

**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, December 12, 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, Bernard Anderson, David Sage, Robert Fazzini, Jennifer McDade, Steven Purcell, Karen Schmidt, Jim Fruin and Mayor Stephen F. Stockton.

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

The following was presented:

Item 6A. Proclamation.

Motion by Alderman Fazzini, seconded by Alderman Fruin that the proclamation be made a matter of record.

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 7A. Council Proceedings of November 28, 2011.

Motion by Alderman Fazzini, seconded by Alderman Fruin that the reading of the minutes of the previous Council Meeting of November 28, 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 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, McDade, Anderson, Fazzini, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 7C. Reports.

Motion by Alderman Fazzini, seconded by Alderman Fruin that the Comprehensive Annual Financial Reports for the Fire and Police Pension Funds be received and placed on file.

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 7D. Emergency Replacement of Two (2) Drainage Culverts on Inner Loop Rd. at Lake Bloomington.

Motion by Alderman Fazzini, seconded by Alderman Fruin that the payment to George Gildner, Inc., in the amount of \$28,983.50 for emergency replacement of two (2) drainage culverts 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 7E. Amendment to 2011 Sump Pump Drainage Contract.

Motion by Alderman Fazzini, seconded by Alderman Fruin that the amendment to the 2011 Sump Pump Drainage Contract with George Gildner in the amount of \$2,209.40 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 7F. Amendment to 2011 General Resurfacing Contract.

Motion by Alderman Fazzini, seconded by Alderman Fruin that the Amendment to the 2011 General Resurfacing Contract with Rowe Construction Company, a Division of United Contractors Midwest, in the amount of \$8,178.69 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 7G. Change Order No. 4 to the Professional Services Agreement with Foth Infrastructure & Environment, LLC for Lafayette St. and Maple St. Reconstruction Project, Engineering Design Services and Supplemental Motor Fuel Tax Resolution.

Motion by Alderman Fazzini, seconded by Alderman Fruin that the Amendment to the Professional Services Agreement with Foth Infrastructure & Environment LLC in the amount of \$15,500 be approved and the Resolutions 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 7H. Addendum to Agreement with George Gildner, Inc. for Water Main Replacement Project along Greenwood Ave. from Main St. to Morris Ave.

Motion by Alderman Fazzini, seconded by Alderman Fruin that the addendum to the Agreement with George Gildner, Inc. for Greenwood Ave. Water Main Replacement Project in the amount of \$89,696.08 be approved 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 7I. Requested Withdrawal by the Lowest Bidder for Ferric Sulfate and Award to Kemira Water Solutions, Inc.

Motion by Alderman Fazzini, seconded by Alderman Fruin that the bid submitted by General Chemical be withdrawn, the bid for ferric sulfate be awarded to Kemira Water

Solution, Inc. in the amount of \$169.00 on a per dry ton, 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, McDade, Anderson, Fazzini, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 7J. Rescission Agreement with Corn Belt Energy Corporation.

Motion by Alderman Fazzini, seconded by Alderman Fruin that the Rescission 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 7K. Intergovernmental Agreement with District 87 for Providing Salt during the Upcoming Winter Season.

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, McDade, Anderson, Fazzini, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 7L. Ratification of Union Contract with the Telecommunicators, for the period of May 1, 2008 to April 30, 2011. (Recommend that the contract be ratified

Motion by Alderman Fazzini, seconded by Alderman Fruin 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 7N. Adoption of the *International Mechanical Code/2009 (IMC)*, *International Fuel Gas Code/2009 (IFGC)*, and *National Electrical Code/2011 (NEC)* with related fee modifications.

Motion by Alderman Fazzini, seconded by Alderman Fruin that the Text Amendments to Chapter 10. Building Code and Chapter 15. Electricity with modifications to related permit fee schedules 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 7O. Adoption of the *International Property Maintenance Code/2009 (IPMC)* and Staff additions/modifications.

Motion by Alderman Fazzini, seconded by Alderman Fruin that the Text Amendment to Chapter 45. Property Maintenance Code with staff amendments 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 7P. Adoption of the *International Building Code/2009 (IBC)*, *International Residential Code/2009 (IRC)*, *International Fire Protection Code/2009 (IFC)*, *International Existing Building Code/2009 (IEBC)*, *International Energy Conservation Code/2009 (IECC)* and modifications to related building permit fee schedules.

Motion by Alderman Fazzini, seconded by Alderman Fruin that the Text Amendment to Chapter 10. Building Code with modifications related to building permit fee schedules 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 7Q. Lake Bloomington Lease Separation for Combined Leases for Lot 2 and Lot 3, Block 15 of Camp Potawatomie, Dissolution of Agreement with John and Lisa Larkin and Lake Bloomington Lease Transfer Petition for Lot 3, Block 15 of Camp Potawatomie from John and Lisa Larkin to Francis C. Quinn.

Motion by Alderman Fazzini, seconded by Alderman Fruin that the agreement with John and Lisa Larkin be dissolved, Lot 2 and Lot 3, Block 15 of Camp Potawatomie be separated, 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 7R. Petition Submitted by Eastlake, LLC, requesting Rezoning from R – 1B, Single Family Residence District, R – 1C, Single Family Residence District, R – 2, Mixed Residence District and S – 2, Public Lands & Institution District, to R – 1B, Single Family Residence District, R – 1C, Single Family Residence District, R – 2, Mixed Residence District and S – 2, Public Lands & Institutions District for property commonly located north of Ireland Grove Rd., and also known as the Grove on Kickapoo Creek Subdivision.

Motion by Alderman Fazzini, seconded by Alderman Fruin that the Rezoning 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 7S. Petition submitted by Eastlake, LLC requesting approval of an Amended Preliminary Plan of the Grove on Kickapoo Creek Subdivision for property commonly located north of Ireland Grove Rd.

Motion by Alderman Fazzini, seconded by Alderman Fruin that the amended 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 7T. Petition submitted by Ryan Scritchlow requesting Rezoning from R – 1C, Single Family Residence District, to B – 2, General Business District, for the property commonly located at 1906 S. Morris Ave.

Motion by Alderman Fazzini, seconded by Alderman Fruin that the Rezoning 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 7M. Application of Bona Fide Thai Cuisine , LLC, d/b/a Bona Fide Thai Cuisine located at 1500 E. Empire, Ste. #A1, for an RBS liquor license, which will allow the sale of beer and wine only by the glass for consumption on the premises seven (7) days a week.

Motion by Alderman Anderson, seconded by Alderman Schmidt that an RBS liquor license for Bona Fide Thai Cuisine, LLC d/b/a Bona Fide Thai Cuisine located at 1500 E. Empire, Ste. #A1, 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, McDade, Anderson, Fazzini, Fruin and Purcell.

Nays: Alderman Sage.

Motion carried.

The following was presented:

Item 8A. Approval of 2011 Library Tax Levy.

Motion by Alderman Fruin, seconded by Alderman Schmidt that the 2011 Library Tax Levy be approved and a consolidated Tax Levy Ordinance be prepared upon adoption of the 2011 City Tax Levy.

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

Ayes: Aldermen Mwilambwe, Schmidt, Anderson, Fazzini and Fruin.

Nays: Aldermen Purcell, Sage Stearns and McDade.

Motion carried.

The following was presented:

Item 8B. Approval of 2011 Tax Levy.

Motion by Alderman Anderson, seconded by Alderman Purcell that the 2011 Tax Levy including the Library Tax Levy 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 8C. Purchase of Fire/Rescue Training Tower to be located behind Fire Station #2, 1911 Hamilton Rd.

Motion by Alderman McDade, seconded by Alderman Mwilambwe that Fire/Rescue Training Tower be purchased from Fire Facilities, Inc., Sun Prairie, WI in the amount of \$258,367, the Purchasing Agent be authorized to issue a Purchase Order for same and 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.

Motion by Alderman Purcell, seconded by Alderman Anderson, that the meeting be adjourned. Time: 9:07 p.m.

Motion carried.

**Tracey Covert
City Clerk**