



MINUTES

PUBLISHED BY THE AUTHORITY OF THE CITY COUNCIL OF BLOOMINGTON, ILLINOIS
MONDAY, JULY 8, 2019, 6:00 P.M.

The Council convened in Regular Session in the Council Chambers, City Hall Building, at 6:03 p.m., Monday, July 8, 2019.

Mayor Renner directed the City Clerk to call the roll and the following members of Council answered present:

Council Members: Jamie Mathy, Donna Boelen, Mboka Mwilambwe, Julie Emig, Joni Painter, Scott Black, Kim Bray, and Mayor Tari Renner.

Council Members Jenn Carrillo and Jeff Crabill were absent from the meeting.

Staff Present: Tim Gleason, City Manager; Billy Tyus, Deputy City Manager; George Boyle, Asst. Corporation Counsel; Nicole Albertson, Human Resources Director; Scott Rathbun, Finance Director; Scott Sprouls, Information Services Director; and other City staff were present.

Recognition/Appointments

Public Comment

Mayor Renner opened the meeting to receive public comment, and the following individuals provided comments to the Council:

Table with 2 columns and 7 rows listing individuals: Sam Kassis, Tim Piercy, Dilpreet Ghuman, Scott Stimeling, Karen Bays, Surena Fish, Ron Ronok, Carl Segobiano, Carrie Handy, Gary Lambert, De Urban, Nathan Russo, and Debra Hawkins.

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 separately.

Council Member Painter made a motion, seconded by Council Member Mwilambwe, that the Consent Agenda, including all the items listed below, be approved as presented with the exception of Item 7N.

Item 7A. Consideration and action to approve the Minutes of the June 24, 2019 Regular City Council Meeting, as requested by the City Clerk Department. *(Recommended Motion: The proposed minutes be approved.)*

Item 7B. Consideration and action to approve Bills, Payroll, Electronic Transfers, and Procurement Card Purchases in the amount of \$7,998,072.94, as requested by the Finance Department. *(Recommended Motion: The proposed Bills, Payroll, Electronic Transfers, and Procurement Card Purchases be approved.)*

Item 7C. Consideration and rejection of submittals for RFQ #2020-02 for an Arc Flash Study of Multiple City Facilities as requested by the Facilities Management and Public Works Departments. *(Recommended Motion: All Submittals be rejected.)*

Item 7D. Consideration and action to approve the 2019 Supportive Housing Program/Continuum of Care Planning Grant agreement (IL1647L5T121800), in the amount of \$45,991.00, from the US Department of Housing and Urban Development, as requested by the Community Development Department. *(Recommended Motion: The proposed Grant Agreement be approved.)*

Item 7E. Consideration and action to approve a Road Dedication Agreement with Bond Drug Company of Illinois, an Illinois Corporation (dba Walgreens) in the amount of \$18,500.00, for right-of-way dedication, temporary easement, and payment for future repairs to the irrigation system, in conjunction with the GE Road and Keaton Place/Auto Row Drive Intersection Improvement project, as requested by the Public Works Department. *(Recommended Motion: The proposed Agreement be approved.)*

Item 7F. Consideration and action to adopt an Ordinance Recognizing the Property at 1301 N. Clinton Boulevard for Historic Integrity, Designating 1301 N. Clinton Boulevard as a Historic Resource and Rezoning the Property from R-1C Single Family Residential District to R-1C with the S-4 Historic District Zoning Overlay, as requested by the Community Development Department. *(Recommended Motion: The proposed Ordinance be approved.)*

Item 7G. Consideration and action to approve the Motor Fuel Tax (MFT) Resolution for Improvement Under the Illinois Highway Code to allocate State MFT funds for street lighting electrical energy and rental charges through the FY 2020 Motor Fuel Tax (MFT) General Maintenance Program, and the corresponding Local Public Agency General Maintenance Estimate of Maintenance Costs, in the amount of \$500,000, for the period May 1, 2019, through April 30, 2020, as requested by the Public Works Department. *(Recommended Motion: The proposed Resolution and Estimate be approved.)*

Item 7H. Consideration and action to approve the Motor Fuel Tax (MFT) Resolution for Improvement Under the Illinois Highway Code to allocate State MFT funds for purchase of right-of-way and easements, associated with intersection improvements at GE Road and Keaton Place/Auto Row Drive, in the amount of \$43,801.00, as requested by the Public Works Department. *(Recommended Motion: The proposed Resolution be approved.)*

Item 7I. Consideration and action on an Ordinance Amending Chapter 29 of City Code to Incorporate Various Routine Changes to the In-Place Traffic Control Devices and/or Regulations, as requested by the Public Works Department. *(Recommended Motion: The proposed Ordinance be approved.)*

Item 7J. Consideration and action on an Ordinance Amending Chapter 33 of the City Code Regarding Registration of Solicitors and Chapter 1 to Add a Fee for Solicitor Registration

to the Schedule of Fees, as requested by the City Clerk Department. *(Recommended Motion: The proposed Ordinance be approved.)*

Item 7K. Consideration and action on an Ordinance Amending Chapter 6, Section 6 of the Bloomington City Code to Eliminate Quarterly Billing for Liquor Licenses and Defining Parameters for License Expiration, as requested by the City Clerk Department. *(Recommended Motion: The proposed Ordinance be approved.)*

Item 7L. Consideration and action on an Ordinance Suspending Portions of Section 701 of Chapter 31 and Section 26(d) of Chapter 6 of the City Code Prohibiting Alcohol on Public Property as They Pertain to the Davis Lodge on August 23, 2019, to allow moderate consumption of alcohol, as requested by the City Clerk Department. *(Recommended Motion: The proposed Ordinance be approved.)*

Item 7M. Consideration and action on the application for the McLean County Fair Association d/b/a McLean County Fair, located at 1106 Interstate Drive, requesting a Class EAS (Entertainment, All Types of Alcohol, and Sunday Sales) liquor license, which would allow the sale of all types of liquor by the glass for consumption on the premises seven (7) days a week, as requested by the City Clerk Department. *(Recommended Motion: The proposed Application and License be approved.)*

Item 7N was pulled from the Consent Agenda by Council Member Mathy.

Item 7O. Consideration and action on the Change of Ownership Application of Hurley Consolidated Enterprises, LLC d/b/a Drifters, located at 612 N. Main Street, currently holding a Class TAS (Tavern, All Types of Alcohol, and Sunday Sales) liquor license, which allows the sale of liquor by the glass for consumption on the premises seven (7) days a week, as requested by the City Clerk Department. *(Recommended Motion: The proposed Application for Change of Ownership be approved and a License issued.)*

Item 7P. Consideration and action to approve a Lake Bloomington Lease Transfer of Lot 5 & 8, Block 23 in Camp Potawatomie, from Amy and Kyle Tague to the petitioner, Travis Miller, as requested by the Public Works Department. *(Recommended Motion: The proposed Lease Transfer be approved.)*

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

Ayes: Council Members Mathy, Boelen, Mwilambwe, Emig, Painter, Black, and Bray.

Nays: None.

Motion carried.

The following item was pulled from the Consent Agenda by Council Member Mathy.

Item 7N. Consideration and action on the application of Puma Enterprise, Inc., d/b/a Park Pantry, located at 906 S. Morris Ave., requesting a Class PAS (Package Sales, All Types of Alcohol, and Sunday Sales) liquor license which would allow the sale of all types of packaged alcohol for consumption off the premises seven (7) days a week, as requested by the City Clerk Department. *(Recommended Motion: The proposed License be approved subject to the following conditions: 1. Store closing hours at 11:00 P.M. 2. Install outdoor cameras and outdoor lighting. 3. Liquor sales must be less than 50% of total revenue.)*

Council Member Mathy asked a few questions regarding how the Liquor Commission had intended to monitor the hours of operation and percentage of liquor sales conditions placed on the license.

Mayor Renner, who is also the City's Liquor Commissioner, explained how the Liquor Commission came to add the proposed conditions. He asked Asst. Corporation Counsel George Boyle, who advises the Liquor Commission, to come forward and further address Council Member Mathy's question.

Mr. Boyle stated that, just as any other business selling alcohol in the City, the Bloomington Police Department would be responsible for monitoring the business' hours of operation. He explained that, under the third condition, the Liquor Commission would maintain the right to request business records and receipts for evaluation of liquor sales verses food sales.

Council Member Mathy thanked the Mayor and Mr. Boyle for their time and mentioned the need for a timeline to be set for regular review of business records.

Mr. Boyle provided additional insight and few ideas.

Council Member Mwilambwe expressed concerns about statement from neighbors of the business stating they had not received appropriate notice. He wondered whether the business would possibly consider altering the business model presented.

Council Member Black ask whether Council holds the power to pull a liquor license. Mr. Boyle responded in the affirmative. Council Member Black also stressed that a six-month timeline be added to allow for regular review of the business' records.

Mayor Renner discussed trends the Liquor Commission has seen with other convenience stores.

Council Member Painter suggested that the item be tabled until Council Member Carrillo, who represents Ward 6 in which the establishment sits, could be present to provide her opinion.

Council Member Bray ask Mr. Boyle to define the different liquor licenses the City offers. Mr. Boyle walked through a variety of other license types and a discussion was held regarding single-serve bottles. Council Member Bray expressed interest in putting additional conditions on the license if approved.

Council Member Boelen read a portion of Puma Enterprises' application out loud. She expressed concerns that the proposed store would be similar to the Hot Spot location in eastside Bloomington.

Council Member Emig stated that she received many emails in support of the proposed license. She was sympathetic to the public comment Council had heard and offered support for the item being sent back to the Liquor Commission.

Mayor Renner mentioned that the benefit of sending the item back to the Liquor Commission would be that it would allow the proposed license holder's attorney to also weigh-in on the discussion and conditions.

Council Member Black wanted to find a way to address the concerns heard in Public Comment while also being sure to not limit the business opportunity of a new business wanting to invest in the westside.

Council Member Black made a motion, seconded by Council Member Mathy, to send the item back to the Liquor Commission with express instructions to 1) hold a Special Meeting for a second hearing on the proposed license; 2) ensure appropriate notice to neighbors including providing tonight's meeting minutes; 3) explore options for single-serve ("walk away") sales limitations; 4) set procedure for evaluating the sales of the business including a specific review schedule, and 5) make a recommendation back to Council by the end of the month.

Council Member Mwilambwe discussed making a motion to send the item back to the Liquor Commission for further investigation, but without such specific direction.

Council Member Black offered support for the specificity of his motion on the table.

Council Member Bray supported a less specific motion and expressed concern that the motion on the table contained a presumption that a liquor license would result.

Council Member Black asked questions clarifying whether the item would be returned to Council no matter the recommendation given by the Liquor Commission. Mayor Renner confirmed that it would return.

Council Member Emig confirmed the motion on the table. Mayor Renner and Mr. Boyle clarified procedure.

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

Ayes: Council Members Mathy, Boelen, Mwilambwe, Emig, Painter, Black, and Bray.

Nays: None.

Motion carried.

Regular Agenda

City Manager's Discussion

City Manager Tim Gleason discussed the upcoming calendar available on the City's website and complimented recent downtown events. He pointed out that the video gaming moratorium will be discussed at the July Committee of the Whole meeting on July 15, 2019. He also reminded Council that July has five Mondays in case Council needed to hold an additional meeting to discuss Item 7N.

Mayor's Discussion

Mayor Renner talked about his recent conference and a variety of topics he plans to bring to Council soon.

Council Member's Discussion

Council Member Bray complimented the Director of Parks, Recreation, and Cultural Arts, Jay Tetzloff, on how well the Fourth of July events were executed.

Council Member Emig complimented the Westside Fest and Bloomington Public Library's 'How To' Fest. She also mentioned the upcoming IDOT Route 9 Public Meeting being held on Thursday, July 11, 2019 and requested that staff provide a visual of what the impact would look like if approved.

Council Member Mwilambwe expressed appreciation for his being able to participate in a few events on the Mayor's behalf while he was out. He also complimented Miller Park's Fourth of July events.

Council Member Mathy ask whether Mr. Gleason had any comments about the IDOT Public Hearing. Mr. Gleason clarified that the IDOT Route 9 project is a State project which IDOT has requested the City to weigh-in and concur on. The State asked the City to hold the meeting and allow a channel for citizens to provide feedback. Council Member Mathy offered support for the community to attend and voice their thoughts.

Executive Session

Adjournment

Council Member Mwilambwe made a motion, seconded by Council Member Painter, that the meeting be adjourned.

Motion carried unanimously (viva voce).

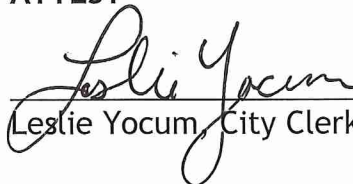
The meeting adjourned at 7:21 p.m.

CITY OF BLOOMINGTON



Tari Renner, Mayor

ATTEST



Leslie Yocum, City Clerk