CITY OF Bloomington ILLINOIS

MINUTES
REGULAR SESSION CITY COUNCIL MEETING
MONDAY, JULY 26, 2021, 6:00 P.M.

The City Council convened in regular session in the Government Center Chambers at 6:30 p.m., Monday, July 26, 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	Absent	
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	Remote	6:03 PM
Mollie Ward	Council Member, Ward 7	Present	
Jeff Crabill	Council Member, Ward 8	Present	
Tom Crumpler	Council Member, Ward 9	Present	

Motion to allow Council Member Carrillo to attend the meeting virtually.

Mayor Mwilambwe stated that Council Member Carrillo would attempt to remotely connect to the meeting. Leslie Yocum, City Clerk, added that she was unable to attend in-person due to personal illness, an allowable reason to attend remotely under the City Code.

Council Member Crabill made a motion, seconded by Council Member Emig, to allow Council Member Carrillo to attend the meeting virtually.

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

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

Motion carried.

Council Member Carrillo joined the meeting at 6:03 p.m. via speaker phone.

Recognition/Appointments

A. <u>Proclamation recognizing National Farmers' Market Week August 1-7, 2021</u>

Mayor Mwilambwe read the Proclamation for National Farmers' Market Week aloud. Downtown Development Specialists, Catherine Dunlap and Samantha Mlot, with the Economic and Community Development Department accepted the Proclamation.

Public Comment

Mayor Mwilambwe read a statement of procedure for public comment and then opened the meeting for public comment where the following individuals spoke in-person: (1) Matthew Toczko; (2) Tate Skinner; (3) Gary Donohue; and (4) Wilma Steege. Jenee Clark and E. Banyai emailed public comment.

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 Emig, that the Consent Agenda, including all items listed below, be approved as presented with the exception of Items 7.D., 7.E., and 7.H.

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

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

Motion carried.

Item 7.A. Consideration and action to approve Bills and Payroll in the amount of $7,443,350.93, as requested by the Finance Department. *(Recommended Motion: The proposed Bills and Payroll be approved.)*

Item 7.B. Consideration and action to approve the Purchase of a 2022 Ford F-550 4WD, Horton Model 623 (173") Type I All-Aluminum Modular Ambulance from Foster Coach, Sterling, IL, through the Suburban - Northwest Municipal Conference (NWMC) Joint Purchasing Cooperative, in the amount of $284,444.00, as requested by the Fire Department. *(Recommended Motion: The proposed Purchase and Pre-payment Plan be approved.)*

Item 7.C. Consideration and action on a Resolution Waiving the Formal Bidding Process and Approving the Sentinel Technologies Inc. Cisco Flex Calling Enterprise Agreement for Three (3) Years in the amount of $117,266.71, as requested by the Information Technology Department. *(Recommended Motion: The proposed Resolution be approved.)*

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

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

Item 7.F. Consideration and action on an Ordinance Approving the Final Plat of The Grove on Kickapoo Creek Eighth Addition, as requested by the Public Works Department. *(Recommended Motion: The proposed Ordinance be approved, subject to the petitioner providing the required sureties.)*

Item 7.G. Consideration and action on an Ordinance Recognizing the Completion of the Market Square Redevelopment and the Termination of the 1987 and 1988 Redevelopment Agreements with Market Square, Inc., as requested by the Legal Department. *(Recommended Motion: The proposed Ordinance be approved.)*

Item 7.H. was removed from the Consent Agenda by Council Member Boelen.

Item 7.I. Consideration and action to approve a Lake Bloomington Lot Transfer and Supplemental Agreement for Lot 3 in Block 0 in Peoria Pointe, from the Pamela Williamson and Kenneth Hughes, to the petitioners, Marcus A. Crebo and Kimberly J. Whitesell, as requested by the Public Works Department. *(Recommended Motion: The proposed Lot Transfer and Supplemental Agreement be approved.)*

Items Removed from the Consent Agenda

The following item was removed from the Consent Agenda by Council Member Boelen:

Item 7.H. Consideration and action on an Ordinance Approving a Site Plan for New Construction of a Restaurant in the B-1 (General Commercial) District, for Property Located at 1901 W. Market Street, as requested by the Economic & Community Development Department.

Council Member Boelen made a motion, seconded by Council Member Montney, to approve as presented with the exception of the additional parking spaces over and above the maximum.

Council Member Boelen expressed concern with the increased number of parking spots in an impermeable area in light of the recent flooding and the potential negative impact it may have on the City's storm structure.

Council Member Crabill asked if staff had looked into such flooding causing negative impacts on the storm sewer systems. Council Member Boelen could not speak to staff work, but added that removing green space would create additional run off water. She then spoke about retention basins and continued discussion with Council Members Crabill.

Council Member Emig agreed with Council Member Boelen and expressed that the additional spaces were not necessary.

City Manager, Tim Gleason, asked Melissa Hon, Economic & Community Development ("ECD") Director, if the additional spaces were a developer's request or a condition of development. Ms. Hon explained that the development required a retention basin based on the number of parking spaces. She noted that the additional spaces were a request by the developer.

Council Member Ward stated the current parking lot was in poor condition and asked if the request was denied, would the development continue. Ms. Hon stated that she would have to consult the developer. Council Member Ward and Ms. Hon then discussed the impact the additional parking spaces would have on the neighborhood such as potential flooding and appropriate retention basins.

Council Member Boelen asked whether the developer would move forward without the spots and for additional insight into the request. Ms. Hon consulted with Kimberly Smith, Assistant ECD Director. Mrs. Smith explained the Planning Commission's determination and noted a significant source of income being to-go sales requiring parking with quick turnover.

Council Member Emig suggested the item be tabled until definitive answers could be provided by the developer.

Abby Ehrler, Project Manager with Klover Architects involved in the project, addressed Council. She confirmed that the proposed layout was less impervious, pointing out the north end of the property allowed water runoff. She stated that she had received appropriate approvals from the City's Public Works Department and the Bloomington Normal

Water Reclamation District noting that a nearby creek bed also provided additional water runoff support. She confirmed capacity and stressed the additional parking was necessary due to being located near a highway. She pointed out that restaurants near highways often see high truck, trailer, bus, and RV traffic requiring the use of multiple parking spaces.

Council Member Becker summed up the discussions and expressed support in the development as requested by the developer.

Council Member Crabill supported the same.

Council Member Boelen and Ms. Ehrler discussed the development continuing without the additional spaces.

Procedural discussions were had.

Council Member Boelen withdrew her original motion and Council Member Montney agreed to the withdraw.

Council Member Becker made a motion, seconded by Council Member Ward, that the proposed Ordinance be approved as presented.

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

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

Motion carried.

The following item was pulled from the Consent Agenda by Council Member Crabill:

Item 7.D. Consideration and action on 1) a Resolution Approving Acceptance of the Illinois Housing Development Authority's (IHDA) Abandoned Property Program in the Amount of $70,000, 2) an Ordinance Amending the Budget Ordinance for the Fiscal Year Ending April 30, 2022 in the Amount of $70,000, and 3) the approval of the Program Funding Agreement, as requested by the Economic & Community Development Department.

Council Member Crabill asked the number of abandoned homes that could be sold or renovated with the $70,000 funding. Melissa Hon, Economic & Community Development ("ECD") Director, reported that the amount would aid about 35 properties. Council Member Crabill and Ms. Hon then discussed abandoned or vacant properties in Bloomington, as well as land trust opportunities to aid with affordable housing issues. Council Member Crabill expressed interest in a future Council discussion exploring potential land trust.

Council Member Crabill made a motion, seconded by Council Member Montney, that the proposed Resolution, Ordinance, and Agreement be approved.

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

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

Motion carried.

The following item was pulled from the Consent Agenda by Council Member Crabill:

Item 7.E. Consideration and action 1) on an Ordinance Amending the Budget Ordinance for the Fiscal Year Ending April 30, 2022, as it relates to the Zoo Anteater, Bush Dog & Tortoise Exhibit budget, AKA the South American Exhibit, in the amount of

$1,000,000; and 2) to approve the Contract with Farnsworth Group in the amount of $33,700 for the construction oversight services for the South American Exhibit at the Miller Park Zoo, as requested by the Parks, Recreation and Cultural Arts Department.

Council Member Crabill confirmed with City Manager Tim Gleason that no City funds would be used for the project. City Manager Gleason confirmed.

Council Member Crabill made a motion, seconded by Council Member Becker, that the proposed Ordinance and Contract be approved.

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

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

Motion carried.

Regular Agenda

The following item was presented:

Item 8.A. Consideration and action on an Ordinance Amending Ordinance 2014-111 Regarding the Designation and Operation Criteria in the Bloomington Normal Enterprise Zone and Authorizing the Approval of an Intergovernmental Agreement Regarding the Zone, as requested by the Economic & Community Development Department.

City Manager Gleason reminded Council of the presentation previously given by Patrick Hoban, CEO (Chief Executive Officer) of the Bloomington-Normal Economic Development Council. He stated that Mr. Hoban had also met with the newly seated Council Members to provide them with the same information. He provided additional background noting the Intergovernmental Agreement amending the Enterprise Zone ("IGA") would be an additional incentive to encourage development. He then asked Mr. Hoban to address Council.

Mr. Hoban provided a brief overview of the current, lengthy process, and then explained the benefits of having a single standardized incentive. The largest benefit being reduced processing time. He moved on to provide information on the property tax abatement (“abatement”) incentives of the IGA; the reverse graduated scale at which the incentive would be awarded; and then listed the multiple qualifications required for businesses to receive increased abatement percentages. Mr. Hoban explained that an Enterprise Zone Advisory (“EZA”) Board would be established to review applications and ensure compliance with the rules of the proposed IGA. He pointed out the entire process had been condensed to two weeks and stressed it will attract more development.

Council Member Boelen expressed appreciation for the standardization of incentives and asked if the abatement would replace the sales tax break on construction materials. Mr. Hoban explained that the local abatement would be in addition to the State of Illinois program for sales tax breaks on construction materials. They then discussed the property tax levied by Bloomington and how the IGA affected Bloomington. Mr. Hoban noted that other municipalities within the Enterprise Zone could also participate. Council Member Boelen expressed her support.

Council Member Ward expressed appreciation for leveling the playing field for big and small businesses. She asked for specifics in the proposed IGA assuring local trades and contractors had priority on the tax incentives for new construction and rehabilitation. She read a statement stressing the importance of developers using local trades and contractors maintaining locally sourced employees. Mr. Hoban stated that Section J of the IGA addressed local requirements and then read the definition of "local labor" as defined in the Section noting local labor must be hired within McLean and Ford Counties. They then discussed the annual audit process Mr. Hoban completes to ensure developer compliance, as well as the EZA Board.

City Manager Gleason stated that Mr. Hoban prioritizes his relationship and involvement with the local labor unions.

Council Member Emig asked for additional information on Section I.2. in the Ordinance permitting non-local labor to be used. Mr. Hoban provided an example where a national retailer may use a specific labor crew for nationwide projects. They further discussed exemptions allowing developers to use non-local labor for specific specialized labor or technical skills if local talent was unavailable.

Council Member Crumpler noted the exemptions listed in the Ordinance and asked if residential, specifically low-income housing, was exempt from the IGA's incentives. Mr. Hoban stated the IGA incentives targeted commercial businesses. Council Member Crumpler asked if the annual audit could become bi-annual. Mr. Hoban stated it was a possibility.

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

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

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

Motion carried.

The following item was presented:

<u>Item 8.B. Presentation of information regarding planned infrastructure projects and other initiatives related to the recent storm discussion, as requested by the Administration Department.</u>

City Manager Gleason stated that the presentation was part of the storm response series. He explained that at the next Council meeting further details on project progress will be presented. He then discussed funds pledged to each of the following Infrastructure Capital Projects over the next five years: (1) Asphalt - Concrete enterprise fund, which funded local street/sidewalk projects; (2) State Motor Fuel tax enterprise fund, which funded State street projects; (3) Water enterprise fund, which allowed the City to maintain the 20-Year Water Master Plan projects; (4) Sewer enterprise fund, which funded sewer projects; and (5) Storm Water enterprise fund, which funded storm water projects, many already in que for completion. He noted that capital projects totaled almost $154 million over the next five years and went on to discuss other major investments including the $11.7 million O'Neil Pool remodel and the $20 million Bloomington Public Library expansion. He ended by listing the funding sources for each capital project categories.

Council Member Becker asked for staff to include an annual breakdown of what was included per project.

Council Member Crabill asked if the numbers presented included funding for the Locust-Colton project. City Manager Gleason confirmed. Council Member Crabill then asked for staff to provide the total amount in reserves of each enterprise fund. Council Member Crabill and City Manager Gleason then discussed the timeline of sewer projects or combined sewer overflow (“CSO”) projects and any necessities requiring approval by the Illinois Environmental Protection Agency (“IEPA”)

Council Member Montney asked about total lead time befogre submission to the IEPA. City Manager Gleason stated that preparation took months to years of staff time. They then discussed concerns of declining local motor fuel tax funds. Council Member Montney asked that staff provide data on street ratings of fair or below.

Council Member Ward expressed concern with siloed projects duplicating efforts.

Council Member Boelen asked for the total number of miles of sewer and roadways that the City was responsible for. City Manager Gleason stated he would get an answer to Council.

Council Member Emig complimented projected number of projects over the next five years. City Manager Gleason confirmed the City’s commitment and priority on infrastructure.

Council Member Crumpler asked if projects had the potential to be expedited. Mr. Gleason confirmed and stated options would be presented at the next meeting.

Council Member Montney suggested delineated data of each fund balance that specified standard maintenance, current projects, and projected projects. Mr. Gleason stated that data could be included in the upcoming presentation.

Council Member Ward asked if PMA, the City’s Insurance Administrator, had begun site visits with residents who had submitted claims. Mr. Gleason stated that PMA had started initial contact with residents, but was uncertain if site visits were part of the initial process. Council Member Ward then discussed the timeline of paying of claims. City Manager Gleason believed that the majority of claims would be denied as the City’s systems were not at fault and the rain event would be considered an act of God. Council Member Ward expressed her believe that the rain event was a sign of global warming and stressed the importance of sustainability.

Council Member Crabill asked if there was an appeal process in place for denied claims. Mr. Gleason stated that he would provide additional information in the near future.

Finance Director's Report

City Manager Gleason stated that while the City was negatively impacted by COVID-19, it continued to trend positively compared to other communities.

Scott Rathbun, Finance Director, addressed Council and reminded Council and the public that each Fiscal Year Budget Book had a detailed list of capital projects. Council Member Becker thanked Mr. Rathbun and noted he sought a condensed version that was convenient for quick reference.

Mr. Rathbun presented the Fiscal Year 2021 (“FY21”) financial summary. He discussed major tax revenues through April 30, 2021, highlighting key factors and increases in revenue; noted that the net general fund is comprised of Local Motor Fuel Tax and 10% of Home Rule Tax revenues, and that it supported the Asphalt and Concrete fund supplemented by the Local CURE grant in the amount of $1.4 million. He then presented FY21 general fund revenue and expenditures by category and provided updates on significant changes. Mr. Rathbun stated that the Finance Department recommended the City purchase capital equipment in cash to reduce the amount of financed equipment leases, which would result in significant savings. He then presented general fund highlights of FY21 including a summary of variances to the budget and positive impacts and concluded with an overview of year-to-date general fund tax revenues by category.

City Manager's Discussion

City Manager Tim Gleason discussed and shared photos of the City's Mentorship Program in partnership with the Jule Foundation and the local chapter of the NAACP (National Association for the Advancement of Colored People). He highlighted recent and upcoming Saturdays on the Square concerts, as well as many other upcoming Downtown events. City Manager Gleason moved on to provide an update on recent storm events and explained the process for declaring the rain event as a local disaster. He reported that it was unlikely the City would receive aid from Illinois Emergency Management Agency ("IEMA") as the total damage was still in question as to whether it met the threshold for financial aid. He stated, however, that the area had already met a lower threshold, which permitted the McLean County Chairman to organize the Multi-Agency Resource Center ("MARC") and that the County had received approval for an increase in the Small Business Loan ("SBA") Program. He provided additional details of the SBA program.

Mayor's Discussion

Mayor Mwilambwe provided an update on the Ward 6 vacancy process. He then noted that staff had requested additional time to prepare options for the Council Initiative on a Code of Conduct for Council. He complimented the recent Habitat for Humanity groundbreaking ceremonies that he had attended and ended by expressing his appreciation for all those involved in the Saturdays on the Square concerts.

Council Member's Discussion

Council Member Boelen congratulated City Manager Gleason on his employment anniversary.

Council Member Crabill reported that the Coordinator of the American Baptist Disaster Relief program had offered to assist anyone in flood damage clean up. He then highlighted that the day marked the 31st anniversary of the Americans with Disabilities Act passing.

Council Member Carrillo expressed interest in Ward 6 vacancy progress. She then stated that her move was bittersweet as it was beneficial for her family, but was saddened that she had to give up her seat on Council due to moving outside of Ward 6 boundaries. She encouraged staff to petition the State to amend the regulations on Wards.

Executive Session

No executive session was had.

Adjournment

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

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

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

Motion carried (viva voce).

The meeting adjourned at 8:00 p.m.

CITY OF BLOOMINGTON

Mboka Mwilambwe, Mayor

ATTEST

Amanda Stutsman, Deputy City Clerk