

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

The Council convened in regular Session in the Council Chambers, City Hall Building, at 7:00 p.m., Monday, February 24, 2014.

The Meeting was opened by Pledging Allegiance to the Flag followed by moment of silent prayer.

The Meeting was called to order by the Mayor who directed the City Clerk to call the roll and the following members answered present:

Aldermen: Judy Stearns, Mboka Mwilambwe, Kevin Lower, David Sage, Robert Fazzini, Scott Black, Karen Schmidt, Jim Fruin and Mayor Tari Renner.

City Manager David Hales, City Clerk Tracey Covert, and Interim Corporate Counsel Jeff Jurgens were also present.

The following was presented:

SUBJECT: Appointment of Alderman Ward 5

RECOMMENDATION/MOTION: That the Appointment be approved.

STRATEGIC PLAN LINK: Goal 1. Financially sound City providing quality basic services.

STRATEGIC PLAN SIGNIFICANCE: Objective 1c. Engaged residents that are well informed and involved in an open governance process.

BACKGROUND: I ask your concurrence in the appointment of Joni Painter, 1903 Hedgewood Dr., Bloomington, 61704 to the position of Alderman Ward 5. This position will appear on the 2015 municipal election ballot.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Mayor interviewed all applicants.

FINANCIAL IMPACT: None.

Respectfully submitted for Council consideration.

Prepared by: Tracey Covert, City Clerk

Recommended by:

Tari Renner
Mayor

Motion by Alderman Black, seconded by Alderman Fazzini that the Appointment be approved.

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

Ayes: Aldermen Stearns, Mwilambwe, Schmidt, Lower, Fazzini, Sage, Fruin and Black.

Nays: None.

Motion carried.

The following was presented:

Oath of Office – Joni Painter, Ward 5 Alderman

Mayor Renner requested Joni Painter come forward and that City Clerk Tracey Covert administer the oath of office.

The following was presented:

SUBJECT: Council Proceedings of February 10, 2014

RECOMMENDATION/MOTION: That the reading of the minutes of the previous Council Proceedings of February 10, 2014 be dispensed with and the minutes approved as printed.

STRATEGIC PLAN LINK: Goal 1. Financially sound City providing quality basic services.

STRATEGIC PLAN SIGNIFICANCE: Objective 1d. City services delivered in the most cost-effective, efficient manner.

BACKGROUND: The Council Proceedings of February 10, 2014 have been reviewed and certified as correct and complete by the City Clerk.

In compliance with the Open Meetings Act, Council Proceedings must be approved within thirty (30) days after the meeting or at the Council's second subsequent regular meeting whichever is later.

In accordance with the Open Meetings Act, Council Proceedings are made available for public inspection and posted to the City's web site within ten (10) days after Council approval.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable.

FINANCIAL IMPACT: Not applicable.

Respectfully submitted for Council consideration.

Prepared by: Tracey Covert, City Clerk

Recommended by:

David A. Hales
City Manager

Motion by Alderman Fazzini, seconded by Alderman Fruin that the reading of the minutes of the previous Council Proceedings of February 10, 2014 be dispensed with and the minutes approved as printed.

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

Ayes: Aldermen Stearns, Mwilambwe, Schmidt, Painter, Lower, Fazzini, Sage, Fruin and Black.

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Bills and Payroll

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

STRATEGIC PLAN LINK: Goal 1. Financially sound City providing quality basic services.

STRATEGIC PLAN SIGNIFICANCE: Objective 1d. City services delivered in the most cost-effective, efficient manner.

BACKGROUND: The list of bills and payrolls will be posted on the City's website on February 20, 2014.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable.

FINANCIAL IMPACT: Total disbursements information will be provided via addendum.

Respectfully submitted for Council consideration.

Prepared by: Tracey Covert, City Clerk

Financial & budgetary review by: Patti-Lynn Silva, Director of Finance

Recommended by:

David A. Hales
City Manager

Motion by Alderman Fazzini, seconded by Alderman Fruin that the Bills and Payroll be allowed and the orders drawn on the Treasurer for the various amounts as funds are available.

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

Ayes: Aldermen Stearns, Mwilambwe, Schmidt, Painter, Lower, Fazzini, Sage, Fruin and Black.

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Appointment to the Bloomington – Normal Economic Development Council Board

RECOMMENDATION/MOTION: That the Appointment be approved.

STRATEGIC PLAN LINK: Goal 3. Grow the local economy.

STRATEGIC PLAN SIGNIFICANCE: Objective 3e. Strong working relationship among the City, businesses, economic development organizations.

BACKGROUND: I ask your concurrence in the appointment of Jim Fruin of 3001 Thornwood, Bloomington, 61704 to the Bloomington-Normal Economic Development Council Board. His expiration date is December 31, 2014.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Mayor contacts all recommended appointments.

FINANCIAL IMPACT: None.

Respectfully submitted for Council consideration.

Prepared by: Kathryn Buydos, Executive Asst.

Recommended by:

Tari Renner
Mayor

Motion by Alderman Fazzini, seconded by Alderman Fruin that the Appointment be approved.

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

Ayes: Aldermen Stearns, Mwilambwe, Schmidt, Painter, Lower, Fazzini, Sage, Fruin and Black.

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Analysis of Bids for the Bloomington Fire Department Vehicle Fuel Exhaust Extrication Systems

RECOMMENDATION/MOTION: That the bids be rejected and the project be rebid in Fiscal Year (FY) 2015.

STRATEGIC PLAN LINK: Goal 1. Financially sound City providing quality basic services.

STRATEGIC PLAN SIGNIFICANCE: Objective 1a. Budget with adequate resources to support defined services and levels of services.

BACKGROUND: On November 26, 2013, at 2:00 P.M., bids were publicly opened and read for the Bloomington Fire Department Vehicle Fuel Exhaust Extrication Systems project. The bids were as follows:

Company	Location	Base Bid	Alternate Bid
Ward Diesel Filter	Elmira, NY	Incomplete package	
Midwest Air Products	Elmwood Park, IL	\$167,695	\$201,195
Clean Air Concepts	Indianapolis, IN		
Option 1		\$123,431	\$146,129
Option 2		\$133,258	\$161,168

Company	Location	Base Bid	Alternate Bid
Hasting Air Energy	New Berlin, WI	\$170,244	\$205,611

The Base Bid included Stations #1, 2 and 3 and the Alternate Bid included stations #1, 2, 3 and 4. The budget for the design and installation of vehicle fuel exhaust extraction systems project was \$88,000.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The Bid letting was advertised in The Pantagraph on October 25, 2013. Ward Diesel Filter, Midwest Air Pro, Clear Air Concepts and Hastings Air Energy were notified of the bid letting.

FINANCIAL IMPACT: The lowest apparent, responsible, responsive bid was \$123,431. This is \$35,431.00 above the FY 2014 budgeted amount of \$88,000 in the Capital Improvement Fund (40100100 - 72140). This can be located in the FY 2014 budget book titled "Other Funds & Capital Improvement Program" on pages 106 & 310. The Fire Department has proposed the vehicle exhaust system in the FY 2015 Capital Improvement budget in the amount of \$160,000.

Respectfully submitted for Council consideration.

Prepared by: Eric Vaughn, Deputy Chief - Administration
Jon C. Johnston, Procurement Manager

Reviewed by: Michael S. Kimmerling, Fire Chief

Financial & budgetary review by: Carla A. Murillo, Budget Manager
Chris Tomerlin, Budget Analyst

Legal review by: Rosalee Dodson, Asst. Corporation Counsel

Recommended by:

David A. Hales
City Manager

Motion by Alderman Fazzini, seconded by Alderman Fruin that the bids be rejected and the project be rebid in FY 2015.

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

Ayes: Aldermen Stearns, Mwilambwe, Schmidt, Painter, Lower, Fazzini, Sage, Fruin and Black.

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Analysis of Bids for New Freezer/Refrigerator for Miller Park Zoo

RECOMMENDATION/MOTION: That the bid for a new freezer/refrigerator be awarded to US Mechanical Services, in the amount of \$32,195, and the Procurement Manager be authorized to issue a Purchase Order for same.

STRATEGIC PLAN LINK: Goal 2. Upgrade City infrastructure and facilities and Goal 5. Great place – livable, sustainable City.

STRATEGIC PLAN SIGNIFICANCE: Objective 2d. Well-designed, well maintained City facilities emphasizing productivity and customer service and 5d. Appropriate leisure and recreational opportunities responding to the needs of the residents.

BACKGROUND: The new freezer/refrigerator will be utilized by Zoo staff for animal food cold storage. The current freezer is 13' x 7' and was purchased in 1995. It has had a number of repairs over the last few years. The current unit is fifty feet (50') away from the kitchen where the majority of diets are prepared. This freezer is the only walk-in freezer the Zoo maintains. Staff must pay close attention, as we are not able to have full orders of fish or meat at the same time. It takes staff time to monitor as it is a balancing act.

The new unit will have a 4' x 11' refrigerator and a 16' x 11' freezer. This unit should provide the necessary chilled space to allow the Zoo to order larger quantities of animal food at a time and save on staff time unloading shipments and freight costs. The additional refrigerated and larger freezer spaces should provide enough room as the Zoo's exhibits and animal collections change over time.

The new unit will be attached to the kitchen and allow the staff to be more efficient with their time since they will not have to walk to the old unit.

On Tuesday, February 4, 2014, at 2:00 p.m. bids were publicly opened and read for the new freezer/refrigerator for the Miller Park Zoo.

The bids received were as follows:

Name	City / State	Mandatory City Documents and Signed	Add #1	Combined Unit Cost	Alt. A	Alt. B	Alt. C	TOTAL BID All Alts.
Polar King	Fort Wayne, IN			No Bid				No Bid
Serv- U	Champaign, IL	Yes	Yes	\$30,980	N/A	\$780	N/A	N/A
Henson Robinson Co.	Springfield, IL	Yes	Yes	\$38,123	N/A	\$715	\$5,225	\$44,063
*US Mechanical	Bloomington, IL	Yes	Yes	\$30,445	N/A	\$750	\$1,000	\$32,195

Name	City / State	Mandatory City Documents and Signed	Add #1	Combined Unit Cost	Alt. A	Alt. B	Alt. C	TOTAL BID All Alts.
Services								
Geneva Scientific	Fontana, WI	Yes	Yes	\$38,299	N/A	N/A	N/A	N/A
Culinary Depot	Monsey, NY	Yes	No	\$22,335	N/A	N/A	N/A	N/A

* - Recommended bid

Alternative A - 5" and 6" insulated walls.

Alternative B - 2' x 2' access door in the back of the freezer to assist loading and unloading.

Alternative C - Demolition of wall cut to accommodate the new kitchen doorway which, when complete, compliments area around the doorway.

When considering the base bid plus Alternatives B and C, which staff recommends needing, US Mechanical Services provided the lowest, best, complete bid package in the amount of \$32,195. Culinary Depot did provide a lower base bid but it did not include a required Addendum which makes their bid non-compliant. Their base bid did not provide necessary specific details on the model of refrigerator/freezer they were bidding. Culinary Depot also did not provide any alternative bids and therefore their bid was not consistent with other bids received. Culinary Depot did not included local references. Staff estimates that to fully investigate the Culinary Depot bid, costs could easily exceed the possible savings.

US Mechanical Services will provide a combination walk in cooler/freezer manufacturer, U.S. Coolers.

Cooler condensing unit: BOHN model: MOH010X63CFM

Cooler evaporator coil: BOHN model: SME090BEE

Freezer condensing unit: BOHN model: MOZ045L63CF

Freezer evaporator coil: BOHN model: LET090BEK

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Public notice of the bid was placed in The Pantagraph and on City's web site on January 15, 2014 and five (5) bids were opened on February 4, 2014.

FINANCIAL IMPACT: Funds for this purchase were approved in the FY 2014 budget under Miller Park Zoo - Capital Outlay Equipment Other than Office (10014136 - 72140). Stakeholders can locate this in the FY 2014 Budget Book titled "Budget Overview & General Fund" on page 236.

Respectfully submitted for Council consideration.

Prepared by: Jay Tetzloff, Zoo Superintendent

Reviewed by: John R. Kennedy, Director of Parks, Rec & Cultural Arts

Reviewed by: Barbara J. Adkins, Deputy City Manager

Financial & budgetary review by: Chris Tomerlin, Budget Analyst
Carla A. Murillo, Budget Manager

Recommended by:

David A. Hales
City Manager

Motion by Alderman Fazzini, seconded by Alderman Fruin that the bid for a new freezer/refrigerator be awarded to US Mechanical Services, in the amount of \$32,195, and the Procurement Manager be authorized to issue a Purchase Order for same.

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

Ayes: Aldermen Stearns, Mwilambwe, Schmidt, Painter, Lower, Fazzini, Sage, Fruin and Black.

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Purchase of Replacement Desktop, Notebook and Workstation Computers

RECOMMENDATION/MOTION: That the purchase of one hundred twenty-nine (129) Hewlett Packard ProDesk 600 G1 Small Form Factor Personal Computers, twelve (12) Hewlett Packard ProBook 650 G1 Notebook Personal Computers and nineteen (19) Hewlett Packard Z230 Tower Workstation Computers, using the formal Western States Contracting Alliance contract be approved, in the amount of \$110,636, and the Procurement Manager be authorized to issue a Purchase Order for same.

STRATEGIC PLAN LINK: Goal 1. Financially sound City providing quality basic services.

STRATEGIC PLAN SIGNIFICANCE: Objective 4. City services delivered in the most cost-effective, efficient manner. Scheduled replacement of aging computing technology is critical in maintaining, securing and efficiently managing the City's information technology and the data that it protects.

BACKGROUND: Staff is requesting Council approval to replace aging desktop, notebook, (laptop), and high performance workstation computers. The oldest of the computers being replaced were originally purchased in FY 2004 while the newest were purchased in FY 2008,

making their age range between six (6) and ten (10) years old. They are under-performing, experiencing increasing hardware repair issues and are affecting staff efficiency.

Industry standard replacement cycle for these types of computers is typically four to five (4 - 5) years. With this year's purchase, the City will be back on a normal replacement schedule for these types of computers.

Staff intends to purchase these computers through the Hewlett Packard Western States Contract Alliance contract, WSCA/NASPO (B27164), which is a previously competitively bid contract.

Further detail about the specifications and pricing of these computers can be found in the table below. The Council was provided with the proposal and specification sheet information.

Qty	Description	Unit Price	Extended Price
129	HP ProDesk 600 G1 Small Form Factor	\$580	\$74,820
12	HP ProBook 650 G1 Notebook	\$920	\$11,040
19	HP Z230 Tower Workstation	\$1,304	\$24,776
	Total Cost		\$110,636

The Council was also provided with a spreadsheet showing the machines being replaced and their originally scheduled replacement date. The replacement date is scheduled four (4) years from the date of purchase by default.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable.

FINANCIAL IMPACT: Funds for this purchase were approved in the FY 2014 budget under Information Services – Office Supplies (10011610 - 71010). Stakeholders can locate this in the FY 2014 Budget Book titled “Budget Overview & General Fund” on page 186.

Respectfully submitted for Council consideration.

Prepared by: Scott Sprouls, Director of Information Services

Reviewed by: Barbara J. Adkins, Deputy City Manager

Financial & budgetary review by: Carla A. Murillo, Budget Manager

Legal review by: Jeff Jurgens, Interim Corporate Counsel

Recommended by:

David A. Hales
City Manager

Motion by Alderman Fazzini, seconded by Alderman Fruin that the purchase of one hundred twenty-nine (129) Hewlett Packard ProDesk 600 G1 Small Form Factor Personal Computers, twelve (12) Hewlett Packard ProBook 650 G1 Notebook Personal Computers and nineteen (19) Hewlett Packard Z230 Tower Workstation Computers, using the formal Western States Contracting Alliance contract be approved, in the amount of \$110,636, and the Procurement Manager be authorized to issue a Purchase Order for same.

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

Ayes: Aldermen Stearns, Mwilambwe, Schmidt, Painter, Lower, Fazzini, Sage, Fruin and Black.

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Contract Amendment with Microsurfacing Contractors, LLC for 2013 Washington St. Micro-Surfacing Contract

RECOMMENDATION/MOTION: Recommend that the Amendment to the Contract for 2013 Washington St. Micro-Surfacing, with Microsurfacing Contractors, LLC, be approved in the amount of \$3,543.30.

STRATEGIC PLAN LINK: Goal 2. Upgrade City infrastructure and facilities and Goal 5. Great place – livable and sustainable City.

STRATEGIC PLAN SIGNIFICANCE: Objective 2a. Better quality roads and sidewalks and Objective 5a. Well-planned City with necessary services and infrastructure.

BACKGROUND: At the September 23, 2013 meeting, Council approved a contract with Microsurfacing Contractors, LLC for the application of micro-surfacing and pavement markings on Washington St. from Mason to Gridley.

Micro-surfacing is an economic option utilized for pavement preservation and preventative maintenance. Crack sealing is also used on occasion prior to the application of microsurfacing. The original project scope included an amount of crack sealing necessary to seal a portion of the cracks within the project limits. As with the City's other pavement preservation methods, staff strives to determine the most efficient method of the application and evaluates results from the application. Utilizing a test area for the crack sealing allows staff to determine if future microsurfacing projects should include full crack sealing or if the sealing should be omitted from future microsurfacing projects. Once all traffic and parking was removed from Washington St. and the crack sealing application proceeded, it was determined that some additional crack sealing

was necessary within two (2) lanes. This area was chosen to provide an effective and distinguishable crack sealing area within the project limits.

A public meeting was held on August 6, 2013 to discuss and gather input regarding Washington St. lane configuration, traffic and pedestrian safety. One of the goals of this project was to improve safety for the pedestrians and motoring public through this corridor. Alternatives were discussed before, during and after the public meeting. After award of the contract, an additional improvement was determined to provide increased pedestrian safety in the corridor. This improvement was the installation of high visibility crosswalks. Staff determined and requested that Microsurfacing Contractors, LLC install high visibility crosswalks at Washington and Madison, Washington and Main, and Washington and Prairie.

With this amendment, the revised total contract cost as follows:

Original Contract	\$ 99,774.75
Amendment	\$ 3,543.30
Revised Total Contract Cost	\$103,318.05

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: A public meeting was held on August 6, 2013 to discuss and gather input regarding Washington St. lane configuration, traffic and pedestrian safety. It was determined at the public meeting to proceed with conversion of Washington St. from four (4) through lanes to two (2) through lanes and a center turn lane. Staff continues to review options to address pedestrian safety issues and will present for discussion and input at a public meeting scheduled for Tuesday, March 4, 2014, 5:30 p.m. to 6:30 p.m. in the Council Chambers.

FINANCIAL IMPACT: The FY 2014 Budget appropriated \$3,800,000 for the overall City Pavement Program, of which \$100,000 is allocated for micro-surfacing in Capital Improvement Budget - Street Construction and Improvement (40100100 - 72530). This memo addresses the micro-surfacing portion of the Pavement Program. Stakeholders may locate this line item in the FY 2014 budget book titled "Other Funds and Capital Improvement Program" on pages 106, 274 and 298. The contract amendment will appropriate an additional \$3,543.30 which will total \$103,318.05 for the project.

Respectfully submitted for Council consideration.

Prepared by: Jim Karch, PE, CFM, Director of Public Works

Reviewed by: Barbara J. Adkins, Deputy City Manager

Financial & budgetary review by: Chris Tomerlin, Budget Analyst
Carla A. Murillo, Budget Manager

Legal review by: Jeffrey R. Jurgens, Interim Corporation Counsel

Recommended by:

David A. Hales
City Manager

Motion by Alderman Fazzini, seconded by Alderman Fruin that the Amendment to the Contract for the 2013 Washington St. Micro-Surfacing, with Microsurfacing Contractors, LLC, be approved in the amount of \$3,543.30.

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

Ayes: Aldermen Stearns, Mwilambwe, Schmidt, Painter, Lower, Fazzini, Sage, Fruin and Black.

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Supplemental Motor Fuel Tax Resolution for Airport Rd., (Rt. 9 to Gill St.), MFT Section 97-00315-00-RP

RECOMMENDATION/MOTION: That the supplemental Resolution in the amount of \$171,886.25 be adopted.

STRATEGIC PLAN LINK: Goal 1. Financially sound City providing quality basic services, and Goal 2. Upgrade city infrastructure and facilities.

STRATEGIC PLAN SIGNIFICANCE: Objective 1d. City services delivered in the most cost-effective, efficient manner and Objective 2a. Better quality roads and sidewalks.

BACKGROUND: The Public Works Department is making an effort to reconcile older Motor Fuel Tax (MFT) projects with the Illinois Department of Transportation (IDOT). A recent IDOT audit shows a number of outstanding project needs. While none of the outstanding items are anticipated to be of major concern, multiple resolutions will be needed to finalize the outstanding audit items.

Staff workload and priorities required resources to be allocated to other priorities after completion of construction efforts. Staff workload continues to be at a level that does not allow for effort to be devoted to the final close out of the required paperwork. Clark Dietz, Inc. has been assisting staff with efforts to reduce the backlog of the open MFT projects. To date, Clark Dietz's scope of work has included correspondence with IDOT, preparation and submission of necessary IDOT paperwork, preparation of Council Resolutions, and invoices to IDOT for MFT

funds owed by IDOT to the City. Staff is actively partnering with IDOT in this effort. Staff deems the supplemental Resolutions as routine in nature.

The above referenced project involved the replacement of approximately 5,500' of two (2) lane pavement with ditches with a five (5) lane concrete pavement with curb and gutter. It included traffic signals at the intersection of Rt. 9 and Airport Rd. and at the intersection of Clearwater Ave. and Airport Rd. In order to construct the project, it was necessary for NICOR to relocate an existing twelve inch (12") high pressure gas main. The construction was completed in 2008. The final costs were higher than originally anticipated when the existing Resolution was approved. Final payment has been made from Motor Fuel Tax (MFT) Funds as follows:

Right of way	\$55,627.50
Engineering fees (Farnsworth)	\$74,117.20
Construction costs (Stark)	\$2,551,276.59
Utility relocation (NICOR)	\$490,864.96
Total	\$3,171,886.25

Motor Fuel Tax Resolutions have been approved by Council as follows:

August 11, 2003	\$3,000,000
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COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: IDOT, District 5.

FINANCIAL IMPACT: In order to reconcile the project with IDOT, a Supplemental Motor Fuel Tax Resolution in the amount of \$171,886.25 is necessary. No additional funds are requested or will be expended.

Respectfully submitted for Council consideration.

Prepared by: Jim Karch, PE, CFM, Director of Public Works

Reviewed by: Barbara J. Adkins, Deputy City Manager

Financial & budgetary review by: Chris Tomerlin, Budget Analyst
Carla A. Murillo, Budget Manager

Legal review by Jeffrey R. Jurgens, Interim Corporation Counsel

Recommended by:

David A. Hales
City Manager

(RESOLUTION 2014 – 06 ON FILE IN CLERK’S OFFICE)

Motion by Alderman Fazzini, seconded by Alderman Fruin that the Supplemental Resolution in the amount of \$171,886.25 be adopted.

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

Ayes: Aldermen Stearns, Mwilambwe, Schmidt, Painter, Lower, Fazzini, Sage, Fruin and Black.

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Supplemental Motor Fuel Tax Resolution for Downtown Intersection Improvements MFT Section 02-00328-00-TL

RECOMMENDATION/MOTION: That the supplemental Resolution in the amount of \$9,700.55 be adopted.

STRATEGIC PLAN LINK: Goal 1. Financially sound City providing quality basic services and Goal 2. Upgrade city infrastructure and facilities.

STRATEGIC PLAN SIGNIFICANCE: Objective 1d. City services delivered in the most cost-effective, efficient manner and Objective 2a. Better quality roads and sidewalks.

BACKGROUND: The Public Works Department is making an effort to reconcile older Motor Fuel Tax (MFT) projects with the Illinois Department of Transportation (IDOT). A recent IDOT audit shows a number of outstanding project needs. While none of the outstanding items are anticipated to be of major concern, multiple resolutions will be needed to finalize the outstanding audit items.

Staff workload and priorities required resources to be allocated to other priorities after completion of construction efforts. Staff workload continues to be at a level that does not allow for effort to be devoted to the final close out of the required paperwork. Clark Dietz, Inc. has been assisting staff with efforts to reduce the backlog of the open MFT projects. To date, Clark Dietz's scope of work has included correspondence with IDOT, preparation and submission of necessary IDOT paperwork, preparation of Council Resolutions, and invoices to IDOT for MFT funds owed by IDOT to the City. Staff is actively partnering with IDOT in this effort. Staff deems the supplemental Resolutions as routine in nature.

The above referenced project involved improvements at various intersections in the Downtown area to facilitate the traffic flow associated with the U.S. Cellular Coliseum. The construction was completed in 2007. The final engineering and construction costs were slightly higher than

originally anticipated. Final payment has been made from Motor Fuel Tax (MFT) Funds as follows:

Engineering fees (Farnsworth):	\$51,996.40
Construction Costs (Rowe):	<u>\$357,704.15</u>
Total	\$409,700.55

Motor Fuel Tax Resolutions have been approved by Council as follows:

February 28, 2005	\$275,000
June 13, 2005	<u>\$125,000</u>
Total	\$400,000

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: IDOT, District 5.

FINANCIAL IMPACT: In order to reconcile the project with IDOT, a supplemental Resolution in the amount of \$9,700.55 is necessary. No additional funds are requested or will be expended.

Respectfully submitted for Council consideration.

Prepared by: Jim Karch, PE, CFM, Director of Public Works

Reviewed by: Barbara J. Adkins, Deputy City Manager

Financial & budgetary review by: Chris Tomerlin, Budget Analyst
Carla A. Murillo, Budget Manager

Legal review by: Jeffrey R. Jurgens, Interim Corporation Counsel

Recommended by:

David A. Hales
City Manager

(RESOLUTION 2014 – 07 ON FILE IN CLERK’S OFFICE)

Motion by Alderman Fazzini, seconded by Alderman Fruin that the Supplemental Resolution in the amount of \$9,700.55 be adopted.

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

Ayes: Aldermen Stearns, Mwilambwe, Schmidt, Painter, Lower, Fazzini, Sage, Fruin and Black.

Nays: None.

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

SUBJECT: Text Amendment to Chapter 10. Building Code and Chapter 15. Electricity for Adoption of the 2012 Editions of the International Building, Residential, Fire, Mechanical, Fuel Gas and Energy Codes; as well as the adoption of the 2014 Edition of the National Electric Code

RECOMMENDATION/MOTION: That the Text Amendment be approved, the International Codes and National Electric Code be adopted and the Ordinance passed.

STRATEGIC PLAN LINK: Goal 4. Strong neighborhoods, and Goal 5. Great place – livable, sustainable City.

STRATEGIC PLAN SIGNIFICANCE: Building codes provide minimum standards requiring that buildings be constructed to be safe and structurally sound. Well constructed buildings retain their value as well as their function and strengthen neighborhoods. Consistent enforcement of modern, up to date building standards addresses areas of sustainable construction, energy efficiency and manageable maintenance of structures.

BACKGROUND: The Planning and Code Enforcement (PACE) Department maintains a set of construction standards for application to the physical development of residential and commercial structures. The International Code Council (ICC) is a respected, interdisciplinary organization that promulgates codes on a national level, based upon extensive research and analysis, publishing a revised and updated set of standards every three (3) years. The latest editions are for the year 2012, with the next updates due in 2015. The one (1) exception is the National Electric Code (NEC). The NEC is written and vetted by the National Fire Protection Association and is on a different schedule than the other Codes. Therefore, the most recent edition is for the year 2014.

One item of note: due to the controversy over residential fire protection sprinkler systems during the adoption of the 2009 edition of the residential code, and the Council's reluctance to adopt the code's requirement that sprinkler systems be included in all new residential structures, staff has deleted the residential fire sprinkler requirement from the codes presented for adoption.

The Fire Department's mission is to reduce life and economic losses due to fire and related emergencies. It is the position of the Fire Department that all citizens should be protected against death, injury, and property loss resulting from fire in their residence. All homes should be equipped with both smoke alarms and automatic fire sprinklers, and all families should have and practice an emergency escape plan. The Fire Department fully supports all efforts to reduce the tragic toll for fire losses in our community, including the International Residential Code that would require automatic sprinklers in all new residential construction.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: In an effort to engage the public in the adoption process, staff placed notice in the Pantagraph and provided a direct mailing to all registered contractors, indicating the intent to adopt the new code standards. An invitation was included to attend a public meeting before the Building Board of Appeals on December 19, 2013. At the hearing, staff provided a summary of proposed changes that would be relevant to the local construction industry. Testimony was heard relating to the changes. Approximately twenty (20) members of the building community were present to listen to the presentation and discussion among the board members. No member of the public offered testimony when presented with the opportunity. The Board voted unanimously to recommend that Council adopt the updated editions of the codes. Copies of the updated codes are on file in the office the City Clerk and available for examination by the public as required by law.

FINANCIAL IMPACT: Little or no financial impact to the City is expected.

Respectfully submitted for Council consideration.

Prepared by: Mark R. Huber, Director - PACE
Reviewed by: Barbara J. Adkins, Deputy City Manager
Financial & budgetary review by: Patti-Lynn Silva, Director of Finance
Legal review by: George D. Boyle, Asst. Corporation Counsel
Recommended by:

David A. Hales
City Manager

ORDINANCE NO. 2014 - 07**AN ORDINANCE AMENDING CHAPTERS 10 AND 15 OF THE BLOOMINGTON CITY CODE RELATING TO ADOPTION OF THE 2012 EDITIONS OF THE BUILDING, RESIDENTIAL, FIRE, MECHANICAL, FUEL GAS AND ENERGY CODES AS WELL AS THE ADOPTION OF THE 2014 EDITION OF THE NATIONAL ELECTRIC CODE**

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

SECTION 1. That Bloomington City Code Chapter 10, Article II, Sections 13, 14, 16, 17, 18, 19 and 20 shall be and the same is hereby amended to read as follows: (additions are indicated by underlining; deletions are indicated by strikeouts):

SEC. 13 ADOPTION OF INTERNATIONAL BUILDING CODE – 2012 ~~2009~~.

There is hereby adopted for the purpose of establishing minimum regulations governing the design, construction, alteration, enlargement, repair, removal, demolition, equipment installation, use and occupancy, location, conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures as herein provided; providing for the issuance of permits, collection of fees and penalties, a Building Code known as the International Building Code, 2012 ~~2009~~ edition, including Appendix Chapters ~~B, C, F, G, I,~~ B, C, G, I, and J, as published by the International Code Council, Inc., and the whole thereof, hereinafter referred to as the International Building Code, save and except such portions as are deleted, modified or amended in Article IV of this Chapter, of which Code not less than one (1) copy has ~~have~~ been and now is ~~are~~ filed in the office of the Clerk of the City of Bloomington. The provisions of said Code are hereby adopted and incorporated as fully as if set out at length and the provisions thereof shall be controlling in regard to all property, buildings and structures within the corporate limits of the City, ~~except as provided in Section 12 of this Article.~~

In addition to the one (1) copy of the International Building Code, 2012 ~~2009~~, which has been on file in the office of the City Clerk of the City, for use and examination by the public, at least one (1) copy of said Code shall be kept on file in the office of the Planning and Code Enforcement Department for public inspection.

All references to the “Board of Appeals” or “Board” in said Code shall be deemed references to the ~~Construction~~ Building Board of Appeals established in Bloomington City Code Chapter 2, Section 30 and Section 23 of this Chapter, unless a contrary reference is clearly dictated by the context of the reference.

SEC. 14 ADOPTION OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS - 2012 ~~2009~~.

There is hereby adopted the 2012 ~~2009~~ edition of the International Residential ~~code~~ Code for One- and Two-Family Dwellings, including Appendix Chapters ~~A, B, C, D~~, E, F, G, H, I, J, K and Q, as published by the International Code Council Inc. for the purpose of regulating and governing the construction, alteration, movement, enlargement, replacement, repair, equipment, location, their appurtenances and accessory structures, or maintenance of building, mechanical, and electrical systems, removal and demolition of detached one and two family dwellings and multiple single family dwellings (townhouses) not more than three stories in height with separate means of egress in the City of Bloomington; providing for the issuance of permits and collection of fees therefor; ~~providing for the issuance of permits and collection of fees therefor~~; and each and all of the regulations, provisions, penalties, conditions and terms of said Residential Code of which not less than one (1) copy has been and now is filed in the office of the Clerk of the City of Bloomington, are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, set forth ~~prescribed~~ in ARTICLE V of this Chapter. ~~ordinance, except as provided in Section 12 of this Article.~~

In addition to the one (1) copy of the International Residential Code for One- and Two-Family Dwellings - 2012 ~~2009~~, ~~which has been on file in the office of the City Clerk, of the City, for use and examination by the public,~~ at least one (1) copy of said Code shall be kept on file in the office of the Department of Planning and Code Enforcement for public inspection.

All references to the "Board of Appeals" or "Board" in said Code shall be deemed references to the Building Board of Appeals established in Bloomington City Code Chapter 2, Section 30 and Section 23 of this Chapter, unless a contrary reference is clearly dictated by the context of the reference.

SEC. 16 ADOPTION OF THE INTERNATIONAL MECHANICAL CODE - 2012 ~~2009~~.

There is hereby adopted by the City Council for the purpose of regulating and controlling the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of mechanical systems, including heating systems, ventilation systems, cooling systems, steam and hot water heating systems, hydronic piping, boiler and pressure vessels, appliances using gas, liquid or solid fuel, chimneys and vents, mechanical refrigeration systems, fireplaces, solar systems, barbecues, incinerators, and crematories in the City of Bloomington, the International Mechanical Code, 2012 ~~2009~~, as published by the International Code Council, Inc. save and except such portions as are deleted, modified or amended in Article VII of this Chapter, of which Code not less than one (1) copy has been and now is on file in the office of the Clerk of the City of Bloomington. The provisions of said Code are hereby adopted and incorporated as fully as if set out at length and the provisions thereof shall be controlling in regard to the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of mechanical systems, including heating systems, ventilation systems, cooling systems, steam and hot water heating systems, hydronic piping, boiler and pressure vessels, appliances using gas, liquid or solid fuel, chimneys and vents, mechanical refrigeration systems, fireplaces, solar

systems, barbecues, incinerators, and crematories, ~~except as provided in Section 12 of this Article.~~

In addition to the one (1) copy of the International Mechanical Code, 2012 ~~2009~~, which has been on file in the office of the Clerk of the City of Bloomington, for use and examination by the public, at least one (1) copy of said Code shall be kept on file in the office of the Planning and Code Enforcement Department for public inspection.

All references to the “Mechanical Board of Appeals”, “Board of Appeals”, “Board” or similar reference shall be considered as references to the ~~Heating, Ventilating and Air Conditioning~~ Building Board of Appeals established in Bloomington City Code Chapter 2, Section 30 and Section 23 of this Chapter, unless a contrary reference is clearly intended by context of the reference.

SEC. 17 ADOPTION OF THE INTERNATIONAL FUEL GAS CODE - 2012 ~~2009~~.

~~An ordinance of the City of Bloomington adopting~~ There is hereby adopted the 2012 ~~2009~~ edition of the International Fuel Gas Code, regulating and governing fuel gas systems and gas-fired appliances in the City of Bloomington; providing for the issuance of permits and collection of fees therefor; that a certain document, one (1) copy of which is on file in the office of the City of Clerk of the City of Bloomington, being marked and designated as the International Fuel Gas Code, 2012 ~~2009~~ edition, including Appendix Chapters A, B, C and D, as published by the International Code Council, be and is hereby adopted as the Fuel Gas Code of the City of Bloomington, ~~in the State of Illinois; for regulating and governing fuel gas systems and gas-fired appliances as herein provided for the issuance of permits and the collection of fees therefor;~~ and each and all of the regulations, provisions, penalties, conditions and terms of said Fuel Gas Code on file in the office of the City of Clerk of the City of Bloomington are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, prescribed in ARTICLE VIII of this Chapter.

All references to the “Mechanical Board of Appeals”, “Board of Appeals”, “Board” or similar reference shall be considered as references to the ~~Heating, Ventilating and Air Conditioning Board~~ established in Bloomington City Code Chapter 2, Section 30 and Section 23 of this Chapter, unless a contrary reference is clearly intended by context of the reference.

SEC. 18 ADOPTION OF THE INTERNATIONAL FIRE CODE - 2012 ~~2009~~.

~~An ordinance of the City of Bloomington adopting~~ There is hereby the 2012 ~~2009~~ edition of the International Fire Code, ~~regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises in the City of Bloomington; providing for the issuance of permits for hazardous uses or operations.~~ That a certain document, at least one (1) copy of which is on file in the office of the City Clerk of the City of Bloomington, being marked and designated as the International Fire Code, including Appendix Chapters B, C, D, E, F and G, as published by the International Code Council, be and is hereby adopted as the code of the City of Bloomington for regulating and governing the safeguarding of life and property from fire and

explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises in the City of Bloomington and providing for the issuance of permits for hazardous uses or operations; and each and all of the regulations, provisions, conditions and terms of such International Fire Code, 2012 ~~2009~~ edition, published by the International Code Council, on file in the office of the City Clerk are hereby referred to, adopted and made a part hereof as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in ARTICLE IX of this Chapter.

All references to the “Board of Appeals” or “Board” in said Code shall be deemed references to the Building Board of Appeals established in Bloomington City Code Chapter 2, Section 30 and Section 23 of this Chapter, unless a contrary reference is clearly dictated by the context of the reference.

SEC. 19 ADOPTION OF THE INTERNATIONAL EXISTING BUILDING CODE - 2012 ~~2009~~.

~~An ordinance of the City of Bloomington adopting~~ There is hereby adopted the 2012 ~~2009~~ edition of the International Existing Building Code, regulating and governing the repair, alteration, change of occupancy, addition, and relocation of existing buildings, including historic buildings, in the City of Bloomington, providing for the issuance of permits and collection of fees therefor, ~~That a certain document, at least one (1) copy of which is on file in the office of the City Clerk of City of Bloomington, being marked and designated as the International Existing Code, 2012 2009 edition, including Appendix A, B, and C as published by the International Code Council, be and is hereby adopted as the Existing Building Code of the City of Bloomington, in the State of Illinois for regulating and governing the repair, alteration, change of occupancy, addition and relocation of existing buildings, including historic buildings, as herein provided; providing for the issuance of permits and collection of fees therefor;~~ and each and all of the regulations, provisions, penalties, conditions and term of said Existing Building code on file in the office of the City Clerk are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in ARTICLE X of this Chapter.

All references to the “Board of Appeals” or “Board” in said Code shall be deemed references to the Building Board of Appeals established in Bloomington City Code Chapter 2, Section 30 and Section 23 of this Chapter, unless a contrary reference is clearly dictated by the context of the reference.

SEC. 20 ADOPTION OF THE INTERNATIONAL ENERGY CONSERVATION CODE – 2012 ~~2009~~.

There is hereby adopted for the purpose of establishing minimum regulations governing energy efficient building envelopes and installation of energy efficient mechanical, lighting and power systems; providing for the issuance of permits, collection of fees and penalties, an energy code by the name of the International Energy Conservation Code, 2012 ~~2009~~ edition, as published by the International Code Council, Inc., and the whole thereof, hereinafter referred to

as International Energy Conservation Code, save and except such portions as are deleted, modified or amended in Article IV of this Chapter, of which Code not less than one (1) copy ~~have been and now are~~ has been and is now filed in the office of Clerk of the City of Bloomington. The provisions of said Code are hereby adopted and incorporated as fully as if set out at length and provisions thereof shall be controlling in regard to all property, buildings and structures within the corporate limits of the City, ~~except as provided in Section 12 of this Article.~~

All references to the “Board of Appeals” or “Board” in said Code shall be deemed references to the Building Board of Appeals established in Bloomington City Code Chapter 2, Section 30 and Section 23 of this Chapter, unless a contrary reference is clearly dictated by the context of the reference.

SECTION 2. That Bloomington City Code Chapter 10, Article IV, Sections 508.2, 1809.5, 3410.2 and the title heading shall be and the same is hereby amended to read as follows: (additions are indicated by underlining; deletions are indicated by strikeouts):

ARTICLE IV

ADDITIONS, COMPLETIONS, MODIFICATION, AND AMENDMENTS TO
INTERNATIONAL BUILDING CODE - 2012 ~~2009~~

The numbered Sections of this Article correspond to sections of the International Building Code - 2012 ~~2009~~ or correspond to the Sections of said Code which are added to, completed, modified, amended or deleted as shown in the Sections herein.

~~SEC. 508.2 CLASSIFICATION.~~

~~Modify the Incidental Accessory Occupancies Table 508.2~~

~~INCIDENTAL ACCESSORY OCCUPANCIES~~

ROOM or AREA	SEPARATION and/or PROTECTION
Furnace Room	1 hour or provide automatic fire extinguishing system
Rooms with any boiler	1 hour or provide automatic fire extinguishing system

~~Remainder of table unchanged.~~

~~SEC. 1809.5~~ 1805.2.4 FROST PROTECTION.

Modify 1 as follows:

1. Extending below the frost line of 40 inches;

~~1. Extending below the frost line of at least forty inches (40") below the adjacent grade for frost protection.~~

~~SEC. 3410.2 APPLICABILITY.~~

~~Modify first sentence of Section 3410.2 to read as follows:~~

~~Structures existing prior to January 1, 1955, in which there is work involving additions, alterations or changes of occupancy, shall be made to conform to the requirements of this section or the provisions of Sections 3403.0 through 3407.0.~~

~~Remainder of section unchanged.~~

SECTION 3. That Bloomington City Code Chapter 10, Article V, Sections R101.1, R301.2(1), F313.1, R313.2.1, R105.2, R112, R313, R313.1, R313.1.1, R313.2, R313.2.1, R313.3 and the title heading shall be and the same is hereby amended to read as follows: (additions are indicated by underlining; deletions are indicated by strikeouts):

ARTICLE V

ADDITIONS, COMPLETIONS, MODIFICATIONS, AMENDMENTS TO THE
INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND
TWO-FAMILY DWELLINGS - 2012 ~~2009~~ EDITION

The numbered sections of this Article correspond to sections of the International Residential Code for One- and Two-Family Dwellings - 2012 ~~2009~~ Edition which are completed, modified, amended or deleted thereby.

SEC. R101.1 TITLE.

These provisions shall be known as the Residential Code for One- and Two-Family Dwellings of the City of Bloomington, shall be cited as such and shall be referred to herein as "this Code".

TABLE R301.2(1)

Insert the following into the Climatic and Geographic Design Criteria Table R 301.2(1)

Ground snow load (pounds per square foot) = 30

Wind Design speed (mph) = 90 mph

Wind Design Topographical Effects - No

Seismic Design Category = B

Subject to damage from:

Weathering = Severe

Frost line depth = minimum depth of 40" below finish grade

Termite = Moderate to Heavy

~~Decay = Slight to Moderate~~

Winter design temp. = ~~-4 -5~~ degrees F

Ice shield under-layment required = Yes

Flood Hazards = The Flood Insurance Study for the "City of Bloomington", dated "February 9, 2001", as amended or revised.

Air Freezing Index = 1,500

Mean Annual Temp. = 52

Part VII - PLUMBING. Chapters 25 through 32

The design and installation of plumbing systems, including sanitary and storm drainage, sanitary facilities, water supplies and storm water and sewage disposal in buildings shall comply with the requirements of the Illinois State Plumbing Code currently adopted by the City.

Delete: Sections F313.1 Townhouse automatic fire sprinkler system through R313.2 One and two-family dwellings automatic fire systems, including the exceptions.

Modify: R313.2.1 Design and installation – When provided, automatic residential fire sprinkler systems shall be designed and installed in accordance with Section P2902 or NFPA 13D/2010.

SEC. R105.2 WORK EXEMPT FROM PERMIT.

Modify the section by deleting subsections 1, 2, 3, 4, 5 and 10.

SEC. R112 BOARD OF APPEALS.

Modify by deleting the section in its entirety.

SEC. R313 AUTOMATIC FIRE SPRINKLER SYSTEMS.

Modify by deleting the section in its entirety.

SEC. R313.1 TOWNHOUSE AUTOMATIC FIRE SPRINKLER SYSTEMS.

Modify by deleting the section in its entirety.

SEC. R313.1.1 DESIGN AND INSTALLATION.

Modify by deleting the section in its entirety.

SEC. R313.2 ONE- AND TWO-FAMILY DWELLINGS AUTOMATIC FIRE SYSTEMS.

Modify by deleting the section in its entirety.

SEC. R313.2.1 DESIGN AND INSTALLATION.

Modify the language to read as follows:

When provided, automatic residential fire sprinkler systems shall be designed and installed in accordance with Section P2904 or NFPA 13D/2010.

SEC. R313.3 AUTOMATIC FIRE SPRINKLER SYSTEMS; MANDATORY OFFER REQUIRED.

A contractor or builder of a one- or two-family dwelling subject to the International Residential Code shall:

- (a) Offer to the prospective purchaser or buyer the option to install, at the buyer's expense, an automatic fire sprinkler system in the building or dwelling unit designed and installed in accordance with the provisions of section R313.2.1 (relating to design and installation of automatic fire sprinkler systems) of the International Residential Code (2012 ~~2009~~ edition).
- (b) Provide the prospective purchaser or buyer with information explaining the costs and benefits of installing and maintaining an automatic fire sprinkler system in the building or dwelling unit. The information provided shall include the following publications from the Home Fire Sprinkler Coalition:
 - (i) *Protect What You Value Most*
 - (ii) *The Future of Fire Safety Here Today*
 - (iii) *Now That You're Living With Sprinklers*
- (c) Before issuance of a building permit for any one- or two-family residence, the contractor/applicant shall provide to the Planning and Code Enforcement Department a document signed by both the contractor and prospective purchaser or buyer (or in the case of one or two family dwellings built prior to having an identified buyer (commonly known as "spec homes"), signed by the contractor in place of the prospective purchaser or buyer) stating that the contractor has provided to the prospective purchaser or buyer the information required by Section 1(b) of this ordinance.

Said document shall be in the following form:

Mandatory Offer for Residential Fire Protection

Property Address: _____

Contractor: _____

Address: _____

Phone: _____

Prospective Purchaser/Buyer: _____

Address: _____

Phone: _____

We, the undersigned, confirm and agree that Contractor has provided Buyer with information regarding the installation of a residential fire protection system. Buyer has been provided with the following publications:

*Protect What You Value Most
The Future of Fire Safety Here Today
Now That You're Living with Sprinklers*

Contractor offers to install a fire protection system in accordance with NFPA 13D/2010 and applicable City of Bloomington ordinances at the subject property for the amount of \$ _____.

Buyer has been informed that one- or two-family homes not provided with a fire protection system shall have the floors protected as required by Chapter 10, Article V, Section R313.3(2) of the Bloomington City Code.

Buyer hereby _____ accepts _____ declines the offer to install a residential fire suppression system at the subject property.

I hereby state that the information contained in this form is true and correct.

_____ Date: _____ Contractor Date: _____
Buyer Contractor

Received by: _____ Date: _____
Planning and Code Enforcement Department

SECTION 4. That Bloomington City Code Chapter 10, Article VII, Sections M-130.0, M-130.1, M-130.2, M-130.3 and M-130.4 and the title heading shall be and the same is hereby amended to read as follows: (additions are indicated by underlining; deletions are indicated by strikeouts):

ARTICLE VII

ADDITIONS, COMPLETIONS, MODIFICATIONS, AMENDMENT TO
INTERNATIONAL MECHANICAL CODE - ~~2009~~ 2012

The numbered Sections of this Article represent additions to the International Mechanical Code ~~2009~~ 2012 or correspond to Sections of said Code which are completed, modified, amended or deleted thereby.

SEC. M-130.0 LICENSING OF MECHANICAL CONTRACTORS.

SEC. M-130.1 MECHANICAL WORK; LICENSE REQUIRED.

It shall be illegal for any person to do work pertaining to any heating, cooling, ventilating, refrigeration systems, or gas piping systems without being a licensed mechanical contractor, ~~and only as permitted by license according to the following classifications:~~

~~Class "A" License: Enables holder to work on Warm Air Systems.~~

~~Class "B" License: Enables holder to do work on Steam and/or Hot Water Boiler Systems.~~

~~Class "C" License: Enables holder to do work on Cooling and/or Ventilating Systems.~~

~~Class "D" License: Enables holder to do work on Refrigeration Systems.~~

A building-occupant of a single-family residence can install or do mechanical work in his own house, including accessories of the same without a license but is subject to all other provisions of this Code.

To qualify as a builder-occupant, the single-family residence to be worked on must be resided in by the builder-occupant for a period of at least one (1) year from the date an occupancy certificate is issued and/or a final inspection is completed.

SEC. M-130.2 MECHANICAL BUSINESS; LICENSE REQUIRED.

(a) Except as provided in subsection (b) below, every person who shall desire to practice the business of a mechanical contractor ~~Contractor~~ shall first obtain a license to do so as provided by this Chapter.

(b) All manufacturing and commercial establishments that have a qualified maintenance staff to do the mechanical work must secure a premises-only license to do mechanical work on their own premises. The application must be filed by the authorized representative of such manufacturing or commercial establishment, and the license must be in the company, the firm, limited liability company or corporation's name. No bond is required in connection with such premises-only license. Permits must be taken out on all installations and major repairs, and inspection of the same requested upon completion.

SEC. M-130.3 EXAMINATION PREREQUISITE TO ISSUANCE.

Every applicant for any license required by this Mechanical Code must pass the N29 National Standard Master Mechanical examination, proctored by the International Code Council's (ICC) Contractor/Trades examination program. ~~The exam shall be based on the most recent editions of the codes available. The cost of the exam shall be the responsibility of the applicant, as administered by the International Code Council prior to the issuance of such license.~~

(a) ~~Application for License Examination. Application for a license as a mechanical contractor, shall be made to the Planning and Code Enforcement Department upon forms provided by the department. The application shall state the type of contracting in which the applicant is engaged; that he, or the partnership of which he is a member or a corporation of which he is an officer or representative, is a party directly interested in the license; if a nonresident, the address of his place of business; and if the application is for a license to be issued in the name of the partnership or corporation, the correct name thereof, the location of its principal office, and the length of time such partnership or corporation has been in existence. examination shall be in accordance with the procedures set forth by the International Code Council.~~

(b) Applicant's Qualifications. An applicant for a license as a mechanical contractor as defined in this Mechanical Code shall be at least twenty-one (21) years of age and shall have had at least four (4) years' practical experience in the field or class in which a license is desired, or shall have satisfactorily completed a course in the subject for which the license is sought given by a recognized school, plus one (1) year practical experience in the same, or shall be a registered professional engineer.

SEC. M-130.4 BONDS, EXAMINATION, INSURANCE AND LICENSE FEES.

(a) Bond Required of Applicant.

- (1) Any person applying for a new or renewed license required by this Mechanical Code shall execute and deliver to the City Clerk a bond in the penal sum of Two Thousand Dollars (\$2,000.00) payable to the City or a continuation certificate for the same. Such bond shall be made for the use and benefit of the owner of, or any party in interest in the property where the Licensee furnishes any material furnished in violation of the requirements of any law of the State or Code of the City governing such work. The Secretary of the Board shall report to the Board as to the existence and sufficiency of such bond. The bond will be used to correct or complete a project in accordance to the laws and Codes of the City when the contractor fails or is unable to do the same upon written notice from the City.
- (2) The requirements of subsection (1) above shall not preclude the Building Official from requiring, at his discretion, additional bond commensurate with the size of a project if he deems it necessary.

(b) Renewals; Expiration of License. Any person holding a valid license as a Mechanical Contractor from the City of Bloomington on the effective date of this Ordinance shall have the right, without further examination, to obtain a License from the Building Board of Appeals and a license each year thereafter from the City Clerk upon the payment to the City Clerk of a license fee, certificate of liability insurance, and the execution of a bond as required by this Chapter.

The license fee for an annual renewal of a license shall be Seventy-five Dollars (\$75.00). All licenses and renewals of the same shall expire on the 31st day of December of each year, and a renewal shall be obtained on or before January 31st of the following year.

Any license forfeited for nonpayment of the renewal fee may be reinstated upon the payment of the annual renewal fee, plus Twenty-five Dollars (\$25.00) for each month, or portion of a month that such delinquency has continued; provided, however, that after the same has been delinquent and not in force on March 1st of any year, then the same shall be null and void and shall not be renewed.

(c) Licenses for Partnerships, Limited Liability Companies, and Corporations. No partnership, limited liability company, or corporation shall practice or engage in the business of a Contractor, unless a member of the partnership, or an officer or duly authorized representative of such corporation shall obtain a license to be issued to him in behalf of and for the benefit of such partnership, limited liability company, or corporation, which shall be so named in such license, the license shall be issued only if such member of such firm, or officer or representative of such corporation, is personally qualified and complies with all of the provisions of this Chapter.

(d) Reciprocal Provisions. Any person, firm, limited liability company, or corporation who is registered or licensed for the current year in any jurisdiction where the requirements of registration or license were at the date of such registration or license substantially equal to the requirements in force in this City and such jurisdiction extends a similar privilege to the persons registered and licensed under this Mechanical Code, they shall not be required to take an examination, but shall pay a registration fee of Seventy-five Dollars (\$75.00) as provided in this Chapter, to engage in mechanical contracting for such year in this City, and shall file a copy of his registration or license with the Secretary of the Building Board of Appeals.

(e) Liability Insurance Required of Applicant. A satisfactory certificate of liability insurance against any form of liability with ~~to~~ a minimum of One Hundred Thousand Dollars (\$100,000.00) for property damage and Three Hundred Thousand Dollars (\$300,000.00) for personal injury. The insurance shall be maintained in full force and effect during the term of the registration and said insurance or certificate provide that the City be notified of any cancellation of the insurance ten (10) days prior to the date of cancellation.

SECTION 5. That Bloomington City Code Chapter 15, Article II, Section 19 shall be and the same is hereby amended to read as follows: (additions are indicated by underlining; deletions are indicated by strikeouts):

SEC. 9 ADOPTION OF ELECTRIC CODE.

There is hereby adopted by the City for the purpose of establishing rules and regulations for the safe and practical installation, alteration and use of electrical equipment, including permits and penalties, that certain Electric Code known as the National Electrical Code, as published by the National Fire Protection Association, being particularly the 2014 ~~2011~~ edition thereof and the whole thereof, save and except such portions as are hereinafter deleted, modified

or amended, of which not less than one (1) copy is on file in the office of the Clerk of the City and the same are hereby adopted and incorporated as fully as if set out at length herein and from the date on which the Ordinance shall take effect, the provisions thereof shall be controlling in the installation, alteration, and use of electrical equipment within the corporate limits of the City and on City owned property outside the corporate limits of the City.

SECTION 6. Except as provided herein, the Bloomington City Code, as amended, shall remain in full force and effect.

SECTION 7. The City Clerk is hereby directed and authorized to publish this Ordinance in pamphlet form as provided by law.

SECTION 8. This Ordinance is enacted pursuant to the authority granted to the City as a home rule unit by Article VII, Section 6 of the 1970 Illinois Constitution.

SECTION 9. This Ordinance shall be effective ten (10) days after the date of its publication.

PASSED this 24th day of February, 2014.

APPROVED this 25th day of February, 2014.

APPROVED:

Tari Renner
Mayor

ATTEST:

Tracey Covert
City Clerk

Motion by Alderman Fazzini, seconded by Alderman Fruin that the Text Amendment be approved, the International Codes and National Electric Code be adopted and the Ordinance passed.

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

Ayes: Aldermen Stearns, Mwilambwe, Schmidt, Painter, Lower, Fazzini, Sage, Fruin and Black.

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Suspension of Ordinances to Allow Consumption of Alcohol at Miller Park Pavilion on March 8, 2014

RECOMMENDATION/MOTION: That the Ordinance be passed.

STRATEGIC PLAN LINK: Goal 5. Great place – livable, sustainable City.

STRATEGIC PLAN SIGNIFICANCE: Objective 5d. Appropriate leisure and recreational opportunities responding to the needs of residents.

BACKGROUND: The Bloomington Liquor Commissioner Tari Renner called the Liquor Hearing to order to hear the request of Lola Jimoh and Felix Anaman to allow moderate consumption of alcohol at their March 8, 2014 wedding reception to be held at the Miller Park Pavilion. Present at the hearing were Liquor Commissioners Tari Renner, Geoffrey Tompkins and Jim Jordan; George Boyle, Asst. Corporation Counsel, Clay Wheeler, Asst. Police Chief, and Tracey Covert, City Clerk.

Commissioner Renner opened the liquor hearing and noted that no one was present to address this request.

Commissioner Tompkins recommended that City staff reach out and contact the bride and groom regarding this item. He added that based upon the information received the Commission should allow Commissioner Renner the discretion of placing this request before the Council at their February 24, 2014 meeting.

Commissioner Jordan concurred with Commissioner Tompkins' comments.

George Boyle, Asst. Corporation Counsel, addressed the Commission. He noted that Commissioner Renner had the authority to take this action.

The Commission directed Tracey Covert, City Clerk, to follow up with the requestors.

The wedding reception was scheduled for March 8, 2014 at the Miller Park Pavilion. There were 150 people on the guest list. Anticipated attendance at the wedding reception was 120. Famous Dave's, 1603 Morrissey Dr., had been retained to cater the food and beverage service. Catered alcohol would be limited to beer and wine only. The reception was scheduled from 3:30 p.m. until 8:00 p.m.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The Agenda for the February 11, 2014 Meeting of the Liquor Commission was placed on the City's web site. There also is a list serve feature for the Liquor Commission.

FINANCIAL IMPACT: None.

February 24, 2014

1119

Respectfully submitted for Council consideration.

Prepared by: Tracey Covert, City Clerk

Recommended by:

David A. Hales
City Manager

ORDINANCE NO. 2014 - 08**AN ORDINANCE SUSPENDING PORTIONS OF SECTION 701 OF CHAPTER 31 AND SECTION 26(d) OF CHAPTER 6 OF THE BLOOMINGTON CITY CODE FOR A WEDDING RECEPTION AT MILLER PARK PAVILION**

WHEREAS, Lola Jimoh and Felix Anaman are planning to hold their wedding reception at the Miller Park Pavilion from 3:30 p.m. to 8:00 p.m. on March 8, 2014; and

WHEREAS, Lola Jimoh and Felix Anaman have requested permission from the City to serve beer and wine during this event; and

WHEREAS, in order to legally possess alcohol in a City Park, Section 701(a), (b) and (c) of Chapter 31 of the Bloomington City Code, which prohibits the drinking, selling and possessing alcohol beverages with the City parks and Section 26(d) of Chapter 6 of the Bloomington City Code, which prohibits possession of open alcohol on public property must be suspended;

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

Section 1: That Sections 701(a), (b) and (c) of Chapter 31 and Section 26(d) of Chapter 6 of the Bloomington City Code, 1960, as amended, are suspended for the duration of the wedding reception at the Miller Park Pavilion on March 8, 2014 under the conditions set forth in the rental agreement.

Section 2: Except for the date of date set forth in Section 1 of this Ordinance, Sections 701(a), (b) and (c) of Chapter 31 and Section 26(d) of Chapter 6 of the Bloomington City Code, 1960, shall remain in full force and effect. Nothing in this Ordinance shall be interpreted as repealing said Sections 701(a), (b) and (c) of Chapter 31 and Section 26(d) of Chapter 6.

Section 3: This Ordinance shall be effective on the date of its passage and approval.

Section 4: This Ordinance is adopted pursuant to the home rule authority granted the City of Bloomington by Article VII, Section 6 of the 1960 Illinois Constitution.

PASSED this 24th day of February, 2014.

APPROVED this 25th day of February, 2014.

APPROVED:

Tari Renner
Mayor

ATTEST:

Tracey Covert
City Clerk

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

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

Ayes: Aldermen Stearns, Mwilambwe, Schmidt, Painter, Lower, Fazzini, Sage, Fruin and Black.

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Text Amendment to Chapter 2. Composition of the Citizen's Beautification Committee

RECOMMENDATION/MOTION: That the Text Amendment be approved and the Ordinance be passed.

STRATEGIC PLAN LINK: Goal 1. Financially sound City providing quality basic services.

STRATEGIC PLAN SIGNIFICANCE: Objective 1c. Engaged residents that are well informed and involved in an open governance process.

BACKGROUND: On January 13, 2014, the Council approved an Ordinance changing the term limits of all Boards and Commissions, except the Fireman's Pension Board, Police Pension Board, Housing Authority Board and Liquor Commission.

In amending Section 72 of Chapter 2 which relates to the Citizen's Beautification Committee, language pertaining to the composition of the Committee was mistakenly deleted. The following language was deleted in error – "Beginning November 1, 1984, the Committee shall consist of twelve (12) persons to be appointed by the Mayor with the consent of the City Council."

The Committee currently consists of twelve (12) members, not the original nine (9) referenced in the Section. This Ordinance corrects the drafting error.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable.

Respectfully submitted for Council consideration.

Prepared by: Rosalee Dodson, Asst. Corporation Counsel

Review by: John Kennedy, Director of Parks, Recreation and Cultural Arts

Recommended by:

David A. Hales
City Manager

ORDINANCE 2014 - 09**AN ORDINANCE AMENDING CHAPTER 2 OF THE BLOOMINGTON CITY CODE
RELATING TO THE CITIZEN'S BEAUTIFICATION COMMITTEE**

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

SECTION 1. That Section 72 of Chapter 2 of the Bloomington City Code, 1960, as amended, be further amended as follows (additions are indicated by underlines; deletions indicated by strikeouts):

Chapter 2: Section 72: Citizen's Beautification Committee.

(a) Membership. The Committee shall consist of twelve (12) ~~nine (9)~~ persons to be appointed by the Mayor with the consent of the City Council. Effective May 1, 2014, a person appointed to the Committee shall serve a term of three (3) years. This term may be extended after the three (3) years for no more than two (2) additional three (3) year terms. Members of the Committee shall serve no more than three (3) consecutive three-year terms (a total of nine (9) years). Reappointment shall be at the discretion of the Mayor. The members of the Committee shall elect the Chairman and Vice-Chairman on an annual basis. All terms shall expire April 30th. (Ordinance No. 2014-04)

(b) Meetings. The Committee shall meet on a regular basis on a schedule to be determined by the members but not less than once per month. A regular place of meeting shall be established by the Committee members. The Chairman shall provide all members with a written agenda or notice of cancellation of these meetings not less than five (5) days in advance of the meeting. All meetings shall be open to the public.

(c) Duties and Functions. The Committee shall have as its duties and functions:

(1) To recommend to the City Council all programs of any description or variety calculated to enhance the appearance of the City of Bloomington, including but not limited to recommendations for priorities of City action, and changes in both the Bloomington city or other ordinances adopted by the City Council;

(2) To work with appropriate City personnel to establish means to elicit volunteer participation in beautification projects;

(3) To elicit citizen cooperation in carrying out beautification projects whether on a City wide or localized scale which involve landscaping on public or private property;

(4) To serve as an advisory body to the City Council and the City Manager and other city officials in developing plans for projects involving City beautification;

(5) To request, receive and utilize staff assistance from the City Administration to enable the Committee to carry out its responsibilities;

(6) To request, receive and utilize City funds to carry out its responsibilities if:

(a) such requests are submitted in writing to the City Manager; and

(b) such requests are approved by the City Council; and

(c) such requests are included in the City's annual budget and appropriation ordinance, and supplement thereto;

(7) To receive gifts and donations of any variety from other public or private groups or individuals, which gifts or donations would assist the Committee in carrying out its duties and functions. (Ordinance No. 1973-32)

SECTION 2. Except as provided herein, the Bloomington City Code, 1960, as amended shall remain in full force and effect.

SECTION 3. The City Clerk is hereby authorized to publish this ordinance in pamphlet form as provided by law.

SECTION 4. This ordinance shall be effective ten (10) days after the date of its publication.

SECTION 5. This ordinance is passed and approved pursuant to the home rule authority granted Article VII, Section 6 of the 1970 Illinois Constitution.

PASSED this 24th day of February, 2014.

APPROVED this 25th day of February, 2014.

APPROVED:

Tari Renner
Mayor

ATTEST:

Tracey Covert
City Clerk

Motion by Alderman Fazzini, seconded by Alderman Fruin 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 Stearns, Mwilambwe, Schmidt, Painter, Lower, Fazzini, Sage, Fruin and Black.

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Community Garden Land Lease Agreement Renewal

RECOMMENDATION/MOTION: That the Land Lease Renewal Agreement with Sunrise Co. LLC, in the amount of \$1.00 per year, be approved and the Mayor and City Clerk be authorized to execute the necessary documents.

STRATEGIC PLAN LINK: Goal 5. Great place – livable, sustainable City.

STRATEGIC PLAN SIGNIFICANCE: Objective 5c. Incorporation of “Green Sustainable” concepts into City’s development and plans, and 5d. Appropriate leisure and recreational opportunities responding to the needs of the residents.

BACKGROUND: For many years, the Parks, Recreation and Cultural Arts Department has managed a community gardens program. The program originated at Sunnyside Park, then moved to Rollingbrook Park, and for the last several years it has been located at the corner of Hershey Rd. and Ireland Grove Rd. An original lease agreement with Sunrise Co., LLC covered May 15, 2008 through October 31, 2009. Prior to that expiration date, a two (2) year lease amendment was approved on September 28, 2009 and again on October 10, 2011, which expired on October 31, 2013. Both parties are interested in renewing the lease for two (2) additional years to October 31, 2015 at the cost of \$1.00 per year.

The Parks, Recreation and Cultural Arts Department is cooperating with the McLean County Wellness Coalition in developing the Action Communities for Health, Innovation and Environmental Change (ACHIEVE) program. The Community Garden program supports an important community level objective within the McLean County Wellness Coalition’s Community Action Program by providing a means for affordable and healthy foods. Council adopted a Resolution supporting this program during its July 25, 2011 Meeting.

Park Maintenance stakes out boundaries to create thirty-seven (37) 30’ x 30’ garden plots, and eight (8) 30’ x 15’ plots, which are rented to citizens on an annual basis. Rentals are handled in the Parks, Recreation and Cultural Arts administrative offices on a first-come, first-served basis on or about April 1st of each year. Additional services provided by Park Maintenance include spring till to prepare plots for planting, water (paid for in the Park Maintenance budget), a portable toilet, and fall tilling after harvest. Renters are responsible for all other maintenance

items for their plot. The 30' x 30' plots rent for \$30 while 30' x 15' plots rent for \$15 annually. All forty-five (45) plots are reserved almost every year.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Sunrise Co., LLC.

FINANCIAL IMPACT: Funding for the lease is available in G14110 - 70990.

Annual Revenues	\$1,230.00
Annual Expenses	
Grounds Maintenance	\$1,937.41
City Water	\$407.00
Portable Toilet Rental	\$420.00
Total Annual Expenses	\$2,764.41
Annual Subsidy Level	(\$1,534.41)

Respectfully submitted for Council consideration.

Prepared by: John R. Kennedy, Director of Parks, Rec & Cultural Arts

Reviewed by: Barbara J. Adkins, Deputy City Manager

Financial & budgetary review by: Chris Tomerlin, Budget Analyst
Carla A. Murillo, Budget Manager

Legal Review by: George D. Boyle, Asst. Corporation Counsel

Recommended by:

David A. Hales
City Manager

**AGREEMENT BETWEEN SUNRISE CO. LLC, BLOOMINGTON, ILLINOIS AND
THE CITY OF BLOOMINGTON, AN ILLINOIS HOME RULE MUNICIPAL
CORPORATION FOR DEVELOPMENT OF A COMMUNITY GARDEN PROGRAM**

This AGREEMENT is entered into on the date adjacent to each signature line hereinafter by and between SUNRISE CO. LLC, BLOOMINGTON, ILLINOIS (hereinafter called SUNRISE), and THE CITY OF BLOOMINGTON, an Illinois Home Rule Municipal Corporation (hereinafter called CITY).

Whereas, the CITY is a home rule unit of local government with authority to enter into agreements with other legal entities and,

Whereas SUNRISE is a Limited Liability Corporation chartered in the state of Illinois with authority to enter into agreements with units of local government and,

Whereas, the CITY and SUNRISE desire to enter into an agreement for the development and maintenance of a community garden project on SUNRISE property though it would be a project of the CITY; and

Whereas, it is in the best interest of the parties to jointly control and promote the community garden program of the CITY, preserve public funds, enhance recreational programs, and otherwise improve the quality of life of the citizens served by the parties:

NOW, THEREFORE, in consideration of the mutual promises contained herein, it is agreed by and between the parties, as follows.

1. The CITY will maintain a community garden program site on the approximate north two (2) acres of property owned by SUNRISE located at the southwest intersection of Ireland Grove Road and Hershey Road, in the city of Bloomington, McLean County, Illinois. The CITY shall be responsible for clearing the property for the purpose of a community garden program, for providing parking for the participants in the program, and providing ingress and egress to the site all within the parameters of the City's Subdivision Ordinance requirements except that there shall be no hard or permanent surface to the parking lot area.
2. All costs incident to maintaining the site for the community garden program, including providing a water supply for the participants in the program, shall be that of the CITY. SUNRISE does consent to allow the CITY to tap the existing water well on the land should the CITY so desire even though the well site may be beyond the boundaries of the community garden program site. The CITY agrees to provide a minimum of One Million Dollars Liability Policy naming SUNRISE either as a primary or additional insured, which endorsement shall not only include SUNRISE, but also its officers and employees.
3. This "lease agreement" shall begin the date of signature and run through October 31, 2015, at which time a year to year lease shall continue with written agreement from both parties received at least thirty (30) days prior to expiration. Payment for use of such property by the CITY to SUNRISE shall be the sum of One Dollar per year.
4. The CITY agrees to waive all claims against SUNRISE arising out of this Agreement or the condition of the land, and by signature hereto acknowledges the acceptance of the land in question in its present condition. The CITY further agrees to indemnify and defend SUNRISE from any and all claims arising out of the condition of said "community garden site," and further agrees to hold SUNRISE harmless from any damages as a result of injury to persons or property arising out of the use of said land by the CITY. SUNRISE agrees to promptly notify the CITY upon receipt of any claim or notice thereof by any person or persons for injury or property damage applicable to the CITY's use of said property. SUNRISE will cooperate with the CITY in the defense of any such claim.

5. Both parties maintain the right to assert any immunities the parties might have pursuant to the Illinois Tort Immunity Act in connection with any third party claim.

6. The CITY agrees to maintain the site which is the subject matter of this Agreement both during the “growing season” and thereafter so that same shall not be deemed a public nuisance.

IN WITNESS WHEREOF, the parties hereto have placed their hands and seals the date and year herein set forth.

By: Tari Renner
 Mayor
 City of Bloomington
 109 E. Olive Street
 Bloomington, IL 61701

Dated: February 25, 2014

By: _____

Dated: _____, 2014

James A. Shirk
 Sunrise Co. LLC
 PO Box 1549
 Bloomington, IL 61702

Motion by Alderman Fazzini, seconded by Alderman Fruin that the Land Lease Renewal Agreement with Sunrise Co. LLC, be approved, in the amount of \$1.00 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 Stearns, Mwilambwe, Schmidt, Painter, Lower, Fazzini, Sage, Fruin and Black.

Nays: None.

Motion carried.

The following was presented:

SUBJECT: Joint Bloomington-Normal RFP and Agreement for Solid Waste Disposal, (Landfill), Services

RECOMMENDATION/MOTION: That the RFP and Agreement for Solid Waste Disposal Services be awarded to Allied Waste Services, (Republic), and the Mayor and City Clerk be authorized to execute the necessary documents.

STRATEGIC PLAN LINK: Goal 1. Financially sound City providing quality basic services.

STRATEGIC PLAN SIGNIFICANCE: Objective 1d. City services delivered in the most cost-effective, efficient manner, and 1e. Partnering with others for the most cost-effective service delivery.

BACKGROUND: Through intergovernmental cooperation, the City and Town of Normal jointly issued an RFP for landfill services and currently are under contract with Allied Waste Services, (Republic), owner of the McLean County Landfill in west Bloomington. The contract expires February 28, 2014, and is itself an extension of a contract that expired twelve (12) months earlier. The cities jointly issued a Request for Proposals on January 7, 2014, and the deadline for companies submitting proposals was January 28, 2014. At the drafting of this memo, the matter was scheduled for the Normal Town Council's meeting agenda on February 17, 2014. A copy of the Normal Council memo was provided to the Council.

Duration: The Twin Cities seek a two (2) year agreement and an option for renewal in each of the five (5) years after the two (2) years elapse.

Current contract/company: Staff from the cities has been pleased with service under Allied, (Republic) for the past six (6) years. The current rate or tipping fee for Bloomington-Normal is \$44.44 per ton. The following is a table showing the historical trend of the tipping fees over the past six (6) years.

March 1, 2008 -- February 28, 2009	\$36.89 per ton
March 1, 2009 -- February 28, 2010	\$38.36
March 1, 2010 -- February 28, 2011	\$39.90
March 1, 2011-- February 29, 2012	\$41.49
March 1, 2012 -- February 28, 2013	\$43.15
March 1, 2013 -- February 28, 2014	\$44.44

Allied further offers the convenience of location since the transfer station is on W. Washington in Bloomington. Not only is the landfill located here, but Allied provides a transfer station, which Normal and Bloomington's operational staffs find advantageous. A transfer station is where the garbage trucks dump the refuse collected at the curb. The transfer station on W. Washington St. has a concrete pad that addresses the previous operational concerns of the equipment getting stuck when dumping directly at the landfill. A transfer station must be permitted through the Illinois Environmental Protection Agency (IEPA). Allied's transfer station is located next to the McLean County landfill. Twin City crews empty their loads at the transfer

station, and Allied staff uses company equipment to move the materials from the transfer station into the landfill. This is a time benefit for municipal workers, reduces cities' truck maintenance and averts the potential of City and Town garbage trucks getting stuck while traveling within the landfill. Bloomington and Normal wish to avoid lengthy trips to dispose of garbage because of the time lost to productivity of workers in transit and because of the wear and tear that additional mileage causes. They also wish to have the use of a transfer station rather than having to drive municipal vehicles into a landfill. In addition, Allied has also been amenable to the cities' desire to retain the right to divert refuse elsewhere. Specifically, the cities would like to partner with private enterprise to recycle bulk waste, although up to now delays in permitting have prevented that from occurring.

Two (2) Proposals

Two (2) companies submitted proposals: Allied Waste Service, (a Republic Services Company), and Area Disposal Service, (which is also known as PDC/Area Disposal). Both have substantial experience and expertise in solid waste disposal.

		Area	Allied	Area	Allied
3/1/14 2/29/16	to	\$33.65	\$46.46	No charge	\$22.24
3/1/16 2/28/17	to	\$35.00	\$48.55	No charge	\$23.25
3/1/17 2/28/18	to	\$35.90	\$50.01	No charge	\$23.95
3/1/18 2/28/19	to	\$36.80	\$51.51	No charge	\$24.67
3/1/19 2/29/20	to	\$37.97	\$53.06	No charge	\$25.41
3/1/20 2/28/21	to	\$39.17	\$54.65	No charge	\$26.17

(Note: Need for after hour or weekend service would primarily be in case of an emergency or disaster.)

Allied also submitted an alternative proposal with the following rates. The rates are lower while the duration of the contract is lessened compared to the proposal it made in compliance with the RFP.

Allied Alternative Rate Proposal	
Year One	\$45.11
Year Two	\$45.79
Year Three	\$46.48
Year Four	\$47.87
Year Five	\$49.31

Location/cost issue

The RFP does not require a company to own a local landfill but did ask that the company have a transfer station within ten (10) miles of the core of the Twin Cities or be imminently planning to build one. Area/PDC does not meet that requirement. It estimates the distance from Main and Division St. to the Clinton Landfill at twenty-eight (28) miles. However, it also wrote in its proposal that the cities stood to save \$500,000 over two (2) years in tipping fees because of its low tipping fee.

Despite the lower tipping fee, staffs of the two (2) cities have concerns about the prospect of driving the new automated trucks to Clinton to unload solid waste, which includes household trash and bulk. These concerns included cost of operations, loss of productivity and operations during inclement weather. The City does not currently have an IEPA permit that would allow it to dump the refuse and load it into a semi for transport to the Clinton landfill. The City contacted the IEPA to verify this was the case.

Fuel and maintenance: According to the Crystal Report, City recycling trucks cost \$1.79 per mile for fuel and maintenance. Our new garbage trucks are the same model. That puts the cost to drive to the landfill, unload one (1) truck and drive back at \$100. This is apart from the wages, benefits and pensions of the drivers. It is unclear from the proposal whether the Clinton Landfill has a transfer station from where our trucks could drop their loads or whether City trucks would be required to drive into unpaved landfill areas. The trucks have a single drive axle with air tag axle and are not designed to operate off road. The travel also adds to accident exposure.

Time: For the Bloomington and Normal drivers, time on the road would result either in overtime or addition of trucks and employees. The Bloomington trucks cost \$325,000 each. With our current back-loading, manual-collection trucks, it is common, (perhaps three times a week), for a route driver to have to make two (2) drops at the landfill in a given day. Staff is uncertain how often they will need to unload the new trucks; their compaction ability most likely will be different.

Weather: Weather presents another great concern. During inclement/bad weather (rainy, icy, snowy, windy and white-out conditions) travel along U.S. 51 to and from Clinton will cause time delays and increase accident exposure. There likely will be days in which the municipalities would be unable to dispose of their garbage because of disruptive road conditions, which would translate to the inability to collect garbage on certain days.

Capacity

Allied's McLean County Landfill, which opened in 1990, is nearing the limit of its capacity. The IEPA in its annual capacity report for 2013 listed the McLean County landfill as reaching capacity in 2017, assuming current level of usage. Theoretically, Allied could take the cities' garbage to another landfill after receiving it at its west side transfer station, although the cities' are not aware of Allied's current strategy in handling local refuse if the landfill closes. This question was brought up in the pre-meeting for the RFP process and Allied did not provide a hard closure date. This is proprietary information that they do not have to provide.

Area is well situated in regard to capacity. It proposes to use the Clinton Landfill. Opened in 2009, its current life expectancy runs to 2063.

Scoring the proposals

Three (3) Bloomington officials and two (2) Normal officials reviewed the proposals and scored them independently. Scoring were Wayne Aldrich and Tom Ramirez from Normal and Jim Karch, Rob Henson and Jon Johnston from Bloomington. The scores were then compiled and averaged by Mr. Johnston, who is the City's Procurement Manager.

The scoring guide rated the two (2) bidders on qualifications, experience, operation of a local "transfer facility," capacity to meet Bloomington-Normal needs, ability to meet billing requirements and cost proposal as it meets the municipal budgets. They further were rated on compliance with the RFP. The ratings of committee members were added and then averaged. Below is the score of the committee.

Company	Committee Tabulation
Allied Waste Services	94
Area Disposal Service	75

Recommendation

Based on the evaluation criteria included in the RFP, the selection committee recommends Republic Services, Inc. for the solid waste disposal contract. Republic currently operates the only licensed waste disposal facility that accepts municipal solid waste within the parameters stated in the RFP. The proposed fee per ton of \$46.46 represents an average increase of 2.3% over the initial two (2) year contract period. This increase is consistent with the average annual increase of three percent (3%) since 1997.

The proposed contract was based on the past solid waste contracts and has been reviewed by both the Town of Normal and City of Bloomington's Legal Departments and found to be acceptable.

This matter was scheduled for the Normal Town Council agenda on February 17, 2014. In accordance with the proposal, if either Council rejects the proposal, the other may proceed independently with the same proposed pricing.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Town of Normal.

FINANCIAL IMPACT: Landfill costs are built into the Solid Waste budget under Landfill Fees (54404400 - 70650). Stakeholders may locate this in the FY 2014 Budget Book titled "Other Funds & Capital Improvement Program" on page 182.

Respectfully submitted for Council consideration.

Prepared by: Jim Karch, Director of Public Works

Reviewed by: Barbara J. Adkins, Deputy City Manager

Financial & budgetary review by: Chris Tomerlin, Budget Analyst
Carla A. Murillo, Budget Manager

Legal review by: George D. Boyle, Asst. Corporation Counsel

Recommended by:

David A. Hales
City Manager

Mayor Renner introduced this item. Alderman Fazzini recused himself and left the dais.

Motion by Alderman Schmidt, seconded by Alderman Fruin that the RFP for Solid Waste Disposal Services be awarded to Allied Waste Services, (Republic), and the Mayor and City Clerk be authorized to execute the necessary documents.

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

Ayes: Aldermen Stearns, Mwilambwe, Schmidt, Painter, Lower, Sage, Fruin and Black.

Nays: None.

Motion carried.

Alderman Fazzini returned to the meeting.

The following was presented:

City Manager Proposed FY 2014/2015 Budget Presentation.

Mayor Renner introduced this item. David Hales, City Manager, presented the FY2015 Budget and Annual Financial Plan. He thanked Patti-Lynn Silva, Finance Director and Carla Murillo, Budget Manager for their efforts. This was the second year utilizing the MUNIS budget module. He relied on City staff to pull the budget document together.

Mr. Hales presented a historical review. His first budget was in 2009 during tough financial times. A fiscal recovery plan had been implemented. The General Fund balance was approximately \$20 million and the City's credit rating was AA+. Master plans have been created for Parks, Sewers and Facilities. In summary, the City was strong financially and infrastructure needs were being addressed.

Attention to City staff was an urgent need. Currently, there were 619 full time staff which included the Library. This figure did not include part time or seasonal staff. Expectations have increased over the last five (5) years. Staff reductions have resulted in a backlog of work. Liabilities were carried on the balance sheet because staff was forced to deal with higher priority projects. He cited the MFT Resolutions which appeared on this evening's meeting agenda as examples. There were too few employees to complete the job right the first time. Managers were doing line work because there was no one to delegate to. City staff was overburdened. He anticipated a number of upcoming retirements. There was no plan for same. Staff operated with a limited number of written policies and procedures. There was a lack of appropriate training and cross-training. He cited the importance of a work/life balance. The end result was stress, anxiety and burn out.

The Council had been discussing a much needed culture change and a focused customer service initiative. Many employees experience guilt for taking benefitted paid time off as this placed a burden on co-workers. The strategy to request staff to do more with less was not sustainable. Personnel resources needed to be balanced with a realistic workload. If finances and personnel were not available for projects, then those projects would not be completed. The City needed to invest in its employees in order to revitalize the organization, rebuild trust and create a sense of pride in the work performed.

Mr. Hales recommended that Council approve the \$180 million budget and support the addition of seventeen (17) new full-time employees. He also recommended that Council approve funding to a right sized City organization. Employees would be engaged in this process. Additional information would be presented at the March 22, 2014 Budget Work Session. He had high expectations for himself and the City. The City needed to function as a high performing organization. He needed the Council's support. Attention must be given to a healthy work life balance. The City's most important asset was its employees. FY 2015 would be focused on the employees.

Patti-Lynn Silva, Finance Director, addressed the Council. She thanked them for the opportunity to present the FY 2015 Budget. She also recognized Mr. Hales' comments and thanked Carla Murillo, Budget Manager, for her efforts. Ms. Murillo joined the Finance Department in October 2013. She also thanked the Finance Department staff and various City department managers for their efforts on the budget.

The FY 2015 Budget represented an increase of \$11,080,631 over FY 2014 or 6.54% increase. Expenditures were presented by function. The major expenditures were salary/benefits and contractals which equaled fifty-five percent (55%) of the total budget.

Twenty-eight (28) funds made up/consisted the budget. The two (2) major funds were General and Water which represented sixty-six percent (66%) of the budget. The General Fund was the only fund that may be spent in an emergency. The projected year-end balance was \$13.4 million which represented fifteen percent (15%) fund balance. The Council had set this percentage as the fund balance goal. It was City staff's intention that this amount be retained. The Water Fund's projected year-end balance was \$14.8 million

which represented seventy-nine percent (79%) fund balance. This figure was intentional as capital projects were planned for these funds.

The City anticipated \$172 million in revenue during FY 2015. Of this total, eighty-five percent (85%) came from two (2) sources: forty-nine percent (49%) from taxes and thirty-six percent (36%) from charges for services. There are eight (8) major tax revenues, 1.) property; 2.) sales; 3.) utility; 4.) income; 5.) food & beverage; 6.) franchise; 7.) replacement; and 8.) hotel/motel. She added that sales taxes could be broken down as state and home rule. Property taxes equaled twenty-eight percent (28%) and State & Home Rule Sales taxes represented thirty-six percent (36%). Utility taxes were nine percent (9%) of the total. This figure included the increase to this tax. The Property Tax Levy was adopted in the fall 2013 and was held flat. There were nine (9) overlapping taxing districts within the City. There had not been an increase to a major revenue source in years. City staff was not proposing a sales tax increase. A new Amusement Tax was being proposed along with an increase to the Utility Tax. The Utility Tax for cable was in reality an amusement tax. The food and beverage and hotel/motel taxes were equivalent to peer cities.

Mayor Renner questioned the Amusement Tax which he believed applied to ticket sales. Ms. Silva estimated that this tax would generate \$1 million and that \$400,000, (for cable), would be found in the Utility Tax for statutory reasons. There was \$1 million in the budget for the cable taxes.

Ms. Silva addressed charges for services. They were the second largest revenue area at \$62 million. Water generated \$16.8 million and represented 26.9% of this category.

The General Fund equaled \$93.8 million or fifty-one percent (51%) of budget. The FY 2015 budget proposed an increase of \$6.7 million over the FY 2014 budget or 7.8% increase. Salary and benefits made up fifty-two percent (52%) of the General Fund. Contractuals represent thirteen percent (13%) as the next largest category. These two (2) employee related items made up sixty-five percent (65%) of the General Fund.

General Fund expenditures as budgeted represented a 7.8% increase. Primary increases were to salaries at 11.83%, benefits at 21.15% and contractuals at 9% over FY 2014. Commodities decreased by \$324,497 or a decline of 3.5%. Capital expenditures decreased by \$989,351 or a decline of 100%. Transfers out decreased by \$1.9 million or a decline of 20.2%.

Expenditure highlights included salary and benefits which increased by \$6 million. \$4 million was due to increases for current staffing levels, (\$2.7 million for public safety). \$1.6 million was for proposed staff additions. \$700,000 was a new costs: revitalizing the City Organization Plan. There had been a \$300,000 reduced in contributions to the Employee Healthcare Fund.

Mr. Hales clarified that the \$4 million represented costs for union contract settlements, retroactive pay and signing bonuses. The past few years have been

understated because of delayed contract settlements. All of these increases have been approved by Council including merit pay increases for classified staff. This figure represented catching up for past years. Effort has been placed on accurate projections going forward. The budget represented full staffing but in reality, there would always be vacancies. There also was a negative appropriation to allow for vacancies. He cautioned the Council that a number of collective bargaining agreements expired on April 30, 2014. This would impact future budgets. Public safety was a high priority and represented forty percent (40%) of the General Fund.

Ms. Silva addressed contractals (Workers' Compensation/Liability Insurance & contractual employees). This area had increased \$1 million. It could have been a \$2 million increase but premiums were reduced. The General Fund would contribute the same premium levels as FY 2014. Mr. Hales added that the City was self-insured. Each department's participation was based upon actual costs.

Ms. Silva noted there was a \$300,000 increase to insurance administration fees; \$150,000 was for a proposed Safety Coordinator. There was a \$300,000 increase for temporary and contract employees and \$200,000 increase to General Liability/Property Insurance premiums. Mr. Hales added that these figures included all contractual elements.

Ms. Silva addressed capital expenditures which had decreased by \$1.6 million. A capital lease would be used to finance \$4.2 million of capital equipment and vehicles. No cash for capital equipment was proposed in the General Fund. Principal and interest expense would increase \$900,000 for lease financing; \$700,000 was related to the FY 2015 equipment and vehicle requests. Intergovernmental expenditures would increase by \$1.6 million due to the FY 2015 payment to the Police and Fire Pension Funds. Transfers out would decrease by \$1.9 million. There would be a transfer of \$1.5 million to the Capital Improvement Fund. A \$1.4 million increase to the Debt Service Fund would cover the debt service for the \$10 million street resurfacing bonds and other covenants.

General Fund revenues come from two (2) main sources: taxes which equaled eighty percent (80%) and charges for services which equaled fourteen percent (14%). The major taxes were the State and Home Rule Sales at thirty-eight percent (38%) and Property at twenty-five percent (25%). The Utility Tax increase had also been included.

No major General Fund revenues have been increased. Property and sales taxes made up sixty-three percent (63%) of total General Fund revenues. Property taxes have not been increased since FY 2010. The Home Rule Sales Tax increase (.0025) from FY 2009 is scheduled to sunset in FY 2016. Action would be needed during this budget session to continue funding the US Cellular Coliseum (USCC) and Bloomington Center for the Performing Arts' (BCPA) debt service. The majority of these revenues were elastic and dependent upon a successful economy. Growth in consumer spending showed signs of decline or plateau. The funding gap would be addressed by an increase to the Utility Tax and the creation of a new Amusement Tax. The Utility Tax would be raised to the statutory maximum. Ms. Silva believed that \$3 million in new revenue would be generated.

Mayor Renner noted that the Utility Tax would be phased in. Ms. Silva informed the Council that there were four (4) components, (electricity, natural gas, telecommunications, and water), to this tax which would be phased in over time. She believed that \$4.2 million of new revenue would be generated by utility taxes but only \$3 million would be generated during FY 2015. The new Amusement Tax was proposed at four percent (4%). Tax on amusements was defined as participative and exhibitivite entertainment. It included sporting events, theatrical/musical events, movies, bowling, cable and dvd rentals. Previously the tax on cable was collected under the Utility Tax and would be included in the new Amusement Tax. This tax could generate up to \$1 million in new revenue but was difficult to project.

The proposed Utility Tax increase would affect electric, natural gas, telecommunications, and water. The electric rate was based on a sliding scale per kilowatt used. Natural gas would be taxed at five percent (5%); telecommunications would be taxed at six percent (6%); and water would be taxed at five percent (5%). These increases would match our peer cities, including the Town of Normal. All were at the statutory limit. The impact of the Utility Tax increase upon the average resident would be \$7.71 per month.

Examples of the Amusement Tax impact include a movie ticket which would increase from \$10 to \$10.40; a BCPA \$25 ticket would increase to \$26; and a \$80 monthly cable bill would increase to \$83.20. More information/education and a draft ordinance would be available prior to the March 22, 2014 Budget Work Session.

Other budget highlights included implementation of the Facilities Plan: year one life and safety issues as well as ADA compliance. Sewer requested \$2.6 million in capital projects, four (4) projects were listed in the Sewer Master Plan. \$2 million of the Sewer Fund was being retained for potential exposure from City owed annexation agreements such as the Grove Subdivision. \$300,000 was proposed for a Streets Master Plan. To maintain a positive cash position, Storm Water has no capital projects budgeted. Rates have not been increased since 2004. Both Sewer and Storm Water would participate in rate studies budgeted in FY 2015.

Council adopted a new variable rate structure for Solid Waste fees to be phased in over three (3) years beginning May 1, 2014. The new rates should result in a positive fund balance by FY 2017. The Golf Fund was in a negative position due to last year's wet spring. Golf revenues do not support needed capital maintenance. A policy was needed to address capital funding.

\$1.4 million of the Motor Fuel Tax (MFT) Fund would be spent for three (3) traffic signals, Jersey & Linden St. bridge improvements and other design work for future street improvements. The Water Fund would spend \$8.5 million for water projects that addressed critical infrastructure replacement/upgrades. \$1 million had been budgeted for the southwest well construction. Water was 100% funded.

Capital projects by fund were presented as follows: Capital Improvement Fund for FY 2014 was \$16.2 million and included the \$10 million street resurfacing bond issue; MFT

normally spent \$2.1 million but would only spend \$1.4 million; Water Fund was spending \$8.5 million; Sewer was spending \$2.5 million, Storm Water Fund had no funds budgeted. Golf Course was planning one (1) project that would be paid by the General Fund and the USCC also had no funds budgeted.

Capital equipment had \$4.2 million in General Fund expenditures, Water Fund had \$519,885, Sewer and Storm Water Funds have no funds budgeted, Solid Waste Fund had \$325,000 budgeted, Golf Course had \$25,000, USCC had \$192,000 and all other funds have \$280,260. Highlights included a ten (10) year lease in the amount of \$1.48 million for the Fire Department to replace two (2) 1990's engines. Starcom radio upgrades were planned in the amount of \$860,500. These were mandated for communications and would allow for compatibility with Normal. The balance was for normal rolling stock of vehicles and equipment as determined by the Fleet Manager.

Mr. Hales noted that a key term was financial sustainability. The City has not had the manpower to provide estimates for more than twelve (12) months into the future. The goal was to make projections for FY 2016 and FY 2017. The sooner Council understood future challenges, then the City could begin to address issues proactively. He was committed to engaging citizens. The City has an obligation to help citizens understand why they will be asked to pay more for services. Stakeholders continued to request enhanced services. It was difficult to say no but even more difficult to ask citizens what they were willing to pay for. The City must inform and engage citizens.

Mr. Hales stated that the five to twenty (5 – 20) year Capital Improvement Plan must be developed. The City must weigh what was affordable which paled in comparison to deferred maintenance projects. The City needed to educate stakeholders regarding the needs and be ready to show demonstrated results. The City must also address aging infrastructure. City staff was ready to assist Council in budget process. The budget must be adopted by the end of April. A critical decision for the Council was a financial plan for FY 2015.

Mayor Renner noted small group meetings with Aldermen, the City Manager and Finance Director. A Budget Work Session was scheduled for Saturday, March 22, 2014. This was the first public presentation of the budget.

Alderman Fazzini noted salary and benefit increases. He questioned if these figures represented raises for City staff in a single year. Mr. Hales responded negatively. He clarified that it was the result of playing catch up over multiple years and included longevity increases. It also included the additional seventeen (17) positions. Ms. Silva added that percentage of salary increase was budgeted at two percent (2%).

Alderman Fazzini questioned the normal term for a lease. Ms. Silva responded usually five (5) years. He also questioned the interest rate on the \$10 million street resurfacing bond. Ms. Silva stated it was low.

Alderman Fazzini questioned if all of the proposed tax increases would be paid by City residents. Ms. Silva responded affirmatively with the exception of the Amusement Tax.

Alderman Fruin questioned if the bridge at Jersey and Linden was in fact in the City. Jim Karch, Public Works Director, confirmed that it was the City's responsibility.

Alderman Fruin echoed Mr. Hales' comments regarding citizen engagement. It was critical. Citizens needed to know what percentage of their property tax dollar went to the City. The City has held this tax flat. He requested the amount spent on snow/ice removal and water main breaks from January and February 2014 compared to past years. This information needed to be shared with the public. The City needed to tell the story.

Alderman Black liked the presentation and thanked Ms. Silva. This would be his first budget and he wanted to focus on the hows. He had heard the gamut of comments from the community. He questioned the middle ground. He challenged Council to view issues from the opposing side. He looked forward to the budget commentary.

Alderman Stearns questioned the seventeen (17) employees and the number of public safety positions. Ms. Silva replied two (2) police officers and three (3) firefighters. Alderman Stearns noted that there were twelve (12) other positions. She questioned if the Communications Director was included in this total. Ms. Silva noted that this position had been included in the FY 2014 budget. There were a variety of departments that had requested staff increases.

Alderman Stearns stated that citizens expected infrastructure repair and maintenance. She cited snow removal, pothole and cave in repairs, water main breaks, etc. She was unsure what the citizens would receive from these other twelve (12) positions for a minimum of \$8 more per month. The City was proposing raising taxes to the maximum levels and not allowing the sunset clause on the Home Rule Sales Tax. The Council needed to recognize that the school districts were proposing a sales tax increase. Average citizens were suffering. Illinois was ranked third in the nation for out migration. Citizens were maxed out and she expressed her concern. Citizens should understand what they received for their tax dollars. She restated that citizens were struggling.

Alderman Sage cited the March 22, 2014 Budget Work Session. He questioned the "average resident". He specifically questioned what it was based upon (home value or other criteria). He agreed that the City needed to tell the story when asking for more revenue. Council needed to bring suggestions regarding what to eliminate/ reduce to avoid tax increases.

Alderman Lower commented on financial sustainability. Individuals and businesses were under economic stress. The City was changing the environment. The Council needed to review the Illinois Policy Institute's report that addressed out migration. The IRS (Internal Revenue Service) and the Census Bureau cited a net population loss for Illinois. The net loss in taxable income was \$30 billion. The economic environment caused people to

leave the state. He cited state government issues and talk of a progressive tax plan. In addition, there was the impact of the Affordable Care Act. The Council needed to consider the entire picture.

Alderman Mwilambwe appreciated the work on the budget. The presentation was sombering. The City must educate its citizens. There was a disconnect between expectations and what residents were willing to pay for services. The funding gap must be closed. The City needed to share its fee history. This would help to clarify the situation, aid in decision making, and help the Council to move forward.

Mayor Renner stated that the stakes were high. The City would reach out to the citizens.

CITY MANAGER DISCUSSION: Mr. Hales informed the Council that the proposed budget would be available on the City's web site and also on CD for a nominal fee.

He requested that John Kennedy, Parks, Recreation & Cultural Arts Director, address the Council regarding state grant with an application March 10, 2014 deadline.

John Kennedy, Park, Recreation & Cultural Arts Director, addressed the Council. The Illinois Department of Natural Resources' (IDNR) Park & Recreation Facility Construction Grant Program, (PARC), grant was established in 2009. It was for bricks and mortar construction projects for parks and recreational facilities only. It has a seventy-five percent (75%) government/twenty-five percent (25%) local match with a \$2.5 million cap per project. The application fee is between \$100 and \$300. Parks staff was considering two (2) possible projects for the Creativity Center. One was an infrastructure project at a cost of \$600,000. The City's local match would come from existing private dollars.

Mayor Renner clarified that no taxpayer dollars would be spent.

Mr. Kennedy responded affirmatively. The second option would be for the Creativity Center's renovation project at a cost of \$2.5 million. There were enough private dollars available for this project as well, (\$1.1 million in private funds).

Mayor Renner noted that the grants if completed, the impact would be budget neutral. Mr. Kennedy responded affirmatively.

Mr. Hales reminded Council that private funds paid for the original Creativity Center study. There were insufficient funds to move forward on the Center and Council took no formal action to approve the study. Private citizens were unable to pursue an expanded capital campaign. The local match would make use of these private dollars to improve the facility.

Mayor Renner noted that this project could move forward with these private funds. Mr. Hales believed that the Council would have to vote to release the private funds. He added that applying for the grant would not mean a grant would be received and/or approved. The application deadline needed to be met.

Alderman Sage said that while the construction would be budget neutral, the City would be obligated to provide staff, operations and maintenance. Mr. Hales confirmed same. Projected operating costs were available. The Bloomington Center for the Performing Arts (BCPA) received a \$1.7 million subsidy from the City.

Alderman Schmidt expressed her opinion that the City had an obligation to this building. Currently \$1.1 million in private dollars had been raised. If nothing was done with this money, then additional fundraising would not be possible. Council has stalled this project. Council had the available details.

Mayor Renner clarified that the City owned building. The roof was in bad shape. Mr. Kennedy confirmed that City staff worked in and operated this building. Mayor Renner added that state funds would be used to repair same.

Alderman Mwilambwe questioned if there were restrictions on the \$1.1 million privately raised funds. He also questioned if the City could lose these dollars. Mr. Kennedy stated that the money must be spent on Creativity Center projects. He added that of this total there was a \$130,000 HUD (Housing and Urban Development) grant that could also be lost.

Mayor Renner stated that this was not an action item on this evening's agenda. It was presented to raise Council's awareness of the deadline and that Council might need to take action in the near term.

MAYOR DISCUSSION: Mayor Renner noted that State Representative Keith Summer was in attendance at this evening's meeting.

He thanked Marlene Gregor who was responsible for an art gallery in the Mayor's office. He invited all to visit. The artwork was on loan and was available for sale.

Mayor Renner informed the Council that he would be attending One Voice and the National League of Cities Conference. He would be unable to attend the Council's March 10, 2014 meeting. Alderman Schmidt would act as Mayor Pro tem. There would be a tribute to former Alderman Jennifer McDade. Aldermen Schmidt and Black would host the Mayoral Open House held on Friday, March 7, 2014 during his absence.

ALDERMAN DISCUSSION: Alderman Black commented on his email recommending a group photograph of the Council. David Hales, City Manager, suggested that the photograph be taken in the spring 2014 in front of the City Hall fountain.

Alderman Stearns thanked Mayor Renner for moving forward on the Elmo Quinn Day Proclamation.

Motion by Alderman Schmidt, seconded by Alderman Mwilambwe, that the meeting be adjourned. Time: 8:33 p.m.

Motion carried.

**Tracey Covert
City Clerk**