City of Bloomington Illinois

MINUTES
CITY COUNCIL - REGULAR SESSION
MONDAY, JUNE 12, 2023, 6:00 P.M.

The City Council convened in regular session in the Government Center Boardroom at 6:00 p.m. Mayor Mboka Mwilambwe 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	Present
Jenna Kearns	Council Member, Ward 1	Present
Donna Boelen	Council Member, Ward 2	Present
Sheila Montney	Council Member, Ward 3	Present
John Danenberger	Council Member, Ward 4	Present
Nick Becker	Council Member, Ward 5	Present
Cody Hendricks	Council Member, Ward 6	Present
Mollie Ward	Council Member, Ward 7	Present
Kent Lee	Council Member, Ward 8	Absent
Tom Crumpler	Council Member, Ward 9	Present

Recognition/Appointments

The following item was presented:

Item 5.A. Proclamation for International Understanding and World Peace Week, as requested by the Administration Department.

Mayor Mwilambwe presented the Proclamation. A number of representatives from the Friendship Exchange Rotary Club of District 6496 were present to accept the Proclamation.

The following item was presented:

Item 5.B. Recognition of Boards and Commissions Appointments and Reappointments, as requested by the Administration Department.

Leslie Yocum, City Clerk, recognized the following reappointments and appointments: (1) Jerome Kelleher, Building Board of Appeals; (2) Paul Sharnett, Historic Preservation Commission; (3) John Elterich, Historic Preservation Commission; (4) Uma Kailasam Human Relations Commission; (5) Brenda Guest, Japan Sister Cities Committee; (6) Anna Patino, Planning Commission; (7) Lauren Pruter, Transportation Commission; (8) Elicssha Sanders, Transportation Commission; (9) Tim Foley, Zoning Board of Appeals; and (10) Cindy Termuende, Cultural Commission; (11) David Lewis, Planning Commission; and (12) William Peradotti, Planning Commission.

Public Comment

Mayor Mwilambwe read a public comment procedure statement. The following individuals spoke in-person: (1) Andy Kaufmann; (2) Paul Scharnett; (3) Stacey Duracco; (4) Zach Carlson; (5) Mike Raikes; (6) David Loomis; (7) Tom Kirk; (8) Matthew Toczko; (9) Patrick

Hoban; (10) Caleb Martin; (11) Bob Sampson; (12) Gary Lambert; (13) Darlene Weher; (14) Ahmad Manns; (15) Jenee Clark; and Surena Fish. The following emailed public comment: (1) Kurt Hudson; (2) Curt Holland; and (3) Dean Fletcher.

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.

Mrs. Yocum noted corrections to the minutes and requested approval as amended.

Council Member Boelen made a motion, seconded by Council Member Becker, to approve the Consent Agenda as amended with the exception of Item 7.J.

Item 7.A. Consideration and Action to Approve the Minutes of the May 8, 2023, 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 $16,182,747.27, 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 Approve a Change Order with Rush Truck Centers totaling $31,358 with $12,358 for Purchase Order 20210435 and $19,000 for Purchase Order 20210436 for the Purchase of Five Dump Trucks, as requested by the Public Works Department. (Recommended Motion: The proposed Change Order be approved.)

Item 7.E. Consideration and Action to Approve a Change Order to Purchase Order Number #20230006 for the Fiscal Year 2023 Water Meter Installation Program from Ferguson US Holdings Inc., in the Amount of $111,080.42, as requested by the Public Works Department. (Recommended Motion: The proposed Change Order be approved.)

Item 7.F. Consideration and Action to Approve the Purchase of a 2022 Chevrolet 5500 Chassis with a Versalift Model SST40EIH Areal from Versalift, A Time Manufacturing Company, in the Amount of $183,267, as requested by the Public Works Department. (Recommended Motion: The proposed Purchase be approved.)

Item 7.G. Consideration and Action to Approve the Purchase of a 2023 Komatsu WA200-8 Wheel Loader from Roland Machinery, in the Amount of $222,315, as requested by the Public Works Department. (Recommended Motion: The proposed Purchase be approved.)

Item 7.H. Consideration and Action to Approve an Agreement between the City of Bloomington and Cloudpoint Geographics, Inc. for GIS Services (RFQ #2022-25) in the Amount of $221,950, as requested by the Information Technology Department. (Recommended Motion: The proposed Agreement be approved.)

Item 7.I. Consideration and Action to Approve an Amendment to the Contract with Tyler Technologies for Annual Maintenance of the Enterprise Public Safety Suite and the Addition of the Enforcement Mobile Solution in the Amount of $191,897.56, as requested by the Police Department. (Recommended Motion: The proposed Contract Amendment be approved.)

Item 7.J. was pulled from the Consent Agenda by Council Member Kearns.

Mayor Mwilambwe directed the Clerk to call roll:

AYES: Kearns, Boelen, Montney, Danenberger, Becker, Hendricks, Ward, Crumpler

Motion carried.

Items Removed from Consent Agenda

The following item was presented:

Item 7.J. Consideration and Action on an Ordinance Authorizing the Expenditure of the Opioid Settlement Funds in Accordance with the National Opioid Crisis Class Action Lawsuits, as requested by the Legal Department.

Council Member Kearns recognized the Item including discussing funding expected, as well as other benefits of the program.

Deputy City Manager Jeff Jurgens noted that approximately $800,000 would be awarded. He shared examples of software and technologies that had been purchased or were planned to be purchased with the funds to assist in combatting opioid issues in the City. He explained plans for partnering with local service agencies to further improve resources.

Council Member Boelen and Mr. Jurgens discussed how multiple local municipalities received funds including the ability to fund local services.

Council Member Kearns made a motion, seconded by Council Member Hendricks, to approve the Item as presented.

Mayor Mwilambwe directed the Clerk to call roll:

AYES: Kearns, Boelen, Montney, Danenberger, Becker, Hendricks, Ward, Crumpler

Motion carried.

ORDINANCE N0. 2023 – 053
AN ORDINANCE AUTHORIZING THE EXPENDITURE OF THE OPIOID SETTLEMENT FUNDS IN ACCORDANCE WITH THE NATIONAL OPIOID CRISIS CLASS ACTION LAWSUITS

Regular Agenda

The following item was presented:

Item 8.A. Consideration and Action on 1) an Ordinance Amending the Budget Ordinance for the Fiscal Year (FY) Ending April 30, 2024, to Allocate ARPA (American Rescue Plan Act) Funds in the amount of $ 3,089,765, and increasing the FY 2024 General Fund Budget by $7,342,138.66, Water Fund budget by $3,018,962.82, Sanitary Sewer Fund Budget by $2,711,587.42, Storm Water Fund Budget by $2,711,587.42, and, 2) an Ordinance Authorizing a Construction Agreement Between the City of Bloomington and Stark Excavating, Inc., for the Locust Street CSO Elimination and Water Main Replacement Phases 4 & 5 (Bid #2023-36), in the Amount of $8,442,137.66, as requested by the Public Works Department.

City Manager Tim Gleason introduced the Item, provided a brief history, and explained the previous Council's desire to combine Phases of the project to expedite the timeline.

Council Member Danenberger stressed the importance of fulfilling the commitment made to the residents of East Gate Subdivision by the previous Council.

Council Member Danenberger made a motion, seconded by Council Member Montney, to approve the Item as presented with an amendment to increase the Budget

Amendment Ordinance by an additional $2 million and an amendment to the Contract Ordinance awarding the base bid and all three alternate bids for a total of $10.8 million.

Council Member Crumpler confirmed with Council Member Danenberger his intent to allocate the funds to fulfill the entire commitment. The two discussed that the project may not meet the expedited timeline considering the additional work.

Mayor Mwilambwe directed the Clerk to call roll:

AYES: Kearns, Boelen, Montney, Danenberger, Becker, Hendricks, Ward, Crumpler

Motion carried.

ORDINANCE NO. 2023 - 054
AN ORDINANCE AUTHORIZING A CONSTRUCTION AGREEMENT BETWEEN THE CITY OF BLOOMINGTON AND STARK EXCAVATING, INC., FOR THE LOCUST STREET CSO ELIMINATION AND WATER MAIN REPLACEMENT PHASES 4 & 5 (Bid #2023-36), IN THE AMOUNT OF $10,799,316.25

ORDINANCE NO. 2023 - 055
AN ORDINANCE AMENDING THE BUDGET ORDINANCE FOR THE FISCAL YEAR ENDING APRIL 30, 2024

The following item was presented:

<u>Item 8.B. Presentation and Discussion of American Rescue Plan Act (ARPA) Socio-Economic Non-Profit Grant Program Award Recipients and Additional Program Status, as requested by the Administration Department and the Economic & Community Development Department.</u>

City Manager Gleason introduced the Item and recognized Melissa Hon, Economic & Community Development Director, for her and her Department's work on the American Rescue Plan Act ("ARPA") Grant programs.

Ms. Hon provided a brief overview of the ARPA Grant Program to date, as well as staff's efforts to advertise the programs. She listed six Non-Profit Grant Award recipients and discussed the Small Business Rehabilitation Grant. She provided an update on remaining grant funding and shared the number of applications received for the Affordable Housing Grant, as well as the number denied, and that no funds had yet been awarded. She concluded her presentation by noting that the Department of Housing and Urban Development ("HUD") had updated income requirements and that it could expand applicant pools in the future.

Council Member Ward and Ms. Hon discussed the geographic area for eligibility requirements for the Grant programs.

Council Member Boelen expressed her appreciation for residents to be able to age in their homes and that there was assistance to maintain their homes.

The following item was presented:

<u>Item 8.C. Consideration and Action on an Ordinance Approving a Redevelopment Agreement by and between the City of Bloomington, Illinois and 402 E. Washington, LLC, as requested by the Economic & Community Development Department.</u>

City Manager Gleason provided a brief history of the Item and noted no changes from the Item previously presented at the May 22, 2023, Council meeting. He appreciated the community's passion and involvement in discussions of the proposed development. He discussed benefits of the redevelopment, if approved, and noted that Council would have multiple high-dollar items to consider within the first six months of their position.

Council Member Boelen made a motion, seconded by Council Member Becker, to amend Council discussion time by 20 minutes.

Mayor Mwilambwe directed the Clerk to call roll:

AYES: Kearns, Boelen, Montney, Danenberger, Becker, Hendricks, Ward, Crumpler

Motion carried.

Council Member Becker echoed appreciation of the community's passion and explained Council's responsibility to consider all input and determine what made a positive impact.

Council Member Becker made a motion, seconded by Council Member Boelen, to approve the Item as presented.

Council Member Boelen noted the community would benefit from additional education on Tax Increment Finance (TIF) Districts.

Council Member Ward and Mayor Mwilambwe discussed whether an additional staff presentation would be provided.

Council Member Crumpler made a motion, seconded by Council Member Ward, to amend the Motion on the floor to include amending the applicable contract on page five under Item H. to include “the Developer guarantees to pay prevailing wage” and “the City shall develop a plan to provide financial support for the Developer to pay the prevailing wage”.

Council Member Boelen called Point of Order. She stated that part two of the amendment was not germane to the Item.

Mayor Mwilambwe recognized the Point of Order and stated that Council Member Crumpler could make the motion. He then explained parliamentary procedure for considering the motions on the floor.

Council Member Hendricks supported the amendment. He and City Manager Gleason discussed the additional commitment of a $2 million would need to be paid by the City if prevailing wage was required. Deputy City Manager Tyus reported that the Developer had stared that if prevailing wage became required, the project would become unfeasible.

Council Member Montney discussed the opportunity cost of the redevelopment and the amount of taxpayer funds that would be required to fill the gap in prevailing wage. She supported the Item as originally presented.

Council Member Boelen discussed the Prevailing Wage Act as it related to government-sponsored projects versus private developments.

Council Member Ward was excited about the interest in the redevelopment, however, felt compelled that it was not in the best interest of the City as it would not create affordable housing or support a prevailing wage. She was disheartened the Developer would not consider compromising. She expressed interest in standardizing prevailing wage and apprenticeship language in all City development agreements.

Council Member Crumpler described how adding a prevailing wage would enrich the community.

Council Member Kearns discussed how approval of the Item was not a loss of affordable housing and vice versa. She stressed her commitment to affordable housing, and shared that she was pro-development. She and City Manager Gleason then discussed future project labor agreements and concerns.

Council Member Hendricks supported efforts of future agreements and pointed out it would not resolve the issue with current project. He discussed feedback from Ward 6 constituents and shared that he would vote against the Item as currently presented. He acknowledged the need for housing at all levels to address the housing shortage. He expressed interest in additional open communication between the City, Developers, and stakeholders.

Mayor Mwilambwe directed the Clerk to call roll on the Motion to Amend:

AYES: Danenberger, Ward, Crumpler

NAYES: Kearns, Boelen, Montney, Becker, Hendricks

Motion failed.

Mayor Mwilambwe directed the Clerk to call roll on the Original Motion:

AYES: Kearns, Boelen, Montney, Danenberger, Becker

NAYES: Hendricks, Ward, Crumpler

Motion carried.

ORDINANCE NO. 2023 – 052
AN ORDINANCE APPROVING A REDEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF BLOOMINGTON, ILLINOIS AND 402 E. WASHINGTON, LLC

City Manager's Discussion

City Manager Gleason discussed multiple upcoming events in Downtown. He then recognized new Corporation Counsel, Chris Spanos, and briefly described his experience. Mr. Spanos thanked Council and City Manager Gleason for the opportunity and that he looked forward to working with everyone.

Mayor's Discussion

Mayor Mwilambwe welcomed Mr. Spanos. He expressed appreciation for the community's passion and for being able to have healthy discussions. He shared that he was excited to work with local partners in the community on future labor agreements and reiterated his commitment to the process.

Council Member's Discussion

Council Member Hendricks discussed participating in a recent day camp’s Advocacy Day where the 4th, 5th, and 6th graders learned about how to advocate for change in their community. He shared that the group picked an area of passion (green space) and then sought petition signatures in Downtown to pursue their passion. He then presented the petition to the Mayor.

Council Member Crumpler discussed a Memorial event he recently attended that honored the only Revolutionary War soldier to be buried in Bloomington, David Haggart.

Executive Session

No Executive Session was held.

Adjournment

Council Member Boelen made a motion, seconded by Council Member Becker, to adjourn the meeting.

Mayor Mwilambwe directed the Clerk to call roll:

AYES: Kearns, Boelen, Montney, Danenberger, Becker, Hendricks, Ward, Crumpler

Motion carried (viva voce).

The meeting adjourned at 8:09 p.m.

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

CITY OF BLOOMINGTON ESTABLISHED 1850