

## CITY COUNCIL QUESTIONS/COMMENTS & STAFF RESPONSES

AS OF DECEMBER 19, 2011 AT 7:10 am - DECEMBER 19, 2011 COUNCIL AGENDA

**Councilman:** Rob Fazzini

**Item 6C: Consent Agenda** – “Bloomington-Normal Public Transit System Financial Statements and Supplementary Information for the Year Ended June 30, 2011”

**Question/Comment:** “Is the \$50,000 the City of Bloomington agreed to provide the Transit Authority being returned to the City?”

**Staff Response:** The City never paid the B-N Public Transit System the \$50,000. They were billing it out at \$4,166.66 per month for twelve months. The City paid four months, or \$16,666.68, when the installment program was ceased in October. The City received a credit for the \$16,666.68 on the November invoice.

**Councilman:** Rob Fazzini

**Item 6D: Consent Agenda** – “Analysis or Proposals for Purchase of Network Storage Array

**Question/Comment:** “Do we have experience with Sentinel Technologies? If not, did we check with any of its current customers to ascertain the quality of its products and the level of its ongoing service?”

**Staff Response:** The City does have experience with Sentinel Technologies as a vendor. They have provided prior support and implementation services for networking, telephone (Voice Over Internet Protocol) and server virtualization projects. They have also provided hardware and implementation services for the City’s current storage array. They have proven themselves a competitive and trustworthy partner.

**Councilman:** Mboka Mwilambwe

**Item 6F: Consent Agenda** – “Professional Agreement with Buxton Company for Retail Recruitment and Retail Retention Analysis Services”

**Question/Comment:** “This is what I’ve been looking for all along! Thanks for the Staff’s work on this. Congratulations on the savings. What are the plans for the remaining dollars? Will this sort of approach be cyclical or will it be a one-time approach? How much money and resources does it usually take to execute plans recommended by Buxton? When can we anticipate delivery of fir5st set of analysis and begin implementation of recommendations?”

**Staff Response:** The City budgeted in FY2012 \$75,000 for business recruitment and retention analytic services. The cost of a 1 year commitment with Buxton services is \$45,000, representing a cost savings of \$30,000. This agreement financially commits the City to a one year subscription to the Buxton SCOUT services. City staff plans to use this year to assess the cost-benefit of the SCOUT services. The City is currently interviewing candidates to fill the position of Economic Development Coordinator and plans to have the position filled in the near future. This analytic tool will be utilized by this position. This service agreement obligates the Buxton Company to establish a SCOUT account for one power user within 5 days of the execution of the agreement, within 30 days of execution the Buxton Company must build and deploy the Retail Matching Model within SCOUT.

**Councilwoman:** Karen Schmidt

**Item 6G: Consent Agenda** – “Proposed Constitution Trail Clearing Policy”

**Question/Comment:** “I have no problem with the proposal and appreciate the details on how we prioritize clearing snow in the city, but over the few years when this has been brought up, I often hear the contrary perspective that people do NOT WANT the snow cleared, as it is good cross-country terrain. Do we have any concerns regarding this? Any groups we need to seek input from? Maybe the discussion has addressed any remaining issues.”

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**Staff Response:** This policy recommends clearing snow from 7.6 miles of the 16 miles of Constitution Trail leaving the remaining areas untouched and available for other winter activities. Additionally, cross-country skiing is allowed at Highland Park Golf Course when snow conditions warrant such activity. The method used to remove snow from the Trail will be via one pass with a 6' snow blower. The majority pieces of the Trail are 8 to 10' wide, so there will still be adequate space for the cross-country enthusiast along the sections of Trail selected for snow removal.

**Councilwoman:** Rob Fazzini

**Item 6G: Consent Agenda** – “Proposed Constitution Trail Clearing Policy”

**Question/Comment:** “I applaud the priority snow removal will be assigned with the no overtime basis. I especially appreciate the cooperation with the Town of Normal on this decision”

**Staff Response:** Staff believes the management of Constitution Trail be consistent between the City of Bloomington and Town of Normal therefore requiring effective cooperation. Limited resources and adhering to the priorities will keep this snow removal during regular business hours.

**Councilman:** Jim Fruin

**Item 6G: Consent Agenda** – “Proposed Constitution Trail Clearing Policy”

**Question/Comment:** “Are any of our Parks to include the Golf Courses available for those who want to cross-country ski? What part of Constitution Trail is Normal going to clear? How many miles, and which locations?”

**Staff Response:** This policy recommends clearing snow from 7.6 miles of the 16 miles of Constitution Trail leaving the remainder pieces untouched and available for other winter activities. Additionally, cross-country skiing is allowed at Highland Park Golf Course when snow conditions warrant such activity. The method used to remove snow from the Trail will be via one pass with a 6' snow blower. The majority pieces of the Trail are 8 to 10' wide, so there will still be adequate space for the cross-country enthusiast. Normal is clearing three sections of the Trail: the Trail from just north of Emerson Street through Uptown Normal to Raab Road and the Rosa Parks Commons parking area (2.5 miles); The Trail east from the “Y” just south of the Normal Parks and Recreation Office to Veterans Parkway (1.5 miles); and the Trail along Raab Road from Linden Street east to Henry Street (0.8 miles) for a total of approximately 4.8 miles.

**Councilman:** Bernie Anderson

**Item 6F: Consent Agenda** – “Proposed Constitution Trail Clearing Policy”

**Question/Comment:** “Though there would be no overtime on the clearing of snow on the trail, this could take us away from daily duties that could result in OT in other areas. Once we start this are we able to back out?”

**Staff Response:** Yes, it is true that clearing of snow on the Trail will take staff away from daily duties. It is the intent to delay the work in daily duties as much as possible and continue to not use OT for those duties. Of course, conditions could exist that would require OT used in other areas. This policy is subject to any future changes that City Council would authorize.

**Councilman:** Bernie Anderson

**Item 6F: Consent Agenda** – “Proposed Constitution Trail Clearing Policy”

**Question/Comment:** What liability does this create when areas that were cleared are iced over later possibly creating a hazard?

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**Staff Response:** By Statute, there is an extremely small if not non-existent chance of liability. Not only is the City immune from liability for weather conditions as such, there is a blanket immunity for injuries incurred on property intended for recreational use unless the injury is a result of “willful and wanton” conduct (i.e. carelessness which is so bad it is almost intentional).

**Councilwoman:** Karen Schmidt

**Item 6H: Consent Agenda - “Application of Santok 13 Inc., Liquor License”**

**Question/Comment:** “I am confused! The Agenda says it is for 2444 S. Main Street, but the Council Memo is for 2303 E. Washington site that was on our Agenda but pulled a couple of months ago.”

**Mayor’s Response:** The correct address is 2444 S. Main Street, which is merely a transfer of ownership. A different application, for 2303 E. Washington, was to be considered by the Council, but was pulled by the Commission for investigation. Last week, we received a phone call that the request for that license had been withdrawn, but I have not seen written confirmation.

**Councilman:** Jim Fruin

**Item 6H: Consent Agenda – “Application of Santok 13 Inc., Liquor License**

**Question/Comment:** “I see no references to 2303 E. Washington? All I have relates to 2444 S. Main Street.

**Mayor’s Response:** The correct address is 2444 S. Main Street, which is merely a transfer of ownership. A different application, for 2303 E. Washington, was to be considered by the Council, but was pulled by the Commission for investigation. Last week, we received a phone call that the request for that license had been withdrawn, but I have not seen written confirmation.

**Councilman:** Rob Fazzini

**Item 6K: Consent Agenda – “Abatements of Tax Levy”**

**Question/Comment:** “Do the abatements consider the recent increased debt service requirements necessitated by the refinancing of coliseum debt?”

**Staff Response:** The Tax Abatements incorporate the payment schedule for the \$5.075 million 2011 refinance of the General Obligation Bond.

**Councilwoman:** Karen Schmidt

**Item 6L: Consent Agenda – “Adoption of Amendments to Chapter 45 Property Maintenance Code regarding the International Property Maintenance Code, 2009”**

**Question/Comment:** “There isn’t any information about what is being updated, just that there are not new rules. Could we get a few examples of the sorts of items that are being updated? Do any of these get reviewed by the Property Maintenance Review Board (PMRB)?”

**Staff Response:** Prior Council Approval on December 12, 2011 did not include authorization to continue to be able to issue Ordinance and access fines. Tonight’s Council Memo recommends including those provisions.

**Councilwoman:** Judy Stearns

**Item 7A: Regular Agenda – “Presentation by Art Tepfer (actuarial firm for Police and Fire Pensions Funds)”**

**Question/Comment:** “What is a realistic rate of return to expect on the pension funds for the coming year? I believe 7.5 percent is unrealistic! If the rate is more in the 4 or 5 % range, how much more should the city contribute to each fund? Please give us the next 5 years of what will be needed to fund

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just the payout to current pensioners? When is your best estimation could the fund run short of funds for the current retirees? What is the actual amount the City should contribute to be sure all retirees are paid for the next 5-10 years? How much will the rate of retirement be expected to rise over the next 5 years based on those eligible to do so?"

**Staff Response:** Mr. Tepfer will address these questions, during his presentation this evening.

**Councilwoman:** Karen Schmidt

**Item 7B:** - "Review of the Record of Action by the Zoning Board of Appeals for the property located at 1112 S. Hinshaw Street"

**Question/Comment:** "Thanks to Todd for the excellent guidance about what our options are in these circumstances and details on how to approach this."

**Staff Response:** Thank you.

**Councilman:** Rob Fazzini

**Item 7B: Regular Agenda** – "Review of the Record of Action by the Zoning Board of Appeals for the property located at 1112 S. Hinshaw Street"

**Question/Comment:** "Todd Greenberg's information was invaluable in helping decide how to proceed. Was there any communication from the applicant to his Alderman? Was there any support or lack thereof from neighbors? Has there been any written explanation from the applicant as to why City Council should consider reversing the decision of its Zoning Board of Appeals? Based on what is in the package, why is this even on the Agenda?"

**Staff Response:** It is unknown whether the petitioner has contacted his Alderman. As noted in the minutes, there were a few neighbors present to speak in opposition to this variance request. The petitioner has simply asked that the Council review his petition. Staff is unaware of any other documentation or submittals. When a variation is denied by a vote of fewer than 5 negative votes, the petitioner has the right to appeal within ten (10) days of the denial. The petitioner has exercised that right.

Prepared by:  
Barbara J. Adkins  
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