

**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 7:30 p.m., Monday, March 27, 2006.**

**The Meeting was opened by Pledging Allegiance to the Flag followed by 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: Kevin Huette, Allen Gibson, Michael Matejka, Jim Finnegan, Steven Purcell, Karen Schmidt and Mayor Stephen F. Stockton.**

**City Manager Tom Hamilton, City Clerk Tracey Covert, and Corporate Counsel Todd Greenburg were also present.**

**Absent: Alderman Joseph "Skip" Crawford.**

**The following was presented:**

To:           Honorable Mayor and Members of the City Council  
From:         Staff  
Subject:       Opening of One Bid for 225 Pairs Rental Figure Skates and 125 Pairs Rental Hockey Skates, Pepsi Ice Center

Bids were received by the City Clerk on March 8, 2006 for 225 Pairs Rental Figure Skates and 125 Pairs Rental Hockey Skates, Pepsi Ice Center. There is \$26,250 budgeted for this item. Only one bid was received by the City Clerk and it is City policy in situations where only one bid is received to have the bid opened and read at the Council Meeting.

Staff requests that the City Council authorize the Purchasing Agent to open the bid at the March 27, 2006 Meeting and present the City Council with a recommendation to be presented at the Council's April 10, 2006 meeting concerning award of the bid.

Respectfully,

Tracey Covert  
City Clerk

Tom Hamilton  
City Manager

**Motion by Alderman Matejka, seconded by Alderman Gibson that the bid be opened at the Council meeting, referred to staff for analysis and reported back to Council at their April 10, 2006 meeting.**

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

**Ayes: Aldermen Huette, Schmidt, Finnegan, Gibson, Matejka and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

To: Honorable Mayor and Members of the City Council  
From: Staff  
Subject: Bills and Payroll

The following list of bills and payrolls have been furnished to you in advance of this meeting. After examination I find them to be correct and, therefore, recommend their payment.

Respectfully,

Brian J. Barnes  
Director of Finance

Tom Hamilton  
City Manager

(ON FILE IN CLERK'S OFFICE)

**Motion by Alderman Finnegan, seconded by Alderman Schmidt 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 Huette, Schmidt, Finnegan, Gibson, Matejka and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Payments from Various Municipal Departments

1. The tenth partial payment to Peace Meal in the amount of \$2,082 on a contract amount of \$25,000 of which \$20,820 will have been paid to date for work certified as 83% complete for the Peace Meals. Completion date - April 2006.
2. The tenth partial payment to Peace Meal in the amount of \$624 on a contract amount of \$7,500 of which \$6,237 will have been paid to date for work certified as 83% complete for the John M. Scott Home Delivered Meals. Completion date - May 2006.
3. The third partial payment to Economic Development Council of Bloomington/Normal in the amount of \$3,750 on a contract amount of \$45,000 per year of which \$11,250 will have been paid to date for work certified as 25% complete for the McLean County Economic Development. Completion date - December 2008.
4. The fourth partial payment to Felmley Dickerson in the amount of \$323,602.39 on a contract amount of \$2,669,586 of which \$740,046.19 will have been paid to date for work certified as 28% complete for the Library Expansion. Completion date - November 2006.
5. The fourth partial payment to McLean County Soil & Water Conservation in the amount of \$14,633.50 on a contract amount of \$58,534 of which \$58,534 will have been paid to date for work certified as 100% complete for the Professional Service. Completion date - annual.
6. The ninth partial payment to New World Systems in the amount of \$1,789.15 on a contract amount of \$671,523 of which \$433,602.09 will have been paid to date for work certified as 65% complete for the Police & Fire Computer Aided Dispatch Center. Completion date - July 2006.
7. The sixth partial payment to Felmley Dickerson in the amount of \$29,032.40 on a contract amount of \$168,008 of which \$159,512.60 will have been paid to date for work certified as 95% complete for the Police and Fire Computer Aided Dispatch Center. Completion date - December 2006.
8. The twenty-third partial payment to Turner Construction Company in the amount of \$6,518 on a contract amount of \$187,824 of which \$168,270 will have been paid to date for work certified as 89.59% complete for the Project Management Services. Completion date - June 2006.

9. The twenty-second partial payment to Hammond Beeby Rupert Ainge, Inc. in the amount of \$43,891.36 on a contract amount of \$1,993,750 of which \$1,864,160.74 will have been paid to date for work certified as 94% complete for the Phase 3 and 4 of the Renovation of the Bloomington Center for the Performing Arts. Completion date - August 2006.
10. The ninth partial payment to Terracon in the amount of \$1,098.88 on an as needed basis contract of which \$11,652.71 will have been paid to date for work certified as ongoing for the Inspection Services for the Renovation of the Bloomington Center for the Performing Arts. Completion date - as needed.
11. The fifth partial payment to Central Illinois Arena Management in the amount of \$252,106.55 on a contract amount of \$1,007,697.83 of which \$848,547.04 will have been paid to date for work certified as 84% complete for the Professional Services. Completion date - April 2006.
12. The twenty-third partial payment to Johnston Contractors, Inc. in the amount of \$204,373.35 on a contract amount of \$3,436,274 of which \$3,098,147 will have been paid to date for work certified as 90% complete for the Design/Build of the US Cellular Coliseum. Completion date - April 2006.
13. The tenth partial payment to Felmley Dickerson in the amount of \$106,412.40 on a contract amount of \$727,589 of which \$578,979.90 will have been paid to date for work certified as 80% complete for the Design/Build of the US Cellular Coliseum. Completion date - April 2006.
14. The eleventh partial payment to Felmley Dickerson in the amount of \$161,610.30 on a contract amount of \$668,927 of which \$535,578.30 will have been paid to date for work certified as 80% complete for the Design/Build of the US Cellular Coliseum. Completion date - April 2006.
15. The eighteenth partial payment to Stark Excavating, Inc. in the amount of \$59,157 on a contract amount of \$3,597,507 of which \$3,237,756.30 will have been paid to date for work certified as 90% complete for the Design/Build of the US Cellular Coliseum. Completion date - April 2006.
16. The nineteenth partial payment to Mid-Illinois Mechanical Inc. in the amount of \$785,485 on a contract amount of \$3,542,655 of which \$3,088,672.69 will have been paid to date for work certified as 87% complete for the Design/Build of the US Cellular Coliseum. Completion date - April 2006.
17. The third partial payment to Wayne Dalton of Peoria in the amount of \$48,460.50 on a contract amount of \$131,322 of which \$100,915.20 will have been paid to date for work certified as 77% complete for the Design/Build of the US Cellular Coliseum. Completion date - April 2006.

18. The eighth partial payment to Kelly Glass in the amount of \$18,277 on a contract amount of \$305,418 of which \$262,178 will have been paid to date for work certified as 86% complete for the Design/Build of the US Cellular Coliseum. Completion date - April 2006.
19. The eighth partial payment to Associated Constructors Co., Inc. in the amount of \$125,814.60 on a contract amount of \$1,088,745 of which \$943,870.50 will have been paid to date for work certified as 87% complete for the Design/Build of the US Cellular Coliseum. Completion date - April 2006.
20. The eighth partial payment to Commercial Floor Covering in the amount of \$11,970 on a contract amount of \$289,262 of which \$221,322.50 will have been paid to date for work certified as 77% complete for the Design/Build of the US Cellular Coliseum. Completion date - April 2006.
21. The second partial payment to Irwin Seating Co. in the amount of \$254,205 on a contract amount of \$695,068 of which \$582,920 will have been paid to date for work certified as 84% complete for the Design/Build of the US Cellular Coliseum. Completion date - April 2006.
22. The twelfth partial payment to Automatic Fire Sprinkler, LLC in the amount of \$28,133.10 on a contract amount of \$363,649 of which \$319,058.10 will have been paid to date for work certified as 88% complete for the Design/Build of the US Cellular Coliseum. Completion date - April 2006.
23. The fifteenth partial payment to GA Rich & Sons in the amount of \$114,679.80 on a contract amount of \$1,342,383 of which \$1,169,141.40 will have been paid to date for work certified as 87% complete for the Design/Build of the US Cellular Coliseum. Completion date - April 2006.
24. The fourteenth partial payment to Johnston Contractors, Inc. in the amount of \$10,957.76 on a contract amount of \$371,005 of which \$342,829.55 will have been paid to date for work certified as 92% complete for the Design/Build of the US Cellular Coliseum Parking Deck. Completion date - April 2006.
25. The seventh partial payment to Area Erectors, Inc. in the amount of \$7,020 on a contract amount of \$150,175 of which \$107,572.50 will have been paid to date for work certified as 72% complete for the Design/Build of the US Cellular Coliseum Parking Deck. Completion date - April 2006.
26. The second partial payment to Kelly Glass in the amount of \$7,200 on a contract amount of \$89,758 of which \$58,282 will have been paid to date for work certified as 65% complete for the Design/Build of the US Cellular Coliseum Parking Garage. Completion date - April 2006.

27. The eighth partial payment to D & H Electric & Heating Co. in the amount of \$7,114.73 on a contract amount of \$113,160 of which \$99,747.45 will have been paid to date for work certified as 88% complete for the Design/Build of the US Cellular Coliseum Parking Garage. Completion date - April 2006.
28. The seventh and final payment to Illinois Department of Transportation in the amount of \$64,558.90 on a contract amount of \$318,800 of which \$64,558.90 will have been paid to date for work certified as 95% complete for the Constitution Trail Project - Rt. 9 to Lincoln St. Completion date - March 2006.
29. The fourth partial payment to Farnsworth Group in the amount of \$13,906.88 on a contract amount of \$189,500 of which \$61,628.38 will have been paid to date for work certified as 33% complete for the Constitution Trail - Grove to Hamilton. Completion date - September 2006.
30. The tenth partial payment to Clark Dietz, Inc. in the amount of \$25,244.27 on a contract amount of \$330,000 of which \$190,614.62 will have been paid to date for work certified as 58% complete for the Hamilton Road - Timberlake to Main Street. Completion date - December 2006.
31. The fifth partial payment to Farnsworth Group in the amount of \$3,710 on a contract amount of \$168,400 of which \$49,658 will have been paid to date for work certified as 29% complete for the Lincoln Street - Bunn to Morrissey. Completion date - June 2006.
32. The first partial payment to Illinois Department of Transportation in the amount of \$2,142,472.29 on a contract amount of \$2,810,800 of which \$2,142,472.29 will have been paid to date for work certified as 76% complete for the Hamilton Road @ Fox Creek Road Intersection. Completion date - April 2006.
33. The third partial payment to P.J. Hoerr, Inc. in the amount of \$15,097.22 on a contract amount of \$2,234,000 of which \$420,759.70 will have been paid to date for work certified as 19% complete for the Holiday Pool Renovation. Completion date - July 2006.
34. The fourth partial payment to Farnsworth Group in the amount of \$1,828.75 on a contract amount of \$32,562 of which \$9,114.89 will have been paid to date for work certified as 28% complete for the Norfolk Southern Railroad Crossing Negotiations. Completion date - June 2006.
35. The first partial payment to Illinois Department of Transportation in the amount of \$179,515.27 on a contract amount of \$456,176.04 of which \$179,515.27 will have been paid to date for work certified as 39% complete for the Fell Avenue Bridge. Completion date - November 2006.

36. The second partial payment to Ancel, Glink, Diamond, Bush, Dicianni & Rolek, P.C. in the amount of \$3,300 on a contract amount of \$50,000 of which \$18,658.75 will have been paid to date for work certified as 37% complete for the Water Department Intergovernmental Agreement Study. Completion date - December 2006.
37. The third partial payment to Farnsworth Group in the amount of \$1,294.75 on a contract amount of \$15,000 of which \$4,239.75 will have been paid to date for work certified as 28% complete for the Ozone Pilot Study for Taste and Odor Compound Elimination. Completion date - October 2006.
38. The eleventh partial payment to Clark Dietz, Inc. in the amount of \$675.23 on a contract amount of \$22,000 of which \$11,233.41 will have been paid to date for work certified as 51% complete for the Water Department Emergency Response Plan. Completion date - December 2006.
39. The sixth partial payment to Clark Dietz, Inc. in the amount of \$7,286.66 on a contract amount of \$32,000 of which \$23,077.50 will have been paid to date for work certified as 72% complete for the James Place Water Main. Completion date - October 2006.
40. The third partial payment to Farnsworth Group in the amount of \$5,843.35 on a contract amount of \$256,000 of which \$16,114.16 will have been paid to date for work certified as 6% complete for the Kickapoo Force Main Design - Property Surveys and Brokaw Road Surveys. Completion date - November 2006.
41. The first partial payment to Hanson Engineers in the amount of \$10,539.80 on a contract amount of \$15,300 of which \$10,539.80 will have been paid to date for work certified as 69% complete for the Fox Creek Road Water Main. Completion date - August 2006.
42. The fifteenth and final payment to Stark Excavating, Inc. in the amount of \$116,990.93 on a contract amount of \$3,788,635.93 of which \$3,788,635.93 will have been paid to date for work certified as 100% complete for the Pipeline Road Watermain Division B. Completion date - March 2006.
43. The second partial payment to George Gildner, Inc. in the amount of \$9,015 on a contract amount of \$53,855 of which \$49,315 will have been paid to date for work certified as 92% complete for the Water Treatment Plant 12" Reclaim Main. Completion date - April 2006.

All of the above described payments are for planned and budgeted items previously approved by the City Council. I recommend that the payments be approved.

Respectfully,

Tom Hamilton  
City Manager

**Motion by Alderman Finnegan, seconded by Alderman Schmidt that the payments be approved.**

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

**Ayes: Aldermen Huette, Schmidt, Finnegan, Gibson, Matejka and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Audit of the Accounts for the Township Supervisor of General Assistance Fund and General Town Fund for the Month of February, 2006

Audit of the Accounts for the Township Supervisor of General Assistance Fund and General Town Fund for the month of February were presented for Audit by the Township Supervisor.

The Audit of these accounts took place on Monday, March 27, 2006 at 6:30 p.m. in the Conference Room of Bloomington City Hall and should, at this time, be made a matter of record.

Respectfully,

Tracey Covert  
City Clerk

**Motion by Alderman Finnegan, seconded by Alderman Schmidt that the audit of the bills and payrolls for the Township for the month of February, 2006 be made a matter of record.**

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

**Ayes: Aldermen Huette, Schmidt, Finnegan, Gibson, Matejka and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**



March 26, 2006

1809

To: Honorable Mayor and Members of the City Council  
From: Staff  
Subject: Reports

The following reports should be received and placed on file with the City Clerk:

1. Motor Fuel Tax Allotment for the month of February, 2006.
2. Monthly Receipt & Expenditure Report, February, 2006.

Respectfully,

Tracey Covert  
City Clerk

Tom Hamilton  
City Manager

(REPORTS ON FILE IN CLERK'S OFFICE)

**Motion by Alderman Finnegan, seconded by Alderman Schmidt that the reports be received and placed on file.**

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

**Ayes: Aldermen Huette, Schmidt, Finnegan, Gibson, Matejka and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

To: Members of the City Council  
From: Stephen Stockton, Mayor  
Subject: Appointment(s) and Reappointment(s) to Various Boards and Commissions

I ask that you concur with the following reappointments to the Firemen's Pension Board:

Tracey Covert, 8388 Surrey Circle, Bloomington. Her term will expire April 30, 2009.

Brian Barnes, 2719 Essington, Bloomington. His term will expire April 30, 2009.

I ask that you concur with the following appointment to the Planning Commission:

Tyhad Harrison, 2701 Carrington Lane, Bloomington. His term will expire on April 30, 2010.

Respectfully,

Stephen F. Stockton  
Mayor

**Mayor Stockton introduced Tyhad Harrison, newest Planning Commission member. Mr. Harrison introduced himself to the Council. Currently, he resided in the Fox Lake Subdivision. Originally he was from Florida. While living there, he had been engaged in local and state government. He cited past volunteer efforts and his interest in pursuing opportunities to serve here. He was employed at State Farm. He had been in the community for three (3) years and would represent the City's southwest quadrant. He took pride in his local community. He provided information regarding his diverse background and stated his intention to raise his family here.**

**Motion by Alderman Finnegan, seconded by Alderman Schmidt that the appointment and reappointments be approved.**

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

**Ayes: Aldermen Huette, Schmidt, Finnegan, Gibson, Matejka and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Payment to Norfolk and Southern Railroad for Plan Review Expenses

The City has a proposed project to improve the intersection of White Oak Road and Dr. Martin Luther King Jr. Drive. The project includes widening White Oak Road to add left turn lanes and the installation of traffic signals. Due to the proximity of the railroad crossing on Dr. Martin Luther King Jr. Drive to the intersection, the railroad crossing must also be upgraded and signalized. The Norfolk and Southern Railroad (NSRR) requires that applicants pay for review of their plan submittals and for the design of modifications to the crossing. George Drye, the former Director of Engineering & Water, wrote a letter to the NSRR on 9/23/02 promising that

the City would pay up to \$5,000 for those services. This was the maximum amount that Mr. Drye could commit without Council action.

The Engineering Department has received an invoice from the NSRR for review and design services in the amount of \$7,094.41. Staff has reviewed the bill and supporting documentation and believes the amount to be reasonable.

Staff respectfully requests that Council approve a payment in the amount of \$7,094.41 to Norfolk and Southern Railroad with payment to be made with Capital Improvement Funds (X40100-72530).

Respectfully,

Douglas G. Grovesteen  
Director of Engineering

Tom Hamilton  
City Manager

**Motion by Alderman Finnegan, seconded by Alderman Schmidt that the payment be approved.**

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

**Ayes: Aldermen Huette, Schmidt, Finnegan, Gibson, Matejka and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Payment for Materials and Design Services for the Woodbury Estates Subdivision

The water main installation to serve the Woodbury Estates Subdivision on the southeast side was approved with a connection proposed under the railroad tracks to the west of the subdivision. Due to difficulties in obtaining the easement under the railroad right-of-way, the water mains were designed and installed in the subdivision, but not under the railroad tracks.

Since the water main installation in the subdivision was completed before easement was obtained, the contractor has requested to be reimbursed for materials purchased for the railroad crossing and design. The reimbursement for the materials is \$6,245 and will be used by the Water Department on other jobs. The design reimbursement is \$5,600 for a total reimbursement

of \$11,845 to the Tornquist Family Foundation. The connection under the railroad tracks will be made as part of an adjacent water main replacement project in the very near future.

Staff respectfully requests that Council approve the payment to the Tornquist Family Foundation in the amount of \$11,845 with payment to be made with Water Department, Operations and Maintenance Funds, Distribution Division, Other Repair and Maintenance (5010-X50120-70590) for \$6,245 and Water Department, Operations and Maintenance Funds, Distribution Division, Other Professional and Technical Services (5010-X50120-70220) for \$5,600.

Respectfully,

Craig M. Cummings  
Director of Water

Tom Hamilton  
City Manager

**Motion by Alderman Finnegan, seconded by Alderman Schmidt that the payment be approved.**

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

**Ayes: Aldermen Huette, Schmidt, Finnegan, Gibson, Matejka and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

To: Honorable Mayor and Members of the City Council  
From: Staff  
Subject: Bonds - Sidewalk Contractor

The following Sidewalk Contractor's Bonds in the amount of \$1,000.00 are in order and should be received and placed on file in the Clerk's Office:

1. Rowe Construction  
P.O. Box 609, Bloomington, IL 61701
2. Stark Excavating  
P.O. Box 3756, Bloomington, IL 61702

Respectfully,

Doug Grovesteen  
Director of Engineering

Tom Hamilton  
City Manager

**Motion by Alderman Finnegan, seconded by Alderman Schmidt that the bonds be received and placed on file with the Clerk's Office.**

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

**Ayes: Aldermen Huette, Schmidt, Finnegan, Gibson, Matejka and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Request to Solicit Bids for Theatrical Equipment

Staff respectfully requests permission to solicit bids to secure orchestra chairs, marley dance floor overlay, monitor sound system, theatrical platforming, and related equipment for the Bloomington Center for the Performing Arts, (BCPA).

The equipment sought (including approximate costs) is: 110 orchestra chairs (\$8,500), 247 square yards of dance floor overlay (\$12,000), 100 music stands (\$5,000), Monitor/portable sound system (\$65,000), fog machines (\$5,000) and 22 theatrical riser platforms as well as related legs, brackets, and accessories (\$30,000). These items are needed to provide required materials for performances in the BCPA. Per the BCPA renovation budget, this element was planned to be bid separately from the general construction contract to achieve cost savings. These items represent a portion of the \$900,000 budgeted capital improvements within the Cultural District's approved 2005-2006 operating budget.

Staff respectfully requests permission to solicit bids for these items. Staff will prepare bid documents, review submitted bids and return to Council with a recommendation. Funding for these purchases will come from account X21100-72620 of the Cultural District budget.

Respectfully,

C Bruce Marquis  
Executive Director

Tom Hamilton  
City Manager

**Motion by Alderman Finnegan, seconded by Alderman Schmidt that staff be allowed to solicit bids for Lighting Instruments and Related Equipment for the Bloomington Center for the Performing Arts.**

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

**Ayes: Aldermen Huette, Schmidt, Finnegan, Gibson, Matejka and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Permission to Solicit Bids for Printing Services for the Bloomington Center for the Performing Arts

The Cultural District respectfully requests permission to solicit bids for printing services for the following projects:

1. A 15,000, 24-page, self-cover season brochures that includes the subcontracting of a mailing house to complete a bulk mailing. The addresses would be provided by the Cultural District. All overages (in excess of the mailing list files) are to be delivered to the Cultural District.
2. 8,000, 20-page School Spotlight brochures.
3. Playbills for the twenty six (26) events on the 2006-07 main stage and family season. Specifics include the printing of a full-color process cover trimmed to 8.25"x10.5" in a batch of 28,000 units to be used over the entire season. The number of interior pages and the quantity of completed playbills ordered will vary based on the needs of individual shows. Programs are to be delivered to the Bloomington Center for the Performing Arts (BCPA) on or before each respective show date.

By bidding all three (3) printing jobs together, staff hopes to benefit from better rates from a printer interested in the quantity of work needed. Staff respectfully requests permission to proceed with this process. Staff will prepare bid documents, review the bids submitted, and

return to Council with a recommendation. Funding for this project will come from account X21100-70740 of the Cultural District budget.

Respectfully,

C. Bruce Marquis  
Executive Director, Cultural District

Tom Hamilton  
City Manager

**Motion by Alderman Finnegan, seconded by Alderman Schmidt that staff be allowed to solicit bids for Printing and Mailing Services for the Bloomington Center for the Performing Arts.**

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

**Ayes: Aldermen Huette, Schmidt, Finnegan, Gibson, Matejka and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Analysis of Bids - Ornamental Fence for the O'Neil Park Baseball Field

On Thursday, March 16, 2006, at 11:00 a.m. bids were publicly opened and read for an ornamental fence which will designate the entrance to the O'Neil Park Baseball Field. The bid includes approximately one hundred forty-five (145) feet of six (6) foot fence with a twelve (12) foot arched gate. The fence is powder coated steel which looks like wrought iron and the arch above the gate spells out "O'Neil Park". Both bidders submitted the proper bid guarantees. The bids are as follows:

<b>FIRM</b>	<b>BID PRICE</b>
Security Fence Company, Inc. (Peoria, IL)	\$6,475
Hohulin Brothers Fence (Goodfield, IL)	\$14,017*

\*Recommended bid

The specifications called for an Ameristar welded steel fence with a twenty (20) year warranty. It also called for a twelve (12) foot gate with an arch above it containing an O'Neil Park sign. Due to the difference in the bids the Purchasing Agent checked with Security Fence Company to

determine if they had omitted anything. They had in fact left the gate and arch out of the bid. City staff believes that Hohulin Brothers Fence submitted the only responsible bid. Therefore, staff respectfully request that the Council approve the bid of \$14,017 submitted by Hohulin Brothers Fence and authorize the Purchasing Agent to issue a purchase order for same. Due to the electrical repairs approved at the last Council meeting, this expenditure would put the \$100,000 budget for O'Neil Renovations over by approximately \$7,200. It is recommended that Capital Improvement Funds earmarked for design work of the Highland Park Clubhouse area be used to cover this overage. This would leave a balance of \$83,700 in that account.

Respectfully,

Jerry Armstrong  
Asst. Director Parks & Recreation

Tom Hamilton  
City Manager

**Motion by Alderman Finnegan, seconded by Alderman Schmidt that the bid be awarded to Hohulin Brothers Fence in the amount of \$14,017, and the Purchasing Agent authorized to issue a Purchase Order for same.**

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

**Ayes: Aldermen Huette, Schmidt, Finnegan, Gibson, Matejka and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

To: Honorable Mayor and Members of the City Council  
From: Staff  
Subject: Analysis of Bids – Skate Sharpener

On Wednesday, March 8, 2006 at 11:00 am, bids for a skate sharpener were publicly opened and read. The skate sharpener is for the new Pepsi Ice Center. Two bids were received as follows:

<b>FIRM</b>	<b>BID PRICE</b>
New England Sports Sales, Inc. – Woburn, MA	\$ 8,900**
Becker Arena Products, Inc. – Burnsville, MN	\$10,400

\*\* Low bidder



New England Sports Sales submitted the proper bid guarantee and meets the specification. Staff believes that the bid price is a fair price. We, therefore, respectfully request that the Council accept the bid price of \$8,900 submitted by New England Sports Sales, Inc. and authorize the Purchasing Agent to issue a purchase order for same. The sharpener is part of the FFE, (Fixtures, Furnishings & Equipment), budget for the Pepsi Ice Center. It will be paid for with funds from account X40750-72140.

Respectfully,

Barb Wells,  
Supt. of Recreation

Tom Hamilton  
City Manager

**Motion by Alderman Finnegan, seconded by Alderman Schmidt that the bid be awarded to New England Sports Sales in the amount of \$8,900, and the Purchasing Agent authorized to issue a Purchase Order for same.**

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

**Ayes: Aldermen Huette, Schmidt, Finnegan, Gibson, Matejka and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Analysis of Sealed Bids to Purchase a Walk Behind Fork Lift for the Water Department

The Water Department has budgeted the purchase of a walk behind fork lift for use at the Division Street Facility. This fork lift will be used to unload transport trucks delivering supplies and to place heavy items onto the mezzanine for storage. On March 17, 2006, sealed bids were opened at the City Clerk's Office. Bids were as follows:

<b>Dealer</b>	<b>Purchase Price</b>
RW Equipment	\$16,594.00
McCann Equipment	No Bid
Altorfer	No Bid
Cummins, McGowan and West	No Bid
Martin Equipment	No Bid
Nord Outdoor Power	No Bid

The bid in the amount \$16,594 from RW Equipment meets the requirements of the bid. The equipment bid is a Toyota 6BWC15 walk behind fork lift.

Staff respectfully requests that Council accept the bid from RW Equipment in the amount \$16,594 for a Toyota 6BWC15 walk behind fork lift. Funds are available in the Equipment Replacement Fund F50140-72130 for this purchase.

Respectfully,

Daniel E. Augstin  
Supt. of Equip. Maintenance

Kim Nicholson  
Purchasing Agent

Tom Hamilton  
City Manager

**Motion by Alderman Finnegan, seconded by Alderman Schmidt that the bid be awarded to RW Equipment in the amount \$16,594 for a Toyota 6BWC15 walk behind fork lift, and Purchasing Agent authorized to issue a Purchase Order for same.**

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

**Ayes: Aldermen Huette, Schmidt, Finnegan, Gibson, Matejka and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Analysis of Sealed Bids to Purchase a Trailer Mounted Light Tower and a Trailer Mounted Message Board for the Water Department

The Water Department has budgeted the purchase of a trailer mounted light tower and a trailer mounted message board. The light tower will be used to enhance the safety of workers during night time repairs to the water system. The message board will be used as additional safety for the Water Department's repair crews when working in traffic areas. The message board is capable of displaying messages to motorist or directional arrows to enhance traffic control.

On March 17, 2006 sealed bids were opened at the City Clerk's Office, bids opened were as follows:

Dealer	Light Tower Purchased Price	Message Board Purchase Price
Ingersall Rand	\$7,745.00	No Bid
Altorfer	\$8,377.00	\$19,550.00
Martin Equipment	No Bid	No Bid
Cummins, McGowan and West	No Bid	No Bid
McCann Equipment	No Bid	No Bid

The bid of Ingersall Rand Springfield, for the light tower does not meet the bid specifications in the following areas:

1. Did not sign the "General Save and Hold Harmless" form.
2. Did not provide the five percent (5%) bid surety.
3. The light tower must be capable of horizontal and vertical adjustment to the lights from ground level. The Ingersall Rand unit is only adjustable when the light tower is down.

The bids of Altorfer Inc., East Peoria, meets the minimum bid specifications for the light tower and meets all the minimum bid specifications for the trailer mounted message board.

Staff respectfully recommends accepting the bid from Altorfer, Inc. in the amount of \$8,377 for an Allmand NL Pro light tower, and in the amount of \$19,550 for an ADDCO DH1000 ALS message board. Funds are available in the Equipment Replacement Fund F50120-72130 for this purchase.

Respectfully,

Daniel E. Augstin  
Supt. of Equip. Maintenance

Kim Nicholson  
Purchasing Agent

Tom Hamilton  
City Manager

**Alderman Huette questioned this item. He specifically questioned the current use for this equipment. Tom Hamilton, City Manager, noted that the City did not have this equipment. Barricades have been used. IDOT, (Illinois Department of Transportation), uses this equipment on a regular basis. It enhances worker safety. Alderman Huette questioned if other City departments have this equipment. Mr. Hamilton responded negatively. This equipment could be shared. Alderman Huette noted that only one (1) bid had been received. He cited that for a number of items put out for bid there appeared to be a limited response. He questioned if the specifications were too restrictive. Mr. Hamilton expressed his opinion that there was a cyclical pattern. This was specialized equipment within a narrow market.**

**Motion by Alderman Finnegan, seconded by Alderman Schmidt that the bid be awarded to Altorfer, Inc. in the amount of \$8,377 for an Allmand NL Pro light tower, and \$19,555 for an ADDCO DH1000 ALS message board, and the Purchasing Agent authorized to issue a Purchase Order for same.**

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

**Ayes: Aldermen Huette, Schmidt, Finnegan, Gibson, Matejka and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Analysis of Sealed Bids to Purchase Fleet Vehicles

On March 17, 2006 bids were opened at the City Clerk's Office for various fleet vehicles which have been budgeted for replacement or additions to the fleet. The results of the bids are as follows:

Dealer		Five 4 dr Compact Cars for PACE	12,000 GVW Van for Police	High Top Van for Lake Bloomington	8800 GVW EC Utility Truck for Engineering	8800 GVW RC Utility Truck for Vehicle Maintenance	11,500 GVW Aerial Truck for Parks
Barkers		No Bid	<b>\$33,479.00</b>	No Bid	No Bid	No Bid	No Bid
Bob Riding	Gross	\$66,975.00			\$33,585.00	\$49,885.00	<b>\$58,885.00</b>
	Trade	\$1,500.00			\$1,300.00		
	Net Purchase	\$64,475.00			\$32,285.00		
Rogers	Gross	\$54,740.00	No Bid	No Bid	No Bid	No Bid	No Bid
	Trade	\$2,200.00					
	Net Purchase	\$52,540.00					
Geiser	Gross	\$52,450.00			\$36,294.00	\$56,195.00	No Bid
	Trade	\$2,200.00			\$2,000.00		
	Net Purchase	<b>\$50,250.00</b>			\$34,294.00		
Roanoke	Gross	No Bid	No Bid	<b>\$35,300.00</b>	No Bid	No Bid	No Bid
	Trade						
	Net Purchase						

Dennison Bid 1	Gross	\$54,875.00	\$33,947.00	No Bid	\$35,999.00	\$54,596.00	\$59,721.00
	Trade	\$3,800.00			\$3,500.00		
	Net Purchase	\$51,075.00			<b>\$32,499.00</b>		
Dennison Bid 2	Gross	\$79,995.00					
	Trade	\$3,800.00					
	Net Purchase	\$76,195.00					
Dennison Bid 3	Gross	\$67,824.00					
	Trade	\$3,800.00					
	Net Purchase	\$64,025.00					

The low bid of \$50,250 from Geiser Ford, Roanoke, meets the bid specifications to purchase five (5) replacement 4 door compact cars for PACE. Funds for this purchase are available in the Equipment Replacement Fund F15410-72130.

The low bid of \$33,479 from Barkers Inc., Bloomington, meets the bid specifications to purchase a 12,000 GVW box van for the Police Department Emergency Response Unit. Funds for this purchase are available in the Equipment Replacement Fund F15110-72130.

The bid of \$35,300 from Roanoke Motors, Roanoke, meets the bid specifications for the purchase of a high top van for Lake Bloomington. Funds for this purchase are available in the Equipment Replacement Fund F50130-72130.

The low bid of \$58,885 from Bob Riding, Taylorville, meets the bid specification to purchase a 11,500 GVW aerial unit for the Parks & Recreation Department. Funds are available in the Equipment Replacement Fund F14110-72130 for this purchase.

The low bid of \$32,285 from Bob Riding, Taylorville, for the extended cab utility truck for the Engineering Department electricians is non-responsive because the utility body that was bid does not meet the bid specifications. The next low bid of \$32,499 from Dennison Inc., Bloomington, meets the specifications. Funds for this purchase are available in the Equipment Replacement Fund F16230-72130.

The low bid of \$49,885 from Bob Riding, Taylorville, for the 8,800 GVW regular cab utility truck for the Public Service Vehicle Maintenance does not meet the bid specifications, additionally the required tool box insert for the utility body does not meet the minimum specifications. Staff is rejecting all bids for this truck. The chassis that the bidders have used in their bids is available through the State of Illinois Joint Purchasing Contract.

Dennison Inc., Bloomington, is the holder of this contract. This truck for Vehicle Maintenance is also equipped with a hydraulic driven air compressor and a 12/24 volt hydraulic driven power

starting unit for starting vehicles. This truck is used for service calls and field repairs for City owned equipment.

This truck purchased using the State of Illinois Joint Purchasing Contract with a utility body that meets the bid requirements will cost \$52,056. This figure is \$2,540 less than the next lowest bidder's price. Funds are available in the Equipment Replacement Fund F16150-72130.

Staff respectfully recommends accepting the following bids: Geiser Ford, Roanoke, in the amount of \$50,250 for five (5) 4 door compact cars for PACE; Barkers Inc., Bloomington in the amount of \$33,479 for a 12,000 GVW box van for the Police Department; Roanoke Motors, Roanoke, in the amount of \$35,300 for a high top van for Lake Bloomington; Dennison Inc., Bloomington, in the amount of \$32,499 for an extended cab utility body truck for the Engineering Department; and Bob Riding, Taylorville, in the amount of \$58,885 for a 11,500 GVW aerial unit for the Parks & Recreation Department.

That all bids be rejected for the 8,800 GVW RC Utility Truck and the truck be purchased using the State of Illinois Joint Purchasing Contract from Dennison, Inc., in the amount of \$52,056.

Respectfully,

Daniel Augstin  
Supt. of Equip. Maintenance

Kim Nicholson  
Purchasing Agent

Tom Hamilton  
City Manager

**Motion by Alderman Finnegan, seconded by Alderman Schmidt that the bids be awarded to Geiser Ford, Roanoke, in the amount of \$50,250 for five (5) 4 door compact cars for PACE; Barkers Inc., Bloomington, in the amount of \$33,479 for a 12,000 GVW box van for the Police Department; Roanoke Motors, Roanoke, in the amount of \$35,300 for a high top van for Lake Bloomington; Dennison Inc., Bloomington, in the amount of \$32,499 for an extended cab utility body truck; Bob Riding, Taylorville, in the amount of \$58,885 for a 11,500 GVW aerial unit for the Parks & Recreation Department; that all bids be rejected for the 8,800 GVW RC utility truck and the truck be purchased using the State of Illinois Joint Purchasing Contract from Dennison Inc. in the amount of \$52,056, and the Purchasing Agent authorized to issue a Purchase Order for same.**

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

**Ayes: Aldermen Huette, Schmidt, Finnegan, Gibson, Matejka and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented**

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Analysis of Sealed Bids to Purchase a 23,000 GVW Dump Truck for Public Service and a 36,000 GVW Service Truck for the Water Department

The Public Service Department has budgeted to replace a 23,000 GVW Lo Pro dump truck with snow plow and salt distributor for the Refuse division. The Water Department also budgeted the purchase of a new 36,000 GVW service truck capable of storing and transporting water line repair parts. This unit is designed to be a mobile work shop which will include a covered walk in service body, a power take off driven air compressor capable of operating pavement breakers and air powered hand tools, a generator to provide 110 volts AC to operate electrical tools, and will be capable of pulling the 35,000 GVW trailer to haul a back hoe to repair sites. On March 17, 2006 sealed bids were opened at the City Clerk's Office, bids opened were as follows:

Dealer	36,000 GVW Service Truck	23,000 Dump Truck	Trade on 23,000 GVW Truck	Net Purchase price 23,000 GVW Dump
Dave Gill Trucks	\$96,807.00	\$115,072.00	\$10,500.00	\$104,572.00
Chicago International Trucks	\$96,709.00	\$115,995.00	\$12,000.00	\$103,995.00
Rahn Equipment	No Bid	No Bid		No Bid
Martin Equipment		No Bid		No Bid

The low bids of the Chicago International Trucks, Normal dealership, met all the bid specifications for both trucks. Funds are available for these purchases in the Equipment Replacement Fund, F50120-72130 for Water Department truck, and F16140-72130 for the Public Service Refuse Division truck.

Staff respectfully recommends accepting the bids from Chicago International Trucks, Normal, IL, in the amount of \$96,7090 for the Water Department truck, and \$103,995 for the Public Service Department truck.

Respectfully,

Daniel E. Augstin  
Supt. of Equip. Maintenance

Kim Nicholson  
Purchasing Agent

Tom Hamilton  
City Manager

**Motion by Alderman Finnegan, seconded by Alderman Schmidt that the bids be awarded to Chicago International Trucks, Normal, IL, in the amount of \$96,709 for the Water Department truck, \$103,995 for the Public Service Department truck and the Purchasing Agent authorized to issue a Purchase Order for same.**

**The Mayor directed the clerk to call the roll which resulted in the following:  
Ayes: Aldermen Huetter, Schmidt, Finnegan, Gibson, Matejka and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Analysis of Sealed Bids to Purchase a Bobcat Utility Machine for Lake  
Bloomington

The Water Department Lake Bloomington has budgeted to replace a worn out Kawasaki Mule. Specifications were written for a utility work machine which is capable of being used year round for multiple task around the lake by changing attachments as needed. The specification included a front mounted mower and a dirt bucket.

On March 17, 2006 sealed bids were opened at the City Clerk's Office, bids opened were as follows:

Dealer	Total Price	Trade Value	Net Purchase Price
Altorfer	No Bid		
Bobcat Of Peoria	\$37,071.53	\$1,000.00	\$36,071.53
McCann Equipment	No Bid		
Roland Machinery	No Bid		
Cummins, McGowan and West	No Bid		
RW Equipment	No Bid		

The bid of Bobcat of Peoria in the amount \$36,071.53 for a Bobcat Toolcat 5600 with a 62 inch bucket and 72 inch mower meets the requirements of the bid. Staff respectfully recommends that Council accept the bid from Bobcat of Peoria in the amount of \$36,071.53.

Funds are available in the Equipment Replacement Fund F50120-72130 for this purchase.

Respectfully,

Daniel E. Augstin  
Supt. of Equip. Maintenance

Kim Nicholson  
Purchasing Agent

Tom Hamilton  
City Manager

**Motion by Alderman Finnegan, seconded by Alderman Schmidt that the bid be awarded to Bobcat of Peoria for a Bobcat Toolcat 5600 in the amount of \$36,071.53 and the Purchasing Agent authorized to issue a Purchase Order for same.**



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

**Ayes: Aldermen Huette, Schmidt, Finnegan, Gibson, Matejka and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Waive the Formal Bidding Process and Approve a Professional Services Contract for Leak Detection Services

The Water Department has in its budget funds for a program of sustained and systematic acoustic leak detection surveying in the water distribution system. This year, staff intends to survey approximately 20% of the water mains in the distribution system. The intention is to continue surveying similar amounts of the distribution system each year, resulting in a five year cycle of leak detection. The Water Department has used Leak Detection Services, Inc. on a location specific basis and large scale projects in the past and have been pleased with the results.

Staff respectfully requests that Council waive the formal bidding process and the agreement with Leak Detection Services, Inc. be approved in the amount of \$35,640, and further that the Mayor and City Clerk be authorized to execute the necessary documents. The project will be paid for with funds from the Water Department, Operations and Maintenance Fund, Repair/Maintenance Infrastructure (Account #5010-50120-70220). This was a budgeted 2005/06 operational expense.

Respectfully,

Craig M. Cummings  
Director of Water

Tom Hamilton  
City Manager

**RESOLUTION NO. 2006 - 30****A RESOLUTION WAIVING THE FORMAL BIDDING PROCESS AND  
AUTHORIZING AN AGREEMENT WITH LEAK DETECTION SERVICES, INC. FOR  
LEAK DETECTION SERVICES IN THE AMOUNT OF \$35,640**

Be It Resolved by the City Council of the City of Bloomington, Illinois,

1. That the bidding process be waived and the Agreement with Leak Detection Services, Inc. for Leak Detection Services in the amount of \$35,640.

ADOPTED this 27th day of March, 2006.

APPROVED this 28th day of March, 2006.

Stephen F. Stockton  
Mayor

ATTEST:

Tracey Covert  
City Clerk

**Alderman Purcell questioned this item. Craig Cummings, Director of Water, addressed the Council. Sophisticated microphones would be used and placed at predetermined intervals along the water main. Data gathered from same is fed into a computer. It is an acoustic system. Data is gathered at the ground surface. Alderman Purcell questioned if the savings would exceed the cost. Mr. Cummings informed the Council that currently there was no accountability for water loss. Water loss from breakage and leakage should be quantified. All leaks do not occur at the surface level. The Water Department's goal was to provide good stewardship of the City's water resources.**

**Tom Hamilton, City Manager, addressed the Council. He noted that this type of work had been done in the past and water leaks were located.**

**Alderman Finnegan questioned the number of microphones and their interval. Mr. Cummings stated that the intervals would be fifty feet, (50'). He noted that fire hydrants and valve stems would also be inspected. The leak detention service would pin point where to dig.**

**On another matter, Mr. Cummings noted that the water level for Lake Bloomington was up. The water would be over the spillway soon. Mayor Stockton noted that the water level was less than two feet, (2'), below the spillway. Mr. Cummings added that the two (2) main creeks were flowing.**

**Motion by Alderman Finnegan, seconded by Alderman Schmidt that the formal bidding process be waived, the agreement with Leak Detection Services, Inc. for Leak Detection Services be approved in the amount of \$35,640, the Mayor and City Clerk authorized to execute the necessary documents, and the Resolution adopted.**

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

**Ayes: Aldermen Huette, Schmidt, Finnegan, Gibson, Matejka and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Waive the Formal Bidding Process and Purchase Replacement Pneumatic Discharge Valve Controllers for the High Service Pumps at the Water Treatment Plant

Staff respectfully requests permission to purchase two Pratt Brand replacement pneumatic discharge valve controllers for the high service pumps at the Water Treatment Plant. The units will replace two units that were installed approximately 20 years ago and are at the end their useful life. The Water Department standardized on Pratt Brand discharge vales and controllers some years ago.

Staff respectfully requests that Council waive the formal bidding process and authorize the purchase of the replacement pneumatic discharge valve controllers for the high service pumps at the Water Treatment Plant, the Purchasing Agent be authorized to issue a purchase order in the amount of \$10,796 for same and the Resolution adopted. Funds for this purchase are available from the Water Department Fixed Asset Funds, Maintenance and Repair Supplies, (F50300-72140).

Respectfully,

Craig M. Cummings  
Director of Water

Tom Hamilton  
City Manager

**RESOLUTION NO. 2006 - 31****A RESOLUTION WAIVING THE FORMAL BIDDING PROCESS AND  
AUTHORIZING THE PURCHASE OF PRATT BRAND REPLACEMENT PNEUMATIC  
DISCHARGE VALVE CONTROLLERS FROM THE HENRY PRATT COMPANY IN  
THE AMOUNT OF \$10,796**

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 Pratt Brand replacement pneumatic discharge valve controllers from the Henry Pratt Company in the amount of \$10,796.

ADOPTED this 27th day of March, 2006.

APPROVED this 28th day of March, 2006.

Stephen F. Stockton  
Mayor

ATTEST:

Tracey Covert  
City Clerk

**Motion by Alderman Finnegan, seconded by Alderman Schmidt that the formal bidding process be waived, the Pratt Brand replacement pneumatic discharge valve controllers be purchased from the Henry Pratt Company in the amount of \$10,796, the Purchasing Agent 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 Huette, Schmidt, Finnegan, Gibson, Matejka and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Permission to Waive the Formal Bidding Process and Purchase Scott Air Pack Self Contained Breathing Apparatuses for the Water Department Treatment Facility

Safety regulations require that the Water Department maintain Self Contained Breathing Apparatuses (SCBA) at the Water Treatment Facility. For years the Water Department has had SCBA units that differ from the Fire Department.

The Water Department needs to upgrade its SCBA units due to their age and condition. Staff respectfully requests permission to purchase the same brand units, Scott Brand, that the Fire Department uses, increasing continuity between departments. Staff requested quotations from two different Scott Brand dealers. Hagemeyer North America, Peoria, provided the lowest quote.

Staff respectfully requests that Council waive the formal bidding process and approve the purchase of six (6) Scott SCBA's and six (6) face masks for the Water Department in the amount of \$9,725.34. Payment for this purchase will be made from the Water Department, Water Equipment Replacement Fund, Purification Division, Fixed Asset Account F5030 - 50300-50130-72140. This is a budgeted FY 2005/06 purchase.

Respectfully,

Craig M. Cummings  
Director of Water

Tom Hamilton  
City Manager

**RESOLUTION NO. 2006 - 32**

**A RESOLUTION WAIVING THE FORMAL BIDDING PROCESS AND  
AUTHORIZING THE PURCHASE OF SIX (6) SCOTT BRAND SELF CONTAINED  
BREATHING APPARATUSES AND SIX (6) FACE MASKS FOR THE WATER  
DEPARTMENT AT A PURCHASE PRICE OF \$9,725.34**

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 six (6) Scott SCBA's and six (6) face masks for the Water Department at a Purchase Price of \$9,725.34

ADOPTED this 27th day of March, 2006.

APPROVED this 28th day of March, 2006.

Stephen F. Stockton  
Mayor

ATTEST:

Tracey Covert  
City Clerk

**Motion by Alderman Finnegan, seconded by Alderman Schmidt that the formal bidding process be waived, the Scott Brand SCBAs and face masks be purchased from Hagemeyer North America in the amount of \$9,725.34, the Purchasing Agent 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 Huette, Schmidt, Finnegan, Gibson, Matejka and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Waive the Formal Bidding Process and Approve a Professional Services Contract for a Feasibility Study and Conceptual Design of Alternatives that Limit Asian Carp Dispersal as a Result of Pumping from the Mackinaw River into the Evergreen Lake Reservoir

Staff proposes a feasibility study and conceptual design of alternatives that limit Asian Carp dispersal, possibly resulting from pumping from the Mackinaw River into the Evergreen Lake reservoir. The Asian Carp, an invasive species known to exist in the Illinois River, have progressed upstream into streams and reservoirs after its accidental release from southern US aquaculture operations. The streams and reservoirs that are connected to the Mississippi and Illinois Rivers are viewed as potential areas where these species may next gain a foothold. The City has recently began pumping from the Mackinaw River, and staff desires to minimize the possibility of Asian Carp being pumped into the Evergreen Lake reservoir.

Staff has worked with Cochran and Wilken, Inc./Fishpro, Springfield, a professional services firm specializing in engineering and aquatic biology issues, in the past and has found their work to be excellent.

Staff respectfully recommends that Council waive the formal bidding process and approve the Agreement with Cochran and Wilken, Inc./Fishpro, Springfield, to perform the feasibility study and conceptual design project in the amount of \$11,500. Funds for this work will be taken from the Water Department, Operations and Maintenance Funds, Purification Division, Other Professional and Technical Services (5010-X50130-70220).

Respectfully,

Craig M. Cummings  
Director of Water

Tom Hamilton  
City Manager

**RESOLUTION NO. 2006 - 33**

**A RESOLUTION WAIVING THE FORMAL BIDDING PROCESS AND  
AUTHORIZING AN AGREEMENT WITH COCHRAN AND WILKEN, INC./FISHPRO  
TO PROVIDE A FEASIBILITY STUDY AND CONCEPTUAL DESIGN PROJECT TO  
PREVENT ASIAN CARP FROM ENTERING THE EVERGREEN LAKE RESERVOIR  
IN THE AMOUNT OF \$11,500**

Be It Resolved by the City Council of the City of Bloomington, Illinois,

1. That the bidding process be waived and authorizing an Agreement with Cochran and Wilken, Inc./Fishpro to provide a feasibility study and conceptual design project to prevent Asian Carp from entering the Evergreen Lake Reservoir in the amount of \$11,500.

ADOPTED this 27th day of March, 2006.

APPROVED this 28th day of March, 2006.

Stephen F. Stockton  
Mayor

ATTEST:

Tracey Covert  
City Clerk

**Motion by Alderman Finnegan, seconded by Alderman Schmidt that the formal bidding process be waived, the Agreement with Cochran and Wilken, Inc./Fishpro to provide a feasibility study and conceptual design project to prevent Asian Carp from entering the Evergreen Lake Reservoir be approved in the amount of \$11,500, the Mayor and City Clerk authorized to execute the necessary documents, and the Resolution adopted.**

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

**Ayes: Aldermen Huette, Schmidt, Finnegan, Gibson, Matejka and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Waive the Formal Bid Process and Purchase Replacement Radio Batteries and Chargers

Staff respectfully requests Council approval to waive the formal bidding process and purchase two-hundred sixty (260) Motorola Impres Smart Energy System Li-Ion portable radio batteries and one-hundred twenty-six (126) Motorola Impres Smart Energy System battery chargers, from Barbeck Communications Group Inc., in the amount of \$20,876.

This purchase is brand specific (i.e., Motorola). Staff requested quotes from the two local Motorola distributors on March 3, 2006. Supreme Radio Communications and Barbeck Communications Group. Both vendors were requested to submit quotes for the purchase price of 260 Motorola Impres nickel metal hydride batteries (model #WPLN4182), 260 Motorola Impres lithium ion batteries (model #HNN4003), and 126 Motorola Impres single unit battery chargers (model #HNN4001). Prices were sought for two different model batteries to assist in deciding which battery to purchase. The quotes are as follows:

Vendor	Quantity	Item	Model #	Price
Supreme	126	Battery charger	HNN4001	\$7,673.40
Barbeck	126	Battery charger	HNN4001	\$5,796.00
Supreme	260	NIMH battery	WPLN4182	\$15,795.00
Barbeck	260	NIMH battery	WPLN4182	\$12,430.00
Supreme	260	LI-ION battery	HNN4003	\$19,981.00
Barbeck	260	LI-ION battery	HNN4003	\$15,080.00

This purchase will be made to replace and upgrade aging batteries now in service. Purchasing the batteries in quantity results in savings to the City, and provides two batteries per portable



radio, with several spare batteries for special operations. Upgrading to the Impres system provides automatic battery conditioning to optimize battery functionality. The 2000 mAh Li-Ion battery was selected to provide improved performance capabilities over the original equipment battery.

Supreme Radio Communication quote for 126 chargers was \$7673.40, and for the 260 LI-ION batteries was \$19,981.00, for a total price of \$27,654.40, delivered.

Barbeck Communications Group quote for 126 chargers was \$5,796, and for the 260 batteries was \$15,080, for a total price of \$20,876, delivered.

Funds for this purchase were budgeted in line the Police General Fund, G15110, line 71990 - Other Supplies.

Staff respectfully requests that Council approve the purchase of 260 Motorola Impres LI-ION radio batteries (model #HNN4003) and 126 Motorola Impres single unit battery chargers (model #HNN4001) from Barbeck Communications, the Purchasing Agent be authorized to issue a Purchase Order for same, and the Resolution adopted.

Respectfully,

Roger J. Aikin  
Chief of Police

Tom Hamilton  
City Manager

**RESOLUTION NO. 2006 - 34**

**A RESOLUTION WAIVING THE FORMAL BIDDING PROCESS AND  
AUTHORIZING THE PURCHASE OF 260 MOTOROLA IMPRES LI-ION RADIO  
BATTERIES AND 126 MOTOROLA IMPRES SINGLE UNIT BATTERY CHARGERS  
FOR THE POLICE DEPARTMENT FROM BARBECK COMMUNICATIONS AT A  
PURCHASE PRICE OF \$20,876**

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 260 Motorola Impres LI-ION radio batteries and 126 Motorola Impres single unit battery chargers for the Police Department from Barbeck Communications at a Purchase Price of \$20,876.

ADOPTED this 27th day of March, 2006.

APPROVED this 28th day of March, 2006.

Stephen F. Stockton  
Mayor

ATTEST:

Tracey Covert  
City Clerk

**Alderman Schmidt questioned the process used to request quotations, waive the formal bid process, and formal bid. Tom Hamilton, City Manager, addressed the Council. Each department worked with the City's Purchasing Agent. This item involved a specific battery. City staff attempts to identify local suppliers. The goal is to find more than one potential vendor. For technology related items, there may be a sole source provider. He cited the rental ice skates for the Pepsi Ice Center. There were a limited number of purveyors of this item in this section of the country. City staff can also choose to utilize the state's purchasing contracts. Most of these agreements address commodities.**

**Motion by Alderman Finnegan, seconded by Alderman Schmidt that the formal bidding process be waived, the 260 Motorola Impres LI-ION radio batteries and 126 Motorola Impres single unit battery chargers be purchased from Barbeck Communications in the amount of \$20,876, the Purchasing Agent 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 Huette, Schmidt, Finnegan, Gibson, Matejka and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Waive the Formal Bidding Process and Approve Payment to University of Illinois Fire Service Institute for Basic Firefighter Training

Staff respectfully requests that Council waive the formal bidding process and approve payment in the amount of \$10,500 to University of Illinois Fire Service Institute (IFSI) for payment of tuition for basic firefighter training for six (6) new firefighters.

The Fire Department utilizes IFSI to provide basic training for new Fire Department personnel. The normal tuition cost is \$1,750 per student. In this instances, six (6) new firefighters are attending recruit training. Staff respectfully requests that Council waive the formal bidding process, approve the payment to IFSI in the amount of \$10,500, the Purchasing Agent authorized to issue a Purchase Order for same, and the Resolution adopted. Payment for this training will be made from account G15210-70790.

Respectfully,

Keith Ranney  
Fire Chief

Tom Hamilton  
City Manager

**RESOLUTION NO. 2006 - 35**

**A RESOLUTION WAIVING THE FORMAL BIDDING PROCESS AND  
AUTHORIZING THE PURCHASE OF BASIC FIREFIGHTER TRAINING FROM  
UNIVERSITY OF ILLINOIS FIRE SERVICE INSTITUTE AT A PURCHASE PRICE  
OF \$10,500**

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 Basic Firefighter Training from University of Illinois Fire Service Institute at a Purchase Price of \$10,500.

ADOPTED this 27th day of March, 2006.

APPROVED this 28th day of March, 2006.

Stephen F. Stockton  
Mayor

ATTEST:

Tracey Covert  
City Clerk

**Motion by Alderman Finnegan, seconded by Alderman Schmidt that the formal bidding process be waived, the payment to IFSI in the amount of \$10,500 be approved, the Purchasing Agent 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 Huette, Finnegan, Gibson, Matejka and Purcell.**

**Nays: None.**

**Abstained: Alderman Schmidt.**

**Motion carried.**

**The following was presented:**

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Waive the Formal Bidding Process and Purchase Firefighter Protective Clothing

Staff respectfully requests that Council waive the formal bid process and approve the purchase of firefighter protective clothing for newly hired firefighters. The total amount for this purchase is \$7,677. AEC Fire Safety and Security Inc. has provided the City with firefighter protective clothing for the last several years.

The price for firefighter protective clothing ensembles is approximately \$1,500 per set and are typically purchased one or two (1 - 2) sets at a time with a total cost below the \$5,000 bid threshold. In this instances, six (6) new firefighters were hired, requiring a larger purchase and Council approval of the expense. Staff respectfully requests that Council waive the formal bidding process and approve the purchase of six (6) firefighter protective clothing ensembles for newly hired firefighters. Payment for this purchase will be made from F15210-72140.

Respectfully,

Keith Ranney  
Fire Chief

Tom Hamilton  
City Manager

**RESOLUTION NO. 2006 - 36**

**A RESOLUTION WAIVING THE FORMAL BIDDING PROCESS AND  
AUTHORIZING THE PURCHASE OF SIX (6) FIREFIGHTER CLOTHING  
ENSEMBLES FROM AEC FIRE SAFETY AND SECURITY INC. AT A PURCHASE  
PRICE OF \$7,677**

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 six (6) firefighter clothing ensembles from AEC Fire Safety and Security Inc. at a Purchase Price of \$7,677.

ADOPTED this 27th day of March, 2006.

APPROVED this 28th day of March, 2006.

Stephen F. Stockton  
Mayor

ATTEST:

Tracey Covert  
City Clerk

**Motion by Alderman Finnegan, seconded by Alderman Schmidt that the formal bidding process be waived, the six (6) firefighter clothing ensembles be ordered from AEC Fire Safety and Security Inc. in the amount of \$7,677, the Purchasing Agent 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 Huette, Schmidt, Finnegan, Gibson, Matejka and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Waive the Formal Bidding Process and Accept Proposal for 2006 Fireworks Display

Last year Council approved a contract with Mad Bomber Fireworks Productions from Kingsbury, Indiana for their fireworks display. S & N Display Fireworks from Lincoln, Illinois had provided the fireworks display the previous four (4) years. The only reason for the switch was due to Mad Bomber proposing a significantly greater number of shells.

Staff believes that the 2005 display provided by Mad Bomber was very disappointing. The display was not close to being synchronized with the music. In Bloomington the first shell was shot a full minute after the music had started, and was even further off in Normal. Staff also believes that not all the shells contained in the proposal were shot. The interval between shells was too great for the length of the show. Mad Bomber has indicated that they would rectify staff's concerns. However, staff is not comfortable recommending them again.

Staff has requested that S & N Display Fireworks submit a proposal for the 2006 show. The budget for the show is \$20,000. The insurance requirements, electronic firing, shell size, and length of show were also the same as last year. WJBC is again committing \$8,000 to each community to help defray the cost of the shows. The Town of Normal will act on this proposal during their April 3, 2006 Council meeting.

The proposal submitted by S & N Display Fireworks is basically the same as their 2005 proposal. Due to the difficulties with last year's show and the quality that S & N Display Fireworks has provided in the past, staff recommends that they provide the 2006 fireworks display. Staff respectfully requests that Council waive the formal bidding process, accept the proposal submitted by S & N Display Fireworks in the amount of \$20,000, authorize the Purchasing Agent to issue a purchase order for same, and the Resolution adopted. There are funds available in the FY 2006-07 budget, account G14112-70990 for this purchase.

Respectfully,

Jerry Armstrong,  
Asst. Director Parks & Recreation

Tom Hamilton  
City Manager

#### **RESOLUTION NO. 2006 - 37**

#### **A RESOLUTION WAIVING THE FORMAL BIDDING PROCESS AND AUTHORIZING THE PURCHASE OF THE 2006 FIREWORKS DISPLAY FROM S & N DISPLAY FIREWORKS AT A PURCHASE PRICE OF \$20,000**

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 the 2006 Fireworks Display from S & N Display Fireworks at a Purchase Price of \$20,000.

ADOPTED this 27th day of March, 2006.

APPROVED this 28th day of March, 2006.

Stephen F. Stockton, Mayor

ATTEST:

Tracey Covert, City Clerk

**Mayor Stockton questioned the fireworks sponsors. Tom Hamilton, City Manager, addressed the Council. He cited the City, the Town of Normal, WJBC and State Farm.**

**Motion by Alderman Finnegan, seconded by Alderman Schmidt that the formal bidding process be waived, the 2006 fireworks display purchased from S & N Display Fireworks in the amount of \$20,000, the Purchasing Agent 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 Huette, Schmidt, Finnegan, Gibson, Matejka and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Waive the Formal Bidding Process and Approve the Purchase of Four (4) Tandem Dump Trucks for Public Service

The Public Service Department currently uses a fleet of single axle dump trucks for the department's operations in the Streets and Sewers Division which does a large amount of hauling of dirt and concrete from repair sites for sewer, sidewalk, and street repair. One (1) of the trucks is also used to haul hot asphalt for street repairs. Due to weight restrictions on the single axle dump trucks, the production level of the crews operating these trucks has been reduced to approximately thirty-five percent (35%) efficiency from a year ago. To overcome this deficiency, staff has explored purchasing four (4) tandem axle dump trucks to increase the gross weight the trucks can carry, thus improving productivity.

Using the State of Illinois Joint Purchasing Contract and the dump body, snow plow, and salt distributor vendor, a proposal has been developed to purchase four (4) tandem axle dump trucks and retrofit what then will be two (2) existing chassis with different dump bodies and a power take off driven air compressor.

The plans are to remove the dump bodies from two (2) of the newest trucks, reinstall the dump bodies on two (2) of the four (4) new tandem chassis complete with new snow plows, salt

distributors, pre wet system and hydraulic system. Then two (2) special designed low profile dump bodies will be installed on the two (2) existing chassis. This would provide two (2) low pro dump trucks in the fleet as two (2) existing low profile dump trucks are currently budgeted for replacement.

These two (2) dump trucks would also be retrofitted with 185 cubic feet per minute air compressors for operation of pavement breakers. These two (2) beds, in addition to being a low profile design, would also be outfitted with 3,000 pound capacity cranes to lift man hole castings and heavy items used for street and sewer repair. The two (2) remaining tandem chassis would be completely new trucks with new dump bodies, snow plow, salt distributors, pre wet systems and hydraulic systems.

Basically the trucks will cost \$124,999 each for a total price of \$499,996. The cost to retrofit the two (2) single axle dump trucks with low profile beds, air compressor and crane will be \$22,674 each for a total price of \$45,348. The total cost of all work will be \$545,344. The newest trucks that are in operation were approved for purchased February 2005 at a cost of \$119,063 each.

The Public Service Department currently has \$450,000 budgeted as follows: \$190,000 in account 52300- 72130 Sewer, for replacement of two (2) LoPro dump trucks; \$260,000 in FY 2006/2007 for two (2) additional tandem dump trucks, one (1) in 16120-72130 Street Maintenance and the other in 52300-72130 Sewer, at a cost of \$130,000 in each. The additional \$95,344 will be taken from the Equipment Replacement Fund.

The expected delivery of these trucks will be no earlier than July 2006. After these purchases have been completed, the two (2) LoPro dump trucks currently scheduled for replacement will be sold. It is anticipated that these two (2) trucks will bring approximately \$11,000 each.

Staff respectfully requests that Council waive the formal bidding process and approve the purchase four (4) tandem axle dump trucks and all associated work through Prairie International, Decatur, in the amount of \$545,344 utilizing the State of Illinois Joint Purchasing Contract.

Respectfully,

Daniel E. Augstin  
Supt. of Equip. Maintenance

Brian Brakebill  
Dir. Public Service

Tom Hamilton  
City Manager

#### **RESOLUTION NO. 2006 - 38**

**A RESOLUTION WAIVING THE FORMAL BIDDING PROCESS AND  
AUTHORIZING THE PURCHASE OF FOUR (4) TANDEM AXLE DUMP TRUCKS  
AND ALL ASSOCIATED WORK FROM PRAIRIE INTERNATIONAL, DECATUR, AT  
A PURCHASE PRICE OF \$545,344 UTILIZING THE STATE OF ILLINOIS JOINT  
PURCHASING CONTRACT**



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 four (4) tandem axle dump trucks and all associated work from Prairie International, Decatur, at a purchase price of \$545,344 utilizing the State of Illinois Joint Purchasing Contract.

ADOPTED this 27th day of March, 2006.

APPROVED this 28th day of March, 2006.

Stephen F. Stockton  
Mayor

ATTEST:

Tracey Covert  
City Clerk

**Motion by Alderman Finnegan, seconded by Alderman Schmidt that the formal bidding process be waived, four (4) tandem axle dump trucks and all associated work be purchased through Prairie International, Decatur, in the amount of \$545,344 utilizing the State of Illinois Joint Purchasing Contract, 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 Huette, Schmidt, Finnegan, Gibson, Matejka and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Change Order #11 to the Contract with P.J. Hoerr, Inc. for the Renovation of the Bloomington Center for the Performing Arts

P.J. Hoerr, Inc. has requested the following change orders to their contract for work associated with the renovation of the Bloomington Center for the Performing Arts. These change orders

were reviewed by staff, who found them to be acceptable. The total amount of these change orders is \$13,713.93

#97 Provide additional sprinkler heads as per code	3,869.93
#113 Provide glass & wood panel door for ticket office	396.00
#117 Provide additional movable theater seats	6,243.00
#118 Provide two additional removable-base theater seats	600.00
#120 Provide nonstandard paint for quadwall window system	1,414.00
#121 Provide owner requested trimless access panels	<u>1,191.00</u>
	13,713.93

Total this Change Order	13,713.93
Revised contract	<u>11,437,926.33</u>
New Total Amount	11,451,640.26

This work is outside the existing contract. It was necessary to install additional upright sprinkler heads above two relocated new drywall ceilings due to removal of existing plaster ceilings at wood structure above. There was a need for better visual observation from the Box Office Manager office to the ticket selling area. Additional seats were needed to maximize flexible house seating. Two seats on removable bases were needed to accommodate the audio control board. Nonstandard paint color for the quadwall window system was needed for compatibility with the precast color. Flush mount access panels in hard plaster ceilings were needed to provide for maintenance of mechanicals in restricted spaces.

This change order amount will be added to the guaranteed bid price and will be paid for out of the renovation contingency fund.

Contingency Fund:	\$600,000.00
Total Change Orders to date:	\$463,440.26
Contingency Balance:	\$136,559.74

Staff respectfully recommends that Council approve this change order to the contract with P.J. Hoerr, Inc. in the amount of \$13,713.93. Payment for this work will come from account X21100-72620 of the Cultural District budget.

Respectfully,

C. Bruce Marquis  
Executive Director

Tom Hamilton  
City Manager

**RESOLUTION NO. 2006 - 39**

**A RESOLUTION AUTHORIZING A CHANGE ORDER IN THE  
AMOUNT OF \$13,713.93 IN THE CONTRACT BETWEEN THE CITY  
OF BLOOMINGTON AND P.J. HOERR FOR THE RENOVATION OF THE  
BLOOMINGTON CENTER FOR THE PERFORMING ARTS**

WHEREAS, the City of Bloomington has previously entered into a contract with P.J. Hoerr for the Renovation of the Bloomington Center for the Performing Arts; and

WHEREAS, for the reasons set forth in a staff report dated March 27, 2006 the following work was necessary: 1.) It was necessary to install additional upright sprinkler heads above two relocated new drywall ceilings due to removal of existing plaster ceilings at wood structure above. 2.) There was a need for better visual observation from the Box Office Manager office to the ticket selling area. 3.) Additional seats were needed to maximize flexible house seating. 4.) Two seats on removable bases were needed to accommodate the audio control board. 5.) Nonstandard paint color for the quadwall window system was needed for compatibility with the precast color. 6.) Flush mount access panels in hard plaster ceilings were needed to provide for maintenance of mechanicals in restricted spaces; and

WHEREAS, it is the finding of the City Council that the decision to perform the work described in the March 27, 2006 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 \$13,713.93 in the contract between the City of Bloomington and P.J. Hoerr for the Renovation of the Bloomington Center for the Performing Arts be approved.

ADOPTED this 27th day of March, 2006.

APPROVED this 28th day of March, 2006.

Stephen F. Stockton  
Mayor

ATTEST:

Tracey Covert  
City Clerk

**Motion by Alderman Finnegan, seconded by Alderman Schmidt that the Change Order to the contract with P.J. Hoerr for the Renovation of the Bloomington Center for the Performing Arts in the amount of \$13,713.93 be approved, and the Resolution adopted.**

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

**Ayes: Aldermen Huette, Schmidt, Finnegan, Gibson, Matejka and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

To: Honorable Mayor and Members of the City Council  
From: Staff  
Subject: Change Order #1 for Development of Holiday Pool

P.J. Hoerr, Inc. has submitted a change order for nine (9) modifications to their contract for the construction of Holiday Pool which total \$47,646.44. Seven (7) of these modifications add to the cost of the project and two (2) of the items are deductions. Most of these modifications were a result of the tight timeline the City faced in getting the project bid so a full swimming season would not be lost. The State did not release the names of the successful grant recipients until April, 2005. This meant that the design work had to be crammed into a four (4) month period for a fall bid. It also meant that the project was bid prior to receiving final reviews by the City Engineering Department, PACE, and the Illinois Department of Public Health.

The nine (9) items which make up this change order are as follows:

- 1) Provisions for on-site detention of 100 year storm (add \$16,998). The original plan was to handle the storm water runoff in the same manner as the original pool and parking lot areas. The Engineering Department asked that detention for a 100 year storm event be provided to alleviate flooding in the area. This meant that additional grading and storm lines were needed to provide for the detention.
- 2) Additional floor drains and fire wall in bath houses per Illinois Department of Public Health (IDPH) review (add \$10,626.25). This included the addition of six (6) floor drains so each shower stall would have its own drain. This prevents the water runoff from one stall to pass into another. The fire wall was added in the attic to prevent the spread of fire.
- 3) This included changes in the electrical service per request of Ameren IP (add \$4,263). Their requests included a bonding jumper, spare conduits, and a change in the location of the meter and transformer.

- 4) The addition of eight (8) deck drains and fencing changes as per IDPH (\$25,641.77). The additional deck drains brings the total to twenty-nine (29) drains and reduces the time it takes for water to drain off the deck. A solid steel fence with gates was added between the main pool and wading pool to increase the level of safety for parents with small children.
- 5) Cost of the removal of electric lines and poles by Ameren IP (add \$1,605.75). Ameren IP would not allow the contractor to do this work. The additional cost is the difference between Ameren's cost and the cost the contractor had bid for this work.
- 6) Change the poured rubber surface in the tot pool to a painted surface (deduct \$4,492). A painted surface was originally specified but it was upgraded to the poured rubber surface when it appeared affordable. Returning to the painted surface will help offset some of the overages.
- 7) The addition of dry block additive to mortar for exterior walls as per contractor's recommendation (add \$731.32). The additive will provide better moisture protection and increase paint life on the inside of the exterior walls.
- 8) Changes in concrete gutter design and quantity of reinforcement for curbs around parking lot (deduct \$8,885.87). The Engineering Department suggested a design change and the reduction to the number of reinforcing bar runs from three (3) back to two (2).
- 9) Changed two (2) accessible shower stalls which required the addition of a masonry wall in the women's shower area (\$1,177.62). The shower stall specified was no longer available. The stall that was substituted had slightly different dimensions requiring an additional masonry wall for support in the women's changing area.

The net effect of these changes is an additional \$47,646.44 to the contract with P.J. Hoerr which brings the total amount to \$2,281,646.44. Staff believes that these changes were necessary for a viable project, and will no doubt improve the overall quality of the project.

This change order will put the project over the \$2,500,000 budget by approximately \$9,100. There is \$100,000 budgeted in the Capital Improvement Fund to look at the Highland Park clubhouse area. These funds have not been expended at this time. It is recommended that a portion of these funds be used to cover this change order. Staff respectfully request that Council approve change order #1 to the contract with P.J. Hoerr, Inc., for the Holiday Pool Renovation in the amount of \$47,646.44, and the Resolution adopted.

Respectfully,

Jerry Armstrong,  
Asst. Director Parks & Recreation

Tom Hamilton  
City Manager

**RESOLUTION NO. 2006 - 40****A RESOLUTION AUTHORIZING A CHANGE ORDER IN THE  
AMOUNT OF \$47,646.44 IN THE CONTRACT BETWEEN THE CITY  
OF BLOOMINGTON AND P.J. HOERR, INC., FOR THE HOLIDAY POOL  
RENOVATIONS**

WHEREAS, the City of Bloomington has previously entered into a contract with P.J. Hoerr, Inc. for; and

WHEREAS, for the reasons set forth in a staff report dated March 27, 2006 there were nine (9) items resulting in this change order are as follows:

- 1) Provisions for on-site detention of 100 year storm (add \$16,998). The original plan was to handle the storm water runoff in the same manner as the original pool and parking lot areas. The Engineering Department asked that detention for a 100 year storm event be provided to alleviate flooding in the area. This meant that additional grading and storm lines were needed to provide for the detention.
- 2) Additional floor drains and fire wall in bath houses per Illinois Department of Public Health (IDPH) review (add \$10,626.25). This included the addition of six (6) floor drains so each shower stall would have its own drain. This prevents the water runoff from one stall to pass into another. The fire wall was added in the attic to prevent the spread of fire.
- 3) This included changes in the electrical service per request of Ameren IP (add \$4,263). Their request included a bonding jumper, spare conduits, and a change in the location of the meter and transformer.
- 4) The addition of eight (8) deck drains and fencing changes as per IDPH (\$25,641.77). The additional deck drains brings the total to twenty-nine (29) drains and reduces the time it takes for water to drain off the deck. A solid steel fence with gates was added between the main pool and wading pool to increase the level of safety for parents with small children.
- 5) Cost of the removal of electric lines and poles by Ameren IP (add \$1,605.75). Ameren IP would not allow the contractor to do this work. The additional cost is the difference between Ameren's cost and the cost the contractor had bid for this work.
- 6) Change the poured rubber surface in the tot pool to a painted surface (deduct \$4,492). A painted surface was originally specified but it was upgraded to the poured rubber surface when it appeared affordable. Returning to the painted surface will help offset some of the overages.
- 7) The addition of dry block additive to mortar for exterior walls as per contractor's recommendation (add \$731.32). The additive will provide better moisture protection and increase paint life on the inside of the exterior walls.

8) Changes in concrete gutter design and quantity of reinforcement for curbs around parking lot (deduct \$8,885.87). The Engineering Department suggested a design change and the reduction of the number of reinforcing bar runs from three back to two.

9) Changed two (2) accessible shower stalls which required the addition of a masonry wall in the women's shower area (\$1,177.62). The shower stall specified was no longer available. The stall that was substituted had slightly different dimensions requiring an additional masonry wall for support in the women's changing area.

WHEREAS, it is the finding of the City Council that the decision to perform the work described in the March 27, 2006 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 \$47,646.44 in the contract between the City of Bloomington and P.J. Hoerr, Inc., for the Holiday Pool Renovations be approved.

ADOPTED this 27th day of March, 2006.

APPROVED this 28th day of March, 2006.

Stephen F. Stockton  
Mayor

ATTEST:

Tracey Covert  
City Clerk

**Motion by Alderman Finnegan, seconded by Alderman Schmidt that the Change Order to the contract with P.J. Hoerr, Inc., for the Holiday Pool Renovations be approved in the amount of \$47,646.44, and the Resolution adopted.**

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

**Ayes: Aldermen Huette, Schmidt, Finnegan, Gibson, Matejka and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Change Order No. 1 for 2005-2006 Seeding at Various Locations

Annually, a bid is let for a seeding contract to cover seeding as needed for various construction projects. This contract is bid on a unit price basis with assumed quantities as it is not known at the beginning of the season how much seeding will be needed. So far this year, due to the large volume of construction work, the assumed quantities have been exceeded in the existing seeding contract. It was not known in May, 2005, when this contract was bid that so much area would need to be seeded. As each project was completed, it was necessary and in the best interest of the City to re-seed as soon as possible. The total value of work completed by the contractor to date is \$43,916.55. It is anticipated that there will be additional seeding which will be needed this spring, resulting in a second change order.

Contract Amount	\$16,807.00
This Change Order	<u>27,109.55</u>
Adjusted Contract	\$43,916.55

Staff respectfully recommends that Council approve this Change Order in the amount of \$27,109.55 to F&W Lawn Care & Landscaping for the extra work during the 2005-2006 Seeding project with payment to be made with Capital Improvement Funds (X40100-72530).

Respectfully,

Douglas G. Grovesteen  
Director of Engineering

Tom Hamilton  
City Manager

#### **RESOLUTION NO. 2006 - 41**

#### **A RESOLUTION AUTHORIZING A CHANGE ORDER IN THE AMOUNT OF \$27,109.55 IN THE CONTRACT BETWEEN THE CITY OF BLOOMINGTON AND F&W LAWCARE & LANDSCAPING FOR SEEDING AT VARIOUS LOCATIONS**

WHEREAS, the City of Bloomington has previously entered into a contract with F&W Lawncare & Landscaping for Seeding at Various Locations; and

WHEREAS, for the reasons set forth in a staff report dated March 27, 2006 it was necessary to perform additional seeding, and anticipated additional seeding; and

WHEREAS, it is the finding of the City Council that the decision to perform the work described in the March 27, 2006 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 \$27,109.55 in the contract between the City of Bloomington and F&W Lawncare & Landscaping for Seeding at Various Locations be approved.

ADOPTED this 27th day of March, 2006.

PASSED this 28th day of March, 2006.

Stephen F. Stockton  
Mayor

ATTEST:

Tracey Covert  
City Clerk

**Alderman Schmidt questioned this item. Tom Hamilton, City Manager, addressed the Council. He noted that there were additions to the project list. He cited the backyard flooding in the Oakridge Subdivision. This was an unusual situation.**

**Motion by Alderman Finnegan, seconded by Alderman Schmidt that the Change Order to the Contract with F&W Lawn Care & Landscaping for Seeding at Various Locations be approved in the amount of \$27,109.55, and the Resolution adopted.**

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

**Ayes: Aldermen Huette, Schmidt, Finnegan, Gibson, Matejka and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Amendment to Professional Service Agreement with Farnsworth Group for the Phase I Design of Constitution Trail Extension from East Grove Street to East Hamilton Road

The original agreement for Phase I Design of the Constitution Trail Extension from East Grove Street to East Hamilton Road by Farnsworth Group was approved by Council on November 14, 2005 in the amount of \$189,500. During the course of the design, it was determined that an Environmental Site Assessment needed to be performed on right of way proposed for the trail. The increase for the assessment is \$3,600. Farnsworth is also requesting an increase in the amount of \$10,200 to pay for a second trail bridge design which was not included in the original contract. Staff has examined the submittal from Farnsworth Group for additional payment and finds it acceptable. An amendment to the current contract is requested.

Original Contract	\$189,500.00
This Change Order	<u>\$ 13,800.00</u>
Total Contract Amount	\$203,300.00

Staff respectfully requests that Council approve an amendment to the design contract with Farnsworth Group for the Phase I Design of Constitution Trail Extension from East Grove Street to East Hamilton Road in the amount of \$13,800, for a revised total contract amount of \$203,300 with payment to be made with Capital Improvement Funds (X40100-70050).

Respectfully,

Douglas G. Grovesteen  
Director of Engineering

Tom Hamilton  
City Manager

#### **RESOLUTION NO. 2006 - 42**

#### **A RESOLUTION AUTHORIZING A CHANGE ORDER IN THE AMOUNT OF \$13,800 IN THE CONTRACT BETWEEN THE CITY OF BLOOMINGTON AND FARNSWORTH GROUP FOR THE PHASE I DESIGN OF CONSTITUTION TRAIL EXTENSION - GROVE STREET TO EAST HAMILTON ROAD**

WHEREAS, the City of Bloomington has previously entered into a contract with Farnsworth Group for the Phase I Design of Constitution Trail Extension - Grove Street to East Hamilton Road; and

WHEREAS, for the reasons set forth in a staff report dated March 27, 2006 it was necessary to perform an Environmental Site Assessment on right of way proposed for the trail, and a second trail bridge design was needed;

WHEREAS, it is the finding of the City Council that the decision to perform the work described in the March 27, 2006 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 \$13,800 in the contract between the City of Bloomington and Farnsworth Group for the Phase I Design of Constitution Trail Extension - Grove Street to East Hamilton Road be approved.

ADOPTED this 27th day of March, 2006.

APPROVED this 28th day of March, 2006.

Stephen F. Stockton  
Mayor

ATTEST:

Tracey Covert  
City Clerk

**Motion by Alderman Finnegan, seconded by Alderman Schmidt that the Change Order to the contract with Farnsworth Group for the Phase I Design of Constitution Trail Extension - East Grove Street to East Hamilton Road in the amount of \$13,800 be approved, and the Resolution adopted.**

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

**Ayes: Aldermen Huette, Schmidt, Finnegan, Gibson, Matejka and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Proposed Change Order to Stark Excavating, Inc. for Construction of Airport Road from Illinois Route 9 to Gill Street

Stark Excavating, Inc. has recently completed construction of Airport Road from Route 9 to Gill Street. During construction of this project, five items were encountered which resulted in additional costs. They are as follows:

1. There was an additional quantity of unsuitable earth material which needed to be removed and replaced with granular material at an additional cost of \$28,381.70.

2. During negotiations with homeowners to obtain necessary working easements, homeowners requested additional driveways. The additional driveway work was completed at an additional cost of \$13,333.35.
3. To properly connect to existing sidewalks, additional sidewalk was needed at an additional cost of \$2,933.65.
4. Due to tree growth between the time the project was surveyed and the time of construction, there was additional tree removal at an additional cost of \$5,025.
5. The construction plans included a two inch P.V.C. conduit for future fiber optic traffic signal interconnect, but did not include a wire to locate the conduit. The contractor installed a locate wire in the conduit at an additional cost of \$6,042.19.

Original Contract Amount	\$2,518,251.70
This Change Order	<u>55,715.89</u>
Completed Contract	\$2,573,967.59

These additions were not reasonably foreseeable at the time the contract was signed and were in the best interest of the City. As this additional work was necessary for the orderly and proper completion of this project, staff respectfully recommends that Council approve this Change Order in the amount of \$55,715.89 to Stark Excavating Inc. with payment to be made with MFT Funds (X20300-72530).

Respectfully,

Douglas G. Grovesteen  
Director of Engineering

Tom Hamilton  
City Manager

### **RESOLUTION NO. 2006 - 43**

#### **A RESOLUTION AUTHORIZING A CHANGE ORDER IN THE AMOUNT OF \$55,715.89 IN THE CONTRACT BETWEEN THE CITY OF BLOOMINGTON AND STARK EXCAVATING, INC. FOR CONSTRUCTION OF AIRPORT ROAD FROM ILLINOIS ROUTE 9 TO GILL STREET**

WHEREAS, the City of Bloomington has previously entered into a contract with Stark Excavating, Inc. for Construction of Airport Road from Illinois Route 9 to Gill Street; and

WHEREAS, for the reasons set forth in a staff report dated March 27, 2006 additional work was necessary due to the following:

1. There was an additional quantity of unsuitable earth material which needed to be removed and replaced with granular material at an additional cost of \$28,381.70.

2. During negotiations with homeowners to obtain necessary working easements, homeowners requested additional driveways. The additional driveway work was completed at an additional cost of \$13,333.35.
3. To properly connect to existing sidewalks, additional sidewalk was needed at an additional cost of \$2,933.65.
4. Due to tree growth between the time the project was surveyed and the time of construction, there was additional tree removal at an additional cost of \$5,025.
5. The construction plans included a two inch P.V.C. conduit for future fiber optic traffic signal interconnect, but did not include a wire to locate the conduit. The contractor installed a locate wire in the conduit at an additional cost of \$6,042.19.

WHEREAS, it is the finding of the City Council that the decision to perform the work described in the March 27, 2006 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 \$55,715.89 in the contract between the City of Bloomington and Stark Excavating, Inc. for Construction of Airport Road from Illinois Route 9 to Gill Street be approved.

ADOPTED this 27th day of March, 2006.

PASSED this 28th day of March, 2006.

Stephen F. Stockton  
Mayor

ATTEST:

Tracey Covert  
City Clerk

**Alderman Schmidt questioned this item. She specifically cited the additional driveways. Tom Hamilton, City Manager, addressed this item. City staff worked with the home owners on this major street. The City needed to change the level of the road. Earth grading work was done which change this level by three to four feet, (3 – 4'). City staff worked with the citizens to provide access to the road by providing yard turn arounds.**

**Motion by Alderman Finnegan, seconded by Alderman Schmidt that the Change Order to Stark Excavating, Inc. for Construction of Airport Road from Illinois Route 9 to Gill Street be approved in the amount of \$55,715.89, and the Resolution adopted.**

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

**Ayes: Aldermen Huette, Schmidt, Finnegan, Gibson, Matejka and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Amendment to the Engineering Services Agreement with Farnsworth Group for the Design of the Fox Creek Road Improvement - Danbury Drive to UPRR Bridge

On January 26, 2004, Council approved an Engineering Services Agreement with the Farnsworth Group to design the Fox Creek Road Improvement from Danbury Drive to the Union Pacific Railroad Bridge (UPRR) at a cost not to exceed \$17,300.

The City did not proceed with this project until the completion of the Illinois Department of Transportation (IDOT) bridge improvement over the Interstates 55/74 bypass and the improvement to the Fox Creek Road and Veterans Parkway intersection. Property and topographic changes have caused the need for additional survey and updating to the construction plans.

Staff has negotiated an amendment to the agreement with Farnsworth Group to perform the final design and the development of construction documents at a cost not to exceed \$3,150.

Staff is proposing to pay for this work as follows:

Original Engineering Services Agreement	\$ 17,300.00
1st Amendment (2003 Bond Issue Funds)	<u>\$ 3,150.00</u>
Total	\$ 20,450.00

Staff respectfully recommends that Council approve the amendment to the Engineering Services Agreement with Farnsworth Group for the design of the Fox Creek Road Improvement from Danbury Drive to the Union Pacific Railroad Bridge at a cost not to exceed \$3,150 with payment to made with 2003 Bond Issue Funds.

Respectfully,

Douglas G. Grovesteen  
Director of Engineering

Tom Hamilton  
City Manager

**Motion by Alderman Finnegan, seconded by Alderman Schmidt that the Amendment to the Engineering Services Agreement with Farnsworth Group for the design of the Fox Creek Road Improvement from Danbury Drive to the Union Pacific Railroad Bridge be approved at a cost not to exceed \$3,150.**

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

**Ayes: Aldermen Huette, Schmidt, Finnegan, Gibson, Matejka and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Change order for Motorola Communications Equipment

In an effort to decrease the number of antennas needed on the roof of the Police Facility and to provide for more effective and efficient use of equipment, a change was sought to the original contract with Motorola for communications equipment. This change will add five (5) base station radios to the equipment and will provide three (3) combiners for antenna equipment.

The five (5) base radios will allow the facility to connect to a tower by means of a radio signal rather than a dedicated telephone circuit. This will save the monthly recurring charges for leasing these circuits. Currently the department has a number of these circuits and will need to add several more to meet the requirements for being a backup for MetCom. These lines currently cost approximately \$70.00 each and this change will result in the reduction of ten (10) lines which would have been added, saving the City approximately \$700 per month in additional line charges.

The combiners will be used to reduce the number of new antennas on the roof of the building by twelve (12). There would have been fifteen (15) and now there will only be three (3). This decreases the possibility of inter frequency modulation which could significantly affect the radio's ability to receive and transmit clearly. It also allows for less antenna cables to be run and for less antennas to be moved in the future if additional floors would be built on to the facility.

The cost of this change is \$88,258.64. This figure is in addition to the \$511,250.23 which was previously approved by Council.

Staff respectfully requests that Council approve this change order to the contract with Motorola, Inc., in the amount of \$88,258.64 be approved, and the Resolution adopted.

Respectfully,

Roger J. Aikin  
Chief of Police

Tom Hamilton  
City Manager

**RESOLUTION NO. 2006 - 44**

**A RESOLUTION AUTHORIZING A CHANGE ORDER IN THE AMOUNT OF \$88,258.64 IN THE CONTRACT BETWEEN THE CITY OF BLOOMINGTON AND MOTOROLA, INC. FOR RADIO EQUIPMENT FOR THE 911 CENTER**

WHEREAS, the City of Bloomington has previously entered into a contract with Motorola, Inc. for Radio Equipment for the 911 Center; and

WHEREAS, for the reasons set forth in a staff report dated March 27, 2006 it was necessary to decrease the number of antennas needed on the roof of the Police Facility and to provide for more effective and efficient use of equipment; and

WHEREAS, it is the finding of the City Council that the decision to perform the work described in the March 27, 2006 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 \$88,258.64 in the contract between the City of Bloomington and Motorola, Inc. for Radio Equipment for the 911 Center be approved.

ADOPTED this 27th day of March, 2006.

PASSED this 28th day of March, 2006.

Stephen F. Stockton, Mayor

ATTEST:

Tracey Covert, City Clerk



**Alderman Huette noted that the need for this item was due to the City's withdrawal from MetCom. Roger Aikin, Police Chief, addressed the Council. He responded affirmatively. Originally, the equipment was hard wired. This change order represented a better approach to radio transmission. Alderman Huette requested an updated report requesting projected versus actual costs to date with an expenditure listing. Chief Aikin noted that the number of telephone lines had been reduced. He would prepare a report but cautioned that it might not be an exact breakout. He added that this was the only change order.**

**Alderman Sprague noted that there would be a \$700 per month savings in line charges. Mr. Hamilton added lower the cost of installation.**

**Motion by Alderman Finnegan, seconded by Alderman Schmidt that the Change Order to the contract with Motorola, Inc. for communications equipment be approved in the amount of \$88,258.64 be approved, and the Resolution adopted.**

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

**Ayes: Aldermen Schmidt, Finnegan, Gibson, Matejka and Purcell.**

**Nays: Alderman Huette.**

**Motion carried.**

**The following was presented:**

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Call Handling Agreement

Modifications to the McLean County Emergency Telephone System permitting operation of the City's Public Safety Answering Point (PSAP) requires Illinois Commerce Commission (ICC) authorization. Pursuant to ICC Rule 725, an Intergovernmental Agreement between the McLean County Emergency Telephone System Board (ETSB) and the City must be submitted with the application.

The agreement states that "9-1-1" is to be used for emergency calls only. The McLean County PSAP agrees to keep all records, times and places of all calls, and making them available to all participants of the 9-1-1 system. All agreements, management, records and service will be the responsibility of the McLean County ETSB.

Staff has reviewed the proposed Intergovernmental Agreement between the City and ETSB for 9-1-1 Emergency Communications and finds it acceptable. Staff respectfully recommends that

Council approve the Agreement with McLean County ETSB, and that the Mayor and City Clerk be authorized to execute the necessary documents.

Respectfully,

Roger J. Aikin  
Chief of Police

Tom Hamilton  
City Manager

## **EMERGENCY TELEPHONE SYSTEM BOARD**

### **9-1-1 EMERGENCY SYSTEM *COUNTY OF McLEAN***

#### **AGREEMENT**

February 17, 2006

This agreement is made between the McLean County Public Safety Answering Point, hereinafter referred to as "PSAP", and the Bloomington Police Department, for the purpose of effective handling and routing of 9-1-1 emergency calls.

#### **Call Handling:**

The McLean County PSAP center receiving a call for emergency service in your jurisdiction shall dispatch the call in the following manner:

PRIMARY: 1.453.150/458.150,2. 453.925/458.925

SECONDARY: MDT 851.215

#### **Aid Outside Jurisdiction:**

Once an emergency unit is dispatched in response to a request through the system, such units shall render its service to the requesting party without regard to whether the unit is operating outside its normal jurisdictional boundaries.

The legislative intent is that 9-1-1 will be used for emergency calls only. Therefore, all calls of an administrative or non-emergency nature shall be referred to your agency's published telephone number.

The McLean County PSAP agrees to keep all records, times and places of all calls. All records will be available to all participants of the 9-1-1 system.

It shall be the responsibility of your agency to maintain the report of call and the disposition of each call received.

All agreements, management, records and service will be the responsibility of the McLean County Emergency Telephone Systems Board.

Any agreements or changes in agreements and operating policies must be approved by the above-mentioned board.

**Accepted by:**

**McLean County ETSB**

**Bloomington Police Department**

By:

By: Stephen F. Stockton

Title: Chairman

Title: Mayor

**Motion by Alderman Finnegan, seconded by Alderman Schmidt that the Intergovernmental Agreement with McLean County ETSB for 9-1-1 Emergency Communication be approved and the Mayor and City Clerk authorized to execute the necessary documents.**

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

**Ayes: Aldermen Huette, Schmidt, Finnegan, Gibson, Matejka and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Professional Services Contract for the Study and Design of an In-Line Booster Station to Supply the Mitsubishi Motors Manufacturing Facility

Staff proposes a project to study the specific engineering aspects of an in-line booster station to supply the Mitsubishi Motors Manufacturing facility. This facility has specific requirements for water volume and pressure. Initially, when the facility was constructed, a booster station (“the Enterprise Zone Pump Station”) was constructed adjacent to the existing Division Street pump station to supply it. The Enterprise Station supplies not only the Mitsubishi Motors Manufacturing facility, but as the City’s west side has grown, much of this area has simply been added to the Enterprise Station pressure zone.

When the Mitsubishi facility was built, the water supply requirements were such that the City was to supply up to 5 million gallons per day (MGD) at 60 pounds per square inch pressure (psi) at the metered connection to the Bloomington water supply. The Enterprise Zone Pump Station pumps were designed to meet these design considerations and the current water supply from the Enterprise Zone Pump Station can meet these requirements and actually exceed them quite easily. This is primarily because the Mitsubishi facility has not used the 5 MGD that the Enterprise Zone Pump Station was constructed for. In fact, the daily usage is more in the order of 500,000 gallons per day, on average.

Since the station and its pumps were already in place but being underutilized, in order to “create” demand or consumption, parts of the City that were previously served by Division Street Pump Station have been added to the area served by the Enterprise Zone Pump Station. This has made the Enterprise Zone Pump Station relatively more efficient; however, certain areas actually have too much water pressure.

In order to eliminate the issues resulting from an underutilized pump station, higher than necessary pressures, more water main breaks from the higher pressure, excessive electricity costs pumping to the higher pressures as well several other related problems, staff has elected to study and address this problem in a comprehensive fashion. Rather than attempt to provide another fix to this problem, staff contacted Consoer Townsend Envirodyne, Inc. (CTE) and requested a study to eliminate the Enterprise Zone Pump Station and replace it with a much smaller and less expensive to operate booster station to supply the Mitsubishi facility.

CTE recently completed the City’s distribution system hydraulic model which is a sophisticated mathematical representation of the various piping, pumps, valves, tanks, and other components that make up the water system. The model can make accurate predictions of pressures, water flow and capacities, and other parameters under differing conditions.

This study is based upon the specific criteria of eliminating the Enterprise Zone Pump Station and replacing it with a smaller pre-engineered pump station. Studying the implications of converting (or returning) the balance of the customers in the Enterprise Zone Pump Station pressure zone to the Division Street pressure zone, designing the type and extent of control for the new pump station, determining the operating cost benefits of the current scenario versus the proposed pumping scenario and providing an overall cost/benefit analysis of the proposed project. CTE has been selected from a group of engineering firms that presented qualifications for a variety of projects at the beginning of the fiscal year.

Staff respectfully recommends that Council approve the agreement with Consoer Townsend Envirodyne, Inc. for the Study and Design of an In-Line Booster Station to supply the Mitsubishi Facility in the amount of \$74,800, and the Mayor and City Clerk authorized to execute the necessary documents. Funds for this project will be paid for with funds from the Water Department/Depreciation Fund, Consultant Services (Account # X50200-70050). This was a budgeted 2005/06 capital project.

March 26, 2006

1861

Respectfully,

Craig M. Cummings  
Director of Water

Tom Hamilton  
City Manager

CTE  
303 East Wacker Drive, Suite 600, Chicago, IL 60601-5276  
T 312-938-0300 F 312-938-1109 www.aecom.com

March 20, 2006

Mr. Craig M. Cummings  
Director of Water  
City of Bloomington  
603 W. Division Street  
P.O. Box 3157  
Bloomington, IL 61702-3157

Reference: Pre-Engineered Pump Station To Serve and To Be Located Near Mitsubishi

Dear Mr. Cummings:

Per the meeting held in your offices on March 3, 2006, Consoer Townsend Envirodyne Engineers, Inc. (CTE) is pleased to present this Proposal to provide design services for a pre-engineered pump station. It is anticipated that this station will be an above ground facility housing two (2) pumps with one being a standby pump. The goal of the project will be to provide 750,000 gallons per day at 60 psi to Mitsubishi. This pump station will be utilized to provide flow to Mitsubishi rather than being fed from the Enterprise Zone Pump Station as is the current case. The site of the station will be outside of the grounds of Mitsubishi with the exact location to be determined by the City. The topographical survey will be performed by the City of Bloomington's surveyors. It is anticipated that some architectural amenities will be provided to the exterior of the station such as brick, split-faced block, etc.

Prior to the commencement of design, we will prepare a study to determine the implications of taking the Enterprise Zone Pump Station out of service and converting that area which is currently a high pressure zone to the same pressure as the majority of the City's distribution system. This study will also determine the type and extent of control for the station as well as operating cost implications of the current pumping scenario versus the new pumping scenario.

We propose to perform these engineering services for a fee equal to two and thirty-five hundredths (2.35) times the "salary costs of engineering and technical personnel" expended in performing the work, the term "salary costs of engineering and technical personnel" shall mean the actual wages paid to those members of staff who are classified as officers, engineers, technicians, draftsman and field party personnel and who perform services under this Agreement

plus employees' benefits, which include state and federal taxes, social security, employment and retirement benefits as defined in the American Society of Civil Engineers (ASCE) Manual No. 45.

Our fee will not exceed the following amounts without further authorization:

Study Phase	\$14,800
Design and Bidding Phase	<u>\$60,000</u>
Total	\$74,800

Should you have any questions concerning the above, do not hesitate to contact us. If the proposal is satisfactory, kindly execute in the space provided below and return one copy to us. We look forward to working with you.

Very truly yours,

Michael H. Winegard, P.E.  
Vice President

MHW/dp

**ACCEPTED FOR:**

**BY:** Stephen F. Stockton

**TITLE:** Mayor

**DATE:** March 28, 2006

**Mayor Stockton noted that this item involved the Mitsubishi Pump Station. Craig Cummings, Director of Water, addressed the Council. He stated that there were two (2) pump stations at the Division St. facility. In addition, there was a pump station located in the Enterprise Zone. This station was put in place to meet Mitsubishi Motors technical requirements. This project would involve a smaller station closer to the facility. A study would be completed first. He cited electrical cost savings. The existing station would be mothballed and taken out of service. The pumps and motors would be removed as the City would have no intention to use same. Mayor Stockton expressed his concern about the future. Mr. Cummings noted that this project could be viewed as an addition/elimination. Another option would be to upsize the water main.**

**Alderman Finnegan questioned if service would be maintained. Mr. Cummings assured the Council that there would be no interruption in service. The City planned to use the company's scheduled shut downs. The goal was to meet the average use per day throughout the year.**

**Tom Hamilton, City Manager, addressed the Council. He reminded them that during the 1980's the Town of Normal was in no position to supply the company's water needs. Alderman Finnegan noted the concerns regarding excess pressure. Mr. Cummings stated that large pumps were being used which resulted in high water pressure in residential areas.**

**Motion by Alderman Finnegan, seconded by Alderman Schmidt that the agreement with CTE for the study and design of an In-Line Booster Station to supply the Mitsubishi Facility be approved in the amount of \$74,800, 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 Huette, Schmidt, Finnegan, Gibson, Matejka and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Contract with Starnet Technologies, Inc. for Preventive Maintenance and Support Service of the Water Department Supervisory Control and Data Acquisition (SCADA) System

The Water Department Supervisory Control and Data Acquisition (SCADA) system is over 10 years old and is in need of increasing maintenance. Currently, the department utilizes the system integrator, Starnet Technologies, Inc. to provide these services on an as-needed basis. Staff has determined that it would be more cost effective to purchase this service in a preventative maintenance contract.

At staff's request, Starnet Technologies, Inc., submitted a proposal for preventive maintenance services to provide twenty (20) one-day preventative maintenance visits for \$22,500 per year. Staff has reviewed this proposal and finds it to be in order.

Staff respectfully requests that Council approve the contract with Starnet Technologies, Inc. for preventative maintenance of the SCADA system at a cost of \$22,500 per year. Payment for this purchase will be made equally from Water Department, Purification Division, Operations and Maintenance accounts, Other Professional and Technical Services, account number 50130 - 70220, and Water Department, Transmission and Distribution Division, Operations and Maintenance accounts, Other Professional and Technical Services, account number 50120 - 70220.

Respectfully,

Craig M. Cummings  
Director of Water

Tom Hamilton  
City Manager

(CONTRACT ON FILE IN CLERK'S OFFICE)

**Motion by Alderman Finnegan, seconded by Alderman Schmidt that the Contract with Starnet Technologies, Inc. be approved in the amount of \$22,500 per year, 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 Huette, Schmidt, Finnegan, Gibson, Matejka and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Request to Retain Terracon Consultants, Inc., to Provide Geotechnical Engineering Services for Lincoln Street from Bunn St. to Morrissey Drive

A proposal for Professional Services has been received from Terracon Consultants, Inc. to do soil borings, pavement cores, and analysis for the future extension of Lincoln St. from Bunn St. to Morrissey Dr. (MFT #92-00283-00-RP). This work is necessary for completion of the pavement and utility designs currently being performed by the Farnsworth Group. Staff has reviewed the proposal and finds the agreement to be in order.

Staff respectfully requests that Council approve an Agreement for Professional Services in the amount of \$8,000 with Terracon Consultants, Inc. with payment to be made from Capitol Improvement Funds ( X40100-72530).

Respectfully,

Douglas G. Grovesteen  
Director of Engineering

Tom Hamilton  
City Manager



March 26, 2006

1865

February 10, 2006

Revised February 25, 2006

City of Bloomington  
401 ½ South East Street  
Bloomington, IL 61702-3157

Attention: Mr. Ryan Otto, E.I.  
Civil Engineer

Re: Cost Estimate for Geotechnical Engineering Services Proposed Lincoln Street and  
Morrissey Drive Improvements  
Bloomington, Illinois

Terracon Proposal No. P1006010 **REVISED**

Dear Mr. Otto:

Terracon appreciates the opportunity to submit our cost estimate to perform a geotechnical exploration for the above referenced project. This proposal outlines the scope of services to be performed by Terracon for this project and provides the cost estimate for these services.

#### **A. PROJECT INFORMATION**

We understand the proposed project will include widening, new pavements and intersection improvements along Lincoln Street and Morrissey Avenue roadway sections. New signal masts will also be installed at the intersection of Lincoln Street and Morrissey Avenue.

Based on the available site grading information and the existing topography, it appears that most of the new pavement grades will be constructed close to the existing grades. However, about 12 to 15 feet of cut areas are anticipated within approximate stations 12+00 and 15+50.

#### **B. SCOPE OF SERVICES**

Field Program —

Based on the information	Approx. Station	Locations	Depth (feet)
BL 1	St: 26+00	Lincoln Street Improvements	10
BL 2	St: 24+00	Lincoln Street Improvements	10
BL 3	St: 22+00	Lincoln Street Improvements	10
BL 4	St: 20+00	Lincoln Street Improvements	10
BL 5	St :18+00	Lincoln Street Improvements	10

BL 6	St :16+00	Lincoln Street Improvements	10
BL 7	St : 13+50	Lincoln Street Improvements	25
BL 8	St: 11+50	Lincoln Street Improvements	10
BM 1 and BM 2		Morrissey Avenue Improvements ROW (North of Lincoln St)	10
SB 1 and SB 2		Proposed Signal Mast at Lincoln and Morrissey ( 1 boring @ NEC and 1 boring @ SWC)	20

Our soil exploratory program includes twelve (12) soil borings resulting in about 155 lineal feet of soil drilling.

As advised, we propose to obtain pavement cores at two (2) locations selected by the design civil engineers.

One (1) pavement cores will be obtained on the east leg of Morrissey / Lincoln Street Intersection. One core each will be obtained at the Bunn/Lincoln intersection.

Samples will be obtained using split-barrel sampling procedure. Once the samples have been collected and classified in the field, they will be placed in appropriate sample containers for transport to our laboratory.

Laboratory Testing — The samples will be tested in our laboratory to determine physical engineering characteristics. Testing will be performed under the direction of a geotechnical engineer. For this project and the anticipated subsurface conditions, the following testing program is proposed:

#### SPLIT-BARREL SAMPLES

Visual Classification

Moisture Content

Unconfined Compressive Strength ( $O_p$ ), if cohesive 3 Atterberg Limits

3 Gradation Analysis

1 Standard Proctor Test

1 IBR

Engineering Report —After completion of the field and laboratory testing programs, the data and conditions will be summarized on boring logs and in a report prepared under the supervision of an engineer licensed in the State of Illinois. The report will include/address the following;

Computer generated boring logs with soil stratification based on visual soil classification.

Summarized laboratory data.

Site water levels observed during and after drilling

Boring location plan.

General project description.

Subsurface exploration procedures.  
Site conditions (existing).  
Soil conditions (existing).  
Pavement design and subgrade construction considerations.  
Soil parameters for the design of Signal Mast foundations (if requested by design civil engineer).  
Earthwork considerations.

Schedule - We can generally begin the field exploration program within about two weeks after receipt of authorization to proceed if site and weather conditions permit. The geotechnical report will be completed within two weeks after completion of the field work. In situations where information is needed prior to submittal of our report we can provide verbal information or recommendations for specific project requirements after we have completed our field and laboratory programs.

Conditions - Items to be provided by the client include the right of entry to conduct the exploration and an awareness and/or location of any subsurface utilities existing in the area. Terracon will contact the "JULIE" locating service to locate underground utilities. Terracon will not be responsible for underground utilities (public or private) incorrectly marked or not marked by others. Providing information and/or location of private utilities in the project area is the responsibility of the owner. Time to meet with locators on site has not been included in the fees provided below.

Our fee is based on the site being accessible to a standard, ATV-mounted drill rig and Terracon providing approximate layout and elevations of the borings; additional costs may result if this is not the case. Our fee does not include services associated with site clearing, tree clearing, wet ground conditions, or site restoration. If such conditions are known to exist on the site Terracon should be notified so that we may adjust our scope of services and fee, if necessary.

For safety purposes, all borings would be backfilled immediately after their completion. Excess auger cuttings would be disposed of on the site. Borings located within the pavements will be surface patched (upper 12 inches). Because backfill material often settles below the surface after a period of time, we recommend the boreholes be checked periodically and backfilled if necessary. We could provide this service at your request or grout the holes, but this would involve additional cost.

### **C. COMPENSATION**

For the scope of geotechnical services outlined in this proposal and based on our approved rates with the City of Bloomington, we estimate our fees to be \$8,000.00. Our actual fees would depend on items such as actual tests performed, manpower needs to perform requested tests, project duration, etc.

Should it be necessary to expand our services beyond those outlined in this proposal, we will notify you, then send a supplemental proposal stating the additional services and fee. We will not proceed without your authorization.

### **D. CLOSURE**

This proposal may be accepted by signing the Notice to Proceed and returning one copy along with this proposal to Terracon, Inc. This proposal is valid only if authorized within sixty days from the listed proposal date.

We appreciate the opportunity to provide this proposal and look forward to the continued relationship.

Sincerely,

**Terracon Consultants, Inc.**

Nilesh R. Lal.  
Geotechnical Engineer / Satellite Office Manager

Attachments: Cost Estimate Sheet

**NOTICE TO PROCEED:**

**By:** Stephen F. Stockton

**Title:** Mayor

**Date:** March 28, 2006

**Motion by Alderman Finnegan, seconded by Alderman Schmidt that the Agreement with Terracon Consultants, Inc., to provide Geotechnical Engineering Services 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 Huette, Schmidt, Finnegan, Gibson, Matejka and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**To:** Honorable Mayor and Members of the City Council

**From:** Staff

**Subject:** Agreement Between the City, Wittenberg II, LLC and Trinity Lutheran Church for Extension of Utilities

Trinity Lutheran Church is prepared to lease ten acres to Lutheran Senior Living of Illinois, Inc. to develop as a senior housing project to be known as Luther Oaks. The Preliminary Plan for Luther Oaks was approved by Council on September 12, 2005. In order to provide water to the Luther Oaks development in both the short and long term, water mains need to be extended through the adjacent development known as Wittenberg Woods Subdivision. Also, the sanitary pump station constructed in conjunction with Wittenberg Woods needs to be turned over to the City for maintenance and to allow the connection of the Luther Oaks pump station.

The two parties and City staff have negotiated a Utility Extension Agreement which outlines responsibilities, timetables, and funding for the water extensions. The City's responsibility under this agreement is to pay for oversizing from 8" to 16" the water main that the developer of Wittenberg Woods will construct through the subdivision to the east line of Luther Oaks. The City also agrees that it will not require the developer of Wittenberg Woods to participate in the cost of water mains in Morris Avenue from the south line of lots 106/109 to Lutz Road and in Lutz Road from Morris to Handel Road as originally stated in the Wittenberg Woods Annexation Agreement.

Staff respectfully requests that Council approve the Utility Extension Agreement with Wittenberg II, LLC and Trinity Lutheran Church, and that the Mayor and City Clerk be authorized to execute the necessary documents.

Respectfully,

Douglas G. Grovesteen  
Director of Engineering

Tom Hamilton  
City Manager

(AGREEMENT ON FILE IN THE CLERK'S OFFICE)

**Motion by Alderman Finnegan, seconded by Alderman Schmidt that the Utility Extension Agreement with Wittenberg II, LLC and Trinity Lutheran Church 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 Huette, Schmidt, Finnegan, Gibson, Matejka and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Disposition of 915 W. Monroe for YouthBuild - New Housing Construction Project

On May 24, 2004, Council approved a single family dwelling construction partnership with YouthBuild of McLean County. Specifically, Council approved the provision of an interest-free construction loan to YouthBuild and the donation of a vacant lot located at 915 West Monroe Street by the Community Development Division for the construction project site. There were requirements that the house be sold (through a competitive bidding process) upon completion to a household meeting HUD's low/moderate income guidelines; that all loan funds would be returned to the City's General Fund and that YouthBuild would retain any profit realized from the sale of the dwelling. The City provided \$60,000 which will be repaid from this sale.

The construction project has been completed, and has appraised at \$95,000. YouthBuild has received and accepted an offer to purchase from Tanya and Daniel Edge, (whose annual gross income is within HUD's income guidelines). The sale is subject to Council approval.

Staff respectfully requests that Council approve the sale of 915 West Monroe Street to the Tanya and Daniel Edge for the purchase price of \$80,000, with any profit realized from the sale of the dwelling to be retained by YouthBuild of McLean County, and that the Mayor and City Clerk be authorized to execute the necessary documents.

Respectfully,

Mark Huber  
Director, PACE

Tom Hamilton  
City Manager

**Motion by Alderman Finnegan, seconded by Alderman Schmidt that 915 W. Monroe be sold to Tanya and Daniel Edge for the purchase price of \$80,000, with any profit realized from the sale to be retained by YouthBuild of McLean County, and further that 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 Huette, Schmidt, Finnegan, Gibson, Matejka and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Greening Main Street Grant Application

On behalf of the Downtown Bloomington Association (DBA), staff respectfully requests permission to apply for a Greening Main Street Grant from Lieutenant Governor Pat Quinn's office. The Lieutenant Governor's office is offering \$20,000 grants "to make our historic Main Street Communities more environment friendly."

After meeting with Catherine Dunlap, DBA Executive Director, staff developed a plan that would create a gateway to the Downtown and US Cellular Coliseum from the Warehouse District and the Constitution Trail using an existing lot on Center Street that is adjacent to the Constitution Trail. The gateway would include landscaping, bike racks, lighting and benches for this area. Creation of a parking lot for this area would be addressed in Phase II. Staff believes that this gateway would help bring people to the Downtown from the southern part of the district and make the area more pedestrian and bike friendly.

Staff wishes to ensure that Council is aware that the grant requires a match, which would commit the City to provide financial support in the form of labor and in-kind services in the total amount of \$17,586.

DBA will submit the formal application for the Greening Main Street Grant. Staff respectfully requests that Council approve the financial support commitment required by the application for the Greening Main Street Grant by adopting the attached Resolution.

Respectfully,

Dean Kohn  
Director Parks & Recreation

Tom Hamilton  
City Manager

**RESOLUTION NO. 2006 - 45**

**A RESOLUTION SUPPORTING A GREENING MAIN STREET GRANT FROM  
LIEUTENANT GOVERNOR PAT QUINN'S OFFICE**

WHEREAS, the City of Bloomington has adopted a development project that would create a gateway to the downtown and US Cellular Coliseum from the Warehouse District and the Constitution Trail using an existing lot on Center Street that is adjacent to the Constitution Trail.

WHEREAS, the State of Illinois Lieutenant Governor's Office is offering \$20,000 grants "to make our historic Main Street Communities more environment friendly."

WHEREAS, the City of Bloomington believes that this gateway would help to bring people to the Downtown from the southern part of the district and make the area more pedestrian and bike friendly.

WHEREAS, the City of Bloomington agrees to provide financial support for this project in the form of labor and in-kind services in the total amount of \$17,586.

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

Has adopted a development project that would create a gateway to the Downtown and US Cellular Coliseum from the Warehouse District and the Constitution Trail using an existing lot on Center Street that is adjacent to the Constitution Trail and agrees to provide financial support of this project in the form of labor and in-kind services in the total amount of \$17,586.

ADOPTED this 27th day of March, 2006.

APPROVED this 28th day of March, 2006

Stephen F. Stockton  
Mayor

ATTEST:

Tracey Covert  
City Clerk

**Motion by Alderman Finnegan, seconded by Alderman Schmidt that the Application be approved and the Resolution adopted.**

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

**Ayes: Aldermen Huette, Schmidt, Finnegan, Gibson, Matejka and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Resolution for Memorandum of Understanding with Project Oz, Inc.

Staff respectfully requests that Council adopt a Resolution for Memorandum of Understanding with Project Oz, Inc. Project Oz serves youth and their families, following the mission, "To make a positive impact on the lives of youth." Project Oz provides 24-hour crisis intervention



for runaway and homeless youth, crisis and family counseling, temporary emergency shelter, post-crisis counseling, outreach, and referral services for youth in McLean and DeWitt counties. By adopting the Resolution for Memorandum of Understanding with Project Oz, Inc., both agencies agree to maintain regular contact with regard to changes in service components, avoid unnecessary duplication of services, assist in providing necessary client information, and generally promote and sustain the coordination of the comprehensive service system in Bloomington, Normal, and throughout McLean and DeWitt counties.

Staff respectfully requests that Council adopt a Resolution for Memorandum of Understanding with Project Oz, Inc.

Respectfully,

Roger J. Aikin  
Chief of Police

Tom Hamilton  
City Manager

## **RESOLUTION 2006 – 46**

### **Memorandum of Understanding**

Project Oz, at 1105 West Front Street in Bloomington, Illinois, affirms this Statement of Cooperation and Coordination with:

Bloomington Police Department

WHEREAS Project Oz serves youth and their families, following the mission “To make a positive impact on the lives of youth,” and

WHEREAS Project Oz has established

A Youth initiative Program to provide 24 hour crisis intervention for runaway and homeless youth, crises and family counseling, temporary emergency shelter, post-crisis counseling, outreach, and referral services for youth in McLean and DeWitt counties;

A Transitional Living Program for homeless youth ages 18-21 in McLean County through self-sufficiency skills building, financial literacy training, partial rent subsidies, job counseling, case management, and referral services;

And a Prevention and Education Program, providing classroom and other substance abuse and violence education in McLean County; and

WHEREAS Project Oz recognizes the existence and contributions of other social service, education, and government agencies in McLean and DeWitt counties and recognizes the need to coordinate and cooperate with these agencies in order to develop and sustain a relationship that contributes to the mutual benefit of those served,

IT IS hereby resolved that these agencies mutually agree to:

Recognize the existence and contributions of their respective services  
 Maintain regular contact with regard to changes in service components within each agency  
 Avoid unnecessary duplication of services  
 Assist in providing necessary client information and adherence with confidentiality laws and standards including the use of duly signed release of information forms  
 Acquaint and refer individuals and families who may have need of the other's services  
 Generally promote and sustain the coordination of the comprehensive service system in Bloomington, Normal, and throughout McLean and DeWitt counties.

This agreement may be revoked by either party in writing at any time.

Project Oz

Bloomington Police Department

February 21, 2006

March 28, 2006

Peter Rankatis  
 Director

Stephen F. Stockton  
 Mayor

**Motion by Alderman Finnegan, seconded by Alderman Schmidt that the Resolution be adopted.**

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

**Ayes: Aldermen Huette, Schmidt, Finnegan, Gibson, Matejka and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Resolution to Support Plans for the Redevelopment of 701 E. Jefferson Street into a Development to be Known as the "Clayton Jefferson Apartments"

Clayton Jefferson, LLC, the developer of the proposed "Clayton Jefferson Apartments" will be submitting to the Illinois Housing Development Authority an application for participation in the Low Income Housing Tax Credit (LIHTC) program and seeks a Resolution from Council outlining its support as part of the application submission.

As indicated in the City's previously approved 2005-2010 Consolidated Plan (Table 2C), the City's identified priorities and objectives for rental housing is to 1.) support development of affordable rental housing by providing letters of consistency to developers of LIHTC projects or

other affordable rental projects, and 2.) to research and participate (if/when approved) potential development of affordable rental housing in partnership with Community Development.

Staff respectfully recommends that Council adopt the Resolution authorizing the support of the submission of a Low Income Housing Tax Credit Application by Clayton Jefferson LLC for the development of the Clayton Jefferson Apartments.

Respectfully,

Mark Huber  
Director, PACE

Tom Hamilton  
City Manager

**RESOLUTION NO. 2006 - 47**

**A RESOLUTION SUPPORTING PLANS FOR THE REDEVELOPMENT OF 701 E. JEFFERSON STREET INTO A DEVELOPMENT TO BE KNOWN AS THE "CLAYTON JEFFERSON APARTMENTS"**

Whereas, the City of Bloomington has adopted a Consolidated Plan that has a goal to develop more affordable housing and an objective to support Developers/Owners who are making application to the Illinois Housing Development Authority for Low Income Housing Tax Credits.

Whereas, the State of Illinois has identified that it is a proper public purpose for the City of Bloomington to aid the Developers/Owners of affordable housing in the City of Bloomington.

Whereas, the City of Bloomington may aid the Developers/Owners of affordable housing by causing parks, playgrounds, recreational, water, sewer, or drainage facilities to be constructed and to plan and install streets and sidewalks or other works that is empowered to undertake.

Whereas, the City of Bloomington has agreed to negotiate a Redevelopment Agreement with the Developers/Owners, Clayton Jefferson LLC, to construct infrastructure in support of the development of the Clayton Jefferson Apartments.

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

1. The City of Bloomington is fully supportive of the plans for the redevelopment of 701 E. Jefferson Street and the construction of 15 new housing units.
2. Any assistance by the City will be the subject of negotiation of a redevelopment agreement.

ADOPTED this 27th day of March, 2006.

APPROVED this 28th day of March, 2006.

Stephen F. Stockton  
Mayor

ATTEST:

Tracey Covert  
City Clerk

**Motion by Alderman Finnegan, seconded by Alderman Schmidt that the Resolution be adopted.**

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

**Ayes: Aldermen Huette, Schmidt, Finnegan, Gibson, Matejka and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

To: Members of the City Council

From: Liquor Commission

Subject: Application of Namaste Plaza Blm. Inc., d/b/a Namaste Plaza, located at 704 ½ S. Eldorado Rd., requesting a PBS liquor license which would allow the sale of packaged beer and wine for consumption off the premises seven (7) days a week

The Bloomington Liquor Commissioner Stephen Stockton called the Liquor Hearing to consider the application of Namaste Plaza Blm. Inc., d/b/a Namaste Plaza, located at 704 ½ S. Eldorado Rd., requesting a PBS liquor license which would allow the sale of packaged beer and wine for consumption off the premises seven (7) days a week. Present at the hearing were Liquor Commissioners Stephen F. Stockton, Rich Buchanan, Marabeth Clapp and Steve Petersen; Hannah Eisner, Deputy Corporation Counsel, Lt. Timothy Stanesa, Police Department and Julie Phillips, Deputy City Clerk; and Venkat S. Musunuri, Applicant and owner.

Venkat S. Musunuri, Applicant and owner, addressed the Commission. He stated that this location was formerly the Oriental Grocery. The former owners had sold foreign spirits. He planned to continue as a grocery store which included grocery products and spirits from India.

Commissioner Stockton questioned if the new owners would continue to use the coolers that were located in the back of the store. Mr. Musunuri responded affirmatively. Commissioner

Stockton questioned the Applicant's business experience. Mr. Musunuri was a new business owner and currently did not have experience operating this type of business.

Commissioner Buchanan questioned if Mr. Musunuri would be personally involved in the daily operations of the store. He noted that all employees should be familiar with Chapter 6 of the Bloomington City Code as well as the State of Illinois Liquor Code. Commissioner Buchanan noted that the City Clerk's office could provide him with a copy of Chapter 6.

Hannah Eisner, Deputy Corporation Counsel, noted that the State of Illinois had copies of the state liquor code available. It would be possible to provide the Applicant with contact information.

Commissioner Buchanan noted the large responsibility on the part of liquor license holders to ensure that all employees be familiar with State laws and local codes regarding drinking age, delivery of alcohol, pouring, etc. If the Applicant had questions, those questions could be directed to the City's Legal Department or the Clerk's Office.

Commissioner Stockton encouraged the Applicant to obtain TIPS (Training for Intervention Procedures by Servers of Alcohol) training. Commissioner Petersen questioned the percentage of alcohol sales expected. Mr. Musunuri indicated three to four percent (3 to 4% ).

Commissioner Buchanan reminded the Applicant that sales of alcohol were prohibited before noon on Sunday. Commissioner Petersen questioned how the import beer would be sold. Mr. Musunuri indicated that the imported beer would be sold in six (6) or twelve (12) serving packages. Commissioner Buchanan questioned if single serve beer would be offered. Mr. Musunuri indicated that no single serve import beer would be sold.

Ms. Eisner questioned if any single serve beer would be sold cold. Mr. Musunuri affirmed. Commissioner Stockton informed Mr. Musunuri that the Commission and Council were considering placing a minimum size/package restriction on alcoholic beverages to include hard alcohol, beer, cold alcoholic beverages, and small bottles of wine.

Commissioner Buchanan questioned if the grocery would only sell beer and wine. Mr. Musunuri responded affirmatively.

Based on the above, the Liquor Commission recommends to the City Council that a PBS liquor license for Namaste Plaza Blm. Inc., d/b/a Namaste Plaza, located at 704 ½ S. Eldorado Rd., be created, contingent upon compliance with all applicable health and safety codes.

Respectfully,

Stephen F. Stockton  
Chairman of Liquor Commission

**Motion by Alderman Finnegan, seconded by Alderman Schmidt that a PBS liquor license for Namaste Plaza Blm. Inc., d/b/a Namaste Plaza, located at 704 ½ S. Eldorado Rd. 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 Huette, Schmidt, Finnegan, Gibson, Matejka and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

To: Members of the City Council

From: Liquor Commission

Subject: Application of Sandhya Foods Inc., d/b/a India Bhaven, located at 716 S. Eldorado Road, requesting an RAS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week

The Bloomington Liquor Commissioner Stephen Stockton called the Liquor Hearing to consider the application of Sandhya Foods Inc., d/b/a India Bhaven, located at 716 S. Eldorado Road, requesting an RAS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week. Present at the hearing were Liquor Commissioners, Stephen Stockton, Rich Buchanan, and Marabeth Clapp and Steve Petersen; Hannah Eisner, Deputy Corporation Counsel, Lt. Timothy Stanesa, Police Department, and Julie Phillips, Deputy City Clerk; Mallu Siva Kirshna Reddy, Applicant and owner, and Danda Venu Madhav, Applicant representative.

Commissioner Stockton opened the hearing. Hannah Eisner, Deputy Corporation Counsel, began the hearing by noting that the principal owners of India Bhaven were the also the applicants for Charminar, Inc., d/b/a Market Street Mobil. This Application would also appear before the Commission at today's hearing.

Danda Venu Madhav, Applicant representative, addressed the Commission. He indicated that this restaurant formerly operated as the Taj Majal. They were seeking a liquor license for this new restaurant. Commissioner Stockton inquired if any changes were planned from the previous operation. Mr. Madhav noted that the layout would be the same, but that draft beer and additional Indian cuisine would be offered.

Commissioner Stockton questioned the Applicant's experience with liquor sales and restaurant business. Mr. Madhav indicated that neither he nor Mr. Reddy had any experience with either liquor sales or the restaurant business. They were new business owners. Commissioner

Stockton questioned if the applicant was familiar with the state and local liquor laws. Mr. Madhav responded affirmatively.

Commissioner Buchanan questioned if they were familiar with Chapter 6 of the Bloomington City Code. Mr. Madhav noted that they were familiar with portions of Chapter 6. Commissioner Buchanan encouraged the applicants to become very familiar with Chapter 6. The City Clerk's Office could provide them with a copy. Information could be provided to the applicants regarding where to obtain information regarding the State of Illinois Liquor Code.

Commissioner Clapp questioned whether the Commission believed that the applicants should be required to attend TIPS, (Training for Intervention Procedures by Servers of Alcohol), training. Commissioner Buchanan noted that the Applicants would be held accountable for being familiar with the state and local liquor laws as well as providing the TIPS training to all employees.

Commissioner Stockton reiterated that knowing the laws and codes was very important. The applicants had a lot at stake. It is a privilege to have a liquor license, and that the Commission was inclined to provide this new business with such.

Commissioner Clapp noted that the restaurant would be open until 10:00 p.m. and alcohol sales would cease when the kitchen closed. Commissioner Buchanan reminded the applicants that by City Code, no alcoholic beverages may be sold prior to noon on Sundays. Mr. Madhav replied that he understood the Sunday sales restrictions.

Commissioner Petersen arrived at 4:18 p.m.

Based on the above, the Liquor Commission recommends to the City Council that an RAS liquor for Sandhya Foods Inc., d/b/a India Bhaven, located at 716 S. Eldorado Road, be approved contingent upon compliance with all applicable health and safety codes, with the following condition: 1.) that alcohol not be served or consumed one (1) hour after the kitchen closed.

Respectfully,

Stephen F. Stockton  
Chairman of Liquor Commission

**Motion by Alderman Finnegan, seconded by Alderman Schmidt that an RAS liquor license be created for Sandhya Foods Inc., d/b/a India Bhaven, located at 716 S. Eldorado Road, contingent upon compliance with all applicable health and safety codes, with the following condition: 1.) that alcohol not be served or consumed one (1) hour after the kitchen closed.**

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

**Ayes: Aldermen Huette, Schmidt, Finnegan, Gibson, Matejka and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

To: Members of the City Council

From: Liquor Commission

Subject: Application of Charminar, Inc., d/b/a Market Street Mobil, located at 1901 W. Market St., requesting a GPBS liquor license which would allow the sale of packaged beer and wine for consumption off the premises seven (7) days a week

The Bloomington Liquor Commissioner Stephen Stockton called the Liquor Hearing to consider the application of Charminar, Inc., d/b/a Market Street Mobil, located at 1901 W. Market St., requesting a GPBS liquor license which would allow the sale of all types of packaged beer and wine for consumption off the premises seven (7) days a week. Present at the hearing were Liquor Commissioners, Stephen Stockton, Rich Buchanan, Marabeth Clapp and Steve Petersen; Hannah Eisner, Deputy Corporation Counsel, Lt. Timothy Stanesa, Police Department, and Julie Phillips, Deputy City Clerk; and Rizwan M. Kahn, Applicant and owner.

Rizwan Kahn, Applicant and owner, addressed the Commission. He indicated that this is an existing and currently operating business. This application is due to a change in ownership.

Commissioner Stockton questioned if there were any changes planned. Mr. Kahn responded negatively. Commissioner Petersen questioned how they planned to stop (before noon) Sunday sales. Mr. Kahn replied that the business would be operated as it had been, which included Sunday.

Commissioner Clapp questioned if the new owners had experience operating a gas station/convenience store. Mr. Kahn responded affirmatively. He added that he owned and operated one (1) in Antioch, IL.

Commissioner Stockton questioned who would manage this location. Mr. Kahn indicated he would. Commissioner Stockton questioned the relationship between the Applicant and the Antioch store. Mr. Kahn stated that he had managed it. Commissioner Stockton questioned if the Antioch store had experienced any problems. Mr. Kahn responded negatively.

Commissioner Stockton inquired about the employees at this location. Mr. Kahn replied that the existing employees would remain in place. Commissioner Petersen directed the Applicant to acquire TIPS (Training for Intervention Procedures by Servers of Alcohol), training for himself as well as the employees. Mr. Kahn agreed.



Commissioner Buchanan questioned if there would be two (2) employees on duty at all times. Mr. Kahn responded affirmatively. Commissioner Buchanan questioned if all of the employees were at least twenty-one (21) years old. Mr. Kahn responded affirmatively.

Commissioner Petersen questioned if there was an area dedicated to alcohol. Mr. Kahn noted that there were no changes to the current store layout. Commissioner Petersen questioned if single serve containers would be offered. Mr. Kahn responded affirmatively. Commissioner Stockton stated that the Commission was considering a ban on single serve containers especially near highways.

Based on the above, the Liquor Commission recommends to the City Council that a GPBS liquor license for Charminar, Inc., d/b/a Market Street Mobil, located at 1901 W. Market St. be created, contingent upon compliance with all applicable health and safety codes.

Respectfully,

Stephen F. Stockton  
Chairman of Liquor Commission

**Motion by Alderman Finnegan, seconded by Alderman Schmidt that a GPBS liquor license for Charminar, Inc., d/b/a Market Street Mobil, located at 1901 W. Market 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 Huette, Schmidt, Finnegan, Gibson, Matejka and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

To: Members of the City Council

From: Liquor Commission

Subject: Application of The Links at Ireland Grove, LLC, d/b/a The Links at Ireland Grove, requesting an RAS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week

The Bloomington Liquor Commissioner Stephen Stockton called the Liquor Hearing to consider the application of The Links at Ireland Grove, LLC, d/b/a The Links at Ireland Grove, requesting an RAS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week. Present at the hearing were Liquor

Commissioners, Stephen Stockton, Rich Buchanan, Marabeth Clapp and Steve Petersen; Hannah Eisner, Deputy Corporation Counsel; Lt. Timothy Stanesa, Police Department; and Julie Phillips, Deputy City Clerk; and Darren Rogers, Applicant representative and owner.

Darren Rogers, Applicant representative and owner, addressed the Commission. He noted that this is a small golf course. The intention was to offer single serve alcoholic beverages at all points on the course for outings, causes, fundraisers, etc. Tents would be set up, contests held, dinners hosted, and various other events would be held at the course.

Commissioner Stockton inquired if there would be a mobile bar. Mr. Rogers indicated not be at this time. However it might be considered to own one that would be available for rental on a case by case basis as events arise. There would be a full service restaurant opening in the next year. It is anticipated that the restaurant and course will be a popular choice for outings.

Commissioner Stockton reminded the Applicant that by allowing alcohol sales on the entire course, it afforded them great flexibility, but also had great responsibility as well. It would be the responsibility of the Applicant to ensure that there was no underage drinking on the course. He questioned if the Applicant was willing to accept this responsibility. Mr. Rogers responded affirmatively.

Commissioner Petersen questioned if membership was required to use the course. Mr. Rogers indicated that there would be limited membership. However it would be open for public use as well.

Commissioner Petersen questioned if the City was responsible for underage drinking on City owned courses. Hannah Eisner, Deputy Corporation Counsel, responded affirmatively.

Commissioner Buchanan encouraged the applicant to become very familiar with Chapter 6 of the City Code. Mr. Rogers stated that they are more than willing to enforce the liquor code, and believes that they are a responsible group of employees. Additionally, he believed that this liquor license was very important to the outings that would be planned on the course.

Commissioner Petersen questioned if packaged sales were planned. Mr. Rogers negatively. Only single serve containers would be offered.

Commissioner Stockton questioned if the City's courses were restricted as far as points of sale of alcohol. Mr. Eisner replied that none of the private nor City owned courses had restricted liquor license. Commissioner Stockton stated that it may be beneficial to restrict the daily sales of alcohol on the course, but to allow for special events.

Mr. Rogers noted that this course is a "walking course" and that there were only nine (9) holes. Commissioner Petersen reminded that if alcohol sales were allowed on the entire course, the Applicant would be responsible for enforcing the liquor code on the entire course. Mr. Rogers reiterated that this is a short course. The players would be on and then off the course quickly.

Commissioner Stockton reminded the Applicant that the Commission reserved the right to modify liquor licenses. Mr. Roger accepted the Commission's authority to do so. Commissioner Stockton inquired as to whether the Applicant expected the license to include sales of alcohol on the driveway and parking lot. Mr. Rogers responded negatively.

Based on the above, the Liquor Commission recommends to the City Council that an RAS liquor license for The Links at Ireland Grove, LLC, d/b/a The Links at Ireland Grove be created, contingent upon compliance with all applicable health and safety codes and with the following restriction: 1.) that the sale or consumption of alcohol be prohibited on the driveway and parking lots.

Respectfully,

Stephen F. Stockton  
Chairman of Liquor Commission

**Motion by Alderman Finnegan, seconded by Alderman Schmidt that an RAS liquor license for The Links at Ireland Grove, LLC, d/b/a The Links at Ireland Grove be created, contingent upon compliance with all applicable health and safety codes and with the following restriction: 1.) that the sale or consumption of alcohol be prohibited on the driveway and parking lots.**

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

**Ayes: Aldermen Huette, Schmidt, Finnegan, Gibson, Matejka and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

To: Members of the City Council

From: Liquor Commission

Subject: Application of Hawk Operations LLC, d/b/a New Cub Foods East, located at 403 N. Veterans Parkway, requesting a PAS liquor license which would allow the sale of all types of packaged alcohol for consumption off the premises seven (7) days a week

The Bloomington Liquor Commissioner Stephen Stockton called the Liquor Hearing to consider the application of application of Hawk Operations LLC, d/b/a New Cub Foods East, located at 403 N. Veterans Parkway, requesting a PAS liquor license which would allow the sale of all types of packaged alcohol for consumption off the premises seven (7) days a week. Present at

the hearing were Liquor Commissioners, Stephen Stockton, Rich Buchanan, Marabeth Clapp and Steve Petersen; Hannah Eisner, Deputy Corporation Counsel, Lt. Timothy Stanesa, Police Department, and Julie Phillips, Deputy City Clerk; and Thomas Tow, Applicant's representative.

Commissioner Stockton informed the Commission that the Cub Foods store had had a change of corporation and corporate officers. He questioned if there would be any changes in the operations of the store. Mr. Tow responded negatively. Commissioner Buchanan noted that he was glad that Cub Foods was in the community.

Based on the above, the Liquor Commission recommends to the City Council that a PAS liquor license for Hawk Operations LLC, d/b/a New Cub Foods East, located at 403 N. Veterans Parkway be created, contingent upon compliance with all applicable health and safety codes.

Respectfully,

Stephen F. Stockton  
Chairman of Liquor Commission

**Motion by Alderman Finnegan, seconded by Alderman Schmidt that a PAS liquor license for Hawk Operations LLC, d/b/a New Cub Foods East, located at 403 N. Veterans Parkway 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 Huette, Schmidt, Finnegan, Gibson, Matejka and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Suspension of Ordinance to Allow Consumption of Alcohol Inside the Miller Park Pavilion on April 21, 2006

The Alzheimer's Association is holding an event at the Miller Park Pavilion on April 21, 2006 from 6:00 p.m. until 9:00 p.m. The organizers would like to have a cash bar available to those attending the event. Biaggi's is catering the food and will also operate the bar. Section 26(d) of Chapter 6 and Section 701 of Chapter 31 of the Bloomington City Code prohibit the possession of open containers of alcohol on public property and the sale and possession of alcohol in the

parks respectively. Both Sections 26(d) of Chapter 6 and Section 701 of Chapter 31 of the Bloomington City Code need to be suspended temporarily to allow alcohol to be sold, served and consumed at this event.

Council has suspended these ordinances in the past to allow alcohol at events for other organizations using the pavilion, specifically, the Miller Park Zoo Society. Staff respectfully recommends that Council adopt the ordinance suspending Sections 26(d) of Chapter 6 and Section 701 of Chapter 31 of the Bloomington City Code to temporarily to allow alcohol to be sold, served, and consumed inside the Miller Park Pavilion on April 21, 2006 for the Alzheimer's Association event.

Respectfully,

Hannah R. Eisner  
Assistant Corporation Council

Tom Hamilton  
City Manager

**ORDINANCE NO. 2006 - 31****AN ORDINANCE SUSPENDING SECTION 26(D) OF CHAPTER 6 AND SECTION 701 OF CHAPTER 31 OF THE BLOOMINGTON CITY CODE TO ALLOW THE SALE, POSSESSION AND CONSUMPTION OF ALCOHOLIC LIQUOR IN THE MILLER PARK PAVILION FOR THE “REMEMBER WHEN” EVEN SPONSORED BY THE ALZHEIMER’S ASSOCIATION**

WHEREAS, the Alzheimer’s Association has scheduled a fund raising event called, “Remember When” at the Miller Park Pavilion April 21, 2006; and

WHEREAS, the organizers of the event want to offer alcoholic beverages for sale for consumption on the premises to persons attending the event; and

WHEREAS, 26(d) of Chapter 6 and Section 701 of Chapter 31 of the Bloomington City Code prohibit the possession of open containers of alcohol on public property and the sale and possession of alcohol in the parks respectively and these provisions of the City Code must be temporarily suspended as to the part of the Miller Park Pavilion being used for the event to allow the organizers to offer alcoholic beverages for sale for consumption on the premises during the event.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BLOOMINGTON, ILLINOIS;

Section 1: That Section 26(d) of Chapter 6 and Section 701 of Chapter 31 of the Bloomington City Code, 1960, as amended, are suspended inside and within those portions of the Miller Park Pavilion being used for the Alzheimer’s Association “Remember When” fundraising event on April 21, 2006 between 5:00 o’clock p.m. and 10:00 o’clock p.m. This suspension shall be effective only as to persons inside the Miller Park Pavilion attending or catering the event.

Section 2: Except for the date, times and location set forth in Section 1 of this Ordinance, Section 26(d) of Chapter 6 and Section 701 of Chapter 31 of the Bloomington City Code, 1969, as amended, shall remain in full force and effect. Nothing in this ordinance shall be interpreted as repealing either said Section 26(d) or 701.

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 27th day of March, 2006.

APPROVED this 28th day of March, 2006.

APPROVED:

Stephen F. Stockton  
Mayor

ATTEST:

Tracey Covert  
City Clerk

**Motion by Alderman Finnegan, seconded by Alderman Schmidt that the Ordinance be passed.**

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

**Ayes: Aldermen Huette, Schmidt, Finnegan, Gibson, Matejka and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

To: Honorable Mayor and Members of the City Council  
From: Staff  
Subject: Text Amendment to Chapter 17, Section 92 of the City Code for Ambulance Fee Change

Staff respectfully requests that Chapter 17 Section 92 of the City Code be modified to change the charge for emergency medical fees to 125% of Medicare allowable for service and mileage. The current charge for ambulance service is \$275. Under the 125% of Medicare allowable formula the new rates would be:

Basic Life Support (BLS)	\$343.00
Advanced Life Support 1 (ALS1)	\$407.00
Advanced Life Support 2 (ALS2)	\$589.00
Mileage (per loaded mile)	\$ 7.56

Under this proposal, when Medicare modifies their allowable charges, the fees charged by the City will be adjusted accordingly. Typically Medicare adjusts fees annually. The above fee structure is identical to the fee structure recently adopted by the Town of Normal. Staff respectfully requests that the Text Amendment be approved and the Ordinance passed.

1888

March 27, 2006

Respectfully,

Keith Ranney  
Fire Chief

Tom Hamilton  
City Manager



**ORDINANCE NUMBER 2006 - 32**

**AN ORDINANCE AMENDING SECTION 92 OF CHAPTER 17  
OF THE BLOOMINGTON CITY CODE, IMPOSING A FEE FOR  
EMERGENCY MEDICAL SERVICES**

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

Section One: That Section 92 of Chapter 17 of the Bloomington City Code, 1960, as amended, be further amended by deleting said section in its entirety and substituting the following language:

Section 92. Emergency Medical Services

(a) Definitions. “Emergency Medical Services” shall mean pre-hospital and inter-hospital emergency care and non-emergency medical transports at a basic life support, intermediate life support or advanced life support level as defined by the Illinois Medical Services Systems Act (210 ILCS 50/1 *et seq.*).

“Medicare Allowable” means the dollar amount or dollar fee amount for the various types of emergency medical services and related transportation services as published from time to time by the United States Department of Health and Human Services Centers for Medicare and Medicaid Services.

(b) Fee for Emergency Medical Services and Transportation by the City of Bloomington. There is hereby established a fee for emergency medical services and related transportation services provided by the City of Bloomington. Such fee shall be 125 percent of the Medicare allowable fee established and published from time to time for the types of emergency medical services provided by the United States Department of Health and Human Services Centers for Medicare and Medicaid Services or such successor agency.

(c) Liability for Payment. Any person transported or provided emergency medical services by the City of Bloomington shall be liable for and pay the City of Bloomington the fee then currently in effect pursuant to subsection (b) of this Section.

(d). Failure to Pay. All fees for services rendered pursuant to this division shall be due within 30 days of service. Any person failing to timely remit payment for such service shall be assessed a late fee of \$25.00 plus accruing interest as set forth in Chapter 16 of this Code.

Section Two: That except as provided herein, the Bloomington City Code, 1960, as amended, shall remain in full force and effect.

Section Three: That the repeal of the previous language of Section 92 of Chapter 17 of the Bloomington City Code, 1960, as amended, shall not release any obligations of persons owing

fees to the City of Bloomington under such previous language, and such obligation remains outstanding until such time as it is satisfied by payment of such fees to the City of Bloomington.

Section Four: That the City Clerk be, and she is hereby authorized to publish this ordinance in pamphlet form as provided by law.

Section Five: That this ordinance shall be effective ten days after the date of its publication in pamphlet form..

Section Six: That this ordinance is adopted pursuant to the home rule authority of the City of Bloomington conferred by Article VII, Section 6 of the 1970 Illinois Constitution.

PASSED this 27th day of March, 2006.

APPROVED this 28th day of March, 2006.

APPROVED:

Stephen F. Stockton  
Mayor

ATTEST:

Tracey Covert  
City Clerk

**Mayor Stockton questioned the fees which were currently being charged by Lifeline. Keith Ranney, Fire Chief, addressed the Council. He did not have the information. Tom Hamilton, City Manager, also addressed the Council. He informed them that the City was using the same formula as Lifeline. Mayor Stockton noted that the City's current level of care was BLS, (Basic Life Support). Chief Ranney noted that for this level of care the fee would be \$275. The City would start with a smaller fee and revisit this issue within the first six (6) months to a year. The fee scheduled was recommended by the City's consultant. Mr. Hamilton added that the Town of Normal has already approved the fee schedule. The City will assume the EMS, (Emergency Medical Services), which were formally provided by Lifeline. Chief Ranney noted that Normal would provide ALS, (Advanced Life Support) services to its citizens. The formula was indexed which would provide a good time for review. He stated that the City had received 5,200 calls and received one (1) complaint.**

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

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

**Ayes: Aldermen Huette, Schmidt, Finnegan, Gibson, Matejka and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

To: Honorable Mayor and Members of the City Council  
From: Staff  
Subject: Request to Make a Wider Driveway at 3410 Crossgate Drive in the White Eagle South Subdivision

A request has been received by Tad Lewis, owner of 3410 Crossgate Drive in the White Eagle South Subdivision, to construct a wider driveway than permitted by Ordinance. The property is a single family lot. Per Ordinance, a 20 foot wide driveway at the City right of way is allowed. The owner is requesting a 30 feet wide driveway across City right of way to the curb.

Staff has reviewed the request and find that the requested driveway will not have an adverse impact and therefore, respectfully recommends Council approval.

Respectfully,

Douglas G. Grovesteen  
Director of Engineering

Tom Hamilton  
City Manager

**Motion by Alderman Finnegan, seconded by Alderman Schmidt that the Driveway Variance be approved.**

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

**Ayes: Aldermen Huette, Schmidt, Finnegan, Gibson, Matejka and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Petition from Eric Miller Requesting Approval of a Final Plat for Lots 1 and 2 of Miller Ridge Subdivision

A petition has been received from Eric Miller, requesting approval of a Final Plat for Lots 1 and 2 of Miller Ridge Subdivision. This subdivision is located west of Airport Road and south of Eagle Nest Subdivision. There is an existing house on the lot. The Plat will subdivide this lot into two lots such that the existing house is on Lot 1 and Lot 2 is a vacant lot that could be built upon. Staff has reviewed the Final Plat and finds it to be in general conformance with the Subdivision Code.

There are Parkland Dedication fees required from this subdivision. Staff respectfully recommends that Council accept the Petition and pass an Ordinance approving the Final Plat of Lots 1 and 2 of Miller Ridge Subdivision.

Respectfully,

Douglas G. Grovesteen  
Director of Engineering

Tom Hamilton  
City Manager

**PETITION FOR APPROVAL OF FINAL PLAT**

State of Illinois )  
 )ss.  
County of McLean )

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

Now comes Eric Miller hereinafter referred to as your petitioner, respectfully representing and requesting as follows:

1. That your petitioner is the owner of the freehold or lesser estate therein of the premises hereinafter legally described in Exhibit A which is attached hereto and made a part hereof by this reference, of is a mortgagee or vendee in possession, assignee of rents, receiver, executor (executrix), trustee, lessee or other person, firm or corporation or the duly authorized agents of any of the above persons having proprietary interest in said premises.
2. That your petitioner seeks approval of the Final Plat for the subdivision of said premises to be known and described as Miller Ridge Subdivision.
3. That your petitioner also seeks approval of the following exemptions or variations from the provisions of Chapter 24 of the Bloomington City Code, 1960: all those listed on the approved preliminary plan, if any, and any prior annexation agreements.
4. That the Final Plat substantially conforms to the Preliminary Plan of said subdivision heretofore approved by the City Council.
5. That your petitioner hereby dedicates to the public, all public rights-of-way and easements shown on said Final Plat.

WHEREFORE, your petitioner respectfully prays that said Final Plat for the Miller Ridge Subdivision submitted herewith be approved with the exemptions or variations as requested herein.

Respectfully submitted,

Eric Miller

**ORDINANCE NO. 2006-33****AN ORDINANCE APPROVING THE FINAL PLAT OF THE  
MILLER RIDGE SUBDIVISION**

WHEREAS, there was heretofore filed with the City Clerk of the City of Bloomington, McLean County, Illinois, a Petition for approval of the Final Plat of the Miller Ridge Subdivision, legally described in Exhibit A attached hereto and made a part hereof by this reference; and

WHEREAS, said Petition requests the following exemptions or variations from the provisions of the Bloomington City Code-1960, as amended: all those listed on the approved preliminary plan, if any, and any prior annexation agreements; and

WHEREAS, said Petition is valid and sufficient and conforms to the requirements of the statutes in such cases made and provided and the Final Plat attached to said Petition was prepared in compliance with requirements of the Bloomington City Code except for said requested exemptions and/or variations; and

WHEREFORE, said exemptions and/or variations are reasonable and in keeping with the intent of the Land Subdivision Code, Chapter 24 of the Bloomington City Code-1960, as amended.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BLOOMINGTON, MCLEAN COUNTY, ILLINOIS:

1. That the Final Plat of the Miller Ridge Subdivision and any and all requested exemptions and/or variations be, and the same is hereby approved.
2. That this Ordinance shall be in full force and effective as of the time of its passage and approval.

PASSED this 27th day of March, 2006.

APPROVED this 28th day of March, 2006.

Stephen F. Stockton  
Mayor

ATTEST:

Tracey Covert  
City Clerk

**Exhibit A**

Lot 1 except the east 13 feet thereof, and also except the north 10 feet thereof in Schrieber's Sunrise Acres, a subdivision of a part of the Northeast ¼ of Section 25, Township 24 north, Range 2 East of the Third Principal Meridian, McLean County, Illinois.

**Motion by Alderman Finnegan, seconded by Alderman Schmidt that the Final Plat be approved and the Ordinance passed.**

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

**Ayes: Aldermen Huette, Schmidt, Finnegan, Gibson, Matejka and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Petition from Wittenberg II, LLC, an Illinois Limited Liability Company, Requesting Approval of a Final Plat for Wittenberg Woods at Prairie Vista 1st Addition

A Petition has been received by Wittenberg II, LLC, an Illinois Limited Liability Company requesting approval of a Final Plat of Wittenberg Woods at Prairie Vista 1st Addition. This residential subdivision is located south of future Hamilton Road, west of Morris Avenue, and north of Lutz Road.

Staff reviewed the Final Plat and finds it to be in conformance with the Preliminary Plan approved by Council on September 22, 2003. There are tap on fees due and a performance guarantee is required for the unfinished public improvements.

Staff respectfully recommends that Council approve the Petition and adopt an Ordinance approving the Final Plat for Wittenberg Woods at Prairie Vista 1st Addition subject to the Petitioner paying the required tap on fees and posting a guarantee for unfinished public improvements prior to recording of the plat.

Respectfully,

Douglas G. Grovesteen  
Director of Engineering

Tom Hamilton  
City Manager

**PETITION FOR APPROVAL OF FINAL PLAT**

State of Illinois )  
 )ss.  
County of McLean )

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

Now comes Wittenberg II, LLC hereinafter referred to as your petitioner(s), respectfully representing and requesting as follows:

1. That your petitioner is the owner of the freehold or lesser estate therein of the premises hereinafter legally described in Exhibit A which is attached hereto and made a part hereof by this reference.
2. That your petitioner seeks approval of the Final Plat for the subdivision to be known and described as Wittenberg Woods at Prairie Vista First Addition which Final Plat is attached hereto and made a part hereof.
3. That your petitioners also seeks approval of the following exemptions or variations from the provisions of Chapter 24 of the Bloomington City Code, 1960: all those listed on the approved preliminary plan, if any, and any prior annexation agreements.
4. That the Final Plat substantially conforms to the Preliminary Plan of said subdivision heretofore approved by the City Council.
5. That your petitioner hereby dedicates to the public, all public rights-of-way and easements shown on said Final Plat.

WHEREFORE, your petitioners respectfully prays that said Final Plat for the Wittenberg Woods at Prairie Vista First Addition Subdivision submitted herewith be approved with the exemptions or variations as requested herein.

Respectfully submitted,

Vernon P. Prenzler



**ORDINANCE NO. 2006-34**

**AN ORDINANCE APPROVING THE FINAL PLAT OF THE  
WITTENBERG WOODS AT PRAIRIE VISTA, FIRST ADDITION SUBDIVISION**

WHEREAS, there was heretofore filed with the City Clerk of the City of Bloomington, McLean County, Illinois, a Petition for approval of the Final Plat of the Wittenberg Woods at Prairie Vista First Addition Subdivision, legally described in Exhibit A attached hereto and made a part hereof by this reference; and

WHEREAS, said Petition requests the following exemptions or variations from the provisions of the Bloomington City Code-1960, as amended: all those listed on the approved preliminary plan, if any, and any prior annexation agreements; and

WHEREAS, said Petition is valid and sufficient and conforms to the requirements of the statutes in such cases made and provided and the Final Plat attached to said Petition was prepared in compliance with requirements of the Bloomington City Code except for said requested exemptions and/or variations; and

WHEREFORE, said exemptions and/or variations are reasonable and in keeping with the intent of the Land Subdivision Code, Chapter 24 of the Bloomington City Code-1960, as amended.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BLOOMINGTON, MCLEAN COUNTY, ILLINOIS:

1. That the Final Plat of the Miller Ridge Subdivision and any and all requested exemptions and/or variations be, and the same is hereby approved.
2. That this Ordinance shall be in full force and effective as of the time of its passage and approval.

PASSED this 27th day of March, 2006.

APPROVED this 28th day of March, 2006.

Stephen F. Stockton  
Mayor

ATTEST:

Tracey Covert  
City Clerk

**Exhibit A**

A part of Outlot 2 in McBurney Addition to Bloomington in the N ½ of the S ½ of the NW ¼ of the SE ¼ of Section 17, EXCEPT the North 86 feet thereof and also EXCEPT that portion conveyed to the City of Bloomington by Warranty Deed recorded as Document No. 2005-10321, and a part of the S ½ of the S ½ of the NW ¼ of the SE ¼ of Section 17, EXCEPT the North 265 feet of the East 331 feet thereof, and a part of the SW ¼ of the SE ¼ of Section 17, all in Township 23 North, Range 2 East of the Third Principal Meridian, City of Bloomington, McLean County, Illinois, more particularly described as follows: Commencing at the northwest corner of Outlot 2 in McBurney Addition to Bloomington, according to the Plat thereof recorded as Document No. 87 - 23490 in the McLean County Recorder of Deeds Office; thence S.01°-30'-58"E. 115.40 feet on the west line of said Outlot 2, also being the west line of the SE ¼ of said Section 17, to the southwest corner of a tract of land conveyed to the City of Bloomington by Warranty Deed recorded as Document No. 2005 - 10321 in the McLean County Recorder of Deeds Office; thence N.80°-16'-27"E. 20.21 feet on the south line of said tract of land conveyed in Document No. 2005 - 10321 to the Point of Beginning; thence continuing N.80°-16'-27"E. 122.45 feet on the south line of said tract of land conveyed in Document No. 2005 - 10321; thence northeasterly on the south line of said tract of land conveyed in Document No. 2005 - 10321 122.07 feet on a non-tangential curve concave to the southeast having a radius of 1,534.83 feet, central angle of 04°33'-26" and a chord of 122.04 feet bearing N.87°-52'-00"E. from the last described course to the south line of the North 86 feet of said Outlot 2; thence S.89°-50'-46"E.

214.61 feet on said south line of the North 86 feet of said Outlot 2 to the northwest corner of Wittenberg Woods at Prairie Vista recorded as Document No. 2004 - 31490 in the McLean County Recorder of Deeds Office; thence S.01°-21'-52"E. 129.71 feet on the west line of said Wittenberg Woods at Prairie Vista; thence S.88°-38'-08"W. 38.07 feet on said line of Wittenberg Woods at Prairie Vista; thence S.01°-21'-52"E. 180.00 feet on the west line of said Wittenberg Woods at Prairie Vista; thence N.88°-38'-08"E. 49.80 feet on said line of Wittenberg Woods at Prairie Vista; thence S.03°-45'-01"E. 120.10 feet on the west line of said Wittenberg Woods at Prairie Vista; thence S.01°- 34'-28"E. 60.00 feet on said west line; thence S.02°-31'-32"W. 120.28 feet on said west line; thence S.88°-38'-08"W. 2.86 feet on the line of said Wittenberg Woods at Prairie Vista; thence S.01°-21'-52"E. 120.00 feet on the west line of said Wittenberg Woods at Prairie Vista; thence S.00°-24'-35"E. 60.01 feet on said west line; thence S.01°-21'- 52"E. 120.00 feet on said west line; thence S.88°-38'-08"W. 290.27 feet on the westerly extension of the south line of said Wittenberg Woods at Prairie Vista; thence S.01°-30'-58"E. 180.00 feet parallel with the west line of the SE ¼ of said Section 17; thence S.88°-38'-08"W. 170.00; thence N.01°-30'-58"W. 1075.95 feet parallel with the west line of the SE ¼ of said Section 17 to the Point of Beginning, containing 10.23 acres, more or less, with assumed bearings given for description purposes only.

**Motion by Alderman Finnegan, seconded by Alderman Schmidt that the Final Plat be approved and the Ordinance passed.**

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

**Ayes: Aldermen Huette, Schmidt, Finnegan, Gibson, Matejka and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

To: Honorable Mayor and Members of the City Council

From: Staff

Subject: Analysis Of Bidding Proposals for Airport Road at College Avenue Traffic Signals

Bidding proposals were received until 2:00 p.m., Friday, March 17, 2006, in the Office of the City Clerk at which time and place the proposals were opened and read aloud as follows:

Bodine Electric	\$118,670.16 (Low Bid)
Laesch Electric, Inc.	\$118,963.11
Champaign Signal & Lighting Co.	\$131,283.00
Budget	\$90,000.00 C.I.F.
	<u>\$30,000.00</u> Private Property
	\$120,000.00
Engineer's Estimate	\$163,126.85

The project pertains to the installation of traffic signals at the intersection of Airport Road and College Avenue. The east leg of the intersection is the driveway into the Four Season Association facility at 2401 Airport Road. They have agreed to pay up to \$30,000 for installation of the traffic signals.

Bodine Electric of Decatur is the low bidder. There was one addendum to the proposal that was not acknowledged by the low bidder. The addendum contained minutes of the pre-bid meeting and contained clarification for some of the language in the Special Provisions. Bodine Electric was present at the pre-bid meeting. Staff respectfully recommends that Council waive this technicality and accept the low bid of Bodine Electric in the amount of \$118,670.16, for the Airport Road at College Avenue Traffic Signal Improvements and, further, that the Mayor and City Clerk be authorized to execute the necessary documents. Funds for this work is to be made with Capital Improvement Funds (X40100-72530).

Respectfully,

Douglas G. Grovesteen  
Director of Engineering

Tom Hamilton  
City Manager

**Tom Hamilton, City Manager, introduced this item. The traffic signals would be located at the new entrance into Four Seasons at the T intersection of College Ave. and Airport Rd. After the bid closing and upon opening, City staff noted that Bodine had failed to include the addendum with their submittal. Bodine attended the pre-bid conference. City staff recommended approval of the bid to Bodine.**

**Motion by Alderman Matejka, seconded by Alderman Huette to suspend the rules to allow someone to speak.**

**Motion carried.**

**Connie Laesch, 4326 E. Raab Rd., Normal, addressed the Council. She informed them that she was the President of Laesch Electric. Laesch was a local contractor. She read from a prepared letter. She also read from the addendum and cited the bid tabulation sheet. The addendum was drafted after the pre-bid meeting. The pre-bid meeting allows vendors to raise questions and have City staff provide answers. She expressed her opinion that the playing field needed to be fair and level. She stated that Bodine's bid was incomplete and added that this firm had acted in an irresponsible manner. She cited the cost difference between the two (2) bids. She requested that the bid be awarded to her company.**

**Alderman Finnegan noted that both vendors attended the pre-bid meeting. Ms. Laesch responded affirmatively.**

**Wayne Mihal, Division Manager, Bodine Electric, addressed the Council. He attended the pre-bid meeting. Several issues were discussed. The addendum was the official record of the pre-bid meeting. Bodine Electric employed responsible individuals. He acknowledged that the addendum was omitted. Bodine was a major employer and employed 260 electricians. Bodine's employees have a good work ethic. Some of Bodine's employees were local citizens. Bodine was respectful of the bidding process. The goal of a formal bid is to save money and have the work completed on time. He added that competition helps to control costs.**

**Doug Grovesteen, Director of Engineering, addressed the Council. He had a copy of the addendum. Alderman Matejka questioned the document's contents, (summary of vendor questions with written answers). Mr. Grovesteen responded affirmatively. There were no changes and/or additions. The content clarified the specifications. Bodine had the addendum. Engineering staff had checked the fax log. City staff recommended the low bidder. All of the vendors were qualified to perform the work. The specification stated**

that the addendum was to be returned. There have been other occasions when an addendum has been left out.

Mayor Stockton noted that the Council had waived this technicality in the past and would not be setting a precedent. Mr. Grovesteen recalled occasions when the Council had gone both ways. Mayor Stockton questioned the substance of the addendum. Mr. Hamilton noted that if the addendum had a material effect on the bid was often the determining factor. If the answer is yes, then City staff does not recommend waiving the technicality. If the answer is negative, then City staff would recommend waiving the technicality. He restated that all bidders received copies of the addendum.

Alderman Gibson cited the City's requirement. The bid was incomplete, but questioned if there was reason to disqualify it. Mr. Hamilton restated that the addendum was not acknowledged. There did not appear to be any effect on price nor was there a potential for a change order. City staff has recommended that the technicality be waived. Mr. Grovesteen added that if Bodine is awarded the bid, the contract would include the addendum. City staff must abide by City policies/practices. Pre-bid meetings were standard for engineering projects. Addendums were a by product of these meetings.

Alderman Finnegan stated that the bid price reflected the addendum. Mr. Grovesteen stated that the bid items did not change. Mr. Hamilton added that the addendum would have no effect on the contract amount.

Alderman Schmidt noted that Bodine had acknowledged human error. City staff requested that the addendum be returned with the bid submittal. Their bid was incomplete. She did not want the Council to appear to be inconsistent. Mr. Hamilton stated that both bidders were good companies. Bodine's error was small.

Mayor Stockton noted that the issue was not about the company's ability or the price. The issue was the integrity of the process.

Motion by Alderman Matejka, seconded by Alderman Finnegan to return to order.

Motion carried.

Motion by Alderman Matejka, seconded by Alderman Gibson that due to the fact that Bodine Electric, the apparent low bidder, submitted an incomplete bid, that the bid be awarded to Laesch Electric in the amount of \$118,963.11, and the Mayor and City Clerk authorized to execute the necessary documents.

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

Ayes: Aldermen Huette, Schmidt, Gibson, Matejka and Purcell.

Nays: Alderman Finnegan.

**Motion carried.**

**Alderman Matejka stated the importance of the Council being consistent when addressing the bid process. Vendors have expectations for the City's bid process.**

**Mayor Stockton noted that the error caused the loss of this bid. He added that the Council had set a precedent.**

**MAYOR'S DISCUSSION:** Mayor Stockton informed the Council of a package liquor license application which had been received. The store would be located on W. Market St. The building currently also houses StarCrest Cleaners. He noted that the neighborhood had raised concerns. There had been changes in the neighborhood which some individuals believe is linked to the US Cellular Coliseum. The application had been laid over until July.

**Work has continued on the smoke free ordinance. He expressed his opinion that the two (2) groups were closer together. The field had been narrowed. He expressed his hope that the proposed ordinance would appear on the Council's April 10, 2006 meeting agenda. He had provided direction to the City's Legal Department. Final action on the proposed ordinance would occur at the Council's April 24 or May 8, 2006 meeting.**

**A Work Session was scheduled for April 5, 2006 at 4:00 p.m. The Council would interview candidates for Ward 8. He anticipated four (4) applicants. The individual would be appointed to fill the vacancy at the Council's April 10, 2006 meeting.**

**Alderman Matejka requested a follow up email regarding this meeting. Mayor Stockton noted that the application deadline was April 3, 2006 at 5:00 p.m. He wanted the new Alderman in place to vote on the smoke free ordinance.**

**Alderman Huette questioned the format of the April 5th Work Session. Mayor Stockton informed the Council that each would receive the candidates' bios in advance of the meeting.**

**Alderman Purcell questioned the meeting's location. Mayor Stockton stated City Hall.**

**CITY MANAGER'S DISCUSSION: None.**

**ALDERMEN'S DISCUSSION:** Alderman Schmidt requested a Resolution for Alderman Sprague. Mayor Stockton agreed to draft same.

**She also noted that this was Jerry Armstrong's last meeting. Mr. Armstrong had served the City as the Asst. Director – Parks & Recreation. He had done a wonderful job and reflected the best of the City. Tom Hamilton, City Manager, informed the Council that there would be a retirement reception for Mr. Armstrong on March 31, 2006 at 1:30 p.m. in the Government Center.**

She questioned the status of the past offender housing ordinance. She also noted that the City's towing contract would expire at the end of the month. She had various ideas on this subject. Mr. Hamilton noted that City staff was looking for Council feedback.

Alderman Matejka stated his belief that the information was complete. There were pros and cons to each system. He added that City staff had requested Council's feedback weeks ago. Alderman Schmidt expressed her opinion that it was not reasonable for this issue to be resolved by April 1, 2006. Mr. Hamilton stated that City staff usually recommends multi year contracts.

Alderman Purcell questioned the status of the US Cellular Coliseum. Mr. Hamilton informed the Council that the football game was scheduled for Saturday afternoon, (April 1, 2006).

Mayor Stockton informed the Council that the Liquor Commission toured the facility late last week. The concession arrangements were impressive. He expressed his opinion that people attend events at this type of facility for the entertainment and the food. The City needed to offer a quality product.

Alderman Schmidt questioned if concessions would be available during conventions. Mr. Hamilton responded affirmatively, if the event organizer makes the necessary arrangements. He added that there had been a number of ticket sales in the last week. He believed that there would be a good crowd for the football game.

Alderman Purcell questioned the Ensenberger Building. Mr. Hamilton stated that the Council had been provided with a note.

Alderman Gibson questioned the smoke free ordinance which would be prepared by the City's Legal Department. He requested clear definitions of public versus private buildings. Mayor Stockton cited the draft ordinance's definitions. A public place is defined as where the public is invited.

Motion by Alderman Matejka, seconded by Alderman Finnegan, that the meeting be adjourned. Time: 8:44 p.m.

Motion carried.

Tracey Covert  
City Clerk

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