



**MINUTES
CITY COUNCIL - REGULAR SESSION
MONDAY, DECEMBER 5, 2022, 6:00 P.M.**

The City Council convened in regular session in the Government Center Chambers at 6:00 p.m., Monday, December 5, 2022. Mayor Mboka Mwilambwe called the meeting to order and led the Pledge of Allegiance ending with a moment of silent prayer/reflection.

Roll Call

Attendee Name	Title	Status
Mboka Mwilambwe	Mayor	Present
Grant Walch	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	Absent
Nick Becker	Council Member, Ward 5	Present
De Urban	Council Member, Ward 6	Present
Mollie Ward	Council Member, Ward 7	Present
Jeff Crabill	Council Member, Ward 8	Present
Tom Crumpler	Council Member, Ward 9	Present

Mayor Mwilambwe stated that Council Member Walch had requested to attend remotely due to a work matter and was online waiting for Council's consideration.

Council Member Boelen made a motion, seconded by Council Member Montney, to allow Council Member Walch to attend the meeting remotely due to a work matter.

Mayor Mwilambwe directed the Clerk to call roll:

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

Motion carried.

Council Member Walch joined the meeting at 6:02 p.m.

Public Comment

Mayor Mwilambwe read a public comment statement of procedure. No emailed public comment was received. Surena Fish spoke in person.

Recognition/Appointments

The following item was presented:

Item 6.A. Recognition of Boards & Commissions Appointments, as requested by the Administration Department.

Leslie Yocum, City Clerk, recognized the following appointments: (1) Amira Harris-Bommarito, Public Safety & Community Relations Board - Youth Member position; (2) Lauren Pruter, Transportation Commission; and (3) Tim Foley, Zoning Board of Appeals.

Public Hearing

The following item was presented:

Item 7.A. Public Hearing for the City of Bloomington 2022 Estimated Tax Levy, as requested by the Finance Department, and the Finance Department.

Mayor Mwilambwe opened the public hearing at 6:08 p.m.

City Manager Tim Gleason provided a brief history of the Tax Levy and noted that, if approved, \$1.4 million would be dedicated to Public Safety Pension Funds for Fire and Police as funds that had been dedicated fell short of the amount required. He stated that if the Tax Levy was approved, the City would remain approximately \$400,000 short. He explained that the pension funds were created in the 1970s without funding requirements and that funding had varied with previous Councils. He shared that the current Council was working towards fully funding the pension funds.

Scott Rathbun, Finance Director, addressed Council and provided an overview of the Truth in Taxation hearing procedural requirements. He explained that the hearing was required by State statute if the aggregate levy increased over 5%. He reported that the City's levy, if approved, would increase by \$1.4 million, which was a 6.67% increase over the prior year. He stressed that it would not result in an increase to the Estimated Tax Rate and reiterated that, if approved, the levy would be split evenly between the Public Safety Pension Funds. He explained that without the tax levy, the City would have a \$1.8 million shortfall in restricted revenues for the Public Safety Pension funding.

Mayor Mwilambwe welcomed public comment and read a statement of procedure.

Jacqueline Beyer, after being sworn, addressed Council. She stated that she was a resident of Bloomington and noted the Town of Normal's tax levy would remain flat using alternative sources to fund debt. She quoted Mr. Rathbun from a previous meeting stating he hoped the tax base would widen along with vertical assessments. She discussed her research of vertical assessments and anticipated levy amounts based on the increased Equalized Assessed Values ("EAV"). She then listed each Council Member's anticipated property EAV increase along and their total levy contribution if the levies were approved. She requested that Council vote against the tax levy given current inflation increases.

Gary Lambert, after being sworn, addressed Council, and noted that the City of Bloomington, Unit 5 School District, School District 87, and the Junior Colleges were all raising taxes between 6-7%. He stated that for each \$1.00 increase, he would need to bring in \$1.40 to account for his taxes. He stressed the hardship approval of the increase would cause, and reminded Council of their fiduciary responsibility to each taxpayer. He requested the budget surplus be used instead of implementing additional taxes.

Clayton Matteson, after being sworn, addressed Council, and stated he was a City resident, a City Firefighter/Paramedic, and the Secretary of Bloomington's Local 49. He stated that while he understood not wanting to raise taxes, he believed the levy was important in order to fulfill City obligations. He commended Council for their previous forward-thinking mentality and encouraged Council to continue to try to reduce financial impacts later down the line. He reminded the community of the City's deadline to fully fund pensions by 2040 and shared that if the deadline was not met the City's AA rating could be negatively impacted affecting interest rates and State funding. He reiterated his support of the tax levy.

Mrs. Yocum asked if anyone else would like to speak. No one came forward.

Mayor Mwilambwe closed the public hearing at 6:29 p.m. and explained that the tax levy would be further considered at the December 12, 2022 Council meeting.

Council Member Montney stated that while she supported funding the Public Safety Pension Funds, she believed the City could use other dedicated revenue sources for funding. She encouraged Council and staff to consider alternative funding.

Council Member Crumpler thanked Firefighter/Paramedic Matteson for speaking. He expressed the importance of funding pensions.

The following item was presented:

Item 7.B. Public Hearing for the Bloomington Public Library 2022 Estimated Tax Levy, as requested by the Bloomington Public Library, and the Finance Department.

Mayor Mwilambwe opened the public hearing at 6:31 p.m.

City Manager Gleason explained that the tax levy being discussed was for the Bloomington Public Library ("BPL"). He reminded the community that when Council approved the BPL expansion, they understood that interest rates had not yet been set and that rates had come in slightly higher than anticipated. He reminded Council that the expanded offerings would increase operating costs.

Jeanne Hamilton, BPL Director, addressed Council and reiterated the requirements of a Truth in Taxation hearing for aggregate levy increases over 5%. She stated that the BPL levy would increase by 6.86%, or \$402,815, over the prior year, but that it would not result in an increase in the Estimated Tax Rate. She reported that Council had approved a \$14.2 million bond for the BPL expansion and renovation and explained that the original debt service was estimated at \$850,000 with the 2021 levy, but that the final annual debt service needs were approximately \$1,085,000 an increase in the levy of \$235,000. Ms. Hamilton explained that the Preliminary EAV would also enable the BPL to capture \$167,815 in revenue growth without increasing the rate. She reminded Council and the community that the BPL relies primarily on the tax levy as its source of funding.

Mayor Mwilambwe welcomed public comment and read a statement of procedure.

Jacqueline Beyer, after being sworn, addressed Council and referred to a statement made by Mr. Rathbun during a Truth in Taxation hearing on December 6, 2021. She then read from the September 21, 2022 BPL Board meeting minutes, where multiple bond options were discussed and reviewed figures relating to project cuts and the division of grant monies. Mrs. Beyer reported that due to bond interest rates, her findings showed the total project cost was nearly equal to the original approved amount. She then discussed approval of the BPL expansion in which she recalled the approved project amount being significantly higher than the amount given at the Truth in Taxation hearing in 2021. She expressed confusion in the figures and wondered why the BPL was now requesting additional funding.

Mrs. Yocum asked if anyone else would like to speak. No one came forward.

Mayor Mwilambwe closed the public hearing at 6:40 p.m. and explained that the tax levy would be further considered at the December 12, 2022 Council meeting.

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 Crabill made a motion, seconded by Council Member Boelen, to approve the Consent Agenda with the exception of Item 8.D.

Item 8.A. Consideration and action to approve the Minutes of the November 14, 2022, Regular City Council Meeting, as requested by the City Clerk Department. (Recommended Motion: The proposed Minutes be approved.)

Item 8.B. Consideration and action on an Application from Grand Cafe, LLC, d/b/a Grand Cafe, located at 2205 E. Oakland Ave., Suites A1 & A2, requesting approval of an increase in classification from a Class RBS (Restaurant, Beer and Wine Only, and Sunday Sales) to a Class RAS (Restaurant, All Types of Alcohol, and Sunday Sales) Liquor License and a redefinition of premises, as requested by the City Clerk Department. (Recommended Motion: The proposed License and Redefinition of Premises be approved.)

Item 8.C. Consideration and action on an Application from Yogine, Inc., d/b/a Hawthorn Suites Bloomington, located at 1 Lyon Ct., Requesting an Approval for a Change of Ownership for their Class EAS (Entertainment, All Types of Alcohol, and Sunday Sales) Liquor License, as requested by the City Clerk Department. (Recommended Motion: The proposed License be approved.)

Item 8.D. was pulled from the Consent Agenda by Council Member Urban.

Mayor Mwilambwe directed the Clerk to call roll:

AYES: Walch, Boelen, Montney, Becker, Urban, Ward, Crabill, Crumpler

Motion carried.

Items Removed from Consent Agenda

The following item was presented:

Item 8.D. Consideration and action on an Application from MGN Foods, Inc., d/b/a West Market Groceries, located at 301 W. Market St., Requesting Approval of an Increase in Classification from a Class PBS (Packaged, Beer and Wine Only, and Sunday Sales) to a Class PAS (Packaged, All Types of Alcohol, and Sunday Sales) Liquor License, as requested by the City Clerk Department.

Council Member Urban stated that she had pulled the Item due to multiple constituents and a nearby business expressing to her opposition of the application. She stated that the Applicant had not provided any documentation or business plans explaining the request to expand the license. She commented to having read the Liquor Commission minutes where the Applicant stated not being responsible for the actions of other people. She explained that consumption of alcohol sold to patrons within the neighborhood and in adjacent businesses made it their responsibility. She did not believe the application was in the best interest of the City or the residents.

Council Member Urban made a motion, seconded by Council Member Montney, to deny Item 8.D.

Council Member Walch noted that the floor plan included in the packet noted a gaming room and asked why. Mrs. Yocum stated that the applicant had not applied for video gaming and was not on the City's Video Gaming Waitlist. She explained that she had sat for the initial Liquor Commission meeting and the Item was tabled to allow neighboring business owners more time work out a plan for any issues experienced in the past. Mrs. Yocum explained that Amanda Stutsman, Deputy City Clerk, sat for the second Liquor Commission meeting where Mr. Patel,

Owner, testified that he had received a text from the neighboring business owner withdrawing any opposition to the expansion of the liquor license, but that said business owner had not appear at the second Liquor Commission meeting. Council Member Crabill confirmed that the floor plan included in the Council packet for the item was included under the wrong item. He then asked if there were other licenses nearby where patrons could buy hard liquor. Council Member Urban stated that there were several bars nearby that offered all types of alcohol. Council Member Crabill asked if Council Member Urban believed the addition of another all types of alcohol license was too much. Council Member Urban agreed and noted that many constituents expressed the same concern and were not supportive. Council Member Crabill stated that normally he supported applications, but that he would support the Council Member whose Ward the establishment was located within as they were in direct contact with constituents of that Ward.

George Boyle, Assistant Corporation Counsel, stated that he was present at both Liquor Commission meetings and discussed attendance at both. He stated that, since the application was for an existing business, per City Code the 28 mailed notices had only gone to adjacent properties. He advised Council of their procedural options including the option to approve, to deny, or to remand back to the Liquor Commission with specific direction.

Mayor Mwilambwe stated he had also been present at both meetings and discussed the Commission's considerations to positively recommend the application. He stated that it was the Commission's intent to allow the business owners to work to exist cohesively.

Council Member Becker stated that a formal opposition was given and while Mr. Patel testified that he received a text withdrawing the opposition, it wasn't submitted into the record. He stated his preference would be to table the Item.

Council Member Montney noted an amendment to the license that, if approved, would not allow the purchase of single serve bottles.

Council Member Boelen stated that while Council could send the Item back to Liquor Commission for further input, Liquor Commission meetings are held at 4:00 p.m. and most individuals are still at work at that time.

Mayor Mwilambwe directed the Clerk to call roll:

AYES: Walch, Boelen, Montney, Becker, Urban, Ward, Crabill, Crumpler

Motion carried.

Regular Agenda

The following item was presented:

Item 9.A. Consideration and action on an Ordinance Approving Economic Development and Socio-Economic Grant Programs in Furtherance of the American Rescue Plan Act, as requested by the Administration Department and the Economic & Community Development Department.

City Manager Gleason reminded the community that staff had been directed by Council to create the Item in furtherance of the American Rescue Plan Act ("ARPA") Grant Program. He explained the three portions of the ARPA Grant Program and discussed significant public input. He explained that Council had the ability to adjust funding amounts in the future.

Melissa Hon, Economic & Community Development Director, addressed Council. She discussed each category, the requirements, and funding available for each. Category 1: Economic Development - Disproportionally Impacted Small Business Rehabilitation Grants; Category 2: Socioeconomic - Assistance to Non-Profits; and Category 3: Socioeconomic - Affordable Housing Rehabilitation Grant. Mrs. Hon pointed out a correction to the Council Memo that applications would be accepted beginning the second quarter of 2023 to allow staff time to create the applications, market the programs under the categories, and target those most qualified.

Council Member Ward asked for additional information on how staff determined the grant funding limitations under the categories. Mrs. Hon stated that for Categories 1 and 3, staff aligned the grant caps with current Community Development Block Grant ("CDBG") amounts. She then explained that for Category 2, staff focused on making significant impacts while still being able to assist as many non-profits as possible. She also noted that some non-profits may not need a full grant of \$150,000. Council Member Ward confirmed with Mrs. Hon that grants could not be awarded retroactively.

Council Member Urban discussed area median incomes ("AMI") that tenants needed to meet to qualify for programs. She then discussed vacant properties and landlord qualifications with Mrs. Hon.

Council Member Boelen and Mrs. Hon went over how the Categories had been developed. Council Member Boelen expressed interest in mimicking CDBG program restrictions for Category 3. Mrs. Hon clarified that staff intended to review each application to see what category best fit each request. Council Member Boelen confirmed that staff would create the applications and complete the review/approval process and that Council would not be involved in the application approval process. They then discussed details on reporting. Mrs. Hon confirmed that the City had to report to the Treasury Department and could share the reports with Council. Council Member Boelen expressed support to assist as many non-profits as possible. They finished by discussing the determination to classify housing rehabilitation under Socioeconomic verses Economic Development due to rehabilitation benefiting homeowners.

Council then discussed options for raising the funding ceiling applicable to Category 2: Socioeconomic.

Council Member Crumpler expressed interest in an up to \$250,000 ceiling for two awards and three awards up to \$150,000 allowing large- and small-scale improvements.

Council Member Crumpler motioned, seconded by Council Member Crabill, to amend the proposed ARPA Program to allow two awards of up to \$250,000 and three awards up to \$150,000 in the Socioeconomic Program 2, with any remaining funds available for additional applicants.

Council Member Montney asked if the amendment would result in a smaller number of non-profits benefiting from the programs and Mrs. Hon responded that if larger grants were awarded, the number of grants awarded would be fewer.

Mr. Boyle discussed voting procedure and stated that Council would vote on the document amendment and then return to consideration of the Item as amended.

Mayor Mwilambwe directed the Clerk to call roll:

AYES: Becker, Urban, Ward, Crabill, Crumpler

NAYES: Walch, Boelen, Montney

Motion carried.

Council Member Boelen, Mayor Mwilambwe, and Mr. Boyle reviewed procedure.

Council Member Crabill and Mrs. Hon then discussed the census track qualification for Category 1 as defined by Housing and Urban Development ("HUD"). Council Member Crabill asked if applicants would have to pay up front for repairs/improvements and be reimbursed. Mrs. Hon stated that typically, registered contractors were paid directly. They then discussed properties that were subject to the National Register and what role, if any, the Historic Preservation Commission may have to play for Category 1.

Council Member Boelen made a motion, seconded by Council Member Crabill, to amend Council discussion time by 10 minutes.

Mayor Mwilambwe directed the Clerk to call roll:

AYES: Walch, Boelen, Montney, Becker, Urban, Ward, Crabill, Crumpler

Motion carried.

Council Member Montney thanked staff for their detailed efforts.

Council Member Crumpler and Mrs. Hon went over plans for reviewing applications.

Council Member Ward and Mrs. Hon discussed improvements completed by homeowners. Mrs. Hon stated that federally funded programs required registered contractors to be used. Council Member Ward expressed interest in staff evaluating homeowner completed improvements qualifying under the Treasury's guidelines.

Council Member Boelen confirmed applicant qualifications with Mrs. Hon. She then explained her reasoning for voting against the amendment.

Council Member Ward made a motion, seconded by Council Member Crumpler, to approve the Item as amended to include the language "two awards of up to \$250,000 level and three up to \$150,000 level, with the remaining funds available for additional applicants to receive".

Mayor Mwilambwe directed the Clerk to call roll:

AYES: Walch, Montney, Becker, Urban, Ward, Crabill, Crumpler

NAYES: Boelen

Motion carried.

City Manager's Discussion

City Manager Gleason highlighted multiple upcoming Downtown events and reminded the community that the last Council meeting of the year would be December 12, 2022. He discussed the upcoming 2022 Public Works Road Work Wrap Up presentation and recognized Melissa Hon, Economic & Community Development Director, for her and her team's work on the ARPA categories and programs.

Mayor's Discussion

Mayor Mwilambwe thanked Mayor Pro Tem Boelen for attending the Downtown Tree Lighting Ceremony in his place.

Council Member's Discussion

Council Member Boelen reflected on her time at the Tree Lighting Ceremony and discussed the Elf of the Shelf competition.

Council Member Urban complimented the owner of Bloomington Spice Works on his new store and recommended other potential business owners contact the Economic & Community Development Department to discuss available programs to assist them. She also complimented the Police Chief for his recent meeting with the community.

Council Member Crabill recognized the Immigration Project for holding a clinic to help individuals with complete naturalization paperwork. He enjoyed participating. He then highlighted the Tree Lighting Ceremony and all the Downtown businesses who participated during the Shop Small events.

Executive Session

No Executive Session was held.

Adjournment

Council Member Boelen made a motion, seconded by Council Member Becker, to adjourn.

Motion carried (viva voce).

The meeting adjourned at 7:51 p.m.

CITY OF BLOOMINGTON

Mboka Mwilambwe
Mboka Mwilambwe, Mayor

ATTEST

Amanda Stutsman
Amanda Stutsman, Deputy City Clerk

