

**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, February 23, 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 6A. Council Proceedings of October 9, 2006 and Budget Work Session Minutes of February 9, 2009.**

Motion by Alderman Gibson, seconded by Alderman Huette that the reading of the minutes of the previous Council Meeting of October 9, 2006 and Budget Work Session Minutes of February 9, 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 Gibson, seconded by Alderman Huette 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 Gibson, seconded by Alderman Huette 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. Audit of the Accounts for the Township Supervisor for the month of January, 2009.**

**Motion by Alderman Gibson, seconded by Alderman Huette that the audit of the bills and payroll for the month of January, 2009 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 6E. Reports.**

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

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 6F. Change Order to Contract with Stark Excavating, Inc. for Water Main Construction Project on Miller Street Between Oak and Low Streets.**

**Motion by Alderman Gibson, seconded by Alderman Huette that the Change Order in the amount of \$19,396.50 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, Finnegan, Gibson, Hanson, Sage, Fruin and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 6G. Application of Baxter's Bar & Grill, LLC d/b/a Baxter's American Grill, located at 3212 E. Empire St., requesting an RAS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week.**

**Motion by Alderman Gibson, seconded by Alderman Huette that an RAS liquor license which would allow the sale of all types of alcohol by the glass for consumption on the premises seven (7) days a week for Baxter's Bar & Grill, LLC d/b/a Baxter's American Grill, 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, Finnegan, Gibson, Hanson, Sage, Fruin and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 6H. Text Amendment to Chapter 35, Section 30.**

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

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 6I. Lake Bloomington Lease Transfer Petition for Lot 8, Block 4 of Camp Kickapoo from Hugh Flanagan and Ellen Flanagan to Ellen Flanagan.**

**Motion by Alderman Gibson, seconded by Alderman Huette that the Lake Lease 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 6J. Petition submitted by the City of Bloomington, McLean County, Illinois, a Municipal Corporation, Eastlake L.L.C., an Illinois Limited Liability Company, and Community Unit School District No. 5, McLean and Woodford Counties, Illinois, Requesting Annexation and Rezoning of a 97.41 Acre Tract within the Grove at Kickapoo Creek.**

**Motion by Alderman Gibson, seconded by Alderman Huette that the Annexation and 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, 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 Community Development Block Grant Program Year 2009-2010 Action Plan.**

**Motion by Alderman Gibson, seconded by Alderman Schmidt that the One Year Action Plan 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, Finnegan, Gibson, Hanson, Sage, Fruin and Purcell.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 7B. Public Hearing on the Petition submitted by Deborah D. Foreman, as Trustee of Deborah D. Foreman Revocable Trust dated September 29, 1994 requesting approval of an Annexation Agreement and Petition for Annexation for land located south of Hamilton Road, a/k/a the future extension of Hershey Road consisting of approximately 20 acres.**

**Motion by Alderman Gibson, seconded by Alderman Purcell that the Annexation Agreement and Petition for Annexation be approved, the Ordinance passed, 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, and Mayor Stockton.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 7D. Public Hearing on the Petition submitted by Sunrise LLC requesting approval of an Annexation Agreement and Petition for Annexation for land located north of US 150, a/k/a the future extension of Hershey Road, consisting of approximately 20 acres.**

**Motion by Alderman Schmidt, seconded by Alderman Hanson that the Annexation Agreement and Petition for Annexation be approved, the Ordinance passed, 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, and Mayor Stockton.**

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 7C. Sanitary Sewer and General Utility Easements for Access from Deborah D. Foreman as Trustee of the Deborah D. Foreman Revocable Trust.**

**Motion by Alderman Purcell, seconded by Alderman Schmidt that Easements be accepted.**

**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 7E. Warranty Deed for Hershey Road Right of Way from Sunrise LLC.**

**Motion by Alderman Purcell, seconded by Alderman Schmidt that the Warranty Deed be accepted.**

**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 7F. Dedication of a Sanitary Sewer Easement from Sunrise LLC.**

**Motion by Alderman Purcell, seconded by Alderman Schmidt that the Easement be accepted.**

**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 7G. Easement for General Utility Purposes from Sunrise LLC.**

**Motion by Alderman Purcell, seconded by Alderman Schmidt that the Easement be accepted.**

**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 7H. Petition submitted by Community Unit School District No. 5, McLean and Woodford Counties, Illinois requesting Annexation and S-2, Public Lands and Institutions Zoning for the 40 acre proposed middle school site commonly located south of U.S. Highway 150, west of C.H. 30, and north of Harvest Hill Avenue.**

**Motion by Alderman Purcell, seconded by Alderman Schmidt that the Annexation and Rezoning be approved and the Ordinances passed.**

**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 7I. Easement for General Utility Purposes from Community Unit School District No. 5, McLean and Woodford Counties, Illinois.**

**Motion by Alderman Purcell, seconded by Alderman Schmidt that the Easement be accepted.**

**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 7J. Dedication of an Easement for Sanitary Sewer from State Farm Mutual Automobile Insurance Company.**

**Motion by Alderman Purcell, seconded by Alderman Schmidt that the Easement be accepted.**

**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 7K. Warranty Deed for Hershey Road Right of Way from Hershey Grove, LLC.**

**Motion by Alderman Purcell, seconded by Alderman Schmidt that the Easement be accepted.**

**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 7L. Agreement to Reconvey Property not needed for Permanent Utility Easement to Foreman Trust.**

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

**Nays: None.**

**Motion carried.**

**The following was presented:**

**Item 8A. Code of Conduct for Elected Officials.**

**Motion by Alderman Fruin, seconded by Alderman Schmidt that the Code of Conduct be postponed indefinitely.**

**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: Alderman Gibson.**

**Motion carried.**

**The following was presented:**

**Item 8B. Federal Economic Recovery Program – Project List.**

**Motion by Alderman Purcell, seconded by Alderman Fruin to adjourned. Time:  
10:15 p.m.**

**Motion carried.**

**Tracey Covert  
City Clerk**