

**SUMMARY MINUTES OF THE MEETING
PUBLISHED BY THE AUTHORITY OF THE CITY COUNCIL
OF BLOOMINGTON, ILLINOIS MONDAY, JUNE 11, 2018; 7:00 P.M.**

The Council convened in Regular Session in the Council Chambers, City Hall Building, at 7:00 p.m., Monday, June 11, 2018.

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

Aldermen: Jamie Mathy, David Sage (Arrived 7:02 p.m.), Mboka Mwilambwe, Amelia Buragas, Scott Black, Joni Painter, Diana Hauman, Kim Bray, Mayor Pro Tempore Karen Schmidt, and Mayor Tari Renner (Absent).

Staff Present: Steve Rasmussen, Interim City Manager; Jeffrey Jurgens, Corporation Counsel; Cherry Lawson, City Clerk; Scott Rathbun, Interim Finance Director; Scott Sprouls, IS Director; Nicole Albertson, Human Resource Director; Jim Karch, Public Works Director; Bob Yehl, Water Director; Clay Wheeler, Police Chief; Melissa Hon, Asst. to the City Manager; Bob Mahrt, Community Development Director; Kevin Kothe, City Engineer; Ryan Otto, City Engineer; Russ Waller, Facilities Manager; Patti-Lynn Silva, Chief Accountant; and other City staff were also present.

Recognition/Appointments

- A. Appointment of Scott Rathbun as Treasurer for the City of Bloomington.
- B. Appointment of Terry Ballantini to the Board of Zoning Appeals.
- C. Recognition of the following individuals for participation in the Benjamin School Trail project, which received the APWA Illinois Chapter Public Works Project of the Year 2018 Award for Transportation, Trails less than \$5 million:
 - (a) Greg Kallevig, Bob Yehl, Steve Arney, and Kevin Kothe.
- D. Recognition of the following individuals for participation in the HoJo & Wittenberg Sewer Improvements project, which received the APWA Illinois Chapter Public Works Project of the Year 2018 Award for Environmental Project:
 - (a) Kevin Kothe, Jeff Raines, Ward Snarr, Steve Arney, Ryan Otto, and Luke Thoele.
- E. Recognition of the following individuals for participation in the Brick Streets Master Plan project, which received the APWA Illinois Chapter Project of the Year 2018 Award for Technical Innovation and Management Innovation:
 - (a) Ryan Otto, Michael Hill, Jeffrey Kohl, Kevin Kothe, and Jim Karch.

- F. Recognition of Jason Kennedy for receiving the APWA Illinois Chapter Maintenance Worker of the Year 2018 Award.
- G. Recognition of Kevin Kothe for receiving the APWA Illinois Chapter Supervisor of the Year 2018 Award.
- H. Recognition of Jeffrey Kohl for receiving the APWA Illinois Chapter Technician of the Year 2018 Award.
- I. Recognition of Luke Thoele for receiving the APWA Illinois Chapter Engineer of the Year 2010 Award.

Public Comment

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

Ellen Schroeder-Concklin	Gary Lambert
Scott Stimeling	Judy Stearns

“Consent Agenda”

*Items listed on the Consent Agenda are approved with one motion, and is provided in **BOLD**, and items that Council pull from the Consent Agenda for discussion are listed with a notation **Pulled from the Consent Agenda**.*

Motion by Alderman Hauman and seconded by Alderman Painter that the Consent Agenda be approved.

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

Ayes: Aldermen Mathy, Mwilambwe, Sage, Buragas, Black, Painter, Hauman, Bray, and Schmidt.

Nays: None.

Motion carried.

The following was presented:

Item 7A. Consideration of approving the Minutes of the May 29, 2018 Regular City Council Meeting. (Recommend the reading of minutes be dispensed and approved as printed.)

The following was presented:

Item 7B. Consideration of approving Bills, Payroll, and Electronic Transfers in the amount of \$7,557,243.47. *(Recommend the Bills, Payroll, and Electronic Transfers be allowed in the amount of \$7,557,243.47, and orders drawn on the Treasurer for the various amounts, as funds are available.)*

The following was presented:

Item 7C. Consideration of Approving an Appointment to the Board of Zoning Appeals. *(Recommend Terry Ballantini be appointed to the Board of Zoning Appeals.)*

The following was presented:

Item 7D. Consideration of Approving an Appointment of Treasurer for the City of Bloomington. *(Recommend Scott Rathbun be appointed as City Treasurer for the City of Bloomington.)*

The following was presented:

Item 7E. Consideration of a Purchase of a Green Climber F300 Pro Slope Mower from Green Climber of North America, Inc., in the amount of \$39,950.00 (City Bid #2019-03), as requested by the Water Department. *(Recommend the Purchase of a Green Climber F300 Pro Slope Mower for the required maintenance of the dams and spillways at Lake Bloomington and Evergreen Lake and the Fill-Site at Lake Bloomington be approved, in the amount of \$39,950.00, and the Procurement Manager be authorized to issue a Purchase Order.)*

The following was presented:

Item 7F. Consideration of a Contract with Klean Korner for Janitorial Services, in the amount of \$68,692.80, at City Hall, the Public Works Garage, Fleet Maintenance, and Water Administration, as requested by the Administration – Facilities Department. *(Recommend the Contract with Klean Korner for Janitorial Services, in the amount of \$68,692.80, at City Hall, the Public Works Garage, Fleet Maintenance, and Water Administration, as the lowest responsible bidder, be approved, and the Interim City Manager and City Clerk be authorized to execute the necessary documents and the Procurement Manager be authorized to execute a purchase order.)*

The following was presented:

Item 7G. Consideration of an Ordinance approving an Amendment to the 2015 Amended and Restated Lease Agreement with the Public Building Commission and McLean County, reducing the City's payment due under the lease for 2019 by \$36,257, as requested by the Legal Department. *(Recommend the Ordinance approving an Amendment to the 2015 Amended and Restated Lease Agreement with Public Building Commission of McLean County and the County of McLean, reducing the City's rental payment for 2019 by \$36,257, be approved, and the Mayor and City Clerk be authorized to execute the necessary documents.)*

ORDINANCE NO. 2018 – 40

AN ORDINANCE APPROVING AN AMENDMENT TO THE

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AMENDED AND RESTATED LEASE AGREEMENT

The following was presented:

Item 7H. Consideration of an Ordinance Amending the FY 2019 Budget for the Fiscal Year Ending April 30, 2019, to allow the Expenditure of Donated Funds in the amount of \$40,000, in relation to the City's Firefighter Memorial Project, and a Contract for \$40,000 with Andrew Jumonville, an artist from Bloomington, to design, fabricate, and install a six (6) foot bronze statue of a Bloomington firefighter to be mounted at the Fire Service Memorial location at Miller Park, as requested by the Bloomington Fire Department. *(Recommend (1) an Ordinance Amending Ordinance 2018-23 for the FY 2019 Budget for the Fiscal Year Ending April 30, 2019, in the amount of \$40,000 be approved, and the Mayor and City Clerk be authorized to execute same; and (2) the Interim City Manager be authorized to negotiate and execute a Contract, in the amount of \$40,000, with Andrew Jumonville to design, fabricate, and install a six (6) foot bronze statue of a Bloomington firefighter, as the lowest quote and as a limited source for the necessary artistic style.)*

ORDINANCE NO. 2018 – 41

AN ORDINANCE AMENDING THE BUDGET ORDINANCE FOR THE FISCAL YEAR ENDING APRIL 30, 2019

The following was presented:

Item 7I. Consideration of a Petition for the Lake Bloomington Lease Transfer of Lots 5 and 8 in Block 23 in Camp Potawatomie from Edward Sepke to Amy and Kyle Tague, as requested by the Water Department.

(Recommend the Lake Lease Transfer be approved, subject to the following contingencies:

1. *the proposed lessees enter into a supplemental attachment to the lot lease incorporating the following as terms into the lease:*
 - a) *the septic tank and seepage field will be brought up to current code requirements within six months of entry into the new lease;*
 - b) *the new lease holder will pay the City of Bloomington for the assessed value of any and all trees that may be removed or impacted by the septic system improvements prior to septic system work;*
2. *any and all lease and refuse fees due to the City are paid in full;*
3. *the City is provided with documentation of the sale of the house located on the property; and*
4. *the Mayor and City Clerk be authorized to execute the necessary documents.)*

The following was presented:

Item 7J. Consideration of an application submitted by Tony's Tacos, Inc., d/b/a Tony's Tacos Downtown located at 105 W. Front Street, requesting a RAS Class liquor license (Restaurant, All Types of Alcohol, Sunday Sales) which would allow the sale of all types of alcohol by the glass for consumption on

the premises seven (7) days a week, as requested by the City Clerk's Office. *(Recommend the application of Tony's Tacos, Inc., d/b/a Tony's Tacos Downtown located at 105 W. Front Street, requesting a RAS Class liquor license (Restaurant, All Types of Alcohol, Sunday Sales) which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week be approved contingent upon compliance with all health and safety codes and compliance with BASSET training requirements.)*

The following was presented:

Item 7K. Consideration of an application submitted by Hacienda Leon, Inc., d/b/a Hacienda Leon located at 407 N. Hershey Road, requesting a RAS Class liquor license (Restaurant, All Types of Alcohol, Sunday Sales) which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week. *(Recommend the application of Hacienda Leon, Inc., d/b/a Hacienda Leon located at 407 N. Hershey Road, requesting a RAS Class liquor license (Restaurant, All Types of Alcohol, Sunday Sales) which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week be approved contingent upon contingent with all health and safety codes and compliance with BASSET training requirements.)*

The following was presented:

Item 7L. Consideration of an application submitted by T-V-E-O Corporation d/b/a Eric's Too, located at 921 Maple Hill Road, requesting a RAS Class liquor license (Restaurant, All Types of Alcohol, Sunday Sales) which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week. *(Recommend the application submitted by T-V-E-O Corporation d/b/a Eric's Too, located at 921 Maple Hill Road, requesting a RAS Class liquor license (Restaurant, All Types of Alcohol, Sunday Sales) which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week be approved contingent upon compliance with all health and safety codes and compliance with BASSET training requirements.)*

“Regular Agenda”

The following was presented:

Item 8A. Consideration of a Resolution Establishing Prevailing Wages to be paid to Laborers, Workers, and Mechanics Engaged in Public Works with the City of Bloomington, as required by law and requested by the Legal Department. *(Recommend the Resolution Establishing Prevailing Wages to be paid to Laborers, Workers, and Mechanics Engaged in Public Works with the City of Bloomington be approved, and the Mayor and City Clerk authorized to execute the necessary documents.) (Presentation by Jeffrey Jurgens, Corporation Counsel, 5 minutes, City Council discussion, 10 minutes)*

Mr. Jurgens stated every June it is required by law that Council approve and set the prevailing wage rates, by law, by the Prevailing Wage Act. This resolution is brought forward every year. Our resolution goes a little further than what the state law requires. In that, we require prevailing wage to be paid on projects that involve economic incentives from the City, or supported by things like tax increment financing or other tax incentives. That language has historically been in our resolution, and the City has included it in this resolution as well. At the last Council Meeting, there was discussion that was brought up by Mike Matejka on behalf of the laborers about whether or not some additional tweaks or language was necessary.

Staff had an opportunity, last Friday, to meet with Mr. Matejka, Alderman Schmidt, myself, and Director Bob Mahrt as well. It does not appear that there is currently an issue on enforcing this in the City of Bloomington. At this point, though, the thought from that meeting was to go ahead and allow this resolution to come forward as-is, as it does every year. We will then look at revisiting whether we need to amend or add some language, whether it be to this ordinance or to a future revision to the Economic Incentive Guidelines in the future.

RESOLUTION NO. 2018 – 34

A RESOLUTION OF THE CITY OF BLOOMINGTON, McLEAN COUNTY, ILLINOIS
ASCERTAINING THE PREVAILING RATES OF WAGES FOR LABORERS, WORKERS AND
MECHANICS ENGAGED IN PUBLIC WORKS
WITH THE CITY OF BLOOMINGTON

Motion by Alderman Black second by Alderman Bray that Council approves the Resolution Establishing Prevailing Wages to be paid to Laborers, Workers, and Mechanics Engaged in Public Works with the City of Bloomington be approved, and the Mayor and City Clerk authorized to execute the necessary documents.

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

Ayes: Aldermen Mathy, Mwilambwe, Sage, Buragas, Black, Painter, Hauman, Bray, and Schmidt.

Nays: None.

Motion carried.

The following was presented:

Item 8B. Consideration of an Ordinance Amending the City Code provision changing the Name from the “Cultural District Commission” to the “Cultural Commission” and Amending the Powers and Duties of the Commission, as requested by the Community Development Department – Downtown Development Division. *(Recommend the Ordinance Amending the City Code provision changing the Name from the “Cultural District Commission” to the “Cultural Commission” and Amending the Powers and Duties of the Commission be approved, and the Mayor and City Clerk be authorized to execute the necessary documents.) (Presentation by Bob Mahrt, Community Development Director, 10 minutes, City Council discussion, 15 minutes.)*

Mr. Mahrt provided a brief overview and historical perspective on the Cultural District Commission and its split from the Friends of the BCPA. The City Council established at the time the Downtown Arts Commission, and their intent at that time was to create an anchor on the north side for all the cultural amenities in that area. Its task at the time, and very similar to the task that is currently listed in the municipal code, was to recommend programming, expenditure of funds, and solicit citizen cooperation. Council at the time needed that advisory group to bounce ideas off when we were going through the acquisition phases of the district in that area. In 2003, the name changed from the Downtown Arts Commission to the Cultural

District Commission. They established modified bylaws and the responsibilities, very similar to the original legislation. In 2004, there was one more change made to the bylaws, or the municipal code, and that was to add a City Council member as the 14th member of the Commission.

The ordinance before Council is the potential changes to the existing code that was adopted back in 2004, with some other minor modifications in 2007. He explained the concept of a physical structure versus a community development approach to arts, culture, and special event programming for the community. We have to get away from the idea that the District is a physical structure, and move away from that name change, from Cultural District, that puts a place to it, and make it more of a Cultural Commission, that lets it more broaden the scope throughout the community.

Within the current membership, each member serves a three-year term, a maximum of nine years. There are currently 14 members, appointed by the Mayor and confirmed by Council. From the list, we have eight active members. It is down six members and is an active group. The Commission has been re-forming and reinvigorating itself following the split from the Parks Department and the Cultural Commission. Its Mission Statement now reads, "The Bloomington Cultural Commission, through advocacy, education and support, is dedicated to inspiring accessible and diverse artistic and cultural experiences, thus enhancing the value of the community's creative and economic life."

Mr. Mahrt requested a review of the proposed ordinance amendments with Cultural Commission as they are proposing to eliminate the name "District," to adopt a community-wide approach to the service of art and culture in the community. Section 81 (a), the membership would reduce from 14 to 11, at the request of the Commission. Under (b), there are no proposed changes; however, want to stress that we would meet not less than once per month, to maintain continuity. The Commission has been meeting twice monthly because they want to be active and move this forward. The other is (c) [1], "To serve as an advisory body to the City Council, the City Manager, and other City officials in creating, developing plans for, and supporting Cultural Districts." Number two, "To recommend to the City Council, City Manager, and other City officials cultural programs of any description or variety calculated to enhance the viability of Cultural Districts and the community." Number three, "To work with appropriate City personnel to establish means to elicit public participation in and support of Cultural Districts and other cultural programs, and helping to fully integrate the arts, in all their diversity, into the fabric of civic life." Number four, there were no changes.

The intent of these recommendations from the Commission is the formal name change will best reflect the Commission's expanded role to support arts and culture throughout the community, and it really hits on the mark for their Comprehensive Plan. In reviewing the main themes of the Comprehensive Plan related to arts and culture, (1) "To create a unique identity for the Bloomington arts and culture scene;" (2) "Support and promote arts and culture in the community;" (3) "Increase community awareness;" "Increase the visibility for arts and culture scene," and number four, or number five, "Actually encourage use of public art."

The Cultural Commission and Beautification Committee play off each as it relates to the landscaping and aesthetics, arts, culture, music, special events, and public art. If in the future Council determine it, wishes to expand on the duties or reduce the duties staff would bring it forward.

Alderman Mathy stated this process started from a conversation 18 months ago in trying to figure out what the purpose of the Cultural District. There was no legal district that had ever been drawn. This was discovered when they tried to apply for some grants from state and national level, and learned that

Bloomington did not qualify, as there was no formal district. He provided additional historical content related to the Cultural District. In his opinion, the next step should be to define what a real district looks like so that we can pursue state and federal grants to do things in Bloomington.

Mr. Mahrt stated one of the items on their work plan is creating criteria for the establishment of Centers, Cultural Centers, and Cultural Districts. They are using as a model other states in the Midwest that have enabling legislation of what defines a Cultural District. They are reviewing the state enabling legislation and trying to apply that to our own potential district designations for the City of Bloomington.

Alderman Painter stated she is not opposed to this, but wondered whether this would take away resources for our Downtown Revitalization and the focus that we has been on downtown. Mr. Mahrt stated staff would be reviewing the Comprehensive Plan at how the downtown would transition over time through the changes in our zoning ordinance. That would include making the downtown core within the buckle the D1 district, and it would have a more urban feel, and then the peripheral areas directly adjacent to the downtown area would be a D2 district and have more of a suburban feel, as you get further away and closer to the residential neighborhoods. The third district, D3 district the warehouse district with modification to the zoning ordinance, to allow for more craftsmen-type art, more grungy urban. A vibe there is different from what you would find in our gallery district.

Alderman Mathy stated Tom Dabareiner, former Community Development Director thought that if we were going to designate an initial Cultural District, that it needed to be smaller and more focused to create a bigger impact in a smaller district.

Alderman Black indicated his support for the name change and amendments.

Mayor Pro-Tem Schmidt asked why there are parentheses around the 'S' on districts. Should she assume that these districts could also overlay with other zones or other districts. Mr. Mahrt stated to some degree, that the overall goal is to have the Commission to be inclusive of the community.

Alderman Mwilambwe inquired about our current financial commitment with the Cultural District Commission, and what is anticipated it to be with the future Commission. Mr. Mahrt stated it is just staff support. There is no specific line item for the Cultural District; however, if that should change in the future, staff would bring it to Council for its consideration. This is an advisory commission to the Council, that Council has the ultimate authority on the Cultural Commission's recommendations.

ORDINANCE NO. 2018 – 42

AN ORDINANCE AMENDING THE CITY CODE PROVISIONS ON THE CULTURAL DISTRICT COMMISSION

Motion by Alderman Black second by Alderman Mathy that Council approves the Ordinance Amending the City Code provision changing the Name from the “Cultural District Commission” to the “Cultural Commission” and Amending the Powers and Duties of the Commission be approved, and the Mayor and City Clerk be authorized to execute the necessary documents.

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

Ayes: Aldermen Mathy, Mwilambwe, Sage, Buragas, Black, Painter, Hauman, Bray, and Schmidt.

Nays: None.

Motion carried.

City Manager's Discussion

Mr. Rasmussen congratulated the Downtown Bloomington Association and our own Downtown Development Division for a great celebration last week downtown, when we hosted the Cogs and Corsets special event. He announced upcoming events in the area for week.

Mayor's Discussion

Mayor Pro-Tem Schmidt announced for the record that Mayor Renner is attending the U.S. Conference of Mayors and is expected back on Tuesday.

City Aldermen's Discussion

There were no reports from the Aldermen.

Adjournment

Motion by Alderman Mwilambwe seconded by Alderman Buragas adjourning the meeting. Meeting adjourned at 7:52 p.m.

Motion carried. (Viva Voce)

CITY OF BLOOMINGTON



Tari Renner, Mayor

ATTEST



Cherry L. Lawson, City Clerk