

**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 7:36 p.m., Monday, June 28, 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, John Hanson, 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 5A. Proclamations.

Motion by Alderman Purcell, seconded by Alderman Schmidt that the proclamations be 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, Hanson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 6A. Council Proceedings of September 8 and 22, 2008, November 24, 2008, September 28, 2009, October 26, 2009, and March 22, 2010.

Motion by Alderman Purcell, seconded by Alderman Schmidt that the reading of the minutes of the previous Council Meetings of September 8 and 22, 2008, November 24, 2008, September 28, 2009, October 26, 2009, and March 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, Hanson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 6B. Bills and Payroll.

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

Nays: None.

Motion carried.

The following was presented:

Item 6C. Payments from various Municipal Departments.

Motion by Alderman Purcell, seconded by Alderman Schmidt that the payments be approved.

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

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

Nays: None.

Motion carried.

The following was presented:

Item 6D. Report.

Motion by Alderman Purcell, 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, Hanson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 6E. Request to Pay the Illinois Environmental Protection Agency for a Combined Sewer Non Point Discharge Elimination System (NPDES) Permit.

Motion by Alderman Purcell, 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, Hanson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 6F. Payment for Regional Planning Service Agreement.

Motion by Alderman Purcell, seconded by Alderman Schmidt that the agreement and payment 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, Hanson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 6G. Advertising in the Pantagraph for the Bloomington Center for the Performing Arts, (BCPA) for the 2010-2011 Season.

Motion by Alderman Purcell, seconded by Alderman Schmidt that the formal bidding process be waived, the contract with the Pantagraph for seasonal advertising be approved in the amount of \$46,585.92, 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, Huette, Schmidt, McDade, Anderson, Hanson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 6H. Analysis of Bid for Water Main Replacement on Greenwood Avenue from Main Street to Morris Avenue.

Motion by Alderman Purcell, seconded by Alderman Schmidt that the bid for the Greenwood Avenue Water Main be awarded to George Gildner, Inc. in the amount of \$442,516.10, 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, Hanson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 6J. Edward Byrne Memorial Justice Grant (JAG).

Motion by Alderman Purcell, seconded by Alderman Schmidt that the 2010 Edward Byrne Memorial Justice Grant in the amount of \$28,654 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, Huette, Schmidt, McDade, Anderson, Hanson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 6K. Application of NTR Foodmart, Inc., d/b/a Clark Gas Station, located at 1810 S. Morris Ave., for a GPBS liquor license, which will allow the sale of packaged beer and wine for consumption off the premises seven (7) days a week.

Motion by Alderman Purcell, seconded by Alderman Schmidt that a GPBS liquor license for NTR Foodmart, Inc., d/b/a Clark Gas Station, located at 1810 S. Morris Ave., 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, Huette, Schmidt, McDade, Anderson, Hanson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 6M. Application of Penalty Box Restaurants, LLC, d/b/a Baxter's American Grille, located at 3212 E. Empire St., for an RAPS liquor license, which will allow the sale of all types of alcohol by the glass for consumption on the premises and the sale of all types of packaged liquor for consumption off the premises seven (7) days a week.

Motion by Alderman Purcell, seconded by Alderman Schmidt that an RAPS liquor license for Penalty Box Restaurants, LLC, d/b/a Baxter's American Grille, located at 3212 E. Empire 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 Stearns, Huette, Schmidt, McDade, Anderson, Hanson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 6N. Suspension of Ordinance to Allow Consumption of Alcohol at Lake Bloomington's Davis Lodge on July 10, 2010.

Motion by Alderman Purcell, seconded by Alderman Schmidt that the Ordinance suspending Section 26(D) of Chapter 6 and Section 701 of Chapter 31 to allow the possession and consumption of alcohol at the Lake Bloomington Davis Lodge on July 10, 2010 be passed.

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

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

Nays: None.

Motion carried.

The following was presented:

Item 6O. Application of Ireland Grove, LLC, d/b/a Links at Ireland Grove, located at 3807 Ballybunion, for an RBS liquor license, which will allow the sale of beer and wine by the glass for consumption on the premises seven (7) days a week.

Motion by Alderman Purcell, seconded by Alderman Schmidt that an RBS liquor license for Ireland Grove, LLC, d/b/a Links at Ireland Grove, located at 3807 Ballybunion, 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, Huette, Schmidt, McDade, Anderson, Hanson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 6P. Revision to City Code Chapter 2, Sec. 82 – Establishing the Foreign Fire Insurance Board.

Motion by Alderman Purcell, 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, Hanson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 6I. Three (3) year Agreement with Habitat for Humanity of McLean Co. for the Distribution of Vacant Property for Development of Low to Moderate Income Housing in the City.

Motion by Alderman Purcell, seconded by Alderman Stearns that the amended Agreement (two year) 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, Hanson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 6L. Application of TVEO Corporation, d/b/a Eric's Mini Mart & Restaurant, located at 903 W. Wood St., for an RAPS liquor license, which will allow the sale of all types of alcohol by the glass for consumption on the premises and the sale of all types of packaged liquor for consumption off the premises seven (7) days a week.

Motion by Alderman Schmidt, seconded by Alderman Anderson that an RAS liquor license for TVEO Corporation, d/b/a Eric's Mini Mart & Restaurant, located at 903 W. Wood St., be created contingent upon compliance with all applicable health and safety codes with the following conditions: 1.) that there be no outstanding PACE (Planning and Code Enforcement) fees and/or fines at this address.

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

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

Nays: Alderman Purcell.

Motion carried.

The following was presented:

Item 8A. Approval of a Brush Disposal Contract with T. Kirk Brush, Inc. and a Modified Lease Agreement for Brush Storage Site.

Motion by Alderman Huette, seconded by Alderman Hanson that the RFP for brush disposal be awarded to T. Kirk Brush in the amount of \$406,050, the modified 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 Huette, Schmidt, Hanson, Fruin and Purcell.

Nays: Alderman Stearns, Sage, McDade and Anderson.

Motion carried.

Motion by Alderman Purcell, seconded by Alderman McDade, that the meeting be adjourned. Time: 9:35 p.m.

Motion carried.

**Tracey Covert
City Clerk**