

**SUMMARY MINUTES  
PUBLISHED BY THE AUTHORITY OF THE CITY COUNCIL  
OF BLOOMINGTON, ILLINOIS MONDAY, MARCH 26, 2018; 7:00 P.M.**

The Council convened in Regular Session in the Council Chambers, City Hall Building, at 7:00 p.m., Monday, March 26, 2018.

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

Aldermen: Jamie Mathy, Mboka Mwilambwe, Amelia Buragas, Scott Black, Joni Painter, Diana Hauman, Kim Bray, Karen Schmidt, and Mayor Tari Renner.

Absent: Dave Sage

Staff Present: Steve Rasmussen, Interim City Manager, Jeffrey Jurgens; Corporation Counsel, Cherry Lawson, City Clerk; Scott Rathbun, Budget Manager; Greg Scott, Assistant Chief of Police; Brian Mohr, Fire Chief, Scott Sprouls, IS Director; Nicole Albertson, Human Resource Director; Jim Karch, Public Works Director; and other City staff were also present.

**Recognition/Appointments**

- A. Recognition of Achievement to Nikita Richards, Employment Coordinator, for being selected as the recipient of the Outstanding Woman in Communications award from the Association for Women in Communication of Bloomington-Normal.
- B. Appointment of Julia Cozad-Callighan to the Cultural District Commission.

**Public Comment**

Paul Baker	Michelle Hunt	Gary Lambert
Scott Stimeling	Mike Evans	Richard Greenfield
Rebecca Houtsma	Laurie Bergner (2 Cards)	Mike Matejka
Lisette Zarco	Bruce Meeks	Laurie Bell
Melissa Ramirez (Time Limit)	Aleda Diggins (Time Limit)	

**“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 Schmidt and seconded by Alderman Hauman that the Consent Agenda and Addendum be approved.**

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

**Ayes: Alderman Mathy, Mwilambwe, Buragas, Black, Painter, Hauman, Bray, and Schmidt.**

**Nays: None.**

**Motion carried.**

The following was presented:

Item 7A. Consideration of approving the Minutes of the March 12, 2018 Regular City Council Meeting and the February 19, 2018 Special Session Meeting. *(Recommend the reading of minutes be dispensed and approved as printed.)*

The following was presented:

Item 7B. Consideration of approving Bills, Payroll, Procurement Card Purchases, and Electronic Transfers in the amount of \$5,039,670.52. *(Recommend the Bills, Payroll, Procurement Card Purchases, and Electronic Transfers be allowed in the amount of \$5,039,670.52, 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 Cultural District Commission. *(Recommend Julia Cozad-Callighan be appointed to the Cultural District Commission.)*

The following was presented:

Item 7D. Consideration of purchasing replacement Panasonic Toughbook computers from Nomar Enterprises LLC dba Rugged Depot at a price of \$153,272.00, through Bid #2018-36, as requested by the Information Services Department. *(Recommend the purchase of twenty-eight (28) replacement Panasonic CF-33 Toughbook laptop computers from Nomar Enterprises LLC dba Rugged Depot, through Bid #2018-36, in the amount of \$153,272.00 be approved and the Purchasing Agent be authorized to issue a purchase order for same.)*

The following was presented:

Item 7E. Consideration of approving the revised 2017-2022 Historic Preservation Programmatic Agreement between the City of Bloomington and the Illinois Department of Natural Resources as requested by the Community Development Department. *(Recommend the revised 2017-2022 Historic Preservation Programmatic Agreement between the City of Bloomington and the Illinois Department of Natural Resources for submission to the Illinois Department of Natural Resources/State Historic Preservation Office be approved, and authorize the Mayor and City Clerk to execute the necessary documents.)*

The following was presented:

Item 7F. Consideration of a Resolution Waiving the Formal Bid Process and approving a Purchase Order with MILO Range, FAAC, Inc. for the purchase of a MILO Range Theater 180 Multi-Screen

Training Simulator in the amount of \$102,040, as requested by the Police Department. *(Recommend a Resolution Waiving the Formal Bid Process and approving a Purchase Order in the amount of \$102,040 with MILO Range, FAAC, Inc. for the purchase of a MILO Range Theater 180 Multi-Screen Training Simulator and authorize the Mayor and City Clerk to execute the Resolution and the Procurement Manager to issue the Purchase Order.)*

RESOLUTION NO. 2018 – 18

A RESOLUTION WAIVING THE TECHNICAL BIDDING REQUIREMENTS AND APPROVING THE CONTRACT FOR THE PURCHASE OF A TRAINING SIMULATOR FROM MILO RANGE

The following was presented:

Item 7G. Consideration of a Resolution Waiving the Formal Bid Process and approving a Purchase Order with Collision Forensic Solutions, LLC for the purchase of a Leica ScanStation PS30 Package with Accessories and IMS Point Cloud Software Certified Point Cloud Training and Certified Scan Station Training in the amount of \$113,401.20 as requested by the Police Department. *(Recommend a Resolution Waiving the Formal Bid Process and approving a Purchase Order with Collision Forensic Solutions, LLC for the purchase of a Leica ScanStation PS30 Package with Accessories, Certified IMS Point Cloud Software and Scan Station Training, and authorize the Mayor and City Clerk to execute the Resolution and the Procurement Manager to issue the Purchase Order.)*

RESOLUTION NO. 2018 – 19

A RESOLUTION WAIVING THE TECHNICAL BIDDING REQUIREMENTS AND APPROVING THE CONTRACT FOR THE PURCHASE OF A PS30 3D SCANNER FROM COLLISION FORENSIC SOLUTIONS, LLC.

The following was presented:

Item 7H. Consideration of an Ordinance approving a Special Use Permit to allow offices in the R-3B, High Density Multifamily Residential District, for the property located at 616 IAA Drive, as requested by the Community Development Department. *(Recommend an Ordinance for a Special Use Permit to allow offices in the R-3B, High Density Multifamily Residential District, for the property located at 616 IAA Drive be approved, and the Mayor and City Clerk be authorized to execute the necessary documents.)*

ORDINANCE NO. 2018 – 18

AN ORDINANCE APPROVING A SPECIAL USE PERMIT FOR OFFICES IN THE R-3B, HIGH DENSITY MULTIFAMILY RESIDENTIAL DISTRICT, FOR PROPERTY LOCATED AT 616 IAA DRIVE

The following was presented:

Item 7I. Consideration of an Ordinance approving the First Amendment to the Redevelopment Agreement between the City of Bloomington and Magnus Hotels LLC to extend the date required for

completion of the Project (the acquisition and redevelopment of the former Baymont Inn & Suites at 604 ½ IAA Drive in the Empire Street TIF District) from March 31, 2018 to July 31, 2018 as Requested by the City's Office of Economic Development. *(Recommend an Ordinance approving the First Amendment to the October 24, 2016 Redevelopment Agreement between the City of Bloomington and Magnus Hotels LLC be approved, and authorize the Mayor and City Clerk to execute the necessary documents.)*

ORDINANCE NO. 2018 – 19

AN ORDINANCE APPROVING THE FIRST AMENDMENT TO THE REDEVELOPMENT AGREEMENT by and between THE CITY OF BLOOMINGTON, MCLEAN COUNTY, ILLINOIS and MAGNUS HOTELS, LLC (IAA Drive Former Baymont Inn Redevelopment)

The following was presented:

Item 7J. Consideration of the application of PATH, Inc., located at 201 E. Grove St., Suite 200, for a Limited Alcoholic Liquor License (Class LA) which would allow the selling and serving of all types of alcohol by the glass for consumption on the premises for a fund raiser to be held on April 12, 2018 from 4:00 p.m. to 12:00 a.m. at the Bloomington Center for the Performing Arts, 600 N. East St. *(Recommend a Class LA liquor license be created, which would allow the selling and serving of all types of alcohol by the glass for consumption on the premises for a fund raiser to be held on April 12, 2018 from 4:00 p.m. to 12:00 a.m. at the Bloomington Center for the Performing Arts, 600 N. East St., contingent upon compliance with all health and safety codes.)*

**“Public Hearing”**

The following was presented:

Item 8A. Public hearing for the Program Year (PY) 44/Fiscal Year (FY) 19 CDBG Action Plan and consideration of authorizing submittal of the PY44/FY19 CDBG Action Plan to the US Department of Housing and Urban Development as requested by the Community Development Department. *(Recommend the public hearing is open to receive comments on the PY44/FY19 CDBG Action Plan to the US Department of Housing and Urban Development.)*

*Mayor Renner opened the Public Hearing to receive public comment on the proposed budget and the following individual came forward to provide comment:*

Ryan Heeran

**“Regular Agenda”**

The following was presented:

Item 9A. Consideration of a Resolution approving the submittal of the PY44/FY19 CDBG Action Plan to the US Department of Housing and Urban Development as requested by the Community Development Department. *(Recommend a Resolution approving the submittal of the PY44/FY19 CDBG Action Plan to the*

*US Department of Housing and Urban Development be approved, and authorize the Mayor and City Clerk to execute the necessary documents.) (Presentation by Jennifer Toney, Grants Coordinator, 5 minutes, City Council Discussion, 10 Minutes.)*

Jennifer Toney, Grants Coordinator presented a brief overview of this item stating, we estimate we'll have about \$686,211, with the majority coming from our annual CDBG allocation. This is a number that's based on what we received for fiscal year 2018. Allocations have not released as yet, so it could be exactly the same, more or less. Adjustments will be made as needed. It is a deferred program, and therefore; no money is due back until the house is sold. If the owner decides to rent the dwelling, the family would have to repay the loan. So we don't ever know exactly how much program income we're going have, as it varies. We are estimating that we will have about \$150,000 in carry forward.

Their spending plan is approximately \$289,000 in the Rehabilitation Program. They do provide homeowner loans and grants, as well as receiving requests from not for profits. So we're looking at a grant, Tamare's Manor to do some rehab repairs. It is one of our very few permanent supportive housing units. It's the only site based. Or, site...project based unit in the community to my knowledge. Keeping those units up to date is important.

We have rehab service delivery costs. The majority of that is going to be for our led and asbestos testing that we have to do on all of our projects. She stated, that we have put funding in to help cover a portion of the cost for a Planner at the McLean County Regional Planning Commission. This person would be helping us to implement the Regional Housing Study. The programs that were identified that we need based on that housing study, and then also helping us with an affair housing assessment that we're required to do by HUD, as well as getting us ready to submit our next consolidated plan.

#### RESOLUTION NO. 2018 - 20

#### RESOLUTION AUTHORIZING THE FILING OF A COMMUNITY DEVELOPMENT PROGRAM APPLICATION FOR PROGRAM YEAR FORTY-FOUR (44) (May 1, 2018-April 30, 2019)

**Motion by Alderman Schmidt second by Alderman Bray Council approves a Resolution approving the submittal of the PY44/FY19 CDBG Action Plan to the US Department of Housing and Urban Development be approved, and authorize the Mayor and City Clerk to execute the necessary documents.**

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

**Ayes: Alderman Mathy, Mwilambwe, Buragas, Painter, Hauman, Bray, and Schmidt.**

**Nays: None.**

**Recuse: Alderman Black (Recused at 7:37 p.m.)**

**Motion carried.**

The following was presented:

Item 9B. Consideration of an Ordinance approving an Economic Incentive Agreement to rebate \$135,000 in sales taxes to Habitat for Humanity of McLean County, which would support the purchase and installation of a new solar panel array at the expanded Habitat for Humanity ReStore at 1402-1406 W. Washington Street as recommended by the City's Office of Economic Development. *(Recommend an Ordinance approving an Economic Incentive Agreement between the City of Bloomington and Habitat for Humanity of McLean County be approved, and authorize the Mayor and City Clerk to execute the necessary documents.) (Presentation by Austin Grammer, Economic Development Coordinator, 5 Minutes, City Council discussion, 10 minutes.)*

Mr. Grammer provided a brief overview of this item is the opportunity for the city to partner with Habitat for Humanity of McLean County in their restore renewal project. Staff from Habitat met with City staff many months ago during the early phases of this project, where they will be significantly renovating and expanding their restore on West Washington Street on the west side of the City. This project is over a \$900,000 investment, and will significantly beautify what was at one time a Funk Seeds owned property, and will result in over 20,000 square feet of retail space under roof. Habitat, of course, does a significant amount of investment throughout our community, and specifically on the west side, building new homes for families in need, and also restoring existing homes through their Brush with Kindness program.

During early discussions with Habitat, we discussed staff and directors of Habitat as to how the City could potentially assist them with their project, should they find that there are certain elements of their project they would not be able to afford but for City assistance. Through the expansion of their store, they will be selling more merchandise, which will benefit the City through an increase in sales tax revenue.

One of the projects that Habitat staff wanted to pursue, but was not able to is the installation of a solar panel array on the roof of the restore. The goal of installing the solar panels would be to reduce the overhead cost of Habitat's operations. The more that Habitat can reduce its overhead costs, the more that it can keep those savings and reinvest those into the community by building of new homes for families in need, and also helping to repair existing homes in the community.

Alderman Bray asked whether there are any other contributors to the rebuild or restoration of the building, and whether any other governmental bodies have contributed money to the reconstruction or project. Mr. Grammer I believe that Habitat has sought other donations from outside the community, and reinvested their own saved funds into the project for the restore expansion.

Stan Geison of Habitat stated, there are no other funds from government bodies. A small amount of public donations, but the lion's share is really from a mortgage that we have worked with First Financial Bank.

Alderman Bray asked Mr. Geison to share Habitat's Scope of Work Plan for the restoration. Mr. Geison stated, the money that is net income from the restore operation goes into Habitat McLean County affiliate. That money is used primarily in our homebuilding program. They build homes for families with 60% or lower median income level. The families are all approved, and there are other criteria involved. One key one is sweat equity that's required of families, and the money would be used in that program, but we've not discussed that it needs to be restricted to Bloomington--Normal. The program serves the county.

They have just completed the second home in Le Roy, and those are the first two homes have been built

outside of Bloomington--Normal in 20 years. So, primarily, it serves Bloomington and Normal, and of that, the lion's share goes to Bloomington's community.

Alderman Mathy stated, we are not asking for a rebate of new sales above and beyond where Restore has been for years of operations. Where it is a rebate of 100% of the sales tax, or at least 100% of what we would get, the 3.5%..?

Mr. Grammer stated, it is a rebate that is sourced from basically dollar one of sales tax, effective at the beginning of this coming month, would be set aside and then allocated and rebated to Habitat up until the \$135,000 is repaid. In the end, the City nets basically the same. The City just gives up what that current existing revenue stream would be for basically what amounts to a shorter time period, as opposed to giving up the new incremental that would amount.

Alderman Mathy expressed concern over the proposal that includes an estimate for the amount of renewable energy credits that would be generated, and the sale of those as revenue coming back in to offset the cost of the solar array. He is leery of supporting this item, because there are precedents that this could set. It doesn't seem to fit in the City's economic incentives packages that we have in place. If we were to modify this agreement so that whatever credits were generated and the revenue sold also counted towards the payback of the \$135,000, he could agree to approve it. In its current state, the City is literally just giving \$135,000. They're actually going generate another \$60,000 of that back.

Alderman Mwilambwe, he concurs with Alderman Mathy sentiments I'm a little ambivalent about the proposal, because for one thing, you know, what I'm worried about is, given our current budget context, I'm worried about the message that we are sending. Council has made some decisions in terms of raising fees in some areas. We have made some cutbacks in terms of not only staff, but also services.

Alderman Buragas stated, this item may be missing some of the benchmarks that Council would like to have to be able to make a decision on this item that may relate to the number of jobs created, certain amount of funds being invested in the project or that it will generate a certain amount of tax dollars. She expressed her support for Habitat and its activities, and is supportive of renewable energy efforts in the Bloomington community.

Alderman Hauman expressed her disappointment that this resolution was placed on an agenda without input from Council. She asked Interim Community Development Director Bob Mahrt earlier, and his response was that it was brought to us in October 2017. She feels as though much work has been done on this without input from Council.

Alderman Black expressed his support for the item with some concerns. He recalled talking to David Hales about this project. Many of the concerns that he heard, he shares in precedent setting. Is this really the best use of economic development dollars? He is looking at nearly a million dollars being invested into an area of town that typically doesn't get that type of investment. If we're going to have a time in which we come back to vote on this proposal in the future, I guess I'd rather make that motion to table it. We give some specific direction on what that looks like before we bring it back, or we vote it down this evening.

#### RESOLUTION NO. 2018 \_\_\_\_\_

~~A RESOLUTION DIRECTING STAFF TO INCLUDE FUNDS IN THE FY 2019 BUDGET FOR INTERSECTION DESIGN, PLANS, CONSTRUCTION DOCUMENTS, RIGHT OF WAY, UTILITY RELOCATION, AND CONSTRUCTION FOR THE INTERSECTION OF TOWANDA BARNES ROAD AND IRELAND GROVE ROAD~~

**Motion by Alderman Hauman second by Alderman Mwilambwe Council to suspend the rules for fifteen (15) minutes to continue the discussion of item 9B.**

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

**Ayes: Alderman Mathy, Mwilambwe, Black, Buragas, Painter, Hauman, Bray, and Schmidt.**

**Nays: None.**

**Motion carried.**

**Motion by Alderman Mathy second by Alderman Schmidt Council table this to a late date within sixty (60) days until at such a time we can explore some language where any renewable energy credits be applied back to the city balance.**

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

**Ayes: Alderman Mathy, Mwilambwe, Buragas, Painter, Bray, and Schmidt.**

**Nays: Alderman Black and Hauman.**

**Motion carried.**

The following was presented:

Item 9C. Consideration of a Resolution affirming the Bloomington City Council's support of the Bloomington Public Library Board's vote to expand the Library in the current location as requested via Aldermanic Request Form submitted by Alderman Schmidt. *(Recommend a Resolution affirming the Bloomington City Council's support to expand the Library in the current location be voted on and authorize the Mayor and City Clerk to execute the necessary documents.) (Presentation by Jeanne Hamilton, Executive Director of the Bloomington Public Library, 5 minutes, City Council discussion, 5 minutes.)*

Ms. Hamilton stated, at the library board meeting on January 23rd of this year, the Board asked me to draft a Resolution expressing the Board's intention to pursue a library expansion at the existing library site. This Resolution was approved on February 20th. The resolution in front of you today is in support of the resolution that the Library Board passed.

Alderman Mathy asked for the report Council was supposed to receive from Deb Halperin and Stacy Tutt. Ms. Hamilton stated, Deb Halperin is no longer involved in the report, but I believe Stacy's class is doing a report. She had received communications from Ms. Tutt that would include the need and steps taken by the library to expand, as well as the needs and steps taken by Connect Transit to build a transfer station.



The report would then summarize the discussion in the Joint Meeting, as well as aggregate data from the pre-meeting survey. It would, then, outline the next steps decision making points in anticipated timelines moving forward on any of the projects.

Alderman Buragas stated she had spoken with Ms. Tutt. For clarification purposes, her law school students are part of the Community Preservation Clinic over at the University of Illinois, who have been working on a report since the Joint Meeting, and anticipate issuing that in a very short period of time. Ms. Tutt had requested a short extension of time, and asked that this particular agenda item get pushed off to the very next meeting in order to allow that report to be issued prior to Council making any decision.

Alderman Buragas expressed disappointment that this item was not given an extension of time before coming forward on an agenda. Perhaps other considerations are being given outside of her knowledge. This item is not time sensitive. However expressed her support for the Bloomington Public Library as well as the Library Boards desire to continue to explore and look at the feasibility of expansion on site.

Alderman Black commented on some of the profound changes that are occurring in our community. We can look at analyst projections, consultant reports, Facebook and Pantagraph comments. It is important to him to be intellectually honest about what priorities are in capital projects. I support the library. I think it's great. I think it needs to expand. This resolution indicates interest in expanding, although it doesn't commit any resources to it.

He expressed his discomfort is that we are looking at several projects, some of which have useful life left in them. From a priority list perspective, O'Neil Pool is much higher to me than the Library. The library isn't a functional building. O'Neil Pool is threatened with not being able to be opened within this year, next year. We are well past our life. Bloomington's economic realities may likely impact housing stock, jobs creation, sustainability, and pay. We need to diversify our tax base and our business base to make sure these sorts of things don't impact us. What is important is being honest with the community about where he stand on these things. At this point in time, he is not comfortable supporting a library expansion in its current location. I'm not really that interested in expanding it at another location, and I want to see how some things fall.

Alderman Bray stated, Council did not commission any surveys or reports to make a decision. That had not been a factor of our decision making. We have a Library Board that is charged with doing the sweat equity force here, and they've done it, and they've done it well. They've considered the voices. She worked on Downtown Task Force, and they did not commission a study, survey or a report.

Alderman Mwilambwe stated, he is in full support of it, because I think we need to give the Library Board some closure.

#### RESOLUTION NO. 2018 - 21

#### A RESOLUTION AFFIRMING SUPPORT OF THE BLOOMINGTON PUBLIC LIBRARY BOARD'S VOTE TO EXPAND THE LIBRARY IN THE CURRENT LOCATION

**Motion by Alderman Schmidt second by Alderman Bray Council approves a Resolution affirming the Bloomington City Council's support to expand the Library in the current location be voted on and authorize the Mayor and City Clerk to execute the necessary documents.**

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

**Ayes: Alderman Mathy, Mwilambwe, Painter, Hauman, Bray, and Schmidt.**

**Nays: Alderman Buragas and Black.**

**Motion carried.**

The following was presented:

Item 9D. Discussion and action on various proposed motions to provide specific direction on closing the \$525,000 budget gap within the FY2019 Proposed Budget, including the following topics: Cost Recovery Fees; Parking-Special Events; Business Registration; and Cost Reductions.

a. Cost Recovery Fees

Mr. Rasmussen provided an overview of this item stating there are three proposed motions for Council to consider, that one category had been eliminated due to input staff had from Council. He asked Nicole Albertson, Human Resource Director to discuss savings in Personnel and how those contributes to the reductions in the budget.

Ms. Albertson stated, many have expressed concern that the City of Bloomington is not making any cuts to address the deficit. The City has heard recent concerns with our employee compensation being out of line or out of control. We are going to experience a benefit and salary saving in FY 2018, coming under budget which is great news. In terms of worker's compensation savings, the City takes this benefit very seriously as well. The City is definitely seeing a savings in this program in the area of approximately \$250,000. She spoke of employee medical plan changes and the soft hiring freeze policy. In 2017, you may recall we implemented membership with the IVPC, and in doing so we have seen a very positive movement in our claims cost and in our risk avoidance. 2018, we only experienced a premium increase of 3% in the PPO, 1% of the HMO.

Fiscal year 2019, we have been working on implementing what we're calling the working spouse eligibility, which will also result in significant cost savings. Essentially, what we're saying here is if you have a spouse that's currently on the plan after a certain date, and they have other eligible health insurance costs, we will be removing those from the plan. Lastly, one policy that we are planning on putting into place, effective May 1, 2019, to align with the fiscal year. All vacancies will remain open for 90 days unless they are deemed to be in a key position by the City manager.

Mr. Rasmussen discussed each of the sample motions and how those contributes to a cost savings for the City. He referenced the handout that Bob Mahrt, Interim Community Development Director provided to Council stating, we would come back to you during the next couple of months with the actual actions to take action on these, because some of these require us to change ordinances. City staff is not seeking those changes today. Rather, if you would like to move forward with that, we'll put that into the budget.

Alderman Schmidt asked for clarification, stating in the presentation, Mr. Rasmussen said a possible 2.5% every year, 5% biannual increase. The motion itself seems like it is automatic.

Mr. Rasmussen stated, the staff department heads would have the authority to come back and put those things in automatically, unless the Council directed otherwise. Staff would bring forward a fee listing sheet that shows you the current fees, and the ones then that staff would recommend. Council would consider the item before them with the proposed fee increase. Absent Council action, we would look at not more than a 2.5% increase each other. But we'd only do that every two years.

Alderman Black stated he would be voting in support of this item as long as there will certain items will be addressed in the near future, such as false alarms and special event street closures.

Alderman Mwilambwe asked what would be the outcome should Council not approve those fees. Mr. Rasmussen stated, if one of those fees requires an ordinance change and the Council votes against the fee change, then it does not get changed.

*(Recommend one of the following sample motions related to Cost Recovery Fee Increases:*

*Sample Motion 1: City staff draft and bring back an Ordinance for consideration to enact amendments to the City fee schedules allowing a one-time amendment effective May 1, 2018, and a 5% biennial increase thereafter, effective May 1, 2021, related to Community Development (building safety, code enforcement, etc.), Police (false alarms), Fire (false alarms), Public Works (special event street closures) and others that may apply; so the fees more closely align with the City costs to administer the related functions. City estimated cost recovery for FY2019 of \$225,000.*

*Sample Motion 2: ~~City staff draft and bring back an Ordinance for consideration to enact a one-time amendment to the City fee schedules, effective May 1, 2018, related to Community Development (building safety, code enforcement, etc.), Police (false alarms), Fire (false alarms), Public Works (special event street closures) and others that may apply; so that the fees more closely align with the City costs to administer the related functions. City estimated cost recovery for FY2019 of \$225,000.~~*

*Sample Motion 3: ~~City staff draft and bring back an Ordinance for consideration to enact amendments to the City fee schedules allowing a biennial 5% increase, effective May 1, 2020, related to Community Development (building safety, code enforcement, etc.), Police (false alarms), Fire (false alarms), Public Works (special event street closures) and others that may apply; so the fees more closely align with the City costs to administer the related functions. City estimated cost recovery for FY2019 of \$0.00.~~*

**Motion by Alderman Schmidt second by Alderman Bray Council approve City staff draft and bring back an Ordinance for consideration to enact amendments to the City fee schedules allowing a one-time amendment effective May 1, 2018, and a 5% biennial increase thereafter, effective May 1, 2021, related to Community Development (building safety, code enforcement, etc.), Police (false alarms), Fire (false alarms), Public Works (special event street closures) and others that may apply; so the fees more closely align with the City costs to administer the related functions. City estimated cost recovery for FY2019 of \$225,000.**

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

**Ayes: Alderman Mathy, Mwilambwe, Buragas, Black, Painter, Hauman, Bray, and Schmidt.**

**Nays: None.**

**Motion carried.**

b. Parking Fees

*(Recommend the following sample motions related to Parking Fees – Special Events:*

Mr. Rasmussen provided a brief overview of this item and stated there is only one motion for the Council to consider with this item.

*Sample Motion: The Special Event Parking Resolution include provisions that staff continue aggressive collection of parking violations and that staff be authorized to initiate a program to collect parking fees associated with special events, whether it be via increased event ticket fees and/or on-site parking fees. City estimated cost recovery and additional revenues for FY2019 of \$100,000.)*

**Motion by Alderman Hauman second by Alderman Painter for Council to accept Staff Recommendation for the Special Event Parking Resolution, including provisions that staff continue aggressive collection of parking violations and that staff be authorized to initiate a program to collect parking fees associated with special events, whether it be via increased event ticket fees and/or on-site parking fees. City estimated cost recovery and additional revenues for FY2019 of \$100,000.)**

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

**Ayes: Alderman Mwilambwe, Buragas, Painter, Bray, and Schmidt.**

**Nays: Alderman Mathy and Black.**

**Motion carried.**

c. Business Registration

*(Recommend one of the following sample motions related to Business Registration:*

Mr. Rasmussen stated, what we have, is we have a proposed a Business Registration Fee. This is opposed to a licensing fee. The registration fee only gets us the anticipation of who is conducting business, and we can do this by charging a nominal fee. We were proposing \$50 as an initial fee with a \$50 amount to be paid every year. The amount of money that we anticipate recovering is approximately \$200,000 a year which covers those services that staff is already providing. Most of that we're doing now, for which we're not reimbursed, and that's why the Community Development Department has a continual deficit, and they have to put other monies into them.

Alderman Mathy asked whether home based businesses would be exempted from the Business Registration Fee. Mr. Rasmussen stated, staff will need to clarify certain items in this ordinance before bringing it forward. Mr. Mahrt stated no.

Alderman Mwilambwe asked about the type of services being provided that the City is seeking recovery for. Mr. Mahrt described the Community Development Department and the Divisions included within the department. We basically have five divisions. The first division is Building Safety. Generally we have \$1.2 million in expenditures, and \$1 million in revenues. Those revenues are generated through our building permit fees, and the like.

Our next division is Code Enforcement division, and they have a budget of roughly \$950,000, and they have revenues of \$313,000 that is basically from \$250,000 in our Rental Exception Program, and some other fees that are generated from that. So you start seeing that cost recovery starts dropping off as we go through the department. When you pull a building permit, you get the direct service of an inspector coming out, evaluating the construction plans, and then going out to the site to see that it was properly installed, and then issuing you that occupancy permit. One of the fees that Community Development is not recovering in the Building Safety Program is our fire inspectors. We have two fire inspectors and a fire systems inspector. So those inspectors, by Chapter 17 of the Municipal Code, are required to periodically...actually, it says every year, to inspect commercial buildings within the community. They're probably on a three year cycle. Very similar to our Rental Property Inspection Program.

In addition, when we have a request for a new liquor license, before it goes to the Liquor Commission for its review and consideration, we are mandated to go out and do that inspection of that business. We are missing is the cycle of doing all these commercial buildings within the City. There are between 2000 and 4000 businesses that the City is obligated to do an inspection essentially with no charge at all for that service. Essentially, we are asking for this cost recovery, which is essentially a user fee for having that commercial business.

Alderman Mwilambwe asked why home based businesses are not included in the Business Registration Fee Program. Mr. Mahrt stated, it is very difficult to track home based business entrepreneurship. He would prefer they register; though not charging them a registration fee so that they will be part of the system.

Alderman Mathy asked, if we were to vote in favor of sample motion two as opposed to sample motion one, am I correct in understanding that the \$50 is basically our cost of administrating this program on a yearly basis. We would have a hole in our budget for next year unless we took action?

Alderman Painter stated, the reason she voted for the motion is she is concerned about the cost of executing this program every year. If we were to tweak this to make it a one-time fee of \$100 rather than \$50, it would help us out more. She expressed concern over the potential of having to hire someone to manage this program every year which would nullify any benefits the City was looking to achieve.

Alderman Black stated, he would be voting no for this item as he does not believe the City should be collecting a Business Registration Fee. He is uncomfortable with how this has been presented to Council as a budget pitch.

Alderman Schmidt questioned the amount being charged and asked staff how did they arrive at the \$50 fee. Mayor Renner asked, why not charge a \$100 or \$200 fee?

Mr. Mahrt stated, staff tried to keep it as a nominal amount. You know, whether \$50, or you talked about

\$75, \$100 -- it could be any of those numbers.

Alderman Mathy stated, he would be voting no for this item for some of the same reasons that Alderman Black indicated.

*Sample Motion 1: The business registration Ordinance include a fee of \$50 to cover the costs of administration of the program. City estimated cost recovery for FY2019 and beyond of \$200,000 per year.*

*Sample Motion 2: The business registration Ordinance include only a one-time fee of \$50 to cover the costs of administration of the program. City estimated cost recovery for FY2019 of \$200,000.*

*Sample Motion 3: The business registration Ordinance not include any fees. City estimated cost recovery for FY2019 of \$0.00.*

**Motion by Alderman Hauman second by Alderman Painter Council approves the recommendation that the business registration Ordinance include only a one-time fee of \$50 to cover the costs of administration of the program. City estimated cost recovery for FY2019 of \$200,000.**

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

**Ayes: Alderman, Buragas, Painter, Hauman, Bray, and Renner.**

**Nays: Alderman Mathy, Mwilambwe, Schmidt, and Black.**

**Motion carried.**

## **City Manager's Discussion**

Mr. Rasmussen highlighted the upcoming events that are occurring in the Bloomington Community at the following venues: Bloomington Center for the Performing Arts, Grossinger Arena, Pepsi Ice Center, the Bloomington Public Library, McLean County Arts Center and McLean County Museum of History. He will provide this information in his weekly update to Council each week.

## **Mayor's Discussion**

Mayor Renner thanked all those who participated in the protest march, stating this is democracy in action. He will hold an open house, a week from this Friday, in the traditional way that I've had it in the past, that during that time, he will show a video of the Lorraine Motel where Martin Luther King was assassinated in 1968, it's actually a museum today. If you go in there, I bought the tape that you'll see. It is a 22 minutes video of his assassination called "Witness," and we'll look at that. Just talk a little bit about Dr. King.

## **City Aldermen's Discussion**

Alderman Mathy inquired as to how he could receive one of those listing that community event listings that Steve mentioned.

Alderman Mwilambwe commented on a Facebook post that he was tagged on. The way it was described to me was that people were disappointed that nobody from the Administration came out. Nobody came out to address, you know, those who were protesting.

What kind of came out of all of that, and just listening to some of the comments here, I wanted to be able to reiterate that several of us who have had conversations, don't think we were opposed to doing anything. It is more accurate to say that we just have a difference of opinion on how we're going to accomplish the item at hand. It's a democracy. It's okay to have a difference of opinion. He want the conversation to be a little bit more thoughtful. There should not be any hurt feelings as we are a community of thoughtful people who can work together.

Hopefully we can have more productive conversations, where we are not shouting at one another. Sometimes words can be dissected and interpreted in a way that they're not meant. So we have to be extremely careful with that, because the issue is extremely sensitive to a lot of people. He expressed concern about the fact that the issue has been described in ways that are, I would say, binary, as either this way or that way. But I actually think it's a lot more complicated. It's a lot more complex than that, and I think if we are able as a council, that's our responsibility, to craft a process that allows everybody to express themselves a way that's respectful, thoughtful. We may learn a lot more than we did at the beginning. I love the enthusiasm of activists. As an activist, is important to recognize...that activists are a lot closer to the issue than others are. You know, it's important to kind of take care to make sure that the people who are not as close to the issue become more familiar over time. When they do, one might realize that you can find actually more supporters, you know, once people are a little bit more educated on the issue.

Alderman Buragas asked what the process is as residents have been trying to get Council's attention and what they are asking is for Council to have a public discussion and make a public decision on whether or not we want to adopt a Welcoming City Ordinance. She asked when will this item come forward on an agenda.

Mayor Renner stated, obviously this has been discussed, as some people said, for a year, since a little after the beginning of the Trump administration...and I think somebody had cited there's a 40%-some increase in deportations of noncriminal individuals. So, for a lot of reasons, that's having a ripple effect in all cities.

When he attends the U.S. Conference of Mayors, this topic is often discussed. There's a fundamental difference between a sanctuary city and a welcoming city, at least in the terms of the types of ordinances. Council did discuss this formally in December, and the direction from...in December was, maybe we see what Normal has done. There were a variety of different attitudes expressed, but that we would bring something back.

He stated, staff was prepared to bring something back on the January 23 agenda which was a month after it had been discussed. He mentioned that he had heard from some members of Council either directly or indirectly. Five Aldermen said that they did not want to talk about...or they did not want in on that agenda of February 12th, and we had some of the supporters saying there are still things to work out. He believes

this is going back to what Alderman Mwilambwe was suggesting, that this is not binary, that there are some nuances that need to be worked out.

According to the statute and City Code, the Mayor and City Manager directs administrative control over the agenda. Therefore after discussing this with Mr. Rasmussen, the item was pulled from the agenda. It doesn't mean that it cannot be brought back. From my perspective, there's no point in bringing something back that might create, as Alderman Mwilambwe said, some hurt feelings, especially if it's not going pass.

Mayor Renner mentioned the conversations that he has had with other members of City Council, stating the Town of Normal seemed to have changed their mind on the issue. Then there is a different group, a welcoming city group as well as the mayor from Dayton, Ohio who indicated that its Council passed the ordinance. Though he had not read Dayton's actual ordinance, we did have a different version as of the end of January here locally that our policy chief and our legal counsel seemed to be in favor of.

It would be also nice to have the town of Normal do it, but from my perspective, and I've said this in, you know, in public, there's no reason why Bloomington can't lead in social justice. It doesn't always have to be with Normal. But if we could do it with Normal that would be great for both communities. .

Alderman Black stated, all he knows is Normal said that they would take it up. But we need to find out what the Council's pleasure is now and we just wait to hear from you. I just want to hear what everyone has to say.

Mayor Renner stated, there is not a specific date at this time to revisit the issue.

Alderman Bray called for a Point of Order, as she is unclear how long the conversation between Alderman Buragas and Mayor Renner will continue. This seems to be a bit of an abuse of the process. She stated, Mayor Renner has already had an opportunity to provide comment, and that Alderman Buragas, too, has made some comments; it's time to move forward. We have heard your answer, and understand you have an agenda, and that you actually have a position in this matter that may differ from others. That's what democracy is about, and kind of taking a strong arm approach here to take over the comments at the end of the meeting. She asked Mayor Renner to conclude and allow the meeting move forward so that others can also speak to the other issues that are important to them as well.

Mayor Renner apologized stating, if there was anything that he said that was strong armed. It was certainly not mean to be that way. He did not make any statements that was in favor of a Welcoming City Ordinance, or opposed to it.

Alderman Buragas stated, during the February 28th meeting, we pulled some meeting minutes from our Consent Agenda for revision. They were from our February 12th meeting. Those have not yet come back for consideration, and I was wondering if we had a plan to do that so that we can get those approved in a timely manner.

Mayor Renner asked Ms. Lawson to comment on the minutes. Ms. Lawson stated, she had sent an email with a link to everyone and asked that everyone respond, and send me, according to your motion, what you wanted to see in the minutes, or what your take was. Two Council members responded by email and two verbally.



Alderman Bray stated, it was her motion and she as Ms. Lawson to give Council a timeframe in which you'd like to hear back, and we can do that and get that together. There was some very sensitive comments made, and I think folks are taking an opportunity to step away and gather the important information that need to appear in the minutes. As we've moved forward into our budget time, I think we were seeking to find commonality and not division.

Alderman Schmidt referred to Alderman Mwilambwe comments about this is democracy in action. Democracy is messy. I saw that in action at the BCPA, when we had a complication, for lack of a better word...I think was back in January, February 2017, and it was standing room only. She reflected on that meeting as a group of people in this community who wanted to "be the change they want to see in the world." It was a very moving event. She proposed that on either Committee of the Whole or at a Work Session, that Council begin to discuss how we might invite our Human Relations Commission in, maybe our Public Safety and Community Relations Board, members of our faith community as it deserves a deeper and rich conversation.

Alderman Black stated, he is not qualified to comment on immigration policy. Ultimately, we have a sizable portion of our community asking us a question. They've gone to some great lengths to get our attention on that matter. We need to have some sort of an answer. If that answer is no answer, that's an answer.


He spoke of the division of Council. When he see Council not showing unity on some of these things, it means that the community is not unified on these things, and there's division in our community that we need to somehow build a consensus around. He expressed disappointment and dismayed in the blowback that he has received from people who have been vitriolic in their hatred towards people that are different than themselves. That needs to be corrected. He also expressed concerned about some of the things that people believe an ordinance is going to do, even though it would not do that. When he hear this kind of division on the Council, and I hear division in the community, that means it's time for a community conversation. He would advocate for the next available Committee of the Whole that we talk about these things, we get the feedback from the staff.

## Adjournment

**Motion by Alderman Hauman seconded by Alderman Mathy adjourning the meeting.  
Meeting adjourned at 9:53 p.m.**

**Motion carried. (Viva Voce)**

CITY OF BLOOMINGTON

  
Tari Renner, Mayor

ATTEST

  
Cherry L. Lawson, City Clerk