City of Bloomington Illinois

CITY OF BLOOMINGTON COUNCIL MEETING DECEMBER 6, 2021

CITY OF Bloomington ILLINOIS

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 - Mboka Mwilambwe

City Council Members

Ward 1 - Jamie Mathy
Ward 2 - Donna Boelen
Ward 3 - Sheila Montney
Ward 4 - Julie Emig
Ward 5 - Nick Becker
Ward 6 - De Urban
Ward 7 - Mollie Ward
Ward 8 - Jeff Crabill
Ward 9 - Tom Crumpler

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

TRUTH IN TAXATION & PUBLIC HEARING &
REGULAR SESSION CITY COUNCIL MEETING AGENDA
GOVERNMENT CENTER CHAMBERS, 4TH FLOOR, ROOM #400
115 E. WASHINGTON STREET, BLOOMINGTON, IL 61701
MONDAY, DECEMBER 6, 2021, 6:00 P.M.

1. **Call to Order**
2. **Pledge of Allegiance to the Flag**
3. **Remain Standing for a Moment of Silent Prayer**
4. **Roll Call**
5. **Truth in Taxation Public Hearing - Bloomington Public Library Tax Levy**
   - A. Call to Order
   - B. Presentation of Tax Levy
   - C. Public Testimony (3 minutes per person)
   - D. Close Public Hearing
6. **Recognition/Appointments**
   - *A.* Recognition of Appointments to Various Boards & Commissions, as requested by the Administration Department. *(Recommended Motion: None; recognition only.)*
7. **Public Comment**

   Individuals wishing to provide emailed public comment must email comments to publiccomment@cityblm.org at least 15 minutes before the start of the meeting. Individuals wishing to speak in-person or remotely may register at cityblm.org/register at least 5 minutes before the start of the meeting for in-person public comment and at least 15 minutes before the start of the meeting for remote public comment.
8. **Consent Agenda**
   - *A.* Consideration and action to approve the Minutes of the October 25, 2021 Regular City Council Meeting, as requested by the City Clerk Department. *(Recommended Motion: The proposed Minutes be approved.)*
   - *B.* Consideration and action to approve the Minutes of the November 8, 2021 Regular City Council Meeting, as requested by the City Clerk Department. *(Recommended Motion: The proposed Minutes be approved.)*
   - *C.* Consideration and action to approve an Agreement, as a sole source, with Axon Enterprise, Inc. for 15 body-worn cameras for a 24-month fixed annual cost, to automatically renew each year contingent on the yearly expenditure being

approved in the annual budget, as requested by the Police Department. *(Recommended Motion: The proposed Agreement be approved.)*

D. Consideration and action on an Ordinance Approving a Site Plan for a Commercial Recreation Facility in the B-1 (General Commercial) District, for Property Located at 404 Bronco Drive, as requested by the Economic & Community Development Department. *(Recommended Motion: The proposed Ordinance be approved.)*

E. Consideration and action on an Ordinance Approving a Text Amendment to the Bloomington City Code, Chapter 44, Relating to Commission Schedules - Planning Commission, as requested by the Economic & Community Development Department. *(Recommended Motion: The proposed Ordinance be approved.)*

9. Regular Agenda

A. Presentation and discussion of Public Works project updates, as requested by the Public Works Department. *(Recommended Motion: None; presentation only.) (Presentation by Kevin Kothe, P.E., Director of Public Works, 15 minutes; and City Council discussion, 15 minutes.)*

10. City Manager's Discussion

11. Mayor's Discussion

12. Council Member's Discussion

13. Executive Session - Cite Section

14. Adjournment

PUBLIC HEARING

PUBLIC HEARING ITEM NO. 5.E

FOR COUNCIL: December 6, 2021

SPONSOR: Finance Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Public Hearing for the Bloomington Public Library 2021 Estimated Tax Levy, as requested by the Finance Department.

RECOMMENDED MOTION:
None; public hearing only.

STRATEGIC PLAN LINK:
-Goal 2. Upgrade City Infrastructure and Facilities
-Goal 1. Financially Sound City Providing Quality Basic Services

STRATEGIC PLAN SIGNIFICANCE:
-Objective 2e. Investing in the City's future through a realistic, funded capital improvement program
-Objective 1c. Engaged residents that are well informed and involved in an open governance process
-Objective 1a. Budget with adequate resources to support defined services and level of services

BACKGROUND: The Bloomington Public Library (BPL) tax levy is the primary funding source of its operations. The BPL staff and the Library Board strive to run an efficient budget by looking for ways to reduce expenses and to do more with less, resulting in historically modest levy increases. The BPL has proposed a $22.8M expansion to its facility. $17M of that cost will be supported by 20-year General Obligation bonds to be issued in the first half of calendar 2022. The estimated annual debt service will be approximately $1.1M. A Resolution supporting the Expansion and the funding of the related debt service via the Library Tax Levy was approved by City Council on November 8, 2021 and approved by the Bloomington Public Library Board of Trustees on November 16, 2021. The 2021 Tax Levy Estimate was approved by City Council on November 22, 2021.

Library Levy Request of $6,117,785:

2020 BPL Levy (prior year):	$4,967,785	
2021 BPL EAV Increase	$50,000	
2021 BPL Expansion Increase	$1,100,000	
2021 Total Levy Increase	$1,150,000	= 23.15% aggregate increase
2021 Total Proposed Levy	$6,117,785	

Library Rate Calculation:

2021 Proposed Tax Levy $$\frac{\$\ 6{,}117{,}785}{\$1{,}930{,}212{,}541} = .31695\% \text{ - prior year } .26317\%$$

Illinois Statute 35ILCS 200/18-85 requires the proposed estimated levy be compared to the prior year aggregate levy (excluding amounts for bond debt service) and if a 5% increase exists then a public hearing in addition to a public notice must occur. The proposed levy results in a 23.15% increase over the prior year. A public notice was posted in the Pantagraph on November 29th, 2021 and posted to the City's website.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: The 2021 Proposed BPL Tax Levy Estimate is $6,117,785. Of this total, $1.1M will be reserved for the Library Expansion bond debt service.

COMMUNITY DEVELOPMENT IMPACT: N/A

Respectfully submitted for Council consideration.

Prepared by: F. Scott Rathbun, Finance Director

Reviewed by:

Chris Tomerlin, Budget Manager 11/23/2021

Jeffrey R. Jurgens, Corporation Counsel 11/30/2021

Tara Henry, Legislative Assistant & Records Manager 12/1/2021

Attachments:

- FIN 1B Library 2021 Truth In Taxation Notice
- FIN 1C Library 2021 Tax Levy Estimate

TRUTH IN TAXATION
Notice for Public Hearing

Notice of Proposed Property Tax Increase for the Bloomington Public Library.

I. A public hearing to approve a proposed property tax levy increase for the Bloomington Public Library (Library) for the tax year 2021, collectible in 2022, will be held on December 6, 2021 at 6:00 p.m. at the Government Center Chambers, 4th Floor, Room #400, 115 E. Washington Street, Bloomington, Illinois.

Any person desiring to appear at the public hearing and present testimony to the taxing district may contact Leslie Yocum, City Clerk at Government Center, Room #103, 115 E. Washington Street, Bloomington, Illinois at (309) 434-2240.

II. The Library corporate or special purpose property taxes extended or abated for 2020 was $4,967,785.

The proposed corporate or special property taxes to be levied by the Library for tax year 2021 are $6,117,785. This represents a 23.15% over the previous year.

III. The Library did not extend any property taxes for debt services or public building commission leases in tax year 2020.

The Library is not levying any amount for debt service or public building commission leases for tax year 2021. There is accordingly no increase or decrease to report.

IV. The total property taxes extended for tax year 2020 were $4,967,785 for the Library.

The estimated total property taxes to be levied for tax year 2021 is $6,117,785. This represents a 23.15% over the previous year.

2021 Proposed & Historical Tax Levy - For FY2023 Budget Year

Bloomington Public Library					
Levy Type	***2021 Proposed***	***2020 Tax Levy***	***2019 Tax Levy***	***2018 Tax Levy***	***2017 Tax Levy***
TOTAL	$ 6,117,785	$ 4,967,785	$ 4,935,359	$ 4,871,840	$ 4,823,604
EAV-Operations Increase	$ 50,000				
Expansion Project Increase	$ 1,100,000				
Dollar Increase/(Decrease)	$ 1,150,000	$ 32,426	$ 63,519	$ 48,236	$ 140,493
Percent Increase/(Decrease)	23.15%	0.66%	1.30%	1.00%	3.00%
Preliminary EAV	1,930,212,541	1,887,703,781	1,881,602,162	1,867,939,698	1,858,132,129
Estimated Tax Rate	**0.31695%**	**0.26317%**	**0.26230%**	**0.26081%**	**0.2596%**

RECOGNITIONS

City of Bloomington Illinois

RECOGNITION/APPOINTMENTS ITEM NO. 6.A

FOR COUNCIL: December 6, 2021

SPONSOR: Administration Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Recognition of Appointments to Various Boards & Commissions, as requested by the Administration Department.

RECOMMENDED MOTION:
None; recognition only.

STRATEGIC PLAN LINK:
-Goal 5. Great Place – Livable, Sustainable City

STRATEGIC PLAN SIGNIFICANCE:
-Objective 5b. City decisions consistent with plans and policies

BACKGROUND: The included Appointments are representative of City Council's approval from the November 22, 2021 meeting.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: N/A

COMMUNITY DEVELOPMENT IMPACT: N/A

Respectfully submitted for Council consideration.

Prepared by: Amy Overton, Executive Assistant

Reviewed by:

Billy Tyus, Deputy City Manager	12/1/2021	Tara Henry, Legislative Assistant	12/1/2021

Attachments:

- ADM 1B Recognition of Mayoral Appointments

Appointment

Uma Kailasam: Human Relations Commission

Appointment

John Elterich: Historic Preservation Commission

CONSENT AGENDA

CITY OF Bloomington ILLINOIS

CONSENT AGENDA ITEM NO. 8.A

FOR COUNCIL: December 6, 2021

SPONSOR: City Clerk Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and action to approve the Minutes of the October 25, 2021 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 web site within ten (10) days after Council approval.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: N/A

COMMUNITY DEVELOPMENT IMPACT: N/A

Respectfully submitted for Council consideration.

Prepared by: Amanda Stutsman, Deputy Clerk

Reviewed by:

Leslie Yocum

Leslie Yocum, City Clerk 12/2/2021

Tara Henry

Tara Henry, Legislative Assistant 12/2/2021

Attachments:

- CLK 1B 10-25-21 Council Meeting Minutes

MINUTES
REGULAR SESSION CITY COUNCIL MEETING
MONDAY, OCTOBER 25, 2021, 6:00 P.M.

The City Council convened in regular session in-person in the Government Center Chambers at 6:00 p.m., Monday, October 25, 2021. The meeting was called to order by Mayor Mboka Mwilambwe.

Roll Call

Attendee Name	Title	Status	Arrived
Mboka Mwilambwe	Mayor	Present	
Jamie Mathy	Council Member, Ward 1	Present	
Donna Boelen	Council Member, Ward 2	Present	
Sheila Montney	Council Member, Ward 3	Present	
Julie Emig	Council Member, Ward 4	Present	
Nick Becker	Council Member, Ward 5	Present	
De Urban	Council Member, Ward 6	Present	6:10 PM
Mollie Ward	Council Member, Ward 7	Present	
Jeff Crabill	Council Member, Ward 8	Present	
Tom Crumpler	Council Member, Ward 9	Present	

Recognition/Appointments

A. Presentation of the City of Bloomington Police Department Police Officer's Commission Certificate to Officers McCall and Followell, upon their completion of an eighteen-month probation

Police Chief Jamal Simington presented Officers Bryan McCall and Cody Followell to Council, recognizing their recent graduation from field training. Chief then provided background on each officer and Mayor Mwilambwe thanked them for their service.

Public Comment

Mayor Mwilambwe read a statement of procedure for public comment and the following spoke in-person: (1) Grant Jones; (2) David Long; (3) Jenee Clark; (4) Matthew Toczko; (5) Asrar Kazmi; and (6) Kelly Theisen. The following individuals provided virtual public comment: (1) Jennifer Carrillo; (2) Tate Skinner; (3) Alora Swick; (4) Leah Pinson; and (5) Louisa Gomez. Winnie Gent, Kurt Hudson, and Stacy Durako emailed public comment.

Ward 6 Appointment

A. Consideration and action to approve the Appointment of De Urban to serve as the Council Member for Ward 6, as requested by the Administration Department.

Mayor Mwilambwe nominated De Urban to fill the Ward 6 Council vacancy. He discussed the selection process, community input received, and explained his reasoning to support the nomination. He noted she would only serve the remainder of the existing term.

Council Member Boelen made a motion, seconded by Council Member Crumpler, that the proposed Appointment be approved.

Council Member Mathy expressed his respect for Ms. Urban, but stated he would not support the appointment as he believed she was not what Ward 6 desired.

Council Member Ward did not support the appointment. She expressed disapproval of the selection process.

Council Member Crabill thanked Ms. Urban for her involvement in the community. He did not believe she was the best fit for Ward 6 at that time and that due to public input opposing her appointment, he was not supportive of the appointment.

Council Member Emig echoed appreciation for Ms. Urban's community involvement. She too was not supportive of the appointment based on the public's preference for alternative representation. She also expressed disapproval of the selection process.

Council Member Boelen believed some of the public input shared about De Urban to be untrue and expressed frustration with the dishonesty.

De Urban stressed her intention to be the voice of all Ward 6 constituents. She promised to set her personal views aside when contrary to the majority and stated that she would try very hard to fill the shoes of former Ward 6 representative, Jennifer Carrillo.

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

AYES: Boelen, Montney, Becker, Crumpler

NAYS: Mathy, Emig, Ward, Crabill

Leslie Yocum, City Clerk, announced the tie. She reminded Mayor Mwilambwe that he would have to vote. Mayor Mwilambwe voted in favor of the appointment.

Motion carried.

B. Oath of Office - Ward 6 Appointee

Leslie Yocum, City Clerk, performed the Oath of Office for De Urban.

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 Boelen made a motion, seconded by Council Member Mathy, that the Consent Agenda, including all items listed below, be approved as presented.

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

AYES: Mathy, Boelen, Montney, Emig, Becker, Ward, Crabill, Crumpler

Motion carried.

Item 8.A. Consideration and action to approve the Minutes of the August 16, 2021 Committee of the Whole 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 September 27, 2021, Regular City Council Meeting, as requested by the City Clerk Department. *(Recommended Motion: The proposed Minutes be approved.)*

Item 8.C. Consideration and action to approve Bills and Payroll in the amount of $7,388,683.55, as requested by the Finance Department. *(Recommended Motion: The proposed Bills and Payroll be approved.)*

Item 8.D. Consideration and action to approve the Purchase of ammunition for police duty weapons in the amount of $59,969, utilizing the IL State Joint Contract (20-426DOC-CENTO-P-12144, exp. 6/30/22), as requested by the Police Department. *(Recommended Motion: The proposed Purchase be approved.)*

Item 8.E. Consideration and action to approve an Agreement with Corrective Asphalt Materials, LLC, as a limited source for the FY22 Pavement Preservation Program, in the amount of $258,717.40, as requested by the Public Works Department. *(Recommended Motion: The proposed Agreement be approved.)*

Item 8.F. Consideration and action to grant Workers' Compensation Settlement Authority in the amount of $108,713 to City of Bloomington Police Officer Michael Luedtke, claim #W002773013, as requested by the Human Resources Department. *(Recommended Motion: The proposed Workers' Compensation Settlement be approved.)*

Item 8.G. Consideration and action to approve a Contract Extension with Evergreen FS for fuel from November 1, 2021, through October 31, 2022, for the City's vehicles and equipment, as requested by the Public Works Department. *(Recommended Motion: The proposed Contract Extension be approved.)*

Item 8.H. Consideration and action to approve a Professional Services Contract with Hutchison Engineering, LLC., in the amount not to exceed $95,555, for preliminary engineering services for the extension of the Constitution Trail from Lafayette Street to Hamilton Road utilizing RFQ #2019-34, as requested by the Public Works Department. *(Recommended Motion: The proposed Contract be approved.)*

Item 8.I. Consideration and action to approve a Contract with RJN Group, for the Miller Park Flow Monitoring Program, in the amount of $112,800, as requested by the Public Works Department. *(Recommended Motion: The proposed Contract be approved.)*

Item 8.J. Consideration and action on a Resolution Authorizing Waiving the Technical Bidding Requirements and Approving the Purchase of Syngenta, BASF, Bayer and Nufarm Chemicals and Fertilizers from Marubeni America Corporation DBA Helena Agri Enterprises LLC, as requested by the Parks, Recreation and Cultural Arts Department. *(Recommended Motion: The proposed Resolution and Purchase be approved.)*

Item 8.K. Consideration and action on an Ordinance Approving a Site Plan and Special Use Permit for Vehicle Repair and Service in the B-1 (General Commercial) District, for Property Located at 1106 S. Veterans Parkway (Rear), as requested by the Economic & Community Development Department. *(Recommended Motion: The proposed Ordinance be approved.)*

Item 8.L. Consideration and action on an Ordinance Approving a Text Amendment to the Bloomington City Code, Chapter 44, Relating to Auto Repair and Service, as requested by the Economic & Community Development Department. *(Recommended Motion: The proposed Ordinance be approved.)*

Item 8.M. Consideration and action on an Ordinance Authorizing a Construction Contract Between the City of Bloomington and Hoerr Construction, Inc., for the FY2022 Sewer Rehabilitation Program (BID 2022-11), in the Amount of $1,643,876.40, as requested by the Public Works Department. *(Recommended Motion: The proposed Ordinance be approved.)*

Regular Agenda

The following item was presented:

Item 9.A. Administrative Review of a Zoning Board of Appeals Decision to Deny a Petition for a Variance to Allow a 2 1/2 Foot Reduction in the Required Rear Yard Setback for the Property Located at 3202 Cave Creek Road, Case Z-18-21, as Filed and Requested by the Petitioner and action on an Ordinance either approving or denying the variance, as requested by the Economic & Community Development Department.

Kimberly Smith, Assistant Director of Economic & Community Development, addressed Council. She provided an overview of the variance request and procedure taken by the Zoning Board of Appeals ("ZBA"). She reported that the ZBA had determined that required standards had not been met and that because of that had unanimously voted to deny the request. She explained that process allowed the requester to appeal the ZBA decision to Council noting, however, that the appeal must be centered around the same information and evidence presented to the ZBA.

Mayor Mwilambwe reiterated that Council could only consider the information contained in the Council packet.

Council Member Montney expressed her belief that similar variances had been granted regularly. Mrs. Smith explained variance request procedure and noted that the required standards must be met in order to grant a variance.

Council Member Crabill made a motion, seconded by Council Member Mathy, that the decision of the Zoning Board of Appeals passed on August 18, 2021, be upheld and an Ordinance Denying a Petition for a Variance from Chapter 44, Division 4-3, Request for 2½ Foot Reduction in the Required Rear Yard for the Property Located at 3202 Cave Creek Road, be approved.

Council Member Crabill and Mrs. Smith discussed procedure and expectations.

Jeff Jurgens, Corporation Counsel, further explained procedure and emphasized that Council was to only decide if the ZBA followed appropriate procedure.

Council Member Crabill supported the decision of the ZBA.

Council Member Montney and Mrs. Smith discussed the variance's impact on neighbors, as well as various different encroachment allowances.

Council Member Crumpler shared Council Member Crabill's position and confirmed with Mrs. Smith that the variance requirements were available and clear prior to the build.

Council Member Emig reiterated ZBA process being the focus.

Council Member Boelen confirmed the motion with Mr. Jurgens.

Council Member Montney stated that a similar variance had been approved recently.

Council Member Becker expressed his opposition of the process and the ZBA's decision. Mr. Jurgens reiterated the process and expectations of Council.

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

AYES: Mathy, Emig, Urban, Ward, Crabill, Crumpler

NAYS: Boelen, Montney, Becker

Motion carried.

The following item was presented:

Item 9.B. Consideration and action on an Ordinance Amending City Policy on Street & Alley Vacations, as requested by the Legal Department and the Public Works Department.

City Manager Tim Gleason noted that based on Council's previous discussions, staff had worked diligently on drafting the amended Ordinance presented.

Jeff Jurgens, Corporation Counsel, addressed Council and explained each amendment, as well as the effects the changes would have on Council decisions.

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

Council Member Boelen recommended that undeveloped properties being assessed for Equalized Assessed Value ("EAV") be assessed against other non-developed City property; rather than assessed against surrounding developed property. Mr. Jurgens explained that the requester could opt to provide a private appraisal. Council Member Boelen believed fees should only be waived if the vacation was in the best interest of the public. She further referenced the recent vacation approved for additional parking for a church development, and that it was done in support of a public interest. She was not supportive of a vacation for a private driveway as she saw no public interest involved.

Council Member Mathy stated that churches were private organizations.

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

AYES: Mathy, Boelen, Montney, Emig, Becker, Urban, Ward, Crabill, Crumpler

Motion carried.

The following item was presented:

Item 9.C. Consideration and action on an Ordinance Approving the Vacation of an Alley Between Lot 8 of McDowell Subdivision and Lot 4 of J B Stevensons Subdivision, which will Vacate an Alley between 508 and 514 E. Jackson Street, as requested by the Public Works Department.

City Manager Gleason provided a brief overview of the item and noted that the Petitioner had requested that the vacation fee be waived. He explained that the City had valued the property at approximately $9,000, but that the Petitioner's private appraisal came back with an approximate value of $4,000.

Kevin Kothe, Public Works Director, addressed Council. He confirmed City Manager Gleason's statements, provided a background on the request, and stated that staff believed the counteroffer to be reasonable.

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

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

AYES: Mathy, Boelen, Montney, Emig, Becker, Urban, Ward, Crabill, Crumpler

Motion carried.

The following item was presented:

<u>Item 9.D. Consideration and action on an Ordinance Amending Chapter 7 of the City Code Regarding Video Gaming Licensure Requirements Within the City, as requested by the Legal Department and the City Clerk Department.</u>

City Manager Gleason provided a brief overview of the item and explained the changes to the previously proposed Ordinance.

Jeff Jurgens, Corporation Counsel, addressed Council and explained that one objective of the proposed Ordinance was to prevent the sale of video gaming license trying to eliminate a "black market" where license are sold at high premiums. He discussed the types of transfers allowed by City Code for video gaming license. He explained that another objective of the proposed Ordinance was to allow contracted video gaming license separate from the current 60 video gaming license cap.

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

Council Member Montney strongly opposed the current motion as she believed the addition of contracted video gaming license essentially removed the cap and created a work around for the Video Gaming Wait List.

Council Member Mathy reminded Council that he was on Council when the license cap for video gaming license was approved. He regretted approving the cap as he believed it created haves and have-nots, which created undue hardships. He did not believe that the cap fixed the gambling problem and, in turn, believed it created problems. He expressed his intent to submit a Council Initiative to remove the video gaming cap.

Council Member Ward expressed her opposition of video gaming, but supported that the item expressed her intent to submit a Council Initiative to earmark video gaming revenues for designated projects that benefited the community.

Council Member Crabill believed the objective of contracted licenses fostered the belief that the City aided big business over small business. He supported the item and expressed interest in both Council Members Ward and Mathy's Initiatives.

Council Member Becker expressed his opposition in the current motion. He stated that he did support the language preventing video gaming transfers.

Council Member Emig supported video gaming revenue going to programs to aid the community and looked forward to Council Member Ward's Initiative.

Council Member Montney reminded Council that health programs were available through the State Video Gaming Board. She did not believe the funds received by the City for video gaming were adequate to address the issues created by gambling. She noted that Bloomington was a top municipality in Illinois for video gaming revenue. She strongly opposed video gaming in Bloomington.

Council Member Boelen stated that as part of Council that discussed video gaming at length, she was not interested in replicating those extensive discussions.

Council Member Crumpler supported allocating funds to health programs.

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

AYES: Mathy, Boelen, Emig, Urban, Ward, Crabill, Crumpler

NAYS: Montney, Becker

Motion carried.

The following item was presented:

<u>Item 9.E. Consideration and action on 1) an Ordinance Amending the Budget Ordinance for the Fiscal Year Ending April 30, 2022, to Increase the Water Fund Budget by $378,000; Sanitary Sewer Fund Budget by $186,000; Storm Water Fund Budget by $186,000, and 2) approval of a Professional Services Agreement with Clark Dietz, Inc., in the amount not to exceed $750,000, for professional engineering services related to Locust Colton CSO Elimination and Water Main Replacement, Phase 5, as requested by the Public Works Department.</u>

City Manager Gleason stated that the item was part of a continued discussion. He explained that the item compressed Phases 4 and 5 of the Locust-Colton Combined Sewer Overflow project, which would reduce the total timeline by two years. He hoped to combine other stages in the future to further expedite the project.

Mayor Mwilambwe thanked staff for their continued efforts and thanked the public for their patience.

Council Member Montney made a motion, seconded by Council Member Crabill, that the proposed Ordinance and Agreement be approved.

Council Member Mathy supported the item and noted that Phase 5 would be funded by the American Rescue Plan Act ("ARP"). He looked forward to further discussion on how the remainder of ARP funds could be spent on non-sewer projects.

Council Member Boelen and Mr. Kothe discussed Phases 8 and 9 being funded by a Illinois Environmental Protection Agency loan per the original development plan.

Council Member Ward noted that other parts of the City also needed attention.

Council Member Crumpler expressed his support in the item and echoed preference to discuss how the remainder of ARP funds could be spent.

Council Member Crabill expressed his appreciation of staff time and confirmed the timeline for the phases with Mr. Kothe. Council Member Crabill and Mr. Kothe then briefly discussed potential design concepts.

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

AYES: Mathy, Boelen, Montney, Emig, Becker, Urban, Ward, Crabill, Crumpler

Motion carried.

The following item was presented:

Item 9.F. Consideration and action on 1) an Ordinance Amending the Budget Ordinance for the Fiscal Year Ending April 30, 2022, to Increase the Sanitary Sewer Fund Budget by $580,117 and the Storm Water Fund Budget by $580,118, and 2) approval of a Contract with Baxter and Woodman, Inc., for professional engineering services for the hydraulic modeling and design of the East Street Basin and associated sewer system, in the amount not to exceed $1,160,235, as requested by the Public Works Department.

City Manager Gleason explained hydraulic modeling and the benefits. He stated that the current Public Works campus was the ideal place for a retention basin and that it would provide dramatic relief to the neighboring areas. He discussed opportunities to make the retention basin a City amenity.

Council Member Emig made a motion, seconded by Council Member Ward, that the proposed Ordinance and Contract be approved.

Council Member Emig applauded the idea of the basin being an amenity. She supported conversations on American Rescue Plan Act ("ARP") funds and expressed interest in an initiative on creating a team to focus on green development. Council Member Emig and Mr. Kothe discussed how the Citizen Convenience Center would be impacted.

City Manager Gleason confirmed the Citizen Convenience Center would be relocated.

Council Member Ward supported the item and stressed the need for flood relief in Ward 7. Mr. Kothe stated staff anticipated to propose hydraulic modeling for Ward 7 as well.

Council Member Crabill echoed the need for flood relief on the westside of Bloomington. Council Member Crabill and Mr. Kothe discussed the need to assess flood routing to ensure the hydraulic modeling worked efficiently.

Council Member Montney stressed the need to focus on the core issue of flooding versus the addition amenities. Mr. Kothe confirmed that the core function would be to hold flood water and noted that the design aesthetic was a minimal cost.

Council Member Boelen cautioned that the more bells and whistles installed, the more maintenance that would be required. Council Member Boelen and Mr. Kothe then discussed various costs associated to the project.

Council Member Mathy expressed concern with the proposed hydraulic modeling not reaching all the areas affected by the flood. He supported hydraulic modeling for Ward 7 and requested additional modeling for Ward 1.

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

AYES: Mathy, Boelen, Montney, Emig, Becker, Urban, Ward, Crabill, Crumpler

Motion carried.

Finance Director's Report

City Manager Gleason introduced the item and asked Scott Rathbun, Finance Director, to address Council.

Mr. Rathbun discussed concerns of uncertainty resulting from COVID, such as product supply chain, inflation, and labor ability nationwide. He presented the Fiscal Year 2022 (“FY22”) financial summary and discussed FY22 major tax revenues through September 30, 2021, highlighting key factors and increases in revenue compared to prior to COVID-19. He presented FY22 general fund revenue and expenditures by category and provided updates on significant changes. He concluded his presentation by providing an overview of the enterprise funds and noted that staff continued to monitor expenditures.

Council Member Montney noted that it would be helpful to understand the tax revenue implications on road repair and motor fuel cost trends. She asked staff to create a standard formula to understand progress over time.

Council Member Crabill and Mr. Rathbun addressed American Rescue Plan Act funds within the fiscal year and how it reflects in the report.

Council Member Boelen commented to the deficit of the solid waste program. City Manager Gleason confirmed that a future conversation would be had at an upcoming meeting.

Council Member Mathy commented on the Utility Tax deficit and the inadequacy of it paying off pension debt. He encouraged a conversation to discuss transferring to a separate tax revenue stream. Mr. Rathbun acknowledged the deficit and noted that staff were working on a potential solution. Council Member Mathy requested a report of the City’s pension obligations.

City Manager's Discussion

City Manager Gleason highlighted multiple upcoming Downtown Bloomington events. He recognized new staff hires and discussed items for the upcoming Committee of the Whole meeting.

Leslie Yocum, City Clerk, noted that the September 27, 2021 Council meeting minutes in Item 8.B. addressed early in the meeting included amended minutes. She explained the changes and apologized for not having stated her comments when the item was considered.

Mayor's Discussion

Mayor Mwilambwe noted that he had removed Robert Garcia from the Property Maintenance Review Board due to absenteeism. He then discussed multiple events he had attended over the past week and highlighted upcoming events. He thanked Karen Schmidt for her willingness to step in as Council Member Ward 6. He welcomed De Urban to Council.

Council Member's Discussion

Council Member Boelen discussed the Immigration Project Luncheon that she recently attended. She recognized a speech provided by Ana Manriquez, American Hero Award recipient, and encouraged the community to continue to reach out and help.

Council Member Mathy mentioned a meeting that he recently attended and noted that there were a significant number of developments in the works in the area. He then recognized Connect Transit for donating two buses to The Boys and Girls Club.

Council Member Ward requested an update on the use of Illinois Housing Development Authority funds, as well as an update on the Government Center Chambers.

Executive Session

No Executive Session was held.

Adjournment

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

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

AYES: Mathy, Boelen, Montney, Emig, Becker, Urban, Ward, Crabill, Crumpler

Motion carried (viva voce).

CITY OF BLOOMINGTON	ATTEST
Mboka Mwilambwe, Mayor	Amanda Stutsman, Deputy City Clerk

CITY OF Bloomington ILLINOIS

CONSENT AGENDA ITEM NO. 8.B

FOR COUNCIL: December 6, 2021

SPONSOR: City Clerk Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and action to approve the Minutes of the November 8, 2021 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 web site within ten (10) days after Council approval.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: N/A

COMMUNITY DEVELOPMENT IMPACT: N/A

Respectfully submitted for Council consideration.

Prepared by: Amanda Stutsman, Deputy Clerk

Reviewed by:

Leslie Yocum, City Clerk 12/2/2021

Tara Henry, Legislative Assistant 12/2/2021

Attachments:
- CLK 2B DRAFT 11-08-2021 Council Minutes

MINUTES
REGULAR SESSION CITY COUNCIL MEETING
MONDAY, NOVEMBER 8, 2021, 6:00 P.M.

The City Council convened in regular session in-person in the Government Center Chambers at 6:00 p.m., Monday, November 8, 2021. The meeting was called to order by Mayor Mboka Mwilambwe.

Roll Call

Attendee Name	Title	Status	Arrived
Mboka Mwilambwe	Mayor	Present	
Jamie Mathy	Council Member, Ward 1	Present	
Donna Boelen	Council Member, Ward 2	Present	
Sheila Montney	Council Member, Ward 3	Present	
Julie Emig	Council Member, Ward 4	Present	
Nick Becker	Council Member, Ward 5	Present	
De Urban	Council Member, Ward	Present	
Mollie Ward	Council Member, Ward 7	Present	
Jeff Crabill	Council Member, Ward 8	Present	
Tom Crumpler	Council Member, Ward 9	Present	

Recognition/Appointments

A. Proclamation recognizing National American Indian Heritage Month, November 2021.

Mayor Mwilambwe presented the Proclamation and Laura Baue, Representative for the Letitia Green Stevenson Chapter of the National Society Daughters of the American Revolution, accepted the Proclamation.

B. Proclamation recognizing National Runaway Prevention Month, November 2021.

Mayor Mwilambwe presented the Proclamation and Neal Iden, Director of Project Oz, accepted the Proclamation.

C. Recognition of Fire Department Mission Lifeline EMS Recognition Award.

Travis Wilson, the McLean County EMS System Manager, presented the 2021 Mission Lifeline "Silver Plus" Recognition awarded by the American Heart Association to Bloomington Fire Department for their emphasis on patient care. Cory Matheny, Deputy Chief of EMS, thanked Council for the award and recognized the Bloomington Firefighter Paramedics present at the meeting.

Public Comment

Mayor Mwilambwe read a statement of procedure for public comment and the following spoke in-person: (1) Levi Champion; (2) Zach Carlson; (3) Luisa Gomez; (4) Angel Gomez; (5) Jenee Clark; (6) Gary Lambert; (7) Marry Carlisle; (8) Scott Stimeling; (9) Marc Girdler; (10) Matthew Toczko; (11) Surena Fish; and (12) Tim Tilton. Jacqueline Beyer and

Jordyn Gomez-Bonner provided remote public comment. The following individuals emailed public comment: (1) Rachel Lapp Whitt; (2) David Wasson; (3) Bonnie Billington; (4) Nichol Gwin; (5) Audrey Paulson; (6) Kathy Heitman; (7) Cheri Williams; (8) David and Sharon Campbell; (9) Karin Miller; (10) Janet Tornow; (11) Rob Beyer; (12) Amanda Brown; (13) Amy Lane; (14) Ace Overton; (15) Sarah Greenburg; (16) Carl Powell; (17) Josephus Sayer; (18) Kelly Cummings; and (19) Cathy Ethington.

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 Boelen made a motion, seconded by Council Member Crabill, that the Consent Agenda, including all items listed below, be approved as presented.

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

AYES: Mathy, Boelen, Montney, Emig, Becker, Urban, Ward, Crabill, Crumpler

Motion carried.

Item 7.A. Consideration and action to approve Bills and Payroll in the amount of $8,559,859.17, as requested by the Finance Department. *(Recommended Motion: The proposed Bills and Payroll be approved.)*

Item 7.B. Consideration and action to approve the Purchase of one 2021 E-One All Aluminum 1500 gpm Pumper/Fire Engine at the cost of $766,000 from Banner Fire Equipment, through the Houston-Galveston Area Council (H-GAC) joint purchasing group, Contract number FS12-19, exp. 5/31/2022, as requested by the Fire Department. *(Recommended Motion: The proposed Purchase be approved.)*

Item 7.C. was removed from the Consent Agenda by Council Member Ward.

Items Removed from the Consent Agenda

The following item was removed from the Consent Agenda by Council Member Ward:

Item 7.C. Consideration and action on an Ordinance Approving the Final Plat of the Eighth Addition to Medical Hills Subdivision, as requested by the Public Works Department.

Council Member Ward recused herself at 6:48 p.m. due to a conflict of interest.

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

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

AYES: Mathy, Boelen, Montney, Emig, Becker, Urban, Crabill, Crumpler

RECUSED: Ward

Motion carried.

Council Member Ward returned to the meeting at 6:49 p.m.

Regular Agenda

The following item was presented:

Item 8.A. Consideration and action to ratify the Unit 21 Contract, as requested by the Human Resources Department and the Police Department.

City Manager Tim Gleason introduced the item and explained that contract negotiations had continued throughout the past few years. He noted that the contract had been ratified by Union 21 membership and then provided multiple highlights of the contract, which including bilingual pay for officers that can read or write a second language and continued prohibition of cannabis use for officers.

No Council discussion was had.

Council Member Boelen made a motion, seconded by Council Member Becker, that the proposed Contract be ratified.

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

AYES: Mathy, Boelen, Montney, Emig, Becker, Urban, Ward, Crabill, Crumpler

Motion carried.

The following item was presented:

Item 8.B. Consideration and action on a Joint Resolution Between the Bloomington Public Library and the City of Bloomington Relating to the Funding of the Library Expansion Project, as requested by the Finance Department.

City Manager Gleason provided a brief overview of the item. He then explained that the resolution had no financial impact to the City, but that it supported the funding component.

Council Member Ward made a motion, seconded by Council Member Mathy, that the proposed Resolution be approved.

Council Member Crumpler discussed various input of his constituents. He expressed support of the item and explained several benefits and opportunities of the project. He noted the availability of low interest rates and recommended the use of local unions for the project.

Council Member Crabill expressed his support in the project and highlighted benefits of the expansion. He discussed outreach to his constituents and believed that by connecting impoverished areas with education tools, that the playing field was leveled.

Council Member Montney was not supportive of the library expansion. She noted that while she supported the library, the expansion was not financially responsible. She did not believe the proposed upgrades were in line with the purpose of libraries. She expressed interest in focusing funds on streets and sewer infrastructure.

Council Member Ward stated that knowledge was power and expressed how access to information developed critical thinking skills. She further expressed her support in the item.

Council Member Mathy expressed his support of the item. He compared the Creativity Center remodel to the proposed library expansion. He discussed limitations within the community as it related to street infrastructure and believed that both projects could be completed concurrently.

Council Member Becker agreed with Council Member Mathy that libraries were essential. He disagreed that road infrastructure and the library expansion could be completed concurrently. He did not support the expansion.

Council Member Emig made a motion, seconded by Council Member Crumpler, to extend Councill discussion by 10 minutes.

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

AYES: Mathy, Boelen, Montney, Emig, Becker, Urban, Ward, Crabill, Crumpler

Motion carried.

Council Member Emig reiterated the importance of public libraries and access for the public. She asked if there would ever be a right time when road infrastructure did not need continuous repair. She then expressed support in the expansion.

Council Member Montney believed that the current library met the needs of the community. She recommended that Council and staff reconsider the City's spending. She reiterated that she did not support the item.

Council Member Boelen noted the continued controversy over the library expansion. She reminded the public that the City and the library were separate taxing bodies. She recommended fundraising from private sources.

Council Member Urban explained her efforts in outreach to the community and noted that the majority of Ward 6 constituents were in favor of the expansion.

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

AYES: Mathy, Boelen, Emig, Urban, Ward, Crabill, Crumpler

NAYS: Montney, Becker

Motion carried.

City Manager's Discussion

City Manager Gleason highlighted multiple upcoming Downtown events, as well as Downtown Bloomington's new website. He recognized Catherine Dunlap and Samantha Malot of the Economic & Community Development Department for receiving the Lieutenant Governor's recognition for Excellence in Downtown Revitalization. He explained that Bloomington received multiple economic vitality and promotion awards, including two awards for the curbside farmer's market and one for outdoor dining. City Manager Gleason provided an update on OSHA vaccination requirements for Firefighter Paramedic staff. He ended by recognizing Veterans Day coming later in the week and thanked those in the community who served.

Mayor's Discussion

Mayor Mwilambwe also thanked community Veterans and discussed his involvement in the most recent march for Jalani Day. He commended the Bloomington Police Department for their continued work on the case.

Council Member's Discussion

Council Member Becker asked that the community to be respectful of others' opinions when providing public comment. He discouraged degrading comments and stated that they undermine the process.

Council Member Crabill recognized November as Diabetes month. He described multiple types of diabetes and encouraged community members to be mindful of symptoms. He concluded by providing resources for individuals concerned with or impacted by diabetes.

Council Member Boelen also recognized November as Domestic Abuse Awareness Month.

Council Member Emig thanked Deputy City Manager Tyus and staff for their recent assistance with a constituent's water bill.

Executive Session

No Executive Session was held.

Adjournment

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

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

AYES: Mathy, Boelen, Montney, Emig, Becker, Urban, Ward, Crabill, Crumpler

Motion carried (viva voce).

CITY OF BLOOMINGTON	**ATTEST**
Mboka Mwilambwe, Mayor	Amanda Stutsman, Deputy City Clerk

CITY OF Bloomington ILLINOIS

CONSENT AGENDA ITEM NO. 8.C

FOR COUNCIL: December 6, 2021

SPONSOR: Police Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and action to approve an Agreement, as a sole source, with Axon Enterprise, Inc. for 15 body-worn cameras for a 24-month fixed annual cost, to automatically renew each year contingent on the yearly expenditure being approved in the annual budget, as requested by the Police Department.

RECOMMENDED MOTION:
The proposed Agreement 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: In November 2018, Council approved a five-year contract with Axon Enterprise, Inc. for 100 body-worn cameras, 35 in-car cameras, digital evidence management tools, and cloud-based digital evidence storage. The Police Department is pleased with the product and vendor support to date. On July 1, 2021, Illinois passed a law requiring officers who are employed by Police Departments with body-worn cameras to record when they are engaged in many of their official duties. Deliberate failure to comply with this law provides for potential criminal penalties for officers. As a result, the Department currently needs 15 more body-worn cameras to ensure that all personnel are in compliance. Sharing body-worn cameras is not an option, as the possibility always exists where an incident could require all officers to be working at the same time. This agreement would expire at the same time as the original Axon agreement from 2018. Each fiscal year's payment amount is based on the number of months the agreement is applicable during the specific fiscal year.

The proposed agreement is for two years with automatic annual renewal contingent on yearly budget approval.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: No new contacts were made; however, the following was done when seeking authority for the existing Axon Contract: The Public Safety & Community Relations Board (PSCRB) supports the use of Body Worn Cameras. The State's Attorney's Office, who supports the use of Evidence.com and the tools it provides have been using the free Prosecutor's version of Evidence.com in unison with the City's pilot test and have been included in the process from the beginning.

Officers acknowledge that any body-worn camera program creates additional overhead. If officers are going to be using body-worn cameras, they support the use of Axon Body Worn Cameras, Evidence.com, Axon mobile apps, and the Axon In-Car video System over another system. The Axon tools help to mitigate some of the extra overhead. Also, officers are already trained in this system and are using it daily. Detectives appreciate the efficient access Evidence.com provides and the accompanying functionality and efficiency it provides when sharing digital evidence with other law enforcement partners.

FINANCIAL IMPACT: Council approved the Police Department budget of $15,000 in the current fiscal year (FY 2022) for cost associated with adding more users, and storage as needed. The $7,473.01 needed will be paid from Police-Repair/ Maintenance Office and Computer account (10015110-70530) for purchase of initial hardware, docking stations and other accessories.

COMMUNITY DEVELOPMENT IMPACT: N/A

Respectfully submitted for Council consideration.

Prepared by: Jennifer Bielfeldt, Office Manager

Reviewed by:

Jamal Simington
Jamal Simington, Police Chief 11/17/2021

Chris Tomerlin, Budget Manager 11/17/2021

Carla Murillo, Procurement Manager 11/17/2021

Jeffrey R. Jurgens, Corporation Counsel 11/19/2021

Tara Henry, Legislative Assistant & Records Manager 12/1/2021

Attachments:

- POL 1B Quote from Axon
- POL 1C Limited Source Justification
- POL 1D Axon Sole Source

Axon Enterprise, Inc.
17800 N 85th St.
Scottsdale, Arizona 85255
United States
VAT: 86-0741227
Domestic: (800) 978-2737
International: +1.800.978.2737

Q-345437-44512.066JB

Issued: 11/11/2021
Quote Expiration:
EST Contract Start Date: 01/01/2022
Account Number: 110842
Payment Terms: N30
Delivery Method: Fedex - Ground

SHIP TO	BILL TO
Business;Delivery;Invoice-305 S East St 305 S East St Bloomington, IL 61701-7609 USA	Bloomington Police Dept. - IL 305 S East St Bloomington, IL 61701-7609 USA Email:

SALES REPRESENTATIVE	PRIMARY CONTACT
Julie Bosack Phone: 312-576-2829 Email: jbosack@axon.com Fax:	Phone: (309) 434-2350 Email: kbays@cityblm.org Fax:

Program Length	24 Months
TOTAL COST	$44,837.81
ESTIMATED TOTAL W/ TAX	$44,837.81

Bundle Savings	$23,802.65
Additional Savings	$6,101.99
TOTAL SAVINGS	$29,904.64

PAYMENT PLAN: Dec 2021

PLAN NAME	INVOICE DATE	AMOUNT DUE
1/1/22-4/30/22	Dec, 2021	$7,473.01
	Payment Total	**$7,473.01**

PAYMENT PLAN: Apr 2022

PLAN NAME	INVOICE DATE	AMOUNT DUE
5/1/22-4/30/23	Apr, 2022	$22,418.88
	Payment Total	**$22,418.88**

PAYMENT PLAN: Apr 2023		
PLAN NAME	INVOICE DATE	AMOUNT DUE
5/1/23-12/31/23	Apr, 2023	$14,945.92
	Payment Total	**$14,945.92**

Quote Details

Bundle Summary		
Item	Description	QTY
BWCUwTAP	BWC Unlimited with TAP	15
AB3C	AB3 Camera Bundle	15
AB3MBD	AB3 Multi Bay Dock Bundle	2

Bundle: BWC Unlimited with TAP Quantity: 15 Start: 1/1/2022 End: 12/31/2023 Total: 30117.6 USD

Category	Item	Description	QTY
Camera Warranty	80464	EXT WARRANTY, CAMERA (TAP)	15
E.com License	73746	PROFESSIONAL EVIDENCE.COM LICENSE (Formerly SKU 73746)	15
Warranty	80465	EXT WARRANTY, MULTI-BAY DOCK (TAP)	2
Multi-bay Dock Refresh 1	73689	MULTI-BAY BWC DOCK 1ST REFRESH	2
Camera Refresh 1 with Spares	73309	AXON CAMERA REFRESH ONE	15
Multi-bay Dock Refresh 2	73688	MULTI-BAY BWC DOCK 2ND REFRESH	2
Device Storage	73686	EVIDENCE.COM UNLIMITED AXON DEVICE STORAGE	15
Camera Refresh 2 with Spares	73310	AXON CAMERA REFRESH TWO	15
A La Carte Storage	73683	10 GB EVIDENCE.COM A-LA-CART STORAGE	60

Bundle: AB3 Camera Bundle Quantity: 15 Start: 1/1/2022 End: 12/31/2023 Total: 9855.9 USD

Category	Item	Description	QTY
Camera	73202	AXON BODY 3 - NA10 - US - BLK - RAPIDLOCK	15
Camera Mount	74028	WING CLIP MOUNT, AXON RAPIDLOCK	15
USB	11534	USB-C to USB-A CABLE FOR AB3 OR FLEX 2	15

Bundle: AB3 Multi Bay Dock Bundle	Quantity: 2	Start: 1/1/2022	End: 12/31/2023 Total: 2893.13 USD
Category	**Item**	**Description**	**QTY**
Dock	74210	AXON BODY 3 - 8 BAY DOCK	2
Power Cord	71019	NORTH AMER POWER CORD FOR AB3 8-BAY, AB2 1-BAY / 6-BAY DOCK	2
Wall Mount	70033	WALL MOUNT BRACKET, ASSY, EVIDENCE.COM DOCK	2

Tax is estimated based on rates applicable at date of quote and subject to change at time of invoicing. If a tax exemption certificate should be applied, please submit prior to invoicing.

Standard Terms and Conditions

Axon Enterprise Inc. Sales Terms and Conditions

Axon Master Services and Purchasing Agreement:

This Quote is limited to and conditional upon your acceptance of the provisions set forth herein and Axon's Master Services and Purchasing Agreement (posted at www.axon.com/legal/sales-terms-and-conditions), as well as the attached Statement of Work (SOW) for Axon Fleet and/or Axon Interview Room purchase, if applicable. In the event you and Axon have entered into a prior agreement to govern all future purchases, that agreement shall govern to the extent it includes the products and services being purchased and does not conflict with the Axon Customer Experience Improvement Program Appendix as described below.

ACEIP:

The Axon Customer Experience Improvement Program Appendix, which includes the sharing of de-identified segments of Agency Content with Axon to develop new products and improve your product experience (posted at www.axon.com/legal/sales-terms-and-conditions), is incorporated herein by reference. By signing below, you agree to the terms of the Axon Customer Experience Improvement Program.

Acceptance of Terms:

Any purchase order issued in response to this Quote is subject solely to the above referenced terms and conditions. By signing below, you represent that you are lawfully able to enter into contracts. If you are signing on behalf of an entity (including but not limited to the company, municipality, or government agency for whom you work), you represent to Axon that you have legal authority to bind that entity. If you do not have this authority, please do not sign this Quote.

Signature

Date Signed

11/11/2021

LIMITED SOURCE JUSTIFICATION

(Requester completes Section A and B)

SECTION A –LIMITED SOURCE PURCHASE:
Complete if a purchase is $3,000 or over and due to reasons of previous capital investment, improved public service, long-term operational need, security, patents, copyrights, critical need for responsiveness, proximity, Federal, State or other regulations, necessary replacement parts and/or compatibility, warranty, this procurement justifies a limited source exemption.

Vendor Name & #:	Amount:	Date:
Axon Enterprise, Inc. (VENDOR #Pending)	$44,837.81 for 24 months broken down over 3 fiscal years	11/12/2021

Description of item/service: The police department is looking to add 15 additional Axon body worn cameras to 100 already in use per an existing five-year agreement with Axon Enterprise, Inc. The existing agreement with Axon is through December of 2023.

Justification: Previous investment/agreement: Axon Enterprise, INC., is the supplier of 100 existing body worn cameras, 35 car cameras, and evidence collection/management/retention tools per existing agreement through December 2023. No other body worn camera can be used on this existing platform.

SECTION B - REQUESTER CERTIFICATION: By submitting this request, I attest that the above justification/information is accurate and complete to the best of my knowledge and that I have no personal or business interests relative to this request.

Jamal Simington

(Name and Signature of Department Head)

11/17/2021

Date

SECTION C –TO BE COMPLETED BY PROCUREMENT OFFICE:
Based on the information provided in Section A and attached supporting documents,
I concur ☑ / do not concur ☐ (see below) with purchase to be a Limited Source.
Do not concur for the following reason(s):

[signature]

Name and Signature of Purchasing Agent or Designee

11/17/2021

Date

Revised: 12/15/16

17800 N 85TH STREET
SCOTTSDALE, ARIZONA 85255

AXON.COM

February 26, 2021

To: United States state, local and municipal law enforcement agencies

Re: Sole Source Letter for Axon Enterprise, Inc.'s Axon brand products and Axon Evidence (Evidence.com) Data Management Solutions[1]

A sole source justification exists because the following goods and services required to satisfy the agency's needs are only manufactured and available for purchase from Axon Enterprise.

Axon Digital Evidence Solution Description

Axon Body 3 Video Camera (DVR)
- Improved video quality with reduced motion blur and better low-light performance
- Multi-mic audio—four built-in microphones
- Wireless upload option
- Gunshot detection and alerts
- Streaming audio and video capability
- "Find my camera" feature
- Verbal transcription with Axon Records (coming soon)
- End-to-end encryption
- Twelve-hour battery
- Up to 120-second buffering period to record footage before pressing record button

Axon Flex 2 Video Camera
- Video playback on mobile devices in the field via Bluetooth pairing
- Retina Low Light capability sensitive to less than 0.1 lux
- Audio tones to alert user of usage
- Low SD, high SD, low HD, and high HD resolution (customizable by the agency)
- Up to 120-second buffering period to record footage before pressing record button
- Multiple mounting options using magnetic attachment: head, collar, shoulder, helmet, ball cap, car dash, and Oakley sunglass mounts available
- 120-degree diagonal field of view camera lens, 102-degree horizontal field of view, and 55-degree vertical field of view

Axon Flex 2 Controller
- 12+ hours of battery operation per shift (even in recording mode)
- LED lights to show current battery level and operating mode
- Haptic notification available
- Tactical beveled button design for use in pocket
- Compatible with Axon Signal technology

Axon Air System
- Purpose-built solution for law enforcement UAV programs
- Supported applications on iOS and Android

[1] Axon is also the sole developer and offeror of the Evidence.com data management services. Evidence.com is both a division of Axon and a data management product solution offered by Axon. Evidence.com is not a separate corporate entity.

- Automated tracking of pilot, aircraft, and flight logs
- Unlimited Storage of UAV data in Axon Evidence (Evidence.com)
- In application ingestion of data in Axon Evidence (Evidence.com)
- Axon Aware integration for live streaming and situational awareness

Axon Body 2 Video Camera

- Video playback on mobile devices in the field via Bluetooth pairing
- Retina Low Light capability sensitive to less than 1 lux
- Audio tones and haptic (vibration) notification to alert user of usage
- Audio mute during event option
- Wi-Fi capability
- High, medium, and low quality recording available (customizable by the agency)
- Up to 2-minute buffering period to record footage before pressing record button
- Multiple mounting options using holster attachment: shirt, vest, belt, and dash mounts available
- 12+ hours of battery operation per shift (even in recording mode)
- LED lights to show current battery level and operating mode
- 143-degree lens
- Includes Axon Signal technology

Axon Fleet 3 Camera

- High-definition Dual-View Camera with panoramic field of view, 12x zoom, and AI processing for automatic license plate reader (ALPR)
- High-definition Interior Camera with infrared illumination for back seat view in complete darkness
- Wireless Mic and Charging Base for capturing audio when outside of vehicle
- Fleet Hub with connectivity, global navigation satellite system (GNSS), secure solid-state storage, and Signal inputs
- Automatic transition from Buffering to Event mode with configurable Signals
- Video Recall records last 24 hours of each camera in case camera not activated for an event
- Intuitive mobile data terminal app, Axon Dashboard, for controlling system, reviewing video, quick tagging, and more
- Ability to efficiently categorize, play back and share all video and audio alongside other digital files on Evidence.com
- Multi-cam playback, for reviewing up to four videos, including body-worn and in-car footage, at the same time
- Fully integrated with Evidence.com services and Axon devices
- Automatic time synchronization with all Axon Fleet and other Axon on-officer cameras allows for multi-camera playback on Evidence.com.
- Prioritized upload to Evidence.com of critical event videos via 4G/LTE
- Wireless alerts from the TASER CEW Signal Performance Power Magazine (SPPM) and Signal Side Arm (SSA).
- Best-in-class install times, wireless updates and quick remote troubleshooting
- Optional Axon Aware live stream, alerts, and location updates for situational awareness
- Optional Axon ALPR hotlist alerts, plate read retention, and investigative search

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Axon Fleet 2 Camera

- Fully integrated with Axon Evidence services and Axon devices
- Automatic time synchronization with other Axon Fleet and Axon on-officer cameras allows for multi-camera playback on Axon Evidence.
- Immediate upload to Axon Evidence of critical event videos via 4G/LTE
- Wireless alerts from the TASER CEW Signal Performance Power Magazine (SPPM).
- Automatic transition from BUFFERING to EVENT mode in an emergency vehicle equipped with the Axon Signal Unit
- Decentralized system architecture without a central digital video recorder (DVR).
- Cameras that function independently and communicate wirelessly with the computer in the vehicle (MDT, MDC, MDU) for reviewing, tagging and uploading video.
- Wireless record alert based on Bluetooth communication from Axon Signal Vehicle when a configured input is enabled (e.g. emergency light, siren, weapon rack, etc.).
- Receives alerts from Axon Signal Sidearm.
- Plug-And-Play design allowing for cameras to be easily replaced and upgraded.
- Ability for an unlimited number of agency vehicles recording in the same vicinity with an Axon Fleet system to be automatically associated with one another when reviewing video in the video management platform. This feature is also supported across body cameras.

Axon Signal Unit (ASU)

- Communications device that can be installed in emergency vehicles.
- With emergency vehicle light bar activation, or other activation triggers, the Axon Signal Unit sends a signal. Upon processing the signal, an Axon system equipped with Axon Signal technology transitions from the BUFFERING to EVENT mode.

Axon Signal Performance Power Magazine (SPPM)

- Battery pack for the TASER X2 and X26P conducted electrical weapons
- Shifting the safety switch from the down (SAFE) to the up (ARMED) positions sends a signal from the SPPM. Upon processing the signal, an Axon system equipped with Axon Signal technology transitions from the BUFFERING to EVENT mode. Axon Signal technology only works with Axon cameras.

Axon Signal Sidearm Sensor

- Can be installed on common duty holsters
- Drawing a service handgun from the holster sends a signal from the Axon Signal Sidearm sensor. Upon processing the signal, an Axon system equipped with Axon Signal technology transitions from the BUFFERING to EVENT mode.

Axon Interview Solution

- High-definition cameras and microphones for interview rooms
- Covert or overt camera installations
- Touch-screen user interface
- Motion-based activation
- Up to 7-minute pre- and post-event buffering period
- Full hardware and software integration
- Upload to Axon Evidence services
- Interview room files can be managed under the same case umbrella as files from Axon on-officer cameras and Axon Fleet cameras; i.e., Axon video of an arrest and

interview room video are managed as part of the same case in Axon Evidence
- Dual integration of on-officer camera and interview room camera with Axon Evidence digital evidence solution

Axon Signal Technology
- Sends a broadcast of status that compatible devices recognize when certain status changes are detected
- Only compatible with TASER and Axon products

Axon Dock
- Automated docking station uploads to Axon Evidence services through Internet connection
- No computer necessary for secure upload to Axon Evidence
- Charges and uploads simultaneously
- The Axon Dock is tested and certified by TUV Rheinland to be in compliance with UL 60950-1: 2007 R10.14 and CAN/ CSA-C22.2 N0.60950-I-07+AI:2011+A2:2014 Information Technology Equipment safety standards.

Axon Evidence Data Management System
- Software as a Service (SaaS) delivery model that allows agencies to manage and share digital evidence without local storage infrastructure or software needed
- SaaS model reduces security and administration by local IT staff: no local installation required
- Automatic, timely security upgrades and enhancements deployed to application without the need for any local IT staff involvement
- Securely share digital evidence with other agencies or prosecutors without creating copies or requiring the data to leave your agency's domain of control
- Controlled access to evidence based on pre-defined roles and permissions and pre-defined individuals
- Password authentication includes customizable security parameters: customizable password complexity, IP-based access restrictions, and multi-factor authentication support
- Automated category-based evidence retention policies assists with efficient database management
- Ability to recover deleted evidence within seven days of deletion
- Stores and supports all major digital file types: .mpeg, .doc, .pdf, .jpeg, etc.
- Requires NO proprietary file formats
- Ability to upload files directly from the computer to Axon Evidence via an Internet browser
- Data Security: Robust Transport Layer Security (TLS) implementation for data in transit and 256-bit AES encryption for data in storage
- Security Testing: Independent security firms perform in-depth security and penetration testing
- Reliability: Fault- and disaster-tolerant infrastructure in at least 4 redundant data centers in both the East and West regions of the United States
- Chain-of-Custody: Audit logs automatically track all system and user activity. These logs cannot be edited or deleted, even by account administrators and IT staff
- Protection: With no on-site application, critical evidence stored in Axon Evidence is protected from local malware that may penetrate agency infrastructure

- Stability: Axon Enterprise is a publicly traded company with stable finances and funding, reducing concerns of loss of application support or commercial viability
- Application and data protected by a CJIS and ISO 27001 compliant information security program
- Dedicated information security department that protects Axon Evidence and data with security monitoring, centralized event log analysis and correlation, advanced threat and intrusion protection, and incident response capabilities
- Redact videos easily within the system, create tags, markers and clips, search 7 fields in addition to 5 category-based fields, create cases for multiple evidence files

Axon Evidence for Prosecutors
- All the benefits of the standard Axon Evidence services
- Ability to share information during the discovery process
- Standard licenses available for free to prosecutors working with agencies already using Axon Evidence services
- Unlimited storage for data collected by Axon cameras and Axon Capture

Axon Capture Application
- Free app for iOS and Android mobile devices
- Allows users to capture videos, audio recordings, and photos and upload these files to their Axon Evidence account from the field
- Allows adding metadata to these files, such as: Category, Title, Case ID, and GPS data

Axon Commander Services
- On-premises data management platform
- Chain of custody reports with extensive audit trail
- Automated workflows, access control, storage, and retention
- Compatible with multiple file formats

Axon View Application
- Free app for iOS and Android mobile devices
- Allows user to view the camera feed from a paired Axon Body, Axon Body 2, Axon Flex, or Axon Flex 2 camera in real-time
- Allows for playback of videos stored on a paired Axon Body, Axon Body 2, Axon Flex, or Axon Flex 2 system
- Allows adding meta-data to videos, such as: Category, Title, Case ID, and GPS data

Axon Records
- Continuously improving automated report writing by leveraging AI and ML on officer recorded video, photo, and audio from BWC, In-Car, Mobile App (Axon Capture), or other digital media
- Collaborative report writing through instantly synced workspaces allowing officers to delegate information gathering on scene
- Instant access to records allowing detectives to begin their investigation and records clerks to update information exchanges on things like missing people or stolen property as soon as possible
- Complete leveraging of Axon Evidence sharing to allow fast, efficient, digital, and secure sharing of records and cases to DAs and Prosecutors

- Robust API and SDK allows data to be easily ingested and pushed out to other systems—preventing data silos
- Deep integration with Axon Evidence putting video at the heart of the record and automating the process of tagging and categorizing digital evidence stored in Axon Evidence
- Automatic association of digital evidence to the record and incident through Axon Evidence integration
- In context search of master indexes (people, vehicles, locations, charges)—promoting efficient report writing through prefilling of existing data which promotes clean and deduped data in the system
- Quick views for users to track calls for service and reports in draft, ready for review, kicked back for further information, or submitted to Records for archiving.
- Federal and State IBRS fields are captured and validated—ensuring the officer knows what fields to fill and what information needs to be captured
- Intuitive validation ensures officers know what information to submit without being burdened by understanding the mapping of NIBRS to state or local crime codes
- Ability to create custom forms and add custom fields to incident reports—allowing your agency to gather the information you find valuable
- Software as a Service (SaaS) delivery model that allows agencies to write, manage, and share digital incident reports without local storage infrastructure or software needed
- SaaS model reduces security and administration by local IT staff: no local installation required
- Automatic, timely security upgrades and enhancements deployed to application without the need for any local IT staff involvement
- Securely share records and cases with other agencies or prosecutors without creating copies or requiring the data to leave your agency's domain of control
- Controlled access based on pre-defined users, groups, and permissions
- Password authentication includes customizable security parameters: customizable password complexity, IP-based access restrictions, and multi-factor authentication support
- Security Testing: Independent security firms perform in-depth security and penetration testing
- Reliability: Fault- and disaster-tolerant infrastructure in at least 4 redundant data centers in both the East and West regions of the United States
- Chain-of-Custody: Audit logs automatically track all system and user activity. These logs cannot be edited or deleted, even by account administrators and IT staff

Axon Standards

- Internal affairs and professional standards reporting
- Customizable information display, including custom forms
- Customizable workflows and user groups
- Automated alerts
- Compatible with digital documents, photos, and videos
- Connection with Transcription (beta)
- Shared Index with evidence.com and Records
- Data Warehouse allowing custom summary reports and integration into 3rd party analytic tools.

- Workflow analytics to provide SLA on throughputs
- Integration with the TASER 7 CEW for automatically pulling firing logs (alpha)
- Available as an option for Axon Records
- Automatically bundled with Officer Safety Plan 7+

Axon Professional Services
- Dedicated implementation team
- Project management and deployment best practices aid
- Training and train-the-trainer sessions
- Integration services with other systems

Axon Auto-Transcribe
- Transcribes audio to text, producing a time-synchronized transcript of incidents
- Allows searches for keywords (e.g., names, and addresses)
- Embedded time stamps when critical details were said and events occurred
- Produce transcripts in substantially less time than with manual methods
- Pull direct quotes and witness statements directly into reports

Axon Support Engineer:
- Dedicated Axon Regional/Resident Support Engineer Services
- Quarterly onsite visits
- Solution and Process Guidance custom to your agency
- White-Glove RMA and TAP (if applicable) Service for devices
- Monthly Product Usage Analysis
- Resident Support Engineer also includes onsite product maintenance, troubleshooting, and beta testing assistance

Axon Respond for Dispatch (CAD)
- Integration with Axon Respond for Devices (Axon Body 3) for location and/or live streaming in CAD.
- Integration with TASER 7 CEW devices for enhanced situational awareness.
- Native ESRI based mapping with ability to connect to ESRI online communities and your agency's local ArcGIS data.
- SaaS model reduces security and administration by local IT staff: no local installation
- Robust API and SDK allows data to be easily ingested and pushed out to other systems -- preventing data silos.
- Complete leveraging of Axon Evidence (evidence.com) sharing to allow fast, efficient, digital and secure sharing of data to DAs and Prosecutors.
- Future versions/enhancements included with minimal down time and no need to purchase an upgrade to the latest version.
- Native integration with Axon Records.
- Reliability: Fault – and disaster – tolerant infrastructure in at least four redundant data centers in both the East and West regions of the United States.
- Security Testing: Independent security firms perform in depth security and penetration testing.
- Automatic, timely security upgrades and enhancements deployed to application without the need for any local IT staff involvement.

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Axon Customer Support

- Online and email-based support available 24/7
- Human phone-based support available Monday–Friday 7:00 AM–5:00 PM MST; support is located in Scottsdale, AZ, USA
- Library of webinars available 24/7
- Remote-location troubleshooting

AXON

Axon Brand Model Numbers

1. Axon Body 3 Camera Model: 73202
2. Axon Flex 2 Cameras:
   - Axon Flex 2 Camera (online) Model: 11528
   - Axon Flex 2 Camera (offline) Model: 11529
3. Axon Flex 2 Controller Model: 11532
4. Axon Flex 2 USB Sync Cable Model: 11534
5. Axon Flex 2 Coiled Cable, Straight to Right Angle, 48″ (1.2 m)
6. Axon Flex 2 Camera Mounts:
   - Oakley Flak Jacket Kit Model: 11544
   - Collar Mount Model: 11545
   - Oakley Clip Model: 11554
   - Epaulette Mount Model: 11546
   - Ballcap Mount Model: 11547
   - Ballistic Vest Mount Model: 11555
7. Universal Helmet Mount Model: 11548
8. Axon Air System with Axon Evidence (Evidence.com) 5-Year License Model: 12332
9. Axon Body 2 Camera Model: 74001
10. Axon Body 2 Camera Mounts:
    - Axon RapidLock Velcro Mount Model: 74054
11. Axon Flex 2 Controller and Axon Body 2 Camera Mounts:
    - Z-Bracket, Men's, Axon RapidLock Model: 74018
    - Z-Bracket, Women's Axon RapidLock Model: 74019
    - Magnet, Flexible, Axon RapidLock Model: 74020
    - Magnet, Outerwear, Axon RapidLock Model: 74021
    - Small Pocket, 4″ (10.1 cm), Axon RapidLock Model: 74022
    - Large Pocket, 6″ (15.2 cm), Axon RapidLock Model: 74023

- MOLLE Mount, Single, Axon RapidLock Model: 11507
- MOLLE Mount, Double, Axon RapidLock Model: 11508
- Belt Clip Mount, Axon RapidLock Model: 11509

12. Axon Fleet Camera
    - Axon Fleet 2 Front Camera: 71079
    - Axon Fleet 2 Front Camera Mount: 71080
    - Axon Fleet 2 Rear Camera: 71081
    - Axon Fleet 2 Rear Camera Controller: 71082
    - Axon Fleet 2 Rear Camera Controller Mount: 71083
    - Axon Fleet Battery System: 74024
    - Axon Fleet Bluetooth Dongle: 74027

13. Axon Signal Unit Model: 70112

14. Axon Dock Models:
    - Axon Dock – Individual Bay and Core for Axon Flex 2
    - Axon Dock – 6-Bay and Core for Axon Flex 2
    - Individual Bay for Axon Flex 2 Model: 11538
    - Core (compatible with all Individual Bays and 6-Bays) Model: 70027
    - Wall Mount Bracket Assembly for Axon Dock: 70033
    - Axon Dock – Individual Bay and Core for Axon Body 2 and Axon Fleet Model 74009
    - Axon Dock – 6-Bay and Core for Axon Body 2 and Axon Fleet Model 74008
    - Individual Bay for Axon Body 2 and Axon Fleet Model: 74011

15. Axon Signal Performance Power Magazine (SPPM) Model: 70116

Axon Product Packages

1. Officer Safety Plan: includes a CEW, Axon camera and Dock upgrade, and Axon Evidence license and storage. See your Sales Representative for further details and Model numbers.

2. TASER Assurance Plan (TAP): Hardware extended coverage, Spare Products (for Axon cameras), and Upgrade Models, for the Axon Flex camera and controller, Axon Body camera, and Axon Dock. (The TAP is available only through Axon Enterprise, Inc.)

SOLE AUTHORIZED DISTRIBUTOR FOR AXON BRAND PRODUCTS	SOLE AUTHORIZED REPAIR FACILITY FOR AXON BRAND PRODUCTS
Axon Enterprise, Inc. **17800 N. 85th Street, Scottsdale, AZ 85255** **Phone: 480-905-2000 or 800-978-2737** **Fax: 480-991-0791**	**Axon Enterprise, Inc.** **17800 N. 85th Street, Scottsdale, AZ 85255** **Phone: 480-905-2000 or 800-978-2737** **Fax: 480-991-0791**

Please contact your local Axon sales representative or call us at 1-800-978-2737 with any questions.

Sincerely,

17800 N 85TH STREET
SCOTTSDALE, ARIZONA 85255

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[redacted]

Josh Isner
Chief Revenue Officer
Axon Enterprise, Inc.

Android is a trademark of Google, Inc., Bluetooth is a trademark of the Bluetooth SIG, Flak Jacket is a trademark of Oakley, Inc, iPod Touch is a trademark of Apple Inc, iOS is a trademark of Cisco, LTE is a trademark of the European Telecommunications Standards Institute, Shoei is a trademark of Shoei Co., Ltd., VELCRO is a trademark of Velcro Industries, B.V., and Wi-Fi is a trademark of the Wi-Fi Alliance.

CITY OF Bloomington ILLINOIS

CONSENT AGENDA ITEM NO. 8.D

FOR COUNCIL: December 6, 2021

SPONSOR: Economic & Community Development Department

WARD IMPACTED: Ward 8

SUBJECT: Consideration and action on an Ordinance Approving a Site Plan for a Commercial Recreation Facility in the B-1 (General Commercial) District, for Property Located at 404 Bronco Drive, as requested by the Economic & Community Development Department.

RECOMMENDED MOTION:
The proposed Ordinance be approved.

STRATEGIC PLAN LINK:
-Goal 3. Grow the Local Economy

STRATEGIC PLAN SIGNIFICANCE:
-Objective 3b. Attraction of new targeted businesses that are the "right" fit for Bloomington

BACKGROUND: The Petitioner, Kent Seeman of Illinois Valley Construction, LLC, is requesting approval of a Site Plan for a Commercial Recreation Facility in the B-1 (General Commercial) District, for the property located at 404 Bronco Drive.

Summary of Request

1. Site plan approval for a commercial recreation facility. Because the property is located in the B-1 (General Commercial) zoning district, site review is subject to a legislative review process.
2. The proposed structure is roughly 12,528 square feet in size.
3. Proposed parking includes 45 total parking spaces.

On Wednesday, November 10, 2021, the Planning Commission held a public hearing, found the request met the standards for approval of a site plan, and voted 7-0-0 to recommend approval of the Legislative Site Plan to the City Council, with no conditions.

For more detailed information, please see the attached Staff Memorandum to the Planning Commission and draft meeting minutes.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The City published notice of the hearing in *The Pantagraph* on Monday, October 25, 2021 and courtesy notices were mailed to 13 property owners within 500 feet of the subject property.

FINANCIAL IMPACT: N/A

COMMUNITY DEVELOPMENT IMPACT: Goal ED-1. Ensure a broad range of employment opportunities for all residents. Objective ED-1.2 Leverage community assets in attracting businesses. Goal ED-4 Enhance the image of Bloomington as a business-friendly community.

Objective ED-4.2 Prioritize infill and redevelopment to spur growth and reinvestment in the City.

Respectfully submitted for Council consideration.

Prepared by: Kimberly Smith, Asst Economic & Community Development Director

Reviewed by:

Melissa Hon, Economic and Community Development Director 11/29/2021

Chris Tomerlin, Budget Manager 11/29/2021

George Boyle

George Boyle, Assistant Corporation Counsel 12/1/2021

Tara Henry, Legislative Assistant & Records Manager 12/1/2021

Attachments:

- E&CD 1B Ordinance 404 Bronco Drive
- E&CD 1C Ordinance Exhibit A
- E&CD 1D Ordinance Exhibit B
- E&CD 1E PR-08-21 Staff Report
- E&CD 1F PC DRAFT Minutes

ORDINANCE NO. 2021 - __________

AN ORDINANCE APPROVING A SITE PLAN FOR A COMMERCIAL RECREATION FACILITY IN THE B-1 (GENERAL COMMERCIAL) DISTRICT, FOR PROPERTY LOCATED AT 404 BRONCO DRIVE

WHEREAS, there was heretofore filed with the Economic and Community Development Department of the City of Bloomington, McLean County, Illinois, a petition and site plan requesting approval of a Legislative Site Plan review for new construction of a commercial recreation facility in the B-1 (General Commercial) District, for certain premises hereinafter described in Exhibit A; and

WHEREAS, said petition included said site plan illustrated in Exhibit B, hereinafter referred to as the "Plan" and attached hereto and made part hereof by this reference; and

WHEREAS, after proper notice was given, the Bloomington Planning Commission conducted a public hearing on said petition and plan, and at said public hearing, the Bloomington Planning Commission, made findings of facts that such Site Plan complied with the standards for granting approval of the legislative site plan review found in Chapter 44 Division 17-9 of the Bloomington City Code.

WHEREAS the City Council of the City of Bloomington has the power to pass this Ordinance and approve this site plan.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Bloomington, McLean County, Illinois:

1. The above recitals are hereby incorporated into this Ordinance.

2. The City Council adopts the findings of fact for the Site Plan Review as recommended by the Planning Commission.

3. The City Council hereby approves the Site Plan for the new construction of a commercial recreational facility for the property at 404 Bronco Drive legally described in Exhibit A and depicted in Exhibit(s) B.

4. This Ordinance shall take effect immediately upon passage and approval.

PASSED this 6th day of December 2021.

APPROVED this ________ day of December 2021.

CITY OF BLOOMINGTON	**ATTEST**
______________________________	______________________________
Mboka Mwilambwe, Mayor	Leslie Smith-Yocum, City Clerk

Exhibit A

"Legal Description"

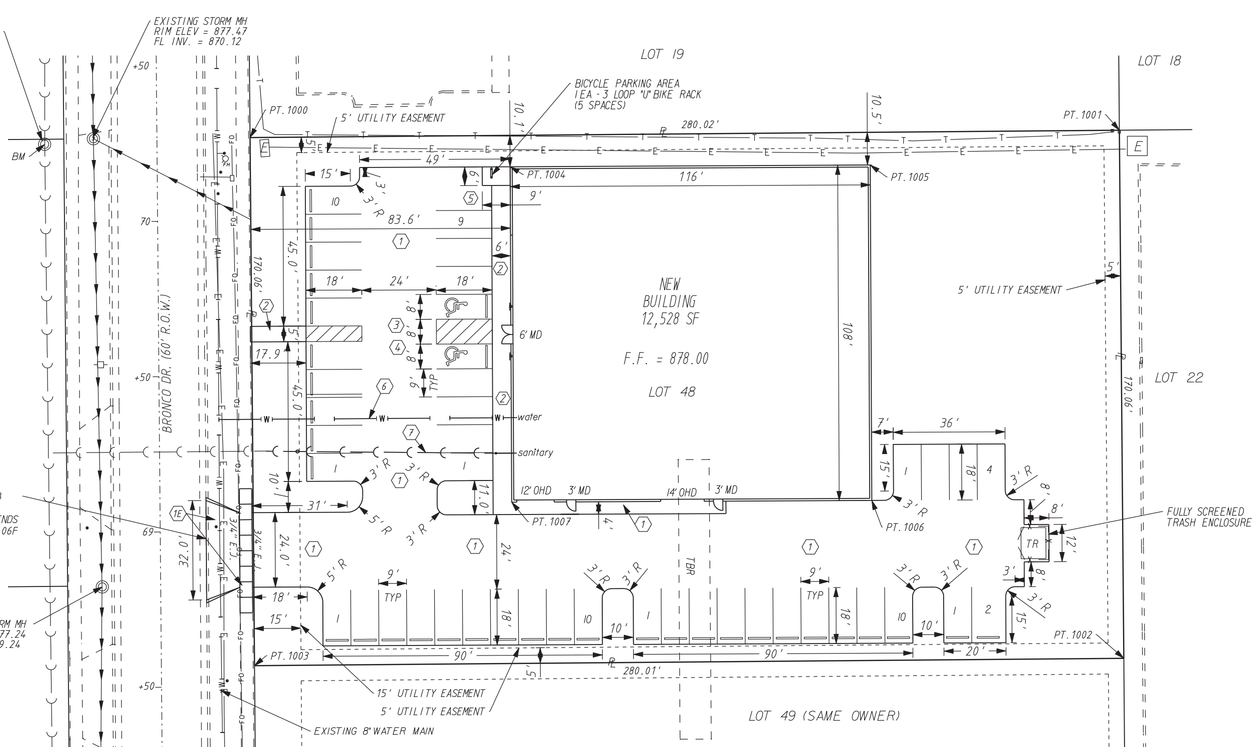
404 Bronco Drive

TOWANDA BARNES BUSINESS PARK 22ND ADDN LOT 48 1.09 ACRES

Also described as:

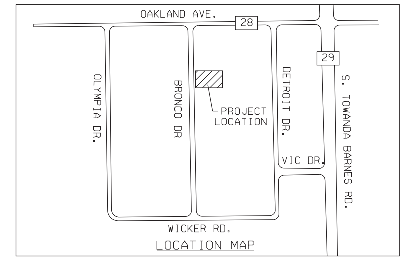
Lot 48 in the Twenty-Second Addition to Towanda Barnes Park, Bloomington, Illinois.

P.I.N.: 22-07-226-008



LEGEND

- IRON PIN FOUND
- IRON PIN SET
- 200.00' MEASURED DISTANCE (FEET)
- PROPERTY LINE
- EASEMENT LINE
- BUILDING SETBACK LINE
- POWER POLE
- LIGHT POLE
- ELECTRIC JUNCTION BOX
- TELEPHONE PEDESTAL
- GAS VALVE OR METER
- STORM SEWER MANHOLE
- STORM DRAIN INLET
- SANITARY MANHOLE
- WATER VALVE OR METER
- FIRE HYDRANT
- VENT PIPE OR CLEANOUT



LOCATION MAP

LEGAL DESCRIPTION

LOT 48 IN THE TWENTY-SECOND ADDITION TO TOWANDA BARNES BUSINESS PARK, BLOOMINGTON, ILLINOIS.

SITE INFORMATION

ADDRESS: 404 BRONCO DR., BLOOMINGTON, IL 61701
TAX ID: 22-07-226-008
ZONING: B-1: GENERAL BUSINESS DISTRICT
LOT AREA = 47,618 SF = 1.093 Ac
STREET FRONTAGE = BRONCO DR. = 170 FT

B-1: BUILDING SETBACKS

FRONT YARD = 0 FT
SIDE YARD = 5 FT
REAR YARD = 5 FT

OWNER INFORMATION

RICKMORE LLC
10456 LYONHEART LN
BLOOMINGTON, IL 61705
PAUL MESSMORE (309) 621-8127

GREEN SPACE SUMMARY

TOTAL SITE AREA = 47,618 SF
IMPERVIOUS AREA = 30,092 SF
GREEN SPACE AREA = 17,591 SF = 37%

OFF-STREET PARKING INFORMATION

44-1208-E: COMMERCIAL RECREATION FACILITY, ALL OTHER: 1 SPACE / 300 GFA
TOTAL REQUIRED = 12,528 SF / 300 = 42 PARKING SPACES
TOTAL PROPOSED PARKING SPACES = 43 STND + 2 ADA SPACE = 45 SPACES
BICYCLE PARKING REQUIRED = 42 SPACES X 0.05 = 2 SPACES
BICYCLE PARKING PROPOSED = 5 SPACES

CONSTRUCTION NOTES:

1. EXISTING UNDERGROUND UTILITY LOCATIONS ARE SHOWN FROM RECORD DRAWINGS AND FIELD SURVEYS. EXACT LOCATIONS ARE UNKNOWN. THE CONTRACTOR SHALL FIELD VERIFY THE LOCATIONS OF THE EXISTING UTILITIES PRIOR TO EXCAVATION AND TRENCHING OF NEW UTILITIES. CONTRACTOR TO CONTACT J.U.L.I.E. (1-800-892-0123) BEFORE DIGGING TO LOCATE UNDERGROUND UTILITIES.
2. ALL EARTHWORK, STORM SEWER WORK, AND PAVING WORK SHALL BE DONE IN ACCORDANCE WITH THE APPLICABLE SECTIONS OF THE ILLINOIS DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION, LATEST EDITION. ALL SANITARY SEWER AND WATER MAIN WORK SHALL BE DONE IN ACCORDANCE WITH THE STANDARD SPECIFICATIONS FOR WATER AND SEWER MAIN IN ILLINOIS, LATEST EDITION.
3. ALL RAMPS AND HANDICAP PARKING CONSTRUCTION TO MEET THE REQUIREMENTS OF THE ILLINOIS ACCESSIBILITY CODE. MAXIMUM SLOPE OF PAVEMENT IS 2% IN ANY DIRECTION WITHIN THE ACCESSIBLE PARKING SPACE AND AISLE.
4. THE HORIZONTAL AND VERTICAL SEPARATION OF THE WATER MAIN AND WATER SERVICE LINES FROM THE SANITARY SEWER, SANITARY SERVICES, AND STORM SEWER SHALL COMPLY WITH THE REQUIREMENTS OF THE ILLINOIS ADMINISTRATIVE CODE TITLE 35, SUBTITLE F, CHAPTER 11, PART 653, SECTION 653.119 PROTECTION OF WATER MAIN AND WATER SERVICE LINES. PROVIDE WATER MAIN GRADE PIPE FOR SANITARY SEWER SERVICE AT WATER MAIN CROSSING IF SEPARATION REQUIREMENTS CAN NOT BE MET.
5. TRENCH BACKFILL (CA-6) SHALL BE USED IN TRENCHES UNDER PAVEMENT OR WITHIN 2 FEET OF ANY PAVED SURFACE.

GENERAL NOTES:

1. BENCHMARK "1" - TOP MIDDLE OF SANITARY SEWER MANHOLE LID ON WEST SIDE OF BRONCO DR. ELEV = 877.05
2. THIS PROPERTY LIES WITHIN ZONE X (AREA OF MINIMAL FLOOD HAZARD) ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAP FOR BLOOMINGTON, ILLINOIS, MAP NO. 17113C0510E, EFFECTIVE JULY 16, 2008.

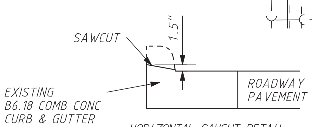
LAND DISTURBANCE NOTES:

1. CONSTRUCTION OF THIS PROJECT WILL NOT DISTURB MORE THAN 1 ACRE OF LAND. A NOTICE OF INTENT FOR GENERAL PERMIT TO DISCHARGE STORM WATER CONSTRUCTION SITE ACTIVITIES WILL NOT BE SUBMITTED TO THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY. THE INTENT OF THE STORM WATER POLLUTION PREVENTION REQUIREMENTS MUST STILL BE IMPLEMENTED THROUGH BEST MANAGEMENT PRACTICES.
2. THE CONTRACTOR SHALL BE FULLY RESPONSIBLE FOR SEDIMENT CONTROL ON THIS SITE AND SHALL USE BEST MANAGEMENT PRACTICES TO MINIMIZE EROSION CAUSED BY CONSTRUCTION ACTIVITIES AND PREVENT SEDIMENTS FROM EXITING THE PROJECT. ANY MATERIAL TRACKED ONTO THE ROADWAY SHALL BE PROMPTLY REMOVED.

SITE PLAN NOTES

1. STANDARD DUTY PAVEMENT, 6" - Construct new Parking Lot and Drives consisting of 6" P.C. Concrete over 4" CA-6.
1E. DRIVEWAY ENTRANCE & SIDEWALK PAVEMENT, 7" - Construct new Entrance Pavement and Thickened P.C.C. Sidewalk consisting of 7" P.C. Concrete per Bloomington Standard Driveway Entrance Detail 4.06F.
2. CONCRETE SIDEWALK, 5" - Construct new 5" P.C. Concrete Sidewalk over 4" CA-6. See detail for integral curb when adjacent to pavement.
3. PAINT PAVEMENT MARKINGS - Provide 2 Coats 4" Wide Paint Markings in all locations with Striping shown.
4. ADA SIGNS AND PARKING BUMPER BLOCK - Provide New ADA Signs and Parking Blocks at 2 ADA Parking Locations.
5. BICYCLE PARKING - Provide 3 Loop "U" Bike Rack (5 Spaces/Ea).
6. WATER SERVICE LINE - See sheet C103 - Site Utility Plan.
7. SANITARY SEWER SERVICE LINE - See sheet C103 - Site Utility Plan.

HORIZONTAL CONTROL		POINT NO.	NORTHING	EASTING
LOT CORNERS:	NORTHWEST	1000	1,386,278.74	825,003.22
	NORTHEAST	1001	1,386,281.09	825,283.22
	SOUTHEAST	1002	1,386,111.03	825,284.65
	SOUTHWEST	1003	1,386,108.69	825,004.65
BUILDING CORNERS:	NORTHWEST	1004	1,386,269.33	825,086.98
	NORTHEAST	1005	1,386,269.88	825,202.98
	SOUTHEAST	1006	1,386,161.88	825,203.49
	SOUTHWEST	1007	1,386,161.33	825,087.49

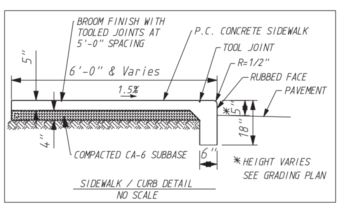


HORIZONTAL SAWCUT DETAIL

** BACK OF DEPRESSED CURB TO BE 1.5" ABOVE EXISTING PAVEMENT FLOWLINE

CONCRETE PAVEMENT DETAIL

ENTRANCE: 7" P.C. CONCRETE (4000 PSI)
PARKING AND DRIVES: 6" P.C. CONCRETE (4000 PSI)
COMPACTED 4" AGG. BASE COURSE (CA-6)
COMPACTED SUBGRADE - PROOF ROLL ALL AREAS



SIDEWALK / CURB DETAIL
NO SCALE

PARKING LOT LEGEND

- PARKING BUMPER BLOCK, 34 EACH
- HANDICAP PARKING SIGN, 2 EACH
- HANDICAP PARKING SYMBOL, 2 EACH
- STRIPING: PROVIDE 4" WIDE PARKING LOT STRIPING (2 COATS)

INDEX OF SHEETS

FOR REVIEW ONLY

STEVEN M. BAUMANN 062-053723 REGISTERED PROFESSIONAL ENGINEER STATE OF ILLINOIS
LICENSE EXPIRES 11/30/2021

Survey Solutions, LLC
111 Ashland Ave - Mt. Zion, IL 62549
(217) 521-0612
MAT COX - PROFESSIONAL LAND SURVEYOR
PROFESSIONAL DESIGN FIRM NO. 184-005964

OnSite Engineering, LLC
111 Ashland Ave., Mt. Zion, IL 62549
Phone 217-972-4498
Design Firm Registration No. 184-004257
Steven M. Baumann, P.E.

SITE PLAN

SCALE: AS NOTED	NEW BUILDING 404 BRONCO DR, BLOOMINGTON, IL	DRAWN BY: SMB
DATE: 10/25/21		REVISED BY: SMB

CLIENT: ILLINOIS VALLEY CONSTRUCTION, LLC
605 ILLINOIS VALLEY ST., SUITE A
McLEAN, IL 61754 : KENT SEEMAN 309.275.9988

DRAWING NO.: C101_Siteplan_102521.dgn
SHEET NO.: C101

PLANNING COMMISSION

TO: Planning Commission

FROM: Economic & Community Development Department, Planning Division

DATE: November 10, 2021

REQUEST: PR-08-21 Public hearing, review, and action on a petition submitted by Kent Seeman of Illinois Valley Construction, LLC requesting approval of a Site Plan (with potential variances) for a Commercial Recreation Facility in the B-1 (General Commercial) District for the property located at 404 Bronco Drive (PIN: 22-07-226-008). (Ward 8)

Above: 404 Bronco Dr (Source: Google)

NOTICE

The application has been filed in conformance with applicable procedural and public notice requirements. Notice was published in *The Pantagraph* on Monday, October 25, 2021. Courtesy notices were mailed to 13 property owners within 500 feet of the subject property.

PROPERTY INFORMATION

Subject Property:	404 Bronco Dr
Applicant:	Kent Seeman, Illinois Valley Construction, LLC
Existing Zoning:	B-1 General Commercial District
Existing Land Use:	Vacant
Property Size:	1.09 acres
PIN:	22-07-226-008

BACKGROUND

Petitioners' request:
The petitioner is requesting a legislative site plan review, to develop a commercial recreation facility on the subject property. The proposed structure is 12,528 square feet in size.

Property Characteristics:

The subject properties consist of roughly 1.09 acres of land located in Southeastern region of Bloomington. The property is currently vacant. The parcel is located off Bronco Dr which is near the intersection of S Towanda Barnes Dr and E Oakland Ave. The surrounding properties are all zoned commercial. The surrounding uses vary greatly from an office to a gym.

SURROUNDING ZONING AND LAND USES

	Zoning	Land Uses
North	B-1, General Commercial	Gym/Training Facility
South	B-1, General Commercial	Vacant
East	B-1, General Commercial	Office, Retail, Gym
West	B-1, General Commercial	Office

Compliance with the Comprehensive Plan

The subject property is identified as Tier 1-Infill Redevelopment Priority. The Future Land Use map shows the site as Regional Commercial which is consistent with the property's B-1 Zoning Classification. Approval of the Site Plan algins with the following goals of the Comprehensive Plan.

- Goal ED-1. Ensure a broad range of employment opportunities for all residents.
  - Objective ED-1.2 Leverage community assets in attracting business.
- Goal ED-4. Enhance the image of Bloomington as a business-friendly community.

- Objective ED-4.4 Prioritize infill and redevelopment to spur growth and reinvestment in the City.

Ch. 44, 17-9 Legislative site plan review.
The Site Plan review process is intended to protect the public interest in safety, economy, and from adverse site development that may be detrimental to neighboring property owners and the surrounding area. The following standards and objectives shall guide the review of City staff, the Planning Commission, and the City Council in making a determination on the proposed Site Plan.

Standards for Consideration for Site Plan Review

Standard	Discussion and Finding
The extent to which potential incompatibilities between the proposed development and surrounding existing development and/or zoning is minimized by such design features as placement of buildings, parking areas, access driveways and existing or proposed topography.	The proposed development is not incompatible with the existing development in the area. The layout of the building on the site and location of the parking lot and driveway are consistent with the existing developments on surrounding properties. The building meets all bulk requirements for B-1 zoning. The parking lot meets the code requirements for off-street parking and loading. The landscaping indicated meets the code requirements for landscaping. **This standard is met.**
The extent to which the proposal minimizes any adverse impact of the development upon adjoining land.	The proposed use will not have any adverse impacts on the development of adjoining land. The use is permitted within the zoning and is compatible with the uses of the surrounding properties. The building and parking lot landscaping comply with code requirements. The trash enclosure is fully screened as city code requires. **The standard is met.**
The extent to which adequately improved streets connected to the improved arterial street system are available or can be reasonably supplied to serve the uses proposed in the development.	The site is accessible by and directly situated on Bronco Dr. **The standard is met.**
The extent to which the proposed development will favorably or adversely affect other persons or property and, if so, whether because of circumstances peculiar to the location the effect is likely to be greater than is ordinarily associated with the development of the type proposed.	The surrounding properties are all zoned B-1 (General Commercial) District and uses range from offices to gyms. There are other uses similar to the proposed development in the area. The activities occurring at the proposed development would be complementary to the existing uses. **The standard is met.**

Ch. 44, 10-15 Commercial Recreation Facilities.
*The commercial recreation facility use is regulated by Ch. **44,10-15** of the City Code which requires additional provisions for arcades and amusement centers. The proposed use is neither of these uses. Thus, the additional provisions are not applicable.*

STAFF RECOMMENDATION

Staff finds that the application meets the standards for site plan review and recommends its approval. Staff recommends that the Commission take the following actions:

1. Motion to establish findings of fact that the subject property meets the legislative site plan criteria in Chapter 44.17-9 of the City Code.

2. Motion to recommend that City Council approve a Site Plan (with potential variances) for a Commercial Recreation Facility in the B-1 (General Commercial) District for the property located at 404 Bronco Drive (PIN: 22-07-226-008). (Ward 8)

Respectfully submitted,

Glen Wetterow
City Planner

Attachments:

- Draft ordinance
- Site Plan
- Landscaping Plan
- Aerial map
- Zoning map
- Neighborhood notice and map

MINUTES

Mr. Boyd motioned to approve the minutes from the regular October 13, 2021 meeting. Mr. Muncy seconded. Voice Vote: The motion was approved via voice vote.

REGULAR AGENDA

A. PR-08-21 Public hearing, review, and action on a petition submitted by Kent Seeman of Illinois Valley Construction, LLC requesting approval of a Site Plan (with potential variances) for a Commercial Recreation Facility in the B-1 (General Commercial) District for the property located at 404 Bronco Drive (PIN: 22-07-226-008). (Ward 8)

Ms. Smith presented the staff report on the case.

The petitioner, Kent Seeman, spoke in favor of the request.

There was no public testimony.

Chairperson Mohr closed the public hearing.

Mr. Krieger made the motion to establish findings of fact. Mr. Muehleck seconded.

Chairperson Mohr proceeded with the vote and asked for a Roll Call Vote. Mr. Stanczak – Yes, Mr. Mr. Danenberger – Yes, Mr. Boyd– Yes, Mr. Muehleck - yes, Mr. Krieger – yes, Mr. Muncy – yes, and Chairperson Mohr – Yes. The vote was 7-0 in favor. The motion passed.

Mr. Boyd made the motion to recommend approval of the Site Plan for a Commercial Recreation Facility in B-1 (General Commercial) District, for the property located at 404 Bronco. Roll Call Vote: Mr. Stanczak – Yes, Mr. Mr. Danenberger – Yes, Mr. Boyd– Yes, Mr. Muehleck - yes, Mr. Krieger – yes, Mr. Muncy – yes, and Chairperson Mohr – Yes. The vote was 7-0 in favor. The motion passed.

B. Z-24-21 Public Hearing, review and action on text amendments, modifications and deletions to the Bloomington Zoning Ordinance, Chapter 44 of the City Code, submitted by the Bloomington City Council (Resolution 2021-31) relating to (1) auto sale exclusions, definition, and zoning; (2) updating certain zoning classifications; (3) reviewing residential uses that were previously permitted by right or via Special Use in commercial districts should again be allowed; (4) zoning for snack food manufacturing; (5) zoning for assisted living facilities; and (6) the review and submission process and commission schedules.

Ms. Smith presented the staff report and highlighted proposed text amendments

CITY OF Bloomington ILLINOIS

CONSENT AGENDA ITEM NO. 8.E

FOR COUNCIL: December 6, 2021

SPONSOR: Economic & Community Development Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and action on an Ordinance Approving a Text Amendment to the Bloomington City Code, Chapter 44, Relating to Commission Schedules - Planning Commission, as requested by the Economic & Community Development Department.

RECOMMENDED MOTION:
The proposed Ordinance 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
-Objective 1c. Engaged residents that are well informed and involved in an open governance process

BACKGROUND: Authorization to initiate specific text amendments was approved by City Council on August 23, 2021, in Resolution No. 2021-31, per Chapter 44, 17-6 of the Bloomington City Code. On October 25, 2021, the City Council approved text amendments related to auto repair exclusions and definitions, per Case No. Z-22-21. Case No. Z-24-21 was opened for the remaining items; most will likely follow after the December 8, 2021 Planning Commission meeting.

This proposed text amendment condenses the number of Planning Commission meetings from twice monthly to once monthly. This will allow greater efficiency and reduced wait times for the customer between the Commission Meeting and City Council.

Proposed Text Amendment

Remove the stricken and add the underlined language:

Ch. 44, 17-2.D.(4) Planning Commission, Meetings: Meetings shall be held on the ~~second and fourth~~ first Wednesday of each month at 4:00 p.m. or at any time upon the call of the chairperson at such times and places as the Commission may determine.

On November 10, 2021, the Planning Commission voted 7-0-0 to recommend approval of the proposed text amendment related to the meeting schedule for the Planning Commission.

For more detailed information, please see the attached Staff Memorandum to the Planning Commission and draft meeting minutes.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: The City published notice of the hearing in *The Pantagraph* on Monday, October 11, 2021.

FINANCIAL IMPACT: N/A

COMMUNITY DEVELOPMENT IMPACT: Goal ED-4 Enhance the image of Bloomington as a business-friendly community.

Respectfully submitted for Council consideration.

Prepared by: Kimberly Smith, Asst Economic & Community Development Director

Reviewed by:

Melissa Hon, Economic and Community Development Director 11/29/2021

Chris Tomerlin, Budget Manager 11/29/2021

George Boyle

George Boyle, Assistant Corporation Counsel 12/1/2021

Tara Henry, Legislative Assistant & Records Manager 12/1/2021

Attachments:
- E&CD 2B Ordinance
- E&CD 2C Z-24-21 Staff Report
- E&CD 2D PC DRAFT Minutes 11.10

ORDINANCE NO. 2021 - __________

AN ORDINANCE APPROVING A TEXT AMENDMENT TO THE BLOOMINGTON CITY CODE, CHAPTER 44, RELATING TO COMMISSION SCHEDULES – PLANNING COMMISSION

WHEREAS, at the regular City Council meeting on August 23, 2021, the City Council approved Resolution No. 2021-31, per Chapter 44, 17-6 of the Bloomington City Code, to initiate various text amendments.

WHEREAS, pursuant to Resolution No. 2021-31, staff of the Economic and Community Development Department of the City of Bloomington, McLean County, Illinois, filed a petition requesting to amend the text of the Bloomington City Code Chapter 44, Relating to Commission Schedules; and

WHEREAS, the Bloomington Planning Commission, after proper notice was given, conducted a public hearing on said petition to amend the Bloomington City Code Chapter 44, Relating to Commission Schedules – Planning Commission; and

WHEREAS, following said public hearing, the Planning Commission recommended approval of said text amendment; and

WHEREAS, the City Council is authorized to adopt this Ordinance and approve said text amendment.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Bloomington, McLean County, Illinois:

SECTION 1. The above recitals are incorporated into and made a part of this ordinance as though fully set forth herein.

SECTION 2. That Bloomington City Code Chapter 44 is hereby amended by amending Section 17-2.D.(4) to read as follows (additions are indicated by underlining; deletions are indicated by strikeouts:

Ch. 44, 17-2.D.(4)
Planning Commission, Meetings: Meetings shall be held on the ~~second and fourth~~ <u>first</u> Wednesday of each month at 4:00 p.m. or at any time upon the call of the chairperson at such times and places as the Commission may determine.

SECTION 3. Except as provided herein, the Bloomington City Code, as amended, shall remain in full force and effect.

SECTION 4. The City Clerk shall be, and she is hereby directed and authorized to publish this Ordinance in pamphlet form as provided by law.

SECTION 5. This Ordinance is enacted pursuant to the authority granted to the City as a home rule unit by Article VII, Section 6 of the 1970 Illinois Constitution.

SECTION 6. This Ordinance shall take effect immediately after approval and publication.

PASSED this 6th day of December 2021.

APPROVED this ________ day of December 2021.

CITY OF BLOOMINGTON **ATTEST**

____
Mboka Mwilambwe, Mayor

____
Leslie Smith-Yocum, City Clerk

PLANNING COMMISSION

TO: Planning Commission

FROM: Economic & Community Development Department, Planning Division

DATE: November 10, 2021

REQUEST: Z-24-21 Public Hearing, review and action on text amendments, modifications and deletions to the Bloomington Zoning Ordinance, Chapter 44 of the City Code, submitted by the Bloomington City Council (Resolution 2021-31) relating to (1) auto sale exclusions, definition, and zoning; (2) updating certain zoning classifications; (3) reviewing residential uses that were previously permitted by right or via Special Use in commercial districts should again be allowed; (4) zoning for snack food manufacturing; (5) zoning for assisted living facilities; and (6) the review and submission process and commission schedules.

BACKGROUND

At the regular City Council meeting on August 23, 2021, the City Council approved Resolution no. 2021-31, per Chapter 44.17-6 of the Bloomington City Code, to initiate text amendments to the City's zoning regulations, Chapter 44 of the Bloomington City Code (see attached memorandum and resolution).

Specifically, the identified for amendments relate to:

1. Auto repair and sale exclusions, definitions, and zoning; and
2. Updating certain zoning classifications; and
3. Reviewing residential uses that were previously permitted by right or via special use in commercial districts that should be allowed again; and
4. Zoning for snack food manufacturing; and
5. Zoning for assisted living facilities; and
6. The review and submission process and commission schedules.

Text amendments related to auto repair exclusions and definitions were approved by the City Council on October 25, 2021, in Case No. Z-22-21. Case No. Z-24-21 was opened for the remaining items; and will remain open until complete. Most of the remaining text amendments will follow at the December 8, 2021 Planning Commission meeting. At this time the following amendments are presented to the Planning Commission for consideration and recommendation for forward to the City Council for approval.

Item (4) Zoning for Snack Food Manufacturing

Issue
Prior to 2019, the use “Food and Kindred Industries” was permitted in M-2 (General Manufacturing) District, and not at all in the M-1 (Restricted Manufacturing) District. The use “Snack Food Manufacturing” was listed as a separate use; and permitted by right in both the M-1 and M-2 Districts.

In 2019, “Snack Food Manufacturing” was consolidated into “Food and Kindred Industries.” Additionally, whereas both uses were previously listed under the category “Manufacturing,” the category manufacturing was divided into light and heavy manufacturing; Food and Kindred Industries is now listed under “Manufacturing and Production, Heavy.” The newly resulted “Food and Kindred Industries” now requires a Special Use in the M-1; and allows the use by right in M-2. There are at least two existing snack food manufactures within the City limits that now require a Special Use permit to proceed with expansion and future investment, when, but for the amendment, would continue to be permitted by right.

Suggested Solution
The current Zoning Code defines “Food and Kindred Industries” as *secondary manufacturing and packaging for processing of raw agricultural products into foods*. Staff recommends returning the separate category of “Snack Food Manufacturing” to the Ordinance; and allowing it by right both the M-1 and M-2 districts.

For clarity, Staff also recommends excluding "Snack Food Manufacturing” from the definition for “Food and Kindred Industries.”

Proposed Text Change
Add the underlined language:

Ch. 44, 6-2, Permitted Uses: Manufacturing and Production, Heavy. <u>Snack Food Manufacturing.</u>

Ch. 44, 16 Definitions: Food and Kindred Industries: Secondary manufacturing and packaging for processing of raw agricultural products into foods. <u>This definition shall exclude Snack Food Manufacturing.</u>

Item (6) Commission Schedules – Planning Commission

Issue
Currently, the Planning Commission is scheduled to meet twice each month. The timing of these meetings causes unnecessary inefficiency, and long wait times for the customer between the Commission Meeting and City Council. Additionally, the Commission meetings are often cancelled due to lack of cases.

Suggested Solution
Change the Planning Commission meeting time to one meeting, the first Wednesday of every month.

Proposed Text Change
Add the underlined language:

Ch. 44, 17-2.D.(4) Planning Commission, Meetings: Meetings shall be held on the ~~second and fourth~~ first Wednesday of each month at 4:00 p.m. or at any time upon the call of the chairperson at such times and places as the Commission may determine.

STAFF RECOMMENDATION

Staff recommends approval of the text amendments, as proposed and described.

Respectfully submitted,

Kimberly Smith, AICP, MAUP, MBA
Assistant Economic and Community Development Director

Attachments:
Council Memo for August 23, 2021, Item 7.H.
Resolution No. 2021-31

CITY OF Bloomington ILLINOIS

CONSENT AGENDA ITEM NO. 7.H

FOR COUNCIL: August 23, 2021

SPONSOR: Economic & Community Development Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and action on a Resolution Authorizing the Initiation of Text Amendments to the Bloomington Zoning Ordinance, Chapter 44 of the Bloomington City Code, as requested by the Economic & Community Development Department.

RECOMMENDED MOTION: The proposed Resolution be approved.

STRATEGIC PLAN LINK:
-Goal 5. Great Place – Livable, Sustainable City
-Goal 4. Strong Neighborhoods
-Goal 3. Grow the Local Economy
-Goal 1. Financially Sound City Providing Quality Basic Services

STRATEGIC PLAN SIGNIFICANCE:
-Objective 5a. Well-planned City with necessary services and infrastructure
-Objective 4c. Preservation of property/home valuations
-Objective 3c. Revitalization of older commercial homes
-Objective 3a. Retention and growth of current local businesses
-Objective 1c. Engaged residents that are well informed and involved in an open governance process

BACKGROUND: Chapter 44 of the Bloomington City Code, the City's Zoning Code, underwent a comprehensive rewrite that was adopted March 21, 2019. Practical application is the best way to test a new code; and as with most code rewrites of this magnitude, it takes time for a new code to be tested. Since the adoption in 2019 and subsequent updates, City staff has continued to identify any provisions that need clarification and/or revision.

Chapter 44.17-6 of the Bloomington City Code gives the Council the authority to pass a resolution to initiate text amendments to its zoning regulations, Chapter 44 of the Bloomington City Code, and to direct the Bloomington Planning Commission to hold a public hearing on said amendments.

In this case, City staff has identified certain land use restrictions believe to be unintended consequences of the 2019 update. Accordingly, staff is recommending changes to the Zoning Code to re-allow uses that were previously allowed by right. This includes single and multifamily homes, assisted living facilities, snack food manufacturing, auto repair and sales. In addition, the proposed amendments will also evaluate the review and submission process and commission schedules. City staff will begin detailing and outlining specific proposed changes and the Bloomington Plan Commission will begin holding public hearings on the proposed changes as they are ready. The recommendations of the Bloomington Plan Commission will then come back before the City Council for final approval.

The review and continued update of the Zoning Code will continue by staff and additional requests for text amendments may be necessary in the future.

<u>COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED</u>: One or more public hearings will be held and noticed on the proposed text amendments.

<u>FINANCIAL IMPACT</u>: The proposed text amendments are likely to encourage investment and growth within the City creating a positive financial impact.

<u>COMMUNITY DEVELOPMENT IMPACT</u>: The Comprehensive Plan promotes the overall public good, community sustainability and prosperity. The Zoning Ordinance is the implementation vehicle of the plan. o make investment unusable or difficult without a public purpose does not promote the Comprehensive Plan; the text amendments are intended to help remedy this.

Respectfully submitted for Council consideration.

Prepared by: Kimberly Smith, Asst Economic & Community Development Director

Reviewed by:

Melissa Hon, Economic and Community Development Director 8/16/2021

Chris Tomerlin, Budget Manager 8/16/2021

Jeffrey R. Jurgens, Corporation Counsel 8/19/2021

Tara Henry, Legislative Assistant & Records Manager 8/19/2021

Attachments:

- E&CD 2B 2021 Text Amendment Resolution

RESOLUTION NO. 2021 - 31

A RESOLUTION AUTHORIZING THE INITIATION OF TEXT AMENDMENTS TO THE BLOOMINGTON ZONING ORDINANCE, CHAPTER 44 OF THE BLOOMINGTON CITY CODE

WHEREAS, the City of Bloomington is a home rule unit of local government with authority to legislate in matters concerning its local government and affairs; and

WHEREAS, pursuant to the Illinois Municipal Code, the City of Bloomington has authority to create and to establish, by ordinance, zoning regulations and districts, and to amend said regulations and districts from time to time; and,

WHEREAS, the Bloomington City Council adopted a comprehensive text amendment to Chapter 44 of the City Code on March 11, 2019; and,

WHEREAS, City staff continues to evaluate the comprehensive update and identify areas where clarification and/or correction is needed; and,

WHEREAS, City staff is recommending that the Planning Commission look at potential text amendments including: (1) auto repair and sale exclusions, definitions, and zoning; (2) updating certain zoning classifications; (3) reviewing residential uses that were previously permitted by right or via special use in commercial districts should again be allowed; (4) zoning for snack food manufacturing; (5) zoning for assisted living facilities; and (6) the review and submission process and commission schedules; and,

WHEREAS, pursuant to Chapter 44.17-6 of the Bloomington City Code, the City Council has the power to pass this resolution to initiate the text amendments to its zoning regulations, Chapter 44 of the Bloomington City Code, and to direct the Bloomington Planning Commission to hold a public hearing on said amendments.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Bloomington, McLean County, Illinois:

1. That the City Council directs city staff to initiate text amendments, as set forth herein and whether as a group or otherwise, to the Bloomington Zoning Ordinance, Chapter 44 of the Bloomington City Code;

2. That the Bloomington Planning Commission shall start to hold public hearings, after due notice as required by law, on said potential amendments.

PASSED this 23rd day of August 2021.

APPROVED this 24th day of August 2021.

CITY OF BLOOMINGTON

Mboka Mwilambwe

Mboka Mwilambwe, Mayor

ATTEST

Leslie Smith-Yocum

Leslie Smith-Yocum, City Clerk

MINUTES

Mr. Boyd motioned to approve the minutes from the regular October 13, 2021 meeting. Mr. Muncy seconded. Voice Vote: The motion was approved via voice vote.

REGULAR AGENDA

A. PR-08-21 Public hearing, review, and action on a petition submitted by Kent Seeman of Illinois Valley Construction, LLC requesting approval of a Site Plan (with potential variances) for a Commercial Recreation Facility in the B-1 (General Commercial) District for the property located at 404 Bronco Drive (PIN: 22-07-226-008). (Ward 8)

Ms. Smith presented the staff report on the case.

The petitioner, Kent Seeman, spoke in favor of the request.

There was no public testimony.

Chairperson Mohr closed the public hearing.

Mr. Krieger made the motion to establish findings of fact. Mr. Muehleck seconded.

Chairperson Mohr proceeded with the vote and asked for a Roll Call Vote. Mr. Stanczak – Yes, Mr. Mr. Danenberger – Yes, Mr. Boyd– Yes, Mr. Muehleck - yes, Mr. Krieger – yes, Mr. Muncy – yes, and Chairperson Mohr – Yes. The vote was 7-0 in favor. The motion passed.

Mr. Boyd made the motion to recommend approval of the Site Plan for a Commercial Recreation Facility in B-1 (General Commercial) District, for the property located at 404 Bronco. Roll Call Vote: Mr. Stanczak – Yes, Mr. Mr. Danenberger – Yes, Mr. Boyd– Yes, Mr. Muehleck - yes, Mr. Krieger – yes, Mr. Muncy – yes, and Chairperson Mohr – Yes. The vote was 7-0 in favor. The motion passed.

B. Z-24-21 Public Hearing, review and action on text amendments, modifications and deletions to the Bloomington Zoning Ordinance, Chapter 44 of the City Code, submitted by the Bloomington City Council (Resolution 2021-31) relating to (1) auto sale exclusions, definition, and zoning; (2) updating certain zoning classifications; (3) reviewing residential uses that were previously permitted by right or via Special Use in commercial districts should again be allowed; (4) zoning for snack food manufacturing; (5) zoning for assisted living facilities; and (6) the review and submission process and commission schedules.

Ms. Smith presented the staff report and highlighted proposed text amendments related to Snack Food Manufacturing, and the Planning Commission meeting schedule.

There was no public testimony.

Chairperson Mohr closed the public hearing.

The Commission expressed concern to approve text amendments without knowing the larger picture and requested a “policy session” for deeper discussion.

Mr. Boyd motioned to table to an unspecified date, the proposed text amendment for Snack Food Manufacturing. Mr. Danenberger seconded.

Chairperson Mohr proceeded with the vote and asked for a Roll Call Vote. Mr. Stanczak – Yes, Mr. Mr. Danenberger – Yes, Mr. Boyd– Yes, Mr. Muehleck - yes, Mr. Krieger – yes, Mr. Muncy – yes, and Chairperson Mohr – Yes. The vote was 7-0 in favor. The motion passed.

Mr. Mohr made the motion to recommend approval the text amendment to move the Planning Commission meetings to once monthly, seconded by Mr. Muehleck. Mr. Stanczak – Yes, Mr. Danenberger – Yes, Mr. Boyd– Yes, Mr. Muehleck - yes, Mr. Krieger – yes, Mr. Muncy – yes, and Chairperson Mohr – Yes. The vote was 7-0 in favor. The motion passed.

OLD BUSINESS
No items.

NEW BUSINESS
No items.

ADJOURNMENT
Mr. Muncy motioned to adjourn. Mr. Danenberger seconded. Voice Vote: Ayes were unanimous, and the motion carried. The meeting was adjourned.

REGULAR AGENDA

REGULAR AGENDA ITEM NO. 9.A

FOR COUNCIL: December 6, 2021

SPONSOR: Public Works Department

WARD IMPACTED: City-Wide Impact

SUBJECT: Presentation and discussion of Public Works project updates, as requested by the Public Works Department.

RECOMMENDED MOTION:
None; presentation only.

STRATEGIC PLAN LINK:
-Goal 5. Great Place – Livable, Sustainable City
-Goal 4. Strong Neighborhoods
-Goal 2. Upgrade City Infrastructure and Facilities
-Goal 1. Financially Sound City Providing Quality Basic Services

STRATEGIC PLAN SIGNIFICANCE:
-Objective 5e. More attractive city: commercial areas and neighborhoods
-Objective 5c. Incorporation of "Green Sustainable" concepts into City's development and plans
-Objective 5b. City decisions consistent with plans and policies
-Objective 5a. Well-planned City with necessary services and infrastructure
-Objective 4d. Improved neighborhood infrastructure
-Objective 2c. Functional, well maintained sewer collection system
-Objective 2b. Quality water for the long term
-Objective 2a. Better quality roads and sidewalks
-Objective 1e. Partnering with others for the most cost-effective service delivery
-Objective 1d. City services delivered in the most cost-effective, efficient manner
-Objective 1a. Budget with adequate resources to support defined services and level of services

BACKGROUND: Public Works will provide a presentation and discussion of various project updates. The presentation will be made available at the meeting.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: N/A

COMMUNITY DEVELOPMENT IMPACT: Goal UEW-1. Provide quality public infrastructure within the City to protect public health, safety and the environment, Objective UEW-1.1. Maintain the existing City operated infrastructure in good condition by prioritizing maintenance over building new and implementing fees to cover costs, Objective UEW-1.5. Reliable water supply and distribution system that meets the needs of the current and future residents, Objective UEW-1.6. Continue to participate in regional efforts to establish a sustainable and responsible water supply; Objective UEW-1.7. Reliable and efficient collections systems (sanitary sewer, combined sewer, and storm sewer systems) to protect public health, safety and the environment. Goal TAQ-1. A safe and efficient network of streets, bicycle- pedestrian facilities and other infrastructure to serve users in any surface transportation mode, Objective TAQ-1.1. Maintenance and development of a continuous network of arterial, collector and local streets that provides for safe and efficient movement of people, goods and services between existing and proposed residential areas and major activity centers, maximizes walkability, and provides multimodal linkages to the state and interstate highway system, Objective TAQ-1.2. Data-driven transportation infrastructure policy and management, Objective TAQ-1.4. Pedestrian safety for users of all transportation facilities with a Sidewalk Master Plan, and sidewalk system that provides safe access throughout the transportation network; Goal NE-3. Reduce environmental pollutants, Objective NE-3.2. Identify and reduce water pollutants; Goal NE-4. Increase cooperation and coordination among governments, nonprofits and businesses across the region to address shared environmental issues, Objective NE-4.2. Continue to participate in regional efforts to establish a sustainable and responsible water supply.

Respectfully submitted for Council consideration.

Prepared by: Michael Hill, Management Analyst

Reviewed by:

Kevin Kothe

Kevin Kothe, Director of Public Works 10/12/2021

Jeffrey R. Jurgens, Corporation Counsel 10/14/2021

Tara Henry

Tara Henry, Legislative Assistant & Records Manager 12/1/2021