

**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 7:35 p.m., Monday, December 13, 2010.

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

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, Kevin Huette, Bernie Anderson, David Sage, Jennifer McDade, Steven Purcell, Karen Schmidt, Jim Fruin and Mayor Stephen F. Stockton.

Alderman absent: John Hanson.

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

The following was presented:

Item 5A. Yurika Mori – Japan Sister Cities Exchange Student.

The following was presented:

Item 6U. Review of an Administrative Determination of a Request for a Zoning Variation for 702 W. Washington St.

Motion by Alderman Huette, seconded by Alderman Schmidt that the item be laid over until the Council's February 14, 2011 meeting.

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

Ayes: Aldermen Stearns, Huette, Schmidt, McDade, Anderson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 6V. Petition of the Salvation Army, requesting a Special Use Permit for a garage/storage structure accessory to a church and a noncommercial parking lot for the property located at 702 W. Washington Street.

Motion by Alderman Huette, seconded by Alderman Schmidt that the item be laid over until the Council's February 14, 2011 meeting.

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

Ayes: Aldermen Stearns, Huette, Schmidt, McDade, Anderson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 6A. Council Proceedings of August 23, September 13, and November 8, 2010, and Executive Session Minutes of November 22, 2010.

Motion by Alderman McDade, seconded by Alderman Schmidt that the reading of the minutes of the previous Council Proceedings of August 23, September 13, and November 8, 2010, and Executive Session of November 22, 2010 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, Huette, Schmidt, McDade, Anderson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 6B. Bills and Payroll.

Motion by Alderman McDade, 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; in addition, the Treasurer is authorized to pay orders drawn on the City for the remainder of the month of December, 2010, which in the opinion of the Treasurer are the legal obligations of the City and for which there are sufficient funds on deposit for such payment, on the condition that all amounts so paid by the Treasurer for the month of

December 2010 be submitted to the City Council for its review at the meeting of January 10, 2011.

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

Ayes: Aldermen Stearns, Huette, Schmidt, McDade, Anderson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 6C. Monthly Receipt & Expenditure Report for November 2010.

Motion by Alderman McDade, seconded by Alderman Schmidt that the 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, Huette, Schmidt, McDade, Anderson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 6D. Final Payment in the amount of \$3,696.40 to the Grove at Kickapoo Creek, LLC for Ireland Grove Road Trunk Sewer – East Branch Over Sizing.

Motion by Alderman McDade, seconded by Alderman Schmidt that the payment be approved

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

Ayes: Aldermen Stearns, Huette, Schmidt, McDade, Anderson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 6E. Analysis of Request for Proposals (RFP) for Fire Department Testing.

Motion by Alderman McDade, seconded by Alderman Schmidt that the RFP be awarded to Cooperative Personnel Services, d/b/a CPS Human Resources in the amount of \$50,000, 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, Huette, Schmidt, McDade, Anderson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 6F. Analysis of Bid for Fire Station #2 Roof Replacement.

Motion by Alderman McDade, seconded by Alderman Schmidt that the bid in the amount of \$148,300 be awarded to Meyer Roofing, Inc., the 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, Huette, Schmidt, McDade, Anderson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 6G. Replacement of fourteen (14) Panasonic Toughbook Laptop Computers.

Motion by Alderman McDade, seconded by Alderman Schmidt that fourteen (14) replacement Panasonic Toughbook laptop computers be purchased from PTC Select in the amount of \$26,190, 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, Huette, Schmidt, McDade, Anderson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 6H. Purchase of two (2) Replacement Mowers for Park Maintenance.

Motion by Alderman McDade, seconded by Alderman Schmidt that two (2) Kubota 72" Zero Turn mowers be purchased from Nord Outdoor Power utilizing the NJPA Procurement Program in the amount of \$19,799, the Purchasing Agent be 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, Huette, Schmidt, McDade, Anderson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 6I. Change Order #1 in the amount of \$7,700 for Market St. Parking Garage Repair Project.

Motion by Alderman McDade, seconded by Alderman Schmidt that the Change Order be approved.

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

Ayes: Aldermen Stearns, Huette, Schmidt, McDade, Anderson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 6J. Government Center Operation and Maintenance Expenses in the amount of \$383,635 for Calendar Year 2011.

Motion by Alderman McDade, seconded by Alderman Schmidt that the Attachment No. Nine to Amendment to Lease and Operation and Maintenance Agreement for the

City/County Office Building 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, Huette, Schmidt, McDade, Anderson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 6K. Intergovernmental Agreement with District 87 for Providing Road Salt.

Motion by Alderman McDade, seconded by Alderman Schmidt that the 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, Huette, Schmidt, McDade, Anderson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 6L. A Resolution in Support of the Taylorville Energy Center Integrated Gasification Combined Cycle (IGCC) Plant.

Motion by Alderman McDade, 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, Huette, Schmidt, McDade, Anderson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 6M. Mutual Aid Network Resolution for Illinois Public Works Mutual Aid Network.

Motion by Alderman McDade, 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, Huette, Schmidt, McDade, Anderson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 6N. Abatements of Tax Levy.

Motion by Alderman McDade, seconded by Alderman Schmidt that the Resolutions be adopted.

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

Ayes: Aldermen Stearns, Huette, Schmidt, McDade, Anderson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 6Q. Suspension of Ordinances to Allow Consumption of Alcohol at Lake Bloomington's Davis Lodge on January 1, 2011.

Motion by Alderman McDade, seconded by Alderman Schmidt 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 January 1, 2011 be passed.

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

Ayes: Aldermen Stearns, Huette, Schmidt, McDade, Anderson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 6T. Ordinance Amending Certain Sections of Chapter 40 Pertaining to Taxis and Vehicles for Hire.

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

Nays: None.

Motion carried.

The following was presented:

Item 6X. Council Meeting Dates for Calendar Year 2011.

Motion by Alderman McDade, seconded by Alderman Schmidt that the Council Meeting dates be approved with the exception that the second meeting in December be held on December 19, 2011.

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

Ayes: Aldermen Stearns, Huette, Schmidt, McDade, Anderson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 6O. Application of Tailwind BMI, LLC, d/b/a Tailwind Bar & Grill, located at 3201 CIRA Dr., 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 a week.

Motion by Alderman Stearns, seconded by Alderman Sage that an RAS liquor license for Tailwind BMI, LLC, d/b/a Tailwind Bar & Grill, located at 3201 CIRA Dr., be denied.

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

Ayes: Aldermen Stearns, Huette, Schmidt, McDade, Sage, Fruin and Purcell.

Nays: Alderman Anderson.

Motion carried.

The following was presented:

Item 6P. Application of Sidecar Entertainment, Inc., (SEI), d/b/a Eleven, located at 105 W. Front St., for a TAS liquor license, which will 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 Anderson that a TAS liquor license for Sidecar Entertainment, Inc., (SEI), d/b/a Eleven, located at 105 W. Front St., 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 Schmidt, Anderson, Fruin and Purcell, and Mayor Stockton.

Nays: Aldermen McDade, Huette, Stearns and Sage.

Motion carried.

The following was presented:

Item 6R. Text Amendment to City Code, Chapter 3, Advertizing Sign Code; Amending Language that Requires Notification of the Owner of an Illegally Placed Sign on the City's right of way.

Motion by Alderman Huette, seconded by Alderman Fruin that the Amended 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, Huette, Schmidt, McDade, Anderson, Sage and Fruin.

Nays: Alderman Purcell.

Motion carried.

The following was presented:

Item 6S. Text Amendment to Chapter 2 (Administration) Relating to Public Comment during the City Council, Board and Commission Meetings.

Motion by Alderman Schmidt, seconded by Alderman McDade that Amended 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, Huette, Schmidt, McDade, Anderson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 6W. Petition of the Links at Ireland Grove Road, LLC for a Special Use.

Motion by Alderman Fruin, seconded by Alderman Purcell that the Special Use Permit be approved and the Ordinance passed

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

Ayes: Aldermen Stearns, Huette, Schmidt, McDade, Sage, Fruin and Purcell.

Nays: Alderman Anderson.

Motion carried.

The following was presented:

Item 8A. Settlement Agreement between State Farm Mutual Automobile Insurance Company, City of Bloomington and Other Taxing Bodies Regarding Assessed Valuation of State Farm Properties.

Alderman Fruin and Sage recused themselves and left the Council Chambers.

Motion by Alderman Anderson, seconded by Alderman Huette that the 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, Huette, Schmidt, McDade, Anderson and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 8B. Presentation of FY 2010-2011 Mid Year Financial Report – Tim Ervin, Director of Finance.

Motion by Alderman Purcell, seconded by Alderman Sage, that the meeting be adjourned. Time: 11:15 p.m.

Motion carried.

**Tracey Covert
City Clerk**