City of Bloomington ILLINOIS

MINUTES
PUBLISHED BY THE AUTHORITY OF THE CITY COUNCIL OF BLOOMINGTON, ILLINOIS
MONDAY, OCTOBER 28, 2019, 6:00 P.M.

The Council convened in Regular Session in the Council Chambers, City Hall Building, at 6:10 p.m., Monday, October 28, 2019.

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

Council Members: Jamie Mathy, Donna Boelen, Mboka Mwilambwe, Julie Emig, Joni Painter, Jenn Carrillo, Scott Black, Jeff Crabill, Kim Bray, and Mayor Tari Renner.

Staff Present: Tim Gleason, City Manager; Billy Tyus, Deputy City Manager; Jeffrey Jurgens, Corporation Counsel; Jim Karch, Public Works Director; Scott Sprouls, Information Services Director; Nicole Albertson, Human Resources Director; Melissa Hon, Economic Development Director; and other City staff were present.

Recognition/Appointments

A. Presentation of the City of Bloomington Police Department Police Officer's Commission Certificate to Officers who have completed probation:

Greg Scott, Asst. Chief of Police, came forward to address Council. He introduced Mitchell Filarski and Taylor Turner. He spoke briefly of their backgrounds.

i. Mayor Renner certified that Mitchell Filarski was appointed and commissioned as a police officer on April 17, 2018. Mayor Renner asked Officer Filarski to come forward to congratulate him and presented Officer Filarski with a certificate. Council and all in attendance applauded Mitchell Filarski.

ii. Mayor Renner certified that Taylor Turner was appointed and commissioned as a police officer on April 17, 2018. Mayor Renner asked Officer Turner to come forward to congratulate him and presented Officer Turner with a certificate. Council and all in attendance applauded Taylor Turner.

Mayor Renner thanked all the first responders in attendance.

B. Presentation of the winners of the 2019 Beautification Awards, as presented by the Beautification Committee:

Chair of the Citizens Beautification Committee, Robin VanDermay, came forward and explained the process of application and selection of the Beautification Awards. Chair VanDermay pulled up a presentation that included photographs of each location. As she announced the award recipients, she showed their location.

i. Residential Winners:

a. Kathryn Mundell-Bligh

Kathryn Mundell-Bligh, award recipient, came forward to accept the award.

b. Jon Wilson & Craig Gilsinger

Jon Wilson and Craig Gilsinger, award recipients, came forward to accept the award.

c. Shirley Hartley (The Memory Garden)

Doug Smith, Son-in-Law of Shirley Hartley, came forward. He stated that Mrs. Hartley was honored with the award, but that she had passed on October 5, 2019. He accepted the award on her behalf.

ii. Commercial Winners:

a. St. Mary's Parish

A representative from St. Mary's Parish located at 527 W. Jackson Street came forward to accept the award.

b. Patrick Fruin/Flinger's

Patrick Fruin, Owner of Flingers, located at 1503 E. Vernon Avenue, came forward to accept the award.

c. City of Bloomington - Illinois Art Station/West Side Revitalization Project Mural at Intersection of Morris Avenue and Market Street

A Representative from West Side Revitalization along with representatives and students from the Illinois Art Station came forward to be recognized. They were joined by the founding donor and parents of the artist.

Public Comment

Mayor Renner opened the meeting to receive public comment, and the following individuals provided comments to the Council:

Dave Holt	Surena Fish
Lea Cline	Aaron Left
R.J. McCracken	Tyler Hargus
Deb Carter	Zach Geritch
Kelly Tyson	Scott Stimeling

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 separately.

Council Member Emig made a motion, seconded by Council Member Mathy, that the Consent Agenda, including all the items listed below, be approved as presented with the exception of Items 7D, 7E, 7F,7G, 7H and 7K.

Item 7A. Consideration and action to approve the Minutes of the September 30, 2019 Special Joint Meeting of the McLean County Board, Normal Town Council, and Bloomington City Council, as requested by the City Clerk Department.

Item 7B. Consideration and action to approve Bills, Payroll, Electronic Transfers, and Procurement Card Purchases in the amount of $8,258,704.01, as requested by the Finance Department.

Item 7C. Consideration and action to approve Bernie Wrezinski to the John M. Scott Health Care Commission, as requested by the Administration Department.

Item 7D. was pulled from the Consent Agenda by Council Member Carrillo.

Item 7E. was pulled from the Consent Agenda by Council Member Crabill.

Item 7F. was pulled from the Consent Agenda by Council Member Crabill.

Item 7G. was pulled from the Consent Agenda by Council Member Crabill.

Item 7H. was pulled from the Consent Agenda by Council Member Boelen.

Item 7I. Consideration and action on an Ordinance Approving a Special Use Permit for a Sports and Fitness Establishment in the D-2 Downtown Transition District, for the property located at 216 E. Grove Street, as requested by the Community Development Department.

Item 7J. Consideration and action on an Ordinance Approving an Application Submitted by Bellas Landscaping, LLC Requesting Approval of the Site Plan for a Restaurant Patio and Parking Lot in the B-1 General Commercial District for the Property at 5 Finance Drive, as requested by the Community Development Department.

Item 7K. was pulled from the Consent Agenda by Council Member Crabill.

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

Ayes: Council Members Mathy, Boelen, Mwilambwe, Emig, Painter, Carrillo, Crabill, and Bray.

Nays: None.

Motion carried.

The following item was pulled from the Consent Agenda by Council Member Carrillo.

Item 7D. Consideration and action to approve a Contract with Amereco, Inc (RFP 2020-15), for Lead Assessment and Clearance Testing Services on an "as needed" basis for a one (1) year term with three (3) one (1) year options based upon acceptable performance, as requested by the Community Development Department.

Council Member Carrillo questioned whether her questions from last meeting had been addressed regarding testing, pricing, etc. City Manager Gleason stated decision was based on the contract requirements.

Council Member Carrillo made a motion, seconded by Council Member Crabill, that the Consent Agenda Item 7D be approved as presented.

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

Ayes: Council Members Mathy, Boelen, Mwilambwe, Emig, Painter, Carrillo, Black, Crabill, and Bray.

Nays: None.

Motion carried.

The following item was pulled from the Consent Agenda by Council Member Crabill.

Item 7E. Consideration and action to waive the technicality in the bid submission and approve a one (1) year Contract with Evergreen FS, with the option of four (4) one-year renewals, to pay for fuel for fleet vehicles and equipment, as requested by the Public Works Department.

Council Member Crabill mentioned that the City spends a lot on fuel each year. He believed that the City should continue to look at reducing fuel consumption. He discussed idle reduction technologies and encouraged staff to continue to explore options in the future. City Manager Gleason confirmed that staff understood.

Council Member Crabill made a motion, seconded by Council Member Black, that the Consent Agenda Item 7E be approved as presented.

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

Ayes: Council Members Mathy, Boelen, Mwilambwe, Emig, Painter, Crabill, and Bray.

Nays: None.

Motion carried.

The following item was pulled from the Consent Agenda by Council Member Crabill.

Item 7F. Consideration and action to rescind the Council's previous approval of a Contract with H & H Landscaping and to reject all proposals for grass and weed mowing services under RFP#2020-12, as requested by the Community Development Department and the Police Department.

Council Member Crabill provided history on the item and discussed internal plans presented by staff. He requested additional information on costs associated to moving the service in-house. City Manager Gleason responded accordingly.

Council Member Crabill made a motion, seconded by Council Member Mathy, that the Consent Agenda Item 7F be approved as presented.

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

Ayes: Council Members Mathy, Boelen, Mwilambwe, Emig, Painter, Carrillo, Black, Crabill, and Bray.

Nays: None.

Motion carried.

The following item was pulled from the Consent Agenda by Council Member Crabill.

Item 7G. Consideration and action on a Resolution to waive the formal bidding process for the Early Order Program with Helena Chemical (the distributor) for procurement of Syngenta, BASF, Bayer, and Nufarm (the manufacturers) golf course chemicals for the 2020 golf season, as requested by the Parks, Recreation and Cultural Arts Department.

Council Member Crabill provided insight on his issue with the amount of chemicals used on the golf courses and the research he completed. He clarified that he would be moving to approve the item but encouraged staff to look into reducing the amount of chemicals and the certification of the public golf courses.

Council Member Black reminded his peers on Council that the budget process would be beginning soon. He encouraged Council to keep in mind if the Council decides to give the staff the direction of implementing more eco-friendly chemicals and it results in higher costs, they would need to remember that conversation in order to be intellectually honest.

Council Member Crabill made a motion, seconded by Council Member Black, that the Consent Agenda Item 7G be approved as presented.

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

Ayes: Council Members Mathy, Boelen, Mwilambwe, Emig, Painter, Carrillo, Black, Crabill, and Bray.

Nays: None.

Motion carried.

The following item was pulled from the Consent Agenda by Council Member Crabill.

Item 7K. Consideration and action on an Ordinance Approving an Application Submitted by Carmala, LLC Requesting Approval of the Site Plan for a Restaurant in the B-1 General Commercial District for the Property at 802 E Washington Street, as requested by the Community Development Department.

Council Member Crabill expressed issue with the proposed business being very focused on gaming.

Council Member Mathy echoed concerns of the property focusing on a gaming parlor. He was opposed to the business including the word "Gaming" in the name of the business.

Council Member Painter asked for clarification on liquor and gaming license requirements. Mayor Renner responded accordingly.

Council Member Mathy stated with the proposed location on the border of Ward 4 and Ward 1, he has had a significant number of citizens reach out with concerns. He also stated the 500-foot notification for the liquor notices did not reach many in the area.

Mayor Renner stated the possibility of the Liquor Commission wanting the Council to re-evaluate and potentially expand the notification distance for future items.

Leslie Yocum, City Clerk, reminded Council that the current item is for the site plan. She also explained the video gaming application requirements and review process.

Council Member Crabill asked whether the Code could be amended to include not having the word “Gaming” in the name. He also inquired on the process of confirming compliance with ADA accessible parking spaces.

Bob Mahrt, Community Development Director, came forward to address the Council. Mr. Mahrt confirmed applicants have an approved site plan on file and if there are complaints regarding parking or signage, it could be sent to the State for compliance.

Council Member Crabill made a motion, seconded by Council Member Black, that the Consent Agenda Item 7K be approved as presented.

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

Ayes: Council Members Mathy, Boelen, Mwilambwe, Emig, Painter, Carrillo, Black, Crabill, and Bray.

Nays: None.

Motion carried.

The following item was pulled from the Consent Agenda by Council Member Boelen.

Item 7H. Consideration and action on an Ordinance Amending the Budget Ordinance for the Fiscal Year Ending April 30, 2020, as it Relates to the Library Fixed Asset Budget, in the amount of $98,318, as requested by the Bloomington Public Library.

Council Member Boelen questioned the cost associated to the tractor and the type of tractor being purchased.

Jeanine Hamilton, Director of the Library, came forward and addressed the Council. Ms. Hamilton confirmed the cost associated to the tractor purchase.

Council Member Boelen made a motion, seconded by Council Member Painter, that the Consent Agenda Item 7H be approved as presented.

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

Ayes: Council Members Mathy, Boelen, Mwilambwe, Emig, Painter, Carrillo, Black, Crabill, and Bray.

Nays: None.

Motion carried.

Regular Agenda

The following was presented:

Item 8A. Consideration of approving a Professional Services Agreement in the amount of $49,810.00 with The Lakota Group (as per RFP 2020-17) to create a Community Preservation Plan for the City of Bloomington, as requested by the Community Development Department.

City Manager Gleason introduced the item and pointed out this item is a win for the City.

Katie Simpson, City Planner, came forward to address Council. She walked Council through the process involved and why the Lakota Group was recommended.

Council Member Boelen asked about how the Comprehensive Plan and the Preservation Plan can be weaved together. Ms. Simpson stated that weaving the plans is the end goal. Council Member Boelen pushed the need to formally remove the previous plans.

Council Member Emig complimented the group and was also supportive of how the Comprehensive Plan is woven through. She also loved the implementation element.

Council Member Crabill pointed out a few items he believed were great about the Lakota Group. He mentioned the Preservation Steering Committee and suggested that a diverse group be used. He also pointed out that the company does not have an equal opportunity plan in place (pg. 274 of the packet). He thought it was an oversight, but worth pointing out. He then asked Ms. Simpson to explain why the City needs a plan and why the City can't just work to protect old buildings. Ms. Simpson focused her answer on opportunities that the plan can make available, as well as the opportunity to allow public input.

Council Member Painter made a motion, seconded by Council Member Carrillo, that the item be approved.

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

Ayes: Council Members Mathy, Boelen, Mwilambwe, Emig, Painter, Carrillo, Black, Crabill, and Bray.

Nays: None.

Motion carried.

The following was presented:

Item 8B. Consideration and action on an Intergovernmental Agreement with the Department of Healthcare and Family Services to participate in a Federal program to receive supplemental Medicaid payments for Ground Emergency Medical Transports, as requested by the Fire Department.

City Manager Gleason introduced the item and discussed the purpose of the item.

Fire Chief Brian Mohr came forward to address Council. He discussed the item and the newly proposed plan. He pointed out that the plan on the federal level has not been approved but is anticipated for approval by the end of the year.

Council Member Bray thanked Chief Mohr for his forward thinking and made a motion to move the item forward.

Council Member Bray made a motion, seconded by Council Member Mwilambwe, that the item be approved.

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

Ayes: Council Members Mathy, Boelen, Mwilambwe, Emig, Painter, Carrillo, Black, Crabill, and Bray.

Nays: None.

Motion carried.

The following was presented:

Item 8C. Consideration and action on a Resolution Initiating a Text Amendment to the City of Bloomington Zoning Code, Chapter 44, to Allow Adult-Use Cannabis Business Establishments in the City of Bloomington, as requested by the Community Development Department.

Mayor Renner clarified the purpose of the item was to allow the zoning portion of the process for Cannabis.

Mr. Gleason followed-up with similar statements and clarifications.

Jeffrey Jurgens, Corporation Counsel, came forward to address Council. He walked through several slides about the zoning text amendment process. Mr. Jurgens clarified on a very high-level a few points from the zoning text amendment presented by Ordinance. He supported his statements with examples to ensure clarity and discussed a general timeline associated to zoning element if this item was approved to move forward.

Mayor Renner clarified the Planning Commission would begin on November 13, 2019 if approved.

Council Member Bray addressed specific elements of the amendment presented. She asked whether the City would be allowed to limit and allow only certain types of cannabis businesses. Mr. Jurgens confirmed that the City could do so. Council Member Bray followed up with a few more zoning options. She then mentioned that she had heard that the trailer bill will move to the next legislative session rather than being heard in November's veto session. She recommended an incremental approach be taken with Planning Commission.

Council Member Carrillo asked that staff provide a zoning map for areas that could potentially be impacted by the zoning amendment. Mr. Jurgens had a map pulled up that staff had already put together. She continued by asking Mr. Jurgens that Council would maintain the ability to pull permits as presented under the special use permit. She asked additional questions about how Council can direct the Planning Commission in addressing specific questions, particularly on-premise use. She encouraged neutrally directing the Planning Commission. Mr. Jurgens also confirmed that the Planning Commission's opinion is not binding on the Council.

Council Member Crabill clarified that Council has the ability to tighten policies and requirements should it see fit. Mr. Jurgens confirmed. Council Member Crabill made additional comments regarding the Planning Commission.

Council Member Mwilambwe thanked Mr. Jurgens for his assistance. Council Member Mwilambwe was very interested in the revenue implications and recommended that specific topics be covered at the Planning Commission public hearing. He believed that multiple public hearings/meetings would be necessary.

Council Member Painter recommended that the City partner with Normal in Cannabis decisions. She also believed that the zoning process should include all types of businesses.

Mayor Renner echoed Council Member Painter's comments.

Council Member Boelen asked some clarifying questions. She suggested that dispensaries be accessible by bus routes to allow equal access to all. She also recommended that meetings for the Planning Commission be moved for better access to those who work. Currently the Planning Commission meets at 4:00 p.m.

Council Member Mathy echoed some of Council Member Painter and Boelen's comments in working with the Town of Normal and to be considerate of bus routes. He asked about mixed-use buildings. Council Member Mathy recommended looking at increasing the distance of cannabis businesses from 500 feet to 750 feet and/or 1000 feet from schools, churches, etc.

Council Member Black asked Mr. Jurgens a few procedural questions. Mr. Jurgens responded accordingly. He thanked staff for the map provided. He discussed his view points on dispensaries in neighborhoods and discussed the importance of the City maintaining its ability to control/monitor the business via the special use permit. He restated the importance of reaching out to all the other stakeholders in the community in a formal manner. He was not interested in onsite consumption.

Council Member Carrillo asked for clarification of Council Member Black stating that he was not supportive of onsite consumption. Council Member Black stated that he was not interested in onsite consumption at any time.

Council Member Bray asked Mr. Jurgens whether lawsuits could result from special use permits being pulled. Mr. Jurgens stated legal proceedings would likely result. Council Member Bray pointed out that litigation can be costly. She went on to discuss issues that could result from property values declining.

Council Member Bray made a motion to amend the referral to the Planning Commission to adult use cannabis distribution and craft growers, seconded by Council Member Boelen, that the item be approved.

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

Ayes: Council Members Boelen and Bray.

Nays: Council Members Mathy, Mwilambwe, Emig, Painter, Carrillo, Black, and Crabill.

Motion failed.

Council Member Carrillo made a motion, seconded by Council Member Mathy, that the item be approved as originally presented.

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

Ayes: Council Members Mathy, Mwilambwe, Emig, Painter, Carrillo, Black, and Crabill.

Nays: Council Members Boelen and Bray.

Motion carried.

City Manager's Discussion

A. Finance Director's Report

Scott Rathbun, Finance Director, came forward to address Council. Mr. Rathbun pointed out a change to the way he presents his report monthly. He discussed, on a high-level, the major tax revenue summaries, the general fund revenue and expenditures by category, and enterprise funds summary.

Council Member Carrillo recommended making materials available once the meeting begins so that the public and audience present can follow along. Mr. Rathbun stated that he would work with the Clerk to have materials available.

City Manager Gleason made a few comments to Mr. Rathbun's presentation. He complimented Earl Boitnott for his service to the City and pointed out his upcoming fundraiser.

City Manager Gleason spoke about multiple upcoming events and noted Trolls Live at the Arena. He commented that they will be preparing for their nation-wide tour in Bloomington over the next few weeks.

Mayor's Discussion

Mayor Renner congratulated the City Clerk Department on their Chili Cook-off win! He thanked Council for dressing up and participating in the Halloween festivities. He also thanked the Cannabis Task Force for their work.

Council Member's Discussion

Council Member Mathy thanked everyone for participating in the Halloween festivities. He complimented the Bloomington Center for the Performing Arts on selling out recent shows. He mentioned that he and the Deputy City Manager had recently attended a conference in Aurora. He noted that the Mayor had only great things to say about Urban Equities Properties.

Council Member Boelen advocated for policy she learned about through a book called Strong Towns.

Council Member Emig also echoed Council Member Boelen. She thanked Bob Mahrt, Community Development Director, for his staff's professionalism in participating in a walk-through last week. She was encouraged to advocate for those who can't advocate for themselves.

Council Member Carrillo complimented the Halloween Festivities and spoke about another upcoming event.

Council Member Crabill thanked City Manager Gleason and City Clerk Yocum for always facilitating his questions. He then pointed out that he had not heard anything more on monthly reporting by Connect Transit and the Intergovernmental Agreement. He also stressed that the State will also be the large regulatory process for cannabis.

Council Member Bray also complimented the performance of Beautiful at the BCPA.

Executive Session

A. Review of Minutes - Section 2 (c)(21) of 5 ILCS 120 (10 minutes)

B. Claim Settlement - Section 2 (c)(12) of 5 ILCS 120 (5 minutes)

Mayor Renner entertained a motion to enter into Executive Session for the purposes of a Review of Minutes - Section 2 (c)(21) of 5 ILCS 120 and Claim Settlement - Section 2(c)(12) of 5 ILCS 120. Mayor stated no action would be taken during Executive Session.

Council Member Mathy made a motion, seconded by Council Member Carrillo, to enter into Executive Session.

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

Ayes: Council Members Mathy, Boelen, Mwilambwe, Emig, Painter, Carrillo, Black, Crabill, and Bray.

Nays: None.

Motion carried.

Return to Open Session and Adjourn

Council Member Boelen made a motion, seconded by Council Member Carrillo, that Council return to Open Session and the meeting be adjourned.

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

Ayes: Council Members Mathy, Boelen, Mwilambwe, Emig, Painter, Carrillo, Black, Crabill, and Bray.

Nays: None.

Motion carried.

The meeting adjourned at 8:52 p.m.

CITY OF BLOOMINGTON

Tari Renner, Mayor

ATTEST

Leslie Yocum, City Clerk