MINUTES
REGULAR SESSION CITY COUNCIL MEETING
TUESDAY, MAY 26, 2020, 6:00 P.M.

This meeting was conducted under Governor Pritzker's Executive Order 2020-07, Section 6 implemented in response to COVID-19, which suspended in-person attendance under the Open Meeting Act, 5 ILCS 120.

The City Council convened in Regular Session both in-person in City Hall's Council Chambers and virtually via zoom conferencing at 6:00 p.m., Tuesday, May 26, 2020. The meeting was called to order by Mayor Tari Renner.

Roll Call

Attendee Name	Title	Status	Arrived
Tari Renner	Mayor	Remote	
Jamie Mathy	Ward 1	Remote	
Donna Boelen	Ward 2	Remote	
Mboka Mwilambwe	Ward 3	Remote	
Julie Emig	Ward 4	Remote	
Joni Painter	Ward 5	Remote	
Jennifer Jazmin Carrillo	Ward 6	Remote	
Scott Black	Ward 7	Remote	
Jeff Crabill	Ward 8	Remote	
Kim Bray	Ward 9	Remote	

COVID-19 Update by City Manager

Tim Gleason, City Manager, provided a COVID-19 update.

Recognition/Appointments

A. Proclamation recognizing June 5, 2020 as National Gun Violence Awareness Day

Mayor Renner asked Leslie Yocum, City Clerk, to read the Proclamation for National Gun Violence Awareness Day. Mrs. Yocum presented the Proclamation.

Public Comment

Mayor Renner opened the meeting for public comment. Mrs. Yocum stated that no one had registered to speak live. Mrs. Yocum then read a list of individuals who had emailed public comment: (1) Rachel Shively; (2) Matt Toczko; (3) Kelsey Harms; (4) Radiance Campbell; (5) Sonny Garcia; (6) Aaron Stine; (7) Joyce Kaye; (8) Kate Brunk; (9) Peter Kramer; (10) Christopher Hanies; (11) Carolyn Bartolone; (12) Derek Lough; and (13) Eddie Breitweiser.

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 Bray made a motion, seconded by Council Member Emig, that the Consent Agenda, including all items listed below except Item 8.H., be approved.

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

AYES: Mathy, Boelen, Mwilambwe, Emig, Painter, Carrillo, Black, Crabill, Bray

Motion carried.

Item 8.A. Consideration and action to approve Bills and Payroll in the amount of $9,963,159.70, as requested by the Finance Department. *(Recommended Motion: The proposed Bills and Payroll be approved.)*

Item 8.B. Consideration and action to approve Robert Castillo to the Historic Preservation Commission, as requested by the Administration Department. *(Recommended Motion: The proposed Appointment be approved.)*

Item 8.C. Consideration and action to reject the Bid for the Police 2020 or Newer 8,500 lb GVWR 8 Seat Passenger Van Purchase (Bid #2020-53) so that the purchase can be made using the State of Illinois contract at a lower cost, as requested by the Public Works Department and the Police Department. *(Recommended Motion: The proposed Bid Rejection be approved.)*

Item 8.D. Consideration and action to reject all Bids for the Parks, Recreation & Cultural Arts 2021 or Newer 14 Passenger Buses (2 buses) Purchase (Bid #2020-26) so that the purchase can be reconsidered during the Fiscal Year 2022 budget preparation, as requested by the Procurement Department and the Parks, Recreation and Cultural Arts Department. *(Recommended Motion: The proposed Bid Rejections be approved.)*

Item 8.E. Consideration and action to approve an Agreement with Hoerr Construction, Inc., for the Fiscal Year 2021 Closed Circuit Television (CCTV) Sewer Inspection Program (Bid #2020-57), in the amount of $1,856,115.63, as requested by the Public Works Department. *(Recommended Motion: The proposed Agreement be approved.)*

Item 8.F. Consideration and action to approve a Temporary Construction Easement Agreement with Ameren Illinois for work being performed as part of the Lutz Road Improvement Project, as requested by the Public Works Department. *(Recommended Motion: The proposed Agreement be approved.)*

Item 8.G. Consideration and action to grant Settlement Authority to the City Manager, in the amount of $55,000, to resolve a claim by Lisa Gilmore, as requested by the Legal Department. *(Recommended Motion: The proposed Settlement Authority be approved.)*

Item 8.H. was removed from the Consent Agenda by Council Member Black.

Item 8.I. Consideration and action on an Ordinance Amending the Budget Ordinance for the Fiscal Year Ending April 30, 2021, and to approve a Contract with Stark Excavating Inc. in the amount of $57,854.00 for the FY2021 construction of the Wittenberg Woods Park Trail (Bid #2021-02), as requested by the Parks, Recreation and Cultural Arts Department. *(Recommended Motion: The proposed Ordinance and Contract be approved.)*

Item 8.J. Consideration and action on an Ordinance Amending the Budget Ordinance for the Fiscal Year Ending April 30, 2021, and to approve the Purchase of one (1) 2020 SMT Trailer Mounted Attenuator, for the Street Maintenance Division of the Public Works Department, from Energy Absorption System of Chicago, Illinois (Bid #2020-59), in the amount of $19,995, as requested by the Public Works Department. *(Recommended Motion: The proposed Ordinance and Purchase be approved.)*

Item 8.K. Consideration and action on an Ordinance Amending the Budget Ordinance for the Fiscal Year Ending April 30, 2021, and to approve the Purchase of one (1) 2020 Ford Transit Van from Landmark Ford, Inc. in the amount of $35,925, for use by the SWAT Team of the Police Department, from the State of Illinois Contract (#19-416CMS-BOSS4-P-3636, exp. 12/19/2020), as requested by the Public Works Department and the Police Department. *(Recommended Motion: The proposed Ordinance and Purchase be approved.)*

Item 8.L. Consideration and action to approve an Ordinance Amending the Budget Ordinance for the Fiscal Year Ending April 30, 2021 and to approve the purchase of two (2) 2020 Ford Ranger pickup trucks, for use by the Community Development Department, from Bob Ridings Ford of Taylorville, Illinois (Bid #2020-55), in the amount of $26,495 per unit for a total of $52,990, as requested by the Public Works Department and the Community Development Department. *(Recommended Motion: The proposed Ordinance and Purchase be approved.)*

Item 8.M. Consideration and action on an Ordinance Amending Chapter 41 of the Bloomington City Code to Prohibit the Sale of Tobacco Products, Electronic Cigarettes, and Alternative Nicotine Products to Persons under 21 Years of Age and Also Prohibiting the Purchase of Tobacco Products, Electronic Cigarettes, and Alternative Nicotine Products by Persons under 21 Years of Age, as requested by the Legal Department. *(Recommended Motion: The proposed Ordinance be approved.)*

Item 8.N. Consideration and action on an Ordinance Approving the Final Plat of Hawthorne Commercial Subdivision 15th Addition, as requested by the Public Works Department. *(Recommended Motion: The proposed Ordinance be approved, subject to the petitioner providing the required sureties.)*

Items Removed from the Consent Agenda

Item 8.H. Consideration and action on a Resolution Approving the FY21 John M. Scott Health Care Grant Awards and Programmatic Agreements, in the amount of $658,450, as requested by the Community Development Department.

Council Members Black, Mathy, and Crabill recused themselves at 6:09 p.m. Council Member Black was an active Board Member of the West Bloomington Revitalization Project, Council Member Mathy was an active Board Member of the Community Healthcare Clinic, and Council Member Crabill was an active Board Member of the Heartland Head Start, all three organizations were recipients of the CDBG Grant.

Council Member Bray made a motion, seconded by Council Member Carrillo, that the proposed Resolution be approved.

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

AYES: Boelen, Mwilambwe, Emig, Painter, Carrillo, Bray

RECUSED: Mathy, Black, Crabill

Motion carried.

Council Members Mathy, Black, and Crabill returned at 6:11 p.m.

Public Hearing

A. Public Hearing for the 2020-2024 Consolidated Plan and 2020 Annual Action Plan and consideration of authorizing submittal of the 2020-2024 Consolidated Plan and 2020 Annual Action Plan to the US Department of Housing and Urban Development, as requested by the Community Development Department.

Mayor Renner opened the Public Hearing at 6:11 p.m.

Council Member Black recused himself at 6:12 p.m. as he is a Board Member on the West Bloomington Revitalization Project, who was a recipient of the CDBG Grant.

Jennifer Toney, Grant Coordinator, addressed Council. She presented the pre-COVID-19 2020-2024 Consolidated Plan Timeline with post-COVID-19 updates and reminded Council it was a five-year plan that would be submitted to Housing and Urban Development (HUD). She discussed planned activities, new projects, and introduced a new job development-focused public service program called “Dreams Are Possible.”

Mrs. Toney stated the CDBG (Community Development Block Grant) received COVID-19 funding through the CARES Act. She explained that the CARES Act was a formula-based grant where funds were allocated based on HUD's determinations. She went on to compare normal funding verses COVID-19 funding, their restrictions, and their allowed regulatory flexibilities applicable to Program Year 2020 and CDBG COVID-19 funding. She explained any funds not used by September 30, 2022 would be returned to the federal government. She discussed the Direct Aid to Residents program, the Business Support program, and the needs that had arisen through community surveys. She mentioned participation in the Shelter Assistance Coalition, their coordinated community response approach during COVID-19, and their plan to address the duplication of services in accordance with the Stanford Act. Mrs. Toney went on to discuss developments of the Business Support Program and concluded by reminding Council that the situation surrounding COVID-19 is ever-changing and may need to be changed in the future.

Council Member Mathy expressed interest in funding a down payment assistance program for first time home buyers to help break the cycle of poverty. Mrs. Toney stated that had been discussed previously, but that down payment assistance is considered a public service and under normal conditions, those funds were capped at 15%. She went on to explain that in order to fund such a program, the City would have to fund it from a different program. Mrs. Toney pointed out that the Illinois Housing Development Authority (IHDA) had an amazing down payment assistance program and went on to explain individuals eligible for CDBG funds would also be eligible for the IHDA first time home buyer program. She suggested instead of creating a local program, that the City update the City website to direct traffic to IHDA's website.

Council Member Carrillo asked for a comparison of recurring recipients and new recipients within the 5-year plan. Mrs. Toney responded that approximately six new partners had been added. Council Member Carrillo moved on to ask the rationale behind the amount of funds allocated between the two COVID-19 programs. Mrs. Toney stated that the proposed amounts allowed CDBG funds to have the most impact in the community, supporting both local businesses and residents. Council Member Carrillo asked whether the fund amounts proposed were permanent or if they could be adjusted between the programs in the future. Mrs. Toney stated that the funds could be transferred between the two programs up to a certain amount and explained the procedures necessary if an extensive amendment was needed. Council Member Carrillo clarified terminology with Mrs. Toney and asked if mobile homes could be considered in CDBG programs. Mrs. Toney responded that the mobile home lot rent could be included. Council Member Carrillo asked if undocumented individuals could receive CDBG funds. Mrs. Toney stated that unfortunately, they could not. Council Member Carrillo asked who would administer the CDBG COVID-19 funds. Mrs. Toney stated that HUD recommended in-house administration. Council Member Carrillo expressed concerns with payments being made to providers of service over payments to individuals. Mrs. Toney stated that HUD required funds to be paid directly to service providers.

Council Member Mwilambwe asked if the goal of the business assistance program was for businesses to hire and maintain employees, and then asked about ensuring business development. Mrs. Toney stated that job creation and retention could be used as an indicator for economic development. Council Member Mwilambwe asked questions regarding on the job training. Mrs. Toney explained that an on the job training program was being finalized and that official guidelines had not yet been provided by HUD.

Mayor Renner called the question at 6:45 p.m. as the discussion was over the allotted time.

Council Member Mwilambwe motioned, seconded by Council Member Emig, to extend the discussion time by 10 minutes.

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

AYES: Mathy, Boelen, Mwilambwe, Emig, Painter, Carrillo, Black, Crabill, Bray

Motion carried.

Council Member Crabill confirmed the process for awarding payments and managing projects. Mrs. Toney responded detailing the process. Council Member Crabill asked the number of residences that would be rehabilitated in the upcoming 5-year plan. Mrs. Toney stated that approximately 25-30 residences, approximately 5-6 per year. Council Member Crabill asked specific processing questions for renters. Mrs. Toney explained that staff would be finalizing internal processes to address potential concerns. Council Member Crabill asked about the timeline for funding to begin. Mrs. Toney stated that it could begin as early as June 15, 2020. Council Member Crabill also asked about training and guidelines for staff during review. Mrs. Toney responded accordingly.

Council Member Boelen stated that she believed there were already multiple programs available that could assist businesses in training and development.

Council Member Emig asked for standard procedures on how funds were awarded for non-COVID projects. Mrs. Toney responded by providing an overview of the process.

Mayor Renner opened the Public Hearing for public comment and the following individuals spoke after being sworn in: (1) Father Doug Hennesy; (2) Louis Goseland; (3) Joyce Kaye; (4) Don Carlson; (5) Christina Deutsch; and (6) Cecelia Long.

Mrs. Yocum explained that Derek Lough had also registered to speak but was not present in the meeting.

Mayor Renner closed the Public Hearing at 7:07 p.m.

Council Member Black returned to the meeting at 7:07 p.m.

B. Public Hearing on a Petition submitted by Eastview Christian Church requesting the vacation of the north/south alley adjacent to 401 W. Union Street, as requested by the Community Development Department and the Public Works Department.

Council Member Mwilambwe recused himself at 7:08 p.m. as he is a member of Eastview Christian Church.

Mayor Renner opened the Public Hearing at 7:09 p.m.

Kevin Kothe, Public Works Director, addressed Council. He gave a brief overview explaining the proposed vacation and how it would be used as an expansion of Eastview Christian Church's (Eastview) parking lot. He then explained that the City maintained the alley in question, and that if vacated, the responsibility of maintenance would move to Eastview.

Council Member Crabill asked questions about why Eastview had requested a waiver of the cost associated to the vacation. Mr. Kothe explained the City's fee policy for vacating land and discussed why Eastview had requested a waiver. He also mentioned that consideration of the waiver was Item 10.A. on the meeting's agenda.

Council Member Boelen asked about parking. Mr. Kothe asked Katie Simpson, City Planner, to address the question. Ms. Simpson stated that Eastview had been granted a parking variance requiring 45 spaces instead of the usual 57. She explained that the variance had been granted to preserve the neighborhood and noted that street parking was also available. Ms. Simpson then walked through Eastview's two phases for the development. Council Member Boelen noted her appreciation for the green screen and Ms. Simpson noted that it had proposed in addition to a 3-foot fence to block headlights from shining in homes.

Mrs. Yocum explained Tyler Hari had registered to speak live, but was not present in the meeting. She then called on Mark Zimmerman who was present in the meeting and he spoke after being sworn in.

The Public Hearing closed at 7:19 p.m.

Regular Agenda

The following item was presented:

Item 10.A. Consideration and action on an Ordinance Approving the Vacation of an Alley in Wesleyan Subdivision of Seminary Block in Major's Seminary Addition, which will vacate an alley adjacent to Eastview Christian Church, at 401 W Union Street, as requested by the Public Works Department and the Community Development Department.

Mayor Renner read the two proposed motions provided: Alternate A - The proposed Ordinance be approved contingent upon Eastview Church paying the required alley vacation compensation as required by the City's vacation policy; and Alternate B - The proposed Ordinance be approved and that the requirement that compensation be paid to the City in the amount $9,073.44 be waived.

Mr. Kothe restated that the alley being considered for vacation is paved and maintained by the City. He stressed that if vacated the burden of maintenance would move to the applicant. He also noted that the alley would need to be re-paved in the future which could come at cost of at least $50,000 to the City.

Mr. Gleason also pointed out that the request for a fee waiver was proposed to align with the mission to revitalize West Bloomington. He expressed concern that doing so could set a precedent and suggested a grant program option to address future requests.

Council Member Black motioned, seconded by Council Member Emig, to approve Motion Alternative B.

Council Member Boelen pointed out that the applicant would be making significant improvements that would come at a large cost as well.

Council Member Carrillo expressed concern with setting a precedent and asked if staff were prepared to address similar requests by faith-based organizations. Mayor Renner stated that Eastview's request would save the City thousands of dollars and believed other organizations who had similar requests would need to prove similar benefits. Mr. Gleason stated that staff had considered creating a grant program with clear qualifications and benchmarks for determining approval.

Council Member Black reminded Council of a similar request that had been previously approved for Illinois Wesleyan University. He expressed support and belief in the long-term savings for the City.

Council Member Black made a motion, seconded by Council Member Emig, that the proposed Ordinance be approved and that the requirement that compensation to be paid to the City in the amount $9,073.44 be waived (Alternative B).

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

AYES: Mathy, Boelen, Emig, Painter, Carrillo, Black, Crabill, Bray

RECUSED: Mwilambwe

Motion carried.

Council Member Mwilambwe returned to the meeting at 7:27 p.m.

The following item was presented:

<u>Item 10.B. Consideration and potential action regarding Ordinance 2020-18, An Ordinance Declaring A Local Emergency Due to the COVID-19 Virus & Enacting Various Emergency Measures, including consideration of an Ordinance Amending the Local Emergency Declaration Ordinance, Ordinance 2020-18, to Add a New Section 2(S) Regarding Temporary Outdoor Business Operations and Street Closures, as requested by the Legal Department.</u>

Mr. Gleason provided a brief background on the item and stressed that the proposed changes allowed staff to prepare for Phase 3.

Council Member Carrillo asked for clarification on authorities to make the decisions and on potential street closures in Downtown Bloomington. Mr. Gleason stated that approval of this item would give him the authority to approve street closures without bringing them back to Council.

Council Member Black expressed his support of the amendment.

Mayor Renner encouraged creativity by the business owners with their plans.

Council Member Emig expressed support and asked process and enforcement specifics.

Mayor Renner expressed support, but was apprehensive as to whether approvals could be completed by the weekend. Mr. Gleason responded that the process would require multiple departments to review each submission, but that he and staff would make it happen.

Council Member Emig believed the program was an opportunity to explore options for long term, more permanent procedure for outdoor dining in Bloomington.

Mayor Renner expressed interest in vacating the 500 and 600 blocks of Main Street to permanently create public plazas.

Council Member Mathy believed staff could review and approve proposals by Friday, May 29, 2020. Mayor Renner clarified while staff may not be able to respond to all outdoor dining registrations by Friday, establishments could operate if the State's guidelines were strictly followed and registration was submitted.

Council Member Boelen believed businesses should be prepared to submit proposals, staff should prepare for a thorough review, and that permits could be delayed beyond Friday.

Council Member Carrillo clarified that businesses would be allowed to reopen on Friday after registering with the City. She expressed support of businesses reopening and asked the community to be careful.

Council Member Bray made a motion, seconded by Council Member Boelen, that the proposed Ordinance Amending Ordinance 2020-18 to Add a New Section 2(S) Regarding Temporary Business Operations and Street Closures be approved.

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

AYES: Mathy, Boelen, Mwilambwe, Emig, Painter, Carrillo, Black, Crabill, Bray

Motion carried.

Finance Director's Report

Scott Rathbun, Finance Director, addressed Council. He discussed multiple tax revenues and material impacts resulting from COVID-19. He discussed general fund revenues and expenditures in detail, highlighted revenue trends, and provided additional insight as to how revenues had been affected by COVID-19. He concluded with a discussion of enterprise funds.

Council Member Crabill noted an increase in expenses for benefits. Mr. Rathbun stated that the increase had been due to accelerated payments from the sick-leave buy-back program. Council Member Crabill confirmed expenditures and figures with Mr. Rathbun.

City Manager's Discussion

Mr. Gleason provided a COVID-19 update and stated that City Facilities would remain closed to the public except by appointment beginning June 1, 2020. He reminded Council that staff continued to maintain an in-person presence at the Arena box office windows and noted that over 200 employees were currently working from home. He informed Council that the contract with VenuWorks had been terminated one year early and that it would appear on the next Council meeting agenda.

Mr. Gleason went on to remind the public to complete the 2020 Census and that the Online Downtown Farmer's Market would be on Saturday. He provided an update on the

O'Neil pool renovation and recognized local elected officials Senator Bill Brady, Senator Jason Barackman, Representative Dan Brady and Representative Keith Summer for their work, as the City was mentioned six times in the State's new budget. He noted five of the six mentions were under the Build Illinois Fund that supported infrastructure improvements in the amount of $1.75 million dollars and the 6th mention was under the Rebuild Illinois Fund to renovate the Creativity Center in the amount of $2 million dollars. He thanked the City of Bloomington's lobbyist, Julie Curry, for her assistance in making this funding happen.

Mayor's Discussion

Mayor Renner recognized Council Member Boelen’s initiative with the al fresco dining.

Council Member's Discussion

Council Member Black asked about McLean County's vote on their reopening plan. Mayor Renner responded.

Council Member Crabill reminded the public he would hold his regular virtual Town Hall Meeting on June 1, 2020 at 6:00 p.m.

Council Member Mwilambwe asked Mr. Gleason about the money appropriated to the City from the State's budget and the timeline to expect the funds. Mr. Gleason responded that funds would not be immediately available and offered an update when he knew more.

Council Member Boelen thanked Mr. Kothe for the sidewalk work on West Oakland from Center to Morris. She also stressed the importance of McLean County Health Department being included in any plans to re-open.

Executive Session - Cite Section

No Executive Session was held.

Adjournment

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

AYES: Mathy, Boelen, Mwilambwe, Emig, Painter, Carrillo, Black, Crabill, Bray

Motion carried.

The meeting adjourned at 8:16 p.m.

CITY OF BLOOMINGTON	**ATTEST**
Tari Renner	Amanda Mohan
Tari Renner, Mayor	Amanda Mohan, Deputy City Clerk

CITY OF BLOOMINGTON ESTABLISHED 1850