

**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 9, 2009.

The Meeting was opened by Pledging Allegiance to the Flag followed by 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, Kevin Huette, Bernie Anderson, David Sage, John Hanson, Jennifer McDade, Steven Purcell, Karen Schmidt, Jim Fruin and Mayor Stephen F. Stockton.

Deputy City Manager Barbara J. Adkins, Chief Deputy Clerk Renee Gooderham, and Corporate Counsel Todd Greenburg were also present.

Absent: City Manager David Hales, and City Clerk Tracey Covert.

The following was presented:

Item 6A. Council Proceedings of October 23, 2006 and October 12, 2009 and Work Session Minutes of August 31, 2009.

Motion by Alderman Anderson, seconded by Alderman Schmidt, that the reading of the minutes of the previous Council Meeting of October 23, 2006 and October 12, 2009 and Work Session Minutes of August 31, 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, Huette, Schmidt, McDade, Anderson, Hanson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

6B. Bills and Payroll.

Motion by Alderman Anderson, 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 Anderson, 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. Funding for the McLean County Wheels to Work Program.

Motion by Alderman Anderson, seconded by Alderman Schmidt, that the funding 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 6E. Young Adult Dependent Coverage Required Under State Law.

Motion by Alderman Anderson, seconded by Alderman Schmidt, that an additional premium be required for young adult dependents added to the City's insurance plans as required under the Illinois Public Act 95-0958.

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. Extension of the Police Sergeants and Lieutenants Eligibility List.

Motion by Alderman Anderson, seconded by Alderman Schmidt, that the Ordinance 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 6G. Amendment to Chapter 6, Alcoholic Beverages, Section 7A Classification and 7B License Fees.

Motion by Alderman Anderson, 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 6H. Acceptance of Right of Way and Easement Dedications – Property Adjacent to George Evans Jr. Middle School.

Motion by Alderman Anderson, seconded by Alderman Schmidt, that the Dedications and conveyance be accepted and the documents recorded.

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. Petition submitted by the City of Bloomington, requesting the amendment of Chapter 44 (Zoning) by adequately defining “drug store” and “pharmacy”; and identifying “pharmacy” as a permissible use, special use, or accessory in certain zoning districts within the City of Bloomington.

Motion by Alderman Fruin, seconded by Alderman Hanson, that the Text Amendment be laid over until the December 14, 2009 City Council Meeting.

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. Petition submitted by CIP, LLC, requesting the rezoning of land from B-1, Highway Business District, to R-3B, Multiple Family Residence District, for Lot 262 in the Airport Park Subdivision, 6th Addition.

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

Nays: None.

Motion carried.

The following was presented:

Item 6K. Petition from Harvest Developers, Inc., requesting approval of a Final Plat for the First Addition to Harvest Pointe Subdivision commonly located north of IL Route 9 and east of Towanda Barnes Road.

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

Nays: None.

Motion carried.

The following was presented:

Item 6L. Petition from McLean County Farm Bureau, an Illinois Not for Profit Corporation, requesting approval of a Final Plat for the Resubdivision of Part of Lots 1 & 2 in Interstate Center Subdivision commonly located north of IL Route 9 and south of College Avenue at the north terminus of Interstate Drive.

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

Nays: None.

Motion carried.

The following was presented:

Item 6M. Reschedule December 28, 2009 Council Meeting to December 21, 2009.

Motion by Alderman Anderson, seconded by Alderman Huette, to reject that the regular Council Meeting scheduled for December 28, 2009 be rescheduled to December 21, 2009.

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. Illinois Commerce Commission Order to Improve the Norfolk Southern Railroad Crossing at Abraham Road.

Motion by Alderman Anderson, seconded by Alderman Schmidt, that the Change Order to the contract with McLean County Asphalt in the amount of \$125,000 for the 2009-2010 Street and Alley Repair be approved 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 6O. Application of KOS LLC, d/b/a The Teebox Bar & Grill, located at Lot 145 Airport Park Subdivision, 12th Addition, located on Gerig Dr., near the southwest corner of Gerig Dr. and Ekstam 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, previously approved for Lot 132.

Motion by Alderman Anderson, seconded by Alderman Schmidt, that an RAS liquor license for KOS LLC, d/b/a The Teebox Bar & Grill, located at Lot 145 Airport Park Subdivision, 12th Addition, located on Gerig Dr., near the southwest corner of Gerig Dr. and Ekstam Dr., be created, contingent upon compliance with all applicable health and safety codes with the following condition: 1.) the Commission reserves the right to observe the establishment and apply tavern “T” rules, if needed.

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 8A. Proposed 2009 Tax Levy and Process.

Motion by Alderman Fruin, seconded by Alderman Hanson, that the proposed tax levy be adopted as the estimate of \$23,586,675 for the 2009 Tax Levy.

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

Ayes: Aldermen Schmidt, McDade, Anderson, Hanson, and Fruin.

Nays: Aldermen Stearns, Huette, Sage and Purcell.

Motion carried.

The following was presented:

Item 8B. Refunding and restructuring 1996 and 2001 Bond Issues.

Motion by Alderman Schmidt, seconded by Alderman Hanson, that the Ordinance 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 8C. Downtown Tax Increment Financing (TIF) Pending Projects.

Motion by Alderman Fruin, seconded by Alderman Anderson, that the projects be approved, 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.

Motion by Alderman Fruin, seconded by Alderman Schmidt, that the meeting be adjourned. Time: 10:50 p.m.

Motion carried.

**Renee Gooderham
Chief Deputy Clerk**