CITY OF Bloomington ILLINOIS

MINUTES
REGULAR SESSION CITY COUNCIL MEETING
MONDAY, AUGUST 9, 2021, 6:00 P.M.

The City Council convened in regular session in-person in Government Center Chambers at 6:00 p.m., Monday, August 9, 2021. The meeting was called to order by Mayor Mboka Mwilambwe.

Roll Call

Attendee Name	Title	Status	Arrived
Mboka Mwilambwe	Mayor	Present	
Jamie Mathy	Council Member, Ward 1	Present	
Donna Boelen	Council Member, Ward 2	Present	
Sheila Montney	Council Member, Ward 3	Present	
Julie Emig	Council Member, Ward 4	Present	
Nick Becker	Council Member, Ward 5	Present	
Jennifer Jazmin Carrillo	Council Member, Ward 6	Absent	
Mollie Ward	Council Member, Ward 7	Present	
Jeff Crabill	Council Member, Ward 8	Present	
Tom Crumpler	Council Member, Ward 9	Present	

Recognition/Appointments

No Appointments or Recognitions were presented.

Public Comment

Mayor Mwilambwe read a statement of procedure for public comment and opened the meeting for public comment. The following individuals spoke in-person: (1) Gary Donohue; (2) Coretta Jackson; (3) Marc Welch; (4) Gary Lambert; (5) Kathy Petty; (6) Robert Schultz; (7) Mary Kramp; (8) Judi Davenport; and (9) Winnie Gent. Thomas Larey registered to speak, but was not present at the meeting. Angie Thomas emailed public comment. Kathy Petty and Mary Kramp submitted two petitions in support of accelerating the Locust/Colton project.

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 Becker, that the Consent Agenda, including all items listed below, be approved as presented with the exception of Item 7.D.

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

AYES: Mathy, Boelen, Montney, Emig, Becker, Ward, Crabill, Crumpler

Motion carried.

Item 7.A. Consideration and action to approve the Minutes of the June 28, 2021 Regular City Council Meeting, as requested by the City Clerk Department. *(Recommended Motion: The proposed Minutes be approved.)*

Item 7.B. Consideration and action to approve the Minutes of the July 12, 2021 Regular City Council Meeting, as requested by the City Clerk Department. *(Recommended Motion: The proposed Minutes be approved.)*

Item 7.C. Consideration and action to approve Bills and Payroll in the amount of $5,563,443.02, as requested by the Finance Department. *(Recommended Motion: The proposed Bills and Payroll be approved.)*

Item 7.D. was removed from the Consent Agenda by Council Member Crabill.

Items Removed from the Consent Agenda

Item 7.D. Consideration and action on an Ordinance Amending the Budget Ordinance for the Fiscal Year ending April 30, 2022, as it relates to the General Fund Capital Equipment Lease, in the amount of $3,109,902, as requested by the Finance Department.

Council Member Crabill discussed the $3 million payment that would save $200,000 over the lifetime of the lease. He asked if the funds could be better used to aid residents with past due utilities and aid for storm damage.

City Manager Gleason responded that Council had previously instructed staff to reduce capital equipment leases. He went on to explain that staff would follow Council's direction.

Council Member Boelen made a motion, seconded by Council Member Mathy, that the proposed Ordinance be approved.

Council Member Ward asked for confirmation on the amount of damage caused by the storm. She noted that she had heard the figure was $4-5 million. City Manager Gleason stated that he had heard the same from other Council Members, but he was unable to confirm. She then asked how the $200,000 cost savings could be set up to aid residents with storm damage. City Manager Gleason stated that a more in-depth presentation would be given at the upcoming Committee of the Whole meeting. Council Member Ward asked the consequences if the item was tabled. Mr. Gleason responded that no consequences would result. Council Member Ward then recommended that the item be tabled so that Council could understand the full picture before a decision was made.

Council Member Mathy was in support of tabling the item and explained his position on reducing financing of capital equipment purchases. He asked Council Member Boelen if she wanted to withdraw her motion.

Council Member Boelen did not want to withdraw her motion. She supported her position with historical references stressing the importance of the City staying out of debt.

Council Member Emig supported tabling the item. She explained that the two topics of discussion were not mutually exclusive.

Council Member Becker supported the acceleration of infrastructure projects and making fiscally responsible decisions.

Council Member Montney also agreed the two items were not mutually exclusive and did not negate the commitment to infrastructure improvements.

Council Member Ward stated that Council had not made a formal commitment to accelerating the Locust/Colton project. She echoed her preference to table the item.

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

AYES: Mathy, Boelen, Montney, Crumpler, Becker

NAYES: Emig, Ward, Crabill

Motion carried.

Public Hearing

A. Public Hearing on a Petition submitted by Brandon Gray requesting the vacation of an alley between Lot 8 of McDowell Subdivision and Lot 4 of J B Stevensons Subdivision, which will vacate an alley between 508 and 514 E. Jackson Street, as requested by the Public Works Department and the Economic & Community Development Department.

Mayor Mwilambwe opened the Public Hearing at 6:45 p.m.

Kevin Kothe, Director of Public Works, addressed Council. He began with an image of the alley in question. He discussed the policy of compensation to the City for vacating the property and explained that the petitioner (Brandon Gray, "Petitioner") had stated that he was not interested in pursuing the vacation if the fee was not waived. He supported waiving compensation, stating that it would result in one less alley for the City to maintain.

Mayor Mwilambwe asked if there were any members of the public who wished to speak on the item. Gary Donahue stated that the City had a policy in place for compensation and if it was waived, then Council should remove the policy.

Council Member Mathy pointed out that the Petitioner had purchased and refurbished the three properties surrounding the alley and that they had previously been considered for demolition. He then asked about the condition of the alley. Mr. Kothe stated that it was not in good repair.

Council Member Ward asked why the Petitioner requested the fee waiver. Mr. Kothe stated that the Petitioner was not interested in maintaining and purchasing the alley.

Council Member Crabill asked about benefits to the Petitioner. Mr. Kothe stated that the Petitioner would maintain the alley as access to the properties' garages along the alley. Council Member Crabill asked about public use of the alley. Mr. Kothe stated that he believed the alley was only used to access the garages for the Petitioner's property.

Mayor Mwilambwe asked the cost to maintain the alley. Mr. Kothe responded that he did not have a definitive number.

Council Member Crumpler asked if there was a precedent to waive the compensation. Mr. Kothe stated that the right-of-way policy was new to the City but that, historically, the City did not receive compensation from a residential area. He noted another recent situation where the compensation was waived for Eastview Christian Church, a not-for-profit. Council Member Crumpler confirmed with Mr. Kothe that the Petitioner's position would be to not move forward if the fee was not waived.

Council Member Montney stated that it appeared to be a mutually beneficial arrangement. She asked for additional details on the point to better understand at which the benefit would be returned to the City. Mr. Kothe stated he could provide those figures.

Council Member Boelen asked when the policy was implemented and why. Mr. Kothe stated that it was created within the last three years. Jeff Jurgens, Corporation Counsel, confirmed the policy was implemented in the past three years. He went on to explain that the City implemented the policy due to frequent requests. He advised that at the Council's direction, a condition for residential use could be added to the current policy. Council Member Boelen believed the alley would be a sole benefit to the Petitioner and did not support the waiver of compensation.

Council Member Emig read the conditions of the policy. She stated that the vacation requirements were flexible enough that the alley could be vacated without compensation.

Council Member Montney stated that for future requests, a cost benefit analysis and expenses of labor would aid Council in the decision-making process.

Council Member Mathy stated that since the City did not regularly maintain the alley, and the Petitioner wanted to, he supported the waiver of compensation.

Council Member Ward agreed with Council Member Montney's comments on the cost benefit analysis and was not supportive until she had the opportunity to view a cost analysis.

Council Member Becker stated that he would support a waiver and noted the opportunity cost associated where a resident was willing to maintain the alley allowing City staff to focus their attention on streets.

City Manager Gleason stated that the purpose of the Public Hearing was to gather public input and facts. He explained that the requested information would appear in the Council memo when the item was brought forward for formal consideration.

Mayor Mwilambwe closed the Public Hearing at 7:01 p.m.

Regular Agenda

The following item was presented:

<u>Item 9.A. Presentation and discussion of topics related to City infrastructure and recent storm events, as requested by the Public Works Department and the Administration Department.</u>

Mayor Mwilambwe thanked staff for their commitment and professionalism throughout the storm event progression. He stated that Council relied on staff expertise to make decisions that best impact the City. He went on to state that another presentation would be given at the upcoming Committee of the Whole and that Council had a strong desire to make necessary improvements to infrastructure.

City Manager Gleason introduced the item and noted that the presentation was the 3rd installment of the infrastructure data collection and that it would focus on infrastructure project process. He then discussed the Locust/Colton project and that it could be completed on an expedited timeline but that doing so may require financing outside of the Illinois Environmental Protection Agency's ("IEPA") low interest rate. He then asked Kevin Kothe, Director of Public Works, to address Council.

Mr. Kothe provided facts on the storm, noting the 14 inches of rain within two days when the average annual rainfall was 39 inches. He discussed detention basins that were completed and aiding in the reduction of flooding. He noted that a combined sewer overflow

("CSO") system was permitted by the IEPA and showed a graph of the United States cities with CSO systems. Mr. Kothe went on to explain CSOs and how they work. He walked through the Locust/Colton CSO elimination project, the process of sewer and storm water pipe separation, and various project phases. He reported that the IEPA loans the City applied for were approved for funding the next construction season and discussed the potential expedite. Mr. Kothe reported the estimated costs for the remaining phases of the project totaled just over $25.5 million. He discussed how each phase could be shortened by 9 months if the City did not go through the IEPA loan process and went on to discuss additional possibilities to accelerate the project schedule.

Council Member Mathy expressed interest in a topographical map and supported acceleration of the project. He stressed that the project was just the beginning and then he and Mr. Kothe discussed multiple ideas and potential issues.

Council Member Ward asked if the IEPA funded projects besides CSO projects. Mr. Kothe stated the IEPA supported other project types and that grants were very competitive.

Council Member Ward asked for additional details on the Maizefield CSO, as well as details on other combined sewers and plans to address them. Mr. Kothe responded accordingly. Council Member Ward requested a map showing the PMA claims from the flooding, as well as figures on damages and costs to fix all the sewers. Mr. Kothe stated that he planned to present the PMA claims and more at the next presentation.

Council Member Montney asked for additional clarification on the length of the phases. Mr. Kothe responded that it was a generalized depiction. Council Member Montney and Mr. Kothe discussed processes involved in shortening phases of the project.

Council Member Emig made a motion, seconded by Council Member Ward, to extend the Council discussion time by 15 minutes.

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

AYES: Mathy, Boelen, Montney, Emig, Becker, Ward, Crabill, Crumpler

Motion carried.

Council Member Emig asked if the CSO projects were the solution to the flooding concerns. Mr. Kothe stated that while the CSO projects would aid in the sewage flooding, they may not address stormwater flooding. Council Member Emig asked for additional details on the sewer master plan. Mr. Kothe stated that the master plan was separate from the Locust/Colton CSO master plan and that he would provide additional details in the presentation next week. Council Member Emig encouraged researching green solutions.

Council Member Crabill asked Mr. Kothe about comments made during public comment and Mr. Kothe clarified questions on distinctions of a map presented. Council Member Crabill and Mr. Kothe then discussed the replacement of sewer connections to residences. Council Member Crabill asked that staff consider what other cities with CSOs were doing.

Council Member Crumpler stressed the need to accelerate the phases of the projects. He asked the potential to reduce pre-design or design phases timing. He suggested offering an incentive for completion if on an expedited timeline. Mr. Kothe stated that the bar graphs included in the presentation illustrated a general timeline and that additional funding would be needed to expedite.

Mayor Mwilambwe asked the possibility of any phases, such as design, coming in-house to save on time. Mr. Kothe stated that construction inspections were done in-house, but that if the City expanded the need for inspections, additional staff would be needed.

City Manager Gleason noted the possibility of Council granting him, as City Manager, project-specific approval authority to further reduce the timeline of phases. He noted that the expansion of authority would be more cost-effective than offering an incentive.

City Manager's Discussion

City Manager Tim Gleason updated Council on the vaccination clinic at Grossinger Motors Arena ending. He then informed the community that the candidates for the Police Chief position had been narrowed to two candidates and that a meet-and-greet reception would be held next Monday before the Committee of the Whole meeting. He provided background on both candidates and then highlighted multiple upcoming events in Downtown Bloomington.

Mayor's Discussion

Mayor Mwilambwe provided an update on the applications for the Ward 6 position.

Council Member's Discussion

Council Member Boelen provided an update on the Ferrero Rocher expansion.

Council Member Emig highlighted the National Association for the Advancement of Colored People ("NAACP") Youth Council that was celebrated the previous Saturday.

Council Member Ward noted that she would submit a Council Initiative to reintroduce virtual public comment and also noted that emailed public comments are not read to the public. She then read a portion of an email she received from Amy Scott, a resident of Ward 7, discussing combined sewer and storm water systems and the need to modernize systems.

Executive Session

No Executive Session was held.

Adjournment

Council Member Boelen made a motion, seconded by Council Member Crumpler, that the be adjourned.

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

AYES: Mathy, Boelen, Montney, Emig, Becker, Ward, Crabill, Crumpler

Motion carried (viva voce).

CITY OF BLOOMINGTON	ATTEST
Mboka Mwilambwe	Amanda Stutsman
Mboka Mwilambwe, Mayor	Amanda Stutsman, Deputy City Clerk