

**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 7:30 p.m., Monday, May 23, 2011.

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, Bernie Anderson, David Sage, Robert Fazzini, Jennifer McDade, Steven Purcell, Karen Schmidt, Jim Fruin and Mayor Stephen F. Stockton.**

**City Manager David Hales, Chief Deputy Clerk Renee Gooderham, and Corporate Counsel Todd Greenburg were also present.**

**Staff absent: City Clerk Tracey Covert.**

**The following was presented:**

**Item 5A. Introduction of Mori Yurika – Current Japan Sister City Student and Alejandro Montesdeoca – Returning City Student from Japan.**

**The following was presented:**

**Item 5B. Presentation of \$115,000 from the Miller Park Zoological Society.**

**The following was presented:**

**Item 6A. Council Proceedings of May 9, 2011.**

**Motion by Alderman Fazzini, seconded by Alderman Schmidt that the reading of the minutes of the previous Council Meeting of May 9, 2011 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, McDade, Anderson, Fazzini, Sage, Fruin and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 6B. Bills and Payroll.**

**Motion by Alderman Fazzini, seconded by Alderman Schmidt that the bills and payroll be allowed and 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, McDade, Anderson, Fazzini, Sage, Fruin and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 6C. Use of a City Owned Lot Located at 508 N. Roosevelt Street, by the West Bloomington Revitalization Project (WBRP), for a Community Garden.**

**Motion by Alderman Fazzini, seconded by Alderman Schmidt that the use of the lot located at 508 N. Roosevelt Street by WBRP for a Community Garden 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, McDade, Anderson, Fazzini, Sage, Fruin and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 6D. Renewal of Lease Agreement with the United States Postal Service for the Postal Substation located at 400 N. Center Street and Market Street Garage.**

**Motion by Alderman Fazzini, seconded by Alderman Schmidt that the Lease 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, McDade, Anderson, Fazzini, Sage, Fruin and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 6E. Intergovernmental Agreement with the Village of Downs for Assistance with Plan Review and Inspection Services on Commercial Projects.**

**Motion by Alderman Fazzini, seconded by Alderman Schmidt 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, McDade, Anderson, Fazzini, Sage, Fruin and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 6F. Ratification of Contract with Library Employees (AFSCME Local 699).**

**Motion by Alderman Fazzini, seconded by Alderman Schmidt that the Contract be ratified.**

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

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

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 6G. Police Department Supervisory Training.**

**Motion by Alderman Fazzini, seconded by Alderman Schmidt that an Agreement with the Northwestern University Center for Public Safety for Police Supervisory Training 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, McDade, Anderson, Fazzini, Sage, Fruin and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 6H. Resolution to Reserve the City's Allocation of the Private Activity Bonding Cap.**

**Motion by Alderman Fazzini, seconded by Alderman Schmidt that the Resolution be adopted.**

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

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

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 6I. Resolution Adopting an Identity Protection Policy and Guidelines for Implementation and Practice.**

**Motion by Alderman Fazzini, seconded by Alderman Schmidt that the Resolution be adopted.**

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

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

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 6J. Application of Board of Trustees of Illinois State University, d/b/a Shakespeare Festival, located at the Ewing Cultural Center, 48 Sunset Rd., requesting a LB Liquor License which would allow the limited sale of beer and wine only by the glass for consumption on the premises from June 23 to August 4, 2011.**

**Motion by Alderman Fazzini, seconded by Alderman Schmidt that an LB liquor license for the Board of Trustees of Illinois State University, d/b/a Shakespeare Festival, located at the Ewing Cultural Center, 48 Sunset Rd., for the 2011 Shakespeare Festival to be held from June 23 to August 14, 2011 be created, contingent upon compliance of all applicable health and safety codes.**

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

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

**Abstain: Aldermen Mwilambwe and McDade.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 6K. Change of Corporation from Hooters of Bloomington, Inc., d/b/a Hooters, located at 409 N. Hershey Rd., currently holding an RAS liquor license which allows the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week to Hooters of Bloomington, LLC.**

**Motion by Alderman Fazzini, seconded by Alderman Schmidt that the change of ownership for Hooters of Bloomington, Inc., to Hooters of Bloomington, LLC., d/b/a Hooters, located at 409 N. Hershey Rd., currently holding an RAS liquor license be approved 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, McDade, Anderson, Fazzini, Sage, Fruin and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 6L. Suspension of Chapter 6 Section 26(d) to Allow Possession of Open Alcohol on Public Property for the WGLT Event June 11, 2011.**

**Motion by Alderman Fazzini, seconded by Alderman Schmidt that the Ordinance be passed.**

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

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

**Abstain: Aldermen Mwilambwe and McDade.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 6M. Suspension of Chapter 6 Section 26(d) to Allow Possession of Open Alcohol on Public Property for the McLean County Arts Center on June 3, 2011.**

**Motion by Alderman Fazzini, seconded by Alderman Schmidt that the Ordinance be passed.**

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

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

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 6N. Lake Bloomington Lease Transfer Petition for Lot 2, Block 10 of Camp Potawatomie from Richard M. Miller, Trustee to Charlotte J. Brucker.**

**Motion by Alderman Fazzini, seconded by Alderman Schmidt 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, McDade, Anderson, Fazzini, Sage, Fruin and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 6O. Amendment to Lake Bloomington Lease – Refinancing.**

**Motion by Alderman Fazzini, seconded by Alderman Schmidt 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, McDade, Anderson, Fazzini, Sage, Fruin and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 6P. Variance from Chapter 38, Section 123(a) to allow a Driveway Approach Thirty-Four feet (34') Wide at 2004 Ebo Ln., Lot 308 in Tipton Trails Subdivision Fifth Addition.**

**Motion by Alderman Fazzini, seconded by Alderman Schmidt that the Variance be approved.**

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

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

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 6Q. Petition submitted by Forrest Deane Lauher et al., requesting approval of an Annexation Plat and Rezoning for Lauher Family Subdivision commonly located north of Six Points Road and west of Morris Avenue.**

**Motion by Alderman Fazzini, seconded by Alderman Schmidt that the Annexation and Rezoning be approved and the Ordinances passed.**

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

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

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 6R. Petition submitted by Forrest Deane Lauher et al., requesting approval of a Preliminary Plan for Lauher Family Subdivision located north of Six Points Road and west of Morris Avenue.**

**Motion by Alderman Fazzini, seconded by Alderman Schmidt that the Preliminary Plan 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, McDade, Anderson, Fazzini, Sage, Fruin and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 6S. Petition submitted by Forrest Deane Lauher et al., requesting approval of a Final Plat for Lauher Family Subdivision commonly located north of Six Points Road and west of Morris Avenue.**

**Motion by Alderman Fazzini, seconded by Alderman Schmidt that the Final Plat 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, McDade, Anderson, Fazzini, Sage, Fruin and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 8A. Refinance Approximately \$10 Million of the \$29.5 Million Taxable Bonds General Obligation Series 2004.**

**Motion by Alderman Schmidt, seconded by Alderman Fazzini that the Ordinance No. 2011-13 be rescinded and the new Ordinance passed.**

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

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

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 8B. Approval of Hockey Lease between the City, Central Illinois Arena Management, Inc. (CIAM) and Hockey Sensations, LLC.**

**Motion by Alderman Fazzini, seconded by Alderman McDade that the 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, McDade, Anderson, Fazzini, Sage, Fruin and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 8C. Analysis of Bids for Gaelic Park Construction.**

**Motion by Alderman Fruin, seconded by Alderman Fazzini that staff be authorized to negotiate with Stark Excavating, Inc. the lowest responsible bidder, for construction of Gaelic Park to value engineer the project to bring it in under budget.**

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

**Ayes: Aldermen Mwilambwe, Schmidt, McDade, Fazzini and Fruin.**

**Nays: Aldermen Stearns, Anderson, Sage and Purcell.**

**Motion carried.**

**Motion by Alderman Purcell, seconded by Alderman Anderson, that the meeting be adjourned. Time: 9:08 p.m.**

**Motion carried.**

**Renee Gooderham  
Chief Deputy Clerk**