City of Bloomington Illinois

MINUTES
CITY COUNCIL - REGULAR SESSION
MONDAY, MAY 22, 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	Remote
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	Absent
Kent Lee	Council Member, Ward 8	Present
Tom Crumpler	Council Member, Ward 9	Present

Council Member Boelen made a motion, seconded by Council Member Becker, to allow Council Member Montney to attend remotely.

Mayor Mwilambwe directed the Clerk to call roll:

AYES: Kearns, Boelen, Danenberger, Becker, Hendricks, Lee, Crumpler

Motion carried.

Council Member Montney joined the meeting at 6:04 p.m.

Public Comment

Mayor Mwilambwe read a public comment procedure statement. Emailed public comment was received from Noah Tang and Krystle Able and the following spoke: (1) Matthew Toczko; (2) Jenee Clark; (3) Zach Carlson; (4) Andy Hoffman; (5) Shelly Garland; (6) Mike Raikes; (7) Troy Zeleznik; and (8) Robbie Ozinga.

Recognition/Appointments

The following item was presented:

Item 6.A. Presentation of the City of Bloomington Police Department Police Officer's Commission Certificate to Officer Molly Monahan upon Completion of the Probationary Period, as requested by the Police Department.

Jamal Simington, Chief of Police, addressed Council and recognized Officer Monahan for her accomplishments during her Probationary Period. He presented her with her Police Officer's Commission Certificate.

The following item was presented:

Item 6.B. Proclamation for National Public Works Week, as requested by the Administration Department.

Mayor Mwilambwe presented the Proclamation. Kevin Kothe, Public Works Director, accepted the Proclamation.

The following item was presented:

Item 6.C. Proclamation for Historic Preservation Month, as requested by the Administration Department.

Mayor Mwilambwe presented the Proclamation. Greg Koos, Historic Preservation Commission Chair, accepted the Proclamation.

The following item was presented:

Item 6.D. Proclamation for Emergency Medical Services (EMS) Week, as requested by the Administration Department.

Mayor Mwilambwe presented the Proclamation. Cory Matheny, Deputy Fire Chief; Carl Reeb, Deputy Fire Chief; Jason Greer, Fire Captain; Frank Radek, Firefighter/Paramedic; and Luke Pool, Firefighter Paramedic, accepted the Proclamation.

The following item was presented:

Item 6.E. Proclamation for Gun Violence Awareness Day, as requested by the Administration Department.

Mayor Mwilambwe presented the Proclamation. Cathy Norton, Karen Irvin, and Sheila Harris of Mom's Demand Action accepted the Proclamation.

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 Boelen made a motion, seconded by Council Member Crumpler, to approve the Consent Agenda with the exception of 7.M.

Item 7.A. Consideration and Action to Approve the Minutes of the April 24, 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 $16,408,886.75, as requested by the Finance Department. (Recommended Motion: The proposed Bills and Payroll be approved.)

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

Item 7.D. Consideration and Action to Reject the Bid for the O'Neil Park and Pool Landscape Project (Bid #2023-32), as requested by the Parks & Recreation Department. (Recommended Motion: The proposed Bid Rejection be approved.)

Item 7.E. Consideration and Action to Reject the Bid for Demolition Work at 831-833 W. Jackson Street (Bid #2023-22), as requested by the Economic & Community Development Department. (Recommended Motion: The proposed Bid Rejection be approved.)

Item 7.F. Consideration and Action to Approve an Agreement with Ferguson Enterprises, LLC, as a limited source, for the Ferguson Back Office Solution Application, in the Amount of $26 per Account, Not to Exceed $117,000, as requested by the Public Works Department. (Recommended Motion: The proposed Agreement be approved.)

Item 7.G. Consideration and Action on (1) a Resolution Approving a Contract with Fehr Graham for Professional Engineering Services; and (2) an Ordinance Amending the Budget Ordinance for the Fiscal Year Ending April 30, 2024, as requested by the Public Works Department. (Recommended Motion: The proposed Resolution and Ordinance be approved.)

RESOLUTION NO. 2023 - 013
A RESOLUTION APPROVING A CONTRACT FEHR GRAHAM FOR PROFESSIONAL ENGINEERING SERVICES

ORDINANCE NO. 2023 - 041
AN ORDINANCE AMENDING THE BUDGET ORDINANCE FOR THE FISCAL YEAR ENDING APRIL 30, 2024

Item 7.H. Consideration and Action to Approve a Resolution Waiving the Formal Bidding Requirements and Approving an Agreement with the University of Illinois College of Veterinary Medicine Veterinary Teaching Hospital for Veterinary Services at Miller Park Zoo through June 30, 2026, as requested by the Parks & Recreation Department. (Recommended Motion: The proposed Resolution and Agreement to be approved.)

RESOLUTION NO. 2023 - 014
A RESOLUTION AUTHORIZING WAIVING THE FORMAL BIDDING REQUIREMENTS AND APPROVING AN AGREEMENT WITH THE UNIVERSITY OF ILLINOIS COLLEGE OF VETERINARY MEDICINE VETERINARY TEACHING HOSPITAL FOR VETERINARY SERVICES AT MILLER PARK ZOO THROUGH JUNE 30, 2026

Item 7.I. Consideration and action on a Resolution Approving Fiscal Year 2024 John M. Scott Health Care Trust Category III Grant Awards and Programmatic Agreements in the amount of $15,000, as requested by the Economic & Community Development Department. (Recommended Motion: The proposed Resolution be approved.)

RESOLUTION NO. 2023 - 015
A RESOLUTION APPROVING THE FISCAL YEAR 2024 JOHN M. SCOTT HEALTH CARE TRUST CATEGORY III GRANT AWARDS AND PROGRAMMATIC AGREEMENTS, IN THE AMOUNT OF $15,000

Item 7.J. Consideration and Action on a Resolution Authorizing Waiving the Formal Bidding Process and Approving the P.J. Hoerr Inc. O'Neil Park & Pool Start-up Operation Concession Appliances Agreement, as requested by the Parks & Recreation Department. (Recommended Motion: The proposed Resolution and Contract to be Approved.)

RESOLUTION NO. 2023 - 016
A RESOLUTION AUTHORIZING WAIVING THE FORMAL BIDDING PROCESS AND APPROVING THE P.J. HOERR INC. O'NEIL PARK & POOL START-UP OPERATION CONCESSION APPLIANCES AGREEMENT

Item 7.K. Consideration and Action on (1) an Ordinance Authorizing to Waive the Formal Bidding Process and Approve a Construction Agreement between the City of Bloomington and American Ramp Company for the O'Neil Park & Pool Skatepark Project; and (2) an Ordinance Amending the Budget Ordinance for the Fiscal Year ending April 30, 2024, as requested by the

Parks & Recreation Department. (Recommended Motion: The proposed Ordinances be approved.)

ORDINANCE NO. 2023 - 042
AN ORDINANCE AUTHORIZING TO WAIVE THE FORMAL BIDDING PROCESS AND APPROVE A CONSTRUCTION AGREEMENT BETWEEN THE CITY OF BLOOMINGTON AND AMERICAN RAMP COMPANY REPLACING SPOHN RANCH INC. FOR THE O'NEIL PARK & POOL SKATEPARK PROJECT

ORDINANCE NO. 2023 - 043
AN ORDINANCE AMENDING THE BUDGET ORDINANCE FOR THE FISCAL YEAR ENDING APRIL 30, 2024

Item 7.L. Consideration and Action on an Ordinance Approving an Amendment to the Agreement and Contract Documents between the City and P.J. Hoerr for the O'Neil Park & Pool Improvement Project Related to the Skatepark and Substantial Completion, as requested by the Parks & Recreation Department. (Recommended Motion: The proposed Ordinance be approved.)

ORDINANCE NO. 2023 - 044
AN ORDINANCE APPROVING AN AMENDMENT TO THE AGREEMENT AND CONTRACT DOCUMENTS BETWEEN THE CITY AND PJ HOERR FOR THE O'NEIL PARK & POOL IMPROVEMENT PROJECT RELATED TO THE SKATE PARK AND SUBSTANTIAL COMPLETION

Item 7.M. was pulled from the Consent Agenda by Mayor Mwilambwe.

Item 7.N. Consideration and Action on an Ordinance Approving a Special Use Permit for Chicken-Keeping in the R-1C (Single-Family Residence) District for the Property Located at 42 Ravenwood Circle, as requested by the Economic & Community Development Department. (Recommended Motion: The proposed Ordinance be approved.)

ORDINANCE NO. 2023 – 045
AN ORDINANCE APPROVING A SPECIAL USE PERMIT FOR CHICKEN-KEEPING IN THE R-1C (SINGLE-FAMILY RESIDENCE) DISTRICT, FOR THE PROPERTY LOCATED AT 42 RAVENWOOD CIRCLE

Item 7.O. Consideration and Action on an Ordinance Approving a Special Use Permit for Chicken-Keeping in the R-1C (Single-Family Residence) District for the Property Located at 2721 Essington Street, as requested by the Economic & Community Development Department. (Recommended Motion: The proposed Ordinance be approved.)

ORDINANCE NO. 2023 – 046
AN ORDINANCE APPROVING A SPECIAL USE PERMIT FOR CHICKEN-KEEPING IN THE R-1C (SINGLE-FAMILY RESIDENCE) DISTRICT, FOR THE PROPERTY LOCATED AT 2721 ESSINGTON STREET

Item 7.P. Consideration and Action on an Ordinance Approving a Special Use Permit for Chicken-Keeping in the R-2 (Mixed Residence) District for the Property Located at 1210 W. Mill Street, as requested by the Economic & Community Development Department. (Recommended Motion: The proposed Ordinance be approved.)

ORDINANCE NO. 2023 – 047
AN ORDINANCE APPROVING A SPECIAL USE PERMIT FOR CHICKEN-KEEPING IN THE R-2 (MIXED RESIDENCE) DISTRICT, FOR THE PROPERTY LOCATED AT 1210 W. MILL STREET

Item 7.Q. Consideration and Action on an Ordinance Approving a Special Use Permit for Chicken-Keeping in the GAP- 3 Neighborhood District for the Property Located at 612 N. Oak Street, as requested by the Economic & Community Development Department. (Recommended Motion: The proposed Ordinance be approved.)

ORDINANCE NO. 2023 – 048
AN ORDINANCE APPROVING A SPECIAL USE PERMIT FOR CHICKEN-KEEPING IN THE GAP-3 NEIGHBORHOOD DISTRICT, FOR THE PROPERTY LOCATED AT 612 N. OAK STREET

Item 7.R. Consideration and Action on an Ordinance Approving a Site Plan and a Special Use to allow a Financial Services Use with Drive-Through in the B-2 (Local Commercial) District for Property Located at 602 S. Gridley Street, as requested by the Economic & Community Development Department. (Recommended Motion: The proposed Ordinance be approved.)

ORDINANCE NO. 2023 – 049
AN ORDINANCE APPROVING A SITE PLAN AND A SPECIAL USE TO ALLOW A FINANCIAL SERVICES USE WITH DRIVE-THROUGH IN THE B-2 (LOCAL COMMERCIAL) DISTRICT FOR PROPERTY LOCATED AT 602 S. GRIDLEY STREET

Item 7.S. Consideration and action on: (1) an Ordinance Approving a First Amendment to the Development Agreement by and between the City of Bloomington and 102 South East, LLC, and Consenting to a Delay in the Substantial Completion Date; and (2) an Ordinance Approving a First Amendment to the Tax Abatement Agreement between the Bloomington Public Schools, District 87, the City of Bloomington, & 102 South East, LLC, as requested by the Economic & Community Development Department. (Recommended Motion: The proposed Ordinances be approved.)

ORDINANCE NO. 2023 – 050
AN ORDINANCE APPROVING A FIRST AMENDMENT TO THE DEVELOPMENT AGREEMENT BETWEEN THE CITY OF BLOOMINGTON AND 102 SOUTH EAST, LLC, AND CONSENTING TO A DELAY IN SUBSTANTIAL COMPLETION

ORDINANCE NO. 2023 – 051
AN ORDINANCE APPROVING A FIRST AMENDMENT TO THE TAX ABATEMENT AGREEMENT BETWEEN THE BLOOMINGTON PUBLIC SCHOOLS, DISTRICT 87, THE CITY OF BLOOMINGTON & 102 SOUTH EAST, LLC

Item 7.T. Consideration and Action on an Application from CreatiVets for the Tailgates N' Tallboys Event to be Held at the Interstate Center Located at 1106 Interstate Dr. Requesting a Class LA (Limited, All Types of Alcohol) Liquor License, as requested by the City Clerk Department. (Recommended Motion: The proposed Application be approved.)

Mayor Mwilambwe directed the Clerk to call roll:

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

Motion carried.

Items Pulled from Consent Agenda

Item 7.M. Consideration and Action on an Ordinance Amending Chapter 35 Regarding the Composition of the Bloomington Police Department, as requested by the Police Department.

Mayor Mwilambwe confirmed with City Clerk, Leslie Yocum, that the Item pulled was no longer wished to be considered at the meeting and would likely return at a later time.

Regular Agenda

The following item was presented:

Item 8.A. 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.

Deputy City Manager Billy Tyus provided a brief overview of Tax Increment Financing ("TIF") Districts, as well as the Downtown East Washington Street TIF District. He then spoke about the proposed project and agreement terms including incentives. He wrapped up by outlining steps for approval of the project.

Council Member Crumpler thanked the developer for interest in developing the property and stressed the importance of adding prevailing wage language to the agreement. He also encouraged the o use local apprenticeship programs through local unions.

Council Member Crumpler made a motion, seconded by Council Member Hendricks, to table the Item until the June 12, 2023 Council Meeting for further discussion and consideration.

Council Member Becker did not support the motion. He expressed support in the development and believed it would support local workers and businesses.

Council Member Hendricks stressed the City needing additional housing, but believed additional language in the agreement was necessary to ensure local businesses and workers be included in the project.

Council Member Boelen noted the project being a public-private development, not a City-driven project, and stressed the parcel had not been revenue generating for many years. She supported additional agreement language for the use of local labor, but did not support tabling the Item.

Council Member Kearns discussed the difference in housing terminology between "luxury" and "affordable".

Council Members Montney and Lee did not support tabling the Item.

Mayor Mwilambwe directed the Clerk to call roll:

AYES: Kearns, Danenberger, Hendricks, Crumpler, Mwilambwe

NAYES: Boelen, Montney, Becker, Lee

Motion carried.

The following item was presented:

Item 8.B. Presentation and Discussion of Fiscal Year (FY) 2024 and 2025 General Resurfacing and Pavement Preservation Programs and the State of the Street and Sidewalk Network, as requested by the Public Works Department.

Deputy City Manager Jeff Jurgens introduced the Item.

Kevin Kothe, Public Works Director, and Craig Shonkwiler, Asst. Public Works Director & City Engineer, addressed Council. Mr. Shonkwiler explained various statistics the Public Works Department ("PW") used for reporting. He noted that about 40% of the street networks and 15-20% of the sidewalk networks were in the fair to poor surface rating. He explained various elements that affected pavement deterioration and explained the benefits of various strategies for pavement maintenance. He presented street and sidewalk program expenses over the past 20 years, as well as Fiscal Years ("FY") 2024 and 2025 Program Allocations describing various pavement preservation treatments and costs. He went on to discuss various subdivisions needing work, the proposed FY 2024 Program Schedule, and how PW leveraged new technology to gain additional data on pavement deterioration.

Council Member Becker thanked Mr. Shonkwiler for the level of detail in his presentation. He confirmed that, even with the increased budget for preservation, funding was not enough to make progress on historical pavement deterioration. He noted that in order to increase the budget as needed to make desired improvements, Council needed to drive up the tax base through development.

Council Member Crumpler and Mr. Shonkwiler discussed how pavement rejuvenators increased the life of the pavement by 5-7 years.

Mayor Mwilambwe noted Council Member Montney exited the meeting at 7:55 P.M.

Finance Director's Report

Scott Rathbun, Finance Director, addressed Council and reminded the community of how taxes lagged due to required reporting timelines. He provided additional detail on formatting for the new Council Members and then discussed major tax revenues for Fiscal Year (FY) 2023 comparing year-to-date figures to projected budget figures. He presented General Fund Revenues and Expenditures, as well as Enterprise Funds highlighting significant changes, and then presented FY 2023 expenditures. He noted expected delayed impacts on expenses due to supply costs and ended by reminding the community where to find his presentations on the City's website.

Council Member Boelen thanked Mr. Rathbun for his presentation.

City Manager's Discussion

Deputy City Manager Jurgens discussed multiple upcoming events Downtown and announced that City Manager, Tim Gleason, had appointed Chris Spanos as the City's new Corporation Counsel. He then briefly described Mr. Spanos' resume.

Mayor's Discussion

Mayor Mwilambwe thanked multiple Council Members for filling in for him at recent events.

Council Member's Discussion

Council Member Hendricks highlighted various vacancies in Boards and Commissions and encouraged community members to view the Board and Commission pages on the City's website for more information.

Executive Session

No Executive Session was held.

Adjournment

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

Mayor Mwilambwe directed the Clerk to call roll:

AYES: Kearns, Boelen, Danenberger, Becker, Hendricks, Lee, Crumpler

ABSENT: Montney

Motion carried (viva voce).

The meeting adjourned at 8:18 P.M.

CITY OF BLOOMINGTON

Mboka Mwilambwe

Mboka Mwilambwe, Mayor

ATTEST

Amanda Stutsman

Amanda Stutsman, Deputy City Clerk