

CITY OF BLOOMINGTON
COUNCIL MEETING AGENDA
MONDAY, AUGUST 10, 2009, 7:30 P.M.

- 1. Call to order.**
- 2. Pledge of Allegiance to the Flag.**
- 3. Remain Standing for Silent Prayer**
- 4. Roll Call**
- 5. Appointments:**
- 6. “Consent Agenda”**

(All items under the Consent Agenda are considered to be routine in nature and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member or citizen so requests, in which event, the item will be removed from the Consent Agenda and considered in the Regular Agenda, which is Item #7.

The City’s Boards and Commissions hold Public Hearings prior to most Council items appearing on the Council’s Meeting Agenda. Persons who wish to address the Council should provide new information which is pertinent to the issue before them.

The Council may vote to suspend the rules to allow citizen input on Regular Agenda items. If this occurs, public input will be limited to three (3) persons in support of and three (3) persons in opposition to said item. Input will be limited to five (5) minutes per person. Said person must provide their name and address for the record.)

- A. Council Proceedings of May 26, 2009. (Recommend that the reading of the minutes of the previous Council Meeting of May 26, 2009 be dispensed with and the minutes approved as printed.)**

- B. Bills and Payroll. (Recommend that the bills and payroll be allowed and orders drawn on the Treasurer for the various amounts as funds are available.)**
- C. Payments from various Municipal Departments. (Recommend that the payments be approved.)**
- D. Partial Payment to the Grove on Kickapoo Creek, LLC for Ireland Grove Road Trunk Sewer – East Branch Oversizing. (Recommend that the payment be approved.)**
- E. Analysis of Bids – Printing Services for the Bloomington Center for the Performing Arts (BCPA). (Recommend that the bid for printing the 2009-2010 season playbills be awarded to Martin Graphics in the amount of \$21,736, and the Purchasing Agent be authorized to issue a Purchase Order for same.)**
- F. Change Order to the Contract with Innotech Communications for the Communication Tower for Fire Station #5 at Six Points Rd. (Recommend that the Change Order in the amount of \$851.25 be approved.)**
- G. Resolution Authorizing the Execution of Memorandum of Understanding with the Bloomington-Normal Public Transit System (BNPTS) Regarding the Sale and Distribution of Bus Passes in City Facilities. (Recommend that the Mayor and City Clerk be authorized to execute the necessary documents and the Resolution adopted.)**
- H. Prevailing Wage Resolution. (Recommend that the Resolution be adopted.)**
- I. Application of Highland Park CVS, LLC, d/b/a CVS Pharmacy #7017, located at 1130 Veterans Pkwy., for a PAS liquor license, which will allow the sale of all types of packaged alcohol for consumption off the premises seven (7) days a week. (Recommend that a PAS liquor license for Highland Park CVS, LLC, d/b/a CVS Pharmacy #7017 located at 1130 S. Veterans Pkwy., be created, contingent upon compliance with all applicable health and safety codes.)**
- J. Application of Inchiban Chinese/Japanese Restaurant, Inc., d/b/a Lucky Garden, located at 706 Eldorado Rd., 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. (Recommend that an RAS liquor license for Inchiban Chinese/Japanese Restaurant, Inc., d/b/a Lucky Garden located at 706 Eldorado Rd., be created, contingent upon compliance with all applicable health and safety codes.)**

- K. Request of Big Cheese, Inc., d/b/a Flingers Pizza Co., located at 608 N. Main St., currently holding an RBS liquor license, which allows the sale of beer and wine only by the glass for consumption on the premises seven (7) days a week, with the following conditions: 1.) that the Commission advised Mr. Fruin that it reserved the right to vary the sale hours for liquor and/or impose “T”, Tavern rules if Flingers appeared to be operating as a bar; and 2.) that liquor sales cease at 1:00 a.m. on Saturdays and Sundays with no consumption after 2:00 a.m. on the same days of the week; for a review of Condition 2. and allow liquor sales until 1:45 a.m. on Saturdays and Sundays. (Recommend that condition number two (2) be removed.)**
- L. Request for Alcohol in Miller Park Zoo for the Miller Park Zoological Society fundraiser, know as ZooDo. (Recommend that the Ordinance be passed.)**
- M. Proposed Amendment to Chapter 1 of the Bloomington City Code providing for Performance of Community Service to Satisfy Citations for Ordinance Violations. (Recommend that the Text Amendment be approved and the Ordinance passed.)**
- N. Text Amendment and Ordinance Amending Chapter 40, Taxicabs of the City Code. (Recommend that the Text Amendment be approved and the Ordinance passed.)**
- O. Variance from Chapter 38, Section 123(a) of the City Code to Allow a Driveway Approach thirty-three Feet (33’) Wide at 2906 DeGarmo Drive, Lot 247 Tipton Trails Subdivision Ninth Addition. (Recommend that the Variance be approved.)**
- P. Variance from Chapter 38, Section 123(a) of City Code to Allow a Driveway Approach thirty-three Feet (33’) Wide at 2106 Sinclair Court, Lot 252 Tipton Trails Subdivision Ninth Addition. (Recommend that the Variance be approved.)**
- Q. Variance from Chapter 38, Section 123(a) of City Code to Allow Two (2) Driveway Approaches at 115 Regency Drive, Lot 51 Belmont Subdivision Third Addition. (Recommend that the Variance be approved.)**
- R. Petition submitted by First Christian Church, requesting approval of a Special Use Permit to expand the use of an existing noncommercial parking lot at 402 N. Lee Street, located in an R-3B, High Density Multiple Family Zoning District. (Recommend that the Special Use be approved and the Ordinance passed.)**
- S. Petition for a Special Use Permit to Allow for a Rooming House in an R-2, Mixed Residential Zoning District, for the Property Located at 501 N. McLean St. (Recommend that the Special Use be approved and the Ordinance passed.)**

- T. Waive the Formal Bidding Process and Authorize a Professional Services Agreement with Stark Excavating, Inc. in an amount not to exceed \$35,000 for the Emergency Adjustment of a Twenty-four Inch (24”) Water Transmission Main on Pipeline Road. (Recommend That the formal bidding process be waived, the contract with Stark Excavating, Inc. for the emergency adjustment of a twenty-four inch (24”) water transmission main on Pipeline Road be approved in an amount not to exceed \$35,000, the Mayor and City Clerk be authorized to execute the necessary documents, and the Resolution adopted.)**

7. “Public Hearings ”

8. “Regular Agenda”

- A. Text Amendment to Chapter 6. Alcoholic Beverages, Section 21. Closing Hours – Sunday Sales. (Recommend that the Text Amendment to Chapter 6. Alcoholic Beverages, Section 21. Closing Hours – Sunday Sales be amended as follows: packaged and restaurant license classifications commence at 6:00 a.m.; with the following option 1.) that the Council may consider granting the tavern license classification an earlier Sunday sale hour, (i.e. commence at 11:00 a.m. or an earlier hour or remain at 12 noon), and the Ordinance passed.)**
- B. Appeal of the Action of the Zoning Board of Appeals, (ZBA) Denying a Rear Yard Variation for the Property located at 601 Chelsea. (Recommend that the action by the Zoning Board of Appeals be upheld and the Appeal denied.)**
- C. Pot Hole Program – Jim Karch**

9. Mayor’s Discussion

10. City Manager’s Discussion

11. City Aldermen’s Discussion

12. Executive Session - cite section

13. Adjournment

14. Notes