion by Alderman Hauman, seconded by Alderman Bray, to adjourn the Committee of the Whole Session. Time: 8:11 p.m.

Motion carried. (Viva voce)

CITY OF BLOOMINGTON

ATTEST

Tari Renner, Mayor

Renee Gooderham, Chief Deputy
Clerk, R.M.C.