CITY OF Bloomington ILLINOIS

MINUTES
PUBLISHED BY THE AUTHORITY OF THE CITY COUNCIL OF BLOOMINGTON, ILLINOIS
MONDAY, SEPTEMBER 23, 2019, 6:00 P.M.

The Council convened in Regular Session in the Council Chambers, City Hall Building, at 6:04 p.m., Monday, September 23, 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; Bob Mahrt, Community Development Director; Scott Rathbun, Finance Director; Scott Sprouls, Information Services Director; Melissa Hon, Economic Development Director; Jim Karch, Public Works Director; Nicole Albertson, Human Resources Director; and other City staff were present.

Recognition/Appointments

A. Proclamation recognizing September as National Suicide Prevention Month.

1. Proclamation for National Suicide Prevention Month.

Mayor Renner read the Proclamation to all those in attendance.

B. Appointments approved by City Council at the September 9, 2019 Meeting.

1. Appointments approved by City Council at the September 9, 2019 Meeting.

   Michelle Grasher was present to be recognized for her appointment to the Citizens' Beautification Committee.

Public Comment

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

Kirk Allen	Diane Benjamin
Scott Stimeling	Cinnamon Porter
Georgine Chissel	Don Carlson

Council Members Boelen and Bray asked for real order of the meeting.

Mayor Renner and Council Member Bray debated order of the 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 separately.

Item 7A Pulled from the Consent Agenda by Council Member Mathy.

Item 7B Pulled from the Consent Agenda by Council Member Bray.

Item 7C. Consideration and action on the Application of SmokQue Inc., d/b/a Brass Pig Smoke and Ale House, requesting a Class RAS (Restaurant, All Types of Alcohol, and Sunday Sales) liquor license, located at 602 N. Main Street, which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week, as requested by the City Clerk Department.

Item 7D. Consideration and action on the Application of Breatheblm, LLC, d/b/a Breathe, located at 1804 S. Hershey Rd., Unit 10, requesting a Class RAS (Restaurant, All Types of Alcohol, and Sunday Sales) liquor license, which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week, as requested by the City Clerk Department.

Item 7E. Consideration and action on the Application of Around the Corner II, Inc., d/b/a JP's Wheel & Ale House, located at 409 Hershey Road, requesting a Class TAS (Tavern, All Types of Alcohol, and Sunday Sales) liquor license, which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week, as requested by the City Clerk Department.

Item 7F. Consideration and action to approve a Contract with Mississippi Lime Company for supply and delivery of granulated quicklime and liquid calcium hydroxide, as a limited source, for water treatment purposes, as requested by the Public Works Department.

Item 7G. Consideration and action to approve a Contract with H & H Landscaping (RFP# 2020-12), for Grass and Weed Mowing Services on a regular and/or "as needed" basis for a one (1) year term, as requested by the Community Development Department.

Item 7H. Consideration and action to approve an Ordinance Approving the Ratification of the Dedication of a Public Storm Sewer Easement and Approving the Easement Agreement between James Dee and Rosemary King and the City of Bloomington, Illinois, as requested by the Public Works Department.

Item 7I. Consideration and action to approve the Minutes of the August 12, 2019 Regular City Council Meeting, as requested by the City Clerk Department.

Item 7J. Consideration and action to approve the Minutes of the August 26, 2019 Regular City Council Meeting, as requested by the City Clerk Department.

Item 7K. Consideration and action on approving an Ordinance Amending the Liquor Code to Provide for and Regulate Curbside Pickup and Off-premises Delivery of Alcohol, as requested by the Legal Department.

Item 7L. Consideration and action to approve Bills, Payroll, Electronic Transfers, and Procurement Card Purchases in the amount of $8,374,565.88, as requested by the Finance Department.

Item 7M Pulled from the Consent Agenda by Council Member Boelen.

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

Item 7A. Consideration and action on an Ordinance Suspending Section 26(d) of Chapter 6 of the Bloomington City Code to Allow Possession of Open Alcohol on Public Property in Specified Portions of Downtown Bloomington on September 27, 2019, During the Front Street Pre-Concert Party, as requested by the City Clerk Department.

Council Member Mathy stated he was excited about additional events in Downtown Bloomington. He was concerned about blocking the entrance to one of the parking decks and inquired how traffic would be re-routed to allow people to park appropriately with the large country concert at the Coliseum on the same night.

Tim Gleason, City Manager, requested Greg Scott, Assistant Police Chief, address the Council. Asst. Chief Scott stated the parking deck and Coliseum parking deck would be utilized for ample parking and that Public Works will place roadway markers to alert drivers, similar to the Jazz Upfront Music Festival.

Council Member Boelen mentioned that Front Street is also the main location for the Connect Transit buses and inquired how those will be handled. Asst. Chief Scott stated the buses would be relocated to Center Street.

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

Mayor Renner questioned the Council for any further discussion.

Council Member Mwilambwe noted the Consent Agenda should be approved before pulled items. Mayor Renner agreed, thanked Council Member Mwilambwe, and asked for permission from Council Member Mathy to return to the Consent Agenda.

Council Member Mathy made a motion, seconded by Council Member Black, to amend his previous motion in order to approve the Consent Agenda with the exception of 7B and 7M.

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 7M. Consideration and action to Approve Appointments to the Cannabis Task Force, as requested by the Administration Department.

Council Member Boelen stated the she pulled the item to mention that she has read the materials on the new State cannabis legislature and is clear on what decisions need to be made. She continued, stating while she respects her fellow Council Members' option to create a task force, she restated her opposition to creating the Cannabis Task Force and noted that she will stay consistent with her previous vote of opposition.

Council Member Boelen made a motion, seconded by Council Member Bray, that the appointments recommended be rejected.

Council Member Bray reminded the public that she originally voted against the Cannabis Task Force. She stated that after the Task Force was approved by her peers, she was prepared to back the Task Force. However, she believed that the appointees recommended were not representative of all those needed for such a Task Force.

Mayor Renner spoke specifically about the procedure involved in recommending appointees to the Cannabis Task Force. He went on to talk about a variety of issues surrounding appointments.

Council Member Black asked a procedural question of Jeffrey Jurgens, Corporation Counsel, on the hypothetical of the slate of candidates being rejected. Mr. Jurgens stated that if the current slate of candidates were rejected, the Mayor would need to propose a new slate, but could use some of the same proposed candidates if desired.

Council Member Crabill asked a couple of questions of Council Member Carrillo regarding procedure of recommending presenters. Council Member Carrillo responded accordingly.

Council Member Bray discussed previous practices for submissions of applications, considerations, recommendations of appointees, etc., for persons being considered for various Boards and Commissions. She suggested that a similar practice be used for the Cannabis Task Force.

Mayor Renner explained that the procedure used that was described by Council Member Bray was a procedural exception since the specific Board referenced was a long-discussed, high-profile and long-term Board. Mayor Renner stated for these reasons, he referred to the Council Members for additional assistance.

Council Member Mathy called for a vote.

Mayor Renner restated the motion on the table to reject the item.

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 Mwilambwe offered support for the reasoning of his vote against the motion.

Council Member Boelen clarified that the she voted against the appointees only because she was against the Cannabis Task Force creation, not against the specific appointees.

Council Member Black recommended that after the first initial meeting of the Cannabis Task Force that the Task Force map out plans for going forward and how things will be handled with an emphasis on their procedure and how the public can participate.

Council Member Mwilambwe echoed some of Council Member Black's comments. He stated that it will be important for the Task Force to provide a robust report with pros and cons of each option and the impact on the community.

Council Member Mathy echoed some of Council Member Black and Mwilambwe's comments.

Council Member Carrillo called for a vote.

Council Member Carrillo made a motion, seconded by Council Member Crabill, that the appointments be approved.

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.

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

Item 7B. Consideration and action on an Ordinance Approving the Zoning Map Amendment for 1815 Towanda Barnes Road Adjacent (PIN:15-29-356-009), Approximately 4.33 Acres, from B-1 General Commercial District to A-Agricultural District, as requested by the Community Development Department.

Council Member Bray stated the she pulled the item to ask Tim Gleason, City Manager, for an update on interest in the land with it being re-zoned from commercial to agricultural. Mr. Gleason asked Bob Mahrt, Community Development Director, who explained it was requested to align it with the current use. Mr. Mahrt stated the request was made in order to move away from the commercial assessment. He also explained the process if the parcel was to be switched back to commercial zoning.

Council Member Bray made a motion, seconded by Council Member Carrillo, that the Consent Agenda Item 7B 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 and action on Classified (non-union) IMRF (Illinois Municipal Retirement Fund) Retirement awareness, as requested by the Human Resources Department.

Tim Gleason, City Manager, echoed that the item is information only and noted that the estimated sick leave payout is nearly $52,000 assuming the employee does not use any sick leave or vacation time before the retirement date of December 13, 2019. Mr. Gleason reminded the community that Council ended the sick-leave buy back benefit for employees hired after 2012 and that employees hired before that time must submit their retirement by October 31, 2019.

Mayor Renner asked if there were any questions by the City Council. Council Member Boelen inquired how many additional employees may go through the process. Mr. Gleason stated the total count is unclear at this time, but we will have a better idea by the October 31st deadline.

The following item was presented:

Item 8B. Consideration and action to approve the Purchase of watershed consulting services from McLean County Soil and Water Conservation District (MCSWCD), pursuant to an Intergovernmental Agreement between the City of Bloomington, Town of Normal, County of McLean, and MCSWCD, for Lake Bloomington and Evergreen Lake Watershed Plan updates, in the amount of $71,250, as requested by the Public Works Department.

Mayor Renner stated that this item is informational only, as required pursuant to the Local Government Wage Increase Transparency Act, 50 ILCS 155/1.

City Manager Gleason introduced the item and welcomed Jim Karch, Public Works Director, and the rest of the team involved in the Healthy Watershed Planning.

Mr. Karch came forward to address Council. He began by introducing key members of the project. Joe Darter, Property Manager at Lake Bloomington; Jackie Craft, Mclean County Soiland Water Conservation District; Anna Ziegler, Assistant Manager with the Illinois Farm Bureau; and Dr. O'Riley, Professor at Illinois State University. He discussed highlights of the Watershed Project and pointed out that to date, $440,000 worth of grants have been received from different entities. Mr. Karch stated previous successes over the past ten years with the Healthy Watershed Planning Program and the quality of the water used for the City of Bloomington. Mr. Karch noted shoreline stabilization, stream bank stabilization, waterway improvements, and wetland improvements. He also noted the total cost and that most of the funds for the project were supplied by the Section 319(h) Grant in the amount of $58,375, and through partnerships including $20,000 from the Illinois Farm Bureau. Mr. Karch explained that an updated Watershed Plan would take between 18 to 20 months.

Council Member Crabill complimented Mr. Karch and all involved. He appreciated the collaboration.

Council Member Painter made a motion, seconded by Council Member Mathy, 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.

City Manager's Discussion

A. Finance Director's Report

City Manager Tim Gleason introduced the item and asked Scott Rathbun, Finance Director, to come forward and make his monthly Finance Report.

Mr. Rathbun came forward to address the Council. He provided insight through August 31, 2019 by walking through a variety of tables and providing insight on the General Fund Revenue and Expenditures by category, as well as Enterprise Funds.

Council Member Boelen complimented Mr. Rathbun and how he provides detail.

Mr. Gleason reminded Council and the community of upcoming events in Downtown and also discussed the joint meeting with the Town of Normal and Mclean County on September 30, 2019 at 5:00 p.m. at Illinois State University's Alumni Center.

Mayor's Discussion

Mayor Renner thanked Council Member Black for attending his Mayor Open House on Friday, September 20, 2019. He also thanked Council Members Bray, Painter, Emig, Crabill, and Mwilambwe for their attendance at the Illinois Municipal League Conference in Chicago, IL.

Council Member's Discussion

Council Member Mathy pointed out the Evergreen Cemetery Walk and the Mystery Science Theater 3000 Live show at the BCPA on the upcoming calendar of events.

Council Member Boelen complimented the MarcFirst event she attended last week at Epiphany Farms.

Council Member Mwilambwe spoke about his experience at the Illinois Municipal League (IML). He found the Cannabis legislation discussion to be very helpful and complimented a few others he really enjoyed.

Council Member Emig thanked the City for the opportunity to attend IML and noted that she will be sure to publish any information and opportunities for the public to be involved with the Cannabis Task Force.

Council Member Black thanked Mr. Gleason for working to get the joint meeting scheduled. He asked which municipality's rules will be followed at the meeting, specifically with Public Comment. Mr. Gleason stated that the City lead planning and referred the question of rules to Leslie Yocum, City Clerk. Mrs. Yocum responded that her office had reached out to the Town of Normal today about rules to be followed. She also clarified that the City will follow traditional City posting rules and reminded the public and Council of those timelines.

Council Member Bray also thanked the City for the opportunity to attend IML and mentioned the great amount of engagement from all participants, specifically in the Council Member Round Table session.

Council Member Carrillo wished the community a Happy Latino Month and thanked everyone who came out to support the Sunnyside Garden Open House. She also reminded Council and the public of a few upcoming calendar events, including the NAACP Banquet on Friday, September 27, 2019 as well as the Second Annual Celebration of Dia de los Muertos on October 26, 2019 at the McLean County Museum of History.

Council Member Crabill thanked the City for the opportunity to go to IML. He enjoyed his time and discussed some of the items discussed and presented.

Mayor Renner announced the Council would take a two-minute recess.

Executive Session

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

Mayor Renner entertained a motion to enter into Executive Session for the purpose of Claim Settlement – Section 2(c)(12) of 5 ILCS 120. Mayor stated there would be no action taken during Executive Session.

Council Member Carrillo made a motion, seconded by Council Member Mathy, 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 Adjournment

Mayor Renner asked for a motion to return to Open Session.

Council Member Mathy made a motion, seconded by Council Member Boelen, to return to Open 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.

Mayor Renner asked for a motion to adjourn the meeting.

Council Member Carrillo made a motion, seconded by Council Member Painter, that the meeting be adjourned.

Motion carried unanimously (viva voce).

The meeting adjourned at 8:15 p.m.

CITY OF BLOOMINGTON	**ATTEST**
Tari Renner, Mayor	Leslie Yocum, City Clerk