SUMMARY MINUTES
PUBLISHED BY THE AUTHORITY OF THE CITY COUNCIL
OF BLOOMINGTON, ILLINOIS
MONDAY, October 9, 2017; 7:00 P.M.

The Council convened in Regular Session in the Council Chambers, City Hall Building, at 7:00 p.m., Monday, October 9, 2017.

The Meeting was called to order by Mayor Renner.

The Meeting was opened by Pledging Allegiance to the Flag followed by a moment of silent prayer.

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

Aldermen: Jamie Mathy, David Sage, Mboka Mwilambwe, Amelia Buragas, Scott Black, Joni Painter, Diana Hauman, Kim Bray, Karen Schmidt, and Mayor Tari Renner.

Staff Present: David Hales, City Manager, Steve Rasmussen, Assistant City Manager; Jeffrey Jurgens; Corporation Counsel, Cherry Lawson, City Clerk; Patti-Lynn Silva, Finance Director; Brendan Heffner, Chief of Police; Brian Mohr, Fire Chief, Scott Sprouls, IS Director, Nicole Albertson, Human Resource Director; Jim Karch, Public Works Director; Bob Yehl, Water Director; and other City staff were also present.

Recognition/Appointments

A. Proclamation declaring, October 8-14, 2017, as Fire Prevention Week

Public Comment

Leon Kaeb	Judy Stearns	Clayton Matteson	Carl Woodward	Tim Tilton
Phil Reynolds	Shayna Watchinski	Scott Stimeling	Lee Eutsey	Angela Scott

"Consent Agenda"

Items listed on the Consent Agenda are approved with one motion, and is provided in ***BOLD****, and items that Council pull from the Consent Agenda for discussion are listed with a notation* ***Pulled from the Consent Agenda.***

Motion by Alderman Painter and seconded by Alderman Hauman that the Consent Agenda be approved, with the exception of Item Nos. 7A and 7E.

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

Ayes: Aldermen Painter, Mathy, Sage, Mwilambwe, Buragas, Schmidt, Black, Hauman and Bray.

Nays: None

Motion carried.

The following was presented:

Item 7A. Consideration of approving the Minutes of the September 25, 2017 Regular City Council Meeting. *(Recommend that the reading of the minutes be dispensed with and the minutes approved as printed.)* **(Removed from the Consent Agenda for discussion)**

Alderman Bray had an amendment to the Minutes of the Meeting. The packet, page 7, the second paragraph from the top, includes a discussion of the sewer ordinance and, in particular, there is a comment there about Alderman Bray stated she was voting yes, sees it as a winning proposition for the community, and there were two reasons that she out as the winning proposition and then Alderman Mwilambwe responded to one of those reasons, but neither of the reasons appeared in the minutes. She requested the minutes reflect the two reasons in that it accomplishes our top priorities of public health and restoration of our infrastructure, and then Alderman Mwilambwe's comments regarding infrastructure then have context.

Motion by Alderman Bray and seconded by Alderman Schmidt that the Minutes of the September 25, 2017 Regular City Council Meeting be approved, with amendments as noted.

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

Ayes: Aldermen Painter, Mathy, Sage, Mwilambwe, Buragas, Schmidt, Black, Hauman and Bray.

Nays: None

Motion carried.

The following was presented:

Item 7B. Consideration of Approving Bills, Payroll, Procurement Card Purchases, and Electronic Transfers in the amount of $5,891,312.07. *(Recommend that the Bills, Payroll, Procurement Card Purchases, and Electronic Transfers be allowed in the amount of* $5,891,312.07 *and orders drawn on the Treasurer for the various amounts as funds are available.)*

The following was presented:

Item 7C. Consideration of approving an Annual Maintenance Agreement for City-wide Network and VoIP Telephone Infrastructure. *(Recommend an agreement with Sentinel Technologies Inc., Springfield, IL for hardware/software maintenance, troubleshooting, configuration assistance and remote monitoring of network and VoIP (voice of internet protocol) infrastructure, in the amount of $86,891.00 for the fourth of five years, be approved and the City Manager and City Clerk be authorized to execute the necessary documents.)*

The following was presented:

Item 7D. Consideration of a Resolution Waiving the Formal Bidding Process, and approve a three (3) year extension agreement between the City of Bloomington and the Board of Trustees of the University of Illinois for the Groundwater Level Monitoring program, in the amount of $24,519.00. *(Recommend Council approve a Resolution Waiving the Formal Bidding Process for groundwater level monitoring services; approve a three (3) year extension of the Groundwater Level Monitoring agreement with the Board of Trustees of the University of Illinois through the office of Sponsored Programs and Research Administration with the scientific group known as the Illinois State Water Survey for monitoring in McLean, Tazewell and Logan Counties for $24,519.00; that the Mayor and City Clerk are authorized to execute the Resolution; and authorize the City Manager and City Clerk to execute the necessary contract documents.)*

RESOLUTION NO. 2017 – 36

A RESOLUTION AUTHORIZING WAIVING THE TECHNICAL BIDDING REQUIREMENTS AND APPROVING THE CONTRACT BETWEEN THE UNIVERSITY OF ILLINOIS BOARD OF TRUSTEES AND THE CITY OF BLOOMINGTON FOR THE GROUNDWATER LEVEL MONITORING PROGRAM

The following was presented:

Item 7E. Consideration of a Resolution Waiving the Formal Bidding Process, and approve a two (2) year contract with the Board of Trustees of Illinois State University to continue the automated stream monitoring/sampling stations and recurring monitoring program for Six Mile Creek, Money Creek, and the T3 Demonstration Site at Comlara Park in the amount of $98,504.00. *(Recommend Council approve a Resolution Waiving the Formal Bidding Process for continued monitoring of the automated stream monitoring/sampling stations and monitoring program for Six Mile Creek, Money Creek, and the T3 Demonstration Site at Comlara Park; approve a two (2) year contract for continued monitoring with the Board of Trustees of Illinois State University for $98,504.00; that the Mayor and City Clerk are authorized to execute the Resolution; and authorize the Mayor and City Clerk to execute the necessary contract documents.)* **(Removed from the Consent Agenda for discussion.)**

RESOLUTION NO. 2017 – 37

A RESOLUTION AUTHORIZING WAIVING THE TECHNICAL BIDDING REQUIREMENTS AND APPROVING THE CONTRACT BETWEEN THE BOARD OF TRUSTEES OF ILLINOIS STATE UNIVERSITY AND THE CITY OF BLOOMINGTON FOR THE UNDERSTANDING AND MONITORING LOCAL WATER QUALITY PROGRAM.

Motion by Alderman Schmidt and seconded by Alderman Painter that Council approve a Resolution Waiving the Formal Bidding Process for continued monitoring of the automated stream monitoring/sampling stations and monitoring program for Six Mile Creek, Money Creek, and the T3 Demonstration Site at Comlara Park; approve a two (2) year contract for continued monitoring with the Board of Trustees of Illinois State University for $98,504.00; that the Mayor and City Clerk are authorized to execute the Resolution; and authorize the Mayor and City Clerk to execute the necessary contract documents

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

Ayes: Aldermen Painter, Mathy, Sage, Buragas, Schmidt, Black, Hauman and Bray.

Recuse: Alderman Mboka Mwilambwe

Nays: None

Motion carried.

The following was presented:

Item 7F. Consideration of a Resolution approving a change order with Rowe Construction for pavement patching in relation to the replacement of Traffic Signals at Towanda and Vernon Avenues, and approval of an IDOT Supplemental Resolution approving additional funding for the Construction of the Improvements to Vernon & Towanda intersection (MFT No. 14-00353-00-TL) in the amount of $125,000. *(Recommend (1) a Resolution Authorizing a Change Order in the Amount of $125,000 in the Contract for the Replacement of Traffic Signals at Towanda and Vernon Avenues for Pavement Patching be approved, and the Mayor and City Clerk be authorized to execute the necessary documents; and (2) the IDOT (Supplemental) Resolution for Improvement by Municipality under the Illinois Highway Code for the Improvement of the Vernon & Towanda Intersection in the amount of $125,000, be approved and the Mayor and City Clerk authorized to execute the necessary documents.)*

RESOLUTION NO. 2017 – 38

A RESOLUTION AUTHORIZING A CHANGE ORDER
IN THE AMOUNT OF $125,000 IN THE CONTRACT FOR THE REPLACEMENT OF TRAFFIC SIGNALS AT TOWANDA & VERNON AVENUES
FOR PAVEMENT PATCHING

RESOLUTION NO. 2017- 39

(SUPPLEMENTAL) RESOLUTION FOR IMPROVEMENT BY MUNICIPALITY UNDER THE ILLINOIS HIGHWAY CODE FOR THE RECONSTRUCTION OF THE INTERSECTION OF VERNON AVENUE AND TOWANDA AVENUE

The following was presented:

Item 7G. Consideration of an Ordinance Suspending Portions of Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the Bloomington City Code approving the request from James Day and Karen Malek to allow moderate consumption of alcohol at their October 21, 2017, wedding reception to be held at Davis Lodge. *(Recommend an Ordinance Suspending Portions of Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the City Code for a Wedding Reception at Davis Lodge on October 21, 2017, be approved, and that the Mayor and City Clerk be authorized to execute the necessary documents.)*

ORDINANCE NO. 2017 - 82

AN ORDINANCE SUSPENDING PORTIONS OF SECTION 701 OF CHAPTER 31 AND SECTION 26(d) OF CHAPTER 6 OF THE CITY CODE FOR A WEDDING RECEPTION ON OCTOBER 21, 2017, AT DAVIS LODGE

The following was presented:

Item 7H. Consideration of an Ordinance Suspending Portions of Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the Bloomington City Code approving the request from Jonathon Kaiser and Ashley Cawood to allow moderate consumption of alcohol at their November 5, 2017, wedding reception to be held at Miller Park Pavilion. *(Recommend an Ordinance Suspending Portions of Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the City Code for a Wedding Reception at Miller Park Pavilion on November 5, 2017, be approved, and that the Mayor and City Clerk be authorized.)*

ORDINANCE NO. 2017 – 83

AN ORDINANCE SUSPENDING PORTIONS OF SECTION 701 OF CHAPTER 31 AND SECTION 26(d) OF CHAPTER 6 OF THE CITY CODE FOR A WEDDING RECEPTION ON NOVEMBER 5, 2017, AT MILLER PARK PAVILION

The following was presented:

Item 7I. Consideration of an Ordinance Suspending Portions of Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the Bloomington City Code the request from Andy Houin and Paige Steffen to allow moderate consumption of alcohol at their November 11, 2017, wedding reception to be held at Miller Park Pavilion. *(Recommend an Ordinance Suspending Portions of Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the City Code for a Wedding Reception at Miller Park Pavilion on*

November 11, 2017, be approved, and that the Mayor and City Clerk be authorized to execute the necessary documents.)

ORDINANCE NO. 2017 - 84

AN ORDINANCE SUSPENDING PORTIONS OF SECTION 701 OF CHAPTER 31 AND SECTION 26(d) OF CHAPTER 6 OF THE CITY CODE FOR A WEDDING RECEPTION ON NOVEMBER 11, 2017, AT MILLER PARK PAVILION

The following was presented:

Item 7J. Consideration of an Ordinance Suspending Portions of Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the Bloomington City Code approving the request from Kyle Shadid and Cori Baker to allow moderate consumption of alcohol at their March 17, 2018, wedding reception to be held at Miller Park Pavilion. *(Recommend an Ordinance Suspending Portions of Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the City Code for a Wedding Reception at Miller Park Pavilion, on March 17, 2018, be approved, and that the Mayor and City Clerk be authorized to execute the necessary documents.)*

ORDINANCE NO. 2017 - 85

AN ORDINANCE SUSPENDING PORTIONS OF SECTION 701 OF CHAPTER 31 AND SECTION 26(d) OF CHAPTER 6 OF THE CITY CODE FOR A WEDDING RECEPTION ON MARCH 17, 2018, AT MILLER PARK PAVILION

The following was presented:

Item 7K. Consideration of the application of the Keg Grove Brewing Co., LLC, d/b/a Keg Grove Brewing Co., located at 712 E. Empire St., Ste. #2., requesting an TBPS liquor license which would allow the sale of beer and wine only by the glass for consumption on the premises and the sale of beer and wine only for consumption off the premises seven (7) days a week. *(Recommend the application of Keg Grove Brewing Co., LLC, d/b/a Keg Grove Brewing Co., located at 712 E. Empire St., Ste. #2., requesting an TBPS liquor license which would allow the sale of beer and wine only by the glass for consumption on the premises and the sale of beer and wine for consumption off the premises seven (7) days a week with the following conditions: 1.) a patio will not be allowed; 2.) no wine will be served and or sold; 3.) no other beer will be served and or sold except that which is produced on premise; 4.) no video gaming allowed; 5.) install a fence to separate the business from the residential area; 6.) place security cameras on the outside of the building facing the residential area; 7.) install outside cigarette receptacles; 8.) hours of operation will be Sunday – 12:00 pm to 8:00 pm, Wednesday through Friday – 3:00 pm to 11:00 pm and Saturday – 11:00 am to 11:00 pm; and 9.) contingent upon compliance with all health and safety codes.)*

The following was presented:

Item 7L. Consideration of the application of Grand Cafe, LLC d/b/a Grand Cafe located at 2205 E. Oakland Ave., Ste. A1 and A2 requesting an RBS liquor license which would allow the sale of beer and wine only by the glass for consumption on the premises seven (7) days a week. *(Recommend the application of Grand Cafe, LLC d/b/a Grand Cafe located at 2205 E. Oakland Ave., Ste. A1 and A2 requesting an RBS liquor license which would allow the sale of beer and wine only by the glass for consumption on the premises seven (7) days a week.)*

"Regular Agenda"

The following was presented:

Item 8A. Consideration of adopting an Ordinance approving the Annexation and Rezoning to R-1C, Single Family Residential District for the Sixth Addition to the Grove at Kickapoo Creek, approximately 12.084 acres. *(Recommend an Ordinance approving the Annexation and Rezoning to R-1C, Single Family Residential District for the Sixth Addition to the Grove at Kickapoo Creek, approximately 12.084 acres be adopted and the Mayor and City Clerk be authorized to execute the necessary documents.) (Presentation by Tom Dabareiner, Community Development Director 5 minutes, Council discussion 10 minutes.)*

Ordinance No. 2017-86

AN ORDINANCE ANNEXING AND REZONING TO R-1C, SINGLE FAMILY RESIDENTIAL DISTRICT, 12.084 ACRES FOR THE SIXTH ADDITION TO THE GROVE ON KICKAPOO CREEK

Mayor Renner responded to a question at public comment concerning this issue and stated that this is part of an agreement that we have already signed. This is something that even if we wanted to stop, there is nothing we could do about it.

Mr. Dabareiner commented that the City of Bloomington entered into an annexation agreement for 450 acres in 2005 and that agreement expires in 2025. In that agreement, the City must adopt an ordinance annexing certain tracts of land within 30 days of receiving annexation plat and supporting documents which request annexation associated with the Grove. On September 18, 2017, the City Clerk received petition to annexation plat. The proposed zoning is also associated with that. That rezoning is consistent with the plan approved in 2011, and staff is in support of this.

Alderman Mathy asked if contracts like this that require us to annex in 30 days were common.

Mr. Dabareiner responded that 30 days is pretty common when we have already agreed on the plan up front.

Alderman Sage stated that recently we had a budget amendment that dealt with some infrastructure related to the Grove and stated that amendment is not related to the one that is in front of us. He then asked Mr. Dabareiner if he could differentiate those two items.

Mr. Dabareiner answered that this is simply the annexation.

Alderman Sage stated there is a tag line in the staff report that the City Council will have to decide if we have to oversize the infrastructure at some point in the future and wanted clarification on that.

Mr. Karch commented that Mr. Dabareiner is correct. The annexation agreement is separate from the oversizing agreement but with the understanding the area covered within the annexation agreement, when it comes, there will have to be a decision on oversizing for the sewer that has been talked about.

Alderman Sage asked if the oversizing would be related to potential annexation and development beyond this tract of land here that we are talking about tonight.

Mr. Karch replied that anytime you oversize sewer in an area like this, the intention is actually not for the piece that is being annexed. The intention of oversizing as I think you are pointing out, is for that upstream area in the future along that tributary, so yes that is the intention of oversizing.

Alderman Buragas stated she hoped that we would continue to have a conversation with Mr. Reynolds because he raises some important concerns about the imposition that this development is placing on other units of government and whether or not those were taken into account when this was put in or if any contingencies were made.

Mr. Karch stated that he had talked with Mr. Reynolds, and he is correct.

Alderman Black commented that throughout the community, people are tired of the annexation including the Grove itself and that on behalf of the 8000 citizens that participated in that process, he would be voting no on it.

Motioned by Alderman Hauman, seconded by Alderman Mwilambwe that an Ordinance approving the Annexation and Rezoning to R-1C, Single Family Residential District for the Sixth Addition to the Grove at Kickapoo Creek, approximately 12.084 acres be adopted and the Mayor and City Clerk be authorized to execute the necessary documents.

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

Ayes: Aldermen Schmidt, Sage, Mathy, Hauman, Mwilambwe, Buragas, Painter, ~~Black~~, and Bray.

Nays: ~~None~~. Black

Motion carried.

The following was presented:

Item 8B. Presentation of a Twenty-Year Materials Recovery and Resource Management Plan for McLean County, Bloomington, and Normal, Illinois. *(Recommend for presentation and discussion* *only.)* (Presentation by Michael Brown, Executive Director of the Ecology Action Center 15 minutes, Council discussion 20 minutes.) **No motion as this item was presented and discussed.**

Mr. Michael Brown gave an update on where we are at progressing towards a new solid waste management plan for our community. We are here tonight as we are looking at a new solid waste management plan. The Illinois Solid Waste Planning and Recycling Act mandates that every county does have a solid waste management plan.

Alderman Sage asked if the intent of this plan to find ways to encourage voluntary increases so that we get to those goals or does the plan anticipate mandates.

Mr. Brown replied that the plan essentially outlines the six priorities which are addressing these gaps in our current services. How we get there is still to be determined.

Alderman Sage stated he was not comfortable with mandates.

Mr. Brown stated that he was somewhat leery of mandates and knows that that is not necessarily going to be the most popular choice and was surprised to hear actually from some businesses that we engaged, the support for a mandate. In many cases it was because it created a level playing field.

Alderman Sage stated that he would probably vote yes, but had not totally decided.

Mr. Brown stated that we are not seeking approval of anything this evening. This is information for you to receive and for me to answer any questions.

Alderman Mwilambwe asked if this would also include incentives for maybe people who want to explore that as a business or something like that.

Mr. Brown replied that is certainly on the table, where we can build new businesses and grow existing businesses. The growth potential for this sector is huge if we nurture that and if we follow this correctly.

Alderman Mwilambwe asked what happens with the landfill once it closes. Does it ever reopen or is it done forever?

Mr. Brown responded yes and it will take approximately two years to actually complete the closure processes, covering it up and such, and then beyond that, it is kind of a brownfield site and so it is not really suitable for most kinds of development.

Alderman Mathy stated that it made him happy as a person who has a business and has always done everything he could to recycle to be looking at opportunities to make it easier because it is not easy as a business right now. He loves seeing that we have a long-term plan coming together to make sure this happens and continues going forward.

The following was presented:

Item 8C. Consideration of a Resolution authorizing the City Manager to approve energy supply contracts for City Facilities. *(Recommend Council approves a Resolution authorizing the City Manager to approve energy supply contracts for City Facilities, and authorize the Mayor and City Clerk to execute the Resolution.) (Presentation by Steve Rasmussen, Assistant City Manager 5 minutes, Council discussion 10 minutes.)*

RESOLUTION NO. 2017- 40

A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPROVE ELECTRIC AND NATURAL GAS SUPPLY CONTRACTS

Mr. Rasmussen stated we are asking for a resolution authorizing the City Manager to approve energy supplies contracts for the City facilities. We did this a couple of months ago and that was for energy aggregation for private residences. Now, we are going to go back and do a contract for our municipal facilities.

Motioned by Alderman Schmidt, seconded by Alderman Bray approving a Resolution Authorizing the City Manager to approve energy supply contracts for City Facilities, and authorize the Mayor and City Clerk to execute the Resolution.

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

Ayes: Aldermen Schmidt, Sage, Mathy, Hauman, Mwilambwe, Buragas, Painter, Black, and Bray.

Nays: None.

Motion carried.

City Manager's Discussion:

Mr. Hales stated that the Police Department would be looking at another vendor for body cameras. The two that they have tried apparently have not met our current needs. Our original plan to hopefully be going live with these cameras by the end of this year will more than likely be in the next year.

Mayor's Discussion:

Mayor Renner stated that Tom Dabareiner would be leaving the City and thanked him for all he had done for Code Enforcement and for making the City a better and safer place. He also thanked Mayor Pro Tem Karen Schmidt for performing some of the formal duties during his absence. He then spoke about the increasing trend towards acrimony in public discussion, physical accosting and intimidation of elected officials and the multiple frivolous complaints and lawsuits. He stated the City Council had stuck their neck out on the line, made responsible decisions for nearly 80,000 people in our City, hundreds of thousands of people who come through this City every year, and provided policy and administrative leadership for a 215 million dollar a year budget, and we have a City Council who has done great things.

City Aldermen's Discussion:

Alderman Mathy commented on the firefighter training that some attended. He stated that he was shocked to see how fast a fire will destroy a room and encouraged everyone to check their smoke detectors and change the batteries.

Alderman Mwilambwe also commented that he had participated in the fire operations and it was a very interesting experience. He stated it gave him a good sense of what firefighters have to go through and that it takes a special person to be able to do that. We should all be very thankful for their service. He also stated that he and Alderman Painter were asked to participate with the Scott Commission. A couple of things of note is the group has been very intentional about preserving the integrity of the trust document because it is all based on Judge Scott's will, so they wanted to be sure that the integrity was preserved and also preserve the role of the trustees.

Alderman Hauman thanked Alderman Mwilambwe for sharing what is being done outside of City Council concerning the Scott Commission.

Alderman Bray stated she wanted to add those sentiments. We have heard here tonight about the fire ops and Local 49 did an amazing job putting that event on, and it was certainly a day of learning. We focused on the broad range of skills and abilities that our firefighters bring and it is right and fitting that this Fire Prevention Week we all thank a firefighter.

Adjournment:

Motioned by Alderman Black seconded by Alderman Hauman that the meeting be adjourned. Time: 8:33 PM.

Motion carried: Viva Voce

CITY OF BLOOMINGTON

Tari Renner, Mayor

ATTEST

Cherry L. Lawson, City Clerk