

**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 7:40 p.m., Monday, September 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, Robert Fazzini, Jennifer McDade, Steven Purcell, Karen Schmidt, Jim Fruin and Mayor Stephen F. Stockton.

Alderman absent: David Sage.

City Manager David Hales, and City Clerk Tracey Covert.

Staff absent: Corporation Counsel Todd Greenburg.

The following was presented:

Item 6A. Citizen Recognition – Sam Cordell, key witness in the homicide of Mark Olson.

The following was presented:

Item 7A. Council Proceedings of March 12, 2007 and August 22, 2011, Executive Session Minutes of July 27 and September 28, 2009.

Motion by Alderman Fazzini, seconded by Alderman Anderson that the reading of the minutes of the previous Council Meetings of March 12, 2007 and August 22, 2011, Executive Session Minutes of July 27 and September 28, 2009 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, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 7B. Bills and Payroll.

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

Nays: None.

Motion carried.

The following was presented:

Item 7C. Report.

Motion by Alderman Fazzini, seconded by Alderman Anderson that the Public Building Commission Independent Auditor's Report be placed on file and 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, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 7D. Appointment to the Beautification Committee.

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

Nays: None.

Motion carried.

The following was presented:

Item 7F. Analysis of Bids for Two (2) Dodge Grand Caravans for the Fire and Parks, Recreation & Cultural Arts Departments.

Motion by Alderman Fazzini, seconded by Alderman Anderson that the bid for two (2) Dodge Grand Caravans, one (1) for the Fire Department, and one (1) for Parks, Recreation & Cultural Arts Department be awarded to Palmen Motors, Kenosha, WI, in the amount of \$40,200 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, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 7G. Analysis of Request for Proposals (RFP) for the Miller Park Zoo Master Plan.

Motion by Alderman Fazzini, seconded by Alderman Anderson that the RFP for Miller Park Zoo Master Plan (MPZMP), submitted by WDM Architects be accepted 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, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 7H. Amendment to the Professional Services Agreement with Clark Dietz, Inc. for the Locust Street Combined Sewer Overflow (CSO) Elimination and Water Main Replacement Project Phase 1 Design.

Motion by Alderman Fazzini, seconded by Alderman Anderson that the Amendment 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, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 7I. Professional Services Contract for the Bloomington Center for the Performing Arts (BCPA).

Motion by Alderman Fazzini, seconded by Alderman Anderson that the contract with Off Broadway Booking, LLC in the amount of \$30,000 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, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 7J. Application of Caffe Italia, LLC., d/b/a Caffe Italia currently located at 1804 S. Hershey Rd., holding an RB liquor license which allows the sale of beer and wine only by the glass for consumption on the premises six (6) days a week for a change of location to 511 Chancellor Dr., and license classification to 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.

Motion by Alderman Fazzini, seconded by Alderman Anderson that an RAS liquor license for Caffe Italia, LLC, d/b/a Caffe Italia, located at 511 Chancellor Dr., 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: None.

Motion carried.

The following was presented:

Item 7K. Lake Bloomington Lease Transfer Petition for Lot 2, Block 0 in Eagle Point from David L. and Nancy G. Golwitzer to Marshal L. Kaisner.

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

Nays: None.

Motion carried.

The following was presented:

Item 7L. Lake Bloomington Lease Transfer Petition for Lot 5, Block 0 in Eagle Point from Marshal L. Kaisner to David L. and Nancy G. Golwitzer.

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

Nays: None.

Motion carried.

The following was presented:

Item 7M. Petition from Hershey Grove, LLC Requesting Approval of a Final Plat for Brookridge Apartments, 6th Addition, located north of Hamilton Road and east of Hershey Road.

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

Nays: None.

Motion carried.

The following was presented:

Item 7N. Petition from Robert J. Vericella Requesting Approval of a Final Plat with a Waiver of the Preliminary Plan for the Pheasant Run Development Subdivision, Phase II.

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

Nays: None.

Motion carried.

The following was presented:

Item 7O. Petition of Charlotte Schaeffer and Helen Bennison Requesting the Rezoning of land located at 1215 E. Washington St. from R – 1B, Single Family Residence District to R – 1B with an S - 4, Historic Preservation District Overlay.

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

Nays: None.

Motion carried.

The following was presented:

Item 7P. Agreement with Lynn Monte Associates for the 2011 City Council Annual Strategic Planning Work Session.

Motion by Alderman Fazzini, seconded by Alderman Anderson that the agreement with Lynn Monte Associates for the 2011 City Council Annual Strategic Planning Work Session in the amount of \$14,000 plus expenses be approved, and the City Manager be authorized to execute the agreement.

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: None.

Motion carried.

The following was presented:

Item 7Q. Sale of Snyder Parking Garage located at 205 N. Main St.

Motion by Alderman Fazzini, seconded by Alderman Anderson that the sale of the Snyder Parking Garage located at 205 N. Main Street to 121 N. Main LLC in the amount of \$140,000 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 Mwilambwe, Schmidt, McDade, Anderson, Fazzini, Fruin and Purcell.

Nays: Alderman Stearns.

Motion carried.

The following was presented:

Item 7R. Sale of City owned Vacant Land located at Evergreen Lake Road.

Motion by Alderman Fazzini, seconded by Alderman Anderson that the sale of City owned vacant land (1.5 acres), located at Evergreen Lake Rd., to Corn Belt Energy Corporation in the amount of \$39,000 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 Mwilambwe, Schmidt, McDade, Anderson, Fazzini, Fruin and Purcell.

Nays: Alderman Stearns.

Motion carried.

The following was presented:

Item 7E. Analysis of One Bid for 2011 Pavement Preservation.

Motion by Alderman Fazzini, seconded by Alderman Purcell that the technicality be waived, the bid from Corrective Asphalt Materials, LLC for 2011 Pavement Preservation in the amount of \$53,766 be accepted, 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, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 9A. Presentation – Southeast Bloomington Railroad Crossing and Transportation Study.

The following was presented:

Item 9B. Professional Services Agreement with Hanson Professional Services for Design of Hershey Rd. from Hamilton Rd. to 750' south.

Motion by Alderman McDade, seconded by Alderman Schmidt that the agreement with Hanson Professional Services (HPS) for the design of Hershey Rd., from Hamilton Rd., to 750' south, in an amount not to exceed \$248,376, 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 Mwilambwe, Schmidt, McDade, Anderson, Fazzini, Fruin and Purcell.

Nays: Alderman Stearns.

Motion carried.

The following was presented:

Item 9C. Appeal to City Council for Review of an Administrative Determination by the Zoning Board of Appeals (ZBA).

Motion by Alderman Fazzini, seconded by Alderman Stearns that the decision of the ZBA be overturned and the appeal granted.

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

Ayes: Aldermen Stearns, Mwilambwe, McDade, Fazzini, and Fruin.

Nays: Aldermen Anderson, Schmidt and Purcell .

Motion carried.

Motion by Alderman Anderson, seconded by Alderman McDade, that the meeting be adjourned. Time: 10:08 p.m.

Motion carried.

**Tracey Covert
City Clerk**