

**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 7:32 p.m., Monday, July 25, 2011.

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, Jim Fruin and Mayor Stephen F. Stockton.

Alderman absent: Karen Schmidt.

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

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 July 11, 2011 and Work Session Minutes of June 27, 2011

RECOMMENDATION: That the reading of the minutes of the previous Council Proceedings of July 11, 2011 and Work Session Minutes of June 27, 2011 be dispensed with and the minutes approved as printed.

BACKGROUND: The Council Proceedings of July 11, 2011 and Work Session Minutes of June 27, 2011 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 Fazzini, seconded by Alderman Mwilambwe that the reading of the minutes of the previous Council Meeting of July 11, 2011 and Work Session Minutes of June 27, 2011 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, 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.

FINANCIAL IMPACT: Total disbursements to be approved \$3,553,807.04, (Payroll total \$1,761,989.46, and Accounts Payable total \$1,791,817.58).

Respectfully submitted for Council consideration.

Prepared by:

Recommended by:

Timothy Ervin
Director of Finance

David A. Hales
City Manager

(ON FILE IN CLERK'S OFFICE)

Motion by Alderman Fazzini, seconded by Alderman Mwilambwe that the bills and payroll be allowed and orders drawn on the Treasurer for the various amounts as funds are available.

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

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

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Appointment to the Planning Commission

RECOMMENDATION: That the appointment be approved.

BACKGROUND: I ask your concurrence in the appointment of James Richard Pearson, 14 Hearthstone Ct, to the Planning Commission as a Northeast representative. His four (4) year term will begin July 25, 2011.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable.

FINANCIAL IMPACT: Not applicable.

Respectfully submitted for Council consideration.

Prepared by:

Recommended by:

Kathryn Buydos
Executive Assistant

Stephen F. Stockton
Mayor

Mayor Stockton addressed this Planning Commission appointment. Mr. Pearson was an experienced architect. He had served on the McLean County Regional Planning Commission for six (6) years.

Alderman Purcell expressed his appreciation to Mr. Pearson for his interest in serving. He expressed his concern regarding the Main St. form based code. He hoped that Mr. Pearson would look seriously at this issue before implementation of same. Mr. Pearson assured the Council that he would be open minded if the issue was brought before the Planning Commission.

Alton Franklin, 5 Andy Ct., Unit 1, addressed the Council. He questioned the appointment of Mr. Pearson to the Planning Commission. He believed that there were three (3) seated members of this Commission whose terms have expired. In addition, he believed that there were three (3) additional vacancies. He requested an explanation of the criteria.

Mayor Stockton noted that there were three (3) vacancies. The Planning Commission had been divided into quadrants. The three (3) vacancies were in the northeast, northwest and southeast. Mr. Pearson would represent the northeast. He was looking for an individual to represent the northwest quadrant. The Property Maintenance Review Board still had six (6) vacancies, (two contractors and four alternates).

Individuals interested in serving on a board and/or commission can submit a Statement of Interest. Mayor Stockton spoke with the chairman and members regarding recommendations. He also spoke with Council regarding individuals from their respective wards. In addition, he interviewed individuals when there were vacancies. By law the Mayor had discretion and brought appointments to the Council for approval. If rejected, as Mayor, he could request that the Council state a reason for its decision. He would then submit a second appointment. Council approval of mayoral appointments was part of the system of checks and balances.

Mike Fitzgerald, 1805 Dunraven, addressed the Council. He believed that there were six (6) vacancies on the Planning Commission. He believed that the terms of three (3) individuals who were currently serving had expired. He questioned how these vacancies were apportioned. Mayor Stockton had spoken with Stan Cain, Chairman. He would review the attendance and tenure of individuals interested in reappointment.

Motion by Alderman Fazzini, seconded by Alderman Mwilambwe that the appointment be approved.

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

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

Nays: Alderman Purcell.

Motion carried.

The following was presented:

SUBJECT: Request to Pay Stark Excavating, Inc. for Emergency Repair of City Sewer in the 1400 Block of West Chestnut Street (Ward 7)

RECOMMENDATION: That the payment to Stark Excavating in the amount of \$10,252.07 for an emergency sewer repair in the 1400 block of W. Chestnut St. be approved.

BACKGROUND: During excavation to investigate and repair a blockage in the fifteen inch (15") clay sewer main in the 1400 block of W. Chestnut St., the area became very unstable. It is made of Vitreous Clay Pipe, constructed in 1907. It had become severely cracked and was not deemed suitable to remain in service. Bank stabilization became necessary, which exceeded the limit of City equipment. The City has three (3) methods of bank stabilization. Due to increasingly bad soil conditions, the excavation site became too long and too wide to safely use available City bank stabilization equipment. The bad soil continued to cave in.

Since the stabilization work and replacement was beyond the ability of the City's equipment, staff retained a contractor to finish the repair. Stark Excavating, Inc. completed the excavation at the subject location, removed, and replaced the deteriorated sewer and backfilled the excavation.

A time and materials bill has been received for the work in the amount of \$10,252.07. Staff has reviewed this bill, finds it to be in order, and recommends that the payment be approved.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Adjacent property owners and residents.

FINANCIAL IMPACT: The current fiscal year budget includes \$150,000 for emergency sewer repairs. Total spent year to date is \$30,539.45. Payment in the amount of \$10,252.07 will be made with Sewer Maintenance & Operations Funds (5210-52100-70551). As of the end of FY 2010 this fund currently has a net asset balance of (\$4,458,208).

Respectfully submitted for Council consideration.

Prepared by:

Financial review by:

Recommended by:

Jim Karch, P.E., CFM
Director of Public Works

Timothy Ervin
Director of Finance

David A. Hales
City Manager

Alderman Sage requested clarification of this item. He noted that it had not been put out for bid. David Hales, City Manager, informed the Council that the Public Works Department had recently issued six (6) Requests for Proposals for various services. City staff was reviewing these proposals and hoped to report back to the Council at one of its August 2011 meetings.

Mayor Stockton noted that this issue had been a continuing Council discussion.

Motion by Alderman Fazzini, seconded by Alderman Mwilambwe that the payment to Stark Excavating in the amount of \$10,252.07 for an emergency sewer repair in the 1400 block of W. Chestnut St. be approved.

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

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

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Kickapoo Creek Restoration - Phase III Illinois Department of Natural Resources Grant (Ward 8)

RECOMMENDATION: That the IDNR Grant be accepted and that the Mayor and City Clerk be authorized to execute the necessary documents.

BACKGROUND: This project consists of grading, creek restoration work, wetland construction, and other related site work at the future Kickapoo Park adjacent to the Grove Subdivision. This project is the final phase to restore Kickapoo Creek to a more natural configuration in the vicinity of the Grove Subdivision. The first and second phases were substantially completed in June 2009 and May 2011, respectively.

On June 13, 2011, Council approved an agreement with Eastlake, LLC regarding funding for this final phase. Although the primary funding for Phase III is City Storm Water funds, Eastlake, LLC obtained a grant from the Natural Resources Conservation Service (NRCS) and was anticipating a grant from the Illinois Department of Natural Resources (IDNR). IDNR indicated that the grant could not be received by Eastlake, LLC, but must be accepted by the entity ultimately responsible for maintaining the restoration area (City). The agreement with Eastlake, LLC indicates that they are responsible for administering the construction contract. The City will make payments to Eastlake, LLC after review and written approval of all contract documents.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The Grove on Kickapoo Creek LLC, Eastlake, LLC, IDNR, and Illinois Environmental Protection Agency (IEPA).

FINANCIAL IMPACT: The FY 2012 Budget includes \$500,000 in Storm Water Management Funds (5510-55100-72550) for this project. The \$144,300 grant requires a \$75,480 match by the City. This match has already been met with the previously appropriated \$500,000 Storm Water funds. The IDNR Grant will be deposited in Capital Improvement Funds (4010-40100-53120) and paid to Eastlake, LLC from Capital Improvement Funds (4010-40100-72570).

Respectfully submitted for Council consideration.

Prepared by:

Financial review by:

Reviewed by:

Jim Karch, PE CFM
Director of Public Works

Timothy Ervin
Director of Finance

John Kennedy
Director of Parks, Recreation
and Cultural Arts

Reviewed as to legal sufficiency:

Recommended by:

J. Todd Greenburg
Corporate Counsel

David A. Hales
City Manager

(GRANT APPLICATION ON FILE IN CLERK'S OFFICE)

Ron Schultz, 1208 E. Oakland Ave., addressed the Council. He cited the cost for infrastructure. He questioned if this was the end of the City's responsibilities. He also questioned the role of the developers. David Hales, City Manager, addressed the Council. The major investments have been made. There would be additional costs to the City as the subdivision developed. The costs were substantial. The City would pay the majority of the cost for Phase III of the stream restoration.

Motion by Alderman Fazzini, seconded by Alderman Mwilambwe that the IDNR Grant be accepted and that 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, McDade, Anderson, Fazzini, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Lake Bloomington Lease Transfer Petition for Lot 2, Block 22 in Camp Potawatomie from Charles and Phyllis Lutz to Ian and Dana King

RECOMMENDATION: That the Lake Lease be approved and the Mayor and City Clerk be authorized to execute the necessary documents.

BACKGROUND: Staff has reviewed the Lake Bloomington Lease Transfer Petition for Lot 2, Block 22 in Camp Potawatomie from Charles and Phyllis Lutz to Ian and Dana King. The

sewage disposal system inspection was completed in late May 2011, and there were no major concerns. The transfer paperwork is in order. Staff recommends Council approval of this petition.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable.

FINANCIAL IMPACT: This petition will have a positive financial impact in that the lease will move from the previous formula of \$0.15 per \$100 of Equalized Assessed Value to the current formula of \$0.40 per \$100 of Equalized Assessed Value for determining the Lake Lease Fee.

The current lease rate is \$198. This will increase to \$527 next year. A closing has been scheduled for August 2011. This lake lease income will be posted to Lake Lease revenue account 5010-50100-50110-57590. It should be noted that the term of this lease is until December 31, 2131, the same term as other lease renewals since 1998.

Respectfully submitted for Council consideration.

Prepared by:

Financial review by:

Craig M. Cummings
Director of Water

Timothy Ervin
Director of Finance

Reviewed as to legal sufficiency:

Recommended by:

J. Todd Greenburg
Corporation Counsel

David A. Hales
City Manager

Motion by Alderman Fazzini, seconded by Alderman Mwilambwe that the Lake Lease 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, McDade, Anderson, Fazzini, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Presentation by McLean County Wellness Coalition – BJ Wilken, YMCA.

Mayor Stockton noted the impact of the City's wellness program. David Hales, City Manager, noted that the Council had been provided with information. He cited the City's involvement in this program. Barb Wells, Superintendent of Recreation, was the City's primary contact. The program's highlights would be presented.

BJ Wilken, YMCA's Executive Director, addressed the Council. He thanked them for the opportunity to address them. He cited the collaboration within the community which involved thirty (30) businesses. The group addressed chronic conditions. He cited obesity as a concern. The group was established two (2) years ago. A Center for Disease Control grant had been awarded to the group. The grant is given to four (4) national organizations, (National Association of Chronic Disease Directors, National Association of County & City Officials, National Recreation and Park Association, and Young Men's Christian Association). A total of forty (40) grants were awarded per year. The \$36,000 grant was for a three (3) year period. These funds were seed money. The program was entitled ACHIEVE (Action Communities for Health, Innovation & EnVironmental Change), Healthy Communities. There were four (4) main goals: 1.) to reduce the overweight and obesity rates by five percent (5%) in McLean County by 2016; 2.) to increase the physical activity rates by five percent (5%) in McLean County by 2016; 3.) to increase the consumption of fruit and vegetables to at least five (5) a day by two percent (2%) in McLean County by 2016; and 4.) create multi-component media strategies that promote the vision, missions and goals of the McLean County Wellness Coalition. There was a vision statement – make healthy choice the easy choice; a mission statement – reduce chronic disease and improve overall health of the community by promotion/adoption of nutrition and physical activity systems, policy and environment changes. Finally, the group had adopted values – family, active living, healthy choices/eating, equal access, empowerment, community partnerships, education and safe environments. The group had awarded mini grants. He cited community gardens as an example. He cited community resources which aid the health of the community. There were four (4) subcommittees, 1.) community; 2.) schools; 3.) worksites; and 4.) healthcare. The Council would be asked to adopt a resolution this evening. In the future, the group would address City policy.

Mayor Stockton noted the Council's retreat and the City's strategic plan. A key to the plan was quality of life. Wellness was a part of quality of life. The City's involvement was appropriate.

Alderman McDade thanked the group for its efforts. She appreciated their report. Collaboration was important and noted the group's expertise. She specifically recognized Ms. Well's efforts.

Alderman Purcell thanked the group for the detailed plan.

Mayor Stockton echoed the Council's comments. He requested that the group keep the Council informed.

The following was presented:

SUBJECT: Resolution in Support of McLean County Wellness Coalition Community Action Plan

RECOMMENDATION: That the Resolution be adopted.

BACKGROUND: The McLean County Wellness Coalition is comprised of campus and community organizations working to promote healthy eating and active living in the home, school and child care environments, workplace, healthcare settings, and the community.

Over the past 20 years, physical inactivity and unhealthy eating have led to an epidemic of obesity and chronic disease across the United States. The epidemic is harming the health of millions of Americans and contributing significantly to rising health care costs and economic downturn. Two-thirds of adults are overweight or obese, and nearly one third of children and adolescents are overweight or obese. Locally, 39.5% of McLean County adults are overweight and 22% of McLean County Adults are obese. In addition, 11.1% of McLean County youth are overweight (6th - 12th grade) and 5.1% of McLean County youth are obese (6th - 12th grade).

The City recognizes that creating a sustainable community is necessary to ensure the long-term health and welfare of our citizenry as well as our continued economic development. Conclusive evidence exists that a sustainable approach to physical activity and healthier foods, such as improvements to the “built environment” including, bike and pedestrian friendly streets, adequate public transportation, and access to healthier food choices are important public health issues. Active living and healthy eating can reduce the occurrence of obesity, many chronic diseases, and enhance psychological well-being.

Poor nutrition and lack of physical activity are serious threats to the health and well-being of adults, children, and families. In light of the foregoing considerations, the City makes obesity and overweight prevention a priority and continues to commit to improving nutrition and physical activity in its community. Staff recommends supporting the McLean County Wellness Coalition in their efforts to make the healthy choice the easy choice by improving healthy eating and active living in the home, school and childcare environments, workplace, healthcare settings, and the community.

Staff respectfully recommends that Council adopt a Resolution supporting the McLean County Wellness Coalition Community Action Plan.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: BJ Wilken, YMCA, member of the McLean County Wellness Coalition.

FINANCIAL IMPACT: Not applicable.

Respectfully submitted for Council consideration.

Prepared by:

Reviewed by:

John Kennedy
Director of Parks, Recreation &
Cultural Arts

Barbara J. Adkins
Deputy City Manager

Recommended by:

David A. Hales
City Manager

RESOLUTION NO. 2011 - 33

**RESOLUTION REQUESTING SUPPORT OF MCLEAN COUNTY WELLNESS
COALITION COMMUNITY ACTION PLAN AND COMMITTING THE CITY OF
BLOOMINGTON TO WORK ON IMPROVING NUTRITION AND PHYSICAL
ACTIVITY**

WHEREAS, the City of Bloomington cares deeply about the health of its citizens, and

WHEREAS, 39.5% of McLean County adults are overweight and 22% of McLean County adults are obese; and 11.1% of McLean County youth are overweight (6th - 12th grade) and 5.1% of McLean County youth are obese (6th - 12th grade);

WHEREAS, obesity and overweight are primarily a consequence of poor nutrition and physical inactivity;

WHEREAS, improved nutrition and physical activity have benefits beyond weight control;

WHEREAS, the City of Bloomington recognizes that creating a sustainable community is necessary to ensure the long-term health and welfare of our citizenry as well as our continued economic development;

WHEREAS, conclusive evidence exists that a sustainable approach to physical activity and healthier foods, such as improvements to the “built environment” including, bike and pedestrian friendly streets, adequate public transportation, and access to healthier food choices are important public health issues. Active living and healthy eating can reduce the occurrence of obesity, many chronic diseases, and enhance psychological well-being;

WHEREAS, individual effort alone is insufficient to combat obesity’s rising tide and significant societal and environmental changes are needed to support individual efforts to make healthier choices;

WHEREAS, the McLean County Wellness Coalition has developed a Community Action Plan, which aims to reduce chronic disease and improve the overall health of the community through the promotion and adoption of nutrition and physical activity systems, policy and environmental change;

NOW, THEREFORE, LET IT BE RESOLVED, that the City of Bloomington hereby recognizes that poor nutrition and lack of physical activity are serious threats to the health and well-being of adults, children, and families in Bloomington. In light of the foregoing considerations, the City of Bloomington makes obesity and overweight prevention a priority and continues to commit to improving nutrition and physical activity in its community. The city also commits to supporting the McLean County Wellness Coalition in their efforts to make the healthy choice the easy choice by improving healthy eating and active living in the home, school and childcare environments, workplace, healthcare settings, and the community.

ADOPTED by the City of Bloomington this 25th day of July, 2011

APPROVED:

Stephen F. Stockton
Mayor

ATTEST:

Tracey Covert
City Clerk

Motion by Alderman McDade, seconded by Alderman Fazzini that the Resolution be adopted.

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

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

Nays: None.

Motion carried, (viva voce).

The following was presented:

SUBJECT: Analysis of Proposals for Architectural/Engineering Design and to Provide Constructions Plans and Specifications for Restoration of the Police Department Parking Garage and the Second Phase of the Market Street Parking Garage Restoration

RECOMMENDATION: That the RFP be awarded to Walker Restoration Consultants, Inc. in the amount of \$60,000, and the Mayor and City Clerk be authorized to execute the necessary documents.

BACKGROUND: There will be two (2) parts to this project:

1. Police Parking Garage – The Police Parking Garage was constructed in 1998. After four (4) years of use the top deck began to deteriorate. In the last seven (7) years the City has spent approximately \$140,000 repairing the top deck of the Police Parking Garage. There are presently thirty (30) unusable parking spaces in this structure.

Last year, Carl Walker, Inc. conducted a walk through inspection of the top deck and identified areas that were in need of repair. Carl Walker, Inc. was the engineering firm that designed the Market St. Garage repairs in 2010. For this project, staff is requesting the successful engineering firm to evaluate the current condition and to provide plans and specifications for a long term repair for this ongoing problem. A total of \$450,000 has been budgeted this fiscal year for this work.

2. Market St. Garage – The Market Street Parking Garage was constructed in the mid 1970's. In 2010, as part of a three (3) phase program, structural and life safety repairs were made to the Market St. Garage at a cost of \$224,997. The purpose of the three (3) phase repair program is to extend the life of the Market St. Parking Garage another ten to twelve (10 – 12) years.

Staff is now requesting the successful engineering firm to evaluate the current condition and to provide architectural/engineering design and plans and specifications for repairs. Repairs will be based on the 2010 Opinion of Probable Construction Cost, provided by Carl Walker, Inc. and the current condition assessment.

On July 13, 2011, proposals were opened and reviewed for this project. The results are as follows:

Walker Restoration Consultants, Inc. Engineering Services	\$56,400.00
Chicago, IL	
Estimated Reimbursables	3,600.00
Total	\$60,000.00
Carl Walker Inc. Engineering Services	\$60,000.00
Lombard, IL	
Estimated Reimbursables	6,300.00

Total	\$66,300.00
Farnsworth Group Engineering Services Bloomington, IL	\$104,000.00
Estimated Reimbursables	3,500.00
Total	\$107,000.00

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Six (6) RFP's were provided. Five (5) firms had been pre-qualified to provide architectural/design services. A pre-proposal meeting was held on July 1, 2011 at 10:00 a.m. Three (3) proposals were received.

FINANCIAL IMPACT: \$450,000 has been budgeted in the Capital Budget for repairs to the Police Dept. Parking Garage and \$300,000 has been budgeted in the Parking Maintenance & Operations, 54100-70510.

Staff requests Council approval of \$60,000 for this portion of the projects. \$34,000 will come from #4010-40100-70050 Capital Improvement/Engineering Services for the Police Department Parking Garage. \$26,000 will come from #5410-54100-70510 Parking Maintenance & Operations/Repair Maintenance Building for the Market Street Garage.

Respectfully submitted for Council consideration.

Prepared by:

Reviewed by:

Reviewed by:

Robert Floyd
Facilities Manager

Mark Huber
Director of PACE

Barbara J. Adkins
Deputy City Manager

Recommended by:

David A. Hales
City Manger

Mayor Stockton introduced this item. He noted that there were issues with the City Hall/Police Department parking structure. David Hales, City Manager, addressed the Council. This item would approve the Request for Proposal, (RFP), to review the condition, to develop a plan to repair, and to prepare the specifications for same for the Market St. and City Hall/Police Department Garages. He noted the limited funds that were available during the previous fiscal year. For the Market St. Garage, this would be Phase 3 of the repair project. This structure was approximately thirty-five (35) years old. The goal was to extend its useful life by another ten to twelve (10 – 12) years. The City Hall/Police Department Garage was described as problematic. He believed that this structure was only thirteen (13) years old.

Mark Huber, Director – PACE, addressed the Council. The next step would be to issue a formal bid for permanent repairs to these garages. City staff hoped to obtain cost effectiveness by combining these two (2) structures into one (1) bid packet. He noted that the Market St. Garage repair plan included three (3) phases due the estimated \$1 million cost.

Alderman McDade addressed preventative maintenance. She noted other parking garages of similar age. She believed that the City needed to avoid the use of salt and seal the concrete. Mr. Huber agreed that salt should not be used. City staff has attempted the use of salt substitutes. He added his opinion that a decision was made during the City Hall/Police Department project to not be too cost effective. The Council needed to consider the life cycle return and look beyond construction cost. Alderman McDade questioned future action. Mr. Huber noted regular preventative maintenance. The concept of facilities management was new to the City. It was hoped that this area's responsibility would be expanded to include preventative maintenance. The City needed to be proactive in its approach to facilities management. A cleaning schedule has been established for the parking garages. The next step would be to develop a routine maintenance schedule. Alderman McDade acknowledged that there was a cost, (time and money), to preventative maintenance. She added that these costs were generally less expensive than major repair work. Mr. Huber restated that preventative maintenance was a new area and he hoped that facilities management's role would expand to include same.

Mayor Stockton noted that the City had other parking facilities. He noted the difference in age between these two (2) garages. He added that the Lincoln Garage had been trouble free. He questioned the status of the Washington St. Garage. Mr. Huber responded that there were issues with this facility. City staff's goal was to sell this property. Mayor Stockton believed that the life expectancy of a parking garage was twenty (20) years. Mr. Huber expressed his opinion that the life span was twenty to twenty-five (20 – 25) years. It could be extended through preventative maintenance and repair. He cited issues with construction standard selected. Mayor Stockton questioned impacts upon useful life. Mr. Huber believed that it was a combination of construction and maintenance.

Alderman Stearns questioned if there was a warranty. Mr. Huber responded that generally there was a one to two (1 – 2) year warranty for new construction. City staff would need to review the contracts, (design, construction and third party inspection). Alderman Stearns questioned what type of action would impact warranty. Mr. Huber was unable to address this question. He informed the Council that police vehicles had been damaged. Currently thirty (30) parking spaces were out of service. Repairs were currently ongoing. Alderman Stearns expressed her concern regarding personal injury. She believed that the concrete was deteriorating. She questioned if same was repairable and again questioned warranty. Mr. Huber stated that the garage had been evaluated by a structural engineer. Repairs to this garage had cost over \$140,000 over a number of years. The parking deck would be evaluated. The goal was permanent repair. The project would be put out for bid after the construction repair design documents were prepared. Alderman Stearns expressed her disappointment.

Alderman Anderson addressed a contractor review process. This should address work longevity. He expressed his concerns regarding quality and added his interest in recourse. Mr. Huber noted that the City must be willing to pay a higher cost to obtain a higher quality of work. Alderman Anderson believed that the Council was willing to do same.

Mr. Hales noted that this was a complex issue. A decision regarding construction cost was made early in a project. The City needed to examine life cycle costs. He cited the need for inspections during construction and longer warranties. Both of these items would in turn increase costs. He hoped such action would avoid future issues regarding premature failure. There were no simple answers.

Mayor Stockton recalled his experience at State Farm. State Farm paid more for the construction of its parking facilities which lowered the company's maintenance costs. He acknowledged life expectancy issues.

Alderman Fruin shared the Council's concerns. He also supported City staff. He addressed Downtown parking. He questioned the City's mission regarding this subject. Downtown parking was part of a bigger picture. There were other options for the block occupied by the Market St. Garage. He believed that the Council needed to have a discussion regarding the Downtown.

Alderman Purcell expressed his concern regarding the total cost for this item. He questioned the impact if these repairs exceeded the budgeted amount. Mr. Huber stated that City staff was utilizing a year old engineering report and the current year's budget. The goal was to move forward. As a worst case scenario, the City may need to obtain a second opinion. He noted that the parking deck was integral to the Police Department building. The parking structure was built with precast concrete. City staff had hoped that a better top seal had been used.

Mayor Stockton requested that the issue of warranties be addressed at future Work Session. This Work Session would also need to address the quality of construction and associated maintenance costs. He added his concern regarding City streets. He noted deterioration at the joints.

Motion by Alderman Fruin, seconded by Alderman Anderson that the RFP be awarded to Walker Restoration Consultants, Inc. in the amount of \$60,000, 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, McDade, Anderson, Fazzini, Sage, Fruin and Purcell.

Nays: None.

Motion carried.**The following was presented:**

SUBJECT: Purchase of a 2012 Pierce Dash CF 1500 GPM Fire Engine

RECOMMENDATION: That one (1) Pierce 2011 Dash CF PUC Engine be purchased from Global Emergency Products/Pierce of Aurora in the amount of \$524,551, the Purchasing Agent be authorized to issue a purchase order for same, and the Resolution adopted.

BACKGROUND: The Fire Department routinely rotates fire engines over a twenty-five (25) year life span. Each engine remains in front line service for the first fifteen (15) years and then goes into reserve for no more than ten (10) years. As City finances were being addressed in the last few years, replacement of vehicles were pushed back several years.

Replacement criteria: All of the fire engines in the City are manufactured by Pierce. Staff attempts to be consistent with the vehicles already in use, considered proximity of a warrantee repair facility and the excellent level of service that has always been received. Familiarity of the vehicles and overall satisfaction with the Pierce product and value led staff to select Pierce to build the next new fire engine.

The fire engine to be replaced is E8, a 1982 Pierce Arrow. It is in need of major repair including a new water tank, an overhaul of the pump and refurbishing the cab to bring it up to the newer standards. This engine has an open cab with no totally enclosed seating for the third crew member. This is a critical safety issue and is the only vehicle left in the City's fleet with open seating. It is estimated that it would take approximately \$180,000 to refurbish this engine. This cost is prohibitive for a thirty (30) year old vehicle that has an estimated resale value of \$20,000.

The new engine will be put into service at Station 6 and will have features to accommodate all of the additional EMS equipment that is required to respond as an Intermediate Engine company. This will continue to enhance the level of Emergency Medical Services on the far east side of the City. It is also one of the long term goals to upgrade this engine to an Advanced Life Support response vehicle. This has been taken into consideration during the design.

The current Engine, E6, is a 2000 Pierce Dash Pumper, will then be renumbered, and put into reserve at Station 6. This will enable a reliable back up engine at that station. The current engine does respond as an Intermediate Engine, but lacks the room in the cab area to accommodate all of the equipment in an organized manner.

Bidding Process: The new engine is being purchased through the Suburban Purchasing Cooperative (SPC). The SPC is a joint purchasing program sponsored by the Northwest Municipal Conference (NWMC), DuPage Mayors & Managers Conference (DMMC) South Suburban Mayors and Managers Association (SSMMA), and Will County Governmental League (WCGL). Together the SPC represents one hundred fifty (150) municipalities and townships in the Chicagoland Region.

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. The goal of the SPC is to combine the resources and purchasing power of governments and not-for-profit entities to jointly negotiate advantageous contract terms on a line of high quality products at the lowest possible price.

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 vendors available for fire apparatus were Global Emergency Products/Pierce, HME Incorporated and Crimson Emergency Management Corporation. These vendors were selected after participating in the bid process with SPC.

Economies of scale in terms of pricing and staff resources are the prime objectives of the SPC Joint Purchasing Program. By purchasing through the SPC, the City saves both money and staff time. Acting as an extension of the purchaser's staff, SPC staff works diligently in order 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 City is a member of the Northwest Municipal Conference and is taking advantage of the Suburban Purchasing Cooperative.

FINANCIAL IMPACT: Funds for this purchase are available in #1001-15210-72130 Fire Dept/Capital Outlay Vehicles. The financing of this vehicle will be spread out over five (5) years.

Respectfully submitted for Council consideration.

Prepared by:

Reviewed by:

Financial review by:

Les Siron
Asst. Fire Chief

Mike Kimmerling
Fire Chief

Timothy Ervin
Director of Finance

Recommended by:

David A. Hales
City Manager

RESOLUTION NO. 2011 - 34

**A RESOLUTION WAIVING THE FORMAL BIDDING PROCESS AND
AUTHORIZING THE PURCHASE OF ONE (1) PIERCE 2011 DASH CF PUC ENGINE
FOR THE FIRE DEPARTMENT FROM GLOBAL EMERGENCY PRODUCTS/PIERCE
OF AURORA AT A PURCHASE PRICE OF \$524,551**

WHEREAS, the Suburban Purchasing Cooperative (SPC) is a joint purchasing program sponsored by the Northwest Municipal Conference (NWMC), DuPage Mayors & Managers Conference (DMMC) South Suburban Mayors and Managers Association (SSMMA), and Will County Governmental League (WCGL). Together the SPC represents one hundred fifty (150) municipalities and townships in the Chicagoland Region; and

WHEREAS, 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 vendors available for fire apparatus were Global Emergency Products/Pierce, HME Incorporated and Crimson Emergency Management Corporation. These vendors were selected after participating in the bid process with SPC.

THEREFORE, be It Resolved by the City Council of the City of Bloomington, Illinois,

1. That the bidding process be waived and the Purchasing Agent be authorized to Purchase one (1) Pierce 2011 Dash CF PUC Engine for the Fire Department from Global Emergency Products/Pierce of Aurora at a Purchase Price of \$524,551.

ADOPTED this 25th day of July, 2011.

APPROVED this 26th day of July, 2011.

APPROVED:

Stephen F. Stockton
Mayor

ATTEST:

Tracey Covert
City Clerk

David Hales, City Manager, introduced this item. He cited the collaborative process used which involved other governmental entities. Specifications were written and bids were solicited. The Suburban Purchasing Cooperative (SPC) allowed the City to receive economies of scale. This purchase would be incorporated into the City's lease purchase

agreement. There would also be an annual debt service associated with this item. He noted that the City had deferred equipment purchases.

Mike Kimmerling, Fire Chief, addressed the Council. He addressed the joint purchasing process. The packaged price offered was similar to the state's joint purchasing program. The SPC has attempted a similar project for ambulances. The Fire Department's budget included the purchase of two (2) ambulances. Fire response vehicles represented specialized expensive equipment. This truck needed to be replaced. He cited its age, (thirty years old). Vehicles were evaluated prior to replacement.

Mr. Hales addressed the current City Code. The Council would be waiving the City's formal bid process. This truck was put out for bid through a cooperative process.

Alderman Sage complimented City staff regarding the Council memorandum. He cited the cost benefit analysis. The City had undergone a cultural change. City staff had performed due diligence and considered other alternatives. City staff had documented good business practices. He added that he had computed the daily cost of this purchase.

Chief Kimmerling recognized Les Siron's, Deputy Chief, efforts. Staff would continue to research best practices for emergency vehicles.

Mayor Stockton questioned the lease purchase. Chief Kimmerling noted that at the lease's conclusion the truck would become City property.

Alderman Purcell noted that this engine would be retired. He cited the truck's estimated value (\$20,000). He questioned maintenance cost and this truck's purpose. Chief Kimmerling restated that staff continued to research useful life, maintenance of same, trade in, auction and/or donation. If sold, the City has generally sold surplus fire equipment to local fire districts.

Alderman Mwilambwe questioned estimated savings. Chief Kimmerling noted that the bid process was handled by the SPC. The SPC received a substantial discount.

Motion by Alderman Fazzini, seconded by Alderman Mwilambwe that one (1) Pierce 2011 Dash CF 1500 GPM Engine be purchased from Global Emergency Products/Pierce of Aurora in the amount of \$524,551, the Purchasing Agent be authorized to issue a Purchase Order for same, and the Resolution adopted.

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

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

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Purchase of New Police Patrol Cars Using State Of Illinois Joint Purchasing Contract

RECOMMENDATION: That the five (5) replacement police vehicles be purchased from Green Chevrolet, Jacksonville in the amount of \$104,373.80, through the State of Illinois Joint Purchasing Contract, and additional equipment to be installed by City staff at a cost of \$24,147, for a total of \$128,520.80, the Purchasing Agent be authorized to issue a Purchase Order for same, and the Resolution adopted.

BACKGROUND: A total of ten (10) police vehicles have mileage that exceeds 100,000 which need to be replaced. Seven (7) are scheduled for replacement during the current fiscal year.

Normal replacement of marked patrol cars is at 100,000 miles. The State of Illinois has issued a one (1) year renewal of the Police Pursuit Impala Contract to Green Chevrolet. Staff respectfully requests to replace five (5) units with the highest mileage or that need repairs that exceed their value at the time the new units are put in service. The replaced vehicles would be declared surplus and be sold on public auction.

The five (5) units will cost \$20,874.76 each for a total of \$104,373.80. Police vehicles have additional equipment that is necessary for performing police work, (lights and sirens, etc.) Staff has received quotations for this various equipment, and will install them in the vehicles which will cost \$24,147, for a total of \$128,520.80.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable.

FINANCIAL IMPACT: The total cost to purchase the five (5) marked patrol cars plus equipment is \$128,520.80. \$104,373.80, the cost of five (5) cars, and \$24,147, towards equipment, will be paid from the Police Department FY 2011 Budget, G15110-72130.

Respectfully submitted for Council consideration.

Prepared by:

Financial review by:

Recommended by:

Jim Karch
Director of Public Works

Timothy Ervin
Director of Finance

David A. Hales
City Manager

RESOLUTION NO. 2011 - 34**A RESOLUTION WAIVING THE FORMAL BIDDING PROCESS AND AUTHORIZING THE PURCHASE OF FIVE (5) MARKED PATROL CARS FROM GREEN CHEVROLET THROUGH THE STATE OF ILLINOIS JOINT PURCHASE CONTRACT AT A COST OF \$104,373.80 AND NECESSARY EQUIPMENT AT A COST OF \$24,147.00 FOR A TOTAL PRICE OF \$128,520.80**

WHEREAS, 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.

WHEREAS, The State of Illinois has issued a one (1) year renewal of the Police Pursuit Impala Contract to Green Chevrolet. By purchasing through the State of Illinois Joint Purchase Contract, the City saves both money and staff time. Acting as an extension of the purchaser's staff, the State of Illinois Joint Purchasing Contract staff works diligently in order to avoid the needless duplication of effort through in house coordination of several functions involved in the procurement process.

THEREFORE, be It Resolved by the City Council of the City of Bloomington, Illinois,

1. That the bidding process be waived and the Purchasing Agent be authorized to issue a Purchase Order for Five (5) replacement Police Patrol Cars from Green Chevrolet at a cost of \$104,373.80 through the State of Illinois Joint Purchasing Contract and necessary equipment at a cost of \$24,147 for a total price of \$128,520.80.

APPROVED:

Stephen F. Stockton
Mayor

ATTEST:

Tracey Covert
City Clerk

David Hales, City Manager, recommended the purchase of five (5) police patrol cars plus the associated equipment. He noted the state's joint purchasing contract. This was a competitive process. A set number of police vehicles were manufactured. Police vehicles were a package from the manufacturer. The current manufacturer was Chevy.

Alderman Fazzini noted that the request was for five (5) vehicles. He questioned availability. Randy McKinley, Police Chief, addressed the Council. The goal was to purchase six (6) but only five (5) were available.

Motion by Alderman Fazzini, seconded by Alderman Anderson that the five (5) replacement police vehicles be purchased from Green Chevrolet, Jacksonville, through the State of Illinois Joint Purchasing Contract, in the amount of \$104373.80, and additional equipment to be installed by City staff at a cost of \$24,147, for a total of \$128,520.80, the Purchasing Agent be authorized to issue a Purchase Order for same, and the Resolution adopted.

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

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

Nays: None.

Motion carried.

MAYOR'S DISCUSSION: Mayor Stockton informed the Council that the Liquor Commission would hold a special meeting on Tuesday, August 2, 2011 at 4:00 p.m. There were nine (9) items on the agenda. Two (2) items were prioritized: license fees/penalties and license conditions. An additional item was the application by Dazlou, LLC, d/b/a Sidetracked. He invited the Council to attend same. A joint meeting between the Commission and Council would be scheduled at a future date.

CITY MANAGER'S DISCUSSION: David Hales, City Manager, informed the Council that Bob Siron, Asst. Police Chief, retired this date after twenty-eight (28) years of service.

ALDERMEN'S DISCUSSION: Alderman Fruin addressed the subject of boards and commissions. He expressed his opinion that the Planning Commission could eliminate the quadrant system. The City needed to be more inclusive. Planning Commission members needed to view the entire community and not just their quadrant. He believed that this practice was outdated. In addition, Planning Commission recommendations come before the Council for final vote.

Mayor Stockton expressed his interest in direction from the Council. Alderman Fruin believed that there should be a future discussion regarding global thinking.

Alderman Purcell recognized the street resurfacing efforts within his ward.

Alderman McDade noted that she served as the Council's representative on the EDC, (Economic Development Council). She viewed the City as an investor. The EDC was in the process of preparing a five (5) year strategic plan. There were documents available

for review. She expressed her willingness to meet with and discuss same. She was interested in the Council's feedback. She also welcomed citizen input. She believed that the EDC would appear on the Council's August 22, 2011 meeting agenda.

Mayor Stockton recognized Alderman McDade's time commitment to the EDC. She served on the EDC's Executive Committee with David Hales, City Manager. There were a number of additions to the plan which addressed the focus and accountability from concept to reality.

Alderman McDade thanked Alderman Fazzini for encouraging the Council's participation in the Mile Per Day challenge. Finally, she thanked City staff for their answers to her questions.

Alderman Mwilambwe addressed the Blues Festival which had been held over the past weekend, (July 15 and 16, 2011). It was a good event. He attended same with members of the Liquor Commission. There were a few issues. He cited the noise level on Friday night. He would attempt to evaluate same. There was one (1) individual who was opposed to the festival. He described the Festival as a neighborhood event.

Mayor Stockton noted that concerns were raised regarding setting a precedent. He cited requests for a noise ordinance. The City needed to find a better way to police and enforce same. The City could look to other communities. Alderman Mwilambwe noted that the event organizers and residents had reached an agreement. He added that noise level could be tied to time of day. Mayor Stockton stated that sound readings were taken and recorded.

Alderman Fruin valued Alderman Mwilambwe's response in addressing the concerns of the residents at the Villas at Spring Ridge.

Alderman Mwilambwe addressed the issue of parking garages. He noted that the least costly to construct may not be the best option for the City. This philosophy could also be applied to City streets, buildings, etc. The Council needed to consider the long term image of the City, (what should the City look like). In addition, the Council should question what was best for the City, as a business and as a community.

Alderman Sage followed up on comments made by Alderman Fruin. He stated his interest in the City's boards and commissions. He noted the City's strategic plan which addressed citizen engagement. The Statement of Interest form was available on the City's web site. He believed that there needed to be a review of the City's board and commissions. He did not have particular topics/questions in mind. The goal would be to create awareness, (Council and/or public). He volunteered to gather input from the Council regarding same. Mayor Stockton believed that there were inactive boards and commissions. Alderman Sage addressed the structure of the Planning Commission as an example.

Alderman Anderson complimented City staff regarding the streets that had been resurfaced in the Miller Park area. Citizens in the area were pleased by this work.

He also complimented Mike Kimmerling, Fire Chief. He cited the quality of the City's first responders. Chief Kimmerling directed the command center during the recent building collapse, (July 11, 2011). He planned to hold a debriefing with Chief Kimmerling regarding this incident.

Mayor Stockton informed the Council that he had visited the site after the Council's July 11, 2011 meeting. The City's response was excellent in his opinion. He hoped that this information would be conveyed to City staff at the scene. The street was reopened the next morning. He described the situation as unfortunate. He was proud of the City's response. Chief Kimmerling and his staff were evaluating the City's response. It would be used as a learning experience.

Motion by Alderman Purcell, seconded by Alderman McDade, that the meeting be adjourned. Time: 9:17 p.m.

Motion carried.

**Tracey Covert
City Clerk**

This page intentionally left blank.