



MINUTES

PUBLISHED BY THE AUTHORITY OF THE CITY COUNCIL OF BLOOMINGTON, ILLINOIS
MONDAY, JULY 22, 2019, 6:00 P.M.

The Council convened in Regular Session in the Council Chambers, City Hall Building, at 6:00 p.m., Monday, July 22, 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, Jenn Carrillo, Scott Black, Jeff Crabill, Kim Bray, and Mayor Tari Renner.

Staff Present: Billy Tyus, Deputy City Manager; Jeffrey Jurgens, Corporation Counsel; George Boyle, Assistant Corporation Counsel; Nicole Albertson, Human Relations 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 5 rows listing names: Karen Bays, Scott Stimeling, James Bays, John Canham, Debra Hawkins, Shirleen Sapp, David Byrd, Ajeet Singh, Mike Sapp, Surena Fish.

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 Mathy made a motion, seconded by Council Member Mwilambwe, that the Consent Agenda, including all the items listed below along with the corrected City Council minutes for July 8, 2019, be approved as presented with the exception of Item 7C.

Item 7A. Consideration and action to approve the Minutes of the July 8, 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 \$6,131,582.66, as requested by the Finance

Department. *(Recommended Motion: The proposed Bills, Payroll, Electronic Transfers, and Procurement Card Purchases be approved.)*

Item 7C was pulled from the Consent Agenda by Council Member Black.

Item 7D. Consideration and action on an Ordinance Suspending Portions of Chapter 6 of the Bloomington City Code Prohibiting Possession of Open Alcohol in Public for the Second Annual Pride Fest to be held in Portions of Downtown Bloomington on Saturday, July 27, 2019, as requested by the City Clerk Department. *(Recommended Motion: The proposed Ordinance be approved.)*

Item 7E. Consideration and action to approve a Lake Bloomington Lease Transfer of Lot 3, Block 5 in Camp Kickapoo, from Stephen and Marlene Lau to the petitioners, Daniel and Courtney Lau, as requested by the Public Works Department. *(Recommended Motion: The proposed Lease Transfer be approved.)*

Item 7F. Consideration and action to approve a Lake Bloomington Lease Transfer of Lot 3 in Camp Eagle Pointe, from Edmonson Family Trust to the petitioners, Megan Dortenzo and Thomas Carey, 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, Carrillo, Black, Crabill, and Bray.

Nays: None.

Motion carried.

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

Item 7C. Consideration and action to approve an Agreement with the State of Illinois to jointly pay up to \$600,000 for the design of the Hamilton Road from Bunn Street to Commerce Parkway project, and the corresponding Motor Fuel Tax (MFT) Resolution for Improvement Under the Illinois Highway Code to allocate \$600,000 of State MFT funds for the City to front these costs, as requested by the Public Works Department. *(Recommended Motion: The proposed Agreement and Resolution be approved.)*

Council Member Black asked that Public Works Director, Jim Karch, come forward. Mr. Karch came forward to address Council. Council Member Black asked Mr. Karch whether delaying the item until the August 12, 2019 Council meeting would cause an issue. Mr. Karch stated that the item was not time sensitive and would not be troubled if postponed. Council Member Black expressed interest in delaying the item until he could get more feedback from his constituents.

Council Member Carrillo was supportive of postponing the item to allow additional community feedback.

Council Member Boelen pointed out that the item had been publicly discussed on previous occasions multiple times. Mr. Karch provided history of the item.

Mayor Renner offered some clarifying statements to Mr. Karch's history provided.

Council Member Boelen added additional history. She offered support for the item, specifically mentioning commercial growth opportunities.

Council Member Crabill asked questions regarding changes in development over the years. He mentioned growth being down from what was expected. Mr. Karch discussed the goals of the project as well as safety concerns shared by the City and the Illinois Department of Transportation (IDOT).

Council Member Mathy stressed safety being his primary concern. He pointed out that the City has had a difficult time negotiating with the railroad companies involved and stressed the importance of an agreement finally being made.

Council Member Black made a motion, seconded by Council Member Mathy, that the item be delayed to the Council meeting on August 12, 2019 to allow for further input from the public.

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

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

Nays: None.

Motion carried.

Regular Agenda

The following was presented:

Item 8A: Consideration and action on an Ordinance Amending Chapter 7 of the City Code on Exceptions to the Moratorium on Video Gaming Licenses Within the City, as requested by the Administration Department.

Billy Tyus, Deputy City Manager, gave a brief overview of the history of the video gaming moratorium and discussed the proposed amendment. He mentioned that the City was aware of one business that would qualify for the exception.

Council Member Carrillo made a motion, seconded by Council Member Black, that the proposed Ordinance be approved.

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

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

Nays: None.

Motion carried.

The following was presented:

Item 8B. Report of a Classified (Non-Union) IMRF Retirement, as requested by the Human Resources Department.

Billy Tyus, Deputy City Manager, gave a brief overview of the item. The item was offered for informational only, pursuant to the Local Government Wage Increase Transparency Act, 50 ILCS 155/1. The retirement of Debbie Bohannon, who will retire as of October 4, 2019,

will result in an accelerated payment of around \$63,000. He went on to discuss the requirements placed on the City to ensure full transparency.

The following was presented:

Item 8C. 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.

Billy Tyus, Deputy City Manager, gave a brief overview of the item. He walked through the history of the item with Council and the Liquor Commission.

Council Member Emig provided a few examples of support she had received from members of the public. She pointed out that everyone citywide will be monitoring the business closely and expressed the desire to not tie the hands of the business owner.

Council Member Carrillo expressed concerns. She quoted City Code Chapter 6, Section 4(b) and felt that the standard had not been met. She complimented Mr. Singh, the applicant and owner of Puma Enterprise, but stated that she sided with the neighbors and would not be voting in support of the liquor license.

Council Member Black complimented Council Member Carrillo for her engagement with the neighbors of the proposed business and for doing her due diligence. He expressed support for the business and emphasized the importance of evaluating more than the business' receipts. He recommended that ordinance violations, as well as the number of Police calls made to the business also be considered.

Council Member Crabill asked whether the meeting could be considered an evidentiary hearing and requested information on whether Hot Spot had been cited for issues. George Boyle, Asst. Corporation Counsel, stated that the Police Chief testified at the Liquor Commission hearing on July 16, 2019 that the Department had no issues with the liquor license being granted. He also pointed out that the Liquor Commission had not issued any violations against the Hot Spot when it was owned by Ajeet Singh.

Council Member Mathy asked Mr. Boyle questions regarding the appropriate way to limit sizing on alcohol sold at the business. Mr. Boyle provided a couple of ideas. Council Member Mathy asked whether the proposed evaluation of the business' records by the Liquor Commission focused on gross or net revenue. Mr. Boyle stated that gross revenue was the intention of the Commission. Council Member Mathy expressed support for the item.

Council Member Boelen stated that she is still conflicted in how to vote. She expressed issues with how the business would be evaluated. Mayor Renner provided additional information the Liquor Commission's intentions. She offered support for new business and development in the area where the business would be located.

Council Member Mwilambwe mentioned how badly the building where the business looked to locate was in dire need of improvement and offered support for new business. He also had sympathy for the neighbors and their requests. He favored Mr. Singh opening the business for six months without a license and then having the opportunity to request a liquor license. He was in opposition of the license.

Council Member Bray asked Mr. Boyle whether the Hot Spot had previously provided financials to the Liquor Commission. Mr. Boyle stated that the review of financials was not a requirement by Ordinance and that the Commission had not previously looked at the Hot Spot's financials under ownership by Mr. Singh. Council Member Bray quoted Chapter 6, Section 4(b)(5). She expressed concerns and believed that the impact on the neighborhood outweighed the need for an additional license in the area.

Council Member Painter stated that she would be voting against the item because Council Member Carrillo, whose Ward the business would sit in, was also voting "No."

Council Member Carrillo motioned, seconded by Council Member Mwilambwe, to deny the liquor license application.

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

Ayes: Council Members Boelen, Mwilambwe, Painter, Carrillo, and Bray.

Nays: Council Members Mathy, Emig, Black, and Crabill.

Motion carried.

City Manager's Discussion

A. Finance Director's Report

Deputy City Manager, Billy Tyus, had nothing to report. He called Finance Director, Scott Rathbun, forward to present the Finance Director's report.

Mr. Rathbun walked through his presentation and discussed revenues in detail. He stated that revenues are close to being on target and that he anticipates revenues continuing to improve. He provided many examples of comparisons to the previous year.

Council Member Boelen asked how the decrease in utility tax affects pension funding. Mr. Rathbun stated that the pensions were affected and discussed the impact in more detail.

Mayor's Discussion

Mayor Renner congratulated Zoning Board member, Michael Rivera Jr., who was recently commissioned as First Lieutenant of the Illinois Army National Guard. He also thanked Council Member Painter for her help at the recent downtown Farmer's Market.

Council Member's Discussion

Council Member Carrillo stated that she had put in an Aldermanic Request for a Task Force to look to addressing and implementing the new cannabis legislation. She will also be hosting a strategy and listening session regarding the State Farm building on Friday, August 2, 2019 for 5:30-7:30pm in the Council Chambers.

Council Member Boelen and Mayor Renner mentioned that the State Farm building is private property.

Council Member Mathy invited the public to attend the upcoming Pride Fest downtown on July 27, 2019.

Executive Session

A. Personnel - Section 2 (c)(1) of 5 ILCS 120

Mayor Renner entertained a motion to enter into Executive Session for the purpose of Personnel - Section 2(c)(1) of 5 ILCS 120. He clarified that no formal action would be taken during Executive Session.

Council Member Emig made a motion, seconded by Council Member Bray, to enter into an Executive Session meeting for the purpose of Personnel - Section 2(c)(1) of 5 ILCS 120.

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

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

Nays: None.

Motion carried.

Return to Open Session and Adjournment

Mayor Renner asked for a motion to return to Open Session and adjourn the meeting.

Council Member Black made a motion, seconded by Council Member Carrillo, to return to Open Session and adjourn the meeting.

Motion carried unanimously (viva voce).

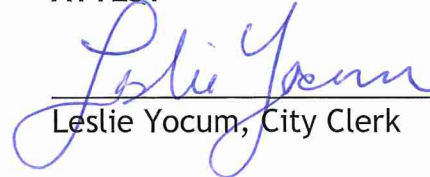
The meeting adjourned at 8:17 p.m.

CITY OF BLOOMINGTON



Tari Renner, Mayor

ATTEST



Leslie Yocum, City Clerk