



CITY OF
BLOOMINGTON
SPECIAL SESSION
MEETING
AUGUST 22, 2016

AGENDA



**SPECIAL MEETING SESSION AGENDA
OF THE CITY COUNCIL
CITY HALL COUNCIL CHAMBERS
109 E. OLIVE STREET, BLOOMINGTON, IL 61701
MONDAY AUGUST 22, 2016, 5:00 P.M.**

1. Call to Order
2. Roll Call of Attendance
3. Public Comment
4. Consideration of approving the minutes of the Special City Council Meetings for August 8, 2016. (*Recommend that the reading of the minutes be dispensed and approved as printed.*) (5 minutes)
5. Closed Special Meeting
 - A. Review of Minutes – Section 2(c) (21) of 5 ILCS 120/2 (10 minutes)
 - B. Review of Minutes - Section 2(c) (21) of 5 ILCS 120/2 (10 minutes)
 - C. Purchase or Lease of Real Estate – Section 2(c) (5) of 5 ILCS 120/2 (20 minutes)
6. Return to Open Session
7. Report on Release of Closed Session Materials (5 minutes)
8. Presentation and discussion on the J.M. Scott Trust and Future Direction. (*Council discussion 45 minutes.*)
9. Adjourn (*approximately 6:25 PM*)



**SPECIAL SESSION MEETING
AGENDA ITEM NO. 4**

FOR COUNCIL: August 22, 2016

SUBJECT: Consideration of approval the minutes of the Special City Council Meetings for August 8, 2016.

RECOMMENDATION/MOTION: That the reading of the minutes be dispensed and approved as printed.

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 Special City Council Meeting Minutes August 8, 2016 have been reviewed and certified as correct and complete by the City Clerk.

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

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Not applicable.

FINANCIAL IMPACT: Not applicable.

Respectfully submitted for Council consideration.

Prepared by: Cherry L. Lawson, C.M.C., City Clerk

Recommended by:

A handwritten signature in black ink, appearing to read "David A. Hales".

David A. Hales, City Manager

Attachments:

- August 8, 2016

Motion: That the reading of the minutes be dispensed and approved as printed.

Motion: _____ Seconded by: _____

	Aye	Nay	Other		Aye	Nay	Other
Alderman Black				Alderman Mwilambwe			
Alderman Buragas				Alderman Painter			
Alderman Fruin				Alderman Sage			
Alderman Hauman				Alderman Schmidt			
Alderman Lower							
				Mayor Renner			

SPECIAL SESSION CITY COUNCIL MEETING
City Hall Conference Room
109 E. Olive Street, Bloomington, IL 61701
Monday, August 8, 2016; 6:30 PM

1. Call to Order

The Council convened in Special Session in the Council Chambers, City Hall Building at 6:30 p.m., Monday, August 8, 2016. The meeting was called to order by Mayor Renner.

2. Roll Call

Mayor Renner directed City Clerk, Cherry Lawson to call the roll and the following members of Council answered present:

Aldermen Diana Hauman, Karen Schmidt, David Sage (arrived: 6:33 PM), Joni Painter, Amelia Buragas, Mboka Mwilambwe, Scott Black, Kevin Lower (arrived: 6:35 PM), Jim Fruin and Mayor Tari Renner.

Staff present: David Hales, City Manager, Steve Rasmussen, Assistant City Manager, Angela Fyans-Jimenez, Deputy Corporation Counsel (by phone), Cherry Lawson, City Clerk Nicole Albertson, Human Resource Director, Jim Karch, Public Works Director

3. Public Comment

There were no comments offered.

4. Consideration of approving the minutes of the Special City Council Meetings for February 22, 2016, March 21, 2016, April 11, 2016, April 18, 2016, April 25, 2016, May 9, 2016, May 16, 2016, June 13, 2016, and July 11, 2016. (Recommend that the reading of the minutes be dispensed and approved as printed.)

Mayor Renner requested a motion to approve the minutes as presented.

Motion by Alderman Painter, seconded by Alderman Schmidt to approve minutes of the Special City Council Meetings for February 22, 2016, March 21, 2016, April 11, 2016, April 18, 2016, April 25, 2016, May 9, 2016, May 16, 2016, June 13, 2016, and July 11, 2016.

Ayes: Aldermen Mwilambwe, Buragas, Painter, Schmidt, Black, Hauman and Fruin.

Nays: None.

Absent: Aldermen Kevin Lower and David Sage

Motion carried.

5. Motion to Enter into Closed Session

Mayor Renner requested a motion to enter into Closed Session.

Motion by Alderman Painter, seconded by Alderman Schmidt to recess to Executive Session per Section 2 (c) (2) of 5 ILCS 120/2

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

Ayes: Aldermen Hauman, Schmidt, Sage, Painter, Buragas, Mwilambwe, Black, Lower and Fruin

Nays: None.

Motion carried.

5. Motion to Adjourn Closed Session

Mayor Renner requested a motion to Adjourn Closed Session

Motion made by Alderman Hauman, seconded by Alderman Painter, to return to Special Session.

Motion carried (viva voce).

6. Motion to Return to Special Session and Adjourn.

Mayor Renner requested a motion to Return to the Special Session and Adjourn

Motion made by Alderman Hauman, seconded by Alderman Mwilambwe, to return to special session and adjourn the meeting at 6:53 p.m.

Ayes: Aldermen Mwilambwe, Hauman, Painter, Fruin, Buragas, Schmidt, Black, Lower, and Sage.

Nays: None.

Motion carried.

CITY OF BLOOMINGTON

ATTEST

Tari Renner, Mayor

Cherry L. Lawson, City Clerk



**CLOSED SPECIAL SESSION MEETING
ITEM NO. 5**

5.
 - A. Review of Minutes – Section 2(c) (21) of 5 ILCS 120/2 (*10 minutes*)
 - B. Review of Minutes - Section 2(c) (21) of 5 ILCS 120/2 (*10 minutes*)
 - C. Purchase or Lease of Real Estate – Section 2(c) (5) of 5 ILCS 120/2 (*20 minutes*)



**SPECIAL MEETING SESSION
ITEM NO. 7**

7. Report on Release of Closed Session Materials (*5 minutes*)



**SPECIAL CITY COUNCIL MEETING
AGENDA ITEM NO. 8**

FOR COUNCIL: August 22, 2016

SUBJECT: Presentation and discussion on the John M. Scott Trust and Future Direction.

RECOMMENDATION/MOTION: Accept information and begin the process of evaluating proposals and providing direction on the operation of the John M. Scott Trust.

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: Judge John M. Scott was a Justice of the Illinois Supreme Court in the 1880's. He was a resident of McLean County and was head of the McLean County Historical Society in 1892. Judge Scott died on January 1, 1898, and in accordance with his Last Will and Testament, money was to be set aside upon the death of the last surviving annuitant in a trust to erect and construct a building suitable for a hospital to be used for hospital purposes, to be forever under the direction and control of the City of Bloomington. The hospital was to be for the "benefit of all sick or otherwise disabled persons, male or female, old or young, with-out regard to nationality or religious beliefs no matter what cause such sickness or disability may arise...and who may not be able to pay for needed care and attention in such hospital and in such numbers only as the capacity of such hospital will reasonably accommodate." The Last Will and Testament states:

It is particularly desired that all persons who may be injured by accident and who may have no friends at hand to care for them or who may have no money or other means to pay for care and medical or surgical services may be admitted into such hospital for treatment for such length of time as shall be reasonable under all the circumstances provided that any person who may wish to be admitted to such hospital for treatment or for human care, and who may be able to pay for the same, may be admitted and be charged only a reasonable sum for such care and treatment.

In the early 1980's, the last annuitant passed away and the Circuit Court took up how to handle the remaining assets of the trust. As a result, the court awarded 55% of Scott Trust assets (approximately \$5,400,000) to the City of Bloomington for the purpose of implementing the terms of the trust created under the will. Currently, there is approximately \$11,300,000, being held within the Trust.

In the 1880's, when Judge Scott's will was drafted, there were no hospitals in the Bloomington area. However, by the 1980's, when the trust became active, the Bloomington-Normal area had multiple hospitals and various other medical facilities. Accordingly, the trust, as created, was updated as necessary with the community's existing medical situation. Specifically, Article II of the Declaration of Trust that was approved by the Circuit Court stated the Trust's purpose as follows:

...to provide health care for the use and benefit of all sick or otherwise disabled persons, no matter from what cause such sickness or disability may arise, and who may not be able to pay for needed care and attention; and to conduct health-related informational and educational programs and activities to assist such persons in preventing illness and promoting good health.... Article II.

In accordance with the Article III of the Trust, the purpose outlined in Article II, was to be accomplished through the John M. Scott Health Care Program (“Program”). In accordance with the Trust, this Program is to:

- a. Provide access to the existing health care system for persons who may not be able to pay for needed care and attention by (1) performing limited, non-emergency, physical assessments for such persons who believe themselves to be ill or in need of treatment; (2) making referrals to appropriate doctors, dentists, clinics, hospitals, and similar professional personnel or facilities; (3) providing or arranging for transportation to and from such health care personnel and facilities; (4) acting as an advocate on behalf of such persons with respect to appointments, communications and administration within the health care system; and (5) making payments upon behalf of such persons to those persons and facilities who may have provided authorized services within the health care system.
- b. Provide care in existing, local hospitals (St. Joseph, Mennonite and Brokaw) for such persons who may not be able to pay for needed care and attention (1) by making direct payment for qualified, identified patients, and (2) by grants-in-aid. Such payments and grants-in-aid will be made and applied in accordance with published guidelines to be promulgated by the trustee for the purpose of establishing criteria and procedures determined to be necessary or desirable to identify qualified patients and to control expenditure of such grants-in-aid.
- c. Acquire diagnostic or laboratory equipment not otherwise readily available in the local health care system for use in local hospitals, clinics, and other health care facilities; or for use in the John M. Scott Health Care Center.

Under the Trust, a facility to be known as the John M. Scott Health Care Center (“Center”) was to be created. This was initially located within the City’s Township Building and it continues to be housed there today.

The Trust provides the Program is to be “forever under the direction and control” of the City, as Trustee. Further, under the continuing jurisdiction of the Circuit Court, the City Council, as trustee, retains and exercises responsibility for the policy direction, program priorities, budgeting and appropriation. The Trust further creates the John M. Scott Commission to be appointed to advise the City, as Trustee, on the following: (a) the development of the Center; (b) planning of the program; and (c) such other matters as directed by the Trustee from time-to-time.

The Commission is made up of the Township Supervisor, as well as representatives from various other medical and charitable organizations within McLean County.

Historically, the Center was managed out of the Township Supervisor’s office in the years of Maxine Shultz. In 1984, the City took over administration and staffing for the Center from the Township. The Director of the Center was then elected as Township Supervisor in 2001 and the

Center's administration moved back to Township. Accordingly, the City currently, through an Intergovernmental Agreement, utilizes the City of Bloomington Township Supervisor's Office as the entry point into the system in order to determine eligibility, refer clients to health care facilities or screening program, assess fees and approve payments from the Trust.

Prior to the Affordable Care Act, many programs and services were provided by the Center that served the needs of low income residents. Some of these programs included the provision of prescription medicine, adult dental, preventative adult dental in private offices, medical office visits, transportation for maternal/child and cancer treatment, mental health prescriptions, and valued vision.

Since the implementation of Affordable Care Act, the Center has seen a significant decline in the number of persons seeking and qualifying for services. In addition, the McLean County Health Department Valued Vision Program was cancelled.

The Center is now in a transition phase and direction is needed from the City Council, as trustee, on how to best meet the objectives of the Trust and Judge Scott's wishes. On Monday night, at least two visions for how the Trust could move forward will be outlined and presented. This may be the first of many meetings where these issues are discussed, and direction is sought, as the City Council fulfills its duties as Trustee of the John M. Scott Trust.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: N/A

Respectfully submitted for Council consideration.

Prepared by: Jeffrey R. Jurgens, Corporation Counsel

Recommended by:



David A. Hales
City Manager

Attachments:

- Declaration of Trust (with applicable portion of Last Will & Testament)
 - 1981 City Council Report
 - Intergovernmental Agreement
 - JM Scott Commission Bylaws
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