

City Council Questions/Staff Responses
City Council Agenda for September 26, 2011
As of 12:55 am on September 26, 2011

Councilman: Anderson

Item 6C: Consent Agenda- “Reschedule Regular Council Meeting of December 27, 2011”

Question/Comment: “It should read to reschedule the December 26, 2011 meeting not be 27th”

Staff Response: As stated in the Council memorandum, December 26th is the City’s observation of the Christmas holiday and City Hall is closed that day. Therefore, the meeting was scheduled for the next business day, December 27th.

Councilman: Fazzini

Item 6D: Consent Agenda- “Request to Pay GA Rich & Sons, Inc. for Emergency Repair of City Sewer in the 1600 block of East Oakland Avenue (Ward 4)”

Question/Comment: “Is it normal for the Sewer Maintenance & Operations Fund to have such a large negative balance of \$2,336,525.97? How will this balance be brought to zero or made positive? Same questions for the Storm Water Management Fund.”

Staff Response: In the Council Memo, staff referred to the negative balance of \$2,336,525.97, this is not an audited number. Staff used the August Expenditure Report, instead of the Audited April 30, 2010 “Unrestricted Fund” of \$4,458,208.00. A negative net asset balance in any fund is not a positive sign. The Sewer Fund has had an unrestricted net asset balance since FY 2006. Over the past three years, the City has incorporated rate increases within this fund. These rate increases will help the fund to go back into the black. However, significant infrastructure costs can offset this positive trend. The Storm Water Fund fee has not increased since its inception in FY 2008 and the audited amount is \$11,142,505.00 (includes \$11,341,614.00 for Bloomington’s share of the BNWRD IEPA Loan). In FY 2012, the City has begun to develop a Master Plan for both of these funds. The Master Plan will include an assessment of assets, prioritize repairs and new construction, plus address the future needs of these funds.

Councilman: Mwilambwe

Item 6E: Consent Agenda- “Purchase of Lime, Water Treatment Chemical”

Question/Comment: “How many tons of lime do we use per year?”

Staff Response: The use of lime is dependent upon the quality of the raw water and the amount of water treated each year, thus the annual tonnage will vary. That being said, the City utilizes about 2,300 dry tons of lime per year, on average.

Councilman: Mwilambwe

Item 6I: Consent Agenda- “Approval of Cable Television Franchise Agreement with Comcast of Illinois/Indiana/Ohio LLC”

Question/Comment: “Who does Comcast prefer to negotiate with each municipality rather than the ICC? Would this deal make it easier/have an impact on broadcasting of Council Meetings? Are satellite companies such as Dish Network or Direct TV subject to similar regulations (right of way or anything else)?”

Staff Response: Comcast’s representatives did not tell Staff the reason why it still prefers to deal with the local franchising authority rather than the ICC. Staff assumes it has to do with public relations as well as to encourage personal acquaintance between the governmental liaison for Comcast and the local government. The franchise agreement has no effect on the televising of Council meetings. It will still be necessary for the city to video tape and edit meetings at its own expense. However, the actual transmission is free of charge. Satellite companies do not use the City’s right-of-way; therefore the City has no basis on which to request a franchise agreement.

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Councilman: Mwilambwe

Item 6J: Consent Agenda- "Fiscal Year 2012 Enterprise Resource Planning (ERP) Project Funding"

Question/Comment: "Given the \$ involved, I hope this allows enough customization for us to get exactly what we want. Too many software's often leave a customer wanting for more and having to find ways around the limitations of the product."

Staff Response: Staff agrees with the importance of flexibility of the software being implemented with the ERP project. Although a conscious decision was made to go with a COTS (commercial off the shelf) type of system, Staff believes the MUNIS software (Tyler Technologies, Inc.) is customizable enough to meet the City's needs. The COTS choice took into account the increased cost of a system that is designed and developed specifically for the City. Information uncovered by Staff put the difference in cost for these systems at 3 to 5 times more expensive than the MUNIS software. Tyler Technologies also brings years of experience in developing software specifically for municipalities to the project. Staff also went through in-depth review and analysis sessions, with Tyler and the City's Consultants, to determine major functionality gaps.

Councilman: Fazzini

Item 6L: Consent Agenda- "Agreement with Midwest Fiber for Providing Single Stream Processing Service"

Question/Comment: "Does Henson Disposal have any contractual, financial penalty due to the city because of not fulfilling its contract?"

Staff Response: Henson Disposal would technically be in breach of contract if it did not fulfill its contract and there was no entity available to take its place. however, the owner, Mr. Kirk was instrumental in seeking out Midwest Fiber to assume Henson Disposal's obligations under Henson's current contract. Henson Disposal can no longer use its current recycling facilities because of IEPA regulations. The original intent of all of the parties was for Midwest Fiber to explicitly assume the duties of the Henson Contract with the City Council's permission. This alternative option turned out not to be possible, because Midwest does not have a contractual relationship with the Recycling Company in Chicago. Finally, there is no "liquidated damages" provision in the contract with Henson Disposal. It would be extremely difficult for the City to show what, if any, damages it has incurred as a result of the change from Henson Disposal to Midwest Fiber.

Councilman: Anderson

Item 6M: Consent Agenda- "Petition for a Special Use Permit to Allow a Two (2) Unit (duplex) in an R-1C Single Family Residence District"

Question/Comment: "It is presumed that these properties will be cleaned up and maintained better than in the past?"

Staff Response: One of the reasons for Staff support for these Special Use Permits was the improved fiscal viability for rehabilitation of these properties as duplexes rather than single family. Please note that repair orders for work outside the actual occupancy of the building have been used and are moving forward.

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Item 6N: Consent Agenda- "Petition for a Special Use Permit to Allow a Two (2) Unit (duplex) in an R-1C Single Family Residence District"

Question/Comment: "It is presumed that these properties will be cleaned up and maintained better than in the past?"

Staff Response: One of the reasons for Staff support for these Special Use Permits was the improved fiscal viability for rehabilitations of these properties as duplexes rather than single family. Please note that repair orders for work outside the actual occupancy of the building have been issued and are moving forward.

Additional Question/Comment from City Council:

Councilman: Fazzini

Item: City of Bloomington Township Agenda Item

Question/Comment: "Township Meeting: Resolution No. 2011-_____: Should this not mirror the City of Bloomington policy? Should the City of Bloomington consider requiring written comments be submitted by end of day Friday before a Monday meeting?"

Staff Response: Tracey Covert, the City/Township Clerk, provided Joe Gibson, Township Supervisor, with copies of the City's ordinance regarding "Public Comment". The Township's resolution mirrors the City's ordinance. Open Meetings Act requires Public Comment section and the Township Clerk recommended that the Township adopt formal rules.

Prepared by:
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