

**RECORD OF MOTIONS AND VOTES  
PUBLISHED BY THE AUTHORITY OF THE CITY COUNCIL  
OF BLOOMINGTON, ILLINOIS**

The Council convened in regular Session in the Council Chambers, City Hall Building, at 7:00 p.m., Monday, April 9, 2012.

The Meeting was opened by Pledging Allegiance to the Flag followed by moment of silent prayer.

The Meeting was called to order by the Mayor who directed the City Clerk to call the roll and the following members answered present:

**Aldermen: Judy Stearns, Mboka Mwilambwe, Bernard Anderson, David Sage, Robert Fazzini, Steven Purcell, Karen Schmidt, Jim Fruin and Mayor Stephen F. Stockton.**

**Alderman absent: Jennifer McDade.**

**City Manager David Hales, City Clerk Tracey Covert, and Corporate Counsel Todd Greenburg were also present.**

**PUBLIC COMMENT:**

**The following was presented:**

**Item 7A. Council Proceedings of March 26, 2012.**

**Motion by Alderman Fazzini, seconded by Alderman Fruin that the reading of the minutes of the previous Council Meeting of March 26, 2012 be dispensed with and the minutes approved as printed.**

**The Mayor directed the clerk to call the roll which resulted in the following:**

**Ayes: Aldermen Stearns, Mwilambwe, Schmidt, Anderson, Fazzini, Sage, Fruin and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 7B. Bills and Payroll.**

**Motion by Alderman Fazzini, seconded by Alderman Fruin that the Bills and Payroll be allowed and the orders drawn on the Treasurer for the various amounts as funds are available.**

**The Mayor directed the clerk to call the roll which resulted in the following:**

**Ayes: Aldermen Stearns, Mwilambwe, Schmidt, Anderson, Fazzini, Sage, Fruin and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 7C. Purchase of Practice Ammunition for Police Department.**

**Motion by Alderman Fazzini, seconded by Alderman Fruin that the purchase of practice handgun and rifle ammunition utilizing the State of Illinois Joint Purchasing Contract for 100,000 rounds of ammunition from Ray O'Herron Inc. in the amount of \$21,800 and for 84,000 rounds of ammunition from Grace Ammo LLC in the amount of \$28,094.86 be approved, and the Purchasing Agent be authorized to issue Purchase Orders for the same.**

**The Mayor directed the clerk to call the roll which resulted in the following:**

**Ayes: Aldermen Stearns, Mwilambwe, Schmidt, Anderson, Fazzini, Sage, Fruin and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 7D. Payment to Springbrook, Inc. for Annual Software Maintenance for Water Billing Software.**

**Motion by Alderman Fazzini, seconded by Alderman Fruin that the payment to Springbrook, Inc. for the annual software maintenance costs for the period of May 1, 2012 to April 30, 2013, for the Water Department's billing software in the amount of \$26,968.99, be approved and the Purchasing Agent be authorized to issue a Purchase Order.**

**The Mayor directed the clerk to call the roll which resulted in the following:**

**Ayes: Aldermen Stearns, Mwilambwe, Schmidt, Anderson, Fazzini, Sage, Fruin and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 7E. The Purchase of Proprietary Line Stop Equipment.**

**Motion by Alderman Fazzini, seconded by Alderman Fruin that the purchase of proprietary line stop equipment from Hydra-Stop, a division of ADS, LLC, in the amount of \$41,682 be approved, and the Purchasing Agent be authorized to issue a Purchase Order.**

**The Mayor directed the clerk to call the roll which resulted in the following:**

**Ayes: Aldermen Stearns, Mwilambwe, Schmidt, Anderson, Fazzini, Sage, Fruin and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 7F. Analysis of Bids for a 2012 Ford E450 Chassis with an Elkhart Coach ECII Body for the Parks, Recreation and Cultural Arts Department.**

**Motion by Alderman Fazzini, seconded by Alderman Fruin that the bid for a 2012 Ford E450 Chassis with an Elkhart Coach ECII Body for the Parks, Recreation and Cultural Arts Department be awarded to Midwest Transit Equipment, Inc., Kankakee IL, in the amount of \$39,589, and the Purchasing Agent be authorized to issue a Purchase Order for same.**

**The Mayor directed the clerk to call the roll which resulted in the following:**

**Ayes: Aldermen Stearns, Mwilambwe, Schmidt, Anderson, Fazzini, Sage, Fruin and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 7G. Analysis of Bid for Moving Light LED Lighting System for the Bloomington Center for the Performing Arts (BCPA).**

**Motion by Alderman Fazzini, seconded by Alderman Fruin that the bid for twenty (20) LED Moving lighting fixtures for the BCPA be awarded to JR Lighting Design, Inc., Orland Park, IL, in the amount of \$60,500 and the Purchasing Agent be authorized to issue a Purchase Order for same.**

**The Mayor directed the clerk to call the roll which resulted in the following:**

**Ayes: Aldermen Stearns, Mwilambwe, Schmidt, Anderson, Fazzini, Sage, Fruin and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 7H. Memorandum of Agreement (MOA) between the Environmental Defense Fund (EDF), the Illinois Chapter of the Nature Conservancy (TNC) and the City.**

**Motion by Alderman Fazzini, seconded by Alderman Fruin that the Memorandum of Agreement be approved and the Mayor and City Clerk be authorized to execute the necessary documents.**

**The Mayor directed the clerk to call the roll which resulted in the following:**

**Ayes: Aldermen Stearns, Mwilambwe, Schmidt, Anderson, Fazzini, Sage, Fruin and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 7I. Amendment to the Professional Services Agreement with Foth Infrastructure & Environment, LLC for Lafayette and Maple Street Reconstruction Project, Engineering Design Services and Supplemental Motor Fuel Tax (MFT) Resolution.**

**Motion by Alderman Fazzini, seconded by Alderman Fruin that Change Order #5 to the Professional Services Agreement with Foth Infrastructure & Environment, LLC in the amount of \$12,500 be approved, the Mayor and City Clerk be authorized to execute the necessary documents, and the Resolutions adopted.**

**The Mayor directed the clerk to call the roll which resulted in the following:**

**Ayes: Aldermen Stearns, Mwilambwe, Schmidt, Anderson, Fazzini, Sage, Fruin and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 7J. Renewal of Towing Bid 10,000 GVW and Under to Joe's Towing & Recovery.**

**Motion by Alderman Fazzini, seconded by Alderman Fruin that City exercise the third (3rd) Annual Renewal Option to the Towing Bid 10,000 GVW and Under to Joe's Towing & Recovery for the period of one (1) year commencing May 1, 2012 and ending April 30, 2013.**

**The Mayor directed the clerk to call the roll which resulted in the following:**

**Ayes: Aldermen Stearns, Mwilambwe, Schmidt, Anderson, Fazzini, Sage, Fruin and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 7K. Renewal of Single Stream Recycling Material Processing Service Contract with Midwest Fiber.**

**Motion by Alderman Fazzini, seconded by Alderman Fruin that the agreement with Midwest Fiber for single stream recycling material processing be renewed until May 1, 2013 and the Mayor and City Clerk be authorized to execute the necessary documents.**

**The Mayor directed the clerk to call the roll which resulted in the following:**

**Ayes: Aldermen Stearns, Mwilambwe, Schmidt, Anderson, Fazzini, Sage, Fruin and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 7L. Intergovernmental Agreement Regarding the Funding of a Soil Conservationist through the McLean County Soil and Water Conservation District.**

**Motion by Alderman Fazzini, seconded by Alderman Fruin that the Intergovernmental Agreement be approved and the Mayor and City Clerk be authorized to execute the necessary documents.**

**The Mayor directed the clerk to call the roll which resulted in the following:**

**Ayes: Aldermen Stearns, Mwilambwe, Schmidt, Anderson, Fazzini, Sage, Fruin and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 7M. Intergovernmental Agreement with McLean County Board of Health for Animal Control Warden Services for the period of May 1, 2012 to April 30, 2013.**

**Motion by Alderman Fazzini, seconded by Alderman Fruin that the Intergovernmental Agreement with McLean County Board of Health for Animal Warden Services be approved and the Mayor and City Clerk be authorized to execute the necessary documents**

**The Mayor directed the clerk to call the roll which resulted in the following:**

**Ayes: Aldermen Stearns, Mwilambwe, Schmidt, Anderson, Fazzini, Sage, Fruin and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 7N. Intergovernmental Agreement with McLean County Board of Health for Use of Animal Shelter for the period of May 1, 2012 to April 30, 2013.**

**Motion by Alderman Fazzini, seconded by Alderman Fruin that the Intergovernmental Agreement with McLean County Board of Health for use of the Animal**

**Shelter be approved and the Mayor and City Clerk be authorized to execute the necessary documents.**

**The Mayor directed the clerk to call the roll which resulted in the following:**

**Ayes: Aldermen Stearns, Mwilambwe, Schmidt, Anderson, Fazzini, Sage, Fruin and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 7O. Entering into a Sponsored Research Agreement for the Five (5) Year Program of Groundwater Level Monitoring in McLean, Tazewell and Logan Counties with the Development of a Subnetwork with Automated Data Collection and Retrieval.**

**Motion by Alderman Fazzini, seconded by Alderman Fruin that the Sponsored Research Agreement for the five (5) year program of Groundwater Level Monitoring in McLean, Tazewell and Logan Counties with the Development of a Subnetwork with Automated Data Collection and Retrieval, with the Board of Trustees of the University of Illinois through the Office of Sponsored Programs and Research Administration with the Scientific Group known as the Illinois State Water Survey, in the amount of \$58,327 be approved, the Mayor and City Clerk be authorized to execute the necessary documents, and the Resolution adopted.**

**The Mayor directed the clerk to call the roll which resulted in the following:**

**Ayes: Aldermen Stearns, Mwilambwe, Schmidt, Anderson, Fazzini, Sage, Fruin and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 7P. Entering into a Sponsored Research Agreement for the Water Well Inventory Near the Sugar Creek Proposed Well Field.**

**Motion by Alderman Fazzini, seconded by Alderman Fruin that the Sponsored Research Agreement for the Water Well Inventory near the Sugar Creek proposed well field, with the Board of Trustees of the University of Illinois through the Office of Sponsored Programs and Research Administration with the Scientific Group known as the**

**Illinois State Water Survey, in the amount of \$31,985, be approved, the Mayor and City Clerk be authorized to execute the necessary documents, and the Resolution adopted.**

**The Mayor directed the clerk to call the roll which resulted in the following:**

**Ayes: Aldermen Stearns, Mwilambwe, Schmidt, Anderson, Fazzini, Sage, Fruin and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 7Q. Suspension of Ordinances to Allow Consumption of Alcohol at Miller Park Pavilion on December 1, 2012.**

**Motion by Alderman Fazzini, seconded by Alderman Fruin that the Ordinance suspending Section 26(d) of Chapter 6 and Section 701 of Chapter 31 to allow the suspension and consumption of alcohol at the Miller Park Pavilion on December 1, 2012 be passed.**

**The Mayor directed the clerk to call the roll which resulted in the following:**

**Ayes: Aldermen Stearns, Mwilambwe, Schmidt, Anderson, Fazzini, Sage, Fruin and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 7R. Suspension of Ordinances to Allow Consumption of Alcohol at Lake Bloomington's Davis Lodge on June 2, 2012.**

**Motion by Alderman Fazzini, seconded by Alderman Fruin that the Ordinance suspending Section 26(d) of Chapter 6 and Section 701 of Chapter 31 to allow the suspension and consumption of alcohol at the Lake Bloomington Davis Lodge on June 2, 2012 be passed.**

**The Mayor directed the clerk to call the roll which resulted in the following:**

**Ayes: Aldermen Stearns, Mwilambwe, Schmidt, Anderson, Fazzini, Sage, Fruin and Purcell.**



**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 7S. Application of Pheasant Lanes Family Fun Center, LLC, d/b/a Pheasant Lanes & Kegler's Pub, located at 804 N. Hershey Rd., change of ownership, for an RAS liquor license, which will allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days week.**

**Motion by Alderman Fazzini, seconded by Alderman Fruin that an RAS liquor license for Pheasant Lanes Family Fun Center, LLC, d/b/a Pheasant Lanes & Kegler's Pub, located at 804 N. Hershey Rd., be created, contingent upon compliance with all applicable health and safety codes .**

**The Mayor directed the clerk to call the roll which resulted in the following:**

**Ayes: Aldermen Stearns, Mwilambwe, Schmidt, Anderson, Fazzini, Sage, Fruin and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 7T. Text Amendment to Chapter 6. Alcoholic Beverages Allowing Longer Tasting Sessions, from three (3) to four (4) hours.**

**Motion by Alderman Fazzini, seconded by Alderman Fruin that the Text Amendment be approved and the Ordinance passed.**

**The Mayor directed the clerk to call the roll which resulted in the following:**

**Ayes: Aldermen Stearns, Mwilambwe, Schmidt, Anderson, Fazzini, Sage, Fruin and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 7U. Lake Bloomington Lease Transfer Petition for Lot 2, Block 15 of Camp Potawatomie from John Larkin and Lisa Larkin to Steven Pelphrey and Ann Haugo.**

**Motion by Alderman Fazzini, seconded by Alderman Fruin that the Lake Lease be approved and the Mayor and City Clerk be authorized to execute the necessary documents.**

**The Mayor directed the clerk to call the roll which resulted in the following:**

**Ayes: Aldermen Stearns, Mwilambwe, Schmidt, Anderson, Fazzini, Sage, Fruin and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 7V. Lake Bloomington Lease Transfer Petition for Lot 9, Block 4 of Camp Kickapoo from Jeff and Danielle Gilmore to JSM Trust u/s/d 01/01/2008, Robin Eliza Minson, Trustee.**

**Motion by Alderman Fazzini, seconded by Alderman Fruin that the Lake Lease be approved and the Mayor and City Clerk be authorized to execute the necessary documents.**

**The Mayor directed the clerk to call the roll which resulted in the following:**

**Ayes: Aldermen Stearns, Mwilambwe, Schmidt, Anderson, Fazzini, Sage, Fruin and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 7W. Amendment to Lake Bloomington Lease – Refinancing.**

**Motion by Alderman Fazzini, seconded by Alderman Fruin that the Amendment to the Lake Bloomington Lease be approved, and the Mayor and City Clerk be authorized to execute the necessary documents.**

**The Mayor directed the clerk to call the roll which resulted in the following:**

**Ayes: Aldermen Stearns, Mwilambwe, Schmidt, Anderson, Fazzini, Sage, Fruin and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 8A. Public Hearing on the Fiscal Year (FY) 2013 Budget.**

**The following was presented:**

**Item 9A. Payment for Property, Liability, Excess Liability, and Excess Worker's Compensation Insurance Coverage.**

**Motion by Alderman Fazzini, seconded by Alderman Fruin that the payment to Arthur J. Gallagher, Itasca, IL, for Insurance Coverage and Insurance Broker Service from May 1, 2012 through April 30, 2013 in the amount of \$700,953 be approved.**

**The Mayor directed the clerk to call the roll which resulted in the following:**

**Ayes: Aldermen Stearns, Mwilambwe, Schmidt, Anderson, Fazzini, Sage, Fruin and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 9B. Amendment to the Professional Services Agreement with Clark Dietz, Inc. for Construction Observation on the Locust Street CSO Elimination and Water Main Replacement Phase 1 Project.**

**Motion by Alderman Fazzini, seconded by Alderman Anderson that the Change Order to the Professional Services Agreement with Clark Dietz, Inc. in the reduction of \$379,510 be approved, the Mayor and City Clerk be authorized to execute the necessary documents and the Resolution adopted.**

**The Mayor directed the clerk to call the roll which resulted in the following:**

**Ayes: Aldermen Stearns, Mwilambwe, Schmidt, Anderson, Fazzini, Sage, Fruin and Purcell.**

**Nays: None.**

**Motion carried.**

**Motion by Alderman Anderson, seconded by Alderman Stearns, that the meeting be adjourned. Time: 8:23 p.m.**

**Motion carried.**

**Tracey Covert  
City Clerk**