

**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, April 13, 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, Allen Gibson, David Sage, John Hanson, Jim Finnegan, 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. Opening of One Bid for Grass and Weed Mowing for Community Development.

Motion by Alderman Schmidt, seconded by Alderman Hanson that the Bid be opened at the Council meeting, referred to staff for analysis and reported back to Council prior to the end of the meeting.

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

Ayes: Aldermen Stearns, Huette, Schmidt, Finnegan, Gibson, Hanson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 5B. Proclamation – Declaring the Week of April 11 through April 18, 2009 as International Understanding and World Peace Week and Proclamation – Declaring the Week of April 18 through April 25, 2009 as Money Smart Week – Bloomington.

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, Finnegan, Gibson, Hanson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 5C. Oath of Office – Police Officer, Timmothy Carlton.

The following was presented:

Item 5D. Oaths of Office – Firefighters Gregory Fisher and Sean Morrison.

The following was presented:

Item 6A. Council Proceedings of April 14, 2008, Work Session Minutes of March 16, 2009, Public Hearing Minutes of March 16, 2009, and Executive Session Minutes of March 9 and 16, 2009.

Motion by Alderman Purcell, seconded by Alderman Schmidt that the reading of the minutes of the previous Council Meeting of April 14, 2008, Work Session Minutes of March 16, 2009, Public Hearing Minutes of March 16, 2009, and Executive Session Minutes of March 9 and 16, 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, Finnegan, Gibson, 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, Finnegan, Gibson, 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 Stearns that the payments be approved.

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

Ayes: Aldermen Stearns, Huette, Schmidt, Finnegan, Gibson, Hanson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 6D. Appointments and Reappointments to the following Boards, Committees, and Commissions.

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

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

Ayes: Aldermen Stearns, Huette, Schmidt, Finnegan, Gibson, Hanson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 6E. Payment to the Grove on Kickapoo Creek, LLC for the City's portion of the Twenty Inch Water Main to Serve Benjamin School Site.

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, Finnegan, Gibson, Hanson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 6F. Approval of Single Bid for Outdoor Warning Signs.

Motion by Alderman Purcell, seconded by Alderman Schmidt that the bid be awarded to Innotech Corporation in the amount of \$49,820.10 and the Purchasing Agent 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, Finnegan, Gibson, Hanson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 6G. Change Order #1 for McGraw Park Phase II.

Motion by Alderman Purcell, seconded by Alderman Schmidt that a Change Order in the amount of \$4,608 to Johnston Construction for the Purchase and Installation of an Inspection Manhole be approved.

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

Ayes: Aldermen Stearns, Huette, Schmidt, Finnegan, Gibson, Hanson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 6H. Highway Permit with the Illinois Department of Transportation, (IDOT) for the Improvement of the Intersection of Veterans Parkway (Bus. Rt. I-55) with Mercer Avenue.

Motion by Alderman Purcell, seconded by Alderman Stearns that the Highway Permit 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, Finnegan, Gibson, Hanson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 6I. Application for COPS Hiring Recovery Program.

Motion by Alderman Purcell, seconded by Alderman Schmidt that the COPS Hiring Recovery Program (CHRP) Application be Submitted for Possible Funding of Six (6) Police Officers 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, Finnegan, Gibson, Hanson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 6J. Contract for the Purchase of Right of Way for Constitution Trail from John Nottoli.

Motion by Alderman Purcell, seconded by Alderman Schmidt that the Contract for the Purchase of Real Estate be approved and the Mayor and City Clerk 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, Finnegan, Gibson, Hanson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 6K. Disposition of 1108 Woodbury Place.

Motion by Alderman Purcell, seconded by Alderman Schmidt that the sale of 1108 Woodbury Place to Nathan Robinson in the amount of \$135,000 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, Finnegan, Gibson, Hanson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 6L. Supplemental Resolution for the Appropriation of Motor Fuel Tax Funds for Improvement of Towanda Barnes Road and Oakland Avenue Intersection.

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

Nays: None.

Motion carried.

The following was presented:

Item 6M. Application of Chimis Caribbean Restaurant, Inc., d/b/a Chimis Caribbean Restaurant, located at 1704 Eastland Dr., Suite 13, 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 Purcell, seconded by Alderman Schmidt that an RAS liquor license for Chimis Caribbean Restaurant, Inc., d/b/a Chimis Caribbean Restaurant, located at 1704 Eastland Dr., Suite 13 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, Finnegan, Gibson, Hanson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 7A. Public Hearing for Approval and Authorization to Submit the Application for Neighborhood Stabilization Program Funds to the State of Illinois, Department of Human Services.

Motion by Alderman Gibson, seconded by Alderman Schmidt that the application to the State of Illinois Department of Human Services for Neighborhood Stabilization Program funds be submitted and the Resolution adopted.

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

Ayes: Aldermen Stearns, Huette, Schmidt, Finnegan, Gibson, Hanson, Sage, Fruin and Purcell.

Nays: None.

Motion carried.

The following was presented:

Item 7B. Public Hearing on 2009-2010 Budget and Adoption of an Ordinance Titled Budget and Appropriation Ordinance for the Fiscal Year Ending April 30, 2010.

Motion by Alderman Huette, seconded by Alderman Finnegan that the Public Hearing be held and the Ordinance passed.

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

Ayes: Aldermen Huette, Schmidt, Finnegan, Gibson, Hanson and Fruin.

Nays: Aldermen Purcell, Sage and Stearns.

Motion carried.

The following was presented:

Item 7C. Text Amendment to Section 301.6 of Chapter 21 – Refuse Fee Increase from Seven to Fourteen Dollars.

Motion by Alderman Huette, seconded by Alderman Finnegan the revised Text Amendment be approved (fee will return to \$7.00 effective May 1, 2010) and the Ordinance passed.

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

Ayes: Aldermen Huette, Schmidt, Finnegan, Gibson, Hanson and Fruin.

Nays: Aldermen Purcell, Sage and Stearns.

Motion carried.

The following was presented:

Item 7D. Text Amendment to Section 92 of Chapter 17 – Emergency Medical Services.

Motion by Alderman Huette, seconded by Alderman Finnegan 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 Huette, Schmidt, Finnegan, Gibson, Hanson and Fruin.

Nays: Aldermen Purcell, Sage and Stearns.

Motion carried.

The following was presented:

Item 7E. Text Amendment to Section 142 of Chapter 39 – City of Bloomington Use Tax.

Motion by Alderman Huette, seconded by Alderman Finnegan 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 Huette, Schmidt, Finnegan, Gibson, Hanson and Fruin.

Nays: Aldermen Purcell, Sage and Stearns.

Motion carried.

The following was presented:

Item 8A. Living Wage Ordinance.

Motion by Alderman Huette, seconded by Alderman Hanson that a vote on the public question, (Living Wage Question: Shall all employees and subcontracted workers of the City of Bloomington be paid a Living Wage of at least \$9.81 per hour, with an annual Cost of Living Adjustment?) be taken.

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

Ayes: None.

Nays: Aldermen Stearns, Huette, Schmidt, Finnegan, Gibson, Hanson, Sage, Fruin and Purcell.

Motion carried.

Alderman Gibson left the meeting at 10:00p.m.

The following was presented:

Item 8B. Intergovernmental Agreement between the City and the Bloomington Normal Water Reclamation District.

Motion by Alderman Schmidt, seconded by Alderman Purcell that the item be laid over until the April 27, 2009 Council meeting.

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

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

Nays: None.

Motion carried.

The following was presented:

Item 8C. Petition submitted by the City of Bloomington, Illinois, a municipal corporation, requesting a Zoning Text Amendment of Chapter 44, Zoning Code, Section 10-4 to revise Special Use standards for Gravel Pits.

Motion by Alderman Sage, seconded by Alderman Schmidt that the revised Text Amendment (clarifying Standard 1 would be applicable inside or outside of the corporate limits) 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, Hanson, Sage and Purcell.

Nays: Aldermen Fruin and Finnegan.

Motion carried.

The following was presented:

Item 8D. Analysis of Bids Towing 10,000 GVW and Under.

Motion by Alderman Schmidt, seconded by Alderman Hanson that the bid from Joe's Towing & Recovery be accepted and the Purchasing Agent be authorized to issue a Purchase Order.

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

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

Nays: None.

Motion carried.

The following was presented:

Item 5A. One Bid for Grass and Weed Mowing for Community Development.

Motion by Alderman Schmidt, seconded by Alderman Purcell that the bid be rejected.

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

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

Nays: None.

Motion carried.

Motion by Alderman Schmidt, seconded by Alderman Purcell, that the meeting be adjourned. Time: 11:14 p.m.

Motion carried.

**Tracey Covert
City Clerk**