CITY OF Bloomington ILLINOIS

MINUTES
REGULAR SESSION CITY COUNCIL MEETING
MONDAY, JUNE 28, 2021, 6:00 P.M.

This meeting was conducted under Governor Pritzker's Executive Order 2020-07 §6, which was reissued and extended by Executive Order 2021-05. The Order, implemented in response to COVID-19, suspended in-person attendance under the Open Meeting Act, 5 ILCS 120.

The City Council convened in regular session virtually via Zoom conferencing with City Manager, Tim Gleason, and City Clerk, Leslie Yocum, in-person in City Hall's Council Chambers at 6:00 p.m., Monday, June 28, 2021. The meeting was called to order by Mayor Mboka Mwilambwe.

Roll Call

Attendee Name	Title	Status	Arrived
Mboka Mwilambwe	Mayor	Remote	
Jamie Mathy	Council Member, Ward 1	Remote	
Donna Boelen	Council Member, Ward 2	Remote	
Sheila Montney	Council Member, Ward 3	Remote	
Julie Emig	Council Member, Ward 4	Remote	
Nick Becker	Council Member, Ward 5	Remote	
Jennifer Jazmin Carrillo	Council Member, Ward 6	Late	6:02 PM
Mollie Ward	Council Member, Ward 7	Remote	
Jeff Crabill	Council Member, Ward 8	Remote	
Tom Crumpler	Council Member, Ward 9	Remote	

COVID-19 Update by City Manager

City Manager Tim Gleason informed Council that Cassy Taylor, Interim McLean County Administrator, had reported 16 new cases of COVID-19. He stated that the County was 47% vaccinated, which placed it in the top 10 Illinois counties for highest vaccination rates. He remarked that the high vaccination rate could aid in the fight against the COVID-19 delta variant and reminded the community of the vaccination clinic at Grossinger Motors Arena.

Council Member Carrillo arrived at 6:02 p.m.

Recognition/Appointments

A. Recognition of Appointments to Various Boards & Commissions

Leslie Yocum, City Clerk, recognized the appointment of the following individuals to the John M. Scott Health Care Commission: (1) Catherine Crockett; (2) Elaine Hardy; (3) Adam Houghton; (4) Karen Schmidt; (5) Brad Secord; and (6) Kyana Wilkinson. Joni Painter was then recognized for appointment to the Citizens' Beautification Committee. Mrs. Yocum recognized the following for re-appointment: (1) Jennifer Brown, Technology Commission; (2) Robert Davis, Technology Commission; and (3) Rickielee Benecke, Transportation Commission.

Public Comment

Mayor Mwilambwe read a statement of procedure for public comment. Scott Stimeling and Noah Tang spoke in-person. William Klingman and Dustin Frisch had submitted emailed public comment prior to the meeting and Lea Cline provided virtual public comment. Both Luisa Gomez and Krystle Able had registered to speak but were not present in the meeting.

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.

Leslie Yocum, City Clerk, explained that Ordinance associated with Item 8.I., at the request of Council Member Ward, had been amended to include additional language mimicking the proposed plan (Exhibit B for Item 8.I.). She reported that the amended Ordinance had been provided to Council before the meeting and requested that the Consent Agenda be approved as presented to include the amended Ordinance for Item 8.I.

Council Member Carrillo made a motion, seconded by Council Member Boelen, that the Consent Agenda, including all items listed below, be approved as presented with the addition of the amended Ordinance for Item 8.I. and with the exception of Item 8.F.

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

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

Motion carried.

Item 8.A. Consideration and action to approve the Minutes of the May 24, 2021 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 $10,762,344.71, as requested by the Finance Department. *(Recommended Motion: The proposed Bills and Payroll be approved.)*

Item 8.C. Consideration and action to approve an Appointment to Boards & Commissions, as requested by the Administration Department. *(Recommended Motion: The proposed Appointment be approved.)*

Item 8.D. Consideration and action to approve the Purchase of one (1) Komatsu WA200-8 Wheel Loader from Roland Machinery of Peoria, Illinois, using the Sourcewell Contract (# 032119-KOM, exp 5/13/23), in the amount of $176,707, and Trade-in a 2007 Komatsu WA200PT-5, as requested by the Public Works Department. *(Recommended Motion: The proposed Purchase and Trade-in be approved.)*

Item 8.E. Consideration and action to approve an Intergovernmental Master Agreement with the Illinois Department of Transportation for the period beginning July 1, 2021, and ending June 30, 2031, for Maintenance of Traffic Control Devices, as requested by the Public Works Department. *(Recommended Motion: The proposed Agreement be approved.)*

Item 8.F. was pulled from the Consent Agenda by Council Member Carrillo.

Item 8.G. Consideration and action on a Resolution Authorizing the Filing of the 2021 Annual Action Plan Program Application to the US Department of Housing and Urban Development (MAY 1, 2021 - APRIL 30, 2022), as requested by the Economic & Community Development Department. *(Recommended Motion: The proposed Resolution be approved.)*

Item 8.H. Consideration and action on an Ordinance Approving a Special Use Permit for Chicken-keeping in the R-1B (Single Family Residence) District, for the Property Located at 810 Snyder Drive, as requested by the Economic & Community Development Department. *(Recommended Motion: The proposed Ordinance be approved.)*

Item 8.I. Consideration and action on an Ordinance Approving a Special Use Permit for Vehicle Sales in the M-1 (Restricted Manufacturing) District, for the Property Located at 1321 N. Mason Street, as requested by the Economic & Community Development Department. *(Recommended Motion: The proposed amended Ordinance be approved.)*

Item 8.J. Consideration and action on an Ordinance Approving a Special Use Permit for Vehicle Repair in the B-1 (General Commercial) District, for the Property Located at 1025 Wylie Drive, as requested by the Economic & Community Development Department. *(Recommended Motion: The proposed Ordinance be approved.)*

Item 8.K. Consideration and action on an Ordinance Amending the Liquor Code to Provide for and Regulate Service and Consumption of Alcohol at Special Events on Streets, Sidewalks, or Upon Any Other Public Property, as requested by the City Clerk Department. *(Recommended Motion: The proposed Ordinance be approved.)*

Item 8.L. Consideration and action to approve a Lake Bloomington Lot Transfer and Supplemental Agreement for Lot 7 in Block 29 in Camp Potawatomie, from the Benedict Estate, to the petitioner, Anne Bliss, as requested by the Public Works Department. *(Recommended Motion: The proposed Lot Transfer and Supplemental Agreement be approved.)*

Items Pulled from the Consent Agenda

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

Item 8.F. Consideration and action on a Resolution to Commit to Financial Support and Administration of Funds to Construct the Hamilton Road East-West Connection Project with a 2021 RAISE Transportation Discretionary Grant, as requested by the Public Works Department.

Council Member Carrillo pulled the item to vote against it. She believed that the funds should have been applied to infrastructure and that infrastructure throughout the City was equal. She encouraged Council to vote against the item.

Council Member Mathy stated that the road construction project is located in Ward 1. He expressed support of the item, noting the road will redirect traffic on Lincoln Street revitalizing the business district increasing property values.

Council Member Crabill expressed concern for the project in light of reduced State Farm staffing and extended work from home flexibility.

Council Member Crumpler agreed with Council Member Mathy's comments and reminded Council the project had appeared before Council multiple times.

Council Member Emig asked what would happen if the City didn't receive the 2021 Rebuilding American Infrastructure with Sustainability and Equity ("RAISE") Grant. City Manager Gleason responded that the City would reapply the next year. He then addressed multiple benefits of the project. Council Member Emig reluctantly supported the Item and asked that infrastructure projects in the City's core and Westside be revisited soon.

Council Member Boelen supported the Item stating that Ward 2 doesn't have Connect Transit bus service. She also supported additional commercial and industrial development in Ward 2.

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

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

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

NAYES: Carrillo

Motion carried.

Regular Agenda

The following item was presented:

<u>Item 9.A. Consideration and action on: (1) an Ordinance Repealing Ordinance 2020-18, an Ordinance Declaring a Local Emergency Due to the COVID-19 Virus & Enacting Various Emergency Measures; and (2) an Ordinance Amending Various Chapters of the City Code Regarding Administration, Remote Meetings, Solicitation, Outdoor Dining, Utility Shut Offs and Liquor, as requested by the Legal Department.</u>

City Manager Gleason explained that the City had operated under a Local Emergency Ordinance for several months and, similar to other communities, staff recommended to repeal Ordinance 2020-18. He noted that staff also saw an opportunity to change the City Code to reflect some of the temporary policies more permanently. He asked Jeff Jurgens, Corporation Counsel, to address Council and the community on the proposed changes.

Mr. Jurgens reiterated that Council approved the Local Emergency Ordinance approximately 15 months prior. He explained that most of the Ordinance focused on internal processes, which would allow staff to streamline processes such as Outdoor Dining Permits, address license and payment issues, and general disruption of business. He went on to explain that the State of Illinois had entered Phase 5 of the Reopen Illinois Plan, staff recommended to repeal the Local Emergency Ordinance, and the adoption of the companion Ordinance. Mr. Jurgens explained how the companion Ordinance affected the provisions for local businesses, cleaned up Administration Department location Code language, and gave authority to the City Manager to issue orders for internal operations.

Council Member Mathy asked for insight on the procedures and capabilities for virtual attendance of in-person meetings by a Council Member. He explained the previous procedure and suggested that the Code be updated to allow virtual participation without the formalities of the process pre-COVID unless a Council Member objected. He requested that Mr. Jurgens provide Council with an Ordinance at a future meeting and welcomed other virtual participation procedure suggestions. He then expressed support in the current Item.

Council Member Crabill asked staff to consider the continuation of virtual public comment. He then asked for confirmation on the Item's proposed changes. Mr. Jurgen's explained that if the companion Ordinance was adopted, it would go into effect on July 1, 2021. He explained the changes noting the utility shutoff moratorium would continue through the month of July and allowed the City Manager to approve repayment agreements. He further explained practices that would not change. Council Member Crabill asked the total amount owed in past due utility payments, the average amount owed, and the number of accounts affected. Staff did not have that data but would provide it to Council. Council Member Crabill then expressed support in waiving past due amounts.

Council Member Becker asked for clarification on the procedure to modify the companion Ordinance to include Council Member Mathy's suggestions on virtual attendance. Mr. Jurgens stated it was possible but, that he recommended a separate policy be approved later.

Council Member Ward strongly supported the virtual meeting access for Council and public comment. She also supported consideration of the elimination of past due utility bills.

Council Member Boelen recommended virtual streaming of the Planning Commission.

Mayor Mwilambwe asked for confirmation on approval procedure. Mr. Jurgens recommended the Item be approved with two motions, the first for the repeal of Ordinance 2020-18 and the second to approve the companion Ordinance.

Council Member Ward made a motion, seconded by Council Member Boelen, that the Ordinance repealing Ordinance 2020-18 be approved.

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

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

Motion carried.

Council Member Boelen made a motion, seconded by Council Member Becker, that the Ordinance amending various chapters of the City Code be approved.

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

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

Motion carried.

Finance Director's Report

City Manager Gleason introduced the presentation and stated that the City continued to trend better than projected. He asked Scott Rathbun, Finance Director, to address Council Member Crabill's questions on past due utilities, if possible.

Mr. Rathbun reported 2019 and 2020 pre-COVID statistics for utility shut offs and notices. He stated that the City had 2,300 accounts eligible for shut offs totaling $1.3 million in past due balances. He reported that accounts averaged a delinquency of $500.

Council Member Crabill pointed out repayment of tenant past due accounts fell to the landlord and asked if the $1.3 million owed included past due amounts for landlords and, if forgiven, if it would aid landlords. Mr. Rathbun did not data specific to landlord figures. He confirmed that the $1.3 million included landlord amounts and that if forgiven would benefit landlords.

Council Member Montney asked for additional insight on staff recommendations for blanket forgiveness verses forgiveness considered by staff on a case-by-case basis. Mr. Rathbun responded that staff had not made a recommendation but suggested specific forgiveness guidelines.

Mayor Mwilambwe asked Mr. Rathbun to proceed with his Report.

Mr. Rathbun presented the Fiscal Year ("FY") 2021 financial summary of May 1, 2020 through April 30, 2021. He acknowledged that while local businesses had been affected negatively by COVID, he believed that the community supported the economy through the federal stimulus checks. He presented the FY21 Major Tax Revenue summary, highlighting significant increases in multiple sales taxes, which he contributed to the federal stimulus checks. He noted multiple taxes year to date variance balances. He went on to discuss the FY21 General Fund Revenue and Expenditures by category, highlighting various line items and provided reasons line items were affected. Mr. Rathbun then discussed FY21 highlights of the General Fund to explain how the City reduced expenses and received grant assistance through multiple programs to offset various reductions in revenue. He finished by discussing positive impacts, which included available funding for equipment purchases and Arena rooftop Heating, Ventilation, and Air Conditioning ("HVAC") unit repairs in addition to a $1.2 million projected surplus.

City Manager's Discussion

City Manager Gleason highlighted multiple upcoming events in Downtown Bloomington. He informed the community that Council meetings would resume in-person at the Government Center beginning in July. He updated Council on two recent storm events that had caused immense flooding. He discussed life/safety concerns and various efforts made by the Public Works Department to clean up roads and ensure structural integrity of bridges. City Manager Gleason stated that staff would begin a free special bulk waste pick up to aid the community during cleanup from the storms. He assured Council and the community that staff would continue to assess damages and communicate with other local municipalities and local organizations.

Mayor's Discussion

Mayor Mwilambwe thanked City Manager Gleason for the detailed storm response presentation. He was appreciative that there was no loss of life and thanked Council for their support in waiving fees for the special bulk waste pick up.

Council Member's Discussion

Council Member Mathy thanked Public Works staff for their continued work. He noted that Ward 1 had combined sewer and storm water lines and stressed the importance of revisiting separation of sewer and storm lines. He requested a presentation by August. He ended by commenting on a successful Pridefest event in Downtown.

Council Member Emig echoed appreciation for the responsiveness of Public Works crews and supported a separation of sewer and storm lines presentation. She went on to thank the Prairie Pride Coalition for their contribution to the Pridefest event.

Council Member Becker echoed appreciation to Public Works and Fire staff for their response to the storms. He suggested a central location for information and specific instructions on emergency responses. He then discussed constituent feedback on reducing bulk waste pickups and recommended the City consider alternative methods to reduce expenses.

Council Member Montney echoed appreciation to staff for their response to the storms and noted the willingness of community members to help their neighbors. She requested that the solid waste presentation be pulled from the July 12th Council meeting to allow staff to focus on storm clean up and asked that presentation be viewable online.

Council Member Ward echoed sentiments for emergency work crews and community help. She believed leaf collection systems and similar Public Works systems were important.

Council Member Carrillo echoed appreciation to staff and supported making resources available to aid those struggling.

Council Member Boelen echoed appreciation to staff. She reminded the community to refrain from blowing grass, leaves, and brush into streets as it clogged street drains. She also encouraged additional messaging about solid waste programs.

Council Member Crumpler thanked staff and first responders for their responses to the storm and discussed constituent concerns on the proposed changes to solid waste programs.

Executive Session - Cite Section

Council Member Emig made a motion, seconded by Council Member Ward, to enter into Executive Session.

Leslie Yocum, City Clerk, stated that Council would enter Executive Session pursuant to Section 2 (c)(12) of 5 ILCS 120 to discuss a claims settlement. Mayor Mwilambwe reiterated the reason for entering Executive Session.

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

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

Motion carried.

Council entered Executive Session at 7:33 p.m.

Return to Open Session and Adjourn

Council Member Boelen made a motion, seconded by Council Member Ward, to return to Open Session.

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

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

Motion carried.

Council returned to Open Session at 7:43 p.m.

Council Member Crabill made a motion, seconded by Council Member Boelen, to adjourn.

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

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

Motion carried (viva voce).

Meeting adjourned at 7:43 p.m.

CITY OF BLOOMINGTON | **ATTEST**

Mboka Mwilambwe

Mboka Mwilambwe, Mayor

Amanda Stutesman

Amanda Stutesman, Deputy City Clerk

CITY OF BLOOMINGTON ESTABLISHED 1850