

**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, November 14, 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. Governor's Home Town Award – Presented by Rep. Dan Brady.

The following was presented:

Item 6B. Introduction of Doug Ellsworth, Interim Finance Director.

The following was presented:

Item 6C. Presentation of GFOA Distinguished Budget Award by Tim Ervin, Performance Auditor & Budget Manager.

The following was presented:

Item 6D. Introduction of and Presentation by BNPTS new General Manager, Andrew Johnson.

The following was presented:

Item 7A. Council Proceedings of October 24, 2011, Work Session Minutes of September 26, 2011, Citizen Voice Minutes of October 3, 2011 and Executive Session Minutes of June 13, 2011.

Motion by Alderman Schmidt, seconded by Alderman Purcell that the reading of the minutes of the previous Council Meeting of October 24, 2011, Work Session Minutes of

September 26, 2011, Citizen Voice Minutes of October 3, 2011 and Executive Session Minutes of June 13, 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 Schmidt, seconded by Alderman Purcell 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. Appointment to the Board of Fire & Police Commissioners.

Motion by Alderman Schmidt, seconded by Alderman Purcell that the appointment 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 7D. Request to Pay G.A. Rich & Sons, Inc. for Emergency Repair of City Sewer at the Intersection of E. Oakland Ave. and Florence Ave.

Motion by Alderman Schmidt, seconded by Alderman Purcell that the payment to G.A. Rich & Sons, Inc. for the emergency repair of a sewer at the intersection of E. Oakland Ave. and Florence Ave. in the amount of \$14,902.80 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. Purchase of a 2012 Ford Transit Connect for the Water Department.

Motion by Alderman Schmidt, seconded by Alderman Purcell that the purchase of a 2012 Ford Transit Connect for the Water Department from Currie Motors, Forest Park, IL using the Suburban Purchasing Cooperative Contract in the amount of \$19,976 be approved, the Purchasing Agent authorized to issue a Purchase Order for same, 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 7F. Microsoft Software Enterprise Agreement (EA) License Renewal.

Motion by Alderman Schmidt, seconded by Alderman Purcell that the payment to CDWG, Inc. for a Microsoft EA for software maintenance and support with Microsoft Corporation covering the City's Microsoft licensing, in the amount of \$100,609.64, be approved, the Purchasing Agent authorized to issue a Purchase Order for same, 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 7G. Early Order Program with Helena Chemical (the distributor) for Procurement of Syngenta and BASF (the manufacturers) Golf Course Chemicals from a Single Source.

Motion by Alderman Schmidt, seconded by Alderman Purcell that the golf course chemicals be purchased through the Early Order Program in an amount not to exceed \$200,000, the Purchasing Agent authorized to issue a Purchase Order for same, 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 7H. Analysis of Bids for the Repair of the Police Parking Garage.

Motion by Alderman Schmidt, seconded by Alderman Purcell that the bid be awarded to Western Waterproofing in the amount of \$496,225, 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 7I. Professional Services Contract for the Bloomington Center for the Performing Arts.

Motion by Alderman Schmidt, seconded by Alderman Purcell that the contract with Heen Enterprises, LLC in the amount of \$25,000 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 7J. Approval of an Easement Agreement with Bloomington Country Club and Bloomington County Club Realty Trust and Approval Contract for Sale of Real Estate with Bloomington Country Club Realty Trust and Payment of \$14,500 to Bloomington Country Club Realty Trust for Permanent Easement and \$10,500 to Bloomington Country Club for Temporary Easement.

Motion by Alderman Schmidt, seconded by Alderman Purcell that the Easement Agreement with Bloomington Country Club and Bloomington Country Club Realty Trust and the Contract for Sale of Real Estate with Bloomington Country Club Realty Trust be approved, and the payments to Bloomington Country Club Realty Trust in the amount of \$14,500 and to Bloomington Country Club in the amount of \$10,500 be approved, 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. Approval of an Easement Agreement with District 87 for the Locust – Colton Combined Sewer Project.

Motion by Alderman Schmidt, seconded by Alderman Purcell that the Easement Agreement and payment of \$24,750 to District 87 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. Application of Arlandria, LLC, d/b/a Reality Bites, located at 414 N. Main St., requesting an RAS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week.

Motion by Alderman Schmidt, seconded by Alderman Purcell that an RAS liquor license for the Arlandria, LLC, d/b/a Reality Bites, located at 414 N. Main St., be created, contingent upon compliance with all applicable health and safety codes and the following conditions: 1.) that the establishment must operate as a restaurant, if at the sole direction of the Liquor Commission, that there is an indication that the establishment is operating as a tavern, the approval of the RAS license would be revisited; 2.) that no alcohol be sold, served or consumed on the premises the earlier of one hour after the kitchen closes or 1:00 a.m. on weekdays, 2:00 a.m. on Friday and Saturday nights; 3.) that amplified music be allowed, but limited to one amplifier per instrument and vocalist; and 4.) that after 12:00 a.m. (midnight) tavern rules apply, in that no one under the age of 21 years of age be allowed inside the establishment.

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. Amendment to Provisions of the Bloomington City Code Providing for the Settlement, Purchasing and Contracting Authority of the City Manager.

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

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

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

Nays: Aldermen Stearns, Purcell and Anderson.

Motion carried.

The following was presented:

Item 9A. Resolution Requesting the General Assembly to Enact Additional Consumer Protection Legislation Regarding Payday Loans and Small Consumer Loans.

Motion by Alderman Fazzini, seconded by Alderman Anderson that the Resolution be passed.

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

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

Nays: Aldermen Stearns, Purcell and Sage.

Motion carried.

The following was presented:

Item 9B. Ordinance Amending “An Ordinance Describing and Designating an Area Located Partially Within the City of Bloomington, Town of Normal, and Unincorporated McLean County as an Enterprise Zone” including an Amendment to Enterprise Zone Intergovernmental Agreement – Bridgestone Americas Tire Operation, LLC.

Motion by Alderman Anderson, seconded by Alderman Fazzini that the Ordinance be passed 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 9C. Petition submitted by Janessa and Justin Orwig requesting the approval of a Rezoning from R-2 Mixed Residence District with an S-4, Historic Preservation District overlay, to an R-2, Mixed Residence District for the property commonly located at 1001 Elder Street.

Alderman Schmidt recused herself as John Elterich, her husband, served on the Historic Preservation Commission.

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

Nays: None.

Motion carried.

The following was presented:

Item 9D. Proposed 2011 Estimated Tax Levy and Process.

Motion by Alderman McDade, seconded by Alderman Purcell that the proposed tax levy be adopted as the estimate of \$23,586,906 for the 2011 Tax Levy.

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 9E. Ward Redistricting for the City of Bloomington.

Motion by Alderman McDade, seconded by Alderman Fazzini that Alternate Map 1 be accepted and City staff be directed to draft an ordinance.

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

Ayes: Aldermen Mwilambwe, McDade, Fazzini, Sage, Fruin and Purcell.

Nays: Aldermen Stearns, Schmidt, and Anderson.

Motion carried.

Motion by Alderman Anderson, seconded by Alderman Purcell , that the meeting be adjourned. Time: 10:14 p.m.

Motion carried.

**Tracey Covert
City Clerk**