CITY OF Bloomington ILLINOIS

MINUTES
REGULAR SESSION CITY COUNCIL MEETING
MONDAY, AUGUST 10, 2020, 6:00 P.M.

This meeting was conducted under Governor Pritzker's Executive Order 2020-07, Section 6 implemented in response to COVID-19, which suspended in-person attendance under the Open Meeting Act, 5 ILCS 120.

The City Council convened in Regular Session virtually via Zoom conferencing with the City Manager, Tim Gleason, and City Clerk, Leslie Yocum, in-person in City Hall's Council Chambers at 6:00 p.m., Monday, August 10, 2020. The meeting was called to order by Mayor Tari Renner.

Roll Call

Attendee Name	Title	Status	Arrived
Tari Renner	Mayor	Remote	
Jamie Mathy	Ward 1	Remote	
Donna Boelen	Ward 2	Remote	
Mboka Mwilambwe	Ward 3	Remote	
Julie Emig	Ward 4	Remote	
Joni Painter	Ward 5	Remote	
Jennifer Jazmin Carrillo	Ward 6	Remote	
Scott Black	Ward 7	Remote	
Jeff Crabill	Ward 8	Remote	
Kim Bray	Ward 9	Remote	

COVID-19 Update by City Manager

City Manager Tim Gleason assured Council that staff continued to monitor COVID-19 effects on the City's budget. He then commented on Consent Agenda Item 8.F. regarding O'Neil Pool and complimented staff continuing to service the community via the box office at Grossinger Motors Arena. He informed Council that the Arena service center had spiked a new idea and that staff were working on creating a City Service Hub ("The Hub") as a long-term one-stop-shop for serving the community from one location. He briefly discussed Phase 1 implementation of "The Hub."

Recognition/Appointments

A. Recognition of Cheryl Magnuson's Appointment to B/N Convention & Visitors Bureau.

Mayor Renner recognized the appointment of Cheryl Magnuson to the Bloomington Normal Convention and Visitor's Bureau Board.

Public Comment

Mayor Renner opened the meeting for public comment and the following individuals spoke virtually: (1) David Fedor; (2) Brad Bell; (3) Jacqueline Beyer; (4) Andrew Traeger; and (5) Catherine Pratt. Leslie Yocum, City Clerk, then read a list of individuals who had emailed public comment prior to the meeting: (1) Jeff Gastel; (2) Misty Metroz; (3) Jacqueline Beyer; and (4) Laurie Bergner.

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 Boelen made a motion, seconded by Council Member Mathy, that the Consent Agenda, including all items listed below, be approved as presented.

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

AYES: Mathy, Boelen, Mwilambwe, Emig, Painter, Carrillo, Black, Crabill, Bray

Motion carried.

Item 8.A. Consideration and action to approve the Minutes of the June 24, 2020 Regular City Council Meeting, as requested by the City Clerk Department. *(Recommended Motion: The proposed Minutes be approved.)*

Item 8.B. Consideration and action to approve Bills and Payroll in the amount of $5,094,575.09, as requested by the Finance Department. *(Recommended Motion: The proposed Bills and Payroll be approved.)*

Item 8.C. 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 8.D. Consideration and action to approve a Contract with CDM Smith Inc. for the development of a Risk and Resilience Assessment and a corresponding Emergency Response Plan (RFQ #2021-01), in the amount not to exceed $99,400, as requested by the Public Works Department. *(Recommended Motion: The proposed Contract be approved.)*

Item 8.E. Consideration and action to approve a Contract with Bradford Systems, Corp for Scanning, Microfilming, Storing, and Shredding of City Documents, as requested by the City Clerk Department. *(Recommended Motion: The proposed Contract be approved.)*

Item 8.F. Consideration and action to approve a Contract with Stark Excavating, Inc in the amount of $139,526.20 for the O'Neil Pool Site Demolition - Bid #2021-11 (Base bid + Alt. #2), as requested by the Parks, Recreation and Cultural Arts Department. *(Recommended Motion: The proposed Contract be approved.)*

Item 8.G. Consideration to approve a Contract with Customized Environmental Solutions, Inc., d/b/a Telum, for lime sludge removal (RFP #2021-10), in the amount of $30.88 per dry ton of lime sludge, as requested by the Public Works Department. *(Recommended Motion: The proposed Contract be approved.)*

Item 8.H. Consideration and action to approve a Contract with RJN Group, for Sanitary Sewer Engineering Evaluations, in the amount of $229,990, as requested by the Public Works Department. *(Recommended Motion: The proposed Contract be approved.)*

Item 8.I. Consideration and action to approve an Easement Agreement with Gary and Brenda Thompson for work being performed as part of the Lutz Road Improvement Project, as requested by the Public Works Department. *(Recommended Motion: The proposed Agreement be approved.)*

Item 8.J. Consideration and action to approve an Agreement with Corrective Asphalt Materials, LLC, as a limited source, for the FY 21 Pavement Preservation program, in the amount of $482,513.23, as requested by the Public Works Department. *(Recommended Motion: The proposed Agreement be approved.)*

Item 8.K. Consideration and action on an Ordinance Approving an Application Submitted by Country Financial Prohibiting Potable Groundwater Use for the Property at 810 IAA Drive and Adjacent Properties, as requested by the Public Works Department. *(Recommended Motion: The proposed Ordinance be approved.)*

Item 8.L. Consideration and action on an Ordinance Approving the Final Plat of Traeger Subdivision, as requested by the Public Works Department. *(Recommended Motion: The proposed Ordinance be approved.)*

Item 8.M. Consideration and action on an Ordinance Rescinding Ordinance 2020-20 and Approving the Final Plat of Bloomington Commons Subdivision, as requested by the Public Works Department. *(Recommended Motion: The proposed Ordinance be approved, subject to the petitioner providing the required sureties or constructing the public infrastructure.)*

Item 8.N. Consideration and action on a Change of Ownership Application of d/b/a Flingers Pizza Pub, located at 1503 E. Vernon Ave., from Big Cheese, Inc. to Craft Pizza, Inc., 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 contingent upon compliance with all building, health, and safety codes.)*

Item 8.O. Consideration and action on the Application of Empire Buds, LLC, d/b/a Crafted, to be located 1101 Airport Road, 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 contingent upon compliance with all building, health and safety codes.)*

Item 8.P. Consideration and action to approve a Lake Bloomington Lease Transfer of Lot 1 in Block 10 in Camp Potawatomie, from John and Elizabeth Binning to the petitioners, Schuyler and Mary Ellen Schupbach, as requested by the Public Works Department. *(Recommended Motion: The proposed Lease Transfer be approved.)*

Regular Agenda

The following item was presented:

Item 9.A. Consideration and action on an Ordinance Reinstating a Preliminary Development Plan for a Planned Unit Development Titled "Fox Creek Village Planned Unit Development Amended Preliminary Development Plan, Bloomington, Illinois" and dated June 4, 2020, for 26.25 Acres Located South of Fox Creek Golf Course, as requested by the Community Development Department.

Katie Simpson, City Planner, provided a brief history of the planned unit development (PUD). She explained that the PUD would be a continuation to a previously developed area which would provide 15 new single-family homes. She went on to explain that for the developer to progress, the PUD plans needed to be reinstated which would then validate the plans for three years. She explained that on July 22, 2020, the Planning Commission approved to send the item to Council for consideration with a positive recommendation on the condition that the developer installed sidewalk for the remaining portions of the development phases.

Council Member Mathy asked for clarification between private streets/sidewalks verses public. Mrs. Simpson responded that the street/sidewalk installation and maintenance were the responsibility of the Homeowners Association (HOA), whereas, public ones were maintained by the City. She provided examples of varying regulations between the two. Council Member Mathy asked if streets within the development could become future City streets if they did not meet public street standards. Ms. Simpson responded that the HOA could be required to make the streets/sidewalks compliant with City standards for each. Council Member Mathy asked if it had been done previously. Bob Yehl, Assistant Public Works Director, responded that the City had not recently taken over private streets. Council Member Mathy encouraged development creativity but expressed concern about the potential acquisition of substandard streets/sidewalks.

Council Member Boelen made a motion, seconded by Council Member Painter, that the proposed alternative draft Ordinance to reinstate the preliminary development plan with the condition that sidewalk is added to the Winding Way cul-de-sac be approved.

Mayor Renner asked for proof that residents were concerned about sidewalk placement. Ms. Simpson responded that the Planning Commission had received public comment about the development, but not in relation to sidewalks.

Mayor Renner asked for clarification on the motion. Mr. Jurgens responded he believed that Council Member Boelen intended to make the staff recommended motion which approved the development with one sidewalk. Ms. Simpson clarified that the proposed motion was slightly different and explained each. She stated that the motion on the floor would adopt the proposed alternate recommended motion in addition to including sidewalks in the cul-de-sac on Winding Way heading north. Council Member Boelen confirmed.

Council Member Bray supported the motion.

Council Member Crabill asked about potential operational expenses the City could incur to maintain the streets/sidewalks. Ms. Simpson responded. He expressed concern that the target market for the PUD were the elderly and the disabled and that Connect Transit did not service the area.

Council Member Emig asked for clarification on why the sidewalk had been recommended. Ms. Simpson stated that a Commissioner had proposed the motion to be consistent with sidewalks throughout the City. She noted that the sidewalks being discussed do not connect to anything.

Mayor Renner asked if the sidewalks could connect to something in the future. Ms. Simpson responded that they would not. Mayor Renner asked additional sidewalk questions and Ms. Simpson responded.

Council Member Carrillo asked for clarification on the motion. Ms. Simpson clarified.

Mr. Jurgens clarified the motion with Council Member Boelen who confirmed and stated the HOA would need to provide any additional sidewalks to Pepper Ridge.

Mayor Renner asked for a motion to extend the time.

Council Member Mathy motioned, seconded by Council Member Bray to extend the time by 10 minutes.

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

AYES: Mathy, Boelen, Mwilambwe, Emig, Painter, Carrillo, Crabill, Bray

NAYES: Black

Motion carried.

Mayor Renner called the question.

Council Member Boelen made a motion, seconded by Council Member Painter, that the proposed alternative draft Ordinance to reinstate the preliminary development plan with the condition that sidewalk is added to the Winding Way cul-de-sac be approved.

Council Member Mathy expressed interest to change the City policy on PUDs to require inclusion of sidewalks.

Council Member Carrillo agreed and asked Council Member Boelen the reasoning behind her motion. Council Member Boelen responded that the front yards in the development were narrow and would be further reduced with the addition of sidewalks on both sides.

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

AYES: Mathy, Boelen, Mwilambwe, Emig, Painter, Carrillo, Black, Crabill, Bray

Motion carried.

The following item was presented:

<u>Item 9.B. Consideration and action on an Ordinance Approving the Final Plat of the Fifth Addition to Fox Creek Village Subdivision, as requested by the Public Works Department.</u>

Ms. Simpson stated the item would approve the subdivision for 15 lots.

Mr. Jurgens informed Council that since 9.A. was approved with modifications, that Item 9.B. would also need to be approved with the same modifications.

Council Member Boelen made a motion, seconded by Council Member Black, that the proposed Ordinance be approved, subject to the petitioner providing the required sureties and on condition that sidewalk is added to the Winding Way cul-de-sac be approved.

Council Member Boelen expressed concern with persons providing false testimony under oath at the Planning Commission.

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

AYES: Mathy, Boelen, Mwilambwe, Emig, Painter, Carrillo, Black, Crabill, Bray

Motion carried.

The following item was presented:

Item 9.C. Consideration and action on an Ordinance Amending the City Code to Create the Department of Economic & Community Development Within the City, as requested by the Legal Department.

Mr. Gleason stated that this item would have appeared before Council in the spring of 2020, but COVID-19 occurred. He explained that current Community Development Director Bob Mahrt's resignation would be effective September 30, 2020 and that it created an opportunity to merge the two departments, Community Development and Economic Development, into one department as they overlap quite a bit. He also stressed that this combined department, Economic and Community Development would further continue the City's efforts to service the community in a one-stop-shop manner. He stated that if approved, Melissa Hon, current Economic Development Director, would become the Director of the Economic and Community Development Department effective September 1, 2020. He explained that no significant change in cost to the City and staffing would occur and that ultimately the biggest change would be cross training staff to better assist the community.

Mayor Renner thanked Mr. Gleason and Ms. Hon for their continued focus on the one-stop-shop.

Council Member Black made a motion, seconded by Council Member Bray, that the proposed Ordinance be approved.

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

AYES: Mathy, Boelen, Mwilambwe, Emig, Painter, Carrillo, Black, Crabill, Bray

Motion carried.

The following item was presented:

Item 9.D. Consideration and potential action regarding Ordinance 2020-18, An Ordinance Declaring a Local Emergency Due to the COVID-19 Virus & Enacting Various Emergency Measures, as requested by the Legal Department.

Mr. Gleason explained that this item was a standing item on the Regular Agenda during COVID-19, and that there were no recommended updates to discuss.

City Manager's Discussion

City Manager Gleason stressed the importance of participating in the 2020 Census. He reminded the community of the upcoming Downtown Farmer's Market and explained that staff continued to clean-up from the recent windstorm damage. He went on to highlight and congratulate four staff members: (1) Jack McQueen of the Police Department Intelligence Unit had been recently presented with the prestigious Chief's Award by Chief Donath; (2) Billy Tyus, Deputy City Manager, had recently completed his Credentialed Manager designation through the International City Manager's Association (ICMA); (3) Melissa Hon who following Regular Agenda Item 9.C was officially named the upcoming Director of the Economic and Community Development Department; and (4) Greg Scott as Interim Police Chief following Chief Dan Donath's retirement. He then explained what he envisioned for the recruitment of filling the Police Chief position and discussed attributes he sought in the new Chief.

Mayor's Discussion

Mayor Renner reminded the community to stay vigilant against COVID-19. He congratulated Mrs. Hon and Mr. Tyus on their accomplishments and wished Chief Donath the best of luck.

Council Member's Discussion

Council Member Mathy thanked Public Works crews for their assistance with the removal of a 150-foot tree that fell on his neighbor's house. He reminded the community to not handle wires on the ground and to assume that they were all deadly.

Council Member Boelen thanked Mr. and Mrs. Thompson for donating a portion of their land so that the Lutz Road construction project could proceed which saved the City money.

Council Member Crabill thanked Chief Donath and Officer John Fermon for their attendance at his Town Hall meeting. He also thanked Chief Donath for his 26 years of service and congratulated Mrs. Hon and Mr. Tyus on their accomplishments.

Council Member Boelen mentioned the progress of the affordable housing development on Four Seasons Road.

Council Member Emig echoed congratulations to Mrs. Hon and appreciation to Chief Donath. She believed that Council made the best decision on the Fox Creek Development and expressed interest in a uniform approach to all planned unit developments. She stated that local schools decided to pursue e-learning in response to COVID-19 and encouraged the community to continue to wear masks in public.

Council Member Bray echoed congratulations to Mrs. Hon and Mr. Tyus and appreciation to Chief Donath for his dedicated service to the community. She thanked City staff for the implementation of a stop light on Keaton Road and G.E. Road as she believed it was a needed preventative safety measure.

Council Member Mwilambwe echoed congratulations to Mrs. Hon, Mr. Tyus, and Officer McQueen for their accomplishments. He echoed appreciation to Chief Donath for his service and dedication to the community and expressed support in the decision to wait until 2021 for Police Chief recruitment.

Executive Session - Cite Section

Mr. Jurgens stated for the record that the personnel item was to discuss an employee's performance.

Council Member Carrillo asked procedural questions on how Council would hold a virtual executive session. Mrs. Yocum responded.

Council Member Mwilambwe made a motion, seconded by Council Member Crabill, to enter Executive Session to review Executive Session Minutes (Section 2 of (c)(21) of 5 ILCS 120) and personnel review (Section 2 of (c)(1) of 5 ILCS 120).

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

AYES: Mathy, Boelen, Mwgilambwe, Emig, Painter, Carrillo, Black, Crabill, Bray

Motion carried.

Return to Open Session and Adjourn

Council Member Mathy made a motion, seconded by Council Member Carrillo, to return to open session and adjourn the meeting.

AYES: Mathy, Boelen, Mwilambwe, Emig, Painter, Carrillo, Black, Crabill, Bray

Motion carried (viva voce).

CITY OF BLOOMINGTON

Tari Renner

Tari Renner, Mayor

ATTEST

Amanda Mohan

Amanda Mohan, Deputy City Clerk