



CITY OF
BLOOMINGTON
COUNCIL MEETING
JUNE 10, 2019



COMPONENTS OF THE COUNCIL AGENDA

RECOGNITION AND PROCLAMATION

This portion of the meeting recognizes individuals, groups, or institutions publically, as well as those receiving a proclamation, or declaring a day or event.

PUBLIC COMMENT

Each regular City Council meeting shall have a public comment period not to exceed 30 minutes. Every speaker is entitled to speak for up to 3 minutes. To be considered for public comment, please complete a public comment card at least 5 minutes prior to the start of the meeting. The Mayor will randomly draw from the cards submitted. Public comment is a time to give comment. It is not a question and answer period and the City Council does not respond to public comments. Speakers who engage in threatening or disorderly behavior will have their time ceased.

CONSENT AGENDA

All items under the Consent Agenda are considered to be routine in nature and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member, City Manager or Corporation Counsel so requests; in which event, the item will be removed from the Consent Agenda and considered in the Regular Agenda, which typically begins with Item No. 8.

The City's Boards and Commissions hold Public Hearings prior to some Council agenda items appearing on the Council's Meeting Agenda. Persons who wish to address the Council should provide new information that is pertinent to the issue before them.

PUBLIC HEARING

Items that require receiving public testimony will be placed on the agenda and noticed as a Public Hearing. Individuals have an opportunity to provide public testimony on those items that impact the community and/or residence.

REGULAR AGENDA

All items that provide the Council an opportunity to receive a presentation, ask questions of City Staff, seek additional information, or deliberate prior to making a decision will be placed on the Regular Agenda.

MAYOR AND COUNCIL MEMBERS

Mayor, At-Large - Tari Renner

City Council Members

- Ward 1 - Jamie Mathy
- Ward 2 - Donna Boelen
- Ward 3 - Mboka Mwilambwe
- Ward 4 - Julie Emig
- Ward 5 - Joni Painter
- Ward 6 - Jenn Carrillo
- Ward 7 - Scott Black
- Ward 8 - Jeff Crabill
- Ward 9 - Kim Bray

City Manager - Tim Gleason

Deputy City Manager - Billy Tyus

CITY LOGO DESIGN RATIONALE

The **CHEVRON** Represents:
Service, Rank, and Authority
Growth and Diversity
A Friendly and Safe Community
A Positive, Upward Movement and
Commitment to Excellence!

MISSION, VISION, AND
VALUE STATEMENT

MISSION

To Lead, Serve and Uplift the
City of Bloomington

VISION

A Jewel of the Midwest Cities

VALUES

Service-Centered,
Results-Driven,
Inclusive

STRATEGIC PLAN GOALS

- ❖ Financially Sound City Providing Quality Basic Services
- ❖ Upgrade City Infrastructure and Facilities Grow the Local Economy
- ❖ Strong Neighborhoods
- ❖ Great Place - Livable, Sustainable City
- ❖ Prosperous Downtown Bloomington

AGENDA



CITY COUNCIL MEETING AGENDA
CITY HALL COUNCIL CHAMBERS
109 EAST OLIVE STREET, BLOOMINGTON, IL 61701
MONDAY, JUNE 10, 2019, 6:00 PM

1. Call to order
2. Pledge of Allegiance to the Flag
3. Remain Standing for a Moment of Silent Prayer
4. Roll Call
5. Recognition/Appointments
 - A. Proclamation recognizing the 100th Anniversary of the national Easterseals organization, as well as that of Easterseals Central Illinois.
 - B. Proclamation celebrating Juneteenth in the City of Bloomington, IL.
 - C. Proclamation commemorating the 50th anniversary of the Stonewall Riots and the resultant modern gay rights movement that has brought greater equality for our LGBTQIA+ communities.
 - D. Proclamation recognizing June 22 and 23 as Central Illinois Amateur Radio Field Day.
 - E. Recognition of Jason Harden's Completion of the Illinois Public Service Institute.
 - F. Recognition and presentation of Certificates to the Bloomington 101 Spring 2019 Class: Jessica Ackley, Ed Breitweiser, Emily Breitweiser, Jennifer Brown, Brittany Burton, Levi Burton, Morgan Casey, Dan Cochran, Scott McCoy, Ina Perkins, Deb Rodi, Andrew Salmonson, Ashlee Sang, Aleya Staggs, Denny Stanton, Tammy Stanton, De Urban, Kendra Wackt, and Mike Nash.
6. Public Comment
7. Consent Agenda
 - A. Consideration and action to approve the Minutes of the May 28, 2019 Regular City Council Meeting, as requested by the City Clerk Department. *(Recommended Motion: The proposed minutes be approved.)*
 - B. Consideration and action to approve Bills, Payroll, Electronic Transfers, and Procurement Card Purchases in the amount of \$7,762,354.39, as requested by the Finance Department. *(Recommended Motion: The proposed Bills, Payroll, Electronic Transfers, and Procurement Card Purchases be approved.)*
 - C. Consideration and action to approve the annual software maintenance, System Upgrade Agreement II, and the upgrade and support payment with Motorola Solutions in the amount of \$73,282.58, for the digital trunked radio system used by the Police and Fire Department's Communications Center, as requested

- by the Police Department. *(Recommended Motion: The proposed agreement and payment be approved.)*
- D. Consideration and action to approve the Communications System and Services Agreement with Motorola Solutions in the amount of \$1,274,839.72, for the replacement of portable, mobile, and other radio systems used by the Police Department, as requested by the Police Department. *(Recommended Motion: The proposed agreement and payment be approved.)*
 - E. Consideration and action on an Ordinance Approving a Cable Television Franchise Agreement by and between the City of Bloomington and Comcast of Illinois/Indiana/Ohio, LLC, thereby Granting the Franchise, Right, Permission, and Authority to Construct, Operate, and Maintain a Cable System in the City of Bloomington, County of McLean and State of Illinois, as requested by the City Clerk Department. *(Recommended Motion: The proposed Ordinance be approved.)*
 - F. Consideration and action on a Resolution Approving Acceptance of the Illinois Housing Development Authority's (IHDA) Abandoned Property Program in the amount of \$73,000, and an Ordinance Amending the Budget Ordinance for the Fiscal Year Ending April 30, 2020 in the amount of \$73,000, as requested by the Community Development Department. *(Recommended Motion: The proposed Resolution and Ordinance be approved.)*
 - G. Consideration and action on an Ordinance Suspending Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the City Code Prohibiting Alcohol on Public Property at the Davis Lodge on June 22, 2019, to allow moderate consumption of alcohol, as requested by the City Clerk Department. *(Recommended Motion: The proposed Ordinance be approved.)*
 - H. Consideration and action on an Ordinance Suspending Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the City Code Prohibiting Alcohol on Public Property as Pertains to the Davis Lodge on July 20, 2019 to allow moderate consumption of alcohol, as requested by the City Clerk Department. *(Recommended Motion: The proposed Ordinance be approved.)*
 - I. Consideration and action on an Ordinance Suspending Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the City Code Prohibiting Alcohol on Public Property as Pertains to the Davis Lodge on August 17, 2019 to allow moderate consumption of alcohol, as requested by the City Clerk Department. *(Recommended Motion: The proposed Ordinance be approved.)*
 - J. Consideration and action on an Ordinance Suspending Portions of Section 26(d) of Chapter 6 of the City Code of the Bloomington City Code Prohibiting Possession of Open Alcohol in Public for the Black Dirt Music Festival on Saturday, July 27, from 4:00 PM to 10:30 PM, as requested by the City Clerk Department. *(Recommended Motion: The proposed Ordinance be approved.)*
 - K. Consideration and action on an Ordinance Suspending Section 26(d) of Chapter 6 of the Bloomington City Code prohibiting alcohol in public for the

Bloomington Normal Sunrise Rotary's Brats & Bags festival on Friday, August 2, 2019, from 4:00 PM to 10:00 PM in Downtown Bloomington on Jefferson Street between Main Street and Center Street and on Main Street between Jefferson Street and Washington Street; and on the request from the organization for a Class LB liquor license, which allows the sale of beer and wine by the glass for consumption on the premises on the date of the event, as requested by the City Clerk Department. *(Recommended Motion: The proposed Ordinance and request be approved.)*

- L. Consideration and action on the application of MBD Bros, LLC d/b/a Iron Coyote Challenge Park, located at 4113 E. Oakland Ave., requesting a Class RBS (Restaurant/Beer and Wine/Sunday Sales) liquor license, which would allow the sale of beer and wine by the glass for consumption on the premises seven (7) days a week, as requested by the City Clerk Department. *(Recommended Motion: The application and license be approved.)*
- M. Consideration and action on the application of Two Cherries, LLC d/b/a The Pass Pub and Grill, located at 2303 E. Washington, Suite 600 H, requesting a Class RAS (Restaurant/All Types/Sunday Sales) liquor license, which would allow the sale of all types of alcoholic liquor by the glass for consumption on the premises seven (7) days a week, as requested by the City Clerk Department. *(Recommended Motion: The proposed application and license be approved.)*
- N. Consideration and action on the application of R. J. Just, Inc. d/b/a Rob Dobs Restaurant and Bar, located at 801 N. Hershey Rd., requesting a Class RAPS (Restaurant/All Types/Package/Sunday Sales) liquor license, which would allow the sale of all types of alcoholic liquor by the glass for consumption on the premises and sale of packaged alcoholic liquor for consumption off premises seven (7) days a week, as requested by the City Clerk Department. *(Recommended Motion: The proposed license be approved.)*
- O. Consideration and action on a Lake Bloomington Lease Transfer of Lot 1, Block 21 in Camp Potawatomie, from Vicken and Sally Chalian to the petitioner, Mark and Karen Oostman, as requested by the Public Works Department. *(Recommended Motion: The proposed Lease Transfer be approved.)*
- P. Consideration and action to approve the Lake Lot Amendment Agreement and revised plat map for Lots 7, 8, and 9 in Block 3, in Camp Kickapoo at Lake Bloomington to accurately reflect lot boundaries, as requested by the Public Works Department. *(Recommended Motion: The proposed Lake Lot Amendment and revised plat map be approved.)*

8. Regular Agenda

- A. Consideration and action to ratify a Contract with Laborers Local 362 - Inspectors, as requested by the Human Resources, Community Development, and Police Departments. *(Recommended Motion: The proposed Contract be ratified.) (Brief overview by Tim Gleason, City Manager, 3 minutes; and City Council discussion, 3 minutes.)*

- B. Consideration and action to ratify a Contract with Laborers Local 362 - Parking Enforcement, as requested by the Human Resources and Administration Departments, Facilities Division. *(Recommended Motion: The proposed Contract be ratified.) (Brief overview by Tim Gleason, City Manager, 3 minutes; and City Council discussion, 3 minutes.)*
- C. Consideration and action to ratify a Contract with Laborers Local 362 - Support Staff, as requested by the Human Resources Department and majority of the other City Departments. *(Recommended Motion: The proposed Contract be ratified.) (Brief overview by Tim Gleason, City Manager, 3 minutes; and City Council discussion, 3 minutes.)*

- 9. City Manager's Discussion
- 10. Mayor's Discussion
- 11. Council Member's Discussion
- 12. Executive Session - *Cite Section*
- 13. Adjournment
- 14. Notes

RECOGNITIONS



Council Date: June 10, 2019

COUNCIL AGENDA ITEM NO. 5

Recognition/Appointments

- A. Proclamation recognizing the 100th Anniversary of the national Easterseals organization, as well as that of Easterseals Central Illinois.
- B. Proclamation celebrating Juneteenth in the City of Bloomington, IL.
- C. Proclamation commemorating the 50th anniversary of the Stonewall Riots and the resultant modern gay rights movement that has brought greater equality for our LGBTQIA+ communities.
- D. Proclamation recognizing June 22 and 23 as Central Illinois Amateur Radio Field Day.
- E. Recognition of Jason Harden's Completion of the Illinois Public Service Institute.
- F. Recognition and presentation of Certificates to the Bloomington 101 Spring 2019 Class: Jessica Ackley, Ed Breitweiser, Emily Breitweiser, Jennifer Brown, Brittany Burton, Levi Burton, Morgan Casey, Dan Cochran, Scott McCoy, Ina Perkins, Deb Rodi, Andrew Salmonson, Ashlee Sang, Aleya Staggs, Denny Stanton, Tammy Stanton, De Urban, Kendra Wackt, and Mike Nash.

CONSENT AGENDA



CONSENT AGENDA ITEM NO: 7A

FOR COUNCIL: June 10, 2019

SPONSORING DEPARTMENT: City Clerk

SUBJECT: Consideration and action to approve the Minutes of the May 28, 2019 Regular City Council Meeting, as requested by the City Clerk Department.

RECOMMENDED MOTION: The proposed minutes be approved.

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 minutes of the meetings provided 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 thirty (30) days after the meeting or at the second subsequent regular meeting whichever is later.

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

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: N/A

COMMUNITY DEVELOPMENT IMPACT: N/A

FUTURE OPERATIONAL COST ASSOCIATED WITH NEW FACILITY CONSTRUCTION: N/A

Respectfully submitted for Council consideration.

Prepared by: Leslie Yocum, City Clerk

Recommended by:

A handwritten signature in black ink, appearing to read "Tim Gleason".

Tim Gleason,
City Manager

Attachments:

- CLK 1A Council Minutes May 28, 2019



CONSENT AGENDA ITEM: 7B

FOR COUNCIL: June 10, 2019

SPONSORING DEPARTMENT: Finance

SUBJECT: Consideration and action to approve Bills, Payroll, Electronic Transfers, and Procurement Card Purchases in the amount of \$7,762,354.39, as requested by the Finance Department.

RECOMMENDED MOTION: The proposed Bills, Payroll, Electronic Transfers, and Procurement Card Purchases be approved.

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: Bills, Payroll, and Electronic Transfers, on file in the City Clerk's Department, available at www.cityblm.org.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: Total disbursements to be approved \$7,762,354.39 (Payroll total \$2,460,699.34, Accounts Payable total \$3,899,749.22, Electronic Transfers total \$1,401,905.83).

COMMUNITY DEVELOPMENT IMPACT: N/A

FUTURE OPERATIONAL COST ASSOCIATED WITH NEW FACILITY CONSTRUCTION: N/A

Respectfully submitted for Council consideration.

Prepared By: Frances Watts, Accounts Payable
Reviewed By: Scott Rathbun, Finance Director

Recommended By:

A handwritten signature in black ink, appearing to read "Tim Gleason", written over a horizontal line.

Tim Gleason
City Manager

Attachment:

- FIN 1A - Summary Sheet Bills, Payroll, Electronic Transfers. Bills & Payroll 061019

CITY OF BLOOMINGTON FINANCE REPORT

| PAYROLL | | | | | |
|---------------------------------|-------------------|------------------------------|-------------------------|--------------------------|--|
| Date | Gross Pay | Employer Contribution | Totals | | |
| 5/24/2019 | \$ 1,948,360.98 | \$ 498,605.93 | \$ 2,446,966.91 | | |
| 5/24/2019 | \$ 11,674.26 | \$ 2,058.17 | \$ 13,732.43 | | |
| Off Cycle Adjustments | | | | | |
| | | PAYROLL GRAND TOTAL | \$ 2,460,699.34 | | |
| ACCOUNTS PAYABLE (WIRES) | | | PCARDS | | |
| Date | Bank | Total | Date Range | Total | |
| 6/10/2019 | AP General | \$ 3,641,329.21 | | | |
| | AP JM Scott | | | | |
| 6/10/2019 | AP Comm Devel | \$ 26,319.20 | | PCARD GRAND TOTAL | |
| 6/10/2019 | AP IHDA | \$ 1,201.90 | | | |
| 6/10/2019 | AP Library | \$ 49,084.73 | | | |
| 6/10/2019 | AP MFT | \$ 14,258.14 | | | |
| 5/23/2019-6/3/2019 | Out of Cycle | \$ 167,556.04 | | | |
| 3/4/2019-5/22/2019 | AP Bank Transfers | \$ 1,401,905.83 | | | |
| AP GRAND TOTAL | | \$ 5,301,655.05 | | | |
| | | TOTAL | | \$ 7,762,354.39 | |
| | | | Respectfully, | | |
| | | | F. Scott Rathbun | | |
| | | | Finance Director | | |



CITY OF
Bloomington ILLINOIS
CONSENT AGENDA ITEM NO. 7C

FOR COUNCIL: June 10, 2019

SPONSORING DEPARTMENT: Police

SUBJECT: Consideration and action to approve the annual software maintenance, System Upgrade Agreement II, and the upgrade and support payment with Motorola Solutions in the amount of \$73,282.58, for the digital trunked radio system used by the Police and Fire Department's Communications Center, as requested by the Police Department.

RECOMMENDED MOTION: The proposed agreement and payment be approved.

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

STRATEGIC PLAN SIGNIFICANCE: Objective 1d. City service deliver in the most cost effective & efficient manner.

BACKGROUND: This agreement provides the City with a comprehensive service and support package covering the digital trunked radio system that is operated by the Communications Center. This radio system provides reliable radio communications for the City Police, Fire, Public Works, and Water departments. The radio system is critical to the function of the above mentioned operational departments of the City. The radio system allows field personnel to efficiently and effectively communicate and coordinate operations while providing vital services to the citizens of Bloomington. The City has a long term and established relationship with Motorola Solutions and their authorized manufacturer and are asking for consideration of a limited source justification due to the prior investment and critical need for uninterrupted and reliable communications.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: Funds are included in the FY 2020 Budget under the Police Communications Center Other Professional and Technical Account (10015118-70220). Stakeholders can locate this in the FY 2020 Proposed Budget Book titled "Budget Overview & General Fund" on page 191.

COMMUNITY DEVELOPMENT IMPACT: N/A

FUTURE OPERATIONAL COST ASSOCIATED WITH NEW FACILITY CONSTRUCTION: N/A

Respectfully submitted for Council consideration.

Prepared By: Darren R. Wolf, Communications Center Manager

Reviewed By: Clay E. Wheeler, Chief of Police

Finance & Budgetary Review By: Chris Tomerlin, Budget Manager
Scott Rathbun, Finance Director

Legal Review By: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:

A handwritten signature in black ink, appearing to read 'Tim Gleason', written over a horizontal line.

Tim Gleason
City Manager

Attachments:

- BPD 2B Limited Source Justification Motorola
- BPD 2C Invoice Motorola
- BPD 2D System Upgrade Agreement Motorola
- BPD 2E Preventive Maintenance Motorola
- BPD 2F Infrastructure Repair Motorola
- BPD 2G Network Monitoring Motorola
- BPD 2H Technical Support Motorola
- BPD 2I Local Infrastructure Repair Motorola
- BPD 2J Gold Maintenance Motorola
- BPD 2K Onsite Support Motorola



CONSENT AGENDA ITEM NO. 7D

FOR COUNCIL: June 10, 2019

SPONSORING DEPARTMENT: Police

SUBJECT: Consideration and action to approve the Communications System and Services Agreement with Motorola Solutions in the amount of \$1,274,839.72, for the replacement of portable, mobile, and other radio systems used by the Police Department, as requested by the Police Department.

RECOMMENDED MOTION: The proposed agreement and payment be approved.

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

STRATEGIC PLAN SIGNIFICANCE: Objective 1d. City service deliver in the most cost effective & efficient manner.

BACKGROUND: This agreement provides for the replacement of portable and mobile radios used to facilitate the day to day operations of the Police Department. The radios being replaced were originally purchased in 2011 and the model being replaced is no longer manufactured and will no longer be serviced or supported by Motorola Solutions at the end of 2019. The agreement also includes updates to radio consoles and provides for site infrastructure enhancements to improve coverage in the Bloomington-Normal metro area. The City has a long term and established relationship with Motorola Solutions and their authorized manufacturer and are asking for consideration of a limited source justification due to the prior investment and critical need for uninterrupted and reliable communications.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: Funds are included in the FY 2020 Budget under the Capital Lease - Capital Outlay Office & Computer Equipment account (40110141-72120). This purchase is budgeted as a 10 year lease. Stakeholders can locate this in the FY 2020 Proposed Budget Book titled "Other Funds & Capital Improvements" on pages 69, 72 and 159.

COMMUNITY DEVELOPMENT IMPACT: N/A

FUTURE OPERATIONAL COST ASSOCIATED WITH NEW FACILITY CONSTRUCTION: N/A

Respectfully submitted for Council consideration.

Prepared By: Darren R. Wolf, Communications Center Manager

Reviewed By: Clay E. Wheeler, Chief of Police

Finance & Budgetary Review By:

Chris Tomerlin, Budget Manager
Scott Rathbun, Finance Director

Legal Review By:

Jeffrey R. Jurgens, Corporation Counsel

Recommended by:

A handwritten signature in black ink, appearing to read 'T. Gleason', with a stylized flourish at the end.

Tim Gleason
City Manager

Attachments:

- BPD 3B Limited Source Justification Motorola
- BPD 3C Equipment List BPD
- BPD 3D Services Agreement Motorola



CONSENT AGENDA ITEM NO. 7E

FOR COUNCIL: June 10, 2019

SPONSORING DEPARTMENT: City Clerk

SUBJECT: Consideration and action on an Ordinance Approving a Cable Television Franchise Agreement by and between the City of Bloomington and Comcast of Illinois/Indiana/Ohio, LLC, thereby Granting the Franchise, Right, Permission, and Authority to Construct, Operate, and Maintain a Cable System in the City of Bloomington, County of McLean and State of Illinois, as requested by the City Clerk Department.

RECOMMENDED MOTION: The proposed Ordinance be approved.

STRATEGIC PLAN LINK: Goal 1. Financially Sound City Providing Quality Basic Services.

STRATEGIC PLAN SIGNIFICANCE: Objective 1e. Partnering with others for the most cost-effective service delivery.

BACKGROUND: Cable television companies enter into agreements with municipalities which permit the cable companies to use rights of way for their cables in return for payments for that privilege. Although they are referred to as "franchise" agreements, the term is somewhat misleading because the cable company does not receive a promise that they will be the only cable company permitted to operate within that municipality. Any company which desires to "overbuild" (that is, to install their own equipment in the right of way) would be entitled to operate provided that it enters into a similar agreement. In this regard, a "cable franchise" agreement is more comparable to a rental agreement for the use of municipal right of way.

The agreement provides that Comcast will pay the City an annual franchise fee of five percent (5%) of Comcast's annual gross revenue collected in Bloomington. Comcast must also provide complimentary basic cable service and a free standard installation of one outlet to all City and school buildings. Comcast will provide and maintain an "Emergency Alert System" consistent with state and federal standards, as well as broadcast, without charge, the City's Public, Educational and Governmental ("PEG") Access Programming. This PEG channel will be shared with the Town of Normal. The City is in charge of regulating the channel's content in partnership with the Town of Normal. The City may allow the channel to be used for other non-commercial uses in the community such as by educational institutions and/or organizations. Comcast is not required to produce programs for the channel, but Comcast must host the channel for free.

The City was mindful of issues surrounding underground boring in rights of way during negotiation of the agreement. The agreement includes language focused on customer service, repairs arising from sewers and other lines hit by accident, and costs of beautifying rights of way following installation or repair projects.

The term of the agreement is for ten (10) years.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Town of Normal and Illinois State University.

FINANCIAL IMPACT: Comcast will pay a franchise fee in an amount equal to five percent (5%) of annual Gross Revenues received from the operation of the cable system to provide cable service in the franchise area. In FY 2019, the City is projected to collect a franchise fee of \$946,133.09. Stakeholders can locate this in the FY 2020 Proposed Budget Book titled "Budget Overview & General Fund" on page 110. These funds are used to support operations within the General Fund.

COMMUNITY DEVELOPMENT IMPACT: N/A

FUTURE OPERATIONAL COST ASSOCIATED WITH NEW FACILITY CONSTRUCTION: N/A

Respectfully submitted for Council consideration.

Prepared By: Leslie Yocum, City Clerk

Finance & Budgetary Review By: Chris Tomerlin, Budget Manager
Scott Rathbun, Finance Director

Legal Review By: Alan Jedlicka, Sorling Northrup

Recommended by:



Tim Gleason
City Manager

Attachments:

- CLK 1B Ordinance 2019-41 Comcast Franchise
- CLK 1C Agreement Comcast Franchise



CONSENT AGENDA ITEM NO. 7F

FOR COUNCIL: June 10, 2019

SPONSORING DEPARTMENT: Community Development - Office of Grants Administration

SUBJECT: Consideration and action on a Resolution Approving Acceptance of the Illinois Housing Development Authority's (IHDA) Abandoned Property Program in the amount of \$73,000, and an Ordinance Amending the Budget Ordinance for the Fiscal Year Ending April 30, 2020 in the amount of \$73,000, as requested by the Community Development Department.

RECOMMENDED MOTION: The proposed Resolution and Ordinance be approved.

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 level of services.

BACKGROUND: The City has a history of participating in various IHDA grant programs such as the Abandoned Property Program (APP). The City has received grant awards through three previous rounds of the APP program totaling more than \$185,000. The current award provides an additional \$73,000 in funding. Through this program, the City is able to support demolition and property maintenance activities at vacant, abandoned properties within the corporate limits of Bloomington. Round 2 and 3 funding has supported eligible activities at more than 20 properties around the City. Eligible activities include but are not limited to: mowing/trimming grass and weeds, debris cleanup, securing properties (board ups), pest removal/prevention and demolitions. Each property is evaluated for rehabilitation potential before approved for demolition. Properties at which demolition activities occur will be donated to local not-for-profit organizations such as Habitat for Humanity for construction of new, affordable housing when appropriate.

Due to the timing of the APP grant application and award notice, staff did not originally include the grant funding in the FY2020 budget. In order to move forward with the program, funds in the amount of \$73,000 must be appropriated for use. APP expenses are reimbursed at 100% with no match required. Revenues will match expenses.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: If approved, grant revenues will increase directly in relation to the expenditures resulting in a "net zero" financial impact to the City's General Fund. Please see Exhibit 1D for the accounts related to the budget amendment to accept and manage this grant.

COMMUNITY DEVELOPMENT IMPACT: Goal H–1.2. Ensure an adequate supply of affordable housing for low to moderate income residents; Objective H-1.2b Work with community partners like Habitat for Humanity, MCCA and Bloomington Housing Authority to have a collective impact on affordable housing issues.

FUTURE OPERATIONAL COST ASSOCIATED WITH NEW FACILITY CONSTRUCTION: N/A

Respectfully submitted for Council consideration.

Prepared By: Jennifer Toney, Grants Coordinator

Reviewed By: Bob Mahrt, Community Development Director

Finance & Budgetary Review By: Chris Tomerlin, Budget Manager
Scott Rathbun, Finance Director

Legal Review By: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:



Tim Gleason
City Manager

Attachments:

- CD 1B Resolution 2019 - 42 Abandoned Property Program
- CD 1C Ordinance 2019 - 42 Abandoned Property Grant
- CD 1D Exhibit Budget Amendment
- CD 1E Conditional Commitment Letter



CITY OF
Bloomington ILLINOIS
CONSENT AGENDA ITEM NO. 7G

FOR COUNCIL: June 10, 2019

SPONSORING DEPARTMENT: City Clerk

SUBJECT: Consideration and action on an Ordinance Suspending Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the City Code Prohibiting Alcohol on Public Property at the Davis Lodge on June 22, 2019, to allow moderate consumption of alcohol, as requested by the City Clerk Department.

RECOMMENDED MOTION: The proposed Ordinance be approved.

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: On May 14, 2019, Bloomington Liquor Commissioner, Tari Renner, called a hearing before the Bloomington Liquor Commission to hear a request from Brittney Glendenning and Zachary Castleman to allow moderate consumption of alcohol on June 22, 2019, for their wedding reception to be held at Davis Lodge.

Commissioners present: Tari Renner, Lindsey Powell, and Jim Jordan.

Staff present: George Boyle, Asst. Corporation Counsel; Asst. Police Chief Dan Donath; and Leslie Yocum, City Clerk.

Zachary Castleman, the groom, addressed the Commission. He told the Commission that approximately 120 guests are anticipated to attend the event which would be catered by The Alley Bar and Grill from El Paso, IL. He confirmed that only wine and beer would be served and that the event would be held from 4:00 PM to 10:00 PM.

Commissioner Powell made a motion, seconded by Commissioner Jordan, to recommend the City Council approve the request made by Brittney Glendenning and Zachary Castleman including suspension of the appropriate ordinances to allow moderate consumption of alcohol on June 22, 2019, for their wedding reception to be held at Davis Lodge.

Commissioner Renner directed the Clerk to call the roll which resulted in the following:

Ayes: Commissioners Powel, Jordan and Renner.

Nays: None.

Motion carried.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The Agenda for the May 14, 2019 Liquor Commission meeting was placed on the City's website.

FINANCIAL IMPACT: N/A

COMMUNITY DEVELOPMENT IMPACT: N/A

FUTURE OPERATIONAL COST ASSOCIATED WITH NEW FACILITY CONSTRUCTION: N/A

Respectfully submitted for Council consideration.

Prepared By: Amanda Mohan, Records & Licensing Specialist

Reviewed By: Leslie Yocum, City Clerk

Finance & Budgetary Review By: Chris Tomerlin, Budget Manager

Legal Review By: George D. Boyle, Assistant Corporation Counsel

Recommended by:



Tim Gleason
City Manager

Attachments:

- CLK 1B Beer-Wine Application G&C Wedding
- CLK 1C Ordinance 2019 - 43 G&C Wedding



CONSENT AGENDA ITEM NO. 7H

FOR COUNCIL: June 10, 2019

SPONSORING DEPARTMENT: City Clerk

SUBJECT: Consideration and action on an Ordinance Suspending Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the City Code Prohibiting Alcohol on Public Property as Pertains to the Davis Lodge on July 20, 2019 to allow moderate consumption of alcohol, as requested by the City Clerk Department.

RECOMMENDED MOTION: The proposed Ordinance be approved.

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: On May 14, 2019, Bloomington Liquor Commissioner, Tari Renner, called a hearing before the Bloomington Liquor Commission to hear a request from Stephani Hieronymus and Donny Braun to allow moderate consumption of alcohol on July 20, 2019, for their wedding reception to be held at Davis Lodge.

Commissioners present: Tari Renner, Lindsey Powell, and Jim Jordan.

Staff present: George Boyle, Asst. Corporation Counsel; Asst. Police Chief Dan Donath; and Leslie Yocum, City Clerk.

Stephani Hieronymus, bride-to-be, addressed the Commission. She told the Commission that approximately 90 guests are anticipated to attend the event which would be catered by Redbird Catering. She confirmed that only wine and beer would be served and that the event would be held from 4:00 PM to 9:00 PM.

Commissioner Powell made a motion, seconded by Commissioner Jordan, to recommend the City Council approve the request made by Stephani Hieronymus and Donny Braun, including suspension of the appropriate ordinances to allow moderate consumption of alcohol on July 20, 2019, for their wedding reception to be held at Davis Lodge.

Commissioner Renner directed the Clerk to call the roll which resulted in the following:

Ayes: Commissioners Powell, Jordan and Renner.

Nays: None.

Motion carried.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The Agenda for the May 14, 2019 Liquor Commission meeting was placed on the City's website.

FINANCIAL IMPACT: N/A

COMMUNITY DEVELOPMENT IMPACT: N/A

FUTURE OPERATIONAL COST ASSOCIATED WITH NEW FACILITY CONSTRUCTION: N/A

Respectfully submitted for Council consideration.


Prepared By: Amanda Mohan, Records & Licensing Specialist

Reviewed By: Leslie Yocum, City Clerk

Finance & Budgetary Review By: Chris Tomerlin, Budget Manager

Legal Review By: George D. Boyle, Assistant Corporation Counsel

Recommended by:



Tim Gleason
City Manager

Attachments:

- CLK 2B Beer-Wine Application H&B Wedding
- CLK 2C Ordinance 2019-45 H&B Wedding



CITY OF
Bloomington ILLINOIS
CONSENT AGENDA ITEM NO. 71

FOR COUNCIL: June 10, 2019

SPONSORING DEPARTMENT: City Clerk

SUBJECT: Consideration and action on an Ordinance Suspending Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the City Code Prohibiting Alcohol on Public Property as Pertains to the Davis Lodge on August 17, 2019, to allow moderate consumption of alcohol, as requested by the City Clerk Department.

RECOMMENDED MOTION: The proposed Ordinance be approved.

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: On May 14, 2019, Bloomington Liquor Commissioner, Tari Renner, called a hearing before the Bloomington Liquor Commission to hear a request from Lacey Steidl and Brian Fulks to allow moderate consumption of alcohol on August 17, 2019, for their wedding reception to be held at Davis Lodge.

Commissioners present: Tari Renner, Lindsey Powell, and Jim Jordan.

Staff present: George Boyle, Asst. Corporation Counsel; Asst. Police Chief Dan Donath; and Leslie Yocum, City Clerk.

Kathy Fulks, bride-to-be's mother, addressed the Commission. She told the Commission that approximately 75 to 80 guests are anticipated to attend the event which would be catered by Nelson's Catering. She confirmed that only wine and beer would be served and that the event would be held from 4:00 PM to 9:30 PM.

Commissioner Powell made a motion, seconded by Commissioner Jordan, to recommend the City Council approve the request made by Lacey Steidl and Brian Fulks including suspension of the appropriate ordinances to allow moderate consumption of alcohol on August 17, 2019, for their wedding reception to be held at Davis Lodge.

Commissioner Renner directed the Clerk to call the roll which resulted in the following:

Ayes: Commissioners Powell, Jordan and Renner.

Nays: None.

Motion carried.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The Agenda for the May 14, 2019 Liquor Commission meeting was placed on the City's website.

FINANCIAL IMPACT: N/A

COMMUNITY DEVELOPMENT IMPACT: N/A

FUTURE OPERATIONAL COST ASSOCIATED WITH NEW FACILITY CONSTRUCTION: N/A

Respectfully submitted for Council consideration.

Prepared By: Amanda Mohan, Records & Licensing Specialist

Reviewed By: Leslie Yocum, City Clerk

Finance & Budgetary Review By: Chris Tomerlin, Budget Manager

Legal Review By: George D. Boyle, Assistant Corporation Counsel

Recommended by:



Tim Gleason
City Manager

Attachments:

- CLK 3B Beer-Wine Application S&F Wedding
- CLK 3C Ordinance 2019-44 S&F Wedding



AGENDA ITEM NO. 7J

FOR COUNCIL: June 10, 2019

SPONSORING DEPARTMENT: City Clerk

SUBJECT: Consideration and action on an Ordinance Suspending Section 26(d) of Chapter 6 of the City Code of the Bloomington City Code Prohibiting Possession of Open Alcohol in Public for the Black Dirt Music Festival on Saturday, July 27, 2019, from 4:00 PM to 10:30 PM, as requested by the City Clerk Department.

RECOMMENDED MOTION: The proposed Ordinance be approved.

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 Commission met on May 14, 2019, to consider a request from The Castle Theater for the suspension of Chapter 6 of the Bloomington City Code prohibiting possession of open alcohol in a public place for the Black Dirt Music Festival on Saturday, July 27, 2019, from 4:00 PM to 10:30 PM. The request being considered, if approved, would close the Government Center parking lot located on East Street between Front Street and Washington Street.

Commissioners present: Tari Renner, Lindsey Powell, and Jim Jordan.

Staff present: George Boyle, Asst. Corporation Counsel; Asst. Police Chief Dan Donath; and Leslie Yocum, City Clerk.

Rory O'Connor, representative for The Castle Theater, testified before the Commission. This event's special event permit lists the event from 8:00 AM until 11:00 PM and the original request for liquor sales was listed as 6:30 PM until 10:30 PM. Mr. O'Connor requested an amendment to the liquor sales schedule. He asked that sales begin at 4:00 PM, as an increased number of bands are expected and the schedule has been bumped up. The Castle Theater has held previous festivals in Downtown Bloomington.

If approved, beer and wine will be sold by The Castle Theater via a secondary liquor license.

The area would be secured and Basset trained personnel would be checking IDs where alcohol would be served.

Assistant Chief Donath had no concerns with the festival as described or the time amendment.

Commissioner Jordan made a motion, seconded by Commissioner Powell, to approve the item.

Ayes: Commissioners Jordan, Powell and Renner.

Nays: None.

Motion carried.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: The festival is a for profit event by a private entity being held on public property. The event organizer in FY 2019 had paid \$3,000 to the City for 3 events (\$1,000 per event) but wound up only holding 2 events. The \$1,000 thus is a credit from FY 2019 that will be applied in Economic Development-Other Miscellaneous Revenue account (10019170-57990) to pay for this event. Stakeholders can locate this in the FY 2020 Proposed Budget titled "Budget Overview & General Fund" beginning on page 246.

COMMUNITY DEVELOPMENT IMPACT: N/A

FUTURE OPERATIONAL COST ASSOCIATED WITH NEW FACILITY CONSTRUCTION: N/A

Respectfully submitted for Council consideration.

Prepared By: Amanda Mohan, Records & Licensing Specialist

Reviewed By: Leslie Yocum, City Clerk

Finance & Budgetary Review By: Chris Tomerlin, Budget Manager
Scott Rathbun, Finance Director

Legal Review By: George D. Boyle, Assistant Corporation Counsel

Recommended by:



Tim Gleason
City Manager

Attachments:

- CLK 4B Special Event Permit Castle
- CLK 4C Map Castle
- CLK 4D Castle Festival Ordinance 2019-46



AGENDA ITEM NO. 7K

FOR COUNCIL: June 10, 2019

SPONSORING DEPARTMENT: City Clerk

SUBJECT: Consideration and action on an Ordinance Suspending Section 26(d) of Chapter 6 of the Bloomington City Code prohibiting alcohol in public for the Bloomington Normal Sunrise Rotary's Brats & Bags festival on Friday, August 2, 2019, from 4:00 PM to 10:00 PM in Downtown Bloomington on Jefferson Street between Main Street and Center Street and on Main Street between Jefferson Street and Washington Street; and on the request from the organization for a Class LB liquor license, which allows the sale of beer and wine by the glass for consumption on the premises on the date of the event, as requested by the City Clerk Department.

RECOMMENDED MOTION: The proposed Ordinance and request be approved.

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 Commission met on May 14, 2019, to consider the request by the Bloomington-Normal Sunrise Rotary, whose event would be held on August 2, 2019 in Downtown Bloomington on Jefferson St. between Main St. and Center St. and on Main St. between Jefferson St. and Washington St., requesting a Class LB liquor license, which allows the sale of beer and wine by the glass for consumption on the premises on the date of the event. The organization was also requesting suspension of that portion of the Bloomington City Code prohibiting possession of alcohol in public for the area in which the event would be held.

Commissioners present: Tari Renner, Lindsey Powell, and Jim Jordan.

Staff present: George Boyle, Asst. Corporation Counsel; Asst. Police Chief Dan Donath; and Leslie Yocum, City Clerk.

Kristen Kubsch and Brian Shoemaker were present as representatives of the Bloomington-Normal Sunrise Rotary Club. Kristen Kubsch spoke on behalf of the event and reminded the Commission this would be the event's eleventh (11th) year, if approved. The event supports Midwest Food Bank, Boys and Girls Club, and other local rotary initiatives. It is a brat lunch from 11:00 AM to 1:00 PM with a bags tournament in the evening from 5:00 PM to approximately 9:30 PM, with beer and wine being served from 4:00 PM to approximately 10:00 PM.

Commissioner Jordan posed questions regarding how the perimeter would be monitored and how many entrances and exits were anticipated. Ms. Kubsch stated that additional volunteers were going to walk around the perimeter to ensure no one was coming in or out with alcohol.

There are no barriers for the perimeter but there would be an I.D. check station manned by BASSET trained staff and guests over 21 years old would receive wristbands. Only guests with wristbands and a beer/wine ticket would be served alcohol.

Catherine Dunlap, City of Bloomington representative who manages Special Event Permits, was asked to make comments on the event by Commissioner Renner. Ms. Dunlap explained the Bloomington Normal Sunrise Rotary Club had already addressed concerns brought up by the City's Special Event Permit Review Team.

Police and Legal had no concerns.

Commissioner Jordan made a motion, seconded by Commissioner Renner, to approve the item.

Ayes: Commissioners Jordan and Renner.

Nays: None.

Recuse: Commissioner Powell

Motion carried.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: In accordance with City Code, on May 3, 2019, public notice was published in the Pantagraph. A total of sixteen (16) courtesy copies of the Public Notice were mailed to businesses adjacent to the event location. The Agenda for the May 14, 2019 meeting of the Liquor Commission was placed on the City's website.

FINANCIAL IMPACT: The license fee for this Class LB liquor license is \$100 for the day, which will be recorded in the Non-Departmental Liquor Licenses account (10010010-51010). Stakeholders can locate this in the FY 2020 Proposed Budget Book titled "Budget Overview & General Fund" on page 110.

COMMUNITY DEVELOPMENT IMPACT: N/A

FUTURE OPERATIONAL COST ASSOCIATED WITH NEW FACILITY CONSTRUCTION: N/A

Respectfully submitted for Council consideration.

Prepared By: Amanda Mohan, Records & Licensing Specialist

Reviewed By: Leslie Yocum, City Clerk

Finance & Budgetary Review By: Chris Tomerlin, Budget Manager

Legal Review By: George D. Boyle, Assistant Corporation Counsel

Recommended by:

A handwritten signature in black ink, appearing to read 'Tim Gleason', with a stylized flourish at the end.

Tim Gleason
City Manager

Attachments:

- CLK 5B Liquor License Application Sunrise Rotary
- CLK 5C Special Event Permit Sunrise Rotary
- CLK 5D Location Map Sunrise Rotary
- CLK 5E Ordinance 2019-47 Sunrise Rotary Event



AGENDA ITEM NO. 7L

FOR COUNCIL: June 10, 2019

SPONSORING DEPARTMENT: City Clerk

SUBJECT: Consideration and action on the application of MBD Bros, LLC d/b/a Iron Coyote Challenge Park, located at 4113 E. Oakland Ave., requesting a Class RBS (Restaurant/Beer and Wine/Sunday Sales) liquor license, which would allow the sale of beer and wine by the glass for consumption on the premises seven (7) days a week, as requested by the City Clerk Department.

RECOMMENDED MOTION: The proposed application and license be approved.

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 Commission met on May 14, 2019, to consider an application of MBD Bros, LLC d/b/a Iron Coyote Challenge Park, located at 4113 E. Oakland Ave., requesting a Class RBS (Restaurant/Beer and Wine/Sunday Sales) liquor license, which would allow the sale of beer and wine by the glass for consumption on the premises seven (7) days a week.

Commissioners present: Tari Renner, Lindsey Powell, and Jim Jordan.

Staff present: George Boyle, Asst. Corporation Counsel; Asst. Police Chief Dan Donath; and Leslie Yocum, City Clerk.

Derek Williams, representative for MBD Bros, LLC d/b/a Iron Coyote Challenge Park, addressed the Commission. Mr. Williams explained the business will be an indoor challenge park that offers ninja courses and a high ropes course. Participants will be strapped into harnesses while completing various obstacle courses 15 feet in the air. The maximum occupancy is 260 patrons.

Mr. Williams provided the Commission with photo renderings as Exhibits.

Commissioner Jordan posed questions about alcohol consumption and participants. Mr. Williams responded providing additional detail. He stated that no one drinking will be allowed to participate. Participants will be required to wear wristbands and if a guest has a wristband, they will not be served alcohol. Alcohol will also be confined to the Mezzanine level where seating is located. I.D.s will be checked at every point of sale location and for each transaction. If a customer has completed participating in the obstacle courses, they will be able to remove their wristband and go to the Mezzanine Level to enjoy an alcoholic beverage should they choose. Additional concerns over the wristband system were raised.

Commissioner Renner proposed the wristband system currently set in place by Iron Coyote would be approved. However, if there was an issue in the future, a new system would need to be developed.

Commissioner Jordan asked about the age range of participants. Mr. Williams explained the minimum age is five (5) years old and that the facility would include a soft play area for children younger.

Alcohol would be served on weekdays from 4:00 PM until 9:00 PM and served on weekends from 12:00 PM until 9:00 PM when food is also available.

The Police Department did not raise any concerns.

Commissioner Powell made a motion, seconded by Commissioner Jordan, to approve the item.

Ayes: Commissioners Jordan, Powell and Renner.

Nays: None.

Motion carried.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: In accordance with City Code, on May 3, 2019, public notice was published in the Pantagraph. A total of eleven (11) courtesy copies of the Public Notice were mailed to businesses within 500 feet of the primary place of business for the proposed license. The Agenda for the May 14, 2019 meeting of the Liquor Commission was placed on the City's website.

FINANCIAL IMPACT: The annual license fee for a Class RBS liquor license is \$1,350, which will be recorded in the Non-Departmental Liquor Licenses account (10010010-51010). Stakeholders can locate this in the FY 2020 Proposed Budget Book titled "Budget Overview & General Fund" on page 110.

COMMUNITY DEVELOPMENT IMPACT: N/A

FUTURE OPERATIONAL COST ASSOCIATED WITH NEW FACILITY CONSTRUCTION: N/A

Respectfully submitted for Council consideration.


Prepared By: Amanda Mohan, Records & Licensing Specialist

Reviewed By: Leslie Yocum, City Clerk

Finance & Budgetary Review By: Chris Tomerlin, Budget Manager

Legal Review By: George D. Boyle, Assistant Corporation Counsel

Recommended by:

A handwritten signature in black ink, appearing to read 'T. Gleason', with a stylized flourish at the end.

Tim Gleason
City Manager

Attachments:

- CLK 6B Liquor License Application Iron Coyote
- CLK 6C Exhibit A Photographs Iron Coyote
- CLK 6D Public Notice Iron Coyote



AGENDA ITEM NO. 7M

FOR COUNCIL: June 10, 2019

SPONSORING DEPARTMENT: City Clerk

SUBJECT: Consideration and action on the application of Two Cherries, LLC d/b/a The Pass Pub and Grill, located at 2303 E. Washington, Suite 600 H, requesting a Class RAS (Restaurant/All Types/Sunday Sales) liquor license, which would allow the sale of all types of alcoholic liquor by the glass for consumption on the premises seven (7) days a week, as requested by the City Clerk Department.

RECOMMENDED MOTION: The proposed application and license be approved.

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 Commission met on May 14, 2019, to consider the application of Two Cherries, LLC d/b/a The Pass Pub and Grill, located at 2303 E. Washington, Suite 600 H, requesting a Class RAS (Restaurant/All Types/Sunday Sales) liquor license, which would allow the sale of all types of alcoholic liquor by the glass for consumption on the premises seven (7) days a week.

Commissioners present: Tari Renner, Lindsey Powell, Jim Jordan.

Staff present: George Boyle, Asst. Corporation Counsel; Asst. Police Chief Dan Donath; and Leslie Yocum, City Clerk.

Sarah Morgan and attorney Richard Marvel testified on behalf of Two Cherries, LLC d/b/a The Pass Pub and Grill.

Mr. Marvel stated that the establishment can seat up to 40 patrons inside with an additional seating for 20 patrons outside. The business anticipated food sales being at least 50% of the business.

Commissioner Jordan inquired about the hours of operation. Ms. Morgan stated they will be open from 10:00 AM until 1:00 AM Sunday through Thursday and from 10:00 AM until 2:00 AM on Friday and Saturday.

The Police Department weighed in on concerns of the proximity of the business to high traffic roads, Washington Street and Veterans Parkway. Ms. Morgan stated the patio will be completely fenced in and the only way in or out of the patio would be through the main bar.

Both Ms. Morgan and Mr. Marvel confirmed they were aware of the video gaming moratorium.

Commissioner Powell made a motion, seconded by Commissioner Jordan, to approve the item.

Ayes: Commissioners Jordan, Powell and Renner.

Nays: None.

Motion carried.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: In accordance with City Code, on May 3, 2019, public notice was published in the Pantagraph. A total of eighty-nine (89) courtesy copies of the Public Notice were mailed to businesses within 500 feet of the primary place of business for the proposed license. The Agenda for the May 14, 2019 meeting of the Liquor Commission was placed on the City's website.

FINANCIAL IMPACT: The annual license fee for a Class RAS liquor license is \$2,950, which will be recorded in the Non-Departmental Liquor Licenses account (10010010-51010). Stakeholders can locate this in the FY 2020 Proposed Budget Book titled "Budget Overview & General Fund" on page 110.

COMMUNITY DEVELOPMENT IMPACT: N/A

FUTURE OPERATIONAL COST ASSOCIATED WITH NEW FACILITY CONSTRUCTION: N/A

Respectfully submitted for Council consideration.

Prepared By: Amanda Mohan, Records & Licensing Specialist

Reviewed By: Leslie Yocum, City Clerk

Finance & Budgetary Review By: Chris Tomerlin, Budget Manager

Legal Review By: George D. Boyle, Assistant Corporation Counsel

Recommended by:



Tim Gleason
City Manager

Attachments:

- CLK 7B Liquor License Application Pass Pub and Grill
- CLK 7C Public Notice Pass Pub and Grill



AGENDA ITEM NO. 7N

FOR COUNCIL: June 10, 2019

SPONSORING DEPARTMENT: City Clerk

SUBJECT: Consideration and action on the application of R. J. Just, Inc. d/b/a Rob Dobs Restaurant and Bar, located at 801 N. Hershey Rd., requesting a Class RAPS (Restaurant/All Types/Package/Sunday Sales) liquor license, which would allow the sale of all types of alcoholic liquor by the glass for consumption on the premises and sale of packaged alcoholic liquor for consumption off premises seven (7) days a week, as requested by the City Clerk Department.

RECOMMENDED MOTION: The proposed license be approved.

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 Commission met on May 14, 2019, to consider an application by R. J. Just, Inc. d/b/a Rob Dobs Restaurant and Bar, located at 801 N. Hershey Rd., requesting a Class RAPS (Restaurant/All Types/Package/Sunday Sales) liquor license, which would allow the sale of all types of alcoholic liquor by the glass for consumption on the premises and sale of packaged alcoholic liquor for consumption off premises seven (7) days a week.

Commissioners present: Tari Renner, Lindsey Powell, Jim Jordan.

Staff present: George Boyle, Asst. Corporation Counsel; Asst. Police Chief Dan Donath; and Leslie Yocum, City Clerk.

Mr. Robert Dobski, owner of R. J. Just, Inc. d/b/a Rob Dobs Restaurant and Bar, addressed the Commission.

Mr. Dobski described the restaurant to the Commission. The restaurant will be a full menu restaurant with the capacity to seat 260 patrons. There will be a piano in the lounge area. There will be capacity to seat an additional 65 patrons outside on the patio. The restaurant will be open for lunch and dinner from 10:30 AM to 9:00 PM Sunday through Thursday and open at 10:00 AM on Friday and Saturday.

The Police Department had no concerns.

Commissioner Jordan made a motion, seconded by Commissioner Powell, to approve the item.

Ayes: Commissioners Jordan, Powell and Renner.

Nays: None.

Motion carried.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: In accordance with City Code, on May 3, 2019, public notice was published in the Pantagraph. A total of forty-eight (48) courtesy copies of the Public Notice were mailed to businesses within 500 feet of the primary place of business for the proposed license. The Agenda for the May 14, 2019 meeting of the Liquor Commission was placed on the City's website.

FINANCIAL IMPACT: The annual license fee for a Class RAPS liquor license is \$2,950, which will be recorded in the Non-Departmental Liquor Licenses account (10010010-51010). Stakeholders can locate this in the FY 2020 Proposed Budget Book titled "Budget Overview & General Fund" on page 110.

COMMUNITY DEVELOPMENT IMPACT: N/A

FUTURE OPERATIONAL COST ASSOCIATED WITH NEW FACILITY CONSTRUCTION: N/A

Respectfully submitted for Council consideration.

Prepared By: Amanda Mohan, Records & Licensing Specialist

Reviewed By: Leslie Yocum, City Clerk

Finance & Budgetary Review By: Chris Tomerlin, Budget Manager

Legal Review By: George D. Boyle, Assistant Corporation Counsel

Recommended by:



Tim Gleason
City Manager

Attachments:

- CLK 8B Liquor License Application Rob Dobs
- CLK 8C Public Notice Rob Dobs



CONSENT AGENDA ITEM NO. 70

FOR COUNCIL: June 10, 2019

SPONSORING DEPARTMENT: Public Works

SUBJECT: Consideration and action on a Lake Bloomington Lease Transfer of Lot 1, Block 21 in Camp Potawatomie, from Vicken and Sally Chalian to the petitioner, Mark and Karen Oostman, as requested by the Public Works Department.

RECOMMENDED MOTION: The proposed Lease Transfer be approved.

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 level of services.

BACKGROUND: The Public Works Department is recommending the approval of a Petition for the Lake Bloomington Lease Transfer of Lot 1, Block 21, in Camp Potawatomie from Vicken and Sally Chalian to the petitioners, Mark and Karen Oostman. Lot 1 has a residence, a septic system, and a dock.



A licensed septic system inspector, Jeff Litwiller, inspected the septic system on April 4, 2019, and found the septic system to be in good repair and within the size requirements approved by the McLean County Health Department. In addition, staff has investigated the property and found no deficiencies or ordinance violations for the subject property.

There is currently a boat dock on the subject lot. Pursuant to Ordinance 2018-87, passed by the City Council on October 8, 2018, boat docks are allowed on leased lots with a residence and a valid lease with the City of Bloomington, so long as they obtain a permit.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: This petition will have a neutral financial impact in that the current lease uses the current formula of \$0.40 per \$100.00 Equalized Assessed Value for determining the Lake Lease Fee. With the current lease rate formula of \$0.40 per \$100.00 Equalized Assessed Value this lease will generate about \$1,261.66. per year in lease income and \$128.28 for lot garbage pickup. Lease revenue is posted into the Water Lake Maintenance Lease Income

account (50100140-57590). The Garbage Collection fee is recorded in the Lake Maintenance-Other Charges for Services account (50100140-54990). Stakeholders can locate this in the FY 2020 Proposed Budget Book titled "Other Funds & Capital Improvements" on page 86.

COMMUNITY DEVELOPMENT IMPACT: Goal UEQ-1 Provide quality public infrastructure within the City to protect public health, safety and the environment. Objective UEW-1.5 Reliable water supply and distribution system that meets the needs of the current and future residents.

FUTURE OPERATIONAL COST ASSOCIATED WITH NEW FACILITY CONSTRUCTION: N/A

Respectfully submitted for Council consideration.

Prepared By: Joseph M. Darter, Property Manager
Brett Lueschen, Operations Manager
Michael Hill, Management Analyst

Reviewed By: Jim Karch, P.E., MPA, Director of Public Works

Finance & Budgetary Review By: Chris Tomerlin, Budget Manager
Scott Rathbun, Finance Director

Legal Review By: George D. Boyle, Assistant Corporation Counsel

Recommended by:



Tim Gleason
City Manager

Attachments:

- PW 1B Current Lease Potawatomie
- PW 1C Petition Memo Potawatomie
- PW 1D Transfer Petition Potawatomie
- PW 1E MCHD Eval Potawatomie
- PW 1F Oostman Lease Potawatomie
- PW 1G Location Map Potawatomie
- PW 1H Plat Map Potawatomie
- PW 1I Structure Map Potawatomie
- PW 1J Photographs Potawatomie



CONSENT AGENDA ITEM NO. 7P

FOR COUNCIL: June 10, 2019

SPONSORING DEPARTMENT: Public Works

SUBJECT: Consideration and action to approve the Lake Lot Amendment Agreement and revised plat map for Lots 7, 8 and 9 in Block 3, in Camp Kickapoo at Lake Bloomington to accurately reflect lot boundaries, as requested by the Public Works Department.

RECOMMENDED MOTION: The proposed Lake Lot Amendment and revised plat map be approved.

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 level of services.

BACKGROUND: The attached Lake Lot Amendment Agreement redraws the boundaries of contiguous Lots 7, 8 and 9 in Block 3, in Camp Kickapoo at Lake Bloomington. The three lots are leased by separate parties. The proposed Amendment is written in order to achieve lot lines that reflect the buildings and uses of the lots involved. A recently conducted survey of the lots indicated that a redrawing of the lots would more accurately reflect existing conditions on the lake lot leases and the parties leasing the three contiguous lots have therefore agreed to modifications of their lot leases with the City. The City has no objection to redrawing the boundaries of the lots involved.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: No financial impact is expected from the plat revision changes to the lease boundaries. The rents paid by the Lessees are based upon the equalized assessed value (EAV) of the properties. The plat revisions will not result in any change in the EAV for the leased lots.

COMMUNITY DEVELOPMENT IMPACT: Goal UEQ-1 Provide quality public infrastructure within the City to protect public health, safety and the environment. Objective UEW-1.5 Reliable water supply and distribution system that meets the needs of the current and future residents.

FUTURE OPERATIONAL COST ASSOCIATED WITH NEW FACILITY CONSTRUCTION: N/A.

Respectfully submitted for Council consideration.

Prepared By:

Joseph M. Darter, Property Manager
Brett Lueschen, Operations Manager

Reviewed By:

Robert Yehl, P.E., Asst. Director of Public Works

Finance & Budgetary Review By:

Chris Tomerlin, Budget Manager

Legal Review By:

George D. Boyle, Assistant Corporation Counsel

Recommended by:

A handwritten signature in black ink, appearing to read 'Tim Gleason', with a stylized flourish at the end.

Tim Gleason
City Manager

Attachments:

- PW 1B Agreement Lake Blm Lot Cleanup

REGULAR AGENDA



REGULAR AGENDA ITEM NO. 8A

FOR COUNCIL: June 10, 2019

SPONSORING DEPARTMENT: Human Resources, Community Development and Police Departments

SUBJECT: Consideration and action to ratify a Contract with Laborers Local 362 - Inspectors, as requested by the Human Resources, Community Development, and Police Departments.

RECOMMENDED MOTION: The proposed Contract be ratified.

STRATEGIC PLAN LINK: Goal 1 - Financially Sound City Providing Quality Basic Services.

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

BACKGROUND: Beginning on March 14, 2019, Local 362 - Inspectors and the City staff negotiated the terms of a collective bargaining agreement to replace the agreement which expired on April 30, 2019. Local 362 represents Inspectors in the Community Development Department and Crime Data and Crime Intelligence Analysts in the Police Department. The expired agreement can be located at www.cityblm.org under Human Resources in a folder titled Labor Contracts. The parties were able to reach a Tentative Agreement and the Union ratified the Tentative Agreements. Highlights from the Tentative Agreement include:

Sick Leave Buy Back - In October 2018, the City Council passed Ordinance 2018-96 in support of finding a way to ease the financial impact associated with Sick Leave buyback. We believe this agreement, if approved, will bring significant savings to the city as it will effectively end future sick leave buy back-related accelerated pension payments and reduce the artificial inflation of employee pensions for this employee group after May 1, 2020. This City Council goal was accomplished through what we would call a fair give and take between both parties and an appreciated willingness by Local 362 to modify the timing of how accrued sick leave is paid to eligible employees.

Employees will be allowed until April 30, 2020 to retire/resign and receive eligible Sick Leave Buy Back payments in accordance with the current payout practice through April 30, 2020 if they provide notice by October 31, 2019. Any employee who fails to provide such notice or leaves after May 1, 2020 shall be paid out for sick leave in a manner which does not incur an Accelerated Payment from Sick Leave Buy Back from IMRF. Employees leaving prior to April 30, 2020, who have Sick Leave Buy Back paid out under the current practice, who do not draw their pension immediately will result in a future Accelerated Payment when the employee applies for their pension. Please note that Accelerated Payments may be prompted through other payments such as overtime and vacation.

Wages/Term - The parties agreed to a three (3) year contract term. In the first year of the contract, employees will receive an across the board increase effective May 1, 2019 of 2.5%. The across the board increase on the second year of the contract is effective May 1, 2020 at 3% and the third year of the contract is effective May 1, 2021 at 2.5%. Employees who are not eligible for Sick Leave Buy Back will receive a \$300 signing bonus and those employees eligible for Sick Leave Buy Back (but not leaving prior to April 30, 2020) will receive a \$1200 signing bonus.

Educational Certifications - Employees currently receive a .50 cents per hour per certification increase for the achievement of core certifications from an approved list. The parties agreed to increase the core certification pay to .60 cents per hour per certification.

Allowances - The parties agreed to increase the Safety Equipment allowance to \$450 dollars.

Vacation - The vacation accrual schedule was modified to allow employees to receive three (3) weeks of vacation starting at five (5) years (previously 8 years) and four (4) weeks (previously 15 year) of vacation starting at eleven (11) years.

LIUNA Pension Contributions - The LIUNA Pension Contributions increased to \$.45 per hour.

Bargaining Unit Staffing Reclassification - The parties agreed to reclassify seven (7) bargaining unit position upon the employees completing an additional educational core certification.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT:

- **Rate Increase:** Increase in hourly rates over the three year term of this contract will result in an anticipated cost of approximately \$133,719 related to the current base from the General Fund:
 - FY2020 costs of \$20,523 were not included in the FY2020 adopted budget from the General Fund. It is anticipated vacancy savings will partially offset this increase, with the remainder accommodated by Operational budget management.
 - FY2021 costs of \$45,765 will be captured in that year's budget process.
 - FY2022 costs of \$67,432 will be captured in that year's budget process.
- **Signing Bonus:** The signing bonus for employees ineligible for Sick Leave Buy Back is estimated at \$2,400, with those eligible estimated at \$7,200. Both will be paid in FY2020. These costs were not included in the FY2020 adopted budget. It is anticipated vacancy savings will partially offset this increase, with the remainder accommodated by Operational budget management.
- **Cost Avoidance (SLBB):** City Staff anticipates a number of retirements as a result of this new language, as two (2) employees within the bargaining unit are eligible to leave the City by 4/30/20 and have their SLBB paid in a way that would positively impact their pension benefit. However, by making this change, if these two (2) employees do not retire from the City during the window and when the additional five (5) employees eligible for SLBB leave the City, they will have their

SLBB payments made in a way that will not impact their pension. While IMRF Accelerated Payments for union employees have approached the \$140k threshold, most Accelerated Payments received cost the City between \$20k-\$60k per individual. That said, long-term cost savings to the City are significant. Depending on the materiality of the Accelerated Payment volume, Fund Balance (City Cash Reserves) may be used so that the City may address this long-term exposure.

COMMUNITY DEVELOPMENT IMPACT: N/A

FUTURE OPERATIONAL COST ASSOCIATED WITH NEW FACILITY CONSTRUCTION: N/A

Respectfully submitted for Council consideration.


Prepared By: Angie Brown, Asst. Human Resources Manager

Reviewed By: Nicole Albertson, Human Resources Director

Finance & Budgetary Review By: Chris Tomerlin, Budget Manager
Scott Rathbun, Finance Director

Legal Review By: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:



Tim Gleason
City Manager



REGULAR AGENDA ITEM NO. 8B

FOR COUNCIL: June 10, 2019

SPONSORING DEPARTMENT: Human Resources and Administration, Facilities Division

SUBJECT: Consideration and action to ratify a Contract with Laborers Local 362 - Parking Enforcement, as requested by the Human Resources and Administration Departments, Facilities Division.

RECOMMENDED MOTION: The proposed Contract be ratified.

STRATEGIC PLAN LINK: Goal 1 - Financially Sound City Providing Quality Basic Services.

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

BACKGROUND: Beginning on May 6, 2019, Local 362 - Parking Enforcement and the City staff negotiated the terms of a collective bargaining agreement to replace the agreement which expired on April 30, 2019. Local 362 represents employees in the Facilities Division of Administration. The expired agreement can be located at www.cityblm.org under Human Resources in a folder titled Labor Contracts. The parties were able to reach a Tentative Agreement and the Union ratified the Tentative Agreements. Highlights from the Tentative Agreement include:

Sick Leave Buy Back - In October 2018, the City Council passed Ordinance 2018-96 in support of finding a way to ease the financial impact associated with Sick Leave buyback. We believe this agreement, if approved, will bring significant savings to the city as it will effectively end future sick leave buy back-related accelerated pension payments and reduce the artificial inflation of employee pensions for this employee group after May 1, 2020. This City Council goal was accomplished through what we would call a fair give and take between both parties and an appreciated willingness by Local 362 to modify the timing of how accrued sick leave is paid to eligible employees.

Employees will be allowed until April 30, 2020 to retire/resign and receive eligible Sick Leave Buy Back payments, in accordance with the current payout practice through April 30, 2020, if they provide notice by October 31, 2019. Any employee who fails to provide such notice or leaves after May 1, 2020 shall be paid out for sick leave in a manner which does not incur an Accelerated Payment from Sick Leave Buy Back from IMRF. Employees leaving prior to April 30, 2020, who have Sick Leave Buy Back paid out under the current practice, who do not draw their pension immediately, will result in a future Accelerated Payment when the employee applies for their pension. Please note that Accelerated Payments may be prompted through other payments such as overtime and vacation.

All bargaining unit employee who are at the maximum allowable Sick Leave balance (960) will have up to 50% (4 hours) paid into a Retirement Health Savings Account.

Wages/Term - The parties agreed to a three (3) year contract term. In the first year of the contract, employees will receive an across the board increase effective May 1, 2019 of 2.5%. The across the board increase on the second year of the contract is effective May 1, 2020 at 3% and the third year of the contract is effective May 1, 2021 at 2.5%. Employees who are not eligible for Sick Leave Buy Back will receive a \$300 signing bonus and those employees eligible for Sick Leave Buy Back (but not leaving prior to April 30, 2020) will receive a \$1200 signing bonus.

Allowances - Previously, the City purchased clothing items in accordance with an established schedule and provided an annual shoe allowance for employees. The parties agreed to limit the clothing allotment managed by the City in lieu of an annual payment for clothing and shoes in the amount of \$450.

Vacation - The vacation accrual schedule was modified to allow employees to receive three (3) weeks of vacation starting at five (5) years (previously 8 years) and four (4) weeks (previously 15 year) of vacation starting at eleven (11) years.

LIUNA Pension Contributions - The LIUNA Pension Contributions increased to \$.45 per hour.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT:

- **Rate Increase:** Increase in hourly rates over the three year term of this contract will result in an anticipated cost of approximately \$22,752 related to the current base, with approximately 17,064 in the General Fund:
 - FY2020 costs of \$3,492 were not included in the FY2020 adopted budget (approximately \$2,619 for the General Fund). It is anticipated vacancy savings will partially offset this increase, with the remainder accommodated by Operational budget management.
 - FY2021 costs of \$7,787 will be captured in that year's budget process.
 - FY2022 costs of \$11,474 will be captured in that year's budget process.
- **Signing Bonus:** The signing bonus for employees ineligible for Sick Leave Buy Back is estimated at \$1,200, with those eligible estimated at \$1,200 (approximately \$1,800 total for the General Fund). Both will be paid in FY 2020. These costs were not included in the FY 2020 Adopted budget. It is anticipated vacancy savings will partially offset this increase, with the remainder accommodated by operational budget management.
- **Cost Avoidance (SLBB):** City Staff anticipates a number of retirements as a result of this new language, as 2 employees within the bargaining unit are eligible to leave the City by 4/30/20 and have their SLBB paid in a way that would positively impact their pension benefit. However, by making this change, if these two (2) employees do not retire from the City, they will have SLBB payments made in a way that will not impact their pension. While IMRF Accelerated Payments for union employees have approached the \$140K threshold, most Accelerated Payments received cost the City between \$20k-\$60k per individual. That said,

long-term cost savings to the City are significant. Depending on the materiality of the Accelerated Payment volume, Fund Balance (City Cash Reserves) may be used so that the City may address this long-term exposure.

COMMUNITY DEVELOPMENT IMPACT: N/A

FUTURE OPERATIONAL COST ASSOCIATED WITH NEW FACILITY CONSTRUCTION: N/A

Respectfully submitted for Council consideration.


Prepared By: Angie Brown, Asst. Human Resources Manager

Reviewed By: Nicole Albertson, Human Resources Director

Finance & Budgetary Review By: Chris Tomerlin, Budget Manager
Scott Rathbun, Finance Director

Legal Review By: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:

A handwritten signature in black ink, appearing to read 'Tim Gleason', with a stylized flourish at the end.

Tim Gleason
City Manager



REGULAR AGENDA ITEM NO. 8C

FOR COUNCIL: June 10, 2019

SPONSORING DEPARTMENT: Human Resources and Administration, Facilities Division

SUBJECT: Consideration and action to ratify a Contract with Laborers Local 362 - Support Staff, as requested by the Human Resources Department and majority of the other City Departments.

RECOMMENDED MOTION: The proposed Contract be ratified.

STRATEGIC PLAN LINK: Goal 1 - Financially Sound City Providing Quality Basic Services.

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

BACKGROUND: Beginning on May 14, 2019, Local 362 - Support Staff and the City staff negotiated the terms of a collective bargaining agreement to replace the agreement which expired on April 30, 2019. Local 362 represents Support Staff employees in the majority of all the City Departments. The expired agreement can be located at www.cityblm.org under Human Resources in a folder titled Labor Contracts. The parties were able to reach a Tentative Agreement and the Union ratified the Tentative Agreements. Highlights from the Tentative Agreement include:

Sick Leave Buy Back - In October 2018, the City Council passed Ordinance 2018-96 in support of finding a way to ease the financial impact associated with Sick Leave buyback. We believe this agreement, if approved, will bring significant savings to the city as it will effectively end future sick leave buy back-related accelerated pension payments and reduce the artificial inflation of employee pensions for this employee group after May 1, 2020. This City Council goal was accomplished through what we would call a fair give and take between both parties and an appreciated willingness by Local 362 to modify the timing of how accrued sick leave is paid to eligible employees.

Employees will be allowed until April 30, 2020 to retire/resign and receive eligible Sick Leave Buy Back payments in accordance with the current payout practice through April 30, 2020, if they provide notice by October 31, 2019. Any employee who fails to provide such notice or leaves after May 1, 2020 shall be paid out for sick leave in a manner which does not incur an Accelerated Payment from Sick Leave Buy Back from IMRF. Employees leaving prior to April 30, 2020, who have Sick Leave Buy Back paid out under the current practice, who do not draw their pension immediately will result in a future Accelerated Payment when the employee applies for their pension. Please note that Accelerated Payments may be prompted through other payments such as overtime and vacation.

All bargaining unit employee who are at the maximum allowable Sick Leave balance (960) will have up to 50% (4 hours) paid into a Retirement Health Savings Account.

Wages/Term - The parties agreed to a three (3) year contract term. In the first year of the contract, employees will receive an across the board increase effective May 1, 2019 of 2.5%. The across the board increase on the second year of the contract is effective May 1, 2020 at 3% and the third year of the contract is effective May 1, 2021 at 2.5%. Employees who are not eligible for Sick Leave Buy Back will receive a \$300 signing bonus and those employees eligible for Sick Leave Buy Back (but not leaving prior to April 30, 2020) will receive a \$1200 signing bonus.

Vacation - The vacation accrual schedule was modified to allow new employees to accrue (2) weeks' vacation when they are hired and all employees to receive three (3) weeks of vacation starting at five (5) years (previously 8 years) and four (4) weeks (previously 15 year) of vacation starting at eleven (11) years.

Court Exchange Days - Employees hired after August 26, 2013 were ineligible to accrue Court Exchange Days to recognize the inconvenience endured when subpoenaed for court to testify. The parties agreed to allow all four (4) employees, classified as a Community Service Officer (CSO), to receive two (2) Court Exchange Days.

LIUNA Pension Contributions - The LIUNA Pension Contributions increased to \$.45 per hour.

Bargaining Unit Staffing - The parties agreed to reclassify two bargaining unit positions and the elimination of the Zoo Gift Shop Manager position from the bargaining unit when the current employee vacates the position.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT:

- **Rate Increase:** Increase in hourly rates over the three year term of this contract will result in an anticipated cost of approximately \$180,618 related to the current base, with approximately \$163,030. in the General Fund:
 - FY2020 costs of \$27,721 were not included in the FY2020 adopted budget (approximately \$25,021 for the General Fund). It is anticipated vacancy savings will partially offset this increase, with the remainder accommodated by Operational budget management.
 - FY2021 costs of \$61,816 will be captured in that year's budget process.
 - FY2022 costs of \$91,082 will be captured in that year's budget process.
- **Signing Bonus:** The signing bonus for employees ineligible for Sick Leave Buy Back is estimated at \$6,300, with those eligible estimated at \$9,600 (approximately \$15,000 for the General Fund). Both will be paid in FY2020. These costs were not included in the FY2020 adopted budget. It is anticipated vacancy savings will partially offset this increase, with the remainder accommodated by Operational budget management.
- **Cost Avoidance (SLBB):** City Staff anticipates a number of retirements as a result of this new language, as 3 employees within the bargaining unit are eligible to leave the City by 4/30/20 and have their SLBB paid in a way that would positively

impact their pension benefit. However, by making this change, if these three (3) employees do not retire from the City during the window, and when the additional six (6) employees eligible for SLBB leave the City, they will have SLBB payments made in a way that will not impact their pension. While IMRF Accelerated Payments for union employees have approached the \$140k threshold, most Accelerated Payments received cost the City between \$20k-\$60k per individual. That said, long-term cost savings to the City are significant. Depending on the materiality of the Accelerated Payment volume, Fund Balance (City Cash Reserves) may be used so that the City may address this long-term exposure.

COMMUNITY DEVELOPMENT IMPACT: N/A

FUTURE OPERATIONAL COST ASSOCIATED WITH NEW FACILITY CONSTRUCTION: N/A

Respectfully submitted for Council consideration.

Prepared By: Angie Brown, Asst. Human Resources Manager

Reviewed By: Nicole Albertson, Human Resources Director

Finance & Budgetary Review By: Chris Tomerlin, Budget Manager
Scott Rathbun, Finance Director

Legal Review By: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:



Tim Gleason
City Manager