CITY OF Bloomington ILLINOIS

MINUTES
REGULAR SESSION CITY COUNCIL MEETING
MONDAY, DECEMBER 14, 2020, 6:00 P.M.

This meeting was conducted under Governor Pritzker's Executive Order 2020-07 Section 6, which was reissued and extended by Executive Order 2020-74, and implemented in response to COVID-19, which suspended in-person attendance under the Open Meeting Act, 5 ILCS 120.

The City Council convened in regular session virtually via Zoom conferencing with the City Manager, Tim Gleason, and City Clerk, Leslie Yocum, in-person in City Hall's Council Chambers at 6:00 p.m., Monday, December 14, 2020. The meeting was called to order by Mayor Tari Renner.

Roll Call

Attendee Name	Title	Status	Arrived
Tari Renner	Mayor	Remote	
Jamie Mathy	Ward 1	Remote	
Donna Boelen	Ward 2	Remote	
Mboka Mwilambwe	Ward 3	Remote	
Julie Emig	Ward 4	Remote	
Joni Painter	Ward 5	Remote	
Jennifer Jazmin Carrillo	Ward 6	Remote	
Mollie Ward	Ward 7	Remote	
Jeff Crabill	Ward 8	Remote	
Kim Bray	Ward 9	Remote	

COVID-19 Update by City Manager

City Manager Tim Gleason informed Council that staff continued enforcement on reports of COVID-19 violations and highlighted that an ordinance would appear before Council in January allowing additional liquor license prorations for licensees affected by COVID-19. He discussed COVID-19 vaccination availability for McLean County.

Recognition/Appointments

No recognitions or appointments were made.

Public Comment

Mayor Renner opened the meeting for public comment and the following individuals spoke live: (1) Don Carlson; (2) Jon Reed; (3) Willie Halbert; (4) Robert Garcia; and (5) Lori Paton. The following individuals submitted emailed public comment: (1) Misty Metroz; (2) Dave Kobus; (3) Gary Shultz; (4) Creighton Budris; and (5) Surena Fish.

Consent Agenda

Items listed on the Consent Agenda are approved with one motion; Items pulled by Council from the Consent Agenda for discussion are listed and voted on separately.

Council Member Mathy made a motion, seconded by Council Member Bray, that the Consent Agenda, including all items listed below, be approved as presented, with the exception of Item 8.I.

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

AYES: Mathy, Boelen, Mwilambwe, Emig, Painter, Carrillo, Ward, Crabill, Bray

Motion carried.

Item 8.A. Consideration and action to approve the Minutes of the November 9, 2020 Regular City Council Meeting, as requested by the City Clerk Department. *(Recommended Motion: The proposed Minutes be approved.)*

Item 8.B. Consideration and action to approve the Minutes of the November 16, 2020 Committee of the Whole Meeting, as requested by the City Clerk Department. *(Recommended Motion: The proposed Minutes be approved.)*

Item 8.C. Consideration and action to approve the John M. Scott Health Fiscal Year 2020 Annual Court Report, as requested by the Economic & Community Development Department. *(Recommended Motion: The proposed Annual Court Report be approved.)*

Item 8.D. Consideration and action on an Intergovernmental Agreement between the City of Bloomington and Bloomington Public Schools, District 87, so that they can purchase rock salt from the City during winter 2020-2021, in the amount of $106.67 per ton for the existing supply left over from the 2019-2020 season, and in the amount of $66.97 per ton once the existing supply is exhausted, not to exceed 250 tons, as requested by the Public Works Department. *(Recommended Motion: The proposed Intergovernmental Agreement be approved.)*

Item 8.E. Consideration and action on a Resolution Requiring the Annexation of the Timberlake Subdivision, as requested by the Legal Department. *(Recommended Motion: The proposed Resolution be approved.)*

Item 8.F. Consideration and action on a Resolution to Intervene in the 2019 Appeals to the Property Tax Appeal Board, as requested by the Legal Department. *(Recommended Motion: The proposed Resolution be approved.)*

Item 8.G. Consideration and action on a Resolution Approving Acceptance of the US Department of Housing and Urban Development's Office of Lead Hazard Control and Healthy Homes' Lead-Based Paint Hazard Reduction Grant, as requested by the Economic & Community Development Department. *(Recommended Motion: The proposed Resolution be approved.)*

Item 8.H. Consideration and action on an Ordinance Approving a Special Use Permit for Vehicle Sales and Service in the B-1 General Commercial District, for Property Located at 2426 S. Main Street, Bloomington, IL 61704, as requested by the Economic & Community Development Department. *(Recommended Motion: The proposed Ordinance be approved.)*

Item 8.I. was removed from the Consent Agenda by Council Member Ward.

Item 8.J. Consideration and action on an Ordinance Approving the Final Plat of Parkway Village Phase 6 Subdivision and Vacating Certain Easements, as requested by the Public Works Department. *(Recommended Motion: The proposed Ordinance be approved with the condition that the necessary supporting documentation is provided to the City within 90 days of action by Council.)*

Items Removed from the Consent Agenda

Item 8.I. Consideration and action on an Ordinance Approving a Special Use Permit for Vehicle Repair and Service in the M-1 Restricted Manufacturing District for Property Located at 604 W. Division Street, Bloomington, IL 61701, as requested by the Economic & Community Development Department.

Council Member Ward made a motion, seconded by Council Member Bray, that the proposed Ordinance be approved on the condition that the screening to be modified to include the south-side of the property exclusive to the driveway.

Council Member Ward explained she had received positive feedback for the special use permit from neighbors of the property and that the neighbors also favored additional fencing to ascetically hide the parking lot.

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

AYES: Mathy, Boelen, Mwilambwe, Emig, Painter, Carrillo, Ward, Crabill, Bray

Motion carried.

Regular Agenda

The following item was presented:

Item 9.A. Consideration and action on an Ordinance Amending Chapter 7 of the City Code to Create a Video Gaming License Waitlist, as requested by the City Clerk Department.

Mr. Gleason provided a brief background and asked Leslie Yocum, City Clerk, to address Council. Mrs. Yocum gave a brief history of video gaming in the City. She noted the City had reached the 60-license cap placed on video gaming by Council and explained the benefits of maintaining a waitlist for qualified applicants. She went on to explain the proposed qualifications and procedures for approval of waitlist placement, license approval, and how one could be removed from the waitlist.

Council Member Mathy made a motion, seconded by Council Member Painter, that the proposed Ordinance be approved.

Council Member Painter expressed her support.

Council Member Emig asked for confirmation on the order in which applications were reviewed. Mrs. Yocum confirmed applications would be reviewed based on the date and time stamp placed on the application when received.

Council Member Bray expressed her support and then asked for additional details on the review process and approval for the waitlist. Mrs. Yocum responded that a submission would be reviewed as if there was a license available, which meant the submission of a completed application with all attachments must be met. If the application would have been approved if a license was available, the applicant establishment would then be placed on the waitlist. Council Member Bray asked if staff proposed a limit for the number of establishments that could appear on the waitlist. Mrs. Yocum confirmed that staff did not believe a limit was necessary. Council Member Bray expressed concern with establishments submitting applications for the waitlist only to hold a place in line should they decide to add video gaming in the future. Mr. Gleason stated that an applicant must meet specific criteria for a license and that the qualifications are not easily accomplished. Mrs. Yocum clarified that there were costs associated to meeting and maintaining qualifications for a City video gaming license. She reminded Council there was not an application fee associated to Video Gaming applications, but that one could be considered in the future to further restrict less serious applications if they believed that important. She also pointed out that an applicant establishment must obtain and maintain a State of Illinois Video Gaming license in order to apply for a City license including being waitlisted.

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

AYES: Mathy, Boelen, Mwilambwe, Emig, Painter, Carrillo, Ward, Crabill, Bray

Motion carried.

The following item was presented:

<u>Item 9.B. Consideration and action on Council Member Boelen's Agenda Initiative Proposal to adopt a Resolution for the purpose of investigating and implementing the Welcoming America Initiative, a national non-for-profit established in 2009, to seek designation as a Welcoming America Community, as requested by the Administration Department.</u>

Mayor Renner introduced Council Member Boelen's Council Initiative for a Welcoming America resolution. He then explained the procedure for Council discussion.

Council Member Boelen provided background on the item and noted the goal was to involve numerous local philanthropic organizations, municipalities, and businesses. She explained the Welcoming America National Program ("Program") was a not-for-profit established in 2009. She explained the Program provided framework, as well as resources, for inclusive communities. She stressed that the quality of the process determined the quality of the outcome and explained the potential benefits of implementation. She then provided details and her ideas on the seven categories of the Welcoming America Program. The categories included: (1) Government Leadership; (2) Equitable Access; (3) Civic Engagement; (4) Connected Communities; (5) Education; (6) Economic Development; and (7) Safe Communities.

Mayor Renner left and returned at various times between 6:34 p.m. and 6:45 p.m.

Council Member Boelen stressed the importance of building relationships between staff and the community. She explained the Program's membership benefits and that the next step would be to adopt a Welcoming America resolution. She went on to state that after a resolution was approved, the City would then join the Program and assign the accountability to a designated department who would work with the community partners to guide the work forward and provide annual documentation of the implementation process.

Council Member Boelen made a motion, seconded by Council Member Bray, that staff be provided direction on and directed to draft a Resolution regarding Welcoming America.

Council Member Crabill stated that the Welcoming City and Welcoming America proposals were not the same. He asked for confirmation on Council's ability to amend the proposal for the Program as he believed the adoption would only allow predetermined guidelines. He then asked for clarification on if Council needed to consider a separate ordinance for Welcoming City.

Mayor Renner asked Jeff Jurgens, Corporation Counsel, if the City could have both Welcoming America and Welcoming City ordinances. Mr. Jurgens responded that additional research was needed, but that he believed the two did not conflict.

Mr. Jurgens then responded to Council Member Crabill in that if consideration of a Welcoming City ordinance was desired, a new Council Initiative was required.

Council Member Crabill expressed interest in a discussion on a Welcoming City initiative before a decision was made on the Program and explained his decision to vote no at that time.

Council Member Ward asked Council Member Boelen how the City could make the Program customized for Bloomington and if codification of policy on law enforcement interactions with ICE (Immigration and Customs Enforcement) was possible. Council Member Boelen responded that the topic on the floor was to consider if Council wanted to move forward on the implementation of the Program. She then explained how the community could become involved in the process.

Council Member Ward clarified that she was interested in what would preclude the City from codifying policies currently in place to customize the Program for the City. Council Member Boelen reiterated that community involvement would continue throughout the process. Council Member Ward expressed interest in intentional direction of the Program.

Council Member Bray expressed her support in the Program and believed the broad-based approach was the best fit for the City. She explained reasonings for her support and her experiences with the Program.

Council Member Carrillo expressed her support for a Welcoming City ordinance over the Program and then expressed concerns on the intent behind the Program's adoption.

Council Member Bray called a point of order and reminded Council to focus the discussion on the Program. She expressed additional concerns.

Mayor Renner responded accordingly and emphasized Council Member Carrillo's ability to express non-support of the Program and her preference to a Welcoming City ordinance. He asked Council Member Carrillo to stay on topic.

Council Member Carrillo reiterated her preference for a Welcoming City ordinance.

Council Member Bray called a second point of order and restated her same reasoning as for the first point of order.

Mayor Renner agreed to the point of order and asked Council Member Carrillo to only discuss her support or non-support of the initiative at hand.

Council Member Carrillo believed that the components of the Program were beneficial to the community, but emphasized that Council needed to prioritize listening to professional organizations in the community that represent immigrant populations.

Council Member Mathy expressed his support and highlighted that the Program does not preclude the Welcoming City ordinance.

Council Member Emig noted that Champaign, IL had adopted both the Program and a Human Rights Act, which codified staff interactions with ICE. She echoed Council Member Ward's comments on intentional direction and asked for confirmation of whether funds were attached at the current stage of the initiative. Council Member Boelen reiterated that the next step was to approve a resolution to review what was involved with the Program. She stated that it would likely cost $200-$500 for Program membership to gain access to necessary resources.

Council Member Mwilambwe expressed interest in the robust Program. He asked the cost associated with the Program certification. Council Member Boelen explained qualifications of certification and noted that Program certification was optional. Council Member Mwilambwe expressed interest in the creation of a custom Program for the City and then discussed his experiences as an international student integrating into the community.

Council Member Painter expressed her support in the Program and that it created a foundation to create a Welcoming City ordinance.

Council Member Boelen reiterated the motion.

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

AYES: Mathy, Boelen, Mwilambwe, Emig, Painter, Ward, Bray

NAYS: Carrillo, Crabill

Motion carried.

The following item was presented:

<u>Item 9.C. Consideration and potential action regarding Ordinance 2020-18, An Ordinance Declaring a Local Emergency Due to the COVID-19 Virus & Enacting Various Emergency Measures, as requested by the Legal Department.</u>

No modifications were presented at that time.

Finance Director's Report

Scott Rathbun, Finance Director, explained that the Council meeting being held earlier in the month due to holiday schedules did not allow enough time for tax collections and bank reconciliations in order to form his usual presentation. He explained that he would instead share how staff tracked, monitored, and projected major tax revenue categories and highlight year-to-date totals, as well as the reasons behind variances between budget and actual amounts received. He presented accordingly.

Council Member Mathy asked for additional information on the graphs provided for each major tax revenue category. Mr. Rathbun responded that the graphs showed year-to-date budget and actual amounts received.

City Manager's Discussion

Mr. Gleason highlighted Bloomington's “Season of Small” which supported local small businesses and the upcoming indoor Downtown Farmer's Market. He then provided an update on the Lutz Road construction project and explained where the community could view additional information on the project on the City's website.

Mayor's Discussion

Mayor Renner thanked Mr. Gleason and City staff for their continued work. He informed the community that he had tested positive for COVID-19 and urged individuals to monitor their symptoms. He reminded liquor license holders that they must abide by the State of Illinois Governor's COVID-19 Executive Orders and that the City would continue to pursue enforcement on compliance. He explained that the City had received over $5,000 in COVID-19 non-compliance fines from enforcement actions and reminded the community that the true goal was compliance, not fines. He explained that the City had decided that the money collected from non-compliance fines would be given to families of District 87 who had been adversely affected by COVID-19.

Council Member's Discussion

Council Member Mathy echoed the Mayor's comments on COVID-19 safety and reminded the community that vaccines would be distributed in the near future. He recommended that the community educate themselves on the COVID-19 vaccine through scientific communities verses social media posts.

Council Member Boelen thanked Council for their support of her initiative.

Council Member Mwilambwe thanked Mr. Gleason and staff for the creative use of non-compliance funds to spread holiday cheer during the pandemic. He also thanked staff for their tremendous work throughout COVID-19.

All Council Members expressed sentiments of Happy Holidays and Happy New Year to Council, City staff, and the community.

Executive Session - Cite Section

No Executive Session was held.

Adjournment

Council Member Boelen made a motion, seconded by Council Member Bray, that the meeting be adjourned.

Motion carried (viva voce).

The meeting adjourned at 7:41 p.m.

CITY OF BLOOMINGTON	**ATTEST**
Tari Renner	Amanda Mohan
Tari Renner, Mayor	Amanda Mohan, Deputy City Clerk