

- 3.3 Emily Magee; Variance Driveway; 8804 Zenith Road** Requested Action: In Case 10950A-14, adopt a resolution approving a variance to reduce the required side yard setback from 5 feet to 1.7 feet for a driveway located at 8804 Zenith Avenue South subject to the conditions listed in the staff report.
- Motion was made by Oleson, seconded by Baloga, and all voting aye, to adopt a resolution approving a variance at 8804 Zenith Road subject to the conditions in the staff report. (R-2014-147)
- 3.4 Transfer of Park Donations Approve** Requested Action: Approve the transfer of Park donations money to the Park Development Fund.
- Motion was made by Oleson, seconded by Baloga, and all voting aye, to approve the transfer of Park donations as described in the agenda item.
- 3.5 Accept Donations** Requested Action: Accept the donations made to various City activities and approve the amendment to the revenue and expenditure budgets, as noted in the item, to facilitate the appropriate use of these funds.
- Motion was made by Oleson, seconded by Baloga, and all voting aye, to accept the list of donations as listed in the agenda item.
- 3.6 2015 Port Authority Budget Approve** Requested Action: Approve the 2015 Port Authority Budgets as presented.
- Motion was made by Oleson, seconded by Baloga, and all voting aye, to approve the Port Authority Budget as presented in the agenda item.
- 3.7 Budgetary and Financial Control Policy Revisions Approval** Requested Action: Approve the revised Budgetary and Financial Control Policy (amended from 12/1/14 proposed version), as presented in the agenda materials.
- This item was held by Baloga who said he appreciated the feedback he received from the City Manager on his questions. He requested this item be deferred until mid-February to allow for input from the new City Manager. He indicated a discomfort that a couple of items are proposed to be funded out of positive performance. He didn't want to see a policy created only to have it revised later on.
- Motion was made by Baloga, seconded by Abrams, to postpone approval of the Budgetary and Financial Control Policy revisions to the February 23, 2015, meeting. No vote was taken at this time.
- Winstead indicated his opposition to the motion, stating this has been discussed previously and it's straight forward. He said there is no reason to defer it; it's good fiscal management.
- Busse agreed with Winstead and said these are recommendations consistent with the State Auditor's Office. Carlson concurred.
- Mayor Winstead called for a vote on the motion. It failed 1-6 (Winstead, Busse, Abrams, Carlson, Oleson and Lowman opposing.)
- Motion was made by Winstead, seconded by Busse, and all voting aye, to approve the revised Budgetary and Financial Control Policy revisions as presented in the agenda item.

3.8 Dwan Clubhouse Re-roofing- Approve Award

Requested Action: Award a contract to John A. Dalsin & Son, Inc. in the amount of \$158,963.00 plus a 10% contingency for a total amount of \$174,859.30 for the re-roofing of the Dwan Golf Course Club House and approve the following transfer:

540-8420-451.60-01	Full-time Regular Salaries	\$ 7,000
540-8420-451.63-62	Rents & Leases-Equipment	\$ 15,0004
540-8420-451.63-41	Maintenance & Repairs-Equipment	\$ 1,381

To Capital Account: 540-8420-451.70-21.

This item was held by Oleson who didn't see the correlation between the two parts of this item and asked if the Capital Account will absorb the difference.

Chief Financial Officer Lori Economy-Scholler explained the roof was more damaged than anticipated which resulted in a higher estimate for materials and labor. It was stated construction will start as soon as possible.

Motion was made by Oleson, seconded by Lowman, and all voting aye, to award the Dwan Clubhouse Re-roofing project to John A. Dalsin & Son, Inc. as presented in the agenda item.

3.9 Meter Reading Services - Approve Award

Requested Action: Award a contract for residential meter reading services to RMR Services, LLC effective January 1, 2015 through December 31, 2016.

Motion was made by Oleson, seconded by Baloga, and all voting aye, to award a contract for residential meter reading services to RMR Services, LLC as described in the agenda item.

3.10 Support of Agreement to MnDOT RR Crossing Signals Adopt Resolution

Requested Action: Adopt a resolution approving MnDOT Agreement SP 27-00309 for the installation and maintenance of railroad crossing signals at the 84th Street railroad crossing.

Motion was made by Oleson, seconded by Baloga, and all voting aye, to adopt a resolution approving MnDOT Agreement SP 27-00309 as presented in the agenda materials. (R-2014-148)

3.11 Approve Amendment No. 2 to Professional Services Agreement for BCS Phase 2

Requested Action: Approve Amendment No. 2 to the Professional Services Agreement for Bloomington Central Station (BCS) Phase 2A (Hotel) Infrastructure Improvement Project (City Project 2013-304) and BCS Phase 2B (Residential) Infrastructure Improvement Project (City Project 2013-305) with Kimley-Horn and Associates, Inc. in the amount of \$59,210 with an end date of December 31, 2016.

Motion was made by Oleson, seconded by Baloga, and all voting aye, to approve Amendment No. 2 to the Professional Services Agreement for BCS Phase 2A & 2B.

3.12 Approve Travel Expenses Council

Requested Action: Approve out-of-state travel expenses for Councilmember Cynthia Bemis Abrams to attend the MN Department of Health's Health Shared Services Learning Collaborative (SSLC) 2015 national meeting.

Motion was made by Oleson, seconded by Baloga, and all voting aye, to approve the out-of-state travel for Cynthia Bemis Abrams as described in the agenda item.

- 3.13 Support of Local Road Improvement Program Grant for 2016-201 Normandale Blvd Project** Requested Action: Adopt a resolution supporting the Local Road Improvement Program grant application for the 2016-201 Normandale Boulevard (CSAH 34) Reconstruction Project.
- Motion was made by Oleson, seconded by Baloga, and all voting aye, to adopt a resolution supporting the Local Road Improvement Program grant as described above and in the agenda item. (R-2014-149)
- 3.14 Alpha Business Center 2015 Operations Budget** Requested Action: Approve the 2015 budget for the Alpha Business Center property.
- Motion was made by Oleson, seconded by Baloga, and all voting aye, to approve the Alpha Business Center 2015 Operations Budget as presented in the agenda item.
- 3.15 2015 Public Health Budget Adjustment for Shared Services Learning Collaborative Approve** Requested Action: Approve the 2015 Public Health Budget adjustment for Shared Services Learning Collaborative (SSLC) funds.
- Motion was made by Oleson, seconded by Baloga, and all voting aye, to approve the 2015 Public Health Budget adjustment as described above and in the agenda item.
- 3.17 New Street Light Installation Approval - Johnson Avenue at Jefferson High School** Requested Action: Approve the installation of the new local street light on Johnson Avenue on the south side of the Jefferson High School driveway, over the school crossing.
- Motion was made by Oleson, seconded by Baloga, and all voting aye, to approve the installation of the new local street light on Johnson Avenue as described above and in the agenda materials.
- 3.18 2015 Medica Master Group Contract** Requested Action: Approve the 2015 Medica Master Group Contract.
- Motion was made by Oleson, seconded by Baloga, and all voting aye, to approve the 2015 Medica Master Group Contract as presented in the agenda materials.
- 3.19 Master Grant Contract with Minnesota Dept. of Health - Approve** Requested Action: Approve the Master Grant Contract with the Minnesota Department of Health (MDH), which applies to all grants that MDH awards to Community Health Boards (CHBs), including the City of Bloomington's Public Health Division.
- Motion was made by Oleson, seconded by Baloga, and all voting aye, to approve the Master Grant Contract with the MDH as described in the agenda materials.
- 3.20 Meeting Minutes City Council-Approve** Requested Action: Approve the June 9, 2014, City Council Study meeting minutes as presented.
- Motion was made by Oleson, seconded by Baloga, and all voting aye, to approve the June 9, 2014, Council Study meeting minutes as presented.

- 3.21 Cable Television Franchise Extension** Requested Action: Adopt a resolution granting Comcast a franchise extension from January 1, 2015 through April 30, 2015.
- Motion was made by Oleson, seconded by Baloga, and all voting aye, to adopt a resolution granting Comcast a franchise extension as described above. (R-2014-150)
- 3.22 Blue Line Systems Study, Consultant Contract Approve** Requested Action: Approve the Consultant Agreement for the Blue Line Traffic and Transit Signal System Study in a not-to-exceed amount of \$110,000.00, and authorize the Mayor and City Manager to sign the Agreement upon approval by the City Attorney.
- Motion was made by Oleson, seconded by Baloga, and all voting aye, to approve the Consultant Agreement for the Blue Line Systems Study as described in the agenda item.
- 4 PUBLIC COMMENT PERIOD** Speaker #1: Sally Ness, 8127 Oakland Avenue South
She asked the City Council not to sign the Joint Use Agreement with the Dar Al Farooq Youth & Family Center (AFYFC) regarding 8201 Park Avenue because of the parking that occurs throughout the night in the Smith Park parking lot, that allows revenue to be collected on a field that doesn't have a Conditional Use Permit, or requires the City to pay for an easement that should have already been executed and negatively impacts Smith Park and the surrounding area. She quoted from several 2011 documents regarding the Smith Park parking lot. She said the Smith Park parking can't be used by the public on Fridays due to the prayer services held at AFYFC. She showed photos of cars parked illegally. She commented on the few No Parking signs installed by the City near their entrance and referenced a Cross Parking Agreement between the City and AFYFC. She said Smith Park is used as an overflow lot for AFYFC. She added police officers are at AFYFC every week and asked the Council to put a stop to this abuse in her neighborhood.
- 5 LICENSING DIVISION: PUBLIC HEARINGS**
- 5.1 Currency Exchange Renewal License for Xchange of America; 1802 North Garden - Approve** Requested Action: Approve the Currency Exchange renewal license for Xchange of America, 1802 North Garden, Mall of America.
- Motion was made by Abrams, seconded by Baloga, and all voting aye, to approve the Currency Exchange renewal license listed above.
- No public testimony was received.
- 5.2 Renewal of On-Sale and Off-Sale 3.2% Malt Liquor Licenses** Requested Action: Approve the list of On-Sale and Off-Sale 3.2 Percent Malt Liquor license renewal applications for 2015.
- Motion was made by Baloga, seconded by Abrams, and all voting, to approve the license renewals for 2015 as listed in the agenda item.
- No public testimony was received.
- 5.3 Davanni's New On-Sale Wine License Application** Requested Action: Approve the On-Sale Wine license for Davanni's Inc., doing business as Davanni's at 8605 Lyndale Avenue South, expiring June 30, 2015.

Motion was made by Carlson, seconded by Abrams, and all voting aye, to approve the Wine license renewal for Davanni's.

No public testimony was received.

**6 DEVELOPMENT
BUSINESS: PUBLIC
HEARINGS**

**6.1 Julie Bauch; Variance
Yard Setback; 9845
Brookside Avenue**

Requested Action: Adopt a resolution approving a variance to reduce the required rear yard setback from 30 feet to 14.5 feet for a living space addition located at 9845 Brookside Avenue subject to the conditions listed in the staff report. (A motion to approve the variance request at the Planning Commission failed 3-2.)

Planner Dennis Fields presented the staff report on this variance and said staff believes this application is reasonable. His presentation included the following slides: Aerial photos, as-built survey, proposed addition location, 30-foot rear yard setback, proposed floor plan, additional correspondence from two neighbors, staff's additional Condition of Approval relating to drainage, and staff's recommendation to approve.

Council questioned the additional condition regarding drainage and asked if it was in place when the Planning Commission denied the application 3-2. Fields replied it was.

Another inquiry was made regarding how the drainage will be captured and drained to Brookside Avenue. Fields explained it is a Condition of Approval and will need to be satisfied.

Community Development Director Larry Lee explained some conditions will need to be verified by the building inspector in order for the project to proceed. They will verify there are gutters in place and that they are directed to Brookside Avenue.

Council questioned if the neighbor to the east is aware of the new condition and Fields replied they are but said they still have concerns. When asked if consideration had been given to guttering the rest of the addition, Fields replied no but said staff could ask the applicant.

Council suggested a rain garden as a way to handle the drainage and Fields said there are a variety of ways to capture the drainage to prevent the water from draining to the east.

Applicant: Julie Bauch, Applicant/Owner, 9845 Brookside Avenue
She showed a photo of the location of the proposed addition. She's removed the out buildings and an underground storage tank, built a water fall/feature and pond and added trees between her house and the Connells. She said the landscaping slopes away from the neighbors. She reported the home now has gutters. She is taking the water and draining it to the west side of her house. She said the home was originally built as a cabin so this addition will provide a closet and a seating area. She said the current design is the only way she can expand by adding a seating area for dining, a master bedroom that accommodates a closet, and a small master bathroom. She described the work she's done to her home and said it will be a 2 bedroom/2 bath home when it's finished.

Bauch was asked if the overall footprint of the home had changed and she replied no. She stated there is a partial basement underneath the foundation, which will provide a crawl space.

Council suggested Bauch consider putting in a French drain to handle the drainage and she said she would investigate that with her architect.

When asked if she has experienced any major drainage or ponding issues with recent storms in its existing condition, Bauch responded no but said she does get water in her basement.

Speaker #1: Carlos Connell, (Speaking on behalf of the neighbors)
He said this issue matters to the neighbors and four neighbors, including his parents, oppose this variance. He commented this process hasn't been easy for his parents. He said according to the Planning Commission, which voted in their favor, said this home was originally out of compliance. He said through no fault of Julie Bauch, the addition will put it further out of compliance. He said there is another option – to build it to the west. He stated his parent's house is 13 feet below the grade of the proposed addition and many people have advised them to vote against this proposal. He said Bauch's garage is quite large. He said if this turns out to be a drainage nightmare, the responsibility to pursue legal action would fall on his parents. He showed some photos to illustrate how Bauch's house sits above his parent's house and said currently, all of the water from her house drains towards his parent's home. He showed a photo of what his parents would be looking at from their bedroom window if the addition is built. He said there are other options for Bauch to build. He said his parents have had no drainage issues prior to this.

Speaker #2: Martha Lucia Connell, 9832 Upton Avenue
She confirmed the water already drains towards their house and that Bauch's addition will only cause more drainage issues. She said the addition will make them feel cramped and they'll be in very close proximity to Bauch's house when they're sitting on their deck.

Speaker#3: Stanley Connell, 9832 Upton Avenue
He stated he's the co-owner and resident of the house. He's opposed to the variance for three reasons: The project could create a drainage problem even though the vague solution of a swale has been offered, the closeness of the construction, and it will block their view from the back of the house. He said he liked the openness of the area. He commented Lowman came out to his house to view his concerns. He said approving this project will set a bad precedent and believes these issues could be avoided by Bauch building onto the front of her house.

Council inquired as to why the expansion is proposed to go back rather than forward. Bauch replied she's lived in the home for 8 years. It's only 900+ square feet and is situated where it is because of the large trees. She bought the little cabin thinking it was going to be a short term situation. She installed a single car garage to stay within the style of the home and the neighborhood but used the existing double-car garage pad. She put in the deck. She said tonight's plan is the final step and the most expensive one.

An inquiry was made regarding why the addition couldn't be built where the deck is located.

Fields replied a variance would still be needed if the addition was built on the south side.

Bauch said she wants a master bedroom and some seating in the dining room. When asked if she has viewed her home from inside the Connell's house said she invited the Connells to come to her home before the Planning Commission meeting but it didn't work out.

Council asked when the garage was built and Bauch replied about five years ago stating it's Code compliant. When the Connell's were asked if they had experienced a change in drainage after the construction of Bauch's garage said no because the garage is located further away compared to the location of the proposed addition.

It was stated the wall and the fence are interesting issues. Bauch said she's been replacing the fence as she goes and plans to replace it all. She added the drainage issue in her basement has nothing to do with the proposed project.

Motion was made by Lowman, seconded by Carlson, and all voting aye, to close the public hearing on the variance at 9845 Brookside Avenue.

Winstead explained some of the history relating to this cabin, which was built by members of the Savage family, and said these houses are a circumstance of history.

Carlson believes construction of the addition will improve the drainage situation. He said there are valid reasons to grant the variance and that a single story will lessen the impact.

Busse said Bauch has made some good accommodations with regard to the drainage and agreed the new addition might help the situation. He thanked Bauch for investing in her home, which is what the Council would like to see other homeowners do in Bloomington. He said this is a different situation that was influenced by history so it needs to be considered individually. He doesn't believe it will set a precedent. He supports the variance.

Oleson said he drove by both homes and what struck him was the not so good looking tall fence. He was surprised something more definite wasn't done for the home to the east; for example a retaining wall. It apparently wasn't considered to be a major concern at this point. He said there are a variety of ways to take care of the water but said he understands the concerns of the Connells. He supports the variance.

Motion was made by Lowman, seconded by Abrams, to adopt a resolution approving a variance to reduce the required rear yard setback from 30 feet to 14.5 feet for a living space addition, located at 9845 Brookside Avenue, subject to the conditions listed in the staff report including staff's additional condition relating to routing any and all drainage to the west. No vote was taken at this time.

Fields said the City Engineer has offered to visit the site to explain the options available for directing the stormwater.

Winstead said he hopes Council will approve improvements to be made to a 70-80 year old home that encroaches into some newer setbacks.

Mayor Winstead called for a vote on the motion and it passed unanimously. (R-2014-151)

**Closed Public
Comment Period**

The Mayor asked if anyone else wished to speak during the Public Comment Period. No one came forward to speak so it was closed.

**6.2 Mugshots Coffee
Company; CUP; 10518
France Ave**

Requested Action: Adopt a resolution approving a Conditional Use Permit for Mugshots Coffee Company, a restaurant located at 10518 France Avenue South, subject to the conditions listed in the staff report.

Fields presented the staff report. His presentation included the following: An aerial of the existing shopping center and the proposed tenant space, the proposed floor plan and proposed tenant changes, the parking plan, the City's parking study and resulting condition, and future parking issues. He said it is recommended for approval.

Council questioned the hours of operation and how the use of assembly affects certain limits and the parking. Fields replied the coffee shop will be open during the a.m. and p.m. hours.

City Attorney Sandra Johnson explained if the planned assembly is not going to be used for religious purposes (study, worship, education, etc.), the further away it is removed from rituals and practices, the less protection it has. She said this type of business is going to have less protection; as they will not likely be conducting rituals.

Council questioned if Hillside Church has ever represented to the City that the space might be used as a place of worship. Fields replied it was discussed. He said staff asked that specific question of the applicant and they said it will only be used as a coffee shop with some live events.

Adding a condition of approval that precludes, with consent by the applicant, the Church from using the space for a place of assembly was asked by Council. Johnson advised Council not to treat this applicant differently from any other applicant. She said that would get Council out of the "substantial burden" box of RLUIPA and into the "treating them differently" box.

A Council member asked if the Mugshots Coffee Company was a separate legal entity, and if so, would that preclude it from RALUIPA. Johnson replied it might but it depends on how affiliated that entity is with the religious use.

Speaker #1: Ben Sane, Director of Mugshots Coffee
He said they are a dba (doing business as) under Hillside Church.

Winstead said the Church is using the name "Mugshots" to deem this as a place of coffee and fellowship but asked what happens if it's over used.

City Manager Mark Bernhardson said there are certain zoning districts that allow a place of assembly but they require a Conditional Use Permit and asked if this zoning district is one of them. Would assembly be allowed as a permitted use? Fields replied a place of assembly requires a CUP but this location wouldn't meet the performance standards for a place of assembly. He clarified the applicant is requesting a CUP for a restaurant.

Applicant #2: Tom Kendall, Commercial Broker and Property Manager
As the property manager for the applicant, he said this is a business venture for Hillside Church and there has never been a discussion about it being used as an extension of the Church for worship. It's a coffee house; no different than Starbucks, Caribou or Perkins. The intent is to serve coffee, food and provide music. He said someone could read a religious book while enjoying their coffee but that's no different than what people do at other coffee shops. It will be a place to gather, talk, eat and drink coffee.

Johnson explained further, based upon the landlord's and the applicant's testimony, the limitations of 115 and 88 seats are enforceable. She said it doesn't meet the performance standards of a broader place of assembly. If that were going to be the case, the applicant would have to come back and request a CUP for a religious place of assembly.

It was stated the Council would have serious concerns regarding over occupancy and over parking if the coffee shop ever turned into a place of assembly for a religious use.

Kendall restated he's the licensed property manager for the building and is representing Hillside Church and Mugshots in this application.

The question was asked, "does it make a difference in how this application is viewed since the Church will be doing business as Mugshots Coffee Co. charging customers and paying taxes." Referencing the Development Review Committee memo, Council inquired as to what happens if Mugshots isn't able to self-sustain the operation? Who does it revert back to? Johnson explained because Mugshots will be paying rent and taxes, the same as a non-religious tenant, it helps make the argument that this is not a religious use that would be exempt from property taxes. She said the Church is backing the coffee shop financially and will make the lease payments if needed. She said if the business ceases for a period of a year, the CUP is extinguished; otherwise it can be picked up. It was commented this storefront has been vacant for a long time (14-15 months).

Busse said this is a great opportunity; it will animate a dead space. He explained he doesn't make decisions based on the worst case scenario and said neither should Council. It needs to look at the bigger picture.

Motion was made by Lowman, seconded by Busse, and all voting aye, to adopt a resolution approving a Conditional Use Permit for Mugshots Coffee Company at 10518 France Avenue South, subject to the conditions listed in the staff report. (R-2014-152)

6.3 Ziegler CAT; Major Revisions Final Site and Building Plans, Variances; 1201 W. 96th Street

Requested Action: In Case 7272AB-14, adopt a resolution approving a variance to reduce the required front yard setback from 35 feet to 25 feet and a variance from surfacing requirements for storage areas located at 1201 96th Street, for Ziegler CAT, subject to the conditions listed in the staff report.

In Case 7272C-14, approve a major revision to Final Site and Building Plans for a remodel of the existing building and parking lot expansion located at 1201 96th Street, subject to the conditions listed in the staff report.

Planner Mike Centinario presented the staff report. He began by presenting the following information on the variance request to reduce the required front yard setback from 35 feet to 25 feet: An aerial image of the site, the zoning, an image of the existing building, the site plan, proposed loading dock, and staff recommendation.

He then presented the following slides relating to the second variance request from surfacing requirements for a storage area and the major revision to the Final Site and Building Plans for a remodel of the existing building and parking lot expansion: Photos of the equipment storage lot and of the Ziegler equipment to be stored on it, the landscape plan, proof of parking, renderings of the building, and staff recommendation.

The only questions Council had were regarding the number of jobs that will be created and the fencing around the site. Centinario stated the applicant didn't indicate how many jobs will be created. He said a 6-foot chain-link fence is being proposed but added a higher fence could be approved although that is not recommended by staff.

Wayne Hilbert, Principal Architect and Tary Draper, Director of Facilities for CNH Architects stated Ziegler is looking to add 45 additional mechanics.

Motion was made by Abrams, seconded by Oleson, and all voting aye, to adopt a resolution approving variances to reduce the required front yard setback and from resurfacing requirements for a storage area for Ziegler Bloomington, LLC at 1201 West 96th Street, subject to the conditions listed in the staff report. (R-2014-153)

Motion was made by Abrams, seconded by Baloga, and all voting aye, to approve a major revision to Final Site and Building Plans for a remodel of the existing building and parking lot expansion, subject to the conditions listed in the staff report.

7 TRANSPORTATION & UTILITY IMPROVEMENTS: PUBLIC HEARINGS

None.

8 ORDINANCES: PUBLIC HEARINGS

None.

9 OTHER: PUBLIC HEARINGS

None.

10 ORGANIZATIONAL BUSINESS

10.1 City Council Policy & Issue Update

The City Manager reminded Council of the first meeting of the new year on January 5 at 7 pm and asked if Council members would be available for a 5:30 pm study session that same evening. No objections were indicated. He also reminded them of the January 12 study meeting at 6 pm and of the regular meeting on January 27 at 7 pm. He remarked on this being his last Council meeting.

Baloga stated it's been a policy of the City Council to recognize the employees of the City by granting them a half-day off on December 24 and proceeded to make that motion.

Motion was made by Baloga, seconded by Busse, and all voting aye, to grant all non-essential employees a half-day off with pay on December 24 in recognition of the fine and good service provided by the City of Bloomington employees.

On behalf of City staff, Bernhardson thanked the Council for the time off and stated it's never been taken for granted. He said City staff works hard day and in and day out.

10.2 2015 General Fund Budget Adopt Resolution

Requested Action: Adopt a resolution adopting the 2015 Tax Levy and General Fund Budget.

Winstead said because the public hearing on the General Fund Budget and Tax Levy occurred so late in the evening on December 1, he would welcome anyone wishing to address the Council on this item to come forth after the presentation by staff.

Chief Financial Officer Lori Economy-Scholler presented an abbreviated version of the 2015 General Fund Budget and Tax Levy presentation she made on December 1. She highlighted the following information: Council's 2015 budget objectives, levy history comparison, 2015 Preliminary Tax Levy categories, a comparison of the monthly cost of services, total cost comparisons, the proposed 2015 General Fund revenues (\$63,990,682) and expenditures (\$63,990,682), the 2015 value and tax changes for the median value home), and the proposed levy increase of 4%, which was where Council set the Preliminary Levy back in September.

Baloga supported the overall numbers for the levy and the General Fund budget but said it's poor practice not to include a budget line item of \$1.3 million for the Fire Pension, which is a known and undeniable liability for Bloomington in 2015. He said the City has funded that out of positive performance in the past but believes it would be prudent to show that as a line item. He indicated he would not be supporting this resolution.

Bernhardson explained over the last 3 or 4 years, the City has routinely covered the Pension. He said the prudent thing to do would be to set aside funding for the Fire Pension starting in 2017.

Winstead commented given there have been years in which the City didn't have to make any contribution, suggested staff look at the history and figure out how much should be budgeted annually adding a policy should be developed going forward.

Oleson stated Council spends a lot of time discussing budgets throughout the year and this budget has been discussed by Council at study sessions.

Motion was made by Abrams, seconded by Lowman, to adopt a resolution adopting the 2015 Tax Levy and General Fund Budget as presented by staff in the amount of \$63,990,682.) No vote was taken at this time.

Baloga requested the General Fund budget and the tax levy be split into two different motions so he could vote for the tax levy.

Abrams amended her motion to make them into two motions as follows:

Motion was made by Abrams, seconded by Lowman, and all voting aye, to adopt a resolution establishing the final 2015 Tax Levy for the City of Bloomington in the amount of \$49,971,775 as presented by staff.
(R-2014-154)

Motion was made by Abrams, seconded by Lowman, to adopt the 2015 General Fund Budget as presented by staff. Motion passed 5-2 (Baloga and Lowman opposing.) (R-2014-155)

10.3 Port Authority Reappointments

Requested Action: Consent to the Mayor's reappointment of Tim Keller and Rob Lunz to the Bloomington Port Authority.

Motion was made by Abrams, seconded by Baloga, and all voting aye, to consent to the Mayor's appointment of Tim Keller and Rob Lunz to six-year terms on the Port Authority.

11 ADJOURN

Mayor Winstead commented on this being the final meeting of the year and the last meeting for retiring City Manager Mark Bernhardson after a long and successful career. He said the City is financially strong and the residents are satisfied, which didn't happen on its own. He said it's happened over time because of the Manager's efforts and his long-term service and dedication to the City. He thanked Bernhardson for his service as City Manager for more than two decades. He mentioned an employee recognition event that was held for Bernhardson last week. He presented him with a plaque recognizing his 23 years of service to the City of Bloomington.

Busse commented on Bernhardson's life-long achievements and dedication to the public. He said he exemplified public service at its best.

Oleson commented the Council hears many things; one of which is that Bernhardson talks to everyone in the building. He said that included his granddaughter when she accompanied him during a trip to Civic Plaza. He said Bernhardson talked about the historical nature of many things.

Abrams said Bernhardson is the Bloomington brand and brought his "A" game to work every day. He's caring, respectful, and shows integrity in delivering what he says he will. She said the Council is better off because Bernhardson spread that brand around the city and the world and suggested the Council aspire to all of those qualities.

Baloga said he appreciated Bernhardson for all of his work throughout the years and the staff he developed, which will carry on his legacy.

Carlson said public service deserves the best and the brightest and Bernhardson has been all of that.

Lowman commented he first met Bernhardson years ago when he was an intern and those talks reminded him of the time he spent with his father. He thanked Bernhardson for all of those conversations.

Bernhardson thanked the Council for their remarks and said the last 23 years have been a dream. He said being city manager of Bloomington is the capstone of a career. He said it's been a privilege to work in an organization where customer service is the goal and thanked the Council for their dedication to the community.

Mayor Winstead adjourned the meeting at 9:38 p.m.

Barbara Clawson
Council Secretary