

# Council Questions/Comments and Staff Responses Report for October 22, 2012

*as of October 22, 2012 at 9:09am*

## Consent Agenda

**Alderwoman:** Jennifer McDade

**Item 6C:** Economic Development Strategic Plan and Incentive Guidelines

**Question/Comment:** Again, thank you for an extensive and articulate plan. If this is adopted by the Council, does it make sense to share any of this information on our website for potential developers? Also, can we condense these priorities/goals/objectives into a one-page document to share with other residents, groups, and organizations (could start with the list you have already met with)?

**Staff Response:** Working in cooperation with IT, Staff has recently launched an “Economic Development” section on the City’s website. Once the Economic Development (ED) Strategic Plan and Incentive Guidelines are approved, the information will be added to the “Programs and Services” section so that current and prospective businesses can review the details and plan for future development. Moving forward, Staff will evaluate additional opportunities whereby the City’s ED program can be marketed to developers both inside and outside of our community. Content to be highlighted will include the Economic Development Strategic Plan, Incentive Guideline, significant demographic characteristics, key properties and more.

**Alderman:** Rob Fazzini

**Item 6C:** Economic Development Strategic Plan and Incentive Guidelines

**Question/Comment:** In the Economic Incentive Guidelines, please consider adding (9) Economic Incentives considered by the City of Bloomington will additionally factor in the economic impact an incentive to a specific applicant has to revitalize a particular area of the city beyond just the applicant’s property if appropriate.

**Staff Response:** Staff proposes adding the language to Section 1: Strategic Use of Incentives, as follows: “Economic incentives considered by the City of Bloomington will additionally factor in the economic impact an incentive to a specific applicant has to revitalize a particular area of the City beyond just the applicant’s property.” The City Clerk will put out an Addendum adding this language to the Council Memo.

**Alderman:** Rob Fazzini

**Item 6D:** Extension of Fuel Agreement for Fleet Vehicles and Equipment

**Question/Comment:** Do we need to recognize in the documents to be executed that there were no competitive bids obtained citing that Evergreen FS is the only known vendor qualified to meet all of the current specifications?

**Staff Response:** Since the original contract was competitively bid, and this is an extension which is authorized by the original contract, it is not necessary to pass a formal resolution waiving the bidding process nor is it necessary to change the motion as suggested.

**Alderman:** Rob Fazzini

**Item 6F:** Client Agreement Employee and Retire Health Insurance PPO/HMO, Dental Plan and Broker Services

**Question/Comment:** This item was not available in my council box at 1:00 p.m. Sunday when I visited to pick up my material.

**Staff Response:** The City Clerk will be putting out an Addendum.

# Council Questions/Comments and Staff Responses Report for October 22, 2012

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## Regular Agenda

**Alderman:** Rob Fazzini

**Item 7A:** Consent to Assignment of Indoor Football Lease at U.S. Cellular Coliseum

**Question/Comment:** Since this is merely an assignment of the current lease with all terms remaining the same, what is the new owner's plan to make this a success when the previous owner did not? Do we have a copy of the new business plan? Does the new owner's financial strength allow more time to build toward success, and did we verify the financial strength of the new owner?

**Staff Response:** Staff does not have a business plan for the new owner. With regard to the financial strength of the new owner, while staff has not reviewed their financial documents directly as this information is proprietary, Central Illinois Arena Management (CIAM) has confirmed that the new owner has met all of the financial requirements of the Champions Professional Indoor Football League (CPIL).

**Alderwoman:** Jennifer McDade

**Item 7B:** Text Amendment to Chapter 6. Alcoholic Beverages, Additional License Classifications

**Question/Comment:** Liquor issues are as heated as I have ever seen them since I joined the council. There are several items which are shaping this discussion and raising several questions. I realize that the Mayor may be best positioned to answer these questions and I would like to see them added to the list of questions and answered before the meeting if possible.

1. Why does the public, especially downtown stakeholders, indicate a lack of notice for the Friday 10/19 meeting? Whether this is reality or perception, what was the reason for a meeting outside of normal patterns? What is the rush to approve this new license?
2. Why did the Liquor Commission not discuss the DETF comments from 10/8 in its review of the E and Q licenses?
3. How does the Commission expect consensus when the recommendations of this group were not considered? Does the Commission expect the Council to ignore the strong recommendation of this important stakeholder group in taking action on these items? Did the Liquor Commission actually discuss the DETF in the 10/19 meeting? Are the minutes of the 10/19 meeting available? (Commissioner Clapp noted that the DETF had met on Monday, October 8, 2012. The issue was control. She recommended that the Commission review the DETF's latest comments. Commissioner Stockton recommended that this item be added to the Commission's October 19, 2012 meeting. Commissioner Clapp added that the DETF added specificity and provided positive direction. Commissioner Stockton directed that the Commission be provided with copies of same).
4. How does the Commission plan to deal with enforcement issues raised in the 10/20 Pantagraph article at the USCC, BCPA and Golf Courses? How does the Commission plan to deal with enforcement issues raised at the recent Commission meeting? (Commissioner Gibson expressed his opinion that currently the Commission was unsure if establishments holding an R license truly meet the fifty-one percent (51%) or greater food sales criteria. He expressed his concern regarding enforcement as both the E and Q classifications listed a percentage of alcohol sales. He saw this as added complexity. He did not believe that these two (2) classifications would address Downtown issues. He restated his concerns regarding enforcement and management of these proposed classifications.)
5. What license violations have occurred in downtown in the last 12 months? For repeat offenders, what are the increasing penalties? Is any consideration given to pulling licenses from repeat offenders? Why or why not?

Beyond these questions, I feel there are several pressing matters that suggest a firm "halt" beginning immediately on Commission license activity related to Downtown until such matters are resolved:

1. Council should adopt a stakeholder-driven (informed by the work of the DETF, other groups, and existing documents) plan/strategy for Downtown to guide development, including future establishments if necessary.

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2. Commission should develop a comprehensive plan to monitor and enforce existing licenses, including, but not limited to, receipt audits, police hire backs, documentation of existing conditions for licenses and audit of these, compliance with staff training requirements and audits for underage patrons. This type of activity should be planned to be performed by professionals (police, contract staff) not liquor commissioners. The details and costs of such activity should be discussed directly with the Council.

While I understand the Council suggestion we would review the text of the E and Q licenses on 10/22, the issues related to liquor downtown have in no way diminished. In fact, the situation has only worsened and continues to do so. Therefore, I believe item 7C should be pulled/delayed pending the resolution of these issues.”

**Staff Response:** It is only appropriate that the Mayor/Liquor Commissioner respond to most of the above questions. Regarding the Liquor Commission Special Meeting held on Friday, October 19<sup>th</sup>, the City Clerk will be sending out an email detailing on how all OMA legal requirements were complied with during that special meeting. Regarding enforcement of existing liquor licenses, the City Manager recommends that the roles of the City Administration, including the Police Chief and the Liquor Commission, be clarified. It may be inappropriate for Liquor Commission members to be both the enforcers and the adjudicators.

**Alderman:** Rob Fazzini

**Item 7B:** Text Amendment to Chapter 6. Alcoholic Beverages, Additional License Classifications

**Question/Comment:** Since we are quite aware of all the negative aspects surrounding having bars downtown, I believe we do need to know what the financial contributions are from sales tax and property tax from the downtown eating and drinking establishments. This would help me put in perspective the positives AND the negatives prior to making decisions.

**Staff Response:** In Calendar Year 2011, the total taxes received in the Downtown TIF area as finalized was \$790,000, which includes sales tax, home rules sales tax, food & beverage tax and packaged liquor tax.

**Alderman:** Rob Fazzini

**Item 7C:** Application of Setinthebar, d/b/a Gat’s Jazz Café, located at 424 N. Main Street., for a TAS liquor license, which will allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week

**Question/Comment:** Since we are quite aware of all the negative aspects surrounding having bars downtown, I believe we do need to know what the financial contributions are from sales tax and property tax from the downtown eating and drinking establishments. This would help me put in perspective the positives AND the negatives prior to making decisions.

**Staff Response:** See response for 7B above.

## Aldermen Comments

**Alderman:** Bernie Anderson

**Comment:** I will be out of the area on business, but will participate via phone for the City Council Meeting on October 22, 2012. Please let me know what phone number I am to call in on. Thanks

**Alderman:** Bernie Anderson

**Comment:** I do not have any questions on the Agenda at this time.

**Prepared by:** Barbara J. Adkins, Deputy City Manager