City of Bloomington Illinois

MINUTES
CITY COUNCIL - REGULAR SESSION
MONDAY, OCTOBER 24, 2022, 6:00 P.M.

The City Council convened in regular session in the Government Center Chambers at 6:00 p.m., Monday, October 24, 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

Public Comment

Mayor Mwilambwe read a public comment statement of procedure. No emailed public comment was received. Jacari Harris and Carmen Bolden Day spoke remotely and Surena Fish spoke in person.

Recognition/Appointments

No Recognitions or Appointments were presented.

Consent Agenda

Mayor Mwilambwe gave the floor to Leslie Yocum, City Clerk. Mrs. Yocum shared that a scrivener's error had been found in Item 7.U. and that prior to the meeting it had been corrected and share with Council. She asked that any motions brought forward for the Consent Agenda include language to approve the item as amended.

Council Member Boelen made a motion, seconded by Council Member Crabill, to approve the Consent Agenda with the exception of 7.E., 7.M., and 7.N. and with 7.U. as amended.

Item 7.A. Consideration and action to approve the Minutes of the September 12, 2022 Regular City Council Meeting, as requested by the City Clerk Department. (Recommended Motion: The proposed Minutes be approved.)

Item 7.B. Consideration and action to approve the Minutes of the September 26, 2022 Regular City Council Meeting, as requested by the City Clerk Department. (Recommended Motion: The proposed Minutes be approved.)

Item 7.C. Consideration and action to approve the Minutes of the October 10, 2022 Regular City Council Meeting, as requested by the City Clerk Department. (Recommended Motion: The proposed Minutes be approved.)

Item 7.D. Consideration and action to approve Bills and Payroll in the amount of $9,316,363.91, as requested by the Finance Department. (Recommended Motion: The proposed Bills and Payroll be approved.)

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

Item 7.F. Consideration and action on the Purchase of Golf Course Maintenance Equipment from John Deere in the amount of $396,397.22 utilizing the Sourcewell Cooperative Purchasing Agreement Contract #031121-DAC, exp. 4/30/2025, as requested by the Parks & Recreation Department. (Recommended Motion: The proposed Purchase be approved.)

Item 7.G. Consideration and action to approve the Purchase of one (1) Bobcat TL619 Telehandler from Bobcat of Bloomington, in the amount of $78,557.42, using the Sourcewell Contract (040319-CEC, exp. 05/31/2023). The original price is $ 97,557.42, which after a trade credit allowance of $19,000.00 brings the total cost down to $78,557.42, as requested by the Public Works Department. (Recommended Motion: The proposed Purchase be approved.)

Item 7.H. Consideration and action to approve the First Amendment of the Agreement with Andres Medical Billing, as requested by the Fire Department. (Recommended Motion: The First Amendment to the Agreement be approved.)

Item 7.I. Consideration and action to approve a one-year Agreement for Crossing Guard Services with All City Management Services, Inc., in an amount not to exceed $128,000, as requested by the Police Department. (Recommended Motion: The proposed Agreement be approved.)

Item 7.J. Consideration and action to approve an Agreement with Clesens Holdings LLC for the purchase of irrigation pump station equipment for use at The Den at Fox Creek Golf Course in the amount of $ 190,624 (Bid #2023-07 The Den at Fox Creek Golf Course Pump Station Equipment), as requested by the Parks & Recreation Department, N/A. (Recommended Motion: The proposed Agreement be approved.)

Item 7.K. Consideration and action to approve an Agreement Extension with Evergreen FS for fuel, from November 1, 2022 through October 31, 2023, for the City's vehicles and equipment, in the amount of $702,518 for the first six-month period, and a still to be determined amount utilizing FY24 budgeted funds for the second six-month period of this term, as requested by the Public Works Department. (Recommended Motion: The proposed Agreement Extension be approved.)

Item 7.L. Consideration and action on providing formal settlement authority in Central District of Illinois Case No. 1:22-cv-1032-JES-JEH (Kelly v. City of Bloomington, et al), as requested by the Legal Department. (Recommended Motion: The approval and ratification of a settlement, not to exceed $65,000.00, in Central District of Illinois Case No. 1:22-cv-1032-JES-JEH (Kelly v. City of Bloomington, et al), and authorize the City Manager to execute any and all documents necessary to effectuate the resolution of the case including, if requested by Plaintiff, a structured settlement.)

Item 7.M. was pulled from the Consent Agenda by Council Member Walch.

Item 7.N. was pulled from the Consent Agenda by Council Member Walch.

Item 7.O. Consideration and action on a Resolution approving the First Amendment to the FY 2023 Utility Maintenance Contract between the City of Bloomington and George Gildner, Inc., in the amount of $593,155.16, for the purpose of funding additional utility maintenance projects at various locations, as requested by the Public Works Department. (Recommended Motion: The proposed Resolution be approved.)

Item 7.P. Consideration and action on a Resolution authorizing waiving the Technical Bidding Requirements and approving the Purchase of Syngenta, BASF and Bayer Chemicals from Marubeni America Corporation DBA Helena Agri Enterprises LLC , as requested by the Parks & Recreation Department. (Recommended Motion: The proposed Resolution and Purchase be approved.)

Item 7.Q. Consideration and action on an Ordinance Approving a Second Amendment to Economic Incentive Agreement by and between the City of Bloomington, Illinois and Toastman Group II, Inc., as requested by the Economic & Community Development Department. (Recommended Motion: The proposed Ordinance be approved.)

Item 7.R. Consideration and action on an Ordinance approving a Special Use Permit for Chicken- Keeping in the R-1C (Single-Family Residence) District, for the property located at 1035 E. Front Street, as requested by the Economic & Community Development Department. (Recommended Motion: The proposed Ordinance be approved.)

Item 7.S. Consideration and action on an Ordinance approving a Site Plan and a Special Use for a Vehicle Repair and Service Use, with a Variance, in the B-1 (General Commercial) District for Property Located at 1501 N. Veterans Parkway , as requested by the Economic & Community Development Department. (Recommended Motion: The proposed Ordinance be approved.)

Item 7.T. Consideration and action on an Ordinance approving a Site Plan for Trade and Construction Services, Building Materials and Supplies, and General Office Uses in the B-1 (General Commercial) District for Property Located at 101 Woodrig Road , as requested by the Economic & Community Development Department. (Recommended Motion: The proposed Ordinance be approved.)

Item 7.U. Consideration and action on an Ordinance approving Text Amendments to the Zoning Code of the City of Bloomington [Chapter 44] Related to Definitions, Review and Submission Process Clarification, and Updating Certain Zoning Classifications, as requested by the Economic & Community Development Department. (Recommended Motion: The proposed Ordinance be approved.)

Item 7.V. Consideration and action on an Application from The Lincoln Springs Center, LLC., d/b/a The Station Saloon, located at 1611 Morrissey Dr., Unit 1 , requesting an approval of 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 Change of Ownership be approved.)

Item 7.W. Consideration and action on an Application from No Ceiling Hospitality, LLC, d/b/a Shake It Up Cocktail Lounge, to be located at 105 W. Front St., requesting approval of a Class TAS (Tavern, All Types of Alcohol, and Sunday Sales) Liquor License , as requested by the City Clerk Department. (Recommended Motion: The proposed License be approved.)

Item 7.X. Consideration and action on an Application from Toastman Group II, Inc., d/b/a Egg Republic, to be located at 511 Chancellor Dr., requesting a Class RAS (Restaurant, All Types of Alcohol, and Sunday Sales) Liquor License, as requested by the City Clerk Department. (Recommended Motion: The proposed License be approved.)

Mayor Mwilambwe directed the Clerk to call roll:

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

Motion carried.

Items Pulled from the Consent Agenda

The following item was presented:

Item 7.E. Consideration and action on the Purchase of Playground Equipment for Sweeney Park from Cunningham Recreation, d/b/a Game Time, in the amount of $112,129.14 utilizing an OMNIA Partners Contract #2017001134 expiring 6/30/2024, as requested by the Parks & Recreation Department, and the Finance Department. (Recommended Motion: The proposed Purchase be approved.)

Council Member Ward asked how replacing of playground equipment at parks were prioritized. Eric Veal, Director of Parks & Recreation, explained the various factors involved.

Council Member Crabill asked about the differences between Sweeny Park and Harmony Park. Mr. Veal explained each park's focus on inclusion differentiating between the two parks.

Council Member Montney thanked staff for their work on Sweeney Park.

Mayor Mwilambwe complimented the partners involved making the park possible.

Council Member Montney made a motion, seconded by Council Member Boelen, to approve the Item as presented.

Mayor Mwilambwe directed the Clerk to call roll:

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

Motion carried.

The following items were presented:

Item 7.M. Consideration and action to approve 1) a Supplemental Resolution for Improvement Under the Illinois Highway Code, in the amount of $47,811.32 and 2) an Engineering Services Agreement Supplement for Motor Fuel Tax Funds for the Phase II Design of Hamilton Road, from Bunn Street to Morrissey Drive, in the amount of $89,351.00, as requested by the Public Works Department. (Recommended Motion: The proposed Supplemental Resolution and Agreement Supplement be approved.)

Item 7.N. Consideration and action to approve 1) a Supplemental Resolution for Improvement Under the Illinois Highway Code and 2) an Engineering Services Agreement Supplement for Motor Fuel Tax Funds for the Phase I Preliminary Design Services for Hamilton Road, from Bunn Street to Morrissey Drive, in the amount of $20,067.00, as requested by the Public Works Department. (Recommended Motion: The proposed Supplemental Resolution and Agreement Supplement be approved.)

Council Member Walch asked about the purpose of the extension. He believed that taxpayer's money would be best spent on a stoplight being added at the intersection.

Council Member Boelen clarified that Hamilton/Bunn project was funded using State Motor Fuel Tax, not local tax. She stated that the entire road is unsafe, not just the intersection.

Mayor Mwilambwe stated that there was extensive background information available about the project. He mentioned that it would connect the eastside and westside of town and assisting in improving traffic flow.

Deputy City Manager Billy Tyus stated that improving the connection from the east and west sides of the community would also encourage growth.

Kevin Kothe, Public Works Director, stated that he hoped to have the project out to bid next year.

Council Member Boelen reiterated how the improvements will enable more opportunities for economic development. Mr. Kothe agreed.

Council Member Walch asked about the status of railroad crossing. Mr. Kothe responded by sharing about a tentative agreement with Norfolk Southern and shared potential impacts that could result. Council Member Walch expressed frustration for focusing commerce in areas outside of downtown.

Council Member Crabill reiterated statements made during the discussion of the Item and then read from the Item's memo included in the Council packet.

Mayor Mwilambwe inquired about Connect Transit's interest in adding a stop near the location. Mr. Kothe confirmed that was still of interest.

Council Member Crumpler agreed with Council Member Boelen and expressed his support of the Item.

Council Member Boelen reiterated the project being funded by State Motor Fuel Tax. Mr. Kothe confirmed.

Council Member Boelen made a motion, seconded by Council Member Urban, to approve items 7.M. and 7.N. as presented.

Mayor Mwilambwe directed the Clerk to call roll:

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

NAYES: Walch

Motion carried.

Regular Agenda

The following item was presented:

<u>Item 8.A. Consideration and action to approve the early termination (approx. 11.5 months early) of the existing Agreement with Axon Enterprises, Inc. and the approval of a new five-year (beginning January 1, 2023) fixed annual cost Agreement with Axon Enterprises, Inc., as a limited source, as requested by the Police Department.</u>

Deputy City Manager Tyus introduced the Item and spoke about the benefits of approving the agreement.

Jamal Simington, Chief of Police, and Ken Bays, Asst. Chief of Police, spoke about a three-year vision for the Police Department. They referenced various systems, modules, and apps that would help the Department in their work and discussed how improved processes would be made possible with updated technology. They shared details regarding each system involved in the contract, made new contract versus current contract comparisons, and explained differences in cost including a potential $750,000 savings.

Council Member Becker commended staff.

Council Member Crabill asked how the technology would reduce crime. Chief Simington explained how body worn cameras provided concrete evidence and deterred bad behavior. Council Member Crabill and Asst. Chief Bays then discussed safety features and best practices for tasers and guns.

Council Member Ward thanked staff for the presentation and supported the Item.

Council Member Boelen thanked staff for being fiscally responsible.

Council Member Crumpler expressed his appreciation of the Police Department.

Council Member Urban expressed support for the Department and everything they had accomplished.

Mayor Mwilambwe spoke about the efforts of the police and how technology is great, but the police are doing great with other things as well.

Council Member Boelen made a motion, seconded by Council Member Becker, to approve the Item as presented.

Mayor Mwilambwe directed the Clerk to call roll:

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

Motion carried.

The following item was presented:

Item 8.B. Consideration and action to approve, as a limited source, the Tyler MUNIS upgrade and Software as a Service Agreement and SaaS migration payment with Tyler Technologies, for various MUNIS modules of the City's Enterprise Resource Planning (ERP) system, cloud-hosted systems and storage, data migration, and project management in the amount of $371,463.00, as requested by the Information Technology Department.

Deputy City Manager Tyus introduced the Item and explained the importance of Tyler MUNIS.

Craig McBeath, Information Technology (IT) Director, described why the Tyler MUNIS update is beneficial to staff and all City departments. He spoke about how, if approved, the update would enable his Department to shift resources and enable them to focus more on business processes.

Council Member Crabill asked a clarifying question and then asked about preventing data breaches. Mr. McBeath provided examples and explained ways to protect data.

Council Member Walch asked questions about exercises, accruing charges, and types of service. Mr. McBeath explained how the service would work.

Council Member Ward made a motion, seconded by Council Member Boelen, to approve the Item as presented.

Mayor Mwilambwe directed the Clerk to call roll:

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

Motion carried.

The following item was presented:

Item 8.C. Consideration and action to approve a Resolution Waiving the Formal Bidding Requirements and Approving the Necessary Agreements with OpenGov Inc. to provide a Citizen Services Platform for the Economic & Community Development Department, as requested by the Information Technology Department, and the Economic & Community Development Department.

Deputy City Manager Tyus introduced the Item and explained how the Citizen Services Platform program works.

Mr. McBeath explained how the program, if approved, would make it easier for citizens and contractors to do business with the City. He spoke about and complimented the City's current relationship with OpenGov.

Council Member Ward asked about potential duplication between OpenGov and the MyBloomington app. Mr. McBeath explained that OpenGov would expand capabilities and that no duplication would occur.

Council Member Boelen expressed her excited about the Item.

Council Member Boelen made a motion, seconded by Council Member Crumpler, to approve the Item as presented.

Mayor Mwilambwe directed the Clerk to call roll:

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

Motion carried.

Finance Director's Report

Scott Rathbun, Finance Director, presented the Fiscal Year ("FY") 2023 financial summary. He discussed major tax revenues and highlighted year-to-date variances, as well as variance causes. He spoke about revenues, requests for projects, and how Finance would review the submitted project list. He talked about the Police Department's item and how various revenues offset needed budget increases. He spoke about the SaS and Tyler MUNIS item and how everything would be coming together to impact the City and the citizens in a great way.

City Manager's Discussion

Deputy City Manager Tyus discussed various upcoming downtown events.

Mayor's Discussion

Mayor Mwilambwe encouraged everyone to keep Council Member Emig in their thoughts and prayers. He spoke about the YMCA's old downtown location had been purchased by Eastview Church and was excited that it would be used for community programming.

Council Member's Discussion

Council Member Crabill commended the Fire Department for their item regarding EMS charges.

Council Member Crumpler spoke about his opportunity to walk through a neighborhood in Ward 9 with Asst. Chief of Police Bays. He enjoyed speaking to residents and commended the Police for outreach.

Council Member Boelen spoke about the Main Street America Conference recently held in Downtown. She hoped to see some of the items presented at the conference be implemented at the City.

Council Member Ward spoke about National Spiritual Care Week.

City Clerk Leslie Yocum stated she'd forgotten to mention under Public Comment that William Gustavson had registered to speak remotely, but that staff were unable to reach him due to an invalid email address provided. She encouraged those wishing to speak to provide accurate emails and/or a phone number so they could be reached if issues arose.

Executive Session

No Executive Session was held.

Adjournment

Council Member Boelen made a motion, seconded by Council Member Ward, to adjourn the meeting.

Mayor Mwilambwe directed the Clerk to call roll:

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

Motion carried (viva voce).

The meeting adjourned at 7:27 p.m.

CITY OF BLOOMINGTON

Mboka Mwilambwe

Mboka Mwilambwe, Mayor

ATTEST

Amanda Stutsman

Amanda Stutsman, Deputy City Clerk

CITY OF BLOOMINGTON ESTABLISHED 1850