

**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, July 27, 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.

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

The following was presented:

Item 5A. Historic Preservation Commission – Heritage Awards.

The following was presented:

Item 6A. Council Proceedings of August 14, 2006 and Work Session Minutes and Executive Session Minutes of April 13, 2009.

Motion by Alderman Purcell, seconded by Alderman Schmidt that the reading of the minutes of the previous Council Meeting of August 14, 2006 and Work Session Minutes and Executive Session Minutes of April 13, 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:

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. Audit of the Accounts for the Township Supervisor for the month of June, 2009.

Motion by Alderman Purcell, seconded by Alderman Schmidt that the audit of the bills and payroll 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 6E. 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 6F. Payment of an Invoice for \$12,620 from McLean County Asphalt for Repairs to the Pavement at the Intersection of Washington and Oak Streets.

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 6G. Analysis of Bids and Approval of Contract for Sidewalk Reconstruction.

Motion by Alderman Purcell, seconded by Alderman Schmidt that the bid for Sidewalk Replacement and Handicap Ramp Reconstruction be awarded to Felmley-Dickerson Co. in the amount of \$148,157.50, 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 6H. Analysis of Bids and Approval of Contract for Street and Alley Repair.

Motion by Alderman Purcell, seconded by Alderman Schmidt that the bid for Street and Alley Repair be awarded to McLean County Asphalt Company Inc. for Alternate C, the contract total be limited to \$250,000, 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, Hanson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 6I. Local Agency Agreement for Federal Participation and Motor Fuel Tax Resolution for the Resurfacing of Ireland Grove Road from Veterans Parkway to the Kickapoo Creek Bridge.

Motion by Alderman Purcell, seconded by Alderman Schmidt that the Local Agency Agreement for Federal Participation for the Resurfacing of Ireland Grove Road from Veterans Parkway to the Kickapoo Creek Bridge be approved, 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 6J. Local Agency Agreement for Federal Participation for the Installation of Traffic Signals at the Intersection of Hershey Road and College Avenue.

Motion by Alderman Purcell, seconded by Alderman Schmidt that the Local Agency Agreement for Federal Participation for the Installation of Traffic Signals at the Intersection of Hershey Road and College Avenue 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 6K. Local Agency Agreement for Federal Participation and Motor Fuel Tax Resolution for the Improvement of Hamilton Road from Timberlake Lane to Main Street (US 51).

Motion by Alderman Purcell, seconded by Alderman Schmidt that the Local Agency Agreement for Federal Participation for the Improvement of Hamilton Road from Timberlake Lane to Main Street (US 51) be approved, 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 6L. Professional Services Contract for the Center for Performing Arts.

Motion by Alderman Purcell, seconded by Alderman Schmidt that the contract with Art Fegan Entertainment, Inc. in the amount of \$12,000 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, Huette, Schmidt, McDade, Anderson, Hanson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 6O. Resolution Authorizing the Water Depreciation Fund (Number: 5020) to loan \$1 Million Dollars to the Capital Improvement Fund for the 2009-2010 General Resurfacing Program.

Motion by Alderman Purcell, seconded by Alderman Schmidt that the Intra-fund Loan 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 6P. Petition from Eastlake, LLC, Requesting Approval of a Final Plat for the Grove on Kickapoo Creek Second Addition Phase II Subdivision commonly located north of Ireland Grove Road and west of Township Road 2100 East.

Motion by Alderman Purcell, 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 6Q. Petition from McLean County Commercial Corporation Requesting Approval of a Final Plat for Commerce Park Subdivision, 28th Addition commonly located south of Veterans Parkway and west of Commerce Parkway.

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

Motion by Alderman Purcell, seconded by Alderman Schmidt that the Final Plat be approved and the Ordinance passed.

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

Nays: None.

Motion carried.

The following was presented:

Motion by Alderman Purcell, second Alderman McDade to amend the Agenda and place Item 6M. Proposed Amendment of Chapter 1 of the Bloomington City Code Providing for Performance of Community Service to Satisfy Citations for Ordinance Violations and 6N. Prevailing Wage Resolution after Item 8C. Text Amendment to Chapter 6. Alcoholic Beverages – Kegs.

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. Intergovernmental Agreement between the City and the Bloomington Normal Water Reclamation District.

Motion by Alderman Hanson, seconded by Alderman Purcell that the amended Intergovernmental Agreement removing Article IV - 4 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 8B. Review of the Record of Action by the Zoning Board of Appeals Upholding the Zoning Administrator's Interpretation of Expansion of a Nonconforming Use.

Motion by Alderman Anderson, seconded by Alderman Purcell that the Appeal be denied and the recommendation of the Zoning Board of Appeals be upheld with the condition that the property owner be given the opportunity to address a workable solution up to a maximum one (1) year to or when all appeals are exhausted whichever is shorter.

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

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

Nays: Alderman Stearns, McDade and Hanson.

Motion carried.

The following was presented:

Item 8C. Text Amendment to Chapter 6. Alcoholic Beverages – Kegs.

Motion by Alderman Hanson, seconded by Alderman Anderson that the Text Amendment to Chapter 6. Alcoholic Beverage – Kegs be identical to the one passed by the Town of Normal, Ordinance No. 5250, 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:

Motion by Alderman Hanson, seconded by Alderman Purcell to rescind the action taken on Item 8A. Intergovernmental Agreement between the City and the Bloomington Normal Water Reclamation District.

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 Schmidt, seconded by Alderman Purcell that the Intergovernmental Agreement marked “Final” 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.

Motion by Alderman Anderson, seconded by Alderman Huette that the following items be laid over until the Council’s August 10, 2009 meeting: Item 6M. Proposed Amendment of Chapter 1 of the Bloomington City Code Providing for Performance of Community Service to Satisfy Citations for Ordinance Violations; Item 6N. Prevailing Wage Resolution; and Item 8D. Presentation – Pot Hole Program – Jim Karch.

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 Anderson, seconded by Alderman Purcell, that the meeting be adjourned. Time: 10:30 p.m.

Motion carried.

**Tracey Covert
City Clerk**