



MINUTES
CITY COUNCIL - REGULAR SESSION
MONDAY, JULY 11, 2022, 6:00 P.M.

The City Council convened in regular session in the Government Center Chambers at 6:00 p.m., Monday, July 11, 2022. Mayor Pro Tem Donna Boelen 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	Absent
Grant Walch	Council Member, Ward 1	Present
Donna Boelen	Council Member, Ward 2	Present
Sheila Montney	Council Member, Ward 3	Present
Nick Becker	Council Member, Ward 4	Present
Julie Emig	Council Member, Ward 5	Present
De Urban	Council Member, Ward 6	Present
Mollie Ward	Council Member, Ward 7	Present
Jeff Crabill	Council Member, Ward 8	Absent
Tom Crumpler	Council Member, Ward 9	Present

Mayor Pro Tem Boelen announced that Council Member Becker was out of town for work purposes and requested to attend remotely.

Council Member Montney made a motion, seconded by Council Member Urban, to allow Council Member Becker to attend the meeting remotely.

Mayor Pro Tem Boelen directed the clerk to call roll:

AYES: Walch, Montney, Emig, Becker, Urban, Ward, Crabill, Crumpler

Motion carried.

Public Comment

Mayor Pro Tem Boelen read a statement of procedure for public comment. No emailed public comment was received. The following spoke in-person: (1) Scott Stimeling; (2) Surena Fish; (3) Jennifer Weber; (4) Kathy Spahn; and (5) Debra Johnson.

Recognition/Appointments

Item 6.A. Recognition of Boards & Commissions Reappointments, as requested by the Administration Department.

Mayor Pro Tem Boelen recognized the following Board and Commission reappointments: (1) Barbara Singer, Connect Transit Board; (2) Ken Ota, Japan Sister Cities Committee; and (3) Brady Sant Amour, Planning Commission. She thanked them for their continued service to the community.

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 Crumpler made a motion, seconded by Council Member Ward to approve the Consent Agenda with the exception of Items 7.G. and 7.J.

Item 7.A. Consideration and action to approve the Minutes of the June 13, 2022, 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 Bills and Payroll in the amount of \$7,353,475.39, as requested by the Finance Department. (Recommended Motion: The proposed Bills and Payroll be approved.)

Item 7.C. Consideration and action to approve Reappointments to Boards & Commissions, as requested by the Administration Department. (Recommended Motion: The proposed Reappointments be approved.)

Item 7.D. Consideration and action to (1) approve the Purchase of an Elgin Broom Bear Street Sweeper from Key Equipment, using the Sourcwell Contract (#093021-ELG, exp. 11/16/2025), in the amount of \$218,020, and (2) Authorization to trade in the surplus unit, 2018 Elgin Broom Bear Sweeper (R56), for a credit of \$100,000, as requested by the Public Works Department. (Recommended Motion: The proposed Purchase and Surplus Trade-in be approved.)

Item 7.E. Consideration and action to approve the Purchase of three (3) Titan Leaf Pro Leaf Vacuums from Key Equipment, using HGAC (Houston Galveston Area Contract) (#GR01-20, exp. 06/30/23), in the amount of \$175,977, as requested by the Public Works Department. (Recommended Motion: The proposed Purchase be approved.)

Item 7.F. Consideration and action to approve the Purchase of one (1) Caterpillar 440-07 Backhoe from Altorfer Cat, using the Sourcwell Contract (#032119-CAT, exp. 5/13/23), in the amount of \$231,983, as requested by the Public Works Department. (Recommended Motion: The proposed Purchase be approved.)

Item 7.G. was removed from the Consent Agenda by Council Member Urban.

Item 7.H. Consideration and action on 1) an Ordinance Amending the Budget Ordinance for the Fiscal Year Ending April 30, 2023 in the amount of \$1,100,830, and 2) an Ordinance Authorizing a Construction Contract Between the City of Bloomington and PJ Hoerr, Inc., for the Miller Park Zoo South American Exhibit Project (Bid #2022-15), in the Amount of \$1,062,200, as requested by the Parks and Recreation Department. (Recommended Motion: The proposed Ordinances be approved.)

Item 7.I. Consideration and action on an Ordinance Amending Bloomington City Code Chapter 39, Article XIX, Regarding the City's Amusement Tax, as requested by the Legal Department, and the Finance Department. (Recommended Motion: The proposed Ordinance be approved.)

Item 7.J. was pulled from the Consent Agenda by Mayor Pro Tem Boelen.

Mayor Pro Tem Boelen directed the clerk to call the roll:

AYES: Walch, Montney, Emig, Becker, Urban, Ward, Crumpler

Motion carried.

Items Pulled from the Consent Agenda for Separate Consideration:

The following item was presented:

Item 7.J. Consideration and action on a Request from Ralben, Inc. d/b/a Cadillac Jack's, located at 1507 S. Main Street, for a redefinition of premises for their Class TAPS (Tavern, All Types of Alcohol, Packaged and Sunday Sales) Liquor License, as requested by the City Clerk Department.

Council Member Urban stated that she pulled this item in response to emails she had received and in response to the public comments received that evening. She stated her intent to send the item back to the Liquor Commission for further discussion. She strongly urged residents to get involved in the meetings and not to wait until the last minute to provide their opinions at Council. She stated that while Council may send back an item this time, the items may not be pulled every time. She encouraged residents to get involved in the community, attend Bloomington 101, and go to meetings.

Council Member Urban made a motion, seconded by Council Member Crumpler to remand the item back to Liquor Commission for further review.

Council Member Emig clarified that Cadillac Jacks had requested a redefinition of their outdoor premises and not to renew their liquor license. She supported sending the item back in order to allow residents additional opportunity for input.

Mayor Pro Tem Boelen clarified that if the item were sent back to Liquor Commission, it would not be on tomorrow's agenda, but may be placed next month.

Jeff Jurgens, Corporation Counsel, stated that there was no guarantee when the item would appear before the Liquor Commission but that notices would be sent out again. He confirmed that it would not appear before the Liquor Commission on the following day as it was not on the agenda.

Council Member Ward clarified with Mr. Jurgens the current motion.

Council Member Crumpler asked if the item were sent back to the Liquor Commission, if new evidence could be entered. Mr. Jurgens confirmed.

Mayor Pro Tem Boelen directed the clerk to call roll:

AYES: Walch, Montney, Emig, Becker, Urban, Ward, Crumpler

Motion carried.

The following item was presented:

Item 7.G. Consideration and action to approve a Contract with Western Specialty Contractors in the amount of \$223,687 for repairs to the Market Parking Garage (Bid #2023-03), as requested by the Facilities Department.

Tim Gleason, City Manager, stated that with Council's significant outreach for discussion prior to the meeting, staff requested the item be pulled from Consent to allow Russ Waller, Facilities Department Director, the opportunity to provide additional information before Council discussion.

Mr. Waller provided a brief overview of the project to date and noted that staff were asked to reduce the project cost after the initial quote of \$1.4 million was given for

a full restoration of the structure. He explained that true structural repairs were made that cost about \$500,000, but that the structure continued to deteriorate so staff sought additional funds for true structural repairs to keep the garage in working order. Mr. Waller then touched on potential solutions for the future use of the property. Mr. Waller discussed how the ongoing immediate repairs and monitoring would provide for an additional few years, and then explained how water and salt deteriorated the structure from the inside out. He expressed his concern with postponing the repairs.

Council Member Crumpler asked if the deterioration continued while during the last round of repairs. Mr. Waller confirmed the continued deterioration and explained that it continued to get worse. Council Member Crumpler and Mr. Waller then discussed how the funds, if awarded, would maintain the structure for at least another 2-3 years according to the Structural Engineer's estimation. They then discussed the potential to remove the structure altogether and the potential solutions to replace the available parking spots. Council Member Crumpler asked if the garage should be shut down until repairs were completed. Mr. Waller stated that the structure was safe to use and that cars continued to park in the garage.

Council Member Ward asked the number of cars that currently parked there. Mr. Waller responded that staff did not collect that data as the gates are open 24-7 but he estimated that half of the garage was in use. Council Member Ward then asked if the garage was providing income to the City. Mr. Waller confirmed it did not.

Council Member Ward and Mr. Waller discussed that the potential demolition cost of the structure would be about \$1 million. They then discussed the lack of parking if the garage were to be removed. Mr. Waller discussed the impacts to the United States Post Office, a tenant utilizing the parking structure.

Billy Tyus, Deputy City Manager, corrected Mr. Waller's statement that the cost to demolish the site would be \$2 million.

Council Member Walch noted the initial amount for repairs was \$1 million, half of which was already spent within the past two years. He expressed concern on the low requested fund total on the contract. Mr. Waller stated that the \$250,000 requested funds finished the structural repairs only to remove the shoring in place and did not include drainage improvements.

Council Member Walch asked how many shoring jacks would remain after this round of repairs. Mr. Waller stated the goal was to remove all of the shoring jacks. Council Member Walch stated that the additional funds did not address drainage repair to the structure and believed the timeline was unrealistic. Council Member Walch then asked Mr. Waller if he considered this Council to be passing the buck. Mr. Waller stated that he considered the additional repairs to be an insurance policy, in that Council either spent the funds or risk having to close the garage at a moment's notice.

Council Member Urban asked the outcome if Council decided not to approve the funds for additional repairs. City Manager Gleason stated that the additional funds bought additional time while the City addressed the long-term solution for Downtown Bloomington. He stressed that the Market Street Garage was the highest used garage in Downtown, especially for the Downtown Businesses.

Council Member Montney asked if the initial amount requested at the beginning of the project would have provided improvements beyond structural integrity. Mr. Waller responded affirmatively.

Council Member Becker agreed that the improvements were needed to buy the City time to make a final determination of the outcome of that property. He further expressed his belief that the concerns stated by Mr. Waller were justified.

Mayor Pro Tem Boelen expressed her belief that the structure should have been fixed years ago, and that a new structure should be put in its place. She recommended adding it to the agenda for the retreat to finally address the issue.

Council Member Urban expressed her belief that past Councils passed the buck with this project and stated that she should vote against the Item as she believed Council should finally address the structure.

Council Member Crumpler made a motion, seconded by Council Member Emig, that the Contract be approved.

Mayor Pro Tem Boelen directed the clerk to call roll:

AYES: Montney, Emig, Becker, Crumpler

NAYES: Walch, Urban, Ward

Motion carried.

Regular Agenda

The following item was presented:

Item 8.A. Consideration and action on a Resolution Clarifying the Fees for the Agreements with PFM Asset Management and Busey Wealth Management for Investment Advisory Services, as requested by the Finance Department.

Scott Rathbun, Finance Director, provided an investment advisor update. He reported that the City had excess cash through the recently closed bonds and American Rescue Plan Act (“ARPA”) funds. He explained that the Resolution would remove the \$1 million cap on the amount of funds that could be invested to allow growth. He compared the Busy Year-to-Date totals to the Illinois Funds Yield. Mr. Rathbun provided a high-level review of where the City’s funds are invested with both Busey Wealth Management and PFM Asset Management.

Council Member Emig asked why the annual fees were initially limited. Mr. Rathbun stated that the limited fee cap was an initial conservative approach.

Mayor Pro Tem Boelen supported the Item and commented to the expertise of the financial advisors.

Council Member Montney made a motion, seconded by Council Member Crumpler, to approve the proposed Resolution as presented.

Mayor Pro Tem Boelen directed the clerk to call the roll:

AYES: Walch, Montney, Emig, Becker, Urban, Ward, Crumpler

Motion carried.

The following item was presented:

Item 8.B. Consideration and action on an Ordinance Approving a Temporary Parking Debt Amnesty Program, as requested by the Finance Department.

City Manager Gleason explained that the proposal provided a 30-day window to provide parking amnesty, with half of the proceeds collected from those behind on fees used to provide backpacks for District 87 for the Back-to-School program.

Mr. Rathbun explained the process to collect the high-volume, low-cost parking tickets. He explained that other municipalities successfully used the State's Local Debt Recovery Program ("IDROP") to augment collection efforts on this type of debt. He stated that there were 7,000 citations, which equated to approximately \$284,000, that were 90 days past due. He noted that \$220,000 were fined over the past 2 years, and that a majority of total due was actually collection fees. He explained the difficulty in collecting the debt as it aged. Mr. Rathbun listed the parameters and details which included the following: (1) Eligible Parking Citation Debt: Debt that is 90 days past due; (2) Debt Forgiveness: 50% of eligible debt; (3) Program Effective Dates: July 15 to August 15, 2022; (4) Payment Process: payments must be paid by calling or visiting the City Customer Service Hub; and (5) Per Citation Financials: The City would retain about \$4 of the original \$10 citation amount after donating \$2 to the Back 2 School Alliance. He explained that the Back 2 School Alliance's goal was to help students get off to a good start when school began as 1 in 3 students in Bloomington-Normal qualified for reduced lunches.

Council Member Becker asked that if the City went through with collections, what percentage would the City receive out of the \$10 citation. Mr. Rathbun stated through the current collections firm, the City only received 25% of the funds. Council Member Becker stated that while he wanted to hold individuals accountable, the IDROP program would increase the funds the City received by 15% and help students in need.

Council Member Ward asked if there was data of income levels compared with outstanding citations. Mr. Rathbun stated that staff had no data on that.

Council Member Emig supported the Item and was interested in a cost analysis after a month of the IDROP program.

Council Member Montney confirmed with Mr. Rathbun that 53 individuals owed 60% of the total delinquent amount. She then asked what the delinquency rate was and the trend over time. Mr. Rathbun stated he did not have those statistics at hand.

Council Member Walch confirmed with Mr. Rathbun that all of the 53 individuals had multiple citations. Council Member Walch asked how the Amnesty Program would be advertised and the cost. Mr. Rathbun stated that staff would utilize all social media and Council Meetings with no direct costs to advertise.

Council Member Walch asked for more information on the additional fees associated to a late payment. Mr. Rathbun stated that the initial cost for the citation was \$10 with an initial \$5 late fee after which, if still unpaid, there was an additional \$10 late fee, and a collection fee for the collection firm of \$13. Council Member Walch reiterated that out of a \$38 ticket, the City only received about \$4 with the current program.

Council Member Emig made a motion, seconded by Council Member Urban to extend the Council discussion time by 10 minutes.

Mayor Pro Tem Boelen directed the clerk to call roll:

AYES: Walch, Montney, Emig, Becker, Urban, Ward, Crumpler

Motion carried.

Council Member Montney asked if there was a way to honor staff's recommendation but target the individuals with repeated parking violations. Mr. Rathbun stated that Council could amend the eligibility to those who owe less than a certain dollar amount.

Council Member Crumpler and Mr. Rathbun discussed the staff's intent of the Amnesty Program as a one-time program before the launch of the IDROP program with the potential to offer it once a year. Council Member Crumpler then asked if the recovered \$4 of the original \$10 citation fee would offset the program cost of administering the Amnesty Program. Mr. Rathbun stated there should not be additional expenses since the Amnesty Program would be handled by staff. Council Member Crumpler and Mr. Rathbun then discussed if the Amnesty Program sent a message of a lack of accountability and how the IDROP program reduced the message.

Mayor Pro Tem Boelen asked about the success rate of the Amnesty Program in Decatur. Mr. Rathbun stated that Decatur staff were disappointed in the results since they anticipated a higher revenue result.

Council Member Montney asked why stronger measures had not been taken to enforce the City Ordinance on parking. Russ Walker, Facilities Director, explained the difficult process to identify violators. He believed that the City should have a stronger enforcement for frequent violators but expressed concern with City staff placing a boot on a vehicle. He then explained the lengthy process to tow a vehicle. Jeff Jurgens, Corporation Counsel, stated that there was no enforcement for years but that this program was the start of enforcement. Mr. Jurgens stated that staff could research additional alternatives.

Mayor Pro Tem Boelen and Mr. Jurgens discussed motion procedures.

Council Member Emig made a motion to limit the debt forgiveness to in the Amnesty Program to individuals who owed less than \$1,000.

Council Member Montney did not support Council Member Emig's suggestion and believed that due to Council discussion, additional consideration would be needed.

Council Member Emig withdrew her motion.

Mayor Pro Tem Boelen directed staff to re-work the Amnesty Program and return it to Council.

The following item was presented:

Item 8.C. Consideration and action to approve the Local 362 Inspectors Labor Contract, as requested by the Human Resources Department.

City Manager Gleason discussed the Collective Bargaining Agreement. He stated the 3% increases to be effective annually on May 1 from 2022 to 2024. He added that the approach was to add additional steps early on in careers in attempt to raise new employees to a higher level, which was a trend in the employment market. He recognized Ronny Paul, Laborers International Representative, for his work with the negotiations. He then recognized City staff members Tony Brown, Joseph Fowler, Gale Price, and Carl Fervor, who participated on the negotiations team for the Inspectors Team.

Mayor Pro Tem Boelen asked for clarification on sick leave buy back. City Manager Gleason stated that sick leave buy back was addressed in previous contracts.

Council Member Ward made a motion, seconded by Council Member Emig, to approve the Contract as presented.

Mayor Pro Tem Boelen directed the clerk to call roll:

AYES: Walch, Montney, Emig, Becker, Urban, Ward, Crumpler

Motion carried.

Item 8.D. Consideration and action to approve the Local 362 Support Staff Contract, as requested by the Human Resources Department.

City Manager Gleason discussed the Collective Bargaining Agreement in that similar longevity steps with 3% increases were to be effective annually on May 1 from 2022 to 2024. He then recognized City staff members Kim Gibbins, Doug Lancaster, and Anastasia Shawback, the new Union Steward, who participated on the negotiations team for the Support Staff.

Council Member Ward made a motion, seconded by Council Member Montney to approve the Contract as presented.

Mayor Pro Tem Boelen directed the clerk to call roll:

AYES: Walch, Montney, Emig, Becker, Urban, Ward, Crumpler

Motion: carried.

The following item was presented:

Item 8.E. Presentation of Redistricting Map Options proposed by staff and residents, as requested by the City Clerk Department, and the Administration Department.

Deputy City Manager Tyus explained that there was a shift of population during the recent Census count which left Ward 7 and Ward 8 out of population compliance for statutory requirements. He reported that Ward 7 had 7,711 residents where Ward 8 had 10,973. He stated that it was the City's goal to have each Ward's population approximately 8,700, which drove the need for redistricting. He explained that staff prepared four map options and had received one map submission from a resident for Council consideration. He noted a more in-depth conversation would be had at the upcoming Committee of the Whole. He recognized Leslie Yocum, City Clerk, and Troy Olsen, City Engineer, for their work.

Mrs. Yocum presented the four staff maps with none of them containing more than a 4% population deviation. The first staff map, titled *Proposed Ward Redistricting Plan 1 (Minimal Moves)*, met all statutes with minimal changes and ranked 4th among staff. The second staff map, titled *Proposed Ward Redistricting Plan 2*, was ranked 1st among staff for compaction and population deviation which also considered future growth. The third staff map, titled *Proposed Ward Redistricting Plan 3*, was ranked 3rd among staff for compaction and population deviation and was very similar to Plan 2 with the exception of a small change in the southern portion of the City. The fourth staff map, titled *Proposed Ward Redistricting Plan 4*, was ranked 2nd among staff for compaction and population deviation and utilized Wards 3,5 and 9 in a different manor. Mrs. Yocum recognized the resident who submitted a plan and noted that it met all of the statutory requirements.

City Manager's Discussion

City Manager Gleason discussed upcoming Downtown events including multiple music events in Downtown and in City parks. He added that Bloomington 101 had returned. He concluded with information on two organizations that were accepting donations for the victims of the July 4, 2022, Highland Park shooting.

Mayor's Discussion

Mayor Pro Tem Boelen discussed her experience with the 4th of July Holiday Spectacular and encouraged residents to attend next year.

Council Member's Discussion

Council Member Urban stated that the West Bloomington Revitalization Project ("WBRP") would host their annual West Fest celebration on July 23, 2022. She stated that it celebrated Westside businesses.

Council Member Walch reported that the Illinois Department of Transportation ("IDOT") would host a presentation on the Route 9 improvements at Bloomington Junior High School on July 13, 2022.

Council Member Emig recognized the new public art mural at Miller Park.

Council Member Becker thanked the residents for their well thought-out comments and involvement in public comment.

Executive Session

No Executive Session was held.

Adjournment

Council Member Urban made a motion, seconded by Council Member Becker, to adjourn.

Mayor Pro Tem Boelen directed the Clerk to call the roll:

Motion carried (viva voce).

The meeting adjourned at 7:58 p.m.

CITY OF BLOOMINGTON

Donna Boelen

Donna Boelen, Mayor Pro Tem

ATTEST

Amanda Stutsman

Amanda Stutsman, Deputy City Clerk

