City of Bloomington Illinois

MINUTES
CITY COUNCIL - REGULAR SESSION
TUESDAY, MAY 28, 2024, 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	Mayor Pro Tem; Council Member, Ward 2	Present
Sheila Montney	Council Member, Ward 3	Present
John Danenberger	Council Member, Ward 4	Absent
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	Present
Tom Crumpler	Council Member, Ward 9	Present

Recognition/Appointments

Item 5.A. Recognition of Lifesaving Award Recipients from the Bloomington Fire and Police Departments, as requested by the Police Department and the Fire Department.

Jeff Jurgens, City Manager, stated multiple Fire and Police staff had saved lives in 2023 and thanked them for their life-saving actions. The following individuals were recognized from the Police Department: (1) Sergeant Kiel Nowers; (2) Officer Samantha Berry; (3) Officer William Shelton; (4) Officer Brent Smallwood; (5) Officer Hunter Clark; (6) Officer Tyler Elson; (7) Kevin Busfield, Public Safety Dispatcher; (8) Rebecca Hall, Public Safety Dispatcher; (9) Sarah Wolf, Public Safety Dispatcher; (10) Nick Newcomb, Public Safety Dispatcher; and (11) Jayce Brame, Public Safety Dispatcher. The following individuals were recognized from the Fire Department: (1) Captain Mike Chaon: (2) Captain Chuck Casagrande; (3) Captain Eric Owens; (4) Bill Farnum, Engineer; (5) Tom Koranek, Engineer; (6) Tony Salvator, EMS Supervisor; (7) Matt Marriam, Firefighter; (8) Trevor Wilson, Firefighter; (9) Tyler Zimmerman, Firefighter; (10) JR Fulcher, Firefighter; (11) Brad Meier, Firefighter; (12) Vern Dickey, Firefighter; (13) Kyle Walder, Firefighter; (14) Eric Davison, Firefighter; and (15) Jay Capodice, Firefighter.

Police Chief Jamal Simington and Deputy Fire Chief Jason Greer explained how staff are trained for emergency situations. They then thanked all emergency response teams for their dedication to others.

Item 5.B. Recognition of Board & Commission Appointments and Reappointments, as requested by the Administration Department.

The Mayor recognized the following appointments and reappointments: (1) Ryan Bertrand and (2) Christopher Cashen to the Special Commission for Safe Communities; (3) Lora Passetti, (4) Catherine Porter, (5) Dr. William Ray, (6) Karen Schmidt, and (7) Bradley Secord to the John M. Scott Health Care Commission; (8) Joni Painter and (9) Gina Lavazza to the Citizens' Beautification Committee; (10) Faisal Rashid to the Cultural Commission; (11) Dawn Peters to the Historic Preservation Commission; (12) Dawn McBride and (13) Steven Campbell to the Japanese Sister City Commission; and (14) Terry Ballantini to the Zoning Board of Appeals.

Public Comment

Mayor Mwilambwe read a public comment statement of procedure. No emailed public comment was received. Surena Fish, Eric Haney, and Dawn Haney spoke in person.

Public Hearings

<u>Item 7.A. Public Hearing on an Annexation Agreement with David Hruska, for the Property Commonly Known as 2440 W. Washington Street, PIN: 20-01-300-004, as requested by the Economic & Community Development Department.</u>

Mayor Mwilambwe opened the Public Hearing at 6:21 P.M.

Kelly Pfeifer, Economic & Community Development Department Assistant Director, described the annexation agreement, public concerns shared at Planning Commission meeting, as well as responses to said concerns.

Mayor Mwilambwe opened the floor for public input. No public input was received.

Mayor Mwilambwe closed the Public Hearing at 6:25 P.M.

<u>Item 7.A. Public Hearing on an Annexation Agreement with Joseph and Carri Scharf, for Property Generally Located South of the Terminus of Carri Drive, Between the Constitution Trail and W. Washington Street, PIN: 20-01-100-031, and the Property Commonly Known as 1803 W. Washington Street, PIN: 21-05-306-002, as requested by the Economic & Community Development Department.</u>

Mayor Mwilambwe opened the Public Hearing at 6:26 P.M.

Kelly Pfeifer, Economic & Community Development Department Assistant Director, described the annexation agreement, public concerns shared at Planning Commission meeting, as well as responses to said concerns.

Mayor Mwilambwe opened the floor for public input. No public input was received.

Mayor Mwilambwe closed the Public Hearing at 6:29 P.M.

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.

Mayor Mwilambwe recognized multiple staff members for their collaborative efforts in executing union agreements.

Council Member Boelen made a motion, seconded by Council Member Crumpler, to approve the Consent Agenda.

Item 8.A. Consideration and Action to Approve the Minutes of the April 22, 2024, Regular City Council Meeting, as requested by the City Clerk Department. (Recommended Motion: The proposed Minutes be approved.)

Item 8.B. Consideration and Action on Approving Bills and Payroll in the Amount of $15,156,835.18, as requested by the Finance Department. (Recommended Motion: The proposed Bills and Payroll be approved.)

Item 8.C. Consideration and Action to Approve the Purchase of Police Uniform Shirts and Pants from Ray O'Herron, Inc., in the Amount Not to Exceed $114,000, as requested by the Police Department. (Recommended Motion: The proposed Purchase be approved.)

Item 8.D. Consideration and Action on the Purchase of New Firefighting Protective Gear from AirOne Equipment, Inc., in the Amount of $92,920, as requested by the Fire Department. (Recommended Motion: The proposed Purchase be approved.)

Item 8.E. Consideration and Action to Approve a Contract for Unit 21 Police Patrol Collective Bargaining Agreement, as requested by the Human Resources Department and the Police Department. (Recommended Motion: The proposed Contract be approved.)

Item 8.F. Consideration and Action to Approve a Contract for IATSE Local 193 Collective Bargaining Agreement, as requested by the Human Resources Department and the Arts & Entertainment Department. (Recommended Motion: The proposed Contract be approved.)

Item 8.G. Consideration and Action to Approve 1) a Motor Fuel Tax (MFT) Resolution for Improvement Under the Illinois Highway Code, and 2) a Local Public Agency General Maintenance Estimate of Maintenance Costs to Allocate State MFT funds for Street Lighting Electrical Energy and Rental Charges through the Fiscal Year 2025 MFT General Maintenance Program, for the Period of May 1, 2024, to April 30, 2025, in the Amount of $500,000, as requested by the Department of Operations & Engineering Services. (Recommended Motion: The proposed Resolution and Estimate be approved.)

RESOLUTION NO. 2024 - 029

BE IT RESOLVED, BY THE COUNCIL OF THE CITY OF BLOOMINGTON ILLINOIS THAT THERE IS HEREBY APPROPRIATED THE SUM OF $500,000 OF MOTOR FUEL TAX FUNDS FOR THE PURPOSE OF MAINTAING STREETS AND HIGHWAYS UNDER THE APPLICABLE PROVISIONS OF ILLINOIS HIGHWAY CODE FROM 05/01/2024 TO 04/30/2025

Item 8.H. Consideration and Action on a Resolution Authorizing the Filing of the 2024 Community Development Block Grant (CDBG) Annual Action Plan Program Application (May 1, 2024 - April 30, 2025), as requested by the Economic & Community Development Department. (Recommended Motion: The proposed Resolution be approved.)

RESOLUTION NO. 2024 - 021

A RESOLUTION AUTHORIZING THE FILING OF THE 2024 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ANNUAL ACTION PLAN PROGRAM APPLICATION (MAY 1, 2024 - APRIL 30, 2025)

Item 8.I. Consideration and Action on a Resolution Approving Fiscal Year 2025 John M. Scott Health Care Trust Category III Grant Awards and Programmatic Agreements, in the Amount of $15,641, as requested by the Economic & Community Development Department. (Recommended Motion: The proposed Resolution be approved.)

RESOLUTION NO. 2024 - 022

A RESOLUTION APPROVING FISCAL YEAR 2025 JOHN M. SCOTT HEALTH CARE TRUST CATEGORY III GRANT AWARDS AND PROGRAMMATIC AGREEMENTS, IN THE AMOUNT OF $15,641

Item 8.J. Consideration and Action on a Resolution Approving a Variance to Chapter 38, Section 123, of the Bloomington City Code to Allow a Permit to be Issued for the Reconstruction of a Driveway at 1902 Wakefield Lane, Bloomington, Illinois, 61704, as requested by the Department of Operations & Engineering Services. (Recommended Motion: The proposed Resolution be approved.)

RESOLUTION NO. 2024 - 023

A RESOLUTION APPROVING A VARIANCE TO CHAPTER 38, SECTION 123, OF THE BLOOMINGTON CITY CODE TO ALLOW A PERMIT TO BE ISSUED FOR THE RECONSTRUCTION OF A DRIVEWAY AT 1902 WAKEFIELD LANE, BLOOMINGTON, ILLINOIS, 61704

Item 8.K. Consideration and Action on a Resolution Approving a Variance to Chapter 38, Section 123, of the Bloomington City Code to Allow a Permit to be Issued for the Reconstruction of a Driveway at 205 S. Lumber Street, Bloomington, Illinois, 61701, as requested by the Department of Operations & Engineering Services. (Recommended Motion: The proposed Resolution be approved.)

RESOLUTION NO. 2024 - 024

A RESOLUTION APPROVING A VARIANCE TO CHAPTER 38, SECTION 123, OF THE BLOOMINGTON CITY CODE TO ALLOW A PERMIT TO BE ISSUED FOR THE RECONSTRUCTION OF A DRIVEWAY AT 205 S. LUMBER STREET, BLOOMINGTON, ILLINOIS, 61701

Item 8.L. Consideration and Action on a Resolution Authorizing a Change Order for Additional Funds to the Original Purchase Order (PO20240117) with the University of Illinois College of Veterinary Medicine for Veterinary Care for the Animal Collection at Miller Park Zoo, in the Amount of $7,570.61, as requested by the Parks & Recreation Department. (Recommended Motion: The proposed Resolution be approved.)

RESOLUTION NO. 2024 - 025

A RESOLUTION AUTHORIZING A CHANGE ORDER FOR ADDITIONAL FUNDS TO THE ORIGINAL PURCHASE ORDER (PO20240117) WITH THE UNIVERSITY OF ILLINOIS COLLEGE OF VETERINARY MEDICINE FOR VETERINARY CARE FOR THE ANIMAL COLLECTION AT MILLER PARK ZOO, IN THE AMOUNT OF $7,570.61

Item 8.M. Consideration and Action on an Ordinance Approving an Amended Preliminary Plan for Wittenberg Woods at Prairie Vista Phase 5, for Property Generally Located at the Northwest Corner of Lutz Road and S. Morris Avenue, Consisting of Approximately 8.587 Acres (Part of Pin: 21-17-451-005), as requested by the Economic & Community Development Department. (Recommended Motion: The proposed Ordinance be approved.)

ORDINANCE NO. 2024 - 037

AN ORDINANCE APPROVING AN AMENDED PRELIMINARY PLAN FOR WITTENBERG WOODS AT PRAIRIE VISTA PHASE 5, FOR PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF LUTZ ROAD AND S. MORRIS AVENUE, CONSISTING OF APPROXIMATELY 8.587 ACRES (PART OF PIN: 21-17-451-005)

Item 8.N. Consideration and Action on an Ordinance Approving the Final Plat of Wittenberg Woods at Prairie Vista Third Addition, as requested by the Department of Operations & Engineering Services. (Recommended Motion: The proposed Ordinance be approved.)

ORDINANCE NO. 2024 - 038

AN ORDINANCE APPROVING THE FINAL PLAT OF WITTENBERG WOODS AT PRAIRIE VISTA THIRD ADDITION

Mayor Mwilambwe directed the Clerk to call roll:

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

Motion carried.

Regular Agenda

The following Item was presented:

Item 9.A. Consideration and Action on a Resolution Authorizing an Annexation Agreement with David Hruska for the Property Commonly Known as 2440 W. Washington Street, PIN: 20-01-300-004, as requested by the Economic & Community Development Department.

Mrs. Pfeifer again described the annexation agreement, public concerns shared at the Planning Commission meeting, as well as responses to said concerns. She then shared the Planning Commission and staff's recommendation to approve.

Council Member Boelen and Mrs. Pfeifer discussed plans for the parcel.

Council Member Ward made a motion, seconded by Council Member Crumpler, to approve the Item as presented.

Council Member Montney expressed concern that the applicant had venue shopped between municipalities. She then asked for additional background. Mrs. Pfeifer explained how the original plan had been submitted to McLean County, but that because of where the parcel is situated and how it would impede on the City's future plan for development of a major intersection, the City had gotten involved. She explained how the City had worked with the applicant to adjust the development compromising to allow the City the rights-of-way and access it would need. She also noted the difference in setback requirements between the City and McLean County.

Mayor Mwilambwe; City Manager, Jeff Jurgens; and Corporation Counsel, Chris Spanos, discussed procedure.

Council Member Crumpler and Mrs. Pfeifer talked through amendments that were made to the original application based on public concerns shared at the Planning Commission including 10' height limits instead of the 20' allowed by Code and the addition of a fence and landscaping to act as a buffer alongside the north neighboring property.

Mayor Mwilambwe directed the Clerk to call roll:

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

Motion carried.

RESOLUTION NO. 2024 - 026

A RESOLUTION AUTHORIZING AN ANNEXATION AGREEMENT WITH DAVID HRUSKA FOR THE PROPERTY COMMONLY KNOWN AS 2440 W. WASHINGTON STREET, PIN: 20-01-300-004

The following Item was presented:

Item 9.B. Consideration and Action on a Resolution Authorizing an Annexation Agreement with Joseph and Carri Scharf, for Property Generally Located South of the Terminus of Carri Drive, Between the Constitution Trail and W. Washington Street, PIN: 20-01-100-031, and the Property Commonly Known as 1803 W. Washington Street, PIN: 21-05-306-002, as requested by the Economic & Community Development Department.

Mrs. Pfeifer again described the annexation agreement and how the annexation would create continuity if the property was annexed into the City with the previous Item.

Council Member Ward 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, Hendricks, Becker, Ward, Lee, Crumpler

Motion carried.

RESOLUTION NO. 2024 - 027

A RESOLUTION AUTHORIZING AN ANNEXATION AGREEMENT WITH JOSEPH AND CARRI SCHARF, FOR PROPERTY GENERALLY LOCATED SOUTH OF THE TERMINUS OF CARRI DRIVE, BETWEEN THE CONSTITUTION TRAIL AND W. WASHINGTON STREET, PIN: 20-01-100-031, AND THE PROPERTY COMMONLY KNOWN AS 1803 W. WASHINGTON STREET, PIN: 21-05-306-002

Item 9.C. (1) Presentation and Discussion of Fiscal Year (FY) 2025 General Resurfacing and Pavement Preservation Programs and the State of the Street and Sidewalk Network; and (2) Consideration and Action on a Resolution Authorizing Waiving the Technical Bidding Requirements and Authorizing City Staff to Negotiate an Agreement with Rowe Construction, A Division of United Contractors Midwest, for the FY 2025, as requested by the Department of Operations & Engineering Services.

City Manager Jurgens highlighted the presentation and noted the importance of establishing a Lead-Lined Service Replacement Program.

Kevin Kothe, Department of Operations and Engineering Services Director and City Engineer, described how staff utilized a rating system to evaluate street replacements noting the majority of streets were rated at a *6 for Good* – or better. He explained the 10-Point rating system for sidewalks as well, noting sidewalks were also rated at a *6 for Good* – or better. He reported that costs per ton of asphalt installed over the past 25 years had increased significantly and then shared many charts on expenditures and allocations to resurface streets and repair sidewalks. He went on to discuss a Sidewalk Project Study in the works to evaluate repairs of sidewalks using in-house staff and presented the Fiscal Year 2025 Street And Sidewalk Programs and their projected schedules.

Council Member Kearns and Mr. Kothe discussed the Sidewalk Master Plan and the need for additional sidewalks to expand connectivity.

Council Member Montney expressed appreciation for the data-based presentation and commended staff for their recent change in trying to address potholes within 48-hours of being reported. She expressed concern with growing vertical displacement issues and recommended implementing a similar response time.

Council Member Ward shared appreciation for staff looking at replacing infrastructure under streets when repaving to reduce expenditures over time and advocated for an updated Sidewalk Master Plan.

Council Member Crumpler and Mr. Kothe discussed how the Rowe contract and how it would allow the City to expedite roadwork in a cost-effective and efficient manner.

Council Member Lee and Mr. Kothe talked through bid processes and how base bids with additive bids can allow flexibility to complete more miles of streets or sidewalks if competitive pricing is received.

Council Member Boelen and Mr. Kothe discussed staff's focus of maintaining streets and sidewalks over adding additional. Mr. Kothe confirmed sidewalks are most often replaced in conjunction with street repairs.

City Manager Jurgens noted that staff had plans to begin drafting a new Sidewalk Master Plan over the summer.

Council Member Ward expressed interest in sidewalk ratings being made public.

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

Mayor Mwilambwe directed the Clerk to call roll:

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

Motion carried.

RESOLUTION NO. 2024 - 028

A RESOLUTION AUTHORIZING WAIVING THE TECHNICAL BIDDING REQUIREMENTS AND AUTHORIZING CITY STAFF TO NEGOTIATE AN AGREEMENT WITH ROWE CONSTRUCTION, A DIVISION OF UNITED CONTRACTORS MIDWEST, FOR THE FY 2025

Finance Director's Report

Scott Rathbun, Finance Director, noted the amounts budgeted for street and sidewalk repairs. He presented the Fiscal Year ("FY") Financial Summary as of April 2024 and highlighted various revenues, compared them to last year's figures, and then discussed year-to-date figures and encumbrances. He noted changes made to a few line items for FY 2025 and briefly discussed FY 2024 major tax revenues, General Fund Revenues and Expenditures, and Enterprise Funds. He explained that the removal of the grocery tax by the State would decrease City revenue by approximately $700,000. He concluded his presentation by noting where the community could locate the City's budget materials.

Mayor Mwilambwe left the meeting at 7:38 P.M. due to a family commitment and turned the meeting over to Mayor Pro Tem, Donna Boelen.

City Manager's Discussion

City Manager Jurgens highlighted the completion of G.E. Road roadwork. He provided an update on a coalition of 16 organizations throughout the community that had come together to work on addressing homelessness. He then reported on O'Neil Aquatics Center's inaugural weekend and discussed upcoming Downtown events.

City Manager Jurgens and Mr. Rathbun ended by providing an update on the Leak Line Protection Program through Serveline, the City's third-party insurance provider.

Mayor's Discussion

Mayor Pro Tem Boelen started to make a comment she believed Mayor Mwilambwe had wanted to share, but then withdrew her comments.

Council Member's Discussion

No Council Member comments were given.

Executive Session

Item 14.A. Section 2(c)(21) of 5 ILCS 120 Review of Closed Session Minutes

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

Mayor Mwilambwe directed the Clerk to call roll:

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

Motion carried.

Council entered into Executive Session at 7:49 P.M.

Adjournment

Council Member Crumpler made a motion, seconded by Council Member Hendricks, to return to open session and adjourn the meeting.

Mayor Mwilambwe directed the Clerk to call roll:

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

Motion carried.

The meeting adjourned at 8:28 P.M.

CITY OF BLOOMINGTON

Mboka Mwilambwe

Mboka Mwilambwe, Mayor

ATTEST

Amanda Stutsman

Amanda Stutsman, Deputy City Clerk

CITY OF BLOOMINGTON ESTABLISHED 1850