



MINUTES
CITY COUNCIL - REGULAR SESSION
MONDAY, SEPTEMBER 11, 2023, 6:00 P.M.

The City Council convened in regular session in the Bloomington Center for Performing Arts at 6:00 P.M. 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
Jenna Kearns	Council Member, Ward 1	Present
Donna Boelen	Council Member, Ward 2	Present
Sheila Montney	Council Member, Ward 3	Present
John Danenberger	Council Member, Ward 4	Present
Nick Becker	Council Member, Ward 5	Present
Cody Hendricks	Council Member, Ward 6	Present
Mollie Ward	Council Member, Ward 7	Present
Kent Lee	Council Member, Ward 8	Present
Tom Crumpler	Council Member, Ward 9	Present

Recognition/Appointments

The following item was presented:

Item 5.A. Recognition of a Board and Commission Appointment and Reappointments, as requested by the Administration Department.

Leslie Yocum, City Clerk, recognized the appointment of Dallas Long to the Cultural Commission. She then recognized reappointment of the following: (1) Mark Holderby, Building Board of Appeals; (2) Jeffrey Pitzer and (3) Shweta Shukla, Cultural Commission; (4) Mark Muehleck and (5) Justin Boyd, Planning Commission; (6) Kate Brunk, Property Maintenance Review Board; (7) Victoria Harris and (8) Michael Straza, Zoning Board of Appeals.

Mayor Mwilambwe discussed Welcoming Week sharing upcoming events for the week.

Michael Hurt, Chief Diversity & Inclusion Officer, introduced Gladys Cabezas, Rocio Perez, Lady Sams, and Rocio Gama who shared their immigration stories.

Mayor Mwilambwe thanked the ladies for sharing their stories and recognized September 17, 2023 as Citizenship Day. He described it as a day to reflect on the meaning and importance of citizenship in our country and Bloomington.

Public Comment

Mayor Mwilambwe read a public comment statement of procedure. Chelsea Smith and Christina Barnett had emailed public comment. The following spoke in person: (1) Jenee Clark; (2) Zach Carlson; (3) Matthew Toczko; (4) Christopher Boemmel; (5) John Walter; and (6) Surena Fish.

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 Hendricks made a motion, seconded by Council Member Crumpler, to approve the Consent Agenda with the exception of 7.F.

Item 7.A. Consideration and Action to Approve Bills and Payroll in the Amount of \$7,263,291.16, as requested by the Finance Department. (Recommended Motion: The proposed Bills and Payroll be approved.)

Item 7.B. Consideration and Action on the Purchase of a Digital Video Scoreboard from NEVCO for the Bloomington Ice Center, in the Amount to \$81,219, as requested by the Parks & Recreation Department. (Recommended Motion: The proposed Purchase be approved.)

Item 7.C. Consideration and Action to Approve the Purchase of Three Mowers from MTI Distributing/Toro, in the Amount of \$ 60,568.30, as requested by the Parks & Recreation Department. (Recommended Motion: The proposed Purchase be approved.)

Item 7.D. Consideration and Action on the Purchase of HP Elite Mini Desktops, Monitors, Docks, and HP Elitebooks through HP, Inc., in the Amount of \$114,564.40, as requested by the Information Technology Department. (Recommended Motion: The proposed Purchase be approved.)

Item 7.E. Consideration and Action to Approve a Contract with SiteMed Fire to Provide Occupational Safety and Health Administration (OSHA) Required Medical Surveillance and Physical Evaluation, in the Amount Not to Exceed \$55,870, as requested by the Human Resources Department, and the Fire Department. (Recommended Motion: The proposed Contract be approved.)

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

Item 7.G. Consideration and Action on an Ordinance Approving a Special Use Permit for Chicken-Keeping in the R- 1B (Single-Family Residence) District, for the Property Located at 1004 Durham Drive, as requested by the Economic & Community Development Department. (Recommended Motion: The proposed Ordinance be approved.)

ORDINANCE NO. 2023 - 086

AN ORDINANCE APPROVING A SPECIAL USE PERMIT FOR CHICKEN-KEEPING IN THE R-1B (SINGLE-FAMILY RESIDENCE) DISTRICT, FOR THE PROPERTY LOCATED AT 1004 DURHAM DRIVE

Item 7.H. Consideration and Action on an Ordinance Amending the Budget Ordinance for the Fiscal Year Ending April 30, 2024, to increase reserve expenditures by \$ 100,000 for a City RAISE Grant match to the McLean County Regional Planning Commission, to be paid through the Illinois Department of Transportation (IDOT), as requested by the Administration Department. (Recommended Motion: The proposed Ordinance be approved.)

ORDINANCE NO. 2023 - 087

AN ORDINANCE AMENDING THE BUDGET ORDINANCE FOR THE FISCAL YEAR ENDING APRIL 30, 2024, TO INCREASE RESERVE EXPENDITURES BY \$100,000 FOR A CITY RAISE GRANT MATCH TO THE MCLEAN COUNTY REGIONAL PLANNING COMMISSION

Item 7.I. Consideration and Action on an Application from Braize, LLC, d/b/a Empire Coffee, located at 1406 E. Empire St., Requesting Approval of a Change of Ownership and DBA

MINUTES

CITY COUNCIL - REGULAR SESSION
MONDAY, SEPTEMBER 11, 2023, 6:00 P.M.

Page 2 of 6

Change for a Class RAS (Restaurant, All Types of Alcohol, and Sunday Sales) Liquor License, as requested by the City Clerk Department. (Recommended Motion: The Application be approved.)

Item 7.J. Consideration and Action on an Application from MBD Bros, LLC, d/b/a Iron Coyote Challenge Park, located at 4113 E. Oakland Ave., Requesting 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 Application be approved.)

Mayor Mwilambwe directed the Clerk to call roll:

AYES: Kearns, Danenberger, Becker, Hendricks, Ward, Lee, Crumpler

NAYES: Boelen, Montney

Motion carried.

Council Member Lee asked the Mayor to pull Item 7.G. Mayor Mwilambwe explained the Item had already been approved under the Consent Agenda. Mayor Mwilambwe, Council Member Lee, and George Boyle, Asst. Corporation Counsel, then briefly discussed parliamentary procedures.

Items Pulled from Consent Agenda

The following item was presented:

Item 7.F. Consideration and Action on an Ordinance Amending the Budget Ordinance for the Fiscal Year Ending April 30, 2024, to Increase the Community Development Block Grant (CDBG) budget by \$233,891, as requested by the Economic & Community Development Department.

Council Member Kearns explained that she had pulled the Item to highlight the importance of the Community Development Block Grant ("CDBG") program. She and Melissa Hon, Economic & Community Development Department Director, discussed the budget process for the program. They then discussed the five-year Consolidated Plan and the planning process for the next five-year plan. Council Member Kearns strongly encouraged the community to get involved in the planning process.

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

Mayor Mwilambwe directed the Clerk to call roll:

AYES: Kearns, Boelen, Montney, Danenberger, Becker, Hendricks, Ward, Lee, Crumpler

Motion carried.

ORDINANCE NO. 2023 - 085

**AN ORDINANCE AMENDING THE BUDGET ORDINANCE FOR THE FISCAL YEAR ENDING
APRIL 30, 2024, TO INCREASE THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)
BUDGET BY \$233,891**

Regular Agenda

The following item was presented:

Item 8.A. Consideration and Action on an Ordinance Approving the Sixth Amendment to the Contract Between the City of Bloomington and Tim Gleason, as requested by City Council, and Mayor Mwilambwe. (Recommended Motion: The proposed Ordinance be approved.)

Mayor Mwilambwe thanked City Manager, Tim Gleason, for his accomplishments and acknowledged the importance and complexity of his position. He recognized improvements he'd implemented and shared that the City Manager's agreement would include a 5% salary increase, an additional week of paid vacation, as well as the City will now cover costs associated with the City Manager's participation in Mayo Clinic's Executive Health Program.

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

Mayor Mwilambwe directed the Clerk to call roll:

AYES: Kearns, Boelen, Montney, Danenberger, Becker, Hendricks, Ward, Lee, Crumpler
Motion carried.

**ORDINANCE NO. 2023 - 088
AN ORDINANCE APPROVING THE SIXTH AMENDMENT TO THE CONTRACT
BETWEEN THE CITY OF BLOOMINGTON AND TIM GLEASON**

City Manager's Discussion

City Manager Gleason recognized 9/11 and honored those who fell the day of 9/11, as well as those who had fallen since. He then discussed multiple upcoming events Downtown and updated the community on the concerns expressed with 1 Whites Place. He then recognized Fire Chief, Eric West, who had recently announced his upcoming retirement. He asked Chief West to come forward and address Council.

Chief West thanked Council for his time serving the City and noted he had big things before his retirement.

City Manager Gleason ended by thanking Council for their approval of his contract and recognized the amazing department head staff at the City.

Mayor's Discussion

Mayor Mwilambwe recognized 9/11 and thanked the City's Fire and Police Departments for their sacrifices. He commented to the upcoming Festival of Joy and encouraged the community to attend. He then thanked Fire Chief West for his dedication and service to the community. He ended by updating the community on the status of appointing to members to the Safe Communities Commission including challenges he'd encountered.

Asst. Corporation Counsel Boyle turned the discussion back to Council Member Lee's request to reconsider Consent Agenda Item 7.G. and explained parliamentary procedure around effectively using a motion to reconsider.

Council Member Lee then made a motion, seconded by Council Member Boelen, to reconsider Consent Agenda Item 7.G.

Mayor Mwilambwe, Mr. Boyle, and Council Members Crumpler, Montney, and Ward continued discussing parliamentary procedure.

Before calling the vote, Mrs. Yocum clarified the motion was purely surrounding whether to reconsider the Item and that if passed, Council could then bring forward a separate

motion to consider the Item itself. She pointed out that the rest of the Items listed under the Consent Agenda would remain "As Is".

Mayor Mwilambwe directed the Clerk to call roll:

AYES: Boelen, Montney, Becker, Lee, Crumpler

NAYES: Kearns, Danenberger, Hendricks, Ward

Motion carried.

Council Member Lee noted the Homeowner's Association ("HOA") did not permit farm animals in their neighborhood and that he supported the HOA's rule.

Council Member Montney described a similar issue within her Ward, noting the City's intent to use Special Use Permits as a way to introduce chicken-keeping into the community. She noted that the City issuing a Special Use Permit did not supersede an HOA's rules and referenced minutes of the Zoning Board of Appeals ("ZBA") where the HOA President had spoken against the Item. She did not support the Item.

Council Member Boelen noted that when the resident purchased their home within an HOA, they were required to abide by those laws. She explained how to amend HOA laws. She noted the resident had chickens before applying for the Special Use Permit and that she did not support rewarding that sort of behavior.

Council Member Ward pointed out that it was not Council's job to enforce private contracts and that an HOA was a private contract. She expressed support for the Item.

Council Member Crumpler noted that he had not yet seen a chicken-keeping permit be denied. He believed Council needed to look more closely at enforcement of HOAs.

Mr. Boyle reported that the ZBA considered various standards and qualifications, but that HOAs were not taken into consideration. He noted the ZBA only ruled on whether the permit was permissible under the City Code.

Council Member Montney noted noise complaints from chicken-keeping and stressed she opposed the current one because of its direct violation of the HOA.

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

Mayor Mwilambwe directed the Clerk to call roll:

AYES: Kearns, Danenberger, Hendricks, Ward, Crumpler

NAYES: Boelen, Montney, Becker, Lee

Motion carried.

ORDINANCE NO. 2023 - ORDINANCE NO. 2023 - 086

AN ORDINANCE APPROVING A SPECIAL USE PERMIT FOR CHICKEN-KEEPING IN THE R-1B (SINGLE-FAMILY RESIDENCE) DISTRICT, FOR THE PROPERTY LOCATED AT 1004 DURHAM DRIVE

Council Member's Discussion

Council Member Kearns commented on an Art Station event she recently attended at the Bloomington Center for Performing Arts. She also recognized Mose Rickey and his team for the experience she had with him and his team in the Labor Day Parade.

Council Member Hendricks echoed appreciation for the Art Station event and Labor Day Parade. He reported that he would host his first Ward Open House on October 2, 2023.

Council Member Boelen announced the upcoming Annual Mental Health Forum on October 19, 2023 hosted by the Behavioral Health Coordinating Council. She commented to the City and Town of Normal's Housing Navigator's progress who had been hired and then reported on Welcoming Week events.

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: Kearns, Boelen, Montney, Danenberger, Becker, Hendricks, Ward, Lee, Crumpler

Motion carried (viva voce).

The meeting adjourned at 7:25 P.M.

CITY OF BLOOMINGTON



Mboka Mwilambwe, Mayor

ATTEST



Amanda Stutsman, Deputy City Clerk

