



MINUTES

PUBLISHED BY THE AUTHORITY OF THE CITY COUNCIL OF BLOOMINGTON, ILLINOIS
MONDAY, SEPTEMBER 9, 2019, 6:00 P.M.

The Council convened in Regular Session in the Council Chambers, City Hall Building, at 6:00 p.m., Monday, September 9, 2019.

Council Member Black called in to the meeting (5:59 p.m.).

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, 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; and other City staff were present.

Mayor Renner asked for a motion to allow Council Member Black to participate by phone as he was unable to attend the meeting due to traveling for work purposes.

Council Member Mathy made a motion, seconded by Council Member Carrillo, that Council Member Black be approved to participate in the meeting by phone.

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.

Recognition/Appointments

A. Presentation of Bloomington Police Chief, Dan Donath.

Mayor Renner complimented the Bloomington Police Department as a whole and congratulated Chief Donath. He spoke fondly of Chief Donath and asked him to come forward to be sworn in before Council and the community. He pointed out that Chief Donath was sworn-in on August 28, 2019 prior to assuming Chief duties, but that tonight would serve as his formal swearing in ceremony before the City.

City Clerk, Leslie Yocum, came forward to swear-in Chief Donath.

Chief Donath's wife, Connie Donath, came forward to pin Chief Donath's 4-star bar to his uniform signifying him as Bloomington's Police Chief.

Council and all in attendance stood to applaud Chief Donath.

Chief Donath addressed Council and the public. He thanked them for the opportunity and looked forward to leading the Bloomington Police Department in serving the public.

B. Proclamation recognizing Raksha Bandhan, the Day of Universal Brotherhood and Unity.

ShriNarayan Chandak came forward to accept the proclamation and address Council. He was excited about the proclamation. He thanked Council and the community for always welcoming him, and the rest of the community for making Bloomington a wonderful place to live. He also recognized a few attendees who had participated in Raksha Bandhan by asking them to stand.

Public Comment

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

Aa-Ron LeNe-o	Surena Fish
RJ McCracken	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 Painter made a motion, seconded by Council Member Mwilambwe, that the Consent Agenda, including all the items listed below, be approved as presented with the exception of Items 7C and 7E.

Item 7A. Consideration and action to approve Bills, Payroll, Electronic Transfers, and Procurement Card Purchases in the amount of \$7,490,863.02, as requested by the Finance Department. *(Recommended Motion: The proposed Bills, Payroll, Electronic Transfers, and Procurement Card Purchases be approved.)*

Item 7B. Consideration and action to approve Appointments to Various Boards and Commissions as requested by the Administration Department. *(Recommended Motion: The proposed Appointments be approved.)*

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

Item 7D. Consideration and action to approve a Contract with Rowe Construction (Bid# 2020-10), a Division of United Contractors Midwest, Inc., and a State Motor Fuel Tax (MFT) Resolution for Improvement Under the Illinois Highway Code to allocate State MFT funds for the construction of intersection improvements at GE Road and Keaton Place/Auto Row Drive, in the amount of \$876,831.72, as requested by the Public Works Department. *(Recommended Motion: The proposed Contract and Resolution for Improvement be approved.)*

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

Item 7F. Consideration and action authorizing the City Manager to execute a workers' compensation settlement agreement in the amount of \$128,689.75 to City of Bloomington Firefighter John Meckley, Case #16WC015274, 18WC016234, as requested by the Human Resources Department. *(Recommended Motion: The City Manager be authorized to enter into a settlement agreement, in an amount not to exceed \$128,689.75, with John Meckley in relation to a workers' compensation case.)*

Item 7G. Consideration and action on the approval of a Multi-year Contract with SEAM Group to perform Arc Flash Studies of City Facilities (RFQ #2020-11), as requested by the Public Works and Facilities Management Departments. (*Recommended Motion: The proposed Contract be approved.*)

Item 7H. Consideration and action on an Ordinance Amending Chapter 6, Section 26(D), Chapter 23, Section 44, and Chapter 31, Section 701 of the City Code Regarding Liquor at City-owned Properties, Miller Park Pavilion and Davis Lodge, as requested by the City Clerk Department. (*Recommended Motion: the proposed Ordinance be approved.*)

Item 7I. Consideration and action to approve a Lake Bloomington Lease Transfer of Lot 1, Block 12 in Camp Potawatomie, from Stephen and Alexandra Juriga to the petitioner, W. Thomas Lawrence, as Trustee of the W. Thomas Lawrence Trust, as requested by the Public Works Department. (*Recommended Motion: The proposed Lease Transfer be approved.*)

Item 7J. Consideration and action to approve a Lake Bloomington Lease Transfer of Lot 8, Block 2 in Camp Kickapoo, from Shirley J. Armstrong Estate to the petitioners, Mark and Colleen Fellheimer, as requested by the Public Works Department. (*Recommended Motion: The proposed Lease Transfer 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 item was pulled from the Consent Agenda by Council Member Boelen.

Item 7C. Consideration and action to purchase three (3) Labrie Expert (T) 2000 Helping Hand Single Arm Automated Side Loader Bodies from Key Equipment of Bridgeton, Missouri, in the amount of \$461,113.80, using Sourcewell (Contract #112014-LEG), and three (3) 2020 Crane Carrier Model LDT2-30 Chassis from National Auto Fleet Group, in the amount of \$558,903.66, using Sourcewell (Contract # 081716-NAF, exp. 11/15/20), for a total of three (3) Automated Refuse Collection Trucks, at a total of \$1,020,017.46, and authorization to dispose of the three 2012 Crane Carrier 1LGT2-26 Automated Refuse Collection Trucks by online public auction, as requested by the Public Works Department. (*Recommended Motion: The proposed Purchases and Disposal be approved.*)

Council Member Boelen asked a variety of questions regarding Henson Disposal's involvement in the City's pick-up of bulk waste.

Tim Gleason, City Manager, responded with details of how bulk waste and brush are collected and handled.

Council Member Boelen believed that \$20,000/week was a lot for the City to be paying for waste and asked whether the contracts would expire soon so that they could be renegotiated. Mr. Gleason asked Assistant Public Works Director, Bob Yehl, to come forward. Mr. Gleason stated that he had brought up the need for an internal discussion to be had regarding bulk waste in the future. He was interested in meeting with Council on the matter once staff had had time to meet. Mr. Yehl added that Public Works had seen an increase in

use of the Citizen Convenience Center and stated that he didn't know the expiration dates of contract off-hand, but that his department was open for all Council recommendations.

Council Member Boelen made a motion, seconded by Council Member Crabill, that the Consent Agenda Item 7C 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 Carrillo.

Item 7E. Consideration and action to approve the purchase of two (2) 2019 Ford F150 trucks from Morrow Brothers Ford of Greenfield, Illinois, in the amount of \$64,510, using the State of Illinois purchasing contract (Contract #PSD4018488, exp. 12/14/2019), as requested by the Public Works Department. *(Recommended Motion: The proposed Purchase be approved.)*

Council Member Carrillo stated she pulled the item to echo the comments made at public comment regarding the contract being recommended for a vendor outside the City.

Mr. Yehl stated that Public Works follows the City's procurement policy and works to be a good steward of the City's money. He pointed out that the proposed purchase was recommended as the most economical way to make the purchase.

Council Member Black asked some questions regarding the Local Preference Ordinance.

Mr. Jurgens clarified the City's Local Preference Ordinance.

Council Member Carrillo made a motion, seconded by Council Member Painter, 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, Carrillo, Black, Crabill, and Bray.

Nays: None.

Motion carried.

Regular Agenda

The following was presented:

Item 8A. Consideration and action on a Resolution Establishing the Cannabis Review & Implementation Task Force Committee, as requested by City Council.

Council Member Carrillo gave a brief introduction of her original request to create a Cannabis Task Force. She stressed that the Task Force would be created to compliment the evaluation of Cannabis legislation, not replace the Council and/or communities involved. She went on to review the legislation on a high-level, as well as her recommendations on the Cannabis Task Force if created.

Mayor Renner asked a few clarifying questions of Mr. Jurgens. Council Member Carrillo responded accordingly.

Council Member Black clarified that the matter on the table was to determine whether a Cannabis Task Force should be created.

Council Member Bray stated that she had carefully studied the Resolution presented and had many questions. She believed that the City was already prepared to work on decisions and approaches to be made on Cannabis legislation. She felt that staff and Council were best suited to address legislation and any decisions regarding legislation. She believed the Cannabis Task Force would be better used as a resource to Council once larger decisions had been. She was not supportive of the item.

Council Member Boelen expressed concerns creating a Cannabis Task Force. She read literature from the Illinois Municipal League's (IML) information on Boards and Commissions. She believed that Council was best suited to address the legislation and did not support creating a Cannabis Task Force.

Council Member Mwilambwe thanked Council Member Carrillo for bringing the idea forward. He discussed issues he had experienced over the years with task forces in general. He preferred meetings that were open, disciplined, and amongst Council. He believed that staff and Council are best suited to work on the legislation. He was not supportive of a Cannabis Task Force.

Mayor Renner left the room (6:57 p.m.).

Council Member Crabill reminded Council that they voted to support a Connect Transit Working Group and believed that the Cannabis Task Force would operate similarly. He believed the Task Force would not replace Council's involvement, but that it could compliment Council and staff's work. He recommended a comprehensive approach and was supportive of the Cannabis Task Force.

Mayor Renner returned to the meeting (6:58 p.m.).

Council Member Mathy stated that he was supportive of the Cannabis Task Force. He believed that the Cannabis Task Force and Council could work alongside each other.

Council Member Emig asked Mr. Jurgens a few procedural questions on what order legislative issues regarding cannabis needed to be addressed. Mr. Jurgens stated that zoning and taxation needed to be addressed first.

Mayor Renner asked for a motion to extend the discussion of the item by 10 minutes.

Council Member Bray made a motion, seconded by Council Member Boelen, that the discussion be extended for 10 minutes.

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.

Council Member Black asked Mr. Jurgens whether Council would have the right to end the Cannabis Task Force at its discretion. Mr. Jurgens confirmed. Council Member Black expressed support for creating the Cannabis Task Force.

Council Member Painter stated that she was originally supportive, however, her decision changed once she had read the Resolution presented. She discussed her experience with Task Forces in the past and believed that staff are best to bring forward recommendations to Council. She believed that an ad hoc Task Force would slow the process down and was not supportive of item.

Council Member Bray pointed out that the vote would be close. She believed that Council's strength was moving in the form of consensus and encouraged her peers who are for the Task Force to consider the discussions had at the meeting. She recommended that the Task Force be considered later, after Council and staff had had more time.

Council Member Carrillo also supported a Council consensus, but believed that divisions amongst Council would result no matter whether the Task Force was created or not.

Council Member Carrillo made a motion, seconded by Council Member Emig, that the Resolution be approved.

Council Member Emig offered support for the item and recommended that a staff member be added to the Task Force as a co-chair. She believed that more information on the topic was a benefit and stressed that Council would maintain the power even if a Task Force was created.

Council Member Bray pointed out a variety of items she believed were of issue with the Resolution presented and stated that if the Resolution was to pass, she'd recommend several amendments. She questioned the neutrality of Council Member Carrillo serving as the Chair of the Task Force.

Council Member Mathy asked Mr. Gleason whether they could add review of IML's documents for the Committee of the Whole meeting on September 16, 2019. Mr. Gleason confirmed that it could be added to the meeting on the 16th.

Council Member Boelen made a motion, seconded by Council Bray, that the following amendments be made to the Resolution presented: (1) Council Member Carrillo be removed as the Chair; (2) the Task Force expire 90 days from passage; and (3) that prospective cannabis business owners be removed from being able to serve on the Task Force.

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

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

Nays: Council Members Carrillo, Crabill, and Emig.

Motion carried.

Mayor Renner then asked for Council to vote on the original motion to approve the Cannabis Task Force.

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

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

Nays: Council Members Boelen, Mwilambwe, and Bray.

Motion carried.

City Manager's Discussion

City Manager Tim Gleason pointed out the upcoming calendar of events available on the City's website. He discussed a recent press release put out by the City regarding the S-4 designation public hearing being cancelled due to the potential sale of the downtown State Farm building. He went on to discuss upcoming agenda items for the Committee of the Whole.

Mayor's Discussion

Mayor Renner addressed news regarding the State Farm building and was excited about the opportunity. He mentioned several events he participated in recently.

Council Member's Discussion

Council Member Mathy complimented the Labor Day parade and stressed that it was a great success.

Council Member Crabill encouraged the community to spread the word about the Small Business Development Center's Veteran Resource Workshop coming up that would focus on assisting veterans in starting businesses. He also mentioned that he would be hosting an Open House in the Council Chambers on Friday, September 13th at 4:30 p.m.

Executive Session

Adjournment

Mayor Renner added that he would be following standard procedure with the Cannabis Task Force and would not be recommending a Chair. He intended to let the Task Force elect its own Chair and Co-Chair at its first meeting. He then asked for a motion to adjourn.

Council Member Mathy made a motion, seconded by Council Member Mwilambwe, that the meeting be adjourned.

Motion carried unanimously (viva voce).

The meeting adjourned at 7:36 p.m.

CITY OF BLOOMINGTON



Tari Renner, Mayor

ATTEST



Leslie Yocum, City Clerk