

Council Questions/Comments and Staff Responses Report for March 24, 2014

as of March 24, 2014 at 3:50 p.m.

GENERAL COMMENTS:

Alderman: Rob Fazzini. I would prefer to receive the entire package at one time rather than getting portions separately at later dates, e.g., Luther Oaks and The Chateau.

Staff Response: The Luther Oaks Special Use petition was originally filed in December 2013 and was scheduled for the February 19, 2014 ZBA meeting. Due to discussions regarding secondary emergency access viability, the petition was held over until the March 19, 2014 ZBA meeting. The petitioner requested that staff act on this item during March 2014. In an attempt to accommodate the petitioner, the item was scheduled for the March 24, 2014 Council meeting. As material for this agenda item would not be available until after the March 19 ZBA meeting could be processed, it could not be included with the main packet for distribution. Such an unusual circumstance occurs rarely.

CONSENT AGENDA

Alderman: Rob Fazzini

Item 6E. Replacement of Tractor and Front End Loader for Parks, Recreation and Cultural Arts Department.

Question/Comment: Why were there no competitive bids?

Staff Response: The motion for this item was to recommend that the purchase one (1) Kubota M9960HDC and one (1) LA1353A Quick Attach Front Loader from Nord Outdoor Power, Bloomington, IL using the National Joint Powers Alliance Contract Number 070313-KBA be approved, in the amount of \$55,768.30, and the Procurement Manager be authorized to issue a Purchase Order.

This item is recommended for purchase through a Joint Purchase Agreement. This information is found in the Recommendation/Motion paragraph at the top of the memo. The National Joint Powers Alliance Contract Number 070313-KBA is pre-bid contract that is available to the City to aid in locating the most affordable pricing available. According to Chapter 16, Section 50, "In cases where the goods or services have already been approved through a state competitive bidding process or are being purchased through a joint purchase agreement with one or more governmental units, the City Council may approve the purchase without the request of a Resolution waiving the bidding process."

Alderman: Rob Fazzini

Item 6F. Vehicle Replacements for the Water Department.

Question/Comment: Why were there no competitive bids?

Staff Response: The motion for this item was to recommend that the purchase of two (2) Ford Transit Connects from Curry Motors, Frankfort, IL using the Northwest Suburban Purchasing Cooperative Contract Number 139 be approved, in the amount of \$43,492, and the Procurement Manager be allowed to issue a Purchase Order.

This item is recommended for purchase through a Joint Purchase Agreement. This information is found in the Recommendation/Motion paragraph at the top of the memo. The Northwest Suburban Purchasing Cooperative Contract Number 139 is pre-bid contract that is available to the City to aid in locating the most affordable pricing available. According to Chapter 16, Section 50, "In cases where the goods or services have already been approved through a state competitive bidding process or are being purchased through a joint purchase agreement with one or more governmental units, the City Council may approve the purchase without the request of a Resolution waiving the bidding process."

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REGULAR AGENDA

Alderman: Rob Fazzini

Item 7C-c. Bloomington Chateau Partners, LLC (“BCP”), d/b/a The Chateau, Tax Repayment Agreement for Hotel/Motel Tax.

Question/Comment: Is there a flaw in our system that allows a company to become \$205,775.43 in arrears? This obviously took significant time of our Legal and Finance Department personnel, and it does not seem like good practice to allow a business to continue not paying its debts. Why did we not exercise our remedies much earlier?

Staff Response: This is an area that underwent careful review and staff is recommending better practices going forward. As to the specific case, the turnover in the Finance Department appeared to allow this arrearage to grow over a number of years. The Finance Department now has a dedicated staff person that tracks this and other tax collections. In addition, the Finance Department is now working closely with the Legal Department to ensure that such arrearages do not escalate. The new internal procedures require greater communication between the departments. It also provides an arrearage that lasts in excess of sixty (60) days be forwarded to the Legal Department for action. The ordinance clarifying the penalties for failing to timely pay any City tax also now clearly allows the City to file tax liens on arrearages and to take other enforcement actions. Finally, the ordinance clarifies the penalties and interest to be charged which had not been well detailed in the past. In dealing with the Chateau, we have ensured that they are paying a substantial financial cost for the arrearage and that no other business will find such an arrangement appealing.

Prepared by: Tracey Covert, City Clerk