

Council Questions/Comments and Staff Responses Report for December 16, 2013
as of December 16, 2013 at 6:00 am

GENERAL COMMENTS:

Alderman: Mboka Mwilambwe

Comment: I will not be able to attend today. Sorry for the inconvenience.

CONSENT AGENDA:

None.

REGULAR AGENDA:

Alderman: Kevin Lower

Item 7B: Kickapoo Creek Grove Trail Pavement

Questions:

1. How much site/sub-base preparation is currently planned assuming we understand that this area is in a lower drainage area and will flood at times?
 - a. **Staff Response:** The sub-base preparation will depend upon the soil conditions encountered when over excavating. Much of this area is fill and not original topography so that will help with preparation. The final surface of asphalt will not need to be changed since flooding of the area will occur but it will not be that frequent. A portion of the proposed trail will follow already graded grass pathway being maintained by Parks. The location of the trail proposed to be located in the future park parcel has not been final graded and will require final grading/shaping for construction.
2. Estimate for time of service prior to replacement?
 - a. **Staff Response:** Asphalt trails do not have the same life as asphalt streets. Staff would not expect to maintain the surface for 20-30 years. Even the maintenance would not be a full replacement. Staff would anticipate to either mill and overlay or just overlay depending upon the surface condition. In addition, staff has been researching whether there are pavement preservation techniques for asphalt trails in the same way there are for asphalt streets. Trails are more difficult for preservation because of the use of walkers, bikers and roller bladders.
3. Will this fit the home developments prior environmental impact study so that we avoid any additional cost into the future?
 - a. **Staff Response:** The layout of the trail is in line with the approved preliminary plan which was used for all design associated with the creek restoration project. There are not any additional environmental impacts anticipated because of this proposed trail. The trail passes through a portion of the stream restoration area. The disturbed limits within the restoration area will need to be restored to existing conditions upon completion of trail construction.
4. I assume the City will be responsible for future maintenance or have we reached an agreement with the homeowners association or Unit 5 for their help on this project?
 - a. **Staff Response:** The City would be responsible for the trail maintenance moving forward. The policy for snow removal on the trail limits this practice to 4 sections of the trail. Upon completion of this section of trail, staff will review the need for snow removal. This section will likely be a logical section for snow removal based on being a safe route to school for the students at Benjamin Elementary. However, the decision would be made at a future time. The City would be responsible for the trail maintenance moving forward.

Alderman: Jim Fruin

Item 7C: Text Amendment to Chapter 6. Alcoholic Beverages, Section 7A Classification regarding EA and EB, (Entertainment and ST, (Stadium), New Classifications and Changes to RA and RB (Restaurant) Classifications.

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Comments:

1. We appear to be making progress with the management of our various Liquor concerns in the Downtown. We have recently adopted a Downtown Plan, and we not have new License language in front of us tonight. I also understand we plan to address License fees in early 2014 to help offset our operating nightclub expenses.
2. What we're lacking is a communication statement to the public, the residents, prospective business interests, investors etc., as to what the Liquor Commission and City Council will and will not allow. For example, will we allow a Jazz Club, a Piano Bar, etc., and if so, are there any location restrictions? Until we formally define our specific interests, it is unlikely we will see any prospective businesses come forward. They will not be inclined to invest their time and expense, without knowing the COB stance on new food, drink, and entertainment venues.
3. Finally, I will add my long standing opinion that if we want to help the Coliseum and BCPA be successful and to help reduce our significant financial subsidy to each venue, we need to encourage and promote responsible and accountable "Food and Drink" venues for people to visit before and after our Downtown entertainment events. We have the choice of trying to keep Entertainment patrons Downtown or see them leave for another Bloomington/Normal location.
4. I would suggest that the Mayor and City Manager work together to formalize a statement that can be communicated via our website. It would be helpful to all. Thank-you.

Staff Response: None.

Alderman: David Sage

Item 7C: Text Amendment to Chapter 6. Alcoholic Beverages, Section 7A Classification regarding EA and EB (Entertainment), and ST, (Stadium), New Classifications and Changes to RA and RB (Restaurant) Classifications.

Questions/Comments: As these are intended for the Liquor Commission, the email is addressed to the Mayor.

1. Appreciate the time spend gathering public input on the proposals. Thanks for the comment concerning continued moratorium.
2. Does the Liquor Commission believe:
 - a. All known concerns expressed by downtown businesses and the public concerning underage enforcement have been addressed? Naturally as we go forward we'll likely find needed revisions, but are the known issues fully addressed?
3. As a follow-up, perhaps in 6-12 months needs to be scheduled to review for any needed changes? Recently we've tried to be more proactive in scheduling these checkpoints for other decisions.
4. There are adequate processes in place to monitor and measure the alcoholic and non-alcoholic revenue streams?

Response from Mayor Renner: Yes, the Mayor met with several stakeholders and the Bar Owners Association before the Public Hearing. The Commission and legal counsel incorporated many of their concerns into the drafted ordinance – mainly tightening up the Entertainment license definition. A formal review was not specifically scheduled but the Commission did anticipate a review in 6-12 months as well as a continuous monitoring of the situation. We request an annual report of receipts for those with restaurant and entertainment licenses but, in the event of particular concerns, we can request them after each quarter. The Commission sought to strike a balance between the need to enforce the ordinance and the desire not to be too burdensome on legitimate businesses.

Prepared by: Barbara J. Adkins, Deputy City Manager